

Pecyn Dogfennau Cyhoeddus

Cabinet

Man Cyfarfod
**Siambwr y Cyngor - Neuadd y Sir,
Llandrindod, Powys**

Dyddiad y Cyfarfod
Dydd Mawrth, 3 Mawrth 2020

Amser y Cyfarfod
10.30 am

I gael rhagor o wybodaeth cysylltwch â
Stephen Boyd
01597 826374
steve.boyd@powys.gov.uk



Neuadd Y Sir
Llandrindod
Powys
LD1 5LG

Dyddiad Cyhoeddi

Mae croeso i'r rhai sy'n cymryd rhan ddefnyddio'r Gymraeg. Os hoffech chi siarad Cymraeg yn y cyfarfod, gofynnwn i chi roi gwybod i ni erbyn hanner dydd ddau ddiwrnod cyn y cyfarfod

AGENDA

| | |
|-----------|-----------------------|
| 1. | YMDDIHEURIADAU |
|-----------|-----------------------|

Derbyn ymddiheuriadau am absenoldeb.

| | |
|-----------|---------------------------------|
| 2. | DATGANIADAU O DDIDDORDEB |
|-----------|---------------------------------|

Derbyn unrhyw ddatganiadau o ddiddordeb gan Aelodau yn ymwneud ag eitemau i'w hystyried ar yr agenda.

| | |
|-----------|------------------|
| 3. | COFNODION |
|-----------|------------------|

Awdurdodi'r Arweinydd i lofnodi cofnodion y cyfarfod diwethaf a gynhaliwyd ar 11 Chwefror 2020 fel cofnod cywir.

(Tudalennau 1 - 6)

| | |
|-----------|--|
| 4. | YSGOL FABANOD LADYWELL GREEN INFANTS AC YSGOL IAU G.G. HAFREN |
|-----------|--|

Ystyried adroddiad gan y Cynghorydd Sir Phyl Davies, Aelod Portffolio ar faterion Addysg ac Eiddo.

(Tudalennau 7 - 48)

| | |
|-----------|---|
| 5. | PROSIECT RHAGLEN YSGOLION YR UNFED GANRIF AR HUGAIN - YSGOL CEDEWAIN |
|-----------|---|

Ystyried adroddiad gan y Cynghorydd Sir Phyl Davies, Aelod Portffolio ar faterion Addysg ac Eiddo.

(Tudalennau 49 - 92)

| | |
|-----------|---|
| 6. | PROTOCOL DIWYGIEDIG AR GYFER AWDURDODI DIGWYDDIADAU CERBYDAU MODUR SY'N EFFEITHIO AR LWYBRAU TROED, LLWYBRAU CEFFYL A CHILFFYRDD CYFYNGEDIG O DAN ADRAN.33 DEDDF TRAFFIG Y FFYRDD 1988 |
|-----------|---|

Ystyried adroddiad gan y Cynghorydd Sir Aled Davies, Aelod Portffolio ar faterion Cyllid, Cefn Gwlad a Thrafnidiaeth.

(Tudalennau 93 - 130)

| | |
|-----------|--|
| 7. | CYFRIF REFENIW TAI (HRA) CYNLLUN BUSNES ARIANNOL TRIDEG BLYNEDD 2020-2021 |
|-----------|--|

Ystyried adroddiad gan y Cynghorydd Sir James Evans, Aelod Portffolio ar faterion Gwasanaethau Datblygu Economaidd, Tai a Rheoleiddio.

(Tudalennau 131 - 192)

| | |
|-----------|---|
| 8. | CYNLLUN RHYDDHAD ARDRETHI Y STRYD FAWR AC ADWERTHU YNG NGHYMRU 2020-21 |
|-----------|---|

Ystyried adroddiad gan y Cynghorydd Sir Aled Davies, Aelod Portffolio ar faterion Cyllid, Cefn Gwlad a Thrafnidiaeth.

(Tudalennau 193 - 210)

| | |
|-----------|---|
| 9. | GOROLWG A RHAGOLYGN ARIANNOL AR 31 IONAWR 2020 |
|-----------|---|

Ystyried adroddiad gan y Cynghorydd Sir Aled Davies, Aelod Portffolio ar faterion Cyllid, Cefn Gwlad a Thrafnidiaeth.

(Tudalennau 211 - 222)

| | |
|------------|--|
| 10. | RHAGOLYGN CYFALAF AR 31 IONAWR 2020 |
|------------|--|

Ystyried adroddiad gan y Cynghorydd Sir Aled Davies, Aelod Portffolio ar faterion Cyllid, Cefn Gwlad a Thrafnidiaeth.

(Tudalennau 223 - 228)

| | |
|------------|-------------------|
| 11. | GOHEBIAETH |
|------------|-------------------|

Derbyn unrhyw ohebiaeth sydd ym marn yr Arweinydd yn ddigon o frys i haeddu ystyriaeth.

| | |
|------------|---|
| 12. | PENDERFYNIADAU DIRPRWYEDIG A WNAED ERS Y CYFARFOD DIWETHAF |
|------------|---|

Nodi'r penderfyniadau dirprwyedig ers y cyfarfod diwethaf.
(Tudalennau 229 - 230)

| | |
|------------|--------------------------|
| 13. | BLAENRAGLEN WAITH |
|------------|--------------------------|

Ystyried blaenraglen gwaith y Cabinet.
(Tudalennau 231 - 234)

| |
|--|
| Hyfforddiant - Deddf VAWDASV (Cymru) 2015 |
|--|

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

**MINUTES OF A MEETING OF THE CABINET HELD AT COUNCIL CHAMBER -
COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 11 FEBRUARY
2020**

PRESENT

County Councillor M R Harris (Chair)

County Councillors MC Alexander, R Powell, G Breeze and H Hulme

In attendance: County Councillor J Morris

| |
|---------------------|
| 1. APOLOGIES |
|---------------------|

Apologies for absence were received from County Councillors A Davies, P Davies and from County Councillor J Evans who was on other Council business.

| |
|-------------------|
| 2. MINUTES |
|-------------------|

The Leader was authorised to sign the minutes of the last meeting held on 21st January as a correct record.

| |
|------------------------------------|
| 3. DECLARATIONS OF INTEREST |
|------------------------------------|

There were no declarations of interest reported.

| |
|--|
| 4. HOUSING REVENUE ACCOUNT RENT AND RELATED CHARGES CHANGES FOR 2020-21 |
|--|

Cabinet considered Council Housing Rents, Garage Rents and all property and tenancy related service charges.

RESOLVED

- 1. That with effect from April 2020 the average rent in Powys will increase by 2.7% (£2.42 per week) for all 5375 Council owned homes.**
- 2. That service charges charged to HRA tenants are amended from April 2020 to allow the Council to recover the cost of providing these services during 2019-2020.**
- 3. That the weekly cost for Careline in 2020-2021 is £1.10 per week.**
- 4. That the Careline service is, as part of the installation of new equipment during 2020-2021, no longer considered a**

mandatory part of the tenancy of a property designated for older people.

- 5. That HRA garage rents in Powys for 2020-2021 are increased by 3.00%+£1.00 per week.**
- 6. That garage plot charges for 2020-2021 increase by £17.50 per annum.**
- 7. That the weekly occupation charges for Gypsy and Traveller sites in 2020-2021 will be increased by 2.7%.**
- 8. That all other rental and service charges, not detailed above, will increase by 2.7% from April 2020.**

| |
|---|
| 5. FINANCIAL OVERVIEW AND FORECAST AS AT 31ST DECEMBER |
|---|

Cabinet was advised that the forecast outturn was a projected overspend of £0.57 million down from £1.77 million reported in November. The improved position reflected the delivery of additional savings with £14.58 million achieved by 31st December. Further savings were expected in the last quarter and a surplus of £0.62 million was forecast. This position remained dependent on Adult Social Care continuing to manage service pressures. The Portfolio Holder for Adult Social Care advised that the service was managing delayed transfers of care well but noted that when patients transferred out of hospital the costs fell on the council. Whilst she was grateful for the additional funding from Welsh Government to manage winter pressures, she would like to see this built into the base budget.

RESOLVED that the report be noted.

| |
|--|
| 6. CAPITAL PROGRAMME UPDATE AS AT 31ST DECEMBER |
|--|

Cabinet considered the Capital Programme update for the period ended 31st December 2019. The report also contained four requests for budget virements:

Highways, Transport and Recycling: £0.10 million unallocated HAMP budget rolled forward into 2020/21 for highways strengthening.

Highways, Transport and Recycling: £0.07 million removed from budgets to create a fleet facility (£0.02 Million) and a household waste recycling facility (£0.05 million) into a budget for future projects that will be identified through the new governance framework.

Housing and Community Development: £0.29 million extra for the Machynlleth Gypsy and Traveller Site funded from Home Finder capital receipts.

Housing and Community Development: £0.20 million removed from the underspent Disabled Facility Grants project and returned to the unallocated budget held under Corporate Services.

RESOLVED

- 1. That the contents of the report are noted.**
- 2. That the virements set out above are approved.**

| |
|--|
| 7. QUARTER 3 PERFORMANCE REPORT |
|--|

Cabinet considered the performance report for the third quarter of 2019/20 which set out details of the top 20 Powys specific performance measures, top priorities and milestones in the Corporate Improvement Plan 2018-23, Public Accountability Measures, progress against the Strategic Equality Plan and the Quality Assurance Framework. The report set out remedial actions for targets that had not been met and Portfolio Holders and Heads of Service met quarterly to discuss the performance data for their services.

RESOLVED

- 1. That Cabinet note the remedial actions set out in the report and allocate resources accordingly to ensure their effective implementation.**
- 2. That Portfolio Holders discuss any activities or measures with a red or amber status with the relevant Corporate Director and Head of Service to ensure actions are taken forward to bring performance back on track.**
- 3. That Cabinet note the proposed quality assurance measures outlined in section 5 in the report and approve the set for monitoring from quarter 4 onwards.**
- 4. That Cabinet notes that the review of the current Top 20 performance measures is ongoing, in parallel to the work that the Transformation and Communications team is undertaking to support education, adults and children's services to develop and define its critical measures.**

| |
|--|
| 8. STRATEGIC RISK REGISTER QUARTER 3 REPORT |
|--|

Cabinet considered the strategic risk register. As at the end of quarter 3 2019-2020, there were 11 risks on the strategic risk register. During the quarter one additional risk, Compliance in Powys County Council Housing Stock, had been added to the register on the advice of EMT. All risk owners had provided a short summary of progress since quarter 2, to give assurance that mitigating actions were being actioned and monitored and would update their portfolio holders at quarterly meetings.

The Portfolio Holder for Corporate Governance and Engagement advised that an error in the version of the report presented to the Audit Committee had been corrected in the report being considered by Cabinet.

The Chair of the Audit Committee provided Cabinet with feedback from that meeting. He noted that Wales Audit Office would like the Audit Committee to receive a separate report from that considered by Cabinet and he suggested meeting the Portfolio Holder and Corporate Director Transformation to discuss this. He commented that some of the terminology used in the report required explanation for members of the public and that mitigation could be better signposted. The Committee had noted that the Council was managing some very high-level risks and he hoped that the Audit Committee and Cabinet could work together to help mitigate risks. The Audit Committee would welcome attendance by Heads of Service to explain how they were mitigating risk and they were keen to make training for risk champions compulsory. The Portfolio Holder for Corporate Governance and Engagement welcomed the comments and the offer to work together.

RESOLVED

- 1. Cabinet notes the current Strategic Risk Register and is satisfied with progress against mitigating action for quarter 3.**
- 2. Cabinet approves the following risk to be escalated to the Strategic Risk Register:
Compliance in County Council Housing Stock.**

| | |
|-----------|---|
| 9. | BRECON AND NEWTOWN BUSINESS IMPROVEMENT DISTRICTS UPDATE |
|-----------|---|

Cabinet received a report on progress with the Business Improvement District (BIDs) proposals for Brecon and Newtown. Following a period of consultation with local businesses, the Brecon BID had developed into a formal proposal document. The proposal would incorporate premises with a rateable value of £3,000 or more potentially resulting in:

- Up to 393 business premises being part of the BID
- A bid levy of 2% on premises
- A potential annual BID levy income of £158,000

The postal ballot process for Brecon will take place from 23 January and conclude on 20 February 2020 with a final ballot decision on Friday 21 February 2020. The County Council owned a number of properties in Brecon but the process needed to be led by the local business community and therefore it was proposed that it should abstain in the ballot.

The Leader confirmed receipt of an email from Councillor Iain McIntosh who was supportive of the proposal to all members of the Cabinet who was supportive of the proposal.

The BID proposal for Newtown was being developed and a ballot was expected by June 2020.

RESOLVED

- 1. That Powys County Council notes and supports progress with the BID proposals for Brecon and Newtown.**
- 2. That Powys County Council abstains from the BID postal ballot votes.**
- 3. That council's cabinet will receive further updates on the BIDs process at the appropriate time.**

| | |
|------------|---|
| 10. | TREASURY MANAGEMENT QUARTER 3 REPORT |
|------------|---|

Cabinet considered the Treasury Management report for the third quarter.

RESOLVED that the report be received.

| | |
|------------|---|
| 11. | REPORT OF THE INDEPENDENT CHAIR OF THE IMPROVEMENT AND ASSURANCE BOARD |
|------------|---|

Cabinet received the report of the Independent Chair of the Improvement and Assurance Board.

| | |
|------------|--|
| 12. | IMPROVEMENT AND ASSURANCE BOARD MINUTES |
|------------|--|

Cabinet received the minutes of the Improvement and Assurance Board meetings held on 9th and 10th January 2020.

| | |
|------------|-----------------------|
| 13. | CORRESPONDENCE |
|------------|-----------------------|

There were no items of correspondence.

| | |
|------------|---|
| 14. | DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING |
|------------|---|

Cabinet received details of decisions taken by Portfolio Holders since the last meeting.

| | |
|------------|-------------------------------|
| 15. | FORWARD WORK PROGRAMME |
|------------|-------------------------------|

Cabinet received the forward work programme and the Leader reminded colleagues of the need to keep it populated.

County Councillor M R Harris (Chair)

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

3rd March 2020

REPORT AUTHOR: County Councillor Phyl Davies
Portfolio Holder for Education and Property

REPORT TITLE: Ladywell Green Infants School and Hafren C.P. Junior School

REPORT FOR: Decision

1. Purpose

- 1.1 Further to the decision made by Cabinet on the 7th January 2020, the Council published a Statutory Notice proposing to close Ladywell Green Infants School and Hafren C.P. Junior School from the 31st August 2021, and to establish a new English-medium primary school for pupils aged 4-11 from the 1st September 2021.
- 1.2 The Statutory Notice was published on the 13th January 2020 for a period of 28 days, and the purpose of this report is to provide an Objection Report to Cabinet members.
- 1.3 The report includes a recommendation to proceed with the establishment of an English-medium primary school for pupils aged 4-11 on the sites currently occupied by Ladywell Green Infants School and Hafren C.P. Junior School from the 1st September 2021.
- 1.4 The report is supported by the following appendices:

Appendix A – Statutory Notice

Appendix B – Updated Impact Assessment

2. Background

The Consultation Period

- 2.1 Consultation in relation to establishing an English-medium primary school for pupils aged 4-11 was carried out in accordance with the requirements of the School Organisation Code (2018) from the 26th September 2019 to 7th November 2019.
- 2.2 A Consultation Report listing the issues raised during the consultation and the authority's response to them was published. This was discussed by Full Council on the 20th December 2019, and was considered by Cabinet on the 7th January 2020.

- 2.3 On the 7th January 2020, Cabinet agreed to proceed with the process to establish an English-medium primary school for pupils aged 4-11 on the sites currently occupied by Ladywell Green Infants School and Hafren C.P. Junior School through the publication of a Statutory Notice.

Statutory Notice

- 2.4 Further to the decision made by Cabinet on the 7th January 2020, the Council published a Statutory Notice proposing the following:

'From 31 August 2021:

- i. *The Council proposes to discontinue the following two schools:*
- *Ladywell Green Infants School, Park Lane, Newtown, Powys, SY16 1EG;*
 - *Hafren C.P. Junior School, Park Lane, Newtown, Powys, SY16 1EG.*

From 1 September 2021:

- i. *The Council proposes to establish a new English medium community school for boys and girls aged 4-11 years old, that will operate on the current sites of Ladywell Green Infants School and Hafren C.P. Junior School.'*

- 2.5 The Statutory Notice was published on the 13th January 2020 for a period of 28 days, in accordance with the guidance within the School Organisation Code (2018). A copy of the Statutory Notice is attached as Appendix A.

- 2.6 The objection period ended on the 10th February 2020.

Objections

- 2.7 No objections were received during the statutory objection period.

3. Advice

- 3.1 As no objections were received during the objection period, it is recommended that the Council proceeds with implementation of the proposal to close Ladywell Green Infants School and Hafren C.P. Junior School from the 31st August 2021, and to establish a new English-medium primary school for pupils aged 4-11 on the sites currently occupied by Ladywell Green Infants School and Hafren C.P. Junior School from the 1st September 2021, as outlined in the Statutory Notice (Appendix A).
- 3.2 It is estimated that implementation of the proposal would lead to annual savings to the Council of £131,885.

- 3.3 In order to ensure effective stewardship of the resources available to schools, particularly those that are subject to closure, Powys' Scheme for Financing of Schools makes provision for this under Section 3.7.2, where it states that:

'The Authority may impose additional restrictions, including but not limited to:

- Restriction of expenditure to agreed plans
- Removal of powers of virement'

- 3.4 It is therefore proposed that:

- Spend at the schools is restricted to that included in their approved budget plan and no virement of funds between budget headings is permitted unless approved by the Authority;
- Any staffing changes are subject to approval by the Authority;
- Any contracts awarded for the supply of goods or services are subject to approval by the Authority.

This will ensure that expenditure is limited to that which is absolutely necessary to protect council resources.

- 3.5 It must be noted that the establishment of a new school does not preclude that school from being a part of future reorganisation proposals.

4. Resource Implications

- 4.1 It is estimated that implementation of the proposal would lead to estimated annual savings to the Council of £131,885, based on current projected pupil number estimates and the current 2019/20 funding formula in place. This figure does not include any redundancy costs that could arise should the proposal be implemented. The council will continue to work with both schools to ensure that any projected deficit prior to closure has a robust recovery plan in place, in line with the Scheme for Financing schools.

- 4.2 Implementation of the proposal will require involvement from a number of service areas, including staff from the Schools Service, Finance, HR and ICT. These service areas have been kept informed of the development of the proposal throughout the statutory process, and are aware of the need for them to support this process.

- 4.3 The Head of Finance (Section 151 Officer) comments that the proposal can be approved from a financial perspective, and supports the expenditure restrictions recommended in Sections 3.3 and 3.4 of the report.

5. Legal implications

- 5.1 Legal: The recommendation can be supported from a legal point of view.
- 5.2 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report."

6. Comment from local member(s)

- 6.1 No comments were received.

7. Integrated Impact Assessment

- 7.1 Impact Assessments has been carried out, was updated following the consultation period to take account of the issues raised, and has been updated again following the objection period. The latest version is attached as Appendix B.

8. Recommendation

- 8.1 To approve the proposal to amalgamate Ladywell Green Infants School and Hafren C.P. Junior School in order to establish a new English-medium primary school for pupils aged 4-11 on the current sites of the two schools, by:

- Closing Ladywell Green Infants School and Hafren C.P. Junior School from the 31st August 2021
- Establishing a new English-medium primary school for pupils aged 4-11 on the current sites of Ladywell Green Infants School and Hafren C.P. Junior School on the 1st September 2021

- 8.3 In line with Section 3.7.2 of the Scheme for Financing Schools, it is proposed that:

- Spend at the schools is restricted to that included in their approved budget plan and no virement of funds between budget headings is permitted unless approved by the Authority
- Any staffing changes have to be approved by the Authority
- Any contracts awarded for the supply of goods or services have to be approved by the Authority

| |
|------------------------------------|
| Contact Officer: Marianne Evans |
| Tel: 01597 826265 |
| Email: marianne.evans@powys.gov.uk |

Interim Chief Education Officer: Lynette Lovell

Chief Executive and Senior Responsible Officer: Caroline Turner
Head of Transformation and Communication/Programme Lead: Emma Palmer

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

CYNGOR SIR POWYS

HYSBYSIAD O GYNNIG I AD-DREFNU YSGOLION DAN DDEDDF SAFONAU A THREFNIADAETH YSGOLION (CYMRU) 2013

Rhoddir rhybudd trwy hyn yn unol ag adrannau 41 a Deddf Safonau a Threfniadaeth ysgolion 2013 ("y Ddeddf") a'r Cod Trefniadaeth Ysgolion bod Cyngor Sir Powys, Neuadd y Sir, Llandrindod, Powys LD1 5LG ("y Cyngor"), wedi iddynt ymgynghori â'r unigolion gofynnol, yn cynnig:-

O 31 Awst 2021:

- i. Mae'r Cyngor yn cynnig terfynu'r ddwy ysgol ganlynol:
 - Ysgol Babanod Ladywell Green, Lôn y Parc, y Drenewydd, Powys, SY16 1EG;
 - Ysgol Gynradd Gymunedol Hafren, Lôn y Parc, y Drenewydd, Powys, SY16 1EG.

O 1 Medi 2021:

- i. Mae'r Cyngor yn cynnig sefydlu ysgol newydd a fydd yn ysgol gymunedol cyfrwng Saesneg i fechgyn a merched 4-11 oed a fydd yn gweithredu ar safleoedd presennol Ysgol Babanod Ladywell Green ac Ysgol Gynradd Gymunedol Hafren.

Cynhaliodd y Cyngor gyfnod o ymgynghori cyn penderfynu cyhoeddi'r cynnig yma. yma Mae Adroddiad Ymgynghori sy'n cynnwys crynodeb o'r materion a godwyd gan yr ymgynghoreion, ymatebion y Cyngor a barn Estyn ar gael ar wefan Cyngor Sir Powys:

<https://cy.powys.gov.uk/article/7477/Ysgol-Fabanod-Ladywell-Green-ac-Ysgol-lau-Hafren>

Derbyniadau

Y Cyngor fydd yn gyfrifol am drefniadau derbyn yr ysgol newydd. Nifer y derbyniadau i'r rhai sy'n cael eu derbyn i'r ysgol am y tro cyntaf yn ystod y flwyddyn gyntaf wedi i'r cynigion gael eu gweithredu fydd 48.

Bydd derbyniadau i'r ysgol newydd trwy drosglwyddiad awtomatig yn achos disgyblion amser llawn ar y gofrestr ar yr adeg y bydd Ysgol fabanod Ladywell Green ac Ysgol Gynradd Gymunedol Hafren yn cau.

O 1 Medi 2021:

- Bydd disgyblion sydd wedi'u cofrestru yn Ysgol Babanod Ladywell Green ac Ysgol Gynradd Gymunedol Hafren, ar 31 Awst 2021, yn cael lle yn yr Ysgol Newydd;
- Bydd pob derbyniad arall trwy drefniadau derbyn y Corff Llywodraethu, nad ydynt yn ystyried rhyw, tueddiadau na gallu'r plentyn.

Gall rhieni fynegi dewis i fynd i ysgol arall, a bydd y Cyngor yn cydymffurfio ag unrhyw ddewis o'r fath a fynegir yn amodol ar Ddeddf Safonau a Fframwaith Ysgolion 1998, Adran 86(3).

Categori iaith

Bydd categori iaith yr ysgol newydd arfaethedig, yn ôl diffiniad Dogfen Wybodaeth Llywodraeth Cynulliad Cymru Rhif 023/2007 "Diffinio Ysgolion yn ôl darpariaeth cyfrwng Cymraeg" fel a ganlyn: Categori 5 – Ysgol gynradd cyfrwng Saesneg yn bennaf.

Capasiti'r Ysgol

Capasiti'r Ysgol newydd fydd 342.

Gweithredu

Bydd y cynigion yn cael eu gweithredu gan Gyngor Sir Powys.

Cludiant

Bydd y trefniadau cludiant yn unol â Pholisi Cludiant y Cyngor rhwng y Cartref a'r Ysgol.

Sut i fynegi Gwrthwynebiad i'r Rhybudd yma

Gall unrhyw un wrthwynebu'r cynigion hyn o fewn cyfnod o 28 diwrnod ar ôl diwrnod eu cyhoeddi, hynny yw erbyn 29 Mai 2019.

Dylid anfon gwrthwynebiadau at Lynette Lovell, Prif Swyddog Addysg Dros Dro, Cyngor Sir Powys, Neuadd Sir Powys, Llandrindod, Powys, LD1 5LG neu drwy'r e-bost at education@powys.gov.uk.

Bydd Cyngor Sir Powys yn cyhoeddi crynodeb o unrhyw wrthwynebiadau o'r fath a wnaed o fewn y cyfnod gwrthwynebu (a heb eu tynnu'n ôl trwy lythyr), ynghyd â sylwadau'r Cyngor arnynt, o fewn cyfnod a nodir yn "y Cod".

Lynette Lovell
Prif Swyddog Addysg Dros Dro
Ar ran Cyngor Sir Powys

Dyddiedig y diwrnod hwn 13 Ionawr 2020

NODYN EGLURHAOL

(Nid yw'r nodyn eglurhaol hwn yn ffurfio rhan o'r Rhybudd, ond cynigir y nodyn fel modd o egluro'r sefyllfa).

- Bwriad y Cyngor yw cau Ysgol Babanod Ladywell Green ac Ysgol Gynradd Gymunedol Hafren ar 31 Awst 2021 ac agor ysgol newydd i ddisgyblion 4-11 oed ar safleoedd cyfredol y ddwy ysgol ar 1 Medi 2021.
- Ni fydd hyn yn effeithio ar hawl rhieni i fynegi eu dewis o ysgolion eraill.
- Bydd trefniadau cludiant yn cael eu darparu ar gyfer disgyblion cymwys dan bolisi cludiant ysgol y Cyngor.
- Manylwyd ar sail resymegol y cynnig hwn mewn dogfen ymgynghori a ddosbarthwyd fis Medi 2019.
- Sefydlir Corff Llywodraethu Dros Dro yr ysgol newydd cyn y dyddiad gweithredu, a hwn fydd yn gyfrifol am: penodi Pennaeth, enwi ysgol newydd, sefydlu gweledigaeth ac ethos, gwneud trefniadau gan gynnwys y cwricwlwm, derbyniadau a dyrannu lle, a bod yn gyfrifol am agor yr ysgol newydd hyd nes y bydd y corff llywodraethu newydd ar waith.

POWYS COUNTY COUNCIL

NOTICE OF SCHOOL REORGANISATION PROPOSAL UNDER THE SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013

Notice is hereby given in accordance with section 41 and 43 of the School Standards and Organisation Act 2013 ("the Act") and the School Organisation Code that Powys County Council of County Hall, Llandrindod Wells, Powys LD1 5LG ("the Council"), having consulted such persons as required, proposes the following:-

From 31 August 2021:

- ii. The Council proposes to discontinue the following two schools:
 - Ladywell Green Infants School, Park Lane, Newtown, Powys, SY16 1EG;
 - Hafren C.P. Junior School, Park Lane, Newtown, Powys, SY16 1EG.

From 1 September 2021:

- ii. The Council proposes to establish a new English medium community school for boys and girls aged 4-11 years old, that will operate on the current sites of Ladywell Green Infants School and Hafren C.P. Junior School.

The Council undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the responses of the Council and the views of Estyn is available on the Council's website:

<https://en.powys.gov.uk/article/7476/Ladywell-Green-Infants-School-and-Hafren-Junior-School>

Admissions

The Council will be the admission authority for the new school. The admission number for first time admission to the new school in the first year in which the proposals have been implemented is 48.

Admission to the new school will be via automatic transfer for full time pupils on roll at Ladywell Green Infants School and Hafren C.P. Junior School at their point of closure.

From 1 September 2021:

- Pupils registered at Ladywell Green Infants School and Hafren C.P. Junior School, as at the 31 August 2021, will be allocated places at the New School;
- All other admissions will be via the Council's admissions arrangements, which do not take account of the sex, aptitude or ability of the child.

Parents may express a preference for another school and the Council will comply with any such expressed preference subject to Section 86(3) of the School Standards and Framework Act 1998.

Language Category

The language category of the proposed new school, as defined by "Defining Schools According to Welsh medium Provision" Welsh Assembly Government Information Document No: 023/2007 is Category 5 – Predominantly English medium primary school.

School Capacity

The new school's capacity will be 342.

Implementation

The proposals will be implemented by Powys County Council.

Transport

Transport arrangements will be in accordance with the Council's Home-to-School Transport Policy.

How to Object to this Notice

Within a period of 28 days after the date of publication of these proposals, that is to say by **10th February 2020** any person may object to the proposals.

Objections should be sent to Lynette Lovell, Interim Chief Education Officer, Powys County Council, Powys County Hall, Llandrindod Wells, Powys, LD1 5LG or by email to education@powys.gov.uk.

Powys County Council will publish a summary of any such objections made within the objection period (and not withdrawn in writing), together with the Council's observations thereon, within the period set out in "the Code".

Lynette Lovell
Interim Chief Education Officer
For Powys County Council

Dated this day 13th January 2020

EXPLANATORY NOTE

(This explanatory note does not form part of the Notice but is offered by way of explanation).

- The intention of the Council is to close Ladywell Green Infants School and Hafren C.P. Junior School on the 31st August 2021 and open a new school for 4-11 year old pupils on the current sites of the two schools on the 1st September 2021.
- This will not affect the right of parents to express a preference for other schools.
- Transport arrangements will be made for pupils who qualify under the Council's school transport policy.
- The rationale for this proposal was set out in a consultation document circulated in September 2019.
- The Temporary Governing Body of the new school will be established prior to the implementation date and will be responsible for; the appointment of Headteacher, naming of the new school, establishing the vision and ethos, making organisational arrangements including curriculum, admissions and accommodation and have the responsibility for the opening of the new school until such time as the new governing body is in place.



**Ladywell Green Infants School
and
Hafren C.P. Junior School**

Updated Impact Assessments

February 2020

Contents

| | Page |
|--------------------------------|-------------|
| 1 Introduction | 2 |
| 2 Integrated Impact Assessment | 3 |
| 3 Equalities Impact Assessment | 20 |
| 4 Community Impact Assessment | 27 |

Proposals relating to Ladywell Green Infants School and Hafren C.P. Junior School

Updated Impact Assessments

1. Introduction

Powys County Council is proposing to amalgamate Ladywell Green Infants School and Hafren C.P. Junior School in order to establish a new primary school for pupils aged 4-11 in Newtown.

The proposals are as follows:

- To close Ladywell Green Infants School and Hafren C.P. Junior School
- To establish a new English-medium primary school for pupils aged 4-11 on the current sites of Ladywell Green Infants School and Hafren C.P. Junior School

In-line with the Council's policy, an Integrated Impact Assessment has been carried out which incorporates the Welsh Language, Equalities, Well-being of Future Generations Act, Sustainable Development Principles, Communication and Engagement, Safeguarding, Corporate Parenting, Community Cohesion and Risk Management.

In addition, the Welsh Government's School Organisation Code (2018) requires local authorities to carry out an Equality Impact Assessment and Community Impact Assessment in relation to all school reorganisation proposals. For proposals which affect teaching through the medium of Welsh, local authorities are also required to carry out a Welsh Language Impact Assessment.

Draft impact assessments were prepared and published with the consultation documentation. These impact assessments were updated to reflect issues raised during the consultation period.

On the 13th January 2020, the Council published a statutory notice in respect of these proposals. The objection period ended on the 10th February 2020. No objections were received.

2. Integrated Impact Assessment

The Impact Assessment (IA) below incorporates Welsh Language, Equalities, Well-being of Future Generations Act, Sustainable Development Principles, Communication and Engagement, Safeguarding, Corporate Parenting, Community Cohesion and Risk Management, supporting effective decision making and ensuring compliance with respective legislation.

| | | | | | | | |
|---|---|------------------------|----------------|-----------------|-----------------|-------------------------|-----------------|
| Service Area | Schools Service | Head of Service | Lynette Lovell | Director | Caroline Turner | Portfolio Holder | Clr Phyl Davies |
| Proposal | To amalgamate Ladywell Green Infants School and Hafren C.P Junior School to create a new 'all-through' primary school in Newtown. This will be achieved by closing Ladywell Green Infants School and Hafren C.P Junior School and opening a new primary school providing education for pupils aged 4-11 on the current site of the two schools. | | | | | | |
| Outline Summary / Description of Proposal | | | | | | | |
| In the spring of 2018, Cabinet approved a new Policy and Delivery Plan, which set out the aim to 'Remove infant / junior split by creating all-through primary schools'. The proposal is to amalgamate Ladywell Green Infants School and Hafren C.P. Junior School to create a new 'all-through' primary school in Newtown. This is linked to wider plans for a new build in the future as part of a proposed multi-agency wellbeing campus as part of the North Powys Wellbeing Programme. | | | | | | | |

1. Version Control (services should consider the impact assessment early in the development process and continually evaluate)

| Version | Author | Job Title | Date |
|---------|------------------|---|----------|
| 1 | Richard Williams | School Transformation Programme Officer | 16/07/19 |
| 2 | Richard Williams | School Transformation Programme Officer | 05/12/19 |
| 3 | Richard Williams | School Transformation Programme Officer | 11/02/20 |

2. Profile of savings delivery (if applicable)

| 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 | TOTAL |
|---------|---------|---------|------------|------------|-------|
| £0 | £0 | £0 | £76,932.92 | £54,952.08 | £0 |

3. Consultation requirements

| Consultation Requirement | Consultation deadline/or justification for no consultation |
|------------------------------|---|
| Public consultation required | Consultation has taken place in accordance with the requirements of the School Organisation Code. |

4. Impact on Other Service Areas

| |
|---|
| <p>Does the proposal have potential to impact on another service area? (Have you considered the implications on Health & Safety, Corporate Parenting and Data Protection?)</p> <p>PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY</p> <p>Should a decision be made to proceed with implementation of the proposal as a result of the statutory process, input from other service areas, such as HR, Property, Legal, Communications and Finance would be required. Representatives of these service areas are invited to attend meetings of the School Transformation Project Board, therefore are aware of the recommendation, and will receive regular updates as the statutory process moves forward.</p> |
|---|

5. How does your proposal impact on the council's strategic vision?

| Council Priority | How does the proposal impact on this priority? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|--|---|--|---|---|
| The Economy We will develop a vibrant economy | N/A | Choose an item. | | Choose an item. |
| Health and Care We will lead the way in effective, integrated rural health and care | There are plans to develop a new multi-agency wellbeing campus in the centre of Newtown and the intention is that a new primary school building to replace the current Hafren and Ladywell Green buildings would be part of this development, although this proposal is not directly dependent on this, in the longer term this provides opportunities to integrate health and education provision. | Good | | Choose an item. |
| Learning and skills We will strengthen learning and skills | The proposal would provide a more sustainable model for delivering English-medium primary education in Newtown, and would have a positive impact on the quality of education provided to pupils. | Good | | Choose an item. |
| Residents and Communities We will support our residents and communities | The proposal would have a positive impact on residents in the Newtown area as it would provide a more sustainable model for delivering English-medium primary education in the town. | Good | | Choose an item. |

Source of Outline Evidence to support judgements

Initial engagement with governing bodies and staff, consultation responses / report

6. How does your proposal impact on the Welsh Government’s well-being goals?

| Well-being Goal | How does proposal contribute to this goal? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|--|--|---|--|--|
| <p>A prosperous Wales:</p> <p>An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p> | <p>N/A</p> | <p>Choose an item.</p> | | <p>Choose an item.</p> |

| Well-being Goal | How does proposal contribute to this goal? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|---|---|---|---|--|
| <p>A resilient Wales:</p> <p>A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p> | <p>The proposal is linked to a longer-term plan to replace the current buildings with a new building which would be more significantly more energy efficient than the current buildings. The longer-term plan also involves the creation of a multi-agency wellbeing campus on the current site. During early engagement and the consultation exercise, concern has been expressed about the impact of this development on the green space available to pupils.</p> | Good | Regular opportunities for the two schools to contribute to the plans for the new building and the wider site development. | Good |
| <p>A healthier Wales:</p> <p>A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p> <p>Public Health (Wales) Act, 2017:</p> <p>Part 6 of the Act requires for public bodies to undertake a health impact assessment to assess the likely effect of a proposed action or decision on the physical or mental health of the people of Wales.</p> | <p>The proposal is linked to a longer-term plan to develop a multi-agency wellbeing campus on the current sites of the two schools. This would provide stronger links between the school and health & care provision. However, during early engagement and the consultation exercise, concern has been expressed that the wider plans for the site could lead to a reduction in the green space available to pupils which could have a negative impact on their physical and mental well-being.</p> | Neutral | Regular opportunities for the two schools to contribute to the plans for the new building and the wider site development. | Good |
| <p>A Wales of cohesive communities:</p> <p>Attractive, viable, safe and well-connected Communities.</p> | <p>Should the longer term plan to develop a multi-agency wellbeing campus be achieved this would enable closer links to be established with the community.</p> | Good | | Choose an item. |

| Well-being Goal | How does proposal contribute to this goal? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|--|--|---|--|--|
| <p>A globally responsible Wales:</p> <p>A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p> <p>Human Rights - is about being proactive (see guidance)</p> <p>UN Convention on the Rights of the Child:</p> <p>The Convention gives rights to everyone under the age of 18, which include the right to be treated fairly and to be protected from discrimination; that organisations act for the best interest of the child; the right to life, survival and development; and the right to be heard.</p> | <p>The proposal would provide improved educational opportunities for all school aged pupils in Newtown</p> | <p>Good</p> | | <p>Choose an item.</p> |
| <p>A Wales of vibrant culture and thriving Welsh language: A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p> | | | | |

| Well-being Goal | How does proposal contribute to this goal? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|--|---|---|---|--|
| <i>Opportunities for persons to use the Welsh language, and treating the Welsh language no less favourable than the English language</i> | The proposal is to establish a new English medium primary school to replace the two current English medium schools, pupils would continue to study Welsh as a second language and it is anticipated that opportunities to use the Welsh Language would either be sustained or improved. | Neutral | | Choose an item. |
| <i>Opportunities to promote the Welsh language</i> | N/A | Choose an item. | | Choose an item. |
| <i>Welsh Language impact on staff</i> | N/A | Choose an item. | | Choose an item. |
| <i>People are encouraged to do sport, art and recreation.</i> | The proposal would be to increase the number of pupils therefore leading to an increase in opportunity to participate in sport, art and recreational activities. However, the proposal is linked to a longer-term plan to develop a multi-agency wellbeing campus on the current sites and during early engagement and the consultation exercise, concern has been expressed that the plans could lead to a reduction in green space available to pupils. | Neutral | Regular opportunities for the two schools to contribute to the plans for the new building and the wider site development. | Good |
| A more equal Wales: A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances). | | | | |

| Well-being Goal | How does proposal contribute to this goal? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|--------------------------------------|---|--|---|---|
| <i>Age</i> | The proposal would provide improved educational opportunities for pupils attending Hafren and Ladywell Green. | Good | | Choose an item. |
| <i>Disability</i> | The proposal would provide improved educational opportunities for pupils attending Hafren and Ladywell Green, including any pupils with disabilities. | Good | | Choose an item. |
| <i>Gender reassignment</i> | N/A | Choose an item. | | Choose an item. |
| <i>Marriage or civil partnership</i> | N/A | Choose an item. | | Choose an item. |
| <i>Race</i> | The proposal would provide improved educational opportunities for pupils attending Hafren and Ladywell Green, regardless of their race. | Good | | Choose an item. |
| <i>Religion or belief</i> | The proposal would provide improved educational opportunities for pupils attending Hafren and Ladywell Green, regardless of their religion or belief. | Good | | Choose an item. |
| <i>Sex</i> | The proposal would provide improved educational opportunities for male and female pupils. | Good | | Choose an item. |

| Well-being Goal | How does proposal contribute to this goal? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|--------------------------------|---|--|---|---|
| <i>Sexual Orientation</i> | The proposal would provide improved educational opportunities for pupils attending Hafren and Ladywell Green, regardless of their sexual orientation. | Good | | Choose an item. |
| <i>Pregnancy and Maternity</i> | N/A | Choose an item. | | Choose an item. |

Source of Outline Evidence to support judgements

Initial discussions with the governing bodies and staff, PLASC, Consultation responses / report

7. How does your proposal impact on the council's other key guiding principles?

| Principle | How does the proposal impact on this principle? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|---|---|---|--|--|
| Sustainable Development Principle (5 ways of working) | | | | |
| Long Term: <i>Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.</i> | The proposal would provide a more sustainable model of delivering education which will ensure that education can be delivered more efficiently in the long term. | Good | | Choose an item. |
| Collaboration: <i>Working with others in a collaborative way to find shared sustainable solutions.</i> | Discussions with the two governing bodies and staff have taken place surrounding the proposal. All Powys schools are expected to collaborate with other schools in order to provide the best possible opportunities for pupils. Should this proposal be implemented, the new school would be expected to continue to collaborate with other schools, including other primary schools in the Newtown catchment area and other secondary providers across Powys and beyond, in order to maximise the opportunities available to its pupils. | Good | | Choose an item. |

| Principle | How does the proposal impact on this principle? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|---|---|---|--|--|
| Involvement (including Communication and Engagement): <i>Involving a diversity of the population in the decisions that affect them.</i> | <p>Consultation has been carried out with stakeholders in accordance with the School Organisation Code which has provided an opportunity for all interested parties to give their views. A consultation report has been produced which summarises the findings of the consultation, which will be considered by Cabinet when determining how to proceed. This impact assessment has also been updated to reflect any feedback received.</p> <p>A statutory notice was published, which provided a further opportunity for stakeholders to let the Council know if they didn't agree that the proposal should be implemented. No objections were received during the objection period.</p> | Good | | Choose an item. |
| Prevention: <i>Understanding the root causes of issues to prevent them from occurring.</i> | The intention is that the proposal would provide a more efficient delivery model of education which would enable education to be provided more cost effectively. | Good | | Choose an item. |
| Integration: <i>Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives.</i> | The proposal is linked to a longer-term plan to develop a multi-agency wellbeing campus on the current sites of the two schools. This would provide stronger links between the school and health & care provision. | Good | | Choose an item. |

| Principle | How does the proposal impact on this principle? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|--|--|---|--|--|
| Preventing Poverty: Prevention, including helping people into work and mitigating the impact of poverty. | N/A | Choose an item. | | Choose an item. |
| Unpaid Carers: Ensuring that unpaid carers views are sought and taken into account | Full consultation has been carried out in accordance with the School Organisation Code. A statutory notice was also published, which gave stakeholders a further opportunity to let the Council know if they didn't agree with the proposal. All stakeholders had an opportunity to give their views as part of this process, including any unpaid carers in the area. | Good | | Choose an item. |

| Principle | How does the proposal impact on this principle? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|--|---|---|---|--|
| <p>Safeguarding:</p> <p>Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.</p> | <p>Full consultation has been carried out in accordance with the requirements of the School Organisation Code. This included a meeting with pupils at the two affected schools.</p> <p>The proposal is linked to a longer-term plan to develop a multi-agency wellbeing campus on the current sites of the two schools. During the early engagement carried out, concerns were expressed regarding the safeguarding implications of having a multi-agency wellbeing campus adjacent or sharing the same site as a primary school.</p> | Neutral | Safeguarding implications will be a key consideration of the plans to develop the new site. | Good |

| Principle | How does the proposal impact on this principle? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|---|--|---|---|--|
| Impact on Powys County Council Workforce | <p>Implementation of the proposal would impact on the current staff at Ladywell Green Infants School and Hafren C.P. Junior School. Full consultation has been carried out in accordance with the requirements of the School Organisation Code and supported by the relevant LA teams (eg HR). There was an opportunity for staff to submit their views as part of this process, and in addition, a meeting was held with staff governors of the two schools, which provided an opportunity for staff to raise concerns about the impact on them.</p> <p>Should this option be implemented, a management of change process would take place, and there would be an opportunity for staff to apply for positions in the new school. The staffing procedures required include an opportunity for staff to be redeployed. However, it is acknowledged that there would be a period of uncertainty for staff whilst these processes are taking place which could have a negative impact on them.</p> <p>Some concerns were raised during the consultation period about the proposal's impact on staff.</p> | Poor | Ensure that processes are carried out as swiftly as possible to minimise the period of uncertainty. | Poor |

| Principle | How does the proposal impact on this principle? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|---|---|---|--|--|
| Source of Outline Evidence to support judgements | | | | |
| Initial discussions with the governing bodies and staff, PLASC, Consultation responses / report | | | | |

8. What is the impact of this proposal on our communities?

| Severity of Impact on Communities | Scale of impact | Overall Impact |
|-----------------------------------|-----------------|----------------|
| Low | Low | Low |
| Mitigation | | |
| | | |

9. How likely are you to successfully implement the proposed change?

| Impact on Service / Council | Risk to delivery of the proposal | Inherent Risk |
|-----------------------------|----------------------------------|---------------|
| Low | Low | Low |
| Mitigation | | |
| | | |

| |
|--|
| |
|--|

| Risk Identified | Inherent Risk Rating | Mitigation | Residual Risk Rating |
|---|----------------------|--|----------------------|
| Parents don't want their children to attend an 'all-through' primary school, so move to them to alternative schools | Low | | Choose an item. |
| Lack of support for the proposal from other primary schools in the Newtown catchment area | Low | | Choose an item. |
| Period of uncertainty for the two affected schools whilst the statutory process is being carried out and implemented may have a negative impact on standards at the two schools | Medium | Support to be provided to the two schools during the transition period | Low |
| Uncertainty for staff during the transition period, may result in some staff leaving | Low | | Choose an item. |
| Changes resulting from new council initiatives e.g. ALN transformation | Medium | Support to be provided to the two schools during the transition period | Low |
| Overall judgement (to be included in project risk register) | | | |
| Very High Risk | High Risk | Medium Risk | Low Risk |
| | | | x |

10. Overall Summary and Judgement of this Impact Assessment?

| Outline Assessment (to be inserted in cabinet report) | Cabinet Report Reference: | |
|---|---------------------------|--|
| | | |

11. Is there additional evidence to support the Impact Assessment (IA)?

What additional evidence and data has informed the development of your proposal?

