

Pecyn Dogfennau Cyhoeddus



Neuadd y Sir, Llandrindod, Powys, LD1 5LG

Jeremy Patterson

Prif Weithredwr

Os yn galw gofynnwch am

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CABINET Dydd Mawrth, 30ain Ebrill, 2019

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

PECYN ATODOL

1.	YMDDIHEURIADAU
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Derbyn ymddiheuriadau am absenoldeb.

2.	COFNODION
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Awdurdodi'r Cadeirydd i lofnodi cofnodion y cyfarfod diwethaf a gynhaliwyd fel cofnod manwl-gywir.

(Tudalennau 1 - 4)

3.	DATGANIADAU O DDIDDORDEB
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Derbyn unrhyw ddatganiadau o fuddiant gan Aelodau sy'n ymwneud ag eitemau i'w hystyried ar yr Agenda.

4.	YSGOL BOB-OED LLANFYLLIN
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Ystyried adroddiad gan y Cynghorydd Sir Myfanwy Alexander, Aelod Portffolio'r Cabinet ar faterion Dysgu a'r Gymraeg.

(Tudalennau 5 - 52)

5.	YSGOL GYNRADD GYMUNEDOL BANW AC YSGOL (SEFYDLEDIG) YR EGLWYS YNG NGHYMRU LLANERFYL
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Ystyried adroddiad gan y Cyngorydd Sir Aled Davies, Aelod Portffolio'r Cabinet ar faterion Cyllid, Cefn Gwlad a Chludiant.

(Tudalennau 53 - 388)

6.	CANLLAWIAU CYNLLUNIO ATODOL - TIRWEDD, YNNI ADNEWYDDADWY
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Ystyried adroddiad gan y Cyngorydd Sir Martin Weale, Aelod Portffolio'r Cabinet ar faterion yr Economi a Chynllunio

(Tudalennau 389 - 736)

7.	ADRODDIAD AR Y GOFRESTR RISG STRATEGOL, CHWARTER 3 2018/19
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Ystyried adroddiad gan yr Arweinydd, y Cyngorydd Sir Rosemarie Harris.

(Tudalennau 737 - 744)

8.	CYTUNDEB RHYNG-AWDURDOD TYFU CANOLBARTH CYMRU
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Ystyried adroddiad gan yr Arweinydd, y Cyngorydd Sir Rosemarie Harris.

(To Follow)

9.	Y DIWEDDARAF AR CELTIC ENERGY
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Ystyried adroddiad gan y Cyngorydd Sir Aled Davies, Aelod Portffolio'r Cabinet ar faterion Cyllid, Cefn Gwlad a Chludiant.

(To Follow)

10.	COFNODION BWRDD Y CYD-BARTNERIAETH (JPB)
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Derbyn er gwybodaeth gofnodion Bwrdd y Cyd-Bartneriaeth a gyfarfu ar 21 Mawrth 2019.

(Tudalennau 745 - 748)

11.	COFNODION Y BWRDD GWELLA A SICRWYDD
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Derbyn er gwybodaeth gofnodion cyfarfod y Bwrdd Gwella a Sicrwydd a gynhaliwyd ar 27 Chwefror 2019.

(Tudalennau 749 - 760)

12.	GOHEBIAETH
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Derbyn y cyfryw ohebiaeth ag sydd ym marn yr Arweinydd yn fater o gymaint brys fel ei bod yn teilyngu ystyriaeth.

13.	PENDERFYNIADAU DIRPRWYEDIG A WNAED ERS Y CYFARFOD DIWETHAF
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Nodi'r penderfyniadau dirprwyedig a luniwyd er y cyfarfod diwethaf.

(Tudalennau 761 - 762)

14.	BLAENRAGLEN WAITH
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Ystyried blaenraglen waith y Cabinet.
(Tudalennau 763 - 766)

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, 26 MARCH 2019

PRESENT

County Councillor M R Harris (Chair)

County Councillors A W Davies, MC Alexander, P Davies, J Evans, S M Hayes, R Powell and M Weale

In attendance: County Councillors M Dorrance, J Morris, P Roberts and G Williams and Mr J Brautigam

1.	APOLOGIES
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There were no apologies for absence.

2.	MINUTES
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The Leader was authorised to sign the minutes of the meetings held on 5th and 12th March as correct records.

3.	DECLARATIONS OF INTEREST
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There were no declarations of interest reported.

4.	PERFORMANCE REPORT QUARTER 3 2018-19
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Cabinet considered the performance data for the third quarter of 2018/19. All but one for the top 20 performance indicators were on target with the two improved from the last quarter being the average number of working days taken to clear fly-tipping incidents and the percentage of calls answered within timescale going from 58% in the 1st quarter to 97.47% in the 3rd quarter.

71% of high level activities were on track with the key achievements including completion of the Welsh Quality Housing Standard programme, the appointment of the new Chief Executive and finalisation of the council's new operating model. However, 7% of high level activities due to be delivered in the CIP were not on track with major issues and 11% of measures were red. The report set out a number of actions to be taken to bring performance back on track.

RESOLVED	Reason for decision:
That the actions set out in 2.3, 3.3, 4.3 & 5.3 of the report for Cabinet and Executive Management Team are approved and resources allocated to complete them.	To ensure the council can provide appropriate and timely reporting against the Top 20 PIs, CIP, PAMs & SEP

5.	FINANCIAL OVERVIEW AND FORECAST AS AT 28TH FEBRUARY 2019
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Cabinet considered the financial overview and forecast report as at 28th February and noted that there had been a slight improvement on the previous month's figures. In response to questions about the £1.16m overspend in the schools' delegated budget, the Portfolio Holder for Learning and Welsh Language advised that only 2 primary schools and 3 secondary schools had unlicensed budgets and that officers were working closely with them to bring their budgets in line. She paid tribute to school leaders for the creative and co-operative approach they were taking to bring costs down.

The Chair of the Finance Panel spoke to the Panel's concerns about the robustness of savings plans, the risks associated with the Children's Services budget and the need for mandatory financial training for Heads of Service and Portfolio Holders. The Portfolio Holder for Finance, Countryside and Transportation advised that savings put forward by services had been subject to scrutiny by the Savings Panel and the Head of Finance advised that the Cabinet would be provided with an outturn report on savings at the end of the financial year. Regarding savings in Children's Services, the Portfolio Holder acknowledged the risk associated with this and noted the budget strategy had put an additional sum in reserves to cover this issue. He accepted the recommendation that Heads of Service and Portfolio Holders receive mandatory financial training.

The report also set out two virements.

RESOLVED	Reason for Decision
<ol style="list-style-type: none"> 1. That the contents of the report are noted. 2. To approve the virements detailed in paragraphs 6.1 and 6.2 of the report. 3. That given the pressure on the revenue budget the Cabinet supports the S151 Officer's requirement to control discretionary expenditure until the end of the financial year. 	<p>To monitor the council's financial performance and ensure that spending remains with approved limits and that the 3% minimum general fund is maintained.</p>

6.	CAPITAL PROGRAMME UPDATE FOR THE PERIOD TO 28TH FEBRUARY 2019
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Cabinet received the Capital Programme update report for the period ended 28th February 2019. The Head of Finance advised that Wales Audit Office were considering the appropriate treatment of HRA right to buy capital receipts.

RESOLVED	Reason for decision
1. That the contents of the report	To outline the capital budget

are noted.	position as at 28th February 2019.
2. That the virements proposed in section 2 of the report are approved and those virements over £500,000 are recommended to Full Council.	To ensure appropriate virements, are carried out to align budgets with spending plans.

7. SCHOOLS SERVICE MAJOR IMPROVEMENTS PROGRAMME 2019-2020
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Cabinet considered the Schools Service's Major Improvement Programme for 2019/20. In presenting the report the Portfolio Holder for Learning and Welsh Language thanked Welsh Government for the increase in funding for school improvement. She advised that allocated budget for 2019/20 was £2m, and it was expected that the budget would reduce to £1m in the following years. She referred to the issue of spending large amounts on small schools highlighted in the Scrutiny report and explained that it was sometimes necessary to spend money on the upkeep of small schools to keep them open as the schools service did not have sufficient staff to proceed with modernisation proposals. She commended the work of the secondary schools who had co-operated to deliver distance learning GCSE courses through ICT.

The Chair of the Learning and Skills Scrutiny Committee expanded on the Committee's recommendations and called for a review of number of schools the council could afford to support. In response to Scrutiny comments about the impact of DDA works on the wider budget, the Portfolio Holder noted that most schools had now been adapted to meet the needs of most learners.

RESOLVED	Reason for Decision:
1. That the Major Improvements Programme for financial year 2019-2020 as set out in Appendix A be approved.	To progress the School Transformation Programme and meet Welsh Government fit for purpose objectives
2. That the Portfolio holder for education in consultation with the Head of Learning has delegated authority to make changes to the Major Improvements Programme that are within budget and in accordance with Capital Budget virement rules for approval.	
3. That project underspends of £94,455 in financial year 2018-2019 highlighted in green fill within Appendix A, are approved and rolled forwards from financial year 2018-2019	

and into 2019-2020.	
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8. IMPROVEMENT AND ASSURANCE BOARD MINUTES

Cabinet received the minutes of the Improvement and Assurance Board meeting held on 30th January, but questioned whether the attendance list was accurate.

9. CORRESPONDENCE

There were no items of correspondence.

10. DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING

Cabinet received for information the list of delegated decisions taken by portfolio holders since the last meeting.

11. FORWARD WORK PROGRAMME

Cabinet received the forward work programme.

County Councillor M R Harris (Chair)

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

30 April 2019

REPORT AUTHOR: County Councillor Myfanwy Alexander
Portfolio Holder for Learning and Welsh Language

SUBJECT: Llanfyllin All-through School

REPORT FOR: Decision

1. Summary

- 1.1 Further to the decision made by Cabinet on the 12th March 2019, the Council published a Statutory Notice proposing to close Llanfyllin C.P. School and Llanfyllin High School from the 31st August 2020, and to establish a new all-through school in Llanfyllin from the 1st September 2020.
- 1.2 The purpose of this report is to inform Cabinet members of the outcome of the statutory objection period.
- 1.3 The report includes a recommendation to proceed with the establishment of an all-through school in Llanfyllin from the 1st September 2020.
- 1.4 The report is supported by the following appendices:
 - **Appendix A** – Statutory Notice
 - **Appendix B** – Objection Report
 - **Appendix C** – Updated Impact Assessments

2. Proposal

Background

The Consultation Period

- 2.1 Consultation in relation to establishing an all-through school in Llanfyllin was carried out in accordance with the requirements of the School Organisation Code (2018) from the 27th November 2018 to the 31st January 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 7th March 2019, and was considered by Cabinet on the 12th March 2019.

- 2.3 At the meeting on the 12th March 2019, Cabinet agreed to proceed with the process to establish an all-through school in Llanfyllin through the publication of a Statutory Notice.

Statutory Notice

- 2.4 Further to the decision made by Cabinet on the 12th March 2019, the Council published a Statutory Notice proposing the following:

'From 31 August 2020:

- i. *The Council proposes to discontinue the following two schools:*
- *Llanfyllin Community Primary School, Llanfyllin, Powys, SY22 5BJ*
 - *Llanfyllin High School, Llanfyllin, Powys, SY22 5BJ*

From 1 September 2020:

- i. *The Council proposes to establish a new bilingual community school for boys and girls aged 4-18 years old, that will operate on the current sites of Llanfyllin C.P. School and Llanfyllin High School.'*

- 2.5 The Statutory Notice was published on the 20th March 2019 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 17th April 2019.

Objections

- 2.7 One objection was received during the statutory objection period. The issues raised in this objection and the Council's response to these issues are listed in the Objection Report, which is attached as Appendix B.

The Proposal

- 2.8 Having considered the objection received, it is recommended that the Council proceeds with implementation of the proposal to close Llanfyllin C.P. School and Llanfyllin High School from the 31st August 2020, and to establish a new all-through school in Llanfyllin from the 1st September 2020, as outlined in the Statutory Notice (Appendix A).
- 2.9 It is estimated that implementation of the proposal would lead to annual savings to the Council of £42,681.

3. Options Considered / Available

- 3.1 N/A

4. Preferred Choice and Reasons

- 4.1 As outlined in section 2 above, one objection was received during the Statutory Objection period.
- 4.2 Having considered the issues raised in this objection, the preferred option is to proceed with amalgamating Llanfyllin C.P. School and Llanfyllin High School as outlined in the Statutory Notice (Appendix A), and to establish a new all-through school on the current sites of the two schools.
- 4.3 The reasons for this are as follows:
- To provide a more sustainable model for delivering primary and secondary Welsh-medium and English-medium education in Llanfyllin
 - To enable education in Llanfyllin to be provided more efficiently
 - To provide robust leadership to pupils in all phases of education
 - To improve the quality of education to pupils in all phases of education
 - To provide seamless progression through each key stage of education
 - The outcome of the consultation carried out suggested that this is the preferred option.
 - Only one objection was received during the statutory objection period

5. Impact Assessment

- 5.1 Is an impact assessment required? Yes
- 5.2 If yes is it attached? Yes

A range of draft impact assessments were produced as part of the consultation documentation. These included a Single Integrated Impact Assessment, an Equalities Impact Assessment, a Community Impact Assessment and a Welsh Language Impact Assessment.

These impact assessments were updated to reflect issues raised during the consultation period, and updated versions were attached to the paper considered by Cabinet on the 12th March.

The impact assessments have been updated again to reflect issues raised during the statutory objection period. Updated versions are attached as Appendix C.

6. Corporate Improvement Plan

- 6.1 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.'

7. Local Member(s)

7.1 Comments will be provided in the meeting.

8. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes

9. Communications

Have Communications seen a copy of this report? Yes

Have they made a comment? 'This report is of public interest and requires a news release and use of appropriate social media to publicise the Cabinet's decision.'

10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

10.1 Legal: The recommendations can be supported from a legal point of view.

10.2 Finance: As the proposal reaffirms the original proposal there is no change in the financial position to that included in the original report.

10.3 HR: The Schools HR Team will continue to work with Headteachers, Staff, Governors, Trade Unions and other officers of Powys County Council to ensure that any changes that are required will be made in line with the School's adopted policies and procedures

11. Scrutiny

Has this report been scrutinised? No

12. Statutory Officers

12.1 The Solicitor to the Council (Monitoring Officer) commented as follows: "I note the legal comments and have nothing to add to the report."

12.2 The Head of Financial Services (Section 151 Officer: I note the comments of the Finance Manager.

13. Members' Interests

The Monitoring Officer is 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.

Recommendation:	Reason for Recommendation:
i) To receive the Objection Report in respect of establishing an all-through school in Llanfyllin	To understand the issues raised during the objection period.
ii) To approve the proposal to amalgamate Llanfyllin C.P. School and Llanfyllin High School in order to establish a new all-through school on the current sites of the two schools, by: - Closing Llanfyllin C.P. School and Llanfyllin High School from the 31st August 2020 - Establishing a new all-through school on the current sites of Llanfyllin C.P. School and Llanfyllin High School on the 1st September 2020	To provide stability and security of local provision.

Relevant Policy (ies):	School Organisation Policy		
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	Cllr Lucy Roberts – Llandrinio Cllr Arwel Jones – Llandysilio Cllr Emyr Jones – Llanfihangel Cllr Peter Lewis – Llanfyllin Cllr Aled Davies – Llanrhaeadr-ym-Mochnant / Llanfyllin Cllr Gwynfor Thomas – Llansanffraid Cllr Bryn Davies – Llanwddyn
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Person(s) To Implement Decision:	Marianne Evans
Date By When Decision To Be Implemented:	September 2020

Contact Officer:	Sarah Astley
Tel:	01597 826265
Email:	sarah.astley@powys.gov.uk

Background Papers used to prepare Report:

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

POWYS COUNTY COUNCIL
School Standards and Organisation (Wales) Act 2013

Notice is hereby given in accordance with section 41, 43 & 48 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 2020:

- i. The Council proposes to discontinue the following two schools:
 - Llanfyllin Community Primary School, Llanfyllin, Powys, SY22 5BJ;
 - Llanfyllin High School, Llanfyllin, Powys, SY22 5BJ;

From 1 September 2020:

- i. The Council proposes to establish a new bilingual community school for boys and girls aged 4-18 years old, that will operate on the current sites of Llanfyllin C.P. School and Llanfyllin High School.

From the 1st September 2020, pupils currently attending Llanfyllin Community Primary School and Llanfyllin High School and those admitted during the 2019-20 school year will be able to attend a new bilingual community school for pupils aged 4-18 years old, which will be maintained by Powys County Council. The new school will operate from the sites currently occupied by Llanfyllin Community Primary School and Llanfyllin High School, Llanfyllin, SY22 5BJ.

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/5267/Llanfyllin-C.P.-School-and-Llanfyllin-High-School>

Admissions

The Council will be the admission authority for the new school. The admission number for first time admission to the primary phase at the new school in the first year in which the proposals have been implemented is 27. The admission number for pupils in Year 7 at the new school in the first year in which the proposals have been implemented is 146.

From 1 September 2020, pupils will be admitted to the new 4-18 school in accordance with the Council’s admissions arrangements, which do not take account of the sex, aptitude or ability of the child. The following arrangements will apply:

- Pupils currently in Reception – Year 6 at Llanfyllin Community Primary School and those admitted during the 2019-20 school year will be admitted to the Primary Phase Campus;
- Pupils currently at Llanfyllin High School and those admitted during the 2019-20 school year will be admitted to the Secondary Phase Campus;
- Pupils entering Year 7 from other primary schools in the catchment area from the 1st September 2020 onwards will be required to apply for places at the secondary phase of the new school in accordance with the Council’s Admissions arrangements.

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

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 as follows:

- Primary Phase – Dual Stream
- Secondary Phase – Bilingual Category 2C

School Capacity

The new school’s capacity will be 1,101 (+ 26 nursery places). This will include 185 places (+ 26 nursery places) at the Primary Phase Campus and 916 in the Secondary Phase Campus.

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 17th April 2019 any person may object to the proposals.

Objections should be sent to Alison Bulman, Corporate Director (Children and Adults), 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".

Alison Bulman

**Corporate Director (Children and Adults)
For Powys County Council**

Dated this day 20th March 2019

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 Llanfyllin High School and Llanfyllin Community Primary school on the 31st August 2020 and open a new school for 4-18 year old pupils on the 1st September 2020.
- 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.



PROPOSAL TO ESTABLISH AN ALL-THROUGH SCHOOL IN LLANFYLLIN

OBJECTION REPORT

1. Introduction

Powys County Council consulted on a proposal to establish an all-through school in Llanfyllin with effect from the 1st September 2020 during the period 27th November 2018 to the 31st January 2019.

On the 12th March 2019, the Council's Cabinet agreed to proceed with the proposal, and Statutory Notices were published from the 20th March 2019 to the 17th April 2019.

2. Objections received

1 objection was received during the statutory objection period. The issues raised in the objection are outlined on the following page, along with the Council's response.

3. Issues raised in Objections

Issue	Points raised	Council response
1	<p>Disappointed that the Council intends to downgrade the Welsh language within the education system – hoped that the Council’s plans to merge the two schools would strengthen the position of the Welsh language and boost the bilingual stream.</p>	<p>The Council notes these concerns regarding the impact of the proposal on the Welsh language / Welsh-medium education. The Council does not intend to downgrade the Welsh language within the education system – the Council’s view is that the proposal provides an opportunity to strengthen the Welsh medium provision in Llanfyllin, in the secondary sector in particular.</p> <p>The Council carried a Welsh language impact assessment as part of this process, which was updated following the consultation period to reflect feedback received during the consultation period. This assessment concluded that:</p> <p>‘As the proposal would see the retention of primary and secondary Welsh-medium and English-medium provision in Llanfyllin, it is not anticipated that the proposal would have a significant impact on the Welsh language. It is anticipated that implementation of the proposal would result in improved transition between key stages, which could lead to improvements in the proportion of pupils continuing to access Welsh-medium provision on transfer from the primary sector to the secondary sector.</p> <p>It is also possible that implementation of the proposal could have a positive impact on the Welsh language ethos in the secondary sector in Llanfyllin as a result of amalgamating with a primary school that has a higher percentage Welsh-medium pupils than Llanfyllin High School.</p> <p>During the consultation period, concerns were raised about the proposal’s impact on the Welsh language, in particular on the Welsh ethos of Llanfyllin C.P. School. Whilst these concerns are noted, the Council’s view is that implementation of the proposal provides an opportunity to improve and strengthen the Welsh-medium provision in Llanfyllin, and to strengthen the Welsh ethos across the primary and secondary phases.’</p>

2	<p>Proposing to keep the language category as 2C is a missed opportunity – this is the time to improve the school's language category to 2B. Keeping the school's language category as 2C is a backwards step, and undermines the efforts of the local community and the Welsh Government to strengthen the position of the Welsh language.</p>	<p>The consultation relating to establishing an all-through school in Llanfyllin was carried out on the basis that the secondary provision would be category 2C, as it currently is – information about the proposed language category of the new school was provided on page 17 of the consultation document.</p> <p>The Council notes the comment that the Council should be taking this opportunity to establish category 2B provision. Responsibility for subject provision within the school would rest with the governing body, and whilst the minimum level of provision offered would be expected to meet the definition for category 2C provision, the Council would fully support the governing body continuing to develop the Welsh-medium provision at the school, with the aim of providing 2B provision.</p> <p>The Council would encourage individuals who are keen to see the development of Welsh-medium provision to engage with the new school in order to encourage the further development of Welsh-medium education in the school, and to take any opportunities to be members of either the new school's temporary governing body or permanent governing body.</p>
3	<p>The Council's latest Welsh in Education Strategic Plan included a commitment to improve the school's language category to 2B by 2020. Why has the Council not kept this promise?</p>	<p>It is true that the Council's WESP for 2014-17 included a Strategic Aim to 'provide robust linguistic continuity of Welsh-medium provision across all key phases of education', and stated that 'Within the current context of secondary education in the county, it is expected that all six dual-stream schools will maximise their Welsh-medium provision, with the aim that they will all become Category 2B schools by 2020 in order to ensure that Welsh-medium pupils have an equal choice of subjects as English-medium pupils.'</p> <p>However, this became increasingly challenging due to the financial pressures faced by the Council, and it became necessary to identify alternative options in order to improve the opportunities available to Welsh-medium and English-medium pupils through all stages.</p> <p>In March 2015, the Council's Cabinet agreed a new Secondary Reorganisation Programme, which would be taken forward based on four priorities, one of which was 'Review of Secondary Education in North Powys, with a focus on Welsh medium provision'. Initial work on this took place during the summer of 2015, and in</p>

		<p>Spetember 2015, Cabinet determined that it was 'desirable to establish a bi-lingual, category 2A school or schools in North Powys'. The Council's latest WESP, for 2017-20, reflects this aim.</p> <p>The WESP for 2017-20 was produced in accordance with Welsh Government guidelines, and was approved by Welsh Government in March 2018.</p> <p>Ultimately, responsibility for subject provision within each school rests with the governing body. Whilst the minimum level of provision offered at the new school would be expected to meet the definition for category 2C provision, the Council would fully support the governing body continuing to develop the Welsh-medium provision at the school, with the aim of providing 2B provision.</p>
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**Llanfyllin Community Primary School
and
Llanfyllin High School**

Updated Impact Assessments

April 2019

Contents

	Page
1 Introduction	2
2 Integrated Impact Assessment	3
3 Equalities Impact Assessment	17
4 Community Impact Assessment	26
5 Welsh Language Impact Assessment	31

Proposals relating to Llanfyllin Community Primary School and Llanfyllin High School

Updated Impact Assessments

1. Introduction

Powys County Council consulted on a proposal to establish an all-through school in Llanfyllin, and published a consultation report outlining the findings of the consultation exercise.

The Council has subsequently published a Statutory Notice, proposing the following:

From 31 August 2020:

The Council proposes to discontinue the following two schools:

- Llanfyllin Community Primary School, Llanfyllin, Powys, SY22 5BJ;
- Llanfyllin High School, Llanfyllin, Powys, SY22 5BJ;

From 1 September 2020:

The Council proposes to establish a new bilingual community school for boys and girls aged 4-18 years old, that will operate on the current sites of Llanfyllin C.P. School and Llanfyllin High 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 (2013) 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, and have now been updated again to reflect issues raised during the objection period.

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.

Proposal	To amalgamate Llanfyllin C.P. School and Llanfyllin High School to create a new all-through school in Llanfyllin. This will be achieved by closing Llanfyllin C.P. School and Llanfyllin High School and opening a new all-through school providing education for pupils aged 4-18 on the current site of the two schools
Outline Summary / Description of Proposal	
The Council carried out consultation on proposals to establish a new all-through school for pupils aged 4-18 in Llanfyllin. The proposals are as follows: <ul style="list-style-type: none"> - To close Llanfyllin C.P. School and Llanfyllin High School - To establish a new bilingual all-through school for pupils aged 4-18 on the current sites of Llanfyllin C.P. School and Llanfyllin High School 	

1. Profile of savings delivery (if applicable)

2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
£ None	£ None	£None	£None	£None	£None

2. Consultation requirements

Consultation Requirement	Consultation deadline	Feedback considered
Public consultation required	Consultation has taken place in accordance with the requirements of the School Organisation Code.	Yes

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

Version	Author	Job Title	Date
1	Sarah Astley	Schools Transformation and Welsh-medium Education Programme Manager	10/07/18
2	Sarah Astley	Schools Transformation and Welsh-medium Education Programme Manager	29/10/18
3	Sarah Astley	Schools Transformation and Welsh-medium Education Programme Manager	26/02/19
4	Sarah Astley	Schools Transformation and Welsh-medium Education Programme Manager	23/04/19

4. Impact on Other Service Areas

Does the proposal have potential to impact on another service area? (Including implication for Health & Safety and Corporate Parenting)

PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY

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 Reorganisation Project Board, therefore are aware of the recommendation, and will receive regular updates as the statutory process moves forward.

Service Area informed:

Contact Officer liaised with:

Mitigation

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	N/A	Choose an item.		Choose an item.
Health and Care We will lead the way in effective, integrated rural health and care	N/A	Choose an item.		Choose an item.
Learning and skills We will strengthen learning and skills	The proposal would provide a more sustainable model for delivering primary and secondary Welsh-medium and English-medium education in Llanfyllin, and would have a positive impact on the quality of education provided to pupils.	Good		
Residents and Communities We will support our residents and communities	The proposal would have a positive impact on residents in the Llanfyllin area as it would provide a more sustainable model for delivering primary and secondary Welsh-medium and English-medium education in the town.	Good		

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
Source of Outline Evidence to support judgements				
Initial engagement with governing bodies, 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?	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.	N/A	Choose an item.		Choose an item.
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).	N/A	Choose an item.		Choose an item.

<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>	N/A	Choose an item.		Choose an item.
<p>A Wales of cohesive communities: Attractive, viable, safe and well-connected Communities.</p>	N/A	Choose an item.		Choose an item.
<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>	n/a	Choose an item.		Choose an item.
<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>Implementation of the proposal would ensure continued access to Welsh-medium and English-medium primary and secondary education in Llanfyllin.</p> <p>Some concerns were raised in the consultation responses received and during the objection period that implementation of the proposal could have a negative impact on the Welsh language. However, the Council's view is that implementation of the proposal also offers an opportunity to improve the current situation, and to increase the use of the Welsh language in the primary and secondary phases.</p>	Neutral		Choose an item.

Opportunities to promote the Welsh language	<p>Implementation of the proposal would ensure continued access to Welsh-medium and English-medium primary and secondary education in Llanfyllin, and would provide improved opportunities to promote the Welsh language and to promote progression within Welsh-medium education</p> <p>Some concerns were raised in the consultation responses received and during the objection period that implementation of the proposal could have a negative impact on the Welsh language. However, the Council's view is that implementation of the proposal also offers an opportunity to improve the current situation, and to increase the use of the Welsh language in the primary and secondary phases.</p>	Neutral		Choose an item.
Welsh Language impact on staff	<p>Implementation of the proposal would provide more opportunities for all staff, including Welsh-speaking staff, as a result of being part of a larger organisation.</p> <p>Some concerns were raised in the consultation responses received and during the objection period that implementation of the proposal could have a negative impact on the Welsh language. However, the Council's view is that implementation of the proposal also offers an opportunity to improve the current situation, and to increase the use of the Welsh language in the primary and secondary phases.</p>	Neutral		Choose an item.
People are encouraged to do sport, art and recreation.	N/A	Choose an item.		Choose an item.
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).				
Age	The proposal would provide improved educational opportunities for all school aged pupils in Llanfyllin	Good		Choose an item.
Disability	The proposal would provide improved educational opportunities for all school aged pupils in Llanfyllin, including any pupils with disabilities	Good		Choose an item.

Gender reassignment	N/A	Choose an item.		Choose an item.
Marriage or civil partnership	N/A	Choose an item.		Choose an item.
Race	The proposal would provide improved educational opportunities for all school aged pupils in Llanfyllin, regardless of their race	Good		Choose an item.
Religion or belief	The proposal would provide improved educational opportunities for all school aged pupils in Llanfyllin, regardless of their religion or belief	Good		Choose an item.
Sex	The proposal would provide improved educational opportunities for male and female pupils.	Good		Choose an item.
Sexual Orientation	The proposal would provide improved educational opportunities for all pupils, regardless of their sexual orientation.	Good		Choose an item.
Pregnancy and Maternity	N/A	Choose an item.		Choose an item.
Source of Outline Evidence to support judgements				
Initial discussions with the two governing bodies, 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?	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)				

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>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>The proposal would provide a more sustainable model of delivering education in Llanfyllin, which will ensure that education can be delivered more efficiently, therefore safeguarding the provision of Welsh-medium and English-medium primary and secondary education in Llanfyllin</p> <p>Some concerns were raised in the consultation responses received and during the objection period that implementation of the proposal could have a negative impact on the Welsh language. However, the Council's view is that implementation of the proposal also offers an opportunity to improve the current situation, and to increase the use of the Welsh language in the primary and secondary phases.</p>	Good		Choose an item.
<p>Collaboration: Working with others in a collaborative way to find shared sustainable solutions.</p>	<p>This proposal has been developed in collaboration with the governing bodies of Llanfyllin C.P. School and Llanfyllin High School, and consultation on the proposal has been carried out with stakeholders in accordance with the requirements of the School Organisation Code.</p> <p>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 Llanfyllin catchment area and other secondary providers across Powys and beyond, in order to maximise the opportunities available to its pupils.</p>	Good		Choose an item.

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><i>Involvement (including Communication and Engagement):</i> <i>Involving a diversity of the population in the decisions that affect them.</i></p>	<p>The proposal has been developed in discussion with the governing bodies of Llanfyllin C.P. School and Llanfyllin High School. A letter was received from the two governing bodies asking the Council to proceed with the statutory process in order to establish a new all-through school in Llanfyllin.</p> <p>Consultation was carried out with stakeholders in accordance with the School Organisation Code which provided an opportunity for all interested parties to give their views. A consultation report was produced which summarised the findings of the consultation, which was considered by Cabinet when determining how to proceed. This impact assessment was also updated to reflect the feedback received.</p> <p>The Council subsequently published a Statutory Notice, which provided an opportunity for those who do not support the proposal to submit objections. An objection report has been produced which summarises the objection received, and this will be considered by Cabinet when determining whether or not to proceed with implementation of the proposal. This impact assessment has also been updated to reflect the issues raised in the objection.</p>	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
Prevention: <i>Understanding the root causes of issues to prevent them from occurring.</i>	<p>Pupil numbers in Llanfyllin are declining, particularly in the secondary sector. The intention is that establishing a new all-through to serve the town would provide a more efficient delivery model, which would safeguard the provision of Welsh-medium and English-medium primary and secondary education in Llanfyllin.</p> <p>Some concerns were raised in the consultation responses received and during the objection period that implementation of the proposal could have a negative impact on the Welsh language. However, the Council's view is that implementation of the proposal also offers an opportunity to improve the current situation, and to increase the use of the Welsh language in the primary and secondary phases.</p>	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>	N/A	Choose an item.		Choose an item.
Preventing Poverty: Prevention, including helping people into work and mitigating the impact of poverty.	N/A	Choose an item.		Choose an item.

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
Unpaid Carers: Ensuring that unpaid carers views are sought and taken into account	Full consultation has been carried out, and a statutory notice has been published in accordance with the School Organisation Code. 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.
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.	Full consultation has been carried out, and a statutory notice has been published in accordance with the requirements of the School Organisation Code. The consultation process included a meeting with pupils at the two affected schools. Some concerns were raised during the consultation about younger, primary aged pupils mixing with older, secondary aged pupils, however as the current proposal is to establish the new school on the current sites of Llanfyllin C.P. School and Llanfyllin High School, it is not anticipated that this will be an issue.	Neutral		Choose an item.

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
Impact on Powys County Council Workforce	<p>Implementation of the proposal would impact on the current staff at Llanfyllin C.P. School and Llanfyllin High 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), and a statutory notice was published in accordance with the requirements of the Code. There was an opportunity for staff to submit their views as part of this process, and in addition, a consultation 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.	Neutral
Source of Outline Evidence to support judgements				
PLASC, Consultation Responses / Report				

8. Achievability of proposal?

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

9. What are the risks to service delivery or the council following implementation of this proposal?

Risk Identified	Inherent Risk Rating	Mitigation	Residual Risk Rating
Parents don't want their children to attend an all-through school, so move them to alternative schools	Low	Engagement with parents throughout the process. Should the Cabinet decide to proceed with the proposal, opportunities to be provided for parents to contribute to the process of establishing the new school.	Low
Lack of support for the proposal from other primary schools in the Llanfyllin catchment area	Low	Other primary schools in the Llanfyllin catchment to be fully engaged throughout the process.	Low
Difficult for both current schools to focus on improving outcomes due to the uncertainty caused by the proposal – may affect standards	Medium	Council to continue to provide advice and support to both schools and the shadow governing body of the new school to ensure that standards and performance continue to improve during the transition period	Medium
Negative impact on staff motivation during the transition period, may lead to some staff leaving before the new school is established	Low	Hoped that transparency of the process and the ability of staff to participate in the consultation exercise will help to reduce the levels of demotivation. It is also hoped that the prospects of being part of a transformational development may help to mitigate this risk. Should the proposal be implemented, the Council would establish a Management of Change workstream to work closely with the staff and shadow governing body, ensuring that transition arrangements are managed well.	Low
Changes resulting from new council initiatives e.g. new funding formula, 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
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10. 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 November, and to continue until late December.	Consultation report	Whether or not to proceed with the publication of statutory notices
Publication of statutory notices	Spring 2019	Objection report	Whether to proceed with implementation of the proposal
Establishment of shadow governing body to take forward the establishment of the new school	September 2019	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.

11. Indicative resource requirements (FTE) – link to Resource Delivery Plan

Support Requirements	2018-19				2019-20				2020-21			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
N/A												

12. Overall Summary and Judgement of this Impact Assessment?

Outline Assessment (to be inserted in cabinet report)	Cabinet Report Reference:	
N/A		

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

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

N/A

14. On-going monitoring arrangements?

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

N/A

Please state when this Impact Assessment will be reviewed.

This impact assessment will be reviewed at each stage of the process.

3. Equalities Impact Assessment

Powys County Council

Equality Impact Assessment (EqIA)



Tudalen 33

Proposal	To establish a new all-through school for pupils aged 4-18 in Llanfyllin.	Lead Person undertaking the assessment	Sarah Astley
Service Area	Schools Service	Relevant Head of Service who has agreed this assessment	Alec Clarke
Date of Assessment	October 2018 Updated February 2019 Updated April 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	The Council has published a statutory notice proposing the following:		

<p>purpose of the change proposal being assessed.</p>	<p>From 31 August 2020:</p> <p>The Council proposes to discontinue the following two schools:</p> <ul style="list-style-type: none"> • Llanfyllin Community Primary School, Llanfyllin, Powys, SY22 5BJ; • Llanfyllin High School, Llanfyllin, Powys, SY22 5BJ; <p>From 1 September 2020:</p> <p>The Council proposes to establish a new bilingual community school for boys and girls aged 4-18 years old, that will operate on the current sites of Llanfyllin C.P. School and Llanfyllin High School.</p>
<p>2. OBJECTIVES</p>	
<p>Please state the current business objectives of the change proposal.</p>	<p>The Council is proposing to establish a new all-through school in Llanfyllin for the following reasons:</p> <ul style="list-style-type: none"> • To improve educational outcomes <ul style="list-style-type: none"> ○ More opportunities for staff to move between key stages, to further develop expertise in specific areas ○ Opportunities for pupils in all key stages to benefit from staff expertise in specific subject areas ○ Improved curricular and extra-curricular opportunities for pupils in all key stages • To improve educational provision <ul style="list-style-type: none"> ○ Opportunities to develop a broader curriculum to meet the needs of pupils in all key stages ○ Opportunity to improve the range and quality of facilities and learning resources available to the benefit of pupils in all key stages ○ Improved opportunities for continuity of support for vulnerable groups of pupils ○ Improved opportunities for more able and talented pupils • To improve leadership and management

	<ul style="list-style-type: none"> ○ Opportunity for high quality, robust leadership across all key stages ○ Improved opportunities for the headteacher to distribute key leadership tasks to a greater number staff across all phases of education ○ Improved governance as the school would be run by one governing body <ul style="list-style-type: none"> ● To improve efficiency in the delivery of education <ul style="list-style-type: none"> ○ Potential for the school to operate more efficiently through more efficient deployment of staff ○ Potential for sharing of resources across all key stages ● To provide more seamless transition between key stages <ul style="list-style-type: none"> ○ Opportunity to provide seamless progression between each phase of education ○ Improved opportunities for continuity of support for vulnerable groups of pupils throughout their school careers
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"> - Would enable staff expertise and good practice to be shared across all key stages - Would improve transition between each key stage - Minimal disruption for pupils and parents - Would improve the ability to provide an appropriate curriculum to pupils - Would enable the school to run more efficiently through shared staffing, shared resources etc - One governing body which would have strategic overview over the provision for pupils/learners in all key stages - Would provide permanent leadership arrangements for all pupils
4. CORPORATE RELEVANCE	
How does this change	Learning and Skills is one of the four priorities outlined in Vision 2025: Our Corporate Improvement Plan 2018-23. Within this

proposal relate to Vision 2025?	priority, the Plan includes a commitment to 'Improve our schools infrastructure'. In order to achieve this, 'we will implement out 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.'	
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?	No <input type="checkbox"/>

	Qualitative data will be collected as part of the forthcoming consultation process.	
6. DATA ANALYSIS		
<p>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.</p> <p>Key questions:</p> <p>i) Are certain groups currently underrepresented in service user figures? Will a change affect this?</p> <p>ii) How do satisfaction levels compare across the protected characteristic groups? How will a change affect this?</p>	<p><u>PLASC January 2018</u></p> <p><u>Llanfyllin C.P. School</u></p> <p>Based on the information provided in the school's PLASC return in January 2018, the following pupils belong to the protected characteristic groups:</p> <ul style="list-style-type: none"> - Free school meals: 11.5% of pupils are eligible for Free School Meals - SEN: 13.7% of pupils have special educational needs. Of these, 11.1% are on School Action, 2.6% are on School Action Plus and 0% have statements - Disabilities: 13.7% of pupils have additional learning needs - English as an Additional Language: 3.9% of pupils are identified as EAL pupils. - Ethnicity: The ethnic group of 95.4% of pupils in the school is White British. 3.9% of pupils belong to ethnic groups other than White British. - Looked after Children: There are no Looked After Children in the school <p><u>Llanfyllin High School</u></p> <p>Based on the information provided in the school's PLASC return in January 2018, the following pupils belong to the protected characteristic groups:</p> <ul style="list-style-type: none"> - Free school meals: 7.3% of pupils are eligible for Free School Meals - SEN: 24.5% of pupils have special educational needs. Of these 18.7% of pupils are on School Action, 4.7% of pupils are on School Action Plus and 1.1% of pupils have statements - Disabilities: 24.5% of pupils have additional learning needs - English as an Additional Language: 1.1% of pupils are identified as EAL pupils - Ethnicity: The ethnic group of 97.7% of pupils in the school is White British. 2.0% of pupils belong to ethnic groups other than White British. 	

	<p>- Looked after Children: 0.9% of pupils are Looked After Children</p> <p>This information shows that a proportion of pupils that belong to the protected characteristic groups will be affected by this proposal. In particular, this includes pupils with additional learning needs, as well as pupils eligible for free school meals. A small number of pupils belong to ethnic groups other than White British, have English as an Additional Language or are Looked After Children.</p> <p>The proposal to establish an all-through school in Llanfyllin would impact on all pupils currently attending Llanfyllin C.P. School and Llanfyllin High 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> <p>i) Do certain groups have a different service user experience? How will a change affect this?</p> <p>ii) Have any areas for improvement been communicated by particular groups? Will 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</p>	<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. A statutory notice has also been published, which provided the opportunity for anyone that does not support the proposal to submit objections.</p> <p>During the consultation period, the following issues were raised regarding the proposal's impact on pupils belonging to the protected characteristic groups:</p> <p><u>Age</u>: Some concerns were raised about the impact of younger pupils attending the same school as older pupils.</p> <p><u>Additional Learning Needs</u>: It was suggested that implementation of the proposal could have a positive impact on pupils with ALN as they would have the same tutors throughout their time in school.</p>

<p>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>iii) Will Welsh speakers be affected?</p>	<p>i) The proposal will impact on a number of pupils with additional learning needs, and a small number of pupils that belong to ethnic groups other than White British, have English as an Additional Language or are Looked After Children.</p> <p>ii) 11.5% of pupils attending Llanfyllin C.P. School and 7.3% of pupils attending Llanfyllin High School are eligible for Free School Meals.</p> <p>iii) Llanfyllin C.P. School and Llanfyllin High School are both dual stream schools, therefore the proposal will affect Welsh speakers. As required by the Welsh Government's School Organisation Code, a separate Welsh Language Impact Assessment will be carried out.</p>	

9. EQUALITY IMPROVEMENT	
<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 dual stream all-through school would be established, and all pupils currently attending Llanfyllin C.P. School and Llanfyllin High School would be able to attend the new school. The aim of the proposal is to improve the educational opportunities available to all pupils in Llanfyllin, 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 Llanfyllin C.P. School and Llanfyllin High School, it is unlikely that there were be any significant change compared with the current position.</p> <p>Many concerns were raised during the consultation period about the proposal's impact on the Welsh language / Welsh-medium education. These concerns are addressed in the Consultation Report itself, the Welsh Language Impact Assessment and the Integrated Impact Assessment. Concerns about the proposals impact on the Welsh language / Welsh-medium education were also raised during the objection period. These are addressed in the Objection Report, the Welsh Language Impact Assessment and the Integrated Impact Assessment.</p>

9.2 Will the management of the impact as outlined in 9.1, be included in the Service Improvement Plan?	Yes <input type="checkbox"/> Date added..... Reference.....	No <input type="checkbox"/> ✓ If no, please explain why not: Need was not identified at time of writing Service Strategy
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4. Community Impact Assessment

4.1 Llanfyllin C.P. School

i) Other facilities or services provided by the school

The school provides 3 different after-school clubs each week, which rotate during the year. The following clubs are held:

- Busy Hands Club
- Clwb y ddraig (Games)
- Urdd Club
- Gardening Club
- Cookery Club
- Bobol Bach
- Coding Club
- Reading Club

In addition, the following extra-curricular activities are provided:

- Running Club
- WASPS (Welshpool Area Sports for Primary Schools)

ii) Other services accommodated by the school

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

- Cylch Meithrin
- Cylch Ti a Fi
- Playgroup
- SoccerholicsRus

iii) Other use by the community of the school building

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

- Young Farmers Club
- Cylch Meithrin / Ti a Fi meetings

iv) Other links between the school and the community

- Strong links with MENCAP and STADCO
- Arts Connections
- Dewi Morris – nature
- Impact bus

- Links with the Church and the Chapel

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 all-through school would be established on the current sites of Llanfyllin C.P. School and Llanfyllin High School, therefore the current Llanfyllin C.P. School site would continue to be available.

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

Should the proposal be implemented, a new dual stream all-through school would be established on the current sites of Llanfyllin C.P. School and Llanfyllin High School. Primary aged pupils would continue to be able to access Welsh-medium and English-medium provision on the same site, therefore no additional travel would be required.

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 Llanfyllin High School

i) Other facilities or services provided by the school

The following after-school clubs are provided:

- Revision sessions
- Homework catch up / extension lessons
- Lonely Tree Theatre Company
- Sports activities / fixtures (e.g. football, rugby, netball, hockey)
- Educational visits e.g. Bodfach Hall
- Weekly youth club

A range of other extra-curricular activities are provided. These include the following:

- Urdd Club

- Duke of Edinburgh (Silver and Gold Awards)
- Sporting activities (e.g. hockey, netball, rugby, squash, multi gym, gymnastics)
- Musical instrument tuition
- Singing group
- African Drumming
- Youth Theatre
- IT/Computing club
- French club
- Art club
- Book club
- Chess club / Games club
- Climbing wall
- Debate society
- DT club
- Homework club
- Lonely Tree Youth Theatre
- Mountain Bike Club
- School Band
- Science Club
- Table Tennis
- Web Development Club

ii) Other services accommodated by the school

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

- CAIS Counselling
- Youth Intervention Service
- Thrive Counselling
- Youth worker run 'Llogy' after school youth club
- Careers Wales interviews
- Young Carers club
- Hub services for students and parents
- Yoga for staff
- LGBT student group (facilitated by youth worker)
- Cynnydd work
- School Nurse drop ins on a Thursday
- Hope House support work for bereaved students
- Severn Hospice support work for students
- Montgomeryshire Family Crisis Centre support for students
- EFT Practitioner to come and support voluntarily in Hub
- ELSA practitioners from SEN dept
- Mentoring programme for KS4
- Link with Montgomeryshire Wildlife Trust – currently working on

- installing a Worry Tree in the Hub
- Eco and SNAG meet in the Hub
- Break and lunchtime activities in Hub i.e. raising self esteem sessions with Helen Coleby
- Responding to national events e.g. Macmillan Coffee Morning, Wear Red for Anti Racism, Mental Health Awareness Day

iii) Other use by the community of the school building

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

- The Theatre is used for functions by outside community groups such as The Urdd, Powys Eisteddfod, Llanfyllin Football Club, Mid Wales Opera, Dolen Ffermio, Penybont fawr male voice choir, Llanfyllin Primary School for theatre productions, S4C recording (Cyw) TV programme, Arts Connection, Local Young Farmers group, the NFU, Welsh Border Rally, Yoga for adults
- The Swimming pool is used by local primary schools
- The School Gym is used by local primary schools
- The Red Gra is used by local sports teams

iv) Other links between the school and the community

- Llanfyllin Football Club
- Monty Tracks Mountain Biking Group
- Impact Team
- COBRA Rugby Club
- Links with local churches e.g. Tabernacle Chapel and IMPACT team
- Links with local colleges e.g. assemblies and drop in sessions in Hub
- Big Ideas Wales – inspiring stories from local business owners during assemblies in KS4
- School Police Liaison Officer PC Gayle Jones – workshops across the key stages
- Rev Darren Mayor assemblies every term
- Link with other secondary 6th forms through TRISGOL and Seren student network
- Link with the Dolydd Workhouse on various projects
- Severn Rivers Trust
- Town Council joint meetings with Pupil Parliament

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 all-through school would be established on the current sites of Llanfyllin C.P. School and Llanfyllin High School, therefore the current Llanfyllin High School site would continue to be available.

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

Should the proposal be implemented, a new dual stream all-through school would be established on the current sites of Llanfyllin C.P. School and Llanfyllin High School. Primary aged pupils would continue to be able to access Welsh-medium and English-medium provision on the same site, therefore no additional travel would be required.

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

4.3 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 comments were received during the objection period which related to the impact of the proposal on the community.

4.5 Conclusion

As the proposal would see the retention of primary and secondary Welsh-medium and English-medium provision in Llanfyllin in the buildings currently occupied by Llanfyllin C.P. School and Llanfyllin High School, it is not anticipated that the proposal would have a significant impact on the community.

5. Welsh Language Impact Assessment

This Welsh Language Impact Assessment should be read in conjunction with the Integrated Impact Assessment and Equality Impact Assessment earlier on in this document.

5.1 Llanfyllin C.P. School

i) Standards in the Welsh language

Language, literacy and communication skills in Welsh (LCW)

Foundation Phase

	Number of Year 2 pupils	No. Outcome 5+	% Outcome 5+	No. Outcome 6+	% Outcome 6+
2014	14	13	92.9%	4	28.6%
2015	21	21	100.0%	11	52.4%
2016	9	9	100.0%	5	55.6%
2017	7	6	85.7%	4	57.1%
2018	14	12	85.7%	3	21.4%

Welsh First Language

Key Stage 2

	Number of Year 6 pupils	No. Level 4+	% Level 4+	No. Level 5+	% Level 5+
2014	9	6	66.7%	3	33.3%
2015	13	13	100.0%	4	30.8%
2016	5	4	80.0%	2	40.0%
2017	16	16	100.0%	7	43.8%
2018	11	11	100.0%	4	36.4%

Welsh Second Language

Key Stage 2

	Number of Year 6 pupils	No. Level 4+	% Level 4+	No. Level 5+	% Level 5+
2014	12	9	75.0%	1	8.3%
2015	17	11	64.7%	3	17.6%
2016	18	16	88.9%	10	55.6%
2017	9	7	77.8%	3	33.3%
2018	16	15	93.8%	3	18.8%

ii) After school / extra-curricular activities which provide additional opportunities to use Welsh

The Welsh language is promoted in all after school activities provided by school staff.

The following additional activities provide opportunities for pupils to use the Welsh language:

- Visits by 'Mewn Cymeriad' company
- Activities to support the Welsh language charter, including Jambori, Shwmae Su'mae day, Welsh gigs
- Christmas concerts / Harvest Festivals – children in the English stream use Welsh

iii) Other Welsh language activities that take place in the school, including opportunities for members of the community to learn Welsh or undertake activities through the medium of Welsh

- Cylch Meithrin
- Cylch Ti a Fi
- Welsh for Adults lessons have taken place at the school in the past
- Young Farmers Club

iv) Other links between the school and the Welsh language community

N/A

5.2 Llanfyllin High School

i) Standards in the Welsh language

Welsh First Language

End of Key Stage 3

	Number of Year 9 pupils assessed in Welsh 1st lang	No. Level 5+	% Level 5+	No. Level 6+	% Level 6+
2014	25	24	96.0%	14	56.0%
2015	19	19	100.0%	9	47.4%
2016	21	19	90.5%	13	61.9%
2017	30	30	100.0%	19	63.3%
2018	33	32	97.0%	22	66.7%

End of Key Stage 4

	Total number of GCSE Welsh 1st lang. entries	Number of pupils that achieved grades A* - C	% of pupils that achieved grades A* - C
2014	18	13	72.2%
2015	21	16	76.2%
2016	25	14	56.0%
2017	18	14	77.8%
2018	20	13	65.0%

Welsh Second Language

End of Key Stage 3

	Number of Year 9 pupils assessed in Welsh 2nd lang	No. Level 5+	% Level 5+	No. Level 6+	% Level 6+
2014	116	108	93.1%	64	55.2%
2015	107	96	89.7%	51	47.7%
2016	94	88	93.6%	53	56.4%
2017	118	111	94.1%	86	72.9%
2018	105	99	94.3%	79	75.2%

End of Key Stage 4

	Total number of GCSE Welsh 2nd lang. entries	Number of pupils that achieved grades A* - C	% of pupils that achieved grades A* - C
2014	101	68	67.3%
2015	81	66	81.5%
2016	90	61	67.8%
2017	93	68	73.1%
2018	70	49	70.0%

ii) After school / extra-curricular activities which provide additional opportunities to use Welsh

As a bilingual school, the school endeavours to provide activities / extra-curricular activities bilingually.

iii) Other Welsh language activities that take place in the school, including opportunities for members of the community to learn Welsh or undertake activities through the medium of Welsh

- Welsh language activities take place in the Theatre, including Urdd activities, Powys eisteddfod, Penybont fawr Male Voice Choir, use by Llanfyllin Primary School, S4C recordings, Cyswllt Celf, Young Farmers groups, NFU

iv) Other links between the school and the Welsh language community

- Links with RhAG (Rhieni dros Addysg Gymraeg), S4C, the Urdd
- Siatr Iaith
- Links with Welsh-medium primary schools
- Links with community organisations e.g. COBRA rugby club, churches/chapel, Police liaison officer
- Pupils take part in numerous Welsh language activities in the Llanfyllin area

5.3 Issues raised during the consultation period

A number of comments received during the consultation period related to the proposal's impact on the Welsh language. These included comments expressing concern about the proposal's impact on the Welsh language / Welsh-medium education as well as comments which recognised that the proposal offered opportunities to improve the Welsh-medium provision available in Llanfyllin. These comments are listed in full in the consultation report published in respect of this proposal, however a summary is provided below:

i) Comments expressing concern about the impact

- Concern about the impact on the Welsh language ethos of Llanfyllin C.P. School, as the primary school has a stronger Welsh ethos than Llanfyllin High School
- Concern that the proposal won't improve the Welsh-medium provision in Llanfyllin
- Criticism of the dual stream model
- The Council should reintroduce 'Trochi' provision in the secondary phase
- Suggestions that the Council should be considering alternative models which would promote the Welsh language, such as fully bilingual foundation phase or establishing designated Welsh-medium provision
- Concern that the status quo is having a negative impact on the number / percentage of Welsh speakers in the Llanfyllin area, and that the proposal will not help to mitigate this

ii) Comments recognising opportunities offered by the proposal

- It's important that dual stream provision is retained in Llanfyllin
- The proposal provides an opportunity to improve Welsh-medium provision
- The proposal could lead to an increase in the proportion of pupils continuing to access Welsh-medium provision when transferring from primary to secondary

5.4 Issues raised during the objection period

Some concerns regarding the proposal's impact on the Welsh language / Welsh-medium education were raised during the objection period in respect of this proposal.

These are listed in full in the objection report published in respect of this proposal, however a summary is also provided below:

- The Council should be using the proposal as an opportunity to strengthen the Welsh language
- Keeping the language category as 2C is a backwards step – the Council should be proposing 2B provision
- The Council's latest WESP included a commitment to improve the school's language category to 2B by 2020. Why has the Council not kept this promise?

5.5 Conclusion

As the proposal would see the retention of primary and secondary Welsh-medium and English-medium provision in Llanfyllin, it is not anticipated that the proposal would have a significant impact on the Welsh language. It is anticipated that implementation of the proposal would result in improved transition between key stages, which could lead to improvements in the proportion of pupils continuing to access Welsh-medium provision on transfer from the primary sector to the secondary sector.

It is also possible that implementation of the proposal could have a positive impact on the Welsh language ethos in the secondary sector in Llanfyllin as a result of amalgamating with a primary school that has a higher percentage Welsh-medium pupils than Llanfyllin High School.

During the consultation period, concerns were raised about the proposal's impact on the Welsh language, in particular on the Welsh ethos of Llanfyllin C.P. School. Concerns about the proposal's impact on the Welsh language were also raised during the objection period. Whilst these concerns are noted, the Council's view is that implementation of the proposal provides an opportunity to improve and strengthen the Welsh-medium provision in Llanfyllin, and to strengthen the Welsh ethos across the primary and secondary phases.

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

30 April 2019

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

SUBJECT: Banw C.P. School and Llanerfyl C. in W. (Foundation)
School

REPORT FOR: Decision

1. Summary

- 1.1 Further to the decision made by Cabinet on the 18th July 2018, the Council carried out consultation on the following proposal:
- To close Banw C.P. School and Llanerfyl C. in W. Foundation School and to establish a new Welsh-medium Voluntary Aided Church in Wales School
 - To establish the new school either
 - a. On the current site of Banw C.P. School or
 - b. On the current site of Llanerfyl C. in W. Foundation School
- 1.2 The purpose of this report is to inform Cabinet members of the responses received to the consultation and to determine whether or not to proceed with the statutory process to close Banw C.P. School and Llanerfyl C. in W. (Foundation) School and to establish a new school on one of the two sites, through the publication of a Statutory Notice.
- 1.3 The report includes a recommendation to establish a new Welsh-medium Voluntary Aided primary school on the current site of Banw C.P. School.
- 1.4 The proposed recommendation to Cabinet was discussed by Full Council on the 7th March 2019. The draft minutes of the discussion are attached in Appendix E, which also includes officer comments on the issues raised.
- 1.5 The report was originally due to be considered by Cabinet on the 12th March, however at that meeting, Cabinet resolved to defer consideration to a date in April to allow further information received to be checked. Since then, several queries were received from Cabinet members, responses to the queries raised are included in Appendix F.

- 1.6 Since the 12th March, 9 pupils have moved from Llanerfyl C. in W. (Foundation) School to Banw C.P. School. Current pupil numbers¹ at the two schools are as follows:

	N2²	R	1	2	3	4	5	6	Total
Banw C.P. School	N/A	5	2	4	4	8	5	4	32
Llanerfyl C. in W. (Foundation) School	3	1	3	2	3	0	3	5	20

- 1.7 The report is supported by the following appendices:

- **Appendix A** – Consultation Document
- **Appendix B** – Consultation Report
- **Appendix C** – Minutes of meetings with School Councils, Governors and Staff
- **Appendix D** – Updated Impact Assessments
- **Appendix E** – Full Council discussion – 7th March 2019
- **Appendix F** – Responses to queries raised by Cabinet members

2. **Proposal**

Background

The Consultation Period

- 2.1 On the 18th July 2018, Cabinet considered a report relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School. At this meeting, Cabinet determined the following:

‘To carry out consultation as required by the School Organisation Code on a proposal to close Banw C.P. School and Llanerfyl C. in W. Foundation School and to open a new Welsh-medium Church in Wales Voluntary Aided School on either the Banw site or the Llanerfyl site, with a target date of closing the two schools on the 31st August 2020 and opening the new school on the 1st September 2020.’

- 2.2 Consultation on the proposal to close the two schools and establish one new school on one of the two sites commenced on the 24th September 2018 and ended on the 5th November 2018.

¹ Teacher Centre, 9th April 2019

² In September 2017, the Council raised the age of admission for pupils into maintained schools, therefore Banw C.P. School does not have an N2 class. Llanerfyl C. in W. School is a Foundation school and is therefore responsible for its own admissions, and has continued to admit nursery aged pupils.

- 2.3 The consultation document was available on the Council's website throughout the consultation period. The document was also distributed to stakeholders as required by the School Organisation Code (2013). The consultation document that was issued is attached as Appendix A.
- 2.4 Consultees were asked to respond to the consultation by either completing the online consultation form, filling in a paper copy of the form and returning it to the School Transformation Team, or by writing to the School Transformation Team.
- 2.5 During the consultation period, meetings were also held with the following:
- Staff and governors of Llanerfyl C. in W. (Foundation) School
 - Staff and governors of Banw C.P. School
 - School council of Llanerfyl C. in W. (Foundation) School
 - School council of Banw C.P. School

The minutes of these meetings are attached as Appendix C, and the issues raised in the meetings are included in the Consultation Report (Appendix B).

- 2.6 In addition, two drop in sessions were held during the consultation period, to give people the opportunity to discuss the proposals with officers and county councillors. One session was held in Llanerfyl Village Hall, and the second was held in Banw Community Centre.

Consultation Responses

- 2.7 250 respondents completed the consultation response form which was included in the consultation document, including paper copies and responses submitted using the online response form. In addition, 51 written responses were received.
- 2.8 The consultation response form asked respondents to answer a number of questions. The findings are provided in full on pages 7 and 8 of the Consultation Report (Appendix B).
- 2.8 The written responses received included a response by Estyn, which is provided on page 17 of the Consultation Report (Appendix B).

Consultation Findings

- 2.9 As part of the consultation, a consultation response form was issued, which was completed by 250 respondents. 40% of respondents indicated that they were associated with Banw C.P. School, whilst 44% of respondents indicated that they were associated with Llanerfyl C. in W. (Foundation) School.

2.10 The consultation response form asked respondents whether or not they agreed that each of the two sites options was a suitable way forward. The findings are outlined in the full on pages 7-8 of the Consultation Report (Appendix B), however the main findings are also provided below:

3. *Given the current and projected pupil numbers in Banw C.P. School and Llanerfyl C. in W. (Foundation) School, do you agree that the most suitable way forward is for the two existing schools to merge in order to establish one new, larger school in the area?*

Yes	189	83%
No	33	14%
Don't know	7	3%
Total responses	229	100%

4. *The current proposal is to establish a new Welsh-medium Voluntary Aided Church in Wales School. If the Council were to proceed with merging the two existing schools to create one new school, do you agree that 'Voluntary Aided Church in Wales' would be a suitable category for a new school?*

Yes	105	46%
No	48	21%
Don't know	74	33%
Total responses	227	100%

5. *If the Council were to proceed with merging the two existing schools to create one new school, do you agree that establishing a new school on the current site of Banw C.P. School would be a suitable way forward in order to safeguard the provision of Welsh-medium education in the Banw Valley?*

Yes	140	61%
No	81	35%
Don't know	8	4%
Total responses	229	100%

6. *If the Council were to proceed with merging the two existing schools to create one new school, do you agree that establishing a new school on the current site of Llanerfyl C. in W. (Foundation) School would be a suitable way forward in order to safeguard the provision of Welsh-medium education in the Banw Valley?*

Yes	81	36%
No	130	57%
Don't know	16	7%
Total responses	227	100%

2.10 Written comments were also provided in the consultation response form. These comments, as well as issues raised in written responses

and those raised in the consultation meetings, are listed in the Consultation Report (Appendix B) from page 21 onwards, along with the Council's response to these issues. The issues raised relate to the following headings:

1. Comments on the principle of merging the two schools
2. Comments about Banw C.P. School
3. Comments about Llanerfyl C. in W. School
4. Category of any new school
5. Impact on pupils
6. Pupil numbers
7. Impact on staff
8. Impact on the community
9. Impact on the Welsh language
10. Reference to Early Years provision
11. Financial considerations
12. Other options
13. Reference to documentation
14. Comments relating to the process

2.11 The findings of the consultation, as summarised in 2.10 above, suggest that the respondents' preferred option is to establish a new school on the site currently occupied by Banw C.P. School.

2.12 This matter was discussed by Full Council on the 7th March 2019 (see Appendix E). Since then, 9 pupils have moved from Llanerfyl C. in W. School to Banw C.P. School.

The Proposal

2.12 Based on the findings of the consultation, the proposal to Cabinet is as follows:

- i) To receive the Consultation Report in respect of Banw C.P. School and Llanerfyl C. in W. (Foundation) School
- ii) To approve the publication of a Statutory Notice proposing the following:
 - To close Banw C.P. School and Llanerfyl C. in W. Foundation School
 - To establish a new Welsh-medium Voluntary Aided Church in Wales School on the current site of Banw C.P. School

2.13 A financial analysis of the two options was carried out, and details were included in the Consultation Document (Appendix A). This analysis estimated that the proposal to close the two schools and establish a

new Voluntary Aided Church in Wales School on the current site of Banw C.P. School would result in an annual saving of £49,226.

- 2.14 This has now been recalculated using the Council's new funding formula. Based on the new funding formula, and using the figures for 2019/20, it is estimated that the proposal to close the two schools and establish a new Voluntary Aided Church in Wales School on the current site of Banw C.P. School would result in an annual saving of £53,820.
- 2.15 Since this matter was discussed by Full Council on the 7th March, a number of pupils have moved from Llanerfyl C. in W. (Foundation) School to Banw C.P. School. Current pupil numbers³ at the two schools are as follows:

	N2⁴	R	1	2	3	4	5	6	Total
Banw C.P. School	N/A	5	2	4	4	8	5	4	32
Llanerfyl C. in W. (Foundation) School	3	1	3	2	3	0	3	5	20

- 2.16 Should the Cabinet resolve to proceed with the publication of a Statutory Notice, this will be published on or before the 3rd May 2019. It is anticipated that a further report, summarising any objections received, will be considered by the Council's Cabinet before the end of the academic year.
- 2.17 The target would be for the new school to open in September 2020.

3. Options Considered / Available

- 3.1 A number of options have been considered in respect of Banw C.P. School and Llanerfyl C. in W. (Foundation) School. These are outlined in the consultation document in respect of this proposal (Appendix A).
- 3.2 Two options were outlined in the consultation document, which were to open a new school on the site currently occupied by Banw C.P. School or to open a new school on the site currently occupied by Llanerfyl C. in W. (Foundation) School. Consultees were asked for their views on the two options. The findings of the consultation exercise are outlined in the Consultation Report (Appendix B).

³ Teacher Centre, 9th April 2019

⁴ In September 2017, the Council raised the age of admission for pupils into maintained schools, therefore Banw C.P. School does not have an N2 class. Llanerfyl C. in W. School is a Foundation school and is therefore responsible for its own admissions, and has continued to admit nursery aged pupils.

4. Preferred Choice and Reasons

4.1 As outlined in section 2 above, the outcome of the consultation exercise carried out suggests that the preferred option is to establish a new school on the site currently occupied by Banw C.P. School.

4.2 Therefore, the preferred choice is to proceed with the option to establish a new Welsh-medium Voluntary Aided Church in Wales Primary School on the site currently occupied by Banw C.P. School.

4.2 The reasons for this are as follows:

- Would provide one larger school in the Dyffryn Banw area which would continue to provide access to Welsh-medium education
- Would provide improved opportunities for pupils in the Dyffryn Banw area by being part of a larger school
- Would provide a more efficient model of delivering primary education in the Dyffryn Banw area
- Would minimise surplus places in the Dyffryn Banw area
- Closing the two schools and establishing one new school would ensure that all staff currently employed at the two schools would have an equal opportunity to secure a position in the new school
- The proposal to establish a new Church in Wales school would ensure continued access to Welsh-medium Church in Wales provision
- The Banw building is larger, so would provide an opportunity to co-locate pre-school provision on the site
- The Banw building has been assessed as being more suitable for curriculum delivery purposes
- There is access to a hall on site
- This outcome of the consultation carried out suggests that this is the preferred option.

5. Impact Assessment

5.1 Is an impact assessment required? Yes

5.2 If yes is it attached? Yes

A range of draft impact assessments were produced as part of the consultation documentation. These included a Single Integrated Impact Assessment, an Equalities Impact Assessment, a Community Impact Assessment and a Welsh Language Impact Assessment.

These draft impact assessments have been updated to reflect issues raised during the consultation period, and are attached in Appendix D.

6. Corporate Improvement Plan

- 6.1 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.'

7. **Local Member(s)**

- 7.1 Comments will be provided at the meeting.

8. **Other Front Line Services**

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes

9. **Communications**

Have Communications seen a copy of this report? Yes

Have they made a comment? 'This report is of public interest and requires a news release and use of appropriate social media to publicise Cabinet's decision.'

10. **Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)**

- 10.1 Legal:

The recommendations can be supported from a legal point of view

- 10.2 The Schools Finance Manager comments:

Establishing one new school to replace the two current schools would provide an opportunity for the new school to work more effectively and efficiently. Finance and Schools Service would continue to work closely with the two current schools and the proposed new school to ensure the financial position is managed within the requirements of the Scheme for Financing Schools.

Upon implementation of the proposal, the existing balances for each school would cease, and the balance would be retained / met by the authority. The current projected balance for March 2019 is Banw CP School = £18k, Llanerfyl C. in W. (Foundation) School = £9k. The proposed new school would be funded in line with the new formula as a single school and this would deliver a saving of £53,820.

- 10.4 HR:

The Schools HR Team will continue to work with Headteachers, Staff, Governors, Trade Unions and other officers of Powys County Council to ensure that any changes that are required will be made in line with the School's adopted policies and procedures.

11. Scrutiny

Has this report been scrutinised? No

12. Statutory Officers

The Head of Financial Services (Section 151 Officer) notes the comments of finance. It is critical that both schools manage their budget within the requirements of the Scheme for the Financing of Schools to ensure that they maintain a positive budget position through to closure.

The Solicitor to the Council (Monitoring Officer) commented as follows: "I note the legal comments and have nothing to add to the report."

13. Members' Interests

The Monitoring Officer is 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.

Recommendation:		Reason for Recommendation:	
i)	To receive the Consultation Report and the views of Full Council in respect of Banw C.P. School and Llanerfyl C. in W. (Foundation) School	To understand the issues raised during the consultation period.	
ii)	To approve the publication of a statutory notice proposing the closure of Banw C.P. School and Llanerfyl C. in W. (Foundation) School from the 31st August 2020, and opening a new Voluntary Aided Church in Wales Primary School on the site currently occupied by Banw C.P. School from the 1st September 2020.	To ensure the continued provision of Welsh-medium education in the Banwy Valley through the establishment of one larger school.	

Relevant Policy (ies):	School Organisation Policy		
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	Cllr Myfanwy Alexander
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Person(s) To Implement Decision:	Marianne Evans
Date By When Decision To Be Implemented:	By 3rd May 2019

Contact Officer:	Sarah Astley
Tel:	01597 826265
Email:	sarah.astley@powys.gov.uk

Background Papers used to prepare Report:



POWYS COUNTY COUNCIL

CONSULTATION DOCUMENT

**Banw Community Primary School
and
Llanerfyl Church in Wales Foundation School**

Consultation dates: 24th September 2018 – 5th November 2018

Consultation on proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School

CONTENTS

	Page
Overview of the Consultation	3
Part A – The Case for Change	5
1. Background	5
2. The Strategic Context	7
3. Why change is needed in the Banw Valley	8
4. Options considered	11
Part B – Option to establish a new school on the current site of Banw C.P. School	18
5. Overview	18
6. Reasons for the Proposal	19
7. Advantages and Disadvantages	19
8. Risks	20
9. Likely impact of this Option	20
Part C – Option to establish a new school on the current site of Llanerfyl C. in W. (Foundation) School	32
10. Overview	32
11. Reasons for the Proposal	33
12. Advantages and Disadvantages	33
13. Risks	34
14. Likely impact of this Option	35
Part D – Consultation Details	47
Appendix A Key data	50
Appendix B Consultation response form	61

Most of the pupil related data used in this document is based on the latest PLASC data available to the Council, which reflects pupils attending the schools in January 2018.

This document and an online version of the consultation response form is also available on the Council's website via the following link: <https://customer.powys.gov.uk/article/4465/Banw-C.P.-School-and-Llanerfyl-C.-in-W.-Foundation-School>

If you require a copy of the document in a different format, please contact the School Transformation Team on 01597 826265, or e-mail school.modernisation@powys.gov.uk.

Consultation on proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School

Overview of the Consultation

1. The Proposals

Powys County Council is consulting on the following proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School:

- To close Banw C.P. School and Llanerfyl C. in W. Foundation School and to establish a new Welsh-medium Voluntary Aided Church in Wales School
- To establish the new school either
 - a. on the current site of Banw C.P. School **or**
 - b. on the current site of Llanerfyl C. in W. Foundation School

The current target date is to close the two schools on the 31st August 2020, with the new school opening on the 1st September 2020.

2. How to respond

You can respond to this consultation by completing the online questionnaire which is available on our website:

<https://customer.powys.gov.uk/article/4465/Banw-C.P.-School-and-Llanerfyl-C.-in-W.-Foundation-School>.

A paper copy of the questionnaire is also available at the back of this document.

Alternatively, you can respond in writing, using the contact details below.

All responses must be received by the **5th November 2018**.

Two 'drop in' consultation events will also be held during the consultation period. These will be held on the following dates:

Drop in session for parents of pupils attending Llanerfyl C. in W. (Foundation) School and other stakeholders associated with the school:

Thursday, 4th October, 3 – 7pm, Llanerfyl Village Hall

Drop in session for parents of pupils attending Banw C.P. School and other stakeholders associated with the school:

Monday, 15th October, 3 – 7pm, Banw Community Hall

3. Contact details

All responses should be sent to the following address:

School Transformation Team
Powys County Council
County Hall
Llandrindod Wells
Powys
LD1 5LG

E-mail: school.consultation@powys.gov.uk

Phone: 01597 826265

4. What will happen next

Once the consultation period has ended, a consultation report will be produced which will outline the feedback received. The Council's Cabinet will consider the consultation report, and will consider how they wish to proceed in respect of the proposals outlined above. This is expected to happen early in 2019.

If the Cabinet decide to proceed with any of the proposals outlined above, statutory notices would be published, and there would be a period of 28 days for people to submit objections. The Cabinet would then need to consider another report summarising any objections received, and decide whether or not to proceed with implementation.

It is anticipated that a final decision will be made by the end of the 2018/19 academic year at the latest.

PART A – THE CASE FOR CHANGE

Powys County Council is consulting on the following proposals:

- **To close Banw Community Primary (C.P.) School and Llanerfyl Church in Wales (C. in W.) Foundation School, and to establish a new Welsh-medium Voluntary Aided Church in Wales School**

- **To establish the new school either**
 - a. **on the current site of Banw C.P. School or**
 - b. **on the current site of Llanerfyl C. in W. Foundation School**

The current target date is to close the two schools on the 31st August 2020, with the new school opening on the 1st September 2020.

1. BACKGROUND

Banw C.P. School and Llanerfyl C. in W. (Foundation) School are two small Welsh-medium primary schools situated approximately 2.5 miles apart in the Banw Valley in North Powys. The two schools serve the villages of Llanerfyl, Llangadfan and Y Foel, along with the surrounding rural area.

The following table provides general information about the two schools:

School name and location	School Category	Language Category	Admission Number
Banw C.P. School, Llangadfan, Welshpool, Powys, SY21 0NW	Community Primary School building owned by PCC with a community centre attached to the school. PCC responsible for admissions.	Welsh-medium	8
Llanerfyl C. in W. (Foundation) School, Llanerfyl, Welshpool, Powys, SY21 0HZ	Foundation Church in Wales School building owned by the Pricilla Foster Trust. School responsible for its own admissions.	Welsh-medium	7

Current pupil numbers¹ at the two schools are as follows:

¹ Teacher Centre, 18th September 2018

	N2	R	1	2	3	4	5	6	Total
Banw C.P. School	N/A ²	2	2	2	1	7	4	4	22
Llanerfyl C. in W. (Foundation) School	3	3	3	4	6	1	4	5	29
TOTAL	3	5	5	6	7	8	8	9	51

Pupil numbers in the area have reduced over recent years, and in the summer of 2017, Banw C.P. School contacted the Council, to express concern about the current and projected numbers at their school, and to request the Council to facilitate a dialogue between the two schools in the area, to safeguard the provision of education in the Banw Valley.

The Council has subsequently carried out a review of the two primary schools, which has included the following steps:

- Discussions with the governing bodies – this has included individual meetings as well as joint meetings with both governing bodies
- Initial engagement with parents – a questionnaire was distributed to parents of pupils currently attending the two schools and the local Cylch Meithrin
- An options appraisal
- Information presented to the Council’s Learning and Skills Programme Board
- Recommendation ratified by members of the Learning and Skills Programme Board
- Recommendation presented to Cabinet
- Recommendation amended and approved by Cabinet

A paper in respect of Banw C.P. School and Llanerfyl C. in W. (Foundation) School was considered by the Council’s Cabinet on the 18th July. Whilst a preferred option was presented in the paper considered by Cabinet, the recommendation changed in the Cabinet meeting.

The recommendation approved by Cabinet on the 18th July was as follows:

‘To close Banw C.P. School and Llanerfyl C. in W. Foundation School and to open a new Welsh-medium Church in Wales Voluntary Aided School on **either** the Banw site or the Llanerfyl site, with a target date of closing the two schools on the 31st August 2020 and opening the new school on the 1st September 2020.’

The proposal to close the two current schools and to open a new school, and the two options in terms of the location of any new school, are considered in more detail in the following sections.

² In September 2017, the Council raised the age of admission for pupils into maintained schools to 5 years old, therefore Banw C.P. School does not have an N2 class. Llanerfyl C. in W. School is a Foundation school and is therefore responsible for its own admissions, and has continued to admit nursery aged pupils.

2. THE STRATEGIC CONTEXT

In March 2018, Cabinet approved a new School Organisation Policy, which set out the Council's aspirations for the schools infrastructure in Powys. The policy states that:

'The Council aims to have an educational model which fulfils the following:

- Provides all learners with the opportunity to achieve their potential
- Has high quality, resilient leadership and management
- Has high quality learning environments, with the long term aim that all schools will be assessed as condition A or B
- Has a greater focus on collaboration and partnership working, in order to enable schools to provide the best possible opportunities for learners
- Enables schools to 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
- Develops our schools into establishments that are central to community activity
- Has a 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 policy also states that a Delivery Plan will be produced which sets out the Council's priorities:

'In order to move towards a more efficient schools network, a new Delivery Plan will be implemented with a greater focus on working in partnership with schools and the communities they serve, and on alternative models of delivering education, such as collaboration models, federation, multi-site schools and all-through schools.

The Council's Delivery Plan will focus on delivering the following priorities:

- Secondary schools to become 'all-through schools', or part of multi-sited arrangements
- Small primary schools³ to be part of formal collaborations / federations / amalgamations
- Remove infant / junior split by creating 'all-through' primary schools
- New Welsh-medium provision to be established
- Improvements to the Powys schools estate, either as part of the Welsh Government's 21st Century Schools Programme or as part of the Council's Asset Management Programme
- A new model for delivering post-16 provision to be implemented
- Transforming the delivery of support for pupils with additional learning needs

In addition to the above priorities, the Council will encourage all schools to:

³ The Welsh Government defines a 'small school' as a school that contains fewer than 91 registered pupils in the Education (Small Schools) (Wales) Order 2014: <http://www.legislation.gov.uk/wsi/2014/1133/made>

- Identify areas where staff and / or services can be shared across more than one school in order to improve efficiency
- Develop the use of ICT links between school sites to provide distance learning opportunities'

The review of Banw C.P. School and Llanerfyl C. in W. (Foundation) School has been carried out in line with this policy.

3. WHY CHANGE IS NEEDED IN THE BANW VALLEY

The current challenges in respect of the provision of education in the Banw Valley are as follows:

3.1 Low pupil numbers at both schools

Current pupil numbers⁴ at the two schools are as follows:

	N2	R	1	2	3	4	5	6	Total
Banw C.P. School	N/A ⁵	2	2	2	1	7	4	4	22
Llanerfyl C. in W. (Foundation) School	3	3	3	4	6	1	4	5	29
TOTAL	3	5	5	6	7	8	8	9	51

The Welsh Government defines a 'small school' as a school with less than 91 pupils, however the total number of pupils at Banw C.P. School and Llanerfyl C. in W. School is less than this.

As well as the low overall total number of pupils, the numbers of pupils per year group in each school is very small.

3.2 Decreasing pupil numbers

Pupil numbers across the two schools have fallen significantly over the last few years, as illustrated in the following table⁶:

⁴ Teacher Centre, 18th September 2018

⁵ In September 2017, the Council raised the age of admission for pupils into maintained schools to 5 years old, therefore Banw C.P. School does not have an N2 class. Llanerfyl C. in W. School is a Foundation school and is therefore responsible for its own admissions, and has continued to admit nursery aged pupils.

⁶ PLASC

	Jan. 2011	Jan. 2012	Jan. 2013	Jan. 2014	Jan. 2015	Jan. 2016	Jan. 2017	Jan. 2018
Banw C.P. School	45	50	46	38	35	33	28	26
Llanerfyl C. in W. (Foundation) School	47	51	42	41	38	37	35	32
TOTAL	92	101	88	79	73	70	63	58

The latest projected pupil numbers⁷ for the two schools (R-Yr6) suggest that numbers are expected to continue to decrease over the next few years, as indicated in the following table:

	January 2019	January 2020	January 2021	January 2022	January 2023
Banw C.P. School	22	18	17	13	15
Llanerfyl C. in W. (Foundation) School (R-Yr6)	28	30	29	31	28
TOTAL	50	48	36	44	43

3.3 Financial challenges

Similarly to many other schools across Powys and Wales, both Banw C.P. School and Llanerfyl C. in W. School are currently facing a difficult financial position. As illustrated in the table below, both schools are currently projecting a deficit budget position by the 2019/20 financial year⁸:

	2017/18 Actual Cumulative Outturn	2018/19 Budget	2019/20 Budget	2020/21 Budget
Banw C.P. School	£28,525	£15,582	(£1,576)	(£23,536)
Llanerfyl C. in W. (Foundation) School	£19,422	(£969)	(£25,852)	(£50,624)

⁷ These projected pupil numbers are based on a combination of the latest PLASC figures available, live birth information and information held by the Council's Finance team, which is supplied by the schools themselves. However, it is acknowledged that projected pupil numbers are subject to change

⁸ Current budgetary position, as of 1st May submittal by full governing body

3.4 Building condition / suitability

In the Spring of 2018, the Council commissioned Heart of Wales Property Services (HOWPS) to carry out updated condition and suitability assessments of the two schools.

Detailed reports have been provided for two schools, however the overall assessments are as follows:

	Condition	Suitability
Banw C.P. School	C Generally poor	B Generally satisfactory
Llanerfyl C. in W. (Foundation) School	B Generally satisfactory	C/D Poor to bad This assessment is based on the perceived limitation of having no hall, and the significant limitations due to conversion and extension of the original property

These assessments suggest that there are issues with both current buildings.

3.5 Welsh-medium education

Both schools provide access to good quality education through the medium of Welsh, and therefore support the recently launched Welsh Government strategy to achieve a million Welsh speakers by the year 2050⁹.

Whilst Banw C.P. School and Llanerfyl C. in W. School make an important contribution to implementation of the Council's Welsh in Education Strategic Plan, in terms of providing access to Welsh-medium provision, there is evidence that the current provision in the Banw Valley is not attracting all prospective pupils who live in the area. Currently, 26 pupils are accessing home to school transport to access English-medium provision in Llanfair Caereinion C.P. School.

3.6 Need to maintain quality of provision

Quality of provision at the two schools, as indicated by their most recent Estyn inspections, and the most recent School Categorisation exercise carried out during the 2017-18 academic year, is outlined below:

⁹ <https://gov.wales/topics/welshlanguage/welsh-language-strategy-and-policies/cymraeg-2050-welsh-language-strategy/?lang=en>

i) Estyn

	Banw C.P. School	Llanerfyl C. in W. (Foundation) School
Date of Inspection	September 2016	November 2014
School's Current Performance	Good	Adequate
Prospects for Improvement	Good	Adequate
Follow Up Activity	No follow up activity	Estyn Monitoring Estyn Monitoring visit January 2016 – the school was judged to have made good progress, and was removed from the list of schools requiring Estyn monitoring

ii) School Categorisation

	Standards Group	Improvement Capacity	Support Capacity
Banw C.P. School	N/A	A	Green
Llanerfyl C. in W. (Foundation) School	N/A	C	Yellow

Whilst the two schools have historically provided good quality education to pupils in the Banw Valley, the decreasing pupil numbers in the area and the financial pressures faced by both schools are a threat to their ability to sustain this in the future. One of the two schools has been unable to secure permanent leadership arrangements, and the small number of pupils in each year group at the two schools, which are projected to decrease further in the coming years, is a further threat.

4. OPTIONS CONSIDERED

Discussions with the governing bodies of Banw C.P. School and Llanerfyl C. in W. (Foundation) School on the future of the two schools took place during the 2017-18 academic year. The outcome of these discussions was an agreement that there should be one school in the area instead of two.

Subsequently, the Council has considered a number of options which would result in the establishment of a single primary school in the area. Clustering and collaboration have not been considered as options at this stage as they would not result in the creation of a single school. Federation has not been considered as it is not possible for the two schools to federate due to the fact that one is a Community Primary school and the other is a Church in Wales Foundation school.

The following options have been considered:

- 1 Establish a new school operating across the two current sites
- 2 Establish a new school operating from the current Dyffryn Banw site
- 3 Establish a new school operating from the current Llanerfyl site
- 4 Establish a new school operating from a new site in the area

These options, as well as the status quo (Banw C.P. School and Llanerfyl C. in W. (Foundation) School) are considered in more detail below.

4.1 SWOT analyses of the options

SWOT analyses for each of the four options are provided below. As well as input from officers, these also reflect comments provided by parents during initial engagement work carried out as part of the review process.

Status Quo: Banw C.P. School and Llanerfyl C. in W. (Foundation) School to continue to operate as separate schools

Strengths	Weaknesses
<ul style="list-style-type: none"> - Would retain provision in both villages - There would be no additional transport costs - Would continue to provide access to Community Primary and Church in Wales provision in the Banw Valley 	<ul style="list-style-type: none"> - There would still be small numbers of pupils at each school - Pupils would still be taught separately - Would still be running two buildings which would mean twice the cost - Would not reduce surplus places in the area - Would not lead to a financial saving to the council - No early years provision in either school - Would not address the financial pressures faced by the two schools
Opportunities	Threats
<ul style="list-style-type: none"> - Opportunities for closer collaboration between the two schools to provide increased opportunities for pupils 	<ul style="list-style-type: none"> - Further decline in pupil numbers expected in the area

Option 1: A new school operating across the two current sites

Strengths	Weaknesses
<ul style="list-style-type: none"> - Would retain provision in both villages - Bringing the two schools together under a new name and one headteacher would bring the communities and the pupils together - Benefits in terms of leadership and management - More opportunities could be provided to the pupils - There would be no additional transport costs - Possibly the most straightforward option 	<ul style="list-style-type: none"> - There would still be small numbers of pupils on each site - Pupils would still be taught separately - Would still be running two buildings which would mean twice the cost - Would not reduce surplus places in the area - Would not lead to a financial saving to the council
Opportunities	Threats
<ul style="list-style-type: none"> - Possibility that the schools could separate again if numbers were to increase - Opportunity to include Cylch Meithrin / Tia Fi on one of the sites 	<ul style="list-style-type: none"> - In the future, it's possible that parents would opt for one site over the other - Possible conflict between church school and community school

Option 2: A new school operating from the current Banw site

Strengths	Weaknesses
<ul style="list-style-type: none"> - This is the larger site of the two and could accommodate all current pupils in the area - There are more facilities on this site e.g indoor hall, dining hall, large playground and playing fields, plenty of parking - All pupils would be together in the same place which would have a positive impact on the opportunities which could be offered to them - Would reduce surplus places in the area - Would lead to a financial saving to the council 	<ul style="list-style-type: none"> - There would be no provision in Llanerfyl - Not having primary provision in the village would impact on the Llanerfyl community - Additional transport would be required for Llanerfyl pupils - Would be more difficult for Llanerfyl pupils to access after school activities - The council would not benefit from any sale of the Llanerfyl site as it isn't owned by the council - Some investment would be needed in the Dyffryn Banw building - There are no safe walking / cycling routes to the school - Would be less convenient for Llanerfyl parents, many of whom work in the opposite direction - Current pupil projections are lower for Dyffryn Banw than Llanerfyl
Opportunities	Threats
<ul style="list-style-type: none"> - Sufficient space to accommodate any growth in pupil numbers in the future - Opportunity to accommodate early years provision on the site - Opportunity to bring the two communities together 	<ul style="list-style-type: none"> - Some Llanerfyl parents may choose for their children to attend a different school - Concern that Llanerfyl pupils would not travel up the valley to Banw

Option 3: A new school operating from the current Llanerfyl site

Strengths	Weaknesses
<ul style="list-style-type: none"> - Current numbers at Llanerfyl are higher than Banw, therefore this would be a more convenient location for the majority - Current pupil projections at Llanerfyl are higher than Dyffryn Banw - Building is currently in a better condition than Banw - All pupils would be together in the same place which would have a positive impact on the opportunities which could be offered to them - Would reduce surplus places in the area - Would lead to a financial saving to the council 	<ul style="list-style-type: none"> - There would be no provision in Llangadfan - Not having primary provision in the village would impact on the Llangadfan community - Concern about the impact on Banw Community Hall if there was no school located on the site - Sale of the Banw site could be difficult due to the co-location of the community centre - Additional transport would be required for Llangadfan pupils - Would be more difficult for Llangadfan pupils to access after school activities - Capacity of the building is lower than Dyffryn Banw's - No separate dining area / canteen - No access to a hall on the school site – pupils have to walk up the road - Access to the school is down a narrow lane – this could be problematic if there were more pupils attending the school - Limited parking on the site - Capital investment would be required to provide additional facilities - Currently there is nowhere to accommodate Cylch Meithrin / early years provision on the site
Opportunities	Threats
<ul style="list-style-type: none"> - Opportunity for capital receipts from the sale of the Banw site - Llanerfyl is more central in the area which means that it could attract Welsh-medium pupils from Llanfair and the area - There is land nearby which could be purchased to extend the car park and buildings - Opportunity to bring the two communities together 	<ul style="list-style-type: none"> - Some Banw parents may choose for their children to attend alternative schools

Option 4: A new school operating from a new site in the area

Strengths	Weaknesses
<ul style="list-style-type: none"> - Would be a fresh start for the area - Could be located in a central location which would be equally accessible to the two communities - All pupils would be together in the same place which would have a positive impact on the opportunities which could be offered to them - Would reduce surplus places in the area - Could lead to a financial saving to the council - Any new building would include all required facilities, disabled access, early years provision, a hall, playing fields etc. 	<ul style="list-style-type: none"> - There are already two buildings in the area that can accommodate current pupil numbers - Would need to purchase land, which would add to the expense - No guarantee that Welsh Government would provide funding as the new school would be very small - Would not provide good value for money based on potential investment per pupil
Opportunities	Threats
<ul style="list-style-type: none"> - Opportunity to access 21st Century Schools funding from the Welsh Government - Could attract pupils from further afield 	

4.2 Financial Assessment

A financial assessment of each of the options has also been carried out. The estimated savings/costs of each of the options is outlined below. The Council is currently reviewing its Fair Funding Formula for schools. It is expected that a new formula will be introduced during the 2019/20 financial year. The estimates provided below are based on the current funding formula, however these may change depending on the new Fair Funding Formula agreed.

Option 1: A new school operating across the two current sites

Current Estimated funding 18/19 – 2 schools	£308,423
Total	£308,423
Revised Estimated Funding/Costs	
1 school across 2 sites	£321,577
Management saving	£4,679
Total	£316,898
Saving / (Cost)	(£8,475)
Estimated Saving / (Costs)	(£8,475)

Option 2: A new school operating from the current Dyffryn Banw site

Current Estimated funding 18/19 – 2 schools	£308,423
Current Catering Costs	£27,596
Total	£336,019
Revised Estimated Funding/Costs	
1 school 1 site (Dyffryn Banw)	£227,265
Catering costs	£24,572
Total	£251,837
Saving / (Cost)	£84,182
Estimated Additional Transport Costs	£34,956
Estimated Saving / (Costs)	£49,226

Option 3: A new school operating from the current Llanerfyl site

Current Estimated funding 18/19 – 2 schools	£308,423
Current Catering Costs	£27,596
Total	£336,019
Revised Estimated Funding/Costs	
1 school 1 site (Llanerfyl)	£213,065
Catering costs	£24,572
Total	£237,637
Saving / (Cost)	£98,382
Estimated Additional Transport Costs	£34,956
Estimated Saving / (Costs)	£63,426

Option 4: A new school operating from a new site in the area

It is not possible to estimate the cost of this option at this stage as it would be dependent on the size / location of the new school.

Should this option be taken forward, a detailed financial appraisal would need to be carried out as part of a business case process.

4.3 Conclusion

Based on the SWOT analyses and the financial estimates, the Status Quo, Option 1 and Option 4 have been discounted.

The Status Quo has been discounted because of the following reasons:

- There would still be small numbers of pupils at each school
- Pupils would still be taught separately
- Would still be running two buildings which would mean twice the cost

- Would not reduce surplus places in the area
- Would not lead to a financial saving to the council
- No early years provision in either school
- Would not address the financial pressures faced by the two schools
- Further decline is expected in pupil numbers in the area

Option 1 (A new school operating across the two current sites) has been discounted because of the following reasons:

- There would still be small numbers of pupils on each site
- Pupils would still be taught separately
- Would still be running two buildings which would mean twice the cost
- Would not reduce surplus places in the area
- Would not lead to a financial saving to the council

Option 4 (A new school operating from a new site in the area) has been discounted because of the following reasons:

- There are already two buildings in the area that can accommodate current pupil numbers
- Would need to purchase land, which would add to the expense
- No guarantee that Welsh Government would provide funding as the new school would be very small
- Would not provide good value for money based on potential investment per pupil

The preferred option is to amalgamate the two schools by closing the two current schools and establishing one new school in the area, with two options in terms of the location of any new school – either the current site of Banw C.P. School or the current site of Llanerfyl C. in W. (Foundation) School. These two options are considered in more detail in the following sections.

PART B OPTION TO ESTABLISH A NEW SCHOOL ON THE CURRENT SITE OF BANW C.P. SCHOOL

This section considers the impact of option (a), to establish a new school on the current site of Banw C.P. School.

This would mean that Banw C.P. School and Llanerfyl C. in W. School would close, and a new Welsh-medium Voluntary Aided Church in Wales School would be established on the site currently occupied by Banw C.P. School.

5. OVERVIEW

Should this option be implemented, the details of the new school would be as follows:

Proposed admission number and admission arrangements	10 As the proposed new school would be a Voluntary Aided school, the school would be responsible for its own admissions arrangements. The school's Governing Body would determine the school's Admissions Policy, and would be the Admitting Authority for the school. Prospective parents wishing their child/children to attend the school would be required to contact the school directly for further information and an application form.
Age range	5-11
Pupil places capacity and/or number of nursery places	72 + 10 Nursery
Location	Current site of Banw C.P. School, Llangadfan, Powys, SY21 0NW
Category	Voluntary Aided Church in Wales
Language Category	Welsh-medium
Details of the proposed accommodation	The school would be located in the building currently occupied by Banw C.P. School. The facilities would be the same as those currently available at Banw C.P. School.
Home to school transport arrangements	Home to school transport would be provided in accordance with the Council's home to school transport policy. Should this option be implemented, Welsh-medium education would continue to be accessible to all pupils in the Banw Valley area. Home to school transport would be provided to eligible pupils to enable them to access this provision.

6. REASONS FOR THE PROPOSAL

The reasons for this option are as follows:

- Would provide one larger school in the Dyffryn Banw area which would continue to provide access to Welsh-medium education
- Would provide improved opportunities for pupils in the Dyffryn Banw area by being part of a larger school
- Would provide a more efficient model of delivering primary education in the Dyffryn Banw area
- Would minimise surplus places in the Dyffryn Banw area
- Closing the two schools and establishing one new school would ensure that all staff currently employed at the two schools would have an equal opportunity to secure a position in the new school
- The proposal to establish a new Church in Wales school would ensure continued access to Welsh-medium Church in Wales provision
- The Banw building is larger, so would provide an opportunity to co-locate pre-school provision on the site
- The Banw building has been assessed as being more suitable for curriculum delivery purposes
- There is access to a hall on site

7. ADVANTAGES AND DISADVANTAGES

The advantages and disadvantages of the option to establish a new school on the current site of Banw C.P. School are as follows:

Advantages	Disadvantages
<ul style="list-style-type: none"> - This is the larger site of the two and could easily accommodate all current pupils in the area - There are more facilities on this site e.g. indoor hall, dining hall, large playground and playing fields, plenty of parking - All pupils would be together in the same place which would have a positive impact on the opportunities which could be offered to them - Would reduce surplus places in the area - Would lead to a financial saving to the council 	<ul style="list-style-type: none"> - There would be no provision in Llanerfyl - Not having primary provision in the village would impact on the Llanerfyl community - Additional transport would be required for Llanerfyl pupils - Would be more difficult for Llanerfyl pupils to access after school activities - The Council would not benefit from any sale of the Llanerfyl site as it isn't owned by the Council - Some investment would be needed in the Banw building - There are no safe walking / cycling routes to the school - Would be less convenient for Llanerfyl parents, many of whom work in the opposite direction - Current pupil projections are lower for Dyffryn Banw than Llanerfyl

8. RISKS

As with all school reorganisation proposals, there would be risks associated with a proposal to establish a new school on the current site of Banw C.P. School. These are outlined below, along with suggested mitigating actions:

Risk	Likelihood	Impact	Mitigating Actions
Based on current pupil projections, there is likely to be less than 50 pupils in the school in a few years time	High	Medium	Ensure that pupil numbers are monitored closely
Pupils might transfer to other schools instead of the proposed new school, which would impact on pupil numbers	Medium	Medium	Move forward with the process as swiftly as possible in order to limit the period of uncertainty for the community. Should the option be implemented, work with the two school communities to shape the new school
As the new school would be a small Welsh-medium school in a rural area, it may not attract a headteacher	Medium	High	Ensure that there is a proactive recruitment campaign that is widespread

9. LIKELY IMPACT OF THIS OPTION

9.1 Impact on pupils

i) **Impact on pupils currently attending Banw C.P. School and Llanerfyl C. in W. School**

Implementation of this option would mean that there would be no provision in Llanerfyl, therefore all pupils currently attending the two schools would transfer to the new school, to be located on the current site of Banw C.P. School.

Whilst this may have an impact on pupil well-being in the short term, in the longer term pupils would benefit from being part of a larger cohort of pupils. It is likely that there would be more impact on pupils currently attending Llanerfyl C. in W. (Foundation) School as they would be attending school in a new location, however there would also be some changes for pupils currently attending Banw C.P. School.

The current site of Banw C.P. School has been assessed to be more suitable than the current site of Llanerfyl C. in W. (Foundation) School. In particular, there is access to a hall on site, as well as more extensive facilities than those available at

Llanerfyl C. in W. (Foundation) School. Implementation of this option would mean that all pupils in the Banw Valley would be able to benefit from these facilities.

Additional home to school transport would also be required for pupils currently attending Llanerfyl C. in W. School. Whilst this could have an impact in terms of pupil well-being, the additional travel that would be required is not significant, therefore it is unlikely that this would have a significant impact on pupils.

ii) Impact on pupils with additional learning needs

All schools in Powys are responsible for meeting a child's additional learning needs, in accordance with the Council's ALN Strategy and Operational Guidance. The new school would be expected to adhere to the same guidance. Funding from the Council is delegated to individual schools to support pupils with additional learning needs, and this funding would be allocated to the new school, ensuring that needs continue to be met. The Council would work in partnership with pupils with additional learning needs, parents and the schools to support an effective transition.

Any change of school and any disruption not of the learner's or their family's choosing is going to have some impact on feelings of wellbeing. This will have a greater impact on pupils required to move school sites. Mitigation of possible negative effects of change, especially for those with additional needs, will need to be well planned and allow for individual plans of support to be in place.

iii) Impact on pupils currently attending other schools

It is not anticipated that implementation of this option would impact on any pupils currently attending other schools. Should the proposal be implemented, it is possible that some pupils could transfer to alternative schools instead of the proposed new school, however the numbers involved would be very small.

9.2 Impact on quality and standards in education

The likely impact on quality and standards in education of a proposal to establish a new school on the current site of Banw C.P. School is outlined below:

i) Impact on outcomes

Standards

Implementation of this option would result in one larger school in the Banw Valley to replace the two current small schools, which would ensure more sustainable provision in the valley.

The most recent inspections of the two current schools, and the most recent school categorisation exercise, suggest that the quality of education is better at Banw C.P. School compared with Llanerfyl C. in W. School. In addition, permanent leadership arrangements are in place at Banw C.P. School, whereas this is not the case at Llanerfyl C. in W. School. Permanent leadership also has a positive impact on standards, as a strong permanent head would be better placed to implement education reforms, e.g. the new curriculum.

Amalgamation of the two current schools would provide an opportunity to build on the strengths of the two current schools, to impact positively on outcomes, ensuring that excellent educational opportunities are provided for pupils. It is expected that implementation of the proposal would have a positive impact on the quality of education currently provided to pupils attending Llanerfyl C. in W. (Foundation) School, and that the quality of education for pupils currently attending Banw C.P. School would be at least equivalent to that currently provided.

Well-being

Whilst the process of establishing the new school could have a negative impact on pupil well-being in the short term, in the longer term there would be improved opportunities available to pupils from being part of a larger cohort of pupils. Should this option be implemented, there would be an additional travel requirement for pupils currently attending Llanerfyl C. in W. (Foundation) School, however the additional distance would be minimal, and is not expected to have a significant impact on pupil well-being. There is more physical space in the building currently occupied by Banw C.P. School compared with the building currently occupied by Llanerfyl C. in W. (Foundation) School, which could also have a positive impact on pupil well-being with a designated canteen, and a designated hall for PE and assembly.

ii) Impact on provision

Learning experiences

Implementation of this option would result in one larger school in the Banw Valley to replace the two current small schools, which would ensure more sustainable provision in the area. This would also mean that pupils would be part of larger cohorts of pupils, which could have a positive impact on the collaborative learning experiences and activities which can be offered to them.

The proposal is that the new school would be a Church in Wales school, as part of the St Asaph Diocese. This would be a change for pupils currently attending Banw C.P. School. However, Church in Wales schools teach the same agreed Religious Education syllabus as community schools, therefore it is not anticipated that there would be a significant difference in terms of the learning experiences offered to pupils. As with community schools, parents of children attending church schools have the right to opt out of collective worship and Religious Education.

Teaching

Implementation of this option would result in one larger school in the Banw Valley. Although the new school would remain a small school, pupils would be part of larger cohorts of pupils, which would have a positive impact for teachers and for the pupils themselves. It is likely that teaching staff would be part of a slightly larger team of staff, which could provide additional opportunities for staff development, and to develop expertise in particular areas. There would also be increased opportunities to utilise staff expertise more effectively across the new school. However, it must be noted that any new school would remain a small school, therefore these benefits would be limited.

Care, support and guidance

Implementation of this option would result in one larger school in the Banw Valley. It is likely that there would be a slightly larger team of staff in the new school, which would provide improved opportunities for all pupils in the Banw Valley to benefit from any staff expertise in specific areas.

Learning environment

Implementation of this option would mean that the school would be located on the current site of Banw C.P. School. Whilst some issues have been identified with the current condition of the building, the building's suitability has been assessed as B. The building has a wide range of facilities available which would enable the school to provide an extensive range of educational experiences to pupils.

For pupils currently attending Banw C.P. School, there would be no change compared with the facilities currently available to them. However, the suitability of the current Llanerfyl building has been assessed as C/D – this building does not have the same facilities as the current Banw building, therefore it is expected that implementation of this option would result in improved facilities for pupils currently attending Llanerfyl C. in W. (Foundation) School.

iii) Impact on leadership and management

Leadership and management

Currently, there are permanent leadership arrangements in place in Banw C.P. School, however the leadership arrangements at Llanerfyl C. in W. School are not permanent. Should this option be implemented, the leadership and management at the new school would be expected to be at least as good as the current arrangements for pupils currently attending Banw C.P. School, and would be expected to be improved for pupils currently attending Llanerfyl C. in W. (Foundation) School.