Initial engagement with governing bodies and staff, consultation responses / report

12. On-going monitoring arrangements?

What arrangements will be put in place to monitor the impact over time?

Please state when this Impact Assessment will be reviewed.

The impact assessment has been reviewed at each stage of the process

13. Indicative timetable for actions to deliver change proposal, if approved

| Action | Target Date | Outcome | Decisions made |
|--|--|-----------------------------------|---|
| Statutory consultation in accordance with School Organisation Code | Consultation to commence in September, and to continue until November. | Consultation report | Whether or not to proceed with the publication of statutory notices |
| Publication of statutory notices | January 2020 | Objection report | Whether to proceed with implementation of the proposal |
| Establishment of shadow governing body to take forward the establishment of the new school | April 2020 | Shadow governing body established | |
| Portfolio Holder decision required | No | Date required | |

| | | | |
|----------------------------------|-----|----------------------|--|
| Cabinet decision required | Yes | Date required | Various stages during the process |
| Council decision required | No | Date required | Whilst no full council decision is needed, there is a need for a full council discussion on the consultation report before a Cabinet decision is made on how to proceed. |

14. Sign Off

| Position | Name | Signature | Date |
|--------------------------------|------------------|------------------|-------------|
| Impact Assessment Lead: | Sarah Astley | | |
| Head of Service: | Lynette Lovell | | |
| Director: | Caroline Turner | | |
| Portfolio Holder: | ClIr Phyl Davies | | |

14. Governance

| | | | |
|-------------------------------|---------|----------------------|------------|
| Decision to be made by | Cabinet | Date required | March 2020 |
|-------------------------------|---------|----------------------|------------|

3. Equalities Impact Assessment

Powys County Council

Equality Impact Assessment (EqIA)



| | | | |
|---|---|--|------------------|
| Proposal | To establish a new primary school for pupils aged 4-11 in Newtown. | Lead Person undertaking the assessment | Richard Williams |
| Service Area | Schools Service | Relevant Head of Service who has agreed this assessment | Lynette Lovell |
| Date of Assessment | September 2019 | | |
| <p>The Equality Act 2010, requires that public sector organisations in the exercise of their functions, pay due regard to the following ‘general duty’:</p> <p>(a) Eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) Advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) Fostering good relations between persons who share a relevant protected characteristic and persons who do not share it.</p> <p><i>The protected characteristics include: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, marriage and civil partnership, sex and sexual orientation. This assessment also includes a consideration of impact upon people and communities whose language of choice is Welsh.</i></p> <p>The specific regulations for Wales [Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011] require public sector bodies to monitor relevant policy and practises and then assess and report on the impact based upon an analysis of relevant data and evidence.</p> | | | |
| 1. AIM or PURPOSE | | | |
| Briefly describe the aim or purpose of the change proposal being assessed. | The Council is consulting on proposals to establish a new primary school for pupils aged 4-11 in Newtown. The proposals are as follows: | | |

Tudalen 37

| | |
|---|---|
| | <ul style="list-style-type: none"> - To close Ladywell Green Infants School and Hafren C.P. Junior School - To establish a new English-medium primary school for pupils aged 4-11 on the current sites of Ladywell Green Infants School and Hafren C.P. Junior School |
| 2. OBJECTIVES | |
| Please state the current business objectives of the change proposal. | <p>The Council is proposing to establish a new primary school in Newtown for the following reasons:</p> <ul style="list-style-type: none"> • To improve transition arrangements for pupils between Foundation Phase and Key Stage 2 • To provide improved opportunities for staff as a result of being part of a larger team with opportunities to work with pupils across the primary age range • To provide a more efficient operating model – one staffing and governance structure rather than two • The proposal is in line with the Council’s School Organisation Policy • In the longer term, to provide access to 21st Century Schools funding in order to improve building condition and running costs. |
| 3. BENEFITS and OUTCOMES | |
| i) What are the intended benefits or outcomes from the change proposal? | <p>The benefits of the proposal are:</p> <ul style="list-style-type: none"> - More flexibility for staff and opportunities for personal development - Would enable staff expertise and good practice to be shared across the entire primary experience - Parents would not have to re-apply for admission to junior phase from infant phase - One governing body and one leadership team can be a more efficient model of governance - Improved transition arrangements between Foundation Phase and Key Stage 2 - Opportunities to access 21st Century Schools funding in the future |
| 4. CORPORATE RELEVANCE | |
| How does this change proposal relate to Vision 2025? | <p>Learning and Skills is one of the four priorities outlined in Vision 2025: Our Corporate Improvement Plan 2018-23. Within this priority, the Plan includes a commitment to ‘Improve our schools infrastructure’. In order to achieve this, ‘we will implement our new School Organisation Policy and Delivery Plan to develop a more efficient schools network, with a greater focus on working in partnership with schools and the communities they serve.’</p> |

| 5. DATA USED | | |
|---|--|------------------------------------|
| 5.1. What data has been used to conduct this assessment? Tick/shade boxes as appropriate. | Profiling of service users, providing a breakdown of who uses the service by the protected characteristics. | ✓ |
| | Service user satisfaction rates, broken down by the protected characteristics. | |
| | Qualitative data (analysed against the protected characteristics) which provides evidence about current services users experience accessing the service. | |
| | Qualitative data gathered from those that are not currently using the service. | |
| | Complaints monitoring against the protected characteristics | |
| | Wider research reports and findings. | |
| | Relevant service based Equality Impact Assessment | |
| 5.2. Are there any gaps in the data? | Yes <input type="checkbox"/> ✓ Please state the gaps: No qualitative data is currently available How will the gaps be addressed going forward? Qualitative data will be collected as part of the forthcoming consultation process. | No <input type="checkbox"/> |
| 6. DATA ANALYSIS | | |

6.1 Quantitative**Summarise the key quantitative data analysis results, providing key headline statistics.**

Include data that relates to existing provision and also data relating to proposal. E.g. statistics generated from a consultation questionnaire.

Key questions:

- i) Are certain groups currently underrepresented in service user figures? Will a change affect this?
- ii) How do satisfaction levels compare across the protected characteristic groups? How will a change affect this?

PLASC January 2019Ladywell Green Infants School

Based on the information provided in the school's PLASC return in January 2019, the following pupils belong to the protected characteristic groups:

- Free school meals: 27.4% of pupils are eligible for Free School Meals
- ALN: 16.7% of pupils have special educational needs. Of these, 10 pupils are on School Action, 6 pupils are on School Action Plus and 0 pupils have statements
- Disabilities: 16.7% of pupils have additional learning needs
- English as an Additional Language: 7.3% of pupils are identified as EAL pupils.
- Ethnicity: The ethnic group of 88.5% of pupils in the school is White British. 11.5% of pupils belong to ethnic groups other than White British.
- Looked after Children: 3.1% of pupils are looked after.

Hafren C.P. Junior School

Based on the information provided in the school's PLASC return in January 2019, the following pupils belong to the protected characteristic groups:

- Free school meals: 22.0% of pupils are eligible for Free School Meals
- ALN: 26.2% of pupils have special educational needs. Of these, 26 pupils are on School Action, 17 pupils are on School Action Plus and 1 pupil has statements
- Disabilities: 26.2% of pupils have additional learning needs
- English as an Additional Language: 4.2% of pupils are identified as EAL pupils.
- Ethnicity: The ethnic group of 91.1% of pupils in the school is White British. 8.9% of pupils belong to ethnic groups other than White British or not recorded.
- Looked after Children: 0.6% of pupils are looked after.

This information shows that a proportion of pupils that belong to the protected characteristic groups will be affected by this proposal. In particular:

| | |
|---|--|
| | <ul style="list-style-type: none"> - The % of pupils eligible for Free School Meals at both schools is higher than the Powys average (9.5%) - The % of ALN pupils at Hafren C.P. Junior School (26.2%) is higher than the Powys average (17.7%) <p>In addition, there are a proportion of pupils belonging to ethnic groups other than White British at both schools, as well as a proportion of EAL pupils and a small number of Looked after Children.</p> <p>The proposal to establish a primary school in Newtown would impact on all pupils currently attending Ladywell Green Infants School and Hafren C.P. Junior School, including those pupils belonging to protected characteristic groups. However, the aim of the proposal is to improve the educational opportunities available for all pupils in the town, including any pupils belonging to the protected characteristic groups.</p> |
| <p>6.2 Qualitative Summarise the key qualitative data analysis, providing key themes or patterns. Include data that relates to existing provision and also data relating to proposal. E.g. protected characteristics focus group on the proposal.</p> <p>Key questions:</p> <ul style="list-style-type: none"> i) Do certain groups have a different service user experience? How will a change affect this? ii) Have any areas for improvement been communicated by particular groups? Will | <p>Consultation has been carried out on the proposal to establish an all-through school in Llanfyllin, which included consultation with the school councils of the affected schools.</p> <p>The following issues were raised regarding the proposal's impact on pupils belonging to the protected characteristic groups:</p> <p>Age: Some concerns were raised about the impact of younger pupils attending the same school as older pupils.</p> |

| | | |
|--|---|---|
| <p>a change have an impact upon these views?</p> <p>iii) What are the reasons behind some groups not using the service? How will a change affect this position?</p> <p>iv) What has consultation on your proposals revealed about impact on the protected characteristics?</p> | | |
| 7. EqIA RESULT | | |
| <p>Based on an analysis of the available qualitative and quantitative data, please tick/shade the appropriate box opposite to provide the EqIA assessment result.</p> | <p>The proposal does not present any adverse impact on equality. [Proceed to question 10]</p> | |
| | <p>The proposal presents some adverse impact on equality. [Proceed to question 8]</p> | ✓ |
| | <p>The proposal presents significant impact on equality [Proceed to question 8]</p> | |
| 8. AREAS for IMPROVEMENT | | |
| <p>Please provide detail of weak or sensitive areas of the proposal identified by the assessment.</p> <p>i) Which protected characteristic groups are particularly affected?</p> <p>ii) Will people on low incomes be affected?</p> | <p>i) The proposal will impact on a number of pupils with additional learning needs, pupils that belong to ethnic groups other than White British, have English as an Additional Language or are Looked After Children.</p> <p>ii) 27.4% of pupils attending Ladywell Green Infants School and 22.0% of pupils attending Hafren C.P. Junior School are eligible for Free School Meals.</p> <p>iii) The proposal relates to two English-medium schools therefore it is not anticipated that Welsh speakers will be affected.</p> | |

| | | |
|---|---|---|
| <p>iii) Will Welsh speakers be affected?</p> | | |
| <p>9. EQUALITY IMPROVEMENT</p> | | |
| <p>9.1 Having identified problematic aspects to the proposal, how will this now be addressed?</p> <p><i>i.e. Are you able to involve (in some capacity) people from protected characteristic groups, Welsh Speakers, people on low incomes, to assist you in this process?</i></p> <p>i) Can the impact be mitigated, and how will this be done?</p> <p>ii) Does the proposal require modification to reduce or remove this impact?</p> <p>iii) Should the proposal be considered for removal, owing to the degree of impact it is likely to have?</p> | <p>Should the proposal be implemented, a new primary school would be established in the current buildings, and all pupils currently attending Ladywell Green Infants School and Hafren C.P. Junior School would be able to attend the new school. The aim of the proposal is to improve the educational opportunities available to pupils, including any pupils belonging to the protected characteristic groups.</p> <p>There is no reason to believe that the proposed new school would be unable to meet the needs of pupils belonging to the protected characteristic groups that would be affected, including pupils with Additional Learning Needs, pupils belonging to Ethnic Groups other than White British, EAL pupils, pupils eligible for Free School Meals and Looked After Children. The aim of the proposal is to improve the educational opportunities available to all pupils, including pupils belonging to protected characteristic groups.</p> <p>Some comments received during the consultation period expressed concerns about younger, primary aged pupils attending the same school as older, secondary aged pupils, however as the proposal is to establish the new school on the current sites of Ladywell Green Infants School and Hafren C.P. Junior School, it is unlikely that there were be any significant change compared with the current position.</p> | |
| <p>9.2 Will the management of the impact as outlined in 9.1, be included in the Service Improvement Plan?</p> | <p>Yes <input type="checkbox"/></p> <p>Date added.....</p> <p>Reference.....</p> | <p>No <input checked="" type="checkbox"/></p> <p>If no, please explain why not: Need was not identified at time of writing Service Strategy</p> |

4. Community Impact Assessment

4.1 Ladywell Green Infants School

i) Other facilities or services provided by the school

The school provides no direct after-school clubs, however, extra-curricular activities provided are:

- Urdd Clwb
- Yoga Club

ii) Other services accommodated by the school

A number of other activities take place in the school. These include the following:

- Hosting a dance group for children in the school hall at weekends
- Occupational therapy use the grounds and school hall for a bike group for children

iii) Other use by the community of the school building

The school building is also used by the community for the following:

- Incredible Years building is used to host courses and consultation days
- Incredible Years room is also used by other organisations as and when, e.g. a trainee play therapist
- The school is host to the pre-school setting provided by Ladywell Children's Centre (Magik Inc)

iv) Other links between the school and the community

- Visits by pupils to the Day Care Centre and Maes-y-Wennol
- Regular visits by classes to Newtown library
- School building used to host courses e.g. Down's Syndrome training / Thrive training, which are available to other organisations.
- The school has links with Maldwyn Nursery and use the school for access to their after-school club.
- Pupils access the breakfast club at Hafren School in the mornings.

v) If accommodation, facilities or services are provided by a school, where would they be provided in the event of closure?

Should the proposal be implemented, a new primary school would be established on the current sites of Ladywell Green Infants School and Hafren C.P. Junior School, therefore the current Ladywell Green Infants School site would continue to be available.

vi) Distance and travelling time involved in attending an alternative school of the same language category

N/A

vii) How parents' and pupils' engagement with the alternative school and any facilities it may offer could be supported

N/A

viii) Any wider implications e.g. impact on public transport provision, wider community safety issues

N/A

4.2 Hafren C.P. Junior School

i) Other facilities or services provided by the school

The school provides the following after-school clubs:

- Sports Clubs (rugby, football, athletics, cycling, netball)
- Cookery
- Gardening
- Art
- Clwb yr Urdd
- Reading and Debating Club
- ICT
- Criw Cymraeg

ii) Other services accommodated by the school

A number of other activities take place in the school. These include the following:

- Newtown Young Performers (NYP)
- Jane Jones Royal Academy for Ballet
- Adiict Dance

iii) Other use by the community of the school building

The school building is also used by the community for the following:

- Dyfed Powys Police Fun Days
- Newtown Football Club
- Farming Community
- Hafren Cycling Club
- Newtown Integrated Family Centre Holiday Fun Days
- Newtown Integrated Family Centre Youth Club
- Newtown Rugby Club Church Groups

iv) Other links between the school and the community

- Dyfed Powys Police
- Newtown Scouts
- Ysgol Ladywell Green

i) If accommodation, facilities or services are provided by a school, where would they be provided in the event of closure?

Should the proposal be implemented, a new all-through school would be established on the current sites of Ladywell Green Infants School and Hafren C.P. Junior School, therefore the current Hafren C.P. Junior School site would continue to be available.

ii) Distance and travelling time involved in attending an alternative school of the same language category

N/A

iii) How parents' and pupils' engagement with the alternative school and any facilities it may offer could be supported

N/A

iv) Any wider implications e.g. impact on public transport provision, wider community safety issues

N/A

4.3 Issues raised during the consultation period

No comments were received during the consultation period which related to the impact of the proposal on the community.

4.4 Issues raised during the objection period

No objections were received during the objection period.

4.4 Conclusion

As the proposal would see the retention of primary provision in the buildings currently occupied by Ladywell Green Infants School and Hafren C.P. Junior School, it is not anticipated that the proposal would have a significant impact on the community.

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE
3 March 2020

REPORT AUTHOR: County Councillor Phyl Davies
Portfolio Holder for Property and Education

REPORT TITLE: 21st Century Schools Programme - Ysgol Cedewain Project

REPORT FOR: Decision

1. Purpose

- 1.1 This report seeks the approval of Cabinet to submit a Strategic Outline Case (SOC) to Welsh Government's 21st Century Schools Programme for capital investment to build a new 108 place special school to replace the existing Ysgol Cedewain building in Newtown.
- 1.2 The project is included within the Council's Strategic Outline Programme (SOP) for Band B, which was approved by Welsh Government and the Cabinet in July 2017.
- 1.3 The estimated required funding, including a 25% early stage risk contingency, is as follows:

| | |
|-----------------------------------|-------------|
| Welsh Government contribution 75% | £17,008,650 |
| PCC 25% | £5,669,550 |
| Total | £22,678,200 |

Appendix 1: Strategic Outline Case which outlines the strategic case, the case for change, the economic, commercial, financial and management case.

2. Background

- 2.1 Ysgol Cedewain is a special school situated in Newtown which provides specialist education for pupils from 2 and a half years old to 19 years old with a wide range of complex educational, sensory and physical needs. All pupils have a statement of special educational needs or an education health and care plan.

2.2 The case for change is based on the need to improve facilities for pupils at Ysgol Cedewain. The school is in a very poor condition and has significant site constraints:

- The current building is in very poor condition, categorised as condition C. Most of the classrooms are ageing portable structures and, in some cases, are in need of urgent maintenance and repair, nearing end of usable lifespan. It is a sprawling site, spread over a large area. The distance and obstacles between classrooms mean that a lot of time and effort is spent safely escorting pupils with complex sensory and physical needs around the school site. This can be particularly challenging during bad weather. The buildings and layout also severely limit the provision of specialist equipment for pupils with significant additional needs. Specialist equipment is not available in all areas of the school therefore limiting access and mobility for some pupils;
- There are significant health and safety and safeguarding issues with the site, including a public right of way that runs across it, difficult access areas and poor parking facilities. The minibus parking area uses up part of the playground, which restricts use at peak times.

2.3 The requested investment will deliver a brand new, purpose-built school with 108 places in age appropriate environments. The new build will deliver the following:

- Specialist support and provision to pupils with significant additional learning needs, in a modern and innovative learning environment and will better equip teachers to tailor lessons to meet the specific needs of the learners, improving accessibility to learners across the North of Powys;
- Appropriate learning spaces to deliver the new curriculum;
- Specialist equipment, including IT facilities, to support teaching and learning outcomes which will help to ensure all learners maximise their potential;
- More effective use of the site - the school will no longer be dependent on demountable accommodation which is currently dispersed across the site;
- A holistic integrated multi agency approach, with dedicated physiotherapy and medical rooms, and also a hydrotherapy pool and sensory rooms and garden. The facilities will support the school's well-established relationships with the specialist services and will also further cement the Council's relationship with Powys Teaching Health Board;
- A fully equipped early years class base, with breakout space, calming room, laundry and hygiene facilities, together with an individual outdoor learning area, which will enable the school to increase their early years provision. The facilities would also enable the school to consider providing after school care, holiday play schemes and wrap around childcare and to support the childcare offer for learners with additional needs;

- A flagship community focused school, with community groups being able to access the facilities out of school hours. Safeguarding will be ensured as the school will be able to lock down the teaching areas while enabling community access to the community zone;
- Therapeutic facilities available to hire, - these include a hydrotherapy pool and changing facilities, rebound room, touchtrust room, community kitchen and café, meeting room and hall. The hire of the facilities will be managed by the school and provide additional revenue income. There are very few therapeutic facilities within the locality and it is anticipated that there will be a strong demand.

2.4 The new school will be built on a part of the current site of Ysgol Cedewain and part of the adjoining primary school – Maesyrrhandir CP School. There will be a new grassed sports pitch and Multi Use Games Area for shared usage by Ysgol Cedewain & Maesyrrhandir CP School.

2.5 Following a detailed site selection process, the combined Cedewain/Maesyrrhandir site was deemed to be the most appropriate site for a special school. The reasons for this are that both schools could still operate safely during construction with no decanting of pupils required. There are no issues with topography and the site is also in the Council's ownership. Selecting this site allows the project to progress at pace allowing benefits realisation to happen as early as possible.

2.6 The indicative key milestones for this project are shown below:

- SOC Approved April 2020
- OBC Approved August 2020
- D & B Tender Awarded February 2021
- Design Stage February to October 2021
- FBC Approved November 2021
- Construction Starts December 2021 (12 month)
- School Opens Early 2023

3. **Advice**

3.1 The advice of officers is that submission of the SOC to Welsh Government for approval enables the Council to proceed with the project and progress to the next stage of the business case process. The Welsh Government's intervention rate for special schools within the Band B programme is 75%, which represents good value for money for the Council. Cabinet is advised that there is a significant early stage risk contingency of 25% within the estimated project costs, which is appropriate at a SOC stage. Actual costs will be confirmed at Full Business Case stage. The existing school infrastructure is included within the development boundary and will be demolished to make room

for playing and sporting areas. The demolition costs are included within the total estimated costs.

4. **Resource Implications**

4.1 **Capital:**

The project will be funded through the 21st C Schools Band B Programme. The total cost associated with the project is **£22,678,200**. The Council is requesting that Welsh Government provide 75% of the total cost of the project, with Powys County Council responsible for the remaining 25%. The project is funded from Powys 21st C Schools Band B programme- the overall Band B Programme will need to be adjusted to take account of the cost of this scheme to ensure that the overall funding envelope is not exceeded.

Capital funding from Powys County Council will be profiled provided as follows:

| | 2018/19 | 2019/20 | 2020/2021 | 2021/2022 | Total |
|-----------------------------|---------|---------|-----------|-----------|-----------|
| | £ | £ | £ | £ | £ |
| Supported Borrowing | | | 700,000 | | 700,000 |
| Prudential Borrowing | 15,666 | 42,500 | 1,525,500 | 3,385,884 | 4,969,550 |
| Reserves | | | | | |
| Total PCC funding | 15,666 | 42,500 | 2,225,500 | 3,385,884 | 5,669,550 |

The borrowing detailed above is included in the capital programme and therefore the costs of borrowing are included in the council's capital charges. The following capital from Welsh Government is requested:

| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | Total |
|---------------------------------------|---------|---------|-----------|------------|------------|
| | £ | £ | £ | £ | £ |
| Total Welsh Government funding | | 127,500 | 6,676,500 | 10,204,650 | 17,008,650 |

4.2 **Revenue:**

Based on the current accommodation schedule, the funding delivered to the school via the Council's schools funding formula will increase by an estimated £23,071, taking into account the increased floor area and other premises factors. This pressure will need to be considered by the Schools Service as it updates its Integrated Business Plan to include provision for 2022/23 budget planning. There are no rates implications for the school as rates are not charged for special schools

due to the exemption category for property used by people with disabilities.

4.3 **Impact on balance sheet**

The new school will remain on the public sector balance sheet.

4.4 **Overall affordability**

The Council sets its Prudential Indicators, under the Prudential Code, based on making prudent and affordable decisions and the 21st Schools' project were included in these indicators. The annual cost for the project is £189,930 based on the spend profile above and a 50-year life.

4.5 **Procurement:**

"The project will be procured under the new SEWSCAP3 framework. Appropriate bonds and collateral warranties will be obtained, and contract signed prior to commencement. The contractor will also be required to secure a Project Bank Account as a condition of the contract".

4.6 The Section 151 Officer confirms that the project is included within the Councils Capital Programme and is content that the proposal can be supported from a financial perspective.

4.7 **Corporate Property comments:**

"There are no implications to Corporate Property. The current Ysgol Cedewain estate will be demolished to make room for the new-build and playing areas. No assets will be declared surplus to Schools Service requirements as part of this scheme."

Project delivery will require specialist PCC staff resourcing from various departments, including ICT, Schools Service, Finance and Catering and Cleaning.

5. **Legal implications**

The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

6. **Data Protection**

Data Protection Officer comments: "This proposal does not involve the processing of personal data at this stage. However, when the project

progresses to construction and transitioning, then data protection legislation must be complied with.”

7. Comment from local member(s)

Councillor Daniel Rowlands: “Educating some of our most vulnerable people in society should be one of our main concerns. Ysgol Cedewain needs a new school so I’m in favour of something happening on this site as soon as possible.”

8. Integrated Impact Assessment

An Impact Assessment has not been developed but will be at Outline Business Case stage.

9. Recommendation

9.1 To seek Cabinet’s approval to submit the Strategic Outline Case (SOC), as set out in Appendix 1, to Welsh Government’s 21st Century Schools Programme for capital investment to build a new 108 place school to replace the existing Ysgol Cedewain building in Newtown.

9.2 The note that the estimated cost of the overall project is £22,678,200.00 with Welsh Government funding 75% of the costs, and the Council funding the remaining 25%, and to note that the the current total cost estimate includes an early stage risk contingency of 25%.

Strategic Outline Case (SOC)

New Special School at Ysgol Cedewain, Newtown



Submitted by Powys County Council February 2020

Signed:

Date:

Version Control:

| | | |
|----|----------------|----------|
| V1 | First draft DR | 14/01/20 |
| V2 | ME edits | 21/01/20 |
| V3 | Final | 07/02/20 |
| | | |

| INDEX | PAGE |
|-------------------------------|-------------|
| 1. Executive Summary | 3 |
| 2. The Strategic Case | 6 |
| 3. The Case for Change | 10 |
| 4. The Economic Case | 25 |
| 5. The Commercial Case | 32 |
| 6. The Financial Case | 34 |
| 7. The Management Case | 37 |

1. EXECUTIVE SUMMARY

The purpose of this Strategic Outline Case is to set out the business justification for investing **£22,678,200** to build a new special school in Newtown, Powys, replacing the current buildings of Ysgol Cedewain which are in very poor condition and not fit-for-purpose. The project is part of Powys County Council (PCC)'s Band B Programme.

The funding required is outlined in the table below:

| | |
|-----------------------------------|------------|
| Welsh Government contribution 75% | 17,008,650 |
| PCC 25% | 5,669,550 |
| Total | 22,678,200 |

Ysgol Cedewain is a special school for children with additional learning needs (ALN). It is situated in Newtown in North Powys, and provides education for pupils from aged 2 to 19 years old, with wide range of complex educational, sensory and physical needs. Most pupils have a statement of special educational needs (SEN). Almost all pupils are local authority pupils drawn from a wide catchment area in the north of Powys.

The case for change is based on the need to improve facilities for pupils at Ysgol Cedewain. The school is in a very poor condition and has significant site constraints:

- The current building is in very poor condition, categorised as condition C. Most of the classrooms are ageing portable structures and, in some cases, are in need of urgent maintenance and repair, nearing end of usable lifespan. It is a sprawling site, spread over a large area. The distance and obstacles between classrooms mean that a lot of time and effort is spent safely escorting pupils with complex sensory and physical needs around the school site. This can be particularly challenging during bad weather. The buildings and layout also severely limit the provision of specialist equipment for pupils with significant additional needs. Specialist equipment is not available in all areas of the school therefore limiting access and mobility for some pupils;
- There are significant health and safety and safeguarding issues with the site, including a public right of way that runs across it, difficult access areas and poor

parking facilities. The minibus parking area uses up part of the playground, which restricts use at peak times.

The requested investment will deliver a brand new, purpose-built school with 108 places in age appropriate environments. The new build will deliver the following:

- Specialist support and provision to pupils with significant additional learning needs, in a modern and innovative learning environment and will better equip teachers to tailor lessons to meet the specific needs of the learners, improving accessibility to learners across the North of Powys;
- Appropriate learning spaces to deliver the new curriculum;
- Specialist equipment, including IT facilities, to support teaching and learning outcomes which will help to ensure all learners maximise their potential;
- More effective use of the site - the school will no longer be dependent on demountable accommodation which is currently dispersed across the site;
- A holistic integrated multi agency approach, with dedicated physiotherapy and medical rooms, and also a hydrotherapy pool and sensory rooms and garden. The facilities will support the school's well-established relationships with the specialist services and will also further cement the Council's relationship with Powys Teaching Health Board;
- A fully equipped early years class base, with breakout space, calming room, laundry and hygiene facilities, together with an individual outdoor learning area, which will enable the school to increase their early years provision. The facilities would also enable the school to consider providing after school care, holiday play schemes and wrap around childcare and to support the childcare offer for learners with additional needs;
- A flagship community focused school, with community groups being able to access the facilities out of school hours. Safeguarding will be ensured as the school will be able to lock down the teaching areas while enabling community access to the community zone;
- Therapeutic facilities available to hire, - these include a hydrotherapy pool and changing facilities, rebound room, touchtrust room, community kitchen and café, meeting room and hall. The hire of the facilities will be managed by the school and

provide additional revenue income. There are very few therapeutic facilities within the locality and it is anticipated that there will be a strong demand.

The new school will be built on a part of the current site of Ysgol Cedewain and part of the adjoining primary school – Maesyrrhandir CP School. There will be a new grassed sports pitch and Multi Use Games Area for shared usage by Ysgol Cedewain & Maesyrrhandir CP School.

2. THE STRATEGIC CASE

2.1 Introduction

This Strategic Outline Case (SOC) sets out the case for Powys County Council's (PCC) proposal to provide a new building for Ysgol Cedewain, a Special School in Newtown. This project is part of the Council's plans for Band B of the 21st Century Schools programme and is included in the Council's Strategic Outline Programme (SOP) for Band B which was approved by the Welsh Government in 2017.

This development is set within the context of PCC's Schools Organisation Programme and ALN Transformation Programme.

2.2 Strategic Aims and Objectives

The Council's vision for Powys is set out in Vision 2025. One of the priorities set out within Vision 2025 is to strengthen Learning and Skills. Within this, Vision 2025 states that *'We will strengthen Learning and Skills by:*

- *Improving the educational attainment of all pupils;*
- *Supporting children and families to have the best start in life;*
- *Improving our schools infrastructure;*
- *Improving the skills and employability of young people and adults.*

The Council's Schools Organisation Policy states that the Council aspires to have an educational model that delivers the following:

- *High quality, resilient leadership and management;*
- *High quality learning environments, with the long term aim that all schools will be assessed as condition A or B;*
- *A greater focus on collaboration and partnership working, in order to enable schools to provide the best possible opportunities for learners;*
- *Schools that can operate effectively and efficiently within the funding available;*
- *Increases demand for Welsh-medium provision and provides access to provision which will enable pupils to become confident Welsh speakers;*
- *Schools developed into establishments that are central to community activity;*

- *High quality ICT infrastructure that will enable all schools to provide enhanced opportunities for learners;*
- *Provides access to high quality early years provision;*
- *Provides support for learners with additional learning needs which aligns with the requirements of the new Additional Learning Needs and Education Tribunal (Wales) Act;*
- *Provides access to high quality post-16 provision in schools, which is attractive to learners, financially sustainable and minimises learner travel.*

The Council is currently developing a new vision to transform education in Powys, and improving provision for pupils with additional learning needs is central to this vision. In future, it is intended that Powys will have in place a range of provision for pupils with ALN including mainstream classes (with support where required), specialist classes, satellites of special schools, special schools, a pupil referral unit, outreach support from special schools and advice and guidance from a small team of highly qualified central staff.

2.3 Business Strategies

There are a range of policy drivers relevant to this investment at a local and national level, as set out below:

2.3.1 National Policy Drivers

| | Relevance to this investment |
|--|--|
| Additional Learning Needs and Education Tribunal (Wales) Act 2018 | The new statutory framework aims to ensure that all learners with ALN are supported to overcome barriers to learning and can achieve their full potential. This investment will provide improved and purpose-built facilities for vulnerable children and young people with ALN. |
| 21 Century Schools Programme | <p>In partnership with Welsh Government, there are opportunities to invest heavily in Powys schools' estate, building on the emerging vision for the future and moving ahead with its implementation, and with all learners in mind – of all abilities and at all stages in their education – and across both language provisions.</p> <p>The changes that are needed to put in place across Powys must also provide a transformed working experience for staff in all schools. Modern buildings will help transform learning,</p> |
| Education in Wales – Our National Mission | Making the best of the opportunities presented by the new Curriculum for Wales requires that a system is created where Powys teachers can more easily work together across schools to help generate inspiring teaching and learning opportunities for all pupils, whilst also helping to manage professional workloads. Collaborative schools can also help generate a community of future leaders for Powys schools who can be nurtured through a range of programmes, led by our most inspiring teachers and headteachers. |

2.3.2 Regional and Local Policy Drivers

| | Relevance to this investment |
|--|---|
| Transforming Education in Powys | Developing an infrastructure of schools and planning of school places to ensure that appropriate educational provision is accessible by all pupils |
| Powys Community Focused Schools Strategy | To ensure that key services are sufficiently integrated and able to work collaboratively to identify and meet all the needs of a child and their family. By looking at the child in this holistic way we will increasingly be able to remove barriers which could prevent them from reaching their full potential |
| Powys Carbon Reducing and Sustainability strategies | All new schools will be part of a new generation of energy efficient buildings where the reduction of carbon emissions and sustainable development as the main driving force. With materials specified where possible from the BRE Green Guide, new school buildings will be subject to a BREEAM assessment. |
| Powys Regeneration Strategy | To ensure that regeneration is embedded into everyday practice, to deliver outcomes which will have a positive impact upon not just the physical, Social, environmental, but also the economic and cultural attributes of the county |
| Powys ICT strategy | ICT Strategy for Schools is built around the 21 Century Schools Standard. It is aimed at delivering learners' entitlement to use technology to support their learning and to enable schools to become more innovative and effective in their teaching and learning |

3. THE CASE FOR CHANGE

The case for change is based on the need to improve facilities for pupils at Ysgol Cedewain. The school is in a very poor condition and has significant site constraints.

The school site has a total area of 15,292m² / 1.53 Hectares. However, the site has a difficult infrastructure due to the fact that it is split by a public footpath, which is illustrated on the site plan below.



The school's accommodation is made up of 10 separate blocks. On the eastern plot, there is a brick-built single storey main school building with uPVC entrance porch, which sits beyond a gated entrance with car parking and drop off facilities. The western plot is made up of a large brick block. The remainder of the site is occupied by a series of single storey cabins, which have been added over time as the school's needs have developed.

As well as teaching accommodation, the school has a hydrotherapy pool. However this is currently out of action and is in need of significant investment. There is a sensory room located adjacent to the hydrotherapy pool, however this is outdated and therefore is not currently used.

Access to the school site is via a narrow one lane system with some staff parking, additional staff parking is provided at the Leisure centre by agreement and the minibuses utilising the school playground for pick up/drop off point at both ends of the school day, which is causing significant disruption.

The condition data for the school is as follows:

| Condition | Suitability | Temporary Accommodation | DDA compliance |
|-----------|-------------|-------------------------|----------------|
| C | C | 7 | Partial |

3.1 Investment Objectives

The Investment Objectives for this project are as follows:

1. **To deliver a fit for purpose building solution that delivers an improved and appropriate learning environment for pupils with significant special education needs – minimum condition B and meeting BREEAM requirements**
2. **To improve the buildings efficiency / running costs**
3. **To provide facilities that will accommodate a greater proportion of pupils with significant additional learning needs that are currently accessing provision out of Powys**
4. **To provide holistic support for Powys children with significant additional needs, incorporating reliable specialised equipment and facilities**
5. **To increase opportunities for pupils to partake in life skills social interaction in a safe and controlled way**
6. **To increase the capacity of teaching staff to deliver a 21st century curriculum that meets the needs of learners with significant additional learning needs.**

In order to provide a basis from which to assess the success of this project in delivery against these objectives, the following measures and targets are proposed:

| Investment Objective | Measure | Target |
|---|--|---|
| <p>1. To deliver a fit for purpose building solution that delivers an improved learning environment for pupils with significant additional learning needs – minimum condition B and meeting BREEAM requirements</p> | <p>Improved building condition, as measured by relevant data sources:</p> <ul style="list-style-type: none"> - Condition assessment - DDA compliancy - BREEAM | <p>By September 2022:</p> <p>Building condition, suitability, sufficiency and DDA to be categorised as Category A</p> <p>Building to meet BREEAM 'Very Good' standard</p> |
| <p>2. To improve the building's efficiency / running costs</p> | <p>Reduction in energy usage</p> <p>Reduction in maintenance costs</p> | <p>Reduction in premises costs per sq m2 of 5% within 18 months of the new school opening</p> <p>Reduction in backlog maintenance and accessibility costs by 5% within 18 months of the new build opening</p> |
| <p>3. To provide facilities that will accommodate a greater proportion of pupils with significant additional learning needs that are currently accessing provision out of Powys</p> | <p>Number of pupils accessing provision out of Powys</p> <p>Cost of provision for pupils accessing provision out of Powys</p> | <p>Percentage reduction in number of pupils accessing provision out of Powys</p> <p>Percentage reduction in cost of provision for pupils accessing provision out of Powys</p> |
| <p>4. To provide holistic support for Powys children with significant additional needs, incorporating reliable specialised</p> | <p>Number of days equipment is out of use</p> <p>Pupil time spent accessing therapeutic services off the school site</p> | <p>Reduce the % of days equipment is out of use</p> <p>Reduce pupil time spent accessing therapeutic services off the school site.</p> |

| | | |
|--|--|--|
| equipment and facilities | | |
| 5. To provide improved opportunities for pupils with significant special educational needs | <p>Areas of learning</p> <p>Increased pupil participation in life skills based activities</p> <p>Opportunities for school and community cohesion</p> | <p>Comparison of learning areas in current building with learning areas in the new build</p> <p>Comparison of appropriate facilities for the full age range of pupils</p> <p>Comparison of life skill based activities and available outdoor and sports facilities in current building and the new build</p> <p>Comparison of community events and booking of therapeutic facilities between the current school and new build within 2 years of new school opening</p> |
| 6. Increase the capacity of teaching staff to deliver a 21 st century curriculum that meets the needs of learners with significant special education needs. | <p>Staff absence levels</p> <p>Staff well-being levels</p> | <p>Reduce staff sickness absence by 5%</p> |

3.2 Potential Benefits

Potential benefits associated with the achievement of the project's investment objectives:

| Type | Benefits |
|-----------------|---|
| Pupils | Improved learning outcomes and improved pupil moral |
| | Improved sporting and social opportunities |
| | Improved appropriate and flexible learning environment |
| | Learners are taught with technology facilities fit for the 21 st Century |
| | Improved safeguarding to meet pupils varied and complex needs |
| | To meet the identified needs of the full age range of pupils at the school |
| | Improved well-being of pupils for healthy and confident pupils |
| Community | Increased community engagement |
| | Increased facilities for community hire |
| | Secure facilities |
| Staff | Increased staff morale and wellbeing |
| | Increased retention of staff |
| | To enable staff to fulfil the four purposes of the new curriculum |
| | To allow teachers to offer the full range of pedagogical principles |
| Local Authority | Reduction in backlog maintenance costs |
| | Reduction in premises running costs |
| | Meeting best practice and regulatory standards for learning environments |
| | School buildings and blocks that are assessed as condition A |

3.3 Risks, Constraints and Dependencies

All capital investment projects have risks which require careful management in order to avoid project failure. Powys County Council implements projects in accordance with Prince2 methodology, which are underpinned by a robust risk management strategy, which is fundamental to successful project delivery.

In terms of investment proposed at Ysgol Cedewain, the tables below list the key headline risks the Council will ensure are managed effectively in order to achieve project success.

| Ref. | Risk item | Likelihood | Impact | Mitigation |
|------|---|------------|--|---|
| 1. | Insufficient capital funding | Low | Project not able to go ahead or the scope would have to be reduced | Ensure that the scheme is underpinned by a robust business case |
| 2. | Planning issues | Low | Project delay | Ensure pre-planning discussions take place with planning authority |
| 3. | Environmental issues | Low | Increased costs and delays | Ensure surveys are taken at an early stage |
| 4. | Delays in design/tendering stage | Medium | Project delay | Ensure that there is a clear and realistic programme plan. |
| 5. | Lack of stakeholder support | Low | Project delay | Project has been supported by Cabinet via the approval of Band B SOP. School leadership fully engaged in the process. |
| 6. | Risk of insufficient revenue funding to support the running costs of the new school | | | Ensure that the scheme is underpinned by a robust business case |

Constraints

- Site constraints
- Availability of capital funding
- Continued operational delivery during construction phase

Project Dependencies

- Capital funding
- Supply chain capability and capacity to deliver
- Planning consent
- Supply chain

3.4. Description of current provision

Ysgol Cedewain provides education to pupils with ALN from the age of 3 to 18 – pupils travel to the school from across North Powys. The school's capacity is a 120.

i) Pupil numbers

Current pupil numbers¹ at Ysgol Cedewain are as follows:

| Foundation Phase | | Key Stage 2 | | | | | | Key Stage 3 | | | Key Stage 4 | | Post-16 | | | Total |
|------------------|---|-------------|---|---|---|---|----|-------------|---|---|-------------|----|---------|----|----|-------|
| N | R | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | |
| 2 | | | | | | | | | | | | | | | | 119 |
| 1 | 2 | 4 | 4 | 5 | 4 | 4 | 13 | 12 | 9 | 9 | 13 | 17 | 8 | 9 | 5 | |

Total pupil numbers at the school over the last 5 years are as follows:

| | January 2015 | January 2016 | January 2017 | January 2018 | January 2019 |
|----------------------------|--------------|--------------|--------------|--------------|--------------|
| Total pupil numbers | 115 | 116 | 122 | 108 | 119 |

ii) Needs of pupils

Ysgol Cedewain provides support to pupils with a wide range of needs which include the following:

| |
|---|
| ASD – Autistic Spectrum Disorder |
| SLD – Severe Learning Difficulties |
| PMLD – Profound & Multiple Learning Disabilities |
| SLCD – Speech & Language Communication Difficulties |
| BESD – Behavioural, Emotional and Social Difficulties |
| MLD – Moderate Learning Difficulties |

¹ PLASC, January 2019

| |
|---|
| GLD – Global Learning Difficulties |
| HI – Hearing Impairment |
| ADHD – Attention Deficit Hyperactivity Disorder |
| MSI – Multi Sensory Impairment |

iii) Quality of education

The school has recently been inspected by Estyn but the report is not yet published. The previous inspection took place in 2013 and Estyn judged the school as follows:

| | |
|--|------|
| The school's current performance | Good |
| The school's prospects for improvement | Good |

The school's latest categorisation using the National School Categorisation System (2018) is as follows:

| Standards group | Improvement capacity | Support category |
|-----------------|----------------------|------------------|
| N/A | C | Amber |

iv) Condition and backlog maintenance

The school is in a poor condition, with a reliance on temporary accommodation and is only partially compliant with DDA legislation. It is estimated that backlog maintenance costs for the school are approximately £2.4m.

| Condition | Suitability | Sufficiency | Temporary Accommodation | DDA compliance |
|-----------|-------------|-------------|-------------------------|----------------|
| C | C | No | 7 | Partial |

v) Post-16 provision

Ysgol Cedewain works collaboratively with Newtown College (NPTC) to access vocational courses where possible. Due to pupils' complex needs of some pupils,

provision for vocational courses will be needed together with an appropriate accessible outside environment.