However, whilst the newly established school would be larger than the two current schools, the school would still be a relatively small, Welsh-medium school, which could lead to challenges in attracting a suitable candidate for the headteacher position.

Should the proposal be implemented, a temporary governing body would be established. The membership would be from the existing governing bodies of the two current schools. The temporary governing body would be responsible for appointing staff to the new school, including a headteacher. All headteacher vacancies are required to be advertised nationally.

Improving quality

Historically, both Banw C.P. School and Llanerfyl C. in W. (Foundation) School have provided good quality Welsh-medium education for pupils in the Banw Valley. However, decreasing pupil numbers and financial pressures are a threat to this. Implementation of this option would lead to the establishment of a new, larger school, which would be better placed to continue to provide high quality Welsh-medium education for pupils in the area in the future.

Partnership working

All Powys schools are expected to work in partnership. Banw C.P. School and Llanerfyl C. in W. (Foundation) School currently work in partnership with each other and with other schools. Should this option be implemented, the new school would remain a relatively small school, therefore the school would be expected to continue to work in partnership with other schools in order to provide additional opportunities to pupils and to enable the school to operate as efficiently and effectively as possible.

Resource management

Both current schools are projected to be in a deficit budget position within the next few years. Implementation of this option would be expected to have a positive impact in terms of resource management as the new school would be larger, therefore there would be more resources available to it.

iv) Impact on the school's ability to deliver the full curriculum in the foundation stage and each key stage

Implementation of the proposal would result in one larger school in the Banw Valley. It is expected that this would improve the school's ability to deliver the full curriculum in each key stage of education, as there would be larger numbers of pupils in each year group. The proposal to establish one new school would also enable education in the area to be delivered more efficiently, ensuring that teaching resources can be shared, which would support the school's ability to deliver the full curriculum in each key stage.

This option would result in the new school being located in the building currently occupied by Banw C.P. School. The facilities available on this site would enable the successful delivery of all key stages of education to the current number of pupils attending the two schools. Pupils currently attending Banw C.P. School would continue to attend the same site, therefore there would be no impact on them. For pupils currently attending Llanerfyl C. in W. (Foundation) School, it is likely that implementation of this option would provide improved opportunities for delivery of the full curriculum in each key stage.

v) Impact on other schools

Should this option be implemented, it is possible that some pupils would choose to transfer to alternative schools instead of the proposed new school. However, the numbers involved would be very small, therefore it is not anticipated that this would impact on quality and standards in education at these schools, to include outcomes (standards and wellbeing), provision (learning experiences, teaching, care support and guidance, and learning environment) and leadership and management (leadership, improving quality, partnership working and resource management), nor on their ability to deliver the full curriculum at the foundation phase and each key stage of education.

9.3 Financial impact

i) Revenue funding

Based on the Council's current Fair Funding Formula, it is estimated that implementation of this option would lead to an annual revenue saving of £49,226. This calculation is as follows:

Current Estimated funding 18/19 – 2 schools	£308,423
Current Catering Costs	£27,596
Total	£336,019
Revised Estimated Funding/Costs	
1 school 1 site (Dyffryn Banw)	£227,265
Catering costs	£24,572
Total	£251,837
Saving / (Cost)	£84,182
Estimated Additional Transport Costs	£34,956
Estimated Saving / (Costs)	£49,226

This calculation does not take into account any redundancy costs which would be associated with the establishment of the new school, however these would be one-off costs.

Based on this estimate, the proposed new school's cost per pupil would be £4,208.61.

Should the Council proceed with this option, the savings as outlined above would be identified as an efficiency to the Schools Service budget.

ii) Capital funding

No capital funding is required to achieve this option. There is sufficient capacity within the current building to accommodate the current and forecasted pupils at the two schools.

9.4 Impact on staff

Should this option be implemented, Banw C.P. School and Llanerfyl C. in W. (Foundation) School would close, and a new school would be opened with a new staffing structure.

Should the option be implemented, a temporary governing body would be appointed for an interim period, until the new school were to open. The temporary governing body would be responsible for appointing a headteacher for the new school, and would then work with the headteacher to develop the leadership, management and staffing structures for the new school.

Implementation of the new staffing structure would be in accordance with the relevant HR Policies for teaching and support staff. As part of this process, there would be an opportunity for the temporary governing body to 'ringfence' all teaching and associated staff posts to staff currently employed within the existing schools in the first instance.

If the option is implemented, all cleaning and catering staff that are currently employed centrally by the Council will be supported via the relevant HR policies for Council employees.

9.5 Land and buildings

i) Impact on quality of accommodation for pupils

The Council commissioned Heart of Wales Property Services (HOWPS) to carry out updated condition assessments of Banw C.P. School's building. This assessment identified that the condition of Banw C.P. School was condition C – generally poor.

Should a new school be established on the Banw site, there would be no impact on the quality of accommodation for pupils currently attending Banw C.P. School. However, Llanerfyl C. in W. (Foundation) School's current building has been assessed as condition B – generally satisfactory. Therefore, based on the current assessed condition of Banw C.P. School's building, this option would result in pupils currently attending Llanerfyl C. in W. (Foundation) School attending a school where the quality of accommodation is not as good.

Should the Council proceed with the option to establish a new school on the Banw site, the following steps would be taken to address any issues relating to the building, in order to ensure that the quality of accommodation is at least as good as the current provision:

- Commission HOWPS to carry out further work to identify the scope of the work required
- Dependent on the scale of the work required, the Council will consider what would be the appropriate funding source for this work. This could either be the Council's capital programme or the Welsh Government's 21st Century Schools Programme
- Undertake the necessary processes in order to secure funding
- Further to identification of a funding stream and approval of funding, the work would be commissioned.

ii) Impact on buildings

Should a new school be established on the Banw site, this would mean that the Llanerfyl building would be surplus to requirements for the delivery of education. However, the Llanerfyl building is not owned by the Council – it is owned by the Priscilla Foster Trust.

Should the building not be required for the delivery of education, it would be returned to the Trust who would need to determine its future use. The Council would not receive a capital receipt.

iii) Any building work necessary to ensure that transferred children can be accommodated

All current pupils attending the two schools can be accommodated within the current accommodation on the Banw site.

9.6 Travel and transport

i) Impact on pupils' journeys to school

Average Travel Distance

The average travel distance for pupils¹⁰ attending Banw C.P. School is 4.01 miles.

The average travel distance for pupils attending Llanerfyl C. in W. (Foundation) School is 1.79 miles.

If there was no school in Llanerfyl, the average travel distance for all pupils attending the two schools to attend provision in Banw would be 3.57 miles.

Furthest Travel Distance

Of the pupils attending Banw C.P. School, the furthest travel distance to the school for those pupils for whom Banw C.P. School is the closest Welsh-medium provider is 8.48 miles.

Of the pupils attending Llanerfyl C. in W. (Foundation) School, the furthest travel distance to the school for those pupils for whom Llanerfyl C. in W. (Foundation) School is the closest Welsh-medium provider is 4.71 miles.

Should the option to establish a new school in the current Banw C.P. School building be implemented, there would be no impact on travel distance for pupils currently attending Banw C.P. School. There would be an increase in travel distance for pupils currently attending Llanerfyl C. in W. (Foundation) School. The furthest distance to the provision at Banw for pupils currently attending Llanerfyl C. in W. School would be 5.85 miles.

ii) Impact on school transport costs

An estimate of the impact of implementation of this option on school transport costs has been received. This takes into account the impact of this option on the total cost of home to school transport in the Banw Valley, which includes transport to Caereinion High School and NPTC College.

It is estimated that implementation of this option would result in an increase in the daily cost of home to school transport from the current cost of £546.02 per day to approximately £730 per day.

iii) Available walking routes

Pupils living in Llanerfyl are able to walk to the current Llanerfyl building. Should the option to establish a new school in the current Banw C.P. School building be implemented, these pupils would no longer be able to walk to school.

There are currently no walking routes to the Banw C.P. School site.

¹⁰ Pupils attending the two schools in the 2017-18 academic year. Includes all pupils attending the school at this time, including pupils for whom Banw C.P. School or Llanerfyl C. in W. (Foundation) School is not their closest provider of Welsh-medium education.

9.7 School Admissions

As the proposed new school would be a Voluntary Aided school, the school would be responsible for its own admissions arrangements. The school's Governing Body would determine the school's Admissions Policy, and would be the Admitting Authority for the school.

Any new parents wishing their child/children to attend the school would be required to contact the school directly for further information and an application form.

Should this option be implemented, pupils currently attending Banw C.P. School and Llanerfyl C. in W. (Foundation) School would be allocated places in the new school, or they would need to apply for a place in another chosen school in accordance with the authority's admissions process, if this was the parents' preference.

9.8 Equality, community and Welsh language impact assessments

Draft equality, community and Welsh language impact assessments have been carried out in respect of this option. These will be updated following the consultation period to reflect any additional issues raised. A summary of the assessments carried out is provided below.

The full assessments are available on the Council's website:

<https://customer.powys.gov.uk/article/4465/Banw-C.P.-School-and-Llanerfyl-C.-in-W.-Foundation-School>.

i) Equalities impact assessment

The findings of the equalities impact assessment on this option are summarised below:

Should the proposal be implemented, a new Welsh-medium school would be established, and all pupils currently attending the two schools would be able to attend the new school. The aim of the proposal is to improve the educational opportunities available to pupils in the Banw Valley area, including any pupils belonging to the protected characteristic groups.

The option to locate a new school on the current site of Banw C.P. School would have a greater impact on pupils currently attending Llanerfyl C. in W. School, however it is acknowledged that there would also be an impact on pupils currently attending Banw C.P. School.

Additional Learning Needs – A total of 14 pupils with additional learning needs currently attend the two schools. Whilst the proposal to locate a new school on the current site of Banw C.P. School would impact on these pupils, there is no reason to believe that the newly established school would be unable to meet the needs of these pupils. The aim of the proposal is to improve the educational opportunities available to all pupils, including any pupils with additional learning needs.

Ethnic Group – The proposal to locate a new school on the current site of Banw C.P. School would impact on pupils currently attending Llanerfyl C. in W. (Foundation) School that belong to an ethnic group other than White British. However, the aim of the proposal is to improve the educational opportunities available to all pupils, regardless of their ethnic group, therefore whilst there may be an impact on these pupils in the short term as they would need to attend school at a different location, the authority's view is that the proposal would not have a negative impact on them in the longer term.

Free School Meals – a small number of pupils that currently attend Banw C.P. School are eligible for Free School Meals. Whilst the proposal to locate a new school on the current site of Banw C.P. School would have some impact on these pupils, it is unlikely that this impact would be negative. Pupils would continue to access the same school site, therefore there would be no additional travel implication for the pupils or their parents.

Religion – the proposal is to establish a new Church in Wales primary school. This would continue to provide access to Welsh-medium Church in Wales provision in the Banwy Valley. Should any parents not wish their children to attend Church in Wales provision, Welsh-medium Community Primary provision is available nearby at Ysgol Pontrobert and Llanfair Caereinion C.P. School

ii) Impact on the community

The findings of the community impact assessment carried out on this option are summarised below:

Should a new school be established on the current site of Banw C.P. School, there would be no primary provision in the village of Llanerfyl. This could impact on the community of Llanerfyl through the school's involvement in activities in the village and links with the Llanerfyl community, however the new school would be expected to serve the whole Banw Valley area and to maintain community links across the area.

Should there be no primary provision in Llanerfyl, the building currently occupied by the school would be returned to the Priscilla Foster Trust, who would determine its future use.

There is a Village Hall in Llanerfyl, which is located on a separate site to the school. Should there be no primary provision in the building occupied by Llanerfyl C. in W. (Foundation) School, it is unlikely that this would impact on the Village Hall, therefore this would continue to be available for community activities.

There would be an additional travel requirement for pupils currently attending Llanerfyl C. in W. (Foundation) School and other stakeholders to access a new school on the current site of Banw C.P. School. Whilst the additional distance is minimal, it is acknowledged that this would mean that pupils living in the village of Llanerfyl would no longer be able to walk / cycle to school. In addition, there would be an impact on parents, as the school would be located further away from them. For some parents, the Banw site could be less convenient, particularly if they work or need to transport pupils to activities in the alternative direction (Llanfair Caereinion, Welshpool, Newtown).

A wide range of extra-curricular activities are currently offered by both Banw C.P. School and Llanerfyl C. in W. (Foundation) School. Any new school established on either site would be encouraged to offer a similar range of activities for pupils.

iii) Impact on the Welsh language

The findings of the Welsh language impact assessment carried out on this option are summarised below:

The Banw Valley area is traditionally a Welsh speaking area, and the two current primary schools are Welsh-medium schools. The proposal would result in one new Welsh-medium primary to serve the area. This would ensure that the provision continues to provide access

to Welsh-medium education and meet the objectives of the Council's Welsh in Education Strategic Plan, and would also result in a larger school, which would be more sustainable for the future.

Implementation of this option would mean that there would be no provision in the village of Llanerfyl. There is a risk that some pupils would choose to attend alternative provision instead of the new Welsh-medium school, which could include English-medium provision. However a number of pupils from the Banw Valley area already travel to Llanfair Caereinion to access English-medium provision. It is also possible that the provision of a larger school would encourage more pupils to access Welsh-medium provision in the Banw Valley in the future.

There are no concerns about standards in Welsh at both current schools. Both schools offer a wide range of Welsh language extra-curricular activities and have achieved the Welsh Language Charter bronze award and are now working towards the silver award. The Council would expect this to continue to be the case at any new school established in the Banw Valley area.

9.9 Impact on access to denominational provision

Implementation of the proposal would result in the establishment of a new Church in Wales school. This would ensure continued access to Welsh-medium Church in Wales provision for pupils currently accessing this type of provision at Llanerfyl C. in W. (Foundation) School.

Non-Church in Wales Welsh-medium provision is also available at neighbouring schools, at Pontrobert C.P. School and Llanfair Caereinion C.P. School. Any pupils not wishing to access denominational provision could apply for a place at either of these community primary schools.

9.10 Impact on governance arrangements

Implementation of this option would result in the establishment of a new Voluntary Aided Church in Wales School on the current site of Banw C.P. School. This would be a change from the current category of the two schools.

The governing body of a Voluntary Aided school is a corporate body with exempt charitable status. In a Voluntary Aided School, the school holds its own premises, employs the staff and deals with admission arrangements. The local authority via the school budget share provides revenue funding. The governing body would include foundation governors. These would hold a majority of the places on the governing body. As it is proposed that the new school is a Church in Wales school, foundation governors would be expected to preserve and develop the school's religious character.

Should the Council proceed with the establishment of a new school, an Instrument of Government would be developed in accordance with regulations.

9.11 Potential implementation timescale

Potential implementation timescale for this option are as follows:

Formal Consultation	24 th September – 5 th November 2018
Consultation Report to be published, and considered by Full Council and Cabinet	January/February 2019
If Cabinet decide to proceed with this Option:	
Publish Statutory Notice (28 days objection period)	February/March 2019
Objection Report to be published and considered by Cabinet	May/June 2019
If Cabinet approves implementation of this Option:	
Establish temporary governing body	September 2019
Recruit headteacher	By end of 2019
Develop and appoint to a new staffing structure	Spring 2020
Current schools close	31 st August 2020
New school opens on Banw site	1 st September 2020

PART C OPTION TO ESTABLISH A NEW SCHOOL ON THE CURRENT SITE OF LLANERFYL C. IN W. SCHOOL

This section considers the impact of option (b), to establish a new school on the current site of Llanerfyl C. in W. School.

This would mean that Banw C.P. School and Llanerfyl C. in W. School would close, and a new Welsh-medium Voluntary Aided Church in Wales School would be established on the site currently occupied by Llanerfyl C. in W. (Foundation) School.

10. OVERVIEW

Should this option be implemented, the details of the new school would be as follows:

Proposed admission number and admission arrangements	9 As the proposed new school would be a Voluntary Aided school, the school would be responsible for its own admissions arrangements. The school's Governing Body would determine the school's Admissions Policy, and would be the Admitting Authority for the school. Prospective parents wishing their child/children to attend the school would be required to contact the school directly for further information and an application form.
Age range	5-11
Pupil places capacity and/or number of nursery places	59 + 5 Nursery ¹¹
Location	Current site of Llanerfyl C. in W. (Foundation) School, Llanerfyl, Powys, SY21 0HZ
Category	Voluntary Aided Church in Wales
Language Category	Welsh-medium
Details of the proposed accommodation	The school would be located in the building currently occupied by Llanerfyl C. in W. (Foundation) School. The facilities at the school would be the same as those currently available at Llanerfyl C. in W. (Foundation) School.
Home to school transport arrangements	Home to school transport would be provided in accordance with the Council's home to school transport policy. Should this option be implemented, Welsh-medium education would continue to be accessible to all pupils in the Banw Valley area. Home to school transport would be provided to eligible pupils to enable them to access this provision.

¹¹ This capacity has been calculated in accordance with Welsh Government Circular 21/2011 'Measuring the Capacity of Schools in Wales' based on including the Art room as a class base.

11. REASONS FOR THE PROPOSAL

The reasons for this option are as follows:

- Would provide one larger school in the Dyffryn Banw area which would continue to provide access to Welsh-medium education
- Would provide improved opportunities for pupils in the Dyffryn Banw area by being part of a larger school
- Would provide a more efficient model of delivering primary education in the Dyffryn Banw area
- Would minimise surplus places in the Dyffryn Banw area
- Closing the two schools and establishing one new school would ensure that all staff currently employed at the two schools would have an equal opportunity to secure a position in the new school
- The proposal to establish a new Church in Wales school would ensure continued access to Welsh-medium Church in Wales provision
- Pupils numbers are slightly higher in Llanerfyl C. in W. (Foundation) School than in Banw C.P. School and are projected to remain higher
- The building currently occupied by Llanerfyl C. in W. (Foundation) School has been assessed to be in a better condition than the building currently occupied by Banw C.P. School
- Potential capital receipt to the authority from sale of the Banw C.P. School building

12. ADVANTAGES AND DISADVANTAGES

The advantages and disadvantages of the option to establish a new school on the current site of Llanerfyl C. in W. (Foundation) School are as follows:

Advantages	Disadvantages
<ul style="list-style-type: none"> - Current numbers at Llanerfyl are higher than Banw, therefore this would be a more convenient location for the majority - Current pupil projections at Llanerfyl are higher than Dyffryn Banw - Building is currently in a better condition than Banw - All pupils would be together in the same place which would have a positive impact on the opportunities which could be offered to them - Would reduce surplus places in the area - Would lead to a financial saving to the council 	<ul style="list-style-type: none"> - There would be no provision in Llangadfan - Not having primary provision in the village would impact on the Llangadfan community - Concern about the impact on Banw Community Hall if there was no school located on the site - Sale of the Banw site could be difficult due to the co-location of the community centre - Additional transport would be required for Llangadfan pupils - Would be more difficult for Llangadfan pupils to access after school activities - Capacity of the building is lower than Dyffryn Banw's - No separate dining area / canteen - No access to a hall on the school site – pupils have to walk up the road - Access to the school is down a narrow lane – this could be problematic if there were more pupils attending the school

	<ul style="list-style-type: none"> - Limited parking on the site - Capital investment would be required to provide additional facilities - Currently there is nowhere to accommodate Cylch Meithrin / early years provision on the site
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13. RISKS

As with all school reorganisation proposals, there would be risks associated with a proposal to establish a new school on the current site of Llanerfyl C. in W. (Foundation) School. These are outlined below, along with suggested mitigating actions:

Risk	Likelihood	Impact	Mitigating Actions
Based on current pupil projections, there is likely to be less than 50 pupils in the school in a few years time	High	Medium	Ensure that pupil numbers are closely monitored.
Pupils might transfer to other schools instead of the proposed new school, which would impact on pupil numbers	Medium	Medium	Move forward with the process as swiftly as possible in order to limit the period of uncertainty for the community. Should the option be implemented, work with the two school communities to shape the new school
As the new school would be a small Welsh-medium school in a rural area, it may not attract a headteacher	Medium	High	Ensure that there is a proactive recruitment campaign that is widespread
The current configuration of the school at Llanerfyl may cause challenges for the new school in relation to curriculum delivery following the introduction of the new curriculum	Medium	High	Consideration to be given to opportunities for capital investment in the building. The new school would continue to use the Llanerfyl village hall where access to a hall was required.

14. LIKELY IMPACT OF THIS OPTION

14.1 Impact on pupils

i) Impact on pupils currently attending Banw C.P. School and Llanerfyl C. in W. School

Implementation of this option would mean that there would be no provision in Banw, therefore all pupils currently attending the two schools would transfer to the new school, to be located on the current site of Llanerfyl C. in W. (Foundation) School.

Whilst this may have an impact on pupil well-being in the short term, in the longer term pupils would benefit from being part of a larger cohort of pupils. It is likely that there would be more impact on pupils currently attending Banw C.P. School as they would be attending school in a new location, however there would also be some changes for pupils currently attending Llanerfyl C. in W. (Foundation) School.

In particular, the building currently occupied by Llanerfyl C. in W. (Foundation) School is smaller than the building currently occupied by Banw C.P. School, therefore the impact of more pupils attending a school on this site would be greater.

The current Llanerfyl C. in W. (Foundation) School building has been assessed to be in better condition than the current Banw C.P. School building, therefore all pupils in the area would benefit from attending the building assessed to be in the best condition. However, there are less facilities at Llanerfyl C. in W. (Foundation) School, therefore pupils currently attending Banw C.P. School would lose the ability to access these facilities, most notably access to a hall on site and a separate dining area.

Additional home to school transport would also be required for pupils currently attending Banw C.P. School. A number of pupils that currently attend Banw C.P. School already access home to school transport, therefore the additional distance is likely to have a minimal impact.

ii) Impact on pupils with additional learning needs

All schools in Powys are responsible for meeting a child's additional learning needs, in accordance with the Council's ALN Strategy and Operational Guidance. The new school would be expected to adhere to the same guidance. Funding from the Council is delegated to individual schools to support pupils with additional learning needs, and this funding would be allocated to the new school, ensuring that needs continue to be met. The Council would work in partnership with pupils with additional learning needs, parents and the schools to support an effective transition.

Any change of school and any disruption not of the learner's or their family's choosing is going to have some impact on feelings of wellbeing. This will have a greater impact on pupils required to move school sites. Mitigation of possible negative effects of change, especially for those with additional needs, will need to be well planned and allow for individual plans of support to be in place.

iii) **Impact on pupils currently attending other schools**

It is not anticipated that implementation of this option would impact on any pupils currently attending other schools. Should the proposal be implemented, it is possible that some pupils could transfer to alternative schools instead of the proposed new school, however the numbers involved would be very small.

14.2 **Impact on quality and standards in education**

The likely impact on quality and standards in education of a proposal to establish a new school on the current site of Llanerfyl C. in W. (Foundation) School is outlined below:

i) **Impact on outcomes**

Standards

Implementation of this option would result in one larger school in the Banw Valley to replace the two current small schools, which would ensure more sustainable provision in the valley.

The most recent inspections of the two current schools, and the most recent school categorisation exercise, suggest that the quality of education is better at Banw C.P. School compared with Llanerfyl C. in W. School. In addition, permanent leadership arrangements are in place at Banw C.P. School, whereas this is not the case at Llanerfyl C. in W. School. Permanent leadership also has a positive impact on standards, as a strong permanent head would be better placed to implement education reforms, e.g. the new curriculum.

Amalgamation of the two current schools would provide an opportunity to build on the strengths of the two current schools, to impact positively on outcomes, ensuring that excellent educational opportunities are provided for pupils. It is expected that implementation of the proposal would have a positive impact on the quality of education currently provided to pupils attending Llanerfyl C. in W. (Foundation) School, and that the quality of education for pupils currently attending Banw C.P. School would be at least equivalent to that currently provided.

Well-being

Whilst the process of establishing the new school could have a negative impact on pupil well-being in the short term, in the longer term there would be improved opportunities available to pupils, from being part of a larger cohort of pupils. Should this option be implemented, there would be an additional travel requirement for pupils currently attending Banw C.P. School. However a significant number of pupils currently attending Banw C.P. School already access home to school transport. The additional travel distance would be minimal, and is not expected to have a significant impact on pupil well-being. There is less physical space in the building currently occupied by Llanerfyl C. in W. (Foundation) School compared with the building currently occupied by Banw C.P. School. This could have a negative impact on pupil well-being. In particular, there is no designated canteen, nor a hall on site for PE and assembly.

ii) **Impact on provision**

Learning experiences

Implementation of the proposal would result in one larger school in the Banw Valley to replace the two current small schools, which would ensure more sustainable provision in the valley. This would also mean that pupils would be part of larger cohorts of pupils, which could have a positive impact on the collaborative learning experiences and activities which could be offered to them.

The proposal is that the new school would be a Church in Wales school, as part of the St Asaph Diocese. This would be a change for pupils currently attending Banw C.P. School. However, Church in Wales schools teach the same agreed Religious Education syllabus as community schools, therefore it is not anticipated that there would be a significant difference in terms of the learning experiences offered to pupils. As with community schools, parents of children attending church schools have the right to opt out of collective worship and Religious Education.

Teaching

Implementation of this option would result in one larger school in the Banw Valley. Although the new school would remain a small school, pupils would be part of a larger cohort of pupils, which would have a positive impact for teachers and for the pupils themselves. It is likely that teaching staff would be part of a slightly larger team of staff, which could provide additional opportunities for staff development, and to develop expertise in particular areas. There would also be increased opportunities to utilise staff expertise more effectively across the new school. However, it must be noted that any new school would remain a small school, therefore these benefits would be limited.

Care, support and guidance

Implementation of this option would result in one larger school in the Banw Valley. It is likely that there would be a slightly larger team of staff in the new school, which would provide improved opportunities for all pupils in the Banw Valley to benefit from any staff expertise in specific areas.

Learning environment

Implementation of this option would mean that the school would be located on the current site of Llanerfyl C. in W. (Foundation) School. The building's suitability has been assessed as condition C/D. This is mainly due to the absence of some key facilities which would be expected in a modern school, such as a hall and a dining area. Whilst there is no access to a hall on the current Llanerfyl site, there is a village hall in Llanerfyl, which is located a short distance away from the school, and which is used by the school.

The Llanerfyl building is a smaller than the Banw building, and this, coupled with the reduced facilities available, could impact negatively on the new school's ability to provide appropriate learning experiences for pupils, particularly given the requirements of the new curriculum. Should the Council proceed with implementation of this option, there would be a negative impact on the facilities available to pupils currently attending Banw C.P. School. Whilst pupils currently

attending Llanerfyl C. in W. School would continue to attend the same building, there would be more pupils in the building, therefore it is likely that this option would also have a negative impact on the learning environment available to these pupils.

iii) Impact on leadership and management

Leadership and management

Currently, there are permanent leadership arrangements in place at Banw C.P. School, however the leadership arrangements at Llanerfyl C. in W. School are not permanent. Should this option be implemented, the leadership and management at the new school would be expected to be at least as good as the current arrangements for pupils currently attending Banw C.P. School, and would be expected to be improved for pupils currently attending Llanerfyl C. in W. (Foundation) School.

However, whilst the newly established school would be larger than the two current schools, the school would still be a relatively small, Welsh-medium school, which could lead to challenges in attracting a suitable candidate for the headteacher position.

Should the proposal be implemented, a temporary governing body would be established. The membership would be from the existing governing bodies of the two current schools. The temporary governing body would be responsible for appointing staff to the new school, including a headteacher. All headteacher vacancies are required to be advertised nationally.

Improving quality

Historically, both Banw C.P. School and Llanerfyl C. in W. (Foundation) School have provided good quality Welsh-medium education for pupils in the Banw Valley. However, decreasing pupil numbers and financial pressures are a threat to this. Implementation of this option would lead to the establishment of a new, larger school, which would be better placed to continue to provide high quality Welsh-medium education for pupils in the area in the future.

Partnership working

All Powys schools are expected to work in partnership. Banw C.P. School and Llanerfyl C. in W. (Foundation) School currently work in partnership with each other and with other schools. Should this option be implemented, the new school would remain a relatively small school, therefore the school would be expected to continue to work in partnership with other schools in order to provide additional opportunities to pupils and to enable the school to operate as efficiently and effectively as possible.

Resource management

Both current schools are projected to be in a deficit budget position within the next few years. Implementation of this option would be expected to have a positive impact in terms of resource management as the new school would be larger, therefore there would be more resources available to it.

iv) Impact on the school's ability to deliver the full curriculum in each key stage

Implementation of the proposal would result in one larger school in the Banw Valley. It is expected that this would improve the school's ability to deliver the full curriculum in each key stage of education, as there would be larger numbers of pupils in each year group. The proposal to establish one new school would also enable education in the area to be delivered more efficiently, ensuring that teaching resources can be shared, which would support the school's ability to deliver the full curriculum in each key stage.

This option would result in the new school being located in the building currently occupied by Llanerfyl C. in W. (Foundation) School. This building is smaller than the building currently occupied by Banw C.P. School, and this, coupled with the reduced facilities available, could impact on the new school's ability to provide appropriate learning experiences for pupils, particularly given the requirements of the new curriculum. Should the Council proceed with implementation of this option, there would be a negative impact on the facilities available to pupils currently attending Banw C.P. School. Whilst pupils currently attending Llanerfyl C. in W. School would continue to attend the same building, there would be more pupils in the building, therefore it is likely that this option would also have a negative impact on the school's ability to deliver the full curriculum in each key stage to these pupils, particularly given the requirements of the new curriculum.

v) Impact on other schools

Should this option be implemented, it is possible that some pupils would choose to transfer to alternative schools instead of the proposed new school. However, the numbers involved would be very small, therefore it is not anticipated that this would impact on quality and standards in education at these schools, to include outcomes (standards and wellbeing), provision (learning experiences, teaching, care support and guidance, and learning environment) and leadership and management (leadership, improving quality, partnership working and resource management), nor on their ability to deliver the full curriculum at the foundation phase and each key stage of education.

14.3 Financial Impact

i) Revenue funding

Based on the Council's current Fair Funding Formula, it is estimated that implementation of this option would lead to an annual revenue saving of £63,426. This is calculated as follows:

Current Estimated funding 18/19 – 2 schools	£308,423
Current Catering Costs	£27,596
Total	£336,019
Revised Estimated Funding/Costs	
1 school 1 site (Llanerfyl)	£213,065
Catering costs	£24,572
Total	£237,637
Saving / (Cost)	£98,382
Estimated Additional Transport Costs	£34,956
Estimated Saving / (Costs)	£63,426

This calculation does not take into account any redundancy costs which would be associated with the establishment of the new school, however these would be one-off costs.

Based on this estimate, the cost per pupil would be £3,945.65.

Should the Council proceed with this option, the savings as outlined above would be identified as an efficiency to the Schools Service budget.

ii) Capital funding requirements

No capital funding is required to achieve this option. Whilst the current capacity of Llanerfyl C. in W. (Foundation) School, as calculated using Welsh Government Circular 21/2011, 'Measuring the Capacity of Schools in Wales' would not be sufficient to accommodate all pupils currently attending the two schools, the capacity has been re-calculated with the inclusion of the school's Art Room as a teaching base. This calculation provides sufficient capacity to accommodate current and projected pupil numbers at the two schools.

14.4 Impact on Staff

Should this option be implemented, Banw C.P. School and Llanerfyl C. in W. (Foundation) School would close, and a new school would be opened with a new staffing structure.

Should the option be implemented, a temporary governing body would be appointed for an interim period, until the new school were to open. The temporary governing body would be responsible for appointing a headteacher for the new school, and would then work with the headteacher to develop the leadership, management and staffing structures for the new school.

Implementation of the new staffing structure would be in accordance with the relevant HR policies for teaching and support staff. As part of this process, there would be an opportunity for the temporary governing body to 'ringfence' all teaching and associated staff posts to staff currently employed within the existing schools in the first instance.

If the option is implemented, all cleaning and catering staff that are currently employed centrally by the Council will be supported via the relevant HR policies for Council employees.

14.5 Land and buildings

i) Impact on quality of accommodation for pupils

The Council commissioned Heart of Wales Property Services (HOWPS) to carry out updated condition assessments of Llanerfyl C. in W. (Foundation) School's building. This assessment identified that the condition of Llanerfyl C. in W. (Foundation) School is condition B – generally satisfactory.

Should a new school be established on the Llanerfyl site, pupils currently attending this school would continue to access accommodation of the same quality. However, the Llanerfyl building is smaller than the Banw building, therefore the increased number of pupils attending the site could have a negative impact on the quality of accommodation available for these pupils. Banw C.P. School's current building has been assessed as condition C – generally poor, therefore there would be an improvement in the quality of accommodation for pupils currently attending Banw C.P. School.

However, the suitability assessment for the Llanerfyl building (C/D) is lower than the suitability assessment for the Banw building (B). Should the Council proceed with this option, the reduced facilities at the Llanerfyl site could have a negative impact on pupils currently attending Banw C.P. School.

Should the Council proceed with the option to establish a new school on the Llanerfyl site, the following steps would be taken to address any issues relating to the building's suitability, in order to ensure that the quality of accommodation is at least as good as the current provision:

- Commission HOWPS to carry out further work to identify the scope of the work required
- Dependent on the scale of the work required, the Council will consider what would be the appropriate funding source for this work. As the building is not owned by the Council, discussions would need to take place with the Priscilla Foster Trust

ii) Impact on buildings

Should a new school be established on the Llanerfyl site, this would mean that the Banw building would be surplus to requirements for the delivery of education.

The Banw site is owned by the Council, therefore should the building no longer be required for the delivery of education, it would be declared surplus to requirements and would be disposed of in accordance with the Council's asset management procedures, with the potential that a capital receipt could be realised. However, the school shares a site with a community hall. This could cause difficulties with any possible sale of the site.

Should there be a capital receipt from any sale of the site, this would be re-invested in the Council's estate, which includes schools, in accordance with the Council's Capital Strategy.

iii) Any building work necessary to ensure that transferred children can be accommodated

Based on the Council's calculation of the maximum number of pupils that could be accommodated in the current Llanerfyl building, the school is able to accommodate all current and projected pupils attending the two schools.

14.6 Travel and Transport

i) Impact on pupils' journeys to school

Average Travel Distance

The average travel distance for pupils¹² attending Banw C.P. School is 4.01 miles.

The average travel distance for pupils attending Llanerfyl C. in W. (Foundation) School is 1.79 miles.

If there was no school in Banw, the average travel distance for pupils attending the two schools to attend provision in Llanerfyl would be 3.31 miles.

Furthest Travel Distance

Of the pupils that currently attend Banw C.P. School, the furthest travel distance to the school for those pupils for whom Banw C.P. School is the closest Welsh-medium provider is 8.48 miles.

Of the pupils that currently attend Llanerfyl C. in W. (Foundation) School, the furthest travel distance to the school for those pupils for whom Llanerfyl C. in W. (Foundation) School is the closest Welsh-medium provider is 4.71 miles.

Should the option to establish a new school in the current Llanerfyl C. in W. (Foundation) School building be implemented, there would be no impact on travel distance for pupils currently attending Llanerfyl C. in W. (Foundation) School. There would be an increase in travel distance for pupils currently attending Banw C.P. School. The furthest distance to the provision at Llanerfyl for pupils currently attending Banw C.P. School would be 10.01 miles.

ii) Impact on school transport costs

An estimate of the impact of implementation of this option on school transport costs has been received. This takes into account the impact of this option on the total cost of home to school transport in the Banw Valley, which includes transport to Caereinion High School and NPTC College.

It is estimated that implementation of this option would result in an increase in the daily cost of home to school transport from the current cost of £546.02 per day to approximately £730 per day.

¹² Pupils attending the two schools in the 2017/18 academic year. Includes all pupils attending the school at this time, including pupils for whom Banw C.P. School or Llanerfyl C. in W. (Foundation) School is not their closest provider of Welsh-medium education.

iii) Available walking routes

Pupils living in Llanerfyl are able to walk to the current Llanerfyl building. Should the option to establish a new school in the current Llanerfyl C. in W. (Foundation) School building be implemented, these pupils would still be able to walk to school.

Pupils currently attending Banw C.P. School would be unable to walk to school. However, there are currently no walking routes to Banw C.P. School, therefore this would not be a change from the current position.

14.7 School Admissions

As the proposed new school would be a Voluntary Aided school, the school would be responsible for its own admissions arrangements. The school's Governing Body would determine the school's Admissions Policy, and would be the Admitting Authority for the school.

Any new parents wishing their child/children to attend the school would be required to contact the school directly for further information and an application form.

Should this option be implemented, pupils currently attending Banw C.P. School and Llanerfyl C. in W. (Foundation) School would be allocated places in the new school, or they would need to apply for a place in another chosen school in accordance with the authority's admissions process, if this was the parents' preference.

14.8 Equality, community and Welsh language impact assessments

Draft equality, community and Welsh language impact assessments have been carried out in respect of this option. These will be updated following the consultation period to reflect any additional issues raised. A summary of the assessments carried out is provided below.

The full assessments are available on the Council's website:

<https://customer.powys.gov.uk/article/4465/Banw-C.P.-School-and-Llanerfyl-C.-in-W.-Foundation-School>.

i) Equalities impact assessment

The findings of the equalities impact assessment on this option were as follows:

Should the proposal be implemented, a new Welsh-medium school would be established, and all pupils currently attending the two schools would be able to attend the new school. The aim of the proposal is to improve the educational opportunities available to pupils in the Banw Valley area, including any pupils belonging to the protected characteristic groups.

The option to locate a new school on the current site of Llanerfyl C. in W. (Foundation) School would have a greater impact on pupils currently attending Banw C.P. School, however it is acknowledged that they would also be an impact on pupils currently attending Llanerfyl C. in W. (Foundation) School.

Additional Learning Needs – A total of 14 pupils with additional learning needs currently attend the two schools. Whilst the proposal to locate a new school on the current site of Llanerfyl C. in W. (Foundation) School would impact on these pupils, there is no reason to believe that the newly established school would be unable to meet the needs of these

pupils. The aim of the proposal is to improve the educational opportunities available to all pupils, including any pupils with additional learning needs.

Ethnic Group – The proposal to locate a new school on the current site of Llanerfyl C. in W. (Foundation) School would impact on pupils currently attending Llanerfyl C. in W. (Foundation) School that belong to an ethnic group other than White British. However, these pupils would continue to attend the same school site, therefore the impact on them would be minimal. The aim of the proposal is to improve the educational opportunities available to all pupils, regardless of their ethnic group.

Free School Meals – A small number of pupils that currently attend Banw C.P. School are eligible for Free School Meals. Whilst the proposal to locate a new school on the current site of Llanerfyl C. in W. (Foundation) School would impact on these pupils, there is no reason to believe that the newly established school would be unable to meet their needs. However there would be an additional travel implication. Whilst free home to school transport would be provided for the pupils to enable them to access the new school, there would be an additional travel implication for their parents to access any activities at the school.

Religion – the proposal is to establish a new Church in Wales primary school. This would continue to provide access to Welsh-medium Church in Wales provision in the Banwy Valley. Should any parents not wish their children to attend Church in Wales provision, Welsh-medium Community Primary provision is available nearby at Ysgol Pontrobert and Llanfair Caereinion C.P. School

ii) Impact on the community

The findings of the community impact assessment carried out on this option are summarised below:

Should a new school be established on the current site of Llanerfyl C. in W. (Foundation) School, there would be no primary provision in the building currently occupied by Banw C.P. School. This could impact on the area of the Banw Valley currently served by this school, through involvement in school activities and links with the community, however the new school would be expected to serve the whole Banw Valley area and to maintain community links across the area.

Should there be no primary provision in the current Banw C.P. School building, the Council would need to determine how to use the building in the future. The Banw Community Hall is co-located with the school, therefore whilst the current proposal is not proposing any changes to the community hall, it is possible that removal of primary provision from the Banw site could impact on the community hall in the future. This could mean that this facility would not be available for the community. However school provision and a village hall would remain in the village of Llanerfyl.

Should a new school be located on the current Llanerfyl site, there would be an additional travel requirement for pupils currently attending Banw C.P. School and other stakeholders to access a new school on the current site of Llanerfyl C. in W. School. However, this additional travel would be minimal.

A wide range of extra-curricular activities are currently offered by both Banw C.P. School and Llanerfyl C. in W. (Foundation) School. Any new school established on either site would be encouraged to offer a similar range of activities for pupils.

iii) Impact on the Welsh language

The findings of the Welsh language impact assessment carried out in respect of this option are summarised below:

The Banw Valley is traditionally a Welsh speaking area, and the two current primary schools are Welsh-medium schools. The proposal would result in one new Welsh-medium primary to serve the area. This would ensure that the provision continues to provide access to Welsh-medium education and meet the objectives of the Council's Welsh in Education Strategic Plan, and would also result in a larger school, which would be more sustainable for the future.

This option would mean that there would be no provision in the building currently occupied by Banw C.P. School. However, there would be provision in Llanerfyl. This would be a larger school, which would be more sustainable for the future. A number of pupils from the Banw Valley area currently travel to Llanfair Caereinion to access English-medium provision. It is possible that the provision of a larger school could encourage more pupils to access Welsh-medium provision in the Banw Valley in the future.

There are no concerns about standards in Welsh at both current schools. Both schools offer a wide range of Welsh language extra-curricular activities and have achieved the Welsh Language Charter bronze award and are now working towards the silver award. The Council would expect this to continue to be the case at any new school established in the Banw Valley area.

14.9 Impact on access to denominational provision

Implementation of this option would result in the establishment of a new Church in Wales school. This would ensure continued access to Welsh-medium Church in Wales provision for pupils currently accessing this type of provision at Llanerfyl C. in W. (Foundation) School.

Non-Church in Wales Welsh-medium provision is also available at neighbouring schools, at Pontrobert C.P. School and Llanfair Caereinion C.P. School. Any pupils not wishing to access denominational provision could apply for a place at either of these community primary schools.

14.10 Impact on governance arrangements

Implementation of this option would result in the establishment of a new Voluntary Aided Church in Wales School on the current site of Llanerfyl C. in W. (Foundation) School. This would be a change from the current category of the two schools.

The governing body of a Voluntary Aided school is a corporate body with exempt charitable status. In a Voluntary Aided School, the school holds its own premises, employs the staff and deals with admission arrangements. The local authority via the school budget share provides revenue funding. The governing body would include foundation governors. These would hold a majority of the places on the governing body. As it is proposed that the new school is a Church in Wales school, foundation governors would be expected to preserve and develop the school's religious character.

Should the Council proceed with the establishment of a new school an Instrument of Government would be developed in accordance with regulations.

14.11 Potential implementation timescale

Potential implementation timescale for this option are as follows:

Formal Consultation	24 th September – 5 th November 2018
Consultation Report to be published, and considered by Full Council and Cabinet	January/February 2019
If Cabinet decide to proceed with this Option:	
Publish Statutory Notice (28 days objection period)	February/March 2019
Objection Report to be published and considered by Cabinet	May/June 2019
If Cabinet approves implementation of this Option:	
Establish temporary governing body	September 2019
Recruit headteacher	By end of 2019
Develop and appoint to a new staffing structure	Spring 2020
Current schools close	31 st August 2020
New school opens on Llanerfyl site	1 st September 2020

PART D CONSULTATION DETAILS

15.1 Who will we consult with?

The authority will consult with the pupils, parents, governors and staff of Banw C.P. School and Llanerfyl C. in W. (Foundation) School. A copy of the consultation document will also be provided to all those required in accordance with the School Organisation Code 2013, which includes the following:

- The Governing Bodies of Banw C.P. School and Llanerfyl C. in W. (Foundation) School
- Parents, carers, guardians and staff of Banw C.P. School and Llanerfyl C. in W. (Foundation) School
- Pupils of Banw C.P. School and Llanerfyl C. in W. (Foundation) School
- Cylch Meithrin / Ti a Fi Dyffryn Banw
- The Church in Wales and Roman Catholic Diocesan Authorities
- The Priscilla Foster Trust
- The Welsh Minister for Education & Skills
- Local Powys Councillors
- Town and Community Councils in the local area
- The AM for Montgomeryshire and regional AMs for the area
- The MP for Montgomeryshire
- Estyn
- Teaching and staff trade unions
- ERW
- The Police & Crime Commissioner
- The Regional Transport Consortium
- Nursery providers in the local area
- The Powys Children and Young People's Partnership

15.2 The consultation period

The consultation period will commence on the 24th September 2018 and will end on the 5th November 2018.

Two 'drop in' consultation events will also be held during the consultation period. These will be held on the following dates:

Drop in session for parents of pupils attending Llanerfyl C. in W. (Foundation) School and other stakeholders associated with the school:

Thursday, 4th October, 3 – 7pm, Llanerfyl Village Hall

Drop in session for parents of pupils attending Banw C.P. School and other stakeholders associated with the school:

Monday, 15th October, 3 – 7pm, Banw Community Hall

15.3 The statutory process

Consultation on this proposal will follow the guidelines set out by the Welsh Government in the School Organisation Code (2013). The process is summarised below:

i) Consultation

Consultation will start on the 24th September 2018 and will end on the 5th November 2018. Feedback from the consultation will be collated and summarised, and a consultation report will be produced and shared with stakeholders.

As part of the Council's approach towards school reorganisation proposals, all consultation reports are considered by the full Council prior to consideration by Cabinet. Therefore, the Consultation Report in respect of this consultation will need to be considered by the Full Council.

After the report is considered by the full Council, the Council's Cabinet will consider the report and the feedback received during the consultation period, and will decide whether to proceed with the proposals, to make changes to the proposals or to not proceed with the proposal. If the Cabinet decides not to proceed, that will be the end of this proposal.

It is anticipated that the Consultation Report will be considered by full Council and the Cabinet early in 2019.

ii) Statutory notice

If the Cabinet decides to proceed with one of the options, statutory notices would be published after the Cabinet meeting. There would then be a period of 28 days for people to submit written objections.

If there were objections, the Council would publish an objection report providing a summary of the objections and the Council's response to them before the end of 7 days beginning with the day of the local authority's determination. Only written objections submitted during the statutory notice period will be considered as objections and included in this report. Comments submitted as part of the consultation period would not be counted as objections. Should stakeholders wish their consultation responses to be considered as objections, they would need to be re-submitted in writing during the statutory notice period.

A further report would be presented to the Council's Cabinet, which they would consider alongside the objection report, in order to decide whether or not to approve the proposal.

It is anticipated that a final decision would be made by the end of the 2018/19 academic year at the latest.

iii) Implementation

If the Council's Cabinet were to approve the proposal, it would be implemented in accordance with the date given in the statutory notice or any subsequently modified date.

15.4 How to respond to the consultation

A consultation response form is attached to this document. An online version is also available on the Council's website:

<https://customer.powys.gov.uk/article/4465/Banw-C.P.-School-and-Llanerfyl-C.-in-W.-Foundation-School>

Alternatively, you can respond in writing.

Completed forms and other written responses should be sent to the following address:

School Transformation Team, Powys County Council, County Hall, Llandrindod Wells, LD1 5LG

E-mail: school.consultation@powys.gov.uk

All correspondence should be received by the **5th November 2018**.

If you have any further questions about this proposal, you can contact the School Transformation Team using the above contact details, or by phoning (01597) 826265.

APPENDIX A – KEY DATA

1. Banw C.P. School and Llanerfyl C. in W. (Foundation) School

Key data about the two schools is provided below.

General information

School Name	School Category	Language Category	Admission Number
Banw C.P. School	Community Primary School building owned by PCC with a community centre attached to the school.	Welsh-medium (WM)	8
Llanerfyl C. in W. (Foundation) School	Foundation Church in Wales School building owned by the Pricilla Foster Trust. School responsible for its own admissions.	Welsh-medium (WM)	7

Pupil numbers

i) Current pupil numbers¹³

	N2	R	1	2	3	4	5	6	Total
Banw C.P. School	0	2	2	2	1	7	4	4	22
Llanerfyl C. in W. (Foundation) School	3	3	3	4	6	1	4	5	29
TOTAL	3	5	5	6	7	8	8	9	51

ii) Historical pupil numbers¹⁴

	Jan. 2011	Jan. 2012	Jan. 2013	Jan. 2014	Jan. 2015	Jan. 2016	Jan. 2017	Jan. 2018
Banw C.P. School	45	50	46	38	35	33	28	26
Llanerfyl C. in W. (Foundation) School	47	51	42	41	38	37	35	32
TOTAL	92	101	88	79	73	70	63	58

¹³ Teacher Centre, 18 Medi 2018

¹⁴ PLASC

iii) **Projected pupil numbers**

	January 2019	January 2020	January 2021	January 2022	January 2023
Banw C.P. School	22	18	17	13	15
Llanerfyl C. in W. (Foundation) School (R-Yr6)	28	30	29	31	28
TOTAL	50	48	36	44	43

Building Capacity and Condition

i) **Capacity**

The following table provides information about the current capacities of the two schools:

	Current Capacity¹⁵
Banw C.P. School	72 + 10 nursery
Llanerfyl C. in W. (Foundation) School	44 + 5 nursery

ii) **Building Condition**

In the Spring of 2018, the Council commissioned Heart of Wales Property Services (HOWPS) to carry out updated condition and suitability assessments of the two schools.

Detailed reports have been provided for two schools, however the overall assessments are as follows:

	Condition	Suitability
Banw C.P. School	C Generally poor	B Generally satisfactory
Llanerfyl C. in W. (Foundation) School	B Generally satisfactory	C/D Poor to bad This assessment is based on the perceived limitation of having no hall, and the significant limitations due to conversion and extension of the original property

¹⁵ Based on Welsh Government Circular 21/2011 'Measuring the Capacity of Schools in Wales'

Quality and standards of education

i) Estyn

The following table summarises the last Estyn inspections of the two schools:

	Banw C.P. School	Llanerfyl C. in W. (Foundation) School
Date of Inspection	September 2016	November 2014
School's Current Performance	Good	Adequate
Prospects for Improvement	Good	Adequate
Follow Up Activity	No follow up activity	Estyn Monitoring Estyn Monitoring visit January 2016 – the school was judged to have made good progress, and was removed from the list of schools requiring Estyn monitoring

ii) School Categorisation

The latest categorisations of the two schools in accordance with the National School Categorisation System for 2017 are as follows:

	Standards Group	Improvement Capacity	Support Capacity
Banw C.P. School	N/A	A	Green
Llanerfyl C. in W. (Foundation) School	N/A	C	Yellow

Financial information

i) Cost per pupil (2018/19)

	Budget share per school	Budget share per pupil	Notional SEN budget	Non ISB funds devolved to the school
Banw C.P. School	£156,330	£6,013	£5,493	£6,025
Llanerfyl C. in W. (Foundation) School	£152,093	£5,432	£7,105	£6,020
Powys average (Primary)	N/A	£3,752	N/A	N/A

ii) Current budgetary position (as of 1st May submittal by full governing body)

	2017/18 Actual Cumulative Outturn	2018/19 Budget	2019/20 Budget	2020/21 Budget
Banw C.P. School	£28,525	£15,582	(£1,576)	(£23,536)
Llanerfyl C. in W. (Foundation) School	£19,422	(£969)	(£25,852)	(£50,624)

Home to school travel

i) Closest School

An analysis of pupil travel patterns has been carried out, based on the pupils that were attending the two schools in the 2017-18 academic year. The closest Welsh-medium provider for all of these pupils is as follows:

	Pupils attending Banw C.P. School	Pupils attending Llanerfyl C. in W. (Foundation) School	Total
Banw C.P. School	25	1	26
Llanerfyl C. in W. (Foundation) School	0	29	29
Ysgol Llanbrynmair	0	2	2
Ysgol Gymraeg Y Trallwng	1	0	1

ii) Average Travel Distance

The average travel distance for pupils attending Banw C.P. School is 4.01 miles.

The average travel distance for pupils attending Llanerfyl C. in W. (Foundation) School is 1.79 miles.

If there was no school in Banw, the average travel distance for pupils attending the two schools to attend provision in Llanerfyl would be 3.31 miles.

If there was no school in Llanerfyl, the average travel distance for pupils attending the two schools to attend provision in Banw would be 3.57 miles.

(Note: in this section, 'all pupils' includes pupils for whom Banw C.P. School or Llanerfyl C. in W. (Foundation) School is not their closest provider of Welsh-medium education)

iii) Furthest Travel Distance

Of the pupils that attend Banw C.P. School, the furthest travel distance to the school for those pupils for whom Banw C.P. School is the closest Welsh-medium provider is 8.48 miles. If there was no school in Banw, the furthest distance to the nearest alternative provision at Llanerfyl would be 10.01 miles.

Of the pupils that attend Llanerfyl C. in W. (Foundation) School, the furthest travel distance to the school for those pupils for whom Llanerfyl C. in W. (Foundation) School is the closest Welsh-medium provider is 4.71 miles. Should there be no school in Llanerfyl, the furthest distance to the nearest alternative provision at Banw would be 5.85 miles.

Equalities information¹⁶

i) National identity

(Pupils aged 5 or over on the 31st August 2017)

	British	English	Irish	Scottish	Welsh	Other	Not supplied	Refused	Total pupils
Banw C.P. School	13	1	0	0	12	0	0	0	26
Llanerfyl C. in W. (Foundation) School	14	3	0	0	15	0	0	0	32

¹⁶ PLASC January 2018

ii) Ethnic Group
(Pupils aged 5 or over on the 31st August 2017)

	White British	Other known ethnicity	Information not yet obtained	Total pupils
Banw C.P. School	26	0	0	26
Llanerfyl C. in W. (Foundation) School	30	0	2	32

iii) English as an Additional Language

	EAL pupils
Banw C.P. School	0
Llanerfyl C. in W. (Foundation) School	0

iv) Free School Meals

	Not eligible for FSM	Eligible for FSM	Total pupils	% Eligible for FSM
Banw C.P. School	22	3	25	12%
Llanerfyl C. in W. (Foundation) School	29	0	29	0%

v) Looked after children

	Looked after children
Banw C.P. School	0
Llanerfyl C. in W. (Foundation) School	0

vi) SEN

	None	School Action	School Action Plus	Statement	Total Pupils	% SEN
Banw C.P. School	21	5	0	0	26	19.2%
Llanerfyl C. in W. (Foundation) School	23	5	4	0	32	28.1%

vii) Welsh at Home

	Does not speak Welsh at home	Does speak Welsh at home	Not applicable	Total pupils
Banw C.P. School	22	3	1	26
Llanerfyl C. in W. (Foundation) School	6	24	2	32

Early Years Provision

One early years provider (Cylch Meithrin Dyffryn Banw) serves pupils from the whole area. This setting meets in Llanerfyl village hall. The setting receives 3+ funding from the Council.

2. Other schools pupils may choose to transfer to

Should one of the options outlined within this document be implemented, it is possible that some parents could choose for their children to attend an alternative school, instead of the proposed new school.

Information about neighbouring schools that pupils may wish to transfer to instead of the proposed new school is provided below:

General information

School Name	School Category	Language Category	Admission Number
Llanfair Caereinion C.P. School	Community Primary	Dual stream (DS)	27
Ysgol Pontrobert	Community Primary	Welsh-medium (WM)	7

Pupil numbers

i) Current pupil numbers¹⁷

	N2	R	1	2	3	4	5	6	Total
Llanfair Caereinion C.P. School	N/A	15	24	24	26	26	28	25	168
Ysgol Pontrobert	N/A	7	4	6	2	2	3	7	31

ii) Historical pupil numbers¹⁸

	Jan. 2011	Jan. 2012	Jan. 2013	Jan. 2014	Jan. 2015	Jan. 2016	Jan. 2017	Jan. 2018
Llanfair Caereinion C.P. School	189	188	195	202	209	195	185	174
Ysgol Pontrobert	31	37	35	35	29	37	35	28

¹⁷ Teacher Centre, 18 September 2018

¹⁸ PLASC

iii) **Projected pupil numbers**

	January 2019	January 2020	January 2021	January 2022	January 2023
Llanfair Caereinion C.P. School	169	164	160	156	154
Ysgol Pontrobert	29	26	28	30	32

Building Capacity and Condition

i) **Capacity**

	Current Capacity ¹⁹
Llanfair Caereinion C.P. School	167 + 23 nursery
Ysgol Pontrobert	58 + 8 nursery

ii) **Building Condition**

	Condition	Suitability
Llanfair Caereinion C.P. School	C	B
Ysgol Pontrobert	B	B

Quality and standards of education

i) **Estyn**

The following table summarises the last Estyn inspections of the two schools:

	Ysgol Pontrobert
Date of Inspection	December 2014
School's Current Performance	Good
Prospects for Improvement	Good
Follow Up Activity	No follow up activity

¹⁹ Based on Welsh Government Circular 21/2011 'Measuring the Capacity of Schools in Wales'

Llanfair Caereinion C.P. School was inspected under Estyn's new inspection framework, which was introduced in September 2017. The outcome of the inspection was as follows:

Llanfair Caereinion C.P. School	
Date of Inspection	January 2018
Inspection area:	
Standards	Good
Wellbeing and attitudes to learning	Good
Teaching and learning experiences	Good
Care, support and guidance	Good
Leadership and management	Good

ii) School Categorisation

The latest categorisations of the two schools in accordance with the National School Categorisation System for 2017 are as follows:

	Standards Group	Improvement Capacity	Support Capacity
Llanfair Caereinion C.P. School	N/A	B	Yellow
Ysgol Pontrobert	N/A	A	Green

APPENDIX B – CONSULTATION RESPONSE FORM

BANW C.P. SCHOOL AND LLANERFYL C. IN W. (FOUNDATION) SCHOOL

Powys County Council is consulting on the following proposals relating to primary education in the Banw Valley:

- To close Banw C.P. School and Llanerfyl C. in W. Foundation School and to establish a new Welsh-medium Voluntary Aided Church in Wales School
-
- To establish the new school either
 - a. on the current site of Banw C.P. School **or**
 - b. on the current site of Llanerfyl C. in W. (Foundation) School

A consultation document which provides more information about the proposals and the two options, as well as an online version of this consultation response form, is available on the Council's website at <https://customer.powys.gov.uk/article/4465/Banw-C.P.-School-and-Llanerfyl-C.-in-W.-Foundation-School>.

This consultation response form gives you the opportunity to let us know your view on the Council's proposal and the two options. The response form can also be completed online – a link to the online form is available by following the link above.

The closing date for this consultation is the **5th November 2018**. All responses must be received by this date.

All information received via this survey will be administered under the rules of the General Data Protection Regulation Act. For full details of how Powys County Council works to these rules, visit <http://www.powys.gov.uk/en/information-mangement/data-protection-and-privacy/>

Part 1 – About You

1. Please indicate how you are associated with Banw C.P. School and/or Llanerfyl C. in W. (Foundation) School:

Parent, carer or guardian	<input type="checkbox"/>	Member of staff	<input type="checkbox"/>
Prospective parent, carer or guardian	<input type="checkbox"/>	Member of the community	<input type="checkbox"/>
Governor	<input type="checkbox"/>	No association with either school	<input type="checkbox"/>
Other (Please specify)	<input type="checkbox"/>	_____	

2. Please specify which school you are associated with:

Banw C.P. School	<input type="checkbox"/>	Llanerfyl C. in W. (Foundation) School	<input type="checkbox"/>	Neither school	<input type="checkbox"/>
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3. Please provide your postcode _____

Part 2 – Consultation Response

Please indicate your responses to the questions below.

Proposal to establish one new school in the Banw Valley area

4. Given the current and projected pupil numbers in Banw C.P. School and Llanerfyl C. in W. (Foundation) School, do you agree that the most suitable way forward is for the two existing schools to merge in order to establish one new, larger school in the area?

Yes No Don't know

Please provide any additional comments:

5. The current proposal is to establish a new Welsh-medium Voluntary Aided Church in Wales School.

If the Council were to proceed with merging the two existing schools to create one new school, do you agree that 'Voluntary Aided Church in Wales' would be a suitable category for a new school?

Yes No Don't know

Please provide any additional comments:

Option A – Establish a new school on the current site of Banw C.P. School

6. If the Council were to proceed with merging the two existing schools to create one new school, do you agree that establishing a new school on the current site of Banw C.P. School would be a suitable way forward in order to safeguard the provision of Welsh-medium education in the Banw Valley?

Yes No Don't know

Please provide any additional comments:

Option B – Establish a new school on the current site of Llanerfyl C. in W. (Foundation) School

7. If the Council were to proceed with merging the two existing schools to create one new school, do you agree that establishing a new school on the current site of Llanerfyl C. in W. (Foundation) School would be a suitable way forward in order to safeguard the provision of Welsh-medium education in the Banw Valley?

Yes No Don't know

Please provide any additional comments:

Other options

8. A number of options have been considered in respect of Banw C.P. School and Llanerfyl C. in W. (Foundation) School. These are outlined on pages 11 – 16 of the consultation document. Option 1 (Establish a new school operating across the two sites) and Option 4 (Establish a new school operating from a new site in the area) have been discounted as the Council does not think that either of these are the most appropriate way forward at the current time.

a) Do you agree with the Council that Options 1 and 4 should be discounted?

Yes No Don't know

b) Do you think the Council should proceed with one of the discounted options instead of the current options?

Yes No Don't know

Please provide any additional comments, including which (if any) of the discounted options you think the Council should be considering:

9. Are there any other options which you think the Council should consider which aren't outlined in the consultation document?

Other comments

10. Please provide any other comments in the space below:

11. At the end of the Consultation Period, the Council will publish a Consultation Report, summarising the issues raised in the consultation responses received and providing the Council’s response to these issues.

Would you like to be informed of the publication of the consultation report?

Yes No

If you answered ‘Yes’, please provide an e-mail address or postal address:

Part 3 – Equalities Information (Optional)

We want to ensure that we include all sectors of the community in our consultation, and are requesting that you provide this information to enable us to identify whether the consultation has been inclusive.

However, these questions are optional. We will take all responses into consideration when determining how to proceed, regardless of whether or not this information has been provided.

12. Can you understand, speak or write Welsh?

Yes No Don’t want to say

13. If you have school-aged children, are they entitled to receive free school meals?

Yes No Don’t want to say

14. If you have school-aged children, do they have any additional learning needs?

Yes No Don’t want to say

15. Do you consider yourself to be disabled?

Yes No Don't want to say

16. What is your ethnic group?

White Mixed or multiple ethnic groups

Asian or British Asian Black, African, Caribbean or Black British

Any other ethnic group Don't want to say

Thank you for completing this questionnaire.

Completed questionnaires should be sent to the following address, to arrive **no later than the 5th November 2018**:

*School Transformation Team,
Powys County Council,
County Hall,
Llandrindod Wells,
LD1 5LG*

E-mail: school.consultation@powys.gov.uk



**Banw Community Primary School and
Llanerfyl Church in Wales (Foundation)
School**

Consultation Report

February 2019

CONTENTS

	Page
1. Overview of the Consultation	3
1.1 Consultation methods	3
1.2 Responses received	4
1.3 Summary of issues raised	4
2. Consultation Response Form	7
3. Consultation with Pupils	9
4. Consultation meetings with Governors and Staff	14
5. Estyn	17
6. Issues raised during the Consultation Period	21
1. Comments on the principle of merging the two schools	21
2. Comments about Banw C.P. School	27
3. Comments about Llanerfyl C. in W. (Foundation) School	42
4. Category of any new school	64
5. Impact on pupils	79
6. Pupil numbers	85
7. Impact on staff	91
8. Impact on the community	93
9. Impact on the Welsh Language	102
10. Reference to Early Years provision	106
11. Financial considerations	106
12. Other options	114
13. Reference to documentation	119
14. Comments relating to the process	124



CONSULTATION ON PROPOSALS RELATING TO BANW C.P. SCHOOL AND LLANERFYL C. IN W. (FOUNDATION) SCHOOL

1. OVERVIEW OF THE CONSULTATION

Powys County Council consulted on the following proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School:

- To close Banw C.P. School and Llanerfyl C. in W. Foundation School and to establish a new Welsh-medium Voluntary Aided Church in Wales School
- To establish the new school either
 - a. on the current site of Banw C.P. School **or**
 - b. on the current site of Llanerfyl C. in W. Foundation School

The consultation took place from the 24th September 2018 to the 5th November 2018.

1.1 Consultation methods

The consultation documentation was available on the Council's website throughout the consultation period, and was distributed to stakeholders, as required by the School Organisation Code (2013). A separate version for primary aged pupils was also available and distributed to pupils, and was also available on the Council's website throughout the consultation period.

Consultees were invited to respond to the consultation by either completing an online consultation form, filling in a paper copy of the form and returning it to the School Transformation Team at County Hall, or by e-mailing / writing to the School Transformation Team.

Informal drop in sessions were held to give parents the opportunity to discuss any queries with officers / county councillors. These were held in Llanerfyl Village Hall on Thursday 4th October 2018 and in Banw Community Centre on Monday 15th October 2018. Approximately 40 attended the session in Llanerfyl, and approximately 110 attended the session in Banw.

In addition, meetings were held with the following:

- Staff and Governors of Llanerfyl C. in W. (Foundation) School – 4th October 2018
- Staff and Governors of Banw C.P. School – 15th October 2018
- School Council of Llanerfyl C. in W. (Foundation) School – 24th October 2018
- School Council of Banw C.P. School – 24th October 2018

1.2 Responses received

A total of 250 respondents completed the consultation response form which was included in the consultation document. This included paper copies as well as responses submitted using the online response form.

In addition 51 written responses were received.

In addition to responses from parents, staff, governors, pupils and other members of the community affected by the proposal, responses were received from the following:

- Estyn
- Diocese of St Asaph
- Llanerfyl Village Hall Committee
- Banwy Community Council
- Dyffryn Banw Football Club
- Merched y Wawr, Montgomeryshire Region
- Llanerfyl Community Council
- Cylch Meithrin Dyffryn Banw
- Banw Community Centre Committee
- UCAC

The response received from Estyn is provided on page 17, in-line with the requirements of the School Organisation Code.

1.3 Summary of issues raised

The issues raised in the consultation responses are listed in detail in section 6 on page 21. This includes the Council's response to each issue.

However, the following is a summary of the issues raised:

1. Comments on the principle of merging the two schools

- 1.1 In support
- 1.2 Against
- 1.3 Other

2. Comments about Banw C.P. School

- 2.1 Location
- 2.2 Building Condition
- 2.3 Building Suitability
- 2.4 Reference to the new curriculum
- 2.5 The school site
- 2.6 Parking
- 2.7 Size
- 2.8 Classroom configuration
- 2.9 Toilets / Changing Facilities
- 2.10 Kitchen / Dining Facilities

- 2.11 Hall
- 2.12 Reference to links between the school and the community
- 2.13 Disabled access
- 2.14 Safeguarding
- 2.15 Opportunities to develop the site
- 2.16 Possible alternative uses should there be no school on the site
- 2.17 Other

3. Comments about Llanerfyl C. in W. (Foundation) School

- 3.1 Location
- 3.2 Building Condition
- 3.3 Building Suitability
- 3.4 The School Site
- 3.5 Parking
- 3.6 Classroom Configuration
- 3.7 Reference to the new curriculum
- 3.8 Toilets / Changing Facilities
- 3.9 Kitchen / Dining Facilities
- 3.10 Hall
- 3.11 Community Use / Links
- 3.12 Disabled Access
- 3.13 Health and Safety queries
- 3.14 Opportunities to develop the site
- 3.15 Possible alternative uses should there be no school on the site
- 3.16 Successes of Ysgol Llanerfyl

4. Category of any new school

- 4.1 Church in Wales categorisation
- 4.2 Voluntary Aided Church in Wales categorisation
- 4.3 Other categories

5. Impact on pupils

- 5.1 Additional travel
- 5.2 Impact on vulnerable pupils
- 5.3 Impact on quality of education
- 5.4 Other

6. Pupil numbers

- 6.1 It's unfair to close Llanerfyl School
- 6.2 Surplus places
- 6.3 Projected pupil numbers

7. Impact on staff

8. Impact on the community

- 8.1 Impact on the Banw Community

- 8.2 Impact on the Llanerfyl community
- 8.3 General comments with regard to impact on the community

9. Impact on the Welsh Language

- 9.1 Impact on the Welsh language in the Banw community
- 9.2 Impact on the Welsh language in the Llanerfyl community
- 9.3 General comments with regard to impact on the Welsh language

10. Reference to Early Years provision

11. Financial considerations

- 11.1 Transport costs
- 11.2 Capital receipts
- 11.3 Capital costs
- 11.4 Cost per pupil
- 11.5 Reference to financial contribution from the Church
- 11.6 Priscilla Foster Trust
- 11.7 Overall savings to the Council

12. Other options

- 12.1 Retain both schools
- 12.2 Open a new school in a new location
- 12.3 Multi-sited option
- 12.4 Establish English-medium provision in the area
- 12.5 Carry out a wider review of education in the area
- 12.6 Increase pupil numbers in the area
- 12.7 Other

13. Reference to documentation

- 13.1 Consultation Document
- 13.2 Impact assessments
- 13.3 HoWPS building reports

14. Comments relating to the process

- 14.1 Initial meetings with governing bodies
- 14.2 Informal session for parents held on the 7th February 2018
- 14.3 Parents questionnaire Spring 2018
- 14.4 Decision making process
- 14.5 Reference to Cabinet meeting 18th July 2018
- 14.6 Reference to the consultation process
- 14.7 Reference to process going forward
- 14.8 Reference to legal challenge / judicial review
- 14.9 Reference to County Councillors
- 14.10 Impact of the process on the community

2. CONSULTATION RESPONSE FORM

250 respondents completed the consultation response form which was included in the consultation document. This included paper copies as well as responses submitted using the online response form.

The quantitative findings of the questionnaire are summarised below. Written comments were also provided in the consultation response forms, the issues raised in these comments are included in Section 6 of this report.

Section 1 – About you

1. Please indicate how you are associated with Banw C.P. School and/or Llanerfyl C. in W. (Foundation) School:

Parent, carer or guardian	43	17%
Prospective parent, carer or guardian	26	10%
Governor	14	6%
Member of staff	14	6%
Member of the community	118	47%
No association with either school	17	7%
Other	66	26%
Total responses ¹	250	

2. Please specify which school you are associated with:

Banw C.P. School	101	40%
Llanerfyl C. in W. School	110	44%
Neither school	51	20%
Total responses ²	250	

Section 2 – Consultation Response

3. Given the current and projected pupil numbers in Banw C.P. School and Llanerfyl C. in W. (Foundation) School, do you agree that the most suitable way forward is for the two existing schools to merge in order to establish one new, larger school in the area?

Yes	189	83%
No	33	14%
Don't know	7	3%
Total responses	229	100%

4. The current proposal is to establish a new Welsh-medium Voluntary Aided Church in Wales School. If the Council were to proceed with merging the two

¹ Some respondents gave more than one response for this question. This is why the total is higher than 250.

² Some respondents gave more than one response for this question. This is why the total is higher than 250.

existing schools to create one new school, do you agree that 'Voluntary Aided Church in Wales' would be a suitable category for a new school?

Yes	105	46%
No	48	21%
Don't know	74	33%
Total responses	227	100%

5. If the Council were to proceed with merging the two existing schools to create one new school, do you agree that establishing a new school on the current site of Banw C.P. School would be a suitable way forward in order to safeguard the provision of Welsh-medium education in the Banw Valley?

Yes	140	61%
No	81	35%
Don't know	8	4%
Total responses	229	100%

6. If the Council were to proceed with merging the two existing schools to create one new school, do you agree that establishing a new school on the current site of Llanerfyl C. in W. (Foundation) School would be a suitable way forward in order to safeguard the provision of Welsh-medium education in the Banw Valley?

Yes	81	36%
No	130	57%
Don't know	16	7%
Total responses	227	100%

7. A number of options have been considered in respect of Banw C.P. School and Llanerfyl C. in W. (Foundation) School. Option 1 (Establish a new school operating across the two sites) and Option 4 (Establish a new school operating from a new site in the area) have been discounted as the Council does not think that either of these are the most appropriate way forward at the current time.

- a) Do you agree with the Council that these options should be discounted?

Yes	154	76%
No	20	10%
Don't know	28	14%
Total responses	203	100%

- b) Do you think the Council should proceed with one of the discounted options instead of the current options?

Yes	30	15%
No	140	71%
Don't know	26	13%
Total responses	196	99%

3. CONSULTATION WITH PUPILS

Officers from the local authority met with the School Council of Banw C.P. School and Llanerfyl C. in W. (Foundation) School to get their views on the proposals. The notes of these meetings are provided below:

i) **Banw C.P. School**

Officers from the School Transformation Team met with Dyffryn Banw School Council on 24 October 2018 to discuss the consultation on the future of Ysgol Dyffryn Banw and Ysgol Llanerfyl.

One session was held with 8 pupils from the school council.

The officers explained the proposals in relation to Dyffryn Banw Primary School and the Llanerfyl Church in Wales (Foundation) School, namely:

- To close Dyffryn Banw Primary School and Llanerfyl Church in Wales (Foundation) School and to establish a Welsh-medium Church in Wales Voluntary Aided School.
- To establish the new school either
 - a. On the current site of Dyffryn Banw Primary School **or**
 - b. On the current site of Llanerfyl Primary School

The pupils were asked a number of questions and their responses are summarised below:

1. **What do you like about Ysgol Dyffryn Banw? What's good about the school?**

- The park and the large hall
- The yard for playing netball
- A good place to do exercise and sports
- A good place to do athletics with a 200 metr running track
- A good place to do the long jump
- 4 classrooms so we study maths and language in different rooms
- Many computers
- The hall is good for sports if it rains
- The hall is good for concerts, Eisteddfod y Foel. The Powys Eisteddfod is also coming here
- A good hall for gymnastics
- A large canteen and kitchen
- An after school cooking club
- There is a kitchen by the hall as well
- A breakfast club
- School lunch has improved and the food is tasty - the food comes up from Llanerfyl
- Chips on Friday

- There is a lot of space here, so there is enough room for us to have time alone if necessary
 - It is a healthy school and we make fruit pots
 - The school is suitable for disabled children or children who have had an injury e.g. a broken leg, because there are no stairs
- 2. Is there anything you dislike about Ysgol Dyffryn Banw, or anything that could be better?**
- No
 - Have more spaces for nature, a nature corner
- 3. If things changed, and if Ysgol Llanerfyl pupils also came to school here in Dyffryn Banw, what impact would this have?**
- We are friends with Llanerfyl children already, so there wouldn't be much of an impact on us
 - Llanerfyl children come here quite a lot already, for example to see Mr Formula
 - It would be good to have more sports and competitions. There are not enough children here to have a netball team at present, so there would be enough children for this
 - It would be good to have more children in the school and more friends
 - Llanerfyl children would have to come to school by car / on the bus
 - There is room for 120 children here, so there is plenty of room for more children
- 4. Is there anything that worries you about the possibility that Ysgol Llanerfyl children could come to school here?**
- I worry that we wouldn't be friends and that Llanerfyl children would stick together and that Dyffryn Banw children would stick together
 - We would be happy for Llanerfyl children to come here - there's plenty of space here and I would be happy to welcome new children here.
- 5. If things changed, and if Ysgol Dyffryn Banw pupils went to school in the building in Llanerfyl with Ysgol Llanerfyl children, what impact would this have?**
- I would worry about this - my mother is English and my sister wasn't allowed to go to Llanerfyl because Mum was English
 - This would be good for Llanerfyl children, but there's not enough room for everyone there
 - There are stairs at Ysgol Llanerfyl and I worry that if there were disabled children at the school, they would not be able to get upstairs
 - There wouldn't be room for everyone in the classes
 - There is no canteen or hall
 - It's dangerous to cross the road to go to the hall
 - There is only one female toilet at Llanerfyl, there are more toilets here

6. Is there anything that worries you about the possibility that you would have to go to school in the building in Llanerfyl?

- I don't think there's enough room for everyone
- I'm worried that people would move to Ysgol Llanfair or Ysgol Pontrobert
- I worry about crossing the road to go to the hall
- I'm worried that they don't let English children go to Llanerfyl. I would have to go to Llanfair
- It would be good for Llanerfyl children, but I don't think the change would be good for us.

7. Pupils were asked if they had any further comments or anything else to add. The following comments were made:

- Having one school is a good idea but the loss of a school in one place will affect that community
- If there were one school, it would be easier for the children to make friends and the school would be able to compete in netball and choir competitions, and be better at Eisteddfodau.
- Ysgol Llanerfyl is good at some things and Ysgol Dyffryn Banw is good at other things, so the new school would be able to be good at lots of things

To conclude the session, the officers explained the next steps in the consultation process. It was explained that the consultation will close on the 5th November, after half term, and the pupils were encouraged to send any further comments to the school transformation team, or to their teachers who will be able to arrange for them to be sent on.

ii) Llanerfyl C. in W. (Foundation) School

Officers from the School Transformation Team met with Llanerfyl School Council on 24 October 2018 to discuss the consultation on the future of Ysgol Llanerfyl and Ysgol Dyffryn Banw.

One session was held with 7 pupils from the school council, and a second session with 2 latecomers to Welsh-medium education.

The officers explained the proposals in relation to Dyffryn Banw Primary School and the Llanerfyl Church in Wales (Foundation) School, namely:

- To close Dyffryn Banw Primary School and Llanerfyl Church in Wales (Foundation) School and to establish a Welsh-medium Church in Wales Voluntary Aided School.
- To establish the new school either
 - a. On the current site of Dyffryn Banw Primary School **or**
 - b. On the current site of Llanerfyl Primary School

The pupils were asked a number of questions and their responses are summarised below:

1. What do you like about Ysgol Llanerfyl? What's good about the school?

- The food is good here
- We are all friends
- The building is big enough
- There is plenty of room here
- It's easier to be here because there aren't many children here
- The site is open after school and at weekends
- The building is old
- The building and the classrooms are colourful, and there are lots of things on the walls
- The playing field, there is plenty of space to have 4 play areas at the same time
- I like to play rounders, cooking, running, football, netball and crafts here
- Eisteddfodau and taking part in the Urdd
- The site is safe and it's safe enough to cycle and walk to school
- The teachers are kind and willing to help you
- The teachers can be strict but they help us and are kind
- Being able to walk to school
- I like the fact that it is a small school, there are friends in different year groups, and everyone knows each other

2. Is there anything you dislike about Ysgol Llanerfyl, or anything that could be better?

- Rugby, we are not allowed to tackle because it's a 'contact sport'
- There are plenty of computers in the school, but the internet is slow
- There is no hall at the school, but we use the village hall. When it rains, we use the classrooms. We use the hall for the Urdd and for concerts, and go to the Church for thanksgiving.
- It's a long way to Welshpool to buy sweets!
- Nothing, I like the school

3. If things changed, and if Ysgol Dyffryn Banw pupils also came to the school in Llanerfyl, what impact would this have?

- We don't know them very well, so we would have to get to know them
- I worry that there is less space at this school - no room in the classroom or on the playing field
- We know some of the children already through trips, playing rugby and Mr Formula
- We need to get to know the children first
- We would have to make new friends
- Llanerfyl children would show Dyffryn Banw children where to go
- We would be able to make more friends

- If the Dyffryn Banw children came here, the school would have to be made bigger
- 4. Is there anything that worries you about the possibility that Ysgol Dyffryn Banw children could come to Llanerfyl?**
- No, nothing worries us about the Dyffryn Banw children coming here
 - There would be more competition to get a place in the sports teams
 - How would 55 pupils fit in this building?
 - The only concern is that Ysgol Llanerfyl would have to be made bigger
- 5. If things changed, and if Ysgol Llanerfyl pupils went to school in the Ysgol Dyffryn Banw building with Ysgol Dyffryn Banw children, what impact would this have?**
- We would not be able to cycle to school
 - We would have to go to school by car or by bus
 - A larger minibus would be needed to take everyone to school
 - It would be harder for small children to find their way around the school because the school is bigger
 - Different teachers, it would be better if our present teachers went to Ysgol Dyffryn Banw too
 - The school is bigger and there would be more space for sports
 - Mum works at Ysgol Dyffryn Banw so that would be good
 - It would be sad for my parents and grandparents because they went to school at Llanerfyl and the school wouldn't be there any more
- 6. Is there anything that worries you about the possibility that you would have to go to Ysgol Dyffryn Banw?**
- I would have to make new friends
 - I do not want to go to Dyffryn Banw, I want to stay here
- 7. Pupils were asked if they had any further comments or anything else to add. The following comments were made:**
- We are happy in the school
 - We like the school as it is

To conclude the session, the officers explained the next steps in the consultation process. It was explained that the consultation will close on the 5th November, after half term, and the pupils were encouraged to send any further comments to the school transformation team, or to their teachers who will be able to arrange for them to be sent on.

4. CONSULTATION MEETINGS WITH STAFF AND GOVERNORS

Consultation meetings were held with the staff and governors of both schools. The issues raised at these meetings are summarised below:

i) Llanerfyl C. in W. (Foundation) School – 4th October 2018

- Would the original report that concluded that he proposed new school should be in Llanerfyl still be part of the process?
- Don't understand how one councillor was able to change the recommendation presented to Cabinet
- The governing body at Banw School approached the Council because their numbers had dropped, and Llanerfyl School is suffering because of it
- Don't know of any other example where a school with higher numbers has been closed because pupil numbers at a neighbouring schools have dropped
- Llanerfyl School doesn't want to be sacrificed to solve the problems at Banw School
- The school needs to be where the pupils are – it's not practical to move a whole school population to a school where there are very few children
- Will the decision be made based on costs?
- Question about capacity figures in the consultation document as there are different figures
- Previously there were 62 children attending Llanerfyl school and inspectors and advisors visited frequently. At no point did anyone say that there was an issue with capacity or the facilities
- If parents weren't happy with the facilities here, they would send their children elsewhere
- There has never been a capital bid for improvements to the Llanerfyl building, so the Council can't say that the facilities are poor.
- In the next step of the process, will the recommendation be made known to the Headteacher and governing body before it goes to Cabinet, as with the previous stage?
- If one school costs much more to run than the other, surely the cheaper school should win
- Queried the inclusion of information about the Estyn inspection reports in 2014 for Llanerfyl and 2016 for Dyffryn Banw in the consultation document
- Llanerfyl School received a document where the inspector commented that he hadn't seen such good standards of written or spoken Welsh in his 30 years of teaching
- Query about whether staff would start at the bottom point of the pay grade following implementation of a new staffing structure for any new school
- Query about how the temporary governing body would be formed
- What would happen if staff didn't want to apply for a post in the new school?
- Would an extension be needed to the timeline because of the amendment to the consultation made in Cabinet?

- Request for the process to be carried out as quickly as possible as this was a period of uncertainty for pupils and staff

ii) Banw C.P. School – 15th October 2018

- For the parents of Banw to move to Llanerfyl school, there would be a need for investment – the facilities are not as good there
- If the Llanerfyl site was chosen, there would be a wish list of improvements that would be needed, which would be very costly
- A number of pupils from the area attend schools outside the Banw Valley
- If the Llanerfyl children came to Banw it would be a win win situation – Banw children would have more social interaction and the Llanerfyl children would have more facilities.
- If the Banw pupils went to Llanerfyl, it would be a lose lose situation – Llanerfyl pupils would have less space individually and Banw pupils would be losing the hall and facilities
- Due to the co-location of the school with the Hall, they are entwined and rely on each other
- The Hall is a huge asset to the school because it is used so often. The school has use of it during the day, have PE lessons there and use the stage for performances. Can access it all day, and with the new curriculum it would be used even more
- Health and safety issue regarding Llanerfyl pupils walking to the Hall in all weather
- Unacceptable that in Llanerfyl PE is carried out in the classroom if it is raining
- If the decision is for Llanerfyl pupils to come to Banw, the decision will have been made for the community, not because of politics
- There would be additional costs to move boilers / services etc if Banw school shut – shutting the school would not be a simple process
- How much call would there be for a building of this size in this rural area if the building was closed?
- The Llanerfyl site has no car park, canteen, playing field or facilities, disabled access or a hall, however this is all available two miles up the road.
- The findings of the questionnaire distributed to parents during the initial engagement in the spring was that more parents believed the new school should be at Banw, even though more forms were returned from parents at Llanerfyl school than Banw school
- It is incorrect in the consultation document where it says that no pupils walk to Banw school – there is an estate directly behind the school that pupils walk from
- Concern about impartiality of the local member and her influence in the Council
- Will the local member be allowed to speak in the Cabinet meeting?
- Would the consultation potentially back Llanerfyl as they have the support of the church?
- What is the role of the scrutiny committee within this process?
- Would the council invest in a building it doesn't own?

- What would happen to the Llanerfyl building if the Council decided to close it?
- Query about the make up of the temporary governing body
- Query about the make up of the permanent governing body – would a Church in Wales governing body have more members on it? How much influence would the Church have on who sat on the governing body?
- What would it mean to be a Church in Wales school?
- Could the timescales mentioned in the consultation document be shortened?
- Why did the original recommendation change?

5. ESTYN

Estyn's response to the consultation is provided below:

Estyn response to the proposal to close Banw C.P. School and LLanerfyl C. in W. (Foundation) School serving the communities of the Banw Valley in North Powys and establish a new Church in Wales school in the area.

This report has been prepared by Her Majesty's Inspectors of Education and Training in Wales.

Under the terms of the School Standards and Organisation (Wales) Act 2013 and its associated Code, proposers are required to send consultation documents to Estyn. However Estyn is not a body which is required to act in accordance with the Code and the Act places no statutory requirements on Estyn in respect of school organisation matters. Therefore as a body being consulted, Estyn will provide their opinion only on the overall merits of school organisation proposals.

Estyn has considered the educational aspects of the proposal and has produced the following response to the information provided by the proposer and other additional information such as data from Welsh Government and the views of the Regional Consortia which deliver school improvement services to the schools within the proposal.

Introduction

This consultation proposal is from Powys County Council and relates to the closure of Banw C.P. School and Llanerfyl C. in W. (Foundation) School ("Llanerfyl C.in W. School") and to establish a new Welsh-medium Voluntary Aided Church in Wales school either on the current site of Banw C.P. School Site (*option a*) or the site of Llanerfyl C. in W. School (*option b*).

Summary/ Conclusion

It is Estyn's opinion that the proposal is likely to at least maintain standards of education in the area and offers an opportunity to ensure that Welsh medium education in the Banw Valley is sustainable.

Description and benefits

Powys County Council provides a sound rationale for the proposal:

The council sets out clearly that pupil numbers have reduced over recent years, are set to continue to decrease until 2023 and are currently at 51 over both schools in total.

Both schools are projecting to be in a deficit position by the end of the 19/20 financial year which poses a threat to the continuation of Welsh medium education in the immediate community.

Based on the information provided, the council's assertion that establishing one larger school in the Dyffryn Banw area would

- continue to provide access to Welsh-medium education
- improve opportunities for pupils by being part of a larger school
- be an efficient model for delivering primary education in the Banw areas, including reducing surplus places

appears to be reasonable.

Establishing a new Church in Wales would also ensure continued access to Welsh Medium CIW provision in the area.

The council appears to have given full consideration to the advantages and disadvantages of a wide range of available alternatives. It appears to set out credibly that

- it is not possible to federate the two schools because of their different legal status
- clustering and collaboration would not result in a single school, and would therefore not lead to a reduction in surplus places
- operating the two schools as they currently stand on two different sites would lead to limited economies of scale, not help achieve the aim of making provision in the area financially sustainable and would not address surplus places
- there are too many unknown factors and costs involved in building a new school on a new site and that this is not a viable option when there are already two buildings available.

The council has identified correctly most of the risks associated with the proposal and the two options set out within it.

It has carried out a thorough analysis of the impact on travel arrangements of both options. It establishes credibly that *option a* would increase travel times for pupils at Llanerfyl C. in W. School, leading to slightly increased transport costs for the council than *option b*. *Option a* would also mean that Llanerfyl C. in W. School pupils would no longer be able to walk or cycle to school. However, *option b* would have no impact on the ability of pupils at Banw C.P. School to walk or to school as there are currently no safe walking or cycling routes to the school. The council recognises appropriately that both *option a* and *b* may have implications for parents' travel arrangements and pupils' ability to access extra-curricular activities. It also correctly identifies that *option b* may have travel implications for parents of pupils in receipt of free school meals at Banw C.P. School as the location of the school may limit their access to it.

The council provides a clear breakdown of the capacity and condition of both buildings and appears to draw reasonable conclusions from its findings. For example, it appears to find reasonably that *option b* would provide a learning environment that is in better condition than *option a* but that *option a* would give current Llanerfyl C. in W. School pupils access to larger and a wider range of facilities, such as a dedicated dining hall and PE facilities. It also asserts reasonably and that these facilities would be withdrawn from current Banw C.P. School pupils under *option b*. From the information provided, the proposer's assertion that *option a* could provide space for the Cylch Meithrin Dyffryn Banw provision appears to be reasonable. This provision currently meets at the Llanerfyl village hall.

Whilst it is clear that both sites have sufficient capacity for pupils from both schools, this is only achievable at the Llanerfyl C. in W. School site if the Art facility is taken into account. The council has not provided sufficient detail around this aspect of the proposal to allow us to comment on the reasonableness of its decision to include it in its calculation.

The council sets out reasonably that the decision to create a new C. in W Voluntary Aided school would ensure continued access to Welsh Medium Church in Wales' provision in the area. It also asserts credibly that curricular provision would remain unchanged, with parents having the choice to opt out of collective worship or send their child to the nearest alternative community Welsh medium school. However, the council has not addressed the impact on projected numbers of pupils if future pupils do not fulfil the admissions criteria of the new C in. W school. This may also preclude siblings of pupils currently at Banw C.P. School who may want to join the school in the future, depending on the admissions criteria set by the new governing body.

Both *option a* and *b* would contribute to realising Welsh Government's strategy of achieving a million Welsh speakers by 2050

The council has also addressed appropriately a range of other identified risks, for example:

- short term risks to wellbeing of pupils
- a reduction in pupil numbers as a result of transfer
- the risk of not being able to attract a headteacher to the school

However, the council makes a reasonable case that the benefits to sustainability of Welsh medium education in the Banw Valley, and to provision, experiences and outcomes of pupils in general of the proposal outweigh the status quo. It has also identified suitable measures to mitigate this risks.

Educational aspects of the proposal

The council's presentation of the performance of the two schools is appropriate. It sets out both the categorisation of the school and the outcomes of their most recent Estyn reports. Based on the information provided, the proposer asserts credibly that stability in leadership at Banw C.P. School would suggest that standards would be at least maintained under *option a* for Banw C.P. School pupils and improved for pupils of Llanerfyl C. in W. School. However, this assertion would require that the current head teacher of Banw C.P. School remains in post in the new school or that the governors are successful in appointing a headteacher to the new school.

The suggestion that there could be some benefits to the quality of education of a larger pupil population and a slightly larger staff base is appropriate, such as the ability for teachers to specialise and provide a wider range of learning experiences. However, the reasons for the council's assertion that the physical environment at Llanerfyl C. in W. school may restrict delivery of the *new* curriculum and negatively impact delivery of that curriculum for pupils transferring from Banw C.P. School are not sufficiently clear.

Based on the information provided in the council's summary of its equality impact assessment, it seems reasonable to assume that the needs of pupils with SEN and

other vulnerable groups who move from Banw C.P. School to Llanerfyl C. in W. School, or vice versa, would not be threatened. The proposer sets out reassuringly the need to mitigate the negative effects on pupils with SEN of change through planning and by putting in place individual support plans. However, it does not consider the risks to SEN pupils if their parents choose non-denominational education in an alternative community primary school as both alternative schools could lead to increased travel times and disruption for these pupils.

6. ISSUES RAISED DURING THE CONSULTATION PERIOD

The following tables list the issues raised during the consultation period, and provides the local authority's response to these issues.

1. COMMENTS ON THE PRINCIPLE OF MERGING THE TWO SCHOOLS		
1.1 In support		
1.1.1 Improved opportunities for pupils		
1.1.1.1	Always hoped that the two schools would merge at some point as it would benefit the children	As outlined in the Consultation Document, the Council agrees that merging the two schools to establish one, larger school, would provide improved opportunities for pupils in the area.
1.1.1.2	Welcome the opportunity for positive change through combining these two small schools, enabling the children to develop a wider social sphere and to enhance the delivery of the curriculum giving them the best possible education.	
1.1.1.3	Merging the two schools would provide more opportunities for pupils if the correct site is chosen.	
1.1.1.4	Strongly believe that merging the two schools would achieve the best for the pupils – must look to the future and think about what is best for the children.	
1.1.1.5	Greater pupil numbers would give increased possibilities socially for children plus a wider range of teaching styles	
1.1.1.6	If the right decision is made it will mean a better education for children in both areas.	
1.1.1.7	Combined they could have a better resourced curriculum, wider learning experiences and a fit for purpose set of buildings	

1.1.1.8	Having all children together would give them more opportunities e.g. team games, dancing groups, choir	
1.1.1.9	One larger school may mean that years 3-6 could be separated and not taught all together in one class as currently happens in both schools	
1.1.1.10	Would mean that the pupils could make more friends	
1.1.1.11	Children from both schools would benefit i.e. more pupils engaging together in activities, taking part in eisteddfodau, making new friends	
1.1.2 More economical		
1.1.2.1	Merging the two schools will help the authority manage and fund education more effectively within the community	As outlined in the Consultation Document, both Banw C.P. School and Llanerfyl C. in W. (Foundation) are currently facing a difficult financial situation. The Council's view is that merging the two schools would help to alleviate this.
1.1.2.2	Current cost to resources would be reduced by amalgamating the two schools.	
1.1.2.3	It is not economical for 2 schools to exist within a few miles of each other with so few pupils in each.	
1.1.2.4	Financially, agree that it makes sense to merge the schools given falling numbers	
1.1.2.5	Both schools are facing serious financial challenges. Merging would help to alleviate this	
1.1.2.6	It's not fair that pupils in these schools are funded on such a high rate when pupils in other schools receive far lower funding	
1.1.3 Would safeguard provision in the area		

1.1.3.1	Strongly believe in the retention of Welsh-medium primary education in the upper Banwy valley, and agree that this is the only sustainable way of doing so.	As outlined in the Consultation Document, the Council agrees that given the current and projected pupil numbers at the two schools, merging the two schools to create one larger school would help to safeguard the provision of Welsh-medium primary education in the Banw valley.
1.1.3.2	Don't think the number of children in the valley can sustain two primary schools, so in favour of combining forces to create one more sustainable school for the area	
1.1.3.3	Creating one larger school would future proof Welsh language education in the area, pool resources and provide a vibrant, stimulating and nurturing environment for the pupils and staff.	
1.1.3.4	Support the aim of creating one resilient school which would attract parents/carers to the school rather than other schools further away, and would provide for the requirements of the new curriculum.	
1.1.3.5	Due to the low numbers and financial pressures on both schools, there will be no future for either school as they are	
1.1.3.6	The best way to ensure the provision of Welsh-medium education in the area in the future is to merge the two schools in the near future. Otherwise, there is a danger that there will be no school at all in the area.	
1.1.3.7	The only possible solution to future proof primary education in the area	
1.1.3.8	One school will hopefully be sustainable for the future	
1.1.3.9	Support merging the schools to ensure that education is kept in the valley. It would be unreasonable to educate young children further away from the valley.	

1.1.3.10	Reference to 'Together Stronger', the slogan of our national football team.	
1.1.3.11	Both schools are facing decreasing or static pupil numbers	
1.1.3.12	We need a thriving school to attract and keep the best teachers in the Banwy Valley	
1.1.3.13	Unless a decision is made now there will be no primary school in the valley. Some parents are already sending their children away from the area	
1.1.3.14	The area is lucky that the proposal is to retain one school in the area – it would still be a small school, so it would be easy for the Council to propose that the two schools need to close	
1.1.4 Reference to previous attempt to merge the schools		
1.1.4.1	For years, the area has been living under a cloud of uncertainty with regard to the future of the two schools, which is a concern for parents and has often forced them to send their children to Llanfair Caereinion Primary School or to Ysgol Meifod, an English-medium school. This situation should not exist, and to ensure the future of this community, this matter needs to be resolved.	The Council is aware of historical discussions relating to the two schools and notes these comments.
1.1.4.2	The schools should have merged 20 years ago but parent power and hysteria got in the way	
1.1.4.3	One larger school in the area is long overdue. It's time to move on and look at the bigger picture, for the benefit of future generations	
1.1.4.4	If a decision had been made two decades ago the community would be united by now, and battles of the past would be forgotten. Some parents will move their children to Pontrobert or	

	Llanfair if they don't get their way, but you need to ignore this. Hopefully the rift will heal in a decade or two	
1.2 Against		
1.2.1 Disagree with closing Ysgol Llanerfyl		
1.2.1.1	Closing Ysgol Llanerfyl is immoral	The Council does not agree with these statements. Whilst it is true that pupil numbers at Llanerfyl are higher than Banw, pupil numbers at the both schools are low, and both schools are projected to be in a deficit budget position in the coming years.
1.2.1.2	The problem is Banw school's, it would be unfair to close a school that does not have any problems	
1.2.1.3	I urge Powys Council to reconsider and leave the two schools open. Sooner or later the staff and parents at Banw will realise that it's not possible to maintain the school with so few pupils, so they will choose to close voluntarily.	
1.2.2 Reference to previous attempt to merge the schools		
1.2.2.1	Disagree with the Council's proposal to merge the two schools – we went through this around 30 years ago, this caused tension between the two communities, which continued for years afterwards	The Council notes these comments, however the Council's view is that merging the two schools is the best way forward in order to provide improved opportunities to the pupils and also to safeguard the provision of Welsh-medium primary education in the area. This is supported by the findings of the questionnaire published as part of this consultation exercise, where 83% of respondents agreed that merging the two schools was the most suitable way forward in order to safeguard the provision of Welsh-medium education in the area. It is acknowledged that any school reorganisation process leads to a period of uncertainty for the communities involved, and the Council is keen to conclude this process as swiftly as possible, in order to end this period of uncertainty.
1.2.2.2	It was the same the last time PCC wanted to close Llanerfyl and transfer the pupils to Banw. It was the same problem then – pupil numbers at Banw were decreasing and pupil numbers at Llanerfyl were increasing. After a great deal of fighting, the Council was persuaded to change its mind. However, the tension continued between the two communities, and it is only recently that the two communities have come together.	

1.2.3 The communities won't come together		
1.2.3.1	The community is split and I can't see how they will ever come together to support one or the other	It is acknowledged that any school reorganisation process leads to a period of uncertainty for the communities involved, and the Council is keen to conclude this process as swiftly as possible, in order to end this period of uncertainty. Once a decision is made on the way forward, the Council will endeavour to work with both school communities in order to establish the new school, to ensure that it meets the needs of all pupils in the area.
1.2.3.2	Ideally both schools should remain open to serve their respective communities	
1.2.3.3	This will create a divide and tension in the community, with the two areas refusing to work together	
1.2.3.4	How can the two schools merge when the governors, parents and community aren't showing any potential that they will be able to work together as one school?	
1.2.3.5	I can't see a solution that will result in the bonding of pupils, parents, staff and community. The Council's efforts to date have only led to an increase in tension for all concerned and opened old wounds from when the schools were under threat 2 decades ago	
1.3 Other		
1.3.1	Closing a school is very emotional, whichever school that may be	The Council notes this comment, and acknowledges that any school reorganisation proposal leads to a period of uncertainty for the communities involved.
1.3.2	Other than cost, I would not agree that the most suitable solution is to merge as so many factors for both schools would suggest keeping both open would be sensible	The Council notes this comment, however this is not supported by the findings of the questionnaire published as part of this consultation exercise, where 83% of respondents agreed that merging the two schools was the most suitable way forward in order to safeguard the provision of Welsh-medium education in the area.

1.3.3	Wherever the school is located, adequate outdoor space will be needed, and the school's teaching resources will need to be upgraded to ensure that it is a space that inspires pupils to learn.	Comment noted. As outlined in the consultation document, once a decision is made on how to proceed, the Council will commission HOWPS to carry out further work to identify the scope of the required to the building where the proposed new school is to be located.
1.3.4	With sensible investment, both buildings could be excellent options in terms of providing excellent learning and play experiences through the medium of Welsh, uniting the community and trying to stem the current flow of children to other nearby schools rather than staying in the valley.	Comment noted.

2. COMMENTS ABOUT BANW C.P. SCHOOL

2.1 Location

2.1.1 Positive comments

2.1.1.1	Banw site is geographically central to the existing joint catchment, and Llanerfyl families already regularly support and use Llangadfan facilities e.g. Cann Office, Dyffryn Banw FC	The Council notes these comments regarding the central location of the Banw site to the whole catchment area currently served by Banw C.P. School and Llanerfyl C. in W. (Foundation) School.
2.1.1.2	The site of Banw is more central to the area that the school would serve – the catchment area extends from the edge of Foel to Llanerfyl, including the villages of Foel, Langadfan and Llanerfyl	
2.1.1.3	Banw is more central to the pupils of both schools – should Llanerfyl be chosen, pupils would have to travel a maximum of 10+ miles each way, which seems excessive. If Banw site was chosen, pupils would have to travel a maximum of 5.85 miles each way. The difference in time and distance could have a negative impact on emotional well-being, particularly for younger children	

2.1.1.4	There is easy access off the main A458 trunk road	The Council notes these comments regarding the benefits of the location of the Banw site on the main A458 trunk road.
2.1.1.5	The location of Banw School is perfect, on the A458, and in a perfect location to promote Welsh-medium education to all that pass on their travels through mid Wales.	
2.1.2 Negative comments		
2.1.2.1	Work commitments as well as supermarkets, medical centre and other services are all in the direction of Llanfair Caereinion, Welshpool, Newtown.	The Council notes these comments, and acknowledges that should a new school be established on the Banw site, there would be an impact on parents whose children currently attend Llanerfyl C. in W. (Foundation) School
2.1.2.2	Many children attend after school activities in the other direction e.g. Llanfair Caereinion, Welshpool, Newtown, Meifod	
2.1.2.3	Having to take/collect children from school activities on the Banw site would be inconvenient for most	
2.1.2.4	A school located in Banw would only serve a handful of children, with Llanerfyl parents tempted to go to Llanfair as this is the commuting route of most parents	
2.1.2.5	The school is in a poor location, which isn't the main focus of a village	Whilst it is true that the school is not located in the centre of a village, the school is located in the middle of the area currently served by Llanerfyl C. in W. (Foundation) School and Banw C.P. School. It is also co-located with the Banw Community Hall and other community facilities, which are regularly accessed by residents across the Banw Valley.
2.1.2.6	Banw school is at the side of a busy main road which is very dangerous	It is true that the school is located at the side of a busy main road, however appropriate arrangements are in place to ensure that pupils are unable to access the main road. The main entrance to the school during school hours is from the rear of the school, not directly from the main road.

2.1.2.7	It's not possible for children to walk or cycle to school on the current Banw site due its location on a busy and dangerous main road	It is acknowledged that establishing a new school on the site currently occupied by Banw C.P. School would mean that it would be more difficult for children currently attending Llanerfyl C. in W. (Foundation) School to walk or cycle to school. However, pupils living in the housing estate adjacent to the school are currently able to walk / cycle to school, and they would continue to be able to do so. Should a new school be established on this site, the Council would investigate the possibility of establishing safe walking and cycling routes to the school.
2.1.2.8	The school does not provide safe walking and cycling routes to school as per the requirements of Active Travel (Wales) 2013.	
2.1.2.9	Concern that pupils would be unable to walk to school if the school was in Banw	
2.2 Building Condition		
2.2.1 Reference to HoWPS report		
2.2.1.1	Although the condition has been rated 'Generally Poor', there is scope to improve this provided there was budget and a plan of action in place.	The Council notes this comment. It is true that the condition of the building could be improved following investment in the building.
2.2.1.2	Examination of the HoWPS condition report shows that, of the £358,000 expenditure said to be needed in the next 18 months, approximately £212,000 is made up of two capital projects (replacing the heating boiler and associated pipework and tarmacking the playground). There would surely be a financial payback from installing a new modern heating system.	The Council notes this comment. It is true that a large proportion of the expenditure outlined as being required over the next 18 months is for replacement of the heating boiler and associated pipework, and it is true that the Council would expect this investment to lead to a reduction in running costs.
2.2.1.3	Disappointed with the findings of the HoWPS report which classifies the condition of Banw School as C – generally poor. Why has the school not been maintained to the required standard?	Approximately 43% of the Council's blocks of school accommodation are condition C and D, therefore Banw is not the only school in this condition. £58,000 of capital funding has been spent on the Banw building over the last 10 years. This included boiler and heating works and the replacement of the canteen roof. The school also has a delegated budget which covers repairs and maintenance costs,

		<p>and the school has been spending this money on maintenance of the building.</p> <p>The current condition of the school building is primarily due to the age of the building. Capital improvements to school buildings are prioritised and ranked by the Council based on building condition, therefore given the building condition, it is likely that the Council would be looking to carry out work to improve the building condition soon.</p>
2.2.2 Reference to improvements required		
2.2.2.1	With some improvements to the building condition, the site would provide a fantastic school with facilities in place to support the delivery of the new curriculum which will be of benefit to all children in the Banw Valley	The Council notes these comments regarding improvements needed to the Banw C.P. School building, and would agree that some improvements are required to the building condition, as identified by the HoWPS assessment, which identified the building's condition as 'C – Generally Poor'.
2.2.2.2	As a larger school, it's not surprising that maintenance costs are higher not that certain facilities need replacing after a certain time	
2.2.2.3	The school is in need of modernisation, as is the case with any building of its age, however none of the improvements required are structural – the improvements needed are windows etc.	
2.2.2.4	Some improvements are need to the Banw building e.g. the heating system, however these improvements could bring more opportunities to save in the long term	
2.2.2.5	The building is in disrepair and does not lend itself to the nurture that primary school pupils need and deserve	
2.2.3 Other		

2.2.3.1	The condition of the building at the Banw site is 'C' – with Powys wanting to close as many schools with a grading of 'C' in the foreseeable future, this gives them the perfect opportunity	<p>The Council currently has no plans to close schools with a grading of 'C' or below.</p> <p>Whilst the current School Organisation Policy states that</p> <p>'The Council aims to have an educational model which fulfils the following:</p> <ul style="list-style-type: none"> • Has high quality learning environments, with the long term aim that all schools will be assessed as condition A or B' <p>The intention is that this would be achieved by a combination of new builds to replace the buildings in the poorest condition and investment in other buildings in order to improve their condition.</p>
2.3 Building Suitability		
2.3.1	The building has been assessed as being more suitable for curriculum delivery purposes. This was to be expected as Dyffryn Banw is a purpose built educational facility, whilst Llanerfyl is a converted house	It is true that the HoWPS report carried out in 2018 assessed the suitability of the Banw building as 'B – Generally satisfactory', whilst the suitability of the Llanerfyl building was assessed to be 'C/D – Poor to bad'.
2.3.2	The building is not primary school friendly	The Council does not agree with this statement. The Banw building has been successfully providing primary education for a number of years, and the recent assessment carried out by HoWPS assessed the building's suitability as 'B – Generally satisfactory'.
2.4 Reference to the new curriculum		
2.4.1	Dyffryn Banw is the best site when considering the requirements of 'Curriculum for Life' – a building that has appropriate space, a hall for presentations, performances, physical education,	The Council notes these comments, and agrees that the facilities on the Banw site are conducive to the requirements of the new curriculum.

	workshops and other activities. There is space within the building for groups to work independently	
2.4.2	New curriculum – children need to learn from experience, with flexibility for teachers to achieve this in creative ways which suit the learner. Sufficient space is needed to ensure that the new curriculum can be implemented fully, so that different learning areas can be set out around the classroom. There is plenty of room in Dyffryn Banw to ensure that the children have the best education which meets the requirements of the new curriculum.	
2.4.3	The Banw site and building are suitable for developing education in accordance with ‘Donaldson’ – space for developing independent learning areas	
2.4.4	Has all the facilities needed for the current curriculum and the new curriculum	
2.4.5	One of the areas of the new curriculum is ‘Expressive Arts’ – access to a hall will be essential to enable pupils to develop creative and performing skills	
2.5 The school site		
2.5.1	There is a large playing field for outdoor sports, which is also used for area sports	The Council notes these comments relating to the space and facilities available on the Banw site.
2.5.2	The Banw site has better facilities which can be upgraded to provide a modern, 21 st century school	
2.5.3	There are vegetable and flower gardens in front of the school which are developed by the pupils and the friends of the school	
2.5.4	The school / site has more space and facilities	

2.5.5	The school is purpose built to meet the needs of 72 pupils	
2.5.6	The site is fully suited to accommodating a new, merged school due to the superior facilities on offer, greater capacity and flexibility of the site and ability to contribute to a number of Powys' strategic educational objectives	
2.5.7	The site is physically better placed for increased numbers, having internal space, including a larger hall and extensive playing areas	
2.5.8	Banw's Estyn report from 2010 and 2016 refer to the benefits of the site	
2.6 Parking		
2.6.1	Ample parking facilities for school buses and parents/carers, and plenty of room to accommodate more	The Council notes these comments relating to the parking space available on the Banw site, which can also be accessed by buses.
2.6.2	There is a large car park at the front of the school and a small car park to the rear which is usually used by staff	
2.6.3	There is a large car park at the front which is used for collection and drop off by parents on school days, and for other community group activities out of school hours	
2.6.4	Buses can easily access the parking area when needed	
2.6.5	There is plenty of space for buses and minibuses in the large car park, with no danger of risk for the children	
2.6.6	The gate to the large parking area is locked during the day so no one can enter it	Comment noted.

2.6.7	The school has a car park policy in place to ensure the safety of children at pick up and drop off times	Comment noted.
2.7 Size		
2.7.1	Large enough to easily accommodate the current total number of pupils but also any local children who are currently taken to schools outside the catchment. Could also accommodate local pre-school/nursery services on site	The Council notes these comments about the site's size, and agrees that the Banw site could accommodate the current number of pupils in the area.
2.7.2	Can easily accommodate pupils from both schools without compromising on personal space and impacting on pupil well-being, but could also accommodate more should the number of children wishing to come to the school increase in the future.	
2.8 Classroom configuration		
2.8.1	Classrooms are spacious and airy	The Council notes these comments relating to the classrooms and facilities available at Banw C.P. School.
2.8.2	Classrooms are connected by a corridor so there is no disruptive through traffic	
2.8.3	Covered outdoor classroom for the foundation phase to access as required	
2.8.4	The building could easily be adapted to accommodate four classes, to establish an ICT area, a STEM area, and there is plenty of space to develop expressive arts	
2.8.5	The Foundation Phase class offers plenty of room to create a range of areas, ensuring that this includes a computer area, building equipment, sand, water, a create area, creative painting, which are all available daily	

2.8.6	Large windows which make the classrooms nice and bright, with access to the outdoor area which is fenced for safety	
2.8.7	There is access to a committee room which is used for music lessons among other things – peripatetic teachers can teach here without disturbing the other classes	
2.9 Toilets / Changing Facilities		
2.9.1	There are changing rooms and toilets for boys and girls at either end of the school	The Council notes these comments about the toilet / changing facilities at Banw School.
2.9.2	The number of toilets meet the toilet:pupil ratios – no more toilets would need to be provided if the site was in Llangadfan	
2.9.3	There are separate changing areas for boys and girls at opposite ends of the school	
2.10 Kitchen / Dining Facilities		
2.10.1	The kitchen is bigger and seems in a better condition than Llanerfyl	The Council notes these comments about the kitchen / dining facilities at Banw School.
2.10.2	There is dining space which is separate to the classrooms	
2.10.3	The canteen area provides the opportunity to have a breakfast club – a positive for parents who go to work, and enables the children to have a balanced meal which leads to the children being more focused at the beginning of the school day	
2.10.4	Ysgol Dyffryn Banw has a brand new kitchen but is unable to attract a cook – meals are prepared at Llanerfyl for both schools and are transported to Banw	When the previous cook at Ysgol Dyffryn Banw left in September 2017, Powys Catering reviewed the uptake of school meals at Ysgol Dyffryn Banw. The outcome of this review was that the uptake wasn't sufficient to warrant a

		permanent cook on site at Banw, and the decision was made to export meals from Llanerfyl to Banw.
2.11 Hall		
2.11.1 Facilities available at the hall		
2.11.1.1	There is a large hall attached to the school which has its own separate kitchen, toilet etc.	The Council notes these comments relating to the facilities available to the school at the adjoining community hall.
2.11.1.2	There are excellent gymnastics facilities in the hall	
2.11.1.3	The adjacent hall has expensive PE equipment which can be used for PE	
2.11.2 The school's access to / use of the hall		
2.11.2.1	The school has exclusive use of the hall in term time and in school hours	The Council notes these comments about the school's access to the adjoining community hall.
2.11.2.2	The hall is a huge asset to the school because it is used so often. The school has use of the hall during the day. PE lessons are held there, and the stage is used for performances. The school can access it all day, and with the new curriculum it would be used even more.	
2.11.2.3	What are the arrangements between the community hall and the school – how much does the school pay for the hall?	There is an agreement in place between the school and the community hall. The school pays an annual fixed sum to the community hall of approximately £2500 per year for unlimited use of the hall during school hours (until 4.30pm) throughout the school year.
2.11.2.4	In reality how often does the School in Banw actually use the hall?	The school makes extensive use of the hall and committee room throughout the week for a range of activities. This includes all physical education lessons (except when these

2.11.2.5	The hall seems to be Banw's selling point, it would be interesting to see how often it is actually used by the school, as opposed to the community	take place outdoors), instrumental lessons, concerts, workshops, services, mediation, use of the stage for performance rehearsals. The hall is also used for 'milltir y dydd' in bad weather.
2.11.3 Other queries relating to the hall		
2.11.3.1	Is the hall heating system separate to the school?	The hall heating system is separate to the school's – heating can be put on in the hall without the heating having to be on in the school. The heating for the committee room is on the same system as the school's heating, however storage heaters have recently been installed in the committee room, which means that heating can now be provided in this room without having to heat the whole school.
2.12 Reference to links between the school and the community		
2.12.1	Because the site incorporates a Community Centre, it is already a community hub, which all the advantages that brings	The Council notes these comments relating to links between the school and the community
2.12.2	Estyn report in 2016 referred to the school's strong partnership with the local community. This reflects the aim of 'developing our schools to be organisations that are central to community activity', which is outlined in the Cabinet's new School Organisation Policy.	
2.13 Disabled Access		
2.13.1	Banw School is all on one level, therefore could easily accommodate children/teachers with mobility issues	The Council notes these comments. Whilst it is true that the school is on one level, should a pupil with additional physical needs wish to attend the school, a full review would need to be carried out, and it is likely that additional facilities would need to be provided.
2.13.2	Whilst the site would need some adaptations to accommodate physically challenged pupils, it would be easier to adapt this site due to the layout being over 1 floor and the door and corridor openings being wider	

2.13.3	There is a toilet suitable for pupils in a wheelchair or that have disabilities	
2.14 Safeguarding		
2.14.1	Safeguarding concerns about the school being attached to the hall. One mistake not to set an alarm or lock a door would mean that a child's life would be ruined	The only times the hall is used during school hours is for elections and for funeral teas. In all situations such as these, the door between the hall and the school is locked by the headteacher or in her absence, a teacher who is responsible for the school in her absence. A Safeguarding Policy is in place which outlines these arrangements, and a Safeguarding Audit is carried out annually. Apart from when being used for elections of funeral teas, the external door to the hall is locked, therefore members of the public would be unable to access the hall.
2.14.2	Safeguarding concerns about attachment to the Hall	
2.14.3	The doors between the hall are locked when the hall or committee room is being used by the public during school hours to safeguard the children	Comment noted.
2.15 Opportunities to develop the site		
2.15.1	Provides an opportunity to create a centre of excellence for the Welsh language	The Council notes the suggestions for further developing the Banw site to provide additional facilities for the community.
2.15.2	Early years provision could be part of the school – there are adequate areas to include 'Cylch' and 'Ti a Fi', which will enable parents of younger children to transition from one to the other with ease – this could be in one building.	
2.15.3	Banw site could be an integrated children's centre – this would benefit the wider community and be in line with Welsh Government policy	

2.15.4	The Banw site has lots to offer in terms of developing education in the area	
2.15.5	There is an opportunity to make more community use of the building by potentially introducing on-site nursery care, after school clubs, community clubs, adult learning facilities, sports clubs	
2.15.6	Would be possible for the Cylch Meithrin to be integrated within the school on the Dyffryn Banw site – would be ideal for all children’s services to be housed at one location, this site can easily accommodate this	
2.15.7	Has all the facilities necessary to become a model community school – on site catering facilities, community hall, community play area, ability to accommodate a nursery, playing fields, ample parking and safe access from a major road.	
2.15.8	If the future of the Welsh language in the Banw Valley is a major concern, then the Banw site provides the space and facilities to offer a centre, including Cylch Ti a Fi, Ysgol Feithrin, Nursery, Infant, Juniors, Parent and Child Welsh courses, Welsh community activities, which would attract more families to the area and would protect, extend and sustain the Welsh language in the area long term.	
2.15.9	From the main village to Ysgol Dyffryn Banw there is a potential to make a cycle track / walking route through the field alongside the river, to provide a car free route to school and the football pitch.	
2.15.10	An extension could be added if needed as the grounds around the school are vast and owned by the Council	

2.15.11	The surrounding land is in the Council's ownership, which would make for flexibility in respect of adjusting to new challenges	
2.16 Possible alternative uses should there be no school on the site		
2.16.1	<p>Unclear what possible alternative uses would be viable for the building and/or site:</p> <ul style="list-style-type: none"> - The size, layout and design could be appropriate for some sort of commercial use, however there is no demand for office or retail space in the area - Village workshops are an option, but this provision already exists in Llanerfyl and is not used to capacity - Industrial unit would be inappropriate given the close proximity to residential properties - Demolition and re-development for housing is an option, but not likely to be viable: <ul style="list-style-type: none"> o Llangadfan is classed as a small village in the Powys LDP therefore only small scale affordable housing would be considered appropriate o Demolition costs and generally low market values and rents would mean that no private developer would be interested in the site because the profit margins are so low o Complexity of having the community hall on site makes it difficult to develop o Play area at the front of the site would need to be retained for use by the Community. Its removal would be resisted by local residents and Council planners because it represents the loss of a community facility, which is contrary to Powys Local Plan policy DM11 	<p>The Council notes these comments and acknowledges the complexities relating to alternative uses for the building currently occupied by Banw C.P. School due to its location and the fact that the school is co-located with the community hall and other community facilities. This is acknowledged on page 33 of the consultation document – ‘Sale of the Banw site could be difficult due to the co-location of the community centre’.</p>
2.16.2	Likely to be difficult to identify an alternative use for the site should there be no school here, therefore likely that the site	The Council notes this comment and the reference to Beguildy School.

	would remain empty for years (similar to Beguildy). It then ultimately becomes a liability for the Council rather than a disposable asset.	The Council acknowledges that there could be issues with identifying alternative uses for the site should there be no school in the building currently occupied by Banw C.P. School, and did acknowledge on page 33 of the Consultation Document relating to this proposal that 'Sale of the Banw site could be difficult due to the co-location of the community centre'.
2.16.3	If the Council were to be successful in disposing of the Banw site, the capital receipt is likely to be minimal due to the complexities outlined, therefore it is not really a positive as the consultation document suggests.	The Council notes this comment. Whilst the Council did refer to the 'Potential capital receipt to the authority from sale of the Banw C.P. School building' on page 33 of the consultation document, the Council also acknowledges that 'sale of the Banw site could be difficult due to the co-location of the community centre'.
2.17 Other		
2.17.1	Concern about Ysgol Dyffryn Banw statistics on bullying – Estyn Report 2016, only 94% of children felt bullying was taken seriously vs 100% of children felt that Ysgol Llanerfyl dealt with bullying to their satisfaction	It is true that Ysgol Dyffryn Banw's Estyn Report from 2016 states that only 94% of children agreed with the statement that 'The school deals well with any bullying'. However only 17 pupils responded to the learner questionnaire, therefore only one pupil disagreed with this statement. The questionnaire also provides a benchmark figure, which illustrates the total responses received since September 2010. The benchmark provided for this question is 92%, therefore the percentage of 94% is above this benchmark.
2.17.2	The school provides lots of opportunities for pupils to take part in PE – this is supported by Estyn findings – from the pupils questionnaire in 2016 as stated in the Estyn Report – 'There are lots of chances at school for me to get regular exercise' – 100% agree. Compared with Llanerfyl inspection in 2014, 21% agree, 79% disagree.	The Council notes these comments regarding opportunities for pupils at Banw C.P. School to take part in PE.

2.17.3	Should Llanerfyl children move to the Banw site, the facilities would be considerably improved from what they currently have	The Council notes this comment, which supports the Council's statement on page 20 of the consultation document that: 'The current site of Banw C.P. School has been assessed to be more suitable than the current site of Llanerfyl C. in W. (Foundation) School. In particular, there is access to a hall on site, as well as more extensive facilities than those available at Llanerfyl C. in W. (Foundation) School. Implementation of this option would mean that all pupils in the Banw Valley would be able to benefit from these facilities.'
2.17.4	Don't like the building due to smelly corridors	The Council has no evidence that the building has 'smelly corridors'.
2.17.5	Because of the links between the school and the community hall, there would be additional costs to move boilers / services etc if Banw school shut – shutting the school would not be a simple process.	Comment noted.

3. COMMENTS ABOUT LLANERFYL C. IN W. (FOUNDATION) SCHOOL		
3.1 Location		
3.1.1	Access to Llanerfyl School is down a 'B' road, therefore it is away from the busy main trunk road which passes the Banw site.	The Council notes these comments regarding the location of Llanerfyl C. in W. (Foundation) School away from the main road.
3.1.2	The Llanerfyl location is safer as the road only borders a relatively small area at the front of the school, whilst a road borders the front and back of the Banw site.	
3.1.3	The school's location is safe and away from an extremely busy and dangerous road	

3.1.4	Llanerfyl School has been criticised for being down a narrow lane, however in fact there is enough room for 2 lorries to pass on this narrow lane. The main entrance to Banw School is signposted down a narrow lane.	The Council notes this comment, and acknowledges that the 'narrow lane' referred to in the consultation document is a B road. The Council also notes that the entrance to Banw School is down a narrow lane, although there is also direct access to the school from the A458.
3.1.5	The school's location down a 'B' road means that it is safe for children to walk and cycle to school and at the end of the day they can walk/cycle from the school to the village hall car park to meet their siblings from the high school bus	The Council notes this comment, and acknowledges that the location of Llanerfyl C. in W. (Foundation) School means that children living in Llanerfyl can walk or cycle to school.
3.1.6	Due to the school's location, children have the opportunity to walk and enjoy the great outdoors as most children have the benefit of living within walking distance to the school.	
3.1.7	Llanerfyl is the most central of the two schools, as the children already come from different directions	Comment noted.
3.1.8	Llanerfyl parents already have a choice of alternative schools down the valley which are more accessible than Banw. The only choices available to Banw parents are Dinas Mawddwy (11 miles), Pontrobert (9.9 miles) or to go past Llanerfyl to Llanfair Caereinion (7.8 miles)	Comment noted.
3.1.9	Parents already travel with their children to Llanerfyl to attend the Cylch Meithrin in Llanerfyl Village Hall, and they have been doing so for 45+ years	The Council notes this comment. It is true that parents / children from across the Dyffryn Banw area attend Cylch Meithrin Dyffryn Banw, which is held in Llanerfyl Village Hall.
3.2 Building Condition		
3.2.1	The building has been assessed to be in better condition than Banw's building	It is true that the HoWPS report carried out in 2018 assessed the condition of the Llanerfyl building as 'B – Generally satisfactory' whilst the condition of the Banw building was assessed to be 'C – Generally poor'.

3.2.2	Although small, the school was/is frequently cold	Whilst the HoWPS report carried out in 2018 identified some issues with the school's heating system, these were taken into consideration in the overall assessment of the building's condition as 'B – Generally satisfactory'.
3.3 Building Suitability		
3.3.1	Suitability is assessed as 'poor to bad' based on current pupil numbers, surely this would be further negatively impacted with an increase in pupil numbers?	<p>The Council notes these comments regarding the suitability of the Llanerfyl building to accommodate a new school to serve the Banw Valley area. It is true that the HoWPS report carried out in 2018 assessed the suitability of the building as 'C/D – Poor to bad'. As stated on page 10 of the consultation document, 'This assessment is based on the perceived limitation of having no hall, and the significant limitations due to conversion and extension of the original property.'</p> <p>Should the Council proceed with the establishment of a new school on the Llanerfyl site, it is acknowledged that steps would need to be taken to address the suitability. As outlined on page 41 of the Consultation Document:</p> <p>'Should the Council proceed with the option to establish a new school on the Llanerfyl site, the following steps would be taken to address any issues relating to the building's suitability, in order to ensure that the quality of accommodation is at least as good as the current provision:</p> <ul style="list-style-type: none"> - Commission HOWPS to carry out further work to identify the scope of the work required - Dependent on the scale of the work required, the Council will consider what would be the appropriate funding source for this work. As the building is not owned by the Council, discussions would need to take place with the Priscilla Foster Trust.'
3.3.2	There are no plans to convert or extend Llanerfyl school before the schools merge, so the 'poor to bad' score would remain.	
3.3.3	There is no potential to change the 'suitability' rating as there is no land available to purchase or to extend onto	
3.3.4	No complaints about Llanerfyl School as a building, however would question its suitability as a school	
3.3.5	The building is not fit for purpose	
3.3.6	Llanerfyl site currently does not offer compatible facilities to provide for the requirements of a modern 21 st century school	
3.3.7	The current number of pupils can only just be accommodated adequately, as there is very little room for movement other than the classrooms themselves and a small communal entrance / conservatory area. Any more children would surely be falling over each other causing friction and also health and safety issues as there is no fire escape from upstairs	
3.3.8	Although Llanerfyl school has served generations of the community for many years and is a very functional school, I do feel that to move on and give the local children the best	

	resources needed within their school life, Llanerfyl doesn't tick as many boxes	
3.3.9	A new parents coming to the area would take one look at Llanerfyl and send their children elsewhere	
3.3.10	For the parents of Banw to move to Llanerfyl school, there would be a need for investment – the facilities are not as good there	
3.3.11	If the Llanerfyl site was chosen, there would be a wish list of improvements that would be needed, which would be very costly	
3.3.12	Could not readily accommodate any additional primary children from within or outside the catchment area	As indicated on page 32 of the consultation document, the Council has recalculated the capacity of Llanerfyl C. in W. (Foundation) School, with the inclusion of the Art room as a class base. This gives a pupil places capacity of 59 + 5 nursery. There are currently 51 pupils at the two schools, however the latest pupil projection information suggest that the total will decrease to 43 by January 2023.
3.3.13	Would require a lot more investment to bring the site anywhere near the standard of Banw	Whilst it is acknowledged that the Llanerfyl building does not have some of the facilities available at the Banw building, the quality of accommodation at Llanerfyl has been assessed by HoWPS to be of better quality than the accommodation at Banw C.P. School.
3.3.14	The school would be unsuitable to accommodate the merged school due to its small size, absence of important facilities and the inflexibility of the existing building and site.	The Council notes these comments regarding the suitability of the Llanerfyl building to accommodate a new school to serve the Banw Valley area. It is true that the HoWPS report carried out in 2018 assessed the suitability of the building as 'C/D – Poor to bad'. As stated on page 10 of the consultation document, 'This assessment is based on the perceived limitation of having no hall, and the significant limitations due to conversion and extension of the original property'.

		<p>However, as identified on page 32 of the consultation document, the Council has re-calculated the school's capacity in accordance with Welsh Government Circular 21/2011 'Measuring the Capacity of Schools in Wales' with the inclusion of the Art room as a class base. This calculation identified a pupil places capacity of 59 + 5 nursery, which is sufficient to accommodate all pupils currently attending the two schools.</p> <p>Should the Council proceed with the establishment of a new school on the Llanerfyl site, it is acknowledged that steps would need to be taken to address the suitability. As outlined on page 41 of the Consultation Document:</p> <p>'Should the Council proceed with the option to establish a new school on the Llanerfyl site, the following steps would be taken to address any issues relating to the building's suitability, in order to ensure that the quality of accommodation is at least as good as the current provision:</p> <ul style="list-style-type: none"> - Commission HOWPS to carry out further work to identify the scope of the work required - Dependent on the scale of the work required, the Council will consider what would be the appropriate funding source for this work. As the building is not owned by the Council, discussions would need to take place with the Priscilla Foster Trust.'
3.3.15	Llanerfyl is homely, welcoming and cosy, but it is not capable of providing the best and most effective education for the children of the area	<p>The Council notes this comment. Should the Council proceed with the establishment of a new school on the Llanerfyl site, it is acknowledged that steps would need to be taken to address the suitability. As outlined on page 41 of the Consultation Document:</p> <p>'Should the Council proceed with the option to establish a new school on the Llanerfyl site, the following steps would be taken</p>

		<p>to address any issues relating to the building's suitability, in order to ensure that the quality of accommodation is at least as good as the current provision:</p> <ul style="list-style-type: none"> - Commission HOWPS to carry out further work to identify the scope of the work required - Dependent on the scale of the work required, the Council will consider what would be the appropriate funding source for this work. As the building is not owned by the Council, discussions would need to take place with the Priscilla Foster Trust.'
3.3.16	If parents were not happy with the facilities available at the school they would simply move their children either to Banw or to an alternative school. However pupil numbers remain constant – it is the school with supposedly better facilities where pupil numbers are declining	The Council notes this comment, however the information provided in the Consultation Document shows that pupil numbers at Llanerfyl C. in W. (Foundation) School have decreased over the last few years, from a maximum number of 51 in 2012 to the current number of 32.
3.3.17	Previously there were 62 children attending Llanerfyl School and inspectors and advisors visited frequently. At no point did anyone say that there was an issue with capacity or with the facilities.	The current capacity of Llanerfyl School based on current use of the accommodation is 44 + 5 nursery, as indicated on page 51 of the consultation document. The Council has also carried out an updated capacity calculation in accordance with Welsh Government Circular 21/2011 'Measuring the Capacity of Schools in Wales', based on including the Art room as a class base. This provides a capacity of 59 + 5 nursery.
3.3.18	There has never been a capital bid for improvements to the Llanerfyl building, so the Council can't say that the facilities are poor.	<p>With regard to the facilities at the school, the Council commissioned HOWPS to carry out an updated condition and suitability assessment of the two schools. As indicated on page 10 of the consultation document, the suitability assessment provided for Llanerfyl School was C/D – Poor to bad. This was based on 'the perceived limitation of having no hall, and the significant limitations due to conversion and extension of the original property.'</p>

3.3.19	From the consultation document, it seems that the only issue with Llanerfyl is the facilities – however this is not an issue for us as parents, and if it was we would send out children elsewhere	Comment noted.
3.3.20	Llanerfyl site with a few improvements to toilets, kitchen could work as a stop gap for the next few years, until Welsh-medium education in the Banw Valley becomes untenable.	Comment noted.
3.4 The School Site		
3.4.1	Does not seem to have land available to extend without compromising the outdoor space	The Council notes these comments regarding the facilities and space available at Llanerfyl C. in W. (Foundation) School
3.4.2	The outdoor playing area in Llanerfyl is much smaller than Banw	
3.4.3	Although there is a playing field in Llanerfyl, it does not offer the same facilities to children as the one in Dyffryn Banw	
3.4.4	The surrounding land is in private ownership	It is true that the land surrounding Llanerfyl C. in W. School is privately owned.
3.5 Parking		
3.5.1 Reference to the adequacy of the amount of parking facilities at the school		
3.5.1.1	The parking at Llanerfyl School is limited	It is acknowledged that parking space at Llanerfyl C. in W. (Foundation) School is limited. Should a decision be made to establish a new school on the Llanerfyl site, the Council would need to look at ways to address this. There is pavement along the road from the Village Hall, therefore one possibility could be to encourage parents to park at the Village Hall and walk along the pavement to the school.
3.5.1.2	The school does not currently have capacity for parents to drop off / pick up children or to park whilst attending school events if pupil numbers were to increase	
3.5.1.3	It's chaos at pick up time with cars everywhere – this would only get worse if there were more pupils	

3.5.1.4	There are car parking spaces for approx. 10 cars, most of which will be taken by teaching staff. Parents would need to park on the side of the road and collect their children.	It is acknowledged that parking space at Llanerfyl C. in W. (Foundation) School is limited and that some parents drop off and collect children outside the school gates. Whilst this is not ideal, there is pavement along the road to the school, therefore there is a safe route for parents to walk with their children to school should they need to park outside the school site. Should a decision be made to establish a new school on the Llanerfyl site, the Council would need to look at ways to address this. There is a pavement along the road from the Village Hall, therefore one possibility could be to encourage parents to park at the Village Hall and walk along the pavement to the school.
3.5.1.5	Parents drop off and pick up children outside the school gates which is not ideal	
3.5.16	There is adequate parking at the school, especially as the majority of pupils walk to school	Comment noted.
3.5.2 Health and safety concerns related to the parking arrangements		
3.5.2.1	Parking is available on the road, however this is a public road which is used by cars, large tractors, school buses, timber and livestock lorries	These comments regarding the use of the road outside the school are noted. All schools should have a traffic management plan in place, which should address any hazards posed by the road outside the school. Should a new school be established on the Llanerfyl site, the new school would be expected to put a traffic management plan in place, which would take account of the number of pupils attending the new school.
3.5.2.2	Log wagons, large tractors and trailers use the road outside the school throughout the day, this is a safety hazard	
3.5.2.3	Aware that risk assessments would be done in relation to the parking situation, however there has already been one accident this year on the bridge	The school's traffic management plan would be expected to refer to any high risk areas, and to provide information about how to deal with that situation.
3.5.2.4	The parking arrangements mean that it is not always possible to ensure the health and safety of pupils	
3.5.3 Buses are unable to access the school site		

3.5.3.1	Buses have to reverse up the narrow road by the side of the school to get to the safest place, which is still on the main road – there are houses up this road too, and the bus blocks the road to them	The Council notes this comment regarding difficulties with buses accessing the school site.
3.6 Classroom Configuration		
3.6.1	The configuration is awkward and there is no circulation space – rooms open onto other rooms	The Council notes these comments regarding the configuration of the building.
3.6.2	Children have to walk through another classroom to go to the toilet – this would lead to disruption of another class of pupils.	
3.6.3	Configuration of the space must make teaching difficult	
3.6.4	Apart from the conservatory area, the classrooms are small and cramped and have very little natural light	The Council notes this comment regarding the classrooms at Llanerfyl C. in W. (Foundation) School.
3.6.5	There is no covered outdoor classroom for the foundation phase to access	The Council acknowledges that the current foundation phase classroom at Llanerfyl does not meet the design guidance. For example, there is no external covered canopy for outdoor education. Should the Council proceed with the establishment of a new school on the Llanerfyl site, the following steps would be taken, as outlined on page 41 of the Consultation Document: 'Should the Council proceed with the option to establish a new school on the Llanerfyl site, the following steps would be taken to address any issues relating to the building's suitability, in order to ensure that the quality of accommodation is at least as good as the current provision: - Commission HOWPS to carry out further work to identify
3.6.6	Foundation phase pupils are taught in the entrance lobby where there are large conservatory style windows – this must be unbearable in the sunshine	
3.6.7	The foundation phase class is too small to offer the range of activities which is offered in Banw	

		<p>the scope of the work required</p> <ul style="list-style-type: none"> - Dependent on the scale of the work required, the Council will consider what would be the appropriate funding source for this work. As the building is not owned by the Council, discussions would need to take place with the Priscilla Foster Trust.'
3.6.8	There is no opportunity for pupils to get away from their workspace, particularly on wet days, as they work, eat, play (on wet days), and do all other activities in the same room – this cannot be good for their emotional well-being.	<p>The Council acknowledges that this is not ideal.</p> <p>Should the Council proceed with the establishment of a new school on the Llanerfyl site, the following steps would be taken, as outlined on page 41 of the Consultation Document:</p>
3.6.9	If it's raining pupils don't leave their classroom as there is nowhere for them to go	<p>'Should the Council proceed with the option to establish a new school on the Llanerfyl site, the following steps would be taken to address any issues relating to the building's suitability, in order to ensure that the quality of accommodation is at least as good as the current provision:</p> <ul style="list-style-type: none"> - Commission HOWPS to carry out further work to identify the scope of the work required - Dependent on the scale of the work required, the Council will consider what would be the appropriate funding source for this work. As the building is not owned by the Council, discussions would need to take place with the Priscilla Foster Trust.'
3.7 Reference to the new curriculum		
3.7.1	New curriculum – children need to learn from experience, with flexibility for teachers to achieve this in creative ways which suit the learner, sufficient space is needed to ensure that the new curriculum can be implemented fully so that different learning areas can be set out around the classroom. There is no room for this in Llanerfyl	<p>The Council acknowledges that the Llanerfyl building could pose challenges in terms of implementation of the new curriculum – as stated on page 37 of the consultation document:</p> <p>'The Llanerfyl building is smaller than the Banw building, and</p>

		this, coupled with the reduced facilities available, could impact negatively on the new school's ability to provide appropriate learning experiences for pupils, particularly given the requirements of the new curriculum.'
3.7.2	One of the areas of the new curriculum is 'Expressive Arts' – access to a hall will be essential to enable pupils to develop creative and performing skills	
3.7.3	The configuration will cause challenges for the new curriculum, as more square meters will be needed per child	
3.8 Toilets / Changing Facilities		
3.8.1 Toilet facilities		
3.8.1.1	Legally, pupils over 5 years have to have 1 toilet for every 20 pupils. In Llanerfyl there is one boys toilet (and urinal) and 2 girls toilets – one of which was out of order.	The current number of toilets at Llanerfyl C. in W. School, including the out of order toilet which would be repaired and put back into operational use, is sufficient for the current number of pupils attending the school.
3.8.1.2	Don't think the toilet facilities would be sufficient to accommodate more children	
3.8.1.3	Concerned about maintaining hygiene standards with regard to the toilets due to the high volume of use for the minimal facilities	Should the Council proceed with the option to establish a new school on the Llanerfyl site, the Council would need to check the suitability and sufficiency of the toilet provision across the age ranges, as part of the steps outlined on page 41 of the Consultation Document.
3.8.1.4	The toilet areas are open and next to each other – lacking in privacy.	
3.8.1.5	The toilets are back to back with hardly any privacy	The Council acknowledges that the current toilet arrangements at Llanerfyl C. in W. School are not ideal for Key Stage 2 pupils over 8 years old. Should the Council proceed with the option to establish a new school on the Llanerfyl site, the Council would need to consider the suitability and sufficiency of the toilet provision across the age ranges, as part of the steps outlined on page 41 of the Consultation Document.
3.8.1.6	The coat peg area and toilets for boys and girls are next to each other with no door for privacy – would only need to look around a corner and you could see the boys at the urinals	
3.8.2 Changing facilities		

3.8.2.1	Lack of separate changing areas to provide privacy for girls and boys	These comments regarding the lack of separate changing areas at Llanerfyl C. in W. School are noted. Most Powys primary schools do not have separate changing areas, and the provision of changing rooms is not included within Building Bulletin 99, the design guidelines for primary schools.
3.8.2.2	Unclear whether changing facilities exist	
3.8.2.3	Pupils have to change for PE in the classrooms	
3.9 Kitchen / Dining Facilities		
3.9.1 Reference to dining arrangements		
3.9.1.1	Pupils eat at their desks – this is far from ideal	It is acknowledged that pupils eating lunch at their desks is not ideal, and that this is a situation which requires managing by school staff. However, Llanerfyl is not the only school in Powys where this is the case.
3.9.1.2	Pupils eat at their desks, which means that they must clear work away before dinner and set up again after dinner – this wastes learning time	
3.9.1.3	I don't think eating in the classroom meets the council's own guidelines	
3.9.1.4	Eating in the classroom does not meet the requirements of the 21 st Century Schools Programme or 'Building Bulletin 99'.	It is acknowledged that a separate dining area would be required in order to meet the design guidance for primary schools. However, Llanerfyl is not the only school in Powys where pupils eat in the classroom.
3.9.1.5	It's detrimental to pupil well-being that they do not have a break from the classroom	It is acknowledged that it is not ideal that pupils don't have a break from the classroom, however the Council is not aware of any evidence to suggest that this is detrimental to their well-being.
3.9.1.6	Although there is no law governing children eating at their desks, I feel that this is detrimental to their emotional well-being as they are still at their 'work station' – children need a break from their desks	

3.9.1.7	Hygiene issues with food that must fall onto the carpeted floor when pupils are dining in the classroom	The Council acknowledges this concern. Schools are responsible for the replacement of floor coverings, therefore if replacement flooring was needed, this would be a matter for the school.
3.9.1.8	The dining situation at Llanerfyl works well	The Council notes these positive comments regarding the dining arrangements at Llanerfyl.
3.9.1.9	Mealtimes is by way of silver service, this teaches the children to lay the tables and then serve the food before they all sit down together to enjoy their lunch	
3.9.1.10	The school embraces the family model at lunchtimes. This has been found to be beneficial in teaching children about responsibilities and helping younger children with their meals. Research has shown that this model works very successfully, especially in deprived areas of London for example.	Whilst it is not ideal that pupils eat their lunch in the classroom rather than in a separate canteen, it is acknowledged that Llanerfyl isn't the only school where this happens.
3.9.1.11	Llanerfyl is not the only school in the county without a canteen, so this must be viewed proportionally	
3.9.1.12	The lack of canteen has never been an issue for Llanerfyl pupils, and this is not the only school in Powys that does not have a canteen	
3.9.1.13	Llanerfyl pupils are not disadvantaged by a lack of a canteen, and this should not form any basis for decision making.	
3.9.1.14	The perceived issue with not having a canteen has never been raised as a problem before. Never has a capital bid been placed from Powys County Council to make allowances for a canteen.	
3.9.1.15	If a separate dining area was needed, adaptations could be made to the conservatory area to provide this	The Council notes this comment. Should a decision be made to proceed with establishing a new school on the Llanerfyl site, consideration would need to be given to what work was needed

		to address any issues relating to the building's suitability, which could include adaptations such as these.
3.9.2 Reference to the kitchen		
3.9.2.1	The kitchen is considerably smaller than Banw's and in inferior condition	The Council acknowledges that the kitchen at Llanerfyl is smaller than the kitchen at Banw. Both schools received 5 out of 5 in their latest Food Hygiene rating, carried out in Banw C.P. School on the 7 th December 2017 and Llanerfyl C. in W. School on the 23 rd January 2018.
3.9.2.2	The pantry is a cupboard, and the door can't fully open due to space issues	
3.9.2.3	Would request reassurance that the kitchen facilities have recently been assessed to the standards required. Any improvements needed would need to be factored into the overall decision	
		<p>Llanerfyl C. in W. (Foundation) School received 5 out of 5 in its latest Food Hygiene rating, carried out on the 23rd January 2018.</p> <p>Two minor issues were identified, which were as follows:</p> <ul style="list-style-type: none"> i) The painted wall covering in the rear storeroom was flaking. Renew or repair the wall covering and leave in a sound, easy-to-clean condition. (<i>Regulation (EC) No. 852/2004, Annex II, Chapter II, para.1(b)</i>). ii) The whisk in the kitchen drawer was rusted and cannot be adequately cleaned. Replace the whisk. (<i>Regulation (EC) No. 852/2004, Annex II, Chapter V, para.1(c)</i>).
3.10 Hall		
3.10.1 Reference to pupils accessing the village hall		
3.10.1.1	There is no hall on site – pupils have to walk along the road for indoor PE, concerts etc.	The Council notes these comments regarding the lack of a hall on the Llanerfyl site. However, as noted on page 37 of the consultation document: 'Whilst there is no access to a hall on the current Llanerfyl site, there is a village hall in Llanerfyl, which is located a short
3.10.1.2	The school has the use of the village hall which is within walking distance of the school	

3.10.1.3	The children have a safe walk to the village hall whenever they need to use it	distance away from the school, and which is used by the school.'
3.10.1.4	Do not agree that the lack of a hall on site is a disadvantage – the school has access to the village hall within a 5 minute walk, and there is a safe walking route along the way	Whilst it would be desirable for all schools to have a hall on site, it is acknowledged that there are other schools in Powys which don't have a hall immediately adjoining the school. The Council identified on page 37 of the consultation document that: 'Whilst there is no access to a hall on the current Llanerfyl site, there is a village hall in Llanerfyl, which is located a short distance away from the school, and which is used by the school.'
3.10.1.5	Pupils enjoy the short walk to the local village hall which is used regularly and to attend Church Services	Comment noted.
3.10.1.6	The village hall pupils walk to isn't suitable for PE as tables and chairs are stored within the hall – this is dangerous	If there are tables and chairs stored in the hall, this would need to be taken into account when determining what activities to undertake, and where these activities would take place. Whilst it is acknowledged that this is not ideal, it is also acknowledged that as the village hall is not part of the school, this is something over which the school has no control.
3.10.2 Concern about the walk to the village hall		
3.10.2.1	Walking to the hall reduces learning time and also increases risk to the children's safety due to the need to walk along a public road	Whilst it is acknowledged that access to a hall on site would be more desirable than having to walk to access the village hall, there is pavement along the road from the school to the village hall. This would be covered by a risk assessment, and would take place under managed circumstances with staff supervision. Should a new school be established on the Llanerfyl site, the new school would need to complete a new risk assessment, to take account of the number of pupils attending the new school.
3.10.2.2	Concern about children walking along the road to the hall – the road is used by the farming community throughout the day, therefore there are heavy vehicles with limited visibility travelling both ways at any given time	

3.10.3 Reference to PE		
3.10.3.1	Pupils sometimes do PE in their classroom as there is no hall on site – however, this doesn't give enough space, and wouldn't work if there were more pupils attending the site	The Council would agree that the classrooms in Llanerfyl C. in W. (Foundation) School are unsuitable to be used for physical education lessons.
3.10.3.2	Whilst there is a field and yard which are suitable for physical education, the classes are totally inappropriate for this during bad weather	
3.10.3.3	Lack of a good sized separate indoor space for children to do PE and to play on wet/cold days causes concern for the children's health and well-being	The Council would agree that it is not ideal that there is no separate indoor space on site for children to do PE and to play on wet/cold days, however Llanerfyl is not the only school in Powys where this is the case. The Council is not aware of any evidence that this is detrimental to pupils' health and well-being.
3.10.3.4	In the pupils questionnaire in Llanerfyl's Estyn inspection in 2014, only 21% of pupils agreed that 'There are lots of chances at school for me to get regular exercise'. This is in contrast with Banw's Estyn inspection in 2016, where 100% of pupils agreed with this statement.	Comment noted. However, it must be recognised that the number of pupils involved was small – 24 Llanerfyl pupils responded to the questionnaire, with 5 of these agreeing with the statement.
3.10.4 The school's ability to access the village hall		
3.10.4.1	Although there is access to a hall, the Cylch Meithrin use it during the week, so there isn't an opportunity to use it every day	It is true that the Cylch Meithrin use the hall on Wednesday mornings, Monday, Tuesday and Thursday afternoons. However, the hall is available to the school to use throughout the remainder of the week.
3.10.4.2	Although there is access to the village hall which is 400m away, use of the hall involves pre-booking.	The hall is available to the school throughout the school week, apart from the times when the Cylch Meithrin are using it. The school has a good relationship with the village hall and the need to 'pre-book' the hall does not cause any difficulty – use of the hall is planned in advance, so there is no problem with making the necessary arrangements to use the hall.

3.10.5 Queries about why the lack of a hall hasn't been raised as an issue previously		
3.10.5.1	If the lack of a hall immediately adjoining the school is considered an issue, why has the education authority not flagged this up before?	Whilst it would be desirable for all schools to have a hall on site, it is acknowledged that there are other schools in Powys which don't have a hall immediately adjoining the school. The lack of a hall immediately adjoining Llanerfyl C. in W. (Foundation) School is not the reason for the proposal to merge the two schools and establish a new school on one of the two current sites.
3.10.5.2	There is no evidence that not having a hall has had any detrimental effect on the outcome of past pupils and their sporting and cultural achievements suggest that any such evidence would be difficult to provide	
3.10.5.3	If a hall is a fundamental requirement, Powys has failed the children of Llanerfyl in not providing this historically	
3.10.6 Other		
3.10.6.1	The school pays only for its use of the hall, therefore does not have to bear the continuous cost of maintenance and heating. This is in contrast to the community hall used by Banw, which I believe is on the same heating system as the school, billing wise	<p>Whilst it is true that Banw C.P. School is on the same heating system as the community hall, arrangements are in place to ensure that the community hall pays for its own heating.</p> <p>In respect of oil and water, the school pays for the oil and water used, and the Council invoices the Hall for their use based on the following locally agreed percentages:</p> <p>Oil: School 56% Hall 44%</p> <p>Water: School 67% Hall 33%</p> <p>In respect of electric, the school pays for the electric, and the community hall is billed for its actual usage based on readings from a separate meter.</p>

		The heating for the hall can be turned on without having to turn on the heating for the school. In addition, storage heaters have recently been installed in the committee room and the toilet in the community hall, so there is now no need to turn on the heating in the school for any events that take place in the hall outside school hours.
3.10.6.2	Should the Llanerfyl site be chosen, there would be no provision for a school hall to be built, therefore Banw children would be moving to a site with inferior facilities – this is not putting the well-being of children first.	As noted on page 37 of the consultation document: 'Whilst there is no access to a hall on the current Llanerfyl site, there is a village hall in Llanerfyl, which is located a short distance away from the school, and which is used by the school.'
3.10.6.3	If the school is located in Llanerfyl it must be on the condition that an on-site sports hall is constructed, but I struggle to see how one could be accommodated at the site	Whilst it would be desirable for all schools to have a hall on site, it is acknowledged that there are other schools in Powys which don't have a hall immediately adjoining the school. The Council identified on page 37 of the consultation document that: 'Whilst there is no access to a hall on the current Llanerfyl site, there is a village hall in Llanerfyl, which is located a short distance away from the school, and which is used by the school.' Should the Council proceed with the establishment of a new school on the Llanerfyl site, it is acknowledged that steps would need to be taken to address the suitability. As outlined on page 41 of the Consultation Document: 'Should the Council proceed with the option to establish a new school on the Llanerfyl site, the following steps would be taken to address any issues relating to the building's suitability, in order to ensure that the quality of accommodation is at least as good as the current provision:

		<ul style="list-style-type: none"> - Commission HOWPS to carry out further work to identify the scope of the work required - Dependent on the scale of the work required, the Council will consider what would be the appropriate funding source for this work. As the building is not owned by the Council, discussions would need to take place with the Priscilla Foster Trust.'
3.11 Community Use / Links		
3.11.1 Reference to the school's role in the community		
3.11.1.1	The school is the hub of the village and has the support of the whole community	The Council notes the comments about the important role of Llanerfyl School in the community, and acknowledges that closure of any school has an impact on the community in which the school is located.
3.11.1.2	The role of the wider community is very important in Llanerfyl School – parents, grandparents, siblings, children and cousins of current and former staff and pupils, all of whom still feel a connection to the school. A highly motivated, socially conscious group of people that support the school and the wider community. We volunteer and form the backbone of local sports teams e.g. Llanfair Hockey Club, Dyffryn Banw FC, COBRA Rugby Club, and local community organisations such as Cylch Meithrin, Sant Erfyl Church, Bethel and Pentyrch Chapels	
3.11.1.3	All the school's events are well supported as well as the entertainment activities organised by a strong Friends of the school committee.	
3.11.1.4	Second and third generations of families attend the school, this shows the importance of the school to the community	
3.11.1.5	The Friends of the School at Llanerfyl are active in buying practical equipment such as book bags, school bags and arranging inclusive meetings and activities	
		The Council acknowledges the support provided to the school by the Friends of the School.

3.11.2 The school building is not a focus for the community		
3.11.2.1	The building does not serve the community as Banw school obviously does	The Council notes these comments and acknowledges that the Llanerfyl building is not as extensively used by the community as the Banw building, due to the extensive use made of the Banw Community Hall by a range of organisations.
3.11.2.2	Would be very difficult to increase the scope of community benefits / offerings to match what Banw provides to the community	
3.12 Disabled Access		
3.12.1	Classroom arrangements for physically challenged children wanting to attend the school would be limited as wheelchair bound pupils would be confined to the ground floor.	It is true that the school is set over 2 floors, and does not currently provided disabled access. Should a pupil with additional physical needs wish to attend the school, a full review would need to be carried out, and it is likely that additional facilities would need to be provided.
3.12.2	Designed as a house so is set over 2 floors – issues re disabled access.	
3.13 Health and Safety queries		
3.13.1	How would fire regulations stand should there be a significant number of extra pupils at the school?	Should the Council proceed with establishing a new school on the Llanerfyl site, a revised Fire Risk Assessment would be carried out based on the new number of pupils attending, and any shortcomings identified would be addressed.
3.14 Opportunities to Develop the Site		
3.14.1	Whilst Llanerfyl could be extended to accommodate any increase in pupil numbers, concerns about where and how, and whether additional land could be purchased.	As indicated on page 32 of the consultation document, the Council has carried out an updated capacity assessment of Llanerfyl C. in W. (Foundation) School which includes the Art room as a class base. This provides a capacity figure of 59 + Nursery, which is sufficient to accommodate all current and projected pupils.
3.14.2	The school runs through a river course, which would need to be taken into account if considering developing / extending the site.	

		<p>Should the Council proceed with the establishment of a new school on the Llanerfyl site, it is acknowledged that steps would need to be taken to address the suitability. As outlined on page 41 of the Consultation Document:</p> <p>‘Should the Council proceed with the option to establish a new school on the Llanerfyl site, the following steps would be taken to address any issues relating to the building’s suitability, in order to ensure that the quality of accommodation is at least as good as the current provision:</p> <ul style="list-style-type: none"> - Commission HOWPS to carry out further work to identify the scope of the work required - Dependent on the scale of the work required, the Council will consider what would be the appropriate funding source for this work. As the building is not owned by the Council, discussions would need to take place with the Priscilla Foster Trust’ <p>This work would also need to consider whether additional land was available and issues relating to the river.</p>
3.14.3	No opportunity to accommodate local pre-school/nursery services on the site	This is identified on page 34 of the Consultation Document as a disadvantage of the proposal to establish a new school on the current site of Llanerfyl C. in W. School – one of the disadvantages listed is ‘Currently there is nowhere to accommodate Cylch Meithrin / early years provision on the site.
3.14.4	New hard flooring is to be laid in the classroom, which will ensure that it is multi-functional and making full use of its facilities.	Comment noted.
3.15 Possible alternative uses should there be no school on the site		

3.15.1	The building is owned by the Priscilla Foster Trust, so could be handed back to the trust	The building occupied by Llanerfyl School is owned by the Priscilla Foster Trust, not the Council. Should the building no longer be required for educational purposes, it would be handed back to the Trust, who would determine its future use.
3.15.2	Should there be no school in this building, it would not be the Council's responsibility to find an alternative viable use for the building	
3.15.3	The building could easily be converted to a single residential dwelling in the same way that many chapels in the area have been converted.	
3.15.4	Perhaps Llanerfyl School could be used as a community business or hub	
3.15.5	What would happen to the Llanerfyl building if the Council decided to close it?	
3.15.6	Llanerfyl School is located in a much smaller building than Banw, and on a site which is in a less prominent location off a minor road. Should it be difficult to identify an alternative use for the building, the building would be less visible than the Banw building.	Comment noted.
3.16 Successes of Ysgol Llanerfyl		
3.16.1	Llanerfyl School is renowned for its successes on the playing fields having had particular success at the Urdd football tournament, and in the last 5 years reaching the finals in Aberystwyth. Pupils have successfully competed in a range of sports competitions, and pupils have gone on to represent Newtown and Shrewsbury academies in football, Central Wales football, Rygbi Gogledd Cymru South, represented North Wales in hockey – therefore there cannot be any issues with the playing fields and facilities at Llanerfyl	The Council acknowledges the previous successes of Ysgol Llanerfyl. However, as outlined in the Consultation Document, pupil numbers in the Banw Valley have reduced over recent years, and the Council is keen to identify a solution which will ensure that excellent educational opportunities continue to be provided to pupils in the area in the future.

3.16.2	Llanerfyl School received a document where the inspector commented that he hadn't seen such good standards of written or spoken Welsh in his 30 years of teaching, however this is not included in the consultation document	The information with regard to quality of provision which is included in the Consultation Document is the same for both schools, in order to enable comparison. As required by the School Organisation Code (2013), information on the outcome of each school's most recent Estyn inspection is provided, as well as information from the latest school categorisation exercise.
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4. CATEGORY OF ANY NEW SCHOOL		
4.1 Church in Wales categorisation		
4.1.1 Reference to current categorisation of Llanerfyl as a Church in Wales School		
4.1.1.1	Llanerfyl is a Church in Wales school and this ethos plays an important part within the school.	The Council notes these comments regarding the current status of Llanerfyl School as a Church in Wales school and the positive impact this has on the pupils. The Council's proposal is to establish a new Church in Wales school, to ensure that pupils in the area can continue to benefit from these elements.
4.1.1.2	Llanerfyl pupils enjoy the links with the church and being able to walk to the church to worship as part of their school life	
4.1.1.3	As a Church in Wales School, Llanerfyl offers a safe, friendly and family environment in which children can learn and develop. The school's aims, objectives and values include celebrating the rich heritage of faith and its ethos on respecting equality	
4.1.1.4	Llanerfyl School has a strong connection with the church and this tradition should continue	
4.1.1.5	Pupil numbers at Llanerfyl reflect parent satisfaction with regard to being a Church in Wales school	
4.1.2 Support for establishing a new Church in Wales School		

4.1.2.1	It has been acknowledged that schools with a religious character play an invaluable role as first class providers within the system, providing an approach to education that helps to make an increasingly diverse Wales, a more tolerant nation characterised by justice and prosperity (Faith in Education document)	The Council notes these comments, which support the current proposal to establish a new Church in Wales school.
4.1.2.2	Important to maintain our faith schools as they provide a unique ethos	
4.1.2.3	The most important thing is that there is a school in the area. If this means it has to be a Church in Wales School, then this would be the best action to take	
4.1.2.4	Feel that this is the only way to join the two schools	
4.1.2.5	As Ysgol Llanerfyl is already a C in W School, it would be appropriate for the new school to be in this category too	
4.1.2.6	It's acceptable that the new school is a Church in Wales school as Ysgol Llanerfyl already has links with the church. However, it's important that it is a community school for the whole area	<p>The Council notes this comment, and agrees that it is important that the school serves the whole area, regardless of whether or not it is a Church in Wales school.</p> <p>As a Voluntary Aided school, the governing body would be the admissions authority, responsible for the admissions policy and oversubscription criteria. The criteria would need to reflect the trust deed which refers to providing education for the local children.</p>
4.1.2.7	This is acceptable if the church contributes financially towards the school	The Diocese of St Asaph actively supports and resources its 51 Church schools. The school would have access to the services of the Diocesan Education team (in addition to Powys County Council), who can provide advice and support on curriculum, buildings, repair and maintenance, admissions and ethos matters, and who provide regular training and resources for staff. The school would have access to a network of advisers

		<p>and consultants commissioned by the Diocese, and would also have access to training, resources and activities.</p> <p>They would have a named 'Bishop's Visitor', who would support and challenge the school; embodying the pastoral concern that the Bishop of St Asaph has for the schools in his diocese.</p> <p>As a Voluntary Aided School, capital repairs and maintenance funding would be apportioned to the school through the Diocese, who receive a grant allocation from the Welsh Government.</p>
<p>4.1.3 Disagree with establishing a new Church in Wales School</p>		
4.1.3.1	<p>As I understand, very little funding support is provided by the Church in Wales, so on this ground I see no benefit of remaining one</p>	<p>The Diocese of St Asaph actively supports and resources its 51 Church schools. The school would have access to the services of the Diocesan Education team (in addition to Powys County Council), who can provide advice and support on curriculum, buildings, repair and maintenance, admissions and ethos matters, and who provide regular training and resources for staff. The school would have access to a network of advisers and consultants commissioned by the Diocese, and would also have access to training, resources and activities.</p> <p>They would have a named 'Bishop's Visitor', who would support and challenge the school; embodying the pastoral concern that the Bishop of St Asaph has for the schools in his diocese.</p> <p>The Welsh Government provide funding on an annual basis to cover the governor responsibility for the external envelope of the school at a rate of 85%. This is through the Capital Repairs and Maintenance Programme which is managed by the Diocese. All Diocese of St Asaph Voluntary Aided schools can apply for this funding, which is applied according to need.</p>

		<p>As a Voluntary Aided school any potential funding through the 21st Century Schools Programme would be at a rate of 85% Welsh Government grant aid. The Council can also help with the 15% governor responsibility.</p> <p>The local authority is responsible for repair and maintenance to the internal part of the school.</p> <p>The Diocese also supports buildings investment through capital receipts of redundant sites.</p>
4.1.3.2	Religion does not have anything to do with schooling except as an educational topic	Church in Wales schools seek to provide the highest possible standards of education within a distinctively Christian context, that allows every child to reach their full potential.
4.1.3.3	I don't agree with Church Schools. Religion should be taught, but I don't think schools should sponsor one religion over another	The curriculum in a Church school requires pupils to explore, appreciate and understand a wide range of different religions, beliefs and perspectives, ensuring that pupils learn tolerance and respect for those of all faiths and none.
4.1.3.4	There are currently no benefits to being a Church in Wales school	<p>Church in Wales schools seek to provide the highest possible standards of education within a distinctively Christian context, that allows every child to reach their full potential.</p> <p>The curriculum in a Church school requires pupils to explore, appreciate and understand a wide range of different religions, beliefs and perspectives, ensuring that pupils learn tolerance and respect for those of all faiths and none.</p> <p>The school would have access to the support and services of the Diocesan Education team (in addition to Powys County Council), who can provide advice and support on curriculum and ethos matters, and who provide regular training for staff. The school would have access to a network of advisers and</p>

		<p>consultants commissioned by the Diocese, and would also have access to training, resources and activities.</p> <p>They would have a named 'Bishop's Visitor', who would support and challenge the school, embodying the pastoral concern that the Bishop of St Asaph has for the schools in his diocese.</p> <p>As a Voluntary Aided School, capital repairs and maintenance funding can be applied for.</p>
4.1.3.5	Would prefer a community primary school	Comment noted.
4.1.3.6	Don't think any religious body should be involved in education unless it is via an entirely privately funded model e.g. no council funding is provided	Comment noted.
4.1.3.7	Don't know the significance of a school being associated with a particular religion. Tend to think that education should include learning about all religions impartially	<p>A Church in Wales school teaches about other religious beliefs and points of view as well as Anglican Christianity. A church school does not measure its success criteria by pupils adhering to Christianity, but seeks to equip its pupils with the knowledge and understanding for them to critically evaluate the moral and ethical challenges of life and find their own response; be that within Christianity or not. The aim of a church school is to give a gift of broad education, allowing children to make an informed decision.</p>
4.1.3.8	Don't believe the Church should have any input. Most of the parents in both schools are non-believers and have never entered a Church in their life	
4.1.3.9	Don't know why the school should be a church school as very few parents or pupils attend church regularly in Llanerfyl or Garthbeibio	
4.1.3.10	No religious body should oversee education. Schools should be community schools, accepting pupils of all creeds, races and colour	
<p>4.1.4 No preference with regard to whether or not the new school is a Church in Wales school</p> <p>/</p>		

4.1.4.1	I understand that there is little difference between a church school and a community school	Church in Wales schools seek to provide the highest possible standards of education within a distinctively Christian context, allowing every child to reach their full potential. The curriculum in a Church school requires pupils to explore, appreciate and understand a wide range of different religions, beliefs and perspectives, ensuring that pupils learn tolerance and respect for those of all faiths and none. The ethos and distinctiveness of a Church school equips learners to appreciate and understand different cultures and faiths with Christian values and ethos at the heart of all it does.
4.1.4.2	No strong opinions on this issue either way	Comment noted.
4.1.4.3	The schools coming together is more important than whether it is a C in W School or not	Comment noted.
4.1.4.4	The site of the school is more important than whether or not it is a Church in Wales School	Comment noted.
4.1.5 Concern about establishing a Church in Wales School on the Banw site		
4.1.5.1	Should the school be sited at Banw, the children would not be able to walk to the Church or Chapel as they can now	The Christian ethos of the school would be maintained regardless of the site, through support from the Diocese and the Section 50 inspection process.
4.1.5.2	Should a Church in Wales school be established in Banw, there would be an additional transportation cost to bring the children down to practices and services at the Church in Llanerfyl	The Section 50 inspection will address each key question, using the following evaluation statements as a guide:
4.1.5.3	Do not believe the same religious ethos could be maintained in Banw. Pupils would not be able to walk to the church or chapel in Llanerfyl, which is an important part of school life. A hall can be built at Llanerfyl School, but it would be impossible to build a church with walking links to Banw school.	How well does the school, through its distinctive Christian character, meet the needs of all learners? Rationale: Pupils should be achieving their full potential in our church schools. Maximising learning is paramount. Learners have

4.1.5.4	<p>Human Rights Act makes reference to the rights of parents to have their religious and philosophical beliefs respected during their children's education. Moving the school away from Llanerfyl would go against this act as it would sever links not only with the Santes Erfyl Church but also Bethel Chapel – closure of the school would result in religious discrimination and a breach of the human rights act. Ysgol Dyffryn Banw site does not provide these important religious links</p>	<p>academic, personal and spiritual needs, all of which should be addressed in a loving environment where distinctively Christian values and teaching are encountered.</p> <p>Inspectors must evaluate:</p> <ul style="list-style-type: none"> • how well the Christian character contributes to the academic achievement, personal development and wellbeing of all learners, regardless of their ability or background • how effectively the Christian character supports the spiritual, moral, social and cultural (SMSC) development of all learners whether they are Christian, of other faiths, or of none • how effectively the distinctively Christian character shapes the relationships between all members of the school community • how well the Christian character promotes an understanding of contemporary Wales and respect for diverse communities • the contribution of religious education to the Christian character of the school. <p>Wherever the school is sited it will be important to strengthen the relationship between the school and the Church. The Governing Body will be a key partner with the vicar, church committee, parents, staff, Mission area conference and the Diocesan education team to embed and strengthen the relationship between the Church and the school.</p>
<p>4.1.6 Financial queries related to Church in Wales designation</p>		
4.1.6.1	<p>Understand the potential funding advantages of Church in Wales designation, but have also been informed by the local county councillor that voluntary aided schools are exempt from</p>	<p>Voluntary Aided schools are exempt charities for the purposes of the Charities Act 1993 and therefore automatically qualify for 80% mandatory rates relief.</p>

	<p>paying business rates. Neither Powys nor Church in Wales officers could confirm this at the drop-in event.</p>	<p>They may qualify for relief of up to 100% at the discretion of the local authority.</p>
4.1.6.2	<p>Would the Church in Wales contribute to running and maintaining the school?</p>	<p>Responsibility for the provision, repair and maintenance of a Voluntary Aided School is shared between the school governors and the LA. The Governors are responsible for the external fabric of the school. The LA is responsible for the repair and maintenance and for the initial provision of the kitchen, dining hall, medical inspection room, caretaker's house and playing fields.</p> <p>Under paragraph 5 of Schedule 3 of the School Standards and Framework Act 1998, the Welsh Government has the power to grant aid up to 85% of the costs of the governors approved expenditure, with the governors themselves required to meet the remaining 15%.</p> <p>The Welsh Government provide funding on an annual basis to cover the governor responsibility for the external envelope of the school at a rate of 85%. This is through the Capital Repairs and Maintenance Programme which is managed by the Diocese. All Diocese of St Asaph Voluntary Aided schools can apply for this funding which is applied according to need.</p> <p>As a Voluntary Aided school any potential funding through the 21st Century Schools Programme would be at a rate of 85% Welsh Government grant aid. The Council can also help with the 15% governor responsibility.</p> <p>The LA is responsible for repair and maintenance to the internal part of the school.</p> <p>The Diocese of St Asaph provides resourcing for its schools in a variety of ways through access to expert advisors, training, resources and capital investment where resources can be</p>

		reallocated and invested. The Diocese does not receive direct grant or public funds but supports its schools through its own fundraising and income generation.
4.1.7 Other queries		
4.1.7.1	Have no objection to the new school being 'Church in Wales', however my preference would be for the school to be owned and run by Powys Council	Comment noted.
4.1.7.2	It's important that the school is a Welsh-medium school, doesn't necessarily need to be a Church of Wales School	Comment noted.
4.1.7.3	Can a CP become a Church in Wales School?	<p>The Council is not proposing that a CP school becomes a Church in Wales School, the Council is proposing to close the two current schools, and to establish a new Church in Wales School on one of the two current sites.</p> <p>It would be possible to establish a new Church in Wales School on the site currently occupied by Banw C.P. School, however this would require the Council to transfer interest in the Banw site to the Diocese, where it would be held in a charitable trust.</p>
4.2 Voluntary Aided Church in Wales categorisation		
4.2.1 Support for establishing a school of this category		
4.2.1.1	No objection to the merged school being Voluntary Aided Church in Wales if this is the easiest / cheapest way to continue Welsh-medium primary education in the area	Comment noted.
4.2.1.2	An advantage to being a Voluntary Aided Church in Wales school is that pupils can start at 4 years of age, which acclimatises them to school life before year one starts	The Governing Body of a Voluntary Aided school determines its admissions at statutory school age, and it is true that many schools provide early entitlement provision to enhance their offer.

4.2.1.3	The school would have access to increased funding by being a VA Church in Wales School	<p>The Welsh Government provides funding on an annual basis to cover the governor responsibility for the external envelope of the school at a rate of 85%. This is through the Capital Repairs and Maintenance Programme which is managed by the Diocese. All Diocese of St Asaph Voluntary Aided schools can apply for this funding which is applied according to need.</p> <p>As a Voluntary Aided school any potential funding through the 21st Century Schools Programme would be at a rate of 85% Welsh Government grant aid. The council can also help with the 15% governor responsibility.</p> <p>The LA is responsible for repair and maintenance to the internal part of the school.</p>
4.2.1.4	No objection to this, as the only different as far as I can see is the school's current ability to amend the admissions policy.	Comment noted.
4.2.2 Disagree with establishing a school of this category		
4.2.2.1	It doesn't need to be voluntary aided, just Church in Wales	To be a denominational Church in Wales school the statutory category has to be either Voluntary Aided or Voluntary Controlled.
4.2.3 Queries about this category		
4.2.3.1	Document does not make it clear why the new school should be a voluntary aided Church in Wales School. My preference would be for it to be a CP school	Llanerfyl C. in W. (Foundation) School is the only Welsh-medium Church in Wales primary school in Powys. Should any new school established in the Banw Valley not be a Church in Wales primary school, the nearest alternative Church in Wales provision would be Castle Caereinion Church in Wales School (VC), which is an English-medium primary school. The nearest alternative Welsh-medium Church in Wales provision would be at Rhayader C. in W. School or Ysgol Trefonnen, Llandrindod

		Wells, both of which are dual stream schools. The Council is proposing to establish a new Voluntary Aided Church in Wales School in order to continue to provide access to Welsh-medium Church in Wales provision.
4.2.3.2	Don't understand what this category means, or what sort of education this would give the children. Also, what would be the balance and the level of co-operation between the Church in Wales and Powys County Council with regard to funding, the curriculum, monitoring and support etc	<p>In a Voluntary Aided School</p> <ul style="list-style-type: none"> • The governing body employs staff and decides admission arrangements • The land and buildings are normally owned by a charitable foundation • The governing body contributes to building and maintenance costs (through the Capital Repair and Maintenance Programme which is managed by the Diocese) • The governing body will have a majority of foundation governors <p>Church in Wales schools seek to provide the highest possible standards of education within a distinctively Christian context that allows every child to reach their full potential. The curriculum in a Church school requires pupils to explore, appreciate and understand a wide range of different religions, beliefs and perspectives, ensuring that pupils learn tolerance and respect for those of all faiths and none. The ethos and distinctiveness of a Church school equips learners to appreciate and understand different cultures and faiths with Christian values and ethos at the heart of all it does.</p> <p>The school would follow the denominational syllabus for RE.</p> <p>The school would have Estyn inspections as any other CP school, and would also have a Section 50 inspection which would address each key question, using the following evaluation statements as a guide:</p>

		<p>How well does the school, through its distinctive Christian character, meet the needs of all learners?</p> <p>Rationale: Pupils should be achieving their full potential in our church schools. Maximising learning is paramount. Learners have academic, personal and spiritual needs, all of which should be addressed in a loving environment where distinctively Christian values and teaching are encountered.</p> <p>Inspectors must evaluate:</p> <ul style="list-style-type: none"> • how well the Christian character contributes to the academic achievement, personal development and wellbeing of all learners, regardless of their ability or background • how effectively the Christian character supports the spiritual, moral, social and cultural (SMSC) development of all learners whether they are Christian, of other faiths, or of none • how effectively the distinctively Christian character shapes the relationships between all members of the school community • how well the Christian character promotes an understanding of contemporary Wales and respect for diverse communities • the contribution of religious education to the Christian character of the school. <p>The Diocese of St Asaph and Powys County Council will work closely with regard to funding, the curriculum, monitoring and support.</p> <p>The Welsh Government provide funding on an annual basis to cover the governor responsibility for the external envelope of</p>
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		<p>the school at a rate of 85%. This is through the Capital Repairs and Maintenance Programme which is managed by the Diocese. All Diocese of St Asaph Voluntary Aided schools can apply for this funding which is applied according to need.</p> <p>As a Voluntary Aided school any potential funding through the 21st Century Schools Programme would be at a rate of 85% Welsh Government grant aid. The council can also help with the 15% governor responsibility.</p> <p>The LA is responsible for repair and maintenance to the internal part of the school.</p>
4.2.3.3	<p>Would this mean that governors from the church would be the majority on the governing body and not parents? The church in the Banw Valley are continuing to weaken, there are very few services, with an average of 3-5 attending on Sundays. By now, bilingual or English services are held and the members are very elderly. Of course the diocese and wider Caereinion area would support, but this should be secondary compared with input from parents and people in the school's natural catchment area</p>	<p>Governors are the largest voluntary body in the country. They provide a valuable service to the community and help to influence the work of schools and the future of young people. Foundation governors are important members of governing body teams in church schools with a specific responsibility in terms of monitoring and developing the Christian distinctiveness of our church schools as well as a concern for standards.</p> <p>In the Diocese of St Asaph there are two types of foundation governors apart from the ex officio: those elected by the Mission Area Conference (MAC) of the attached parish; and those appointed by the Diocesan Board of Statutory Education (DBSE), generally based on the nomination of the local clergy or MAC.</p> <p>The Mission Area will encompass a number of Church Schools and it is preferable where possible for Foundation Governors to be rooted in or have a close affinity with the worshipping community linked to the school. If this is not possible then the MAC should look to the wider Mission Area to find the candidates with the required skills, enthusiasm and</p>

		<p>experience.</p> <p>Governing bodies have overall responsibility for schools and their core functions are:</p> <p>(a) ensuring that the vision, ethos and strategic direction of the school are clearly defined; (b) ensuring that the head teacher performs his or her responsibilities for the educational performance of the school; and (c) ensuring the sound, proper and effective use of the school's financial resources.</p> <p>The foundation governor has the additional responsibility of ensuring that the Christian foundation of the school is preserved and developed.</p> <p>A Voluntary Aided school will have such number of foundation governors as will lead to their outnumbering the other governors by two. This gives the school a larger governing body, to help and support the headteacher and school.</p>
4.2.3.4	What are the benefits of the category 'Voluntary Aided Church in Wales' for a new school?	<p>The Diocese of St Asaph actively supports and resources its 51 Church schools. The school would have access to the services of the Diocesan Education team (in addition to PCC), who can provide advice and support on curriculum, buildings, repair and maintenance, admissions, and ethos matters, and who provide regular training and resources for staff. The school would have access to a network of advisers and consultants commissioned by the Diocese, and would also have access to training, resources and activities.</p> <p>They would have a named 'Bishop's Visitor', who would support and challenge the school; embodying the pastoral concern that the Bishop of St Asaph has for the schools in his diocese.</p>

		<p>As a Voluntary Aided School, capital repairs and maintenance funding will be apportioned to the school through the Diocese who receive grant allocation from Welsh Government.</p> <p>A Voluntary Aided school will have such number of foundation governors as will lead to their outnumbering the other governors by two. This gives the school a larger governing body to help and support the headteacher and school.</p>
4.2.3.5	<p>What would be the make up of the permanent governing body? How much influence would the Church have on who sat on the governing body?</p>	<p>The governing body would have exactly the same amount of community governors, parents governors etc as they usually would, but they would also need to have at least as many Foundation governors, so that they would have a bigger amount of governors.</p> <p>The Foundation Governors would need to be agreed and recommended by the Diocese. They don't have to be members of a Church in Wales, it could be people from a non-conformist background, but it's important that they are able to ensure that the Christian ethos is promoted through the school.</p>
4.3 Other categories		
4.3.1	<p>As long as a new school is created which is willing and able to accept children of all faiths and be sensitive to their needs, the category does not matter</p>	<p>Church in Wales schools seek to provide the highest possible standards of education within a distinctively Christian context. That allows every child to reach their full potential. The curriculum in a Church school requires pupils to explore, appreciate and understand a wide range of different religions, beliefs and perspectives. We ensure that pupils learn tolerance and respect for those of all faiths and none. The ethos and distinctiveness of a Church school equips learners to appreciate and understand different cultures and faiths with Christian values and ethos at the heart of all it does.</p>

		A church school does not measure its success criteria by pupils adhering to Christianity, but seeks to equip its pupils with the knowledge and understanding for them to critically evaluate the moral and ethical challenges of life and find their own response; be that within Christianity or not. The aim of a church school is to give a gift of broad education allowing the children to make an informed decision.
4.3.2	Community primary would also be a suitable category	Comment noted.

5. IMPACT ON PUPILS		
5.1 Additional travel		
5.1.1	Travel distance would increase for some pupils	The Council acknowledges in the consultation document that there would be an increase in travel for some pupils, regardless of where the new school was located. However, the Council's view is that the additional distance is not significant. In addition, there is already significant travel around the Dyffryn Banw area to access facilities across the area, therefore parents and pupils are already used to travelling around the area.
5.1.2	Should the school be in Llanerfyl, the furthest travel distance would be 10.01 miles. However, should the school be in Dyffryn Banw, the furthest travel distance would be 5.85 miles.	The Council acknowledges that the furthest travel distance for pupils would be greater should a new school be located in Llanerfyl.
5.1.3	An increase in travel distance for pupils would also impact on parents – particularly parents of pupils with health issues that need to go into school at lunchtimes	The Council acknowledges that establishing one new school in either location would impact on pupils currently attending the other school and their parents.
5.1.4	The majority of Banw pupils are already transported to school, therefore they are used to travelling by bus/car – an extra few miles will not be as significant for these pupils	The Council acknowledges on page 35 of the consultation document that if a new school was established on the current Llanerfyl site, 'Additional home to school transport would also be required for pupils currently attending Banw C.P. School. A

		number of pupils that currently attend Banw C.P. School already access home to school transport, therefore the additional distance is likely to have a minimal impact.'
5.1.5	A few miles extra travel a day will not be a problem. Parents take their children across the county almost daily to different evening activities and think little of it.	Comment noted. The Council identified in the Consultation Document that the additional travel for pupils that would be required in order to achieve either option would be minimal, and therefore the additional travel was unlikely to have a significant impact on pupils.
5.1.6	Over 50% of present and future pupils live within walking distance of Llanerfyl school. Transferring these to the Banw site would be costly	<p>The Council identified in the Consultation Document that 'Pupils living in Llanerfyl are able to walk to the current Llanerfyl building. Should the option to establish a new school in the current Banw C.P. School building be implemented, these pupils would no longer be able to walk to school'.</p> <p>The Consultation Document also includes an estimate of the impact of implementation of each option on school transport costs, which takes into account the impact of each option on the total cost of home to school transport in the Banw Valley, which includes transport to Caereinion High School and NPTC College. This estimates that both options would result in an increase in the daily cost of home to school transport from the current cost of £546.02 per day to approximately £730 per day.</p>
5.1.7	Only a very limited number of children would be able to walk/cycle to a school located in Banw compared with the number able to do this in Llanerfyl – reference to Active Travel (Wales) Act 2013. Benefits of walking to school are well documented – children who walk or cycle to school are more alert and ready to learn than those who arrive by car. Sustrans Cymru has stated that 'Active travel to school needs to be recognised and promoted as an effective and equitable way of young people increasing their physical activity levels and reducing levels of childhood obesity across Wales	The Council notes this reference to the Active Travel (Wales) Act 2013, the comments by Sustrans Cymru and the comments about the benefits of walking to school.

5.1.8	Whichever site is chosen, Council spending should be put in place to provide safe walking/cycling routes from the main village centres (including Foel) to the chosen site, reducing car usage and encouraging physical activity both for school children and the wider community	Comment noted.
5.2 Impact on vulnerable pupils		
5.2.1		The current proposal is to close both schools and to open a new school on one of the current sites. Whilst the comment is noted, the written feedback collated after the engagement with parents held in February does not include any discriminatory comments about any children from ethnic minorities.
5.2.2 5.2.3		The current proposal is to close both schools and to open a new school on one of the current sites. The draft Equalities Impact Assessment produced as part of the consultation documentation identifies that there may be pupils belonging to an ethnic group other than White British at Llanerfyl C. in W. School. However, as outlined on page 34 of the draft Equalities Impact Assessment, 'the aim of the proposal is to improve the educational opportunities available to all pupils, regardless of their ethnic group, therefore whilst there may be an impact on these pupils in the short term as they would need to attend school at a different location, the authority's view is that the proposal would not have a negative impact on them in the longer term.'
5.2.4	There are a higher number of pupils with Special Educational Needs at Llanerfyl, therefore closure of this school would have a greater impact on them and on their well-being. The School Organisation Code says that 'relevant bodies should pay	Consideration has been given to the impact of the proposal on children with Special Educational Needs (SEN), as required by the School Organisation Code. The impact of each option to establish a new school on the current Banw site is considered

	particular attention to the impact of the proposals on vulnerable groups, including children with Special Educational Needs (SEN)'	<p>on page 35 of the Consultation Document, and on page 33 of the Impact Assessment Document produced, as part of the draft Equalities Impact Assessment.</p> <p>As indicated on page 35 of the Consultation Document, 'Any change of school and any disruption not of the learner's or their family's choosing is going to have some impact on feelings of wellbeing. This will have a greater impact on pupils required to move school sites. Mitigation of possible negative effects of change, especially for those with additional needs, will need to be well planned and allow for individual plans of support to be in place.'</p>
5.2.5	Concern about the impact on autistic children who may struggle in bigger, noisier classes.	This concern is noted. The impact on pupils with additional learning needs is considered on pages 21 and 35 of the consultation document. As identified on these pages, should the Council proceed with a proposal to establish a new school on either of the current sites, 'The Council would work in partnership with pupils with additional learning needs, parents and the schools to support an effective transition'.
5.2.6	When any change is implemented, important that a plan is put in place so that children with additional needs can slowly be introduced to a bigger school	<p>This concern is noted. The impact on pupils with additional learning needs is considered on pages 21 and 35 of the consultation document. As identified on these pages, should the Council proceed with a proposal to establish a new school on either of the current sites, 'The Council would work in partnership with pupils with additional learning needs, parents and the schools to support an effective transition'.</p> <p>Whilst it is acknowledged that any new school likely to be established will have more pupils than currently attend Banw C.P. School or Llanerfyl C. in W. School, the new school remain a relatively small school, with less than 60 pupils.</p>

5.2.7	Keeping the school at Llanerfyl would act in the best interests of the majority of pupils and in particular the most at risk group of children (those with SEN and those belonging to BME group)	<p>The proposal's impact on pupils with SEN and pupils belonging to BME group is considered in the draft impact assessments carried out in respect of this proposal. The draft impact assessments will be updated to take account of issues raised during the consultation period, and will be taken into consideration when determining how to proceed.</p> <p>Whilst it is acknowledged that the proposal impacts on pupils with SEN and pupils belonging to BME group, the aim of the proposal is to improve the educational opportunities available to all pupils, including any pupils with additional learning needs and any pupils belonging to ethnic groups other than White British.</p>
5.2.8	How are you going to accommodate autistic spectrum, ADHD, cerebral palsy, epilepsy, dyslexia, ADD, physical needs – these are things that haven't been thought of	<p>The proposal's impact on pupils with additional learning needs has been considered on pages 21 and 35 of the consultation document. This would include pupils with conditions such as those listed. The Council's assessment of the impact on both options on pupils with additional learning needs is as follows:</p> <p>'All schools in Powys are responsible for meeting a child's additional learning needs, in accordance with the Council's ALN Strategy and Operational Guidance. The new school would be expected to adhere to the same guidance. Funding from the Council is delegated to individual schools to support pupils with additional learning needs, and this funding would be allocated to the new school, ensuring that needs continue to be met. The Council would work in partnership with pupils with additional learning needs, parents and the schools to support an effective transition.</p> <p>Any change of school and any disruption not of the learner's or their family's choosing is going to have some impact on feelings of wellbeing. Mitigation of possible negative effects of change,</p>

		especially for those with additional needs, will need to be well planned and allow for individual plans of support to be in place.’
5.3 Impact on quality of education		
5.3.1	I don't think there would be an improvement to the educational opportunities for pupils at Ysgol Dyffryn Banw by establishing a new school in Llanerfyl without significant investment	Comments noted. As indicated on page 41 of the consultation document:
5.3.2	Pupils would be disadvantaged by a move to Llanerfyl due to the cramped conditions and the absence of the existing superior facilities only a mile up the road	<p>‘Should the Council proceed with the option to establish a new school on the Llanerfyl site, the following steps would be taken to address any issues relating to the building’s suitability, in order to ensure that the quality of accommodation is at least as good as the current provision:</p> <ul style="list-style-type: none"> - Commission HOWPS to carry out further work to identify the scope of the work required - Dependent on the scale of the work required, the Council will consider what would be the appropriate funding source for this work. As the building is not owned by the Council, discussions would need to take place with the Priscilla Foster Trust.’
5.3.3	The new curriculum has 6 areas of Learning and Experience. The first two are Expressive Arts and Health and Well-being. Ensuring facilities area available to enable the delivery of these key requirements should be paramount to the decision-making process if we value our children’s education	Comment noted.
5.4 Other		
5.4.1	The children are the ones that will suffer if a wrong decision is made – the physical, intellectual, emotional and social well-being of each child is of paramount importance	Comment noted.

5.4.2	<p>Quotes from the consultation document seem to be clear in concluding that:</p> <ul style="list-style-type: none"> - If pupils moved from Llanerfyl to Banw, they would benefit due to the improved size and facilities available - If pupils moved from Banw to Llanerfyl, they would be negatively impacted. Existing pupils at Llanerfyl would also be disadvantaged due to the increased pupil numbers 	Comments noted.
5.4.3	<p>If the Llanerfyl pupils came to Banw it would be a win win situation – Banw children would have more social interaction and Llanerfyl children would have more facilities. If Banw pupils went to Llanerfyl, it would be a lose lose situation – Llanerfyl pupils would have less space individually and Banw pupils would be losing the hall and facilities</p>	<p>As outlined in the Consultation Document, there are advantages and disadvantages associated with both site options.</p>
5.4.4	<p>Pupils from the two schools would have to get to know each other</p>	<p>It is true that should the Council proceed with one of the options, pupils would be need to get to know each other. However, the Council would work with the two schools in order to establish new school, and it is hoped that opportunities could be provided for pupils to get to know each other during the period before the school opens.</p>

6. PUPIL NUMBERS		
6.1 It's unfair to close Llanerfyl School		
6.1.1	<p>Pupil numbers at Llanerfyl are increasing</p>	<p>As outlined in the Consultation Document, pupil numbers at Llanerfyl C. in W. (Foundation) School have decreased over recent years, from a maximum of 51 in January 2012 to 32 in January 2018. The latest projected pupil numbers available for</p>

		the school also do not suggest any significant increase in pupil numbers at the school over the next few years.
6.1.2	A reduction in pupil numbers in Banw School is the problem – it was the same situation 30 years ago, when the Council wanted to close Llanerfyl School and transfer the children to Banw.	As outlined in the Consultation Document in respect of this proposal, pupil numbers at both schools have decreased over recent years.
6.1.3	Although numbers at Llanerfyl School are declining, this is at a much slower rate than Banw CP School. Llanerfyl School's track record of community support will ensure that the school continues to thrive.	
6.1.4	The governing body at Banw School approached the Council because their numbers had dropped, and Llanerfyl School is suffering because of it	
6.1.5	Banw pupil numbers are low whilst the projected numbers at Llanerfyl are consistent – surely it makes more sense to disrupt the minority rather than the majority? Since when has Powys closed the school with the larger number of pupils to save the school that has the least number of children?	The Council is not proposing to close the school with the larger number of pupils to save the school that has the least number of children. Whilst it acknowledged that pupil numbers at Banw C.P. School are lower than pupil numbers at Llanerfyl C. in W. (Foundation) School, and are projected to decrease further over the next few years, pupil numbers across the Banw Valley have decreased over recent years, and are not projected to increase over the next few years.
6.1.6	It is morally wrong to close the school where the majority of the pupils attend (Llanerfyl) to a school with seriously falling numbers (Banw).	The Council is proposing to close the two schools and establish one new school in either of the two sites, in order to ensure continued provision of high quality Welsh-medium education for pupils in the area.
6.1.7	Projected pupil numbers in consultation document suggest that pupil numbers in Llanerfyl School will remain stable for the next 5 years, whilst Dyffryn Banw numbers are down to as low as 13 by 2022. Why should Llanerfyl children suffer as a result of Ysgol Dyffryn Banw being unable to attract enough pupils to satisfy its future?	
6.1.8	Predicted number for January 2022 is 13 in Banw School but 31 for Llanerfyl. 31 is still a large enough number of pupils for a	

	school to remain viable. If Llanerfyl School was located anywhere else in Powys, closing it would not be a consideration.	
6.1.9	Llanerfyl's geographical proximity to Ysgol Dyffryn Banw where numbers are small is the only reason why it's future is under threat – other authorities in Wales would treasure such a school and would do all they could to protect it	
6.1.10	Can the Council give examples of when they have previously closed a school with a larger number of pupils to save a school that has the smaller number of pupils? By 2020, projected figures show only 18 pupils at Banw.	
6.1.11	Not in any community previously has school B been closed to save school A. It would be severely unfair and a judicial review would follow if the decision was to close Llanerfyl.	
6.1.12	The school needs to be where the pupils are, and this is Llanerfyl – it's not practical to move a whole school population to a school where there are very few children.	
6.1.13	Closing Llanerfyl School would not act in the best interests of the majority of learners – projected number of pupils in Key Stage 1 is more than double in Ysgol Llanerfyl, so why move the majority of learners (13) for the benefit of the minority (6) in Key Stage 1? These are children who will be greatly affected given their young age and vulnerability – the School Organisation Code states that 'Proposers should ensure that the disruption to learners is minimised'	<p>The authority is concerned about the overall sustainability of pupil numbers in the whole area and establishing one school is a solution that was supported by both governing bodies.</p> <p>The authority recognises that any changes resulting from school reorganisation can be worrying for pupils. However, the authority works with school communities to ensure that the impact of any change is minimised. There is also responsibility on the leadership and management of any school to ensure that the wellbeing of pupils.</p>
6.1.14	Is Ysgol Pontrobert under threat because of its pupil numbers? Ysgol Llanerfyl shouldn't be sacrificed because of pupil numbers at Banw	The Council is not currently reviewing Ysgol Pontrobert. As outlined on page 6 of the Consultation Document, the review of primary provision in the Banw Valley was instigated following

		initial contact from Banw C.P. School, and has involved a number of steps as outlined in the Consultation Document. The review has been carried out in accordance with the Council's School Organisation Policy (2018).
6.2 Surplus places		
6.2.1	School Organisation Code states that 'Where there are more than 10% surplus places in an area overall, local authorities should review their provision and should consider whether to make proposals for their removal if this will improve the effectiveness and efficiency of provision. A significant level of surplus provision is defined as 25% or more of a school's capacity (as defined in Circular 21/2011) and at least 30 unfilled places. Should the new school be in Banw, I know of at least 12 children who would not be attending, therefore there is every likelihood that a school on that site would open its doors with only 36 pupils. The cost per pupil would be higher than other schools in Powys, and there would be at least 50% surplus places. The school could well be facing closure again within a few years.	<p>The Council acknowledges that a number of surplus places would remain in Banw C.P. School should a new school be established here, however there would be a significant overall reduction in the number of surplus places across the Banw Valley area.</p> <p>Following a decision on the way forward for the provision of primary education in the Banw Valley, parents would need to decide whether they would wish for their children to attend the new school or an alternative school. Should they wish their children to attend an alternative school, it is acknowledged that this would impact on pupil numbers at the new school. This is acknowledged as a risk on pages 20 and 34 of the consultation document.</p>
6.2.2	If all pupils from Llanerfyl went to Banw, there would still be close to 40% surplus places, which is deemed as 'significant' under the WAG School Organisation Code.	The Council acknowledges that a number of surplus places would remain in Banw C.P. School should a new school be established here, however there would be a significant overall reduction in the number of surplus places across the Banw Valley area.
6.2.3	Many Llanerfyl parents wouldn't take their children to Banw because of historical family prejudices, therefore there wouldn't be enough children at the school, and this school would again be under threat of closure in the near future	Following a decision on the way forward for the provision of primary education in the Banw Valley, parents would need to decide whether they would wish for their children to attend the new school or an alternative school. Should they wish their children to attend an alternative school, it is acknowledged that this would impact on pupil numbers at the new school. This is

		acknowledged as a risk on pages 20 and 34 of the consultation document.
6.2.4	The capacity of Llanerfyl school is only 44 + 5 nursery and the projected pupil numbers for 2020 is 48. The school would be at capacity from day 1 and unable to take any more pupils. Projected pupil numbers over 5-10 years are difficult to predict and the Council should build a +/- 10 capacity to any building in order to future proof it. It would be a shortsighted move by the Council to establish a new school on the Llanerfyl site	Whilst the capacity of Llanerfyl School based on current use is 44 + 5 nursery, the Council has carried out a revised capacity calculation of the school in accordance with the Welsh Government Circular 21/2011 'Measuring the Capacity of Schools in Wales', which includes the Art room as a class base. As indicated on page 32 of the consultation document, this provides a capacity of 59 + 5, which can accommodate all current and projected pupil numbers in the two schools.
6.3 Projected pupil numbers		
6.3.1	Should pupil projections have been underestimated, would be a real shame for the local community should the local school not be able to meet demand if the school was located in Llanerfyl	The Council notes these comments and acknowledges that there is uncertainty with regard to projected pupil numbers – as outlined on page 9 of the consultation document, 'These projected pupil numbers are based on a combination of the latest PLASC figures available, live birth information and information held by the Council's finance team, which is supplied by the schools themselves. However, it is acknowledged that the projected pupil numbers are subject to change.' Whilst it is possible that actual pupil numbers will be higher than the projected pupil numbers, it is also possible that actual pupil numbers will be lower than the projected pupil numbers.
6.3.2	Although not projected on the consultation, I feel that pupil numbers could rise in the future once there is stability in the site of the new school. Many parents moving to the area have enrolled their children into neighbouring schools because of the threat of closure for both schools.	
6.3.3	Projected figures show that there isn't a need for such a large school as Banw in the Dyffryn Banw area	As indicated in the Consultation Document, the projected pupil numbers suggest that the capacity at both current schools is sufficient to accommodate all pupils currently attending the two schools, and the projected pupil numbers for the next few years.
6.3.4	Due to the new development plan and planning policies, very few new houses will be erected in the valley in the future and as a result the size of Llanerfyl school would more than adequately serve the Dyffryn Banw community.	

6.3.5	The building in Banw is too big for the purpose of Welsh-medium education in the area. Planning laws will not allow large development within areas such as Dyffryn Banw as explained in Powys' policy H1 (Housing provision), therefore there is no need for a large capacity school in the area.	
6.3.6	Projected numbers are higher at Llanerfyl, however this should have no affect on the decision as both schools will be together whichever remains open. The suitability of the building as a school is the issue.	The Council's priority is to ensure the provision of high quality education for all pupils in the Banw Valley area, and believes the best way to achieve this is to close both current schools and open a new school in one of the two sites. Ensuring the best possible opportunities for pupils will be the main consideration when determining how to proceed.
6.3.7	Unlikely that pupils from different areas will be attracted to the area – generally parents will not transport their children in a different direction to their work place	Comment noted. However, as indicated in the consultation document, a number of pupils from the Banw Valley area currently receive home to school transport to access English-medium provision in Llanfair Caereinion. There is a potential that greater certainty with regard to the provision of education in the area could result in pupils accessing local Welsh-medium provision in the future.
6.3.8	Pupils choosing to attend alternative schools other than Dyffryn Banw was identified as a threat in the consultation document and in the report prepared for Cabinet. This is a real and ongoing threat. If Ysgol Dyffryn Banw site was chosen, there is a very high risk that we would lose Welsh-medium education in the valley altogether	Comment noted. 'Pupils might transfer to other schools instead of the proposed new school, which would impact on pupil numbers' is identified as risk for both options within the consultation document. The mitigation actions identified are to 'move forward with the process as swiftly as possible in order to limit the period of uncertainty for the community. Should the option be implemented, work with the two school communities to shape the new school'.
6.3.9	A question in the previous questionnaire asked whether parents would send their children to the opposing school. The answers which came back were that a percentage of parents would not be sending their children to the other school, whether it be Banw or Llanerfyl	

6.3.10	Cylch Meithrin Dyffryn Banw has 17 children on the register in 17/18	Comment noted.
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7. IMPACT ON STAFF		
7.1	Staff jobs should be protected – it would be unfair for staff to lose their jobs	As explained in the consultation document, should the Council proceed with establishing one new school to serve the area, ‘a temporary governing body would be appointed for an interim period, until the new school were to open. The temporary governing body would be responsible for appointing a headteacher for the new school, and would then work with the headteacher to develop the leadership, management and staffing structures for the new school.
7.2	Ensure that staff are retained in the new school by introducing small classes, more one to one help etc	
7.3	The uncertainty is putting a strain on staff – what will the future of their jobs be?	
7.4	What will be the impact on staff working part time – will they be able to do this in future?	<p>Implementation of the new staffing structure would be in accordance with the relevant HR Policies for teaching and support staff. As part of this process, there would be an opportunity for the temporary governing body to ‘ringfence’ all teaching and associated staff posts to staff currently employed within the existing schools in the first instance.’</p> <p>The Council acknowledges that any school reorganisation proposal has an impact on staff at the affected schools. The Council is keen to conclude this process as quickly as possible, in order to minimise this period of uncertainty. Any staff needing support can be directed to the Powys Counselling Service.</p>
7.5	Need to ensure clear and regular communication with staff and their unions	Comment noted. Regular communication will be provided to staff and unions throughout this process.
7.6	Need to ensure that any reorganisation does not lead to compulsory redundancies, and that the positions in any new	The decision on ringfencing is made by the temporary governing body, however the Council encourages temporary governing bodies to ringfence when possible. Measures to

	staffing structure are ring-fenced to staff who are currently working in the schools, including part time staff	avoid compulsory redundancies are always considered as part of employment consultation exercises. These will include seeking volunteers, voluntary reduction in hours, job sharing, natural attrition (wastage), early restriction on recruitment, redeployment within the council and retraining of employees to meet requirements of vacant posts internally (as reasonable/proportionate). In line with legislation, part time staff would be treated no less favourably than full time staff.
7.7	If reorganisation takes place, there is a need to ensure that the processes for appointing to posts are fair for all candidates and to provide formal feedback to those that request it	The employment consultation process would include consultation on the selection criteria for appointing to posts within the new school. The process will be conducted in an open, fair and transparent manner at all stages. Feedback will be provided to unsuccessful candidates on request.
7.8	If reorganisation takes place, there is a need to be clear about what positions can be applied for and the requirements of those posts	The employment consultation process would include a proposed structure for the new school for comment, and would include consultation with staff and relevant trade unions. This would be underpinned by job descriptions for all posts.
7.9	Need to ensure that staffing structures include detailed job descriptions and appropriate management lines	
7.10	Agreement of structures should be as a result of thorough consultation with staff and their unions	
7.11	Governing bodies have a statutory duty under the School Teachers Pay and Conditions Document to ensure work life balance for teachers and school leaders. An assessment of impact on workload will need to take place in relation to any new arrangements.	The new school's Challenge Advisor will support the new governing body in ensuring that the Estyn guidance on reducing workload for teachers and headteachers is properly understood and implemented.
7.12	Any period of change creates uncertainty which can impact on staff well-being and morale.	The Council acknowledges that any school reorganisation proposal has an impact on staff at the affected schools. The Council is keen to conclude this process as quickly as possible,

		in order to minimise this period of uncertainty. Any staff needing support can be directed to the Powys Counselling Service.
7.13	Would staff start at the bottom point of the pay grade following implementation of a new staffing structure for any new school?	Employees will continue on whatever point they are on at the moment if the job is on the same grade.
7.14	What would happen if staff didn't want to apply for a post in the new school?	This would depend on the redundancy position at the time. Staff would have to engage in the process, however in some cases if there was not a suitable post in the new structure, staff could receive redundancy.