Pupils at key stage 4 and post-16 have the opportunity to obtain appropriate qualifications, for example Entry Level and Essential Skills Wales, and more able pupils take GCSEs. Vocational courses now offer opportunities for gaining accreditation. The school has recently introduced the Foundation Welsh Baccalaureate post-16 qualification.

vi) Welsh-medium education

Pupils are encouraged in the development of their Welsh language skills in relation to their needs and linguistic background. At present, all classes are taught in English, there is one first language Welsh pupil attending the school. The school ensures that there are opportunities to celebrate the language and culture, for example St. David's Day celebrations and visiting the Welsh Government, this helps pupils improve their understanding of the cultural and historical context of Wales. Staff provide appropriate opportunities for pupils to develop and use their Welsh language skills.

3.5 Information about the proposed scheme

The project has been developed in partnership with representatives from Powys County Council, and representatives from the local Health Board, governors, staff and pupils at Ysgol Cedewain. To aid development of the design proposals, engagement meetings have been held with the school council, parents, staff, governors and feedback requested to the proposed designs from the wider community.

i) Site Selection

The site was selected following a detailed assessment of potential sites in the Newtown area which concluded that there were two potential sites in the Council's ownership that could accommodate the school:

- Site 1 – Land at Ysgol Cedewain and the adjacent primary school, Maesyrrhandir CP School; and
- Site 2 – Land in the centre of town, currently occupied by Hafren CP School and Ladywell Green Infant School. This site is also part of a wider area which has been identified for a joint development between PCC and the Powys Health Teaching Board to develop a new North Powys Wellbeing Hub.

The advantages and disadvantages of building a new special school on both sites were assessed by officers - and this concluded that there were benefits to both sites, especially with the potential co-location of a special school with health provision. However, the benefits of utilising the combined Cedewain/Maesyrrhandir site meant that the project could be delivered more quickly than if it was to be part of a wider North Powys Wellbeing Hub development which already has two schools operating on it.

The combined Cedewain/Maesyrrhandir site was deemed to be an appropriate site for a special school; the schools could still operate safely during construction with no decanting of pupils required; there are no issues with topography and the site is also in the Council's ownership. Whilst Maesyrrhandir CP School loses some of its playing area, a new grassed sports pitch and multi-use games area will be developed for shared usage by both schools.

Clear linkages will be made between the school and the North Powys Wellbeing Hub once both projects are completed, to ensure that learners are able to benefit from both. The location of the new Ysgol Cedewain is less than a mile from the proposed site of the North Powys Wellbeing Hub.

ii) Description of the proposed scheme

The new school will deliver the following:

- specialist support and provision to pupils with significant additional learning needs, in a modern and innovative learning environment and will better equip teachers to tailor lessons to meet the specific needs of the learners, improving accessibility to learners across the North of Powys;
- appropriate learning spaces to deliver the new curriculum;
- specialist equipment, including IT facilities, to support teaching and learning outcomes which will help to ensure all learners maximise their potential;
- More effective use of the site - the school will no longer be dependent on demountable accommodation which is currently dispersed across the site;
- a holistic integrated multi agency approach, with dedicated physiotherapy and medical rooms, and also a hydrotherapy pool and sensory rooms and garden. The facilities will support the school's well-established relationships with the specialist services and will also further cement the Council's relationship with Powys Teaching Health Board;
- a fully equipped early years class base, with breakout space, calming room, laundry and hygiene facilities, together with an individual outdoor learning area, which will enable the school to increase their early years provision. The facilities would also enable the school to consider providing after school care, holiday play schemes and wrap around childcare and to support the childcare offer for learners with additional needs;
- a flagship community focused school, with community groups being able to access the facilities out of school hours. Safeguarding will be ensured as the school will be able to lock down the teaching areas while enabling community access to the community zone;

- therapeutic facilities available to hire, - these include a hydrotherapy pool and changing facilities, rebound room, touchtrust room, community kitchen and café, meeting room and hall. The hire of the facilities will be managed by the school and provide additional revenue income. There are very few therapeutic facilities within the locality and it is anticipated that there will be a strong demand.

iii) **Environmental considerations**

The proposed building design encompasses passive design principles to target a BREEAM excellent rating and includes the low zero carbon strategy and this will ensure the removal of the considerable backlog maintenance costs that is incurred with the current school building, curtailing the pressure on the school's delegated budget and on the authority's maintenance capital budget.

In accordance with PCC's duty under the **Environment (Wales) Act 2016**, the proposed design should ensure that there is no net loss of biodiversity or unacceptable damage to a biodiversity feature together with a low zero carbon strategy. Biodiversity enhancement measures have been identified and incorporated into the landscapes scheme to work towards delivering net gains for biodiversity. The area of existing playing field was selected for the development due to the minimal impact on existing biodiversity and habitats.

Mitigation details will be clearly illustrated on architectural plans submitted for planning permission.

Natural daylighting, natural ventilation and thermal mass have been incorporated into the design and it envisaged that efficient renewable technologies such as air source heat pumps, solar thermal heating arrays and photovoltaic heating arrays will be adopted into the design. Gas and electric consumption have been reduced by using a passive house system approach.

Future maintenance of SuDS and green spaces will be under the management of the school leadership.

iv) Outdoor and sporting facilities

The new school aims to ensure accessibility and appropriate facilities for all pupils within the building and in the outdoor learning facilities to enable effective delivery of special school education. The proposed scheme includes 3,379m² of playing fields including one playing and a multi-use games area. The sports facilities meet the required standards for schools. It is proposed that the outdoor play facilities will include an inclusive play equipment area, a series of learning gardens, sensory courtyard and a woodland/forest school.

v) Travel and transport implications

As the school serves a large area of North Powys, a number of pupils are already transported to the school. A highways travel assessment report has been undertaken which assesses the potential travel needs of future learners and staff. There will not be a major change to current numbers of pupils who are transported to the school, as the school is being built in the same location as the existing school. However, there will be improved access routes, cycle paths/pedestrian paths and cycle shelters which will increase the opportunities for pupils to walk or cycle to school.

Equality Impact Assessments and Children's Rights Impact Assessments will be completed and included in the Outline Business Case.

4. THE ECONOMIC CASE

This section includes a description and results of an option appraisal which considered a range of options for the development of a new special school in Newtown. The option appraisal scored the options against the agreed investment objectives and a range of critical success factors.

4.1 Investment Objectives

The Investment Objectives for this development were agreed at a workshop on 17th May 2019 attended by senior officers from Schools Service and the ALN manager and are as follows:

1. To deliver a fit for purpose building solution that delivers an improved learning environment for pupils with significant additional learning needs – minimum condition B and meeting BREEAM requirements
2. To improve the buildings efficiency / running costs
3. To provide facilities that will accommodate a greater proportion of pupils with significant additional learning needs that are currently accessing provision out of Powys
4. To provide holistic support for Powys children with significant additional needs, incorporating reliable specialised equipment and facilities
5. To increase opportunities for pupils to partake in life skills social interaction in a safe and controlled way
6. Increase the capacity of teaching staff to deliver a 21st century curriculum that meets the needs of learners with significant additional learning needs.

4.2 Critical Success Factors

| Critical Success Factor | Description |
|---|---|
| 1 – Strategic fit and business needs | <ul style="list-style-type: none"> • The options must satisfy all investment objectives and business needs • The option must optimise the benefits as presented in the Main Benefits Criteria • The option must be aligned with and promote the national, regional and local strategies |
| 2 – Value for money | <ul style="list-style-type: none"> • The option must optimise the resources available for the delivery of learning • The option must provide value for money in the delivery of learning |
| 3 – Potential achievability | <ul style="list-style-type: none"> • The option must be acceptable to learners, staff, governors and the wider community • The option must be politically acceptable at local, county and national level • The option must be achievable within current legislation • The option must be operationally achievable / physically achievable |
| 4 – Supply-side capacity and capability | <ul style="list-style-type: none"> • The option must secure sufficient appropriate resources and expertise to be deployed within Powys to achieve the investment objectives |
| 5 – Potential affordability | <ul style="list-style-type: none"> • The extent to which the option is affordable within the forecasted revenue of participating organisations • The extent to which the option is affordable within the forecasted capital funding of participating organisations |

4.3 Long list of options

As the preferred site had already been selected through a site selection process, options for addressing the issues at Ysgol Cedewain include the following:

Option 1 Do Nothing: Status Quo

Option 2 Do Minimum: Refurbish existing blocks plus essential maintenance

Refurbish some elements the school to address some of the more significant issues at the school

Option 3 Intermediate: Remodel school

Identify blocks in most need of rebuilding and replace on existing site

Option 4 Do Maximum: New build school with community facilities

Build a new special school 108 pupils to include a range of specialist facilities, multi-agency areas and community areas.

4.4 Summary of main advantages and disadvantages of the long-listed options

The table overleaf includes the main advantages and disadvantages of the long-listed options:

| Options | Advantages | Disadvantages |
|---|--|---|
| Option 1 – Status Quo | <p>No additional capital funding needed</p> <p>No disruption to learners from large scale building works on adjacent site</p> | <p>Inadequate school buildings continue in poor condition and sustainability</p> <p>Does not meet the requirements for 21st C School</p> <p>Does not meet the requirement of Estyn recommendation</p> <p>Financially unviable</p> <p>Does not address safeguarding and access issues</p> |
| Option 2 – Do minimum - Refurbish existing blocks plus essential maintenance | <p>Extends the life of the building</p> <p>Addresses immediate issues easily</p> <p>Reduces the probability of disruption to service delivery</p> <p>Less immediate drain on Council's capital resources</p> <p>Continuity of education on sites</p> | <p>Inadequate school buildings continue with poor suitability and sustainability factors, R & M funding would not stop further deterioration</p> <p>Financially unviable as it will not attract 21st C School funding</p> <p>Does not enhance current public perception of the condition of the specialist school facilities campus</p> <p>Some noise disruption to pupils</p> <p>Does not improve the learning environment and does not provide a suitable environment suitable for the needs of vulnerable pupils and staff.</p> <p>The works required at Ysgol Cedewain could severely impact the Major Improvement Programme fund, which will decrease the amount of funding available for much needed improvements at other schools</p> |
| Option 3 – Do minimum – Remodel school | <p>Extends the life of some blocks</p> <p>Addresses immediate issues easily</p> <p>Less immediate drain on Council's capital resources in Band B</p> | <p>Disruption to pupils</p> <p>Inadequate school buildings continue with poor suitability and sustainability factors, R & M funding would not stop further deterioration on blocks not rebuilt</p> <p>Financially unviable as it will not attract 21st C School funding</p> |

| | | |
|---|--|---|
| | | <p>Does not enhance current public perception of the condition of the specialist school facilities campus, may be viewed as a stop gap solution</p> <p>Does not improve the learning environment overall and does not provide a suitable environment suitable for the needs of vulnerable pupils and staff.</p> <p>The works required at Ysgol Cedewain could severely impact the Major Improvement Programme fund, which will decrease the amount of funding available for much needed improvements at other schools</p> |
| <p>Option 4 – New build school with community facilities</p> | <p>As above</p> <p>Increased opportunities for school and community cohesion</p> <p>Increased benefits for communities able to access specialist therapeutic facilities</p> <p>Fits with areas of learning in the new curriculum</p> | <p>Higher cost reduces capital funding available for other projects in Band B programme.</p> |

4.5 Option Appraisal Exercise

The options were assessed against the investment objectives and the critical success factors as follows:

- YY Exceeds criteria**
- Y Meets criteria**
- ? Unable to ascertain**
- X Does not meet criteria**
- XX Significantly below criteria**

| | Option 1 Status Quo | Option 2 Refurbish existing blocks | Option 3 Remodel existing blocks | Option 4 New build school with community facilities |
|-------------------------------------|---------------------------------|---|---|---|
| Investment Objective | | | | |
| 1 | XX | XX | X | YY |
| 2 | XX | ? | Y | YY |
| 3 | XX | XX | ? | Y |
| 4 | XX | X | ? | YY |
| 5 | XX | ? | ? | YY |
| 6 | XX | X | ? | YY |
| Critical Success Factors | | | | |
| Strategic fit and business needs | XX | XX | X | YY |
| Value for money | XX | XX | XX | Y |
| Potential achievability | XX | XX | XX | YY |
| Supply side and capacity | Y | Y | Y | Y |
| Potential affordability | Y | Y | Y | Y |
| | | | | |
| Summary of options appraisal | Take forward as baseline | Discounted | Discounted | Preferred |

4.6 Conclusion – the preferred option

The preferred option is Option 4 as it met all the investment objectives and critical success factors. The following table includes the main quantitative benefits of the preferred option:

| Direct to School | Indirect to School |
|---|---|
| <ul style="list-style-type: none"> • Improvements to condition and suitability of building • Accessibility to all areas • Access to a wider range of teaching materials (state of the art ICT) • Appropriate specialist facilities for all needs • Appropriate facilities for the full age range of pupils • Greater ability to target specific need • Greater learning opportunities to improve learners' key skills • Greater opportunities to use a wider range of different learning / teaching styles • Improved accessibility to all areas of the site • Improved accessible outdoor learning areas • Improved levels of recruitment, quality, retention and reputation of staff • Improved integration between adjacent schools • Increased flexibility of accommodation to meet demand of non-vocational skills • Zoned and bespoke facilities for flexible community use | <ul style="list-style-type: none"> • Enhanced life chances and employment opportunities • Improved safety of transport provision • Improved specialist facilities for hire in the North Powys • Improved learning outcomes for learners and families • Increased hot desking facilities for council and health board employees |

| Direct to School | Indirect to School |
|---|--------------------|
| <ul style="list-style-type: none"> • Improved facilities for specialist agencies – physiotherapists, nurses in building | |
| <p><i>Cash Releasing Benefits</i></p> <ul style="list-style-type: none"> • Improved energy efficiency of estate • Reduced building operating costs • Backlog maintenance savings • Potential for commercial lettings | |

5. THE COMMERCIAL CASE

5.1 Procurement approach / framework

It is anticipated that the overarching procurement route for the Ysgol Cedewain redevelopment is via the SEWSCAP3 Construction Framework.

To progress the project, the Council has commissioned a design team via Heart of Wales Property Services Ltd (HoWPS), a joint venture company set up by the Council and Kier to provide property design, construction and maintenance services for Band B of the C21st Schools Programme and other capital investments.

The Ysgol Cedewain design team is comprised of a core project management team within HoWPS supported by Kier architects, structural, civil, mechanical and electrical engineers, and cost consultants. Further expertise is directly employed by the Council to provide landscape, acoustic, surveying and BREEAM services.

This broad design team is developing design information to allow a 'construct only' or a design and build tender via SEWSCAP3 as above. The information will include surveys and existing site information, proposed arrangements and details. These approaches are considered to provide the best balance of approach regarding quality of the final, bespoke building which must be constructed on an occupied school site, and the appropriate allocation of risk.

5.2 Community Benefits Approach

The community benefits approach will be included in the tender documentation and details will be outlined in the Outline Business Case.

5.3 Project Bank Accounts (PBA)

The Welsh Government project bank account policy will be complied with as part of the procurement requirements and the approach will be fully detailed in the Full Business Case.

6. THE FINANCIAL CASE

6.1 Financial Assumptions

This section sets out the forecast financial implications of the programme if the preferred option is taken forward. The following assumptions have been made when considering affordability of organisations that incur costs as a consequence of this investment:

- contingency – the costs presented in this section include an optimism bias uplift applied to capital costs and a value for financial risks. Together these form the capital contingency;
- It is assumed based on related investment experience that VAT is not applicable (or can be fully reclaimed) from capital investment on school premises and therefore does not feature in the analysis;
- Inflation has been included, however it is recognised that construction inflation may in fact be running at a higher rate than general inflation. This is variable and will be accurately calculated at OBC stage. Any difference between construction inflation and general inflation is accepted to be included within the general contingency for the scheme.

6.2 Funding options - advantages and disadvantages

Consideration has been given to a range of options to fund the project and the advantages and disadvantages are outlined in the table below. The preferred option is option 2, a blended funding approach between PCC and the Welsh Government.

| Option | Description | Main advantages | Main disadvantages |
|--------|---|--|--|
| 1 | Use of entirely PCC funding | The main advantage of the do minimum option is that it affords full control of the investment to PCC. | The main disadvantage of the do minimum option is that it is unaffordable within PCC's budget. The authority has already committed its capital budget for 21 st C Schools Band A programme. Band B assumptions are based on 65% funding from WG, and 75% for special schools. PCC's 21C Schools Programme would be unable to fund the solution through existing PCC budgets alone. |
| 2 | a blended funding package (PCC and Welsh Government) | The main advantage of the intermediate option is that it is a realistic and affordable solution for PCC and WG. | The main disadvantage of the intermediate option is that it increases bureaucracy through external approval processes, which potentially delays the investment. |
| 3 | use of entirely external funding sources (including Welsh Government) | The main advantages of the maximum option are that it does not impact on PCC's budget. | The main disadvantage of the maximum is that it is contrary to WG policy and therefore unrealistic. The Mutual Investment Model (MIM) is not eligible for special schools construction projects, and therefore disregarded. |

6.3 Total costs

The following table shows the breakdown of costs between both organisations – the figures include contingency and inflation:

| Welsh Government contribution – 75% | PCC contribution – 25% | Total |
|--|-------------------------------|---------------|
| 17,008,650 | 5,669,550 | 22,678,200.00 |

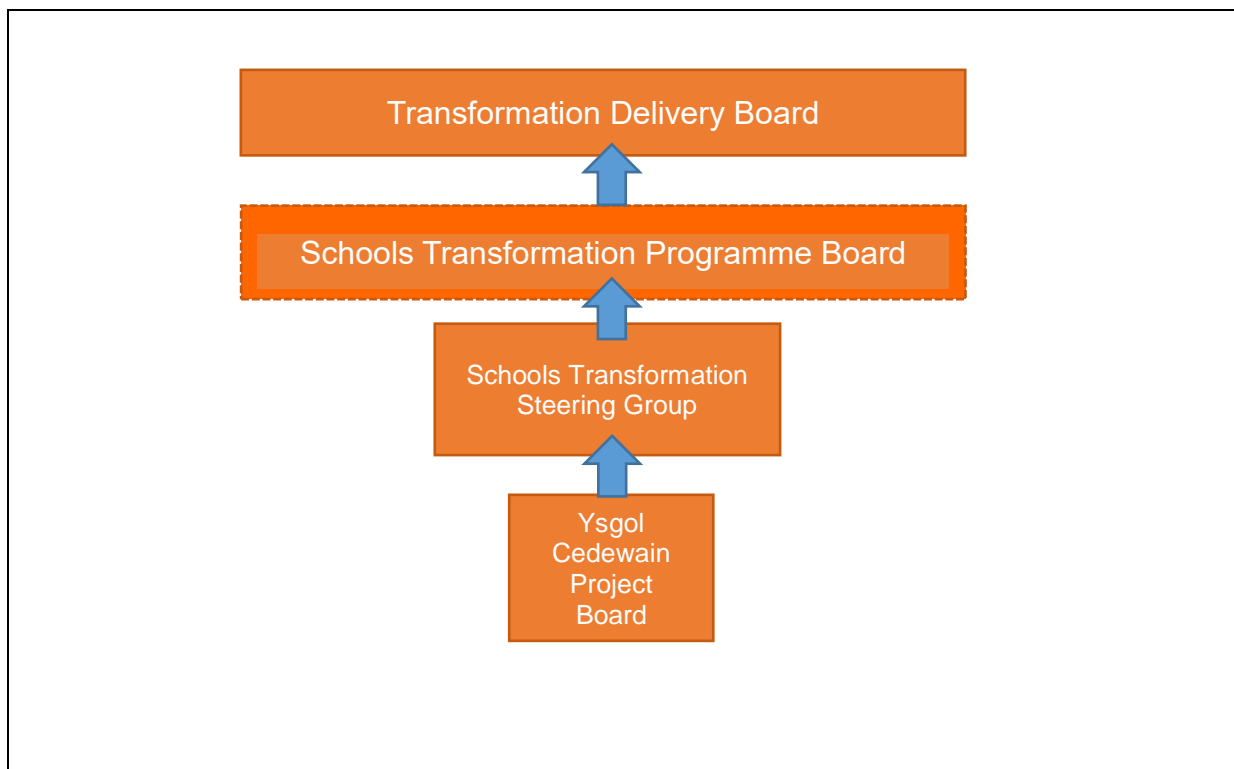
6.4 Affordability Statement

The Section 151 officer confirms that the project is affordable within current revenue and capital forecasts for the Council.

7. THE MANAGEMENT CASE

7.1 Programme and Project Management arrangements

This scheme is a constituent of the Powys 21C Schools Programme and has been identified within that Programme as a priority. It will be managed in accordance with best practice in programme and project management principles – MSP and PRINCE2 to provide a systematic and effective delivery framework. Overall corporate governance for this scheme is provided by the Transformation Delivery Board and the current management arrangements are set out in the diagram below:



7.2 Roles and Responsibilities

| | |
|------------------------------------|------------------------|
| Senior Responsible Owner: | Dr Caroline Turner CEO |
| S151 Officer: | Jane Thomas |
| Programme Lead: | Emma Palmer |
| Senior Manager Education Services: | Marianne Evans |
| Programme Manager: | Betsan Ifan |
| Project Manager: | Diane Rees |

7.3 Project plan

The indicative key milestones for this project are shown below:

- SOC Approved April 2020
- OBC Approved August 2020
- D & B Tender Awarded February 2021
- Design Stage February to October 2021
- FBC Approved November 2021
- Construction Starts December 2021
- School Opens Spring Term 2023

7.4 Approach to risk management

The Ysgol Cedewain Project Board will be responsible for managing and mitigating the risks up to the point of completion of new premises and commencement of the service and is adopting the strategy of transferring risk to those best placed to manage it. Risks that can be mitigated within the project team shall be discussed within project team meetings and included within the JCAD Project Risk Log. The Risk Log to be reviewed regularly and form part of the reporting mechanism. Risks raised by the project team will be captured at monthly Schools Transformation Steering Group meetings. Risks will be assessed against the corporate risk strategy. Risks that cannot be mitigated will be escalated to the Schools Transformation Programme Board.

CYNGOR SIR POWYS COUNTY COUNCIL.**CABINET EXECUTIVE****3rd March 2020**

REPORT AUTHOR: County Councillor Aled Davies
Deputy Leader and Portfolio Holder for Finance,
Countryside and Transport

REPORT TITLE: Revised Protocol for authorising motor vehicle events
affecting footpaths, bridleways and restricted byways
under s.33 Road Traffic Act 1988

REPORT FOR: Decision

1. Purpose

- 1.1 The purpose of this report is to recommend revisions to the protocol for authorising motorsport events affecting footpaths, bridleways and restricted byways.

2. Background

- 2.1 The Council recognises that motorsport events bring benefits to the local economy and that mid-Wales has a reputation as an excellent venue for hosting such events. These motorsport events will frequently need to utilise footpaths, bridleways and restricted byways as part of their routes.
- 2.2 The Council has a direct role in providing section 33 Road Traffic Act 1988 (s.33 RTA88) authorisations to motorsport events that cross or pass along public footpaths, bridleways and restricted byways. That includes authorisations for the parts of the Brecon Beacons National Park area that are within Powys.
- 2.3 In 2012 the Cabinet approved a protocol for the authorisation of motorsport events (Appendix 1). Issues have been raised by officers, members and the motor sport industry as to the effectiveness and operation of that protocol. It was agreed that there should be a review of the protocol, so as to safeguard the future of motor sports within the county, whilst at the same time ensuring statutory compliance. The concerns about the existing protocol relate to management of public safety during an event and the associated liabilities.
- 2.4 The purpose of this report is to recommend revisions to the protocol which address those issues raised. The revised protocol has been drafted following the receipt of independent legal advice and discussions with Welsh Government. There has been extensive consultation with the

Motorsport UK, Auto Cycle Union (ACU) and the Land Access Recreation Association (LARA) as motorsport representatives.

- 2.5 Races and trials of speed are subject to a separate process under section 12(A) of the Road Traffic Act 1988. This allows for the making of 'motor race Orders.' In addition to a 'motor race Order', authorisation under section 33 of the Road Traffic Act 1988 will be required for these events, if they affect a public footpath, bridleway or restricted byway. This protocol will apply to the section 33 authorisation aspect of a race or trial of speed. Any temporary closure that is needed for a race or trial of speed will be dealt with separately.

3. **Advice**

- 3.1 A timetable and guidance note will be issued to guide prospective organisers in procedures for making their applications. An application form will be made available on the Council website (appendix 3.)
- 3.2 Organisers will need to comply with a number of requirements and procedures, as set out in appendix 4.
- 3.3 If authorisation is granted under section 33 of the Road Traffic Act 1988, in the majority of circumstances the Council will suspend public use of the public right(s) of way affected. However, the Council will exercise its discretion, as this may not always be necessary; an example would be where a public right of way is coincident with a county road that remains open for public use during an event, where drivers and pedestrians would normally expect to encounter each other. The public rights of way will be temporarily closed to the public under Section 14(2) Road Traffic Regulation Act 1984. This prevents other highway users from using the highway at the same time as the motorsport event.
- 3.4 There will be a stepped fee structure for these authorisations. The fee level will be determined by:
- The number of public rights of way impacted by the event; and
 - Whether the applicant undertakes to erect and remove the statutory notices.

These costs are set out in paragraph 2.5 below; the fees will be reviewed periodically and revised in the light of current costs.

- 3.5 Application fee if the **Council** erects and remove s.14 RTRA84 notices.

| | s.14 Costs | s.33RTA Costs | Total Costs |
|----------|-------------------|----------------------|--------------------|
| Band One | £240 | £30 | £270 |
| Band Two | £750 | £30 | £780 |

Application fee if the **Organisers** erect and remove s.14 RTRA84 notices.

| | s.14 Costs | s.33RTA Costs | Total Costs |
|----------|-------------------|----------------------|--------------------|
| Band One | £50 | £30 | £80 |
| Band Two | £117 | £30 | £147 |

Band One: Where no more than two public rights of way are affected.

Band Two: Where three or more public rights of way are affected.

- 3.6 The s.33 RTA88 authorisation will contain conditions (as set out in Appendix 3) that will be reviewed from time to time.
- 3.7 In the event of a breach of the conditions, then the following will apply:
- (i) A report will be made to Motorsport UK; or
 - (ii) In the event that Motorsport UK is not the authorising body, to the authorising body first and then to Motorsport UK if the issue is not satisfactorily resolved.
 - (iii) A report will be made to the Portfolio Holder, who will decide on the appropriate action or approach to future applications.
- 3.8 The options are that:
- One - The Council could choose not to review the current protocol relating to authorising motoring events under section 33 of the Road Traffic Act 1988. This option would not resolve the issues being brought forward by Officers and motorsport organisers, and it would not streamline and provide clarity on the processes involved; or
- Two - The Council could review the protocol as described above.
- 3.9 The preferred choice is Option Two as it provides a reasonable balance, to ensure that motorsport and motoring events are able to take place safely, whilst ensuring the Council is able to discharge its legal obligations when authorising events under section 33 of the Road Traffic Act 1988. There will be a 6-month grace period following the adoption of the new protocol, to allow event organisers time to plan for and implement the changes. The implementation date will be 6 months from the date of a Cabinet decision to adopt the protocol.
- 3.10 Motoring events that require section 33 of the Road Traffic Act 1988 authorisation can have local, regional or international importance, providing a direct link to developing a vibrant economy. Use of public rights of way also has a link to developing a vibrant economy, through tourism and contributes to improved physical and mental wellbeing. The protocol aims to reach a balance between allowing motorsport events to

be managed effectively, and ensuring that users of the public rights of way network have safe alternative routes to follow during an event.

- 3.11 This impacts on the Highways, Transport and Recycling Service due to the crossover with the Motor Race Orders process. The Traffic and Travel Manager has been consulted and no concerns have been raised.
- 3.12 HR comment that there is unlikely to be any foreseeable impact on employees of the council based on the report. However, any changes to terms or conditions that may subsequently occur would be managed through the appropriate employment policies of the council.
- 3.13 Communications comment is that the report is of public interest and requires proactive communications action to publicise the recommendation/decision.

4. Resource Implications

- 4.1 The additional costs that will be incurred in making traffic regulation Orders are covered by the charges proposed. The Council is already required to consider requests for authorisation for motorsports events under section 33 of the Road Traffic Act 1988 and processes 30-45 applications per year; the revised protocol is not anticipated to incur any additional costs in relation to that element.
- 4.2 The Finance Business Partner notes the contents of the report and confirms that the proposal does not have any budgetary implications as the additional costs incurred will be covered by the charges proposed.
- 4.3 The Head of Finance (Section 151 Officer) notes paragraph 4.2 of the report and the comment of the Finance Business Partner.

5. Legal implications

- 5.1 Queen's Counsel advice was sought in relation to these proposals. It should be noted that the Queen's Counsel (QC) advised that temporary closure of the affected public rights of way could be achieved under either section 16(A) or section 14(2) of the Road Traffic Regulation Act 1984. The QC expressed a preference for use of s.16(A) closures, but did not advise against use of closures under section 14(2.) The proposal to use section 14(2) has been fully considered and is supported by the Solicitor to the Council.
- 4.3 The Queen's Counsel also advised that there should be evidence that the event is "properly authorised" by Motorsport UK, before authorisation could be issued under section 33 of the Road Traffic Act 1988. As this raised significant concerns with event organisers, it is instead proposed that a condition of consent is put in place, whereby the onus is on event organisers to provide "route authorisation" either before the event, or

within three working days after the event. This approach has been fully considered and is supported by the Solicitor to the Council.

- 4.4 Legal Services comment is that the recommendation can be supported from a legal point of view.
- 4.5 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

6. Data Protection

- 6.1 The comments of the Data Protection Officer are that:
The personal data of applicants and respondents will be processed to deliver the proposed service, and as such appropriate notices and documentation will be developed to ensure compliance with data protection legislation.

7. Comment from local member(s)

- 7.1 N/A This report covers the whole county.

8. Integrated Impact Assessment

- 8.1 An Impact Assessment is attached (appendix 6.)

9. Recommendation

- 9.1 That the revised Protocol and Guidance as set out in Appendices 3 and 4 of the Report are approved and to be put into effect on or before 31st August 2020
- 9.2 That the fees set out in paragraph 3.5 are approved.
- 9.3 That the further arrangements set out in paragraphs 3.6 and 3.7 of the report are approved.
- 9.4 The reason for the recommendation is to safeguard the future of motor sports within the county, whilst at the same time ensuring statutory compliance and managing public safety during an event.

| | |
|---------------------|--|
| Contact Officer: | Sian Barnes, Acting Professional Lead, Countryside Access and Recreation |
| Tel: | 01597 827595 |
| Email: | sian.barnes@powys.gov.uk |
| Head of Service: | Nina Davies |
| Corporate Director: | Nigel Brinn |

Appendices:

- Appendix 1 – Cabinet report 17th April 2012, Protocol for authorising motor vehicle events affecting footpaths, bridleways and restricted byways.
- Appendix 2 – Application form for authorisation under section 33 Road Traffic Act 1988
- Appendix 3 – Conditions of consent
- Appendix 4 – Requirements and procedures for seeking section 33 consent
- Appendix 5 – Summary of responses to consultation with path user groups and motorsport organisations and representatives
- Appendix 6 – Impact Assessment

CYNGOR SIR POWYS COUNTY COUNCIL

CABINET REPORT
17th April 2012

REPORT AUTHOR: County Councillor Wynne Jones
Portfolio Holder for Leisure and Recreation

SUBJECT: Protocol for authorising motor vehicle events affecting
footpaths, bridleways and restricted byways

REPORT FOR: Decision

Summary

The County Council has a direct role in giving authorisation to those motor vehicle events which may cross or pass along public footpaths, bridleways and restricted byways. The law relating to such 'authorisations' is less than satisfactorily set-out in the legislation, as to how the Council is meant to perform its duties in considering and providing such authorisations.

In addition to interpreting the legislation specifically dealing with this issue, namely the Road Traffic Act 1988 (RTA 1988), other legislation also has a direct bearing on how authorisations are managed and conditions applied, namely the duty to conserve biodiversity under the Natural Environment and Rural Communities (NERC) Act 2006 and duty to safeguard the authority and public in discharging its duties under the Health & Safety at Work Act 1974 and in meeting the Council's duty to 'assert and protect the rights of the public' under the Highways Act 1980.

As a central theme within the Powys Change Plan, the Council is committed to supporting projects which drive Regeneration of the local economy within Powys. It is recognised that events affected by the paper can contribute significantly to this work, and in particular the larger national and international events with major stages in Powys and Mid Wales.

A trial of speed and races represent events where competitors compete with one another, as quickly as possible to complete a circuit or route. In the majority of applications received however, applications are for 'trials of average speed', where competitors are not required to complete a course in the fastest times but to do so within defined time controls, and these events are determined to be lawful by the Motor Sports Association. However, in some case the applications are less than clear as to the nature of the proposed event.

It is the duty of the County Council to ensure that for any event, where it affects a footpath, bridleway or restricted byway, that assessments and measures are put into place by the event organiser that fully safeguard the use of these public rights of way. It is intended that conditions regarding health and safety and safeguarding the local biodiversity are made explicitly clear in the authorisation of an event.

Where a motor sport event does not intersect with any public rights of way, the organiser has no need to seek a s.33 TRA authorisation from the County Council.

In setting out safe methods of work, the Council already expect that adequate control measures are put in place to safeguard rights of way users. This may include appropriate signage or marshalling. Concerns over signage are outstanding and representations should be made to the Governing bodies to improve and agree suitable wording.

Organisers are also required to put right any damage to the highway resulting from an event.

In order to ensure that local rights of way and local biodiversity interests are being fully safeguarded, random event monitoring will take place. Event organisers will be asked for copies of their Risk Assessments and evidence of appropriate mitigation measures.

Whilst s.16A of the Road Traffic Regulations Act 1984 does provide measures for a road to be closed by either the secretary of state or County Council, this does not represent an easy or affordable way to manage this issue.

In addition to safeguarding the public who may use local rights of way, the NERC Act requires the Council to formally consider how its actions affect wildlife. The NERC Act, Wildlife & Countryside Act 1981, and Habitats & Species Regulations 2010 also specifically protect a range of habitats and species, which the Council has a duty to ensure are not threatened by its actions. To this end, organisers will need to consult with the Countryside Council for Wales to identify areas of concern and agree ways to safeguard them.

Conditions will be set-out in authorisation letters, which will require full consultation having taken place with the CCW, that any areas of concern which relate to protected species or habitats have been discussed, mitigation measures agreed and put in place on the day/s of the event. Conditions will in each case require that any event organiser adheres to the advice and requirements for management of events as set out in either the Motor Sports Association (MSA) or Auto Cycle Union (ACU) handbooks.

To support the conditions, guidance notes will be produced which will advise organisers of their biodiversity responsibilities. Guidance will also include contact details in relation to the protection of ancient monuments (see Appendix 1).

Whilst not considered to be a routine occurrence, where an application crosses or is close to land designated as an Site of Special Scientific Interest (SSSI), or EU designated Special Protection Area (SPA) or Special Area for Conservation (SAC), the Council must consult with the CCW, and where required to do so will request additional information from applicants. This might include ecological assessments and proposed mitigation measures. Any measures required by the CCW as management or mitigation will be set-out as conditions in any authorisation.

Where a SSSI is directly affected by an application, Schedule 2, Part 4, Class B.1(c)(i) Town and Country Planning (General Permitted Development Order) 1995 also requires that planning permission would be required to allow an event to take place, which would separately involve full consultation with the CCW.

Applicant guidance will set out the need to undertake prior consultation with the CCW to ensure such issues are identified and fully discussed prior to any application being made to the Council.

In cases of EU designations, the Council is also required to ensure that an 'appropriate assessment' is undertaken of the assessments and mitigation measures provided by the

applicant, and these will be provided to the CCW, who will need to provide consents before any authorisation can take place.

In circumstances such as these, applicant guidance will set-out that adequate time is set-aside to allow consultation, assessment and mitigation issues to be properly considered prior to submitting an application and before any determination can take place.

Proposal

That suitable procedures will be put in place, alongside clear conditions to safeguard biodiversity and the public using local rights of way, supported by guidance notes.

The approach set out acknowledges the economic opportunities that such events bring to the area, but also seeks to balance the needs to secure public safety and biodiversity.

The County Council formally supports the Countryside Service in taking a pragmatic approach when managing and giving authorisations which ensures that the Council complies with its statutory obligations and that the public interests and those of the Council are safeguarded as far as is reasonably practicable.

Where a breach of condition is found, a report to the Council's Cabinet will follow.

Powys Change Plan

Regeneration is a central theme in the PCP, and this approach will continue to support this, whilst securing public safety and biodiversity interests.

The proposal supports the delivery of One Powys, notably 'People in Powys benefit from a thriving diverse economy' for which would be a deliverable under the regeneration strategy.

Options Considered/Available

Proposal

- A. Applications under s.33 Road Traffic Act 1988 for a race or trial of speed will be refused.
- B. Applications under s.33 Road Traffic Act 1988 for average trial of speed or other events which are not trials of speed or races will be approved subject to the following –
 - (i) Full compliance with the protocol (Appendix 1) as attached.
 - (ii) That organisers comply with guidance as set out in the current Motor Sport Association or Auto Cycle Union handbooks, including signage.
 - (iii) Applicants who are not members of either governing body will be expected to follow guidance as set out by MSA or ACU, as relevant for their event.
 - (iv) If MSA/ACU signage is not used, personalised signage must be agreed by the County Council in advance of the event.
 - (v) That in authorising an application, the Council will issue a letter containing conditions which the authority think fit (section 33 RTA 1988), which will specifically require compliance with guidance on Health and Safety, and Biodiversity.
 - (vi) That full prior consultation will have taken place between an applicant and the CCW where the event may affect a SSSI or EU designated conservation site, with additional consultation taking place between the Council and the CCW upon receipt of such an application.

- (vii) The Council being satisfied that it is not likely to have a significant effect on a European site or having ascertained, following an appropriate assessment, that it will not adversely affect the integrity of a European site.
- (viii) The Council will carry out monitoring on a random basis and without notice, to ensure that any conditions are adhered to and that where events are found to be in serious breach –
 - (a) a report will be made to the ACU/MSA as appropriate.
 - (b) a report will be made to the County Council Cabinet, who will decide upon appropriate sanctions or approach to future applications.
- (ix) A timetable will be issued to guide prospective organisers in procedures for making their applications.
- (x) On receipt of an application, the Council will endeavour to determine an application within 4 weeks. In the event of failure to meet this deadline, the applicant will be advised of the reasons.

Proposal 2

To make representations to the ACU and MSA on improvements to national signage, to ensure that any signage advises the public on an event, but also ensures that wording is neither false or misleading, nor seeking to directly deter legitimate use of a public right of way.

Preferred Choice and Reasons

It is recommended that Proposal 1 and 2 are adopted as protocol. These provide for simple but clear expectations upon event organisers to meet their statutory and civil duties in safeguarding the public and biodiversity.

Sustainability and Environmental Issues/Equalities/Crime and Disorder/Welsh Language/Other Policies etc

Powys County Council has signed up to the Welsh Government's Sustainability Charter committing the Authority to make sustainable development its central organising principle. A sustainable future for Wales includes a commitment '*to support healthy, biologically diverse and productive ecosystems, by actively recognising and supporting our environmental assets including land, water and biodiversity*'. This proposal mirrors recommendations in the accompanying guidance document for embedding sustainability across the organisation. This further adds to the duty under the NERC Act 2006 and Wildlife & Countryside Act 1981 (as amended) which requires the Council to consider biodiversity in exercising its functions and in safeguarding protected species and habitats.

The proposal would not impact upon Welsh language, Equalities or Crime and Disorder policies.

Children and Young People's Impact Statement - Safeguarding and Wellbeing

The proposal would not impact on securing the safety and protection of children and young people and supporting the promotion of their wellbeing.

Local Member(s) N/A

Other Front Line Services

If the event runs through a Special Site of Scientific Interest, then planning permission is required under Schedule 2, Part 4, Class B.1(c)(i) Town and Country Planning (General Permitted Development Order) 1995. It states within this section that development is not permitted if the land is, or is within, a site of special scientific interest and the use of the land is for motor sports.

Alan Southerby comments: 'There are no specific comments from the Development Management team that deals with planning applications other than to confirm that in the event of a planning application being submitted, this would be processed in the normal way giving any interested parties the opportunity to comment and make representations before any final decision is taken.'

Support Services (Legal, Finance, HR, ICT, BPU)

Finance - The Principal Accountant for Community, Skills and Learning comments that each application made under s.33 RTA1988 is already subject to a fee of £100. The proposal does not have any direct budgetary implications and may be reviewed accordingly.

Legal - The comments of the Principal Solicitor (Shire) have been incorporated in the report.

Local Service Board/Partnerships/Stakeholders etc

Although the Countryside Council for Wales and the Brecon Beacons National Park Authority are Local Service Board Members, they are already included in consultations and this report does not affect their interests as LSB members.

Communications

Proactive news release required following decision taken by Cabinet.

Statutory Officers

The Strategic Director, Law & Governance (Monitoring Officer) comments "I am content with the report."

| | |
|---------------------------------------|---|
| Recommendation: | Reason for Recommendation: |
| To approve Proposals 1 & 2 as set out | Safeguard Authority position and officer interests and role |

| | |
|-------------------------------|---|
| Relevant Policy (ies): | |
| Within Policy: | Y |
| Within Budget: | Y |


| | |
|----------------------------------|------|
| Relevant Local Member(s): | None |
|----------------------------------|------|

| | |
|---|------------------|
| Person(s) To Implement Decision: | Chris Jones |
| Date By When Decision To Be Implemented: | Immediate effect |

| | | | |
|------------------------------|--------------|--------------|--------------------------------|
| Contact Officer Name: | Tel: | Fax: | Email: |
| Stuart Mackintosh | 01597 827583 | 01597 827555 | Stuart.mackintodh@powys.gov.uk |

Background Papers used to prepare Report:

1. *Guidance for Public Authorities on Implementing the Biodiversity Duty* (2007) Department for Environment, Food and Rural Affairs.
2. Background legislation (extracts from the Road Traffic Act 1988 (s.12,13 and 33))
3. Appendix 1 - Guidance Note: Conservation of Wildlife And Heritage

| | | | |
|--|--|--|--|
| APPENDIX 2 APPLICATION FOR AUTHORISATION UNDER SECTION 33 OF THE ROAD TRAFFIC ACT 1988 TO CONDUCT A TRIAL OF MOTOR VEHICLES ON A FOOTPATH, BRIDLEWAY OR RESTRICTED BYWAY. | |  | |
| Name of event: | | | |
| Location of event: | | | |
| Event start date: | | Event finish date: | |
| Name of applicant: | | | |
| Contact details: (e-mail preferred) | | | |
| PLEASE SUPPLY | | <i>Please Tick</i> | |
| 1 copy of an Ordnance Survey map scaled 1:25,000, showing locations of footpaths, bridleways and restricted byways. | | | |
| 1 fee (as appropriate) | | | |
| 1 copy of landowner and occupier consent(s) cross referencing where they relate to a footpath, bridleway or restricted byway. | | | |
| 1 copy of Natural Resources Wales response. All details of necessary mitigation <i>affecting a footpath, bridleway or restricted byway</i> required to safeguard a SSSI, SAC or SPA to be provided <i>(if applicable)</i> . | | | |
| 1 copy of MSA route authorisation under the Motor Vehicle (Competition and Trials) Regulations 1969 (as amended) <i>(or to be provided no more than 3 working days after the event)</i> . | | | |
| 1 completed application for closing a Footpath, Bridleway or Restricted byway. | | | |
| Please return this form to: Countryside Services and Outdoor Recreation, Powys County Council, The Gwalia, Ithon Road, Llandrindod Wells, Powys, LD1 6AA or rights.of.way@powys.gov.uk | | | |
| APPLICATION FORM WILL BE RETURNED IF ANY MANDATORY INFORMATION IS NOT SUPPLIED. APPLICATION MAY BE REFUSED IF SUPPLIED LESS THAN TWO MONTHS BEFORE THE EVENT. | | | |

Undertaking

That the event being authorised under s.33 Road Traffic Act 1988 is authorised and held in accordance under the Motor Vehicle (Competition and Trials) Regulations 1969 (as amended).