8. IMPACT ON THE COMMUNITY		
8.1 Impact on the Banw Community		
8.1.1 Reference to use by community organisations of the building in which the school is located		
8.1.1.1	Dyffryn Banw football club could no longer function without the facilities provided by the hall	The Council notes these comments regarding use of the building currently occupied by Banw C.P School by a range of organisations.
8.1.1.2	Several county organisations find the size, location, facilities and access attractive, notably Ysgol Theatr Maldwyn, Powys Eisteddfod	
8.1.1.3	Dyffryn Banw FC – makes regular use of the school corridor and cloakroom nearest the hall along with the 'committee room' throughout the football season. Also use the car parking space around the school and hall on match days, when hosting junior festivals and for parking when the juniors are training on the pitch. Without these facilities being available, the club would face huge difficulty in being able to replace them to continue to operate, losing the men's senior team and the junior section	

	which has 60 players signed on. This would be a great loss to the community of Llangadfan and Llanerfyl	
8.1.1.4	Merched y Wawr regional committees have met three times a year in Banw since the Centre opened in the 1980s. A number of sub-committees meet on these evenings, so the school and the centre are used. Closing Ysgol y Banw would have a negative impact on Merched y Wawr and other organisations that hold regional meetings here	
8.1.1.5	The community hall is used for activities such as Urdd, football club, young farmers, parties	
8.1.1.6	The building and adjoining hall are used for a number of community activities e.g. YFC, local sporting activities, a community facility for hire for local events, community events hosted by the school	
8.1.1.7	The committee room is used for Welsh language governor training, INSET training arranged by the authority	
8.1.1.8	The building is used for live performances by companies such as Theatr Arad Goch, Mewn Cymeriad, Bara Caws, Opera Cenedlaethol Cymru as there is room for up to 300 to sit in the hall	
8.1.1.9	Cwmni Theatr Ieuencid Maldwyn rehearse here weekly, as well as the local YFC, local Football Club, Merched y Wawr – local and regionally, Associated Board of Royal School of Music hold piano exams here, Badminton Club, Table Tennis Club, location for Remembrance services	
8.1.1.10	Banw School are arguing that many societies use the school, however it is the adjoining community centre which is used not	The Council notes this comment, and notes that many societies which use the building, such as Cwmni Theatr Maldwyn and the local football club, use the hall / changing rooms rather than the

	the school itself – this would continue to be available after closing the school building	school itself.
8.1.1.11	Much has been made of the fact that Cwmni Theatr Maldwyn and the local football club use the site, however they use the hall / changing rooms, not the school	
8.1.1.12	Reference has been made to the importance of the ‘cerrig orsedd’ – however, the future of education shouldn’t be based on the siting of the ‘cerrig orsedd’	A decision on where to locate a new school to serve the Banw Valley area will not be based on the location of the ‘cerrig orsedd’.
8.1.1.13	Dyffryn Banw FC has developed a pitch separate from the school, and plans are in place to set up changing rooms by the pitch, which is a requirement to progress up the football association of Wales pyramid. If this were to happen, the club would not be reliant on Banw School for changing facilities	The Council notes this comment, and that Dyffryn Banw FC are looking to set up changing rooms by the pitch, which would mean that they would not be reliant on the facilities at the school. However at the current time, there are no changing rooms by the pitch.
8.1.1.14	It is argued that the football team use Banw school to change etc, however it would be simple enough to erect a shower unit on the football field, which would be more convenient	
8.1.1.15	What would happen to activities such as the football club if the school closed? I want to know what would happen to this and other activities if the school closed.	The Council’s current proposal only relates to the school, not the adjoining community hall. However, should the Council proceed with a proposal which would result in there no longer being a school on the site currently occupied by Banw C.P. School, the Council would need to determine the future use of the site, taking into account the complexities regarding the Community Hall’s lease. Should the outcome be that there was no community hall, organisations such as the football club would need to identify alternative locations for their activities.
8.1.2 Reference to the Community Centre		

8.1.2.1	Due to the co-location of the school with the Hall, they are entwined and rely on each other	<p>Comment noted. The Council acknowledges the links between the Hall and the school due to the fact that they are located within the same building, and that whilst the Council is not proposing any changes to the community centre, it is possible that closure of the school would impact on the community centre. The Council notes on page 14 of the consultation document that one of the weaknesses of the option to establish a new school operating from the current Llanerfyl site is 'Concern about the impact on the Banw Community Hall if there was no school located on the site.'</p> <p>The Council also identified on page 44 of the consultation document in the summary of the Community Impact Assessment carried out in respect of the option to establish a new school on the Llanerfyl site that 'The Banw Community Hall is co-located with the school, therefore whilst the current proposal is not proposing any changes to the community hall, it is possible that removal of primary provision from the Banw site could impact on the community hall in the future.'</p> <p>The Council notes these comments regarding the lease of the Community Hall and complexities related to the co-location of the Hall and the school which would arise should the school close.</p>
8.1.2.2	The future of the conjoined Community Hall at Banw and some of its users are at real risk if there was no longer a school on the site	
8.1.2.3	A decision to close the school may affect the community centre which would be a loss to the whole area	
8.1.2.4	Concern about the financial consequences to the community centre should Ysgol Dyffryn Banw close	
8.1.2.5	The hall is a separate entity to the school – it has its own separate committee. Closure of the school would not mean closure of the community hall	
8.1.2.6	The hall and changing rooms have a separate entrance so could easily standalone from the remainder of the school	
8.1.2.7	The complexity and length of the community council's lease of the Hall, which includes parts of the Banw school footprint as well as a substantial parking area, undermines sales prospects for the school site	
8.1.2.8	Banw community hall lease includes shared access from the main road, the parking area in front of the hall and the main hall building and access lobby. In addition, it extends to three rooms within the footprint of the original school building. A condition of the lease is that the school has priority use of the whole leased area during normal school term time and during school hours. The lease stipulates financial arrangements between the Hall Committee and the School – PCC makes an annual capitation payment to the Hall in support of priority usage. All services	

	reach the Hall from within the school. The central heating boiler and oil store are on the school premises	
8.1.2.9	If the school closed, there would be implications to PCC due to the fact that it is adjacent to the hall – PCC would still have to maintain the building in line with H&S. Insurance would still have to be paid and heating would still be needed. If the building was demolished, the cost of demolition and removal would need to be taken into account	
8.1.2.10	<p>Banw Community Hall holds a 99 year lease from the County Council for the Community Hall. There are about 88 years still to run. The lease includes shared access from the main road, the parking area in front of the hall and the main hall building and access lobby. In addition, extends to three rooms within the footprint of the original school building. A condition of the lease is that the School has priority use of the whole leased area during normal school term time and during school hours. The lease stipulates financial arrangements between the Hall Committee and the School – PCC makes an annual capitation payment to the Hall in support of priority usage. All services reach the Hall from within the school. Central heating boiler and oil store are on school premises</p> <p>There are stipulations built into the lease relating to a County Council decision to close and demolish the school. Strict enforcement of those conditions would impose costs which far exceed the current finances and financial prospects of the Community Centre Committee and Community Council. Without detailed investigation of possible mitigation, the prospects for the Community Centre and potential Powys disposal receipts are bleak. Community Council wish to remind the County Council of Policy DM11 in the LDP relating to protection of Existing Community Facilities and Services.</p>	

8.1.2.11	Need to ensure it's just the schools that are evaluated and not the hall at Banw. The community hall at Banw can still function without the adjoining school. Toilets, kitchen and dining area are all directly adjacent to the hall, ensuring that all gatherings / functions could continue unaffected by closure of the school	<p>The Council's priority is to provide education of the highest quality for pupils in the Banwy Valley, and this will be the main consideration when determining how to proceed.</p> <p>However, the School Organisation Code (2013) states on page 29 that:</p> <p>'Where proposals involve the closure of a school the following information must be included in the consultation document:</p> <ul style="list-style-type: none"> • The impact of proposals on the local community, particularly in rural areas...' <p>The summary of the findings of the draft community impact assessment carried out in respect of the option to establish any new school on the Llanerfyl site noted that 'The Banw Community Hall is co-located with the school, therefore whilst the current proposal is not proposing any changes to the community hall, it is possible that removal of primary provision from the Banw site could impact on the community hall in the future.'</p>
8.1.2.12	How financially viable is the community hall?	The viability of the Community Hall is not a consideration within this consultation.
8.1.2.13	Who pays for maintenance and upkeep of the hall?	The Community Hall is responsible for maintenance and upkeep of the hall.
8.1.2.14	It cost £100 to hire the Banw Community Hall for a recent charity event. Had the same event been held in Llanerfyl, it would have only cost £40.	Comment noted. Hire charges for the two community halls are determined by the management committee of each hall, and it is up to organisers of events in the local area which hall they choose to hold an event.
8.1.3 General impact on the community		

8.1.3.1	Removal of the school from Banw would not have such a big impact on the community as it would have in Llanerfyl as there are other facilities in Llangadfan e.g. a busy café, shop and public house. Llanerfyl does not have a café, shop or public house	The Council notes these comments. The Council's view is that closure of any school has an impact on the community in which the school is located, therefore the Council acknowledges that closure of either site would impact on that community. The Council's priority is to provide the best possible education for pupils in the area, and the Council's view is that establishing one new school to serve the whole Banw Valley area is the best way to achieve this.
8.1.3.2	The Banw community is more dispersed, so moving the school's location would not have such a great impact on the community.	
8.1.3.3	Banw School is in a much more prominent location than Llanerfyl School, on the A458 Trunk Road, and adjoins two of the largest housing estates in the Banw Valley. Having such a prominent site left vacant would impact on the residential amenity of nearby residents, would detract from the appearance of the wider community and the impression people have of the county.	
8.2 Impact on the Llanerfyl community		
8.2.1 Impact of closing the school on the village of Llanerfyl		
8.2.1.1	Losing the local school would have a negative impact on social activity, and on the village's Welsh life	The Council notes these comments regarding the impact of not having a school in Llanerfyl on the Llanerfyl community. The Council acknowledges that closure of any school will impact on the community in which it is located, however the Council's priority is to ensure the best possible educational provision for pupils in the Banw Valley for the future. A draft Community Impact Assessment was published with the consultation documentation, this will be updated to take account of issues raised during the consultation and will be considered by Cabinet when determining how to proceed. Should the Council proceed with establishing one new Welsh-
8.2.1.2	Losing the school from Llanerfyl would change the unique character of this Welsh speaking village for ever	
8.2.1.3	Llanerfyl School plays an important role in the community and brings the community together as there is no shop, café or public house in the village.	
8.2.1.4	Llanerfyl School is at the heart of the community, without it the village would have nothing	

8.2.1.5	Numerous activities take place throughout the year when the community come together to support the school and socialise, either in the village hall, the Church or the School itself.	medium school on either of the current sites, the school would be expected to serve the whole Banw Valley area, and the Council would expect the school to maintain community links across the area.
8.2.1.6	The school plays a vital part in the community, with its strong links to the Church, Cylch Meithrin and the wider community	
8.2.1.7	Llanerfyl School events involve the whole community, which is very important in a rural community such as this, where social isolation can be such a problem, especially for the elderly	
8.2.1.8	Closure of Llanerfyl site would have a greater impact on the Llanerfyl community as there is no shop/tea rooms or public house for local people to engage and interact, unlike Llangadfan	
8.2.1.9	Closing the school would be another step towards destroying the local community (e.g. after the local shop/post office closed)	
8.2.1.10	Llanerfyl as a village would be a very sad place without a school and the sounds of children playing at break times	
8.2.2 Impact on Llanerfyl Village Hall		
8.2.2.1	Should there be no school in Llanerfyl, there would be an impact on the village hall as there would be a reduction in the use of the Hall. This would have a financial impact on the hall, which could lead to its closure	The Council notes these comments regarding the use of Llanerfyl Village Hall by Llanerfyl C. in W. (Foundation) School, and the potential impact on the hall should there be no school in Llanerfyl.
8.2.2.2	Llanerfyl School make regular use of the Village Hall, and brings the community together by holding concerts, coffee mornings, or other activities such as discos and beetle drives	
8.2.2.3	The village hall in Llanerfyl is not directly attached to the school, so it would not be directly affected should the school be re-sited at the Dyffryn Banw site	The Council notes this comment. Whilst it is true that the village hall is located separately to the school, the school does make

		use of the village hall, therefore closure of the school would potentially impact on use of the village hall.
8.2.2.4	The village hall is the community hub of Llanerfyl, not the school	The Council notes this comment
8.2.2.5	Closure of Llanerfyl school would not affect the community hall	<p>In the Community Impact Assessment carried out in respect of this proposal, the Council identified that 'There is a Village Hall in Llanerfyl, which is located on a separate site to the school. Should there be no primary provision in the building occupied by Llanerfyl C. in W. (Foundation) School, it is unlikely that this would impact on the Village Hall, therefore this would continue to be available for community activities.'</p> <p>However, it is also acknowledged that there could be an impact on the Village Hall in terms of a reduction in income following loss of the school's use of the Hall.</p>
8.2.3 Other		
8.2.3.1	A high percentage of children at Llanerfyl school are from farming families. Recent evidence suggests that loneliness and mental health issues are high among farmers – they are at higher risk of social isolation. On average, one farmer commits suicide per week in the UK – let's not add to this problem by removing one element, which is so important in reducing this loneliness for people	The Council notes the comment. Whilst the Council is proposing to merge the two current schools and establish one new school in the area, there would continue to be access to primary provision in the Banw Valley.
8.3 General comments with regard to impact on the community		
8.3.1	Acknowledgement that loss of a school is detrimental to any community	The Council acknowledges that closure of any school would impact on the community served by that school. The Council's priority is to provide the best possible education for pupils in the area, and the Council's view is that establishing one new school to serve the whole Banw Valley area is the best way to achieve this.
8.3.2	The community locally has deteriorated a lot in 20 years, closing a school in either Llanerfyl or Llangadfan will not make a bit of difference to that village	

8.3.3	Reference to Wales Spatial Plan (2008 update) – refers to the social and physical well-being of the community, and that good access to services (which includes access to community services) is a key determinant of quality of life in rural areas	Comment noted.
8.3.4	To strengthen the community and potentially grow the Welsh language and educational opportunities for everyone, the new school needs to be established in the hub of the Dyffryn, its community centre, the football team, at the location that was built specifically for this purpose, with ample room for extension	Comment noted.

9. IMPACT ON THE WELSH LANGUAGE		
9.1 Impact on the Welsh language in the Banw community		
9.1.1	Although 85% of pupils at Banw School come from non Welsh speaking homes, Welsh is spoken consistently in the classes and on the yard	The comment is noted. The Council has no concern about standards in Welsh at either of the current schools.
9.1.2	In Banw, only 12% of children speak Welsh at home – 88% are from non Welsh speaking backgrounds, therefore their first language and preferred language is naturally going to be English	The comments are noted. However, the Council has no concern about standards in Welsh at either of the current schools.
9.1.3	At the recent Harvest thanksgiving service, the Headteacher of Banw School had to prompt the pupils as they could not answer the Welsh guest speaker’s questions – this shows that Welsh is not the first language of pupils.	As stated in the Welsh Language Impact Assessment carried out in respect of these proposals: ‘There are no concerns about standards in Welsh at both current schools. Both schools offer a wide range of Welsh language extra-curricular activities and have achieved the Welsh Language Charter bronze award and are now working towards the silver award. The Council would expect this to continue to be the case at any new school established in the

		Banw Valley area.’
9.1.4	It is a positive thing that the majority of pupils attending Ysgol Dyffryn Banw come from non Welsh speaking homes. This supports the aims of the Council’s Welsh in Education Strategic Plan and the School Organisation Policy	The Council’s aim is to increase the number of pupils educated through the medium of Welsh, in order to contribute to the Welsh Government aspiration to achieve a million Welsh speakers by the year 2050. The Council agrees that attracting pupils from non Welsh speaking homes to Welsh-medium education will be key in order to achieve this.
9.2 Impact on the Welsh language in the Llanerfyl community		
9.2.1	Welsh is the natural language of the yard in Llanerfyl	The Council notes these comments regarding use of the Welsh language in Llanerfyl C. in W. (Foundation) School and the wider Llanerfyl community. As indicated in the Welsh Language Impact Assessment carried out in respect of these proposals: ‘There are no concerns about standards in Welsh at both current schools. Both schools offer a wide range of Welsh language extra-curricular activities and have achieved the Welsh Language Charter bronze award and are now working towards the silver award. The Council would expect this to continue to be the case at any new school established in the Banw Valley area.’ Implementation of the proposal would result in the establishment of one new, larger school in the Banw Valley area, and the Council’s view is that this would contribute towards the Welsh Government aspiration to achieve a million Welsh speakers by the year 2050. This is supported by Estyn in their response to this consultation, which states that: ‘Both <i>option a and b</i> would contribute to realising the Welsh Government’s strategy of achieving a million Welsh speakers by 2050’.
9.2.2	80% of pupils in Llanerfyl School come from home where at least one of their parents speak Welsh	
9.2.3	All governors of Llanerfyl School are Welsh speaking, and meetings are held in Welsh. The Community Councillors are also all Welsh speaking, and the majority of Village Hall committee members. This is something that is quite unique in Powys these days	
9.2.4	Llanerfyl is a natural Welsh speaking school with at least 75% of pupils speaking Welsh at home in comparison to a very small number of pupils at Banw. There would be greater impact on the Welsh language should the school not be in Llanerfyl. Many parents would send their children to the English stream at Llanfair Caereinion should the school be based in Banw – this would have a profound effect on the Welsh language in the valley as the Welsh language would be considerably diluted, and goes against the Welsh Government aim of having 1 million Welsh speakers by 2050	

9.2.5	Llanerfyl is unique in the area by having a core of Welsh speaking families living and moving into the area. This is reflected in 75% of pupils at the school speaking Welsh at home.	Should the Council proceed with the proposal to establish one new Welsh-medium school to serve the area, the Council would hope that all pupils attending the two current primary schools in the area would transfer to that new school, ensuring continued access to Welsh-medium education in a Welsh-medium school. However, all parents are entitled to apply for a place for their child in whichever school they choose, and these applications will be accommodated in accordance with the Council's admissions policy.
9.2.6	If Llanerfyl school closed, some parents will be sending their children to the English stream in Llanfair Caereinion, which will reduce the number of pupils accessing Welsh-medium education and will be a step backwards in the Welsh Government's plan to reach a million Welsh speakers by 2050.	
9.2.7	Closing Llanerfyl School would irrevocably damage the Welsh language and Welsh medium provision in the area, the core of Welsh speakers would be split up, friends and families will be split with parents considering sending their children to five different schools	
9.2.8	Llanerfyl School is an integral part of the Welsh community that exists in Llanerfyl	The Council notes these comments relating to the role of the Welsh language within the Llanerfyl community. Should the Council proceed with implementation of the proposal, a new Welsh-medium primary school would be established to serve the whole Banw Valley. There is no reason to believe that this would have a detrimental impact on the Welsh language in Llanerfyl.
9.2.9	Llanerfyl School plays an important role in the continuance of the Welsh language in the community	
9.2.10	The Welsh language community of Llanerfyl is thriving, with more and more young families moving to the village	
9.2.11	Greatest fear is that closing the school would be detrimental to the Welsh language in the community	
9.2.12	The community of Llanerfyl is a stronghold for the Welsh language, and the school plays a vital role in ensuring it remains so	
9.2.13	Llanerfyl is the strongest area in terms of Welsh speaking – it's important to continue with the Welsh medium primary school within the most predominantly Welsh area	

9.2.14	The Welsh language is stronger in Llanerfyl. There is no doubt that moving children to Banw would weaken the Welsh language in the community	
9.2.15	Consultation on the school organisation code published this year identified the need to protect or maintain schools where Welsh is the natural language of the community. 75% of pupils attending Llanerfyl School are from a Welsh speaking background, compared with only 12% of children attending Ysgol Dyffryn Banw.	This consultation has been carried out in accordance with the School Organisation Code (2013), and a draft Welsh language impact assessment has been carried out in accordance with the Code's requirements. This assessment will be updated to reflect the comments received during the consultation period, and will be considered when determining how to proceed.
9.3 General comments with regard to impact on the Welsh language		
9.3.1	The impact of losing pupils from Welsh speaking homes who currently attend Llanerfyl, many of whom would not attend Banw school, would have a significant impact on the language spoken on the yard, and on the ability of non Welsh speaking pupils to absorb and learn the Welsh language by hearing it being spoken naturally	<p>As outlined in the Welsh language impact assessment carried out in respect of the proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School, 'There are no concerns about standards in Welsh at both current schools. Both schools offer a wide range of Welsh language extra-curricular activities and have achieved the Welsh Language Charter bronze award and are now working towards the silver award. The Council would expect this to continue to be the case at any new school established in the Banw Valley area.'</p> <p>Implementation of the proposal would result in the establishment of one new, larger school in the Banw Valley area, and the Council's view is that this would contribute towards the Welsh Government aspiration to achieve a million Welsh speakers by the year 2050. This is supported by Estyn in their response to this consultation, which states that: 'Both <i>option a and b</i> would contribute to realising the Welsh Government's strategy of achieving a million Welsh speakers by 2050'.</p>

9.3.2	School Organisation Policy states 'the Council aims to...increase demand for Welsh-medium education and provides access to provision that will enable pupils to become confident Welsh speakers'	The Council's view is that the proposal to establish a new school on either site would meet this aim and the Welsh Government aspiration to achieve a million Welsh speakers by the year 2050. This is supported by Estyn in their response to this consultation, which states that: 'Both <i>option a</i> and <i>b</i> would contribute to realising the Welsh Government's strategy of achieving a million Welsh speakers by 2050'.
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10. REFERENCE TO EARLY YEARS PROVISION		
10.1	Query whether the current location of the Cylch Meithrin in a village hall is ideal considering that there is an opportunity to establish a permanent Cylch Meithrin that would attract more children on the school campus at Ysgol Dyffryn Banw.	The Council notes this comment. The opportunity to look at locating early years provision on site was identified on page 19 of the Consultation Document as one of the 'Reasons for the Proposal' in relation to establishing a new school on the current Banw site.
10.2	Locating the Cylch Meithrin on school land would enrich the offer of the proposed new school, and would also facilitate the possibility of providing wraparound care	
10.3	Support for the principle of relocating the Cylch Meithrin to the site of the new school, on the condition that appropriate permanent indoor and outdoor space is available, which meets the requirements of CSSIW, Estyn and any other regulatory body. Would also request space for staff to keep resources and materials.	The Council notes these comments. Any plan to relocate the Cylch Meithrin to the site of the new school would be made in full discussion with the Cylch Meithrin to ensure that the provision met their requirements and the requirements of regulatory bodies such as CSSIW and Estyn.

11. FINANCIAL CONSIDERATIONS		
11.1 Transport costs		

11.1.1	Transporting pupils from Banw to Llanerfyl would be much less than the cost of maintaining the Banw building	Estimated additional transport costs have been included in the estimated savings illustrated in the Consultation Document in respect of this proposal. It is true that transporting all pupils currently attending Banw C.P. School to Llanerfyl and closing Banw C.P. School would result in an overall saving to the Council, however the same is true should the Council transport all Llanerfyl pupils to Banw.
11.1.2	The Council would save money by not having to provide as much transport for children if the school was in Llanerfyl, but is that a justified reason for locating the new school there?	There would be savings to the Council should there be one new school in the Banw Valley to replace the current two schools, regardless of the location of the new school. There are strengths and weaknesses associated with both possible locations, these are outlined in the Consultation Document issued in respect of this proposal.
11.1.3	Transport costs would be greater if the new school was in Banw as there would be more pupils to transport to the new school	An estimate of the impact of implementation of both options on school transport costs was received, and included in the Consultation Document.
11.1.4	If more than twice as many children need to be transported to Banw, the cost is naturally going to be greater than if the school was in Llanerfyl, even though the document says that the extra travel cost involved would be the same.	As outlined in the Consultation Document, the estimate 'takes into account the impact of this option on the total cost of home to school transport in the Banw Valley, which includes transport to Caereinion High School and NPTC College.' Based on this assessment, it is estimated that implementation of either option 'would result in an increase in the daily cost of home to school transport from the current cost of £546.02 per day to approximately £730 per day'.
11.1.5	Transporting the majority of pupils from Llanerfyl to Banw would create a large increase in transport costs – currently only 3 Llanerfyl pupils receive transport	It would not be possible to calculate the actual costs until the location of the new school was known, as well as which pupils would be attending the school.
11.1.6	As well as transport to Banw, the Council would need to provide free transport to Llanerfyl parents who choose to send their children to the English stream in Llanfair Caereinion	Parents are entitled to choose English-medium provision if that is their preference, and as admissions authority, the Council has to accommodate these choices. Home to school transport

11.1.7	The Council keeps telling us it is short of money, yet it carries 15 children each day to Llanfair Caereinion primary site from the Banw valley – your own policy seems to be shooting yourself in the foot	<p>would be provided to eligible pupils in accordance with the Council's Home to School Transport Policy, which states that 'For those qualifying pupils who wish to receive their education through the medium of English or Welsh, transport will be provided to the nearest allocated school/centre for primary school pupils providing education through that language medium. In order to qualify pupils must meet the standard qualifying criteria.'</p> <p>Should the Council proceed with a proposal to establish a new school, the Council would hope that pupils that currently attend Banw C.P. School and Llanerfyl C. in W. (Foundation) School would transfer to the new school, where they would continue to access Welsh-medium provision in a Welsh-medium school, however this would be a decision for pupils and their parents.</p>
11.2 Capital receipts		
11.2.1 Reference to selling the Banw site		
11.2.1.1	With the cuts and savings the Council is facing, selling the Banw building would help to fill the Council's coffers	The Council notes these comments. The potential that the Council could achieve a capital receipt from sale of the Banw C.P. School building was identified on page 33 of the Consultation Document in respect of this proposal.
11.2.1.2	Selling all or part of the Banw site releases much needed capital to the Council	
11.2.1.3	Selling Banw school could be used to enhance the site at Llanerfyl in the longer term	
11.2.1.4	If the Council needs to sell Neuadd Maldwyn, why not sell Banw School too	
11.2.1.5	The ownership of the Banw site allows possibilities for generation of much needed cash, whereas Llanerfyl gives no such opportunity.	

11.2.2 Reference to the Llanerfyl site		
11.2.2.1	The Council doesn't own the Llanerfyl building, so there would be no financial benefit to the Council from closing it	The Council notes this comment, and acknowledges that the Llanerfyl building isn't owned by the Council. This was acknowledged on page 19 of the Consultation Document – 'The Council would not benefit from any sale of the Llanerfyl site as it isn't owned by the Council.'
11.3 Capital costs		
11.3.1 Reference to improvements to the Banw site		
11.3.1.1	The cost of improvements to the Banw building would be much less than the option of investing in a piece of land to extend the buildings/grounds – this is not covered in the consultation document	The current proposals are based on establishing a new school in either of the two current buildings in their current condition. However, as explained in the Consultation Document, should a decision be made to proceed with either of the options, steps would be taken to ensure that the quality of accommodation for all pupils is at least as good as their current provision.
11.3.1.2	Alarming to see that the site at Banw would require £211,025 more to maintain over the next 5 years – how can this be justified in the current climate?	The Council has a duty to maintain school buildings to a standard that enables good teaching and learning. Should the Council proceed with the option to establish a new school on the Banw site, the Council would take steps to identify the scope of the work required to the building, and take appropriate steps to identify the appropriate funding source and commission the work, as outlined on page 26 of the Consultation Document.
11.3.1.3	Ongoing maintenance costs may be a bit more for the Banw site, but this is to be expected because it is a much larger building with more components/facilities to maintain. At a cost per square metre, the Banw site surely provides better value	Comment noted. Financial implications are one consideration of many to be taken into consideration when determining how to proceed.

11.3.2 Reference to improvements to the Llanerfyl site		
11.3.2.1	According to the consultation document, no capital funding has been allocated to provide additional facilities at Ysgol Llanerfyl, therefore this can't be taken into consideration when making a decision on the site	The Consultation Document makes clear that no capital funding is required to achieve either option. There is sufficient capacity within the two current buildings to accommodate the current and forecasted pupils at the two schools. Should the Council proceed with either option, steps would be taken to identify any investment needed, however a decision on the way forward will be based on the current buildings.
11.3.2.2	Cost of the upgrades required to Banw would be significantly less than the extension required at Llanerfyl to give the building the facilities it needs to enable it to function as a successful school.	
11.3.2.3	It would be a huge waste of taxpayers money (and possibly not even lawful) to invest in the Llanerfyl site which is not even owned by Powys CC, when a perfectly good one is available at Banw	
11.3.3 Other		
11.3.3.1	Both buildings need some maintenance work. Costings state that Banw needs approx. £388,275 over 5 years to get it to the desired standard. At the end of the 5 years, there would be a school with full facilities in good condition. The same report states that Llanerfyl would need £177,356 over a 5 year period to get to the desired standard. However, this does not include money needed for an extension which has been mentioned, and the school will still not have the facilities that Banw has. I'm sure the money that would need to be spent on Llanerfyl would be substantially more than £177,356.	Comment noted.
11.3.3.2	The County Times (19 th October) ran an article suggesting Llanerfyl could apply for a grant of a million pounds. Has this been misreported and if not why can Banw not apply for this funding?	Yes, this was misreported.

11.3.3.3	How could the council justify capital expenditure on another property not owned by the Council when Banw has all the facilities needed?	The Council is not currently planning any capital expenditure on either property. As outlined in the Consultation Document, should the Council proceed with either option outlined in the document, steps would be taken to identify any improvements required and funding arrangements.
11.3.3.4	Should the schools merge, would the funding for Llanerfyl School be available to be transferred to Banw School to help facilitate improvements to the condition?	If the two schools merge, the new school would be funded as one school in accordance with the funding formula. Other than funding linked to pupil numbers, funding linked to the closed site wouldn't automatically transfer to the new school.
11.3.3.5	Consultation document states on p14 and p34 that capital investment would be required to provide additional facilities, whereas on p25 no capital funding is required at Banw. In view of this, would Powys be prepared to spend money on a building they do not own and would the Trust who own it want such alteration to their building?	<p>As outlined on page 41 of the Consultation Document:</p> <p>'Should the Council proceed with the option to establish a new school on the Llanerfyl site, the following steps would be taken to address any issues relating to the building's suitability, in order to ensure that the quality of accommodation is at least as good as the current provision:</p> <ul style="list-style-type: none"> - Commission HOWPS to carry out further work to identify the scope of the work required - Dependent on the scale of the work required, the Council will consider what would be the appropriate funding source for this work. As the building is not owned by the Council, discussions would need to take place with the Priscilla Foster Trust.'
11.3.3.6	Would like to see the same kind of investment in the valley as has been seen in the new primary schools in the south of the county to give the children the best opportunity with the best teachers at the best new school in Powys – this is what the children deserve	The Council follows a process of prioritisation as outlined in the Schools Asset Management Plan when determining which schools will receive capital investment. The Council currently has no plans to invest in schools in the Banw Valley area, however should the Council wish to do so, business cases would need to be submitted to the Welsh Government for approval in order to access capital funding.

11.4 Cost per pupil		
11.4.1	Having the school on the Llanerfyl site would make more economical and financial sense as the school would have far fewer surplus places and would cost less per pupil than if the school was on the Banw site	<p>It is true that the cost per pupil of a new school on the Llanerfyl site would be lower than the cost per pupil on the Banw site. Based on the estimates provided in the Consultation Document, and an estimate of 54 pupils, the cost per pupil of a school on the Llanerfyl site would be £3945, whilst the cost per pupil of a school on the Banw site would be £4208. This is because more funding would be provided to a school on the Banw site due to factors such as the building condition and the square meterage.</p> <p>However, establishment of a new school on either site would result in an overall saving to the Council, and a reduction in surplus places in the area. Financial implications are one of a number of matters to be taken into consideration when determining how to proceed.</p>
11.4.2	Providing education at Llanerfyl would be more cost effective as the cost per pupil would be significantly less (over £350 per pupil). Cost per pupil at Banw is likely to increase as at least 12 children from Llanerfyl will not attend a new school should it be located at Banw	It is true that there would be an impact on the cost per pupil of a new school located on the Banw site should at least 12 children currently attending Llanerfyl C. in W. (Foundation) School not attend the school. However this is also true should pupils currently attending Banw C.P. School decide not to attend a new school located on the current site of Llanerfyl School.
11.4.3	Banw has the highest cost per pupil in Powys because of a building which is too big, lack of numbers and transportation costs	There are numerous factors which affect a school's cost per pupil. Cost per pupil only includes funding elements which are delegated, this doesn't include transport costs, therefore transport costs aren't a reason for the current cost per pupil of Banw C.P. School.
11.5 Reference to financial contribution from the Church		
11.5.1	If an extension was needed to the Llanerfyl site, the financial burden on the Council would not be too great as the St Asaph	If an extension was needed to the Llanerfyl then it would be considered by both the Council and the Diocese/Trustees.

	diocese has promised to contribute to the cost, and with a contribution from the Welsh Government it would not cost as much as the maintenance costs for Ysgol Dyffryn Banw	Funding could be applied for through 21 st Century School Programme. As a Voluntary Aided school any potential funding through the 21 st Century Schools Programme would be at a rate of 85% Welsh Government grant aid. The council can also help with the 15% governor responsibility. If the school were on the site of Banw the same funding stream would potentially be available as the school would be a Voluntary Aided school.
11.5.2	Connection with the Church in Wales allows for some match funding for any future projects which may be necessary	
11.5.3	The Diocese in St Asaph has said that it would be prepared to introduce capital should the school be located on the Llanerfyl site – questionable whether such funding would be available should the school be at Banw	
11.6 Priscilla Foster Trust		
11.6.1	Llanerfyl School benefits from an annual sum of £500 from the Priscilla Foster Trust	The Council notes this comment, and notes the financial contribution which Llanerfyl School currently receives from the Priscilla Foster Trust.
11.6.2	The school building in Llanerfyl has been left in trust to the children of Llanerfyl. It would be a shame not to use this asset, surely it would make economical sense?	The Diocese of St Asaph has for many years endowed schools to serve their local area. Regardless of the site of the new school, the Diocese would work with Powys County Council and the local community to ensure that any asset was used for the benefit of the children in the locality.
11.6.3	The Priscilla Foster Trust was established to provide an education for the children of the Parish – such funding may not be forthcoming should the school be sited at Banw	The new school would still be meeting its original charitable purpose if it was providing education for the children of the parish, even if it was sited in Llangadfan.
11.6.4	There seems no evidence to assume that the Priscilla Foster Trust could not be persuaded to consider investing in the Banw site from the proceeds of disposal if Banw were to become a C in W School	
11.7 Overall savings to the Council		

11.7.1	The consultation document indicates that closing Banw and opening the new school on the Llanerfyl site would be a greater financial saving to the authority (£14,000) – I don't understand why this should be. However, would be very disappointed if the decision were money led when this could be detrimental to the children's welfare and education	It is true that the Consultation Document indicates that establishing a new school on the current Llanerfyl site would result in a greater financial saving to the Council. This is because more funding is provided to the Banw site in relation to premises costs. Whilst financial impact is one element to be considered with regard to school reorganisation proposals, this is only one of a number of considerations. The Council's priority is to ensure the best possible education for pupils.
11.7.2	As a taxpayer, the Council has a duty to demonstrate to me and others that they make prudent and sustainable long term decisions. A saving of £14,200 would be made annually if the site was at Llanerfyl	It is true that the estimated costings provided in the Consultation Document suggest that there would be a greater saving to the Council should the new school be established in Llanerfyl, however, establishing a new school on the Banw site would still result in an estimated annual saving to the Council of £49,226.
11.7.3	The local authority has a duty to its tax payer, and the financial figures produced in the consultation paper shows that the site which is the most financially viable is the Llanerfyl site	Whilst financial impact is one element to be considered with regard to school reorganisation proposals, this is only one of a number of considerations. The Council's priority is to ensure the best possible education for pupils.

12. OTHER OPTIONS		
12.1 Retain both schools		
12.1.1	Keep both schools open	As indicated in the consultation document in respect of this proposal, there are many challenges facing the provision of education in the Banw Valley. These include low and decreasing pupil numbers, financial challenges, issues with building condition/ suitability and the need to continue to provide high quality provision.
12.1.2	Keep both schools open and support both to increase their numbers. If there was no threat of closure on either, more families would send their children to them	

12.1.3	Leave the schools as they are. It's not going to work having the two schools working together when there is bad feeling between them	<p>Consideration was given to 'Status Quo' as an option, however as indicated on page 16/17 of the consultation document, this was discounted because of the following reasons:</p> <p>'The Status Quo has been discounted because of the following reasons:</p> <ul style="list-style-type: none"> - There would still be small numbers of pupils at each school - Pupils would still be taught separately - Would still be running two buildings which would mean twice the cost - Would not reduce surplus places in the area - Would not lead to a financial saving to the council - No early years provision in either school - Would not address the financial pressures faced by the two schools - Further decline is expected in pupil numbers in the area.' <p>The discounting of the Status Quo option is also supported by the findings of the questionnaire published as part of this consultation exercise, where 83% of respondents agreed that merging the two schools was the most suitable way forward in order to safeguard the provision of Welsh-medium education in the area.</p>
12.2 Open a new school in a new location		
12.2.1	Open a brand new school in a new setting	Consideration was given to 'A new school operating from a new site in the area' as an option, however as indicated on page 17 of the consultation document, this was discounted for the following reasons:
12.2.2	Building a new school building between the villages would probably be acceptable to most in the valley, however it isn't	

	really an option because the Banw site is obviously an ideal setting for the new school as it stands	<p>'Option 4 (A new school operating from a new site in the area) has been discounted because of the following reasons:</p> <ul style="list-style-type: none"> - There are already two buildings in the area that can accommodate current pupil numbers - Would need to purchase land, which would add to the expense - No guarantee that Welsh Government would provide funding as the new school would be very small - Would not provide good value for money based on potential investment per pupil.'
12.2.3	Building a new school building between the villages would probably ease community friction, however I am sure that the most economical way forward is to use the Banw site	
12.2.4	If funding could be secured from the Welsh Government to fund a new build school under the 21 st Century Schools programme, you should look at the possibility of a brand new school on a new site	
12.2.5	This would be the most sensible option, offering excellent educational experiences for children in the area, as is the case in other rural areas e.g. 'Craig y Deryn', 'T Llew Jones'	
12.2.6	Disappointing that consideration hasn't been given to this option as part of Band B of the Welsh Government's 21 st Century Schools fund, or the recent Welsh-medium capital grant.	
12.3 Multi-sited option		
12.3.1	The two schools working together would be the best option	<p>Consideration was given to 'A new school operating across the two current site' as an option, however as indicated on page 17 of the consultation document, this was discounted for the following reasons:</p> <p>'Option 1 (A new school operating across the two current sites) has been discounted because of the following reasons:</p> <ul style="list-style-type: none"> - There would still be small numbers of pupils on each site
12.3.2	One school on two sites would be acceptable whilst investigating the possibility of a new build on a new site in the area	
12.3.3	Retain the two schools under one headteacher – this happened 4 years ago when Llanerfyl, Dyffryn Banw and Glantwymyn were under one headteacher. Also for some years now Glantwymyn, Llanbrynmair and Carno have been run by one headteacher. This type of arrangement may help with some of the tensions	

	and concerns locally, and in time, merging may happen naturally with the support and goodwill of the whole community	<ul style="list-style-type: none"> - Pupils would still be taught separately - Would still be running two buildings which would mean twice the cost - Would not reduce surplus places in the area - Would not lead to a financial saving to the council'
12.3.4	Wouldn't be cost effective to have a school operating on 2 sites	
12.3.5	Concern about the option of one establishment operating over 2 sites – communication suffers, reducing efficiency. Provision of resources is also less efficient	
12.4 Establish English-medium provision in the area		
12.4.1	Open an English-medium school in Banw to try and stop the migration down to Llanfair Caereinion from pupils wanting English-medium education	<p>As identified in the consultation document, it is true that a number of pupils from the Banw Valley area are currently transported to other schools in order to access English-medium provision. The Council is committed to providing continued access to Welsh-medium provision in the Banw Valley in order to contribute to the Welsh Government strategy to achieve a million Welsh speakers by the year 2050, and would hope that the establishment of one new school in the area, and greater certainty with regard to the future of education in the area, would lead to a reduction in the number of pupils accessing English-medium provision elsewhere in the future.</p>
12.4.2	A bilingual school in the area to keep those that travel to Meifod, Llanfair Caereinion, Castle Caereinion and Rhiw Bechan	
12.5 Carry out a wider review of education in the area		
12.5.1	The future of Welsh-medium primary and secondary education in the wider Caereinion catchment should also be under consideration.	<p>These comments are noted. The Council's current priority is to ensure continued access to high quality Welsh-medium education in the Banw Valley.</p>
12.5.2	Close both schools and build a larger Welsh-medium school in Llanfair Caereinion	
12.5.3	Would prefer to see the Council adopting a policy of clustering schools in the area. Closing a school would damage any community	

12.5.4	Build a larger school. All schools under 50 should be closed	
12.5.5	Invest in Llanfair Caereinion	
12.6 Increase pupil numbers in the area		
12.6.1	Understand what plans other agencies have in place that might lead to an increase in population numbers in the future e.g. NHS and MoD	The latest pupil projections for the two schools in the Banw Valley, as indicated on page 9 of the consultation document, do not suggest that an increase in pupil numbers in the area is likely over the next few years. Even if more families were to move to the area in the coming years, it is unlikely that this would have a sufficient impact on pupil numbers to justify the retention of both schools.
12.6.2	Attract more families to the area	
12.6.3	Stop providing transport to schools further away	Home to school transport is provided to pupils living in the Banw Valley area who choose to attend English-medium provision. This is in accordance with the Council's current Home to School Transport Policy, which states: 'For those qualifying pupils who wish to receive their education through the medium of English or Welsh, transport will be provided to the nearest allocated school/centre for primary school pupils providing education through that language medium. In order to qualify pupils must meet the standard qualifying criteria.'
12.6.4	Stop transporting children out of the area just because they don't want to learn Welsh. Make them see it as a good idea, and if they still want to go to an English-medium school, they should pay for transport themselves.	
12.7 Other		
12.7.1	Allow one school to come to a natural end rather than closing both	As indicated on page 9 of the consultation document, pupil numbers at both schools have decreased over the last few years. The Council's priority is to continue to provide Welsh-medium education of the highest quality to pupils in the Banw Valley in the future, and the Council does not believe that

		allowing 'one school to come to a natural end' is an acceptable solution.
12.7.2	Close both schools if people don't agree	The Council's current aim through these proposals is to provide continued access to Welsh-medium education in the Banw Valley.
12.7.3	Consider the possibility of the new school not being a voluntary aided C in W school, but a community school instead	Comment noted. Whilst the Council could have proposed establishment of a community school, the Council is proposing to establish a Voluntary Aided C. in W. School in order to provide continued access to Welsh-medium Church in Wales provision.
12.7.4	Consideration should be given to working with the Cylch Meithrin to provide wraparound care on the site (in the context of the 30 hour provision)	This will be a consideration once a final decision has been made on whether or not to proceed with their option.
12.7.5	Welsh language immersion centre to be located on the site of the new school as a resource for the county	The Council has committed in its WESP for 2017-20 to establish provision for latecomers in Powys, however this has not yet been progressed. Consideration will be given to a range of options in order to determine how to proceed.
12.7.6	Investment in technology to enable full use of specialisms in other schools	The Council is developing a digital learning strategy with a view that schools should have the ability to work collaboratively without having to travel.

13. REFERENCE TO DOCUMENTATION

13.1 Consultation Documentation

13.1.1	The consultation document does not provide a common set of objectives and facilities for the new school and compare the cost and implications of achieving those objectives at each of the	The consultation document is based on the current facilities available at the two schools. As outlined in the Consultation Document, consideration would be given to any investment
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	potential sites – the intention seems to be to make a decision on the basis of other criteria, and only then work out what is going to be provided and at what cost	needed following a decision on where to locate the proposed new school.
13.1.2	Unclear what the capacity of the Llanerfyl building is as p.32 says 59+5 and p.51 says 44+5	As explained in the Consultation Document, the capacity figure of 44+5 on page 51 is the school's current capacity based on current use of the accommodation. The figure of 59+5 provided on page 32 is a re-calculated capacity figure, which includes the Art room within the school as a class base.
13.1.3	Would question the viability of the capacity figure of 59 for Llanerfyl	
13.1.4	The consultation document says that there are no walking routes to Banw School, however 27% of pupils walk daily to school from the housing estate which is behind the school	The Council notes this comment, and notes that pupils living in the housing estate behind Banw C.P. School walk to school.
13.1.5	The pupil projection figures need to be reviewed	As explained on page 9 of the Consultation Document, 'These projected pupil numbers are based on a combination of the latest PLASC figures available, live birth information and information held by the Council's Finance team, which is supplied by the schools themselves.' However, it is also acknowledged that pupil projection figures are subject to change – 'It is acknowledged that projected pupil numbers are subject to change'.
13.1.6	Pupil projections cannot be exact – for example people might move to the area.	
13.1.7	Disagree with the consultation document that the geographical location of Llanerfyl is better than Banw –Ysgol Dyffryn Banw is situated in the middle of the valley, between the three villages of Foel, Llangadfan and Llanerfyl.	The Council notes this comment, and acknowledges that Ysgol Dyffryn Banw is situated in the middle of the catchment area currently served by the two schools.
13.1.8	Access to Llanerfyl School is down a 'B' road, with space for two cars to travel down the lane without issue – not a narrow lane as incorrectly stated in the consultation document	The Council notes this comment, and that the 'narrow lane' referred to in the Consultation Document is in fact a 'B' road.
13.1.9	P.19 states that it would be more difficult for Llanerfyl to access after school activities at Banw – this is misleading because	Comment noted.

	many parents already attend activities at Banw village hall, including the boys football club	
13.1.10	P.14 Llanerfyl school may attract pupils from the Llanfair area, this is doubtful as Llanfair already has very good Welsh stream primary education	As stated on page 12 of the Consultation Document, as well as input from officers, the SWOT analyses for each of the options 'reflect comments provided by parents during initial engagement work carried out as part of the review process'.
13.1.11	p.14 states that there is land nearby which could be purchased to extend the Llanerfyl car park and building – is this for sale? How costly would it be to purchase? Is it close enough to the school to avoid having to walk to it? Is this going to be done before the new school opens?	These statements, which are identified as 'opportunities' in the SWOT analyses, were suggested by parents during this process.
13.1.12	Consultation document indicates that 26 children from the catchment area of both schools are travelling on a daily basis to a school further afield. There should be a policy from within the council to incentivise pupils to be educated at their nearest school. If a guardian decides to send their child further afield, the cost of transport should be from the individual not the council.	Comment noted. Home to school transport is provided to pupils living in the Banw Valley area who choose to attend English-medium provision. This is in accordance with the Council's current Home to School Transport Policy, which states: 'For those qualifying pupils who wish to receive their education through the medium of English or Welsh, transport will be provided to the nearest allocated school/centre for primary school pupils providing education through that language medium. In order to qualify pupils must meet the standard qualifying criteria.'
13.1.13	Misleading that the consultation document uses the condition assessment to conclude that 'therefore, there would be an improvement in the quality of accommodation for pupils currently attending Banw C.P. School' – it would be fair to say that it would result in pupils attending a 'building that is in better condition', but not 'better quality of education'. Quality of accommodation is a combination of several factors – condition of the building, space standards, facilities available etc.	Comment noted.

13.1.14	<p>There is no statement in the report from the Church in Wales agreeing to support the Banw option, if it were selected, nor from the County Council explaining why Church in Wales designation was preferred at Banw</p>	<p>It is true that there is no statement from the Church in Wales agreeing to support the Banw option. The Diocese of St Asaph is a consultee in the process. A consultation response was received from the Diocese which states that ‘the Diocese of St Asaph wishes to support a way forward that enhances the educational opportunities for pupils so that the children of Llanerfyl and Banw, and the wider community can benefit’, and that ‘the Diocese will in partnership with Powys County Council and the local communities support the proposal to establish a new Voluntary Aided Church in Wales school’.</p> <p>The Consultation Document states that the proposal to establish a new Church in Wales School ‘would ensure continued access to Welsh-medium Church in Wales provision’.</p>
13.1.15	<p>Query re the inclusion of Estyn reports going back to 2014 for Llanerfyl School and 2016 for Dyffryn Banw School</p>	<p>The School Organisation Code (2013) states on page 27 that a consultation document must include the following information:</p> <p>‘information from the most recent Estyn reports for each school likely to be affected’</p>
13.1.16	<p>The document and impact assessment fail to adequately consider the impact that closing either site would have on the surrounding village landscape in terms of visual and residential amenity (i.e. potentially creating a vacant/derelict site) – the report states that should the Banw site no longer be required for education then the Council would need to determine how to use the vacant building in future – however, I would suggest that in order to fully consider the impact of closing the school on the community, the Council needs to consider how to use the vacant building/site now.</p> <p>Building on the Banw site is similar to that of Beguildy Primary School which was closed several years ago and remains for sale. Shocked to pass the site recently and see how badly the</p>	<p>These comments regarding the impact of closure of the Banw site on the visual and recreational amenity, and the references to the closure of Beguildy Primary School, are noted.</p> <p>The consultation document and draft impact assessments have been produced in accordance with the requirements of the School Organisation Code (2013). This states on page 28 that the consultation document should include ‘details of any potential transfer or disposal of land or buildings that may need to occur as a result of the proposals.’</p> <p>In respect of the proposal to establish a new school on the Llanerfyl site, the impact on land or buildings is provided on page 41 of the consultation document:</p>

	<p>site had dilapidated since its closure – detracts significantly from the visual amenity of the area and character and appearance of the village.</p> <p>Banw CP School site is in a much more prominent location, on the A458 Trunk Road, a major strategic road linking the Midlands to the coast. Also adjoins two of the largest housing estates in the Banwy Valley. Having such a prominent site left vacant would impact on the residential amenity of nearby residents, would detract from the appearance of the wider community and the impression that people have of the county.</p>	<p>‘ii) Impact on buildings</p> <p>Should a new school be established on the Llanerfyl site, this would mean that the Banw building would be surplus to requirements for the delivery of education.</p> <p>The Banw site is owned by the Council, therefore should the building no longer be required for the delivery of education, it would be declared surplus to requirements and would be disposed of in accordance with the Council’s asset management procedures, with the potential that a capital receipt could be realised. However, the school shares a site with a community hall. This could cause difficulties with any possible sale of the site.’</p> <p>The draft community impact assessment published has been produced in accordance with the guidance provided in the School Organisation Code (2013). The draft assessment will be updated to reflect comments made during the consultation period, and an updated version will be considered when determining how to proceed.</p>
<p>13.2 HoWPS building reports</p>		
13.2.1	<p>Query re the HoWPS building reports – there are several instances where the descriptions of the elements and conditions were the same as Llanerfyl, but Banw was given a higher rating (Dyffryn Banw building report section 3 1.8, 2.7, 4.3. Also section 3.2 and section 3.4)</p>	<p>The Property Condition Surveys produced by HoWPS provide a headline indication of building elements. The coloured rating indicates the surveyor’s assessment of work urgency, hence projects that have a similar description can have a different prioritisation.</p>
13.2.2	<p>Section 3.1 in Llanerfyl’s condition report states that the structural condition has no evidence of structural or movement throughout the whole building, yet in costings, it states cracking to external stonework evident recommend assessment and</p>	<p>Comment noted – there is an inconsistency in the report as the report indicates that a costing of £1,500 for structural assessment is required while the earlier narrative indicates that there is no structural movement within the building.</p>

	initial report from a structural engineer for both Music Room and resource (external wall) and Staff Room (External Wall)	
13.2.3	Feel the costings in the report are biased and unrealistic – it states that both schools need new boilers and both schools need the boiler rooms refurbishing, in fact Llanerfyl needs two boilers replacing. However it says that the work required on Llanerfyl would cost £27000 but Banw’s would cost £80000	The Property Condition Surveys produced by HoWPS provide a headline indication of where likely action is needed, and both schools are identified as requiring attention within the short or medium term. Potential costs were identified with the best information available to hand.

14. COMMENTS RELATING TO THE PROCESS		
14.1 Initial meetings with governing bodies		
14.1.1	Llanerfyl governors did not agree to the closure of their school and the creation of a new school	<p>It is true that the initial contact with the Council was made by Banw C.P. School. Subsequently, separate meetings were held with the two governing bodies, as well as two joint meetings. The minutes of the second of these joint meetings, held on the 15th January 2018, state that:</p> <p>‘Officers asked whether the two governing bodies agreed that closing the two schools and opening a new school would be the most appropriate way to move forward. Some governors commented that they thought that this was the most appropriate way forward.</p> <p>Neither governing body indicated that they disagreed that this was the most appropriate way forward.’</p> <p>However, following the meeting, it is acknowledged that correspondence was received from the governing body of Ysgol Llanerfyl, stating that they had not agreed to close Ysgol Llanerfyl.</p>
14.1.2	At no point in earlier discussions did the governors of Ysgol Llanerfyl agree to closing their school, however we were willing to work in collaboration with Ysgol Dyffryn Banw for the best interests of pupils	
14.1.3	Llanerfyl governors did not agree to close the school. Dyffryn Banw’s headteacher made the first contact to Powys with concerns about pupil numbers. Llanerfyl did not contact Powys because numbers are generally consistent at around the 32-36 mark (with the inclusion of pre year 1 pupils)	

14.2 Informal session for parents held on the 7th February 2018		
14.2.1	Some of the comments written by Ysgol Dyffryn Banw parents showed that Llanerfyl pupils aren't welcome in Banw – comments such as 'Welsh professional snobs', 'we've had to put up with their s*** food now we'll have to put up with their s*** children.' Also nasty personal comments about some of the school's staff	Whilst the comment is noted, the feedback collated after the engagement with parents held in February does not include any evidence of comments such as those quoted here, although it is acknowledged that some comments were made regarding staff.
14.2.2	Shocked and appalled by the written comments from parents of Ysgol Dyffryn Banw during the consultation day held at Llanerfyl on the 7 th February 2018. Parents referred to in a derogatory manner, and negative comments made about pupils.	Whilst the comment is noted, the Council's view is that none of the written comments made by parents of pupils at either school in the initial engagement held in February could be described as 'shocking' or 'appalling'
14.2.3	Reference to use of 'excrement' as descriptions in the informal consultation session.	Whilst the comment is noted, the Council has no evidence the 'excrement' was used as a description in the initial engagement held in February.
14.2.4	Comments suggested negative feelings towards the Welsh language, Llanerfyl children and their families. Some of the comments can be interpreted as racist	Whilst the comment is noted, the Council does not agree that any of the written comments provided were racist.
14.2.5	One of the Banw governors behaved in a threatening way to one of Ysgol Llanerfyl's parents in the car park after the meeting, leaving her very agitated	The Council is unaware that any Banw governors behaved in this manner to one of Ysgol Llanerfyl's parents.
14.2.6	Many parents won't want to send their children to Banw after their experiences during this session	Comment noted. Should the Council proceed with one of the options outlined in the consultation document, the Council would work with the two current schools to establish the new school, and would hope that all pupils currently attending the two schools would transfer to the new schools, regardless of where it is located. However, it is a matter for parents to decide which school they wish their children to attend, and should they prefer for their children to attend and alternative school, they

		could apply for a place in accordance with the Council's Admissions Policy.
14.3 Parents questionnaire Spring 2018		
14.3.1	The conclusion of the questionnaire was that the majority of respondents thought the Banw site was the best place for the new school, despite the majority of responses coming from parents at Llanerfyl school	<p>It is true that the conclusion of the report outlining the findings of the questionnaire distributed to parents of pupils at Banw C.P. School, Llanerfyl C. in W. (Foundation) School and Cylch Meithrin Dyffryn Banw in Spring 2018 states the following:</p> <p>'Whilst 16 questionnaires were received from families that currently have children attending Ysgol Llanerfyl, only 11 questionnaires ranked the option of 'A new school operating in the current Llanerfyl building' as their preferred option. In contrast, only 8 questionnaires were received from families that currently have children attending Ysgol Dyffryn Banw, however 12 questionnaires ranked 'A new school operating in the current Dyffryn Banw building' as the preferred option.</p>
14.3.2	A question in the previous questionnaire asked whether parents would send their children to the opposing school. The answers which came back were that a percentage of parents would not be sending their children to the other school, whether it be Banw or Llanerfyl	<p>The questionnaire distributed to parents of pupils at Banw C.P. School, Llanerfyl C. in W. (Foundation) School and Cylch Meithrin Dyffryn Banw in Spring 2018 asked respondents to indicate how likely they were to choose for their children to attend a new school established in the current Dyffryn Banw building or the current Llanerfyl building.</p> <p>10 respondents (36%) stated that they were unlikely or very unlikely to choose for their child/children to attend a new school operating in the current Dyffryn Banw building. 2 respondents (7%) stated that they were unlikely or very unlikely to choose for their child/children to attend a new school operating in the current Llanerfyl building.</p>
14.4 Decision making process		

14.4.1	Hope that this important decision will be made in an honest, unbiased and sensible manner by the members of the Cabinet, and that you will remember that it is the future of our children that is central to this issue	These comments are noted. The Council's aim is to ensure the provision of education of the highest quality for pupils in the Banw Valley area in the future, and the decision on the way forward will be made on this basis.
14.4.2	It's important that the decision is made based on providing the best education for children in the area, on facts and truths, not on emotion and politics	
14.4.3	I trust the intelligence of the panel and Cabinet members to make the correct and most logical decision	
14.4.4	Would have concerns that the well-being and educational needs of pupils aren't at the forefront of decision making if it was decided to move children from a satisfactory school to a poor/bad school from a suitability perspective	
14.4.5	If the decision is for Llanerfyl pupils to come to Banw, the decision will have been made for the community, not because of politics.	
14.4.6	Will the decision be made on costs?	Whilst financial impact is one element to be considered with regard to school reorganisation proposals, this is only one of a number of considerations. The Council's priority is to ensure the best possible education for pupils.
14.5 Reference to Cabinet meeting 18th July 2018		
14.5.1	The site at Llanerfyl scored as a more cost effective and appropriate option in the report presented to Cabinet in July 2018	The report presented to Cabinet in July included an officer recommendation that the new school should be established on the Llanerfyl site, based on an options appraisal carried out by officers.
14.5.2	A detailed report was compiled over a period of 8 months plus. The recommendation made was to site the new school in	However, there was little to choose between the two sites, and

	Llanerfyl, and there was factual and concise evidence to reinforce this recommendation.	therefore, as stated in the minutes of the Cabinet meeting: 'The Portfolio Holder for Finance, Countryside and Transport presented the report and advised that he was proposing an amendment to the recommendation in the report so the consultation would not be specific on which site the new school would be on.'
14.5.3	Why did the Cabinet disregard the outcome of the report by the consultation team in July?	This is part of the democratic process – Cabinet can either accept the recommendations presented to them, amend them or throw them out altogether. There are other occasions where recommendations have been amended at the Cabinet meeting.
14.5.4	How was one councillor able to change the recommendation presented to Cabinet?	The Cabinet member had suggested that it would be fairer for the consultation to include both sites as options. The other Cabinet members had agreed with this, and had supported the amendment.
14.5.5	I asked the Cabinet member why he waited until the afternoon of the Cabinet meeting to come up with another recommendation, and he simply said that he hadn't ready the report correctly prior. Should the future of our children's education be based upon the flippant attitude of one man and completely ignore the views of a team who had spent months compiling the report?	This was the first opportunity the Cabinet member had to discuss this matter with his Cabinet colleagues.
14.5.6	I wonder how much persuading the Chairman of Banw Governing Body did of one of the Cabinet members to change the original recommendation	The Cabinet member was not influenced by anybody to change the original recommendation. He made his judgement on the basis of the paper presented.
14.6 Reference to the consultation process		
14.6.1	Parking and space to drop off and collect the children is an important factor – I did not see highways listed in the list of consultees	The School Organisation Code does not require consultation to take place with highways specifically.

14.6.2	100 or more attended the consultation session in Banw, only 40 or so attended the session in Llanerfyl	It is true that more than 100 attended the drop in consultation session held in Banw Community Hall on the 15 th October 2018, whilst approximately 40 attended the drop in consultation session held in Llanerfyl Village Hall on the 4 th October 2018.
14.7 Reference to process going forward		
14.7.1	Llanerfyl is a Foundation School and a Church in Wales School and any decision relating to its closure would have to be referred to the Welsh Government	<p>The fact that Llanerfyl is a Foundation School and Church in Wales School does not mean that any decision on closure of the school would automatically be referred to the Welsh Government. However the School Organisation Code (2013) does state the following on page 45:</p> <p>‘5.7 Referral of local authority decisions to the Welsh Ministers</p> <p>Under section 54 of the 2013 Act where proposals have been approved or rejected by a local authority the following bodies may within 28 days refer the proposals to the Welsh Ministers for consideration:</p> <ul style="list-style-type: none"> i. Another local authority affected by the proposals; ii. The appropriate religious body for any school affected; iii. The governing body of a voluntary or foundation school subject to the proposals; iv. A trust holding property on behalf of a voluntary or foundation school subject to the proposals; and v. A further education institution affected by the proposals. <p>The bodies making the referral will need to set out why they believe that the decision reached by the local authority is wrong.’</p>

14.7.2	Will the original report that concluded that the proposed new school should be in Llanerfyl still be part of the process?	The work done up until the Cabinet meeting on the 18 th July was considered by Cabinet at that meeting. At the next decision point, Cabinet will be considering the consultation document and the responses received to the consultation. However, most of the information that was included in the original Options Appraisal report is also contained within the consultation document.
14.7.3	In the next step of the process, will the recommendation be made known to the Headteacher and governing body before it goes to Cabinet, as with the previous stage?	The Cabinet papers are published a week before the Cabinet meeting. The Council would endeavour to let the schools know before the papers are published.
14.7.4	Will an extension be needed to the timeline because of the amendment to the consultation made in Cabinet?	No, the timeline is still the same.
14.7.5	How will the temporary governing body be formed?	The temporary governing body would be formed by requesting Expressions of Interest from members of the two existing governing bodies.
14.7.6	Will the local member be allowed to speak in the Cabinet meeting?	Yes, the local member will be allowed to speak as local member. However, she will not be involved in the decision making.
14.7.7	What is the role of the scrutiny committee within this process?	Scrutiny does not have a role in this process. As the consultation report goes to full council for a discussion, it does not go to scrutiny.
14.8 Reference to legal challenge / judicial review		
14.8.1	Apart from the hall matter, all factors conclude in favour of the Llanerfyl site. To conclude otherwise would leave the local authority open to challenge without any basis for their decision based on the information provided	As outlined in the consultation document in respect of the proposals for Banw C.P. School and Llanerfyl C. in W (Foundation) School, there are advantages and disadvantages associated with both site options, and these, as well as the issues raised during the consultation document will be considered by the Cabinet when determining how to proceed.

14.8.2	In today's climate I do not believe the decision to close Llanerfyl could be justified under challenge given the economic factors involved	The Council's priority is to ensure the best possible educational provision for pupils in the Banw Valley for the future.
14.8.3	Any decision must be made with the backing of the information available and distributed, as the decision of closure may well be challenged by both side	
14.8.4	Llanerfyl is clearly the choice the local authority has to make as this is the choice the evidence supports – any decision contrary to Llanerfyl would be difficult, if not impossible to defend by the local authority. Based on the information provided, Llanerfyl should be the preferred site and any decision to the contrary would be open to subsequent challenge	
14.9 Reference to County Councillors		
14.9.1	It's unfair that Cllr Myfanwy Alexander is on the Governing Body of Llanerfyl School – the council sides with her	Cllr Alexander has declared an interest in this matter, and therefore has stepped down as Portfolio Holder for Education for this matter.
14.9.2	The councillor for Banwy should resign as a governor on Llanerfyl School and listen to the views of her electorate and represent the whole area. We need a councillor to speak up for us now more than ever.	
14.9.3	Cllr Alexander should resign as Chair of the friends of Llanerfyl School or step down as a councillor.	
14.9.4	Concern about the impartiality of the local member and her influence in the Council	
14.9.5	How familiar is the Leader of the Council with the area? Has she visited the community?	The Leader of the Council has visited both schools.
14.10 Impact of the process on the community		

14.10.1	I urge you to bring the discussion to an end and make a decision as soon as possible as it is creating bad feeling in the community	The Council acknowledges that any school reorganisation proposal has an impact on the affected communities, and is keen to conclude this process as quickly as possible, in order to minimise this period of uncertainty for the communities involved.
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Appendix C - Minutes of meetings with School Councils, Governors and Staff

	Page
1. Notes of meetings with the School Councils	2
a. Banw C.P. School	2
b. Llanerfyl C. in W. (Foundation) School	6
2. Minutes of meetings with governors and staff	10
a. Banw C.P. School	10
b. Llanerfyl C. in W. (Foundation) School	20



**A Report on the meeting with the School Council of
Banw C.P. School**

October 24th 2018

A Meeting with the School Council of Banw C.P. School

Officers from the School Transformation Team met with Dyffryn Banw School Council on 24 October 2018 to discuss the consultation on the future of Ysgol Dyffryn Banw and Ysgol Llanerfyl.

One session was held with 8 pupils from the school council.

The officers explained the proposals in relation to Dyffryn Banw Primary School and the Llanerfyl Church in Wales (Foundation) School, namely:

- To close Dyffryn Banw Primary School and Llanerfyl Church in Wales (Foundation) School and to establish a Welsh-medium Church in Wales Voluntary Aided School.
- To establish the new school either
 - a. On the current site of Dyffryn Banw Primary School **or**
 - b. On the current site of Llanerfyl Primary School

The pupils were asked a number of questions and their responses are summarised below:

1. What do you like about Ysgol Dyffryn Banw? What's good about the school?

- The park and the large hall
- The yard for playing netball
- A good place to do exercise and sports
- A good place to do athletics with a 200 metr running track
- A good place to do the long jump
- 4 classrooms so we study maths and language in different rooms
- Many computers
- The hall is good for sports if it rains
- The hall is good for concerts, Eisteddfod y Foel. The Powys Eisteddfod is also coming here
- A good hall for gymnastics
- A large canteen and kitchen
- An after school cooking club
- There is a kitchen by the hall as well
- A breakfast club
- School lunch has improved and the food is delicious - the food comes up from Llanerfyl
- Chips on Friday
- There is a lot of space here, so there is enough room for us to have time alone if necessary
- The little ones like the bikes
- It is a healthy school and we make fruit pots

- The school is suitable for disabled children or children who have had an injury e.g. a broken leg, because there are no stairs
- 2. Is there anything you dislike about Ysgol Dyffryn Banw, or anything that could be better?**
- No
 - Have more spaces for nature, a nature corner
- 3. If things changed, and if Ysgol Llanerfyl pupils also came to the school in Dyffryn Banw, what Impact would this have?**
- We are friends with Llanerfyl children already, so there wouldn't be much of an impact on us
 - Llanerfyl children come here quite a lot already, for example to see Mr Formula
 - It would be good to have more sports and competitions. There are not enough children here to have a netball team at present, so there would be enough children for this
 - It would be good to have more children in the school and more friends
 - Llanerfyl children would have to come to school by car / on the bus
 - There is room for 120 children here, so there is plenty of room for more children
- 4. Is there anything that worries you about the possibility that Ysgol Llanerfyl children could come to Ysgol Dyffryn Banw?**
- I worry that we wouldn't be friends and that Llanerfyl children would stick together and that Dyffryn Banw children would stick together
 - We would be happy for Llanerfyl children to come here - there's plenty of space here and I would be happy to welcome new children here.
- 5. If things changed, and if Ysgol Dyffryn Banw pupils went to school in the Ysgol Llanerfyl building with Ysgol Llanerfyl children, what impact would this have?**
- I would worry about this - my mother is English and my sister wasn't allowed to go to Llanerfyl because Mum was English
 - This would be good for Llanerfyl children, but there's not enough room for everyone there
 - There are stairs at Ysgol Llanerfyl and I worry that if there were disabled children at the school, they would not be able to get upstairs
 - There wouldn't be room for everyone in the classes
 - There is no canteen or hall
 - It's dangerous to cross the road to go to the hall
 - There is only one female toilet at Llanerfyl, there are more toilets here

6. Is there anything that worries you about the possibility that you would have to go to Ysgol Llanerfyl?

- I don't think there's enough room for everyone
- I'm worried that people would move to Ysgol Llanfair or Ysgol Pontrobert
- I worry about crossing the road to go to the hall
- I'm worried that they don't let English children go to Llanerfyl. I would have to go to Llanfair
- It would be good for Llanerfyl children, but I don't think the change would be good for us.

7. Pupils were asked if they had any further comments or anything else to add. The following comments were made:

- Having one school is a good idea but the loss of a school in one place will affect that community
- If there were one school, it would be easier for the children to make friends and the school would be able to compete in netball and choir competitions, and be better at Eisteddfodau.
- Ysgol Llanerfyl is good at some things and Ysgol Dyffryn Banw is good at other things, so the new school would be able to be good at lots of things

To conclude the session, the officers explained the next steps in the consultation process. It was explained that the consultation will close on the 5th November, after half term, and the pupils were encouraged to send any further comments to the school transformation team, or to their teachers who will be able to arrange for them to be sent on.



**A Report on the meeting with the School Council of
Llanerfyl C. in W. (Foundation) School**

October 24th 2018

A Meeting with the School Council of Llanerfyl C. in W. (Foundation) School

Officers from the School Transformation Team met with Llanerfyl School Council on 24 October 2018 to discuss the consultation on the future of Ysgol Llanerfyl and Ysgol Dyffryn Banw.

One session was held with 7 pupils from the school council, and a second session with 2 late arrivals.

The officers explained the proposals in relation to Dyffryn Banw Primary School and the Llanerfyl Church in Wales (Foundation) School, namely:

- To close Dyffryn Banw Primary School and Llanerfyl Church in Wales (Foundation) School and to establish a Welsh-medium Church in Wales Voluntary Aided School.
- To establish the new school either
 - a. On the current site of Dyffryn Banw Primary School **or**
 - b. On the current site of Llanerfyl Primary School

The pupils were asked a number of questions and their responses are summarised below:

1. What do you like about Ysgol Llanerfyl? What's good about the school?

- The food is good here
- We are all friends
- The building is big enough
- There is plenty of room here
- It's easier to be here because there aren't many children here
- The site is open after school and at weekends
- The building is old
- The building and the classrooms are colourful, and there are lots of things on the walls
- The playing field, there is plenty of space to have 4 play areas at the same time
- I like to play rounders, cooking, running, football, netball and crafts here
- Eisteddfodau and taking part in the Urdd
- The site is safe and it's safe enough to cycle and walk to school
- The teachers are kind and willing to help you
- The teachers can be strict but they help us and are kind
- Being able to walk to school
- I like the fact that it is a small school, there are friends in different year groups, and everyone knows each other

2. Is there anything you dislike about Ysgol Llanerfyl, or anything that could be better?

- Rugby, we are not allowed to tackle because it's a 'contact sport'
- There are plenty of computers in the school, but the internet is slow
- There is no hall at the school, but we use the village hall. When it rains, we use the classrooms. We use the hall for the Urdd and for concerts, and go to the Church for thanksgiving.
- It's a long way to Welshpool to buy sweets!
- Nothing, I like the school

3. If things changed, and if Ysgol Dyffryn Banw pupils also came to the school in Llanerfyl, what impact would this have?

- We don't know them very well, so we would have to get to know them
- I worry that there is less space at this school - no room in the classroom or on the playing field
- We know some of the children already through trips, playing rugby and Mr Formula
- We need to get to know the children first
- We would have to make new friends
- Llanerfyl children would show Dyffryn Banw children where to go
- We would be able to make more friends
- If the Dyffryn Banw children came here, the school would have to be made bigger

4. Is there anything that worries you about the possibility that Ysgol Dyffryn Banw children could come to Llanerfyl?

- No, nothing worries us about the Dyffryn Banw children coming here
- There would be more competition to get a place in the sports teams
- How would 55 pupils fit in this building?
- The only concern is that Ysgol Llanerfyl would have to be made bigger

5. If things changed, and if Ysgol Llanerfyl pupils went to school in the Ysgol Dyffryn Banw building with Ysgol Dyffryn Banw children, what impact would this have?

- We would not be able to cycle to school
- We would have to go to school by car or by bus
- A larger minibus would be needed to take everyone to school
- It would be harder for small children to find their way around the school because the school is bigger
- Different teachers, it would be better if our present teachers went to Ysgol Dyffryn Banw too
- The school is bigger and there would be more space for sports
- Mum works at Ysgol Dyffryn Banw so that would be good
- It would be sad for my parents and grandparents because they went to school at Llanerfyl and the school wouldn't be there any more

6. Is there anything that worries you about the possibility that you would have to go to Ysgol Dyffryn Banw?

- I would have to make new friends
- I do not want to go to Dyffryn Banw, I want to stay here

7. Pupils were asked if they had any further comments or anything else to add. The following comments were made:

- We are happy in the school
- We like the school as it is

To conclude the session, the officers explained the next steps in the consultation process. It was explained that the consultation will close on the 5th November, after half term, and the pupils were encouraged to send any further comments to the school transformation team, or to their teachers who will be able to arrange for them to be sent on.

**Minutes of the Consultation meeting with governors and staff of Ysgol Gynradd
Gymunedol Dyffryn Banw held on the 15th October 2018 at 7.30pm at Ysgol Dyffryn
Banw**

Present-

Governors of Ysgol Dyffryn Banw – Kate Pinder, Emlyn Thomas, Eleri Mills, Richard Tudor, Marie Shirley Smith, Ruth O'Dwyer

Staff of Ysgol Dyffryn Banw – Delyth Thomas, Catrin Tudor, Nia Ellis, Rhian Jones, Penny Davies, Mererid Lewis, Betsan Llwyd

Powys County Council representatives – Cllr Aled Davies, Alec Clarke – Head of Learning, Marianne Evans – Senior Manager Schools Transformation, Catherine Cottle – HR Business Partner

Representative of the St Asaph Diocese – Sheridan Goodey, Jennie Downes

Clerk – Diane Rees

1 Welcome

Cllr Aled Davies welcomed everyone to the meeting and thanked them for attending. All present introduced themselves.

Cllr Aled Davies explained that Cllr Myfanwy Alexander was the Portfolio Holder for Education but had declared an interest as she is a Governor at Ysgol Llanerfyl, therefore he had been appointed to act as temporary Portfolio Holder for this consultation.

Cllr Aled Davies commented that a drop in session had been held in the Community Hall from 3.00pm until 7.00pm that day and that the purpose of the evening meeting was to give the opportunity for Banw governors and staff to ask questions about the consultation.

2 Background to Consultation

Cllr Aled Davies asked Marianne Evans to outline the background to the consultation process.

Marianne Evans provided an overview of the consultation. She explained that the consultation period had started on 24 September 2018 and was due to finish on 5 November 2018. When the consultation period ends, the next step will be to look at the comments received during the consultation period, and to produce a consultation report, which responds to the comments. The consultation report will go to the Council, who will discuss the proposal, and then Cabinet who will make a decision on how to proceed.

If the Cabinet decides to go ahead with one of the options, statutory notices would be published, and there would be a period of 28 days when people could submit objections. Following this, another report would be produced, outlining the objections received. This report would be considered by Cabinet, who would then make a decision on whether or not to proceed with implementation. It is anticipated that the whole process will be complete by May/June 2019.

3 General discussion

Comment: Pleased to note the good response to the afternoon consultation session. I believe that when the facts are looked at, for the parents of pupils at Banw to move to

Llanerfyl school there would be a need for investment – the facilities are not as good there. No discussions have been held regarding building commitments at the Llanerfyl site if it was chosen, but there would be a wish list of improvements that would be needed, which would be very costly.

Dr Alec Clark: The figures that were in the report from Heart of Wales Property Services (HOWPS) have to be taken into context, there are fluctuations year on year in schools. In many ways some of the things mentioned were a wish list more than how old a boiler is at that point in time. It is clear in the consultation document that there are two categories that would be looked at – the condition of the building and then the suitability of the building in terms of day to day use. In terms of looking in the round, I would like to visit both schools on a school day when there are children there. In terms of the council's Challenge Advisors and School Improvement colleagues, there are no major concerns about the quality of education in either of the schools. We have historical Estyn reports, however remember that these are snapshots of the school at a point in time. I would want to see both schools in the light of day, running as usual.

Cllr Aled Davies: I would like to visit with Alec. I visited the school on the snow day in April, it was planned that there would be children here but unfortunately both schools were closed. However, both schools are able to accommodate all children in their current state.

Dr Alec Clark: I'm confident that an effective school with all the pupils in it could be run on either site. However, whatever decision is made, it is possible that there won't be full buy in from the other party. If the new school was in Banw, some consultees have already indicated that not all the Llanerfyl children would come here, and vice versa.

Cllr Aled Davies: Although it would take time to settle, I hope for the sake of the education within Dyffryn Banw that the two school communities can move forward with whichever option is chosen. It's so important that a school continues here in the valley and for it to flourish.

Comment: If you are providing a good education, it attracts people anyway. The most important people in all of this are the children.

Dr Alec Clark: We have been told that the current uncertainty at the moment is resulting in parents not wanting their children to come to this school at the moment.

Comment: I understand that, that's why it's so important that a decision is made as soon as possible.

Dr Alec Clark: Whatever the outcome of this process, it needs to be a stable solution that is fit for the future.

Comment: I'm sure it said in the report that there are 26 children who travel out of the area to another school, and are provided with free transport.

Dr Alec Clark: Which ever site is chosen, it is unlikely, from the comments that we have heard, that the new school will manage to receive all the pupils in the area, but if only a percentage choose the new school, it would be an increase to the current numbers on roll.

Cllr Aled Davies: With regard to potential investment in the future, there is no doubt that whichever site is chosen, investment would be needed in the medium term.

Marianne Evans: Based on the capacity of the two buildings, all children can be accommodated on either site. However, there is a duty on the authority to look at the suitability of what's there already and what's actually needed because there would be

different needs in both. For example, if the school was in Llanerfyl, we would need to look at whether there is enough storage, have they got enough cloakrooms, have they got enough toilets, and I think it would probably be the same here. No capital funding is needed immediately to be able to accommodate all pupils at either site, but as an authority we would want whichever site is chosen to be the most suitable to meet the needs of learners, so there would have to be some funding at some point.

Comment: If all the pupils came from Llanerfyl School to Banw School – it would be a win win situation. The Banw children would have more social interaction and the Llanerfyl children would have more facilities. If the Banw school pupils went to Llanerfyl school, it would be a lose lose situation because Llanerfyl would have less space individually and Banw would be losing the Hall and the facilities.

Marianne Evans: Cabinet will have to look at things from each perspective, and consider the advantages, disadvantages and the impact for both.

Comment: The community aspect comes into it as well due to the co-location of the school with the Hall – they are entwined and rely on each other.

Marianne Evans: I have spoken with the Chair of the Community Hall committee, who explained which bits of the hall were leased to the community but also that every service coming in was via the school – electricity etc. so I accept that there would be a huge impact – you can't just close a door and say, that was the school, that was the Hall – the two are far more integrated.

Comment: How did the HOWPS survey not pick up that the Hall and the school were so intertwined?

Marianne Evans: It was known that they were intertwined but we hadn't had the full details or appreciated the reality.

Dr Alec Clark: HOWPS carried out a broad building survey more in the style of an asset management plan, they came in as building surveyors. It was not their duty to unpick in terms of community usage, potential expensive costs of separating the buildings. I had assumed that the switch gear, mains inlets and outlets, drainage etc were shared, so actually it was a more complex picture but it is the quality of potential education for children and that would come at the top of the list.

Comment: The Hall is a huge asset to the school because we use it so often, we have use of it during the day, we have PE lessons there and use the stage for performances, we can access it all day and with the new curriculum it would be used even more.

Dr Alec Clark: I agree that it would help deliver the standard for the performing arts and expressive arts element of the curriculum and also the Health and Wellbeing in terms of having dry access to sporting and physical activities during the day.

Comment: The children that attend Llanerfyl have to walk to the Hall in all weather, at some times of the year when there were practices for performances such as Christmas time, they had to walk back and forward four or five times a day. This could be seen as a Health and Safety issue. If it is raining, PE has to be carried out in the classroom, if you have 32 children in a classroom, this is not acceptable, there is nowhere for the pupils to go for fresh air. Some pupils eat their lunches at their desk as well.

Comment: If Llanerfyl pupils came to Banw, it would be because individuals had made a decision for the community, not a school that exists because of politics. The report has given us figures regarding money to be spent on building a new extension at Llanerfyl, however it does not take into account that there would be additional costs to move boilers / services etc if Banw school shut. Shutting the school would not be a simple process. Also how much call would there be for a building of this size in this rural area if the building was closed?

Cllr Aled Davies: Property prices aren't the same as the middle of Birmingham or London, the potential of capital receipt for the authority was not a large sum compared to other costs. Everyone had seen the list in the consultation. While there could be receipts for potential investment, this did not drive the process, what drove it was the education and the opportunities for pupils in a small school. By opening one school, it could help with things such as budget, as well as other things such as numbers for football teams. The authority could invest in the building – there had been an extension in the past. Possibly the Church could be asked to provide a contribution. If a large amount of expenditure was needed, we could make a bid for a Welsh Government grant. As the proposal is to establish a Church in Wales VA school, whether on the Llanerfyl site or the Banw site, Welsh Government would provide 85%, compared to 50% for other schools.

Sheridan Goodey: The information is correct with regard to the 85% funding, however that would need to be looked at within the limit of the whole 21st Century funding for schools and the money available. 21st Century Schools funding is for big capital investment, it would need to be looked at in the context of how much money Powys has asked for.

Cllr Aled Davies: A business case would need to be put forward. There are no guarantees, the case to Welsh Government could be accepted or rejected.

Comment: Where would an extension go on the Llanerfyl site as there are no grounds around the school suitable to build on.

Cllr Aled Davies: We cannot get into that level of detail at the moment – there is no commitment to any capital expenditure at this stage.

Comment: There are rumours going around that the person who owns the ground around the school was willing to give the ground to the authority. However, the opposite rumour had also gone around at the meeting in the day, so this information is unreliable and cannot be taken into consideration.

Comment: As a parent of a child in the Banw school, are we being asked to choose the site as it is now in Banw or the site as it is now in Llanerfyl? Is that correct?

Cllr Aled Davies: Yes that is correct.

Comment: The Llanerfyl site has no car park, canteen, playing field or facilities, disabled access or a hall, however all this is available two miles up the road.

Cllr Aled Davies: There are pros and cons to both sites, the consultation is an opportunity to gather all the information and highlight the benefits of both sites. A decision will not be made tonight.

Comment: During the initial engagement with parents held in the spring, parents were asked to complete a questionnaire. More forms were returned from parents at Llanerfyl school than parents at Banw school but actually the consensus was that

more parents believed the new school should be at Banw. That included the parents of children who currently attend Ti a Fi.

Dr Alec Clark: Many people today have talked about the positives of the Banw site, however this is a formal consultation so will be based on written responses. Stakeholders needed to provide their written comments for the authority to look at and analyse.

Comment: I haven't been to Llanerfyl school yet but will be visiting the school this week. What should I be looking for?

Dr Alec Clark: In terms of equity at both sites, both are functioning schools, therefore you have to take into account that both could go forward as the new site.

Comment: The numbers in the consultation paper need to be corrected.

Comment: It's wrong where it states in the document that no pupils walk to the school, when there is an estate directly behind the school that pupils walk from.

Dr Alec Clark: Any comments submitted will be taken into consideration when determining how to proceed. To address any concerns about a local councillor having a vested interest, the Cabinet have shown their high esteem of Cllr Aled Davies by asking him to take over the process.

Comment: The Friday night previously, the local member took me around the Llanerfyl school site, how could she do this if she didn't have an interest.

Cllr Aled Davies: The decision was up to the councillor, she may have been asked to go and support Llanerfyl. It is very difficult for a local member to please everybody but it is important that she represents all residents in the area. Everyone needs to try and take the emotion out of the process and look at the evidence, to ensure that thoughtful comments are made through written submissions, not just expressed in meetings. The evidence would then be put into a report, which was such an important process, so that all the relevant information could be gathered together. The Authority's decision may not please everybody.

Comment: The process sounds fair, but if the process is going according to fairness, would the local member be allowed to speak on the decision day? She would be encouraging the Cabinet to make their decision in favour of Llanerfyl site.

Cllr Aled Davies: The decision would be made by the Cabinet members but not including Cllr Myfanwy Alexander. Cllr Alexander would be able to speak at the meeting as local member. Before Cabinet makes a decision, the consultation report will also go to full council. Cllr Myfanwy Alexander would be allowed to comment as local member at the full council meeting.

Comment: the local member should be neutral as she represents both areas, Llanerfyl and Banw, but we are all aware of the situation and of her influence in Council. Would the consultation potentially back Llanerfyl as they have the support of the church?

Cllr Aled Davies: We have consulted with them before the initial consultation and after the recommendation was altered, and so would ask for their observations. However, the feedback has been that the Dioceses is happy to support whatever decision comes out of the consultation and is best for the communities. At this stage, it is an open consultation, any taxpayer can comment.

Dr Alec Clark: Who the consultation affects has got to have the greatest opinion. This will be considered. People should consider what a seven year old pupil would consider to be the best setting and what's best for the pupils.

Comment: What power does the scrutiny committee hold within the council?

Cllr Aled Davies: Scrutiny does not have a role within the consultation. A decision was made a couple of years back that where a consultation goes through full Council, the scrutiny committee does not have a separate role, it was bypassed by full council. If there was clear evidence for a course of action, the consultation going through full council would give it extra weight and it gives everybody a chance to have their say. A recommendation would be received about the consultation from full council and the Cabinet would consider that whilst making the final decision. The regulators, Estyn and the Welsh Government audit office would deem the full council sufficient.

Comment: Why did the report indicate that the Banw site would need so much money to bring it up to scratch? The school is in Property Plus, the standards are pretty average and the building has a condition rating of B, so if the decision was made for the school to be at the Banw site, would money be spent to upgrade the school or not, as you commented earlier that it was a functioning school, would we just stay as it was.

Cllr Aled Davies: It's about prioritisation of works through the major improvement programme.

Marianne Evans: There is a priority list which has an agreed scoring criteria, a prioritisation matrix, which looks at condition, suitability, sufficiency, Health and Safety, and whether a school is part of a school reorganisation process.

Comment: Does it matter who owns the building? Would the council invest in a building they don't own?

Cllr Aled Davies: It's about providing an appropriate environment for pupils, it doesn't matter who owns it. Llanerfyl school is not owned by the Authority but could have improvements made to it with Authority funding.

Sheridan Goodey: The Llanerfyl school building is held in Trust and the trust would say that it can only be used for educational facilities.

Comment: What would happen to the Llanerfyl school building if the Authority did decide to close it.

Sheridan Goodey: Powys County Council would be required to transfer the school into an educational trust and the trust would be held for the children in the community. The asset of the building is held in a trust, this is because the trust has a charity status.

Comment: If the decision was to site the school at Banw, as there wouldn't be any obvious need for the building at Llanerfyl for education purposes, in those circumstances, would the trust sell the building, invest the proceeds into education in the area.

Sheridan Goodey: It's more complicated than that, the church would need to wait for a final decision to be made and at that point the Diocese could go to the Charity Commission, to explain the situation and to request to move forward with whatever proposal and wait for them to respond. It's not possible to confirm what the Diocese would do with the building, it would be the Charity Commission's decision to agree to the dissolution of the Trust.

A query was raised that the diocese was not dissolving a trust simply an asset of the trust.

Sheridan Goodey confirmed that it would be dissolving a trust.

Cllr Aled Davies: The consultation remains open until the 5th November if governors wish to make any further comments.

4 Staff Feedback / Queries

Cllr Aled Davies: This is an opportunity for staff to have their say. Catherine Cottle is here to answer any questions staff have regarding the process.

Marianne Evans: If the Cabinet were to recommend closure of the two schools and the establishment of a new school, one of the first things to happen would be to set up a temporary governing body formed from members of the existing two governing bodies.

Cllr Aled Davies: Is it possible to give a timeline or some potential dates, to give an idea of how long the process would take?

Marianne Evans: If Cabinet were to make a final decision in April/May 2019, the Temporary Governing Body could potentially be established at the end of the Summer Term. Their first role would be to recruit a Headteacher. From September to December, the temporary governing body together with the Headteacher would form the staffing structure for the school. It was usual for the new Headteacher to be involved with the staffing process. After that the HR process starts for the staffing structure which Catherine Cottle can explain.

Catherine Cottle: This meeting tonight is part of the public consultation to decide whether or not to proceed with the proposal to establish one new school. The staff are involved in the public consultation as they are being asked, as people who know, who are doing the job, whether this is a good idea or not. This is separate from the consultation process that would happen further down the road if the proposal went ahead, when there would need to be consultation with staff over the staffing structure. As previously mentioned, most new schools start with the appointment of a Headteacher, then the temporary governing body work with the Headteacher to look at the new staffing structure and to match staff to that structure. One point to understand is that staff are employed in a post in Banw School. If the proposal were to go ahead, the posts would be redundant, but there would be new posts within the new school. We would hope very few people would be made redundant. There are very specific sets of guidance around the Headteacher and Deputy Headteacher posts, which state that the temporary governing body could choose whether or not to ring fence those posts, so that would be a very early decision. The same regulations are actually silent on what happens to the rest of the staff but the Local Authority takes a very strong view that the remainder of the posts would be ring-fenced to the existing staff, because it makes moral sense and good business sense. If the authority were to make all the people redundant from the two schools, they would find it very hard to get skilled, experienced people to work at the school, and the current staff are the people who have relationships with the pupils. So there would be an expectation from the Local Authority that the rest of the posts would be ring fenced, and if they weren't the trade unions would be very unhappy.

Dr Alec Clark: The only caveat there would be if enough staff wanted to make themselves redundant or take the opportunity of being made redundant, which is the only time it would not carry through.

Catherine Cottle: The authority would always look at ways of avoiding compulsory redundancies, so one of things that would inevitably be looked at if there was going to be a

reduction in the number of staff would be to ask if anyone was interested in the Voluntary Severance Scheme (VSS). That's not to say that everybody who expressed an interest in VSS would be able to get it. In relation to the transformation in Welshpool Primary schools, where four primary schools merged into two schools, voluntary redundancy was something that was offered under that process but in the end, only one person was able to take it up. There were no compulsory redundancies because inevitably with change, some people moved on and they were left with vacancies in one school and a full staff in the other school. So in Welshpool Primaries and in the establishment of Ysgol Calon Cymru, there were no compulsory redundancies. Although the opportunity for redundancy could be there, the authority would only be able to release people if they were not needed for the structure of the new school.

The way it would work would be that the Headteacher would be involved in creating the staff structure and the appointments to that staff structure, but the temporary governing body are also involved in the appointments, so that helps with any possible allegations there may be of bias. Going by the timeline that Marianne had outlined, the temporary governing body with assistance from Human Resources would develop the staffing structure during Spring 2020, implementing the new structure wherever possible by matching/slotting staff to jobs so they were not put through any unnecessary processes. The selection could be through a skills audit which would allow time for everyone to be in post before the break for the Summer holidays in 2020 and would enable all pupils to know what classes they would be going to in September 2020 and who their class teacher would be.

Comment: Who would choose the temporary governing body?

Catherine Cottle: The temporary governing body is made up of members of the existing governing bodies from the current schools, all of whom would be invited to express an interest in being on the temporary governing body, at the same time as still being on the existing governing bodies. Usually it is the Portfolio Holder that makes the final decision about the membership of the governing body but it wouldn't be in this case.

Dr Alec Clark: There is an option for the Cabinet to delegate that decision, but in my experience, it is important that there is a good mix of both schools and a large amount of common sense required.

Catherine Cottle: In Welshpool it sorted itself out, the chair of the governing body was from one school and the vice chair from another school, the governing body would be roughly the same size as the existing one, the temporary governing body could be smaller but there are rules around how you constitute the governing body. There are interim arrangements before the new school starts, the temporary governing body would set a new budget which would need to be agreed with the local authority and then hand over to the new permanent governing body.

Dr Alec Clark: Everyone would need to work together to make sure that the process happened correctly and smoothly for the children.

Comment: What about the make up of the governing body – would a Church in Wales school's governing body have more members on it?

Sheridan Goodey: In a Church of Wales school, the governing body would have exactly the same amount of community governors, parent governors etc as they usually would, but they would also need to have at least as many Foundation governors, so that they would have a bigger amount of governors on the governing body.

Comment: How much influence would the Church have on who sat on the governing body?

Sheridan Goodey: The Foundation Governors would need to be agreed and recommended by the Diocese. They don't have to be members of a Church in Wales, it could be people from a non-conformist background, but it's important that they are able to ensure that the Christian ethos is promoted through the school, that was the additional job of a Foundation Governor.

Comment: Would the Christian ethos be a lot more than it currently is at the school as monitored by the authority? Would they have to teach a lot more religious education?

Jennie Downes: Alongside the Estyn inspection, it would be statutory for the school to undertake a Section 50 Church inspection. The inspection would ensure that the Christian ethos was embedded in the school and core to all the values, Compassion is an example of a Christian value, the pupils showed compassion and the ethos was very visible to people visiting the school. When the new school was created, the School would create a new mission statement, aligned to the Christian values. For example 'working together in harmony'. This might be underpinned with a Bible verse.

The Foundation governors would be people that would support the Christian ethos in your school, ensure the collective worship was of a certain standard, some of this may already be in place in the school

Headteacher: how often are the section 50 inspections carried out?

Sheridan Goodey: The inspection would be either at the same time or within a short period of an Estyn inspection, that would be a decision for the school.

Dr Alec Clark: A lot of schools have the two inspections together, the Estyn team are used to having a member of the diocese with them and it doesn't cause any problems.

Jenny Downes: The Diocese would provide support prior to a Section 50 inspection and would give a few pointers. Good practice might include Governors listening to views of pupils through the School Council the school council and show the school how to work with the community, to help bring the two communities together and make sure that it was successful. The Diocese may ask how the school brought the communities together, how did you manage change, did children have a part in it, were the voices of the communities heard? A church school was still expected to study other religions and other faiths.

Cllr Aled Davies: I have a Church in Wales school in my area and when you walk through the door you don't really see a difference, it's really an extra resource to support the school.

Sheridan Goodey: The Diocese could provide extra support for example during a bereavement, and there are other services that can be accessed through the church which could be helpful.

Comment: Can we have clarification on the numbers on the governing body? For instance if Banw governing body is made up of 10 members at present, would there be an additional ten foundation governors on the temporary governing body?

Sheridan Goodey: There is a Statutory Instrument for numbers on a governing body and that would set out the legal requirement for the numbers of governors on a governing body.

Comment: I had understood from earlier in the meeting that there would be five governors from Llanerfyl and five governors from Banw but if they have to have an

equal number of Foundation governors to the governing body, would that then be ten additional Foundation governors?

It was agreed to provide information about the make-up of the temporary governing body and the new permanent governing body.

Comment: The timetable mentioned in the consultation paper states that the new school would open in 2020. Could this be shortened, as whichever site is chosen, there is a school running already.

Marianne Evans: It's fair to raise the point. Concerns about the timescales were also raised in the meeting in Llanerfyl. I accept that it does sound like a long time from here to the opening, so it may be possible to move quicker and to open after Christmas 2019.

Catherine Cottle: Looking at the timescale now and bearing in mind that the temporary governing body wouldn't be established until September, to have the new school open by January 2020 may be too tight. Where the authority has tried to do the process too quickly, it has put the Headteacher and staff under significant stress. After Easter 2020 could be possible, but you would almost be through the school year, so 1st September 2020 would be the most sensible option. Unions prefer schools to open in the September, also if there should be the need for any redundancies, which we hope there won't be, it would just be a more natural time for staff to move schools.

Comment: If a decision is made, what would happen to the staff if not all pupils from the other site transferred to the new school? As staffing is based on expected pupil numbers, if the actual number was lower, would we then have to go through another process to reduce staff?

Catherine Cottle: Members of the temporary governing body would have to make decisions on staff numbers based on the number of pupils expected to be at the school. If down the line the numbers are lower, then a decision to reduce might have to be taken. There is a risk of lower numbers, it is always a risk in school transformation, and managing change from a staff perspective, staff sometimes say that they are not going to move.

Catherine Cottle: I will be available to answer questions at a later stage, should the proposal be supported by Cabinet, and a generic e-mail address would be given to staff and governors which would be monitored and responded to, as soon as the final decision is made.

Comment: Why did the original recommendation change?

Cllr Aled Davies: I asked for the recommendation to be changed. The officers had drawn the Cabinet report, but when I read it all, I thought that it was too close to call. It's important that the process is open to everyone, is open and that no options are closed off.

Cllr Aled Davies thanked everyone for attending, including the representatives from the church and the translator for her services.

Minutes of the Consultation meeting with governors and staff of Ysgol Llanerfyl Church in Wales School held on the 4 October 2018 at 7.30pm at Llanerfyl School

Present-

Governors of Ysgol Llanerfyl – Trefor Jones, John Gittins, Lowri Rees, Dyfrig Jones, Cllr Myfanwy Alexander, Rhian Owen, Gaynor Roberts, Ffion Simmons (Clerk)

Staff of Ysgol Llanerfyl – Meinir Jones, Llinos Williams, Penny Davies, Haf Lewis, Nesta Jones, Meinir Russell

Powys County Council representatives – Cllr Aled Davies, Alec Clark – Head of Learning, Marianne Evans – Senior Manager Schools Transformation, Nancy Owen – Finance Business Partner, Catherine Cottle – HR Business Partner

Representative of the St Asaph Diocese – Sheridan Goodey

Clerk – Diane Rees

1. Welcome

Cllr Aled Davies thanked everyone for coming to the meeting to meet with the officers of the Authority. All attendees introduced themselves.

Cllr Aled Davies noted that a drop in session had been held in Llanerfyl Hall from 3.00 until 7.00pm that day, and that the purpose of the evening meeting was to give the opportunity for Llanerfyl Governing Body and staff members to ask questions about the consultation.

2 Background to the Consultation

Marianne Evans provided an overview of the consultation. She explained that the consultation period had started on 24 September 2018 and was due to finish on 5 November 2018.

When the consultation period ends, the next step will be to look at the comments received during the consultation period, and to produce a consultation report, which responds to the comments. The consultation report will go to the Council, who will discuss the proposal, and then Cabinet who will make a decision on how to proceed.

If the Cabinet decides to go ahead with one of the options, statutory notices would be published, and there would be a period of 28 days when people could submit objections. Following this, another report would be produced, outlining the objections received. This report would be considered by Cabinet, who would then make a decision on whether or not to proceed with implementation. It is anticipated that the whole process will be complete by May/June 2019.

3 General Discussion

Comment: The council had produced a report which reached the conclusion that the proposed new school should be in Llanerfyl. Would that report still be part of the process?

Marianne Evans: The work done up to now has been considered by Cabinet and, at the next decision point, Cabinet will be considering responses received to the consultation. Most of the information that was included in the original Options Appraisal report is also contained within the current consultation document.

Comment: Would the report would be considered again?

Marianne Evans: The pros and cons of the Options Appraisal report are already included in the consultation document.

Comment: After all the work that had been carried out for the original report, I don't understand how one councillor was able to change the recommendation, it made a mockery of the system.

Cllr Aled Davies explained that he was the County Councillor who asked for the amendment to the original recommendation, so that consultation took place on the two possible sites. He suggested that it was fairer to both schools to include both sites in the consultation. Members of the Cabinet had supported him with the amendment.

Comment: If the change to the consultation was fair, did this show that the original report was unfair? The school is an unfair position due to the change in the recommendation.

Cllr Aled Davies: It was a matter of opinion. I gave my opinion at the Cabinet meeting – I don't believe it was unfair. Point 5.51 in the report refers to the condition / suitability of the two schools. It isn't clear from this information which is the most suitable site, which is why both sites needed to be considered as part of the consultation.

Dr Alec Clark: In terms of the relevance of the report, it was a report that had gone to Cabinet and is available with the papers of that meeting. The original report was a matter of record.

Cllr Aled Davies: You can go on any council website in Wales and download the reports and minutes of council meetings. Elected members may need to look at what is recorded so far.

Dr Alec Clark: Both the Councillors are right. It's a consultation period, which would have to happen anyway for the public record. I know that it may feel like it has had a false start but it hasn't.

Comment: The original report was compiled by experts, professional people doing it day in day out. There was a lot of hard evidence in there, it was not just someone's opinion, and it was factual.

Dr Alec Clark: Those facts did not change.

Cllr Aled Davies: The paper was taken to the Cabinet based on the officer recommendation that the new school would be established on the Llanerfyl site. The reasons for this, whilst justifiable, could be challenged. When it came to Cabinet, there was concern that there was little to choose between the two sites, therefore it would be fairer to include both of the school sites. It was not unusual for recommendations to be amended.

Cllr Aled Davies's comment that recommendations were always changing was challenged, and he was asked why there wasn't a discussion beforehand. He was also asked to name three occasions where recommendations had been changed, because she was not aware of any.

Cllr Aled Davies referred to a Finance report regarding the use of reserves where the recommendation had changed. He explained that changes happened regularly and that the

purpose of Cabinet was to consider the report and accept the recommendations, tweak them or throw them out altogether. Once the consultation had finished, a further report will go to Cabinet with a recommendation. Again the recommendation can be amended as part of the democratic process. The amendment to the original recommendation had just brought another element in, not changed it substantially. It is important now that people respond to the consultation document, so that these responses as well as other evidence can be considered when deciding how to proceed. He acknowledged that it was extremely difficult to take emotion out of the situation and look at all evidence before coming to a decision and he would make sure that Cabinet know all the nuances.

Dr Alec Clark: Even if the recommendation had not been amended, the process would still be running to the same timeline, we would still have been here tonight. It is a very difficult decision, and his view was the more consultation carried out the better. Clearly, whatever the outcome, one school will feel like the loser, so it's important that everyone should have the opportunity to give their full opinion. The process was close to the heart of both communities and both had strong opinions – anything that affects your family brings strong emotions. It is where it is in terms of the democratic process, and the democratically elected members chose to go forward on the amended recommendation.

Comment: At the drop in session I asked Cllr Aled Davies to put himself in my situation - if he was on a governing body for a school where the figures have been consistent and the projections for the next five years are consistent, then there is an issue up the road at another school where the numbers have dipped, would he have been happy to be dragged into the situation, into the consultation? The governing body at Banw approached the Authority and Llanerfyl School is suffering because of it.

Cllr Aled Davies confirmed that the governing body at Banw had made the initial approach to the authority about a year ago, as they were concerned about pupil numbers and the impact on the education of children in the Dyffryn Banw Valley. He asked Marianne Evans to take the governors through the process since then.

Marianne Evans: It is true that the governing body of Banw School originally approached the Authority with concerns about numbers and the future education of children in the Dyffryn Banw valley. She explained that separate and joint meetings were held, and both governing bodies had agreed that the right way forward was to look at having one school, to protect education in the area. There was a recognition that whilst it was not quite as bad at Llanerfyl, pupil numbers at both schools are forecast to dip, therefore the authority needed to look at the whole picture, to consider the two schools.

Comment: One thing the community in general in Llanerfyl can't understand is that if numbers dropped in Llangedwyn School, for example, the council would look at closing Llangedwyn School – the council wouldn't look at closing Llanrhaeadr Ym Mochnant School, because that isn't the school where the numbers are dropping. I have looked through the records and can't find a single occasion when consideration was given to closing a school next door to a school where pupil numbers have dropped. I'm more than happy to look at a solution that tries to bring the best for all the pupils and families in the valley but it is important for people who live here to understand why. Llanerfyl school wasn't facing closure until quite rightly the Headteacher at Banw brought up her concerns about the education that could be provided in Banw. Educational experiences for the pupils at Llanerfyl are fine. It's like

saying that his house is on fire but we will pour water through your window next door, the crisis was not generated in this school and so it's important to remember, and in an open way, if our numbers were down in the teens, and there were 40 pupils in Banw, the people in Banw would not be happy to close Banw School and send the children down here to Llanerfyl. I know that the difference in numbers is not huge, but there is a feeling that we do not want to be sacrificed to solve their problem. That's not what has happened anywhere else. This was discussed here in the past here, and it has left a bad taste in the mouths of local people. We all want to move onto the future and forget the past, and I think that everyone in this room agrees that there are not enough pupils to sustain two schools in the area, but people feel agitated because they feel that this was an unjustifiable process.

Cllr Aled Davies: I'm very aware of the feeling in the room, this was reinforced this afternoon at the drop in session. As a council, we need a strategic overview of this and also to focus on the education of the children as well as many other factors. Whichever solution is agreed, it will not be perfect and it will not suit everybody, so we must ensure that there is a strong school in the valley. It is quite a distance to the end of the valley, it's a big catchment area, and I appreciate that the schools are at the heart of the community.

Comment: I know more about the strategic view of education than a lot of people, but in every other place, if numbers fall in school A, we do not think that we must close school B. We may look at an area solution and in a way that's what we are doing here but on basic fairness, that has to be a major factor. Ultimately the school needs to be where the children are. There has never been a proposal to close a school and move a whole school population to a school where there are a very few children, it hasn't been done because it is not practical and that cannot be stressed enough.

Marianne Evans: It is not about closing one or two schools, it is about establishing a new school in the valley. For fairness, the council thinks that the best way of doing it is to close both schools and to establish a new school with new governance, new staffing. That would then create a new approach, and also treats both schools equally. Whether you think that's right or wrong is your view, but that is why the authority is proposing to close both schools and start a new school on one of the existing sites.

Dr Alec Clark: There are positives whichever of the sites were chosen. The authority is currently putting bids together to equip schools with up to date IT equipment, which will be more essential than ever in the future. I want IT provision to be really good right across the County but in financial terms, two schools equals two servers, two contracts – the costs kept adding up.

A question was asked about whether the costs are part of the decision for the consultation.