That I hereby agree to place and remove the legal notices to close any footpath, bridleway or restricted byway should I agree to undertake this work and pay the appropriate fee.

Signed: Dated:

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

Section 33 Road Traffic Act 1988

The organiser is reminded that the event must have a route authorisation from the Royal Automobile Club Motor Sports Association for this authorisation to be effective.

Whereas an application has been made to Powys County Council for an authorisation to the holding of a trial on a public footpath, bridleway or restricted byway involving the use of motor vehicles under the Motor Vehicles (Competitions and Trials) Regulations 1969. The Council has been assured by the organiser/s that the consent in writing has been given by all of the owners and occupiers of land over which that length of footpath, bridleway or restricted byway runs, and **the trial is not a race or a trial of speed** consent is hereby granted subject to such conditions as are specified hereunder:-

**On behalf of
Powys County Council**

CONDITIONS

1. The Council will be indemnified by the organisers against any claims or damages that may arise in consequence of the granting of this authorisation and the organisers shall have in place a suitable policy indemnifying the authority to a minimum sum as required by the Royal Automobile Club Motor Sports Association Limited.
2. The Royal Automobile Club Motor Sports Association Limited has authorised the event, and it complies with the Motor Vehicle (Competition and Trials) Regulations 1969 (as amended). That the route authorisation and documentation has been provided to the Council before the event, or at least three working days after the event.
3. Any damage to the public highway caused in consequence of the holding of the event will be met or made good to the satisfaction of the Council.
4. Organisers must have in place appropriate risk assessments to ensure public safety is maintained.
5.
 - a) That appropriate Motorsport UK signs are placed at junctions of footpaths, bridleways and restricted byways in addition to any legal notices where public traffic has been suspended under s.14 Road Traffic Regulation Act 1984.
 - b) If Motorsport UK /ACU approved signage is not used, personalised signage must be agreed by the Council in advance of the event.
6. That consent in writing by all landowners and occupiers where the event coincides with footpaths, bridleways and restricted byways has been provided to the Council by the event organiser/applicant.
7. That where any part of an event takes place on land on or within a Special Site of Scientific Interest, planning consent has been granted by the Council or Brecon Beacons National Park (as applicable) as required under The Town and Country Planning (General Permitted Development) Order 1995.

8. That appropriate consultation with the Natural Resources Wales (NRW) has been undertaken prior to the event. Further, that any response by NRW has been provided to the Council.
9. That the event does not adversely affect a Special Site of Scientific Interest, a Special Area of Conservation, Special Protection Area or notifiable species and that any agreed mitigation measures are implemented.
10. That the event is compliant with the protection afforded to species cited in the Wildlife and Countryside Act 1981 (as amended), the Conservation of Species and Habitats 2010 (as amended) and the Protection of Badgers Act 1992, and there is no adverse impact on any species or habitat listed by the Welsh Government under s.42 Natural Environment and Rural Communities Act 2006.
11. That the Council may randomly monitor events to ensure that conditions for the event are being complied with.
12. Any debris, litter or waymarking shall be removed within 48 hours after the event, but in the event of extreme weather then contact the Council.
13. Details of any complaint, damage or claims are notified promptly in writing by the organisers to the Council and the results of investigations which the organisers have undertaken to be made available to the Council.

Title or Description of Event:

Date of event:

Authorised by:

Date Issued:

Appendix 4 – Requirements and procedures for seeking authorisation for motorsport events under section 33 of the Road Traffic Act 1988:

Organisers of motorsport events are required to use the application form on the Council's website, when applying to Powys County Council for consent under section 33 of the Road Traffic Act 1988.

The following requirements apply:

1. An application for authorisation must be made at least 8 weeks in advance of the event. Application forms will be acknowledged within 5 working days of receipt.
2. On receipt of a duly made application, the Council will endeavour to determine an application within 5 weeks.
3. To be duly made, an application must be accompanied by all of the following:
 - a. A clear Ordnance Survey plan (or equivalent.) Ordinarily, this must be to a scale no greater than 1:25,000. If the organiser wishes to provide a plan of a smaller scale e.g. 1:50,000, they must contact the Council in advance of submitting an application and explain their reasoning for proposing this. If this is considered acceptable, the Council will agree an alternative scale in writing. The route must be accurately and clearly drawn on the map with the location of footpaths, bridleways and restricted byways annotated. Electronic or hard copy formats will be accepted if legible.
 - b. Landowner and occupier consent in writing, which must be cross-referenced with the route map.
 - c. Payment for the appropriate fee.

If any of these items are not included, or there is a lack of clarity e.g. in relation to the way in which the route is drawn on the map, then the application will be returned within 5 working days of receipt without being processed. The organiser's attention will be drawn to any such problems so that they can be rectified.

4. A copy of the Motorsport UK route authorisation under the 1969 Regulations shall be included with every application, or provided to the Council within three working days after the event.
5. Organisers must fully comply with the Motor Vehicle (Competition and Trials) Regulations 1969 (as amended) unless authorised as a race or trial of speed under the 2018 Regulations. The regulations are interpreted within guidance as set out in the current Motorsport UK or ACU handbooks. Where there is conflict, the 1969 Regulations will take precedence.
6. Organisers are encouraged to consult Natural Resources Wales prior to making an application for authorisation under section 33 of the Road Traffic Act 1988. The Council is obliged to consult Natural Resources Wales when considering these applications. If a response from NRW is included with the application, together with details of any mitigation measures suggested by them, this will

allow the Council to process the application more quickly. The section 33 authorisation will include a condition to deliver protected site protection measures as agreed, and any mitigation suggested by the NRW at the Council's discretion.

7. If Motorsport UK/ACU signage (or similar) is not used, personalised signage must be agreed by the Council in advance of the event.
8. Where a footpath, bridleway or restricted byway proposed to be used by an event is on, or within land that is a SSSI, planning permission will be required under Schedule 2, Part 4, Class B.1(c)(i) B2 Town and Country Planning (General Permitted Development Order) 1995.
9. Where an event route lies in whole or in part in a National Park, the event organiser must consult with the National Park Authority, as required under section 10(3) of The Motor Vehicles (Competition and Trials) Regulations 1969.

**Appendix 5 - Revised protocol for authorisation of motorsport events under section 33 of the Road Traffic Act 1988
Summary of responses to consultation with path user groups and motorsport organisations and representatives**

Tudalen 111

| Comments made by consultee: | Officer response: |
|---|---|
| <p>We consider use of public rights of way to stage motorsport to be generally detrimental to the health and wellbeing of the legitimate users of public rights of way through inconvenient suspension of rights, commonly at a time those users would want access to the rights of way and, too frequently, damage to surfaces or the need to 'improve' surfaces which makes bridleways and byways less safe for equestrians in particular and may change the character of the way completely. When the damage is done is too late.</p> <p>Non-motorised users are severely compromised in their wish to travel without pollution but with scant provision for active travel away from motorised traffic. The lack of available routes free from motor traffic reduces every year at the same time as the danger to vulnerable road users increases on roads where enforcement of considerate and safe driving is neglected by lack of police force and penalty.</p> <p>We consider that taking public rights of way from non-motorised users to deliver motorsport, which is severely environmentally damaging, is contrary to the position we would expect Powys to be taking on reducing environmental impact and encouraging provision for active travel on foot, horse, cycle and horse-drawn carriage.</p> <p>XXXX is against motorsport on byways and bridleways and would urge Powys County Council to create a protocol which</p> | <p>It is recognised that both motorsport events and outdoor recreation tourism bring benefits to the local economy of mid-Wales. Given this, a balance must be met between the need for correct authorisation of motorsport events and any detrimental impact on the public rights of way network. The revised protocol aims to achieve that in a number of ways.</p> <p>Currently, public rights of way are not suspended for the duration of a motorsport event. Whilst this allows continued public access, it is likely that being in close proximity to a motorsport event will render the experience less enjoyable for at least some path users. Under the revised protocol, when an application is made for a temporary closure affected paths, consideration must be given to provision of an alternative route. This will allow the Council to work more pro-actively with event organisers to identify suitable, off-road alternative routes that are impacted much less by the event, to ensure continued and enjoyable public access.</p> <p>Under the revised protocol, motorsport event organisers would be encouraged to consult Natural Resources Wales at a much earlier stage than is currently the case. This will allow sufficient time for appropriate mitigation against environmental impacts to be identified and implemented, well in advance of the event.</p> <p>In practice, there are likely to be few locations where a public right of way needs to be closed more than once per year for a</p> |

| | |
|--|--|
| <p>discourages it. Should this not be considered possible, mitigation would be from:</p> <ol style="list-style-type: none"> 1. No bridleway or byway to be closed more than one day per year 2. No bridleway or byway to be used for motorsport if it could result in damage to the surface or change in the character of the way. | <p>motorsport event. However, on the small number of sites where it is known that events take place more than once per year, the Council will work with event organisers to identify more permanent solutions to mitigate against inconvenience.</p> <p>A requirement to meet the costs of any damage that the event may cause to the surface of public rights of way is highlighted in the event authorisation form (appendix 3, point 3.)</p> |
| <p>There is a requirement under section 10(3) of The Motor Vehicles (Competition and Trials) Regulations 1969 to consult with a National Park Authority where the route lies in whole or in part in a National Park. There is nothing in the application form or in the conditions about this.</p> | <p>A reminder to organisers has been added to the notes about the procedures and requirements.</p> |
| <p>[1.3] Last sentence, make it ‘the council’s concerns ...’</p> <p>[2.1] “<i>A timetable and guidance note will be issued to guide prospective organisers in procedures for making their applications. An application form will be made available on the Council website (Appendix 3.)</i>” This should agree and specify sufficient lead-time to cope with holidays, communication glitches, etc.</p> <p>[2.3] “<i>If authorisation is granted under section 33 of the Road Traffic Act 1988, the Council will suspend public use of the public right(s) of way affected.</i>” Blanket closure goes against our view and policy. We ask that “will suspend ...” is changed to “may suspend ...” and that will do, if actioned in accordance with protocols to be agreed.</p> <p>[2.6(i)] Breach of a s.33 condition would be better first referred to the event permitting body. Otherwise Motorsport UK is going to have to be the investigative and enforcement authority for,</p> | <p>The concerns are not limited to being those of the Council only.</p> <p>The 8-week period specified is considered sufficient, as long as event organisers provide all of the specified information with the initial application. Event organisers are invited to contact the Council at the earliest possible opportunity, but 8 weeks is considered the minimum period needed to ensure that the application is processed in advance of the event date.</p> <p>This has been amended; the usual position will be that public rights of way are suspended, but the Council will apply discretion and local knowledge to decide where that is not the most appropriate course of action for an individual path.</p> <p>This has been amended so that where Motorsport UK is not the event permitting body, the breach would first be reported to the permitting body for resolution.</p> |

e.g., ACU events. Suggest – make the process two stage, with MotorsportUK stepping in only if there is no parent body resolution.

[4.1] “*There will be a 6-month grace period following the adoption of the new protocol, to allow event organisers time to plan for and implement the changes.*” We ask that this recommendation to the portfolio holder should include a ‘commencement date’ (to be agreed) and add a reference to ‘transitional provisions’ for already-fixed events inside the 12 months from commencement.

Powys’ Appendix 2 (and 4). These refer to 1:25,000 OS Plans. Motorsport UK route authorisation uses 1:50,000, and therefore asking for 1:25,000 is unreasonable. Suggest caveat the use of 1:50,000 with something like “sufficient to identify” or similar wording.

Powys’ Appendix 3. Head statement: “*The organiser is reminded that the event must have been authorised by the Royal Automobile Club Motor Sports Association for this*

The revised protocol would apply to applications for authorisation that are received after the commencement date, so no transitional period should be needed for those received or authorised at an earlier date. However, event organisers are encouraged to ensure that all required information is included with applications submitted in the interim, to ensure that the application can be considered in good time for the event.

The plan supplied with an application must contain sufficient detail for officers to be able to identify individual public rights of way affected. That includes enough detail to be clear about any significant points on the route e.g. start and finish areas. On the basis of past experience, whilst a plan at 1:50,000 scale may be sufficient for the purpose of Motorsport UK authorisation, it may not always provide the detail needed by officers for authorisation under section 33. The procedure notes have been amended so that the general requirement is that the plan be at no less than 1:25,000 and Ordnance Survey based; if an organiser has good reason for providing a plan of a different scale, they must contact the Council in advance of submitting an application to explain this. Officers can then consider their request and decide whether an alternative scale would be appropriate; if so, that will be agreed in writing.

This has been amended.

| | |
|---|---|
| <p><i>authorisation to be effective.</i>” That may be read in the context of ‘permitting’ an event. Use the term ‘route authorisation’ in the context of the Motorsport UK authorisation process.</p> <p>There should be a review after say 18 months of operation.</p> <p>The protocol should state an ‘annual repeat’ process for carrying-over applications for the same event, year-on-year. This will save a lot of administration time for all concerned.</p> | <p>If matters arise that suggest that significant changes to the protocol are required, then a review will be carried out. However, it is not considered necessary to specify a review period at this stage.</p> <p>It is recognised that there will be some information that can be resubmitted in consecutive years by the organiser to save administration e.g. route plans, if unchanged. However, the extent of carry-over is likely to be limited, in practice. As a minimum, new landowner consents would be required every year for every event, as the Council must be content that each affected landowner’s consent is still forthcoming. Natural Resources Wales would also need to be consulted each year.</p> |
| <p>Our concern with the new protocol is on club events that closing every path used / crossed is simply not necessary as the rights of way are unused or even unusable</p> | <p>As noted above, the revised protocol has been amended to allow an element of discretion. However, the fact that a path is not perceived to be in use, or is obstructed, does not remove the rights of the public to try to use the path and so come into contact with the event, with the attendant risks and liabilities. As such, these paths will not automatically be exempted from the need for a temporary closure during a motorsport event.</p> |
| <p>I know little about the legislation referred to in the paperwork but I am surprised by the decision not to follow the advice given by a QC in paras 4.2 and 4.3 of the proposal. I therefore think you need to set out why you have decided against the QC’s preference given in para 4.2. Para 4.3 suggests the decision to go against the QC’s advice is because event organisers don’t like it. That cannot be right. It also seems rather odd to say that it is ok for MSA authorisation to be retrospective. In these</p> | <p>The advice provided by the Queen’s Counsel is subject to legal privilege and so cannot be appended to this report. In response to the points raised, whilst the QC advised that affected paths should be subject of a temporary closure during an event and suggested that this could be achieved under section 16(A) of the Road Traffic Regulation Act 1984, they did not advise that it <u>must</u> be achieved under this section of the Act. Neither did they advise against use of a closure under section 14 of the Road</p> |

circumstances it would help if the QC's advice on both points was attached as a further appendix.

It would be useful to be clear about whether these arrangements cover any events within the BBNP.

There is nothing in the proposal about arrangements in other rural Counties and it would be useful to know whether they are along the same lines, in particular, the proposed charges.

Can some more information be given please on how the proposed costs have been calculated. They do not seem very high to me bearing in mind the amount of officer time that will be taken up in managing the processes and paperwork.

Apologies if I missed it but I could not see anything in the paperwork making reference to the event organisers agreeing to meet the cost of repairing the damage to any rights of way they use. I assume there should be. In addition it would not seem unreasonable to require a deposit to be paid to guard against organisers not meeting such costs.

As indicated above I know little about the legislation in these matters and it would be helpful to know whether local authorities are required to consult with other users of rights of way before agreeing to suspend public use for a motor vehicle event. Whether or not is provided for in legislation, it would seem to me to be good practice to consult user representative

Traffic Regulation Act 1984. The Council has opted to use section 14 to allow for the occasions where the same path may be affected by an event more than once per year. However, as noted above, more permanent solutions will be explored with the event organiser where that is the case.

Yes, these arrangements cover the areas of the Brecon Beacons National Park that are within Powys.

The charges are set in line with the actual costs incurred by Powys County Council. Those take into account local officer costs and overheads, so will vary between counties. The costs are in line with the Council's charges for other notices under section 14 affecting public rights of way and have been calculated using the same hourly rate. It should be noted that for a closure by notice under section 14, no newspaper advert is required, so the costs are lower than for an Order and less officer time is needed for administration.

A requirement to meet the costs of any damage that the event may cause to the surface of public rights of way is highlighted in the event authorisation form (appendix 3, point 3.)

As a matter of good practice, the Council does already consult with path user groups about proposed temporary closures of a public right of way, where the need for a closure is known and planned in advance and not for an unplanned emergency e.g. landslip. That will apply to motorsport events, so path users will have opportunity to highlight any particular concerns.

| | |
|--|--|
| <p>bodies on whether the proposed use is likely to cause any unreasonable damage to the rights of way in question and, more practically, to make sure there is no clash with any other events, walking festivals.</p> <p>Para 1.5 says there will be a separate process for handling 'speed' events. Is it the intention of the should be reviewed as well? It would seem reasonable to do them both at the same time.</p> | <p>These are dealt with via the 'Motor race Order' process which has its own legal provisions. These provisions only came into effect in 2018 and a separate protocol is required.</p> |
|--|--|

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



Please read the accompanying guidance before completing the form.

This **Impact Assessment (IA)** toolkit, incorporates a range of legislative requirements that support effective decision making and ensure compliance with all relevant legislation. **Draft versions of the assessment should be watermarked as "Draft" and retained for completeness. However, only the final version will be made publicly available. Draft versions may be provided to regulators if appropriate. In line with Council policy IAs should be retained for 7 years.**

| | | | | | | | |
|---------------------|---|------------------------|-------------|-----------------|-------------|-------------------------|------------------|
| Service Area | Countryside Services & Outdoor Recreation | Head of Service | Nina Davies | Director | Nigel Brinn | Portfolio Holder | Cllr Aled Davies |
|---------------------|---|------------------------|-------------|-----------------|-------------|-------------------------|------------------|

| | |
|-----------------|--|
| Proposal | To adopt a revised protocol for authorisation of motorsport events affecting public rights of way, under section 33 of the Road Traffic Act 1988 |
|-----------------|--|

Outline Summary / Description of Proposal

The Council recognises that motorsport events bring benefits to the local economy and that mid-Wales has a reputation as an excellent venue for hosting such events. These motorsport events will frequently need to utilise footpaths, bridleways and restricted byways as part of their routes. The Council has a direct role in providing section 33 Road Traffic Act 1988 (s.33 RTA88) authorisations to motorsport events that cross or pass along public footpaths, bridleways and restricted byways.

It is proposed that a revised protocol be implemented for authorising these events. The revisions are being made to safeguard the future of motor sports within the county, whilst at the same time ensuring statutory compliance. The concerns about the existing protocol relate to management of public safety during an event and the associated liabilities.

Version Control (services should consider the impact assessment early in the development process and continually evaluate)

| Version | Author | Job Title | Date |
|---------|-------------|---|------------|
| 1 | Sian Barnes | Acting Professional Lead, Countryside Access and Recreation | 17/11/2019 |
| | | | |
| | | | |

2. Profile of savings delivery (if applicable)

| 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 | TOTAL |
|---------|---------|---------|---------|---------|-------|
| £N/A | £ N/A | £ N/A | £ N/A | £ N/A | £ N/A |

3. Consultation requirements

| Consultation Requirement | Consultation deadline/or justification for no consultation |
|------------------------------|--|
| Public consultation required | Consultation with public rights of way user groups, motorsport organisations and representatives has already been completed. |

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



4. Impact on Other Service Areas

**Does the proposal have potential to impact on another service area? (Have you considered the implications on Health & Safety and Corporate Parenting?)
PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY**

| | | |
|---|--|--|
| Adult Services <input type="checkbox"/> | Education <input type="checkbox"/> | Legal and Democratic Services <input checked="" type="checkbox"/> |
| Children's Services <input type="checkbox"/> | Finance <input type="checkbox"/> | Property, Planning and Public Protection <input type="checkbox"/> |
| Commissioning <input type="checkbox"/> | Highways, Transportation and Recycling <input checked="" type="checkbox"/> | Strategy, Performance and Transformation Programmes <input type="checkbox"/> |
| Customers and Communications <input type="checkbox"/> | Housing and Community Development <input type="checkbox"/> | Workforce and OD <input type="checkbox"/> |

Data Protection Impact Assessment

Will the proposal involve processing the personal details of individuals? Yes No
 Is Powys County Council the data controller? Yes No
 If you have answered yes to either of the above you will be required to complete, as a minimum, the screening questions on the data protection impact assessment.
 For further advice please contact the Data Compliance Team.

4a Geographical Locations

What geographical area(s) will be impacted by the proposal? (Chose all those applicable)

| | | | |
|---|--|---|---|
| Powys <input checked="" type="checkbox"/> | Brecon <input type="checkbox"/> | Llandrindod and Rhayader <input type="checkbox"/> | Machynlleth <input type="checkbox"/> |
| North <input checked="" type="checkbox"/> | Builth and Llanwrtyd <input type="checkbox"/> | Llanfair Caereinion <input type="checkbox"/> | Newtown <input type="checkbox"/> |
| Mid <input checked="" type="checkbox"/> | Crickhowell <input type="checkbox"/> | Llanfyllin <input type="checkbox"/> | Welshpool and Montgomery <input type="checkbox"/> |
| South <input checked="" type="checkbox"/> | Hay and Talgarth <input type="checkbox"/> | Llanidloes <input type="checkbox"/> | Ystradgynlais <input type="checkbox"/> |
| | Knighton and Presteigne <input type="checkbox"/> | | |

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



5. How does your proposal impact on the council's strategic vision?

| Council Priority | How does the proposal impact on this priority? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|--|---|---|--|--|
| The Economy We will develop a vibrant economy | The overall impact would be neutral. Motorsport events are known to bring economic benefits to the county, through increased visitor numbers and jobs directly and indirectly associated with the event. The proposal safeguards the future of those events and ensures that safety and liability concerns are addressed. The proposals would result in some increased cost for event organisers for temporary closures, but these are considered modest and not likely to impact on the viability of events. Temporary closures for affected public rights of way could negatively impact on the local economy, via reduced tourism due to the inconvenience that may be caused. | Neutral | Alternative routes will be considered for affected public rights of way to ensure that safe and enjoyable routes are available to the public during an event, to minimise inconvenience. | Good |
| Health and Care We will lead the way in effective, integrated rural health and care | The proposal would result in suspension of public rights of way for short periods during a motorsport event, so could have an adverse impact on preventive healthcare by reducing opportunities for physical activity in the outdoors. | Poor | The suspension of public rights of way would be short term – no more than 5 days – and alternative routes will be identified wherever possible to mitigate against adverse impacts. | Neutral |
| Learning and skills We will strengthen learning and skills | | Unknown | | Choose an item. |

Tudalen 119

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



Tudalen 120

| Council Priority | How does the proposal impact on this priority? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|---|---|---|--|--|
| Residents and Communities We will support our residents and communities | The impacts for residents may be positive, if they enjoy watching or taking part in motorsport events, or benefit from a job associated with the event or the tourism that it brings, as they would safeguard the event. Alternatively, residents may feel that an event in their locality causes them inconvenience. However, the proposals do not change the frequency of events or their locations. The proposals ensure that safety requirements in relation to public paths are more actively considered and alternatives provided, so the overall impact is considered to be neutral as compared to the existing situation. | Neutral | | Choose an item. |
| Source of Outline Evidence to support judgements | | | | |
| Consultation responses from path user groups, motorsport organisations and representatives .GOV.UK website article about motorsport events at https://www.gov.uk/government/news/motor-racing-boost-to-english-tourism The Economic Impact of Outdoor Activity Tourism in Wales report, Final Report, Visit Wales, March 2014 Regulatory Impact Assessment: Proposal to Authorise Motor Sport Events on Public Roads (12 th May 2014) at https://www.gov.uk/government/consultations/proposal-to-authorise-motor-sport-events-on-public-roads | | | | |

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



6. How does your proposal impact on the Welsh Government's well-being goals?

| Well-being Goal | How does proposal contribute to this goal? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|---|---|---|--|--|
| A prosperous Wales: An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work. | The overall impact would be neutral. Motorsport events are known to bring economic benefits to the county through increased visitor numbers and jobs directly and indirectly associated with the event. The proposal safeguards the future of those events and ensures that safety and liability concerns are addressed. The proposals would result in some increased cost for event organisers for temporary closures, but these are considered modest and not likely to impact on the viability of events. Temporary closures for affected public rights of way could negatively impact on the local economy via reduced tourism due to the inconvenience that may be caused. | Neutral | Alternative routes will be considered for affected public rights of way to ensure that safe and enjoyable routes are available to the public during an event, to minimise inconvenience. | Good |
| A resilient Wales: A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change). | Motorsport events may impact adversely on designated sites e.g. SSSIs and are already subject of statutory consultation with Natural Resources Wales to identify impacts and mitigation. The proposals do not change this, so are considered to have a neutral impact on biodiversity as compared to the current situation. | Neutral | Natural Resources Wales would be consulted at an earlier stage under the new protocol, so allowing more time to identify adverse impacts and put mitigation in place. | Good |
| A healthier Wales: A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood. Public Health (Wales) Act, 2017: Part 6 of the Act requires for public bodies to undertake a health impact assessment to assess the likely effect of a proposed action or decision on the physical or mental health of the people of Wales. | The impact of suspending public rights of way during an event could have a negative impact on physical and mental wellbeing, by reducing the opportunities for physical activity in the outdoors. | Poor | The suspension of public rights of way would be short term – no more than 5 days – and alternative routes will be identified wherever possible to mitigate against adverse impacts. | Neutral |

Tudalen 122

| Well-being Goal | How does proposal contribute to this goal? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|---|---|---|---|--|
| A Wales of cohesive communities: Attractive, viable, safe and well-connected Communities. | The overall impact is neutral. Motorsport events may take place in remote, rural areas e.g. forestry or may have stages that start in, or pass through towns or villages. Events can form a focus for communities that allow for involvement and enjoyment, thus increasing community cohesion. However, suspension of public rights of way may have a negative effect, if popular local paths are closed and this impacts on tourism and local use. | Neutral | Suspension of public rights of way will be of very short duration – generally not more than one day – and alternative routes will be provided wherever possible. Path user groups and others will be consulted prior to the suspension taking effect, to allow opportunity for particular concerns to be raised and resolved and for the community to make preparations for any adverse impact. | Good |
| A globally responsible Wales: A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being. Human Rights - is about being proactive (see guidance) UN Convention on the Rights of the Child: The Convention gives rights to everyone under the age of 18, which include the right to be treated fairly and to be protected from discrimination; that organisations act for the best interest of the child; the right to life, survival and development; and the right to be heard. | Motorsport events may have a negative impact on emissions and resource use, through increased activity by motor vehicles in remote, rural areas. The events may cause damage to the surface of public rights of way, which could negatively impact on opportunities for low-carbon travel. | Poor | The protocol includes a requirement that event organisers meet the cost of any damage to the surface of public rights of way that is caused by their event. The revised protocol will not increase the number of motorsport events held per year in itself; it will simply ensure that they are managed more safely in relation to public access. | Neutral |
| A Wales of vibrant culture and thriving Welsh language: A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation. | | | | |
| Opportunities for persons to use the Welsh language, and treating the Welsh language no less favourable than the English language | The signage for temporary closures of public paths is bilingual. Guidance notes for the new protocol will be produced in Welsh. | Neutral | | Choose an item. |
| Opportunities to promote the Welsh language | | Unknown | | Choose an item. |

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



| Well-being Goal | How does proposal contribute to this goal? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|--|--|---|---|--|
| <i>People are encouraged to do sport, art and recreation.</i> | By safeguarding the future of motorsport events in the county, the impact on the ability of people to enjoy motorsport as recreation (as a spectator or participant) will be positive. The impact on users of public rights of way may be negative if paths are temporarily closed, so the overall impact is poor. | Poor | Alternative routes will be provided wherever possible for public rights of way that are closed. These will be located to minimise adverse effects of the event on enjoyment of the paths. | Neutral |
| A more equal Wales: A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances). | | | | |
| <i>Age</i> | | Unknown | | Choose an item. |
| <i>Disability</i> | In choosing alternative routes for public rights of way that are temporarily closed, least restrictive access principles will be applied. | Neutral | | Choose an item. |
| <i>Gender reassignment</i> | | Unknown | | Choose an item. |
| <i>Marriage or civil partnership</i> | | Unknown | | Choose an item. |
| <i>Race</i> | | Unknown | | Choose an item. |
| <i>Religion or belief</i> | | Unknown | | Choose an item. |
| <i>Sex</i> | | Unknown | | Choose an item. |
| <i>Sexual Orientation</i> | | Unknown | | Choose an item. |
| <i>Pregnancy and Maternity</i> | | Unknown | | Choose an item. |

Tudalen 123

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



Source of Outline Evidence to support judgements

Consultation responses from path user groups, motorsport organisations and representatives
 .GOV.UK website article about motorsport events at <https://www.gov.uk/government/news/motor-racing-boost-to-english-tourism>
 The Economic Impact of Outdoor Activity Tourism in Wales report, Final Report, Visit Wales, March 2014
 Regulatory Impact Assessment: Proposal to Authorise Motor Sport Events on Public Roads (12th May 2014) at <https://www.gov.uk/government/consultations/proposal-to-authorise-motor-sport-events-on-public-roads>
 Rights of Way Improvement plan consultation responses

7. How does your proposal impact on the council's other key guiding principles?

| Principle | How does the proposal impact on this principle? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|--|---|---|--|--|
| Sustainable Development Principle (5 ways of working) | | | | |
| Long Term: Looking to the long term so that we do not compromise the ability of future generations to meet their own needs. | The revised protocol provides an approach that is resourced through full cost recovery, so can be sustained in the longer term. It allows for motorsport events to continue in a more sustainable and safe way, with the ongoing economic benefits and allows for active consideration of the impact of events on public rights of way with appropriate mitigation through alternative routes. | Good | | Choose an item. |
| Collaboration: Working with others in a collaborative way to find shared sustainable solutions. | The impact is positive; a significant amount of consultation and collaboration has taken place with path user groups, motorsport organisations and representatives in preparing this protocol, to understand their views. Dialogue will be ongoing; under the revised protocol, path user groups and others will be consulted about all section 33 authorisations, which is not currently the case. | Good | | Choose an item. |

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



Tudalen 125

| Principle | How does the proposal impact on this principle? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|---|---|---|--|--|
| Involvement (including Communication and Engagement): <i>Involving a diversity of the population in the decisions that affect them.</i> | Stakeholders have been involved through the process of revising this protocol. Motorsport organisations and representatives have been instrumental in developing it. Other path user groups have been consulted to ensure that they have opportunity to contribute ideas. | Neutral | Key stakeholders will continue to be involved once the revised protocol comes into effect, as they will be consulted about any paths to be suspended each time an application is made for section 33 authorisation. They also have opportunity to contribute their views via the Powys Local Access Forum, Byways User Group and Countryside Services and Outdoor Recreation team's stakeholder working group. | Good |
| Prevention: <i>Understanding the root causes of issues to prevent them from occurring.</i> | Management of health and safety of motorsport events in relation to public rights of way is an ongoing concern, as path users are coming into close proximity to these events. By suspending existing public rights of way and providing alternative routes for the duration of the event, the revised protocol will address that issue to prevent problems occurring in the future. | Good | | Choose an item. |
| Integration: <i>Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives.</i> | There are potential tensions between motorsport events and users of public rights of way already. Event organisers may feel that members of the public using the paths during an event impacts on event management. Users of the public rights of way network are likely to feel that the event impacts on the convenience and enjoyment with which they can use public rights of way. The proposal aims to reduce these tensions by providing pro-active management of the impact of events on public rights of way and vice versa, including provision of alternative routes. | Good | | Choose an item. |

Cyngor Sir Powys County Council
Impact Assessment (IA)

The integrated approach to support effective decision making



Tudalen 126

| Principle | How does the proposal impact on this principle? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|---|---|---|--|--|
| Preventing Poverty: Prevention, including helping people into work and mitigating the impact of poverty. | By safeguarding the future of motorsport events within the county, the proposal would ensure the ongoing contribution that these events make to the local economy and so help to provide job opportunities, either directly or through tourism. The proposals may have a negative impact on job opportunities associated with outdoor recreation tourism associated with public rights of way, due to inconvenience caused by temporary suspension. | Neutral | Alternative routes will be provided wherever possible for public rights of way that are temporarily suspended, to mitigate against any adverse impact. | Good |
| Unpaid Carers: Ensuring that unpaid carers views are sought and taken into account | | Unknown | | Choose an item. |
| Safeguarding: Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves. | | Unknown | | Choose an item. |
| Powys County Council Workforce: What Impact will this change have on the Workforce? | The process of authorising motorsports events will become more involved and time-consuming, which will have an adverse impact on staff workloads. However, legal protection to staff members would be afforded by implementing temporary closures of the affected public rights of way. There is currently a liability and corporate manslaughter risk for Council staff associated with authorising these events. This change would have a positive impact on the workforce by reducing that risk. | Neutral | Costs will be recovered for the time spent, releasing resources for other work. Event organisers will be required to submit fuller information at the outset, which will ease some pressure on officer time. | Good |

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



Tudalen 127

| Principle | How does the proposal impact on this principle? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|---|---|--|--|---|
| <p>Payroll: Will this change impact negatively or positively on salary, or any overtime/enhanced payments etc? Does this proposal comply with the Councils Single Status Terms and Conditions? If the pay element for the member of staff changes, does this affect any particular group of employees? (Male/Female dominated workforce) Does this proposal comply with the Councils Single Status Terms and Conditions?</p> | No | Neutral | | Choose an item. |
| <p>Welsh Language impact on staff</p> | N/A | Neutral | | Choose an item. |
| <p>Apprenticeships: Has consideration been given to whether this change impacts negatively, or positively on Apprenticeships within the service?</p> | N/A | Unknown | | Choose an item. |
| <p>Source of Outline Evidence to support judgements</p> | | | | |
| <p>Discussions with staff involved in authorising motorsport events under section 33 of the Road Traffic Act 1988 Legal advice from Queen’s Counsel about legal implications and options for authorisation of these events and temporary suspension of public rights of way Consultation responses from path user groups, motorsport organisations and representatives .GOV.UK website article about motorsport events at https://www.gov.uk/government/news/motor-racing-boost-to-english-tourism The Economic Impact of Outdoor Activity Tourism in Wales report, Final Report, Visit Wales, March 2014 Regulatory Impact Assessment: Proposal to Authorise Motor Sport Events on Public Roads (12th May 2014) at https://www.gov.uk/government/consultations/proposal-to-authorise-motor-sport-events-on-public-roads</p> | | | | |

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



8. What is the impact of this proposal on our communities?

| Severity of Impact on Communities | Scale of impact | Overall Impact |
|---|-----------------|----------------|
| Medium | Medium | Medium |
| Mitigation | | |
| Those communities that regularly host motorsport events will be most heavily impacted by these proposals, both positively through increased income from tourism and negatively through any inconvenience caused by temporary closure of public rights of way. However, the impact of the events and any temporary closures of public rights of way will be very short term in duration, being usually one day and no more than 5 days in length. Prior consultation with community councils about temporary closures of public rights of way will help to mitigate against these impacts. | | |

9. How likely are you to successfully implement the proposed change?

| Impact on Service / Council | Risk to delivery of the proposal | Inherent Risk |
|--|----------------------------------|---------------|
| Medium | Medium | Medium |
| Mitigation | | |
| The proposal is not difficult to implement, as current systems and processes can be adapted. However, the need to temporarily close public rights of way will impose additional workload on the service. As such, administrative systems will need to be in place to ensure that the processing of these applications is as efficient as possible. | | |

What are the risks to service delivery or the council following implementation of this proposal? (To be included within project risk register)

| Risk Identified | Inherent Risk Rating | Mitigation | Residual Risk Rating |
|--|----------------------|--|----------------------|
| Legal challenge to temporary closure of a public right of way | Medium | Early communication with stakeholders and identifying suitable alternative routes | Low |
| Insufficient staff time to process section 33 applications and implement temporary closures in advance of an event | Medium | Ongoing review of process; ensure that full costs are met and consider whether additional staff time can be bought using income if required. | Low |
| Failure of event organisers to provide sufficient information to allow for authorisation of events in advance of the planned date, leading to events being cancelled and adverse publicity | Medium | Ensure good communications strategy to ensure that all events organisers are aware of the protocol. Early communication of potential problems to organisers and Council events team and escalate to senior management if required. Ongoing review of process with stakeholders to address issues and streamline process. | Low |

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



10. Overall Summary and Judgement of this Impact Assessment?

| | | |
|--|----------------------------------|--|
| Outline Assessment (to be inserted in cabinet report) | Cabinet Report Reference: | |
| The proposals would safeguard the future of motorsport events in the County, whilst allowing for more pro-active management of the health and safety risks associated with members of the public using public rights of way across the event site. Temporary closure of public rights of way would cause some short term inconvenience to public rights of way users, which would be mitigated through provision of alternative routes. The proposals would significantly reduce the liability and corporate manslaughter risks to Council staff associated with authorising these events. Overall, the impact of the changes would be positive. | | |
| Overall Risk Judgement: | Medium | |

11. Is there additional evidence to support the Impact Assessment (IA)?

| |
|--|
| What additional evidence and data has informed the development of your proposal? |
| Officer expertise and experience in processing these applications for authorisation and management of the public rights of way network |

12. On-going monitoring arrangements?

| |
|---|
| What arrangements will be put in place to monitor the impact over time? |
| Ongoing, periodic discussions and review of impacts with: <ul style="list-style-type: none"> - Local Access Forum - Countryside Services & Outdoor Recreation team's stakeholder working group - Motorsport organisers and representatives - Powys byways user group. Ad hoc review of feedback from members of the public and tourism providers. |
| Please state when this Impact Assessment will be reviewed. |
| December 2020 |

13. Sign Off

| Position | Name | Signature | Date |
|--------------------------------|------------------|-----------|------|
| Impact Assessment Lead: | Sian Barnes | | |
| Head of Service: | Nina Davies | | |
| Director: | Nigel Brinn | | |
| Portfolio Holder: | CLlr Aled Davies | | |

14. Governance

| | | | |
|-------------------------------|---------|----------------------|--------------------------------|
| Decision to be made by | Cabinet | Date required | 11 th February 2020 |
|-------------------------------|---------|----------------------|--------------------------------|

FORM ENDS

Tudalen 130

CYNGOR SIR POWYS COUNTY COUNCIL.**CABINET EXECUTIVE**

March 3rd, 2020

REPORT AUTHOR: County Councillor James Evans
Portfolio Holder for Economic Development, Housing and
Regulatory Services

REPORT TITLE: Housing Revenue Account (HRA) Thirty Year Financial
Business Plan Starting 2020-2021.

REPORT FOR: Decision

1. Purpose

- 1.1 The purpose of this report is to present for approval the Housing Revenue Account (HRA) Thirty Year Financial Business Plan Starting 2020-2021.

2. Background

- 2.1 All councils in Wales in their role as the Strategic Housing Authority have the responsibility to plan for the housing needs of their population. Powys is one of the eleven stock retaining local authorities in Wales, providing 5,375 affordable, secure homes across the county, as well as plans to develop a further 250 new homes scheduled for completion by the end of 2023.
- 2.2 Landlord councils in Wales are required to present an “acceptable” HRA Business Plan, including a thirty year financial model, to the Welsh Government each year. The Plan must conform to a structure and Business Plan parameters set out by the Welsh Government. This is to allow the Welsh Government to assess the progress of local authorities in maintaining the Welsh Housing Quality Standard (WHQS) to be eligible for the Major Repairs Allowance (MRA) Grant (currently for Powys £3.68m). Powys achieved WHQS compliance in December 2018.
- 2.3 The HRA borrows to fund capital works such as the new build and improvement programmes. The level of borrowing is closely monitored as this is related to annual capital financing costs. All councils in Wales have reached agreement with Welsh Government to remove the borrowing cap from HRAs with effect from March 2019, introduced by the Housing Act 2014 settlement payment. The Council is required by regulation to have regard to the Prudential Code when carrying out its duties under Part 1 of the Local Government Act 2003. Any borrowing undertaken for the HRA Business Plan following the abolition of the borrowing cap will be ‘unsupported’, in so much as there will not be any financial support from the Welsh Government for the cost of such borrowing. Schemes, such as development of new homes, may however benefit from grants to help cover cost of such projects.
- 2.4 This means that the Council is able to borrow additional resources without statutory limit to fund investment in both existing and new homes, as long as

the income generated by the HRA from rents and other charges is able to cover the cost of servicing and repaying the debt.

- 2.5 On February 11th 2020 Cabinet approved an increase in rents and other charges levied by the HRA in line with the Welsh Government's policy for social housing rents, which calculates rent levels using a number of factors including economic and housing market data. For rent increases from 2021-22 onwards the Council will be required to make sure that any rent increase considers affordability for tenants and also assessments of cost efficiencies.
- 2.6 The impact of changes to the social security system has been taken into account in developing the Business Plan. Financial modelling has been carried out to account significant risks of increasing rent arrears and the additional resources needed to make sure that rent due to the Council is paid promptly.
- 2.7 The HRA Thirty Year Business Plan Starting 2020-21 for Powys:
 - Makes sure the HRA treasury management strategy is prudent and complies with the Council's approach to borrowing;
 - Sets a balanced budget with minimum reserve of £1,300,000 (or 3% of expenditure);
 - Allows the Council to maintain WHQS for current homes;
 - Supports the development of at least 250 new homes;
 - Balances the need to keep rents affordable with making sure that homes are maintained and kept in good condition;
 - Maximises revenue and expenditure efficiencies.
 - Complies with the Prudential Code

3. Advice

- 3.1 To make sure that the Council continues to make efficient use of its housing assets and operates a sustainable landlord service, the HRA Business Plan, as proposed for approval, has been informed by a long term approach to important investment programmes.
- 3.2 Detailed proposals are set out in the HRA Business Plan narrative, attached as Appendix A to this report, for the five year period starting in 2020-2021 with outline proposals thereafter. This allows for a strategic approach to be taken to investment decisions and planning and allows for more informed consultation and communication with residents and tenants. Each year, the HRA Business Plan will be presented to Cabinet for consideration, allowing for programmes and investment profiles to be changed in the light of changing circumstances, needs and resources. A summary of the current proposals, for the five years beginning 2020-2021, is presented below. The figures for 2020-2021 will form the basis of the budgets for that particular year.
- 3.3 New Homes for Powys (Capital Programme)
 - 3.3.1 There were 2274 (Dec 2019) people registered with Homes in Powys for affordable, rented homes. A new build housing programme is underway which will initially deliver 252 new council homes by 2023. Further schemes are being developed to expand this programme, with provision being made in the HRA Business Plan to support 380 homes by 2025. This has been made

possible by the lifting of the borrowing cap on the HRA which means that there is no centrally imposed cap on the total amount of borrowing that the HRA can undertake. Developing homes available for let at social rents or sale at below market prices is not usually possible without direct grant support from the Welsh Government. This is to offset such expenditure as land acquisition and construction costs, which reflect open-market property values and rents. Such grant support is not available to fund core HRA borrowing. At a time of rising land and construction costs, the scale and pace of continued development of homes available for accommodation at sub-market rates will depend upon the availability of grant from the Welsh Government. If grant falls and land and construction costs continue to increase, the Council will need to consider alternative financial models which subsidise the continued development of new homes by the HRA.