Dr Alec Clark: It's the quality of education going forward, making sure you have the appropriate resources – this is more than cost. Also if there was the possibility of putting optic fibre in the valley, that your IT resources are up to date. IT is just an example, but a good example.

Comment: I asked Cllr Aled Davies in the drop in session this afternoon if the process was about cost, and he had confirmed that it was not about cost. However, as a taxpayer I know that you have to manage your costs. Our school has been so careful

with the school delegated budget – parents even cut the grass to keep costs down. This should be noted.

Comment: Surely you have to go for sustainable education so that the school can keep on going in the future.

Comment: I'm confused about the numbers in the consultation document – on page 32 it gives pupil numbers as one amount whilst on another page, it seems to indicate something different.

Marianne Evans: Page 32 of the document relates to the option to establish a new school on the current site of Llanerfyl, then it gives the details of the new school if it was established on the Llanerfyl site. The maximum capacity would be 59, this includes the art room as a class base, this is why the figures differ. Page 51 of the consultation document shows the current capacity at Llanerfyl school – it was not possible to propose a school of 44 when the combined pupil numbers would be more than that, so we would seek to get the maximum capacity possible for Llanerfyl school.

Comment: Is it just the art room that makes a difference to the capacity?

It was confirmed that this was correct.

Comment: If the projected pupil numbers show that there is enough capacity at Llanerfyl School for the next five years, with sustainability and the record of careful budget management at the school, surely that was what the Authority should be looking at.

Marianne Evans: Both sites are big enough to accommodate all pupils, this is why neither site requires capital investment – given the combined pupil numbers, they could all fit in either site. However, dependent on which school site was chosen, the authority would then have to look at the building to see what adaptations, if any, would be required. This could include storage, are there enough toilets etc. Essentially though, all pupils can fit in both buildings.

Comment: When a previous Headteacher left here, there were 62 children attending the school and Powys inspectors and advisors visited frequently. At no point was it said that there was an issue with capacity or facilities, nobody said that an additional mobile classroom was needed. People who came in and saw how the school was run were quite content with the capacity, so we could be fairly secure on any capacity issue.

Cllr Aled Davies: Capacity at the school site was not an issue within the consultation. At one time Llansilin school had 90 pupils, but if you went there now you would wonder how it was possible to accommodate all these pupils in that building. The same with Llanrhaeadr – a relatively new school which can accommodate 120 pupils, there are approx. 86 pupils there now and you wonder how it would be possible to accommodate another 30 pupils.

Comment: There has been an issue with the perceived lack of facilities but I think the parents would tell you if they were not happy with facilities, purely by not stopping here and going up the road to educate their children. The fact that they have stopped

here and the numbers are consistent should tell you everything you need to know about how content pupils and parents are with the school.

Comment: Challenge that in the consultation paper, it says that the quality of education in Banw school is better than that at Llanerfyl school and that page 51 of the consultation document mentions significant limitations to the buildings. What were the limitations? I have a daughter in the sixth form at Caereinion High School who is very upset that the document suggests that she is having a substandard education.

Marianne Evans: When the surveyors came out to carry out the condition assessments at the schools and look at the buildings, this is the information we have to base the analysis on. In terms of suitability of the building for teaching and learning and generally supporting pupils, its things like the lack of a hall, lack of dining space. These are a disadvantage at Llanerfyl compared to Dyffryn Banw, however that doesn't mean to say that the building is not fit for purpose.

Comment: Does that mean that the children currently attending the school are more disadvantaged?

Marianne Evans: This is what the surveyors told us about the building, this is the suitability assessment that we received. It doesn't mean that the children aren't being taught well and in a happy environment and using the facilities. We know that you have access to a hall, although you do have to walk up a lane to it. You are using the facilities available to the best you can, however we have to include what the property people tell us in the document.

Comment: Back when there were 62 pupils at the school and nobody flagged it as an issue, at any point was there an application for a capital bid for these additional facilities in Llanerfyl, which we were struggling so badly without? Actually, when the authority decided not to put a hall or a dining hall or a satellite launch pad on the list, that's because they knew there wasn't a problem, because the capital list was driven by the problems in the physical state of the building. There has never been a bid, therefore the Authority cannot comment on the facilities. If the Authority had put in five bids over the last fifteen years but had not received a grant, it would be different, but at no point did anybody say the facilities at Llanerfyl are poor. Carno School is a good example, Carno is a small school where the facilities were terrible and flags had been raised constantly for years of what to do about Carno, whether to close it or whether to renew the building, at no point did anyone say that the facilities at Llanerfyl are poor.

Cllr Aled Davies: The surveys were in comparison with new schools which had had been opened which would score an A, nobody would build an exact school like this now, you would all see improvements that you would want to make, there is always ambition to improve your facilities, so it was a graduation from perfect, brand new at the very top all the way down to the poorest grade D.

Comment: The quality of the accommodation at Llanerfyl School was graded as a B and Dyffryn Banw school was graded as a C.

Dr Alec Clark: In terms of the admission number, you are a foundation school, which really puts you in the autonomous bracket in terms of making your own decision for admission numbers, it is a legal status.

Comment: In the next step of the process, when the recommendation is made on which school to close, would the decision be made known to the Headteacher and governing body before it goes to Cabinet, as in the previous consultation? I went to a meeting and everybody knew at the meeting besides the people that should have been told, someone from Cabinet had released the information before speaking to the school first. Can you assure us this will not happen again?

Marianne Evans: The documents are published a week before the Cabinet meets. The Authority would let the school know before the paper is published.

Cllr Aled Davies: There would be a discussion right up until the whole council have discussed the proposal, then a recommendation to Cabinet before a decision was made. It is important that the Authority treats the both schools fairly in regard to information going out.

Comment: If one school costs much more to run than the other, surely the cheaper should win. The officers indicated that the costs would not be relevant, it was not the main factor and I said that the County is skint. There was a balanced budget at Llanerfyl, one school was careful with the budget, one school was haemorrhaging money, surely this should be considered.

Nancy Owen: The financial situation of both schools is constantly changing. The figures in the documents are the figures submitted to the Cabinet by the full governing body of each school which went in the paper presented to Cabinet every year. My understanding is that since the governing body at Llanerfyl submitted their initial budget on the 1st May 2018, they have worked hard and the figures have now changed, and we are now looking at a projected surplus for the 2018/19 financial year.

Marianne Evans confirmed that all the updated information would go into the next report, so it would be an updated version with figures as up to date as are available at the time and explained that only documents signed off officially by the governing body could be included in the consultation document.

Comment: Queried that on page 11 of the document that the Estyn inspection report went back to 2014 for Llanerfyl school and to 2016 for Dyffryn Banw school.

Cllr Aled Davies: This was the last official inspection date for each school. Although Llanerfyl had a monitoring visit in 2016, the full report was at the official inspection date in 2014.

Dr Alec Clark: Although Estyn inspectors re-inspect the school on a monitoring visit, they don't give a judgement, and the school doesn't receive a full report. The judgements given in the report cannot be changed. The revisit is a statutory part of the process but it doesn't form a judgement, the purpose of the revisit is to identify whether appropriate progress has been made, and whether the school should be put back into the regular inspection cycle.

Comment: Llanerfyl School has received a document where the inspector commented that in his 30 years of teaching, he had never seen such standards of written and spoken welsh, to compare with the inspection. However, that could not be put in the document because it was a thematic review so we were not allowed to publish that. This is why we say that we feel that we don't get a fair crack of the whip – we have got a person who has taught in Ceredigion for 35 years who says that they have never seen standards comparable to those in our school but that was a document that had to be put in a locked box. If Dyffryn Banw won a prize for nose blowing, they would somehow be allowed to be put it in the document – it feels that we are being treated unfairly. If you were to ask the High School about the education these children have

when they go up from here into Year 7 of the High School, they would tell you what the standards are like in this school. We have all the evidence of what the standards are like, but for some reason, we are not allowed to say. We are a school where the numbers are not critical and where the standards are so high that people have not seen the like in 35 years but we are not allowed to say that, we have a fine and adequate site which is described as inadequate, we are wondering what the hell would we have to do to be left alone.

Dr Alec Clark: The documents you refer to could be submitted as part of the consultation response. The church inspection if available could also be submitted, then they would be a matter of public record.

Marianne Evans: the consultation document is based on guidance from the Welsh Government which states what needs to be included. This includes two things about quality of education – that the last Estyn inspection must be published – what the outcomes were plus the follow up activities, and that school categorisation data must also be included. This information is publicly available for all schools.

Dr Alec Clark: The process of school categorisation is that the Challenge Advisors team work under a national model from Welsh Government from a consultation with ERW. Every school should be on a journey to improve the school and the education provided, it needs to be a dynamic process, so they look at the figures, have common sense about it all and look at it as part of the journey. The Challenge Advisor would look at the data and agree the categorisation colour with the Chair of Governors. The information would be updated if the categorisation were to change since the consultation document was published. Are you as governors concerned about the fact that you have a temporary Headteacher which would reflect in the assessment?

Comment: Following a conversation with the Challenge Advisor for the school it was agreed that in order to receive extra support for a new headteacher, we would accept a lower categorisation, however the Challenge Advisor acknowledged that the results at Llanerfyl were way ahead of many schools assessed as green schools. The governing body accepted a lower categorisation to provide additional support for a new Headteacher but all of a sudden, because of a drop in numbers at a school up the road, it has put us as a disadvantage, if we could go back, the governing body would not have accepted the lower category, we would have argued differently if we had known about the proposed closure and that the problems up the road would affect us.

Dr Alec Clark: The Cabinet members will look at everything in the final report and all of the things in the consultation process. Going forward, the proposal is to close both schools and establish a new school, if you were green, purple or orange, the quality of education was irrelevant, because going forward it would be a new school.

Comment: It was not irrelevant for a teacher if you are going for an interview in the new school, because governors and parents were going to read the document and this may affect our employment prospects.

Dr Alec Clark: If there was a change to overall numbers of staff, this would be carried out by formal consultation, with union involvement. This process has nothing to do with categorisation of schools – this would not be included in that context.

Catherine Cottle: The categorisation of a school would absolutely not form part of the process and had no bearing on the selection of staff, it would be the individual skills of the members of staff. I'm involved in the primary school transformation in Welshpool and there,

in terms of the processes, there has been fairly little selection process, some staff had fallen out naturally, the situation depends on people's lives and what they want.

Comment: Clearly the transportation costs for the two options would not be the same – could we get a more detailed estimate of costs?

Marianne Evans: The figures in the consultation document are from analysis carried out by the Council's Transport Unit and are based on current costs of home-to-school transport in the area – any updated information will be included in the Consultation Report.

4 – Staff feedback/queries

Catherine Cottle explained to the staff members present that the current process is a public consultation, where you are asked what would work at each school and what wouldn't work. Once the final decision was taken, then there would be a separate consultation exercise with staff.

When two schools close and a new school is established, all posts become redundant – your job would not exist. In the consultation process, we would consult with you about the redundancy of the posts and the structure of posts within the new school. The temporary governing body would have the right to ring-fence the post of Headteacher and Deputy Headteacher and that would be their decision, but the legislation doesn't say whether the other posts at the school should be ring-fenced. However, the temporary governing body is made up of existing members of the two current governing bodies, so they would consider why would they let current staff go and then have problem with recruitment. The unions would strongly advise to keep existing staff.

So consultation would take place with staff, the temporary governing body would make changes to the staffing structure, the existing governing bodies would then consult with staff about the redundant posts, then the temporary governing body would consult with existing staff about the new structure. We would want it to be a meaningful consultation and want to hear your comments. If we do have to use a selection process, this is usually through a skills audit, which sounds scary to support staff, but basically you would need to put in writing the kind of things you would be asked in interview, if you have worked in a primary environment, this would tick all the boxes.

Comment: Would I start at the bottom point of the pay grade as it was a new job?

It was confirmed that the employee would continue on whatever point they are on at the moment if the job is on the grade – e.g. if you are a grade 4 now and the new job is grade 4. If you are a grade 3 now and you get a grade 5 job, you would start at the bottom of the pay grade. The existing years of service would continue, along with any benefits of long service and sickness entitlement. For pensions calculations there would be no break, the process was a procedural operation,

Catherine Cottle clarified that if a staff member had a drop in salary, there might be a one off compensatory award, which they would get as compensation for loss of earnings, and reassured the staff that HR would be there to help the process at all times.

Comment: How would the new temporary governing body formed?

It was explained that the temporary governing body would be formed by requesting Expressions of Interest from members of the two existing governing bodies. Existing governing bodies would continue to run at the same time as the temporary governing body

until the two schools shut which involved double the workload for governors who were members on both of the governing bodies.

Comment: What would happen if they didn't want to try for a new post?

Catherine Cottle: It would depend on the redundancy position at the time. Officially you would have to engage in the process. In some cases, if there was not a suitable post in the new structure, you can have redundancy. She advised the staff members to ask their unions for support. The unions were aware of the consultation and would be invited to the relevant consultation meetings. The governors were reassured that although it would be a once in a lifetime process for them, the authority had managed many similar processes.

Comment: At a governing body meeting earlier in the week, the timeline of the process had been queried – did the authority still expect the new school to open in September 2020 and would they now need an extension due to the amendment of the consultation? Parents were asking governors where their children would be going. Would the new school be ready for pupils to move into by September 2020?

Marianne Evans: The timeline is still the same – new school to be established by September 2020, Following a final decision, the timeline would be re-looked at to see if it was feasible to make the process shorter, for the school to start on 1 January 2020. It was acknowledged that this was the middle of school year, but it may make a big difference by the schools closing Christmas 2019. She noted that although the process was simple in some ways, in other ways it was not simple and the governors needed to understand the complexity, in terms of what we are doing and to consider the timeframes of HR consultation.

Comment: They would like the process to be as quick as possible, as this was a period of uncertainty for pupils and staff and as a parent, it was just prolonging the agony if the process dragged on to Easter/May 2020.

Marianne Evans: When a final decision has been made, the temporary governing body could then be established in September 2019, their first role would be to appoint a Headteacher, the staffing structure and consultation with staff could not begin until a Headteacher was appointed, this would further influence the decision for the timetable.

Comment: The community will tear themselves apart until there is a decision. If there was any way that the process could go through quicker, it would be better. It was noted that one parent had sent their child to another school, because of uncertainty, we will get over this bump but the faster the better, it could be a just a month is knocked off the timetable.

Dr Alec Clark: It is a fragile situation where pupils are being moved and that it would be wrong to put out alternative dates unless they were certain, given the size of schools and emotion in the community, but that he had learnt from previous consultations that the longer you wait the worse it was but his advice would be you cannot start considering an earlier date until the Headteacher is appointed. If the new school started in September the Authority would use the funding formula in place at the time, so both existing schools would get 5 months and then the new school would receive 7 months of funding.

Cllr Aled Davies ended the meeting by informing the staff and governors that they could contact the Authority with any questions that they had following the meeting and thanked the governors and staff for attending the meeting. He explained that the Authority was trying to be fair to both schools and that there wasn't an easy answer but that the consultation would be a thorough and open process.

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



**Banw Community Primary School
and
Llanerfyl Church in Wales Foundation School**

Updated Impact Assessments

February 2019

Contents

	Page
1 Introduction	3
2 Integrated Impact Assessment	4
2.1 Option to establish a new school on the current site of Banw C.P. School	4
2.2 Option to establish a new school on the current site of Llanerfyl C. in W. Foundation School	19
3 Equalities Impact Assessment	33
3.1 Option to establish a new school on the current site of Banw C.P. School	33
3.2 Option to establish a new school on the current site of Llanerfyl C. in W. Foundation School	41
4 Community Impact Assessment	50
4.1 Banw C.P. School	50
4.2 Llanerfyl C. in W. (Foundation) School	53
4.3 Conclusion	59
4.3.1 Option to establish a new school on the current site of Banw C.P. School	59
4.3.2 Option to establish a new school on the current site of Llanerfyl C. in W. (Foundation) School	60
5 Welsh Language Impact Assessment	62
5.1 Banw C.P. School	62
5.2 Llanerfyl C. in W. (Foundation) School	65
5.3 Conclusion	68
5.3.1 Option to establish a new school on the current site of Banw C.P. School	68
5.3.2 Option to establish a new school on the current site of Llanerfyl C. in W. (Foundation) School	68

Proposals relating to Banw Community Primary School and Llanerfyl Church in Wales Primary School

1. Introduction

Powys County Council carried out consultation on the following proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School:

- To close Banw C.P. School and Llanerfyl C. in W. (Foundation) School and to establish a new Welsh-medium Voluntary Aided Church in Wales School
- To establish the new school either
 - a. on the current site of Banw C.P. School **or**
 - b. on the current site of Llanerfyl C. in W. (Foundation) 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 (2013) 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 have now been updated to reflect issues raised during the consultation period.

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. Separate impact assessments have been carried out for the two options within the proposal. These assessments are provided on the following pages.

2.1 Option to establish a new school on the current site of Banw C.P. School

Proposal	<p>Option A:</p> <p>To close Banw C.P. School and Llanerfyl C. in W. (Foundation) School and to open a new school on the current site of Banw C.P. School</p>
Outline Summary / Description of Proposal	
<p>The Council carried out consultation on the following proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School:</p> <ul style="list-style-type: none"> - To close Banw C.P. School and Llanerfyl C. in W. Foundation School and to establish a new Welsh-medium Voluntary Aided Church in Wales School - To establish the new school either <ul style="list-style-type: none"> a. on the current site of Banw C.P. School or b. on the current site of Llanerfyl C. in W. Foundation School <p>This assessment considers the impact of Option A – to establish a new school on the current site of Banw C.P. School.</p>	

1. Profile of savings delivery (if applicable)

2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
£ None	£ None	£28,715	£20,511	£None	£49,226

2. Consultation requirements

Consultation Requirement	Consultation deadline	Feedback considered
Public consultation required	Consultation has taken place in accordance with the requirements of the School Organisation Code.	Yes

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

Version	Author	Job Title	Date
1	Sarah Astley	Schools Transformation and Welsh-medium Education Programme Manager	10/07/18
2a	Sarah Astley	Schools Transformation and Welsh-medium Education Programme Manager	12 th September 2018
3a	Sarah Astley	Schools Transformation and Welsh-medium Education Programme Manager	7 th February 2019

4. Impact on Other Service Areas

Does the proposal have potential to impact on another service area? (Including implication for Health & Safety and Corporate Parenting) PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY	
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 Reorganisation Project Board, therefore are aware of the recommendation, and will receive regular updates as the statutory process moves forward.	
Service Area informed:	Contact Officer liaised with:
Mitigation	

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	N/A	Choose an item.		Choose an item.

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
Health and Care We will lead the way in effective, integrated rural health and care	N/A	Choose an item.		Choose an item.
Learning and skills We will strengthen learning and skills	This option would result in one larger school in the Banwy Valley to replace the two current small schools, which would ensure more sustainable provision in the valley, and would have a positive impact on the quality of education provided to pupils. The Banw building provides access to more facilities than the Llanerfyl building – in particular, there is access to a hall on site. Should this option be implemented, all pupils in the area would be able to access these facilities.	Good		
Residents and Communities We will support our residents and communities	<p>The proposal would mean that there would be no provision in the village of Llanerfyl. However, there is a separate village hall in Llanerfyl, which would continue to be available. The building currently occupied by Llanerfyl C. in W. School is not owned by the Council – should the building no longer be required for the provision of education, the Trust would determine its future use.</p> <p>Feedback received during the consultation period reflected concerns that implementation of this option would have a negative impact on the community of Llanerfyl through not having a school in the village, and also potentially a negative impact on the village hall through loss of use by the school.</p>	Poor	Priscilla Foster Trust to consider possible future uses of the building.	Poor
Source of Outline Evidence to support judgements				
Initial engagement with parents, consultation 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?	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 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.</p>	<p>The proposal would lead to an increase in travel for pupils currently attending Llanerfyl C. in W. School. Whilst the additional distance is minimal, pupils living in Llanerfyl who are currently able to walk / cycle to school would be unable to do so. However, implementation of the proposal would lead to a reduction in the number of school buildings.</p> <p>Feedback received during the consultation period reflected concerns that implementation of this option would result in an increase in travel for pupils currently attending Llanerfyl School.</p>	Neutral		Choose an item.
<p>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).</p>	<p>The proposal would lead to an increase in travel for pupils currently attending Llanerfyl C. in W. School. Whilst the additional distance is minimal, pupils living in Llanerfyl who are currently able to walk / cycle to school would be unable to do so. However, implementation of the proposal would lead to a reduction in the number of school buildings.</p> <p>Feedback received during the consultation period reflected concerns that implementation of this option would result in an increase in travel for pupils currently attending Llanerfyl School.</p>	Neutral		Choose an item.

<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>There is a hall co-located on the current site of Banw C.P. School. Should this option be implemented, all pupils would be able to access this hall for activities when needed. However, this option would mean that pupils living in Llanerfyl who can currently walk / cycle to school would be unable to do so.</p> <p>Feedback received during the consultation period reflected concerns that implementation of this option would result in an increase in travel for pupils currently attending Llanerfyl School.</p>	<p>Neutral</p>		<p>Choose an item.</p>
<p>A Wales of cohesive communities: Attractive, viable, safe and well-connected Communities.</p>	<p>The proposal would enable the community to work together for the benefit of the whole area, although it is recognised that school reorganisation developments can create tensions locally.</p> <p>Feedback received during the consultation period reflected concerns that it would be difficult for the two communities to come together due to historical tensions in the local area, and that should the Council proceed with implementation of this option, a number of pupils currently attending Llanerfyl C. in W. (Foundation) School were likely to transfer to alternative schools instead of transferring to a new school on the Banw site.</p>	<p>Neutral</p>	<p>Work closely with the two current schools / communities when establishing the new school to ensure that all are involved, with the aim of bringing the two communities together.</p>	<p>Good</p>

<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>	n/a	Choose an item.		Choose an item.
<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>Implementation of the proposal would see the establishment of one larger Welsh-medium school to replace two small Welsh-medium schools.</p> <p>Feedback received during the consultation period suggested that implementation of this option could have a negative impact on the Welsh language in Llanerfyl, and could result in pupils choosing to transfer to English-medium provision instead of a new Welsh-medium school on the Banw School.</p>	Good		Choose an item.
<p><i>Opportunities to promote the Welsh language</i></p>	<p>Implementation of the proposal would see the establishment of one larger Welsh-medium school to replace two small Welsh-medium schools.</p> <p>Feedback received during the consultation period suggested that implementation of this option could have a negative impact on the Welsh language in Llanerfyl.</p>	Good		Choose an item.

<i>Welsh Language impact on staff</i>	<p>Implementation of the proposal would see the establishment of one larger Welsh-medium school to replace two small Welsh-medium schools. There could be a small reduction in overall staff numbers, potentially being part of a larger group of staff could provide improved opportunities for Welsh speaking staff.</p> <p>Some concerns were raised during the consultation period about the proposal's impact on staff.</p>	Good	Process to be completed as quickly as possible in order to minimise this period of uncertainty for staff.	Choose an item.
<i>People are encouraged to do sport, art and recreation.</i>	<p>There is a hall co-located on the current site of Banw C.P. School. Should this option be implemented, all pupils would be able to access this hall for activities when needed. The recommendation would result in pupils being part of a larger cohort, which could provide opportunities for them to take part in a wider range of activities. However, there would be no provision in Llanerfyl, therefore pupils who live in Llanerfyl and can currently walk / cycle to school would no longer be able to do so. The additional travel required could also impact on pupils' ability to access after-school activities.</p> <p>Feedback received during the consultation period reflected concerns that implementation of this option would result in an increase in travel for pupils currently attending Llanerfyl School. Comments were also received that implementation of this option would have a positive impact on opportunities for pupils to take part in sports activities due to being part of a larger group of pupils.</p>	Neutral		Choose an item.
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>	The intention of the proposal is to improve provision for primary school aged pupils in the Banwy Valley.	Good		Choose an item.

Disability	<p>A number of pupils at both current schools receive support for ALN. It is expected that this option would result in provision for ALN pupils which is at least equivalent to the provision available now. It is possible that there would be improved provision for pupils with ALN through the greater ability for staff to develop specialisms across the school.</p> <p>Some feedback was received during the consultation period which expressed concern that this option would have a greater impact on pupils with ALN as there are currently more pupils with ALN attending Llanerfyl School compared with Banw School</p>	Neutral	The aim of the proposal is to improve the educational opportunities for all pupils, including any pupils with ALN. The Council would work in partnership with pupils with additional learning needs, parents and the schools to support an effective transition.	Choose an item.
Gender reassignment	N/A	Choose an item.		Choose an item.
Marriage or civil partnership	N/A	Choose an item.		Choose an item.
Race	<p>The proposal would provide improved educational opportunities for all pupils, regardless of their race.</p> <p>Some feedback was received during the consultation period which expressed concern that this option would have a greater impact on pupils from ethnic backgrounds other than White British as there are may be some pupils belonging to ethnic groups other than White British attending Llanerfyl School.</p>	Neutral	The aim of the proposal is to improve the educational opportunities available to all pupils, including any pupils belonging to ethnic groups other than White British.	Choose an item.

Religion or belief	<p>Establishment of a new Church in Wales primary school would continue to provide access to Welsh-medium Church in Wales provision in the Banwy Valley. Should any parents not wish their children to attend Church in Wales provision, Welsh-medium Community Primary provision is available nearby at Ysgol Pontrobert and Llanfair Caereinion C.P. School</p> <p>Feedback was received during the consultation period which outlined concerns that implementation of this option would have a negative impact on links with the Church.</p>	Neutral	Church in Wales ethos to be maintained regardless of site, through support from the Diocese and the Section 50 inspection process.	Choose an item.
Sex	The proposal would provide improved educational opportunities for girls and boys	Good		Choose an item.
Sexual Orientation	N/A	Choose an item.		Choose an item.
Pregnancy and Maternity	N/A	Choose an item.		Choose an item.
Source of Outline Evidence to support judgements				
PLASC, consultation report				

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)				

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
Long Term: Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.	Pupil numbers in the Banwy Valley area are declining, placing both schools at risk. By establishing one new larger school, the authority hopes to safeguard the provision of high quality Welsh-medium education in the valley.	Good		Choose an item.
Collaboration: Working with others in a collaborative way to find shared sustainable solutions.	<p>Discussions with the two governing bodies have taken place whilst developing the proposals, however ultimately a decision will be made by the Council.</p> <p>The two schools already collaborate to some extent as part of a collaboration of three small schools. Should the proposal be implemented the new school would be expected to continue to collaborate with the third school, and other neighbouring schools.</p> <p>Feedback received during the consultation period reflected concerns that it would be difficult for the two communities to come together due to historical tensions in the local area, and that should the Council proceed with implementation of this option, a number of pupils currently attending Llanerfyl C. in W. (Foundation) School were likely to transfer to alternative schools instead of transferring to a new school on the Banw site.</p>	Neutral		Choose an item.

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>Involvement (including Communication and Engagement): <i>Involving a diversity of the population in the decisions that affect them.</i></p>	<p>Discussions with the two governing bodies have taken place whilst developing the proposals, however ultimately a decision will be made by the Council.</p> <p>Initial engagement with parents also took place when developing the recommendation, this included an informal session in Llanerfyl, and a questionnaire which was circulated to the parents of pupils currently attending the two schools and the local Cylch Meithrin.</p> <p>Full consultation has been carried out in accordance with the requirements of the School Organisation Code, and a consultation report has been produced which outlines the findings of this consultation exercise. The consultation report will be taken into consideration by the council's Cabinet when determining how to proceed.</p>	Good		Choose an item.
<p>Prevention: <i>Understanding the root causes of issues to prevent them from occurring.</i></p>	<p>The authority has identified that pupil numbers in the Banwy Valley are declining, placing both schools at risk. By establishing one new larger school in the area, the council hopes to safeguard education provision in the valley.</p>	Good		Choose an item.
<p>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></p>	N/A	Choose an item.		Choose an item.

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.	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. All stakeholders had an opportunity to give their views as part of this process, including any unpaid carers in the area.	Neutral		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.	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. Some concerns were raised during the consultation period about the safeguarding arrangements linked to implementation of this option, due to the co-location of the Banw building with the Community Hall.	Good	There is a Safeguarding Policy in place, and regular Safeguarding Audits are carried out.	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
Impact on Powys County Council Workforce	<p>Implementation of the proposal would impact on the current staff at the two schools. 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 and governors of the two affected 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.</p> <p>Some concerns were raised during the consultation period about the proposal's impact on staff.</p>	Neutral	Process to be completed as quickly as possible in order to minimise this period of uncertainty for staff.	Choose an item.
Source of Outline Evidence to support judgements				
PLASC, consultation report				

8. Achievability of proposal?

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

9. What are the risks to service delivery or the council following implementation of this proposal?

Risk Identified	Inherent Risk Rating	Mitigation	Residual Risk Rating
Based on current pupil projections, there would still be less than 50 pupils in the school in a few years time	Medium	Ensure that pupil numbers and impact on the school's finances are closely monitored by both the school and the local authority, and actions are taken to address any related issues. Should the numbers fall to a point where the new school is unsustainable, further consideration will be required about the school's future.	Medium
Pupils may transfer to other schools instead of the proposed new school, which would impact on pupil numbers	Medium	Move forward with the process as swiftly as possible in order to limit the period of uncertainty for the community. Should the recommendation be implemented, work with the two school communities to shape the new school	Medium
As the new school would be a small Welsh-medium school in a rural area, it may not attract a headteacher	Medium	If the new school is unable to recruit a Headteacher, the authority would need to secure an alternative arrangement with another school e.g. shared headship.	Medium
Welsh Government may not provide capital funding for investment in a school of this size	High	If capital funding via the 21 st C Schools Programme is not available for this school, the authority would need to consider alternative sources of funding.	High
Overall judgement (to be included in project risk register)			
Very High Risk	High Risk	Medium Risk	Low Risk
		X	

10. 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 early November.	Consultation report	Whether or not to proceed with the publication of statutory notices
Publication of statutory notices	March 2019	Objection report	Whether to proceed with implementation of the proposal
Establishment of shadow governing body to	September 2019	Shadow governing body established	

take forward the establishment of the new school			
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.

11. Indicative resource requirements (FTE) – link to Resource Delivery Plan

Support Requirements	2018-19				2019-20				2020-21			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
N/A												

12. Overall Summary and Judgement of this Impact Assessment?

Outline Assessment (to be inserted in cabinet report)	Cabinet Report Reference:
N/A	

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

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

14. On-going monitoring arrangements?

What arrangements will be put in place to monitor the impact over time?
N/A
Please state when this Impact Assessment will be reviewed.
This impact assessment will be reviewed at each stage of the process.

2.2 Option to establish a new school on the current site of Llanerfyl C. in W. (Foundation) School

Proposal	<p>Option B:</p> <p>To close Banw C.P. School and Llanerfyl C. in W. (Foundation) School and to open a new school on the current site of Llanerfyl C. in W. (Foundation) School</p>
Outline Summary / Description of Proposal	
<p>The Council is consulting on the following proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School:</p> <ul style="list-style-type: none"> - To close Banw C.P. School and Llanerfyl C. in W. Foundation School and to establish a new Welsh-medium Voluntary Aided Church in Wales School - To establish the new school either <ul style="list-style-type: none"> a. on the current site of Banw C.P. School or b. on the current site of Llanerfyl C. in W. Foundation School <p>This assessment considers the impact of Option B – to establish a new school on the current site of Llanerfyl C. in W. (Foundation) School.</p>	

1. Profile of savings delivery (if applicable)

2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
£ None	£ None	£36,999	£26,427	£None	£63,426

2. Consultation requirements

Consultation Requirement	Consultation deadline	Feedback considered
Public consultation required	Consultation has taken place in accordance with the requirements of the School Organisation Code.	Yes

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

Version	Author	Job Title	Date
1	Sarah Astley	Schools Transformation and Welsh-medium Education Programme Manager	10/07/18
2b	Sarah Astley	Schools Transformation and Welsh-medium Education Programme Manager	12/09/18

3b	Sarah Astley	Schools Transformation and Welsh-medium Education Programme Manager	07/02/19
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4. Impact on Other Service Areas

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

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 Reorganisation Project Board, therefore are aware of the recommendation, and will receive regular updates as the statutory process moves forward.

Service Area informed:

Contact Officer liaised with:

Mitigation

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	N/A	Choose an item.		Choose an item.

Tudalen 310

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>The proposal would result in one larger school in the Banwy Valley to replace the two current small schools, which would ensure more sustainable provision in the valley, and would have a positive impact on the quality of education provided to pupils. However, the Llanerfyl building is smaller than the Banw building and provides access to less facilities. In particular, there is no access to a hall on site, although the school does access the village hall which is located at the end of the lane.</p> <p>Feedback received during the consultation period suggested that there was concern that implementation of this option would have a negative impact on learning and skills for pupils currently attending Banw C.P. School as there are less facilities in the Llanerfyl building, as well as no access to a hall on site.</p>	Neutral	Investment could be provided in order to enhance the learning environment and to enable the school to embrace new technology. Consideration to be given to the level of investment required and how this can be funded.	Good

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
Residents and Communities We will support our residents and communities	<p>The proposal would mean that there would be no provision in the village of Llangadfan. Banw CP School is co-located with a community hall, therefore closure of the school / site could impact on the community hall.</p> <p>Feedback received during the consultation period reflected concerns about the impact of implementation of this option on the community hall in Banw, due to the extensive use that is made of the hall by a range of organisations, and about complexities that would arise should there be no school on the site due to the Community Hall's lease. Concern was also raised that it could be difficult to establish an alternative use for the site, and that it could remain vacant, which would have a negative impact on the area, particularly given the school's prominent location on the main road.</p>	Poor	Consideration to be given to possible future uses of the Banw building, which would safeguard the community hall.	Poor
Source of Outline Evidence to support judgements				
<p style="text-align: center;">Initial engagement with parents, consultation report</p>				

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
<p>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.</p>	<p>The proposal would lead to a small increase in travel, as pupils currently attending Banw CP School would need to travel to Llanerfyl. However the additional distance would be minimal, and the number of pupils affected would be relatively small. Implementation of the proposal would lead to a reduction in the number of school buildings.</p> <p>Some feedback received during the consultation period reflected concerns that implementation of this option would result in an increase in travel for pupils currently attending Banw School, and that the furthest travel distance for pupils would be greater should this option be implemented.</p>	Neutral		Choose an item.
<p>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).</p>	<p>The proposal would lead to a small increase in travel, as pupils currently attending Banw CP School would need to travel to Llanerfyl. However, the additional distance would be minimal, and the number of pupils affected would be relatively small. Implementation of the proposal would lead to a reduction in the number of school buildings.</p> <p>Some feedback received during the consultation period reflected concerns that implementation of this option would result in an increase in travel for pupils currently attending Banw School, and that the furthest travel distance for pupils would be greater should this option be implemented.</p>	Neutral		Choose an item.

<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>There is no access to a hall on the Llanerfyl site. Whilst the school does have access to the village hall, which is located approximately a quarter of a mile walk away, the lack of a hall on site could make it more difficult to access the hall for activities when needed. Many Llanerfyl pupils live in the village and currently walk to school. This recommendation would enable them to continue to do so.</p> <p>Feedback received during the consultation period reflected concerns about the impact on the ability of pupils currently attending Banw CP School to take part in physical activity due to the lack of a hall on the Llanerfyl site and due to the fact that there are less facilities on the Llanerfyl site compared with the Banw site.</p>	Neutral		Choose an item.
<p>A Wales of cohesive communities: Attractive, viable, safe and well-connected Communities.</p>	<p>The proposal would enable the community to work together for the benefit of the whole area, although it is recognised that school reorganisation developments can create tensions locally.</p> <p>Feedback received during the consultation period reflected concerns that it would be difficult for the two communities to come together due to historical tensions in the local area.</p>	Neutral	Work closely with the two current schools / communities when establishing the new school to ensure that all are involved, with the aim of bringing the two communities together.	Good
<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>	n/a	Choose an item.		Choose an item.
<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>				

<i>Opportunities for persons to use the Welsh language, and treating the Welsh language no less favourable than the English language</i>	Implementation of the proposal would see the establishment of one larger Welsh-medium school to replace two small Welsh-medium schools.	Good		Choose an item.
<i>Opportunities to promote the Welsh language</i>	Implementation of the proposal would see the establishment of one larger Welsh-medium school to replace two small Welsh-medium schools.	Good		Choose an item.
<i>Welsh Language impact on staff</i>	<p>Implementation of the proposal would see the establishment of one larger Welsh-medium school to replace two small Welsh-medium schools. There could be a small reduction in overall staff numbers, however being part of a larger group of staff would provide improved opportunities for Welsh speaking staff.</p> <p>Some concerns were raised during the consultation period about the proposal's impact on staff.</p>	Good	Process to be completed as quickly as possible in order to minimise this period of uncertainty for staff.	Choose an item.
<i>People are encouraged to do sport, art and recreation.</i>	<p>There is no hall on the current site, which could impact on opportunities to take part in sport and recreation activities. However, there is access to the village hall, which is located approximately a quarter of a mile away. In addition, there is a yard and a playing field on site which can be used for sport and recreation activities. The recommendation would result in pupils being part of a larger cohort, which could provide opportunities for them to take part in a wider range of activities.</p> <p>Feedback received during the consultation period reflected concerns that implementation of this option would have a negative impact on the ability of pupils currently attending Banw CP School to take part in physical activity due to the lack of a hall on the Llanerfyl site and due to the fact that there are less facilities on the Llanerfyl site compared with the Banw site.</p>	Neutral		Choose an item.
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).				

Age	The proposal will improve provision for primary school aged pupils in the Banwy Valley.	Good		Choose an item.
Disability	<p>A number of pupils at both current schools receive support for ALN. It is expected that this option would result in provision for ALN pupils which is at least equivalent to the provision available now. It is possible that there would be improved provision for pupils with ALN through the greater ability for staff to develop specialisms across the school.</p> <p>Feedback was received during the consultation period which suggested that this option would have less of an impact on pupils with ALN as there are currently more pupils with ALN attending Llanerfyl School compared with Banw School</p>	Good		Choose an item.
Gender reassignment	N/A	Choose an item.		Choose an item.
Marriage or civil partnership	N/A	Choose an item.		Choose an item.
Race	<p>The proposal would provide improved educational opportunities for all pupils, regardless of their race.</p> <p>Some feedback was received during the consultation period which suggested that this option would have less of an impact on pupils from ethnic backgrounds other than White British as there are may be some pupils belonging to ethnic groups other than White British attending Llanerfyl School.</p>	Neutral		Choose an item.

Religion or belief	Establishment of a new Church in Wales primary school would continue to provide access to Welsh-medium Church in Wales provision in the Banwy Valley. Should any parents not wish their children to attend Church in Wales provision, Welsh-medium Community Primary provision is available nearby at Ysgol Pontrobert and Llanfair Caereinion C.P. School.	Neutral		Choose an item.
Sex	The proposal would provide improved educational opportunities for girls and boys	Good		Choose an item.
Sexual Orientation	N/A	Choose an item.		Choose an item.
Pregnancy and Maternity	N/A	Choose an item.		Choose an item.
Source of Outline Evidence to support judgements				
PLASC, consultation report				

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: <i>Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.</i>	Pupil numbers in the Banwy Valley area are declining, placing both schools at risk. By establishing one new larger school, the authority hopes to safeguard the provision of high quality Welsh-medium education in the valley.	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>Collaboration: Working with others in a collaborative way to find shared sustainable solutions.</p>	<p>Discussions with the two governing bodies have taken place whilst developing the proposals, however ultimately a decision will be made by the Council.</p> <p>The two schools already collaborate to some extent as part of a collaboration of three small schools. Should the proposal be implemented the new school would be expected to continue to collaborate with the third school, and other neighbouring schools.</p> <p>Feedback received during the consultation period reflected concerns that it would be difficult for the two communities to come together due to historical tensions in the local area.</p>	Neutral		Choose an item.
<p>Involvement (including Communication and Engagement): Involving a diversity of the population in the decisions that affect them.</p>	<p>Discussions with two governing bodies have taken place whilst developing the proposals, however ultimately a decision will be made by the Council. Initial engagement with parents also took place when developing the recommendation, this included an informal session in Llanerfyl, and a questionnaire which was circulated to the parents of pupils currently attending the two schools and the local Cylch Meithrin.</p> <p>Full consultation has been carried out in accordance with the requirements of the School Organisation Code, and a consultation report has been produced which outlines the findings of this consultation exercise. The consultation report will be taken into consideration by the council's Cabinet when determining how to proceed.</p>	Good		Choose an item.
<p>Prevention: Understanding the root causes of issues to prevent them from occurring.</p>	<p>The authority has identified that pupil numbers in the Banwy Valley are declining, placing both schools at risk. By establishing one new larger school in the area, the council hopes to safeguard education provision in the valley.</p>	Good		Choose an item.

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
Integration: Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives.	N/A	Choose an item.		Choose an item.
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. All stakeholders had an opportunity to give their views as part of this process, including any unpaid carers in the area.	Neutral		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.	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.	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
Impact on Powys County Council Workforce	<p>Implementation of the proposal would impact on the current staff at the two schools. 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 and governors of the two affected 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.</p> <p>Some concerns were raised during the consultation period about the proposal's impact on staff.</p>	Neutral	Process to be completed as quickly as possible in order to minimise this period of uncertainty for staff.	Choose an item.
Source of Outline Evidence to support judgements				
PLASC, consultation report				

8. Achievability of proposal?

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

9. What are the risks to service delivery or the council following implementation of this proposal?

Risk Identified	Inherent Risk Rating	Mitigation	Residual Risk Rating

Based on current pupil projections, there would still be less than 50 pupils in the school in a few years time	Medium	Ensure that pupil numbers and impact on the school's finances are closely monitored by both the school and the local authority, and actions are taken to address any related issues. Should the numbers fall to a point where the new school is unsustainable, further consideration will be required about the school's future.	Medium
Pupils may transfer to other schools instead of the proposed new school, which would impact on pupil numbers	Medium	Move forward with the process as swiftly as possible in order to limit the period of uncertainty for the community. Should the recommendation be implemented, work with the two school communities to shape the new school	Medium
As the new school would be a small Welsh-medium school in a rural area, it may not attract a headteacher	Medium	If the new school is unable to recruit a Headteacher, the authority would need to secure an alternative arrangement with another school e.g. shared headship.	Medium
Welsh Government may not provide capital funding for investment in a school of this size	High	If capital funding via the 21 st C Schools Programme is not available for this school, the authority would need to consider alternative sources of funding.	High
The current configuration of the school at Llanerfyl may cause challenges for the new school in relation to curriculum delivery following the introduction of the new curriculum	Medium	Capital investment in the school	Low
Overall judgement (to be included in project risk register)			
Very High Risk	High Risk	Medium Risk	Low Risk
		X	

10. 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 early November.	Consultation report	Whether or not to proceed with the publication of statutory notices
Publication of statutory notices	March 2019	Objection report	Whether to proceed with implementation of the proposal
Establishment of shadow governing body to	September 2019	Shadow governing body established	

take forward the establishment of the new school			
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.

11. Indicative resource requirements (FTE) – link to Resource Delivery Plan

Support Requirements	2018-19				2019-20				2020-21			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
N/A												

12. Overall Summary and Judgement of this Impact Assessment?

Outline Assessment (to be inserted in cabinet report)	Cabinet Report Reference:
N/A	

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

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

14. On-going monitoring arrangements?

What arrangements will be put in place to monitor the impact over time?
N/A
Please state when this Impact Assessment will be reviewed.
This impact assessment will be reviewed at each stage of the process.

3. Equalities Impact Assessment

Powys County Council

Equality Impact Assessment (EqIA)



Separate impact assessments have been carried out for the two options within the proposal. These assessments are provided on the following pages.

3.1 Option to establish a new school on the current site of Banw C.P. School

Tudalen 323

Proposal	Option A: To close Banw C.P. School and Llanerfyl C. in W. (Foundation) School and to open a new school either on the current site of Banw C.P. School	Lead Person undertaking the assessment	Sarah Astley
Service Area	Schools Service	Relevant Head of Service who has agreed this assessment	Joanna Cassey Dr Alec Clark
Date of Assessment	August 2018 Updated February 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.	<p>The Council carried out consultation on the following proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School:</p> <ul style="list-style-type: none"> - To close Banw C.P. School and Llanerfyl C. in W. Foundation School and to establish a new Welsh-medium Voluntary Aided Church in Wales School - To establish the new school either <ul style="list-style-type: none"> c. on the current site of Banw C.P. School or d. on the current site of Llanerfyl C. in W. Foundation School <p>This assessment considers the impact of Option A – to establish a new school on the current site of Banw C.P. School.</p>
2. OBJECTIVES	
Please state the current business objectives of the change proposal.	<p>The reasons for establishing a new school on the current site of Banw C.P. School are as follows:</p> <ul style="list-style-type: none"> - Would provide one larger school in the Dyffryn Banw area which would continue to provide access to Welsh-medium education - Would provide improved opportunities for pupils in the Dyffryn Banw area by being part of a larger school - Would provide a more efficient model of delivering primary education in the Dyffryn Banw area - Would minimise surplus places in the Dyffryn Banw area - Closing the two schools and establishing one new school would ensure that all staff currently employed at the two schools would have an equal opportunity to secure a position in the new school - The proposal to establish a new Church in Wales school would ensure continued access to Welsh-medium Church in Wales provision - The Banw building is larger, so would provide an opportunity to co-locate pre-school provision on the site - The Banw building has been assessed as being more suitable for curriculum delivery purposes - There is access to a hall on site

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"> - This is the larger site of the two and could easily accommodate all current pupils in the area - There are more facilities on this site e.g. indoor hall, dining hall, large playground and playing fields, plenty of parking - All pupils would be together in the same place which would have a positive impact on the opportunities which could be offered to them - Would reduce surplus places in the area - Would lead to a financial saving to the council 	
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 out 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?	<p>Yes <input type="checkbox"/></p> <p>Please state the gaps:</p> <p>N/A</p> <p>How will the gaps be addressed going forward?</p> <p>N/A</p>	No <input type="checkbox"/> ✓
6. DATA ANALYSIS		
<p>6.1 Quantitative</p> <p>Summarise the key quantitative data analysis results, providing key headline statistics.</p> <p>Include data that relates to existing provision and also data relating to proposal. E.g. statistics generated from a consultation questionnaire.</p> <p>Key questions:</p> <p>i) Are certain groups currently underrepresented in service user figures? Will a change affect this?</p> <p>ii) How do satisfaction levels compare across the protected characteristic groups? How will a change affect this?</p>	<p><u>PLASC January 2018</u></p> <p><u>Banw C.P. School</u></p> <p>There are currently 26 pupils at Banw C.P. School. The following pupils belong to the protected characteristic groups:</p> <ul style="list-style-type: none"> - Free school meals: 3 pupils are eligible to receive free school meals - SEN: 5 pupils have special educational needs. Of these, 0 pupils have statements, 5 pupils are on School Action and 0 pupils are on School Action Plus - Disabilities: 5 pupils have additional learning needs. No other pupils have any disabilities - English as an Additional Language – Welsh or English is the first language of all pupils in the school - Ethnicity: The ethnic group of all pupils in the school is White British - Looked after Children: There are no Looked After Children in the school <p><u>Llanerfyl C. in W. (Foundation) School</u></p>	

	<p>There are currently 32 pupils in Llanerfyl C. in W. School. The following pupils belong to the protected characteristic groups:</p> <ul style="list-style-type: none"> - Free school meals: No pupils are eligible to receive free school meals - SEN: 9 pupils have special educational needs. Of these, 0 pupils have statements, 5 pupils are on School Action and 4 pupils are on School Action Plus - Disabilities: 9 pupils have additional learning needs. No other pupils have any disabilities - English as an Additional Language – Welsh or English is the first language of all pupils in the school - Ethnicity: The ethnic group of 93.8% of pupils in the school is White British. Information has not been obtained for the remaining 6.2% - Looked after Children: There are no Looked After Children in the school <p>This information shows that the proportion of pupils that will be affected by this proposal that belong to the protected characteristic groups is small. However, 5 pupils currently attending Banw C.P. School and 9 pupils currently attending Llanerfyl C. in W. (Foundation) School have additional learning needs. In addition, a small number of pupils currently attending Banw C.P. School are eligible to receive free school meals. Whilst the ethnic group of the vast majority of pupils is White British, information has not been provided for 6.2% of pupils attending Llanerfyl C. in W. (Foundation) School. Information received from a parent suggests that these pupils belong to an ethnic group other than White British.</p> <p>The proposal to locate a new school on the current site of Banw C.P. School would have a greater impact on pupils currently attending Llanerfyl C. in W. School, as they would need to attend a different site. However, the aim of the proposal is to improve the educational opportunities available for all pupils in the Banw Valley area, including any pupils belonging to the protected characteristics group.</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</p>	<p>Consultation has been carried out on the proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School, which included consultation with the school councils of the affected schools. The following issues were raised regarding the proposal's impact on pupils belonging to the protected characteristic groups:</p>

<p>characteristics focus group on the proposal.</p> <p>Key questions:</p> <p>i) Do certain groups have a different service user experience? How will a change affect this?</p> <p>ii) Have any areas for improvement been communicated by particular groups? Will 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>	<p><u>Additional Learning Needs</u> – Comments received during the consultation period reflected general concern about the impact of the proposals on pupils with ALN due to the impact of moving to a bigger school / bigger classes. Comments received also reflected concern that this option would have a greater impact on pupils with ALN, as more pupils with ALN currently attend Llanerfyl C. in W. School.</p> <p><u>Ethnic Group</u> – Comments received during the consultation period reflected concern about the impact of this option on pupils belonging to ethnic groups other than White British, and concerns about discrimination of these pupils, and about the safety of these pupils, should the Council proceed with establishing a new school on the current site of Banw School.</p> <p><u>Religion</u> – Comments received during the consultation period raised concern that a new Church in Wales school established on the current site of Banw School would not have the same ethos as the current Church in Wales school on the Llanerfyl site. Also, whilst some comments were received which supported the potential establishment of a new Church in Wales School to serve the whole area, some comments were also received which raised concerns about this.</p>
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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>iii) Will Welsh speakers be affected?</p>	<p>i) The proposal will impact on a small number of pupils with additional learning needs, and a small number of pupils belonging to an ethnic group other than White British.</p> <p>ii) A small number of pupils currently attending Banw C.P. School are eligible for Free School Meals.</p> <p>iii) As the proposals relate to the closure of two small Welsh-medium schools in order to establish one new Welsh-medium school, the proposal will affect Welsh speakers. As required by the Welsh Government’s School Organisation Code, a separate Welsh Language Impact Assessment will be carried out.</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 Welsh-medium VA Church in Wales school would be established, and all pupils currently attending the two schools would be able to attend the new school. The aim of the proposal is to improve the educational opportunities available to pupils in the Banw Valley area, including any pupils belonging to the protected characteristic groups.</p> <p>The option to locate a new school on the current site of Banw C.P. School would have a greater impact on pupils currently attending Llanerfyl C. in W. School, however it is acknowledged that there would also be an impact on pupils currently attending Banw C.P. School.</p> <p>Additional Learning Needs – A total of 14 pupils with additional learning needs currently attend the two schools. Whilst the proposal to locate a new school on the current site of Banw C.P. School would impact on these pupils, there is no reason to believe that the newly established school would be unable to meet the needs of these pupils. The aim of the proposal is to improve the educational opportunities available to all pupils, including any pupils with additional learning needs.</p>

	<p>Ethnic Group – The proposal to locate a new school on the current site of Banw C.P. School would impact on pupils currently attending Llanerfyl C. in W. (Foundation) School that belong to an ethnic group other than White British. However, the aim of the proposal is to improve the educational opportunities available to all pupils, regardless of their ethnic group, therefore whilst there may be an impact on these pupils in the short term as they would need to attend school at a different location, the authority’s view is that the proposal would not have a negative impact on them in the longer term.</p> <p>Free School Meals – a small number of pupils that currently attend Banw C.P. School are eligible for Free School Meals. Whilst the proposal to locate a new school on the current site of Banw C.P. School would have some impact on these pupils, it is unlikely that this impact would be negative. Pupils would continue to access the same school site, therefore there would be no additional travel implication for the pupils or their parents.</p> <p>Religion – the proposal is to establish a new Church in Wales primary school. This would continue to provide access to Welsh-medium Church in Wales provision in the Banwy Valley. Should any parents not wish their children to attend Church in Wales provision, Welsh-medium Community Primary provision is available nearby at Ysgol Pontrobert and Llanfair Caereinion C.P. School</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>

3.2 Option to establish a new school on the current site of Llanerfyl C. in W. (Foundation) School

Proposal	Option B: To close Banw C.P. School and Llanerfyl C. in W. (Foundation) School and to open a new school either on the current site of Llanerfyl C. in W. (Foundation) School	Lead Person undertaking the assessment	Sarah Astley
Service Area	Schools Service	Relevant Head of Service who has agreed this assessment	Joanna Cassey Dr Alec Clark
Date of Assessment	August 2018 Updated February 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	The Council has carried out consultation on the following proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School:		

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proposal being assessed.	<ul style="list-style-type: none"> - To close Banw C.P. School and Llanerfyl C. in W. Foundation School and to establish a new Welsh-medium Voluntary Aided Church in Wales School - To establish the new school either <ul style="list-style-type: none"> e. on the current site of Banw C.P. School or f. on the current site of Llanerfyl C. in W. Foundation School <p>This assessment considers the impact of Option B – to establish a new school on the current site of Llanerfyl C. in W. (Foundation) School.</p>
2. OBJECTIVES	
Please state the current business objectives of the change proposal.	<p>The reasons for establishing a new school on the current site of Llanerfyl C. in W. (Foundation) School are as follows:</p> <ul style="list-style-type: none"> - Would provide one larger school in the Dyffryn Banw area which would continue to provide access to Welsh-medium education - Would provide improved opportunities for pupils in the Dyffryn Banw area by being part of a larger school - Would provide a more efficient model of delivering primary education in the Dyffryn Banw area - Would minimise surplus places in the Dyffryn Banw area - Closing the two schools and establishing one new school would ensure that all staff currently employed at the two schools would have an equal opportunity to secure a position in the new school - The proposal to establish a new Church in Wales school would ensure continued access to Welsh-medium Church in Wales provision - Pupils numbers are slightly higher in Llanerfyl C. in W. (Foundation) School than in Banw C.P. School and are projected to remain higher - The building currently occupied by Llanerfyl C. in W. (Foundation) School has been assessed to be in a better condition than the building currently occupied by Banw C.P. School - Potential capital receipt to the authority from sale of the Banw C.P. School building
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"> - Current numbers at Llanerfyl are slightly higher than Banw, therefore this would be a more convenient location for the majority - Current pupil projections at Llanerfyl are higher than Dyffryn Banw - Building is currently in a better condition than Banw - All pupils would be together in the same place which would have a positive impact on the opportunities which could be offered to them - Would reduce surplus places in the area - Would lead to a financial saving to the council 	
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 out 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		
<p>5.1. What data has been used to conduct this assessment?</p> <p>Tick/shade boxes as appropriate.</p>	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?	<p>Yes <input type="checkbox"/></p> <p>Please state the gaps:</p> <p>N/A</p> <p>How will the gaps be addressed going forward?</p> <p>N/A</p>	No <input type="checkbox"/> ✓
6. DATA ANALYSIS		
<p>6.1 Quantitative</p> <p>Summarise the key quantitative data analysis results, providing key headline statistics.</p> <p>Include data that relates to existing provision and also data relating to proposal. E.g. statistics generated from a consultation questionnaire.</p> <p>Key questions:</p> <p>iii) Are certain groups currently underrepresented in service user figures? Will a change affect this?</p> <p>iv) How do satisfaction levels compare across the protected characteristic groups? How will a change affect this?</p>	<p><u>PLASC January 2018</u></p> <p><u>Banw C.P. School</u></p> <p>There are currently 26 pupils at Banw C.P. School. The following pupils belong to the protected characteristic groups:</p> <ul style="list-style-type: none"> - Free school meals: 3 pupils are eligible to receive free school meals - SEN: 5 pupils have special educational needs. Of these, 0 pupils have statements, 5 pupils are on School Action and 0 pupils are on School Action Plus - Disabilities: 5 pupils have additional learning needs. No other pupils have any disabilities - English as an Additional Language – Welsh or English is the first language of all pupils in the school - Ethnicity: The ethnic group of all pupils in the school is White British - Looked after Children: There are no Looked After Children in the school <p><u>Llanerfyl C. in W. (Foundation) School</u></p>	

	<p>There are currently 32 pupils in Llanerfyl C. in W. School. The following pupils belong to the protected characteristic groups:</p> <ul style="list-style-type: none"> - Free school meals: No pupils are eligible to receive free school meals - SEN: 9 pupils have special educational needs. Of these, 0 pupils have statements, 5 pupils are on School Action and 4 pupils are on School Action Plus - Disabilities: 9 pupils have additional learning needs. No other pupils have any disabilities - English as an Additional Language – Welsh or English is the first language of all pupils in the school - Ethnicity: The ethnic group of 93.8% of pupils in the school is White British. Information has not been obtained for the remaining 6.2% - Looked after Children: There are no Looked After Children in the school <p>This information shows that the proportion of pupils that will be affected by this proposal that belong to the protected characteristic groups is small. However, 5 pupils currently attending Banw C.P. School and 9 pupils currently attending Llanerfyl C. in W. (Foundation) School have additional learning needs. In addition, a small number of pupils currently attending Banw C.P. School are eligible to receive free school meals. Whilst the ethnic group of the vast majority of pupils is White British, information has not been provided for 6.2% of pupils attending Llanerfyl C. in W. (Foundation) School. Information received from a parent suggests that these pupils belong to an ethnic group other than White British.</p> <p>The proposal to locate a new school on the current site of Llanerfyl C. in W. (Foundation) School would have a greater impact on pupils currently attending Banw C.P. School, as they would need to attend a different site. However, the aim of the proposal is to improve the educational opportunities available for all pupils in the Banw Valley area, including any pupils belonging to the protected characteristics group.</p>
<p>6.2 Qualitative Summarise the key qualitative data analysis, providing key themes or patterns.</p>	<p>Consultation has been carried out on the proposals relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School, which included consultation with the school councils of the affected schools. The following issues were raised regarding the proposal's impact on pupils belonging to the protected</p>

<p>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> <p>v) Do certain groups have a different service user experience? How will a change affect this?</p> <p>vi) Have any areas for improvement been communicated by particular groups? Will a change have an impact upon these views?</p> <p>vii) What are the reasons behind some groups not using the service? How will a change affect this position?</p> <p>viii) What has consultation on your proposals revealed about impact on the protected characteristics?</p>	<p>characteristic groups:</p> <p><u>Additional Learning Needs</u> – Comments received during the consultation period reflected general concern about the impact of the proposals on pupils with ALN due to the impact of moving to a bigger school / bigger classes.</p> <p><u>Ethnic Group</u> – Comments received during the consultation period referred to the fact that pupils from ethnic groups other than White British attend Llanerfyl School.</p> <p><u>Religion</u> – Some comments received during the consultation period referred to positive aspects related to the current Church in Wales status of Llanerfyl School. However, whilst some comments were received which supported the potential establishment of a new Church in Wales School to serve the whole area, some comments were also received which raised concerns about this.</p>
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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>iv) Which protected characteristic groups are particularly affected?</p> <p>v) Will people on low incomes be affected?</p> <p>vi) Will Welsh speakers be affected?</p>	<p>i) The proposal will impact on a small number of pupils with additional learning needs, and a small number of pupils belonging to an ethnic group other than White British.</p> <p>ii) A small number of pupils currently attending Banw C.P. School are eligible for Free School Meals.</p> <p>iii) As the proposals relate to the closure of two small Welsh-medium schools in order to establish one new Welsh-medium school, the proposal will affect Welsh speakers. As required by the Welsh Government's School Organisation Code, a separate Welsh Language Impact Assessment will be carried out.</p>
9. EQUALITY IMPROVEMENT	
<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>iv) Can the impact be mitigated, and how will this be done?</p> <p>v) Does the proposal require modification to reduce or remove this impact?</p> <p>vi) 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 Welsh-medium school would be established, and all pupils currently attending the two schools would be able to attend the new school. The aim of the proposal is to improve the educational opportunities available to pupils in the Banw Valley area, including any pupils belonging to the protected characteristic groups.</p> <p>The option to locate a new school on the current site of Llanerfyl C. in W. (Foundation) School would have a greater impact on pupils currently attending Banw C.P. School, however it is acknowledged that they would also be an impact on pupils currently attending Llanerfyl C. in W. (Foundation) School.</p> <p>Additional Learning Needs – A total of 14 pupils with additional learning needs currently attend the two schools. Whilst the proposal to locate a new school on the current site of Llanerfyl C. in W. (Foundation) School would impact on these pupils, there is no reason to believe that the newly established school would be unable to</p>

meet the needs of these pupils. The aim of the proposal is to improve the educational opportunities available to all pupils, including any pupils with additional learning needs.

Ethnic Group – The proposal to locate a new school on the current site of Llanerfyl C. in W. (Foundation) School would impact on pupils currently attending Llanerfyl C. in W. (Foundation) School that belong to an ethnic group other than White British. However, these pupils would continue to attend the same school site, therefore the impact on them would be minimal. The aim of the proposal is to improve the educational opportunities available to all pupils, regardless of their ethnic group.

Free School Meals – A small number of pupils that currently attend Banw C.P. School are eligible for Free School Meals. Whilst the proposal to locate a new school on the current site of Llanerfyl C. in W. (Foundation) School would impact on these pupils, there is no reason to believe that the newly established school would be unable to meet their needs. However there would be an additional travel implication. Whilst free home to school transport would be provided for the pupils to enable them to access the new school, there would be an additional travel implication for their parents to access any activities at the school.

Religion – the proposal is to establish a new Church in Wales primary school. This would continue to provide access to Welsh-medium Church in Wales provision in the Banwy Valley. Should any parents not wish their children to attend Church in Wales provision, Welsh-medium Community Primary provision is available nearby at Ysgol Pontrobert and Llanfair Caereinion C.P. School

9.2 Will the management of the impact as outlined in 9.1, be included in the Service Improvement Plan?	Yes <input type="checkbox"/> Date added..... Reference.....	No <input type="checkbox"/> ✓ If no, please explain why not: Need was not identified at time of writing Service Strategy
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4. Community Impact Assessment

4.1 Banw C.P. School

i) Proportion of pupils from within / outside the catchment area that attend the school

The closest Welsh-medium provider for the pupils that were attending Banw C.P. School and Llanerfyl C. in W. (Foundation) School during the 2017-18 academic year was as follows:

Closest Welsh-medium school	Pupils attending Banw C.P. School	Pupils attending Llanerfyl C. in W. (Foundation) School	Total
Banw CP School	25	1	26
Llanerfyl C. in W. (Foundation) School	0	29	29
Ysgol Llanbrynmair	0	2	2
Ysgol Gymraeg Y Trallwng	1	0	1

This suggests that 25 out of the 26 pupils for whom Banw C.P. School is the closest Welsh-medium school attend this school, whilst one pupil attends Llanerfyl C. in W. (Foundation) School. In addition, one pupil that lives closer to another Welsh-medium school attends the school.

ii) Other facilities or services provided by the school

The school provides a range of after school clubs for all school pupils on Wednesday afternoons from 3.30pm – 4.30pm. Almost all pupils attend the clubs, and an attendance register is kept weekly. All after school clubs are held through the medium of Welsh, and develop skills learnt in the classroom. Members of the Governing Body and Friends of the School that have a DBS help with running these clubs, and past pupils also volunteer to help.

The following clubs were provided by members of the school's teaching staff, assisted by support staff and members of the Governing Body and Friends of the School:

- Cookery Club
- Coding Club
- Sports Club
- Gardening / Eco Club
- Urdd Club

A range of other extra-curricular activities are provided. These include the following:

- Rich tasks – at least one rich task is organised every term which promotes the Welsh language and provides an opportunity to invite the public and parents to be part of the work e.g. Afternoon Tea
- Brass and woodwind lessons
- Mile a day
- Eisteddfod y Foel, Urdd Eisteddfod, Powys Eisteddfod
- Cycling lessons
- 'Cwis Llyfrau' ('Books Quiz')
- Literary competitions such as Barddas (2018), Ymryson y Beirdd Bach in the Powys Eisteddfod
- Improving language skills – Llangrannog Urdd Camp (annually) and the Cardiff Urdd Camp (2018 and every other year)
- A variety of sports practices and competitions including cross country running, tag rugby, swimming, athletics, football and much more, including Urdd Sports and Dragon Sports
- The area's mobile library
- Visits by the IMPACT schools team to promote Christian values (optional)
- Cinema nights in school

iii) Other services accommodated by the school

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

- Cwmni Theatr Ieuencid Maldwyn rehearse in the Hall and in the school every Thursday evening during the Autumn and Spring terms. Auditions are also held here during the Summer term.
- Merched y Wawr meetings – the school is used for regional meetings
- Governing Body meetings

- Dyffryn Banw Football Club use the school at weekends (facilities including showers which lead to changing areas within the school)
- The Local Authority hold meetings in the school e.g. regional meetings (Headteachers), governor training
- Harp workshops

iv) Other use by the community of the school building

The school is co-located with a community hall, which is used for a wide range of activities. These include the following:

- Funeral teas
- Performances by companies such as Theatr Arad Goch, Bara Caws, Opera Cymru
- Eisteddfod y Foel
- Dyffryn Banw YFC meet in the hall/school weekly
- Powys Eisteddfod will be held in the hall in 2019. Almost all sub-committee meetings are held in the hall
- The local Urdd Eisteddfod was held in the school in 2018 – no other school in the Caereinion cluster would have been able to accommodate this – large car park, two canteens, a stage, a hall, separate toilets for girls/boys/adults, a number of classrooms to hold prelims
- Pupils have arranged Welsh lessons and workshops by well known local people for parents and members of the public, starting in September 2018
- Entertainment evenings (e.g. Wedding Party to raise money for Cylch Meithrin Dyffryn Banw)
- Weddings / birthday parties

v) Other links between the school and the community

- As above. The community hall which is co-located with the school is used by a number of community organisations in the Dyffryn Banw area, and ensures strong links between the school and the Dyffryn Banw community.

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

- Banw C.P. School is co-located with Banw Community Hall. Whilst the current proposals relating to Banw C.P. School is not proposing any changes to the Community Hall, it is likely that there would be an impact on the Community Hall should there be no school provision on the site.

- There is no other facility in the Llangadfan / Foel area where the services currently provided by / accommodated in the school and community hall could be provided.
- However, there is a Village Hall in the neighbouring village of Llanerfyl. It is possible that some of the services / activities provided could be accommodated here.

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

Should there be no school in Banw, additional travel would be required for pupils currently attending Banw C.P. School. Should a new school be located on the current site of Llanerfyl C. in W. (Foundation) School, additional travel would be required to access this site. However, a number of pupils that currently attend Banw C.P. School already access home to school transport, therefore the additional distance to the alternative location is likely to have a minimal impact.

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

Should the Council proceed with any proposal relating to primary provision in the Banw Valley, every effort would be made to fully engage parents and pupils in the process of establishing the new school. By proposing to close the two schools and establish one new school, both current schools would have an equal opportunity to be involved in the new school, e.g. through membership of the shadow governing body, and all pupils currently attending the two schools would have an equal opportunity to participate in activities provided at the new school.

However, it is acknowledged that should a new school be established on the current site of Llanerfyl C. in W. (Foundation) School, there would be additional travel distance for pupils / parents living closer to Banw C.P. School, which could impact their ability to access after school activities and other activities arranged by the school.

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

N/A

4.2 Llanerfyl C. in W. (Foundation) School

i) Proportion of pupils from within / outside the catchment area that attend the school

The closest Welsh-medium provider for the pupils that were attending Banw C.P. School and Llanerfyl C. in W. (Foundation) School during the 2017-18 academic year was as follows:

Closest Welsh-medium school	Pupils attending Banw C.P. School	Pupils attending Llanerfyl C. in W. (Foundation) School	Total
Banw CP School	25	1	26
Llanerfyl C. in W. (Foundation) School	0	29	29
Ysgol Llanbrynmair	0	2	2
Ysgol Gymraeg Y Trallwng	1	0	1

This suggests that all 29 pupils for whom Llanerfyl C. in W. (Foundation) School is the closest Welsh-medium school attend this school. In addition, 3 pupils who live closer to other Welsh-medium schools attend this school.

ii) Other facilities or services provided by the school

The following after-school clubs are provided by the school:

- Sports Clubs
- Gardening Club
- Cookery Club
- ICT Club
- Coding Club
- Urdd Club
- Art Club

A range of other extra-curricular activities are provided. These include the following:

- Instrumental lessons – brass and harp
- Fund raising for charity e.g. Macmillan coffee morning, Children in Need

- Harvest service in the Church, Christmas service in the Chapel
- Christmas party in the village hall
- Competing in the sports competitions – arranged by the local authority, the Urdd, and other local competitions
- Competing in local Eisteddfodau – Foel and the Urdd
- Taking part in ‘Plygain yr ifanc’
- Joint working with Cylch Meithrin held in Llanerfyl Village Hall
- Visits e.g. to Caereinion High School to see Candelas, Mudiad Meithrin Tour in Welshpool, shows in Theatr Hafren

iii) Other services accommodated by the school

- Opportunity for high school aged pupils to help with or lead clubs for their Baccalaureate, work experience
- A member of staff that has additional needs regularly comes to school to help in the kitchen
- A member of staff from the Cylch Meithrin helps in the school, which helps with transition between the Cylch and the school.

iv) Other use by the community of the school building

- Local children and young people use the schools external facilities regularly e.g. playing field, yard and park to socialise, play football and other sports
- The Cylch Meithrin held their Afternoon Tea on the school site, using the kitchen and playing field
- The school’s Easter Bingo is held in the building and is attended by members of the community
- The end of term BBQ arranged by the Friends of the School is held on the school field and is a community event.

v) Other links between the school and the community

- The school uses facilities in the village, including the Church, the Chapel and the Hall
- Pupils attend clubs e.g. Dyffryn Banw football club, Llanfair Caereinion hockey club, Dance club, Gymnastics club
- The school provides integration between members of the community which is important as there is no shop, pub or café in the community.
- Friends of the school activities, coffee mornings held in the Village Hall and religious services held by the school in the Church and the Chapel
- The school / pupils support the Llanerfyl Fair every year
- The children receive easter eggs from the community every Easter

- Members of the community bring produce from their gardens to promote the children's education
- Representatives from the church come to the school to speak with the children and to take religious services. Visits from Impact bus
- Money is received annually from the Priscilla Foster Trust which was established to provide education to the children of Llanerfyl
- Links with the Cylch Meithrin which takes place in Lanerfyl – opportunity for Cylch Meithrin children to attend activities such as the Harvest Service, Sports day, Christmas party
- Members of the community come to school to prepare the children to compete at local eisteddfodau
- Over the last year, many members of the community have come to the school to inspire the children e.g. marathon runner Andrew Davies, John and Tom Ellis, craftsman Carwyn Owen, Sian James, Ben Dant, Mari Lovgreen
- Activities arranged by the school bring the community together e.g. Barbecue, Santes Dwynwen Dance, Bingo, Beetle Drive, Halloween Disco

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

- The building occupied by Llanerfyl C. in W. (Foundation) School is not owned by the Council – it is owned by the Priscilla Foster Trust. Should there be no school in Llanerfyl, the Trust would need to determine the building's future use.
- There is a Village Hall in Llanerfyl which is located on a separate site to the school. Should there be no school in Llanerfyl, it is unlikely that this would impact on the Village Hall, therefore the Hall would continue to be available to community activities.
- In addition, should a new school be established on the site currently occupied by Banw C.P. School, school provision for pupils living in Llanerfyl would be provided at this location, and this facility and the co-located community hall would continue to provide activities for the whole Dyffryn Banw area.

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

Should there be no school in Llanerfyl, additional travel would be required for pupils currently attending Llanerfyl C. in W. (Foundation) School. Should a new school be located on the current site of Banw C.P. School, additional travel would be required to access this site.

Whilst the distance between Llanerfyl C. in W. (Foundation) School and Banw C.P. School, and therefore the travel time between the two sites, is considered to be acceptable, many of the pupils that currently attend Llanerfyl C. in W. (Foundation) School live within the village of Llanerfyl, and therefore are able to walk or cycle to school. Should any new school be located on the site currently occupied by Banw C.P. School, these pupils would be unable to walk to school.

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

Should the Council proceed with any proposal relating to primary provision in the Banw Valley, every effort would be made to fully engage parents and pupils in the process of establishing the new school. By proposing to close the two schools and establish one new school, both current schools would have an equal opportunity to be involved in the new school, e.g. through membership of the shadow governing body, and all pupils currently attending the two schools would have an equal opportunity to participate in activities provided at the new school.

However, it is acknowledged that should a new school be established on the current site of Banw C.P. School, there would be additional travel for pupils / parents living closer to Llanerfyl C. in W. (Foundation) School, which could impact their ability to access after school activities and other activities arranged by the school.

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

N/A

4.3 Issues raised during the consultation period

Comments received during the consultation period expressed concern about the impact of the proposals on both communities involved. These concerns are listed in full in the consultation report published in respect of these proposals, however a summary of the impact on each community is provided below.

4.3.1 Option to establish a new school on the site currently occupied by Banw C.P. School

i) Impact on pupil travel

- Pupils who currently walk / cycle to Llanerfyl School would be unable to do so

- Increase in travel for pupils currently attending Llanerfyl School
- ii) Impact on parents
- Establishing a new school on the Banw site would be inconvenient for parents as work commitments and other after school activities tend to be in the direction of Llanfair Caereinion, Welshpool, Newtown
 - Having to take / collect children from school activities would be inconvenient for parents of pupils currently attending Llanerfyl School.
- iii) General impact on the village of Llanerfyl
- Losing the school from Llanerfyl would have a negative impact on social activity in Llanerfyl
 - Llanerfyl school brings the community together as there is no shop, café or pub in the village
 - Activities arranged to support the school take place during the year, and are an opportunity for the community to come together
 - The school has strong links to the Church, Cylch Meithrin and the wider community
- iv) Impact on Llanerfyl Village Hall
- Concern about financial impact on the village hall following a reduction in use of the Hall
 - Llanerfyl School makes regular use of the Village Hall for concerts, coffee mornings and other activities such as discos and beetle drives
 - Comments were also received which suggested that closure of Llanerfyl School would not directly affect the Village Hall as the hall is not directly attached to the school.

4.3.2 Option to establish a new school on the site currently occupied by Llanerfyl C. in W. (Foundation) School

- i) Impact on pupil travel
- Pupils living in Llanerfyl would be able to continue to walk / cycle to school
 - Increase in travel for pupils currently attending Banw School
- ii) Reference to use by community organisations of the building in which Banw School is located

- The building / adjoining hall are used by a number of community organisations:
 - Dyffryn Banw Football Club
 - Ysgol Theatr Maldwyn
 - Powys Eisteddfod
 - Merched y Wawr regional committee
 - Urdd
 - YFC
 - Governor training / INSET training
 - Theatre performances
 - Sports clubs

- Concern about where these activities would take place should there be no school on the site and should this result in an impact on the community hall

- iii) Concern about impact on the Community Centre
 - Concern about implications for the Community Centre should there be no school on site
 - Reference to complexities that would arise should there be no school on site due to the Community Centre's lease
 - Concern about financial impact on the community centre should the school close

- iv) General impact on the community
 - Possible that closure of Banw School would not have such a big impact on the community as there are other facilities in Langadfan, e.g. a café, shop and pub
 - Concern about impact on the area should the school close and the Council be unable to identify an alternative use / sell the site due to its prominent location on the main road.

4.4 Conclusion

4.4.1 Option to establish a new school on the current site of Banw C.P. School

Should a new school be established on the current site of Banw C.P. School, there would be no primary provision in the village of Llanerfyl. This could impact on the community of Llanerfyl through the school's involvement in activities in the village and links with the Llanerfyl community, and comments were raised during the consultation period which referred to the importance of Llanerfyl School within the community, particularly as there is no shop, café or

pub in the village, and that activities arranged by the school are an opportunity for the community to come together. However, should the Council proceed with this option, the new school would be expected to serve the whole Banw Valley area and to maintain community links across the area.

Should there be no primary provision in Llanerfyl, the building currently occupied by the school would be returned to the Priscilla Foster Trust, who would determine its future use.

There is a Village Hall in Llanerfyl, which is located on a separate site to the school. Should there be no primary provision in the building occupied by Llanerfyl C. in W. (Foundation) School, it is unlikely that this would impact on the Village Hall, therefore this would continue to be available for community activities. However, concerns were raised during the consultation period about the impact on the village hall due to loss of income from the school.

There would be an additional travel requirement for pupils currently attending Llanerfyl C. in W. (Foundation) School and other stakeholders to access a new school on the current site of Banw C.P. School. Whilst the additional distance is minimal, it is acknowledged that this would mean that pupils living in the village of Llanerfyl would no longer be able to walk / cycle to school. In addition, there would be an impact on parents, as the school would be located further away from them. For some parents, the Banw site could be less convenient, particularly if they work or need to transport pupils to activities in the alternative direction (Llanfair Caereinion, Welshpool, Newtown).

A wide range of extra-curricular activities are currently offered by both Banw C.P. School and Llanerfyl C. in W. (Foundation) School. Any new school established on either site would be encouraged to offer a similar range of activities for pupils.

4.4.2 Option to establish a new school on the current site of Llanerfyl C. in W. (Foundation) School

Should a new school be established on the current site of Llanerfyl C. in W. (Foundation) School, there would be no primary provision in the building currently occupied by Banw C.P. School. This could impact on the area of the Banw Valley currently served by this school, through involvement in school activities and links with the community, however the new school would be expected to serve the whole Banw Valley area and to maintain community links across the area.

Should there be no primary provision in the current Banw C.P. School building, the Council would need to determine how to use the building in the future. The Banw Community Hall is co-located with the school, therefore whilst the current proposal is not proposing any changes to the community

hall, it is possible that removal of primary provision from the Banw site could impact on the community hall in the future. In particular, concerns were raised regarding the Community Centre's lease, and comments were received which reflected complexities which would arise should the Council proceed with this option, due to the Community Centre's lease, and concern was raised about the financial impact on the Community Centre should there be no school on site.

Ultimately, closure of the school at Banw could mean that the adjoining community centre would no longer be available for the community. Whilst it is acknowledged that a village hall would remain in the village of Llanerfyl, reference was made in the consultation responses to the wide range of community organisations which use the Community Hall at Banw, and concerns were raised about where raised about where these activities could take place should the Community Hall no longer be available.

Should a new school be located on the current Llanerfyl site, there would be an additional travel requirement for pupils currently attending Banw C.P. School and other stakeholders to access a new school on the current site of Llanerfyl C. in W. School. However, this additional travel would be minimal.

A wide range of extra-curricular activities are currently offered by both Banw C.P. School and Llanerfyl C. in W. (Foundation) School. Any new school established on either site would be encouraged to offer a similar range of activities for pupils.

5. Welsh Language Impact Assessment

This Welsh Language Impact Assessment should be read in conjunction with the Integrated Impact Assessment and Equality Impact Assessment earlier on in this document.

5.1 Banw C.P. School

i) Standards in the Welsh language

The following tables provide information about standards in Welsh at Banw C.P. School. Whilst this is useful as background information, the small number of pupils in each year group mean that it is difficult to draw any firm conclusions from this information with regard to standards in Welsh at the school.

Foundation Phase

	Number of Year 2 pupils	No. 5+	% 5+	No. 6+	% 6+
2014	7	6	85.7%	2	28.6%
2015	4	4	100%	1	25%
2016	4	4	100%	2	50%
2017	7	7	100%	0	0%
2018	1	1	100%	1	100%

Key Stage 2

	Number of Year 6 pupils	No. 4+	% 4+	No. 5+	% 5+
2014	7	7	100%	4	57.1%
2015	2	2	100%	2	100%
2016	8	7	87.5%	4	50%
2017	3	3	100%	1	33.33%
2018	6	6	100%	3	50%

Welsh Language Charter

The school achieved the bronze award for the Welsh language Charter at the end of the summer term 2018, and are currently working on their silver scheme.

ii) After school / extra-curricular activities which provide additional opportunities to use Welsh

The school provides a range of after school clubs for all school pupils on Wednesday afternoons from 3.30pm – 4.30pm. Almost all pupils attend the clubs, and an attendance register is kept weekly. All after school clubs are held through the medium of Welsh, and develop skills learnt in the classroom. Members of the Governing Body and Friends of the School that have a DBS help with running these clubs, and past pupils also volunteer to help.

The following clubs were provided by members of the school's teaching staff, assisted by support staff and members of the Governing Body and Friends of the School:

- Cookery Club
- Coding Club
- Sports Club
- Gardening / Eco Club
- Urdd Club

A range of other extra-curricular activities are provided. These include the following:

- Rich tasks – at least one rich task is organised every term which promotes the Welsh language and provides an opportunity to invite the public and parents to be part of the work e.g. Afternoon Tea
- Brass and woodwind lessons
- Mile a day
- Eisteddfod y Foel, Urdd Eisteddfod, Powys Eisteddfod
- Cycling lessons
- 'Cwis Llyfrau' ('Books Quiz')
- Literary competitions such as Barddas (2018), Ymryson y Beirdd Bach in the Powys Eisteddfod
- Improving language skills – Llangrannog Urdd Camp (annually) and the Cardiff Urdd Camp (2018 and every other year)
- A variety of sports practices and competitions including cross country running, tag rugby, swimming, athletics, football and much more, including Urdd Sports and Dragon Sports
- The area's mobile library
- Visits by the IMPACT schools team to promote Christian values (optional)
- Cinema nights in school

iii) Other Welsh language activities that take place in the school, including opportunities for members of the community to learn Welsh or undertake activities through the medium of Welsh

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

- Cwmni Theatr Ieuencid Maldwyn rehearse in the Hall and in the school every Thursday evening during the Autumn and Spring terms. Auditions are also held here during the Summer term.
- Merched y Wawr meetings – the school is used for regional meetings
- Governing Body meetings
- Dyffryn Banw Football Club use the school at weekends (facilities including showers which lead to changing areas within the school)
- The Local Authority hold meetings in the school e.g. regional meetings (Headteachers), governor training
- Harp workshops

The school is co-located with a community hall, which is used for a wide range of activities, many of which are held through the medium of Welsh. These include the following:

- Funeral teas
- Performances by companies such as Theatr Arad Goch, Bara Caws, Opra Cymru
- Eisteddfod y Foel
- Dyffryn Banw YFC meet in the hall/school weekly
- Powys Eisteddfod will be held in the hall in 2019. Almost all sub-committee meetings are held in the hall
- The local Urdd Eisteddfod was held in the school in 2018 – no other school in the Caereinion cluster would have been able to accommodate this – large car park, two canteens, a stage, a hall, separate toilets for girls/boys/adults, a number of classrooms to hold prelims
- Pupils have arranged Welsh lessons and workshops by well known local people for parents and members of the public, starting in September 2018
- Entertainment evenings (e.g. Wedding Party to raise money for Cylch Meithrin Dyffryn Banw)
- Weddings / birthday parties

iv) Other links between the school and the Welsh language community

As above. The community hall which is co-located with the school is used by a number of community organisations in the Dyffryn Banw area, and for a range of Welsh language activities serving the Dyffryn

Banw area and beyond, and ensures strong links between the school and the Welsh language community in Dyffryn Banw and beyond.

5.2 Llanerfyl C. in W. (Foundation) School

i) Standards in the Welsh language

The following tables provide information about standards in Welsh at Llanerfyl C. in W. (Foundation) School. Whilst this is useful as background information, the small number of pupils in each year group mean that it is difficult to draw any firm conclusions from this information with regard to standards in Welsh at the school.

Foundation Phase

	Number of Year 2 pupils	No. 5+	% 5+	No. 6+	% 6+
2014	6	6	100%	3	50%
2015	4	4	100%	2	50%
2016	4	4	100%	1	25%
2017	1	1	100%	0	0%
2018	7	6	85.7%	1	14.3%

Key Stage 2

	Number of Year 6 pupils	No. 4+	% 4+	No. 5+	% 5+
2014	7	7	100%	3	42.9%
2015	5	5	100%	0	0%
2016	8	8	100%	5	62.5%
2017	8	8	100%	2	25%
2018	5	5	100%	2	40%

Welsh Language Charter

The school achieved the bronze award for the Welsh language Charter at the end of the summer term 2018, and are currently working on their silver scheme.

ii) After school / extra-curricular activities which provide additional opportunities to use Welsh

The school is a Welsh-medium school, therefore all after-school clubs are provided in Welsh. The following after-school clubs are provided by the school:

- Sports Clubs
- Gardening Club
- Cookery Club
- ICT Club
- Coding Club
- Urdd Club
- Art Club

As a Welsh-medium school, extra-curricular activities are provided in Welsh. These include the following:

- Instrumental lessons – brass and harp
- Fund raising for charity e.g. Macmillan coffee morning, Children in Need
- Harvest service in the Church, Christmas service in the Chapel
- Christmas party in the village hall
- Competing in the sports competitions – arranged by the local authority, the Urdd, and other local competitions
- Competing in local Eisteddfodau – Foel and the Urdd
- Urdd activities
- Taking part in ‘Plygain yr ifanc’
- Joint working with Cylch Meithrin held in Llanerfyl Village Hall
- Visits e.g. to Caereinion High School to see Candelas, Mudiad Meithrin Tour in Welshpool, shows in Theatr Hafren

As the majority of children come from Welsh speaking homes, Welsh is the natural language of the yard.

iii) Other Welsh language activities that take place in the school, including opportunities for members of the community to learn Welsh or undertake activities through the medium of Welsh

- The school provides an opportunity for high school aged pupils to take part in clubs, and to lead clubs as part of their Baccalaureate qualification.
- As part of the Welsh language Charter, it is intended that pupils will arrange for members of the community to receive Welsh lessons within the school building.
- Governors meetings are held in Welsh.

iv) Other links between the school and the Welsh language community

- The school is a central part of the community and village of Llanerfyl, which is a stronghold for the Welsh language.
- There are strong links with the Church, the Chapel, the Village Hall, the Cylch Meithrin and the Community Council.

5.3 Issues raised during the consultation period

Comments received during the consultation period referred to the Welsh language impact of both options. These comments are listed in full in the consultation report published in respect of these proposals, however a summary of the impact on each community is provided below.

Estyn also referred to the impact of the proposals on the Welsh language in their response to the consultation, which is provided in the consultation report. In their response, Estyn stated that both options outlined in the consultation document 'would contribute to realising Welsh Government's strategy of achieving a million Welsh speakers by 2050.'

5.3.1 Option to establish a new school on the site currently occupied by Banw C.P. School

- There would be a greater impact on the Welsh language should there be no school in Llanerfyl
- Should there be no school in Llanerfyl, possible that parents would send their children to alternative, English-medium providers instead of the proposed new school
- Should there be no school in Llanerfyl, possible that Welsh speaking parents of pupils that currently attend Llanerfyl would send their children to alternative schools, which would mean that there would be less pupils from Welsh speaking homes at the school
- Concern that moving the school to Banw would weaken the Welsh language in the area
- The majority of Banw pupils come from homes where no Welsh is spoken

5.3.2 Option to establish a new school on the site currently occupied by Llanerfyl C. in W. (Foundation) School

- The majority of Llanerfyl pupils come from homes where at least one parent speaks Welsh, so Welsh is the natural language of the school
- Llanerfyl is the strongest area in terms of speaking Welsh – it's important that the Welsh medium primary school is located in the most Welsh area

5.4 Conclusion

5.4.1 Option to establish a new school on the current site of Banw C.P. School

The Banw Valley area is traditionally a Welsh speaking area, and the two current primary schools are Welsh-medium schools. The proposal would result in one new Welsh-medium primary to serve the area. This would ensure that the provision continues to provide access to Welsh-medium education and meet the objectives of the Council's Welsh in Education Strategic Plan, and would also result in a larger school, which would be more sustainable for the future.

Implementation of this option would mean that there would be no provision in the village of Llanerfyl. There is a risk that some pupils would choose to attend alternative provision instead of the new Welsh-medium school, which could include English-medium provision. However a number of pupils from the Banw Valley area already travel to Llanfair Caereinion to access English-medium provision. It is also possible that the provision of a larger school would encourage more pupils to access Welsh-medium provision in the Banw Valley in the future.

There are no concerns about standards in Welsh at both current schools. Both schools offer a wide range of Welsh language extra-curricular activities and have achieved the Welsh Language Charter bronze award and are now working towards the silver award. The Council would expect this to continue to be the case at any new school established in the Banw Valley area.

5.4.2 Option to establish a new school on the current site of Llanerfyl C. in W. Foundation School

The Banw Valley is traditionally a Welsh speaking area, and the two current primary schools are Welsh-medium schools. The proposal would result in one new Welsh-medium primary to serve the area. This would ensure that the provision continues to provide access to Welsh-medium education and meet the objectives of the Council's Welsh in Education Strategic Plan, and would also result in a larger school, which would be more sustainable for the future.

This option would mean that there would be no provision in the building currently occupied by Banw C.P. School. However, there would be provision in Llanerfyl. This would be a larger school, which would be more sustainable for the future. A number of pupils from the Banw Valley area currently travel to Llanfair Caereinion to access English-medium provision. It is possible that the provision of a larger school could encourage more pupils to access Welsh-medium provision in the Banw Valley in the future.

There are no concerns about standards in Welsh at both current schools. Both schools offer a wide range of Welsh language extra-curricular activities and have achieved the Welsh Language Charter bronze award and are now working towards the silver award. The Council would expect this to continue to be the case at any new school established in the Banw Valley area.

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

Appendix E – Full Council Discussion – 7th March

In accordance with the motion approved by Full Council in July 2016, a discussion on the recommendation to be considered by Cabinet relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School took place at the Full Council meeting held on the 7th March.

A webcast of the meeting is available to view via the following link: https://powys.public-i.tv/core/portal/webcast_interactive/409897. The discussion on this matter takes place between 3.24.16 and 4.31.45.

i) Draft minutes

The draft minutes of the item relating to Banw C.P. School and Llanerfyl C. in W. (Foundation) School is as follows:

16. BANW C.P. SCHOOL AND LLANERFYL C. IN W. (FOUNDATION) SCHOOL
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Council debated proposals to close Banw C.P. School and Llanerfyl C. in W. (Foundation) School and to establish a new school to establish a new Welsh-medium Voluntary Aided primary school on the current site of Banw C.P. School.

County Councillor Myfanwy Alexander spoke as the local member of the vital importance of sustaining Welsh as the daily language of these communities. She asked members to keep in mind the impact of the decision on the community and the need to ensure continuity of Welsh language education in the area. She then left the meeting during the debate.

Members raised issues on pupil numbers at the two schools, the condition of the buildings, transport costs, the need for a wider look at education in the area, pupils travelling out of the area to avoid Welsh medium education and the way the consultation had been carried out. The comments made would be taken into account by Cabinet when the proposal was considered on 12th March.

ii) Issues raised

The concerns / queries raised are outlined below, as well as a response.

Issue	Response
If closing a Church in Wales School, doesn't the receiving school have to be a Church in Wales School too?	<p>The proposal is that the new school is a Church in Wales School, therefore pupils currently accessing Church in Wales provision would continue to be able to access Church in Wales provision.</p> <p>Should any parents of pupils currently attending Banw C.P. School not wish their children to attend a Church in Wales school, there are other Welsh-medium community primary schools in the local area, namely Pontrobert C.P. School and Llanfair Caereinion School, so parents could apply for a</p>

	place for their child at one of these schools instead of the proposed Church in Wales School.
At the current time, Llanerfyl is by far the bigger school – it has twice as many pupils as Banw	<p>At the current time, there are 29 pupils attending Llanerfyl C. in W. (Foundation) School and 21 pupils attending Banw C.P. School. However, as explained in the Consultation Document issued in respect of this proposal, as a Foundation School, Llanerfyl C. in W. School is responsible for its own arrangements, and has continued to admit nursery pupils since the Council raised the age of admission in September 2017.</p> <p>Comparing the number of R-Yr6 pupils in both schools would show that there are 22 pupils in Banw C.P. School and 26 pupils in Llanerfyl C. in W. (Foundation) School – therefore Llanerfyl is not ‘by far’ the bigger school, nor does it have twice as many pupils as Banw at the current time.</p>
<p>Concern that the total pupil numbers would still be a small school.</p> <p>Concern that if it goes to Banw, which is further away from Llanfair, are some of the children that currently go to Llanerfyl closer to Llanfair? If some of the pupils went to Llanfair, the pupil numbers would be even less, and the school won’t be viable.</p>	<p>It is true that the total pupil numbers would still result in a small school. ‘Pupils might transfer to other schools instead of the proposed new school, which would impact on pupil numbers’ was identified in the Consultation Document as a risk related to the option to establish a new school on the Banw site. However, this is also identified as a risk in respect of the option to establish a new school on the Llanerfyl site.</p> <p>There is always some element of risk in relation to school reorganisation proposals that parents will choose for their children to attend an alternative school. Parents are entitled to apply for a place for their child in whichever school they choose, and the Council has a duty to accommodate that choice where there is space available.</p> <p>Should there be no school in Llanerfyl, 6 of the current pupils would live closer to Llanfair Caereinion, however 2 of these pupils already live closer to Llanfair Caereinion C.P. School than Llanerfyl School. Of the remaining 4 pupils, 1 is in year 5, so would have moved to high school by the time the proposal was implemented.</p>
Query about transport costs – if you are moving the children to the smaller school, won’t that increase the school transport budget? How much extra will it cost to transport children from the Llanerfyl area to the Banw area.	<p>An estimate of the impact of implementation of the two site options on school transport costs was received, which took account of the impact on the total cost of home to school transport in the Banw Valley, which includes transport to Caereinion High School and NPTC College.</p> <p>The estimate was that the implementation of either option – to establish the new school on either the Banw site or the Llanerfyl site - would result in an increase in the daily cost of home to school transport from the current cost of £546.02 per day to approximately £730 day.</p>

<p>If more children go to Llanerfyl school than Banw school, logic suggests that if the school is built in Banw, more people will be travelling</p>	<p>There is no intention to build a new school – the consultation was based on establishing a new school in one of the two current buildings.</p> <p>It is true that there would be an increase in the number of pupils travelling to school should it be located on the current Banw site. However, pupils travel further to Banw C.P. School than to Llanerfyl School, and the option to establish the new school in Llanerfyl would mean that pupils would be travelling further – as outlined in the Consultation Document, the maximum travel distance for pupils currently attending Llanerfyl School should the school be located on the Banw site would be 5.85 miles, whilst the maximum travel distance for pupils currently attending Banw School should the school be located on the Llanerfyl site would be 10.01 miles.</p>
<p>Concern about surplus capacity – there would be more surplus capacity on the Banw site</p>	<p>It is true that there would initially be more surplus capacity should the new school be opened on the Banw site. However, amalgamating the two schools to establish one new school in either of the current buildings would lead to a significant reduction in overall surplus capacity in the Banw Valley area. The space and facilities on the Banw site also mean that there would be opportunities to locate other facilities on the site, such as early years provision. This would reduce the surplus places, and would also enhance the school’s offering.</p> <p>There is no space in the Llanerfyl building to accommodate provision such as this.</p>
<p>Should we have looked at the wider Llanfair area to see whether there is more radical reform to be undertaken?</p>	<p>The aim during this exercise, as agreed with the two governing bodies during the early discussions carried out in respect of these proposals was to retain Welsh-medium provision in the Banw Valley.</p>
<p>How confident are we that a proposal won’t be coming back in another 2 years with a proposal saying that the school is too small? If that is a risk, shouldn’t we bite the bullet now?</p>	<p>It is true that the new school would still be a relatively small school, wherever it was located. There are risks associated with all school reorganisation proposals, and in the Consultation Document, ‘Based on current pupil projections, there is likely to less than 50 pupils in the school in a few years time’ is identified as a risk for both site options.</p> <p>However, a number of pupils travel out of the Banw Valley to access provision in Llanfair Caereinion. It is hoped that in the longer term, the establishment of a new school, with a strong curricular offering and a range of facilities would reverse this trend, and would encourage more pupils to access this school instead of travelling further afield. There is also the potential that a strong Welsh-medium school in the area could attract pupils from areas such as Llanfair Caereinion.</p>

Llanerfyl pupils probably won't go to Banw – this would be a shame.	There is a risk with either site option that pupils would transfer to other schools instead of the proposed new school.
More importance should be put on schools in communities that are more cost effective.	Establishing one new school to serve the area would be more cost effective, whichever site the school was located on.
What about federation, why isn't this being considered?	It is not possible to federate a Church in Wales School with a Community Primary School, therefore federation is not an option for these two schools. A multi-sited option was considered, however the views expressed by the community during the early engagement work carried out suggested that the communities did not consider this to be a suitable way forward.
Would question some of the results of the survey.	<p>This was a public consultation exercise, and anyone who wished to respond was able to do so. The survey was carried out in the same way as other surveys.</p> <p>The findings reflect an earlier survey of parents of pupils attending the two schools and the local Cylch Meithrin carried out as part of the early engagement work in early 2018, where a higher number of parents identified the Dyffryn Banw as their preferred site option. As outlined in the report produced outlining the findings of this earlier survey:</p> <ul style="list-style-type: none"> - 'However, the order is different if we consider the number of times each option was ranked '1', the preferred option. On this basis, the order in terms of preference is as follows: <ul style="list-style-type: none"> o 1 A new school operating in the current Dyffryn Banw building – 12 o 2 A new school operating in the current Llanerfyl building – 11 o =3 A new school dual sited school operating across the two current buildings – 2 o =3 A new school built on a new site in the area – 2' <p>The report goes on to state on page 12 that:</p> <ul style="list-style-type: none"> - 'Whilst 16 questionnaires were received from families that currently have children attending Ysgol Llanerfyl, only 11 questionnaires ranked the option of 'A new school operating in the current Llanerfyl building' as their preferred option. In contrast, only 8 questionnaires were received from families that currently have children attending Ysgol Dyffryn Banw, however 12 questionnaires ranked 'A new school operating in the current Dyffryn Banw building' as the preferred option.'

	<p>The findings of the survey are only one element to be taken into consideration when determining how to proceed – a large number of written responses were also received, and these have also been taken into consideration in making the recommendation.</p>
<p>26 pupils already go out of the area every day to avoid Welsh-medium education – this has an impact on numbers at the two schools.</p>	<p>It is agreed that pupils choosing to travel to access provision outside the Banw Valley has impacted on pupil numbers at the two schools. It is hoped that in the longer term, establishing one new, larger school in the area would encourage more pupils to remain in the Banw Valley rather than travelling to alternative providers.</p>
<p>Concern that there is no provision for latecomers in Powys – that could be provided in the Banw Valley</p>	<p>Noted.</p>
<p>Should look at the provision in the area as a whole, as there are a number of small schools in this area</p>	<p>The aim during this exercise, as agreed with the two governing bodies during the early discussions carried out in respect of these proposals was to retain Welsh-medium provision in the Banw Valley.</p>
<p>What is the capital spend going to be to bring both schools up to an acceptable condition? Wouldn't it be prudent to keep the school with the least cost to the Council?</p>	<p>Either option outlined in the consultation document is achievable without the need for any capital spend.</p>
<p>As Llanerfyl has the most pupils, wouldn't it make the most sense to move Banw pupils to Llanerfyl?</p>	<p>As outlined in the Consultation Document, there are strengths and weaknesses associated with both site options. However, the findings of the consultation exercise carried out suggest that the community's preferred option is to establish a new school on the current site of Banw School.</p>
<p>Will be important that schools go further than school hours, and provide breakfast clubs, after school activities – need to consider these elements when making changes in terms of school reorganisation</p>	<p>Agreed. The current site of Banw C.P. School, which is more spacious and has a separate dining area as well as hall on site, is a more suitable site on which to provide services such as these.</p>
<p>The paper distributed suggests that on every level, the new school should be in Llanerfyl.</p>	<p>The paper distributed was prepared by the governing body of Llanerfyl School, and therefore only includes one perspective.</p>

	<p>There are advantages and disadvantages associated with both site options, and the two site options are explored in full in the consultation document which was published in relation to this proposal.</p> <p>Having considered the information in the consultation document, the feedback from the consultation response form and the written feedback received during the consultation period, the Banw site is considered to be a more suitable location for the new school.</p>
<p>As outlined in the paper distributed, less money needs to be spent on Llanerfyl</p>	<p>It is true that the Condition of the Llanerfyl building has been assessed to be better than the Banw building. However, the Suitability of the Banw building has been assessed to be better than the Llanerfyl building.</p> <p>It is likely that significantly more money would need to be spent to ensure that the suitability of the Llanerfyl building is the same as the Banw building compared with the amount that would need to be spent to ensure that the Banw building is the same condition as the Llanerfyl building.</p>
<p>As outlined in the paper distributed, the condition of Llanerfyl is better</p>	<p>It is true that the condition of Llanerfyl School is better. However, Banw School has been assessed to be more suitable than Llanerfyl. The written responses received to the consultation raised concerns about the accommodation and facilities at Llanerfyl School, their suitability to accommodate a higher number of pupils, and the building's suitability to meet the requirements of the new curriculum.</p>
<p>Far more Welsh is spoken in Llanerfyl as shown on the paper distributed</p>	<p>Wherever the new school is located, the proposal is to establish a Welsh-medium school. Whilst it is noted that a higher proportion of pupils currently attending Llanerfyl School are from Welsh speaking homes, the Council and the Welsh Government's aim is to increase the number of Welsh speakers, with the aim of achieving a million Welsh speakers by the year 2050. Attracting pupils from non Welsh speaking homes to Welsh-medium education will be key in order to achieve this.</p> <p>Estyn agrees that either site option would contribute to the aim to increase the number of Welsh speakers – in their response to the consultation, they stated that 'Both <i>option a and b</i> would contribute to realising the Welsh Government's strategy of achieving a million Welsh speakers by 2050.'</p>
<p>The way that the consultation is undertaken, the questions are loaded to capture what the Council wants to come back.</p>	<p>This is untrue. The consultation response form asked for views on both site options, and the questions were phrased in exactly the same way. The questions were not loaded in any way – this was a genuine consultation exercise, and the Council were keen to hear the views of the communities involved on both site options.</p>

<p>We shouldn't be pitting communities against each other, we should be working to provide something that meets the needs of communities.</p>	<p>There was no intention to 'pit the communities against each other'. Extensive engagement has been carried out with the affected communities in developing these proposals, and the hope was that it would have been possible to come to a consensus.</p> <p>Unfortunately, this was not possible, therefore an opportunity was provided for the communities to give their views on both site options, in order to inform the outcome.</p>
<p>Cabinet member for Finance mentioned condition of schools, and I think he got them the wrong way around – what he said was different to what is in the paper provided by Llanerfyl School.</p>	<p>The Cabinet member of Finance was referring to the Suitability assessment of the two schools, not the Condition assessment.</p>
<p>The consultation has asked obvious questions – if you ask the people of Llanerfyl where they want the school, they are obviously going to say they want it in Llanerfyl, likewise with Banw.</p>	<p>The consultation response form did not ask respondents the question 'where do you want the school to be located?'. The response form asked whether respondents considered each site to be a suitable way forward in order to safeguard the provision of Welsh-medium education in the Banw Valley:</p> <p>6. <i>If the Council were to proceed with merging the two existing schools to create one new school, do you agree that establishing a new school on the current site of Banw C.P. School would be a suitable way forward in order to safeguard the provision of Welsh-medium education in the Banw Valley?</i></p> <p>Yes No Don't know</p> <p><i>Please provide any additional comments:</i></p> <p>7. <i>If the Council were to proceed with merging the two existing schools to create one new school, do you agree that establishing a new school on the current site of Llanerfyl C. in W. (Foundation) School would be a suitable way forward in order to safeguard the provision of Welsh-medium education in the Banw Valley?</i></p> <p>Yes No Don't know</p> <p><i>Please provide any additional comments:</i></p> <p>The findings of the questionnaire show that a higher proportion of respondents were of the opinion that establishing a new school on the Banw site is a suitable way forward compared with the proportion of respondents that</p>

	consider establishing a new school on the Llanerfyl site to be a suitable way forward.
Think we have gone about this the wrong way, and are going to end up with a new school in the wrong location.	Extensive engagement has been carried out with the two communities before making the recommendation. The recommendation reflects the feedback received from the affected communities during the consultation exercise carried out.
It's the governors of Banw school that said something needs to change – the report compares the numbers over the last few years, shows the decrease in pupil numbers.	Pupil numbers in both schools have decreased in recent years.
The original report favoured having the school in Llanerfyl – why did the position change?	The original recommendation was based on an options appraisal carried out by officers, however the scoring was very close between the two sites. The Cabinet Member's view was that it would be fairer to the affected communities to provide the opportunity for residents to give their views on the two site options.
Consultation report says that there are many schools in Powys without a hall.	It is true that there are other schools in Powys that don't have access to a hall on site. However access to a hall on site would be preferable to not having access to a hall on site.
The report says that if we put the school in Banw, there will be no school in Llanerfyl, and that if we put the school in Llanerfyl, there will be no school in Banw, don't think it was necessary to state this as it is obvious.	The Consultation Document has been produced in accordance with the School Organisation Code, which states that Consultation Documents must outline the advantages and disadvantages of proposals. These statements are listed in the Consultation Document as disadvantages associated with each site option.
The report says that there is a possibility pupil numbers would reduce because not all pupils would go to the new school, but it says that we will counting them – I'm not sure what that would achieve.	The Consultation Document has been produced in accordance with the School Organisation Code, which states that Consultation Documents must outline risks associated with proposals. 'Based on current pupil projections, there is likely to less than 50 pupils in the school in a few years time' and 'Pupils might transfer to other schools instead of the proposed new school, which would impact on pupil numbers' are listed as risks for both site options. Appropriate mitigating actions are also outlined for each risk.
Not in our history to move the largest number of pupils to the school with the smallest number of	The proposal is to close both current schools and to open a new school on one of the two sites.

<p>pupils. Because of this, I can see why there is huge objection.</p>	<p>At the current time, there is no evidence of ‘huge objection’ to the recommendation. The findings of the consultation exercise carried out suggests that the community’s view is that the Banw site is more suitable as a location in which to establish the proposed new school, however it is acknowledged that not all respondents agreed that this was a suitable option.</p> <p>Should Cabinet approve continuing with the process, the next stage would be to publish Statutory Notices, and there would be 28 days for people to submit objections. This would provide an opportunity to consider the level of objections, and the reasons for these objections, and there would be a further opportunity for Cabinet to consider whether or not to proceed with implementation of the proposal.</p>																								
<p>There are at least 7 other primary schools within an 8 mile radius of Banw and Llanerfyl – how many pupils are in these schools, and why aren’t we looking at these schools as well?</p>	<p>There are 7 primary schools in total in the Llanfair Caereinion catchment area, however Llanfair Caereinion C.P. School is the only school located within an 8 mile radius of both Banw and Llanerfyl Schools:</p> <table border="1" data-bbox="587 898 1391 1648"> <thead> <tr> <th></th> <th>Distance from Banw C.P. School</th> <th>Distance from Llanerfyl C. in W. School</th> <th>Current pupil numbers (8th March 2019)</th> </tr> </thead> <tbody> <tr> <td>Ysgol Pontrobert</td> <td>9.7 miles</td> <td>7.9 miles</td> <td>31</td> </tr> <tr> <td>Llanfair Caereinion C.P. School</td> <td>7.4 miles</td> <td>5.6 miles</td> <td>173</td> </tr> <tr> <td>Ysgol Meifod</td> <td>11.7 miles</td> <td>9.9 miles</td> <td>79</td> </tr> <tr> <td>Castle Caereinion C. in W. School</td> <td>12.4 miles</td> <td>10.5 miles</td> <td>30</td> </tr> <tr> <td>Ysgol Rhiw Bechan</td> <td>13 miles</td> <td>11.2 miles</td> <td>172</td> </tr> </tbody> </table> <p>The aim during this exercise, as agreed with the two governing bodies during the early discussions carried out in respect of these proposals was to retain Welsh-medium provision in the Banw Valley.</p>		Distance from Banw C.P. School	Distance from Llanerfyl C. in W. School	Current pupil numbers (8th March 2019)	Ysgol Pontrobert	9.7 miles	7.9 miles	31	Llanfair Caereinion C.P. School	7.4 miles	5.6 miles	173	Ysgol Meifod	11.7 miles	9.9 miles	79	Castle Caereinion C. in W. School	12.4 miles	10.5 miles	30	Ysgol Rhiw Bechan	13 miles	11.2 miles	172
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<p>Not right that the consultation was only in the valley – it is a very small area</p>	<p>The consultation was carried out in accordance with the requirements of the School Organisation Code. It was a public consultation exercise, and anybody was able to respond, whether they lived in the Banw Valley or not.</p>																								

<p>How many vacant places are there currently on the buses that are taking pupils to Llanfair High School? This needs to be analysed as part of this exercise.</p>	<p>There are currently two buses transporting pupils from the Banwy Valley to Caereinion High School, a 70 seater which currently has 67 pupils travelling on it, and a 50 seater which currently has 38 pupils travelling on it.</p>
<p>When we close schools, have to look at the cost to this authority. We don't own the site in Llanerfyl – if there is a capital receipt, that should be consideration, as there would be a capital receipt from the Banw site. Can't see this included in the consultation document.</p>	<p>The consultation document does identify that in respect of the option to establish a new school on the Banw site 'The Council would not benefit from any sale of the Llanerfyl site as it isn't owned by the Council'. It is also identified in respect of the option to establish a new school on the Llanerfyl site that there is a 'Potential capital receipt to the authority from sale of the Banw C.P. School building'. However, it is also noted that 'Sale of the Banw site could be difficult due to the co-location of the community centre'.</p>

Appendix F – Responses to requests from Cabinet members for further information regarding Banw C.P. School and Llanerfyl C. in W. (Foundation) School

Following the Cabinet meeting held on the 12th March, requests were received from Cabinet members for further information / clarification on a number of matters relating to the proposals for Banw C.P. School and Llanerfyl C. in W. (Foundation) School.

This information is provided below.

i) Transport Costs:

The transport provider in the Banw / Llanerfyl area was asked to estimate the impact of implementation of either option on overall transport costs before Cabinet agreed to carry out consultation on the proposals relating to Banw C.P. School and Llanerfyl C. in W. School.

The response received indicated that the additional cost would be the same, whether the new school was located on the Banw site or on the Llanerfyl site.

As indicated in the Consultation Document:

‘An estimate of the impact of implementation of this option on school transport costs has been received. This takes into account the impact of this option on the total cost of home to school transport in the Banw Valley, which includes transport to Caereinion High School and NPTC College.

It is estimated that implementation of this option would result in an increase in the daily cost of home to school transport from the current cost of £546.02 per day to approximately £730 per day.’

Home to school is already provided in the Banw Valley area. This includes transport from the area to Caereinion High School and NPTC college in Newtown, and link transport to both Llangadfan and Llanerfyl to provide access to transport to Ysgol Uwchradd Caereinion. Therefore, it is likely that no additional vehicles would be needed to achieve either option – home to school transport would be provided by transporting pupils on the routes already running, or by amending the routes already running to transport pupils to the new schools. This is why the increase in the daily cost is estimated to be the same for both sites.

ii) Costs of any capital spend required:

No capital spend is required to achieve either site option.

The Consultation Document stated on page 25 in respect of the option to establish a new school on the Banw site that:

‘No capital funding is required to achieve this option. There is sufficient capacity within the current building to accommodate the current and forecasted pupils at the two schools.’

The Consultation Document also stated on page 40 in respect of the option to establish a new school on the Llanerfyl site that

‘No capital funding is required to achieve this option. Whilst the current capacity of Llanerfyl C. in W. (Foundation) School, as calculated using Welsh Government Circular 21/2011, ‘Measuring the Capacity of Schools in Wales’ would not be sufficient to accommodate all pupils currently attending the two schools, the capacity has been re-calculated with the inclusion of the school’s Art Room as a teaching base. This calculation provides sufficient capacity to accommodate current and projected pupil numbers at the two schools.’

However, it is acknowledged that there are issues with both buildings – generally, the Llanerfyl building is considered to be in better condition than the Banw building, whilst the Banw building is considered to be more suitable for curriculum delivery purposes than the Llanerfyl building. This information was also reflected on page 10 of the Consultation Document, however it is also outlined below:

In the Spring of 2018, the Council commissioned HoWPS to carry out updated condition and suitability assessments of the two schools, and the overall assessments were provided in the Consultation Document. These are as follows:

	Condition	Suitability
<i>Banw C.P. School</i>	<i>C</i> <i>Generally poor</i>	<i>B</i> <i>Generally satisfactory</i>
<i>Llanerfyl C. in W. (Foundation) School</i>	<i>B</i> <i>Generally satisfactory</i>	<i>C/D</i> <i>Poor to bad</i> <i>This assessment is based on the perceived limitation of having no hall, and the significant limitations due to conversion and extension of the original property.</i>

The HoWPS assessment of the condition of each building also provided an estimate of the maintenance expenditure that would be required on both buildings over the next 5 years. The following estimate was provided:

Year	Ysgol Dyffryn Banw	Ysgol Llanerfyl
0 – 2018	£87,500.00	£0.00
1 – 2019	£271,050.00	£54,250.00
3 – 2020	£20,500.00	£94,750.00
3 – 2021	£7,225.00	£3,700.00
4 – 2022	£2,000.00	£8,500.00
5 – 2023	£0.00	£16,500.00
5 year total	£388,275.00	£177,250.00

This suggests that the maintenance expenditure required on Ysgol Dyffryn Banw is higher, however the site is much bigger than that of Ysgol Llanerfyl, therefore this is not unexpected.

This estimate of maintenance expenditure required does not reflect any other improvements to the buildings that would be required to provide improved facilities at Llanerfyl School to match those available at Banw School. Whilst it is acknowledged that the Llanerfyl building can accommodate all current pupils in the area without any additional facilities, there are significant differences in the accommodation available, and investment would be needed to provide facilities which enable the effective delivery of the new curriculum. The cost of this is likely to be significant.

iii) Projected pupil numbers:

These were provided in the Consultation Document:

	January 2019	January 2020	January 2021	January 2022	January 2023
Banw C.P. School	22	18	17	13	15
Llanerfyl C. in W. (Foundation) School (R-Yr6)	28	30	29	31	28
TOTAL	50	48	46	44	43

However the position has now changed as a number of pupils have moved from Llanerfyl School to Banw School. Current pupil numbers¹ at the two schools are as follows:

¹ Teacher Centre, 04/04/18

	N2	R	1	2	3	4	5	6	Total
Banw	N/A	4	2	4	4	8	5	4	31
Llanerfyl	3	1	3	2	3	0	3	5	20

iv) **Why isn't Pontrobert School being considered in this review?**

Pontrobert School is closer to Llanfair Caereinion CP School than either Banw School or Llanerfyl School. It is 9.7 miles away from Banw C.P. School and is 7.3 miles away from Llanerfyl C. in W. (Foundation) School.

A review of Pontrobert, or a wider review of the Caereinion catchment, could be carried out in future if needed. However, the focus of the current proposal, as agreed with the two governing bodies when discussions commenced in 2017, was to retain provision in the Banw Valley.

v) **Query regarding the Health and Well-being of pupils eating at desks:**

This was addressed in Secion 3.9 of the consultation report. As stated in the responses to issues raised during the consultation period:

'It is acknowledged that pupils eating lunch at their desks is not ideal, and that this is a situation which requires managing by school staff. However, Llanerfyl is not the only school in Powys where this is the case.'

'It is acknowledged that a separate dining area would be required in order to meet the design guidance for primary schools. However, Llanerfyl is not the only school in Powys where pupils eat in the classroom.'

'It is acknowledged that it is not ideal that pupils don't have a break from the classroom, however the Council is not aware of any evidence to suggest that this is detrimental to their well-being.'

vi) **27% of responses were from prospective or current parents. Can we look at these responses in particular and see if they support the recommendation – do these all support Banw?**

As with all consultation exercises of this type, this was a public consultation exercise, therefore anyone was entitled to respond, whatever their association with the schools.

A previous questionnaire was carried out during the pre-engagement phase, this was limited to parents of pupils currently attending the two schools and the local Cylch Meithrin. The findings of this questionnaire are outlined in the following report:

REPORT ON SURVEY OF PARENTS/CARERS OF PUPILS ATTENDING YSGOL DYFFRYN BANW, YSGOL LLANERFYL AND CYLCH MEITHRIN DYFFRYN BANW

MARCH 2018

1. BACKGROUND AND INTRODUCTION

Council officers have been meeting with the governing bodies of Ysgol Dyffryn Banw and Ysgol Llanerfyl over the last few months. Separate meetings with the two governing bodies have been held, as well as two joint meetings with both governing bodies. At the meetings, the two governing bodies agreed that there was a need for the two schools in the Dyffryn Banw area to merge, due to the small number of pupils attending both schools, however the governing bodies had asked the Council to make a recommendation in terms of where the new school should be located.

Having assessed the two current sites in terms of their ability to accommodate all pupils currently attending the two schools, the Council had identified strengths and weaknesses associated with both current locations. The Council's conclusion was that initial engagement with parents of pupils currently attending the two schools and the local Cylch Meithrin was needed in order to determine a preferred option for the future delivery of education in the Dyffryn Banw area.

To facilitate this, a questionnaire was prepared and distributed to current parents. This report outlines the findings of the questionnaire.

2. METHODOLOGY

A written questionnaire was prepared and distributed to current parents at a drop-in session for parents held on the 7th February 2018. A record was kept of the parents that received copies of the questionnaire at the session, and copies were posted to any parents who did not receive a copy at the session. A copy of the questionnaire is attached in Appendix A at the end of this report.

A pre-paid envelope was provided with the questionnaire, and respondents were asked to return the questionnaires by Friday the 23rd February 2018.

3. RESPONSES RECEIVED

Questionnaires were distributed to 35 families whose children currently attend Ysgol Dyffryn Banw or Ysgol Llanerfyl, and 6 families whose children currently attend Cylch Meithrin Dyffryn Banw but do not currently attend Ysgol Dyffryn Banw or Ysgol Llanerfyl. In addition, a number of copies were provided to Cylch Meithrin Dyffryn Banw for distribution to parents of pupils attending the Cylch's Ti a Fi session.

28 completed questionnaires were returned.

4. SUMMARY OF RESPONSES

The following section summarises the responses received to the questionnaire.

4.1 Part 1 – About You

- 4.1.1 Respondents were asked to indicate which of the current providers in the area their children currently attended.

The provider/s currently attended were as follows:

Provider/s	Number of questionnaires
Ysgol Llanerfyl only	12
Ysgol Dyffryn Banw only	6
Ysgol Llanerfyl and Cylch Meithrin Dyffryn Banw	4
Ysgol Dyffryn Banw and Cylch Meithrin Dyffryn Banw	2
Cylch Meithrin Dyffryn Banw only	1
Not currently attending any of the above	3
Total	28

Responses were received from parents representing the following number of primary / pre-school aged children currently attending each provider:

Provider	Number of pupils
Ysgol Llanerfyl	24
Ysgol Dyffryn Banw	13
Cylch Meithrin Dyffryn Banw	7
Other pre-school aged pupils	9
Total	52

- 4.1.2 Parents of pre-school aged children were asked to indicate which of the current schools in the local area they expected their children to attend. The following responses were received:

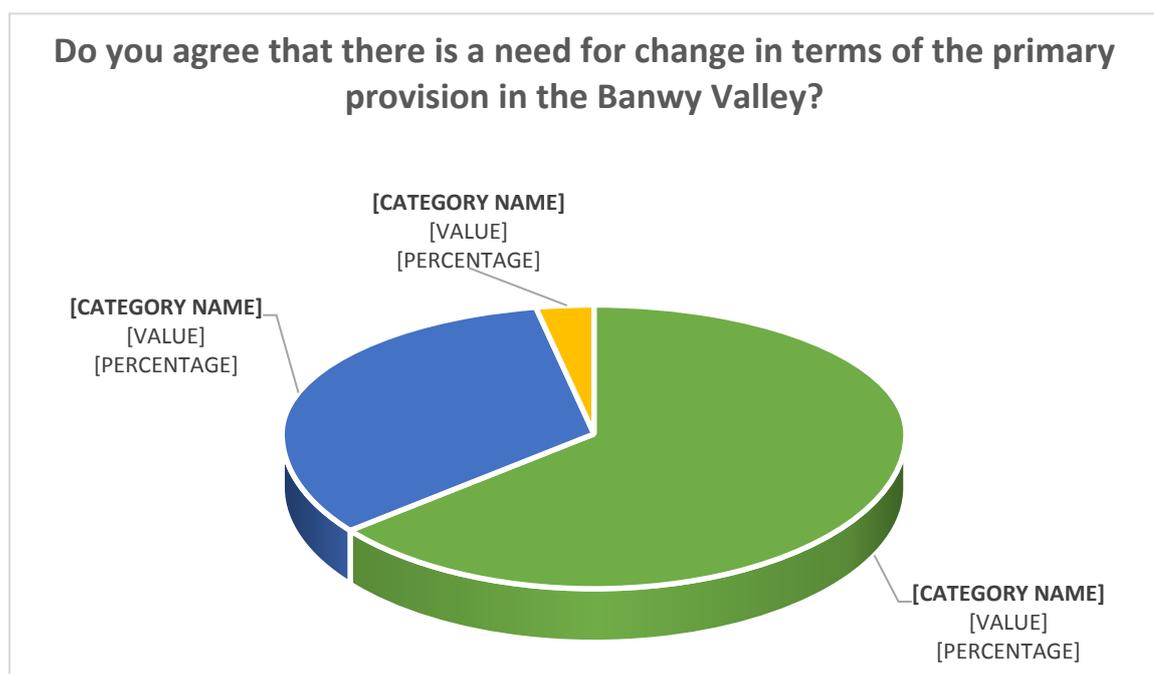
Provider	Number of responses	Number of pupils
Ysgol Dyffryn Banw	7	9
Ysgol Llanerfyl	6	6
Don't Know	1	1
Other	0	0

4.2 Part 2 – Future Options for Primary Provision in the Banwy Valley

- 4.2.1 Respondents were asked to answer 'Yes' or 'No' to the following question:

'Given the number of pupils currently attending the two primary schools in the area, do you agree that there is a need for change in terms of the primary provision in the Banwy Valley?'

The following chart summarises the responses received:



Respondents who answered 'No' were asked to explain why. The following issues were raised in the responses received:

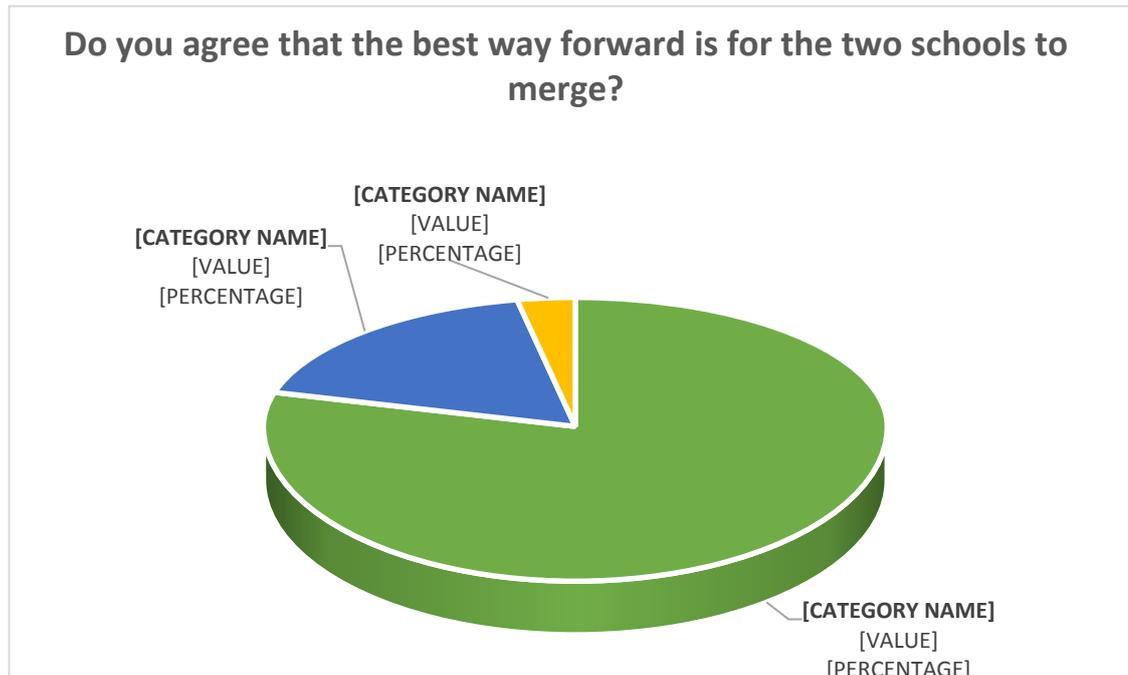
<p>i) There is no need for anything to change in Ysgol Llanerfyl</p>	<ul style="list-style-type: none"> - Pupil numbers in Llanerfyl are healthy whilst Banw are struggling - The fact that Ysgol Dyffryn Banw is unable to attract pupils is not a problem for Llanerfyl - Young people move back to the area so that their children can attend Ysgol Llanerfyl - Only one school has a problem, there is no need to change anything in Llanerfyl. However Banw pupils would be welcome to attend Ysgol Llanerfyl
<p>ii) Concern about the impact on the Welsh language</p>	<ul style="list-style-type: none"> - Llanerfyl is a rural, friendly school where the Welsh language is heard naturally on the yard - Llanerfyl is a natural Welsh-medium school where most pupils come from Welsh-speaking homes - Any decision to close Ysgol Llanerfyl will impact on Welsh culture and the Welsh language in the area and will go against the aim to achieve a million Welsh speakers by 2050
<p>iii) Pupil numbers in the area could increase</p>	<ul style="list-style-type: none"> - Pupil numbers have been low before in the area but have bounced back – the same could happen again - Would be better to attract families to the area to increase numbers than to change the schools
<p>iv) Like the current low pupil numbers</p>	<ul style="list-style-type: none"> - Like the fact that children are benefitting from a very low teacher: pupil ratio

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4.2.2 Respondents were asked to answer ‘Yes’ or ‘No’ to the following question:

‘The governing bodies of Ysgol Dyffryn Banw and Ysgol Llanerfyl have agreed in principle that there is a need for the two schools to merge to become one school. Do you agree that this is the best way forward?’

The following chart summarises the responses received:



Respondents who answered ‘No’ were asked to explain why. The following issues were raised in the responses received:

<p>i) Concern about how successful merging the two schools would be</p>	<ul style="list-style-type: none"> - Any forced change would result in a dysfunctional school - Concern about the two schools merging due to comments made about one school community by the other school community
<p>ii) Ysgol Llanerfyl should not close</p>	<ul style="list-style-type: none"> - Not true that the governing body of Llanerfyl agreed to this - Closing Ysgol Llanerfyl would be the end of Welsh-medium primary education in the Banwy Valley - Ysgol Llanerfyl should continue as it is and Ysgol Dyffryn Banw should close

4.2.3 Should the two schools merge, four options were described in terms of where the school should be located. Respondents were asked to rank the options in terms of which would be the best option for the area for the future, where 1 was the preferred option and 4 was the least preferred option.

The number of rankings received for each option and the average ranking is summarised in the following table. Some respondents did not rank all options.

Option	Number of rankings received	Total rankings				Average ranking
		1	2	3	4	
A new dual sited school operating across the two current buildings	25	2	5	10	8	2.96
A new school operating in the current Dyffryn Banw building	25	12	3	5	5	2.12
A new school operating in the current Llanerfyl building	25	11	11	0	3	1.8
A new school built on a new site in the area	25	2	6	9	8	2.92

4.2.4 Respondents were asked to outline any other options they thought the Council should consider. The following suggestions were received:

i) Increase pupil numbers at both schools	<ul style="list-style-type: none"> - Provide backing to both schools to keep their numbers buoyant - Stop providing free transport to nearest English-medium school – should be promoting access to Welsh-medium school - Attract new families to the area
ii) Only close one of the schools	<ul style="list-style-type: none"> - Close Banw and all children to come to Llanerfyl - Llanerfyl building as it is can provide education for all children in the area. The cost of a new building would be a waste of tax payers money
iii) Alternative dual sited model	<ul style="list-style-type: none"> - Dual sites school with infants on one site and juniors on the other
iv) Leave the schools as they are	<ul style="list-style-type: none"> - Keep the schools as they are as there are two separate communities who will never agree
v) Alternative new build suggestions	<ul style="list-style-type: none"> - Build a new Welsh-medium primary in Llanfair Caereinion - One new school for Llanfair and Dyffryn Banw pupils
vi) Other comments	<ul style="list-style-type: none"> - Would like the opportunity to go around both schools to compare them. Lack of a hall in Llanerfyl is a concern

	- Banw is a better site as there are facilities for more pupils and a hall on the site, plus room for 4 classes or more, and a room to serve food
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4.2.5 If any of the options was taken forward, respondents were asked to indicate how likely they are to choose that option for their child/children. The number of responses received for each is summarised in the following table:

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Did not answer
A new dual sited school operating across the two current buildings	12	3	2	7	1	3
A new school operating in the current Dyffryn Banw building	14	3	2	8	0	1
A new school operating in the current Llanerfyl building	19	5	0	2	0	2
A new school built on a new site in the area	11	5	1	3	3	5

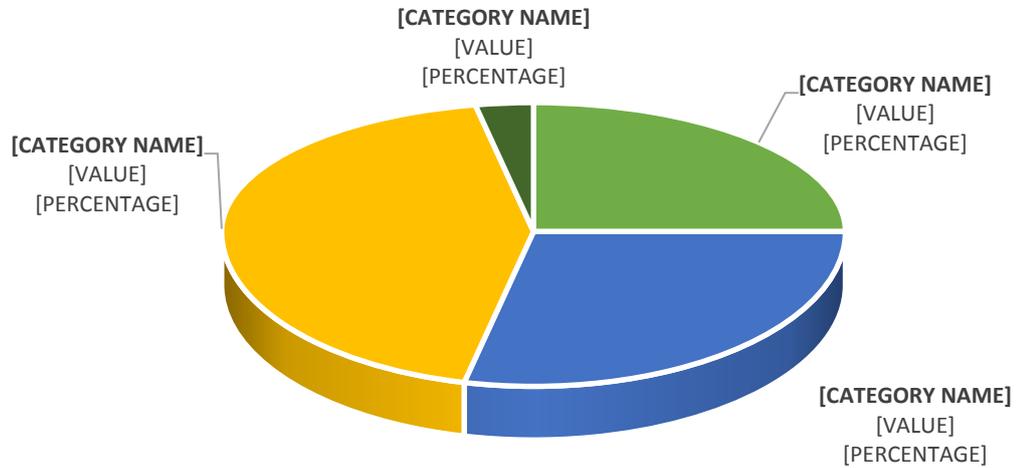
4.2.6 Respondents who answered 'Unlikely' or 'Very Unlikely' for any of the options in the previous table were asked to indicate which alternative schools they would choose for their children to attend.

The following table indicates the alternative schools that were named, and the number of times they were named:

School	Number
Llanfair Caereinion CP School	9
Ysgol Pontrobert	4
Ysgol Gymraeg y Trallwng	2
Meifod	1
Ysgol Rhiw Bechan	1

4.2.7 If there were a new primary school in the area, respondents were asked to indicate their preference in terms of the denominational status of this school. The following chart summarises the responses received:

If there were a new primary school in the area, would you prefer the school to be a community primary school or a Church in Wales primary school?



4.2.8 Respondents were invited to provide any other comments about the matters covered by this questionnaire. The comments received are summarised below:

<p>i) Positives about Ysgol Dyffryn Banw</p>	<ul style="list-style-type: none"> - Dyffryn Banw can accommodate all children in the area - Dyffryn Banw has a canteen where there is plenty of room to sit and eat - Dyffryn Banw has plenty of safe parking available - Community centre is on site - Large playing field at Dyffryn Banw - Sufficient classrooms which can be adapted to suit teaching requirements - Banw has a hall attached to the school, so no need to walk to the community centre which ensures pupil safety - Area sports held at Banw – there is a large grassed area, which is available for all sports activities - More room in Banw – e.g. play areas, parking, classrooms - No need to waste money on a new building as there is a building in Dyffryn Banw which has everything that is needed - Plenty of space in Dyffryn Banw to accommodate any growth in pupils numbers - Common sense would say that the current Dyffryn Banw building meets the requirements – there is a hall attached, plenty of space to play and a safe area to drop off and pick up the children, as well as a canteen and kitchen - Dyffryn Banw is the better site as there are facilities for all pupils and a hall attached. Room for 4 classes or more and a room for serving food whereas this happens in a classroom in Llanerfyl - Dyffryn Banw building is used by Dyffryn Banw football club - Llangadfan isn't too far for Llanerfyl pupils – children will come to the school if it's a good school – and it will be
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	<ul style="list-style-type: none"> - No need to spend millions on land in Llanerfyl to build an extension when there is an ideal school / location up the road in Banw
ii) Negatives about Ysgol Dyffryn Banw	<ul style="list-style-type: none"> - Banw building is too large to run and heat for a small number of pupils - Poor bullying policy at Banw School – children have moved from Banw to Llanerfyl due to bullying - £1500 more expensive per pupil to run Ysgol Dyffryn Banw, therefore moving all pupils to Llanerfyl would result in more savings - Dyffryn Banw Estyn report 2016 – only 94% of children felt that bullying was taken seriously vs 100% of children at Ysgol Llanerfyl - If the two schools joined at Banw, the number of surplus places would be nearly 60% - School Organisation Code states that significant surplus places is considered to be 25% or above - Dyffryn Banw is inconvenient for parents to travel to work in Welshpool direction - Llanerfyl pupils would have to travel further to attend after school activities - There are no safe walking and cycling routes to Dyffryn Banw as per the requirements of Active Travel (Wales) Act 2013 - The location of Banw school is inconvenient and unlikely to attract children from other areas - Banw school is much too big – and it will be too big if all children from the 2 schools attend it - Have no confidence that Dyffryn Banw would attract enough pupils to keep it open - Only a small minority of Llanerfyl children would go to Banw school - It's Banw that has stirred things up so Banw School should close
iii) Impact on Banw community	<ul style="list-style-type: none"> - YFC, football club and Ysgol Theatr Maldwyn all depend on the Banw Hall
iv) Positives about Ysgol Llanerfyl	<ul style="list-style-type: none"> - Llanerfyl can accommodate all the children - Llanerfyl has funding support from parents and locals who are happy to help if work needs doing - Most children can walk or cycle to school at Llanerfyl. This reduces the council's transport costs - Llanerfyl School has had regular sporting achievements over the years - Ysgol Llanerfyl is unique in Powys in terms of its Welsh ethos, links with the community, and it has been providing education in the same place for nearly 300 years - NICE, the WHO and the BMA emphasise the importance of physical activity; Active Travel (Wales) Act 2013 promotes walking and cycling to school. Research shows that children who walk or cycle to school have better physical and mental health, learn

	<p>better in school and are better behaved. It would be a shame for Llanerfyl children to lose these benefits</p> <ul style="list-style-type: none"> - 80% of Llanerfyl pupils come from homes where at least 1 parent speaks Welsh - Llanerfyl has more pupils – it would be immoral to close the school with the most pupils to save a school with less children - It costs less to run a school which is nearly full in Llanerfyl than an school that is quarter full in Banw - The Llanerfyl community is very supportive to the school and will seek a judicial review if the council insists on closing this school - The Church of Wales owns the site at Ysgol Llanerfyl – PCC could look at selling the site of Ysgol Dyffryn Banw and investing the money in Llanerfyl - Llanerfyl is fine as it is, Banw children would be welcome to join us - Current Cylch Meithrin pupils – 7 due to start in Llanerfyl by Sept 2019, only 4 due to start in Dyffryn Banw. Why move the majority of learners for the benefit of the minority?
v) Negatives about Ysgol Llanerfyl	<ul style="list-style-type: none"> - Concern about parking at Llanerfyl - Query re safe transport to school if the schools merge at Llanerfyl – coming out of the junction onto the main road is a hazard - No parking at Llanerfyl – would parents be expected to park at the village hall and walk down to the school? - Village hall is quite a distance from Llanerfyl school – concern about having to walk in the rain on a hazardous road - In Llanerfyl, children have to eat in the classroom, and the smell of the food hangs around all afternoon
vi) Impact on Llanerfyl community	<ul style="list-style-type: none"> - The village of Llanerfyl would be fine if there was no school – the hall, chapel, church etc will still operate - Closing Llanerfyl School would have a negative impact on the Welsh language and the community
vii) Comments regarding community split	<ul style="list-style-type: none"> - There is a lot of historical bias and feuds which mainly stem from Llanerfyl. As someone from outside the area I don't understand what the issues are - Decision needs to be made soon as it's dividing the community and putting new parents off sending their children to either school - The Banwy Valley is one community, any split based on schools would be ridiculous
viii) General support for the need to change in the area	<ul style="list-style-type: none"> - This is not only Banw's problem, although Llanerfyl people want to believe that. We have to be realistic and sensible. It's the children that are important, we must think with our heads not our hearts - The community needs to come together to merge 2 wonderful schools to create 1 amazing school - The best way forward is one successful school in the Valley and to bring the two schools together

	<ul style="list-style-type: none"> - Both schools are excellent providers of Welsh-medium education and a critical part of the valley, but it would be better to have one school - Hope everyone will come to the conclusion of merging the two school to ensure the future of the Welsh language and to ensure the best education for our children and future children in Dyffryn Banw - Something needs to be done – hope the Council decide quickly and follow through with the transition fairly and openly - The council needs to ensure a future for education for children in the Valley - There is room to strengthen the current provision to attract parents to send their children to the school - Concern that the Council will choose Llanerfyl site in order to avoid too much fuss. Need to look further to the future – there may be some difficult years ahead but it will be worth it to have an excellent school for the whole valley
ix) Need to consider what's best for the children	<ul style="list-style-type: none"> - The welfare of the children should be the most important consideration - Need to consider where the best facilities are for the pupils - The education provided to the children is what's important, not the location of individuals - A school with at least 40 children is better for them to learn and interact - Children in both schools are missing out on activities in and out of school - The current situation is not sustainable or healthy for the children - Teaching years 3-6 in one class is challenging. There are many advantages in having year 3-4 and year 5-6 separate
x) Possible growth in pupil numbers in the future	<ul style="list-style-type: none"> - Should be wary of providing a long term solution to a short term issue – has there been any consultation with major employers who may have plans in the area that could bring more families to the area? Whilst there could be a further fall in pupil numbers, an increase is more likely
xi) Need to ensure Welsh-medium education in the area	<ul style="list-style-type: none"> - Main interest is high quality Welsh-medium education with a Welsh ethos - The important thing for us as parents is to have Welsh-medium education in the valley. - The council's priority should be to ensure a Welsh-medium school in the area – whether that is in Llanerfyl or Llangadfan
xii) Comments relating to the drop-in session	<ul style="list-style-type: none"> - Concern about derogatory comments by Dyffryn Banw community about Llanerfyl - Felt intimidated at the session in Llanerfyl Hall by members of the Llanerfyl community who don't have children in the schools
xiii) Other queries	<ul style="list-style-type: none"> - Will the two schools close if they don't merge?

	<ul style="list-style-type: none"> - If the two schools merged to create one body of staff, would these positions be filled from the current staff, or would the positions be advertised, which could mean that the staff at the new school could not include any of the current staff at the two schools? - Is there any evidence that Church status makes any difference?
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5. MAIN FINDINGS

5.1 Respondents

- 16 questionnaires were received from families that currently have children attending Ysgol Llanerfyl, whilst 8 were received from families that currently have children attending Ysgol Dyffryn Banw.
- Parents of pre-school aged pupils were asked to indicate which of the 2 current schools they expected their children to attend. Of these responses, 9 prospective pupils were identified for Ysgol Dyffryn Banw, and 6 prospective pupils were identified for Ysgol Llanerfyl, with 1 pupil unsure.

5.2 The need for change in the Banwy Valley area

- 18 respondents (64%) agreed that there was a need for change in terms of the primary provision in the Banwy Valley
- 22 respondents (78%) agreed that the best way forward is for the two schools to merge.

5.3 Preferred options

- Respondents were asked to rank 4 options for the future of provision in the area. An average of all rankings received for each option was calculated, and on this basis, the lowest average ranking was for 'A new school operating in the current Llanerfyl building', which received an average ranking of 1.8. In terms of the average ranking, the options were scored as follows:
 - 1 A new school operating in the current Llanerfyl building – 1.8
 - 2 A new school operating in the current Dyffryn Banw building – 2.12
 - 3 A new school built on a new site in the area – 2.92
 - 4 A new dual sited school operating across the two current buildings – 2.96
- However, the order is different if we consider the number of times each option was ranked '1', the preferred option. On this basis, the order in terms of preference is as follows:
 - 1 A new school operating in the current Dyffryn Banw building – 12
 - 2 A new school operating in the current Llanerfyl building – 11
 - =3 A new school dual sited school operating across the two current buildings – 2
 - =3 A new school built on a new site in the area – 2

- Whilst 16 questionnaires were received from families that currently have children attending Ysgol Llanerfyl, only 11 questionnaires ranked the option of 'A new school operating in the current Llanerfyl building' as their preferred option. In contrast, only 8 questionnaires were received from families that currently have children attending Ysgol Dyffryn Banw, however 12 questionnaires ranked 'A new school operating in the current Dyffryn Banw building' as the preferred option.
- There is a significant difference, however in the 2nd preference figures. Whilst 11 respondents indicated 'A new school operating in the current Llanerfyl building' as their 2nd preferred option, only 3 respondents indicated 'A new school operating in the current Dyffryn Banw building' as their 2nd preferred option.
- Further analysis of the responses received reveals that the vast majority of respondents who ranked 'A new school operating in the current Dyffryn Banw building' as their preferred option ranked 'A new school operating in the current Llanerfyl building' as their 2nd preferred option. This is not the case for those that selected 'A new school operating in the current Llanerfyl building' as their preferred option – the majority of these respondents ranked 'A new school operating in the current Dyffryn Banw building' as either their 3rd or 4th preference

5.4 Likelihood of attending

- Respondents were asked to state how likely it is that they would attend each of the options if that option were to be taken forward.
- The option respondents were most likely to attend was 'A new school operating in the current Llanerfyl building', with 24 out of 28 respondents stating that they would be Very Likely or Likely to choose that option for their child/children.
- The option which respondents were second most likely to choose for their child/children to attend was 'A new school operating in the current Dyffryn Banw building', with 17 out of 28 respondents indicating that they would be Very Likely or Likely to choose that option for their child/children.
- However, 'A new school operating in the current Dyffryn Banw building' was the option that the highest number of respondents indicated they would be less likely to choose for their child/children, with 10 out of 28 respondents indicating that they would be Unlikely or Very Unlikely to choose that option for their child/children.
- In contrast, only 2 respondents indicated that they were Unlikely or Very Unlikely to attend 'A new school operating in the current Llanerfyl building' if that option was taken forward.

5.5 Denominational status

- Whilst 8 respondents (29%) indicated that they would prefer any new school in the area to be a Church in Wales school and 7 respondents (25%) indicated that they would prefer any new school to be a Community Primary school, 12 respondents (43%) indicated that they had no preference.

vii) Indication of which site is safer in terms of vehicle movements:

Responses to issues relating to safety of car parking arrangements at Llanerfyl are provided in section 3.5 of the Consultation Report, and include the following:

'It is acknowledged that parking space at Llanerfyl C. in W. (Foundation) School is limited. Should a decision be made to establish a new school on the Llanerfyl site, the Council would need to look at ways to address this. There is pavement along the road from the Village Hall, therefore one possibility could be to encourage parents to park at the Village Hall and walk along the pavement to the school.'

'It is acknowledged that parking space at Llanerfyl C. in W. (Foundation) School is limited and that some parents drop off and collect children outside the school gates. Whilst this is not ideal, there is pavement along the road to the school, therefore there is a safe route for parents to walk with their children to school should they need to park outside the school site. Should a decision be made to establish a new school on the Llanerfyl site, the Council would need to look at ways to address this. There is a pavement along the road from the Village Hall, therefore one possibility could be to encourage parents to park at the Village Hall and walk along the pavement to the school.'

Comments were also made relating to the parking arrangements at Banw School, these are outlined in section 2.6 of the consultation report.

viii) Issues raised by Llanerfyl in their emails to members, and which members then pursued in Council:

See Appendix E

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

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

30th April 2019

REPORT AUTHOR: County Councillor Martin Weale
Portfolio Holder for Economy and Planning

SUBJECT: Supplementary Planning Guidance – Landscape,
Renewable Energy

REPORT FOR: Decision

1. Summary

1.1 To approve:

(a) Supplementary Planning Guidance (SPG) prepared in support of the Powys Local Development Plan (LDP) for:

- Landscape.
- Renewable Energy.

(b) The updated SPG Consultation Statement.

2. Proposal

2.1 The LDP was adopted by Powys County Council on 17th April 2018 and on adoption immediately became operative as the statutory development plan for Powys (excluding the BBNP). The LDP includes a programme for the preparation of eleven topic based SPG to be completed over the two year period up to April 2020. SPG builds on the policies in the LDP, adding detail and assisting in interpretation.

2.2 Appended to this report for Cabinet's consideration and approval are the second set of SPG included in the LDP's programme:

- Landscape (Appendix 1).
- Renewable Energy (Appendix 2).

2.3 In order to prepare SPG in a consistent, clear and transparent manner, an SPG protocol was prepared and approved in June 2018. Each of the SPG has been prepared in accordance with the SPG protocol including involvement and engagement with stakeholders. This follows the procedure set out within the Community Involvement Scheme in the SPG protocol. Welsh Government's LDP Manual stresses the importance of engagement and involvement and that without it SPG would carry little or no weight.

2.4 Following consideration by the LDP Working Group, the draft SPGs were published for a six week period of public consultation from 14th January to 24th February 2019. Comments received for each have been collated and summarised as issues in the update SPG Consultation Statement (Appendix 4). The LDP Working Group considered the issues raised during the period of public consultation and draft Council responses to these at its meeting on the 29th April 2019. Any matters arising from the LDPWG will be reported verbally to Cabinet.

2.5 In line with the Council's constitution, the Cabinet is responsible for considering and approving the SPG. On approval they will become material planning considerations that will be afforded weight in decision-making for planning applications and at appeal.

3. Options Considered / Available

3.1 There is a commitment to preparing SPGs in the LDP so it is not a feasible option to not prepare SPGs. The content of each SPG is however a matter for consideration, although each of the SPGs appended has been informed by engagement and public consultation and with input from the LDP Working Group.

4. Preferred Choice and Reasons

4.1 To approve the SPGs and update SPG Consultation Statement in order to meet the commitment and programme of SPG preparation set out in Appendix 2 of the LDP.

5. Impact Assessment

5.1 Is an impact assessment required? Yes/No

5.2 If yes is it attached? Yes/No

The SPGs interpret and clarify the implementation of policies in the LDP and, as a consequence, impact assessments for each are not necessary. The policies in the LDP were subject to an Impact Assessment. However, as a matter of good practice, each SPG has been subject to an Impact Assessment.

6. Corporate Improvement Plan

6.1 The SPG preparation process provided opportunities for engagement, involvement and participation in each SPG, and these are part of Vision 2025's essentials for 'making it happen'. The three SPGs support the Powys LDP which will contribute to many of Vision 2025's priorities such as the development of a vibrant economy, or improving the availability of affordable housing.

7. Local Member(s)

7.1 The SPG will apply to all areas of Powys with the exception of the area of Powys within the Brecon Beacons National Park.

8. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes/No

8.1 Other services have been involved in the preparation of the SPGs so have had a direct input into the content of each. This involvement is explained in the relevant sections of the Consultation Statement. In particular, the Development Management service will be directly responsible for implementing the SPGs and has been engaged in the preparation of each SPG.

9. Communications

Have Communications seen a copy of this report? Yes/No

9.1 The Communications Manager commented as follows:

The report is of public interest and requires use of news release and appropriate social media to publicise the decision.

10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

10.1 Legal - This report presents a further two SPGs and updated SPG Consultation Statement as programmed in the LDP that are considered appropriate for adoption and as such is supported by Legal (Principal Solicitor (Shire)).

10.2 Finance – The Finance Manager Environment and Resources notes the contents of the report.

11. Scrutiny

Has this report been scrutinised? Yes/ No

11.1 The LDP Working Group has been involved in the preparation of the SPGs and in considering how the Council should respond and amend the SPGs in light of the comments received from the period of public consultation.

12. Data Protection

12.1 Comments have not been sought from the Data Protection Officer because the SPGs and Consultation Statement do not include personal data.

13. Statutory Officers

13.1 The Head of Finance (Section 151 Officer) notes the content of the report.

13.2 The Solicitor to the Council (Monitoring Officer) comments will be reported at the meeting.

14. Members' Interests

The Monitoring Officer is 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.

Recommendation:	Reason for Recommendation:
To approve: (a) Supplementary Planning Guidance for: 1. Landscape, April 2019 (appendix 1) 2. Renewable Energy, April 2019 (appendix 2) (b) The Supplementary Planning Guidance Consultation Statement, April 2019 (appendix 3).	To meet the commitment and programme for Supplementary Planning Guidance preparation in the adopted Powys LDP.

Relevant Policy (ies):	Powys LDP, 2018		
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	All
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Person(s) To Implement Decision:	Peter Morris
Date By When Decision To Be Implemented:	30th April 2019

Is a review of the impact of the decision required?	N
If yes, date of review	N/A

Person responsible for the review	N/A
Date review to be presented to Portfolio Holder/ Cabinet for information or further action	N/A

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Background Papers used to prepare Report:

Powys LDP

SPG Protocol

SPG Consultation Statement

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

Powys Local Development Plan (2011-2026)

Supplementary Planning Guidance

Landscape

April 2019

CONTENTS

1.	Introduction	2
2.	Purpose of the guidance	2
3.	Status of the guidance	3
4.	What landscape is and the Powys landscape	4
5.	Local Planning Policy relating to Landscape	8
6.	Landscape Policy Implementation	11
7.	How to undertake a Site Analysis to identify landscape characteristics and qualities	21
8.	How to use LANDMAP to identify landscape characteristics and qualities	22
9.	Process Charts	31
10.	Monitoring and Review	33
	GLOSSARY	34

Appendices

1	Key Things to Consider For A Sample of Development Types
2	Registered Historic Landscape Map
3	National Landscape Character Areas Map

Figures

1	Step by step process detailing what is expected from each stage.	11
2	Process Chart for Development Proposals that require a LVIA as part of an EIA	31
3	Process Chart for Other Development Proposals	32

1. Introduction

1.1 This guidance supplements the landscape related policies of the Powys Local Development Plan (LDP) (2011-2026), which was adopted by Powys County Council on the 17th of April 2018, and has been prepared to assist decision-making on planning applications within the Powys LDP area. This guidance does not apply to areas of the County of Powys located within the Brecon Beacons National Park Authority area (BBNP).

1.2 This Supplementary Planning Guidance (SPG) is intended to be read alongside the relevant policies of the LDP (see section five), along with any other related adopted SPG.

1.3 The Powys landscape has a distinctive and special character comprising of a varied topography of upland plateau, rolling ridges and hills with sharply incised valleys that lead down to narrow twisting valley floors. The LDP area has numerous dispersed settlements consisting of rural hamlets, villages and small market towns which are linked by transport corridors running through the valleys. The valley sides are generally populated by small farmsteads, while, importantly to their character and unlike many other areas outside of Powys, the plateaux and high moorland areas have little or no modern development but frequently contain historic landscape features.

1.4 While there are clear variations in the landscape character across the area, the landscape is unified by its dramatic topography, high level of intactness, strong sense of rurality and substantive areas of relatively high landscape value. This SPG has been prepared to provide information and guidance on how, through implementation of the policies in the LDP, development proposals should ensure that the landscape is appropriately considered, ~~protected and where feasible enhanced~~.

2. Purpose of the guidance

2.1 The purpose of this guidance is to:

- Supplement the policies set out in the LDP by providing more detailed guidance.
- Assist and guide those proposing and designing new developments and submitting a planning application. To ensure development proposals are successfully integrated within the landscape; and to prevent development proposals from having ~~a negative~~ **an unacceptable adverse** impact on the valued characteristics and qualities of the Powys landscape.
- Provide detail on what needs to be considered and submitted for varying types of development proposal, in order for the Council to establish landscape and visual impact in the determination of planning applications against LDP policy.

2.2 This SPG provides guidance on:

- What landscape is and the Powys landscape.
- Relevant LDP policies relating to landscape.

- How policies in the LDP relating to landscape should be implemented.
- What is required to be submitted as part of a planning application for different scales / types of development.
- Monitoring and review processes associated with the LDP and SPG relating to landscape.

3. Status of the guidance

3.1 This SPG has been produced to support the policies in the Powys LDP (2011 – 2026). The guidance within the SPG has had regard to relevant national planning policy and other available guidance and information.

3.2 This SPG has been prepared in accordance with the Council's approved Protocol for Preparation and Adoption of SPG (June 2018), which includes a Community Involvement Scheme. It has been subject to a six-week public consultation stage undertaken from the 14th January to 24th February 2019. A summary of the responses received to the public consultation along with an explanation as to how the responses have been addressed can be found within the Consultation Statement. This SPG was adopted by the Council on the xxxxxx. *To be completed.*

~~3.3 While only policies in the LDP have special status in the determination of planning applications, this SPG will be taken into account as a material consideration in the planning decision making process.~~

3.3 This SPG is a material consideration in the determination of planning applications.

4. What landscape is and the Powys landscape

4.1 The term landscape can be applied to a range of different concepts ~~however with regards to planning and land use it refers primarily to the visual appearance and sensory qualities of the land~~; including its remoteness, tranquillity, shape, patterns, form, land uses, vernacular, textures and colours. It ~~also~~ reflects the way in which these various components interact together to create specific characteristics that are distinctive to particular localities. Landscape character relies heavily on physiography and its history so is not just a visual phenomenon. Therefore, in addition to the visual dimension of landscape there are a range of other dimensions including geology, ecology, history, architecture, soils and cultural associations. All of these factors influence the way landscapes are formed and continue to affect the way landscapes are experienced and valued.

4.2 The European Landscape Convention defines 'Landscape' as: "*An area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.*"

4.3 It is therefore important to recognise that the policies in the LDP relating to landscape require development proposals to address both the effects on the landscape as a resource in its own right and any effects on views and visual amenity.

4.4 The Powys landscape is part of the County's identity and an important asset, with areas of local and national significance (as demonstrated in LANDMAP section eight). It attracts tourism, enables outdoor recreation and provides local employment opportunities. It also delivers benefits to the health and well-being of the residents of Powys ~~(and a wider range of people, including visitors)~~, forms the basis of the natural environment and gives a sense of place and a sense of history which in turn contributes to individual, local and national identity. These factors highlight the importance of the LDP policies and this guidance when it comes to managing the impacts of development proposals on the Powys landscape.

4.5 Planning policy in the Powys LDP area takes a comprehensive approach to the Powys landscape which does not include the designation of Special Landscape Areas (SLAs). This does not mean that the landscape is less valued or sensitive, but rather that all Powys landscapes are of high value and part of this value is their interconnectivity. Each development proposal needs to consider the value, characteristics and qualities of the landscape on a case by case and site by site basis.

Resources and publications on the value, characteristics and qualities of the Powys landscape.

4.6 The following resources and publications provide more information on the value, characteristics and qualities of the Powys landscape:

- **LANDMAP**
- **National Landscape Character Areas**
- **Register of Landscapes of Historic Interest in Wales**
- **Powys Renewable Energy Assessment: Landscape Sensitivity Study for Solar Farm Development (ENPLAN May 2017)**
- **Lle website**

- **Archwilio.**

Further detail is provided in paragraphs 4.7 to 4.18 below.

- **LANDMAP**

4.7 LANDMAP (Landscape Assessment and Decision Making Process) is an all-Wales landscape resource where landscape characteristics, qualities and influences on the landscape are recorded, evaluated and collated into a nationally consistent Geographical Information System based dataset. LANDMAP is intended to help sustainable decision-making and natural resource planning at a range of levels from local to national while ensuring transparency in the decision-making process.

4.8 Further information on LANDMAP is provided in section eight of this guidance, the LANDMAP resource can be accessed through the Lle portal (see 4.17 below) and Archwilio (see 4.16 below) or through <https://landmap-maps.naturalresources.wales/>. Natural Resources Wales have produced step by step instructions on how to use the resource in [GN2 Accessing LANDMAP Information](#).

- **National Landscape Character Areas**

4.9 National Landscape Character Areas (NLCAs) have been defined at a broad landscape scale throughout Wales by NRW. Using LANDMAP data 48 NLCAs have been identified across Wales with descriptive profiles highlighting what distinguishes one landscape from another. Within each profile reference is also given to regional distinct natural, cultural and perceptual characteristics.

4.10 The Powys LDP area is split between 13 of the NLCAs, appendix 3 contains a map identifying the boundaries of the NLCAs. Full landscape descriptions are available on the NRW website <https://naturalresources.wales/evidence-and-data/maps/nlca/?lang=en>.

- **Register of Landscapes of Historic Interest in Wales**

4.11 To recognise the value of historic landscapes, and raise awareness of their importance, Cadw, in partnership with the former Countryside Council for Wales (CCW) and the International Council on Monuments and Sites (ICOMOS UK), compiled a Register of Landscapes of Historic Interest in Wales. The register identifies 58 landscapes of outstanding or special historic interest, that are considered to be some of the best examples of different types of historic landscapes in Wales.

4.12 The purpose of the Register is to provide information to decision makers and landscape managers, to help ensure that the historic character of the landscape is sustained, and that where change is contemplated, it is well-informed. A good practice guide explains how the Register should be used in assessing the effect of major developments on the historic landscape. Maps of the registered areas can be accessed through the Lle portal, the Archwilio website or through 'The guide to good practice' at

https://cadw.gov.wales/docs/cadw/publications/LandscapesRegisterGoodPractice_EN.pdf.

4.13 There are currently nine Registered Historic Landscapes either entirely within or partly within the LDP area, see appendix 2.

- ***Powys Renewable Energy Assessment: Landscape Sensitivity Study for Solar Farm Development (ENPLAN May 2017)***

4.14 The Landscape Sensitivity Study (2017) was conducted to assess the likely impact of solar photovoltaic energy development on the landscape in 33 distinct areas. **Previous to the Landscape Sensitivity Study** The 33 areas were defined in the Renewable Energy and Low Carbon Energy Assessment (AECOM, 2017) as potential Local Search Areas (LSAs). The LSAs were identified and considered in the Renewable Energy and Low Carbon Energy Assessment (2017) to be the least constrained areas of the LDP area within which it would be possible for solar PV farms to be accommodated.

4.15 Following the identification of the LSAs it was recognised that one of the main planning considerations yet to be addressed was the effect of solar development proposals on the landscape. To resolve this the Landscape Sensitivity Study was undertaken to provide strategic guidance and to form an information base for development management purposes in assisting to direct solar development to the right areas and in the right quantum. The study also sought to advise on the main landscape and visual issues associated with solar development likely to arise within any specific LSA location.

4.16 The study concluded that the landscape sensitivity of the LSAs ranged from 'Very High' sensitivity through to 'Low' sensitivity and that due to landscape impacts 11 of the 33 LSAs had no potential for solar farm development. The methodology and recommendations from this study can be viewed on the Council's website:

https://customer.powys.gov.uk/media/5413/ED060_REA_Landscape_Sensitivity_Study_for_Solar_Farm_Development_NoAppendix_12May2017/pdf/ED060_REA_Landscape_Sensitivity_Study_for_Solar_Farm_Development_NoAppendix_12May2017.pdf

- ***Lle website***

4.17 The Lle Geo-Portal has been developed as a partnership between Welsh Government and Natural Resources Wales. Lle serves as a hub for data and information covering a wide spectrum of topics, but primarily around the environment. There are two elements to the website; a catalogue for downloading datasets and a map where environmental data can be viewed. The site contains a number of WFS and WMS feeds which can be used to supply data directly into individual GIS systems. Whilst, the map <http://lle.gov.wales/map#m=-3.159,51.47832,7&b=euroapa> is particularly useful when looking at how proposals will impact on a range of natural and built heritage designations, the LANDMAP datasets can also be viewed and downloaded from here <http://lle.gov.wales/home>.

- **Archwilio**

4.18 Archwilio provides public access to the historic environment records (HERs) for each local authority area in Wales. It includes (or provides access to) information on tens of thousands of historic sites or investigative work across Wales. The HERs are maintained on behalf of the Welsh Ministers by the four regional Welsh Archaeological Trusts and in fulfilment of the requirements of the Historic Environment (Wales) Act 2016. In addition to providing access to the historic environment records, the website also gives access to information on scheduled ancient monuments, listed buildings, conservation areas, historic parks and gardens, registered historic landscapes and the historic landscape layer of LANDMAP. See: <https://www.archwilio.org.uk/arch/>.

5. Local Planning Policy relating to Landscape

5.1 The aims of the LDP with regards to landscape are set out in Objective 13. To achieve this objective, the plan contains detailed strategic and development management policies. Each of the policies in the LDP is supported by a reasoned justification that contains an explanation behind the policy, provides guidance, and or expands on the purpose of the policy or its aims. The reasoned justification to each of the policies listed below has not been repeated in this guidance; users should refer to the LDP where the reasoned justification should be considered alongside the policy to inform the development proposal.

LDP Objective 13 – Landscape and the Historic Environment Landscape

- i. To protect, preserve and/or enhance the distinctive landscapes of Powys and adjoining areas, including protected landscapes.....

5.2 Strategic Policy SP6 (Distribution of Growth across the Settlement Hierarchy) while not being explicitly a landscape policy provides an important mechanism to protect the plan area's landscape by directing development away from the open countryside and into the larger more sustainable settlements. Paragraph 3.3.35 of the reasoned justification states that *"all new development in the open countryside should respect the character of the surrounding area and be of an appropriate scale and design."*

5.3 Strategic Policy SP7 safeguards the plan area's important strategic resources and assets which are identified and listed within the policy. The policy lists two assets of particular interest to this guidance; 'Registered Historic Landscapes' and 'The valued characteristics and qualities of the landscape throughout Powys'.

Strategic Policy SP7 - Safeguarding of Strategic Resources and Assets

To safeguard strategic resources and assets in the County, development proposals must not have an unacceptable adverse impact on the resource or asset and its operation.

The following have been identified as strategic resources and assets in Powys:

1. Land designated at international, European and/or national level for environmental protection.
2. Historic environment designations, including:
 - i). Registered Historic Landscapes
 - ii). Registered Historic Parks and Gardens
 - iii). Scheduled Ancient Monuments and other archaeological remains
 - iv). Listed Buildings and their curtilages
 - v). Conservation Areas
 - vi). Historic Assets of Special Local Interest

AND the setting of designations i), ii,) iii), iv) and v).
3. Recreational Assets, including:
 - i) National Trails
 - ii) Public Rights of Way Network
 - iii) Recreational Trails
 - iv) National Cycle Network.
4. The valued characteristics and qualities of the landscape throughout Powys.....

5.4 Development Management Policy DM4 is the specific, topic based policy in the plan in relation to landscape. It requires development proposals (individually or cumulatively) not to have an unacceptable adverse effect on the valued characteristics and qualities of the Powys landscape. All proposals should be appropriate and sensitive in how they are designed and integrated within the landscape and must have regard to visual amenity, LANDMAP, Registered Historic Landscapes, adjacent National Parks and adjacent Areas of Outstanding Natural Beauty. The policy applies to the whole of the plan area with a focus on land outside of the settlements identified in Strategic Policy SP5. Further guidance on the implementation of this Policy is provided in section six of this SPG.

Policy DM4 – Landscape

Proposals for new development outside the Towns, Large Villages, Small Villages and Rural Settlements defined in the Settlement Hierarchy must not, individually or cumulatively, have an unacceptable adverse effect, on the valued characteristics and qualities of the Powys landscape. All proposals will need to:

- 1. Be appropriate and sensitive in terms of integration, siting, scale and design to the characteristics and qualities of the landscape including its: topography; development pattern and features; historical and ecological qualities; open views; and tranquillity; and**
- 2. Have regard to LANDMAP, Registered Historic Landscapes, adjacent protected landscapes (National Parks and Areas of Outstanding Natural Beauty) and the visual amenity enjoyed by users of both Powys landscapes and adjoining areas.**

Proposals which are likely to have a significant impact on the landscape and/or visual amenity will require a Landscape and Visual Impact Assessment to be undertaken.

5.5 To achieve the successful integration of development proposals into the landscape Policy DM13 – Design and Resources is key; this policy requires that all development proposals demonstrate good quality design with regard to the qualities and amenity of the surrounding area. This policy should be implemented alongside Policy DM4 with attention being paid to the detailed design of the proposal.

Policy DM13 – Design and Resources

Development proposals must be able to demonstrate a good quality design and shall have regard to the qualities and amenity of the surrounding area, local infrastructure and resources.

Proposals will only be permitted where all of the following criteria, where relevant, are satisfied:

- 1. Development has been designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing, and design detailing.**
- 2. The development contributes towards the preservation of local distinctiveness and sense of place.....**

5.6 There are further policies in the LDP that protect specific elements of the Powys landscape, Policy DM2 (The Natural Environment) aims to protect the natural environment, DM3 (Public Open Space) protects open spaces, of particular relevance to landscape are the accessible natural green spaces on the edge of settlements; and Policy DM7 (Dark Skies and External Lighting) prevents unacceptable levels of light pollution especially in the countryside. Policy DM7 also recognises in the reasoned justification that Powys has some of the darkest skies in the country as evidenced from the Tranquil Areas Map (2009). This is an important element of landscape protection that needs to be taken into consideration when assessing development proposals.

5.7 Whilst all proposals especially those in the Open Countryside need to take landscape into consideration, there are specific developments that commonly take place in the Open Countryside where landscape is referred to within the policy for that topic. This includes Policy H8 - Renovation of Abandoned Dwellings, Policy TD1 – Tourism Development, Policy W2 – Waste Management Proposals and Policy M4 – Mineral Proposals. Development proposals falling within these topics will still need to have regard to the Strategic and Development Management Policies especially SP7, DM4 and DM13.

5.8 Development proposals in the Open Countryside that fall within topics where landscape has not been mentioned within the detailed topic policy will still need to take landscape into consideration through the Strategic and Development Management Policies especially SP7, DM4 and DM13.

5.9 This SPG is part of a suite of SPGs that supplement the policies in the Powys LDP. Whilst this landscape guidance does **necessitate** **give** reference to the natural and historic environment, renewable energy and residential design this is only in the context of the landscape. The specific SPG for these topics should be read alongside this guidance to inform the development proposal.

6. Landscape Policy Implementation

6.1 LDP Policy DM4 has a particular emphasis on the management of development proposals outside of settlements as defined in the LDP settlement hierarchy. Land outside of these settlements is what the LDP defines as Open Countryside and includes a small area of undeveloped coast. For all developments outside of the settlements, sections 6.8 to 6.40 of this guidance applies.

6.2 All development proposals within or outside of settlements need to be designed to complement and/or enhance the surrounding area which includes the landscape or townscape. All such proposals must avoid any unacceptable adverse effects on the valued characteristics and qualities of the Powys landscape and should contribute towards the preservation of local distinctiveness and sense of place to comply with Policies SP7, DM4 and DM13.

Development Proposals Within Settlements

6.3 Development proposals within settlements as identified within the LDP settlement hierarchy should be sensitively designed to ensure that the proposal complements and/or enhances the characteristics and qualities of the surrounding area.

6.4 The LDP proposals map, Lle catalogue, Archwilio, LANDMAP and other local resources and studies can assist in providing an overview of the planning context. The historic and natural environment designations (and their setting where relevant) listed in Policy SP7, will need to be considered and their conservation requirements understood, together with the amenity value of Tree Preservation Orders, amenity spaces and other natural environmental features.

6.5 A site visit is necessary (by the applicant and the individual responsible for the design of the development), to identify the townscape/settlement characteristics and features of the site and location of local views. This will assist in establishing the local context of the site and help to identify any place responsive patterns, materials, vernacular details, open space, trees, boundaries and key frontages.

6.6 Special attention should be made to the appearance and integration of development on rural edges, within prominent streetscape locations and at gateways into settlements.

6.7 Major development, development within visually prominent locations and development with a wide visual influence that can be seen from neighbouring national designations such as National Parks and Areas of Outstanding National Beauty will need to avoid adversely affecting the setting and outlook of these statutory designated landscapes.

Development Proposals Outside Settlements (The Open Countryside)

6.8 Figure 1 below identifies the steps which should be followed for all developments, **except householder and change of use with no external alterations**, within the Open Countryside to demonstrate compliance with LDP Policy DM4.

Figure 1. Step by step process for showing how to implement Policy DM4.

STEP 1 - DETERMINE THE DEVELOPMENT PROPOSAL

Determine the development proposal - description of the proposed development identifying main features, scale and size. Determine the land that may be available to site the development, this may be all the land in the applicant's ownership. It is not the red line area to be submitted as the planning application site. Contact the Council for Pre-Planning Application Advice. Determine if LVIA required.

STEP 2 – BASELINE ASSESSMENT

Carry out **site analysis** (see Section 7) and look at **LANDMAP** (see Section 8) layers to form a **baseline assessment**. If the development is going to be prominent, identify the Zone of Theoretical Visibility to determine views and visual receptors. Identify characteristics and qualities from baseline assessment.

STEP 3 – SITING AND DESIGN STAGE

Determine the **siting and design** of the development proposal. This should take into consideration the landscape characteristics, qualities and any views / visual receptors identified in Step 2.

All schemes need to be appropriate and sensitive in terms of integration, siting, scale and design to the characteristics and qualities of the Powys landscape.

Consideration needs to be given to all elements of the proposal including access, construction and restoration phases.

STEP 4 – FINALISE AND ASSESS THE PROPOSAL

Use the **Design and Access / Planning statement** and site layout plans to illustrate how landscape has been considered as part of the **siting and design** process.

Finalise the development proposal and then **assess** its impact on the landscape using the information from Step 2 (this may be an **informal assessment** or a **LVIA** in line with section six). Look at how impacts can be mitigated or whether the scheme needs to go back to Step 3 - **siting and design** stage.

STEP 5 - SUBMIT THE PLANNING APPLICATION

Outside Settlements (The Open Countryside)

STEP 1 - DETERMINE THE DEVELOPMENT PROPOSAL

6.9 To successfully integrate development proposals into the landscape, consideration must be given to the **siting and design** and how it fits with the landscape from the outset. In the first instance applicants should put together a description of the proposed development identifying the main features, uses, scale and size. The land that is available to site the development should then be determined; this may be all the land in the applicant's ownership, it is not the red line area to be submitted as the planning application site (this should be determined in Step 3). This is the stage where the Council should be contacted for pre-planning application advice. For larger developments consideration maybe needed as to whether a **Landscape and Visual Impact Assessment (LVIA)** will be required as part of the process in line with Step 4. **Householder developments are required to consider how the proposal relates to the landscape in the design process but will not be required to submit the additional information outlined in Steps 4 and 5 below.**

STEP 2 - BASELINE ASSESSMENT

6.10 All developments, **(other than householder and change of use (with no external alterations))** in the Open Countryside will require a **baseline assessment**, this should be proportionate to the scale of the development, and should include a site assessment accompanied with information from Ordnance Survey maps, aerial photographs and any other local studies or resources (this will form the **site analysis**).

6.11 **The site analysis** should identify the landscape features, characteristics and qualities of the site and the locations of local and wider views from where the development is likely to be seen.

6.12 It is useful to illustrate this information on an annotated topographical site plan, supplemented with **site analysis** text and photographs to illustrate views of the site, as well as the features of the site itself. For minor developments (further clarification on what is defined as major or minor development can be found in paragraph 6.29) such as replacement dwellings, barn conversions, small agricultural buildings and holiday chalets, this information can be included within the site layout plan and a **Planning Statement**.

6.13 For larger developments such as residential exception sites of ten or more dwellings, large employment and agricultural developments (of over 1000m²) this information should be included within the **Design and Access Statement** as part of the site context analysis. Visiting and spending time at the site and its surrounding area is an essential part of this process. Section seven provides more information on how to undertake a **site analysis** to identify landscape characteristics and qualities.

Developing a place responsive planning proposal

6.14 The process of **site analysis** and describing the site and its context, provides a sound basis for developing a place **response responsive** planning proposal. **The Design and Access Statement / Planning Statement** should clearly summarise the site's main features and characteristics and how the planning proposal has responded to them. This may include:

- The site's topography, including the orientation of contours and location of steep slopes.
- The location of trees and hedgerows. Note their importance for character, amenity and heritage; their ability to enclose and integrate the development; their species, condition and useful life expectancy; the need for management, replacement and supplementary planting. (These features don't have to be protected by a Tree Preservation Order or important under the Hedgerow Regulations to be valuable to local character and development integration).
- Surface water drainage, storage, soil characteristics and site discharge points. This will assist in the planning of Sustainable Drainage Schemes (SuDS) and help to align the SUDS approval application with the planning application.
- Features such as gullies, dips, mounds and structures which could be historic artefacts.
- Built heritage designations such as Registered Historic Landscapes, Scheduled Ancient Monuments, Listed Buildings, Conservation Areas and Historic Parks and Gardens.
- Surrounding buildings, their uses, scale, materials, colour, textures and vernacular.
- Skylines and backdrops.
- Views in and out of the site, highlighting visual receptors. (Visual receptors are individuals and/or groups of people who have the potential to be affected by the proposal.)
- Landmarks within or seen from the site.
- Perceptual qualities – scenic quality, sense of place, remoteness, tranquillity and wildness. The absence, or presence of intrusive or inharmonious human activity or noise.
- Night time character – if the proposed development will introduce new lighting.
- Cultural or historical features that characterise the area.

6.15 **LANDMAP** summary's assessment of value, **LANDMAP** provides a summary for each aspect area that gives an assessment of value, the features and qualities that contribute to this value, and the area's management recommendations, provide important landscape baseline information for a site and its context. All five **LANDMAP** layers should be referred to. The aspect areas of each layer, that cover the site and its visual context (this being the extent to which views of the development could be possible – also known as the zone of theoretical visibility (ZTV) must be assessed (see Figure 1).

6.16 The value awarded to the aspect areas within **LANDMAP** should be used to supplement the information within the **baseline assessment**. A cross reference between the survey reports in **LANDMAP** and the **site analysis** will assist in identifying the characteristics and qualities which are of importance in the wider landscape and are relevant at the local scale. If the **LANDMAP** information is considered insufficient then the **site analysis** can be used to demonstrate local variations at the site level. Section eight provides more information on how to use **LANDMAP** to identify landscape characteristics and qualities.

6.17 Characterisation studies have been carried out on the Registered Historic Landscapes, for development proposals within or impacting on a Registered Historic Landscape. The relevant characterisation study should be referred to.

STEP 3 – SITING AND DESIGN STAGE

6.18 Once the features, characteristics and qualities of the landscape have been identified then consideration can be given as to how (or if) the development proposal can be **sited and designed** so that it is appropriate and sensitive in terms of its integration, siting, scale and overall appearance within the landscape and available views. In order for planning applications to be approved, development proposals will need to be successfully integrated within the landscape without having an unacceptable adverse effect.

6.19 The **siting and design** of the proposal should work with the landscape to successfully integrate the development. This should be done using the **baseline assessment (site analysis plus LANDMAP data)** and an analysis of the opportunities and constraints. This will identify the planning issues that prevent or enable successful integration of the development proposal and where the scheme may need to be developed or amended. Factors that may assist landscape integration include (but are not limited to):

- Siting the proposed development next to existing development (where appropriate) to avoid proliferation within the open countryside.
- Placing the development below the skyline.
- Locating development away from the focus and orientation of prevailing views.
- In some cases, locating development next to strong patterns of landform, trees and hedgerows.
- Considering the scale, height and density of surrounding buildings – should the development proposal be the same or is there the potential to deviate? - It is not appropriate to replicate poor quality design.
- Utilising a prevalent building form, architectural character and/or material within the proposal.
- Retention and the incorporation of landmarks and specific features within the design.
- Consideration of how the development proposal including access roads can be located away from remote, wilder areas.
- Reduced lighting, consider designing to Dark Skies standard.
- Attention to colour – how it blends into the landscape, considering seasonal changes.
- Maintaining and enhancing distinctiveness where it has been identified as a quality.

6.20 **Siting and design** considerations should always be given to avoiding sensitive landscapes and views, maintaining distinctiveness and sense of place and for development to make a positive contribution to the locality.

STEP 4 - FINALISE AND ASSESS THE PROPOSAL

6.21 The development proposal can then be finalised and the planning application site (the red line area) determined. All planning submissions should provide a clearly set out

understanding of the site and its landscape and visual context and how the development proposal has been planned and designed to address the issues. (Section 6.19 outlines the range of considerations). For major applications, this information should be provided in the **Design and Access Statement** and for minor applications a **Planning Statement**.

6.22 Once the development proposal has been planned with its knowledge of the landscape and visual context, then its potential impact on the landscape will need to be assessed. The assessment should be proportionate to the scale of the development and use the information from the **baseline assessment** prepared in Step 2. All development proposals in the Open Countryside will need to be assessed to determine whether the proposal ~~will have~~ **is likely to have** any ~~unacceptable~~ adverse impacts on the landscape. This may be an **informal assessment** or in some cases, a **Landscape and Visual Impact Assessment / Appraisal (LVIA)**. Further detail on when a **LVIA** is required is provided in paragraphs 6.25 to 6.35 below.

6.23 Where the **LVIA** or the **informal assessment** identifies that the development proposal will have a ~~likely significant adverse effect~~ **an unacceptable adverse impact** on the landscape, then ~~either the developer should consider~~ mitigation measures ~~should be undertaken (where possible)~~, or the development proposal should be taken back to the **siting and design** stage (Step 3); ~~not doing this may result in the planning application being refused~~. Where mitigation measures are used or the development proposal has had to revisit the **siting and design** stage this should be documented in the **Design and Access / Planning Statement**. All assessments should take into consideration the cumulative impact of developments. Discussions will need to take place with the Council as to whether the assessment should consider examples of the same type of development and/or other types of development. **The Council acknowledges that landscape is one of a wide range of considerations that may influence the siting and design of development, the Design and Access / Planning Statement provides an opportunity to explain how the different components which includes landscape have been considered.**

6.24 Consideration will also need to be given as to the impact of the development proposal on any adjacent National Parks, Areas of Outstanding National Beauty (AONB) and Registered Historic Landscapes. Where the development impacts on a Registered Historic Landscape there may also be a need to include an Assessment of the Impact of Development on Historic Landscapes” (ASIDOHL2). The need for an ASIDOHL assessment for such developments will be determined by Cadw in consultation with the Clwyd Powys Archaeological Trust, NRW and the Council.

Landscape and Visual Impact Assessments / Appraisals (LVIA)

- ***As Part of an Environmental Impact Assessment***

6.25 The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 include a requirement for certain types of development proposals to undertake an Environmental Impact Assessment (EIA) before planning permission can be approved. The aims of the regulations are to prevent, reduce or offset the significant adverse environmental effects of development proposals, and enhance positive ones.

6.26 The EIA Regulations set out the types of project for which an EIA is always required, known as Schedule 1 development. The Regulations also include a further list of projects in Schedule 2, which may require an EIA if they are likely to have significant effects on the environment by virtue of factors such as size, nature or location. The requirement for EIA in these circumstances is determined through a Screening Opinion carried out by the Local Planning Authority (LPA) **or a Screening Direction carried out by the Welsh Ministers.**

6.27 Where landscape has been identified ~~(by the LPA)~~ within the Scoping Opinion (this will take place for Schedule 1 and 2 developments) as an issue to be considered, (then as part of the EIA) a **LVIA** should be carried out to identify and assess the significance of and the effects of change resulting from development on both the landscape as a resource in its own right and on people's views and visual amenity. It is important that where development proposals do undertake a **LVIA** as part of the EIA that it covers both of these components.

6.28 This guidance focusses on where **LVIA**s are required outside of settlements, this does not preclude the fact that a **LVIA** may be required as part of an EIA within a settlement.

- ***Other Developments with Likely Significant Landscape Impacts, Outside Settlements***

6.29 Paragraph 4.2.33 of the reasoned justification to LDP Policy DM4 requires an **LVIA** for all development proposals which could have a significant impact on the landscape and/or visual amenity. This includes all wind energy proposals (excluding anemometry masts) and most major developments.

Major development is defined in article 2 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as:

'major development' means development involving any one or more of the following -

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where—
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or,
- (e) development carried out on a site having an area of 1 hectare or more.

6.30 Proposals for major development that have the potential to change the landscape and are outside of a settlement as defined in the LDP settlement hierarchy will be required to undertake a **LVIA**. Development considered to have the potential to cause landscape change includes but is not limited to proposals that encompass new structures, excavation works, changes to topography or the removal of key landscape features. Proposals considered as 'major development' but are not required to undertake a **LVIA** are those where the structure is already an integral part of the landscape such as a barn conversion.

6.31 In some cases, there may already be a requirement for an **LVIA** to be carried out as part of an EIA (see paragraph 6.25); where this is not the case the **LVIA** (known as a **Landscape Visual Impact Appraisal**) should still identify and assess the **significance of the effects of change** resulting from development on both the landscape as a resource in its own right and on people's views and visual amenity.

6.32 In **consistence compliance** with Policy DM4 the Council may request a **LVIA** for minor development proposals which have the potential to have a significant impact on the landscape and/or visual amenity.

- **Undertaking a LVIA**

6.33 The **LVIA** should be conducted by an independent, suitably qualified and experienced professional following the '*Guidelines for Landscape and Visual Impact Assessment, 3rd Edition*' (Landscape Institute and Institute of Environmental Management and Assessment (2013) or any subsequent updates. The scope of the **LVIA** should be proportionate to the scale of the development.

6.34 National Planning Policy formally recognises the importance of using **LANDMAP** in landscape assessments in Wales. The **LVIA** should therefore make use of and include information from **LANDMAP** (collated in Step 2 above), particularly to inform the understanding of baseline conditions. Natural Resource Wales have produced "Guidance Note 3: Using **LANDMAP** for **Landscape and Visual Impact Assessment** of Onshore Wind Turbines" which should be referred to for wind energy proposals. The guidance highlights the importance of using all five layers not just the Visual and Sensory Layer.

6.35 Applicants following the '*Guidelines for Landscape and Visual Impact Assessment*' still need to be mindful that the development proposal meets the policy requirements of the LDP. This includes making sure proposals are **sited and designed** to be integrated within the landscape (as per Step 3 above), are appropriate and sensitive, take into consideration cumulative impacts, and don't have an unacceptable adverse effect on the valued characteristics and qualities of the Powys landscape (these should be identified as part of the **baseline assessment**).

Landscape Assessment for Developments that do not Require a LVIA

6.36 LDP Policy DM4 requires all proposals not to individually or cumulatively have an unacceptable adverse effect on the valued characteristics and qualities of the Powys landscape. To **demonstrate identify that if there are no-unacceptable any** adverse effects minor development proposals, **including residential developments of less than ten units and other developments of less than 1000 metres² or a hectare (where a EIA is not required)**, will be expected to undertake an **informal landscape assessment**.

6.37 Consideration will need to be given as to how the development proposal will impact on the characteristics and qualities identified in Step 2. Where landscape features are to be removed and the character of the area altered the contribution these characteristics and qualities make to the wider landscape will need to be assessed. This should include looking at how such characteristics and qualities contribute to **LANDMAP** aspect areas evaluated as high or outstanding, or any other designation such as registered historic landscapes, the

setting of listed buildings, conservation areas and registered historic parks and gardens. The assessment should also consider the visual effects of the development on ‘visual receptors’ Visual receptors should include popular view points and public rights of way within the zone of theoretical visibility.

6.38 Appropriate planning and location within the landscape should avoid areas of high sensitivity; these are areas of high/ outstanding value that are **more** likely to be harmed by the development proposal. Different development proposals may be suited to different landscape types, a proposal that can be successfully integrated within one landscape type may be detrimental to another. Where the **informal assessment** identifies that the development proposal will have an **unacceptable** adverse impact on the landscape, then either mitigation measures should be undertaken, or the development proposal should be taken back to the **siting and design** stage. **Consideration needs to be given as to whether the development proposal meets the requirements of Policy DM4.**

6.39 The results from the assessment should be presented within the **Design and Access or Planning Statement**.

STEP 5 - SUBMIT THE PLANNING APPLICATION

6.40 Following Steps 1 to 4, above the planning application is ready to be submitted:

- Accompanied with evidence of how the development proposal has been integrated into the landscape (either as part of the **Design and Access Statement** or **in a Planning Statement** accompanied with annotated site layout plans).
- Accompanied by a **LVIA** where the development proposal may have a significant impact on the landscape and/or visual amenity (as per Step 4). Measures taken to mitigate adverse impacts should be documented.
- Applications that fail to demonstrate that the development proposal does not individually or cumulatively, have an unacceptable adverse effect on the characteristics and qualities of the Powys landscape may be refused. In addition to failing to comply with LDP Policy DM4, Planning Policy Wales (edition 10) states “*where adverse effects on landscape character cannot be avoided, it will be necessary to refuse planning permission*”.

- ~~Section nine – Figures 2 and 3 provide an outline of the process through flow charts.~~

6.41 Section 9 contains Figures 2 and 3 which provide an outline of the process using flow charts. Whilst the table below details the level of information expected to be submitted as part of the planning application for different types of development proposal.

Details of Information to be Submitted for Different Development Types if the Proposals Fall Outside of a Settlement.

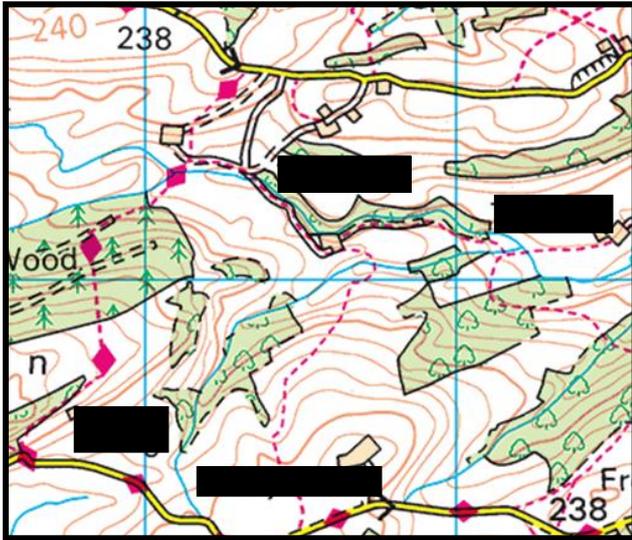
TYPE OF DEVELOPMENT	ADDITIONAL INFORMATION TO BE SUBMITTED
<p>Householder</p> <p>Change of Use - (with no external works)</p>	<p>NO ADDITIONAL INFORMATION <i>(however design will still need to comply with Policies DM4 and DM13 and should reflect local context where appropriate).</i></p>
<p>Developments that are less Likely to Have Significant Landscape Impacts, Outside Settlements</p>	
<p>All Conversions (with external works)</p> <p>Residential – where less than 10 dwellings</p> <p>Employment, Retail and Tourism – where floor space is 1000 square metres or less, or the site area is less than one hectare</p> <p>Agricultural Buildings – where floor space is 1000 square metres or less, or the site area is less than one hectare</p> <p>Renewable Energy Schemes - where site area is less than one hectare and are NOT for wind energy</p> <p><i>Anemometry masts fall within this category.</i></p>	<p>PLANNING STATEMENT – which includes detail of how the development proposal has been sited and designed to be integrated into the landscape and an informal landscape assessment that demonstrates compliance with Policy DM4, using the baseline assessment (site analysis plus LANDMAP).</p> <p><i>Some of the developments in this category may be required to undertake a LVIA under the EIA regulations. This will be instead of the informal landscape assessment and should be used to inform the Planning Statement.</i></p>
<p>Any Other Developments – With a site area of less than one hectare and floorspace of less than 1000m.</p>	<p><i>The LPA may request a LVIA for any of the development proposals falling within this category when there is the potential for significant impact on the landscape and/or visual amenity.</i></p>
<p>Developments with Likely Significant Landscape Impacts, Outside Settlements</p>	
<p>Residential – new build where ten dwellings or more</p> <p>Employment, Retail, Tourism, Agricultural Buildings and other developments – where floor space is 1000 square metres or more, or the site area is one hectare or more.</p> <p>Wind Energy Proposals (excluding anemometry masts)</p> <p>Any Other Developments – Where the LPA has concerns that development proposals have the potential for significant impact on the landscape and/or visual amenity</p>	<p>LVIA – Landscape and Visual Impact Assessment where EIA Or Landscape and Visual Impact Appraisal where non EIA</p> <p>DESIGN AND ACCESS STATEMENT – which includes detail of how the development proposal has been sited and designed to be integrated into the landscape and that demonstrates compliance with Policy DM4, using the baseline assessment (site analysis plus LANDMAP) and the LVIA.</p>

7. How to undertake a Site Analysis to identify landscape characteristics and qualities

A Site Analysis should be carried out for the land available to accommodate the development of the proposal (this information will assist in the siting).

Applicants should refer to:

- OS Maps
- Aerial Photographs
- Other relevant studies or resources
- Site Assessment



OS Maps assist in identifying:

- Topography
- Visual Receptors (Rights of Way, roads, dwellings, viewpoints)
- Buildings, landmarks and features



Aerial photographs assist in identifying:

- Land use
- Field and hedgerow patterns and shapes

Other relevant studies or resources:

Information on any local designations (including the Natural and Historic Environment) should also be recorded. This can be found on the Lle portal and the Archwilio website, together with any characterisation studies for Registered Historic landscapes. Where the proposal is within a Local Search Area the Landscape Sensitivity Study should be referred to.



Site Assessment should be used to confirm what has been identified on maps and aerial photographs and should record:

- Skylines
- View lines
- Local materials and textures
- Local vernacular
- Colours
- Hedgerows and trees
- Existing buildings and uses
- Noise levels, sense of place, remoteness, tranquillity and wildness
- Landmarks

8. How to use LANDMAP to identify landscape characteristics and qualities

8.1 As set out in paragraph 4.7, LANDMAP is an all-Wales landscape resource where landscape characteristics, qualities and influences on the landscape are recorded, evaluated and collated into a nationally consistent Geographical Information System based data set.

8.2 LANDMAP comprises of five spatial datasets (layers), each dataset is geographically split into what are called 'Aspect Areas' these are polygons that are identified by their own landscape characteristics and qualities, which are different to those of adjacent areas. For each aspect area that has been identified, data is collected and a survey report completed. These reports describe and document the landscape character, qualities and features, whilst also giving management recommendations and an overall evaluation score. The evaluation score allows comparisons between areas and highlights areas of varying importance.

The five spatial datasets that make up LANDMAP:

- **Visual and Sensory**
- **Cultural Landscape**
- **Landscape Habitat**
- **Historic Landscape**
- **Geological Landscape**

8.3 All aspect areas have a single overall evaluation score. The overall score ranges from the local to the international scale of importance. The overall evaluation score for each aspect area is derived from the individual scores given to the specific evaluation criteria for that LANDMAP layer, see below:

LANDMAP Layer	Specific Evaluation Criteria
Visual and Sensory	Scenic quality, Integrity, Character, Rarity
Cultural Landscape*	Recognition, Period, Rarity, Documentation, Group Value, Survival, Vulnerability, Complexity, Potential
Landscape Habitat	Priority habitats, Significance, Opportunity, Expansion rates, Sensitivity, Connectivity/cohesion, Habitat evaluation, Importance for key species
Historic Landscape	Integrity, Survival, Condition, Rarity, Potential
Geological Landscape	Research value, Educational value, Historical Value, Rarity/uniqueness, Classic Example

* The overall evaluation score for the cultural landscape aspect area is derived from a general assessment that considers all the specific evaluation criteria. Each of the individual criterion do not have a single overall evaluation score like in the other LANDMAP layers.

Overall evaluation score*	Definition of importance to the LANDMAP layer
Outstanding	International or national
High	Regional or county
Moderate	Local
Low	Little or no importance

* In some instances the value may have been recorded as unassessed.

8.4 The following paragraphs consider how the data and evaluations for each of the five LANDMAP layers can be used to help identify the valued characteristics and qualities of the Powys landscape. This data can assist when it comes to identifying features and characteristics that should be retained and/or integrated within the design process of the development proposal. It should also be used to assess the impact a specific development proposal may have on the landscape. For more detailed information regarding the methodology used to collate and assess the LANDMAP data refer to the NRW website at <https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/evidence-to-inform-development-planning/landmap-the-welsh-landscape-baseline/?lang=en>.

Some of the Aspect Areas cover a large area, particularly when compared to the site of the development proposal. It is therefore important to recognise that not all of the characteristics and features identified in LANDMAP will be present or impacted upon. Paragraph 6.4 of this guidance requires applicants to undertake a **site analysis baseline assessment** to identify the landscape features and characteristics within the site and those wider afield that are affected by the development proposal. The **site analysis baseline assessment** can then be cross referenced with the LANDMAP data to identify the value of those characteristics and features recorded within the assessment, and to discount those characteristics and features identified in LANDMAP that are irrelevant to the site.

- **Visual and Sensory**

8.5 The Visual and Sensory LANDMAP layer identifies those landscape qualities that are perceived through the senses. It deals with the physical attributes of landform and land cover, as well as their visual patterns of distribution and sensory characteristics, and the relationships between these in a particular area.

8.6 Each visual and sensory aspect area has its own survey report which provides a structured summary of the key characteristics with an evaluation of its significance and a summary of its management requirements. When identifying the characteristics and values for an area the survey report should be referred to. The information is gathered within the survey report from the point of view of an observer within the aspect area considering both visual and other sensory information.

8.7 The survey report for the visual and sensory aspect layer consist of 53 questions that start with a description of the area. The description identifies the broad physical form and elements which make up the features of the landscape including the topographic form, land cover pattern, settlement pattern and boundary type. The description continues with

questions relating to the aesthetic factors which include pattern, colour, textures and scale. Other factors then considered include the amount of night time light pollution, use of materials, attractive/detractive views, perceptual and other sensory qualities (noise, smell, tranquillity, remoteness) and the sense of place/local distinctiveness. Within the survey report is a summary description which brings together a description of the most important qualities of the aspect area. The description of the area should be used to identify features that contribute to the character of the area, this will include identifying features which may be impacted upon and identifying features that can be taken into consideration in the design process so that the development proposal can be successfully integrated within the landscape.

8.8 Within the report is an assessment of the visual and sensory landscape value and qualities that are based on the specific evaluation criteria which have been scored as Outstanding, High, Moderate and Low.

Evaluation Criteria	Guidance outlined in LANDMAP Methodology Visual and Sensory (2016)
Scenic Quality	The extent to which the area has scenes which are of a picturesque quality, demonstrating aesthetically pleasing elements in composition.
Integrity	The extent to which the area is in good condition, with consistent character throughout, and is generally unspoilt by large-scale, visually intrusive or other inharmonious development.
Character	The extent to which a distinct and recognisable pattern of elements, features and qualities occurs within the Aspect Area, to give a clear sense of place.
Rarity	The extent to which the area's visual and sensory character and/or features or qualities are rare/representative locally, regionally or nationally/internationally.
Overall Evaluation	The overall evaluation is based on an assessment of the four evaluation criteria above.

8.9 Rather than just looking at the overall evaluation for an aspect area to assess landscape quality it is useful to understand what gives the landscape its qualities. This should be done by referring to the justification given for the overall evaluation together with the values for each of the evaluation criteria.

8.10 There may be instances where the scoring for one or more of the evaluation criteria is higher than the overall evaluation, this will need to be taken into consideration when looking at the sensitivity of the landscape to the specific development proposal.

8.11 Within each survey report there is useful section on recommendations that identifies key qualities and elements of the landscape that should be conserved and enhanced, it would be a useful exercise to consider how the development proposal fits with these

recommendations, and where possible to incorporate the recommendations within the scheme.

8.12 When considering the visual and sensory aspect of the landscape care and attention should be paid to all stages and aspects of the development proposal. Factors such as increased traffic movements, and external lighting may have a detrimental effect on the tranquillity and remoteness of the landscape.

8.13 As stated in paragraph 8.6 the evaluation of this layer is subjective to the individual assessor completing the survey report in the field. It is important therefore that any data used from this layer is verified within the **site baseline** assessment and during planning officer site visits, particularly when giving reference to the overall evaluation criteria. Further work is required when assessing the visual effects of a proposal to identify and assess the impact on visual receptors, this should form part of the site analysis rather than come from LANDMAP.

- ***Cultural Landscape***

8.14 In LANDMAP, culture is generally taken to include any kind of human activity that can be related to today's landscape. This includes noticeable expressions of human activity in the landscape, such as the choice of vernacular building materials. It also includes intangible literary or artistic expressions such as associations with folklore and poetry, or the representation of landscape in art or film.

8.15 The Cultural Landscape layer identifies and records where the landscape has been, or is being, shaped by a particular cultural activity or process, or where it has been directly represented, depicted or described, it identifies cultural patterns that are keeping the landscape alive today, rather than what sustained it in the past. This is defined in LANDMAP as the contemporary cultural essence based on an evident link between human culture and landscape.

8.16 As stated in LANDMAP Guidance Note 4: LANDMAP and the Cultural Landscape (2016) the intention in the Cultural Landscape layer is to focus on mapping the landscape where it has been, or is being;

- visibly and recognisably fashioned by a particular cultural activity or process (cultural influences) or
- directly represented, depicted or described in art, literature, folklore, or similar (cultural associations)

8.17 As with the visual and sensory layer the survey report provides a structured summary of the key characteristics of each identified aspect area, together with an evaluation of its significance. This enables the valued characteristics and qualities of the Powys cultural landscape to be identified.

8.18 The information detailed in the survey report provides an opportunity to link and work with the cultural landscape in order to design developments that can be made more 'fit for place' and better attuned to the 'sense of place'. This will assist in fulfilling the requirements

of LDP Policy DM13 (2) whereby development proposals are required to contribute towards the preservation of local distinctiveness and sense of place.

8.19 When viewing the survey report attention should be paid to the recommendations to determine whether the development proposal is in alignment with the recommendations for the aspect area, it may also help to identify issues which could be proactively addressed at an early stage in the design process.

8.20 Although the Cultural layer does have evaluation criteria the overall evaluation score for the cultural landscape aspect area is derived from a general assessment that considers all the characteristics and qualities, rather than a single overall evaluation score for each evaluation criteria. This can be used to identify the quality value of the Cultural landscape.

- ***Landscape Habitat***

8.21 This LANDMAP layer focuses on recording landscape habitat information at a scale that is broadly comparable to other evaluated Aspects from the other LANDMAP layers. The incorporation of the Landscape Habitat layer within the assessment of development proposals does not replicate or take away the requirement for development proposals to be in accordance with LDP Policy DM2 – The Natural Environment. Further information on how development proposals need to take the Natural Environment into consideration and where to access local data can be found in the [Biodiversity and Geodiversity SPG \(2018\)](#).

8.22 The Landscape Habitats information collected via LANDMAP is collected at various levels, from the very broad to the relatively small scale. The benefits of including this layer within landscape assessments is that it helps to identify features from the natural environment that contribute to landscape character and quality, at the same time looking at habitat information as part of the design process will enable consideration to be given to green infrastructure within the development.

8.23 Policy DM2 requires development proposals to demonstrate how they protect, positively manage and enhance biodiversity and geodiversity interests including improving the resilience of biodiversity through the enhanced connectivity of habitats within, and beyond the site. Identifying where the development proposals sits within the wider landscape habitat will improve the success and quality of any green infrastructure proposals incorporated within the scheme as part of the wider picture.

8.24 The survey report for the landscape habitats aspect layer consist of 49 questions that start with a description of the area. The description includes details on soil types, phase 1 habitat type, protected sites, habitats and species and land management activities. Within the survey report is a summary of the key features that define the aspect area's biodiversity character. The description of the area should be used to identify features that contribute to the character of the area, this will include identifying features which may be impacted upon and identifying features that can be taken into consideration in the design process so that the development proposal can be successfully integrated within the landscape. The characteristics and qualities identified from the survey report can be supplemented with any information identified in detailed ecological reports

8.25 Within the report is an assessment of the landscape habitats value and qualities that are based on the specific evaluation criteria which have been scored as Outstanding, High, Moderate and Low.

Evaluation Criteria	Guidance outlined in LANDMAP Methodology Landscape Habitats 2016
Priority habitats	In particular, those most characteristic of the area, rarity in national context. Priority Habitats are explained in terms of those habitats most characteristic of the area, although where there are significant areas of high quality habitats for example SSSI's these are described:
Significance	This addresses the issue of whether the Aspect Area contains a high % of national resource e.g. Is a habitat confined to the area or does the area have a high proportion of the national resource?
Opportunity	Opportunity is scored according to how easy it would be to enhance any existing moderate, high or outstanding habitats
Expansion rates	Increases in the semi-natural and valuable habitats and species assessed over the last 25 years
Sensitivity	How sensitive the area is to changes in land management and other practices that could adversely affect the biodiversity.
Connectivity / cohesion	Describes how well the Aspect Area functions in terms of interconnection networks and corridors for native habitats, which will allow for species movements and protect and enhance biodiversity.
Habitat evaluation	Based on the six evaluation criteria above
Importance for key species	Is the area known to be of special significance for one or more important species?
Overall Evaluation	An overall assessment of how important the area is for both Habitats and species based on the evaluation criteria above.

8.26 Rather than just looking at the overall evaluation for an aspect area to assess landscape quality it is useful to understand what gives the landscape its qualities. This should be done by referring to the justification given for the overall evaluation together with the values for each of the evaluation criteria.

8.27 There may be instances where the scoring for one or more of the evaluation criteria is higher than the overall evaluation, this will need to be taken into consideration when looking at the sensitivity of the landscape to the specific development proposal.

8.28 The information in LANDMAP does not substitute the need for an ecological survey where required. The information from an ecological survey may supplement the LANDMAP

information to identify landscape habitat characteristics and qualities however the information in LANDMAP should not be used in the ecological survey – this needs to be carried out a local level.

- **Historic Landscape**

8.29 This LANDMAP layer focuses on how archaeological and historical sites relate to each other and the surrounding landscape, identifying landscape qualities that depend upon key historic land uses, patterns and features and are structurally prominent and contribute to the overall historic character of the present landscape. They reflect the beliefs, attitudes, traditions and values of the past, which include the physical remains of all aspects of human activities (above and below ground) and our interpretation and understanding of them.

8.30 The Historic Landscape layer only identifies historic land uses, patterns and features that are structurally prominent and contribute to the overall historic character of the present landscape. Archaeological sites and monuments that do not meet this criterion but that are considered important are protected through other mechanisms and will still need to be considered as part of the development proposal but won't feature as part of the landscape assessment. Consequently, the dominant characteristic selected for a particular Aspect Area might not necessarily be of any great antiquity, although the area itself might contain several archaeological sites. It is worth noting that LANDMAP is concerned with the identification of patterns and features within the current landscape, and with their subsequent management. It is not a landscape history, nor is it an historic landscape characterisation exercise.

8.31 The survey report for the historic landscape aspect layer consists of 43 questions that start with a description of the area. The description identifies any traditional boundary types, any significant archaeological interest, the dominant chronological period and any historic environment designations. Further down the report is a summary description that highlights key patterns and elements. Together these components can be used to identify features that contribute to the historic landscape character of the area. This can then be used to identify any features which the development proposal may impact upon and to identify any characteristics that can be taken into consideration in the design process so that the development proposal can be successfully integrated within the landscape.

8.32 Within the report is an assessment of the Historic Landscape value and qualities that are based on the specific evaluation criteria which have been scored as Outstanding, High, Moderate and Low.

Evaluation Criteria	Guidance outlined in LANDMAP Methodology Historic Landscape 2016
Integrity	The integrity of an Aspect Area relates to its overall 'completeness'. This is assessed by the visibility and legibility of the components or elements of the Dominant Landscape Pattern or the Historic Landscape Detail.

Survival	This relates to the degree of survival of individual elements and components present in the Aspect Area.
Condition	This relates to the condition of those elements and components that survive in the Aspect Area, as a measure of overall condition.
Rarity	This relates to the rarity of the Aspect Area.
Potential	This relates to the potential within the landscape for future study and analysis and for the potential of elements that might be, or already are, developed as a public educational and recreational amenity.
Overall Evaluation	An overall assessment of how important the area is based on the evaluation criteria above.

8.33 Rather than just looking at the overall evaluation for an aspect area to assess landscape quality it is useful to understand what gives the landscape its qualities. This should be done by referring to the justification given for the overall evaluation together with the values for each of the evaluation criteria.