Table 3.3.1: New Homes for Powys Financial Summary 2020-21 to 2024-2025

| Financial Year | HRA Business Plan Investment | Number of New Homes Completed | Notes |
|----------------|------------------------------|-------------------------------|---|
| 2020-2021 | £17,096,000 | 0 | |
| 2021-2022 | £15,439,000 | 227 | New Welsh Government grant regime assuming 40% grant/£2 m. per year |
| 2022-2023 | £5,916,000 | 79 | |
| 2023-2024 | £6,432,000 | 0 | Completions by Mar 2024 – 306 homes |
| 2024-2025 | £5,867,000 | 74 | |
| Total | £50,750,000 | 380 | |

3.4 WHQS (Capital Programme)

3.4.1 This programme is designed to make sure the Council's homes continue to meet the WHQS. A sum of circa £3.1m will be carried forward from 2019-2020 to 2020-2021, which will help smooth the programme over the following years. This is because of the lower level of new resources available between 2023-2024 and 2027-2028. The programme has been structured to smooth the peaks and troughs of funding and investment needs, with the focus on those components where replacement is most needed. The age of the Council's housing is reflected in the need to invest in re-roofing works to reduce damp and increase thermal comfort. Many roofs are those originally installed when the properties were built. Investment in estates, including boundaries and fences, is considered to be an important part of the next phase of WHQS, which is to focus on the external environment of homes. Some of the investment activity within the WHQS programme also contributes to the objectives of the Green Powys and Compliance One Hundred programmes (see sections 3.5 and 3.6).

Table 3.4.1: WHQS Programme Financial Summary 2020-21 to 2024-2025

| Investment | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|------------|-----------|-----------|-----------|-----------|-----------|
| Kitchens | £630,000 | £530,000 | £600,000 | £420,000 | £400,000 |
| Bathrooms | £500,000 | £500,000 | £472,500 | £200,000 | £200,000 |

| | | | | | |
|---|--------------------|--------------------|--------------------|-------------------|-------------------|
| Rewiring | £150,000 | £200,000 | £180,000 | £120,000 | £60,000 |
| Windows | £999,400 | £399,000 | £399,000 | £300,000 | £0 |
| Roofing | £2,400,000 | £2,400,000 | £1,500,000 | £1,000,000 | £400,000 |
| Walls | £500,000 | £500,000 | £600,000 | £400,000 | £0 |
| Estate Works (contribute to Love Where You Live Programme) | £1,000,000 | £1,500,000 | £1,500,000 | £600,000 | £600,000 |
| External Wall Insulation (contributes to Green Powys) | £1,000,000 | £500,000 | £300,000 | £0 | £0 |
| Heating (contributes to Green Powys) | £2,000,000 | £1,500,000 | £1,500,000 | £1,400,000 | £1,400,000 |
| Energy Efficiency (contributes to Green Powys) | £500,000 | £600,000 | £600,000 | £500,000 | £500,000 |
| Asbestos Management (contributes to Compliance One Hundred) | £200,000 | £200,000 | £200,000 | £100,000 | £250,000 |
| Doors | £415,000 | £250,000 | £250,000 | £200,000 | £0 |
| Miscellaneous WHQS | £4,369,760 | £1,696,907 | £2,189,525 | £536,255 | £637,753 |
| Total | £14,664,160 | £10,775,907 | £10,291,025 | £5,776,255 | £4,447,753 |

3.5 Compliance One Hundred

3.5.1 The Compliance One Hundred programme is designed to make sure that all of the Council homes and associated assets are one hundred per cent compliant with all relevant and applicable legislation and regulation. The investment schemes detailed below are in addition to those included within the WHQS programme, detailed above in section 3.4 and Day-to-Day Repairs and Maintenance which includes all inspections and servicing of safety-critical components and assets, such as heating systems and lifts.

Table 3.5.1: Compliance One Hundred Programme Financial Summary 2020-21 to 2024-2025

| Investment | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|---------------------------------|-----------|-----------|-----------|-----------|-----------|
| Fire Safety Works | £200,000 | £200,000 | £100,000 | £100,000 | £100,000 |
| Water Supply and Sewerage Works | £50,000 | £50,000 | £50,000 | £150,000 | £200,000 |
| Legionella | £140,000 | £150,000 | £150,000 | £200,000 | £250,000 |
| Asbestos & Radon | £50,000 | £50,000 | £50,000 | £60,000 | £60,000 |
| WHQS | £200,000 | £200,000 | £200,000 | £100,000 | £250,000 |

| | | | | | |
|---|-----------------|-----------------|-----------------|-----------------|-------------------|
| Contributions to Compliance One Hundred (Asbestos Management) | | | | | |
| Day-to-day Repairs Contribution to Compliance One Hundred | £219,000 | £305,000 | £306,000 | £307,000 | £308,000 |
| Total Compliance One Hundred Investment Programme | £859,000 | £955,000 | £856,000 | £917,000 | £1,168,000 |

3.6 Green Powys

3.6.1 The Green Powys programme is designed to increase fuel efficiency, reduce fuel poverty and build a solid foundation for the Council to contribute towards the Welsh Government's proposals to decarbonise homes across Wales. It is proposed to begin scaling back the installation of fossil fuel heating systems and begin ramping up more sustainable systems, such as Air Source Heat Pumps, and begin developing 'whole home' solutions. Progress will increase once further details are known about potential new decarbonisation standards with further guidance likely to be received from Welsh Government in 2020. The investment schemes detailed below are in addition to those included within the WHQS programme, detailed above in section 3.4.

Table 3.6.1: Green Powys Programme Financial Summary 2020-21 to 2024-2025

| Investment | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|--|-------------------|-------------------|-------------------|-------------------|-------------------|
| Damp Prevention | £100,000 | £150,000 | £175,000 | £175,000 | £175,000 |
| Photo-voltaic (Solar Panels) | £50,000 | £75,000 | £75,000 | £75,000 | £75,000 |
| Decarbonisation and Energy Efficiency | £100,000 | £100,000 | £100,000 | £100,000 | £250,000 |
| WHQS Contributions to Green Powys | £3,500,000 | £2,600,000 | £2,400,000 | £1,900,000 | £1,900,000 |
| Day-to-day Repairs Contribution to Green Powys | £230,000 | £375,000 | £425,000 | £375,000 | £350,000 |
| Total Green Powys Investment Programme | £3,980,000 | £3,300,000 | £3,175,000 | £2,625,000 | £2,750,000 |

3.7 Fit for Life

3.7.1 The Fit for Life programme is designed to make the Council's homes better suited to the needs of older people and those with health related needs that impair or adversely affect their mobility.

Table 3.7.1: Fit for Life Programme Financial Summary 2020-21 to 2024-2025

| Investment | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|--------------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Fit for Purpose | £2,400,000 | £2,200,000 | £2,000,000 | £1,600,000 | £1,200,000 |
| Adaptations | £650,000 | £650,000 | £650,000 | £650,000 | £650,000 |
| Total Fit for Life Investment | £3,050,000 | £2,850,000 | £2,650,000 | £2,250,000 | £1,850,000 |

3.8 Love Where You Live

3.8.1 The Love Where You Live tenancy sustainability strategy is designed to make the homes and estates managed by the Council places where people can enjoy their lives and we improve the wellbeing of our residents. The investment schemes detailed below are in addition to those included within the WHQS programme, detailed above in section 3.4

Table 3.8.1: Love Where You Live Programme Financial Summary 2020-21 to 2024-2025

| Investments | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|------------------------------------|------------|------------|------------|-----------|-----------|
| Brecon Area Estate Improvements | £20,000 | £20,000 | £36,000 | £36,000 | £36,000 |
| Newtown Area Estate Improvements | £20,000 | £20,000 | £36,000 | £36,000 | £36,000 |
| Welshpool Area Estate Improvements | £20,000 | £20,000 | £36,000 | £36,000 | £36,000 |
| Wye Valley Estate Improvements | £20,000 | £20,000 | £36,000 | £36,000 | £36,000 |
| Ystradgynlais Estate Improvements | £20,000 | £20,000 | £36,000 | £36,000 | £36,000 |
| Car Parking | £0 | £0 | £75,000 | £75,000 | £75,000 |
| Communal Area Improvements | £50,000 | £75,000 | £75,000 | £75,000 | £75,000 |
| Garage Strategy | £100,000 | £200,000 | £200,000 | £400,000 | £400,000 |
| Penybryn Regeneration | £300,000 | £700,000 | £700,000 | £300,000 | £0 |
| Play Area Improvements | £0 | £50,000 | £50,000 | £50,000 | £50,000 |
| WHQS Contributions | £1,000,000 | £1,500,000 | £1,500,000 | £600,000 | £600,000 |

| | | | | | |
|--|-------------------|-------------------|-------------------|-------------------|-------------------|
| to Love Where You Live (Estate and Boundary Works) | | | | | |
| Day-to-day Repairs Contribution to Green Powys | £408,960 | £560,000 | £585,000 | £610,000 | £635,000 |
| Total Love Where You Live Investment | £1,958,960 | £3,185,000 | £3,365,000 | £2,290,000 | £2,015,000 |

3.9 Community Alarms (Capital Programme)

3.9.1 During 2019-2020, a review has looked at the future of the Careline service for tenants of the Council. The review was prompted by the need to replace the current equipment, which is of an age that it is beyond economical maintenance and repair. The HRA Business Plan for 2020-2021 includes a one off provision of £600,000 for the necessary capital investment to replace the Careline equipment with up to date kit that will be more reliable, less costly to maintain and able to offer a greater range of services.

3.10 Repairs and Maintenance (Revenue Programme)

3.10.1 Repairs and maintenance covers day-to-day repairs and cyclical maintenance to the Council's homes. The majority of this work is undertaken for the Council by its joint venture with Kier, Heart of Wales Property Services (HoWPS). The current contract with HoWPS will be subject to a review in 2022. HoWPS is paid an annual sum to undertake all works set out in a Service Agreement between it and the Council. Any day-to-day works not covered in the agreement have to be funded on an as-needs basis by the Council.

Table 3.10.1: Repairs and Maintenance Programme Financial Summary 2020-21 to 2024-2025

| Investments | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|---|------------|------------|------------|------------|------------|
| HoWPS (subject to confirmation) | £5,381,331 | £5,494,339 | £5,609,720 | £5,727,524 | £5,847,802 |
| Estate and Grounds Maintenance | £205,221 | £209,531 | £213,931 | £218,423 | £223,010 |
| Day-to-day repairs not covered by HoWPS Service Agreement | £1,792,448 | £2,302,359 | £2,429,290 | £2,634,302 | £2,651,681 |
| Miscellaneous Expenditure | £259,540 | £304,540 | £317,540 | £335,540 | £343,540 |

| | | | | | |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|
| Total Repairs and Maintenance Investment | £7,638,540 | £8,310,769 | £8,570,481 | £8,915,789 | £9,066,033 |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|

3.11 Housing Management System (Capital Programme)

3.11.1 The Council's current housing management system, QL, has a servicing agreement in place until 31st October 2021 with a provision to extend to 31st October 2022. Under current procurement rules, this cannot be extended beyond that date. Accordingly, provision has been made in the HRA Business Plan for the full cost of purchasing, installing and bringing into use a new housing management system. Work on this, with associated expenditure, will start in Q3 of 2020-2021 and be completed in 2021-2022. The total cost is estimated at £1,000,000, with 20% spent in 2020-2021 and 80% in 2021-2022.

3.12 Acquisition of Properties (Capital Programme)

3.12.1 The Council has over the past few years purchased on the open market policy a number of homes, the majority of which have been ex-municipal homes. In determining which properties to purchase there has been a focus on those in areas of high demand and where the new build programme is unlikely to meet the need. For 2020-2021, it is proposed to restrict the programme to Welshpool where demand is high and there to date no opportunities for substantial new development of social housing. All such purchases are subject to the same viability criteria as new build, with additional allowances made for any works needed to bring the properties up to WHQS.

3.13 Other expenditure within the HRA Business Plan includes Supervision and Management Costs, which cover the costs of managing the service, for example staff, support services and office costs, and the cost of funding debt taken on when the HRA became self-financing in 2014 and any additional borrowing secured to fund investment programmes.

4. Resource Implications

4.1 The HRA Business Plan submission to the Welsh Government sets out how the Council will fund the service, aggregating certain categories of expenditure within generic headings set by the Welsh Government to help manage the allocation of MRA. Councils are however free to allocate investment across programmes of their own choosing. Table 4.1 sets out how Powys County Council proposes to invest in and fund the HRA Business Plan for next five years. All data is sourced from the HRA Thirty Year Financial Business Plan 2020-2021.

Table 4.1: HRA Business Expenditure, Income and Financing Summary 2020-2-21 to 2025-2026

| | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|---------------------|------------|------------|------------|------------|------------|
| Capital Expenditure | | | | | |
| Sub Total | 36,071,000 | 38,807,000 | 22,828,000 | 16,014,000 | 15,706,000 |
| | | | | | |

| | | | | | |
|-----------------------------------|------------|------------|------------|------------|------------|
| Capital Funding | | | | | |
| Funding b/fwd | 0 | 0 | 0 | 0 | 0 |
| Major Repairs Allowance | 3,680,000 | 3,680,000 | 3,680,000 | 3,680,000 | 3,680,000 |
| Capital Receipts | 0 | 0 | 0 | 0 | 0 |
| Borrowing | 17,096,000 | 15,440,000 | 5,916,000 | 6,432,000 | 5,867,000 |
| Other Funding Sources | 7,773,000 | 13,404,000 | 7,527,000 | 0 | 0 |
| Capital Expenditure Funded by HRA | 7,522,000 | 6,283,000 | 5,705,000 | 5,903,000 | 6,159,000 |
| Sub total | 36,071,000 | 38,807,000 | 22,828,000 | 16,014,000 | 15,706,000 |
| | | | | | |
| Revenue Expenditure | | | | | |
| Supervision & Management Costs | 6,768,000 | 6,917,000 | 7,069,000 | 7,224,000 | 7,383,000 |
| Repairs and Maintenance | 7,733,000 | 8,268,000 | 8,631,000 | 8,976,000 | 9,321,000 |
| Interest | 3,539,000 | 4,034,000 | 4,574,000 | 4,863,000 | 4,855,000 |
| Capital Financing Charge | 1,928,000 | 2,232,000 | 2,499,000 | 2,568,000 | 2,646,000 |
| Sub total | 19,967,000 | 21,451,000 | 22,773,000 | 23,631,000 | 24,205,000 |
| | | | | | |
| Revenue Funding | | | | | |
| Gross Rental Income | 25,739,000 | 26,919,000 | 28,397,000 | 29,482,000 | 30,326,000 |
| Garages | 687,000 | 702,000 | 717,000 | 733,000 | 749,000 |
| Service Charges | 430,000 | 439,000 | 449,000 | 459,000 | 469,000 |
| Other Commercial Rental Income | 0 | 0 | 0 | 0 | 0 |
| Voids | (779,000) | (800,000) | (821,000) | (843,000) | (866,000) |
| Bad Debts | (558,000) | (573,000) | (589,000) | (604,000) | (621,000) |
| WG Affordable Housing Grant (AHG) | 203,000 | 203,000 | 203,000 | 203,000 | 203,000 |
| Interest on Balances | 19,000 | 10,000 | 8,000 | 8,000 | 8,000 |
| Other Income | 168,000 | 172,000 | 176,000 | 180,000 | 183,000 |
| Sub total | 25,909,000 | 27,072,000 | 28,539,000 | 29,616,000 | 30,451,000 |
| | | | | | |
| Surplus / - Deficit For Year | 5,941,000 | 5,621,000 | 5,767,000 | 5,985,000 | 6,246,000 |
| Capital Expenditure Funded by HRA | 7,522,000 | 6,283,000 | 5,705,000 | 5,903,000 | 6,159,000 |
| Voluntary Loan | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|------------------|------------------|------------------|------------------|------------------|
| Repayment | | | | | |
| | | | | | |
| Balance Brought Forward (HRA Reserve) | 3,279,000 | 1,698,000 | 1,036,000 | 1,098,000 | 1,179,000 |
| Surplus / - Deficit after Capital Expenditure from Revenue Account (CERA) | (1,581,000) | (662,000) | 61,000 | 82,000 | 87,000 |
| | | | | | |
| Balance Carried Forward (HRA Reserve) | 1,698,000 | 1,036,000 | 1,098,000 | 1,179,000 | 1,267,000 |

4.2 The financial model includes many assumptions, the primary ones are detailed below in section 4.3. Due to the long term nature of the forecasts within the Business Plan, the uncertainty of the economic climate and the demands on the housing environment generally, these assumptions are extremely sensitive to change.

- 4.3 The primary assumptions made to inform the HRA Business Plan are:
- Rental income will increase by CPI + 1% per year, the maximum allowed by the Welsh Government's Rent Policy. Scenario planning is under way to assess the impact if the Welsh Government does not approve a maximum increase, which may occur if the Council is unable to fulfil the as yet unknown efficiency parameters the Welsh Government will use to determine future rent increases for individual social landlords.
 - Service charges are increased for future years in line with inflation for full cost recovery.
 - It is as yet unclear how the Welsh Government will in future years allocate grant to support the development of social and low cost housing. For the purposes of forward planning, a grant rate of 40% has been assumed.
 - The Welsh Government Major Repairs Allowance receivable is assumed to remain at previous levels of £3.68 million per year.
 - Void loss and bad debt has been assumed at 5.15%. Work continues with HoWPS, the Council's principle void works contractor, to reduce void turnaround times. This assumption also takes account of growing challenges collecting income from people reliant upon the social security system for all or part of their income.
 - Prudential borrowing interest rates have been assessed at 3.48 % per annum.
 - General inflation at 3.4% for RPI in 2019-2020 and 2.2% afterwards and 2.4 % for CPI in 2019-2020 and 1.7% annually afterwards
 - A minimum balance of £1m will be maintained over the medium term to mitigate against any future risks.

4.4 The Business Plan is subject to regular review to make sure new expenditure to be paid for by borrowing is for essential improvements or for schemes that have an element of pay back, such as the development of new homes. This is

to make sure that there are no long term issues of affordability and sustainability in respect of borrowing.

- 4.5 The Business Plan process requires the Council to assess the impact of a number of key variables and how changes in these may impact on priorities both in capital investment and for revenue budgets.
- 4.6 It should be noted that the HRA is ring fenced. This means it can only draw income from rental income, self-generated income and approved grants from the Welsh Government. It cannot benefit in any way from General Fund income. By the same token, the HRA can only be used to fund services and investment of direct benefit to domestic tenants of the Council. It cannot be used to fund General Fund services or investment. Welsh Government will later this year be issuing a revised HRA guide detailing what the HRA can and cannot fund.
- 4.7 The Council's Section 151 Officer has noted the contents of this report and is satisfied that the HRA business plan is acceptable, that the assumptions contained within the report are appropriate and that the plan conforms to the structure and business plan parameters set out by Welsh Government. The plan is therefore viable and can be supported from a financial perspective.

5. Legal implications

- 5.1 There are no direct legal implications but the requirement for a plan is set out in this report. The approval of the Business Plan is an executive function which does not have to be referred to full Council.
- 5.2 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

6. Data Protection

- 6.1 The proposals and recommendations contained in this report do not involve the processing of personal data.

7. Comment from local member(s)

- 7.1 This matter has equal effect across the Council.

8. Integrated Impact Assessment

- 8.1 An Impact Assessment is attached to this report as Appendix B.
- 8.2 The Impact Assessment shows that the proposals for the HRA Thirty Year Business Plan 2020-2021 set out in this report contribute positively to maintaining and developing the Council's role as responsive and viable social landlord. A balanced approach has been taken between maintaining and improving existing homes and increasing the range of affordable housing options available for the people of Powys. Risks arising from changes by the Welsh Government to rent and affordable housing grant policy and inflationary construction costs are well mitigated. The Powys HRA Thirty Year

Business Plan makes a substantial contribution towards making Vision 2025 a reality, which now includes Affordable Housing as one of its top priorities.

- 8.3 The impact on the Council of not approving the proposed HRA Thirty Year Business Plan, set out in this report, will be considerable. There will be a high risk of the Council not being to comply with the Welsh Government's requirement for the Council to have in place by April 1st, 2020 a sustainable and viable HRA Thirty Year Business Plan. This may result in the loss of MRA (£3.68m per annum) and direct intervention by the Welsh Government in the management of the landlord service.

9. Recommendation

- 9.1 Cabinet is recommended to approve the Housing Revenue Account (HRA) Thirty Year Business Plan Starting 2020-2021.

Contact Officer: Andy Thompson (Tenancy Services Manager)

Tel: 01597 827464

Email: andy.thompson@powys.gov.uk

Head of Service: Nina Davies (Head of Housing & Community Development)

Corporate Director: Nigel Brinn (Director – Economy and Environment)



At Home in Powys

Housing Revenue Account Thirty Year Business Plan 2020-2021

March 2020

Index






| | |
|------------------|---|
| At Home in Powys | 1 |
| Vision 2025 | 3 |

At Home in Powys

'Vision 2025', which is Powys County Council's strategic plan for improving the quality of life for everyone in Powys, includes Affordable Housing as one of its top six priorities. The Council provides flats, houses and bungalows for one in ten of all households so that they can make a good home in Powys. Making sure that the Council is able to continue to manage and develop a financially viable landlord service is essential to help people to be at home in Powys.

In March 2020, Powys County Council approved its Housing Revenue Account (HRA) Thirty Year Business Plan for 2020-2021. The Business Plan, which operates on a rolling thirty-year basis, sets out all the information and activity that together allows the Council to successfully and sustainably approach manage and provide social housing for the people of Powys.

'At Home in Powys' highlights the most significant elements of the full Business Plan:

-  How the Business Plan supports 'Vision 2025';
-  Information on the housing needs in Powys;
-  How the Council works with tenants and other stakeholders to develop and monitor the HRA Business Plan;
-  How the Council will increase for the people of Powys, the range and choice of Council-owned homes;
-  How the Council will finance and operate the HRA Business Plan to make sure the Council's landlord service is responsive and meets the expectations of tenants and residents.

The Powys HRA Thirty Year Business Plan 2020-2021 contributes positively to maintaining and developing the Council's role as responsive and viable social landlord. A balanced approach has been taken between maintaining and improving existing homes and increasing the range of affordable housing options available for the people of Powys. Risks arising from changes by the Welsh Government to rent and affordable housing grant policy and inflationary construction costs are mitigated. The Powys HRA Thirty Year Business Plan makes a substantial contribution towards making Vision 2025 a reality, which now includes Affordable Housing as one of its top priorities. It will also contribute to the national outcomes the Welsh Government has for housing across Wales.

Vision 2025

The HRA Business Plan is designed to make sure the Council's landlord service contributes to the priorities agreed in 'Vision 2025', which is the Council's Corporate Improvement Plan to improve the quality of life for everyone in Powys. 'Vision 2025' also contributes towards the outcomes agreed in the Powys Regional Partnership Board's 'A Healthy, Caring Powys' which is the health and care strategy for Powys and runs until 2027.

'Vision 2025' provides an important framework for involving residents, councillors, staff and other stakeholders, such as regulators, in improving public services in Powys. It focuses on the things that matter most for local people.

'Vision 2025' majors on four important themes in everyone's life:











- Economy: developing a vibrant economy;
- Health and care: leading the way in effective, integrated rural health and care;
- Learning and skills: strengthening learning and skills;
- Residents and Communities: supporting our residents and communities.

Supporting 'Vision 2025' is the Powys Public Service Board's 'Towards 2040' which is the Well-being Plan for Powys. 'Vision 2040' sets out the way Powys will contribute to the aspirations of the Well-being of Future Generations (Wales) Act 2015. The Act puts in place seven well-being goals to make sure public bodies in Wales are working towards improving the social, economic, environmental and cultural well-being of their areas.

Outcomes and Services

Outcomes

Powys County Council's housing service has a Top Ten of outcomes for the work it does to help people to be at home in Powys. The HRA Business Plan contributes in some way to all these outcomes.

-  Increase our customer satisfaction ratings to be among the best in Wales
-  Build at least 250 new council owned and managed homes by 2024, and to continue and grow our new build programme making the Council a major force in the housing market of Powys
-  Increase the value for money we receive from our investment in repairing and maintaining our homes
-  Maintain WHQS for all our homes, with a particular focus on improving energy efficiency and reducing damp
-  All our homes to be one hundred per cent compliant with all health and safety requirements
-  At least 99.65% of rent due collected every year
-  Void rent loss reduced to 1.9% of the rent roll ¹
-  Speedy response to reduce and resolve homelessness
-  Quick and user friendly investment in homes for people who need aids, adaptations and disabled facilities to improve the quality of their lives
-  A balanced housing market, offering desirable housing choices for people who live in Powys

How well the Council is doing in making those outcomes a reality for people is measured and reported using a range of performance indicators, with targets set for each year. Of particular relevance to the landlord service funded by the HRA:

- ✓ Number of new Housing Revenue Account homes commenced in year: for 2020-2021 - 118
- ✓ Increased levels of tenant satisfaction with the quality of their neighbourhood: for 2020-2021 - 80%
- ✓ Percentage of tenants satisfied with major programmes of repair and improvement: for 2020-2021 - 87%
- ✓ Percentage of customer call backs satisfied with the responsive repairs service: for 2020-2021 - 95%
- ✓ Percentage of heating appliances serviced in the previous 12 months: for 2020-2021 - 100%
- ✓ Average end to end time for responsive repair: for 2020-2021 - 10 days
- ✓ Percentage of rent collected: for 2020-2021 - 99.65%
- ✓ Percentage of rent lost to empty properties: for 2020-2021 - 3%

¹ This target will be met by March 2021.





Powys County Council has in place a detailed suite of eleven service standards, which govern everything it does as a landlord².

- Allocations and Lettings
- Customer Care
- Estate Management
- Anti-social Behaviour
- Quality of Accommodation Standard
- Repairs and Improvements
- Tenant Involvement
- Tenancy Management
- Rent and Income Collection
- Leaseholder
- Equality and Diversity

In 2020-2021, the Quality of Accommodation Standard is to be reviewed, to see whether or not it still represents a reasonable balance between aspirations of tenants, especially those moving to their first council-provided home, the time taken to re-let empty properties and the financial resources available within the HRA Business Plan.




Services

The Housing Service structure is designed around the rurality and geography of Powys, the largest county in Wales. A network of area-based housing management and maintenance teams offer day-to-day services for our tenants and communities. There are four area housing management teams.

-  Brecon and Ystradgynlais
-  Welshpool and Machynlleth
-  Llandrindod Wells
-  Newtown and Llanidloes.

Being based in the areas in which they work, these teams benefit from local knowledge and close proximity to the people they work with, the varied housing markets in Powys and the properties themselves, which reflect a broad range of construction styles and types.

The area based housing management teams, which form the nucleus of 'Tenancy Services', are supported by centrally managed but locally based teams.

-  'Housing One' the First Contact service that provides the internet and telephone connections with our tenants and clients.
-  'Asset Management' which manages the investment necessary to make sure our homes are kept to high standard, now and in the future
-  'Housing Solutions' which provides strategic and policy support across the service in areas such as homelessness, oversees the Council's work to

² The Service Standards can be found at: Further details: <https://en.powys.gov.uk/article/2667/Council-Housing-Landlord-Service---Service-Standards>

improve the quality of privately owned housing and has responsibility for developing new Council-owned homes.

The Housing Service is part of the Council's Housing and Community Development division which itself is part of the Council's 'Economy and Environment Directorate'. Being part of the Housing and Community Development division means that the Housing Service has been better able to work closely with Countryside and Outdoor Recreation Service, for example the provision of play facilities for young people and managing trees.

The structure of the Housing Service is currently being reviewed, in preparation for changes to be made during 2020-2021. These will:

- ✓ Increase the capacity and capability of the service to manage compliance
- ✓ Enhance the approach to quality assurance of all housing services
- ✓ Strengthen front-line services

The Housing Service has excellent working relationships with colleagues in and clients of Adult Social Care, Children's Services and Powys Teaching Health Board and this, coupled with the integration of health and social care in Powys, means the housing service better understands how to address the housing needs of vulnerable people in Powys.

In April 2019 the Council launched 'Homes in Powys' (Common Housing Register), a one-stop shop for all social housing in Powys. People looking for a home are able to make one application via the Council for housing provided by the Council and seven housing associations. It is an on-line system making it easy for people to apply and amend their applications as and when needed. A new Common Allocation Scheme was introduced at the same time to make it easier for people to understand the way homes were matched to households. 'Homes in Powys' provides a dynamic and accurate database of the need for social housing across the County.

The Council and Kier, a privately owned company, established in July 2017 a Joint Venture Company (JVC) called Heart of Wales Property Services (HoWPS) which is jointly owned by the Council and Kier. HoWPS is responsible for the delivery of responsive maintenance to HRA properties and some planned maintenance work. In addition, HoWPS delivers all responsive and planned maintenance to corporate properties and major capital projects on behalf of the Council. In December 2019 – at the interim stage of the first five year phase of the Service Agreement between the Council and HoWPS, the Council undertook a detailed review of HoWPS performance. This review has led to a range of agreed actions to be completed during the first part of 2020 to improve further the services offered, with a particular emphasis on compliance related work and repairs to void properties.

The Council is creative and innovative in making effective use of HRA housing to meet the most pressing of housing needs. One example includes the measured deployment of HRA homes to provide higher quality emergency and temporary accommodation for people who are homeless. This creates savings for the Council's General Fund, as it

reduces the Council's use of bed and breakfast accommodation in emergency situations. There are moreover no negative impacts on the HRA Business Plan.

The Powys Housing Market

The Powys Housing market is extremely diverse. That is only to be expected in a county that accounts for a quarter of the land mass of Wales. The distance from one end of Powys to the other is greater than the distance from London to Bristol. Powys has the lowest population density of all the principal areas of Wales. The sheer size of the county, and its remoteness from major conurbations, presents many challenges for developing, managing and maintaining homes.

In 2019, a new Local Housing Market Assessment (LHMA) covering Powys was commissioned with 7 other authorities (including two National Parks). The results of the LHMA will be published in 2020. The LHMA covers South & West Wales regional approach with disaggregated data of the nine Powys market areas and for the Brecon Beacons National Park area.

With the Homes in Powys data, the information will help inform the future of the Council's programme to build new council homes, which will be co-ordinated through the Powys Strategic Housing Partnership with the plans of other social landlords to make sure that all developments complement each other to meet the needs of the greatest number of households.

During 2019 the housing service successfully secured Rural Housing Enabler (RHE) funding from Welsh Government which helped to secure resource in the Affordable Housing team to assess need in the County and inform the new build programme.

The Affordable Housing Team used data from Homes in Powys along with engagement events and housing needs assessments to confirm and model the initial new development programme.

Local Housing Strategy for Powys

In September 2016 the Powys Strategic Housing Partnership agreed the Local Housing Strategy for Powys. The vision adopted by the Partnership is:

“Ensuring a secure future in suitable housing for everyone in Powys”

The Strategic Housing Partnership considers the term “suitable” to mean housing that is affordable, appropriate in size and location and in good condition. The Strategic Housing Partnership adopted three strategic aims for the Local Housing Strategy for Powys.

- To identify and meet the housing needs of the citizens of Powys;
- To maximise the impact of housing expenditure on the economy of Powys;
- To ensure that housing contributes to the delivery of stronger communities in Powys.

The Local Housing Strategy will be renewed in 2020 to take account of the findings of LHMA, Homes in Powys register, the Council's ability to develop a high number of homes itself, emerging options to support home ownership for those unable to afford open market sale homes and forthcoming expansion of specialised housing for older people through the Powys Extra Care programme.

Homes in Powys Housing Register

At the end of December 2019, 2274 people were registered with 'Homes in Powys', the Common Housing Register. The table below shows the number of applicants registered in each band. Bands 1 to 3 (1301 applicants) are applicants with a housing need and are ready to move. During the third quarter of 2019 all partners let 205 dwellings.

Breakdown of Applicants Registered with Homes in Powys - by Band

| | Band 1 | Band 2 | Band 3 | Band 4 | Band 5 | Total |
|-----------------------------|---------------|---------------|---------------|---------------|---------------|--------------|
| Number of Households | 16 | 88 | 1197 | 752 | 221 | 2274 |

Household size has for a number of years been reducing in Powys. The table below shows a breakdown of the applicants registered at the end of December 2019 by the bedrooms they require.

Breakdown of Applicants Registered with Homes in Powys - by Minimum Bedroom Size

| Minimum bedroom size | Number of Households |
|-----------------------------|-----------------------------|
| One | 1379 |
| Two | 583 |
| Three | 213 |
| Four | 85 |
| Five | 11 |
| Six | 3 |
| Total | 2274 |

The table below shows the tenure of applicants registered with Homes in Powys at the end of December 2019. The highest number of applicants are currently renting private sector accommodation.

Breakdown of Applicants Registered with Homes in Powys - by Current Tenure

| Current Tenure | Band 1 | Band 2 | Band 3 | Band 4 | Band 5 | Total |
|--|---------------|---------------|---------------|---------------|---------------|--------------|
| Adult Placement | | | 5 | 6 | 2 | 13 |
| Clwyd Alyn Housing Association Tenancy | | 4 | 11 | 9 | 5 | 29 |

| | | | | | | |
|--|-----------|-----------|-------------|------------|------------|-------------|
| Grwp Cynefin Tenancy | | | 1 | | 2 | 3 |
| Gwalia Housing Tenancy | | 1 | 30 | 11 | 1 | 43 |
| HM Forces accommodation | | | | 2 | | 2 |
| In home provided by employer | | | 5 | 5 | 1 | 11 |
| Living in care | | | 4 | | 1 | 5 |
| Living with parents | | | 121 | 54 | 17 | 192 |
| Lodging | | | 21 | 4 | 4 | 29 |
| Melin Homes Tenancy | | | 1 | 3 | | 4 |
| Mid Wales Housing Association Tenancy | | 12 | 61 | 41 | 13 | 127 |
| Newydd Housing Association Tenancy | | 2 | 9 | 9 | 2 | 22 |
| Other | 1 | | 119 | 71 | 28 | 219 |
| Other Social Landlord | 1 | | 40 | 51 | 17 | 109 |
| Owner Occupier | 2 | | 95 | 41 | 5 | 143 |
| Powys County Council Tenancy | 9 | 61 | 149 | 102 | 29 | 350 |
| Renting from a private | 3 | 1 | 329 | 289 | 69 | 691 |
| Rough Sleeper | | | 43 | 4 | 6 | 53 |
| Staying with friends/relatives | | | 124 | 24 | 14 | 162 |
| Wales & West Housing Association Tenancy | | 7 | 29 | 26 | 5 | 67 |
| Total | 16 | 88 | 1197 | 752 | 221 | 2274 |

Applicants who join Homes in Powys are asked to say why they require housing. Households can have more than one reason - for example a prison leaver may also be threatened with homelessness. The table below shows the housing need reason declared by applicants. The highest housing need is 'Other Reason', the details of which will be recorded in the applicant's notes. Of the categorised housing needs 'Medical need or have a disability and my existing home is not appropriate for my needs' is the highest at 590 applicants followed by 'Homeless, or about to become homeless' need at 458 applicants. There are significant numbers of applicants who cannot afford private sector accommodation, need to move due to care issues or their current accommodation is overcrowded or too large.

Housing Needs of Households Registered with Homes in Powys

| Housing Need | Homes in Powys Partner Tenure | Non- Homes in Powys Partner Tenure | Total |
|---|-------------------------------|------------------------------------|-------|
| Housing for older people required | 51 | 172 | 223 |
| Need to move to give or receive support and proven level of support is required and can be given | 71 | 174 | 245 |
| Found employment in the area and need to move closer to work or will otherwise lose that employment | 21 | 66 | 87 |

| | | | |
|--|-----|-----|-----|
| Existing home is overcrowded | 119 | 211 | 330 |
| Other reason | 207 | 537 | 744 |
| Current home planned to be demolished or needs major repairs | 39 | 69 | 108 |
| Existing house is too large for my needs | 88 | 150 | 238 |
| Experiencing anti-social behaviour or harassment | 119 | 130 | 249 |
| Experiencing domestic violence | 20 | 58 | 78 |
| Medical need or have a disability and my existing home is not appropriate for my needs | 219 | 371 | 590 |
| Current home has disabled adaptations which are no longer required | 9 | 5 | 14 |
| Homeless, or about to become homeless | 39 | 419 | 458 |
| Current home is unaffordable | 63 | 307 | 370 |
| Leaving prison | 2 | 12 | 14 |

N.B. An applicant may choose more than one housing need reason.

Powys housing markets are as diverse as the county itself. The north west of Powys, in and around Machynlleth, is close to the Snowdonia National Park and the university town of Aberystwyth which is also the administrative centre of the county Ceredigion. Housing demand is strong, especially for affordable housing. The north east of Powys is dominated by Newtown and Welshpool, towns with relatively good rail and road links to the West Midlands and the towns and conurbations serving the Merseyside area. Housing demand is high, with Welshpool in particular experiencing high demand for homes. The centre of the county is home to Llandrindod Wells, the county town for Powys. South of Builth Wells is Brecon, which is part of the Brecon Beacons National Park. Like all national parks, property prices are high leading to very high demand for affordable housing in and around the town. The southernmost point of Powys is Ystradgynlais, a town with a proud industrial heritage and now on the edge of the Swansea commuter belt. The housing market is relatively balanced with pockets of low demand housing that no longer meets the needs and aspirations of today's households.

The risk of continued migration away from Powys by younger people, including those in their 20s and 30s, makes it more important than ever that there are affordable homes available not only to rent but also to buy. This makes the county's housing market more attractive and encourage younger and economically active households to stay in local communities. It will also help attract more young families move to the area and be at home in Powys. The shortage of affordable housing of all tenures in many parts of Powys mean that it is increasingly difficult for people who work in low wage sectors of the economy to remain living in the County. This will have a significant impact on the ability of employers to recruit to posts. The Council is developing a range of low cost home ownership options for direct delivery itself and in partnership with housing associations. This will be launched in 2020-2021.

The focus for social and affordable rented housing demand, which the HRA Business Plan is designed to contribute towards meeting, is for three main types of housing.

Specialist Housing for Older People

Powys has an ageing population and a growing need to provide appropriate homes for the elderly. The largest increase in the elderly population is projected to be in and around Welshpool and to a lesser extent also in the Brecon, Talgarth & Hay and the Newtown and Llanidloes areas. Such housing may include sheltered housing/retirement accommodation / extra care housing. Given commitments to care in the community, hybrid versions of these such as 'extra care lite' may also evolve. The provision of such a wide variety of housing will help older people to live independently for longer and release general needs housing for younger people.

Homes for Smaller Households

Household sizes in Powys are getting smaller. In 1991, the average household size was approximately 2.5 people; whereas by 2001 it was just over 2.3 persons. The household projections indicate that household sizes are likely to reduce to an average of around 2.1 by 2031. The falling household size may result in the number of households remaining relatively steady or increasing despite the reducing population.

Accessible Housing

An aging population means that to make sure its homes remain useable by older people the Council will need to adapt or extend existing – and sometimes aging - accommodation, or may have to buy and remodel properties to provide homes for people who cannot access or live successfully in un-adapted dwellings.

Investment Strategy

Over the next thirty years, Powys County Council has the capacity to invest £502,005,736 on investment in the homes it provides for the people of Powys, of which £229,932,526 will be invested in major capital improvement programmes and £272,073,210 will cover the responsive and cyclical maintenance programmes. An additional £62 million will be invested over the next five years on the development and acquisition of new homes. The new build programme will expand beyond this now that the Council can borrow prudently and without constraints imposed by government rules. However, all borrowing for new homes will only be for schemes that are financially viable and able to pay back the full cost of all borrowing incurred in bringing them to market. In this way, the Council is able to continue to expand the housing options available to the people in Powys.

The HRA investment programme represents a massive injection of resources into the local economy of Powys. Wherever practicable the Council will make sure to get the most local benefits from this investment.

Over the next two years, a comprehensive Asset Management Strategy will be completed for all the assets held within the HRA. In 2018-2019, the first stage was finished - mapping all the open spaces and green areas held in the HRA. In 2019-2020, a garage review has been completed looking at the most effective way of making use of HRA's garage estate, which includes more than directly owned garages and assorted garage sites leased to individuals. In 2020-2021, the focus will be on understanding the energy efficiency of our homes, supported by the introduction of a bespoke EPC assessment system, provided by Elmhurst a new software package purchased in 2019.

New Homes for Powys

The Welsh Government expects local authorities to significantly increase the rate of municipal house building. Powys County Council already has in place an initial programme to build 250 new homes by the end of 2023. During 2020-2021, the Council will begin building the first of those new homes.

The Council agreed in 2019 to make available to the HRA other land it owns and which is suitable for providing homes. In addition, following an advertising campaign, developers have come forward with sites they have ready-to-go but which would be better suited for affordable homes. Altogether, land has been identified with the potential to develop another 1,000 Council homes. The HRA Business Plan sets out how these opportunities can be exploited for the benefit of all those people needing a secure and affordable place to be at home in Powys.

There are now 2274 people registered with Homes in Powys for affordable, rented homes. A new build housing programme is underway which will initially deliver 250 new council homes by 2023. Further schemes are being developed to expand this programme, with provision being made in the HRA Business Plan to support 380 homes by 2025. This has been made possible by the lifting of the borrowing cap on the





HRA. However, the scale and pace of continued development will depend upon the availability of grant from the Welsh Government to allow for the homes to be let at social rents and the cost of construction, which continues to rise. If grant falls and construction costs continue to increase, the Council will need to consider how it can develop homes for open market sale to generate surplus funds to underpin the affordable housing programme.

New Homes for Powys Financial Summary 2020-21 to 2024-2025

| Financial Year | HRA Business Plan Investment | Number of New Homes Completed | Notes |
|-----------------------|-------------------------------------|--------------------------------------|---|
| 2020-2021 | £17,096,000 | 0 | |
| 2021-2022 | £15,439,000 | 227 | New Welsh Government grant regime assuming 40% grant/£2 m. per year |
| 2022-2023 | £5,916,000 | 79 | |
| 2023-2024 | £6,432,000 | 0 | Completions by Mar 2024 – 306 homes |
| 2024-2025 | £5,867,000 | 74 | |
| Total | £50,750,000 | 380 | |

Welsh Housing Quality Standard

Powys achieved the WHQS standard in December 2018. The focus has moved towards targeting ‘acceptable fails’³ and maintaining WHQS over the next five years by:

-  Reviewing support and working methods for residents concerned about disruption
-  Tackling damp properties in line with the Council’s Damp Strategy
-  Targeting improvements to deliver the Council’s Thermal Comfort and Fuel Poverty Strategy
-  Effective management of component replacement lifecycles.

This programme is therefore designed to make sure the Council’s homes continue to meet the WHQS. Some of the investment activity within the WHQS programme also contributes to the objectives of the Green Powys and Compliance One Hundred programmes.

WHQS Financial Summary 2020-21 to 2024-2025

³ Acceptable Fails: Acceptable Fails are circumstances where it is either impossible or not cost effective for a property to be brought up to WHQS or where a tenant refuses to have the work carried out. Currently Powys has 2,617 properties that have acceptable fails. Acceptable Fails fall into four categories: Resident Choice; Physical Constraint; Cost of Remedy; Timing of Remedy. The majority of Powys Acceptable Fails are due to Physical Constraint with 1808 due to location of properties in Off Gas Areas and 773 properties through Resident Choice.

| Investment | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|---|--------------------|--------------------|--------------------|-------------------|-------------------|
| Kitchens | £630,000 | £530,000 | £600,000 | £420,000 | £400,000 |
| Bathrooms | £500,000 | £500,000 | £472,500 | £200,000 | £200,000 |
| Rewiring | £150,000 | £200,000 | £180,000 | £120,000 | £60,000 |
| Windows | £999,400 | £399,000 | £399,000 | £300,000 | £0 |
| Roofing | £2,400,000 | £2,400,000 | £1,500,000 | £1,000,000 | £400,000 |
| Walls | £500,000 | £500,000 | £600,000 | £400,000 | £0 |
| Estate Works (contribute to Love Where You Live Programme) | £1,000,000 | £1,500,000 | £1,500,000 | £600,000 | £600,000 |
| External Wall Insulation (contributes to Green Powys) | £1,000,000 | £500,000 | £300,000 | £0 | £0 |
| Heating (contributes to Green Powys) | £2,000,000 | £1,500,000 | £1,500,000 | £1,400,000 | £1,400,000 |
| Energy Efficiency (contributes to Green Powys) | £500,000 | £600,000 | £600,000 | £500,000 | £500,000 |
| Asbestos Management (contributes to Compliance One Hundred) | £200,000 | £200,000 | £200,000 | £100,000 | £250,000 |
| Doors | £415,000 | £250,000 | £250,000 | £200,000 | £0 |
| Miscellaneous WHQS | £4,369,760 | £1,696,907 | £2,189,525 | £536,255 | £637,753 |
| Total | £14,664,160 | £10,775,907 | £10,291,025 | £5,776,255 | £4,447,753 |

Compliance One Hundred

The Compliance One Hundred programme is designed to make sure that all of the Council homes and associated assets are one hundred per cent compliant with all relevant and applicable legislation and regulation. With increased expectations by tenants and residents, this is a top priority for the service. A specialised consultancy was engaged in October 2019 to examine how well the Council and its contractors were making sure that all council-owned homes were fully compliant. An interim report was received in December, setting out those areas where improvements were needed. A Housing Compliance Board was established at the end of December to drive forward a focused approach to compliance. A dedicated team of skilled officers has been drawn from across the service to form a Compliance One Hundred Project team. This team will deliver all that needs to be done to make sure that the Council's homes are always fully compliant with all relevant health and safety related legislation.