8.34 There may be instances where the scoring for one or more of the evaluation criteria is higher than the overall evaluation, this will need to be taken into consideration when looking at the sensitivity of the landscape to the specific development proposal.

8.35 Development proposals effecting historic environment designations (as listed in LDP Policy SP7 (2)) will need to consider the impact of such proposals separately to the LANDMAP assessment process, this includes development proposals which may have an impact on a Registered Historic Landscape, the setting of a Listed Building or views in and/or out of a conservation area.

- ***Geological Landscape***

8.36 The Geological Landscape LANDMAP layer considers the physical, primarily geological, influences that have shaped the contemporary landscape and identifies those landscape qualities which are linked to the control or influence exerted by bedrock, surface processes, landforms and hydrology. The layer therefore considers the landscapes geological history by identifying distinct components of the landscape where geology and topography are intimately linked. Such areas are distinguished as separate Aspect Areas.

8.37 Aspect Areas identified in the Geological Landscape layer are defined and evaluated on the basis of their intrinsic character, typically either:

- The topographic influence of the bedrock geology and its surface expression at outcrop, or
- The character of the sediments present and the processes of their deposition as expressed by the topography and landforms created by such processes.

8.38 Only in cases where the geology is of high scientific value (and conservation priorities may therefore be distinct from adjacent areas), or where geological formations or

deposits have a significant effect on land use (such as by determining soils rather than distinctive landforms) are the Aspect Area boundaries more geological than topographical.

8.39 The survey report for the geological landscape aspect layer consists of 37 questions that start with a description of the area. The description identifies the geographical and topographical character, significant contributors to the geological character, active geological and geomorphical components, any mineral extraction details and any national / local designated sites for geodiversity interest. These components can be used to identify features that contribute to the geological landscape character of the area. Attention should also be paid to the recommendations within the survey report to determine whether the development proposal is in alignment with the recommendations for the aspect area, it may also help to identify issues which could be proactively addressed at an early stage in the design process.

8.40 Within the report is an assessment of the geological landscape value and qualities that are based on the specific evaluation criteria which have been scored as Outstanding, High, Moderate and Low.

Evaluation Criteria
Research Value
Educational Value
Historical Value
Rarity / Uniqueness
Classic Example
Overall Evaluation - An overall assessment of how important the area is based on the evaluation criteria above.

8.41 Rather than just looking at the overall evaluation for an aspect area to assess the geological landscape quality it is useful to understand what gives the landscape its qualities. This should be done by referring to the justification given for the overall evaluation together with the values for each of the evaluation criteria.

8.42 There may be instances where the scoring for one or more of the evaluation criteria is higher than the overall evaluation, this will need to be taken into consideration when looking at the sensitivity of the landscape to the specific development proposal.

8.43 Development proposals effecting geodiversity designations (as listed in LDP Policy DM2) will need to consider the impact of such proposals separately to the LANDMAP assessment process.

Section 9. Figure 2: Process Chart for Development Proposals that require a LVIA as part of an EIA

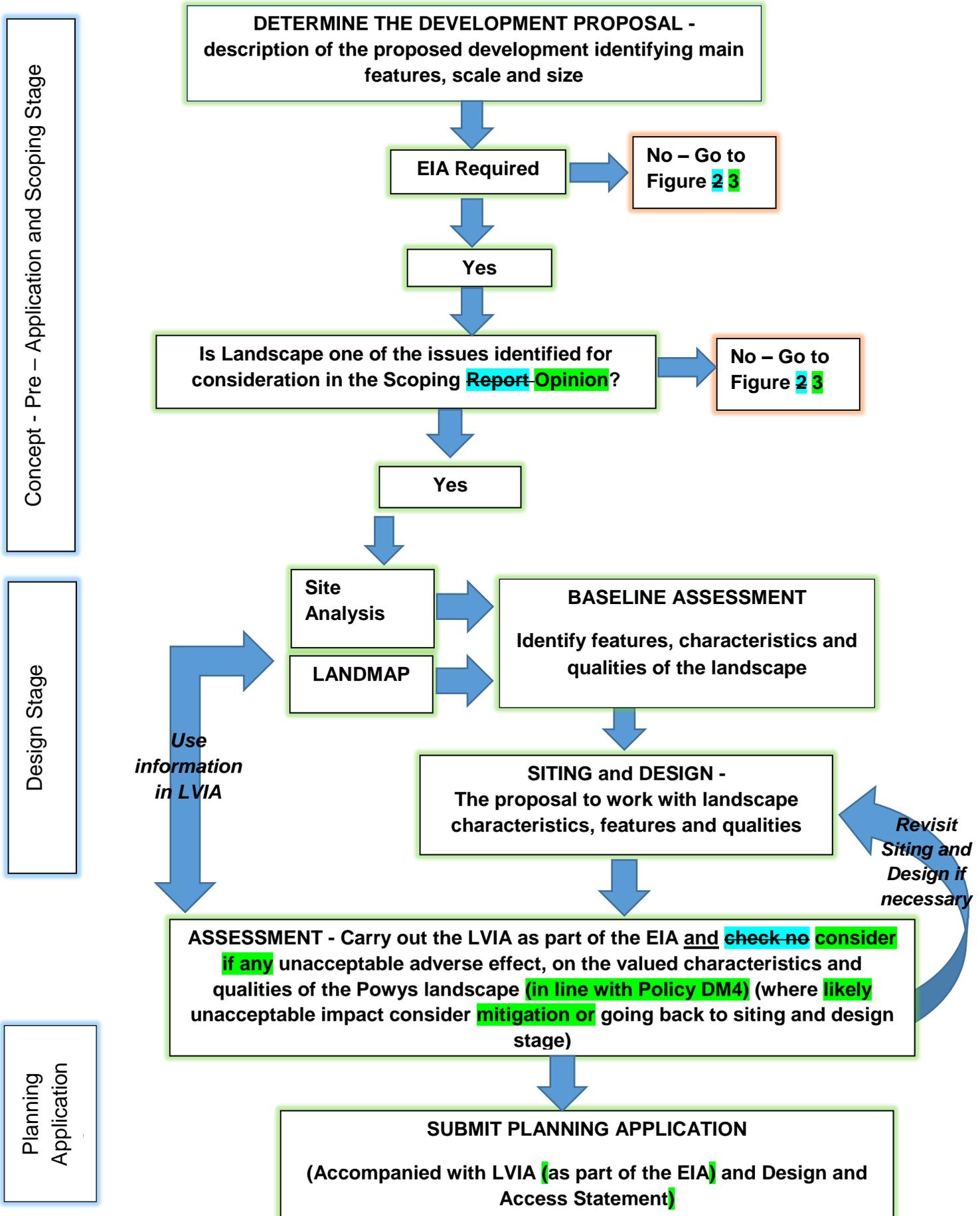
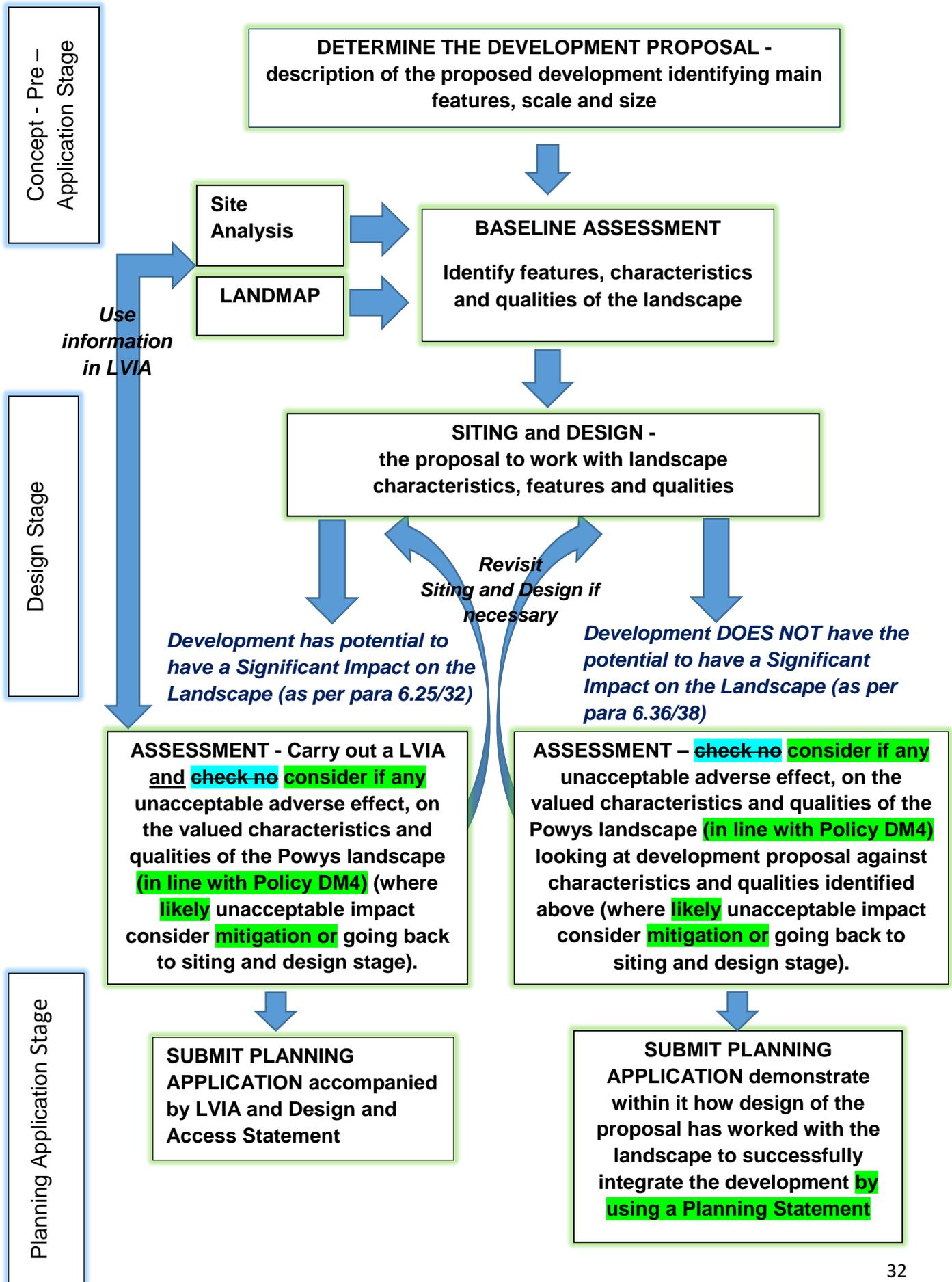


Figure 3: Process Chart for Other Development Proposals



10. Monitoring and Review

10.1 The implementation of the LDP's landscape policy, through developments permitted and delivered under the LDP, will be monitored annually and reported in the LDP's Annual Monitoring Report (submitted to the Welsh Government by 31st October each year following adoption of the LDP). The process will monitor developments permitted that may have an unacceptable adverse impact on the valued characteristics and qualities of the landscape throughout Powys **in line with Policy SP7, this will be through AMR43 in the Annual Monitoring Framework.** The number of developments that could have a significant landscape or visual impact permitted without an accompanying LVIA will also be monitored **as required through AMR53.**

10.2 Consideration will need to be given as to the quality of LVIA's submitted this will be done through the use of landscape professionals, appeal decisions and comparing the LVIA with the completed development.

10.3 This SPG will be kept under review and, where necessary, updated to take into account changes in any relevant policy, guidance, evidence of circumstances, and in response to relevant issues raised with the SPG in practice.

GLOSSARY OF TERMS:

Definition	Meaning
Aspect Area	A discrete geographic area of relatively homogenous character identified within a particular LANDMAP layer. In GIS it is represented as a single polygon. LANDMAP divides the landscape into discrete geographical areas known as aspect areas (polygons in GIS). Each aspect area is identified by its own landscape characteristics and qualities, these will be different from adjacent aspect areas
Baseline Assessment	Work done to describe the characteristics, features and qualities of the site. This should include the site analysis and LANDMAP assessment.
Character	Distinct, recognisable and consistent pattern of elements in the landscape that make one landscape different from another.
Design and Access Statement	A Design and Access Statement communicates what is proposed and demonstrates the design process that has been undertaken to reach the final proposal. Should include details from the Baseline Assessment and either the LVIA or the Informal Assessment.
Feature	Distinctive or prominent part which makes up the landscape such as trees, hedges and buildings. In the context of development proposals a 'feature' may also be a particular aspect of the project.
Historic Landscape Characterisation (HLC)	The identification and interpretation of the historic dimension of the present day landscape or townscape within a given area.
Informal Assessment	An informal assessment looking looks at how the development proposal impacts on the characteristics, features and qualities identified in the baseline assessment.
LANDMAP	A GIS based landscape resource where landscape characteristics, qualities and influences on the landscape are recorded and evaluated into a nationally consistent data set.
Landscape and Visual Impact Assessment/ Appraisal (LVIA)	A tool used to identify and assess the likely significance of the effects of change resulting from development both on the landscape as an environmental resource in its own right and on people's views and visual amenity as part of an Environmental Impact Assessment (EIA).
Landscape and Visual Impact Assessment/ Appraisal (LVIA)	A tool used to identify and assess the likely significance of the effects of change resulting from development both on the landscape as an environmental resource in its own right and on people's views and visual amenity.
Landscape Value	The relative value that is attached to different landscapes by society.
Planning Statement	A statement to be submitted alongside the planning application (for minor developments) to demonstrate how the development proposal has been sited and designed into the landscape. Includes components from baseline assessment and informal assessment.
Qualities	Aesthetic or perceptual attributes of the landscape such as those relating to scale or tranquillity.

Site Analysis	A site assessment accompanied with information from Ordnance Survey maps, aerial photographs and any other local studies or resources to inform the baseline assessment.
Scoping	The process of identifying the issues to be addressed by an EIA.
Townscape	The character and composition of the built environment, including the buildings and the relationships between them and the relationship between buildings and open spaces, including green spaces .
Tranquillity	A state of calm and quietude associated with peace, considered to be a significant asset of landscape.
Visual Receptors	Effects on specific views and on the general visual amenity experienced by people. Individuals and/or defined groups of people who have the potential to be affected by changes in views or visual amenity at different places.
Zone of Theoretical Visibility (ZTV)	The area of land within which the development theoretically may be seen.

Appendix 1. Key Things to Consider for a Sample of Development Types

Agricultural Buildings

Cumulative impact – Needs to be considered, particularly where the building forms part of a larger complex of other agricultural buildings. One unit may be capable of being 'absorbed' into the landscape but three or four could tip the balance of acceptability so cumulative assessment is essential.

Viewpoints - A modern farm building by nature of its scale and materials can act as a prominent feature in the landscape. It is important therefore, that views into and out of the site are accounted for. Approaching a building obliquely, having perhaps seen it earlier from a distance, is a gentler way to approach a large building.

Skylines - New buildings should respond to contours and the natural form of the land by fitting into folds or valley bottoms and avoiding platforms or exposed skylines or ridges.

Profile - Where possible, buildings should have a low profile. Overhanging eaves and big roofs can help settle a building into the landscape, create shadows and give shape to a building.

Colour - Roofs should be dark wherever practical, with a non-reflective finish, taking their cue from the landscape in terms of colour and texture. Pale or white buildings reflect more sunlight and should be avoided as they are more conspicuous. (If a building has to be light coloured to reduce internal temperatures, then careful siting and planting will be essential). Generally, colours should be “earth colours” such as browns, greys or greens to reflect local materials e.g. red bricks with a rustic finish. ~~Green colours should be used with care since they may clash with the changing greens in the landscape.~~ Colours should preferably be matt, avoiding high-gloss paints.

Materials – Where appropriate materials should reflect the textures and vernacular of neighbouring buildings. Using a combination of materials such as stonework, wood and coloured steel panelling can help to reduce apparent scale in the landscape.

Grouping - When seen from a distance it is not the siting of a building which is apparent but its scale in relation to adjacent buildings. Tight clusters of buildings generally look more settled in the landscape than scattered ones. ~~For this reason, New buildings may be best sited as should form part of a group rather than standing in isolation, however the information collected in the baseline assessment should be used to inform siting so that it responds to context.~~ In the case of an existing group of traditional or historic buildings, it may sometimes be best to site a new building of modern design away from the group to avoid visual conflict.

Planting - The impact of new buildings can be softened by careful landscaping reflecting the local landscape character. Planting around modern farm buildings with appropriate native species of assured British origin, reflecting the existing pattern of woodlands, copses and hedgerows can create new landscape features and wildlife habitats.

In some instances the siting of new buildings adjacent to existing woods or shelter belts may provide valuable screening.

Dwellings - including replacement dwellings, agricultural workers and affordable housing exception sites.

Siting - Position in the context of the landscape topography. Work with the contours of the site. Avoid mounding up to form a flat site as this makes the house more conspicuous in the landscape.

Consider how to orientate the building to obtain an outlook and reduce landscape impacts. Often the positioning of older houses in the surrounding countryside provide information as to how these aspects have been dealt within the past, and the degree to which they have been successful.

Scale - Scale is a key consideration in the design of a new house in the countryside; a building's size must suit the landscape in which it sits, its surroundings and the house type.

Form - Dwellings should generally have a horizontal emphasis and generally be low rise, however it is important that the design reflects the local context where appropriate.

Materials - Materials and colours should be simple and reflect the landscape and geology around them. Account must be taken of the materials and colours of traditional buildings in the area where they contribute to local character.

Ancillary Buildings and Garages - Ancillary buildings such as workshops and sheds should be located as close to the main dwellings as possible (proposals will need to refer to LDP Policy DM7).

If garages are to be provided they must be co-ordinated with the whole scheme, using similar design and materials.

Boundaries – Existing vegetation such as hedgerows and trees should be retained. New boundaries should be hedgerows made up of native species avoiding painted fences.

Lighting - External lighting should be directed downwards, shielded so that light does not spill beyond the area needing to be lit and make effective use of sensor switches. Permanent lighting, e.g. floodlit entrances, driveways and buildings, is discouraged.

Access - The relationship of the site to the proposed access road should be considered. There should be an avoidance of the need to create long lengths of new road.

Residential Conversions

There are many non-residential buildings within the Powys LDP area that are capable of conversion to residential use. These include buildings associated with agriculture such as outbuildings and barns and buildings built for religious purposes such as churches or chapels.

As a general rule, buildings constructed for agricultural purposes such as farm steadings are strong, unfussy structures. Any conversion should make use of existing openings wherever possible so that new windows and doors are kept to a minimum. All windows

and doors should be simple and sturdily built, and existing ventilator slots, distinctive detailing and any important ancillary structures retained.

Extensions or new build should only be contemplated where they reinforce the architectural integrity of the existing building by, for example, infilling inappropriate gaps in a group or rounding off a group. Projections above the existing roof ridgeline, raising ridges or eaves should be avoided and introducing porches and new dormers are only appropriate where the applicant has demonstrated that such changes are sympathetically designed and that no reasonable alternative exists to achieve the conversion. Bay windows along with conservatories are difficult to successfully integrate because they have no previous association with agricultural buildings.

Holiday Park Proposals

Layout - Preference should be given to having an informal layout of caravan units / glamping pods / log cabins etc. The site should be characterised by the use of small informal clusters separated by appropriate landscaping and the avoidance of 'regimented' rows of units that typically results in a detrimental visual impact.

Colours and Materials - The use of muted colours and natural materials, that reflect the local context, should be used as appropriate for both caravan units / glamping pods / log cabins etc. and ancillary buildings. Where possible consideration should be given to the conversion of any existing buildings within the site particularly where ancillary buildings are required.

Scale - The scale of the development must respect its surrounding environment.

Siting - Proposals should be sited in unobtrusive locations, and avoid skylines, prominent hillsides or exposed sites. The development should respect the topography of the site and existing site levels should be retained wherever possible.

Boundaries – Existing vegetation such as hedgerows and trees should be retained. New boundaries should be hedgerows made up of native species avoiding fences.

Lighting - External lighting should be directed downwards, shielded so that light does not 'spill' beyond the area needing to be lit and make effective use of sensor switches.

Access - The relationship of the site to the proposed access road should be considered. There should be an avoidance of the need to create long lengths of straight new road, existing roads/tracks should be utilised wherever possible. Consider how any proposed roads/tracks can fit in with the landscape character and complement the pattern of existing tracks and road networks.

Cumulative impact – Consider how the scheme fits with other similar proposals in the area.

Solar Energy Proposals

Local Search Areas - All proposals for solar development within a Local Search Area (identified in the Powys LDP) should consult with the Landscape Sensitivity Study for Solar Farm Development (Enplan, 2017).

Landform and Topography - The most suitable sites are likely to be on flat landforms or on lower slopes/within folds in gently undulating lowland landscapes rather than on prominent upland landforms and highly visible slopes.

Landscapes with a sense of enclosure (e.g. provided by woodland or high hedges) are better suited to solar PV development than open and unenclosed landscapes.

Views and Screening - Avoid locating solar PV development where it would be directly overlooked by important or sensitive viewpoints. Consider views from local viewpoints and popular routes (including Rights of Way). For sites that are overlooked by high ground, particularly within 1-2km, the design of the site and how it integrates with the landscape will be particularly important.

Layout - Ensure the layout and design of schemes follows the contours and enclosure patterns of the landscape to integrate them into the landscape - avoid siting panels that are remote from the rest of the group.

When designing the layout of panels, consider the appearance of the development as viewed from the 'backs' and 'sides' (where frames will be more visible) as well as from the 'front'.

Consider locating solar arrays in close proximity to existing farm buildings to encourage a clustering of built development and reduce the need for more isolated development.

Scale - Ensure the area of development is in scale with the landscape in which it lies.

Landcover - Maintain field pattern and diversity to avoid a dominating character in the locality and to ensure the development is compatible with the landscape scale (areas with smaller scale fields are likely to be more appropriate for smaller developments).

Design - Ensure the height of panels and use of screening are designed to make the development as unobtrusive as possible. Wherever it is possible to do so, panels should be lower than any hedgerows on the site.

Aim to work with the natural topography and avoid the need for large scale earthworks, banks and bunds which can highlight the development rather than screening it.

Ancillary Infrastructure - Utilise existing tracks wherever possible. Consider how any proposed tracks can fit in with the landscape character and complement the pattern of existing tracks and road networks. Any proposed tracks should seek to avoid steep slopes and minimise the need for cut and fill operations. **The roofs of ancillary buildings should be dark wherever practical, with a non-reflective finish, taking their cue from the landscape in terms of colour and texture. Pale or white buildings reflect more sunlight and should be avoided as they are more conspicuous. Generally, the colours of ancillary buildings should be "earth colours" such as browns, greys or greens to reflect local materials.**

Cumulative Impact - When siting a solar PV development, it is important to consider how the scheme fits with other operational and consented schemes to minimise cumulative impacts.

Applicants should aim for a similarity of design between schemes that fall in the same type of landscape to maintain a simple composition and reinforce links between landscape characteristics and design response.

Wind Energy Proposals

Skylines - ~~it is particularly important that~~ where practical a wind farm should seek to reduce impact on ~~avoids~~ skylines, ~~if this is not possible proposals should be~~ ~~or is~~ sited and designed to relate to them. A key challenge is that the skyline will vary in relation to the position and elevation of a viewer. Nevertheless, the design of a wind farm from key viewpoints and routes should ensure it does not detract from the character of a distinctive skyline.

The landform may provide a design opportunity to limit visibility of wind turbines and site infrastructure. For example, where a wind farm is to be sited on a hill ridge, turbines may be set back from the edge and placed to limit visibility from below.

Scale - Landscape scale and openness are particularly important characteristics in relation to wind turbines because large wind turbines can easily seem to dominate some landscapes. Does the proposed turbine(s) relate well to and not dominate the key landscape and visual characteristics identified in the baseline assessment?

Design – Consider whether the proposed turbine/s is/are the most appropriate in form, appearance and blade movement for the proposed site, this should include considering how the turbine relates to other neighbouring turbines and the characteristics and features identified in the baseline assessment.

Focal Features - Wind farms, because of their very nature and typical location within open landscapes, often become major focal points. Their interaction with the existing hierarchy of foci needs to be considered in their siting and design, in order to minimise visual conflicts or avoid compromising the value of existing foci.

Cumulative Impact - A key factor determining the cumulative impact of wind farms is the distinct identity of each group. This relates to their degree of separation and similarity of design. This applies whether they are part of a single development, a wind farm extension, or a separate wind farm in a wider group. A wind farm, if located close to another of similar design, may appear as an extension; however, if it appears at least slightly separate and of different design, it may conflict with the other development. In these cases, if a landscape is unable to accommodate the scale of a combined development, wind farm groups should appear clearly separate. It is important to achieve a balance between wind farms and the undeveloped open landscape retained between them. Adequate separation will help to maintain wind farms as distinct entities. The separation distance required will vary according to the landscape characteristics.

Turbine Layout / Array - In a wind farm, turbines can be arranged in many different layouts. The layout should relate to the specific characteristics of the landscape - this means that the most suitable layout for every development will be different.

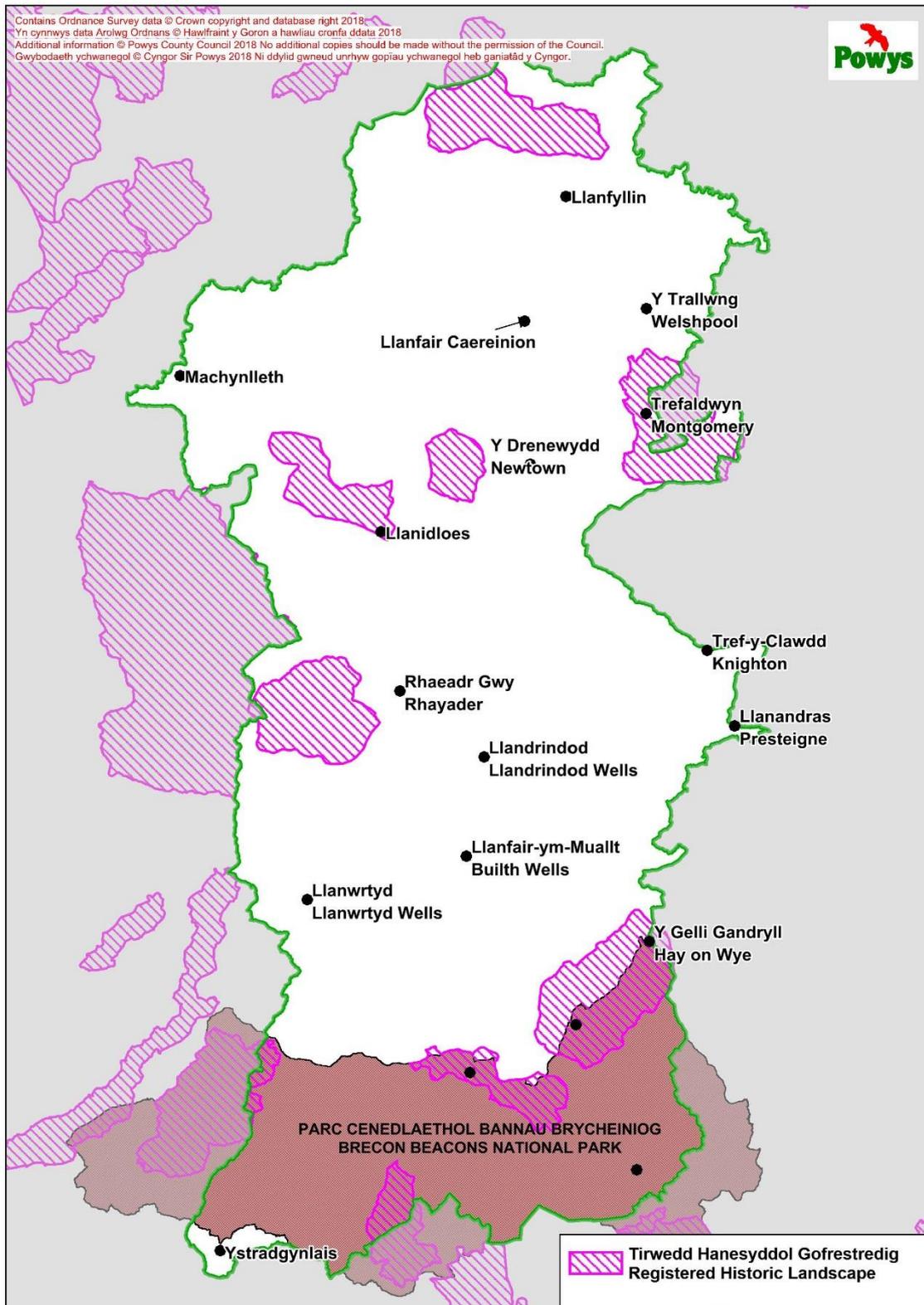
For small scale proposals, the potential for the design of groups of small turbines to reflect the characteristic patterns in the landscape should be exploited whenever possible.

Turbines could be arranged in a straight line where a geometric field pattern or straight road edge exists, or in an informal more scattered group or sweeping line adjacent to an indented woodland edge.

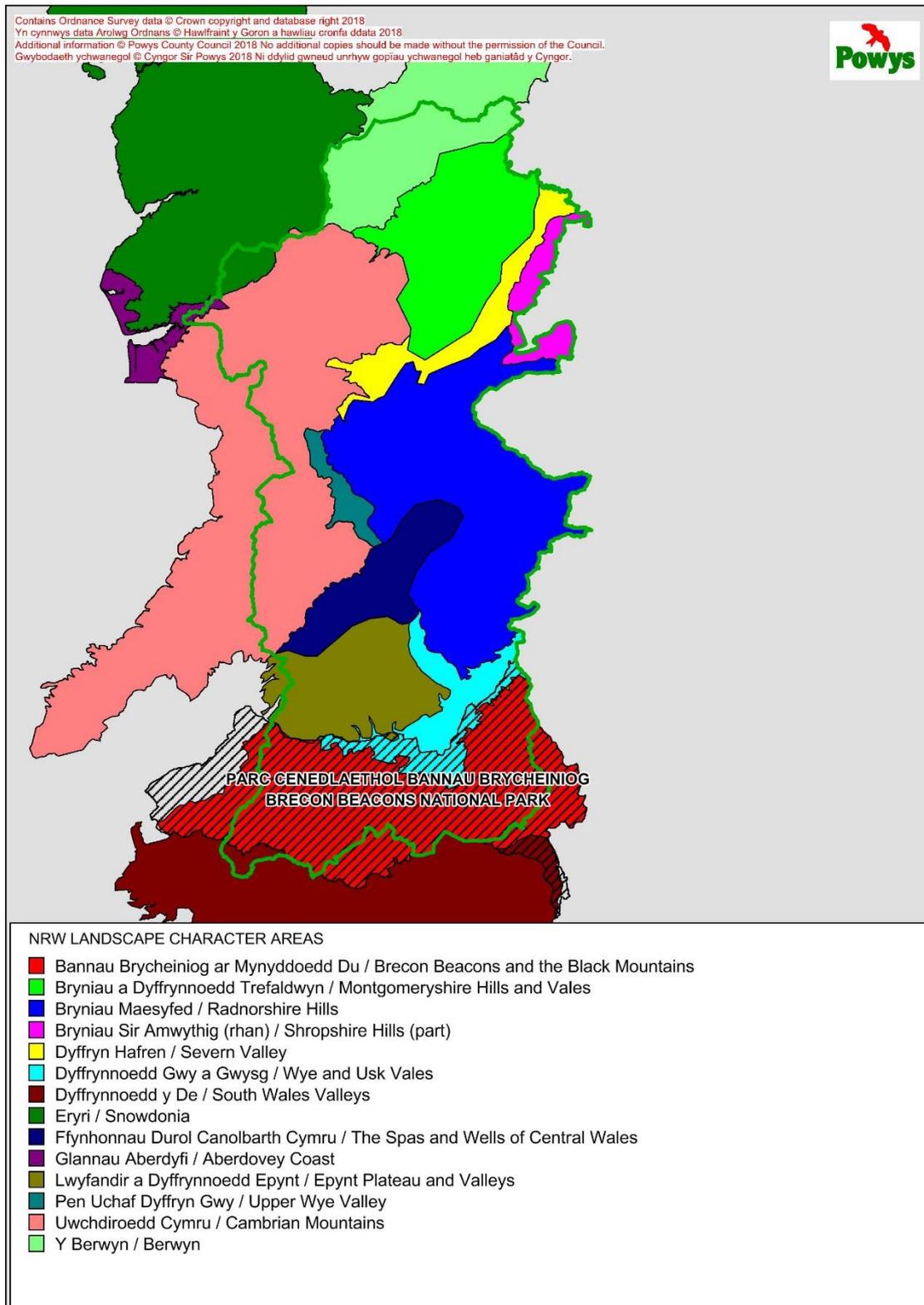
Ancillary Infrastructure - Utilise existing tracks wherever possible. Consider how any proposed tracks can fit in with the landscape character and complement the pattern of existing tracks and road networks. Any proposed tracks and turbine bases should seek to avoid steep slopes and minimise the need for cut and fill operations.

Ancillary features, such as buildings, walls and fences should use materials characteristic of the locality and be appropriate to the scale and character of the landscape. Where possible the visibility of ancillary features should be minimised.

Appendix 2 – Registered Historic Landscapes Map



Appendix 3 – National Landscape Character Areas Map



Powys Local Development Plan (2011-2026)

Supplementary Planning Guidance

Renewable Energy

~~Consultation Draft – January 2019~~

April 2019

Contents

1.0	Introduction	1
2.0	Purpose of the guidance	2
3.0	Status of the guidance	2
4.0	Policy Context	3
5.0	Local Planning Policy relating to Renewable Energy	7
6.0	Renewable Energy Projects	10
7.0	Application of LDP Policy RE1: Renewable Energy	12
8.0	Permitted Development Rights	22
9.0	Criteria for Determining Renewable Energy Schemes	24
10.0	Monitoring and Review	33
11.0	Selected Sources for Further Information	34

Appendices

1	Local Search Areas for Solar PV Farms
2	Anaerobic Digester Regulations
3	Renewable Energy and Domestic Permitted Development
4	NATS Frequently Asked Questions for Wind Turbines

1.0 Introduction

1.0.1 This guidance supplements the Renewable Energy related policies of the Powys Local Development Plan (LDP) (2011-2026), which was adopted by Powys County Council on the 17th April 2018, and has been prepared to assist decision-making on planning applications within the Powys LDP area. This guidance does not apply to areas of the County of Powys located within the Brecon Beacons National Park Authority area (BBNP).

1.0.2 This Supplementary Planning Guidance (SPG) is intended to be read alongside the relevant policies of the LDP (see section 5), along with any other related adopted SPG. The guidance within the Landscape SPG, in particular, complements and adds to this guidance.

1.0.3 The planning system has an important role in supporting and encouraging renewable energy projects as a means to combat climate change by reducing the reliance on fossil fuels. In addition, renewable energy projects also offer potential for both economic regeneration and economic resilience. The local economic benefits derived through renewable energy should not be understated or undersold, with numerous studies (Jones et al., 2016; Jones 2018) showing the positive local economic benefits that can accrue for these technologies in Wales. In the Powys Local Planning Authority (LPA) area, as in much of Wales, wind energy developments have been the primary source of renewable energy and demand for more wind farms is expected to continue over the coming years. The drive towards a low carbon future cannot be secured by wind energy alone and it is recognised that a diverse mix of renewable energy sources is required. Through Planning Policy Wales (PPW), the Welsh Government has highlighted important criteria in the assessment of all energy infrastructure development and emphasises support for the delivery of a diverse range of renewable energy sources.

1.0.4 The LDP and consequently this SPG have been prepared with regard to the commitment of the Welsh Government to energy reduction, and developing the renewables agenda as a major component of its policy, recognising onshore wind will continue to offer the greatest potential to deliver a significant proportion of electricity generation to meet those policy aspirations. At a local level, this SPG supports the opportunities for all renewable and low carbon energy technologies across the County, including the potential for largely focuses on solar photovoltaic energy generation (solar PV) and less mature technologies such as storage and hydrogen generation which will develop over time. But However, it should be acknowledged that the future of all forms renewable energy generation relies on support within industry, politics, local communities and decision makers.

1.0.5 The importance of low-carbon technologies is recognised as a priority of the Council, as expressed through **Towards 2040 - the Powys Well-being Plan** which has the objective of developing a carbon positive strategy that maximises green energy production and **Vision 2025: Corporate Improvement Plan** in developing resilience, enhancing skills and enabling economic growth.

2.0 Purpose of the Guidance

2.0.1 The purpose of this guidance is to assist in the delivery of renewable energy projects by providing detailed guidance on how the Council will implement the relevant policies and proposals contained within the LDP. It is aimed at providing practical information for officers, developers, landowners and the public involved in proposals for renewable energy.

3.0 Status of the Guidance

3.0.1 This SPG has been produced to support the policies of the LDP which are used in the determination of planning applications. ~~This SPG will be taken into account as a material consideration in the planning decision-making process.~~ The guidance within the SPG has had regard to relevant legislation, national planning policy and other available guidance and information.

3.0.2 This SPG has been prepared in accordance with the Council's approved Protocol for Preparation and Adoption of SPG (June 2018), which includes a Community Involvement Scheme. It has been subject to a six week public consultation stage undertaken 14 January to 24 February 2019 [insert dates]. A summary of the responses received to the public consultation along with an explanation as to how the responses have been addressed can be found within the Consultation Statement. This SPG was adopted by the Council on [insert date].

3.0.3 This SPG has been subject to an impact assessment [details to be inserted].

3.0.4 This SPG is a material consideration in the determination of planning applications.

4.0 Policy Context

4.1 UK National Policy

4.1.1 National policy relating to renewable and low carbon energy follows European Union commitments and directives, including the **EU Renewable Energy Directive (2009)(2)**, which included objectives to reduce CO2 emissions by 20% from 1990 levels, boost renewable fuel use by 20% and reduce predicted energy consumption by 20%, by 2020.

4.1.2 To meet these objectives, the UK has set a legally binding target of 15% of energy from renewable sources by 2020 [**UK Renewable Energy Strategy (2009)**]. Modelling, undertaken on behalf of the Department for Energy and Climate Change (DECC), suggests that by 2020 this could mean more than 30% of electricity, 12% of heat and 10% of transport energy being generated from renewable energy sources.

4.1.3 The **UK Climate Change Act (2008)** sets goals of a 34% reduction in greenhouse gas emissions by 2020 and a reduction of at least 80% in greenhouse house gas emissions by 2050. Five yearly carbon budgets have been introduced to help ensure that the targets are met and the **UK Low Carbon Transition Plan: National Strategy for Climate and Energy (2009)** outlines how the 34% target will be met. It also states that by 2020, 40% of electricity will be from low-carbon sources, nuclear, clean coal and renewable energy generation. The **UK Renewable Energy Road Map (2011)**, published jointly by the four UK administrations in July 2011, outlined a plan of action to accelerate renewable energy deployment while driving down costs.

4.1.4 The UK Government provides financial support for renewable energy generation through the **Renewables Obligation** and **Feed in Tariff** schemes. The **Contracts for Difference (CfD)** scheme is now the government's main mechanism for supporting low-carbon electricity generation. CfDs incentivise investment in renewable energy by providing developers of projects with high upfront costs and long lifetimes with direct protection from volatile wholesale prices, and they protect consumers from paying increased support costs when electricity prices are high. **In Wales, the The 'Renewables Obligation' places an obligation on electricity suppliers to generate a certain portion of electricity from renewable sources and is regulated by the 'Office for Gas and Electricity Markets' (Ofgem). The Renewables Obligation scheme closed to all new generating capacity on 31st March 2017. Eligible renewable technologies include wind energy; hydro-power; tidal and tidal stream energy; wave energy; photovoltaics; geothermal; all biomass material; landfill gas; sewage gas; and co-firing of biomass with fossil fuel.**

4.1.5 Six **National Policy Statements (NPSs)** for Energy Infrastructure were issued by the Department of Energy and Climate Change in 2011. Major energy project proposals (i.e. greater than 50MW) are dealt with at UK government level by the National Infrastructure Directorate (part of the Planning Inspectorate) and the NPSs set out national policy against which such proposals are to be assessed. Within Wales, Developments of National Significance (including energy generation proposals greater than 10MW but less than 50MW [N.B. 350MW from April 2019]) are determined by Welsh Ministers. The exception to this is on-shore windfarms of all capacities above 10MW which are determined by Welsh Ministers.

4.2 Wales Policy Context

4.2.1 Applying these UK wide principles, the ***Climate Change Strategy for Wales (2010)*** outlines the importance of renewable energy generation in meeting the energy demand in Wales and sets out a vision for the country up to 2050. The strategy intends to ensure that climate change is considered in all decision-making; that increased energy efficiency is delivered through making low carbon transport a reality; that the skills are developed to ensure that Wales can make the most of opportunities from a low carbon economy; that opportunities are taken to cut emissions and adapt to climate change where natural resources, land management pattern, and economic position allow; that the approach to Research & Development (R&D), technology, innovation and skills helps Wales gain maximum benefits from climate change related business and research; and that land use and spatial planning promote sustainable development and enable a move towards a low carbon economy which takes account of future climate impacts. The Strategy includes the targets of achieving 3% emission reduction per year and at least 40% emissions reduction by 2020 compared to 1990.

4.2.2 In March 2010, the Welsh Government published '***A Low Carbon Revolution – The Welsh Assembly Government Energy Policy Statement***' which set out the potential for 22.5GW of installed capacity from renewable sources by 2020/2025, 2GW of which would be from onshore wind. The policy statement set out how this installed capacity should be achieved with individual 'aspirations' for different renewable energy technologies in Wales.

4.2.3 ***Energy Wales: A Low Carbon Transition (2012)*** subsequently set out the Welsh Government's ambitions and intentions with regard to the move towards low carbon energy. The measures outlined included: improving the planning and consenting regime; putting in place a 21st Century energy infrastructure; coordinating and prioritising delivery through an energy programme; ensuring Wales benefits economically from energy developments; ensuring Wales' communities benefit from energy developments; focusing on energy projects of greatest potential benefit; unlocking the energy in our seas; and leading the way to smart living. This document was supported in 2014 by ***Energy Wales: A Low Carbon Transition Delivery Plan*** setting out progress so far, priorities for action and delivery targets for high level milestones.

4.2.4 The ***Environment (Wales) Act 2016*** sets a legally binding target of reducing greenhouse gas emissions by 80% from 1990/95 levels (dependent on which greenhouse gas is being measured) by 2050. The Act also requires a series of interim targets for 2020, 2030 and 2040 to be met, and carbon budgets for key sectors of the economy. The budgets will ensure that over successive 5 year periods progress is made towards the 2050 target.

4.2.5 In September 2017, in a statement in the Senedd, the Cabinet Secretary for Energy, Planning and Rural Affairs proposed that Wales should have a target of generating 70% of its electricity consumption generated by renewable energy by 2030. **The statement further highlighted the Welsh Government's ambition that 1GW of renewable and low carbon energy generation should be locally owned by that date, and that all renewable energy schemes from 2020 should have an element of local ownership.**

4.2.6 The most recent Welsh Government statistics published in ***Energy Generation Wales (2017)*** indicate 48% of gross electricity consumption was generated from renewable sources, further emphasising the progress towards a low carbon future. Despite the positive indicators, further progress towards the 22.5GW installed capacity target by 2020/2025 identified in "The

Low Carbon Revolution” (2010) and the new target of 70% of consumption by 2030 has to be supported by policy and guidance at the national, regional and local levels.

4.3 Welsh Planning Policy

4.3.1 Welsh planning policy supports and helps to implement Welsh Government legislation, principles and policies. Of particular relevance is **Planning Policy Wales (PPW)** supplemented by **Technical Advice Notes (TANs)**.

4.3.2 **Planning Policy Wales Edition 10 (2018)** identifies that the planning system plays a key role in delivering clean growth and the decarbonisation of energy, as well as being crucial in building resilience to the impacts of climate change. As such, planning policy at all levels should facilitate delivery of the ambitions of **Energy Wales: a Low Carbon Transition** and Welsh, UK and European targets.

4.3.3 It is stressed that development of all forms of renewable and low carbon energy should be facilitated by Local Planning Authorities (LPAs) which should seek to ensure that their area’s full potential for renewable and low carbon energy generation is maximised and renewable energy targets are achieved. Renewable energy projects should generally be supported by LPAs provided irreversible impacts are avoided on statutorily protected sites and buildings and nationally and internationally designated areas are not compromised.

4.3.4 Development Management decisions need to be consistent with national and international climate change obligations, including contributions to renewable energy targets and aspirations.

4.3.5 In relation to onshore wind energy specifically, PPW states that this constitutes a key part of meeting the Welsh Government’s vision for future renewable electricity production. Strategic Search Areas (SSAs) have been identified as the most appropriate locations for the development of a limited number of large-scale (over 25MW) wind energy developments which are required to contribute significantly to the Welsh Government’s onshore wind energy aspirations. Further information is given in TAN 8 (see para. 4.3.8).

4.3.6 **Technical Advice Note (TAN) 12: Design (2016)** provides advice on national planning design policy with regards to good building design and the importance of considering design at an early stage of a planning application. It provides detail on how energy efficiency and energy conservation can be incorporated into planning and the design of a building.

4.3.7 **Practice Guidance: Planning Implications of Renewable and Low Carbon Energy (Welsh Government 2011)** gives detailed advice on types of renewable and low carbon energy and the determination of planning applications.

4.3.8 **Technical Advice Note (TAN) 8: Planning for Renewable Energy (2005)** provides guidance for the land use planning considerations of renewable energy and also stresses the importance of improving energy efficiency and energy conservation as well as developing sources of renewable energy. The TAN covers all types of renewable energy and also gives advice on associated issues such as community benefits.

4.3.9 TAN 8 acknowledges that onshore wind power offers the greatest potential for achieving identified targets, and introduced the concept of SSAs for the location of large scale wind farms

(over 25MW) identifying seven SSAs throughout Wales. The boundaries are at a 'broad brush' scale, allowing local authorities to undertake local refinement to amend the SSA boundaries. Significant amendment should not be made without local evidence. The TAN provides guidance on how such amendment may be undertaken.

4.3.10 The Minister for Environment and Sustainable Development in a letter dated July 2011 A Ministerial Letter in 2011 confirmed the ongoing commitment of the Welsh Government to limiting the development of large scale wind farms to the seven SSAs, and identifying indicative maximum capacities within each area. The Minister for Environment and Sustainable Development in his letter dated July 2014 revised the maximum capacities for each SSA. The TAN provides guidance on how such amendment may be undertaken.

4.3.11 Key points from TAN 8 to be considered by Local Planning Authorities in the determination of applications and by applicants in designing schemes include:

- Most areas outside SSAs should remain free of large wind power schemes. LPAs should consider the cumulative impact of small schemes in areas outside of the SSAs and establish suitable criteria for separation distances from each other and from the perimeter of existing wind power schemes or the SSAs (para. 2.13).
- Extending or re-powering existing wind farms outside SSAs should be encouraged (para. 2.14).
- Some community benefits can be justified as mitigation, while others may be offered not directly through the planning process (para 2.16).
- The TAN describes a number of other renewable energy processes and their planning considerations including: Anaerobic Digestion (biomass), Bio-fuels for Vehicles, Combined Heat and Power, Community (or District) Heating, Energy from Waste, Fuel Crops (biomass including Woodfuel), Hydro-Power, Methane, Solar Thermal and Solar Photo-Voltaic (PV).
- Appropriate planning conditions for decommissioning wind farms or turbines, their restoration and proposed after-use of the site should be used (para. 6.4).

5.0 Local Planning Policy relating to Renewable Energy

5.0.1 Adopted in April 2018, the Powys Local Development Plan (LDP) sets out the Council’s policies and proposals for future development and use of land. Whilst the Plan should be read as a whole, there is a specific policy that applies to renewable energy proposals. Policy RE1: Renewable Energy is informed by national guidance and places an emphasis on the assessment of applications through the considerations set out in PPW. The need to have spatial representation of renewable energy proposals of “local authority-wide scale” greater than 5MW installed capacity is a key element of Welsh Government policy. In addition to PPW, Policy RE1 should be read alongside Strategic Policy SP7: Safeguarding Strategic Assets and all other LDP policies as well as those relating to development management generally, including but not limited to Policy DM4: Landscape and Policy DM13: Design.

Policy RE1 – Renewable Energy

Proposals for renewable and low carbon energy development will be permitted subject to the following criteria:

- 1. Within or close to the Strategic Search Areas (SSAs), proposals for wind energy greater than 25MW will be permitted subject to criteria 3 to 5; all other proposals for renewable and low carbon energy will only be permitted where they can demonstrate they would not prejudice the purpose of the SSA.**
- 2. Within the Local Search Areas (LSAs), proposals for solar PV between 5 – 50MW will be permitted subject to criteria 3 to 5; all other proposals for renewable and low carbon energy will only be permitted where they can demonstrate they would not prejudice the purpose of the LSA.**
- 3. Proposals for all types of renewable and low carbon energy development and associated infrastructure either on their own, cumulatively or in combination with existing, approved or proposed development, shall comply with all other relevant policies in the LDP.**
- 4. Satisfactory mitigation shall be in place to reduce the impact of the proposal and its associated infrastructure. Proposals shall make provision for the restoration and after-care of the land for its beneficial re-use.**
- 5. Where necessary, additional compensatory benefits will be sought by agreement with applicants in accordance with Policy DM1 - Planning Obligations.**

Strategic Policy SP7 – Safeguarding of Strategic Resources and Assets

To safeguard strategic resources and assets in the County, development proposals must not have an unacceptable adverse impact on the resource or asset and its operation.

The following have been identified as strategic resources and assets in Powys:

- 1. Land designated at international, European and/or national level for environmental protection.**
- 2. Historic environment designations, including:**
 - i. Registered Historic Landscapes.**
 - ii. Registered Historic Parks and Gardens.**

- iii. Scheduled Ancient Monuments and other archaeological remains.**
 - iv. Listed Buildings and their curtilages.**
 - v. Conservation Areas.**
- AND the setting of designations i.-v.**

3. Recreational Assets, including:

- i. National Trails.**
- ii. Public Rights of Way Network.**
- iii. Recreational Trails.**
- iv. National Cycle Network.**

4. The valued characteristics and qualities of the landscape throughout Powys.

5. Sennybridge (Ministry of Defence) Training Area.

6. Mineral Resource Areas.

7. Proposed Strategic Infrastructure Routes (if and when identified).

Policy DM13 – Design and Resources

Development proposals must be able to demonstrate a good quality design and shall have regard to the qualities and amenity of the surrounding area, local infrastructure and resources.

Proposals will only be permitted where all of the following criteria, where relevant, are satisfied:

1. Development has been designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing, and design detailing.
2. The development contributes towards the preservation of local distinctiveness and sense of place.
3. Any development within or affecting the setting and/or significant views into and out of a Conservation Area has been designed in accordance with any relevant adopted Conservation Area Character Appraisals and Conservation Area Management Plans, or any other relevant detailed assessment or guidance adopted by the Council.
4. The development does not have an unacceptable adverse impact on existing and established tourism assets and attractions.
5. The layout of development creates attractive, safe places, supporting community safety and crime prevention.
6. It contains an appropriate mix of development that responds to local need, includes a flexibility in design to allow changes in use of subsequent buildings and spaces as requirements and circumstances change.
7. It is inclusive to all, making full provision for people with disabilities.
8. It incorporates adequate amenity land, together with appropriate landscaping and planting.
9. The public rights of way network or other recreation assets listed in Policy SP7 (3) are enhanced and integrated within the layout of the development proposal; or appropriate mitigation measures are put in place where necessary.
10. The development has been designed and located to minimise the impacts on the transport network - journey times, resilience and efficient operation - whilst ensuring that highway safety for all transport users is not detrimentally impacted upon.

Development proposals should meet all highway access requirements, (for all transport users), vehicular parking standards and demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development.

11. The amenities enjoyed by the occupants or users of nearby or proposed properties shall not be unacceptably affected by levels of noise, dust, air pollution, litter, odour, hours of operation, overlooking or any other planning matter.

12. Adequate utility services exist or will be provided readily and timely without unacceptable adverse effect on the surrounding environment and communities.

13. It demonstrates a sustainable and efficient use of resources by including measures to achieve:

i. Energy conservation and efficiency.

ii. The supply of electricity and heat from renewable sources.

iii. Water conservation and efficiency.

iv. Waste reduction.

v. The protection, where possible, of soils, especially important carbon sinks such as thick peat deposits.

14. Investigations have been undertaken into the technical feasibility and financial viability of community and/or district heating networks wherever the development proposal's Heat Demand Density exceeds 3MW/km².

6.0 Renewable Energy Projects

6.1. Background

6.1.1 The Council supports the development of renewable energy schemes within the county and seeks to ensure that they are located in the most suitable locations. The county is well located in terms of tapping into renewable sources of energy, and the number of applications for such schemes, in particular for wind and solar, have increased in recent years. The Council also recognises that the county offers opportunities for other technologies, particularly electricity generation from solar photo-voltaic, hydro-power and from biomass and anaerobic digestion plants.

6.1.2 The Council is responsible for determining planning applications for renewable energy schemes of less than 10MW, excluding those smaller householder schemes that are classed as “permitted development” which do not require planning permission (typical examples are given in **Appendix 3**). Permitted Development rights are subject to change over time, the latest guidance is outlined on the Welsh Government website:

<https://beta.gov.wales/planning-permission-permitted-development-rights-householders>

6.1.3 Whilst permitted large-scale (>25MW) onshore wind energy within the TAN 8 Strategic Search Areas (SSA) is likely to make a substantial contribution to renewable energy targets in the Powys planning area, Welsh Planning Policy advises that development plans should support a diverse range of renewable energy projects and ensure that an area’s potential to accommodate them is realised.

5.9.1 Planning authorities should facilitate all forms of renewable and low carbon energy development. In doing so, planning authorities should seek to ensure their area’s full potential for renewable and low carbon energy generation is maximised and renewable energy targets are achieved.

5.9.4 Planning authorities should ensure development plan policies are supportive of renewable and low carbon energy development in all parts of Wales, direct developments to the right locations and set out clearly the local criteria against which proposals will be evaluated.

Planning Policy Wales Edition 10

6.1.4 The Council prepared a Renewable Energy Assessment (May 2017) informed by the Welsh Government’s **Practice Guidance: Planning for Renewable and Low Carbon energy – A Toolkit for Planners (2015)** to be in accord with National Policy. Other than wind power and solar PV farms, hydro-power schemes, biomass / CHP and anaerobic digesters are three examples of potentially viable renewable technologies that could be capable of delivering renewable energy at a commercial scale and would be generally supported by the Council.

6.1.5 Developers should always seek to involve the Council at the outset of any development proposals.

6.2. Pre-Application Advice

6.2.1 Applicants are encouraged to contact the Council prior to submitting an application in order to ascertain what information would be required to be submitted as part of the application. The Council offers pre-application advice before a formal application is submitted in order to guide applicants through the process, provide an indication of issues and the likelihood of obtaining planning permission. A fee may be applicable for this service, as set out on the Council's website.

6.2.2 Pre-application discussions can also help the applicant and the planning authority identify areas of concern about the proposed development so that consideration is given to amending the proposal before the application is submitted, and so minimise delays later when processing the application. The advice and guidance provided at the pre-application stage is given in good faith, however, it does not guarantee or supply a definitive undertaking as to whether the proposal is likely to be acceptable.

6.3 Pre-Application Consultation

6.3.1 New legislation came into effect on the 16th March 2016 with the Planning (Wales) Act 2015 that requires applicants of "major developments" to submit a pre-application consultation report as part of the application. "Major developments" are defined in the Development Management Procedure (Wales) Order 2012 and for the purposes of Renewable Energy schemes includes "development carried out on a site having an area of one hectare or more". Section 17 of the Planning (Wales) Act 2015 sets out the requirements for pre-application consultation.

7.0 Application of LDP Policy RE1: Renewable Energy

7.1 Policy Criteria

7.1.1 Policy RE1: Renewable Energy covers the development of all types of renewable and low carbon energy. Policy criterion 1 is concerned with wind farms and the approach to be taken within the Strategic Search Areas (SSAs). Policy criterion 2 is concerned with the approach to be taken within the identified Local Search Areas (LSAs) for solar PV development, while criteria 3, 4 and 5 are applicable to all renewable / low carbon technologies.

7.2 Strategic Search Areas (SSAs) for Wind Farm Development

7.2.1 **Technical Advice Note (TAN) 8: Planning for Renewable Energy (2005)** identified seven SSAs (areas identified as being suitable for the location of large scale onshore wind developments) within Wales, two of which are wholly within Powys [SSA B (Carno North) and SSA C (Newtown South)] whilst a third [SSA D (Nant-y-moch)] is predominantly within Ceredigion.

7.2.2 While TAN 8 introduced notional targets for power generation in megawatts (MW) for each SSA, these were amended by a Welsh Government Ministerial Letter issued in July 2011 which clarified the policy approach that should be taken to SSAs and indicated that the SSA capacities that had previously been identified were the maximum appropriate figures for each SSA.

7.2.3 For the SSAs within, or partly within, Powys, the identified maximum capacity figures were 430MW for SSA B, 98MW for SSA C and 212MW for SSA D. The Welsh Government compiles information on the proposed, approved or operational outputs from the SSAs which is regularly updated and is available on the WG Website:

Technical Advice Note (TAN) 8 Database - Review of Wind Farm Development:

<https://gov.wales/topics/planning/planningstats/tan-8-wind-farm-database/?lang=en>

7.2.4 Criterion 1 sets out the Council's policy requirement that large windfarms (defined as those that would generate more than 25MW) ~~should be located~~ will be permitted subject to criteria 3 to 5 of Policy RE1 within or close to the SSA boundaries. It is acknowledged in policy terms (as set out in TAN 8) that significant change in landscape character as a result of wind farm developments can be accepted within or close to their boundaries.

7.2.5 Within the SSAs the intention is to maximise installed wind turbine capacity taking into account relevant site constraints. Development proposals that might constrain this capacity (including smaller wind farms and other types of renewable energy schemes) would be resisted. However, medium scale (5-25MW) wind farms could potentially be acceptable within the SSAs provided they do not prejudice large windfarm developments and so constrain the SSAs' overall generating capacity.

7.2.6 Elsewhere, outside the SSA boundaries, criteria 3, 4 and 5 set out the requirements that will apply to wind proposals for turbines of all sizes and installed capacities, indicating that proposals will have to demonstrate no unacceptable impacts on visual amenity or landscape

character through cumulative or in combination effects, and must comply with all other relevant policies in national policy and in the LDP. Further information on small-scale wind development is given in Section 7.7).

7.2.7 The Council acknowledges there have been significant technological advances for onshore wind since the publication of TAN8 including increases in turbine size. Developers should assess not only the visual impact of the size of their development, but also wider socio-economic impacts on other strategic assets including but not limited to those included in LDP Policy SP7.

7.3 Local Search Areas (LSA) for Solar PV Farm Development

7.3.1 Policy RE1 criterion 2 sets out the spatial framework against which applications for stand-alone “Local Authority-wide” scale solar PV farm development in excess of 5MW installed capacity can be assessed. Informed by the Powys Renewable Energy Assessment 2017, it identifies 20 broad areas of search to provide clear guidance for medium- to large-scale solar PV farm development in Powys (Table 1). The LSAs are strategic in nature and whilst they are generally the least-constrained parts of Powys in terms of the assumptions applied in the REA, they are not without site specific constraints and having identified these, it will be for developers to take forward the refinement of these areas to establish their long term potential.

7.3.2 Other renewable energy schemes, such as wind farms or individual turbines should not constrain solar PV farm development, although there may be opportunities for co-location.

7.3.3 Elsewhere, outside the LSA boundaries, criteria 3, 4 and 5 set out the requirements that will apply to solar PV farm proposals of all sizes and installed capacities. The framework recognises that smaller scale solar PV farm developments may be possible throughout other parts of Powys, however constraints and potential cumulative impacts may limit the extent of these development opportunities.

Table 1: The Solar PV Farm Local Search Areas identified in the Powys LDP

Table RE1 - Local Search Areas (Solar) LSA Number	LSA Name	LSA Size (sq. km)	Potential Capacity (MW)	Landscape Sensitivity
SA	Bachrydrada	2.3	10	Medium-High
SB	Abertridwr	3.7	10	Medium
SC	Ffridd Llwydiarth	1	10	Medium-Low
SD	Domgay	0.6	25	Medium
SE	Buttington	1.1	10	Medium-Low
SF	Heldre Hill	0.9	25	Low
SG	Staylittle	14.4	25	Medium
SH	Trefen	0.9	25	Medium
SI	Glynhafren	2.3	10	Medium-High
SJ	Bryn Blaen	3.2	10	Medium
SK	Bryn Titli	8.4	25	Medium-Low
SL	Waun Ddubarthog	20.5	50	Low
SM	Drysgol	4.3	25	Low
SN	Bwlch y Sarnau	3.4	10	Medium-Low

SO	Llandegley Rhos	8	10	Medium
SP	Gilwern Hill	4.5	10	Medium
SQ	Nant Fawr	2.3	10	Medium
SR	Llandefalle Hill	4.9	25	Medium-Low
SS	Camlo Hill	9.9	25	Medium-Low
ST	Ddyle	10.9	10	Medium-High

Further details on each of the solar LSAs is provided in **Appendix 1**.

7.4. Small- and medium-scale and standalone installations

7.4.1 Powys, as the largest County in Wales by area and with a wide range of land use types and topography, has potential to support renewable energy technologies as stand-alone or small-scale installations with installed capacities of less than 5MW (small-scale) and medium-scale (5-10MW), the technologies most likely to be viable being:

- Anaerobic Digestion Units.
- Hydro-power.
- Small-scale wind developments.
- Combined Heat and Power.

Such technologies have the potential to provide renewable energy for local use and, where appropriate, minimise the transport of feedstock of long distances.

7.4.2 To maximise the opportunities for electricity generation and grid connection, developers should consider the potential to co-locate with other types and scales of renewable energy developments, subject to SSAs and LSAs not being prejudiced (LDP Policy RE1).

7.5 Anaerobic Digestion Units

7.5.1 Anaerobic Digestion (AD) is the degradation of organic material by a range of micro-organisms in the absence of oxygen (i.e. anaerobic conditions). The process occurs throughout nature, however, it can be mechanised, industrialised and optimised for the purposes of treating readily biodegradable wastes such as food waste and agricultural wastes. Other waste streams, including certain household and industrial wastes and sewage sludge may also provide suitable feedstocks. The digestion of biodegradable material under anaerobic conditions will produce two very useful products:

- A mixture of solids and liquid that contains almost all of the nutrients that were contained within the feedstock – but in a form which is more bioavailable to plants. This product is known as “digestate”.
- A mixture of gases – methane (usually 45-65%) and carbon dioxide (usually 35-55%), with low concentrations of other gases (e.g. Hydrogen) associated with biodegradation. This is known as “biogas”.

7.5.2 The anaerobic digestion of agricultural wastes such as cattle slurry and chicken manure / litter, and the subsequent production and appropriate utilisation of biogas and digestate could provide a number of strategic benefits, both to the rural environment and to wider society. These include:

- The capture of a significant proportion of the greenhouse gases (such as methane) that would have been emitted to the atmosphere by uncontrolled decomposition of the wastes;
- Provide a product that can displace mineral fertiliser thus avoiding financial and environmental costs – and conserving scarce phosphate resources;
- Build soil structure and lock-in carbon whilst also improving the water-holding capacity;
- Provide the opportunity to export nutrients (particularly phosphates) where they are not required on the land concerned – thus avoiding eutrophication of local water courses/bodies and reduction of non-point source pollution associated with agricultural practices;
- Provide a gaseous product that can be used in a number of ways (e.g. as a fuel or energy source to generate electricity and heat) to generate income and/or offset costs, also providing a low-carbon energy source that substitutes for energy generated from fossil fuels;
- Provide opportunities for a number of symbiotic commercial activities that could make use of the available nutrients and/or electrical or thermal energy;
- Reduce odours to the locality (assuming best practice spreading techniques are used);
- Destroy some pathogens and weed seeds.

7.5.3 Whilst the anaerobic digestion of cattle slurry is relatively straightforward from a technical perspective, it is acknowledged that the digestion of chicken litter does provide some challenges due to the high nitrogen content of the material. However, providing sufficient carbon in the digestion process to balance this high nitrogen content, e.g. by co-digesting with another carbon rich feedstock, is an effective strategy for digesting chicken manure, and there are also other engineering and bio-chemical solutions to allow the digestion of high nitrogen feedstocks.

7.5.4 Biomass provides a potential source of carbon-rich material to support the digestion of high-nitrogen wastes. However, the growing of crops on agricultural land simply to provide sufficient feedstock is not encouraged by the Council and AD development proposals should seek to maximise the use of available waste streams in accordance with national and LDP waste policies W1 and W2, whilst mitigating potential impacts on the landscape, the environment and residential amenity.

7.5.5 Dairy and poultry units are generally restricted to clustered in particular areas of the county and it is within these areas that AD is most likely to be appropriate. An AD plant will usually consist of a store/loading facility, digester (a closed, heated and insulated tank with some means of agitating the contents), a digestate store (similar to a slurry store), a gas store (which might be integrated into the digester or be separate) and a building or container containing the energy utilisation equipment. There will also need to be a flare (typically a stack 3 -10m high) in order to prevent the discharge of biogas in the event of a mechanical or process breakdown. It is possible to partially bury the digester and digestate store underground but this is likely to be discouraged despite the possible benefits from a visual perspective. It is seen as being far preferable that all containers and pipes are visible in order to make leak detection and repair much faster and easier.

7.5.6 The biogas generated can be used in a boiler to generate heat, in an engine to generate electricity and heat or, if enough gas is available to render the processing viable, can be upgraded to biomethane for injection into the gas grid or as a vehicle fuel. The upgrading process involves removing all gases other than methane and, whilst costs have been reducing,

is still generally only viable at a larger scale. It may be that the gas output from multiple AD units could be combined at a centralised upgrading and injection plant.

7.5.7 If the number of AD plants in Powys is to grow it is highly likely that this will be as result of the recognition of the wider agronomic and pollution abatement benefits of the process, rather than purely as a generator of renewable energy. As a result, AD development proposals are likely to fall into one of two scales of development:

1. The digestion of animal wastes can be undertaken in single-farm units, the size of which will clearly reflect the number of animals/birds on the farm and the extent to which they are kept in buildings. A large zero-grazed dairy herd, with an input of some chicken litter would likely to see electricity generated in the hundreds of kilowatts but an average dairy herd that is grazed traditionally may only utilise the biogas for maybe a 15kW generator or for on-site heating in the winter months when farm wastes are available.

2. The alternative to on-farm plant digesting its own material, is one that imports material from other farms or sources to a centralised anaerobic digestion (CAD) facility. This is clearly likely to have implications for the surrounding road network, and insert transport costs into the economic and sustainability equations - but can also benefit from “economies of scale”. The location of such plants would need to be carefully selected, particularly if it were proposed to import material from more than a few surrounding livestock units/farms. It is possible that other organic wastes (food-waste for example) could form the feedstock for AD in Powys but the number of such plants is likely to be very restricted due the limited quantities of such material. Food-waste collected by the Council currently goes out of the county to be digested at a plant that receives material from several local authorities.

7.5.8 As the biogas produced from the anaerobic digestion of manure and slurry is classified as a waste, the storage of biodegradable waste for anaerobic digestion use requires an environmental permit or an agreed exemption under the Environmental Permitting Regulations 2010. Natural Resources Wales should be consulted to determine whether a permit is required. Small-scale anaerobic digesters, which produce less than 0.4MW of power output, are exempt from any form of environmental permit under permitted exemptions (T24 and T25) (see **Appendix 2**).

7.5.9 Some small AD installations on farms may have permitted development rights. To be permitted development the power output of the installation is limited (see Section 8.1) and the size of the plant less than 465m². All feedstock must be sourced from within the farm and no additional material can be imported. Developers should be aware that ancillary structures may require planning permission and it is recommended that developers of agricultural AD plants discuss their proposal with the Council as local planning authority.

7.5.109 In addition to the size and power output limitations for agricultural permitted development, applicants for agricultural anaerobic digester units should be aware that up to a maximum of 1,250 cubic metres of manure and vegetation waste can be stored in an AD plant to produce a digestate, and that waste must be kept in the digester for at least 28 days.

7.5.1140 For all AD proposals, measures should be taken by developers to minimise any visual, odour and noise impacts on local residents associated with the operation of the plant and delivery of feedstocks, which can include sorting, screening, cutting, shredding, pulverising and chipping the waste to aid the AD process and its subsequent storage. Furthermore, AD plants

which import waste material as a feedstock should comply with LDP policies W1 and W2 with respect to the location and management of waste proposals.

7.5.12⁴⁴ The stabilised digestate from AD plants on agricultural premises can be spread on agricultural land under the U10 exemption as an alternative to using inorganic fertiliser (see Appendix 2), but best practice should be followed to prevent runoff and pollution of watercourses.

7.6 Hydro-power

7.6.1 Hydro-power technology to generate electricity is mature and can provide a predictable source of energy. The majority of suitable locations are likely to be for ‘run of river’ schemes, where a proportion of a river’s flow is taken from behind a low weir and returned to the same watercourse downstream after passing through the turbine. Appropriate locations for ‘storage’ schemes, where the whole river is dammed and flow released through turbines when power is required, are unlikely to exist.

7.6.2 Across Wales, many of the sites capable of supporting generation of more than 1MW have already been exploited, but the Council recognises that opportunities exist for “micro-hydro” ‘run of river’ with an installed capacity of less than 100kW and the restoration of traditional river mills.

7.6.3 The relatively high upfront cost and lack of cost reduction potential as each scheme requires bespoke engineering solutions relevant to its site is likely to limit future growth without subsidy support. Whilst there is potential for hydro-power development, sites are only likely to be developed where conditions are optimal, for example where there is the potential to supply the electricity to a local user or users (e.g. direct supply or community-led schemes), or where a long term approach to capital payback is adopted.

7.6.4 The key elements of a ‘run of river’ micro-hydro scheme are:

- A source of water that will provide a reasonably constant supply. Sufficient depth of water is required at the point at which water is taken from the watercourse, and this is achieved by building a weir across the watercourse of sufficient height to fill the penstock or ‘intake’.
- A pipeline, often known as a ‘penstock’, to connect the intake to the turbine. A short open ‘headrace’ channel may be required between the intake and the pipeline.
- A cover / small shed housing the turbine, generator and ancillary equipment – the ‘turbine house’.
- A ‘tailrace’ returning the water to the watercourse.
- A link to the electricity network, or the user’s premises.

7.6.5 Small-scale hydro-power plants require planning permission under the Town and Country Planning Act 1990. If the proposals affect a listed building, such as a former mill, additional regulations will apply and pre-application advice should be sought.

7.6.6 Hydro-power plants with a generation capacity above 0.5MW fall under Schedule 2.3(h) of the Town and Country Planning Act (Environmental Impact Assessment) (~~England and Wales~~) Regulations 2017 (~~1999~~) (known as the ‘EIA Regulations’) (Table 3). At this size an Environmental Impact Assessment (EIA) is not mandatory but the Council will provide a

‘screening opinion’ on request, indicating whether an EIA is required, based on whether the development is likely to give rise to significant environmental effects. Further information can be obtained in **Welsh Government Circular 11/99**.

7.6.7 The Council has a duty under the Water Framework Directive to have regard to River Basin Management Plans for enhancing water quality in exercising its planning powers. For hydro-power schemes, this means ensuring that the hydro-power development will not compromise the ability to achieve:

- The environmental objectives of the River Basin Management Plan;
- Good ecological status / potential of the waterbody; and
- No deterioration of water quality status.

7.6.8 For all hydro-power schemes, Natural Resources Wales (NRW) will need to be contacted through its own pre-application advice service to ensure the scheme meets the relevant permitting regime and so be issued an abstraction license. In addition, Ordinary Watercourse Consent, an Impoundment Licence and/or Flood Risk Activity Permit may also be required.

7.6.9 The sensitive restoration of old water mill sites or other structures (i.e. weirs, mill ponds, millraces or leats, sluice gates and tailrace outlets) will bring considerable conservation benefits over and above the generation of electricity.

7.6.10 Burying penstock pipelines and minimising hard surfacing and ‘formal’ planting can help to integrate more visible schemes into the rural landscape.

7.7 Wind Turbine Development

7.7.1 Single turbines and turbine groups of 10MW or less installed capacity, which are not classified as permitted development, will need to apply for planning permission to the Council.

7.7.2 The installation of a stand-alone wind turbine within the curtilage of a dwelling house is classified as permitted development under The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2012 under certain circumstances (see Appendix 3 & 4).

7.7.3 In the case of listed buildings and Conservation Areas, advice should be sought from the Council through the pre-application advice process, as separate regulations may apply.

7.7.4 Welsh Government Circular 11/99 is a useful initial reference in determining whether a wind energy development is likely to require an Environmental Impact Assessment (EIA), and covers other associated planning issues. Individual wind turbines with a hub height exceeding 15 metres and windfarms of more than two turbines are listed under Schedule 2.3(i) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 1999.

7.7.5 For turbines and developments of this size, an Environmental Impact Assessment (EIA) is not mandatory but it is mandatory for the Council to undertake will provide a ‘screening opinion’ on request, indicating whether an EIA is required, based on whether the development is

likely to give rise to significant environmental effects. The developer may also request a screening opinion before submitting an application.

7.8 Combined Heat and Power

7.8.1 Combined Heat and Power (CHP) is where the energy installation utilises heat produced as a by-product of electricity generation. The electricity is either sold locally or onto the wholesale electricity market whilst the heat is used to supply heating to a building or range of buildings via a network of insulated pipes.

7.8.2 The heat from CHP units can also be used to meet cooling demands via the use of absorption chillers. This can involve either a centralised chiller, distributing “coolth” via a chilled water network, or decentralised absorption chillers in individual buildings. This approach is sometimes referred to as “tri-generation” or CCHP (Combined Cooling Heat and Power).

7.8.3 CHP installations can be flexible in terms of their energy source including gas engines and traditional gas-fired boilers, but to be identified as renewable or low carbon energy installations, most typical CHP installations are:

- Anaerobic digestion plants (described above).
- Biomass.
- Energy from Waste facilities.

7.8.4 Stand-alone biomass installations are most usually utilised for electricity generation (normally situated away from residential development) with the heating component restricted to non-domestic buildings. Such installations require there to be sufficient room for fuel storage and access for large delivery vehicles and development proposals should take these requirements, together with the wider feedstock transportation impacts through a transport assessment, into account.

7.8.5 The useable energy that the potential quantity of biomass could produce will be dependent on whether the fuel is burnt in facilities that only generates electricity (where the heat is simply dumped), or in a Combined Heat and Power plant (where the heat is usefully employed), or a boiler providing space heating and/or hot water. The Welsh Government’s Energy Policy Statement (2010) confirms a target of 1GW installed capacity of electricity generation from biomass by 2020. The potential for biomass growing opportunities to support such installations has been indicated in the Powys Renewable Energy Assessment (2017).

7.8.6 In the Powys Renewable Energy Assessment (2017), consideration has been given to the spatial constraints associated with restrictions to harvesting energy crops and wood fuel, most importantly the availability of suitable agricultural land so as not to conflict with the growing of food crops, or damage to ancient woodlands. Development proposals should consider the sources of feedstock as long distance transport may impact the low-carbon credentials of the development. Furthermore, for larger stand-alone CHP installations, the additional buildings for storage and processing the biomass must be considered as part of any development proposal, together with any environmental permits required for the processing of the fuel and disposal of residues.

7.8.7 **Towards Zero Waste** highlights that Energy from Waste facilities in Wales should operate at a high level of efficiency and therefore cannot generate electricity without making use

of some of the waste heat. The Welsh Government has indicated that a minimum efficiency of 60% is technically achievable (***Collections, Infrastructure and Markets Sector Plan 2012***). Therefore, it is anticipated that any new installation that burns waste and so produces Combined Heat and Power will have to identify how and where the heat will be usefully employed. More details are available from the Welsh Government at: https://gov.wales/topics/environmentcountryside/epq/waste_recycling/disposal/energy-from-waste/?lang=en

7.8.8 As an indication of the efficacy of CHP plants which burn waste, the Powys Renewable Energy Assessment (2017) indicated that 10,320 tonnes of waste are required for each 1MW of electricity generated in a CHP plant, and that CHP facility will also produce about 2MW of thermal output.

7.8.9 As with anaerobic digesters, CHP plants which use waste as a feedstock will require the appropriate environmental permits or exemptions from Natural Resources Wales to ensure that environmental damage from the development does not occur.

7.9 Batteries and Other Storage Facilities

7.9.1 Advances in technology means the potential exists for standalone batteries and other energy storage facilities to be developed within renewable and low carbon energy schemes as ancillary infrastructure.

7.9.2 Batteries may be used for storage or as a means to even out power fluctuations from developments which generate electricity, and so contribute to management of the electricity grid. Such battery facilities tend to be large (typically a “battery” may approximate to the size of a shipping container).

7.9.3 Other developing technologies include using electricity generated from renewable and low carbon sources to produce, for example, hydrogen for fuel or compressed air, which can be stored in tanks or similar structures. Such technologies also provide opportunities for renewable energy schemes to be off-grid as the stored energy can be transported by other means.

7.9.4 Any development proposals for renewable energy storage facilities should be sensitively sited and accord with LDP policies including Policy SP7 (see also the Landscape SPG), and measures should be taken to minimise any visual and noise impacts on local residents associated with the operation of the plant and movements of vehicles if applicable.

7.10. District Heat

7.10.1 District heating describes infrastructure which provides heat to multiple buildings from a central heat source through a network of pipes, to deliver space heating and hot water. Using this shared infrastructure, heat can usually be generated and delivered more efficiently than with multiple individual systems.

7.10.2 The Powys Renewable Energy Assessment (2017) recognised that whilst there was potential for DHN development on development sites, heat densities were considered to be insufficient for settlement-wide scale DHNs to be developed to support renewable heat opportunities.

7.10.3 To promote consideration of heat opportunities LDP Policy DM13: Design, Criterion 14, expects developers to investigate the technical feasibility and viability for district heating either within their own development or in combination with other developments in the community and satisfy the Council that such studies have been undertaken.

7.10.4 The technology typically comprises:

- An energy centre.
- A network of insulated pipes.
- A series of heat exchangers with heat meters in buildings being supplied with heat.

7.10.5 The pipe network can be installed at the same time as other services (water, drainage, etc.) to minimise costs in new developments. District heating systems can also be retrofitted into existing buildings or neighbourhoods, although this tends to be a more complicated process.

7.10.6 District heating is flexible in terms of its energy source, and the heat can be derived from a wide range of fuel, plant and conversion process types, including traditional gas boilers, biomass boilers, gas engines, biomass or anaerobic digestion combined heat and power systems – or a combination of several options, e.g. an AD CHP plant providing base-load with a biomass boiler providing additional winter peak demand input. The central energy source can generate heat alone, or can be designed as a Combined Heat and Power (CHP) plant to generate both electricity and heat. CHP alone is less efficient when there is substantial diurnal and/or seasonal fluctuations in demand for heat.

7.10.7 District heating systems can be highly efficient and cost-effective at the smaller scale e.g. a single biomass boiler supplying:

- a group of ten dwellings in a new development, or
- a terrace of houses by retrospectively installing a heat main through the loftspace.

As district heat networks are designed to last for many years; once installed the system can adapt to technical advances, and the Council recognises that in the future such schemes could play an important role in reducing reliance on fossil fuels.

8.0 Permitted Development Rights

8.1 Non-Domestic Buildings

8.1.1. Permitted development rights exist for non-domestic premises for certain types of micro-generation opportunities on, or within, the curtilage of the property, subject to certain conditions. Permitted development rights also extend to buildings on agricultural or forestry land to house microgeneration equipment (see *The Town and Country Planning (General Permitted Development) (Amendment) (Wales) (No.2) Order 2012 Appendix 3*). The Welsh Assembly Government/CADW has published best practice guidance on installing micro-generation systems in historic buildings. Developers considering the installation of renewable / low carbon technologies such as hydropower turbine houses and boiler houses etc. on or associated with non-domestic buildings are advised to contact the Council's Planning Department for further advice.

8.1.2 For the purposes of current permitted development rights, non-domestic microgeneration is defined in Table 2.

Table 2: Non-domestic Microgeneration with Permitted Development Rights

Type	Capacity
Technologies that generate electricity	50 kilowatts (kW)
Technologies that generate heat	45 kilowatts (kW)

8.1.3 Providing the installation is not within the curtilage of a listed building or a conservation area, or is in a property subject to an Article Four direction which removes permitted development rights, the following technologies can be installed, altered or replaced:

- 1. For building-mounted solar photovoltaic (PV) and solar thermal panels:**
 - The panels are not more than 200mm from the plane of an existing pitched roof or the surface of an existing wall.
 - The panels do not protrude more than one metre above the surface of a flat roof.
 - Panels on a roof are not within one metre of the external edge of the roof.
 - Panels on a wall are not within one metre of a junction of that wall with another wall or with the roof of the building.
- 2. For stand-alone (free standing) PV and solar thermal panels**
 - They are set at least five metres within the boundary of the curtilage.
 - Do not exceed four metres in height.
 - There is only one stand-alone solar array (one frame for the collection of panels).
 - The total surface area of the panels does not exceed nine square metres and the array (including any housing) does not exceed three metres in any dimension.
- 3. For ground source heat pumps**
 - There is only have one ground source heat pump within the curtilage.
 - The total area covered by the excavation does not exceed 0.5 hectares.

4. For water source heat pumps

- The total area covered by the water source heat pump (including any pipes) does not exceed 0.5 hectares.

5. For flues for biomass heating or for combined heat and power (CHP) systems

- The capacity of the system that the flue would serve does not exceed 45 kilowatts thermal.
- The flue does not project more than 1m above the highest part of the roof or the height of an existing flue which is being replaced (whichever is highest).
- There is only one flue, forming part of either a biomass heating system or a combined heat and power system, on the same building.

In most categories, and in particular for solar electricity (photovoltaic) and solar water (solar thermal panels), permitted development is conditional on minimising the effect on the amenity of the area and on the external appearance of the building, and the equipment must be removed if no longer needed for microgeneration.

8.1.4 It is important to note that when considering the installation of micro-generation and low carbon technologies on non-domestic buildings, the Council as local planning authority should be consulted under the relevant regulations. These regulations are set out in The Town and Country Planning (General Permitted Development) (Amendment) (Wales) (No.2) Order 2012. For more information on the regulations visit: www.wales.gov.uk/planning.

8.1.5 The Permitted Development Rights also extend to new plant and machinery within extensions to existing buildings which may include enclosed renewable energy installations, such as biomass or battery storage facilities.

8.2 Building Integrated and Domestic

8.2.1 Many domestic renewable / low carbon technologies are classed as 'permitted development' and can be installed without needing planning permission, although there are specific limits relating to size and position, and listed buildings or properties within conservation areas are more strictly controlled. Listed Building Consent will be required for any proposal that affects the character or setting of a listed building, including structures within its curtilage. **The Welsh Assembly Government/CADW has published best practice guidance on installing micro-generation systems in historic buildings.** Householders considering the installation of renewable / low carbon technologies are advised to contact the Council's Planning Department for further advice.

8.2.2 Information about **domestic** permitted development rights in Wales is outlined in **Appendix 3** and further details can be obtained from the Planning Portal: https://www.planningportal.co.uk/wales_en/info/2/do_you_need_permission

9.0 Criteria for Determining Renewable Energy Schemes

9.1 Overview

9.1.1 In assessing proposals for all renewable energy developments, the Council will consider the development plan policy and all other material considerations including Planning Policy Wales and the relevant Technical Advice Notes (TANs).

9.1.2 Proposals for renewable energy developments should always take account of spatial frameworks where these are relevant, including the location of the TAN 8 Strategic Search Areas (SSA) for large-scale wind developments and Local Search Areas (LSA) for solar PV developments identified in the LDP. For all renewable energy proposals including associated transmission / storage infrastructure, considerations will vary relative to the scale of the proposal and area characteristics but the information requested by the Council are likely to include:

- net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities;
- the scale of contribution to renewable energy generation targets;
- effect on greenhouse gas emissions;
- cumulative impacts – developers should be clear about likely cumulative impacts arising from all of the considerations below, recognising that in some areas the cumulative impact of existing and consented energy development may limit the capacity for further development;
- impacts on communities and individual dwellings, including zones of theoretical visibility (ZTV), visual impact and residential amenity;
- the potential for pollution, noise, dust, odours, vibration, reflected light and shadow flicker;
- landscape and visual impacts, including effects on nationally protected landscapes, upland areas and commons;
- effects on the natural heritage, biodiversity and geodiversity, including birds and local ecology;
- impacts on carbon-rich soils;
- impacts on defence interests, including safeguarded military training facilities, low flying zones and military aircraft flight approach routes;
- impacts on aviation requirements, including safeguarding airports and aerodromes, air traffic control radar¹ and controlled airspace (see Appendix 4 for NATS Frequently Asked Questions about wind turbines);
- impacts on tourism, recreation and public access, including Public Rights of Way, and particularly the impact on bridlepaths², long distance walking and cycling routes and scenic routes identified in the LDP;
- impacts upon best and most versatile (BMV) agricultural land;
- impacts on the historic environment, including scheduled ancient monuments, listed buildings and their settings, Registered Historic Landscapes, Registered Parks and Gardens and Conservation Areas;

¹ The National Air Traffic Service (NATS) provides safeguarding self-assessment data and guidance for wind turbine developers.

² The British Horse Society provide specific guidance for developers of wind turbine installations.

- impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
- impacts on road traffic and highway safety including toppling distances, glint and glare;
- impacts on adjacent trunk roads;
- effects on hydrology and hydrogeology, the water environment and flood risk;
- the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration;
- opportunities for energy storage; and
- the need for a robust planning obligation to ensure that operators achieve site restoration and any additional compensatory benefits.

9.1.3. For schemes which do not fall within Permitted Development rights and which have an installed capacity of 10MW or less, early discussion with the Council's Planning department is encouraged and will help to highlight key issues informed through a Landscape Sensitivity and Capacity Assessment (LSCA). Development specific considerations will have to be addressed through a Landscape and Visual Impact Assessment (LVIA), the Environmental Impact Assessment (EIA) if required and the application design statement.

9.1.4 The matters listed above in Paragraph 9.1.2 will **all** need to be taken into consideration in relation to all types of renewable / low carbon energy developments. Particular attention will need to be given to potential impacts on the landscape, townscape or seascape, including that of lighting, ancillary equipment and grid connection, the natural environment and nature conservation, wildlife interests, areas of historical and cultural importance, design to minimise “stacking” and at the end of the life of the development, decommissioning and site restoration.

9.2 Landscape Sensitivity and Capacity

9.2.1 Understanding landscape character will inform the acceptability of landscape change. Landscape Sensitivity considers the ability of a landscape to accommodate a type and scale of development without changing the landscape character. Landscape capacity further considers this ability by taking into account landscape character change.

9.2.2. It should be noted that LSCA is not a replacement for a LVIA which considers the landscape and visual effects of individual development proposals, but it is a useful informing tool which can guide the scale and type and development. (see Landscape SPG for further information). **For example, developers may wish to undertake a LSCA across the solar LSAs to identify and refine opportunities and establish their long term potential.**

9.3 Landscape and Visual Impact Assessment (LVIA)

9.3.1 The effect on the landscape can be measured as changes in the character, the experience and/or value of the physical landscape as a result of a change. The significance of the effect on the landscape will be dependent upon a number of factors including the sensitivity of the landscape and its designation, and the magnitude of the proposed change.

9.3.2 For all types of renewable / low carbon energy, the assessment of landscape and visual effects (including impacts on landscape, seascape, townscape and communities) will be of primary importance. Impacts on skylines, views and panoramas **into and out of the proposed development** will be important considerations. These impacts should be identified in relation to significant receptors (**including** local residents or communities, **heritage assets and rights of way users**) as well as the wider landscape generally.

9.3.3 The impact upon visual amenity can be a subjective one, but ultimately can be measured as being people's responses to a change in the composition of views as a result of changes within the landscape.

9.3.4 Applications shall be accompanied by an appropriate **Landscape and Visual Impact Assessment (LVIA)**. **The purpose of the LVIA is to assess visual amenity objectively, and so should follow the steps** and ~~which is expected to~~ adhere **to the most recent edition of the guidelines issued by the** Guidelines for Landscape and Visual Impact Assessment; **(currently the** Third Edition, April 2013 (GLVIA3)); published by The Landscape Institute and the Institute for Environmental Management and Assessment. This is the industry standard for undertaking landscape and visual impact assessments.

9.3.5 The scope and content of an LVIA for a specific development will depend upon the development typology and context. Guidance on information requirements should be sought from the case planning officer as part of pre-application consultation.

9.4 Cumulative Impacts

9.4.1 Cumulative impact can be defined as:

“the additional changes caused by a proposed development in conjunction with other similar development or as the combined effect of a set of developments, taken together.”

9.4.2 Where a Cumulative ~~Landscape and Visual~~ Impact Assessment is required, **for example for landscape, visual and environmental impacts**, an assessment of both combined and additional effects will be required.

9.4.3 **Cumulative impacts assessments** should be carried out where the development may be **viewed assessed** in conjunction with other renewable energy developments, either associated with or separate from the proposed development, that are already operating, have planning permission or where a planning application has been submitted.

9.4.4 Further guidance on information requirements should be sought from the case planning officer as part of pre-application consultation.

9.5 Environmental Impact Assessment

9.5.1 Some renewable energy development proposals require an Environmental Impact Assessment (EIA) under **the** Town and Country Planning (Environmental Impact Assessment) (~~England and~~ Wales) Regulations **2017 1999** (known as the 'EIA Regulations'). These regulations implement the EU's Environmental Impact Assessment Directive 85/337/EEC as amended by 97/11/EC and 2003/35/EC.

9.5.2 EIA may be required for any renewable energy development falling under Schedule 2 of the Regulations, as set out in **Table 3**. As such, an EIA is not mandatory but the Council **is required to undertake will provide** a ‘screening opinion’ **or will provide one** on request, indicating whether an EIA is required, based on whether the development is likely to give rise to significant environmental effects. Welsh Government Circular 11/99 states that significant effects are more likely for developments which:

- are of more than local importance;
- are in particularly vulnerable or sensitive locations;
- have unusually complex and potentially hazardous environmental effects.

9.5.3 In judging the likelihood of significant effects, the Council will also have regard to the thresholds and criteria set out in the Regulations. **Table 3** outlines the thresholds and circumstances in which an EIA may be required for different types of renewable energy development. Where the ‘applicable thresholds and criteria’ in Column 2 are not met, EIA will not normally be required, although it may still be necessary for development in an ‘environmentally sensitive area’ or when directed by the Welsh Ministers. Where the ‘indicative thresholds and criteria’ in column 3 are exceeded, EIA is more likely to be required.

Table 3: EIA Thresholds for Schedule 2 Developments

Type of development	Applicable thresholds and criteria	Indicative thresholds and Criteria
Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1)	The area of the development exceeds 0.5 hectares.	EIA will normally be required for power stations which require approval from the Welsh Ministers, i.e. those with a thermal output of more than 50MW.
Installations for hydroelectric energy production (hydro-power)	The installation is designed to produce more than 0.5MW.	In addition to the physical scale of the development, particular regard should be had to potential wider impacts on ecology and hydrology. EIA is more likely to be required for new developments which have more than 5MW generating capacity.
Installations for the harnessing of wind power for energy production (wind farms) (i) The development involves the installation of more than two turbines; or (ii) The hub height of any turbine or height of any other structure exceeds 15 metres.	The likelihood of significant impacts will generally depend on the scale of development, and its visual impact, as well as potential noise impacts	EIA is more likely to be required for commercial developments of five or more turbines, or more than 5MW of new generating capacity.

9.5.4 It will also be necessary for all proposals to comply with other legislation and regulations, for example, those in respect of common land and the Habitats Directive.

9.6 Grid Connection

9.6.1 All grid systems (even very small ones) that do not connect through a residential property will require planning permission for the grid connection works. In many cases the technical details of the connection of a renewable / low carbon energy proposal to the electricity distribution grid will not be a matter for Powys County Council to determine and instead will sit with the Welsh Ministers or the UK Government Secretary of state for Energy planning consideration. However, in some cases, parts of the connection infrastructure, such as sub-stations and kiosks may require separate planning permission as part of the overall scheme. It is recommended that developers conduct initial discussions with the Distribution Network Operator (DNO) and the Council at an early stage in the development of the project in order to identify routes for grid connection infrastructure which avoid areas of high landscape, ecological, cultural, historical or archaeological sensitivity. Preference will be for sub-surface connections where possible. However, a balanced view must be taken of the level of the landscape and visual impact of the type of overhead lines proposed against the costs and other environmental impacts of undergrounding and mitigation. Proactive engagement with network operators, energy companies and the public to mitigate the visual impacts of transmission lines should take place.

9.6.2 New grid connections to connect renewable energy generation will need to have regard to the existing grid network capacity. Where there are gaps in the network to facilitate connections for the renewable energy planned in this SPG, Powys County Council will work with network operators to utilise existing upgraded infrastructure corridors for the required connections. Preference will be given to proposals for upgrading existing grid network and proposals for sharing new network to avoid a proliferation of new networks.

9.7 Cultural and Historic Heritage Impacts

9.7.1 Landscape, seascape and townscape can have cultural and historic associations that are important for the local community, visitors and the wider national interest, and renewable energy proposals should take these into account and mitigate against unacceptable impacts.

9.7.2 Cultural associations could include art works or literature (in *English* or *Welsh*) relating to the landscape, while features of historic importance could include listed buildings, scheduled ancient monuments and their settings, conservation areas and registered Historic Landscapes and Parks and Gardens.

9.7.3 Welsh Government (CADW) has guidance regarding development in or adjoining Registered Historic Landscapes and RHL boundaries are periodically revised. Assessment of the Significance of Impacts of Development on Historic Landscape (ASIDOHL2) procedures may be required to be followed in order to assess impacts of renewable energy developments on Historic Landscapes and additional advice can be sought from Clwyd Powys Archaeological Trust (CPAT).

9.7.4 Information and further advice on the historic built environment will be available in the Council's Historic Environment SPG.

9.8 Design and Construction

9.8.1 Renewable / low carbon energy developments should be designed as far as possible to minimise visual intrusion. Colour schemes to blend in and mitigate the unnatural appearance of renewable energy installations and ancillary infrastructure with the landscape backdrop should be investigated. Ancillary buildings, storage areas, technical equipment and means of enclosure should be kept to the minimum necessary, be designed to be unobtrusive and be located to be screened from view where possible. In rural areas access tracks should have a rural unmade character as far as possible and electrical cabling connections should wherever possible be underground or carried predominantly on wooden poles.

9.9 Waste

9.9.1 The UK applies the waste hierarchy. This ranks waste management options in order of environmental preference and the first priority is waste reduction.

9.9.2 Renewable energy technologies which may be reliant on waste as a feedstock include:

- Anaerobic digestion.
- Direct combustion of waste material in an Energy from Waste plant (incineration).
- Combustion of waste derived fuel (e.g. landfill gas).

9.9.3 Recovering energy from waste is only appropriate for waste that cannot be prevented, reused or recycled with less greenhouse gas emitted. Energy recovery can be a sustainable option for waste that would otherwise go to landfill and create landfill methane emissions.

9.9.4 All energy from waste plants must comply with regulations concerning environmental protection, animal by-products, duty of care, health and safety, waste handling and planning permission where necessary.

9.9.5 The legal duty of care means all reasonable steps must be taken to keep waste safe including feedstock and by-products arising from energy plants which utilise waste. Applicants have a legal responsibility to ensure that the production, storage, transport and disposal of waste occurs without harming the environment, and further advice with respect to environmental permitting should in all instances be sought from Natural Resources Wales.

9.9.6 Within a largely rural County, the Council recognises that a number of users (e.g. farmers) working together to form a jointly owned and managed anaerobic digester for their waste may be the most viable option. All waste developments must accord with LDP policies W1 and W2 as well as meet the necessary regulatory requirements.

9.10 Decommissioning / Site Restoration / Duration of Planning Permission

9.10.1 Applications for all renewable energy developments are expected to be accompanied with an agreed decommissioning schedule and details of the restoration and aftercare of the site. Operational lifespans can vary, typically being 25 years for wind and solar developments, but hydro-power installations may have an operational life in excess of 50 years. In restoring the site at the end of the system's its operational life, often after 25 years, it is expected that the developer will assess the environmental impacts and that these will be addressed to enable the

site will to revert completely as near as possible to its state prior to the construction of the renewable energy generating equipment (e.g. wind turbine/s), the decommissioning and restoration being in accordance with the prevailing best practice at that time. All development, ancillary infrastructure and access tracks should be removed and any soils and vegetation restored appropriately. It will be expected that any new field access will be closed and hedgerows re-instated and access tracks removed or grassed over to be fully restored. Where it is not possible to completely remove structures (e.g. foundation pads) or the landowner has requested their retention (e.g. access tracks), the longer term impacts on, for example, hydrology and ecological restoration may need to be assessed as part of the decommissioning process.

9.10.2 Where appropriate, decommissioning bonds (i.e. security) may be sought. The importance of decommissioning security is often of concern to the landowner and is therefore considered in the ground lease and other contractual arrangements with the developer rather than through the consenting process and EIA. If the Council has negotiated a Section 106 agreement the Decommissioning Bond will be put in place prior to commencing construction. Typical values are of the order of £15,000 per MW installed to cover the cost of breaking out foundations to c.1.5m below ground level, track and land reinstatement and removal of cables and substations (see also the Planning Obligations SPG).

9.10.3 In many instances it may be appropriate to seek to extend the life of the renewable energy installation. To minimise environmental impact, the Council will apply a hierarchical approach in the consideration of any life extension proposal. In the first instance, the developer should seek to extend the life of the development using the existing infrastructure. If that is not possible, the developer should maximise the re-use of the existing infrastructure (sometimes called “Re-use Max”) including replanting of turbines on existing bases and so enabling the reuse of existing tracks, crane pads and cable trenches. Any recovered material from removed turbines should be treated as high up the waste hierarchy as possible.

9.10.4 2 Whilst life extension and “re-use max” is encouraged, it is anticipated that there will be an increasing number of situations where developers will seek to repower older wind farms either coming to the end of their life span, or in situations where newer more efficient turbines would provide much greater yields, and this is recognised in Planning Policy Wales. Although the existing use of a site as a wind farm will be a material consideration, the same level of scrutiny of the location, scale and design of the repowered wind farm will be applied to ensure consistent decision making in line with Welsh Government aspirations and national and local policies. The onus will remain on the developer to demonstrate the reasons for the new repowered development being acceptable, including minimising the environmental impact of new turbine foundation pads, maximising the re-use of existing and supporting infrastructure and maximising the recovery of materials from the removed turbines in accordance with the waste hierarchy.

9.11 Site Security / Safety / Lighting

9.11.1 Any security measures should not cause visual harm to the character of the local area. In rural areas such as those found across Powys, lighting should accord with LDP Policy DM7, be kept to a minimum and if necessary, where required should be infra-red for aviation purposes.

9.12 Planning Obligations, Community Benefits and Ownership

9.12.1 Planning Policy Wales supports commercial developers of renewable energy schemes working together with community based organisations, to meet Welsh Government aspirations and provide opportunities for community ownership as well as community benefits. The net economic benefits of shared ownership are a material consideration that planning authorities should take into account and the Council would be supportive of proposals featuring shared ownership. Where a proposal is acceptable in land use terms and consent is being granted, the Council may wish to engage in negotiations to secure community benefits through planning obligations that are relevant and related in scale and kind to the proposed development (Welsh Office Circular 13/97) and which enable the development to proceed, including for example, highways improvements, habitat management and mitigation.

9.12.2 Community benefits in the form of financial contributions **must not** impact on the decision making process (PPW 10 – para 5.9.22), however, where appropriate, developers may be in a position to provide benefits through Planning Obligations to help mitigate and compensate alleviate any negative consequences and to ensure the community benefits from the development, for example, payments to overcome adverse impacts on television reception, or a financial obligation related to decommissioning and site restoration.

9.12.3 A renewable energy scheme developer may wish to create a Community Benefit Fund (CBF). Such schemes are financial contributions and thus cannot be a material consideration or influence the decision making process. CBFs are a voluntary commitment which usually takes the form of an annual payment of a sum linked to the installed capacity of the renewable energy installation, most typically a windfarm. CBFs are intended to support local or community projects of a socially beneficial nature, such as environmental protection or enhancement, inclusion and regeneration and so deliver long term and sustainable benefits.

9.12.4³ Community investment in or ownership of renewable energy schemes can provide a much needed boost to local economies and allow communities to generate their own energy whilst also having control over how they spend the financial returns.

9.12.5⁴ Welsh Government is supportive of local and community ownership of renewable and low carbon energy schemes and expects all renewable energy schemes to have an element of local ownership by 2020, with a target of 1GW of installed capacity being locally owned by 2030.

10.0 Monitoring and Review

10.0.1 The implementation of the LDP's Renewable Energy policy, through developments permitted and delivered under the LDP, will be monitored annually and reported in the LDP's Annual Monitoring Report (AMR) (submitted to the Welsh Government by 31st October each year following adoption of the LDP). The AMR will identify any policy that is not being implemented in the anticipated manner. The process will monitor developments that increase the installed capacity of renewable energy generation capacity across the County to confirm that opportunities are realised. The number of developments that do not accord with the criteria in Policy RE1 will also be monitored as required through AMR31.

10.0.2 This SPG will be kept under review and, where necessary, updated to take into account changes in any relevant policy, guidance, evidence of circumstances, and in response to relevant issues raised with the SPG in practice.