The investment schemes detailed below are in addition to those included within the WHQS programme and Day-to-Day Repairs and Maintenance which includes all

inspections and servicing of safety-critical components and assets, such as heating systems and lifts.

Compliance One Hundred Financial Summary 2020-21 to 2024-2025

| Investment | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|--|------------------|------------------|------------------|------------------|-------------------|
| Fire Safety Works | £200,000 | £200,000 | £100,000 | £100,000 | £100,000 |
| Water Supply and Sewerage Works | £50,000 | £50,000 | £50,000 | £150,000 | £200,000 |
| Legionella | £140,000 | £150,000 | £150,000 | £200,000 | £250,000 |
| Asbestos & Radon | £50,000 | £50,000 | £50,000 | £60,000 | £60,000 |
| WHQS Contributions to Compliance One Hundred (Asbestos Management) | £200,000 | £200,000 | £200,000 | £100,000 | £250,000 |
| Day-to-day Repairs Contribution to Compliance One Hundred | £219,000 | £305,000 | £306,000 | £307,000 | £308,000 |
| Total Compliance One Hundred Investment Programme | £859,000 | £955,000 | £856,000 | £917,000 | £1,168,000 |

Green Powys

As the ‘Green Heart of Wales’ Powys County Council will be working to improve the thermal comfort of its council-owned homes and at the same time, help reduce the carbon footprint of the county.

The results of the Welsh Audit Office Customer Experience Survey, has shown over 20% of our residents do not feel that all rooms in their homes are warm enough. The Green Powys programme is designed to increase fuel efficiency and reduce fuel poverty for tenants of the Council. It will also build a solid foundation for the Council to contribute towards the Welsh Government’s proposals to decarbonise homes across Wales.

The cost of decarbonising all of the homes currently owned by the Council is difficult to quantify. However, a broad brush estimate based on the costs estimated by other Welsh landlords suggest a possible investment of £135m will be needed for Powys. The Council is considering scaling back the installation of fossil fuel heating systems and

begin ramping up more sustainable systems, such as air source heat pumps, and begin developing ‘whole home’ solutions. Progress will increase once further details are known about potential new decarbonisation standards with further guidance likely to be received from Welsh Government in 2020.

The investment schemes detailed below are in addition to those included within the WHQS programme.

Green Powys Financial Summary 2020-21 to 2024-2025

| Investment | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|--|-------------------|-------------------|-------------------|-------------------|-------------------|
| Damp Prevention | £100,000 | £150,000 | £175,000 | £175,000 | £175,000 |
| Photo-voltaic (Solar Panels) | £50,000 | £75,000 | £75,000 | £75,000 | £75,000 |
| Decarbonisation and Energy Efficiency | £100,000 | £100,000 | £100,000 | £100,000 | £250,000 |
| WHQS Contributions to Green Powys | £3,500,000 | £2,600,000 | £2,400,000 | £1,900,000 | £1,900,000 |
| Day-to-day Repairs Contribution to Green Powys | £230,000 | £375,000 | £425,000 | £375,000 | £350,000 |
| Total Green Powys Investment Programme | £3,980,000 | £3,300,000 | £3,175,000 | £2,625,000 | £2,750,000 |

Powys County Council has led the Home Grown Homes initiative. This is a partnership project between housing associations, the Welsh Local Government Association, (WLGA), Community Housing Cymru (CHC), Welsh Government and Natural Resources Wales, which has increased the use of *locally grown* and processed timber in the construction of new homes. This will help support local economic activity and contribute positively towards a more sustainable environment. The project has been delivered by a consortium of Woodknowledge Wales, Cardiff Metropolitan University and Coed Cymru. The project will be completed by December 2020.

As part of its commitment to the Home Grown Homes project the council has adopted a Wood Encouragement Policy. This commits the Council to maximising wherever practicable the use of timber in the construction process.

Fit for Life

The Fit for Life programme is designed to make the Council’s homes better suited to the needs of older people and those with health related needs that impair or adversely

affect their mobility. Having already invested xxx million to make our older persons' accommodation fit for purpose, we will be investing a further xxx million over the next three financial years to support frail older people to remain living independently within the community, rather than moving into residential or nursing care.

Fit for Life Financial Summary 2020-21 to 2024-2025

| Investment | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|--------------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Fit for Purpose | £2,400,000 | £2,200,000 | £2,000,000 | £1,600,000 | £1,200,000 |
| Adaptations | £650,000 | £650,000 | £650,000 | £650,000 | £650,000 |
| Total Fit for Life Investment | £3,050,000 | £2,850,000 | £2,650,000 | £2,250,000 | £1,850,000 |

The adaptations budget of £650,000 is split £250,000 capital and £400,000 revenue, acknowledging that a number of larger adaptations should be treated as capital expenditure.

Love Where You Live

The Love Where You Live tenancy sustainability strategy is designed to make the homes and estates managed by the Council places where people can enjoy their lives. It includes such investment as improvements to our garage sites, additional parking where applicable, walls, retaining walls, fencing and security to properties, improved garden areas, increased footpaths and estate lighting. The investment schemes detailed below are in addition to those included within the WHQS programme.

Love Where You Live Financial Summary 2020-21 to 2024-2025

| Investments | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|------------------------------------|------------------|------------------|------------------|------------------|------------------|
| Brecon Area Estate Improvements | £20,000 | £20,000 | £36,000 | £36,000 | £36,000 |
| Newtown Area Estate Improvements | £20,000 | £20,000 | £36,000 | £36,000 | £36,000 |
| Welshpool Area Estate Improvements | £20,000 | £20,000 | £36,000 | £36,000 | £36,000 |
| Wye Valley Estate Improvements | £20,000 | £20,000 | £36,000 | £36,000 | £36,000 |
| Ystradgynlais Estate Improvements | £20,000 | £20,000 | £36,000 | £36,000 | £36,000 |
| Car Parking | £0 | £0 | £75,000 | £75,000 | £75,000 |

| | | | | | |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|
| Communal Area Improvements | £50,000 | £75,000 | £75,000 | £75,000 | £75,000 |
| Garage Strategy | £100,000 | £200,000 | £200,000 | £400,000 | £400,000 |
| Penybryn Regeneration | £300,000 | £700,000 | £700,000 | £300,000 | £0 |
| Play Area Improvements | £0 | £50,000 | £50,000 | £50,000 | £50,000 |
| WHQS Contributions to Love Where You Live (Estate and Boundary Works) | £1,000,000 | £1,500,000 | £1,500,000 | £600,000 | £600,000 |
| Day-to-day Repairs Contribution to Green Powys | £408,960 | £560,000 | £585,000 | £610,000 | £635,000 |
| Total Love Where You Live Investment | £1,958,960 | £3,185,000 | £3,365,000 | £2,290,000 | £2,015,000 |

Penybryn Regeneration

In Penybryn, Ystradgynlais, the Council has a cluster of flats, for which there is little or no housing demand and which are in poor condition. In 2019-2020, proposals were developed and shared with the local community to resolve what was seen by local people as a problem adversely affecting their lives. The flats were empty, unsightly and attracted anti-social behaviour. Over the next three years, some of the flats will be demolished, others reconfigured into high-quality apartments for single people and couples and centre of the estate greened as an attractive open space.

Community Alarms

During 2019-2020, a review has looked at the future of the Careline service for tenants of the Council. The review was prompted by the need to replace the current equipment, which is of an age that it is beyond economical maintenance and repair. The HRA Business Plan for 2020-2021 includes a one off provision of £600,000 for the necessary capital investment to replace the Careline equipment with up to date kit that will be more reliable, less costly to maintain and able to offer a greater range of services.

Day-to-day Repairs and Cyclical Maintenance

Repairs and maintenance covers day-to-day repairs and cyclical maintenance to the Council's homes. The majority of this work is undertaken for the Council by its joint venture with Kier, Heart of Wales Property Services (HoWPS). The current contract with HoWPS runs until xxx, with a review scheduled for 20xx. HoWPS is paid an annual sum to undertake all works set out in a Service Agreement between it and the Council. Any day-to-day works not covered in the agreement have to be funded on an as-needs basis by the Council.

Repairs and Maintenance Financial Summary 2020-21 to 2024-2025

| Investments | 2020-2021 | 2021-2022 | 2022-2023 | 2023-2024 | 2024-2025 |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|
| HoWPS (subject to confirmation) | £5,381,331 | £5,494,339 | £5,609,720 | £5,727,524 | £5,847,802 |
| Estate and Grounds Maintenance | £205,221 | £209,531 | £213,931 | £218,423 | £223,010 |
| Day-to-day repairs not covered by HoWPS Service Agreement | £1,792,448 | £2,302,359 | £2,429,290 | £2,634,302 | £2,651,681 |
| Miscellaneous Expenditure | £259,540 | £304,540 | £317,540 | £335,540 | £343,540 |
| Total Repairs and Maintenance Investment | £7,638,540 | £8,310,769 | £8,570,481 | £8,915,789 | £9,066,033 |

Housing Management System

The Council's current housing management system, QL, has a servicing agreement in place until 31st October 2021 with a provision to extend to 31st October 2022. Under current procurement rules, this cannot be extended beyond that date. Accordingly, provision has been made in the HRA Business Plan for the full cost of purchasing, installing and bringing into use a new housing management system. Work on this, with associated expenditure, will start in Q3 of 2020-2021 and be completed in 2021-2022. The total cost is estimated at £1,000,000, with 20% spent in 2020-2021 and 80% in 2021-2022.

During 2020-2021, a fully mobile approach will be introduced for housing management and maintenance officers in which they will be able to access all management systems for housing no matter where they are in Powys – subject of course to cell phone reception being available which is not always the case in an area as deeply rural as Powys. This will speed up the response to customer enquiries and mean that officers will be able to spend more time working out in Powys neighbourhoods and communities.

Acquisition of Properties

The Council has over the past few years purchased homes on the open market, the majority of which have been ex-municipal homes. In determining which properties to purchase there has been a focus on those in areas of high demand and where the new build programme is unlikely to meet the need. For 2020-2021, it is proposed to restrict the programme to Welshpool where demand is high and there are no opportunities for new development of council housing. All such purchases are subject to the same viability criteria as new build, with additional allowances made for any works needed to bring the properties up to WHQS.

Other expenditure within the HRA Business Plan includes Supervision and Management Costs, which cover the costs of managing the service, for example staff, support services and office costs, and the cost of funding debt taken on when the HRA became self-financing in 2014 and any additional borrowing secured to fund investment programmes.

Powys Council Homes, Rents and Service Charges

The Council is the largest social landlord in Powys with 5,375 properties under its management, as of March 31st, 2020.

- 40% are three bed roomed properties.
- 42% are two bed properties - this includes a substantial number of older persons' accommodation and that only 13% of two bed homes are houses
- 18% are flats
- 25% are bungalows
- 37% is designated for older persons

Number of Properties - by Type and Number of Bedrooms

| Property Type | Bedrooms | | | | | | Totals |
|------------------------------|------------|-------------|-------------|------------|----------|----------|-------------|
| | 1 | 2 | 3 | 4 | 5 | 6 | |
| Bungalow | 454 | 914 | 9 | 1 | | | 1378 |
| Double House | | | | | 1 | | 1 |
| First Floor Flat | 136 | 296 | 8 | | | | 440 |
| Ground Floor Bedsit | 13 | | | | | | 13 |
| Ground Floor Flat | 189 | 333 | 1 | | | | 523 |
| House | 13 | 686 | 2071 | 120 | 6 | 3 | 2899 |
| Maisonette | | 24 | 40 | | | | 64 |
| Second Floor Flat | 21 | 27 | | | | | 48 |
| Third Floor (or higher) Flat | 3 | 4 | | | | | 7 |
| Totals | 829 | 2284 | 2129 | 121 | 7 | 3 | 5373 |

In 2017-2018, the Council replaced its points based rent setting model, based on property size and attributes, which had been introduced in 2000. The new model takes into account property type, property size and fuel type (fuel type is being used as a proxy indicator for SAP rating and will be replaced when complete data on SAP ratings of individual homes is available). The Council has since then used its rent setting model to set rents within the Welsh Government's overall guidance which sets target rent bands to make sure that local authorities and housing associations set reasonable rents. A target rent band is set for each authority and housing associations along with each year, a guideline rent increase.

The Council's HRA Business Plan has been stress tested to see what changes in rents and services charges need to be made to allow it to remain viable and able to increase the number of affordable homes available across Powys. The conclusion is that a rent increase of CPI+1%, equivalent to 2.7%, is necessary to make sure that the Housing Services is sustainable and able to provide homes and services for both current and future tenants. Such an increase allows rents to remain affordable and so does not contribute excessively to any increase in the cost of living for the Council's tenants.

Such an increase will still leave Powys rents below the target rent band previously set by the Welsh Government for social landlords, one of only five out of a total of eleven local authority and thirty six housing associations landlords in such a position. Powys rents will be 0.9% below the target rent band.

The Council has therefore approved a recommendation that with effect from April 2020 the average rent in Powys will increase by 2.7% (£2.42 per week) for all 5375 Council owned homes. This is considerably lower than last year's average increase of £4.25 per week. Tables below show the average rent in 2019-2020 and 2020-21 and also shows the rent of the properties which will experience the greatest increase. It should be noted that the figures show rents over a 52 week rent year. In Powys rents are charged over a 48 week rent year with two 'rent free weeks' at Christmas and two 'rent free weeks' at Easter.

HRA Rents for 2019-20 and 2020-21

| | Rent - 2019-2020 | Rent - 2020-2021 | Weekly Change |
|-------------------------|-------------------------|-------------------------|----------------------|
| Average HRA rent | £89.67 | £92.08 | £2.42 |
| Maximum HRA rent | £189.12 | £194.23 | £5.11 |

Powys Service Charges for 2019-2020 and 2020-2021

| Service Charge | Highest Weekly Service Charge | | Lowest Weekly Service Charge (where a charge is made) | | How the Service Charge is Calculated |
|-------------------------------|--------------------------------------|-------------------------|--|-------------------------|--|
| | 2019-2020 | 2020-2021 | 2019-2020 | 2020-2021 | |
| Grounds maintenance | £1.58 | £1.59 | £0.04 | £0.04 | Calculated on a site-by-site basis, based on the size of the site and the cost of undertaking the work |
| Communal cleaning | £1.38 | £1.61 | £1.38 | £1.61 | Based on the total cost of the work, divided by all those who receive the service. |
| Communal heating and lighting | £0.56 | £0.91 | £0.56 | £0.91 | Based on the total cost of the service, divided by all those who receive the service. |
| Fire safety work | £1.74 | £1.74 | £0.12 | £0.12 | Based on actual costs per block and divided by all residents of the block. |
| TV aerials | £0.16 | No cost as of 21.1.2020 | £0.16 | No cost as of 21.1.2020 | Based on the costs associated with each aerial and divided by |

| | | | | | |
|------------------------------------|-------|-------|-------|-------|--|
| | | | | | all potential users of the aerial system. |
| Repairs to entrance doors | £1.04 | TBA | £0.01 | TBA | Based on actual costs per block and divided by all residents of the block. |
| Communal washing lines | £0.44 | £0.44 | £0.26 | £0.26 | Based on actual costs per block and divided by all residents of the block. |
| Sewerage treatment | £6.33 | £5.65 | £6.33 | £5.65 | Based on the total cost of the work, divided by all those who receive the service. |
| Lift maintenance | £1.50 | | £0.75 | | Costs split equally between all tenants (for servicing) |
| Repairs to communal areas in flats | £2.45 | £2.45 | £0.01 | £0.01 | Costs per block divided between all residents of the block |

During 2019-2020, a review has been undertaken of all the garage sites and plots owned by the Council. Due to the increases in the size of cars since the provision was originally made, the current garages are not always used to help alleviate on-street parking and so have a limited benefit to the wider community. Garages and garage plots are increasingly rented as an alternative to commercial provision for general storage. The review has therefore taken into account the demand for the garages for car parking, the condition of the garages, the suitability of the garages for automotive storage and the options for other uses for the sites, for example the development of new homes. Expenditure on repairs and maintenance, and replacement of garages, has historically been extremely low. The Council has been ‘sweating’ a deteriorating asset. For garage sites to continue to provide a positive income, investment in either maintenance or new build will be necessary in those sites that are to be retained.

Garage and Garage Plot Rents for 2019-20 and 2020-21

| | Existing Rent - 2019-20 | Recommended Rent - 2020-21 |
|-----------------------|-------------------------|----------------------------|
| Garage Rents | £8.60 | £9.86 |
| Rent for Garage Plots | £121.46 | £138.96 |

Resourcing the Powys HRA Business Plan

The thirty-year Powys HRA Business Plan has been produced in accordance with the model supplied by the Welsh Assembly Government and is attached with the electronic version of this document. The financial assumptions in resourcing the Business Plan are sensitive to changes in forecast income and expenditure, investment

and inflation rates. Accordingly, a number of assumptions have had to be made in planning ahead for our programme of investment in existing and additional municipal homes for the people of Powys.

Powys HRA Business Plan Assumptions

- ☞ General Rate of Inflation: at 3.4% for RPI in 2019-2020 and 2.2% afterwards and 2.4 % for CPI in 2019-2020 and 1.7% annually afterwards
- ☞ Major Repairs Allowance: £3.68 million annually over 30 years
- ☞ Allowable Rent Increases: CPI target plus 1.0% uplift, as per determination issued by Welsh Government in December 2019
- ☞ Usable Reserves: Contingency of a minimum of £1m per annum.
- ☞ Voids and Bad Debts: 5.15%.
- ☞ Responsive Repairs and Cyclical Maintenance Costs: Rate of inflation (RPI) for years 1 – 30
- ☞ Payments to HoWPS: The annual changes to the contract fee paid to HoWPS for the five year period, which influence the investment needed in repairs and maintenance, have been assumed according to the figure agreed and the formula set out in the Service Agreement and used for 2020-2021. This takes account of efficiency savings included within the Service Agreement between the Council and HoWPS.
- ☞ Major Repairs: 1.0% annually above inflation (RPI) for years 2 - 4
- ☞ Rate of inflation: (RPI) for years 5 – 30
- ☞ Financial Support for New Social Housing: Changes are expected to how the Welsh Government will in future years allocate grant to support the development of social and low cost housing. For the purposes of forward planning, a grant rate of 40% has been assumed.

Income from Asset Sales

We do not anticipate any substantial income from land or asset sales, as Right to Buy (RtB) sales have ended. In the event that Council decides to sell HRA land or other assets, such as properties beyond economical repair or for which there is no social housing demand, at anything more than nominal cost then this would have a positive impact on funding by allowing the Council to reduce borrowing. However, any beneficial effects will to some extent be tempered by reductions in income.

Involvement and Engagement

Powys County Council takes a comprehensive approach to involving, engaging and understanding our tenants and communities. This includes:

- 🔗 Tenant Scrutiny Panel (TSP) with a number of focused sub groups –including the Investing in Your Homes (WHQS) Group, and a Repairs Group;
- 🔗 Love Where You Live tenancy sustainability strategy;
- 🔗 Housing Repairs Surgeries;
- 🔗 Publication twice a year of our Open House newsletter;
- 🔗 Publication twice a year of our Welsh Housing Quality Standard newsletter;
- 🔗 Regular use of questionnaires and surveys;
- 🔗 Housing Services Group 100 consultative forum;
- 🔗 Extensive use of social media, including the Powys County Council website and bespoke Facebook pages for housing services.
- 🔗 Affordable Housing engagement events and housing need assessments.

Tenant Scrutiny Panel

The Tenant Scrutiny Panel (TSP) is a countywide, tenant led panel and has a considerable impact on Council decisions about the housing service. Membership includes tenant representatives to provide experience and knowledge from a tenants' perspective, four County Councillors and the Cabinet Member with the portfolio responsibility for Housing. The TSP is chaired by a tenant and the panel members agree the agenda items for scrutiny and discussion. Joint decisions are made at the TSP meetings between the Council and tenants. Guest speakers also attend the meetings as requested by the tenant representatives.



The Investing in Your Homes Group (WHQS) sub-group of the TSP is a small group of tenants, elected members and contract management staff that meet once a month. They monitor the progress of investment work being carried out to tenants' homes, review the feedback from and responses to tenant questionnaires, are involved in discussions for environmental works, help produce newsletters and attend Open Days and Community Events.

The Repairs Sub Group is a group of tenants, elected members, engagement officers, repairs staff and representatives from HoWPS. The group meets monthly to discuss the repairs service, make sure that tenant experiences are understood by the Council and HoWPS and drive forward service improvements.





Love Where You Live

In 2018, the Council launched its Tenant Sustainability Strategy 'Love Where You Live'. Love Where You Live focuses on how tenancy and estate management can help people enjoy their homes and neighbourhoods. It has three themes:



- 🏠 **Understanding.** To continually improve we need to know what to improve by understanding how our services and estates are experienced by tenants and residents.

-  People. To help people be able to enjoy their homes and communities, we can support, encourage and help people to play an active part in their communities and economy as well as improve their own personal well being.
-  Place. To give people reasons to love where they live, we need to make sure that the environment is green and thriving, clean and tidy – in short, a pleasant place to be.

In 2019-2020, as part of Love Where You Live the Council:

-  Improved the speed and impact of how the Council responded to tenant and resident concerns about the quality of their environment, including for example the quality of grass cutting, maintenance of shared spaces and day-to-day estate management. A full caretaker service was introduced across the County along with two dedicated, directly managed in-house grounds and estate maintenance teams. As a result, there have been visible and tangible improvements to the way the Council's estates look and feel.
-  Trialled 'Pop-up Powys', a joint project with the Council's Library service to take services out into the community, making creative use of the mobile library service. This has been extremely popular in rural areas, improving the Council's understanding of how people experience its services and what type of homes they and their communities need now and in the future.
-  Introduced a fresh approach to dealing with anti-social behaviour, which streamlined the process to make sure that the right agency with the powers to deal with problems was involved as soon as possible. A more robust approach has been taken to cases where there are clear breaches of tenancy conditions, with injunctions and other legal action (and in one case during 2019-2020 eviction) being deployed where they are the only reasonable solutions.
-  Completed the first year of a two year plan for all 41 of the play areas located on HRA estates, to make sure that decent and safe play opportunities are provided where they are most needed and in a way that allows them to be effectively and efficiently maintained to a high standard.

In 2020-2012, Love Where You Live' will:

-  Pilot a tri-Annual Tenancy Visit and Housing MoT for every tenant, which will allow for closer relationships between the Council and our tenants, helping us to work together to respond promptly to any requests for help and support to sustain tenancies and encourage financial independence.
-  Introduce a new approach to helping people maintain and manage their gardens, which will include a mix of more robust enforcement of tenancy conditions, direct intervention where necessary and support for people to gain gardening skills.

Housing Repairs Surgeries

Fifteen Housing Repairs Surgeries are held twice a year throughout the County at a time, date and location to suit the needs of the tenants who want to attend the meetings. These events have generated a lot of intelligence about the service and been popular with tenants.

‘Open House’ Newsletter

The ‘Open House’ newsletter is produced twice a year (summer and winter) and is distributed to all Council tenants in Powys. The newsletter contains housing news, information and articles. The newsletter is available to view on the Powys County Council website.

‘Investing in Your Homes’ Newsletter

The ‘Investing in Your Homes’ newsletter is produced twice a year (spring and autumn) and is distributed to all Council tenants in Powys. The newsletter contains news about works completed under the WHQS programme, the contractors carrying out the works and general news about WHQS in Powys.

Questionnaires and Surveys

In 2019, the Council took part in the STAR survey of tenants. The survey showed:

- 65% overall satisfaction
- 77% satisfied with quality of the home
- 84% happy with neighbourhood as a place to live
- 71% felt rent provides value for money
- 65% felt service charge provides value for money
- 54% satisfied with repairs and maintenance

While the overall level of satisfaction was good, particularly with the quality of homes, neighbourhood and value for money, the Council wants to do even better. A Customer First Improvement Plan was introduced in October 2019 to guide and monitor work underway to improve tenant satisfaction along with initiatives and future changes to policy and process. It was developed in consultation with tenant representatives and important stakeholders, including HoWPS, the organisation that provides day-to-day repairs and maintenance to municipal homes. This is important as the area in need of the most improvement is in the field of repairs and maintenance. A working group, including the chair of the TSP, oversee the progress of the Customer First Improvement Plan.

From November 2011, random calls have been made to tenants who have reported repairs that need attending to. This is done by the Council’s own First Contact officers and assesses the customer experience from the moment they try to report the repair to when it is completed. Initial results show satisfaction running at 75%. This customer survey will continue now throughout 2020-2021.

The Council regularly carries out surveys with tenants after their homes have been improved through the WHQS programme. These surveys are carried out either by post or telephone. All comments are considered by the Investing in Your Homes (WHQS) Sub Group with recommendation for changes being forward to the teams responsible for managing the work.

Housing Services One Hundred Group

Housing Services Group 100 is a group of active tenants who act as sounding board and consultative panel for the Council. They are consulted (by telephone, email or questionnaire) according to their preference on the area of Housing Services they would like to be consulted about (allocations, repairs, tenant participation, etc.) The views, opinions and suggestions are used by the Housing Service to inform the way policy and practice are developed. Feedback is sent to the members on the outcomes of the consultations and how their views have influenced decisions made by Housing Management. Members also receive an annual newsletter.

Social Media

An increased amount of information about the Housing Services is available electronically via the internet and social media. All information is published in both Welsh and English.

Sustainable Commissioning and Procurement

Sustainable Commissioning and Procurement is a thread which runs through the Council's Commissioning and Procurement Strategy. The Council's Regeneration Strategy and Statement of Intent is committed to ensuring that major investment opportunities of the kind afforded by the HRA Business Plan can benefit the local economy and provide the widest possible community benefits.

For WHQS, the Council will either award three-year Contracts with the option of extending these for up to a further twelve months or tenders on a scheme-by-scheme basis, depending on the nature of the works being purchased. The Council will continue to use sustainable development criteria in determining value for money including assessing the impact of economic, environmental and social factors when tendering for housing related goods, services and works.

Suppliers and contractors are encouraged to embrace sustainability through the application of contract award criteria which will take into account not only financial factors but also whole life cost and the implications for society, the economy and the environment. There may be opportunities to expand this further, to the benefit of local industry and enterprise, as the United Kingdom develops its own trade and public procurement policies following the nation's departure from the European Union on January 31st, 2020.

The Council will, wherever possible, work with suppliers to realise the benefits of sustainable procurement. Examples include:

- Adopting whole-life costs and community benefits as the contract award criteria.
- Adopting our own financial standing orders to establish criteria of "economically most advantageous" as the optimum combination of whole life costs and benefits as the best value contract award criteria.
- Implementing sustainable design and procurement strategies, and building sustainability into procurement processes and contracts, where relevant.
- Inviting proposals for the delivery of community benefits (economic, social and environmental) that are relevant to the contract and that add value to the Powys One Plan, including targeted recruitment and training and enterprise opportunities.
- Reducing the cost of doing business with the Council by reducing the costs of tendering, for example through E-tendering.
- Working with the Welsh Government to assist local small to medium enterprises (SMEs) and micro-businesses with the public sector tendering process.
- Involving tenants more closely in the procurement process and in evaluating the effectiveness of contractors.

Risk Management, Monitoring and Evaluation

Risk Management

The risks to the HRA Business Plan are included and managed using the Council's Risk Management Procedure. This is regularly reviewed, and updated as necessary to reflect changing risk profiles and scenarios, by the Council's Executive Management Team as well as the Housing Service's senior managers. The Risk Register considers all HRA project risks including new build, WHQS, income recovery, repairs and maintenance services and compliance.

Identified risks include:

- Compliance across all the Council's housing systems and assets.
- High level of voids in municipal housing stock.
- Impact of changes to social security (in particular the roll out of Universal Credit) on income collection rates.
- Development and maintenance of a compliant HRA Business Plan, including the ability of the Council to comply with national rent policy, availability of financial support from the Welsh Government for new homes, rising construction costs and the investment needed to contribute to the national driver towards zero-carbon homes.
- The reliance on HoWPS for the delivery of responsive maintenance and compliance, including:
 - The availability of contractors to deliver the new build programme.

Mitigation for reductions in rental income includes reviewing services and investment plans to identify those which, if income falls below expectations, could be reduced with the least risk to the integrity of the condition of the Council's housing assets, the development of new homes and the core management activities of letting homes promptly and collecting income due to the Council. Such programmes will be scaled back to bring overall expenditure in line with income. In addition, to address the risks arising from changes to the social security system, the Council has three Tenancy Support Officers to help people navigate these changes to the social security system as well as look at ways they can increase their incomes and in time reduce their need for social security payments. In 2019, the proactive 'Rent First', approach to income recovery was introduced which increases the 1-2-1 contact between our HMOOs and tenants and reduces the time between arrears arising and where necessary legal action being taken to encourage payment.

Mitigation for rising construction costs and lower than anticipated Welsh Government financial support for new homes includes, regular engagement with Welsh Government, considering the development of open market homes for sale, to generate profits to cross subsidise the development of affordable homes. Smarter procurement, with careful specification of homes, may also be able to contribute to reductions in costs without compromising user-experience and longevity of the homes to be built.

Mitigation for compliance has been the roll-out of the Compliance One Hundred Project.

Mitigation for high levels of voids has been the introduction in September 2019 of new targets for each stage of the key-to-key process, which with the exception of works to voids, are now largely being met. HoWPS, the Council's principle voids contractor, in December 2019 prepared a Rectification Plan to improve its work on voids, with a particular emphasis on reliable and timely return of properties after works have been completed. Changes have been made to the type of works undertaken to voids, for example kitchens and bathrooms are only replaced during the void period if they represent a clear danger to health and safety. Instead, they are included in the overall WHQS programme as would be the case if the properties had not fallen void.

Mitigation for the challenges presented by decarbonising homes includes designing investment programmes to begin now to reduce the need for energy and reduce reliance on fossil fuels, for example by greater use of air source heat pumps and photo-voltaic systems.

Mitigation for the availability of contractors has been to organise and attend meet the buyer events, regular engagement with local contractors, flexible tendering periods and during 2020 considering standard house specifications for new developments.

Monitoring and Evaluation

The Council will continually assess the impact on the HRA Business Plan of service requirement and financial variables and how changes in these may impact on priorities both in capital investment and for revenue budgets. Monthly meetings of a group of senior housing and financial specialists make sure that budget profiles are maintained and that costs are kept under control.




Financial and managerial control measures include:

- 👉 Assessing the validity and sustainability of different sources of funding such as the use of prudential borrowing to support housing provided outside of but complementary to the HRA;
- 👉 Correct deployment of capital and revenue funding;
- 👉 Keeping under review all HRA revenue expenditure to make sure that the Council identifies and makes, wherever possible, meaningful revenue savings;
- 👉 Continued development of the QL housing management system. This now has enhanced property features reporting allowing for an expanded asset management register to not only capture the information from stock condition surveys, but capture details of compliance components such as asbestos and smoke detectors;
- 👉 Progressing self-sufficiency in the ability to generate mid and long term lifecycle forecasting, so the Council does not have to rely on outsourced providers for this critical intelligence about our housing assets;
- 👉 Use of a Dynamic Purchasing System to increase the speed of delivery of Estate works and Cyclical Decoration Programmes.

The HRA Business Plan assumptions and performance against targets and expectations are regularly subject to scrutiny by councillors and tenants.

Please read the accompanying guidance before completing the form.

This **Impact Assessment (IA)** toolkit, incorporates a range of legislative requirements that support effective decision making and ensure compliance with all relevant legislation. **Draft versions of the assessment should be watermarked as “Draft” and retained for completeness. However, only the final version will be made publicly available. Draft versions may be provided to regulators if appropriate. In line with Council policy IAs should be retained for 7 years.**

| | | | | | | | |
|---|---|------------------------|-------------|-----------------|-------------|-------------------------|------------------|
| Service Area | Housing Services | Head of Service | Nina Davies | Director | Nigel Brinn | Portfolio Holder | Cllr James Evans |
| Proposal | Housing Revenue Account Thirty Year Business Plan 2020-2021 | | | | | | |
| Outline Summary / Description of Proposal | | | | | | | |
| <p>The Housing Revenue Account (HRA) is the means by which all municipal landlords in Wales are expected to manage the financing of their landlord services. It is funded primarily by the income generated from rents. Additional one-off payments are available from the Welsh Government to support the building of new council-owned homes. These payments are designed to reduce the cost of providing additional homes so that the future rent charges can be set at genuinely affordable social rent levels. An annual sum of £3.68m is made available to the Council by the Welsh Government – this is the Major Repairs Allowance (MRA) to support the maintenance of municipal housing to the Welsh Housing Quality Standard (WHQS), which is set by the Welsh Government.</p> <p>All local authorities in Wales have the responsibility to plan for the housing needs of their population in their role as Strategic Housing Authority. However only 11 of the 22 authorities in Wales have, like Powys, retained their council housing stock and consequently play a role in the direct provision of affordable, good quality homes as a social housing landlord. The 11 stock remaining authorities in Wales are required to present an ‘acceptable’ HRA Business Plan (including a thirty year financial model) to the Welsh Government each year for the Welsh Government to assess the progress of local authorities towards meeting and/or maintaining the WHQS to be eligible for the Major Repairs Allowance (MRA) Grant (currently for Powys £3.68m). Powys achieved WHQS in December 2018. The HRA Business Plan must conform to a structure and Business Plan parameters as set out by the Welsh Government. However, the associated narrative can be in a format determined by each local authority.</p> <p>The Council cannot use its General Fund (GF) to subsidise the provision of municipal landlord services and the HRA cannot be used to fund services which are expected to be paid for out of the GF. The HRA is required by the Welsh Government to, at all times, be sustainable and self-financing. In short, it can – with the limited exceptions set out above – only spend what it collects in rental income. That expenditure must also cover the debts incurred to buy and build the housing stock. These are long term loans managed on behalf of the Housing Service by the Council’s Treasury Team.</p> <p>The HRA Thirty Year Business Plan 2020-2021 for Powys:</p> <ul style="list-style-type: none">  Sets out the Council’s vision as a social housing landlord, with the objectives and standards needed to make that vision a reality;  Plans investment against the availability of finance;  Communicates the Council’s housing plans to its tenants, members, the Welsh Government, other stakeholders, partners and the wider community. | | | | | | | |

Tudalen 177

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



1. Version Control (services should consider the impact assessment early in the development process and continually evaluate)

| Version | Author | Job Title | Date |
|---------|---------------|--------------------------|--------------------------------|
| V1 | Andy Thompson | Tenancy Services Manager | January 2 nd , 2020 |
| | | | |

2. Profile of savings delivery (if applicable)

| 2020-21 | 2021-22 | 2022-23 | 2023-24 | 2024-2025 | 2025-26 |
|---------|---------|---------|---------|-----------|---------|
| £ N/A | £ N/A | £ N/A | £ N/A | £ N/A | £ N/A |

Tudalen 178

Consultation requirements

| Consultation Requirement | Consultation deadline/or justification for no consultation |
|------------------------------|---|
| Public consultation required | <p>As a result of the General Election in December 2019, the Welsh Government was unable to issue its rent policy until late in December. This means that there has been a reduced amount of time to assess the possible impacts of the policy on the Powys HRA and make informed recommendations to Members about the HRA Thirty Year Business Plan.</p> <p>The Council will, in the interests of open governance, advise the following groups of its intentions for the HRA Thirty Year Business Plan:</p> <ul style="list-style-type: none"> • Strategic Housing Partnership • Tenant Scrutiny Panel |

4. Impact on Other Service Areas

| Does the proposal have potential to impact on another service area? (Have you considered the implications on Health & Safety, Corporate Parenting and Data Protection?) PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY |
|---|
| Financial Services – financial management of loans and revenue and capital financial income and expenditure |

5. How does your proposal impact on the council’s strategic vision?

| Council Priority | How does the proposal impact on this priority? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|--|--|---|--|--|
| The Economy We will develop a vibrant economy | Social housing let at genuinely affordable rents allows households to keep more of their income for their own use rather than it going to private landlords. | Neutral | Maintaining a viable and sustainable HRA Thirty Year Business Plan, as set out in this proposal, will allow the Council to support the development of more affordable, social rented homes, supporting the economy by allowing people to have more money to spend in the wider economy. It will allow more homes to be let at rents that are genuinely affordable, below that expected by private rented accommodation providers. The Council will also be able to maintain its investment programme in municipal housing – which accounts for one in ten of all homes in Powys – providing employment and business opportunities for local and regional people and enterprises. This will help support the ‘Powys Pound’. | Good |
| Health and Care We will lead the way in effective, integrated rural health and care | Social rented housing is required to meet the Welsh Housing Quality Standard. This includes making sure homes are thermally efficient, do not suffer from intrinsic damp and have decent facilities for such things as food preparation and personal hygiene. Such requirements do not apply to other tenures. | Neutral | The Council will with the investment programmes set out in this proposal be able to maintain its investment programme to keep municipal housing at the Welsh Housing Quality Standard, providing for 10% of all households in Powys safe, healthy homes in both urban and rural locations. | Good |

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



Tudalen 180

| Council Priority | How does the proposal impact on this priority? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|--|--|---|---|--|
| Learning and skills We will strengthen learning and skills | <p>Homelessness, which is currently rising across Powys, can significantly affect households with children having a detrimental effect on the children's education as they do not have a suitable environment to learn. Any reduction in the Council's ability to increase the provision of accessible, secure and affordable homes will adversely impact on the learning opportunities of many children.</p> | <p>Neutral</p> | <p>The investment programmes set out in this proposal will allow the Council to support the development of more affordable, social rented homes to help provide homes for families. An additional benefit of providing more homes in a way that can help stem the rise in homelessness is that the Council may not face such a steep increase in demands on its General Fund for services to help those at risk of or experiencing homelessness.</p> | <p>Good</p> |
| Residents and Communities We will support our residents and communities | <p>As landlord for one in ten of all Powys households, and responsible for the neighbourhoods of many owner occupiers living on estates developed by the Council, the Council needs to have the capacity and capability to maintain these areas to a high standard so that people can 'Love Where They Live'.</p> <p>The Housing Service supports active intelligence gathering about the way its services are received, experienced and perceived by the people of Powys, allowing improvements to be made that benefit people across the county.</p> | <p>Neutral</p> | <p>The HRA Business Plan sets out clear investment plans to support the 'Love Where You Live' tenancy sustainability strategy. This will allow the housing service to continue to positively support the well-being of neighbourhoods and communities through the in-house directly provided Estate Maintenance Service (which is dramatically improving the appearance of estates), developing the Caretaker Service and supporting the provision and improvements of play areas on municipal housing estates.</p> | <p>Good</p> |

Source of Outline Evidence to support judgements

Welsh Government Rent Policy (December 2019); Powys HRA Business Plan (2019); STAR Survey of Tenant Satisfaction (June 2019); WHQS Compliance Policy for Powys (2019); Homeless Review and Strategy (2018); Compliance One Hundred Interim Report (December 2019); 'Love Where You Live' Tenancy Sustainability Strategy (2018); WHO 12¹ quarterly returns; 'Homes in Powys' housing waiting list data; Housing Service performance data.

6. How does your proposal impact on the Welsh Government's well-being goals?

| Well-being Goal | How does proposal contribute to this goal? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|---|--|---|--|--|
| A prosperous Wales: An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work. | Social rents, which are provided by Council-owned homes, allow households to keep more of their income for their own use rather than it going to private landlords. Any reduction in the ability of the Council to fund new affordable homes will reduce the ability of Powys to attract and retain the employees needed to contribute towards prosperous Wales. This risk increases in the high housing cost areas of Powys. | Neutral | Providing the opportunity for the Council to support the development of more affordable, social rented homes by having in place a balanced and sustainable HRA Thirty Business Plan will support the economy by allowing people to have more money to spend in the wider economy. It will also keep rents at a genuinely affordable level, below that expected by private rented accommodation providers. The Council will also be able to maintain its investment programme in municipal housing – which accounts for one in ten of all homes in Powys – providing employment and business opportunities for local and regional people and enterprises. This will help support the 'Powys Pound'. | Good |
| A resilient Wales: A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change). | No impact expected | Choose an item. | | Choose an item. |

¹ WHO 12: mandatory quarterly return to the Welsh Government, reporting the incidence of homelessness in Powys and the work undertaken by the Council to both prevent and deal with homelessness.

Cyngor Sir Powys County Council
Impact Assessment (IA)

The integrated approach to support effective decision making



Tudalen 182

| Well-being Goal | How does proposal contribute to this goal? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|---|--|---|---|--|
| <p>A healthier Wales: A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p> <p>Public Health (Wales) Act, 2017: Part 6 of the Act requires for public bodies to undertake a health impact assessment to assess the likely effect of a proposed action or decision on the physical or mental health of the people of Wales.</p> | <p>Social rented housing is required to meet the Welsh Housing Quality Standard. This includes making sure homes are thermally efficient, do not suffer from intrinsic damp and have decent facilities for such things as food preparation and personal hygiene. Such requirements do not apply to other tenures.</p> <p>Insufficient social rented housing of the type provided by the Council means that many people are compelled to find accommodation in the private rented sector, which has higher rents, considerably less tenure security (most usually no more than six months) and a high likelihood of poor housing conditions. This type of accommodation is known to contribute to poor mental and physical health.</p> <p>Homelessness, which is currently rising across Powys, can significantly affect the health of affected households. One the main causes of homelessness is the lack of secure, affordable rented accommodation of the type provided by the Council.</p> | <p>Poor</p> | <p>Having in place a balanced and sustainable HRA Thirty Business Plan Judicious, as per this proposal, will allow the Council to support the development of more affordable, social rented homes to help provide and maintain a rising number of ‘healthier’ homes in Powys.</p> | <p>Good</p> |

Cyngor Sir Powys County Council
Impact Assessment (IA)

The integrated approach to support effective decision making



Tudalen 183

| Well-being Goal | How does proposal contribute to this goal? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|--|---|---|--|--|
| <p>A Wales of cohesive communities: Attractive, viable, safe and well-connected Communities.</p> | <p>The Council’s role as a social landlord is consistent with all relevant Powys County Council strategic plans, in particular the ‘Powys Housing Strategy’, ‘Vision 2025’ and ‘Love Where You Live’. All the partnerships and organisations responsible for these strategic plans believe and support the principle that communities can thrive and prosper if individuals, families and groups are treated fairly, with respect, and given access to rights and services – which includes a safe, secure and affordable home. Indeed, a decent home is for most people the foundation of being able to have and enjoy a decent life.</p> <p>Any reduction in the ability of the Council to fund new affordable homes, which may arise if the HRA Thirty Year Business Plan does not carefully manage the resources available to it, will reduce the ability of Powys to make sure that communities, especially those in rural areas, remain viable and sustainable by offering homes for people across the socio-economic spectrum.</p> | <p>Neutral</p> | <p>The Council will be better able by maintaining a balanced, sustainable and long term HRA Thirty year Business Plan to support the development of more affordable, secure, social rented homes and maintain those it already owns to a decent standard, providing the bedrock for ‘attractive, viable, safe and well connected communities’ by progressing the pragmatic changes to rents for social housing contained in this proposal.</p> | <p>Good</p> |

Cyngor Sir Powys County Council Impact Assessment (IA)

The integrated approach to support effective decision making



Tudalen 184

| Well-being Goal | How does proposal contribute to this goal? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|--|--|---|--|--|
| <p>A globally responsible Wales: A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p> <p>Human Rights - is about being proactive (see guidance)</p> <p>UN Convention on the Rights of the Child: The Convention gives rights to everyone under the age of 18, which include the right to be treated fairly and to be protected from discrimination; that organisations act for the best interest of the child; the right to life, survival and development; and the right to be heard.</p> | <p>With social housing in Powys not being able to meet growing demand for safe and secure homes that are affordable to people with modest incomes, the county will face the increased risks of more homelessness having detrimental impacts of social well-being, poor standards of accommodation affecting the quality of life and opportunities available to children and their parents and poorly maintained housing increasing fuel poverty and necessitating excessive use of fuels to keep homes warm.</p> | <p>Poor</p> | <p>The pragmatic investment proposals set out in this proposal will allow the Housing Service to continue to positively support the well-being of neighbourhoods and communities by increasing the availability of high quality, fuel efficient homes.</p> | <p>Poor</p> |
| <p>A Wales of vibrant culture and thriving Welsh language: A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p> | | | | |
| <p><i>Opportunities for persons to use the Welsh language, and treating the Welsh language no less favourable than the English language</i></p> | <p>No impact expected</p> | <p>Choose an item.</p> | | <p>Choose an item.</p> |
| <p><i>Opportunities to promote the Welsh language</i></p> | <p>No impact expected</p> | <p>Choose an item.</p> | | <p>Choose an item.</p> |
| <p><i>Welsh Language impact on staff</i></p> | <p>No impact expected</p> | <p>Choose an item.</p> | | <p>Choose an item.</p> |
| <p><i>People are encouraged to do sport, art and recreation.</i></p> | <p>No impact expected</p> | <p>Choose an item.</p> | | <p>Choose an item.</p> |
| <p>A more equal Wales: A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).</p> | | | | |
| <p><i>Age</i></p> | <p>No impact expected</p> | <p>Choose an item.</p> | | <p>Choose an item.</p> |
| <p><i>Disability</i></p> | <p>No impact expected</p> | <p>Choose an item.</p> | | <p>Choose an item.</p> |
| <p><i>Gender reassignment</i></p> | <p>No impact expected</p> | <p>Choose an item.</p> | | <p>Choose an item.</p> |
| <p><i>Marriage or civil partnership</i></p> | <p>No impact expected</p> | <p>Choose an item.</p> | | <p>Choose an item.</p> |

Cyngor Sir Powys County Council
Impact Assessment (IA)

The integrated approach to support effective decision making



| Well-being Goal | How does proposal contribute to this goal? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|--------------------------------|---|---|---|--|
| <i>Race</i> | No impact expected | Choose an item. | | Choose an item. |
| <i>Religion or belief</i> | No impact expected | Choose an item. | | Choose an item. |
| <i>Sex</i> | No impact expected | Choose an item. | | Choose an item. |
| <i>Sexual Orientation</i> | No impact expected | Choose an item. | | Choose an item. |
| <i>Pregnancy and Maternity</i> | No impact expected | Choose an item. | | Choose an item. |

Tudalen 185

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



Source of Outline Evidence to support judgements

Welsh Government Rent Policy (December 2019); Powys HRA Business Plan (2019); STAR Survey of Tenant Satisfaction (June 2019); WHQS Compliance Policy for Powys (2019); Homeless Review and Strategy (2018); Compliance One Hundred Interim Report (December 2019); 'Love Where You Live' Tenancy Sustainability Strategy (2018); WHO 12² quarterly returns; 'Homes in Powys' housing waiting list data; Housing Service performance data.

7. How does your proposal impact on the council's other key guiding principles?

| Principle | How does the proposal impact on this principle? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|---|---|---|--|--|
| Sustainable Development Principle (5 ways of working) | | | | |

Judalen 186

² WHO 12: mandatory quarterly return to the Welsh Government, reporting the incidence of homelessness in Powys and the work undertaken by the Council to both prevent and deal with homelessness.

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



Tudalen 187

| Principle | How does the proposal impact on this principle? | <u>IMPACT</u> Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | <u>IMPACT AFTER MITIGATION</u> Please select from drop down box below |
|--|---|---|--|--|
| <p>Long Term: Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.</p> | <p>A housing service without the foundation of a sustainable, financially viable HRA Thirty Year Business Plan is unlikely to be able to progress its preventative agenda (preventing homelessness, housing market dysfunction, poor housing standards). It will become an increasingly reactive service which will ultimately cost the community and households more and will not meet the needs of future generations. For example, the impact of the lack of social house building since the mid nineteen eighties can now be seen in property values being beyond the mortgage capacity of people with modest and in many areas medium incomes. This, when combined with the after effects of the financial 'crash' of 2008 which has introduced a restricted mortgage market, has compelled people to find accommodation in the private rented sector, where tenancies are insecure. Moreover, it is in the private rented sector that poor property conditions are most prevalent, creating a potential risk of accommodation currently in use not being fit for purpose in for future generations.</p> | <p>Poor</p> | <p>The Council will be better able to support the development of more affordable, secure, social rented homes and maintain those it already owns to a decent standard, providing a solid foundation for future generations to have secure, affordable homes by following the HRA Thirty Year Business Plan set out in this proposal.</p> | <p>Good</p> |
| <p>Collaboration: Working with others in a collaborative way to find shared sustainable solutions.</p> | <p>The service currently collaborates with a number of organisations and agencies. However with fewer resources and capacity there will be less collaboration and so an overall reduction in services.</p> | <p>Neutral</p> | <p>A sustainable and adequately resourced HRA Thirty Year Business Plan will help the Council to work more effectively with a range of businesses, investors and service agencies to provide together services needed and desired by the people of Powys.</p> | <p>Good</p> |
| <p>Involvement (including Communication and Engagement): Involving a diversity of the population in the decisions that affect them.</p> | <p>The Housing Service supports active intelligence gathering about the way its services are received, experienced and perceived by the people of Powys, allowing improvements to be made that benefit people across the county.</p> | <p>Neutral</p> | <p>The Housing Service will be better able, with a solid and sustainable HRA Thirty Year Business Plan, to continue to engage with neighbourhoods and communities if the HRA remains sustainable and viable and able to finance the needs and desires, where practicable, of tenants.</p> | <p>Good</p> |

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



Tudalen 188

| Principle | How does the proposal impact on this principle? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|--|--|--|---|---|
| Prevention: Understanding the root causes of issues to prevent them from occurring. | The Housing Service has adopted a preventative agenda with regard to its statutory duties, including maintaining homes to the WHQS and making sure homes are available, where possible, for those face with or experiencing homelessness. Unplanned and inadequately financed deployment of HRA resources and capacity will result in the service becoming more reactive and increases the risk of unpredicted expenditure falling on the Council to discharge statutory obligations and duties to those who are homeless and reducing the long term sustainability of its housing assets. | Neutral | A solid and sustainable HRA Thirty Year Business Plan, as per this proposal, will allow the Council to support the development of more affordable, social rented homes to help provide and maintain a rising number of high quality, affordable homes in Powys that will help prevent the social and economic problems associated with homelessness, insecure homes and poor quality accommodation. | Good |
| Integration: Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives. | No impact expected | Choose an item. | | Choose an item. |
| Preventing Poverty: Prevention, including helping people into work and mitigating the impact of poverty. | The lack of genuinely affordable homes, let at social rents, is directly linked to poverty. The more people have pay in rent for example to private landlords, the less they have for other expenditure, exacerbating poverty and poor quality of life. The same applies if people are compelled to live in thermally inefficient accommodation, where high heating costs can add to the problems of low incomes, causing practical poverty. | Neutral | Providing the opportunity for the Council to support the development of more affordable, social rented homes – and maintain those it currently owns to a high standard with reducing energy needs - by having place a sustainable and adequately resourced HRA Thirty Year Business Plan will support the economy by allowing people to have more money to spend in the wider economy. This will help reduce poverty. | Good |
| Unpaid Carers: Ensuring that unpaid carers views are sought and taken into account | No impact expected | Unknown | | Unknown |

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



| Principle | How does the proposal impact on this principle? | IMPACT Please select from drop down box below | What will be done to better contribute to positive or mitigate any negative impacts? | IMPACT AFTER MITIGATION Please select from drop down box below |
|---|---|--|--|---|
| Safeguarding: Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves. | The Council's landlord service provides secure housing opportunities to help support households with children and vulnerable adults. This benefits the welfare of those concerned and helps to protect children and vulnerable adults from harm. This may not be possible with reduced resources and capacity. | Poor | A sustainable and adequately resourced HRA Thirty Year Business Plan, as per this proposal, will allow the Council to support the development of more affordable, social rented homes to increase the overall capacity of the Council to help people needing safeguarding related support. | Good |
| Impact on Powys County Council Workforce | Unplanned and inadequately financed deployment of HRA resources and capacity in the Housing Service will mean increased pressures on Childrens and Adults Services particularly where lack of suitable, sustainable and secure accommodation is a contributory factor to the need for interventions by social services. | Neutral | A solid and sustainable HRA Thirty Year Business Plan, as per this proposal, will allow the Council to support the development of more affordable, social rented homes to increase the overall capacity of the Council to support the work of Childrens and Adults Services, where housing changes can contribute to an overall improvement is the quality of life for vulnerable clients. | Good |
| Source of Outline Evidence to support judgements | | | | |
| Welsh Government Rent Policy (December 2019); Powys HRA Business Plan (2019); STAR Survey of Tenant Satisfaction (June 2019); WHQS Compliance Policy for Powys (2019); Homeless Review and Strategy (2018); Compliance One Hundred Interim Report (December 2019); 'Love Where You Live' Tenancy Sustainability Strategy (2018); WHO 12 ³ quarterly returns; 'Homes in Powys' housing waiting list data; Housing Service performance data. | | | | |

8. What is the impact of this proposal on our communities?

| Severity of Impact on Communities | Scale of impact | Overall Impact |
|-----------------------------------|-----------------|----------------|
| High | High | High |
| Mitigation | | |

³ WHO 12: mandatory quarterly return to the Welsh Government, reporting the incidence of homelessness in Powys and the work undertaken by the Council to both prevent and deal with homelessness.

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



If the Council's Housing Service does not have a financially robust HRA Thirty Year Business Plan, set as part of this proposal it may not be able to:

- 🔊 Operate a viable and sustainable HRA. This will mean it may fail to maintain WHQS, reducing funding from the Welsh Government and in extremis leading to direct intervention by the Government in the management of the landlord service.
- 🔊 Maintain the current housing stock to a habitable standard, increasing health and well-being problems for residents.
- 🔊 Continue the development programme for new homes, reducing the choice and options open to people looking for a safe, secure and affordable place to live in Powys.
- 🔊 Provide tangible support to other Council services to help provide a balanced and coherent range of services to the people of Powys, with particular risks to the well-being of those who are vulnerable.

9. How likely are you to successfully implement the proposed change?

| Impact on Service / Council | Risk to delivery of the proposal | Inherent Risk |
|---|----------------------------------|---------------|
| High | Low | Medium |
| Mitigation | | |
| <p>Current assumptions in the HRA Business Plan are prudent and allow for management if risks including income collection and inflation. However, the Council will in future, effective 2021-2022, need to provide evidence to the Welsh Government of efficient and cost effective management of housing services to be able to increase rents at the rate assumed in the HRA Thirty Year Business Plan. Rents are the main source income for the HRA; any shortfalls in rental income below that assumed in the Thirty Year Business Plan, will impact adversely the level of investment and services the Council may be able to make in its landlord service. It is as yet unclear how the Welsh Government will assess this evidence and what action it may take should it consider the Council's proposals to be inadequate or do not meet its criteria for allowing rent increases.</p> <p>The Welsh Government is not yet clear on how it will beyond the current period provide direct support for the development of social and affordable housing. Should the Welsh Government adopt a similar approach to that taken by the English Government, then it is likely that grants in support of affordable housing construction will diminish over time. In addition, construction costs continue to rise, presenting an increasing threat to the viability of the Council's plans, included in this proposal, to build new council-owned homes for social rent. This can be mitigated by considering the development of open market homes for sale, to generate profits to cross subsidise the development of affordable homes. This will require careful financial and operational management, to make sure the Council operates within the rules governing the use of the HRA. However, a number of local authorities in England and Wales, including Birmingham and Swansea, have adopted this approach to bolster their social housing programmes.</p> <p>The Welsh Government proposal to make existing housing more environmentally-friendly represents an as yet unquantifiable cost. Retrofitting the council's housing stock to reduce carbon emissions could cost the council circa £135 million.</p> | | |

| Risk Identified | Inherent Risk Rating | Mitigation | Residual Risk Rating |
|-----------------|----------------------|------------|----------------------|
|-----------------|----------------------|------------|----------------------|

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



Tudalen 191

| | | | |
|--|--------|--|--------------------|
| Rent and charges increases assumed in the Business Plan are not approved by the Welsh Government | Medium | Services and investment plans will be reviewed to identify those which can be reduced with the least risk to the integrity of the condition of the Council's housing assets, the development of new homes and the core management activities of letting homes promptly and collecting income due to the Council. Such programmes will be scaled back to bring overall expenditure in line with income. | Medium |
| Grants for new homes are reduced by the Welsh Government | High | This can be mitigated by considering the development of open market homes for sale, to generate profits to cross subsidise the development of affordable homes. Smarter procurement, with careful specification of homes, may also be able to contribute to reductions in costs without compromising user-experience and longevity of the homes to be built. | Medium |
| Construction costs continue to rise | High | This can be mitigated by considering the development of open market homes for sale, to generate profits to cross subsidise the development of affordable homes. Smarter procurement, with careful specification of homes, may also be able to contribute to reductions in costs without compromising user-experience and longevity of the homes to be built. | Medium |
| Welsh Government pursues with vigour its de-carbonisation proposals for existing homes. | High | Mitigation of this risk will require additional investment beyond that available to the HRA. Social landlords in Wales are discussing with the Welsh Government options for funding this national objective. | High |
| Overall judgement (to be included in project risk register) | | | |
| Very High Risk | | High Risk | Medium Risk |
| | | Medium Risk | Low Risk |

10. Overall Summary and Judgement of this Impact Assessment?

| | | |
|--|----------------------------------|-----------|
| Outline Assessment (to be inserted in cabinet report) | Cabinet Report Reference: | Section 8 |
| <p>The proposals for the HRA Thirty Year Business Plan 2020-2021 set out in this report contribute positively to maintaining and developing the Council's role as responsive and viable social landlord. A balanced approach has been taken between maintaining and improving existing homes and increasing the range of affordable housing options available for the people of Powys. Risks arising from changes by the Welsh Government to rent and affordable housing grant policy and inflationary construction costs are well mitigated. The Powys HRA Thirty Year Business Plan make a substantial contribution towards making Vision 2025 a reality, which now includes Affordable Housing as one of its top priorities. The impact on the Council of not approving the proposed HRA Thirty Year Business Plan, set out in this report, will be considerable. There will be a high risk of the Council not being to comply with the Welsh Government's requirement for the Council to have in place by April 1st, 2020 a sustainable and viable HRA Thirty Business Plan. This may result in the loss of MRA (£3.68m per annum) and direct intervention by the Welsh Government in the management of the landlord service.</p> | | |

11. Is there additional evidence to support the Impact Assessment (IA)?

What additional evidence and data has informed the development of your proposal?

N/A

12. On-going monitoring arrangements?

What arrangements will be put in place to monitor the impact over time?

All HRA budgets and investment programmes are reviewed on a monthly basis.

Please state when this Impact Assessment will be reviewed.

December 2020 (to help inform and shape the HRA Thirty Year Business Plan proposals for 2021-2022).

13. Sign Off

| Position | Name | Signature | Date |
|-------------------------|------------------|----------------------|----------|
| Impact Assessment Lead: | Andy Thompson | <i>Andy Thompson</i> | 06.02.20 |
| Head of Service: | Nina Davies | | |
| Director: | Nigel Brinn | | |
| Portfolio Holder: | Cllr James Evans | | |

14. Governance

| Decision to be made by | Date required |
|------------------------|------------------------------|
| Cabinet | March 3 rd , 2020 |

FORM ENDS

CYNGOR SIR POWYS COUNTY COUNCIL

CABINET EXECUTIVE

3rd March 2020

REPORT AUTHOR: County Councillor Aled Davies
Portfolio Holder for Finance

SUBJECT: High Street and Retail Rates Relief Scheme in Wales
2020-21

REPORT FOR: Decision

1. Purpose

1.1 To adopt a high street and retail rates relief scheme for financial year 2020-21 that meets the requirements to maximise funding available, to support local businesses seeking rate relief and is compliant with Welsh Government guidance.

2. Background

2.1 The Welsh Government introduced a temporary Business Rates high street relief scheme back in 2017-18 to support ratepayers within the retail sector in Wales. The scheme has continued to operate during subsequent financial years.

2.2 The Welsh Government have announced that a Business Rates high street and retail rates relief scheme will be available for the financial year 2020-21 to support businesses within the retail sector in Wales. Properties that will benefit from this relief will be occupied retail properties such as shops, pubs and restaurants with a rateable value of £50,000 or less on 1 April 2020.

2.3 The funding will be provided by way of a Welsh Government Grant, and the sum of up to **£1,080,000** is being made available to the Council to award to Powys ratepayers during the financial year 2020-21.

2.4 The maximum relief available per property in 2020-21 will be **£2,500**, the same figure of relief available in 2019-20. During the 2019-20 year, 605 Powys businesses were granted a share of £1,048,000 being 97% of available grant.

3. Proposal

3.1 The Welsh Government will provide relief of up to £2,500 to eligible retailers occupying premises with a rateable value of up to £50,000 in the financial year 2020-21, subject to State Aid limits. The relief is available from 1 April 2020 to 31 March 2021. The proposal as to how the scheme is to be operated is

detailed below in 3.2-3.14.

3.2 The high street and retail rates relief can be provided in addition to Small Business Rates Relief, transitional Relief as well as any hardship or discretionary relief awarded by the local authority. The relief will be applied against the net bill after other reliefs have been applied. Where the net bill after all other reliefs is less than £2,500 the relief granted will be equal to net rates bill for 2020-21. Once the relief has been granted a business rates demand will be issued showing the amount of relief granted and the reduced liability to pay for 2020-21.

3.3 The relief will be calculated on a daily basis. The following formula will be used to determine the amount of relief to be granted to a property:

- Amount of relief to be granted = $A \times (B / C)$

Where:

A is the funding amount of £2,500

B is the number of days in the financial year that the property is eligible for the relief; and

C is the number of days in the financial year.

3.4 Relief should be granted to businesses as a payment based on occupation between 1 April 2020 and 31 March 2021.

3.5 Empty properties that become occupied after 1 April 2020 will qualify for the relief. If there is a change in occupier part way through the financial year, after relief has already been provided to the property, the new occupier will qualify for the relief on a pro-rata basis based on the remaining days of occupation using the above formula.

3.6 The scheme will be administered by Powys County Council as a 'reimbursing local authority' that uses discretionary relief powers (under section 47 of the Local Government Finance Act 1988). It will be for individual local billing authorities to decide to grant relief under section 47 but the Welsh Government will reimburse local authorities for the relief that is provided (using a grant under s31 of the Local Government Act 2003).

3.7 As in 2019-20, the 2020-21 scheme is available to both high street premises And premises that meet the wider retail criteria (being retailers located away from high street).

3.8 The high street and retail rates relief scheme qualifying criteria being:

- The rateable value is between £6,001 and £50,000 for the financial year 2020-21
- The property is occupied for retail purposes between 1 April 2020 and 31 March 2021.
- The property is reasonably accessible to visiting members of the public
- The maximum amount of relief is £2,500 within financial year 2020-21

- Any sum of this award and any other funding must be less than the state aid de minimis (currently 200,000 Euros over a three-year period)

3.9 The premises must be wholly or mainly being used as a retail shop, pub, restaurant or cafe. This is a test on use rather than occupation, therefore properties which are occupied but not wholly or mainly used for retail purposes will not qualify for the relief.

3.10 There are certain types of properties that, in compliance with the Welsh Government guidance, the Council will exclude the ratepayer from high street and retail rates relief, these are as follows:

- The property is not occupied for any period between 1 April 2020 and 31 March 2021.
- The property is not reasonably accessible to visiting members of the public (even if there is ancillary use of the property which is retail)
- The property is in receipt of mandatory charitable relief (80%)

In addition, and in compliance with the Welsh Government guidance, the Council will deem that the types of uses below (or those similar in use) are not considered to be retail use for the purpose of this relief, and as such they would not be eligible for the relief. Excluded uses are:

- Financial services (e.g. banks, building societies, cash points / ATMs, bureau de change, payday lenders, betting shops, pawn brokers)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents / financial advisers, tutors)
- Post office sorting office
- Tourism accommodation such as B&Bs, hotel accommodation and caravan parks
- Sports clubs
- Children's play centres
- Day nurseries
- Outdoor activity centres
- Gyms
- Kennels and catteries
- Show homes and marketing suites
- Employment agencies
- Self-storage units

3.11 The Council will be reimbursed in full by Welsh Government for any relief that is awarded, in other words if correctly applied there will be no direct cost to the Council.

3.12 As the scheme has qualifying criteria and awards are to be granted under discretionary relief powers (contained within section 47 of the Local Government Finance Act 1988) it is proposed that:

- Ratepayers who received high street and retail rates relief in 2019-20 and remain in occupation as at 1st April 2020 automatically be granted high street and retail rates relief for financial year 2020-21, at appropriate rate.
 - New applications (upon receipt of a valid application form for High Street and retail rates relief 2020-21) the decision to award relief be made by the Portfolio Holder for Finance in consultation with the Head of Finance (sct 151 officer), provided all terms of the scheme are met.
- 3.13 Guidance notes regarding the scheme are shown in **Appendix 1** to this report.
- 3.14 It is proposed to adopt a high street and retail relief scheme as detailed within this section, with an automatic award to ratepayers who received the relief in 2019-20, and for the Portfolio holder for Finance in consultation with the Head of Finance(S151 Officer) to make decisions on new applications received which meet all the qualifying criteria of the scheme

4. Resource Implications

- 4.1 There are no financial implications to the Council as Welsh Government will reimburse in full for any relief that is awarded, in other words if correctly applied there will be no direct cost to the Council.
- 4.2 The Head of Financial Services (section 151 officer) acknowledged that there are no direct financial implications to the Council in adopting the scheme as long as Welsh Government guidelines in terms of qualifying ratepayers, are adhered to. The full value of discretionary awards is reimbursed by the Welsh Government.
- 4.3 There are no workforce implications to the Council, as majority of businesses that would receive this relief will have it automatically granted to their 2020-21 Business Rates bill with no manual intervention by staff.
- 4.4 Furthermore there are no known ICT, customer services or physical implications. Front line services have been made fully aware of the temporary scheme to operate during the financial year 2020-21 and how ratepayers, where appropriate, submit an application to be considered for the relief.
- 4.5 Corporate Communications Commented, “This relief is of significant public interest and will be promoted widely through all channels including media release and social media”.

5. Legal Implications Options Considered/Available

- 5.1 The report was shared with legal who commented “The recommendations can be supported from a legal point of view”.
- 5.1 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: “I note the legal comment and have nothing to add to the report, I am not aware of any specific interests that may arise in

relation to this report. If Members have an interest, they should declare it at the start of the meeting and complete the relevant notification form”.

6. Data Protection

- 6.1 It is recommended that the relief for 2020-21 will be automatically granted to those businesses that are in receipt of the relief as at 31 March 2020, thus minimising the handling and transferring of personal data.
- 6.2 New applications will be submitted by way of an on-line form, on Councils website, thus minimising the handling and transferring of personal data.
- 6.3 The Data Protection Officer commented that all necessary privacy notices will need to be reviewed for those businesses being carried out by sole traders.

7. Local Member(s)

- 7.1 The relief scheme in respect of Business Rates will apply equally across the whole County. No comments have been received from local members.

8. Integrated Impact Assessment

- 8.1 An impact assessment has not been undertaken, as the relief scheme will apply equally to all businesses that meet the criteria set out in section 3 and **appendix 1**.

9. Recommendation

- 9.1 That a Business Rates high street and retail rates relief scheme 2020-21 be established in accordance with section 3 of this report
- 9.2 Ratepayers that received high street and retail rates relief in 2019-20 and remain in occupation as at 1 April 2020 be automatically granted this relief for financial year 2020-21.
- 9.3 New applications for Business Rates high street and retail rates relief 2020-21 under the scheme referred to above shall be delegated to and determined by the Portfolio holder for Finance in consultation with the Head of Financial services (Section 151 Officer).

Contact Officer: David Morris
Tell No: 01597 826127
Email: david.morris@powys.gov.uk
Head of Service: Jane Thomas
Corporate Director: Ness Young

Background Papers used to prepare Report:

Appendix 1

Non-Domestic Rates High Street and Retail Rate Relief in Wales 2020-21 Guidance Note

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol



Llywodraeth Cymru
Welsh Government

Non-Domestic Rates

High Street and Retail Rates Relief in Wales – 2020-21

Guidance

Contents

| | |
|--|----|
| About this guidance..... | 1 |
| Introduction | 1 |
| Section 1 | 2 |
| How will the relief be provided? | 2 |
| How will the scheme be administered?..... | 2 |
| Which properties will benefit from relief? | 2 |
| How much relief will be available? | 5 |
| Changes to existing hereditaments, including change in occupier..... | 6 |
| State Aid | 6 |
| Section 2 – State Aid..... | 8 |
| ‘De Minimis’ declaration | 9 |
| Refusal of High Street and Retail Rates Relief form | 10 |

Non-Domestic Rates – High Street and Retail Rates Relief

Guidance

About this guidance

1. This guidance is intended to support local authorities in administering the High Street and Retail Rates Relief scheme (“the relief”). On 7 January, the Minister for Finance and Trefnydd announced the extension of the relief into 2020-21. This guidance applies to Wales only.
2. This guidance sets out the criteria which the Welsh Government will use to determine the funding for local authorities for relief provided to high street and retail properties. The guidance does not replace any existing non-domestic rates legislation or any other relief.
3. Enquiries about the scheme should be sent to:
localtaxationpolicy@gov.wales
4. The relief is being offered from 1 April 2020 and will be available until 31 March 2021.

Introduction

5. This relief is aimed at high street businesses and retailers in Wales, for example shops, pubs, restaurants and cafes.
6. The Welsh Government will provide grant funding to the 22 unitary authorities to continue the High Street and Retail Rates Relief scheme to eligible ratepayers for 2020-21. The scheme aims to provide support for eligible retail businesses by offering a discount of up to £2,500 on the non-domestic rates bill for a property, to retailers occupying premises with a rateable value of £50,000 or less in the financial year 2020-21, subject to State Aid limits.
7. This document provides guidance on the operation and delivery of the scheme.

Section 1

High Street and Retail Rates Relief

How will the relief be provided?

8. As this is a temporary measure, we are providing the relief by reimbursing local authorities that use their discretionary relief powers under section 47 of the Local Government Finance Act 1988. It will be for individual local authorities to adopt a scheme and decide in each individual case when to grant relief under section 47. The Welsh Government will then reimburse local authorities for the relief that is provided in line with this guidance via a grant under section 31 of the Local Government Act 2003 and 58A of the Government of Wales Act 2006.

How will the scheme be administered?

9. It will be for local authorities to determine how they wish to administer the scheme to maximise take-up and minimise the administrative burden for ratepayers and for local authority staff, subject to State Aid considerations set out in paragraphs 26 to 30.
10. Local authorities are responsible for providing ratepayers with clear and accessible information on the details and administration of the scheme. If, for any reason, an authority is unable to provide this relief to eligible ratepayers from 1 April 2020, consideration should be given to notifying eligible ratepayers that they qualify for the relief and that their bills will be recalculated.

Which properties will benefit from relief?

11. Properties that will benefit from this relief will be occupied retail properties – such as shops, restaurants, cafes and drinking establishments - on the high street and in other locations and other, with a rateable value of £50,000 or less. More detailed eligibility criteria and exceptions to the relief are set out in paragraphs 15 to 19.
12. Relief should be granted to businesses as a payment based on occupation between 1 April 2020 and 31 March 2021. It is recognised that there may be some instances where a local authority is retrospectively notified of a change of occupier. In such cases, if it is clear that the ratepayer was in occupation on or after the 1 April 2020, the local authority may use its discretion in awarding relief.

Level of support: up to £2,500

13. Eligible ratepayers will be retailers whose property has a rateable value between £6,001 and £50,000 on 1 April 2020. It is expected that retailers with a rateable value of £6,000 and below will receive full Small Business Rate Relief (SBRR). However it is left to the discretion of authorities to determine if there are properties not in receipt of SBRR that should be eligible for this relief.
14. **The 2020-21 scheme is not limited to high street premises but includes all properties within Wales that meet the wider retail criteria.**

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

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

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

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

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

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

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

16. To qualify for the relief a hereditament listed in (i) to (iii) should be wholly or mainly used as a shop, restaurant, café or drinking establishment. This is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.
17. The above list is not intended to be exhaustive as it would be impossible to list all the many and varied retail uses that exist. There will also be mixed uses. However, it is intended to be a guide for local authorities as to the types of uses that the Welsh Government considers for this purpose to be high street and retail. Local authorities should determine for themselves whether particular properties not listed are broadly similar in nature to those above and, if so, to consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those listed above should not be eligible for the relief.
18. As the grant of the relief is discretionary, local authorities may choose not to grant the relief if they consider that appropriate, for example where granting the relief would go against the local authority's wider objectives for the local area.

Types of hereditaments that are not considered to be eligible for High Street and Retail Rates Relief

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

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

- Financial services, eg. banks, building societies, cash points, ATMs, bureaux de change, payday lenders, betting shops, pawnbrokers
- Medical services, eg. vets, dentists, doctors, osteopaths, chiropractors
- Professional services, eg. solicitors, accountants, insurance agents, financial advisers, tutors
- Post office sorting office
- Tourism accommodation, eg. B&Bs, hotel accommodation, caravan parks
- Sports clubs
- Children's play centres
- Day nurseries
- Outdoor activity centres
- Gyms
- Kennels and catteries
- Show homes and marketing suites
- Employment agencies

There are a number of further types of hereditament which the Welsh Government believes should not be eligible for the High Street and Retail Rates Relief Scheme.

ii. Hereditaments with a rateable value of more than £50,000

It is recognised there are some retail businesses with rateable value above the £50,000 relief who will not be eligible for this relief. However, local authorities have the option to use their discretionary powers to offer discounts outside this scheme to such businesses if it is in the interests of the local community to do so.

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

If a hereditament is not reasonably accessible to visiting members of the public, it will be ineligible for relief under the scheme even if there is ancillary use of the hereditament that might be considered to fall within the descriptions in paragraph 15 (i), (ii) or (iii).

iv. Hereditaments that are not occupied

Properties that are not occupied on 1 April 2020 should be excluded from this relief. However, under the Empty Property Relief scheme, empty properties will receive a 100% reduction in rates for the first three months (and in certain cases six) of being empty.

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

Hereditaments owned, rented or managed by a local authority, such as visitor centres, tourist information shops and council-run coffee shops or gift shops attached to historic buildings, are exempt from this scheme.

vi. Hereditaments that are in receipt of mandatory charitable rates relief

These properties already receive mandatory charitable relief which gives an 80% reduction in liability and authorities may also choose to provide discretionary charitable relief which can reduce the remaining liability to nil. As such, these properties will not be eligible for High Street and Retail Rates Relief.

How much relief will be available?

20. The total amount of government funded relief available for each property for 12 months under this scheme is up to £2,500. This relief can be provided in addition to SBRR and Transitional Rates Relief. High Street and Retail Rates Relief should be applied against the net bill after these two reliefs have been applied. Any hardship or discretionary relief awarded by the local authority should be considered by the local authority once all other rates reliefs have been awarded.
21. The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a particular hereditament in the financial year.

Amount of relief to be granted = $A \times (B / C)$

Where:

A is the funding amount of £2,500

B is the number of days in the financial year that the hereditament is eligible for relief; and

C is the number of days in the financial year

22. When calculating the relief, if the net liability before High Street and Retail Rates Relief is £2,500 or less, the maximum amount of this relief will be no more than the value of the net rates liability. This should be calculated ignoring any prior year adjustments in liabilities which fall to be liable on the day.
23. Ratepayers who occupy more than one property will be entitled to High Street and Retail Rates Relief for each of their eligible properties, subject to State Aid de minimis limits.

Changes to existing hereditaments, including change in occupier

24. Empty properties becoming occupied after 1 April 2020 will qualify for this relief.
25. If there is a change in occupier part way through the financial year, after relief has already been provided to the hereditament, the new occupier will qualify for the relief on a pro-rata basis based on the remaining days of occupation using the formula in paragraph 21 of this guidance.

State Aid

26. State Aid law is the means by which the European Union regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to amount to State Aid. High Street and Retail Rates Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulation (1407/2013).
27. The De Minimis Regulation allows an undertaking to receive up to €200,000 of de minimis aid in a three-year period (consisting of the current financial year and the two previous financial years). Local authorities should familiarise themselves with the terms of this State Aid exemption, in particular the types of undertaking that are excluded from receiving de minimis aid, the relevant definition of undertaking and the requirement to convert the aid into Euros.
28. To administer de minimis it is necessary for the local authority to establish that the award of aid will not result in the undertaking having received more than €200,000 of de minimis aid. Note that the threshold only relates to aid provided under the De Minimis Regulations (aid under other exemptions or outside the scope of State Aid is not relevant to the de minimis calculation).
29. Section 2 of this guidance contains a sample de minimis declaration which local authorities may wish to use. Where local authorities have further questions about de minimis or other aspects of State Aid law, they should seek advice from their legal department in the first instance.
30. Desk instructions covering the administration of de minimis schemes are available at:

<https://gov.wales/state-aid>

http://ec.europa.eu/competition/state_aid/legislation/de_minimis_regulation_en.pdf

Section 2 – State Aid

Sample paragraphs that could be included in letters to ratepayers about High Street and Retail Rates Relief for 2020-21

The Minister for Finance and Trefnydd announced on 7 January 2020 that an additional £24.2 million of support would be available to extend the High Street and Retail Rates Relief scheme for a further year.

Relief of up to £2,500 will be provided to eligible occupied retail properties with a rateable value of £50,000 or less in 2020-21. Your current rates bill includes this High Street and Retail Rates Relief.

Awards such as High Street and Retail Rates Relief are required to comply with the EU law on State Aid¹. In this case, this involves returning the attached declaration to this authority if you have received any other De Minimis State Aid, including any other High Street and Retail Rates Relief you are being granted for premises other than the one to which this bill and letter relates, and confirming that the award of High Street and Retail Rates Relief does not exceed the €200,000 an undertaking² can receive under the De Minimis Regulations EC 1407/2013.

Please complete the declaration and return it to the address above. In terms of declaring previous de minimis aid, we are only interested in public support which is de minimis aid (State Aid received under other exemptions or public support which is not State Aid does not need to be declared).

If you have not received any other De Minimis State Aid, including any other High Street and Retail Rates Relief you are being granted for premises other than the one to which this bill and letter relates, you do not need to complete or return the declaration.

If you wish to refuse to receive the High Street and Retail Rates Relief granted in relation to the premises to which this bill and letter relates, please complete the attached form and return it to the address above. You do not need to complete the declaration. This may be particularly relevant to those premises that are part of a large retail chain, where the cumulative total of High Street and Retail Rates Relief received could exceed €200,000.

Under the European Commission rules, you must retain this letter for three years from the date on this letter and produce it on any request by the UK public authorities or the European Commission. You may need to keep this letter longer than three years for other purposes. Furthermore, information on this aid must be supplied to any other public authority or agency asking for information on De Minimis State Aid for the next three years.

1 Further information on State Aid law can be found at <https://www.gov.uk/state-aid>

2 An undertaking is an entity which is engaged in economic activity. This means that it puts goods or services on a given market. The important thing is what the entity does, not its status. Thus a charity or not for profit company can be undertakings if they are involved in economic activities. A single undertaking will normally encompass the business group rather than a single company within a group. Article 2.2 of the de minimis Regulations (Commission Regulation EC/ 1407/2013) defines the meaning of 'single undertaking'.

'De Minimis' declaration

Dear []

NON-DOMESTIC RATES ACCOUNT NUMBER: _____

The value of the non-domestic rates High Street and Retail Rates Relief to be provided to [name of undertaking] by [name of local authority] is £ [] (Euros []).

This award shall comply with the EU law on State Aid on the basis that, including this award, [name of undertaking] shall not receive more than €200,000 in total of de minimis aid within the current financial year or the previous two financial years). The De Minimis Regulations 1407/2013(as published in the Official Journal of the European Union L352 24.12.2013) can be found at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>.

| Amount of de minimis aid | Date of aid | Organisation providing aid | Nature of aid |
|--------------------------|------------------------------|---|-------------------------------------|
| € | 1 April 2020 – 31 March 2021 | Local authorities (for the High Street and Retail Rates Relief total, you do not need to specify the names of individual authorities) | High Street and Retail Rates Relief |
| | | | |
| | | | |

I confirm that:

1) I am authorised to sign on behalf of _____ [name of undertaking];

and

2) _____ [name of undertaking] shall not exceed its de minimis threshold by accepting this High Street and Retail Rates Relief.

SIGNATURE:

NAME:

POSITION:

BUSINESS:

ADDRESS:

DATE:

Refusal of High Street and Retail Rates Relief Form

| Name and address of premises | Non-domestic rates account number | Amount of High Street and Retail Rates Relief |
|------------------------------|-----------------------------------|---|
| | | |

I confirm that I wish to refuse High Street and Retail Rates Relief in relation to the above premises.

I confirm that I am authorised to sign on behalf of _____ [name of undertaking].

SIGNATURE:

NAME:

POSITION:

BUSINESS:

ADDRESS:

DATE:

YNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE
3rd March 2020

REPORT AUTHOR: County Councillor Aled Davies
Portfolio Holder for Finance

REPORT TITLE: Financial Overview and Forecast as at 31st January 2020

REPORT FOR: Decision

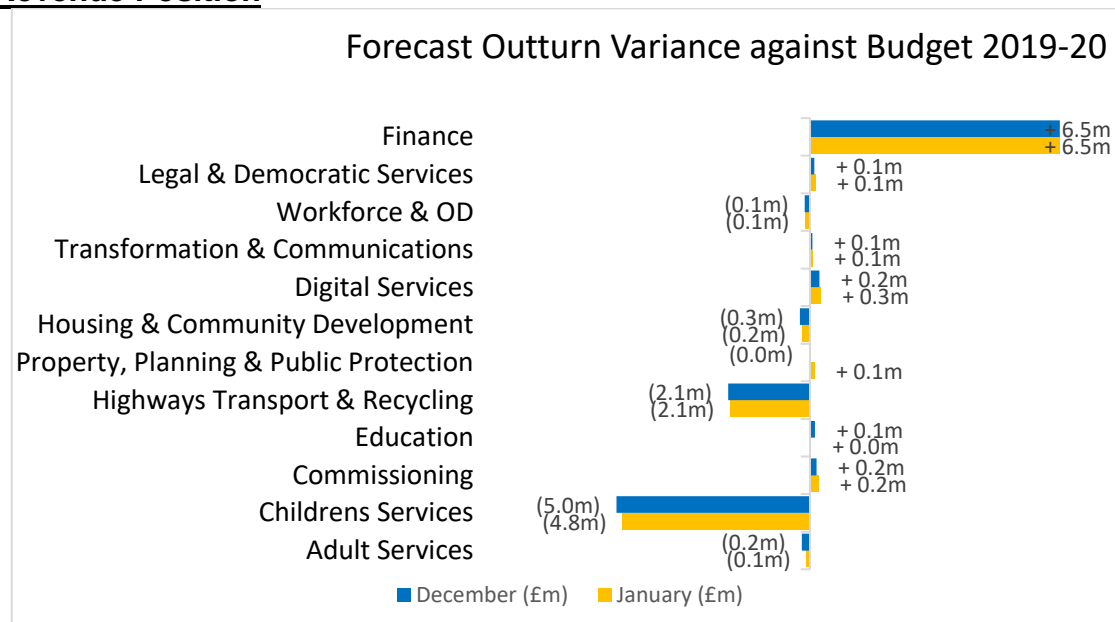
1. Purpose

- 1.1 To provide Cabinet with an updated forecast outturn position for the 2019-20 revenue budget as at 31st January 2020.
- 1.2 It also proposes a virement to adjust the revenue budget within the Waste and Recycling budgets.

2. Overview

- 2.1 The forecast as at 31 January 2020 shows an underspend at year end of £6,000 compared to a forecast overspend of £570,000 at the end of December 2019. This improvement is as a result of the delivery of additional cost reductions.
- 2.2 Subject to delivery of further expected cost reductions in February and March, the outturn is currently forecast to be an underspend of £650,000. However, several risks could affect this forecast including previously reported potential winter pressures arising in Adult Social Care and the costs of managing the consequences of Storm Dennis on our services and communities. The full cost of Storm Dennis will not be known for some time and there may be potential financial support from Welsh Government.

3. Revenue Position



- 3.1 The chart above shows the variance against budget for each service, and how this position has changed since that reported in December. The variance continues to reflect the significant underspend of £6.5 million against Finance due to the reduced cost of borrowing to support the capital programme estimated at £3.4 million, the unallocated £2 million budget set aside to cover the risk in the budget in meeting additional cost pressures particularly within social care and a £1 million council tax surplus. The Children's Services' overspend has reduced by £200,000 to £4.8 million.
- 3.2 The revenue budget that supports the borrowing requirements of the Council's capital programme is under constant review and due to changes and slippage in the capital programme the need to borrow and make provision for future debt has reduced, this budget is therefore reported with a significant level of underspend which is offsetting overspends in other services and the cost of planned but undelivered on a non-recurrent basis.
- 3.3 Further details on the projected position for each Service is provided in Appendix A of this report.

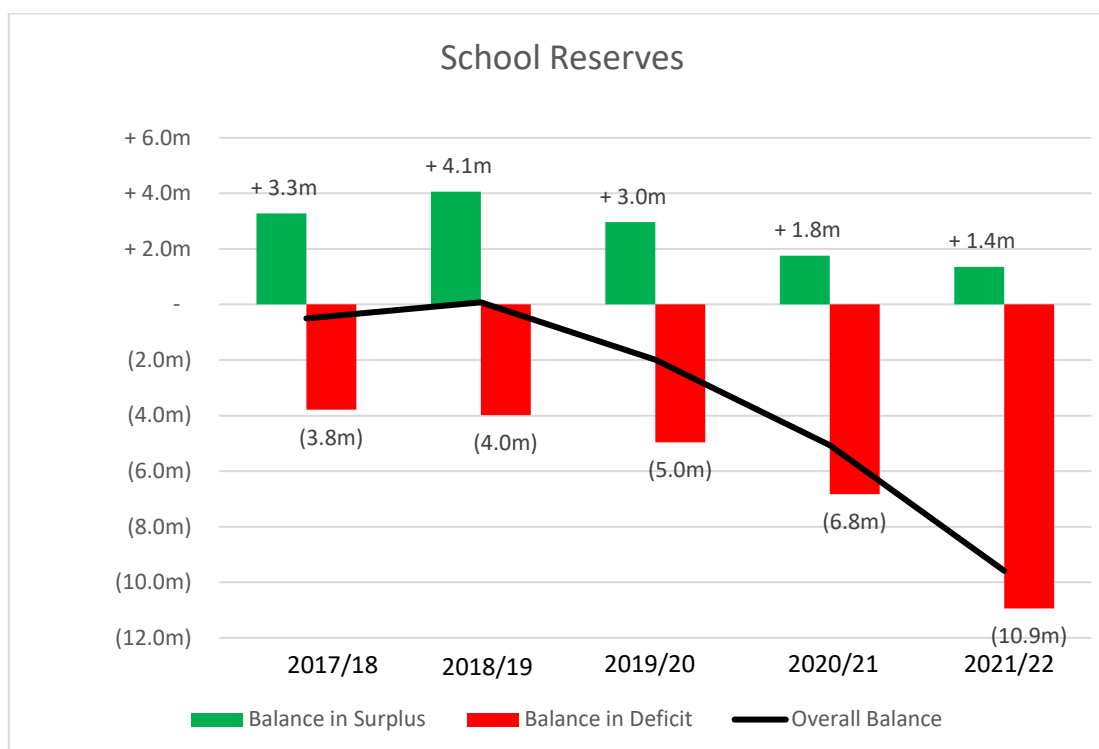
4. Reserves

- 4.1 The revenue reserves held at the beginning of the year totalled £27.90 million, with £9.1 million held in the General Fund Reserve and £18.8 million in Earmarked (Specific and Ring-fenced) Reserves. The planned use of Earmarked reserves during 2019-20 (excluding Schools and HRA) is £1.25 million.
- 4.2 Cost reductions are not reflected in the outturn position until they are achieved. Based on the forecast as at 31 January 2020 the impact on our General Fund is reduced. A planned contribution from the reserve will result in a projected balance of nearly £9 million (4.9% of the total net revenue budget (excluding Schools and HRA)). This revised position remains in line with the policy set.

| Summary | Opening Balance Surplus / (Deficit) £'000 | Forecast Addition / (Use) of Reserves £'000 | Forecast (Over) / Under Spend £'000 | Projected Balance Surplus/ (Deficit) £'000 |
|---------------------------------------|---|---|-------------------------------------|--|
| General Fund | 9,065 | (87) | 18 | 8,996 |
| Budget Management Reserve | 3,584 | 0 | 0 | 3,584 |
| Specific Reserves | 7,909 | (832) | (24) | 7,053 |
| Transport & Equipment Funding Reserve | 6,493 | (330) | 0 | 6,163 |
| Sub-Total | 27,051 | (1,249) | (6) | 25,796 |
| Schools Delegated Reserves | 78 | (2,650) | 578 | (1,994) |
| School Loans & Other Items | (371) | 7 | 0 | (364) |
| Housing Revenue Account | 1,111 | 2,168 | 183 | 3,462 |
| Total | 27,869 | (1,724) | 755 | 26,900 |

- 4.3 School Budgets and the level of deficits continue to be a significant risk that must be addressed. The opening position on Schools' Delegated Reserves was a balance of

£78,000. Budgets for 2019-20 projected a further draw on reserves of £2.65 million. During the year schools have revised their budget plans reducing the projected balance at the end of the financial year to a deficit balance of £1.99 million.



4.4 This chart shows the overall School Reserve balances and the total value of Schools which are in Surplus (Green) and Deficit (Red) and the forecast for this financial year and the following two financial years based on budget plans submitted by the schools in 2019-20. All schools will need to revise their budget plans following the issue of the funding formula allocations for 2020-21 and Governing Bodies are required to submit their budget plans to the Council by 1st May 2020.

4.5 The draft budget 2020-21 approved by Cabinet on 21st January includes funding to help meet the 2020-21 pressures faced by schools, including pay and price pressures and this will assist in stabilising school budgets. This will not remove the need for Governing bodies to take action to reduce deficits and further compliance work is crucial to ensure that these are managed effectively. Follow up work is continuing with those schools under Notices of Concern and Warning Notice and further intervention will be taken if necessary.

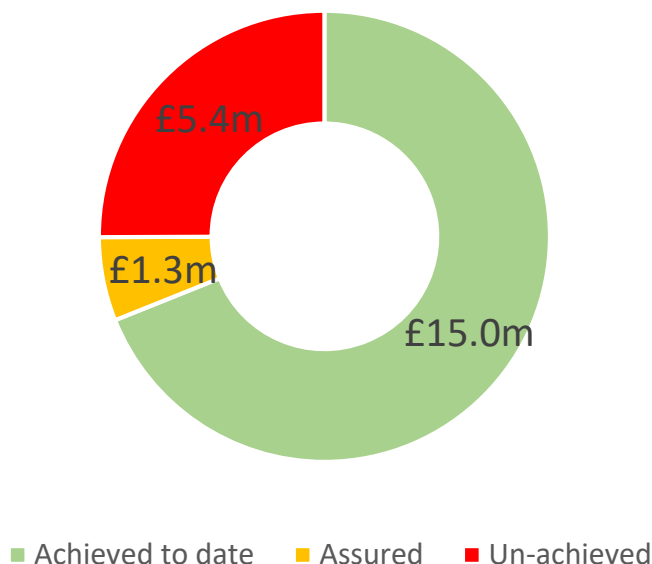
5. Cost reductions

5.1 In February 2019 the Council approved cost reduction proposals of £12.99 million. In addition, Council was advised that Social Services (Children's and Adults Services) would offset or absorb £8.70 million of service pressures within the 2019-20 budget allocations. Together these total £21.69 million and as at 31st January, £14.95 million had been delivered, comprising £9.33 million of cost reductions and £5.62 million of pressures managed by Social Care.

5.2 Assurance has been provided that further cost reductions / pressures of £1.3 million can be delivered or managed this year although as there are only two months of the financial year remaining so the full year effect may not materialise. These have been

allocated an Amber RAG status. The remaining £5.44 million is unachievable in the current financial year and is therefore recorded as Red. These comprise of £3.06 million of cost reductions and £2.38 million of pressures within Social Care.

Cost Reduction Delivery 2019-20



5.3 Some mitigating action has been taken by services, and alternative means of covering the shortfall in 2019-20 has been put in place. While this has helped to resolve the gap for the current financial year it will not address the recurrent gap in 2020-21 and beyond. The remaining shortfall in cost reductions and unmitigable pressures is being offset by the £2 million risk management budget which is held in the Corporate Services budget.

5.4 Services have confirmed that £1 million of the outstanding cost reductions will delivered recurrently in 2020-21 and the draft budget for 2020-21 addresses the remaining cost reductions shortfall.

6. Transformation

| Transformation Costs 19-20 | Forecast Outturn | Budget | Variance |
|---|------------------|--------------|------------|
| | £,000 | £,000 | £,000 |
| Transformation Projects to be Capitalised | 1,820 | 2,000 | 180 |
| Council Redundancies plus Pension Strain | 1,080 | 990 | (90) |
| School Redundancies plus Pension Strain | 540 | 650 | 110 |
| | 3,440 | 3,640 | 200 |

6.1 Transformation of council services is critical to reducing the cost of delivering essential services to our residents. Maximising the use of the Welsh Government Directive to support the cost of this transformation is a key element of our financial strategy through to 2021-22. The table above shows the level of support built into

the budget for the current financial year and the position to date. The funding for this can be provided through the ability to utilise capital receipts through a capitalisation direction or supported by revenue underspends. The level of Capital receipts is expected to increase during the year, the level held will be in excess of that needed to cover the costs incurred in the current financial year.

7 Virements and other Updates

7.1 Grants / Virements for Approval

Following the removal of the garden waste “green banks” at all the small recycling “bring sites” the cost of collecting materials from these sites has reduced. To ensure that the information provided in benchmarking and other returns show the actual cost of these sites, internal charges are made to the bring site budget from the waste collection teams. A virement is proposed to reduce the collection costs in these budgets from £231,000 to £130,000 to reflect this change.

7.2 Rhayader Leisure Centre Trust Fund

The 2018-19 Rhayader Leisure Centre Trust Fund Accounts (the elected members of the Council are the Trustees of the Charity) have been independently examined and were filed with the Charity Commission ahead of the 31st January 2020 deadline.

8. Resource Implications

The Head of Finance (Section 151 Officer) has provided the following comment:

- 8.1 This month reports a continued improvement in the Outturn projected, this is supported by an increase in the level of cost reductions delivered and confirmation that the cost of borrowing remains significantly lower than the budget.
- 8.2 Assurance continues that further cost reductions can be achieved during the last two months of the year, and this is expected to deliver a balanced budget and reduce the need to draw on the revenue reserves. The £2 million set aside to mitigate the risk inherent in the budget, particularly the continued pressure on the Children’s Service’s budget, is contributing to the delivery of a balanced budget. This has not been allocated to any specific service.
- 8.3 The potential pressures identified in Adult Social Care are significant and although not fully materialised this still represents a risk to our projected forecast, particularly as the pressure of the winter period is now clearly upon us.
- 8.4 The impact of Storm Dennis and the resulting cost to the Council is not yet quantified and without financial support from Welsh Government the costs will be borne by the Council, this will impact on the revenue outturn position and any resulting overspend will be financed from the Council’s reserves.
- 8.4 Any further slippage in the Capital Programme or the receipt of additional grant funding will also impact on the revenue budget.
- 8.5 School budgets continue to be a significant risk that needs to be addressed, compliance work and action is crucial to ensure that this is managed effectively. Discussions continue with the schools issued with formal Warning

Notices. Further action will be taken where recovery plans are not being developed and implemented.

9 Legal implications

The Monitoring Officer has no specific concerns with this report.

10. Comment from local member(s)

This report relates to all service areas across the whole County.

11. Integrated Impact Assessment

No impact assessment required

12. Recommendation

12.1 That Cabinet note the budget position.

12.2 The Virements in Section 7.1 above are approved.

| | |
|---------------------|---|
| Contact Officer: | Jane Thomas, Head of Financial Services |
| Tel: | 01597 8227789 |
| Email: | jane.thomas@powys.gov.uk |
| Corporate Director: | Ness Young |

Appendix A:

Revenue Forecast

| Service Area | Working Budget | Forecast Spend | Variance (Over) / Under Spend | Variance (Over) / Under Spend % | Variance BRAG Status |
|--|----------------|----------------|-------------------------------|---------------------------------|----------------------|
| Adult Services | 64,992 | 65,077 | (85) | (0.1) | G |
| Children's Services | 20,300 | 25,148 | (4,848) | (23.9) | R |
| Commissioning | 3,438 | 3,216 | 222 | 6.5 | P |
| Education | 21,988 | 21,971 | 17 | 0.1 | G |
| Highways Transport & Recycling | 29,075 | 31,137 | (2,062) | (7.1) | R |
| Property, Planning & Public Protection | 5,784 | 5,672 | 112 | 1.9 | A |
| Housing & Community Development | 8,939 | 9,144 | (205) | (2.3) | R |
| Digital Services | 4,963 | 4,686 | 277 | 5.6 | P |
| Transformation & Communications | 1,766 | 1,692 | 74 | 4.2 | P |
| Workforce & OD | 1,366 | 1,482 | (116) | (8.5) | R |
| Legal & Democratic Services | 3,165 | 3,025 | 140 | 4.4 | P |
| Finance | 19,648 | 13,180 | 6,468 | 32.9 | P |
| Total | 185,424 | 185,430 | (6) | (0.0) | |
| Housing Revenue Account (HRA) | 0 | (183) | 183 | | G |
| Schools Delegated | 69,761 | 69,183 | 578 | 0.8 | R |

The variance status criteria is as follows

- *Overspend greater than 2% - Red*
- *Over/Underspend between 1 & 2% - Amber*
- *Over/Underspend less than 1% - Green*
- *Underspend greater than 2% - Purple*
- *Schools Delegated status is shown as Red. Expenditure is reported broadly in line with budgets demonstrated by a small variance; however, some schools are in an unlicensed budget position with deficit reserve balances and this position is highlighted through the revised Red status.*

Head of Service Commentary

| Service Area | Net Budget | Forecast Spend | Variance (Over) / Under spend | Variance (Over) / Under spend as a % of Net Budget | Variance BRAG status |
|-----------------------|---------------|----------------|-------------------------------|--|----------------------|
| | £'000 | £'000 | £'000 | % | |
| Adult Services | 64,992 | 65,077 | (85) | (0.1) | G |

HOS Comment

The service is confident in achieving a balanced budget by the end of the financial year. Starting the year with a significant pressure, the mitigation and cost reductions proposed have been achieved.

This, however, is aided by the winter pressures additional money which requires close management as there is a risk of creating an additional pressure for 2020/21 when the money ends in March 2020.

| Service Area | Net Budget | Forecast Spend | Variance (Over) / Under spend | Variance (Over) / Under spend as a % of Net Budget | Variance BRAG status |
|----------------------------|---------------|----------------|-------------------------------|--|----------------------|
| | £'000 | £'000 | £'000 | % | |
| Children's Services | 20,300 | 25,148 | (4,848) | (23.9) | R |

HOS Comment

Children's Services began the year having significant pressures that were anticipated but not funded in the base budget. This has been managed in part to the level of £1.4m through reducing the number of children who are looked after by the local authority, stabilising the workforce, reducing the number of agency social workers and increasing the permanent workforce as well as making effective use of available grants.

| Service Area | Net Budget | Forecast Spend | Variance (Over) / Under spend | Variance (Over) / Under spend as a % of Net Budget | Variance BRAG status |
|----------------------|--------------|----------------|-------------------------------|--|----------------------|
| | £'000 | £'000 | £'000 | % | |
| Commissioning | 3,438 | 3,216 | 222 | 6.5 | P |

HOS Comment

The commissioning service has made excellent use of grant funding and other sources in order to ensure sustainability and ongoing viability. A restructure during the year and a further pending restructure (currently in consultation) has reduced the number of staff and will ensure that the services remains within budget for 2020/21. While undertaking the restructures the service has held vacancies in order to deliver on budget.

| Service Area | Net Budget | Forecast Spend | Variance (Over) / Under spend | Variance (Over) / Under spend as a % of Net Budget | Variance BRAG status |
|-------------------|------------|----------------|-------------------------------|--|----------------------|
| | £'000 | £'000 | £'000 | % | |
| Education | 21,988 | 21,971 | 17 | 0.1 | G |
| Schools Delegated | 69,761 | 69,183 | 578 | 0.8 | R |

HOS Comment

The education central service area has seen an improvement this month due in the main to some out of county placements that haven't materialised as projected. The work continues on a monthly basis to review all budgets ahead of the new financial year. Delegated budgets are going to be underspent and the impact of this will need to be reviewed by both the school and the school service ahead of the new financial year.

| Service Area | Net Budget | Forecast Spend | Variance (Over) / Under spend | Variance (Over) / Under spend as a % of Net Budget | Variance BRAG status |
|--------------------------------|------------|----------------|-------------------------------|--|----------------------|
| | £'000 | £'000 | £'000 | % | |
| Highways Transport & Recycling | 29,075 | 31,137 | (2,062) | (7.1) | R |

HOS Comment

Highways, Transport and Recycling are reporting a forecast outturn over spend of £2.06 million at the end of January; a slightly reduced position from last month. The majority of the overspend is due to unachieved cost reductions at this point. If these cost reductions are excluded from the forecast the overspend reduces to c£600,000. The main areas of overspend are Waste & Recycling operations c.£280,000 and Passenger Transport c.£500,000 which are offset by underspends in other areas. Recently introduced improvements to Fleet maintenance are contributing to a continued reduction of the overspend in Waste & Recycling, and this along with continued logistical refinements, will address the cost pressure for 2020-21. The overspend in Passenger Transport services is due to increased contract costs. PCC are in discussion with Welsh Government over various service provisions and future mitigation of this overspend.

| Service Area | Net Budget | Forecast Spend | Variance (Over) / Under spend | Variance (Over) / Under spend as a % of Net Budget | Variance BRAG status |
|--|------------|----------------|-------------------------------|--|----------------------|
| | £'000 | £'000 | £'000 | % | |
| Property, Planning & Public Protection | 5,784 | 5,672 | (112) | (1.9) | A |

HOS Comment

Unachieved cost reductions and income targets relating to property related projects remain a concern for the service area. Measures such as not filling vacant posts and undertaking work for other authorities has helped to mitigate the impact.

| Service Area | Net Budget | Forecast Spend | Variance (Over) / Under spend | Variance (Over) / Under spend as a % of Net Budget | Variance BRAG status |
|--------------|------------|----------------|-------------------------------|--|----------------------|
| | £'000 | £'000 | £'000 | % | |

| | | | | | |
|---------------------------------|-------|-------|-------|-------|---|
| Housing & Community Development | 8,939 | 9,144 | (205) | (2.3) | R |
| Housing Revenue Account | 0 | (183) | 183 | | G |

HOS Comment

The Catering Service is forecasting an overspend due to not being able to deliver all planned cost reduction in year. The service has partially offset the shortfall by management of staff costs and promoting school meals which has increased uptake since the summer, compared to last year.

| Service Area | Net Budget | Forecast Spend | Variance (Over) / Under spend | Variance (Over) / Under spend as a % of Net Budget | Variance BRAG status |
|------------------|------------|----------------|-------------------------------|--|----------------------|
| | £'000 | £'000 | £'000 | % | |
| Digital Services | 4,963 | 4,686 | 277 | 5.6 | P |

HOS Comment

The forecast underspend is due the service holding vacancies to deliver proposed cost reduction in 2020-21 and overachieving contract cost reductions. The forecast underspend at year end could be slightly lower due to some investment in digital transformation but are subject to market response.

| Service Area | Net Budget | Forecast Spend | Variance (Over) / Under spend | Variance (Over) / Under spend as a % of Net Budget | Variance BRAG status |
|---------------------------------|------------|----------------|-------------------------------|--|----------------------|
| | £'000 | £'000 | £'000 | % | |
| Transformation & Communications | 1,766 | 1,692 | 74 | 4.2 | P |

HOS Comment

The forecast underspend is due the service holding a vacancy to deliver a proposed cost reduction in 2020-21. The forecast underspend at year end could be slightly higher subject to possible increased income.

| Service Area | Net Budget | Forecast Spend | Variance (Over) / Under spend | Variance (Over) / Under spend as a % of Net Budget | Variance BRAG status |
|----------------|------------|----------------|-------------------------------|--|----------------------|
| | £'000 | £'000 | £'000 | % | |
| Workforce & OD | 1,366 | 1,482 | (116) | (8.5) | R |

HOS Comment

Out of the revenue cost reductions required for the WOD service in 2019-20, a balance of £226,000 remains. Cost reductions of £26,000 will be achieved by year end leaving a base budget pressure of £200,00 which has been addressed in the 2020-21 Draft Budget. For 2019-20 further one off cost reductions will leave a forecast overspend of c.£140,000 by 31 March 2020.

| Service Area | Net Budget | Forecast Spend | Variance (Over) / Under spend | Variance (Over) / Under spend as a % of Net Budget | Variance BRAG status |
|--------------|------------|----------------|-------------------------------|--|----------------------|
|--------------|------------|----------------|-------------------------------|--|----------------------|

| | £'000 | £'000 | £'000 | % | |
|--|--------------|--------------|------------|------------|----------|
| Legal & Democratic Services | 3,165 | 3,025 | 140 | 4.4 | P |

HOS Comment

The underspend is due to income received to reimburse the costs for the 2017 general election, the costs were funded from the general fund reserve when they were incurred.

| Service Area | Net Budget | Forecast Spend | Variance (Over) / Under spend | Variance (Over) / Under spend as a % of Net Budget | Variance BRAG status |
|----------------|---------------|----------------|-------------------------------|--|----------------------|
| | £'000 | £'000 | £'000 | % | |
| Finance | 19,648 | 13,180 | 6,468 | 32.9 | P |

HOS Comment

Financial Services has maintained its projected position to achieve a balanced budget for the year despite £0.12 million savings not yet achieved, which relate to the "Right First Time" project.

There is a £3.40 million forecast underspend on the capital charges' budget due to slippage in the Capital Programme. Last years capital outturn position, the receipt of additional grant and slippage in this years projects have all reduced the need to borrow and lessened the increase in the Minimum Revenue Provision. The position will be continually reviewed and updated as we move towards year end. The forecast outturn also takes into account the £2.00 million set aside to manage the risk inherent in the budget, together with the surplus £1m projected on Council Tax collection.

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

3rd March 2020

REPORT AUTHOR: County Councillor Aled Davies, Portfolio Holder for Finance

REPORT TITLE: Capital Forecast as at 31st January 2020

REPORT FOR: Decision



The Atrium at y Gaer

1. Purpose

- 1.1 To provide Cabinet with an updated forecast outturn position for the 2019-20 capital programme budget as at 31st January 2020.

2. Background

- 2.1 The revised working budget for the 2019-20 Capital Programme after accounting for approved virements is £73.37 million. The original budget was £92.34 million. The reduction is due to reprofiling planned expenditure from 2019-20 into future years, in particular 2020-21.

3. Advice

- 3.1 The forecast outturn on the revised 2019-20 capital budget as at 31st January is an underspend of £11.6 million on service budgets and £4.6 million on the Housing Revenue Account which is detailed by service area in Table 1 below. Actual spend and committed expenditure as at 31 January 2020 amounts to £57.26 million representing 72% of the total revised budget comprising actual spend of £43.35 million and £13.92 million committed. Appendix A provides commentary from Heads of Service on individual projects.

Table 1: Capital Programme 2019-20 Budget as at 31st January 2020

| Service | Original Budget | Virements Approved | Virements Required by Cabinet | Virements Required by Council | Revised Budget (after virements approved and required) | Actuals & Commitments | Remaining Budget | |
|--|-----------------|--------------------|-------------------------------|-------------------------------|--|-----------------------|------------------|--------------|
| | £,000 | £,000 | £,000 | £,000 | £,000 | £,000 | £,000 | % |
| Adult Services | 290 | 562 | 0 | 0 | 852 | 663 | 189 | 22.2% |
| Children's Services | 0 | 119 | 0 | 0 | 119 | 38 | 81 | 68.1% |
| Education | 44,818 | (28,175) | 0 | 0 | 16,643 | 13,540 | 3,103 | 18.6% |
| Highways Transport & Recycling | 15,151 | 3,001 | 0 | 0 | 18,152 | 15,534 | 2,618 | 14.4% |
| Property, Planning & Public Protection | 2,046 | 4,385 | 0 | 0 | 6,431 | 4,140 | 2,291 | 35.6% |
| Housing & Community Dev. | 8,753 | (3,776) | 0 | 0 | 4,977 | 3,852 | 1,125 | 22.6% |
| Digital & Comms. Services | 973 | 258 | 0 | 0 | 1,231 | 542 | 689 | 56.0% |
| Legal & Democratic Services | 0 | 22 | 0 | 0 | 22 | 22 | 0 | 0.0% |
| Finance | 3,650 | 418 | 0 | 0 | 4,068 | 2,564 | 1,504 | 37.0% |
| Total Capital | 75,681 | (23,186) | 0 | 0 | 52,495 | 40,895 | 11,600 | 22.1% |
| Housing Revenue Account | 16,662 | 4,214 | 0 | 0 | 20,876 | 16,367 | 4,509 | 21.6% |
| TOTAL | 92,343 | (18,972) | 0 | 0 | 73,371 | 57,262 | 16,109 | 22.0% |

- 3.2 With only two months left of the financial year it is likely that there will be further slippage on delivery of some schemes, with additional spend needing to be reprofiled into future years. This will in turn reduce our borrowing requirement, maintaining the significant revenue budget underspend on borrowing costs.
- 3.3 With only two months left of the financial year it is likely that there will be further slippage on delivery of some schemes, with additional spend needing to be reprofiled into future years. This will in turn reduce our borrowing requirement, maintaining the significant revenue budget underspend on borrowing costs.
- 3.4 Table 2 below sets out how the 2019-20 capital programme is funded. 54% is funded through borrowing, the interest cost for which is charged to the revenue budget. Around 3.4% of the Council's 2019-20 net revenue budget is supporting the borrowing costs of past and present capital expenditure and it is essential that the investment in our capital programme is affordable over the short, medium and longer term and can demonstrate tangible benefits linked to the delivery of Vision 2025 outcomes and our statutory obligation.

Table 2 Funding of the Capital Budget as at 31st January 2020

| Service | Supported Borrowing | Prudential Borrowing | Grants | Revenue Cont's To Capital | Capital Receipts | Total |
|--------------|---------------------|----------------------|---------------|---------------------------|------------------|---------------|
| | £,000 | £,000 | £,000 | £,000 | £,000 | £,000 |
| Capital | 8,959 | 18,496 | 18,242 | 2,539 | 4,318 | 52,554 |
| HRA | 0 | 12,633 | 4,387 | 3,795 | 0 | 20,815 |
| Total | 8,959 | 31,129 | 22,629 | 6,334 | 4,318 | 73,369 |

3.5 The following requests have been made by services to reprofile some of their 2019-20 capital budget into 2020-21 as the expected spend on projects will be significantly less than planned. We encourage services to reprofile budgets as soon as they become aware of forecast changes, rather than waiting until the end of the year.

- £120,000: Education Service: Schools have now received their ICT grant with new equipment installed at 13 schools. The projected cost for the year is £85,000 which will require a roll forward of £120,000 of the current £200,000 working budget. This is in addition to £200,000 that was rolled forward in November 2019 bringing the budget for 2020-21 up to £320,000.
- £490,000 Highways, Transport and Recycling: Due to various delays, summarised below, the following scheme budgets need to be reprofiled into 2020-21:
 - £240,000 Gas Street Car Park Improvements, Newtown due to environmental issues additional requirements need to be met before works can commence.
 - £150,000 B4518 Gabion Wall Collapse due to protracted land negotiations which have delayed the scheme commencing on site. Alternative solutions are now being evaluated to avoid the need for land purchase.
 - £100,000 B4398 New Bridge Vyrnwy Strengthening due to delays in getting a contractor on site the scheme will not commence until 2020-21
- £8,000 Housing and Community Development due to delays agreeing the lighting proposal at Presteigne Library Assembly Rooms and gaining CADW approval, £8,000 needs to be rolled forward into 2020-21 for the outstanding works.
- £170,000 Property, Planning and Public Protection: Works at Presteigne Cemetery will not commence this year due to planning permission delays.
- £380,000 Adult Services: Due to various delays the following scheme budgets need to be reprofiled into 2020-21:
 - £100,000 Mobile Transformation due to delays in the electronic rostering system project
 - £90,000 Care Homes works required by Care Inspectorate Wales as part of the new registration by Shaw which will take place in 2020-21..
 - £190,000 Castell y Dail due to failure to secure a lease for the building. Instead the service will spend a reduced programme on this building as

well as other buildings in and around Newtown. £190,000 will be swapped with other eligible costs in Housing to ensure the grant is spent in 2019-20.

3.6 Since the December report the Council has received a £1.94 million grant from the Welsh Government to help fund backlog schools' capital maintenance costs incurred in financial year 2019/20. It will not be possible to spend this grant on new projects during 2019-20 but the grant terms and conditions allow it to be used on existing projects, in 2020-21 which will allow the Council's funding to be rolled forward.

3.7 Capital receipts received during January 2020 amount to £230,000 bringing the total for the year so far to £1.6 million, comprising £30,000 vehicle receipts, £1.34 million property receipts, £90,000 Housing Revenue Account and £140,000 county farms. The year-end forecast is £5.9 million which is dependent on the transfers of land to Housing from the General Fund within the current financial year, which will take place in February and the completion of other agreed sales currently under negotiation.

4 Resource Implications

4.1 The resource implications are set out in the body of the report. Expenditure on the Capital Programme has slipped considerably in 2019-20 and in previous financial years. The effective monitoring and re-profiling of schemes is essential to enable us to more accurately project expenditure, the consequential need to borrow and the impact on the revenue budget. Project Managers and Service leads will be supported to improve financial monitoring and forecasting of expenditure in 2020-21

5. Legal implications

5.1 The Monitoring Officer has no specific concerns with this report.

6. Comment from local member(s)

6.1 This report relates to service areas across the whole county.

7. Integrated Impact Assessment

7.1 No impact assessment is required

8. Recommendation

8.1 Cabinet is invited to note the content of this report.

| | |
|---------------------|---|
| Contact Officer: | Jane Thomas, Head of Financial Services |
| Tel: | 01597 8227789 |
| Email: | jane.thomas@powys.gov.uk |
| Corporate Director: | Ness Young |

Appendix A – Updates on Capital projects by Service

| Service | Original Budget | Virements Approved | Revised Working Budget (after virements approved and required) | Actuals & Commitments | Remaining Budget | |
|----------------|-----------------|--------------------|--|-----------------------|------------------|-------|
| | £,000 | £,000 | £,000 | £,000 | £,000 | % |
| Adult Services | 290 | 562 | 852 | 663 | 189 | 22.2% |

HOS Comment

The purchase of an electronic rostering system has been delayed but remains an ongoing requirement for domiciliary care. The budget has been reprofiled to be spent in 2020-21.

The work on developing Lant Avenue for day care provision has been further delayed by HOWPS and the budget will be amended and reported in the February report.

| | £,000 | £,000 | £,000 | £,000 | £,000 | % |
|---------------------|-------|-------|-------|-------|-------|-------|
| Children's Services | 0 | 119 | 119 | 38 | 81 | 68.1% |

HOS Comment

The capital project for Bannau Camlas is well underway and going well. All works will be completed within this financial year. Preliminary works have commenced in Brecon to scope out project and location.

| | £,000 | £,000 | £,000 | £,000 | £,000 | % |
|--------------------------------|--------|-------|--------|--------|-------|-------|
| Highways Transport & Recycling | 15,151 | 3,001 | 18,152 | 15,534 | 2,618 | 14.4% |

HOS Comment

Programme is scheduled for completion as planned by year end.

| | Original Budget | Virements Approved | Revised Working Budget (after virements approved and required) | Actuals & Commitments | Remaining Budget | |
|-----------|-----------------|--------------------|--|-----------------------|------------------|-------|
| | £,000 | £,000 | £,000 | £,000 | £,000 | % |
| Education | 44,818 | -28,175 | 16,643 | 13,540 | 3,103 | 18.6% |

HOS Comment

The Major improvement programme has 81 schemes in 2019/20, including schemes carried forward from 2018/19 and additional schemes approved by cabinet on the 30th July 2019. There are no schemes to commission, 2 schemes on hold, 1 scheme commissioned, 3 schemes at the design stage, 6 are out to tender, 20 under construction and 49 schemes have been handed over to the end user. Any uncommitted funding within projects will be reallocated back to the programme contingency to cover for emergencies, unforeseeable and legislative requirements and budget fluctuations over the course of the year and to ensure school service continuity.

As part of the Schools Service Major Improvements Programme 2019/20 there is £400,000 capital funding allocated for Various Schools New ICT equipment to implement digital curriculum in schools. This has been re-profiled.

The other capital budgets will be reviewed to establish a realistic forecast and the changes made and reported in the February report.

| | £,000 | £,000 | £,000 | £,000 | £,000 | % |
|---------------------------------|-------|--------|-------|-------|-------|-------|
| Housing & Community Development | 8,753 | -3,776 | 4,977 | 2,382 | 3,852 | 22.6% |

HOS Comment

Senior Managers across the Service have confirmed that they are working with Finance Business Partners to roll forward budgets which are not spent or committed for the 19/20 financial year. Confirmation has been received that budgets committed to date are on track to be spent by end of the financial year.

| | £,000 | £,000 | £,000 | £,000 | £,000 | % |
|-------------------------|--------|-------|--------|--------|-------|-------|
| Housing Revenue Account | 16,662 | 4,214 | 20,876 | 16,367 | 4,509 | 21.6% |

HOS Comment

Contractor capacity in certain trades during 2019-2020 has resulted in delays to WHQS and Non WHQS programmes. Uncommitted funds will be rolled over into 2020/21 programmes.

The land transfer between the service and corporate capital receipts will be completed in February in the accounts.

| | Original Budget | Virements Approved | Revised Working Budget (after virements approved and required) | Actuals & Commitments | Remaining Budget | |
|--|-----------------|--------------------|--|-----------------------|------------------|-------|
| | £,000 | £,000 | £,000 | £,000 | £,000 | % |
| Property, Planning & Public Protection | 2,046 | 4,385 | 6,431 | 4,140 | 2,291 | 35.6% |

HOS Comment

No issues to report. There will be slippage into the next financial year, just finalising the reprofiling plan for February report.

| | £,000 | £,000 | £,000 | £,000 | £,000 | % |
|----------------------------------|-------|-------|-------|-------|-------|-------|
| Digital & Communication Services | 973 | 258 | 1,231 | 542 | 689 | 56.0% |

HOS Comment

Capital investment across the ICT estate is ongoing and can fluctuate depending on emerging changes to priorities. Our investment in cyber security is still planned to be implemented before year end along with other infrastructure projects with a predicted spend of the majority of our capital investment.

| | £,000 | £,000 | £,000 | £,000 | £,000 | % |
|---------|-------|-------|-------|-------|-------|-------|
| Finance | 3,650 | 418 | 4,068 | 2,564 | 1,504 | 37.0% |

HOS Comment

The latest forecast has identified a slight slippage in the programme which will be updated in the February Report.

Delegated Decision List

| | | |
|-------------|--|---|
| 7 February | Portfolio Holder for Economic Development, Housing and Regulatory Services | Approved the purchase of a residential development site in Llandrinio for social housing. |
| 11 February | Leader & Portfolio Holder for Environment | Determined rate relief appeals. |
| 19 February | Portfolio Holder for Environment | Approved the Traffic Regulation Order consultation procedure in respect of pay and display car parks and if no substantive objections make the TRO and implement the control and charges. |
| 21 February | Portfolio Holder for Finance, Countryside and Transport | Determined applications for charitable and hardship rate relief. |
| 21 February | Portfolio Holder for Education and Property | Approved a budget virement in respect of works at Welshpool High school. |
| 21 February | Portfolio Holder for Economic Development, Housing and Regulatory Services | Approved the Welsh Housing Quality Standard compliance policy. |
| 21 February | Portfolio Holder for Environment | Approved the Traffic Regulation Order consultation procedure in respect of speed limits on A44/U1566 Llandegley and if no substantial objections make the TRO. |

Mae'r dudalen hon wedi'i gadael yn wag yn fwiadol

| Cabinet / Delegat | Cabinet/EMTD: Title | Portfolio Holder | Lead | Decision Maker |
|-------------------|--|-----------------------------|-------------------------|------------------|
| 24/03/20 | 10/03/20 Budget Outturn as at 29 February | Councillor Aled Davies | Jane Thomas | Cabinet |
| 24/03/20 | 10/03/20 Capital Programme Update as at 29 February | Councillor Aled Davies | Jane Thomas | Cabinet |
| 24/03/20 | 10/03/20 Child Exploitation Paper and Programme of Work | Councillor Rachel Powell | Audrey Somerton-Edwards | Cabinet |
| 24/03/20 | 10/03/20 Schools Major Improvement Programme | Councillor Phyl Davies | Lynne Morris | Cabinet |
| 24/03/20 | 20/02/20 Corporate Improvement Plan Update 2020 | Councillor Rosemarie Harris | Emma Palmer | Cabinet |
| 24/03/20 | 10/03/20 Education Interim Leadership Arrangements | | Caroline Turner | Cabinet |
| 24/03/20 | 10/03/20 Kerbside Recycling Enforcement | Councillor Heulwen Hulme | Ashley Collins | Cabinet |
| 24/03/20 | Highways Capital | Councillor Heulwen Hulme | Shaun James | Portfolio Holder |
| 24/03/20 | 10/03/20 ECO Flex Statement of Intent | Councillor James Evans | Julian Preece | Cabinet |
| 24/03/20 | 10/03/20 Growth Deal – Proposition Document | Councillor Rosemarie Harris | Caroline Turner | Cabinet |
| 24/03/20 | 10/03/20 Energy Efficiency Works Funding Application to Salix | Councillor Phyl Davies | Gareth Richards | Cabinet |
| 31/03/20 | Review of landowner grants for installing gates on public paths | Councillor Aled Davies | Sian Barnes | Portfolio Holder |
| 31/03/20 | Review of Commons Registration fees and charges | Councillor Aled Davies | Sian Barnes | Portfolio Holder |
| 07/04/20 | 31/03/20 Stage 2 of Strategic Review of Schools - Final Vision and Implementation Plan | Councillor Phyl Davies | Marianne Evans | Cabinet |
| 21/04/20 | 20/02/20 Fostering & Special Guardianship Orders | Councillor Rachel Powell | Kathryn Brooks | Cabinet |
| 21/04/20 | 31/03/20 Children's Services Workforce Development - grow our own social workers | Councillor Rachel Powell | Audrey Somerton-Edwards | Cabinet |
| 21/04/20 | 07/04/20 Children's Services Early Help Strategy | Councillor Rachel Powell | Karen Sharp | Cabinet |
| 12/05/20 | 28/04/20 Regional Technical Statement - Minerals | Councillor James Evans | Peter Morris | Cabinet |
| 12/05/20 | 28/04/20 Quarter 4 Performance Report | Councillor Rosemarie Harris | Garry Hudson | Cabinet |

| | | | | | |
|----------|----------|---|-------------------------------------|----------------|---------|
| 12/05/20 | 28/04/20 | Treasury Management Quarter 4 Report | Councillor Aled Davies | Ann Owen | Cabinet |
| 12/05/20 | 28/04/20 | Strategic Risk Register Quarter 4 report | Councillor Graham Charles Breeze | Bets Ingram | Cabinet |
| 02/06/20 | 19/05/20 | Budget Outturn as at 31 March 2020 | Councillor Aled Davies | Jane Thomas | Cabinet |
| 02/06/20 | 19/05/20 | Relaunch of Children's Services Front Door | Councillor Rachel Powell | Karen Sharp | Cabinet |
| 02/06/20 | 19/05/20 | Children's Services Intervention & Prevention Update | Councillor Rachel Powell | Stephen Pearce | Cabinet |
| 02/06/20 | 19/05/20 | Returning Children Closer to Home | Councillor Rachel Powell | Kathryn Brooks | Cabinet |
| 02/06/20 | 19/05/20 | Children's Services Short Breaks | Councillor Rachel Powell | Kathryn Brooks | Cabinet |
| 02/06/20 | 19/05/20 | Supported Accommodation 16+ | Councillor Rachel Powell | Kathryn Brooks | Cabinet |
| 02/06/20 | 19/05/20 | Participation with children and young people | Councillor Rachel Powell | Joanna Harris | Cabinet |
| 02/06/20 | 19/05/20 | Support to Care Leavers | Councillor Rachel Powell | Kathryn Brooks | Cabinet |
| 02/06/20 | 19/05/20 | Blue Badge Concessions | Councillor Heulwen Hulme | | Cabinet |
| 23/06/20 | 09/06/20 | Evaluation of the impact of the roll out of full service universal credit on HRA rent arrears | Councillor James Evans | Dafydd Evans | Cabinet |
| 23/06/20 | 09/06/20 | Corporate Asset Policy Review | Councillor Phyl Davies | David Micah | Cabinet |
| 23/06/20 | 09/06/20 | Director of Social Services Annual Report | | Alison Bulman | Cabinet |
| 23/06/20 | 09/06/20 | Ysgol Gymraeg y Trallwng new build - revised budget following Dawnus collapse | Councillor Phyl Davies | Marianne Evans | Cabinet |
| 23/06/20 | 09/06/20 | Ysgol Bro Hyddgen - revised Outline Business Case | Councillor Phyl Davies | Marianne Evans | Cabinet |
| 23/06/20 | 09/06/20 | Ysgol Brynllwarch new build - Strategic Outline Case | Councillor Phyl Davies | Marianne Evans | Cabinet |
| 23/06/20 | 09/06/20 | Strategic Equality Plan Monitoring Report 2019/20 | Councillor Graham Charles Breeze | Emma Palmer | Cabinet |

| | | | | | |
|----------|----------|--|--|-------------------------|------------------|
| 14/07/20 | 30/06/20 | Corporate Safeguarding Group – 6 month Update | Councillor Myfanwy Catherine Alexander | Alison Bulman | Cabinet |
| 14/07/20 | 30/06/20 | Children's Services Journey of Transformation | Councillor Rachel Powell | Jan Coles | Cabinet |
| 14/07/20 | 30/06/20 | Child Exploitation Prevention Strategy | Councillor Rachel Powell | Audrey Somerton-Edwards | Cabinet |
| 14/07/20 | 30/06/20 | Children's Services Participation & MOMO | Councillor Rachel Powell | Audrey Somerton-Edwards | Cabinet |
| 14/07/20 | 30/06/20 | Children's Services Practice Standards | Councillor Rachel Powell | Audrey Somerton-Edwards | Cabinet |
| 14/07/20 | 30/06/20 | Welsh in Education Strategic Plan (Draft for Consultation) | Councillor Phyl Davies | | Cabinet |
| 14/07/20 | 30/06/20 | Statutory plan for implementation of the Council's biodiversity duty | Councillor Aled Davies | Emma Guy | Cabinet |
| 14/07/20 | 30/06/20 | Vision 2025 Corporate Improvement Plan Annual Performance Report 2019/20 | Councillor Rosemarie Harris | Emma Palmer | Cabinet |
| 28/07/20 | 14/07/20 | Treasury Management Quarter 1 Report | Councillor Aled Davies | Ann Owen | Cabinet |
| 28/07/20 | 21/07/20 | Quarter 1 Integrated Service and Financial Performance Report | Councillor Rosemarie Harris | Emma Palmer | Cabinet |
| 28/07/20 | 14/07/20 | Strategic Risk Register Quarter 1 Report | Councillor Graham Charles Breeze | Bets Ingram | Cabinet |
| 15/09/20 | 01/09/20 | Budget Outturn June & July 2020 | Councillor Aled Davies | Jane Thomas | Cabinet |
| 15/09/20 | | Flood Risk Management Plan | Councillor Heulwen Hulme | Alastair Knox | Portfolio Holder |
| 06/10/20 | 22/09/20 | Budget Outturn as at 31 August 2020 | Councillor Aled Davies | Jane Thomas | Cabinet |
| 06/10/20 | 22/09/20 | Adoption | Councillor Rachel Powell | Kathryn Brooks | Cabinet |
| 06/10/20 | 22/09/20 | EDT - Out of Hours Services | Councillor Rachel Powell | Karen Sharp | Cabinet |
| 06/10/20 | 22/09/20 | Extra Care | Councillor Myfanwy Catherine Alexander | Dylan Owen | Cabinet |
| 03/11/20 | 20/10/20 | Treasury Management Quarter 2 Report | Councillor Aled Davies | Ann Owen | Cabinet |
| 03/11/20 | 20/10/20 | Budget Outturn as at 30 September 2020 | Councillor Aled Davies | Jane Thomas | Cabinet |

| | | | | | |
|----------|----------|---|----------------------------------|----------------|---------|
| 03/11/20 | 20/10/20 | Quarter 2 Integrated Service and Financial Performance Report | Councillor Rosemarie Harris | Emma Palmer | Cabinet |
| 03/11/20 | 20/10/20 | Winter Plan | Councillor Heulwen Hulme | Shaun James | Cabinet |
| 03/11/20 | 20/10/20 | Strategic Risk Register Quarter 2 Report | Councillor Graham Charles Breeze | Bets Ingram | Cabinet |
| 03/11/20 | 20/10/20 | Integrated Business Plan Public Consultation Findings | Councillor Aled Davies | Ness Young | Cabinet |
| 24/11/20 | 10/11/20 | Budget Outturn as at 31 October 2020 | Councillor Aled Davies | Jane Thomas | Cabinet |
| 24/11/20 | 10/11/20 | Council Tax Base | Councillor Aled Davies | David Morris | Cabinet |
| 24/11/20 | 10/11/20 | Welsh in Education Strategic Plan FINAL | Councillor Phyl Davies | Marianne Evans | Cabinet |
| 15/12/20 | 01/12/20 | Budget Outturn as at 30 November 2020 | Councillor Aled Davies | Jane Thomas | Cabinet |
| 15/12/20 | 01/12/20 | Draft Budget for 2021-22 and 2021-25 MTFS | Councillor Aled Davies | Jane Thomas | Cabinet |
| 19/01/21 | 05/01/21 | Quarter 3 Integrated Service and Financial Performance Report | Councillor Rosemarie Harris | Emma Palmer | Cabinet |
| 09/02/21 | 26/01/21 | Strategic Risk Register Quarter 3 Report | Councillor Graham Charles Breeze | Bets Ingram | Cabinet |
| 11/05/21 | 27/04/21 | Quarter 4 Performance Report | Councillor Rosemarie Harris | Emma Palmer | Cabinet |
| 11/05/21 | 27/04/21 | Strategic Risk Register Quarter 4 report | Councillor Graham Charles Breeze | Bets Ingram | Cabinet |