11.0 Selected Sources for Further Information

AECOM (2017). Powys Renewable Energy Assessment (Report & Appendices):

https://en.powys.gov.uk/media/5416/Renewable-and-Low-Carbon-Energy-Assessment-2017-AECOM/pdf/Renewable_and_Low_Carbon_Energy_Assessment_2017_AECOM.pdf?m=1537788054193

<https://en.powys.gov.uk/media/5415/Renewable-and-Low-Carbon-Energy-Assessment-2017-part-1-maps>:

https://en.powys.gov.uk/media/5415/Renewable-and-Low-Carbon-Energy-Assessment-2017-part-1-maps-AECOM/pdf/Renewable_and_Low_Carbon_Energy_Assessment_2017_part_1_maps_AECOM.pdf?m=1537788053183

<https://en.powys.gov.uk/media/5414/Renewable-and-Low-Carbon-Energy-Assessment-2017-part-2-Biomass>:

https://en.powys.gov.uk/media/5414/Renewable-and-Low-Carbon-Energy-Assessment-2017-part-2-Biomass-AECOM/pdf/Renewable_and_Low_Carbon_Energy_Assessment_2017_part_2_Biomass_AECOM.pdf?m=1537788052607

British Horse Society (2015). Advice on Wind Turbines and Horses – Guidance for Planners and Developers:

<http://www.bhs.org.uk/.../access-leaflets/wind-turbines-planners.ashx?la=en>

CADW – Historic Parks and Gardens:

<https://cadw.gov.wales/historicenvironment/protection/historicparksandgardens/?lang=en>

CADW (2007): Guide to Good Practice on using the Register of Landscapes of Historic Interest in Wales in the planning and Development Process Revised (2nd) Edition including Revisions to the Assessment Process (ASIDOHL2):

https://cadw.gov.wales/docs/cadw/publications/LandscapesRegisterGoodPractice_EN.pdf

Clwyd Powys Archaeological Trust - Register of Historic Landscapes:

<http://www.cpat.org.uk/projects/longer/hisland/asidohl/asidohl2.pdf>

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Appendix 1: Local Search Areas for Solar PV Farms

The need to identify Local Search Areas (LSA) is derived from the Toolkit and the Ministerial Letter of December 2015. This Appendix provides a summary of landscape sensitivity to stand alone solar PV farm energy development for each LSA within Powys. The outcomes and potential capacities are informed by the *Landscape Sensitivity Study for Solar Farm Development* (LSS), commissioned from Enplan by the Council in February 2017.

Each category of overall landscape sensitivity to solar PV farm development has been defined as set out in Table A1. Areas identified in the Powys Renewable Energy Assessment 2017 subsequently assessed in the LSS as falling within the two highest sensitivity level categories were not considered suitable for inclusion as solar LSAs and were not included in the adopted LDP.

Table A1: Landscape Sensitivity Categories

Sensitivity Level	Definition
Very High	Key characteristics and qualities of the landscape are highly vulnerable to change from the development type. No potential for locating the development type.
High	Key characteristics and qualities of the landscape are vulnerable to change from the development type. Highly limited potential for locating the development type.
Medium-High	Most of the key characteristics and qualities of the landscape are vulnerable to change from the development type. Limited potential for locating the development type.
Medium	Some of the key characteristics and qualities of the landscape are vulnerable to change from the development type. Some potential for locating the development type.
Medium-Low	Few of the key characteristics and qualities of the landscape are vulnerable to change from the development type. Potential for locating the development type.
Low	None of the key characteristics and qualities of the landscape are vulnerable to change from the development type. Clear potential for locating the development type.

The landscape sensitivity assessment is supported by a narrative discussion as to the key issues that have determined the sensitivity outcome and define the judgements regarding where within each LSA there may be potential solar farm development capacity and the level of that potential capacity, according to the three development typologies.

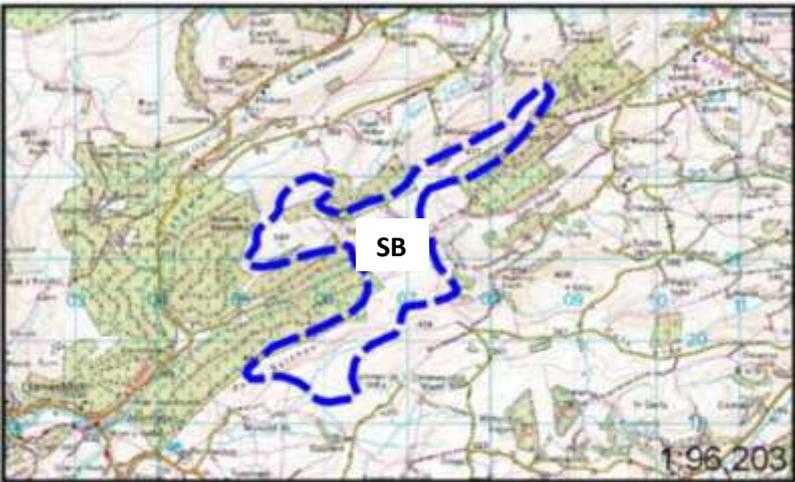
The capacity assessment is very broad in its approach and is not definitive. It is based on an assessment of a potential area, for example part of a particular valley floor, and a calculation of the area of solar farm development within this area that could be undertaken without unacceptable landscape and visual effects.

This high-level assessment is to be tested at the planning application stage, both in terms of where and how much development is potentially acceptable, but the table below, informed by the Landscape Sensitivity Study provides a guidance, or a steer, as to location and quantum.

LSA - SA: BACHRYDRADA

	Details
LSA Location:	2km east of Tregeiriog  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	2.3 sq. km
LSA Description:	Overlooked upland plateau pasture, circa 400m AOD. Complex topography at and beyond the southern edge but simpler, more level plateau-like topography within the LSA. Medium-large scale. Some visual enclosure from forestry in the east of the LSA, all semi-improved pasture with some moorland/mire within the minor watercourse valley in the west and hedgerows in the easternmost fields. Overlooked by high ground of Foel Rhiwlas and Craig-yr-hwech to the immediate south and by more distant Berwyn Mountains (11km west).
Landscape Sensitivity	Medium - High
Landscape Commentary:	The western sector is the most plateau-like, generally well-concealed from the lower surrounding landscapes but exposed from the higher Foel Rhiwlas to the south and Berwyns in the west. The eastern sector benefits from some visual cover from forestry blocks, within and outside of the LSA, and some hedgerow field boundaries.
Guidance and key sensitivities:	The more suitable areas for solar would appear to be in the eastern sector subject to visual impact on the Llwybr Ceiriog Trail long distance footpath which crosses the LSA twice and other potential visual effects.
Recommendation:	Limited potential only for small-scale solar PV farm development (5-10MW).

LSA - SB: ABERTRIDWR

	Details
LSA Location:	3km east of Lake Vrynwy  <small>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</small>
LSA Size:	3.7 sq. km
LSA Description:	Two parallel, undulating ridges, circa 350-540m AOD. Two long parallel undulating ridges, strong afforested context to boundaries of much of the LSA. Northern ridge of the LSA occupied by semi-improved grazing and Open Access Land (Open Country and Common Land).
Landscape Sensitivity	Medium
Landscape Commentary:	Large-scale landscape. Areas of the northern ridge are visually enclosed by virtue of the topography and the adjoining forestry. South facing pasture slopes also semi-improved but more visually exposed than enclosed northern area.
Guidance and key sensitivities:	Subject to conflicts with the Open Access Land and effects on public amenity, areas away from the hillsides on the northern ridge offers some limited potential for small-scale solar PV farm development. The top of the southern ridge has some potential but the south facing slopes are visually exposed and less suitable.
Recommendation:	Limited potential only for small-scale solar PV farm development (5-10MW).

LSA - SC: FFRIDD LLWYDIARTH

	Details
LSA Location:	2km north of Dolanog  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	1 sq. km
LSA Description:	Undulating upland pastures, circa 250-300m AOD. Undulating upland, improved and semi-improved pasture.
Landscape Sensitivity	Medium - Low
Landscape Commentary:	Open hilltops with crossed by a belt of maturing forestry of medium-scale with well-hedged smaller-scale fields on the lower slopes. Not especially visually well linked to adjacent landscapes, open hilltops most exposed.
Guidance and key sensitivities:	The larger-scale open hilltops have limited or no potential due to their visual exposure from adjoining landscapes. The lower areas of hedged pasture have some potential for accommodating solar development subject to detailed landscape and visual effects. Glyndŵr's Way National Trail crosses the lower land within the LSA and any proposals would need to ensure no significant visual effects on users of this long distance trail.
Recommendation:	Limited potential only for small-scale solar PV farm development (5-10MW).

LSA – SD: DOMGAY

Details	
LSA Location:	1km north-west of Llandrinio  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	0.6 sq. km
LSA Description:	Low lying mixed agricultural land. Low lying, flat, medium-scale mixed agricultural fields, including some arable uses. Good hedgerow structure across most parts of the LSA together with occasional lines of hedgerow trees.
Landscape Sensitivity	Medium
Landscape Commentary:	Medium-scale landscape. The LSA is divided into two by Hendre Lane (C class road). To the north the fields are medium scale with hedges but fewer hedgerow trees, to the south hedgerow trees are frequent with some lines of hedgerow trees. Views from Breidden Hill may be partially screened by this vegetation.
Guidance and key sensitivities:	Long visual link with Breidden Hill 4km to the south otherwise limited visual connections with other landscapes.
Recommendation:	Potential for medium-scale solar PV farm development of up to 25MW.

LSA SE: BUTTINGTON

Details	
LSA Location:	2km north-east of Welshpool  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	1.1 sq. km
LSA Description:	Low lying mixed agricultural land. Low lying, flat, medium-scale mixed agricultural fields, including some arable uses. Relatively weak hedgerow structure but with more substantive vegetation along the course of the River Severn and disused railway line.
Landscape Sensitivity	Medium - Low
Landscape Commentary:	Medium to large-scale landscape. The southern sector of the LSA lies in close proximity to Long Mountain and also to the A483 and A458 which would all provide opportunities for local views.
Guidance and key sensitivities:	In the northern sector there is some greater cover provided by vegetation and would be more concealed from local viewpoints. Developers should consider hedgerow planting to provide additional screening. Visual connections with Breidden Hill, Long Mountain and wooded hills beside A483.
Recommendation:	Limited potential only for small-scale solar PV farm development (5-10MW).

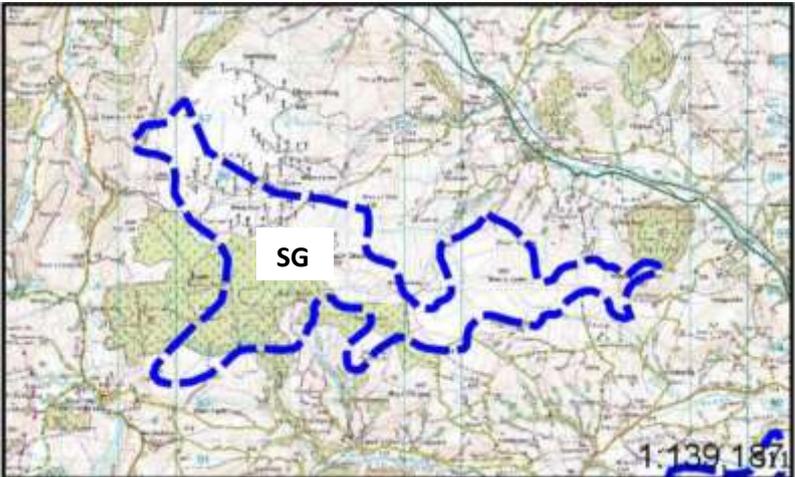
LSA SF: HELDRE HILL

	Details
LSA Location:	6km east of Welshpool  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	0.9 sq. km
LSA Description:	Upland plateau pasture, circa 350m AOD. Undulating, upland plateau, medium-large scale landscape. Semi-improved pasture within Open Access Land in northern sector, improved pasture in southern with fences, scattered/broken hedgerows, woodland limited to minor valleys. Dispersed farmstead settlement. Open but limited visual links with other upland areas and not visible from adjoining settled lowlands.
Landscape Sensitivity	Low
Landscape Commentary:	The Open Access Land (Common Land) within the LSA, to the north of the road which bisects the LSA, is semi-improved pasture, open and large-scale. The remaining land, including that outside of the OAL to the north of the road, is visually isolated from the wider landscape, except in distant views from the Shropshire Hills AONB (5.5km to SE), because of its overall high plateau nature.
Guidance and key sensitivities:	The Open Access Land access status could be compromised by solar development. Consistent improved pasture throughout, excluding the OAL, but with limited tree or hedge cover to provide local screening. Consequently, LSA is visually exposed within its immediate context. Minor valley in SE of LSA is more enclosed but is steep-sided and may be physically unsuitable.

Recommendation:

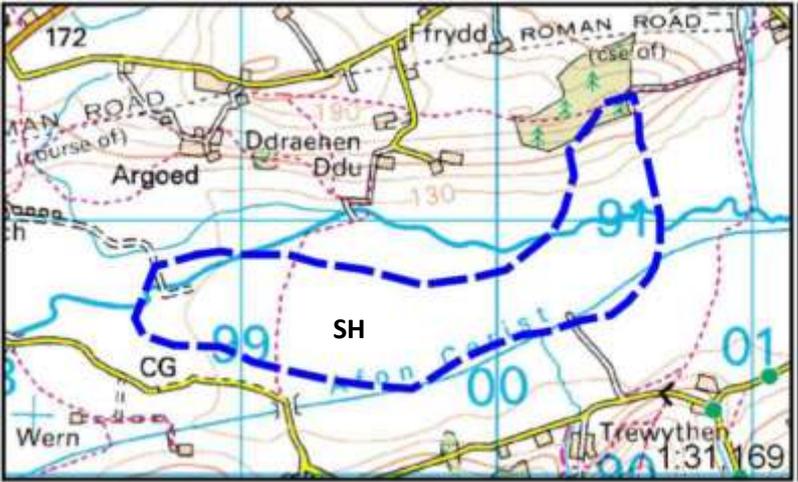
Potential for medium-scale solar PV farm development of up to 25MW.

LSA SG: STAYLITTLE

	Details
LSA Location:	1km east of Staylittle  <small>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</small>
LSA Size:	14.4 sq. km
LSA Description:	Undulating plateau edge, circa 400-450m AOD. Undulating and indented plateau edge. Presence of Carno Wind Farm within the north-west sector of the LSA sited on the open moorland Open Access Land (Open Country and Common Land). Considerable forestry coverage both within and at the edges of the LSA, interspersed with improved pasture along plateau edge. Open upland moorland to north of forestry.
Landscape Sensitivity	Medium
Landscape Commentary:	Strong visual links with Dylife and Clwydog landscapes. Much of the LSA in the west is afforested but there may be potential within the forest areas with an appropriate land management change subject also to the consented but, as yet, unbuilt, Carno III Wind Farm. To the north of these forests the plateau is open moor, Open Access Land and occupied by the operational Carno Wind Farm. To the east, at Waun Garno, the land is also open moor and Open Access Land.
Guidance and key sensitivities:	Open moorland has higher landscape susceptibility. Some fields outside of the Open Access Land in the east may have some potential subject to a detailed assessment of effects, ensuring that there would no significant cumulative effects with this infrastructure. Land to the south of the forests may have some potential, at Mawnog Bryn-glas for example.

Recommendation:	Potential for medium-scale solar PV farm development of up to 25MW.

LSA SH: TREFEN

	Details
LSA Location:	1km east of Trefeglwys  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	0.9 sq. km
LSA Description:	<p>Low lying mixed use agricultural land</p> <p>Low lying, flat, medium-scale enclosed pasture, with some fields in arable use. Well-tended hedgerows with scattered hedgerow trees frame most of the irregular shaped fields. More significant vegetation along the course of the Afon Trannon.</p> <p>Land north of river which rises up to Park Wood, more exposed.</p>
Landscape Sensitivity	Medium
Landscape Commentary:	Some degree of visual connection with higher ground to the south, west and north-west.
Guidance and key sensitivities:	<p>The low-lying and locally enclosed character of much of this LSA make it potentially suitable for solar development, notwithstanding this landscape's Outstanding LANDMAP value for Historic Landscape Integrity and Rarity.</p> <p>The rising land north of the river by Park Wood is potentially more susceptible and sensitive as it is more visually exposed.</p>
Recommendation:	Potential for medium-scale solar PV farm development of up to 25MW.

LSA SI: GLYNHAFREN

	Details
LSA Location:	1.5km south of Lyn Clwydog  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	2.3 sq. km
LSA Description:	Long domed ridgeline, circa 350-450m AOD. Narrow LSA that occupies part of a long domed ridgeline. Mainly semi-improved and improved fenced grazing with some semi-natural moor and Open Access Land (Open Country) at Bryn Mawr. Occasional small forestry blocks and afforested areas along the southern edge.
Landscape Sensitivity	Medium
Landscape Commentary:	Visually exposed with strong visual links with landscapes to the south and south-west with the hilltops exposed to views from the high land around Lyn Clwydog.
Guidance and key sensitivities:	The higher parts of the LSA are open and visually exposed to wide areas of adjoining landscapes. There are some more discreet parts of the LSA towards the lower southern edge where the lower elevation, folds in the landform and visual enclosure provided by the adjoining forestry areas provide some small-scale potential.
Recommendation:	Limited potential only for small-scale solar PV farm development (5-10MW) away from the hilltops and where the adjoining forestry provides some visual enclosure.

LSA SJ: BRYN BLAEN

	Details
LSA Location:	2km north-west of Llangurig  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	3.2 sq. km
LSA Description:	Gently undulating upland, circa 400-440m AOD. Gently undulating upland plateau with one more pronounced valley feature. A mix of semi-natural, semi-improved and improved pasture enclosed with fences, scattered small-scale forestry blocks. Some Open Access Land (Open Country) coincident with the semi-natural moor.
Landscape Sensitivity	Medium
Landscape Commentary:	Open to some views from surrounding high ground within the context although the plateau, away from the edges, is concealed from the adjoining lower landscapes. The hillside areas along the eastern and south-western edges are exposed to some local views from the adjoining lower ground, although the extent of this visibility is not especially broad. The central plateau areas and the south facing slopes of the central valley are generally well contained visually. Much of the relatively intensely grazed land use is less susceptible to solar development than the semi-natural moor and semi-improved pastures.
Guidance and key sensitivities:	The LSA is crossed by the Prince Llewellyn Ride (regional trail) and development proposals should ensure that there would be no significant visual effects upon users. The LSA is the site of the consented Bryn Blaen Wind Farm and detailed proposals should seek to ensure that there would be no significant cumulative effects with this infrastructure.

Recommendation:

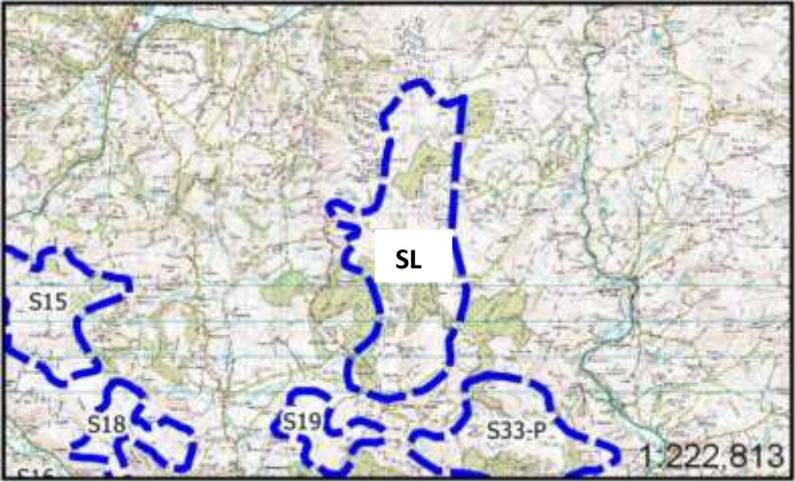
Limited potential only for small-scale solar PV farm development (5-10MW).

LSA SK: BRYN TITLI

	Details
LSA Location:	1.5km south-east of Llangurig  <p><small>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</small></p>
LSA Size:	8.4 sq. km
LSA Description:	Undulating upland plateau, circa 400-480m AOD. Undulating upland plateau with the topography generally tilted to the east and one distinct valley feature (headwaters of the Afon Dulas). Large areas of semi-natural moor which is largely Open Access Land (mainly Open Country) and also large areas of fenced semi-improved grazing. Some forestry blocks within and adjoining the LSA.
Landscape Sensitivity	Medium - Low
Landscape Commentary:	Large-medium scale landscape. The western edge above the Wye Valley has strong visual links to upland landscapes west of the valley but the eastern fringes and valley are much more visually contained without such strong visual links. Bryn Titli Wind Farm lies partly within the LSA at the southern edge. The western half is of High LANDMAP Scenic Quality and is more susceptible than that in the east due to its intrinsic landscape character and because it is visually exposed to high landscapes to the west of the Wye Valley.
Guidance and key sensitivities:	The western half may have some limited potential for solar development/ The eastern half, with its topography shaped around the valley head of the Afon Dulas, relatively contained visual context, and presence of forestry blocks which could provide some degree of screening. Proposals should ensure no significant cumulative landscape and visual effects with the Bryn Titli Wind Farm and its related infrastructure.

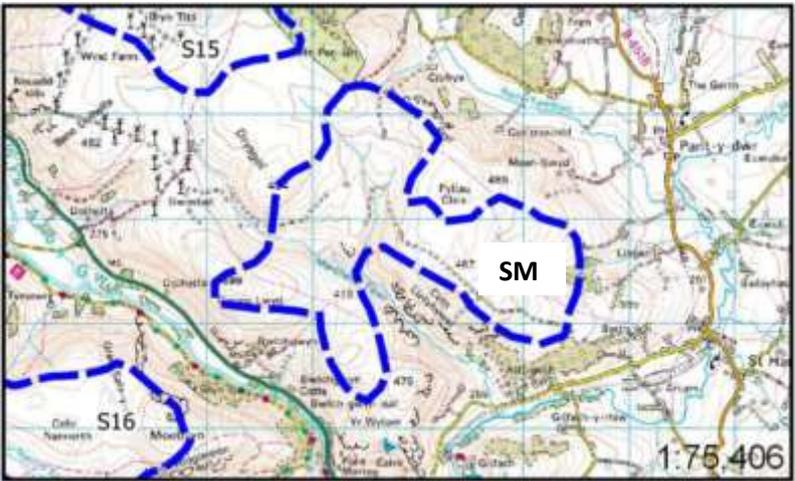
Recommendation:	Potential for medium-scale solar PV farm development (up to 25MW) away from the more sensitive western edge and north-western corner of the LSA.
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LSA SL: WAUN DDUBARTHOG

	Details
LSA Location:	<p>North of Bwlch y Sarnau</p>  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	20.5 sq. km
LSA Description:	<p>Upland undulating plateau and wide valley, circa 330-500m AOD.</p> <p>Undulating upland plateau away from the valley sides of the broad Marteg Valley. The upland plateau areas are large-scale partly improved fenced pasture and partly open moor which is largely also Open Access Land (Open Country) and significant areas of forestry but with only long distance visual links with other high landscapes. The valley is overlooked from south but is otherwise visually contained, medium-scale with improved hedged pasture and forestry. The head of the valley despoiled by motocross activities. The P&L Wind Farm lies just beyond the northern edge.</p>
Landscape Sensitivity	Low
Landscape Commentary:	<p>There is potential across much of the LSA but excluding the northern fringe, due to their high intrinsic value, open moorland, Open Access Land and potential for significant cumulative effects with the P&L Wind Farm and its related infrastructure, plus the valley sides of the Marteg Valley and where these meet the plateau edge.</p> <p>Within the Marteg Valley well-sited solar development may be successfully subsumed into the landscape as viewed from Bwlch y Sarnau village.</p>
Guidance and key sensitivities:	Siting should ensure no significant visual effects on receptors at and near to the village or to users of Glyndŵr's Way (National Trail) which crosses the southern edge of the LSA.

	<p>On the plateau along, back from the edge of the eastern side of the valley, there is potential around the forestry blocks at Brondre-fach Hill.</p>
<p>Recommendation:</p>	<p>Potential for large-scale solar PV farm development of (up to 50MW) away from the northern fringe, valley sides and plateau edge.</p>

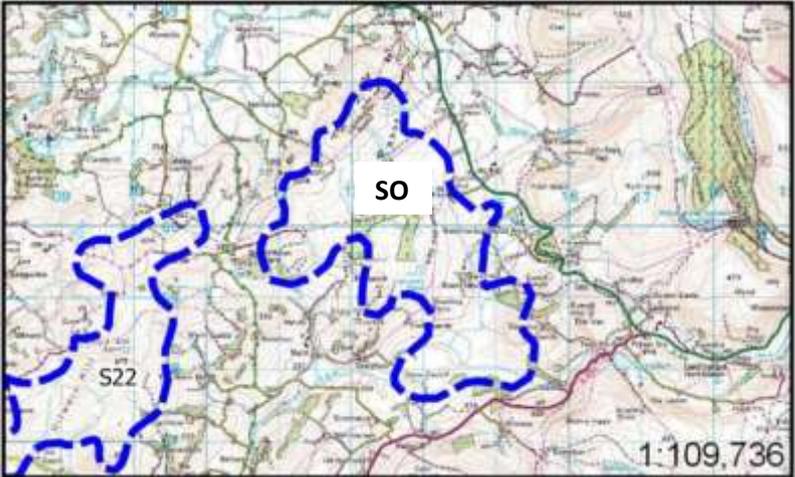
LSA SM: DRYSGOL

	Details
LSA Location:	3.5km north of Rhayader  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	4.3 sq. km
LSA Description:	Upland undulating plateau, circa 350-475m AOD. Upland undulating plateau with rounded hills cut by the incised minor valley of Marcheini Fawr. Generally semi-natural moor and semi-improved fenced pasture. Open Access Land (Open Country) across much of the moorland.
Landscape Sensitivity	Low
Landscape Commentary:	The west edge and top of the plateau visually exposed from high land west of the Wye Valley but with more visually enclosed semi-improved pasture areas in the east.
Guidance and key sensitivities:	There is some potential within this LSA in the more visually contained semi-improved pastures in the eastern part of the LSA, away from the more visually sensitive edge with the Wye Valley and outside of the semi-natural grazing Open Access Land and sensitive Marcheini Fawr minor valley.
Recommendation:	Potential for medium-scale solar PV farm development (up to 25MW).

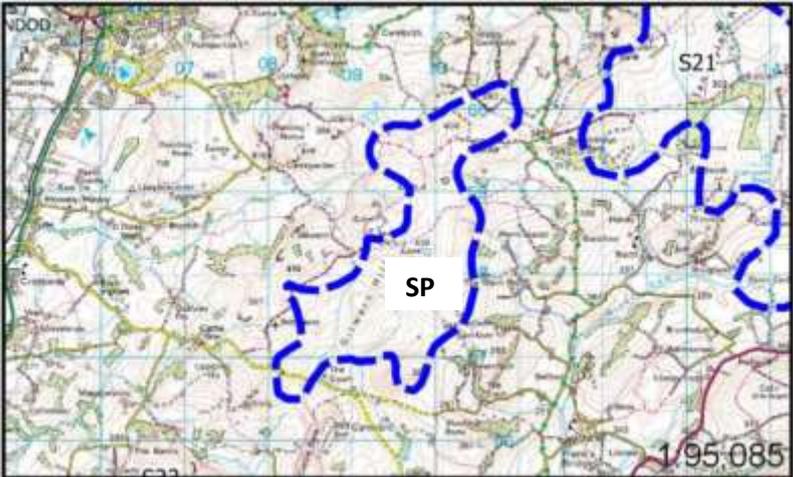
LSA SN: BWLCH Y SARNAU

	Details
LSA Location:	1km south-west of Bwlch y Sarnau  <i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i>
LSA Size:	3.4 sq. km
LSA Description:	Undulating round-topped hills and flat valley floor, circa 320-470m AOD. Undulating round-topped hills with flat valley floor (Moelfre) to the west. Large-scale fenced improved and semi-improved pasture on some hillsides and hilltops otherwise semi-natural moor which is Open Access Land (Open Country) on the hillsides and all of the flat valley floor within this small LSA.
Landscape Sensitivity	Medium - Low
Landscape Commentary:	The hillsides and tops are highly visually exposed from surrounding settled landscapes. Glyndŵr's Way (National Trail) runs through the eastern part around Lan-fraith.
Guidance and key sensitivities:	There may be some limited potential away from the visually exposed hillsides and hilltops, the semi-natural moorland and Open Access Land. This might include land south of the byway and should ensure no significant visual effects on users of Glyndŵr's Way.
Recommendation:	Limited potential only for small-scale solar PV farm development (5-10MW).

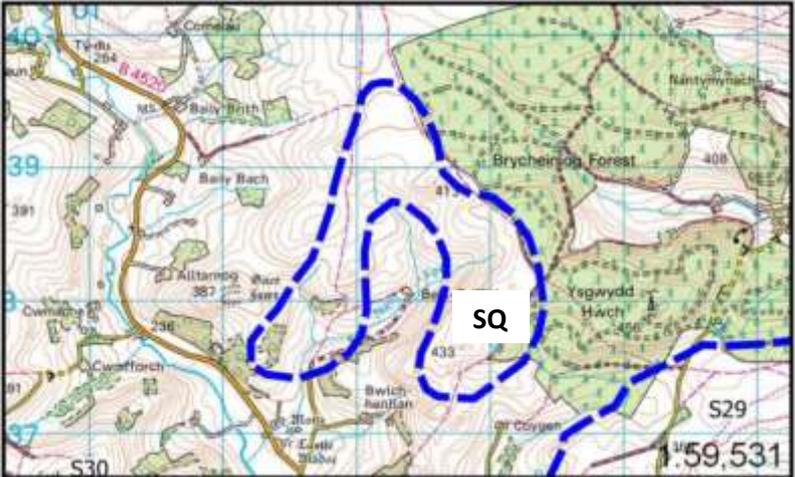
LSA SO: LLANDEGLE Y RHOS

	Details
LSA Location:	1.5km south of Llandegley  <small>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</small>
LSA Size:	8 sq. km
LSA Description:	Rugged hills and broad valley feature, circa 250-430m AOD. Rugged Llandegley Rocks along the northern edge of the LSA, otherwise part of a broad vale between adjoining higher ground and visually exposed from the west edge of the Radnor Forest uplands and Gwaunceste Hill to the south. Mixed land use of semi-natural, semi-improved and improved pasture with some forestry blocks which provide visual enclosure. Some Open Access Land (Open Country and Common Land).
Landscape Sensitivity	Medium
Landscape Commentary:	Varied scale of generally medium landscape but small-scale along the lower eastern slopes.
Guidance and key sensitivities:	There may be some limited potential for small-scale solar development within the larger-scale pastures and close to the forestry blocks which may provide some useful screening in what is otherwise visually exposed from adjoining higher and sensitive landscapes.
Recommendation:	Limited potential only for small-scale solar PV farm development (5-10MW) away from the hilltops, small-scale landscapes and where the forestry may provide some visual enclosure.

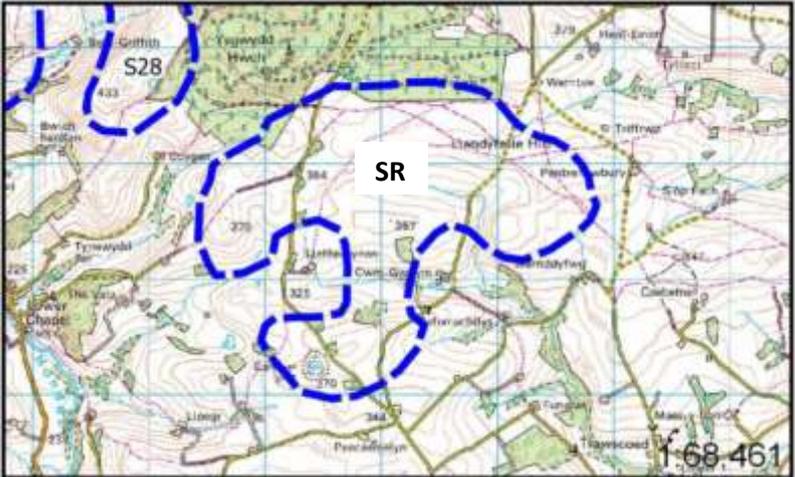
LSA SP: GILWERN HILL

	Details
LSA Location:	2.5km north-west of Franksbridge Frank's Bridge  <i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i>
LSA Size:	4.5 sq. km
LSA Description:	Domed hilltops, circa 350-420m AOD. A series of domed hilltops with a mixed land-use of large-scale semi-natural moorland, semi-improved and improved fenced pastures. The moorland is Open Access Land (Open Country and Common Land).
Landscape Sensitivity	Medium
Landscape Commentary:	The LSA is visually exposed from other high sensitive landscapes, although not adjoin the LSA, but also the edges are partially visually exposed from the settled lower lying areas to the east and west.
Guidance and key sensitivities:	There may be some limited potential for small-scale solar development away from the visually exposed hillsides and from the more susceptible areas of open moorland/Open Access Land. Such small sites may be at the flatter parts of the hilltops where these sites are less visually exposed from the settled lower landscape and not overtly exposed from the more distant higher landscapes.
Recommendation:	Limited potential only for small-scale solar PV farm development (5-10MW) away from the Open Access Land and the visually exposed hillsides.

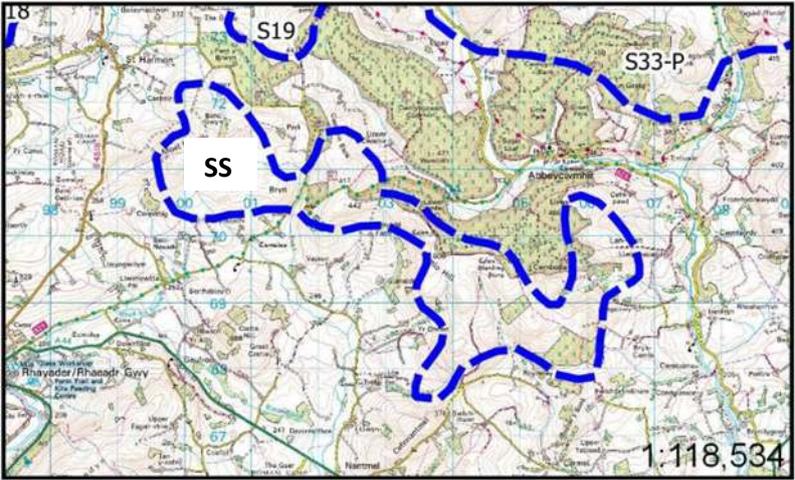
LSA SQ: NANT FAWR

	Details
LSA Location:	2km north of Lower Chapel  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	2.3 sq. km
LSA Description:	Gently undulating upland and hillside, circa 300-410m AOD. Complex landform including a gently undulating upland with steeply sloping hillsides around the twisting valley of the Nant Fawr. Some semi-natural moor and Open Access Land (Open Country and Common Land), but predominantly large-scale semi-improved fenced pasture on the upper areas and medium-scale hedged pastures on the hillsides with some deciduous woodlands. Brycheiniog Forest provides a distinct afforested backdrop to the LSA in views from the west.
Landscape Sensitivity	Medium
Landscape Commentary:	The complex topography of this LSA dictates the degree of visual exposure in views from the west, the LSA being entirely screened by the Brycheiniog Forest to the east. The upper plateau areas undulate such that there may be the potential for some limited solar development where the landform provides good levels of visual exposure.
Guidance and key sensitivities:	More prominent parts of the undulating plateau landform would be likely to be unsuitable including the moorland Open Access land in the north. The steeply sloping valley hillsides, whilst in part visually contained from the wide landscape would be unlikely to be developed without significant local landscape and visual harm.
Recommendation:	Limited potential only for small-scale solar PV farm development (5-10MW) along the eastern fringes with the adjoining forestry but away from the Open Access Land and the visually exposed uplands and valley sides.

LSA SR: LLANDEFALLE HILL

	Details
LSA Location:	2km east of Lower Chapel.  <small>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</small>
LSA Size:	4.9 sq. km
LSA Description:	Rolling, domed hills, circa 300-370m AOD. Rolling landform including domed hilltops including Llandefalle Common and site of Twyn-y-Gaer hillfort, together with the gentle valley of Nant Dulas. Extensive open moorland and Open Access Land (Common Land) across Llandefalle Hill, otherwise semi-improved and improved pasture with hedges away from the hilltops and some deciduous woodland cover.
Landscape Sensitivity	Medium - Low
Landscape Commentary:	Llandefalle Common and Twyn-y-Gaer are visually exposed from adjoining landscape whilst the valley is much more contained.
Guidance and key sensitivities:	There is some potential for solar development within the Nant Dulas valley and valley sides, although this should ensure that there would be no significant landscape or visual harm to Llandefalle Common and its users.
Recommendation:	Potential for medium-scale solar PV farm development (up to 25MW) away from the domed hilltops and Llandefalle Common.

LSA SS: CAMLO HILL

	Details
LSA Location:	4km north-east of Rhayader.  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	9.9 sq. km
LSA Description:	Undulating hills and incised hillsides, circa 365-505m AOD. A complex series of undulating rugged and round topped hills and hillsides incised with multiple minor valleys. Some moorland and Open Access Land (Open Country) at Camlo Hill but largely unimproved and semi-improved large-scale fenced open grazing.
Landscape Sensitivity	Medium - Low
Landscape Commentary:	Forest enclosure along some of the northern edge and within the east end of the LSA but otherwise exposed to views from lower settled landscapes to the south. Moel Hywel is an open rounded hill and visually exposed to all sides.
Guidance and key sensitivities:	There is potential for solar development within this large LSA although probably provided as a number of separate developments, away from the slopes of Moel Hywell, Camlo Hill and exposed slopes in the far east at Lan-wen with its visual relationship with the valley of the Clwydog Brook. Best located next or close to the forestry uses within and at the edge of the LSA in the south-east.
Recommendation:	Potential for medium-scale solar PV farm development (up to 25MW).

LSA ST: DDYLE

	Details
LSA Location:	2km north of Abbeycwmhir  <p><i>Crown copyright and database rights (2018) Ordnance Survey 100025371. Additional information © Powys County Council (2018). No additional copies should be made without the permission of the Council</i></p>
LSA Size:	10.9 sq. km
LSA Description:	Complex undulating valley and hill system, circa 270-480m AOD. A complex heavily undulating series of hills around the valley of the Ffwrdd Wen. Some open moorland and Open Access Land (Open Country) at Ysgwd-fford, with the remainder comprising large-scale landscapes of semi-improved fenced pasture on the hilltops with medium to small-scale landscapes of improved hedged pasture on the valley sides and floors. Extensive forestry in the southern half at Cwmcynydd Bank.
Landscape Sensitivity	Medium - High
Landscape Commentary:	The valley sides and floor are visually contained from adjoining landscapes whilst the hilltops have a degree of exposure to other high landscapes beyond.
Guidance and key sensitivities:	There may be some limited potential for small-scale solar development away from the visually exposed hillsides and from the more susceptible areas of open moorland/Open Access Land. Such small sites may be towards the valley floor where these sites are less visually exposed from the surrounding landscape and not overtly exposed from the more distant higher landscapes.
Recommendation:	Some limited potential for small-scale solar PV farm development (up to 10MW), although probably provided as a number of smaller developments, away from hilltops and the higher, more open hillsides.

Appendix 2: Anaerobic Digester Regulations

All anaerobic digester operators in the UK must comply with regulations concerning environmental protection, animal by-products, duty of care, health and safety and waste handling.

Environmental Permitting

Environmental permitting (EP) is for regulating business activities that could have an impact on the environment and human health. All AD plants will be required to obtain a permit or exemption to operate and to spread digestate. An application form must be completed with the relevant technical information and demonstrating competency to operate the plant.

To apply for an environmental permit operators must demonstrate their technical competence.

There are three levels of permitting:

1. **Exemption** – for small scale, non-waste facilities.

Applicants are still required to register with NRW and provide some technical information. There are a number of activities that entitle an operator to an exemption:

- **T24**: anaerobic digestion at premises used for agriculture and burning of resultant biogas. There are specific waste types that can be used under this exemption (including manures, slurries and plant tissue) and a total quantity of waste treated or stored at any one time must not exceed 1,250 cubic metres. The appliance used must have a net rated thermal input of less than 0.4 megawatts.
- **T25**: anaerobic digestion at premises not used for agriculture and burning of resultant biogas

This exemption allows the treatment of food and other biodegradable wastes by anaerobic digestion to produce a digestate which can be used for providing benefit to land. The gas produced must be used for generating energy. With this exemption the AD operator cannot treat wastes that are animal by-products without an appropriate authorisation from Animal Health. The operator can treat up to 50 cubic metres of waste at any one time. Any biogas produced must be burned in an appliance with a net rated thermal input of less than 0.4 megawatts.

2. **Standard** – for plants which fit within a number of pre-defined standard rules, including throughput, output and nature of material being digested (fixed charges apply).

The Standard Rule Permit SR2012 No12 "Anaerobic digestion facility including use of the resultant biogas" applies to England and Wales, and enables anaerobic digester operators (processing no more than 100 tonnes per day) to carry out anaerobic digestion of wastes and also combustion of the resultant biogas in gas engines. The rules also allow use of gas turbines, boilers, fuel cells and treatment and/or upgrading the biogas to biomethane. Permitted wastes include those controlled by the Animal-By-Products Regulations but do not include hazardous wastes.

3. **Bespoke** – for all plants which do not comply with one or more of the standard rules (variable charges apply). This process is more costly and time consuming, but provides greater coverage and flexibility in plant operations.

Permits for Spreading Digestate

Material that has reached PAS 110 and Quality Protocol standards is no longer regarded as a waste. However, to spread waste material (prior to achieving PAS110 accreditation) to agricultural and non-agricultural land to confer benefit or ecological improvement it is necessary to apply for a permit or register for an exemption.

Spreading exemptions relate only to digestate produced under T24 or T25 with a quantity limit of 50 tonnes per hectare and a storage limit of 200 tonnes, at any one time.

- U10: spreading of digestate from pre-defined feedstock on agricultural land to confer benefit
- U11: spreading of digestate from pre-defined feedstock on non-agricultural land to confer benefit.

There is a standard rule permit for spreading waste material to land (if the criteria for an exemption do not apply). Standard permit SR2010 No.4 allows the spreading of no more than 250 tonnes per hectare and that no more than 3,000 tonnes of waste material is stored at any one time and for no longer than 12 months. For each spreading of material to land there is a charge related to the type of material being spread, relating to lower risk, medium risk and high risk.

Animal By-Products Regulations

Animal by-products (ABPs) are animal carcasses, parts of carcasses or products of animal origin that are not intended for human consumption. The Animal By-Products Regulations (ABPR) permit the treatment in approved composting and biogas premises of low-risk (category 3) ABPs and catering waste which contains meat or which comes from a premises handling meat.

High risk (Category 2) ABPs cannot be used as feedstock in biogas plants, except where they have first been rendered to the 133°C/3 bar/20 minute EU pressure-rendering standards. Manure and digestive tract content are classified as a category 2 ABP, but they can be used without processing as raw material in a biogas plant. However, where manure or digestive tract content is sent to a biogas plant for treatment with other ABPs (including catering waste) the plant **must** be approved and the mixture treated to approved standards.

Further information can be obtained from the Animal and Plant Health Agency (APHA).

Health and Safety

Anaerobic digestion can be regarded as a chemical process with all the associated risks: flammable atmospheres, fire and explosion, toxic gases, confined spaces, asphyxiation, pressure systems, COSHH, etc. In addition, it also incorporates gas handling and gas storage. Therefore, it is essential that thorough hazard and risk assessments are carried out at each stage of a project from design to installation to commissioning to implementation and operation.

The Renewable Energy Association operate a Safety Alert service to incidents affecting safety and the environment that have occurred in the Anaerobic Digestion and biowaste industries. Serious incidents related to slurries and manures on farms outside the industry will also be included. The service is intended to raise standards and reduce incidents by building trust across the industry to report, share and learn.

Appendix 3: Renewable Energy and Domestic Permitted Development

Householders can make certain types of minor changes to their home without needing to apply for planning permission. These are called "permitted development rights".

In some areas of the county permitted development rights are more restricted, such as in areas designated as a Conservation Area. In such designated areas, planning permission for certain types of work may be needed which do not need an application in other areas. There are also different requirements if the house is a listed building.

In some areas, the Council may have removed some permitted development rights by issuing an **Article 4 Direction**. This will mean that a planning application must be submitted for work which normally does not need one. Article 4 directions are made when the character of an area of acknowledged importance would be threatened. They are most common in conservation areas. Householders are advised to check or seek advice from the Council prior to starting work.

<https://beta.gov.wales/planning-permission-generating-your-own-energy>

Domestic

<p>Air Source Heat Pumps</p> <p>These typically look like a large Air-conditioner attached to the side of a dwelling. They extract heat from the air around it and use it to provide a background heat to the interior of the building.</p> <p>They are considered a low-carbon technology, however they are powered by electricity which may not come from a renewable source.</p>	<p>Installation of one air source heat pump is normally permitted, provided that it complies with the relevant standards, is no more than one cubic metre in size, and is no less than 3 metres from the boundary.</p> <p>However, there are restrictions on what kind of roof an air source heat pump may be installed upon.</p> <p>They must be sited to cause minimal visual impact. For more details on restrictions applying to the installation of air source heat pumps, contact the planning department.</p>
<p>Biomass Boilers</p> <p>Burn wood, usually in the form of pellets or chips.</p> <p>They are deemed carbon neutral because the carbon emitted during burning is the same as that absorbed during growth. There can be some concerns about the smoke/particles that they emit and the visual impact of the boiler and flue.</p>	<p>Boilers will largely be located inside a dwelling and consequently in most circumstances will not require planning permission. Consent may be required for internal alterations in listed buildings. New buildings to accommodate a boiler will usually require planning permission.</p>

	<p>The flue is not permitted on the principal or side elevation of a property within a designated area or a listed building.</p> <p>Outwith these areas permission is not needed for an external flue on a rear or side elevation providing that its height is no more than one metre above the highest part of the roof (excluding an existing chimney). (see section on Flues below)</p> <p>If the project also requires an outside building to store fuel or related equipment the same rules apply to that building as for other extensions and garden outbuildings.</p>
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<p>Flues and Chimneys</p> <p>All domestic boilers, including those using renewable or low carbon fuels, such as biomass or micro-combined heat and power, will require some sort of flue or chimney to vent exhaust gases away from the property.</p>	<p>Fitting, altering or replacing an external flue or chimney is normally considered to be permitted development, not requiring planning consent, if the conditions outlined below are met:</p> <ul style="list-style-type: none"> • Flues on the rear or side elevation of the building are allowed to a maximum of one metre above the highest part of the roof. • If the building is listed or in a designated area it is advisable to check with the Council before a flue is fitted. • In a designated area the flue should not be fitted on the principal or side elevation that fronts a highway. <p>Please note: The permitted development allowances described here apply to houses and not to:</p> <ul style="list-style-type: none"> • Flats and maisonettes • Converted houses or houses created through the permitted development rights to change use • Other buildings
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<p>Ground or Water Source Heat Pumps</p> <p>These are usually a self-contained unit, rather like a large Air-conditioner or boiler. They extract heat from the ground or water, through a loop of piping that is buried underground or submerged underwater, and use it to provide a background heat, or hot water to the interior of the building.</p> <p>They are considered a low-carbon technology, however they are powered by electricity which may not come from a renewable source.</p>	<p>The installation of a ground source heat pump or a water source heat pump on domestic premises is usually considered to be permitted development, not needing an application for planning permission. However water source heat pumps may need extra infrastructure which may then need planning permission. It is also necessary to check that any ground disturbance will not impact on existing services such as sewerage or other utilities. Similarly if the property is listed or in a designated area then permission may need to be gained before any excavations begin.</p>
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<p>Hydro Electricity</p> <p>Key features of a small hydro electricity scheme include:</p> <ul style="list-style-type: none"> • a hydraulic 'head' - vertical distance from water source to the turbine. • a water intake above a weir or behind a dam • a pipe or channel to take water to the turbine • a turbine, generator and electrical connection • an outflow, where the water returns to the watercourse 	<p>These elements raise a number of important planning issues and planning permission will usually be needed.</p> <p>The elements of a small-scale hydro electricity scheme create potential impacts on:</p> <ul style="list-style-type: none"> • landscape and visual amenity • nature conservation • the water regime. <p>Some form of environmental assessment is essential when it comes to applying for planning permission and environmental licenses.</p> <p>Under the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988, the planning application for any development that the Council considers likely to have a significant impact on the environment must be accompanied by an Environmental Statement.</p> <p>This document provides an assessment of the project’s likely environmental effects, together with any design, construction, operational and decommissioning</p>
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	<p>measures that are to be taken to minimise them.</p> <p>It would typically cover such issues as flora, fauna, noise levels, traffic, land use, archaeology, recreation, landscape, and air and water quality.</p> <p>It should be noted that NRW must also be consulted about water extraction licences because the water is not owned by the landowner.</p>
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<p>Micro Combined Heat and Power Plants</p> <p>These are similar in size and shape to ordinary, domestic boilers and like them can be wall hung or floor standing.</p> <p>Domestic micro-CHP systems are currently powered by mains gas or LPG. Although gas and LPG are fossil fuels rather than renewable energy sources, the technology is still considered to be a ‘low carbon technology’ because it can be more efficient generating electricity at its point of use than just burning a fossil fuel for heat and getting electricity from the national grid.</p> <p>They are essentially modified diesel engines. The heat they produce is used to heat a building and, just like a car engine, they also generate electricity which is used in the property, or sold back to the grid if not needed.</p>	<p>Planning permission is not normally needed when installing a micro-combined heat and power system in a house if the work is all internal. If the installation requires a flue outside, however, it will normally be permitted development provided certain conditions are met (see section on Flues and Chimneys above).</p> <p>If the project also requires an outside building to store fuel or related equipment the same rules apply to that building as for other extensions and garden outbuildings:</p>
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<p>Solar Photovoltaic (PV) and Solar Thermal Panels</p> <p>Typically, PV panels can be very thin, flat, black or iridescent panels which can be mounted on rooftops, walls or as freestanding units on the ground.</p>	<p>The installation of solar PV panels and equipment on residential buildings, or buildings situated within the curtilage of a dwelling house is permissible if certain criteria are met.</p>
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<p>They generate electricity via a chemical reaction inside the sealed unit which depends upon daylight, as opposed to direct sunlight. As such they typically have no moving parts but are connected by wires to a unit inside the property which collects the combined output ready for consumption, storage or selling on to the National Grid.</p> <p>Solar thermal panels work through the absorption of heat from sunlight, which is then used to heat water and stored in a large tank inside the property. As such they work better under direct sunlight. The heat collected is then usually used to provide a supply of hot water. They are usually thicker than PV panels as they contain fluid filled pipes, under a glass surface.</p>	<p>Panels must not protrude more than 20cm above the existing plane of the wall or roof slope, or if the highest part of the equipment were to exceed the existing highest point of the roof (excluding the chimney).</p> <p>If installed on a flat roof however the equipment must not be less than a metre from the edge of that roof or protrude more than a metre in height above the existing roofline.</p> <p>There are other important limits and conditions which must be met to benefit from permitted development rights especially where a building is listed or in a designated area.</p> <p>Proposals should be discussed with the Council to determine whether all of the limits and conditions will be met.</p>
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<p>Wind Turbines</p> <p>Consisting of a rotor or blades mounted on a pole, to provide the height to catch the wind. On turning, the rotors, connected to a turbine or transformer of some type, generate electricity for consumption or storage at the property or export onto the National Grid.</p> <p>At the domestic scale they can be freestanding or building mounted.</p>	<p>Under permitted development rights in some cases it is possible to install domestic wind turbines without the need for an application for planning permission, so long as specified limits and conditions are met.</p> <p>For example, providing any turbine complied with Microgeneration Certification Scheme (MCS) Planning Standards; would not result in the presence of more than one turbine within the curtilage of the dwelling; be under a height of 11.1 metres (including blades); and the distance between ground level and the lowest part of any blade is no less than 5 metres, then it may qualify for permitted development.</p> <p>However other limits and conditions also apply so please make sure all development proposals are discussed with the Council beforehand.</p>
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	In all other cases planning permission will be required to add a domestic wind turbine to a dwelling, or erect a turbine in the grounds surrounding the dwelling.
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More information can be obtained from:

~~<https://beta.gov.wales/planning-permission-generating-your-own-energy>~~

The Planning Portal

The Energy Saving Trust

Other Sources:

~~Town & Country Planning (General Permitted Development) Order 1995 (see Schedule 2)~~

~~Town & Country Planning (General Permitted Development)(Amendments)(Wales) Order 2012~~

~~Town & Country Planning (General Permitted Development)(Amendments)(Wales) No2 Order 2012~~

~~Town & Country Planning (General Permitted Development)(Amendments)(Wales) Order 2013~~

~~Town & Country Planning (General Permitted Development)(Amendments)(Wales) Order 2014~~

~~<https://beta.gov.wales/planning-permission-generating-your-own-energy>~~

<http://www.cpat.org.uk/projects/longer/histland/asidoh1/asidoh12.pdf>

Appendix 4: NATS Frequently Asked Questions for Wind Turbines

1. Who are NATS?

NATS is the company that provides air traffic control (ATC) services in the UK. Our service is provided at 15 of the UK biggest airports and “en-route” i.e. in the airspace above the UK and over the north-eastern part of the Atlantic Ocean.

2. What is NATS’s involvement in the wind farm industry?

In order to provide safe air traffic services, both NATS and aircraft rely on a number of ground based radars, navigation aids and communication stations. This infrastructure can be negatively affected by wind turbines, which can ultimately affect the safety of air traffic.

3. What is safeguarding?

Safeguarding is the process of protecting an infrastructure. Service providers such as NATS, Energy suppliers, Water companies, broadcast and telecommunications companies all have a duty to safeguard their infrastructure.

With regards to aviation, NATS and other agencies providing Air Traffic Services (ATS) use radars to monitor aircraft traffic, provide ground-based navigation aids to enable aircraft to navigate along their route and to land at airports. Air-ground-Air (AGA) communication stations are used by both ground based agencies (control towers and ATC centres) and aircraft to communicate with each other.

Safety is NATS’s first and foremost priority and in order to provide a safe service and to meet the terms of the licence granted by the Civil Aviation Authority, this equipment needs to be continuously in operation and must be protected by any form of interference or disturbance.

The NATS Safeguarding process is supported by legislation which ensures that any anticipated obstruction or development is assessed against its impact upon specific assets.

4. Are planning applications for all turbines to be consulted with NATS?

Yes. All turbines for which planning permission is sought, are to be consulted by LPAs with NATS. This is irrespective of their site or location.

5. What legislation details the safeguarding of aerodromes and technical sites?

Annex 1 – The Town And Country Planning (Safeguarded Aerodromes, Technical Sites And Military Explosives Storage Areas) Direction 2002.

The Act means that UK Local Planning Authorities (LPAs) have a legal obligation to consult NATS with regards to any development that has the potential to impact upon its operations.

Fixed obstacles and constructions are assessed against safeguarding criteria lodged with all affected LPAs.

The impact of wind turbines however, has a more significant effect as they can have an impact over a much greater distance. In the case of radars, a wind turbine can have an impact tens of kms away.

The safeguarding legislation requires all UK LPAs to consult NATS on any wind turbine application, irrespective of size or location.

The direction also requires any planning authority minded to grant planning permission against NATS’s advice, to notify the Secretary of State, NATS and the Civil Aviation Authority in advance of granting planning permission.

6. Are there any exceptions to this requirement?

Yes, but only for those turbines that can be installed under The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2011.

These however, must meet a number of criteria that include a height of no more than 15m and that of not being installed on safeguarded land.

Notes:

Details of the legislation can be found at:

<http://www.legislation.gov.uk/ukxi/2011/2056/made>

Details of the tool which allows to determine whether land is safeguarded, can be found at:

<http://aviationtool.planningportal.gov.uk>

Details of the notification from DECC informing all UK LPA's can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8015/111205

[Letter to Chief Planning Officers-](#)

[Householder permitted development rights for micro wind turbines and air source heat pumps.pdf](#)

7. How does safeguarding work?

For construction and fixed obstructions, all NATS assets are notified to Local Planning Authorities via maps that are lodged with and detail consultation criteria. LPAs will consult NATS when a planning application that conflicts with safeguarding is received.

For wind turbines, the process is different because of the major impact a wind turbine can have on the NATS infrastructure. As such consultation with NATS is compulsory and planning authorities will consult NATS for all wind turbine planning applications over the whole of the UK territory.

NATS is a statutory consultee for all wind turbine planning applications in the UK.

8. What are the technical issues due to obstacles and wind turbines?

Common examples of interference that affect our infrastructure are:

- effects of wind turbines upon radar (radar shadows, false radar returns)
- degradation of radio and radar signals due to fixed obstructions or turbines

9. Where can I find out more of the technical issues with wind turbines?

Civil Aviation Publications CAP764 and CAP670 contain relevant information and are available on the Civil Aviation Authority's website (www.caa.co.uk).

10. How will I know if a wind turbine application will be granted or objected to?

With respect to wind turbines and their impact upon NATS, the safeguarded area encompasses the whole of the UK and consultation with NATS is mandatory. Planning authorities will consult NATS during the planning process. NATS will state whether a planning proposal is acceptable or not.

11. Can I find out if a wind turbine application is likely to be granted or objected to before submitting a planning application?

Applicants for wind turbines may wish to ascertain whether their application is likely to be objected to or not by NATS in advance of submitting for planning. NATS provides two routes for ascertaining an impact. One option is to carry out a self-assessment (free of charge) or undertake a pre-planning assessment (chargeable).

NATS can provide a variety of services, for any other query or request for consultancy, the contact us form on the website should be used (www.nats.aero/windfarms).

12. What are the NATS self-assessment and pre-planning assessment?

The self-assessment is a process whereby prospective wind turbine planning applicants can get a preliminary idea of whether their proposed application is likely to be granted or not, or whether it is advisable to request a pre-planning assessment. The service is free and relies on theoretical radar coverage maps for different obstacle heights. These are available on our website.

The **pre-planning assessment** is a chargeable service that NATS offers to prospective wind turbine applicants. This provides an opportunity for developers to gain a further insight into whether a proposed installation is likely to be objected to or not by NATS prior to submitting a planning application. In order to reach a decision, NATS carries out a range of studies and investigations to determine whether a wind turbine is likely to cause an impact on air traffic safety or not.

13. Why has my application been objected to while neighbouring ones have not?

When consulted on an application, NATS has to consider a number of factors, these include but are not limited to:

➤ **geography and terrain shielding between turbine and NATS equipment**

Line of sight (terrain shielding) can vary significantly over a relatively small distance. This can mean that a specific turbine can be objected to while neighbouring ones are not.

➤ **specific equipment used**

NATS operates a variety of equipment, often of varying technical specifications. Likewise aircraft can use a multitude of equipment of a differing age, specification and technology.

➤ **class/use of the airspace above**

Different geographical areas also have a bearing on how many visible turbines can be accepted. An area of no interest to air traffic control may permit a greater number of visible turbines to be acceptable, as air traffic controllers would not be using the part of their radar display which is cluttered by turbines. Conversely, in areas of relevance (such as under busy airspace or approach/departure routes) a single "false radar plot" due to a turbine, may cause an air traffic controller to have to take action and manoeuvre air traffic around the clutter. This is because the controller has no way of confirming whether the clutter is a wind turbine or another aircraft that is not under their control.

➤ **signal levels and characteristics**

Aerodrome radar and radio communications tend to operate at a much closer range (< 100km) than in an en-route environment (+300km). As such, signal levels are potentially much stronger and less susceptible to interference from a turbine.

e.g. A wind turbine that obstructs the line of sight path between a transmitter/receiver and an aircraft is more likely to have a greater effect if the aircraft ATC are talking to is 250km away than if it is 25km away. This is because the signal strength is much weaker and the effect of the turbine much greater in proportion to it.

➤ **turbine characteristics**

Different turbine materials and blade orientation (vertical and horizontal axis) can affect the impact of a turbine. NATS assesses all turbines in the same way but does take into account the characteristics when consulted. For example, in certain instances NATS has been able to withdraw an objection to a development close to an AGA communications station subject to a planning condition requiring turbines to be fitted with non-conductive blades (e.g. with their integral lightning protection removed).

➤ **neighbouring turbines (cumulative impact)**

Another crucial factor affecting turbine applications is the cumulative impact.

In some cases a number of turbines at a specific location are deemed to be acceptable, despite having an impact (e.g. being visible to radar). Ultimately in these cases however, a point is reached where no more turbines can be tolerated. As such while NATS would appear not to object to developments in a specific area, at some point objections are raised to all new applications.

The reason for the refusal is often due to the pre-existing turbines (either built, or having planning consent). From NATS's perspective, all the turbines in a locality may be acceptable in isolation or in small clusters, however it is the overall number and proximity to each other that compounds their effect and as such leads to a NATS objection. Effectively pre-existing turbines are the cause for objecting to newer applications.

The cumulative impact scenario is further complicated by the way radar processing works. The Radar system routinely processes false plots or clutter but can usually determine whether this is significant or not. It does this by considering the distance that a radar reflection appears to move and discards it if it

appears to move too slowly or too fast to be an aircraft. It also can disregard clutter that appears randomly and intermittently as being due to sporadic reflections.

The issue with turbines in proximity is that they can cause returns at different times and different positions.

While birds, weather, road and rail traffic can all cause radar reflections (clutter) this is usually filtered out by radar processing. This is possible since reflections due to the above are usually:

- of varying strength
- generated in effectively the same position
- generated over too vast an area
- appear not to move
- appear to move too quickly.

The main issues with clutter generated by wind turbines are:

- it is frequently of a sufficient and constant strength
- it is created by the blade as it sweeps through its swept area and as such can effectively move along a distance equal to the blade diameter
- depending on the rotation speed, the apparent speed of the clutter is comparable to that of aircraft

if there are a number of turbines, usually more than 2, in the right circumstances there can be reflections from different blades of different turbines which appear as a target moving along its path. If these returns are adequately spaced, follow realistic trajectories (e.g. straight lines, smooth curves) and are adequately timed, the radar processing will NOT be able to determine that these are due to the same object, i.e. return 1 at position X, return 2 at position Y and return 3 at position Z all within a realistic valid time interval.

In this situation, exactly the opposite will occur, the radar processing will determine that due to the spacing and the timing (i.e. speed) of the reflection, the target is a valid moving object. In these cases the radar procession deems the reflection to be a valid aircraft track and presents it to the air traffic controller display. An air traffic controller, essentially faced with a valid moving target would have no choice but to take evasive action and manoeuvre real aircraft around this clutter.

This has a range of consequences including inconvenience, delay, additional fuel burn and ultimately safety.

14. What's the problem with my small wind turbine?

It is important to note that while something of the order of 30-40m may be relatively small in wind turbine terms, especially when compared to a 100m+ wind farm scale turbine, small aircraft such as a Piper PA28 or Cessna 172 only have a wingspan of around 10m.

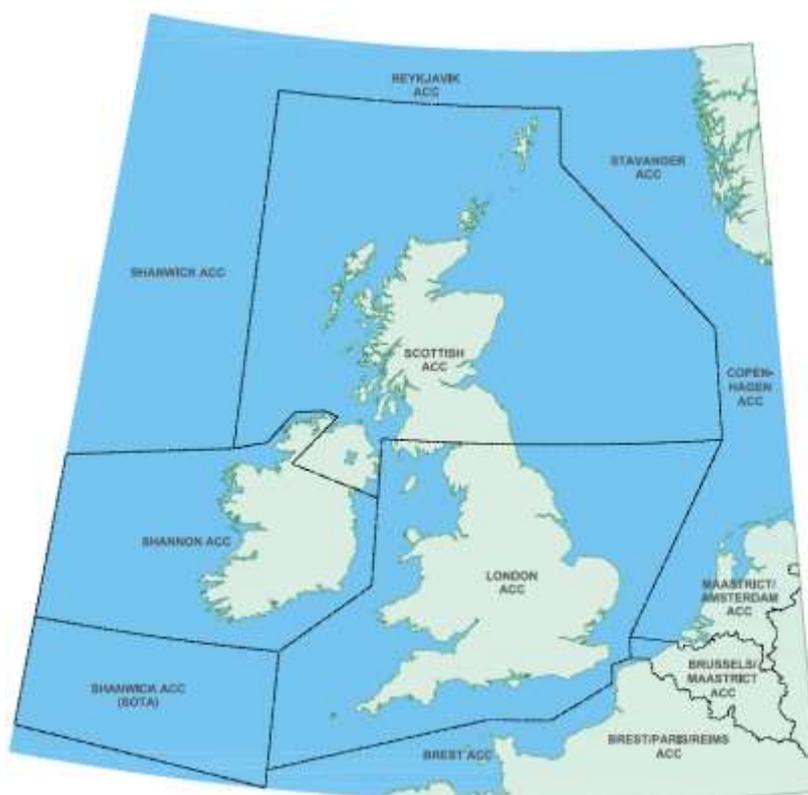
NATS radars are able to detect aircraft such as these at a distance well in excess of 100km. If a 34m turbine (with 3 x ~17m blades) is placed at a distance similar or inferior to this from a NATS radar, it becomes apparent how much more energy can be reflected back to the radar. It can then be seen how a wind turbine can be visible to a radar that is designed to detect something much smaller and much further away.

15. Why has someone 200km+ away objected to my turbine?

As part of the NATS report which accompanies any objection, an operational assessment summary will be included. This will detail the Air Traffic Unit that has objected to the wind turbine.

In certain cases a seemingly distant ATC Unit may have objected to a turbine (e.g. the Prestwick air traffic control centre may have objected to a turbine in Aberdeenshire or Aberdeen airport may have objected to a turbine in Norfolk).

This is because NATS operates a network of radars covering a vast area of UK airspace. The data from these radars is fed into a number of air traffic control centres who control an airspace of thousands of square kilometres. The Prestwick Centre for example provide a service to aircraft flying in the Scottish Flight Information Region (FIR) and in order to do this, use a number of radars located throughout the UK.



16. Who are the stakeholders who can object?

When carrying out the technical assessment, NATS engineers determine whether the turbine is likely to be visible to radar. This is done considering many factors such as signal levels, terrain, propagation modelling etc.

If the turbine is deemed to be detected by radar, the users of that radar are consulted to see whether they consider the impact to be acceptable or unacceptable.

NATS users of the radar will be Civil or Military air traffic controllers based at either the Swanwick or Prestwick air traffic control centre (known as London Control and Scottish Control respectively). Also, the NATS unit at Aberdeen carries out a number of en-route services which are not part of the airport operation and as such are NATS's responsibility.

In addition to the controllers, NATS engineering and radar data processing stakeholders are consulted as processing too many false returns due to turbines, can impact on the performance of the radar and affect its ability to process real air traffic returns.

17. Are NATS responsible for, or do they answer on behalf of local airfields, flying strips and for aviation stakeholders in general?

No. NATS's role in any wind turbine consultation, is solely related to its provision of En-Route air traffic services and therefore to the impact of wind turbines upon its own electronic infrastructure.

When consulted on wind turbine applications, NATS carries out a study to determine the likelihood of these impacting on its network of radars and communication and navigation stations. It then objects or not, as the study indicates. NATS cannot object on behalf of other stakeholders or on grounds other than an impact on its own operations.

Where NATS envisages an impact upon another stakeholder however, it would normally advise them of the fact. However it has no obligation to do so and stakeholders are advised to engage directly with planning authorities and relative bodies.

This applies especially to those stakeholders who may be perceived as being protected under NATS's statutory role (e.g. users of NATS radar data, air service operators etc).

18. Do NATS safeguard airports?

No. While NATS provides Air Traffic Control or Engineering services at a number of UK airports, the safeguarding responsibility lies with the airport owner/operator. While NATS will provide the technical expertise to airports regarding consultations, an LPA will consult the airport operator and the airport operator will provide the consultation response (albeit based on NATS's advice).

Note: Aberdeen airport has a dual role in that the NATS unit there carries out both an airport function, for which the airport operator is responsible; however it also carries out an en-route (e.g. North Sea) function for which NATS is responsible.

As such, consultations on developments affecting radars used by Aberdeen give rise to two responses. The two responses may be different as an impact on the airport may not correspond to an impact on en-route operations and vice-versa.

19. Can the impact upon NATS's infrastructure be mitigated?

In many cases the impact on NATS's infrastructure can be mitigated. For AGA and navigation aid sites, although technically not a lot can be done, mitigation usually takes the form of relocating (micro-siting) single turbines, altering the layout of a wind farm, or reducing the size of the turbines. In some cases one make or model of turbine may be preferable over another.

With regards to radar impact, mitigation can often be in the form of a modification to the radar system. Radar blanking allows the radar to be modified in order not to process and display radar clutter generated by a wind turbine. While this obviously removes the impact of the radar, it also prevents any aircraft flying over the turbines (in the blanked area) from being displayed. This is analogous to cutting a hole through radar cover. As such there is a limit to how mitigation can be deployed. Radar blanking is normally appropriate only for small areas (usually covering a few hundred metres across).

For larger areas, an infill radar may be required. This is where a larger hole is cut in the cover of one radar, but it is replaced with data from another radar that covers the same part of the sky (and air traffic) but that is not affected by the wind development (no line of sight between this infill radar and the turbines).

20. How do I find out about mitigation?

NATS's intention ultimately is to confirm whether mitigation is possible as part of its objection statement, however mitigation should currently be requested via the "contact us" form at www.nats.aero/windfarms.

21. Can all turbines affecting radar be mitigated?

No. Mitigation relies on blanking a radar in order to remove the clutter due to a turbine. Since this also causes a loss of real aircraft targets flying through the area that is blanked, there is a limit to how close blanking zones can be to each other. Should an aircraft fly through the blanked zone over a single turbine, the radar detecting and tracking it could lose sight of it for one detection. However due to the speed of the aircraft, the size of the blanked zone, and the way the radar processing works this would be detected at the next update and the single "loss of detection" would not have any impact on air traffic controller's operation.

Should a blanked zone be too large or a number of blanked zones be placed in close proximity to each other, the potential exists for the radar to be unable to detect and track an aircraft. To alleviate this issue, infill radar would be required.

As such, mitigation is also dependent on the surrounding area, on the number of blanks, their size and their distribution i.e. the cumulative impact of blanked areas.

Mitigation is therefore not an infinite resource but is dependent on a number of factors, which also include engineering and other considerations.

22. Is an offer for mitigation open-ended?

Where mitigation is identified, it is important to recognise that this is based on a snapshot of the cumulative impact at the time and as such is not an open-ended offer. NATS's commercial process and communication with an LPA will normally emphasize the time-dependency of radar mitigation.

23. Where mitigation has been identified can NATS withdraw its objection subject to planning (suspensive) conditions?

When a tangible mitigation solution is identified, there is necessarily a period of time required to successfully implement it. In these cases NATS can withdraw its objection subject to a condition being imposed by the planning authority on the developer. This allows the developer to proceed with their work but provides NATS with the certainty that its infrastructure will not be negatively impacted. The condition however, relies on the specific mitigation scheme being not only defined and planned, but also agreed to contractually between the two parties.

Due to the fact that LPAs require certainty, and that suspensive conditions must be based on a time frame in keeping with the planning process, these are normally appropriate only for radar blanking (+ infill where required).

In other cases, history and experience have shown that despite NATS being keen to investigate new technology or other mitigation schemes, suspensive conditions have not been acceptable to the LPA as they did not provide adequate evidence of a realistic solution within an appropriate time frame.

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

**Powys
Local Development Plan**

2011 - 2026

**Supplementary Planning Guidance
(SPG)**

**Consultation Statement
Second Edition: April 2019**

DRAFT



Contents

	Page
PART A	
1. Introduction	1
2. Information on SPG Preparation Stages	3
PART B	
3. Public Consultation on the first set of SPG	5
3.1 Planning Obligations	6
3.2 Affordable Housing	14
3.3 Biodiversity and Geodiversity	26
3.4 Approval and Adoption of the first set of SPG by the Council	68
4. Public Consultation on the second set of SPG	
4.1 Landscape	??
4.2 Renewable Energy	??
4.3 Approval and Adoption of the second set of SPG by the Council	??
5. Public Consultation on the third set of SPG	Section pending
6. Public Consultation on the fourth set of SPG	Section pending

Appendices

- 1 Representations from the Public Consultation on the first set of SPG (October 2018)
- 2 Representations from the Public Consultation on the second set of SPG (April 2019)
- 3 Representations from the Public Consultation on the third set of SPG (date pending, 2019)
- 4 Representations from the Public Consultation on the fourth set of SPG (date pending, 2020)

PART A**1. Introduction**

1.0.1 The Powys Local Development Plan (LDP) 2011-2026 was adopted by Full Council in April 2018. Whilst the LDP contains policies and proposals which form the basis for decision-making on planning applications for the Powys Local Planning Authority area, it avoids excessive detail. Therefore, certain policies in the LDP are being supported by a set of guidance documents called Supplementary Planning Guidance (SPG) to assist in understanding, interpretation and application of the policy in making planning decisions.

1.0.2 The preparation of SPG documents has been prioritised according to both subject matter and available time and resource. The Council is required to monitor its performance on preparing and adopting SPG against the following agreed programme:

Table 1: The Powys Local Development Plan SPG Programme

SPG Topic Area		Link to Powys LDP Policy	Target Timescale following LDP Adoption	Target Date for SPG Adoption
Set 1	Planning Obligations	DM1	Within 6 months	October 2018
	Affordable Housing	H5, H6, SP3		
	Biodiversity	DM2, SP7		
Set 2	Landscape	DM4, SP7	Within 12 months	April 2019
	Renewable Energy	RE1, DM13		
Set 3	Conservation Areas	DM13, SP7	Within 18 months	October 2019
	Open Space	DM3		
	Residential Design Guide	DM13		
Set 4	Archaeology	SP7	Within 24 months	April 2020
	Historic Environment – including the Historic Environment Records	DM13, SP7		
	Land Drainage	DM6		

1.0.3 Powys County Council commenced the preparation of the Powys LDP in January 2011. The Delivery Agreement¹ for the LDP was first published in November 2010 and revised in March 2013, February and October 2015. This set out the timetable for preparing the LDP and a Community Involvement Scheme (CIS) describing how and

¹ LDP Delivery Agreement <http://www.powys.gov.uk/ldp>

when the County Council would involve interested persons and organisations in the LDP's preparation.

1.0.4 The Community Involvement Scheme for SPG preparation has been updated from the LDP Delivery Agreement CIS and is tailored for the SPG process. This means that the community engagement approach is developed to be reflective of and proportionate to the detail and content of SPG work and suitable for the parties expected to be involved, whilst meeting the preparation timeframes. The agreed CIS for the preparation of SPG is included in the Protocol for the Preparation and Adoption of Supplementary Planning Guidance² approved by the Council in June 2018 (hereafter referred to as the SPG Protocol).

1.0.5 In accordance with the SPG Protocol, this Consultation Statement summarises for each stage of SPG preparation:

- Who has been involved.
- A summary of Reference Group and Topic Stakeholder engagement.
- The steps taken to publicise the consultation.
- The total number of representation forms received from the public consultation.
- A summary of the main issues raised as part of the public consultation.
- The Council's responses to the main issues raised and any agreed changes to the SPG to address these.

1.0.6 Section 2 of this Consultation Statement is set out chronologically to accord with each stage of the SPG preparation and adoption procedure as laid out in the SPG Protocol:

Stage 1 - Review

Stage 2 - Reference Group, Topic Stakeholders and Working Draft SPG

Stage 3 - Consultation Draft SPG

Stage 4 - Public Consultation

Stage 5 - Final SPG

Stage 6 - Adoption

² Protocol for the Preparation and Adoption of Supplementary Planning Guidance

<http://www.powys.gov.uk/en/planning-building-control/local-development-plan/ldp-supplementary-planning-guidance-spg/>

2. Information on SPG Preparation Stages

2.0.1 In accordance with the SPG Protocol, the following stages of preparation are common to all SPG:

2.1 Stage 1 – Review

2.1.1 A review of national, regional and local legislation, policy and guidance was undertaken in order to form the background and context for the SPG and identify issues of relevance. Where considered appropriate, the Council has sought the involvement of specialist stakeholders with the aim of building consensus.

2.2 Stage 2 – Reference Group, Topic Stakeholders and Working Draft SPG

2.2.1 At an early stage in the SPG preparation process, professional stakeholders were contacted to form a Reference Group for each SPG and relevant Topic Stakeholders were identified. Following Reference Group involvement in the production of a Working Draft SPG, the Draft was shared with Topic Stakeholders to seek initial feedback. The details of the Reference Group and Topic Stakeholders contacted during the preparation of each SPG are shown in the relevant section in Part B below.

2.3 Stage 3 – Consultation Draft SPG

2.3.1 The Council's LDP Working Group, comprised of nine County Councillors, and chaired by the Council's Portfolio Holder for Economy and Planning, is used to scrutinise and approve the Draft SPG for Public Consultation. The agendas, reports and minutes of past LDP Working Group meetings are available for viewing on the Council's website via the following link:

<http://www.powys.gov.uk/en/democracy/council-committees-and-meetings/>

2.3.2. The first set of SPG were approved for the consultation stage by the LDP Working Group on 22nd June 2018.

2.4 Stage 4 – Public Consultation

2.4.1 SPGs have been subject to a six week public consultation period in accordance with the SPG Stakeholder and Community Involvement Scheme (see Appendix 1 of the SPG Protocol). Additionally, Town and Community Councils were provided with advance notice of the consultation period in accordance with the Protocol to enable them to publicise the SPG process in their own communities. The dates of the six-week public consultation period are shown in the relevant section for each SPG in Part B of this document.

2.4.2 Each SPG consultation document posed a series of questions for representors to respond to. This Consultation Statement records responses on a question by question basis and provides the Council's agreed responses to the issues raised.

2.4.3 The Council considers each representation carefully in order to draft a response which may include a recommendation to change or alter the SPG. Consultation responses are drafted with the assistance of Reference Group members where relevant and agreed by the LDP Working Group before being reported to Cabinet. A detailed set of representations will be appended to the Consultation Statement for each SPG.

2.5 Stages 5 and 6 – Final SPG and Adoption

2.5.1 The Cabinet are required to formally adopt the SPG before it is published and used for development management purposes. Part B of this Statement will record this process and will be updated as further SPG is prepared and approved by Cabinet.

2.6 SPG Impact Assessments

2.6.1 Whilst SPG documents are not formal policy in themselves they will be used to support the implementation of adopted Local Development Plan policy and therefore have been assessed informally as a matter of good practice using the Council's Impact Assessment Toolkit.

PART B**3. Public Consultation on the first set of SPG**

3.0.1 In accordance with the SPG programme agreed for the LDP (in Table 1 above), the first three SPGs prepared for public consultation were:

- **Planning Obligations**
- **Affordable Housing**
- **Biodiversity and Geodiversity**

3.0.2 In accordance with Stage 4 of the SPG Protocol, the Consultation Draft SPG were published for public consultation over 6 weeks with the consultation period running from 11th July to 21st August 2018.

3.0.3 County Councillors, Town and Community Councils and all representors on the Powys LDP database were informed of the consultation and the documents were available to view on the LDP pages of the Council's website.

3.0.4 Notice of the consultation period was publicised on the Council's News page, the LDP webpage, and via social media. A press release was issued to the local press.

3.0.5 Hard copies of the consultation documents were made available to view in the Council's main offices at:

- County Hall and The Gwalia, Llandrindod Wells.
- Neuadd Brycheiniog, Brecon.
- Neuadd Maldwyn, Welshpool.

3.0.6 Hard copies were made available to view in all Powys Public Libraries.

3.0.7 Representations were invited either by letter /email and the use of a standard representation form was encouraged.

3.0.8 Table B1 below shows how many representors made comments in relation to each SPG. A more detailed report of the responses received for each SPG can be found in the relevant appendices.

Table B1: Number of Representors making consultation comments on the first set of SPG

Consultation Draft SPG	No. of Representors who made Representations
Planning Obligations	7
Affordable Housing	7
Biodiversity and Geodiversity	10
Total	24

3.0.9 The main issues arising from the consultation are set out for each SPG in the tables below, together with the Council's response.

3.1 Planning Obligations SPG

3.1.1 Reference Group

3.1.2 In order to prepare the Planning Obligations SPG, the Council sought participation and involvement with various Topic Stakeholders, from which the Council formed a Reference Group.

3.1.3 The Reference Group comprised 14 members, which included either one or more representatives from the following Council services:

- Planning Policy
- Development Management (Planning and Monitoring Officer)
- Schools
- Housing
- Leisure and Recreation
- Highways and Transport
- Regeneration
- Welsh Language
- Finance
- Legal Services

3.1.4 Engagement with the Reference Group during the preparation of the draft SPG is summarised in table B2:

Table B2 – Reference Group Involvement (Planning Obligations SPG)

Date	Who and How?
Early May 2018	Contact made proposing an initial meeting, although this was followed up by written correspondence instead. The Reference Group were provided with the details of the SPG scoping exercise, the Draft SPG Protocol and a list of proposed Topic Stakeholders, and feedback was invited.
Late May 2018	Working Draft SPG circulated for feedback.
June 2018	Revised Working Draft SPG circulated to Reference Group and Topic Stakeholders. This was followed up by officer led discussions on various planning contribution topic areas to collate up to date evidence especially surrounding figures/costings for any "set" contributions. Individual meetings were held with Officers from Leisure and Recreation, Schools and Welsh Language. The purpose of this was to engage stakeholders so as to fill any remaining gaps in the Working Draft SPG. Suggested changes were considered and taken into account in the Consultation Draft SPG.
July 2018	Notice of public consultation period circulated to LDP Database. 6 week public consultation period from 11th July to 21st August.

July 2018	A reminder email was circulated to the group which included notification of key dates going forward.
Early August 2018	Involvement of the Welsh Language Officer re: targeting relevant interest groups. Following this, contact was made with a targeted list of Welsh language stakeholders (including those Town and Community Councils identified as Welsh Speaking Strongholds and Welsh Language interest groups) to highlight awareness of the public consultation.
August 2018	Representations received to the public consultation shared and discussed with relevant Reference Group members.
September 2018	Consultation Draft SPG showing proposed changes presented to the LDP Working Group shared with the Reference Group. The Reference Group was informed of any issues raised by the LDP Working Group before the SPG was finalised for Cabinet approval.

3.1.5 Topic Stakeholders

3.1.6 The larger Topic Stakeholder group included an additional 18 members, including representatives from the following services:

- Ecology
- Minerals
- Land Drainage and
- Active Travel;
- Additionally, Council Portfolio Holders with responsibility for Finance, Transport, Learning and Welsh Language, Highways, Housing and Economy and Planning were copied in to the Topic Stakeholder correspondence.

3.1.7 These stakeholders were invited to provide informal feedback on a working draft of the SPG prior to the formal public consultation stage, although no specific comments were received.

3.1.8 LDP Working Group

3.1.9 The Draft SPG was considered by the LDP Working Group on 22nd June 2018 and approved for Public Consultation.

3.1.10 SPG Consultation

3.1.11 The public consultation period ran from 11th July to 21st August 2018 and representations were received from the following:

Representor Name (Representor No.)

- Canal & River Trust in Wales / Glandwr Cymru (5704)
- Homebuilders Federation (78)
- Hughes Architects (Newtown) (1552)
- New Radnor Community Council (131)
- Mochdre with Penstrowed Community Council (516)
- Montgomery Town Council (517)
- Presteigne and Norton Town Council (525)

3.1.12 The main issues arising from the consultation and the Council's responses to these are set out in Table B3 below.

3.1.13 The representations and Council draft responses were considered by the LDP Working Group at its meeting on the 7th September 2018, and subsequently by the Council's Cabinet at its meeting on 9th October 2018.

Table B3 – Main Issues from the Public Consultation (Planning Obligations SPG)

Question 1: PO1 - Do you agree with the Council's approach not to pursue a CIL Charging Schedule at this point in time? If not, please explain why.	
Issue	Council Response
Community and town councils should have greater involvement in S106 agreements, and that further consultation should be undertaken on planning obligations later in the process. (Rep 131, Rep 525)	Opportunities exist for involvement at the pre-application and application stages where communities can raise issues. Unfortunately it would not be practical to formally consult on planning obligations separate to the planning application process.
The position or need for CIL should be kept under review to ensure infrastructure needed is being delivered. (Rep 517)	The Council will continue to monitor the suitability of introducing a CIL as explained in para, 4.17 of the SPG.
Developers should contribute towards necessary improvements to mitigate the adverse impact of development upon the Montgomery Canal infrastructure. (Rep 5704)	Planning obligations will be sought where they comply with the tests and this could include contributions towards the Canal. Specific reference to the Canal within the SPG is not considered appropriate because it has been written to refer to infrastructure generically.

Question 2: PO2 - Do you agree that, in the interests of avoiding duplication, this SPG only cross references to policies in the LDP and does not repeat them? Would you prefer the SPG to include the applicable policies? Is so, should they appear in the main document or in an Appendix?	
Issue	Council Response
Relevant LDP policies should be included in an appendix, or cross-reference with web links. (Rep 516, Rep 5704, Rep 1552)	Include hyperlinks in the SPG to assist readers.

Question 3: PO3 - Due to the nature of planning obligations, this SPG cannot include every scenario/detail. Do you think the document is clear in this respect? Do you agree that it enables officers, stakeholders and developers to understand that additional or alternative obligations may be sought? If not, please explain why.	
Issue	Council Response
Examples should be given of the circumstances in which additional obligations may be sought. (Rep 1552)	Para 5.5 explains that additional obligations will be sought where there is sufficient robust evidence to justify obligations.
Refer to the pre-application stage in para 5.6 as an opportunity to make developers aware of planning obligation requirements. (Rep 5704)	Agreed. Early awareness is important. This point has also been elaborated in revised wording to the Step by Step Flowchart.

Question 4: PO4 - Do you agree that “major” development should be the development that most often triggers obligations? If not, please explain why. Please detail any changes towards seeking obligations that you think may be suitable and relevant for Powys citing examples from other planning authorities where known. Nb. Definite targets/thresholds, where set within the LDP, are not negotiable at this point and would only be re-assessed at the Plan Review stage.

Issue	Council Response
Whilst agreeing with para. 5.11, it is not needed in the SPG. (Rep 78)	It is considered that para 5.11 should be retained because it is important to set out the expectation that planning obligations are likely to be sought for major developments, even though they may not eventually be required.
It should be made transparent that planning obligations may be required for any development. (Rep 517)	The position is correct, providing the tests for planning obligations are met. Para 5.11 states that each case will be considered on its merits so no amendment is considered necessary.
To avoid doubt, applications requiring pre-application consultation should be added as a trigger for an obligation. (Rep 517)	Major applications are those subject to pre-application consultation so no amendment to para 5.11 is considered necessary.

Question 5: PO5 - Do you consider the Step by Step Flowchart in Figure 1 to be clear and accurate? If not, what changes would you suggest? If you have experience of the process within Powys County Council, does this flowchart mirror your experience?

Issue	Council Response
The flowchart should include flexibility for a developer to draft the S106. (Rep 78)	Agreed that this is an option but recommend that para 5.9 is amended to explain this rather than any change to Figure 1.
The flowchart should include the pre-application consultation stage which enables early involvement of town and community councils. (Rep 517)	Noted, but no amendment needed because pre-application consultation is included at the end of the first paragraph in Figure 1. The Council recommends that the flowchart wording in Box 2 is strengthened by amending the wording to read: “The Case Officer makes an initial assessment of S.106 implications having regard to any discussions held or comments arising from the pre-application stage.
Consultation on planning obligations with community and town councils should be included. (Rep 525)	Opportunities exist for involvement at the pre-application and application stages where communities can raise issues. Unfortunately it would not be practical to formally consult on planning obligations separate to the planning application process.
Informal dialogue and informal pre-application discussions are valuable alongside the more formal chargeable pre-application enquiries. This is not emphasised in the flowchart. (Rep 1552)	Noted, but no change to the SPG is considered necessary. The pre-application service lies outside the scope of the SPG and is operated in accordance with Welsh Government Regulations.

Question 6: PO6 - Do you agree with the approach that it is the Affordable Housing SPG and not this SPG which includes the arrangements for assessing the financial viability of a specific development?

Issue	Council Response
Disagree because the viability of a scheme can be affected by any S106 requirement not just affordable housing. (Rep 78)	Comment noted, but no change deemed necessary because the Affordable Housing SPG addresses that point.
Include a hyperlink to the Affordable Housing SPG. (Rep 1552)	Agreed.

Question 7: PO7 - Whilst there is no statutory requirement to specify a time period in which planning contributions should be spent, do you agree with the suggested 10 year (maximum) period? If not, please explain why.

Issue	Council Response
Object to the proposed ten year period as unreasonable and recommends a five year period unless otherwise agreed with the developer. (Rep 78)	The Council is aware that other authorities have successfully operated a 10 year period, but accepts that para 6.17 should make it clear that this is a matter for negotiation.

Question 8: PO8 - Do you consider that the five main topic areas set out in Part 3 are the right topic areas for this document? If not, please explain what changes you would like to see and why.

Issue	Council Response
Community facilities could be a separate topic. (Rep 78)	Noted, but given that community facilities are likely to be site specific and addressed on a case by case basis it is considered that they should remain in the 'Other Topic Areas' category.

Question 9: PO9 - Do you agree that the detail provided in Part 3 for the various topic areas is relevant and sufficient to inform S.106 negotiations? If not, what changes would you like to see and why?

Issue	Council Response
Affordable Housing topic Make it clearer that there is an Affordable Housing SPG that should be used. (Rep 78)	Noted but no change considered necessary because the synopsis includes such a reference.
Education topic 1. Should Welsh medium schools be included in the list of schools supported by contributions? 2. The financial contributions in Table E2 are higher than those charged by other authorities and should be compared. 3. New security and safety measures should not be funded in full. (Rep 78)	1. Welsh medium schools are already accounted for and there is no need to list them separately. 2. The Council has applied BCIS figures which is considered to be accurate and appropriate for Powys, and can be updated more frequently. 3. The wording will be amended to refer to Security and safety improvement measures to provide a safe environment (including) to adequately facilitate an increase in pupil places.
Leisure, Recreation and Open Space topic	1. Noted but no change. The Council's decision not to adopt new open

<ol style="list-style-type: none"> 1. Object to the Council not adopting open space as this will lead to the creation of management companies and add costs to all residents including those in affordable housing. (Rep 78) 2. Town and Community Councils could establish trust funds to maintain open space and community facilities in perpetuity. (Rep 517) 3. Specific mention to improvements to the towpath of the Montgomery Canal should be included. (Rep 5704) 	<p>space lies outside the SPG; alternative management methods will be addressed in the preparation of the Open Space SPG.</p> <ol style="list-style-type: none"> 2. The suggestion is appreciated and will be considered in the preparation of the Open Space SPG. 3. Planning obligations will be sought where they comply with the tests and this could include contributions towards the Canal. Specific reference to the Canal within the SPG is not considered appropriate because it has been written to refer to infrastructure generically.
<p>Transportation and Access topic</p> <ol style="list-style-type: none"> 1. Travel plans and / or transport assessments are only likely to be required for major developments. (Rep 78) 2. Specific mention to improvements to the towpath of the Montgomery Canal should be included. (Rep 5704) 	<ol style="list-style-type: none"> 1. Amend the wording in the synopsis to read "Schemes that may generate significant amounts of traffic or travel will be required to demonstrate....". 2. Planning obligations will be sought where they comply with the tests and this could include contributions towards the Canal. Specific reference to the Canal within the SPG is not considered appropriate because it has been written to refer to infrastructure generically.

Question 10: PO10 - Do you agree with the methods and formulae (where provided) for calculating the required financial contributions as set out in Part 3? If not, please explain why.

Issue	Council Response
No issues raised.	Comments noted

Question 11: PO11 - If you have any other comments you want to make which are not covered by the above questions please include them here:

Issue	Council Response
Reference should be made to the fact that the Council will keep a public register of S106 agreements once signed and this will include a list with details of each contribution. (Rep 78)	The register of S106s is referenced in paragraph 6.18 so no further change is considered necessary.
Para 5.34 - on second line replace the word 'will' with 'could' as S106's will not always be sought. (Rep 78)	The sentence refers to seeking a planning obligation so the word 'will' is considered suitable.
Para 5.38 - the wording suggests that the thresholds are for negotiation on each application which is contrary to para 5.34 table 1 which sets the thresholds. This para should just refer to the trigger points for payment/ implementation of works being negotiated on a site by site basis. (Rep 78)	It is considered that para 5.38 makes it clear that there is a process of negotiation to be had and therefore considers no alteration is required.
Para 6.11 - this suggests that reviews of S106 contributions should be triggered by a change in the economy, although this is common practice recent work carried out by the HBF in relation to Swansea LDP showed that over a two year period	The information is noted and the Council accepts that developers may wish to present more up to date viability evidence and that the S106 may need to be adjusted as a result. However, this

although house prices had doubled build costs had gone up by three times the amount over the same period. The paragraph should explain that all factors and cost associated with the development will be considered as part of any review of viability. (Rep 78)	section refers to situations where viability resulted in nil or reduced contributions and enables the Council to 'check' this position should viability improve. As such, it is not recommended that the paragraph is amended.
Include contact details of the Council's S106 officer. (Rep 78)	Para. 6.18 refers to the Planning and Monitoring Officer who can be contacted via the email address in Appendix A.
It is not sensible to rely on developers to maintain play areas and their long term future must be addressed. (Rep 525) . This representor also welcomed a dedicated monitoring/compliance officer and asked that this continues.	Comments noted. The Council agrees that the future maintenance of play space is important and recognises that developers are not ideally placed for this long term role. Alternative methods are set out in the Leisure, Recreation and Open Space topic and this will be addressed further in the Open Space SPG.
Could new industrial and commercial development be required to contribute towards affordable housing or other infrastructure? (Rep 1552) Also issue of capacity for the S106 officer - caution re: overwhelm or at least slow down the process.	All applications will be considered on their own merits in line with national and local policies. Both levels of policy set the context for securing affordable housing and do not require commercial development to provide affordable housing. Contributions to local infrastructure such as transport improvements are possible, but will be considered at the application level.

3.2 Affordable Housing SPG

3.2.1 Reference Group

3.2.2 In order to prepare the Affordable Housing SPG, the Council sought participation and involvement with various Topic Stakeholders, from which the Council formed a Reference Group.

3.2.3 The Reference Group comprised 7 members, which included representatives from the following Council services:

- Planning Policy
- Development Management
- Housing Strategy
- Affordable Housing
- Legal Services

3.2.4 Engagement with the Reference Group during the preparation of the Draft SPG is summarised in table B4:

Table B4 – Reference Group Involvement (Affordable Housing SPG)

Date	Who and How?
May 2018	Meetings and correspondence with members of the Reference Group to discuss updated topic-related and planning information to inform the

	background and context of the SPG, to discuss the scope of the SPG and process involved, and to identify and agree a list of Topic Stakeholders to seek feedback from prior to public consultation.
June 2018	Initial working drafts of the SPG shared and discussed with the Reference Group to agree content of the working draft to be circulated to Topic Stakeholders. Initial feedback received from the Topic Stakeholders and suggested changes shared with the Reference Group. Specific issues raised by Topic Stakeholders discussed with the relevant members of the Reference Group. Comments from the Reference Group taken into account in preparing of the Consultation Draft.
July 2018	Notice of public consultation period circulated to LDP Database. 6 week public consultation period from 11 th July to 21 st August.
August 2018	Representations received to the public consultation shared with the Reference Group and specific issues discussed with the relevant members of the Reference Group. Any changes proposed to the SPG in response to the representations received also shared with the Reference Group and any outstanding issues discussed further.
September 2018	Consultation Draft SPG showing proposed changes presented to the LDP Working Group shared with the Reference Group. The Reference Group was informed of any issues raised by the LDP Working Group before the SPG was finalised for Cabinet approval.

3.2.5 Topic Stakeholders

3.2.6 The following Topic Stakeholders were involved:

- Registered Social Landlords operating in the area
- Grwp Cynefin (hosts of the Tai Teg Affordable Housing Register)
- Community Housing Cymru
- National Community Land Trust Network
- District Valuations Services
- Home Builders Federation
- Country Landowners Associations
- Council for Mortgage Lenders/UK Finance
- Principality Building Society
- Brecon Beacons National Park Authority
- Welsh Government Local Plans.

3.2.7 These stakeholders were invited to provide informal feedback on a working draft of the SPG prior to the formal public consultation stage.

3.2.8 A working draft of the SPG was also shared with Strategic Housing Partnership (SHP) and also presented to the SHP at a meeting on the 6th of June 2018.

3.2.9 Comments received from the Topic Stakeholders were considered and responded to, with further discussion taking place on specific issues where necessary. The input from Topic Stakeholders was used to inform changes to the working draft of the SPG.

3.2.10 LDP Working Group

3.2.11 The Draft SPG was considered by the LDP Working Group on 22nd June 2018 and approved for Public Consultation.

3.2.12 SPG Consultation

3.2.13 The public consultation period ran from 11th July to 21st August 2018 and representations were received from the following:

Representor Name (Representor No.)

- Homebuilders Federation (78)
- Hughes Architects (Newtown) (1552)
- Mid Wales Housing Association (4628)
- Mochdre with Penstrowed Community Council (516)
- Montgomery Town Council (517)
- Abermule with Llandyssil Community Council (542)
- Presteigne and Norton Town Council (525)
- Canal & River Trust in Wales / Glandwr Cymru (5704)

3.2.14 The main issues arising from the consultation and the Council's responses to these are set out in Table B5 below.

3.2.15 The representations and Council draft responses were considered by the LDP Working Group at its meeting on the 7th September 2018, and subsequently by the Council's Cabinet at its meeting on 9th October 2018.

Table B5 – Main Issues from the Public Consultation (Affordable Housing SPG)

Question 1: AH1 - Do you agree that the affordable housing definitions and types as set out are relevant to the Powys LDP area? If not, please explain why.	
Issue	Council Response
Requesting clarification on whether and in what circumstances self-build would be included in the definition of affordable housing. (Rep 1552)	Self-build is referred to under the definition of 'intermediate affordable housing for sale'. In order to qualify as affordable housing for planning purposes, self-build will need to comply with the definition provided and subject to the relevant restrictions and mechanisms. No changes recommended.
Question 2: AH2 - Do you agree with the data sources and calculations used to work out the affordability level for Powys? If not, please explain why.	
Issue	Council Response
Questions whether the average house price fairly represents the affordable level due to the range of houses in the Authority's area. Suggests calculation that does not include the most	The figure used for the average house price is based on the Land Registry's House Price Index, which is calculated in a way that reduces the weighting given to

expensive housing would be more appropriate. (Rep 78)	high value properties and is close to the median figure. It is considered to be appropriate to use this figure to compare with income levels, in order to demonstrate housing affordability issues in the area. No changes recommended.
Disagrees with the figures used as they do not reflect local variations in prices and wages. (Rep 525, Rep 1552)	The figures used are based on the data available from official government sources, and there are limitations on the data available at a more local level. The availability of data will be kept under review, particularly in connection with the review of the Local Housing Market Assessment. No changes recommended.
Disagrees with the average wage used, given primarily agricultural and light industrial employment at national minimum wage. (Rep 516)	The figures used are based on the data available from official government sources, which are based on averages. It is not possible to account for specific wage levels or types of employment in the calculation of the affordability level. However, the range of affordable housing types provided for are aimed at meeting the varying needs of households, and individual circumstances will be taken into account in assessing local housing need. No changes recommended.
Disagrees with the gross disposable household income figure being based on two full-time workers - does not account for single parent families, part-time employment or where only 1 in full-time employment. (Rep 516, Rep 542, Rep 525)	The figures used are based on the data available from official government sources, which are based on averages, and therefore it is not possible to account for all household situations or employment arrangements. However, the range of affordable housing types provided for are aimed at meeting the varying needs of households, and individual circumstances will be taken into account in assessing local housing need. No changes recommended.
Calculations do not take account of build costs. Only RSLs/SHA capable of financing affordable housing and implications for viability where not possible to secure involvement of RSL or the Council. (Rep 1552)	The calculation is based on the cost of purchasing a house and is aimed at establishing the level at which households, on average, are able to afford to purchase housing. Build costs are not relevant to this calculation, however these costs have been taken into account in the LDP's viability assessment and policy targets. Where involvement of an RSL or SHA cannot be secured, the SPG allows for financial contributions to be made in lieu of on-site provision. No changes recommended.
The figure of numbers of persons in need of affordable housing in East Radnor is too low. Refer to Presteigne and Norton Town Council's own housing survey in 2011 identifying 80 people in need and PCC housing register in 2011 had	The figures referred to in the SPG are taken from the Local Housing Market Assessment (2010, updated 2014), which is in the process of being reviewed. It is recommended that a note is included after

158 in need. (Rep 525)	the table explaining this and cross-referring to para. 6.6.5 of the SPG in relation to evidence used in decision-making.
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Question 3: AH3 - Do you agree with the approach towards seeking affordable housing contributions from specialist market housing developments? If not, please explain why.

Issue	Council Response
There are more likely to be viability issues having regard to the additional design features required of certain specialist provision. (Rep 1552)	Site specific viability issues, where evidenced, will be taken into account in determining the level of affordable housing contribution that can be secured from specialist housing schemes. No changes recommended.

Question 4: AH4 - Do you agree with the examples given of circumstances where alternative provision to on-site provision may be considered? If not, please explain why.

Issue	Council Response
Support for the prevention of subdivision/phasing of development sites to avoid contributions and in defining the density of sites to avoid 4 homes being provided rather than five on a 0.25 hectare site. (Rep 525)	This support is noted.
Request for the monies received to be spent within the same community as the original site. (Rep 525)	Financial contributions will be spent on schemes available within the same settlement, however in case of situations where there are no schemes available within the same settlement, the cascade set out in para. 6.5.7 of the SPG will be applied. This will ensure that contributions are spent locally where possible, or if not, are spent in a way that continues to support the provision of affordable housing in the LDP's area. No changes recommended.
Request for further information on who will be required to provide evidence (and in what form) that a contribution in a different location would have a greater contribution towards meeting local affordable housing. (Rep 1552)	The Council will decide whether alternative provision to on-site provision is appropriate and justified in specific circumstances. The developer may propose alternative provision and provide evidence to support this, however the Council will determine the appropriateness of any proposals. No changes recommended.
Suggestion that the last example box at para. 6.3.4 emphasises the potential role of RSLs as they are increasingly involved in market development. (Rep 1552)	The last example box referred to relates to intermediate housing for rent or sale and does not refer to market development as such. The involvement of RSLs in market developments through developer transfer of units/land is covered in the first two example boxes. No changes recommended.

Question 5: AH5 - Do you agree with the approach used to determine whether off-site provision would be appropriate? If not, please explain why.

Issue	Council Response
Requesting clarity on arrangements where site is not within the same ownership, and on the section 106 arrangements, legal and financial negotiations involved in this. (Rep 1552)	The option of providing affordable housing on an alternative site is only intended to apply where other suitable land is within the control of the developer, as explained in para. 6.4.1. The use of off-site contributions will not be appropriate where the land is not within the same ownership. Any permission involving off-site provision would be subject to a section 106 agreement as explained in para. 6.4.2. No changes recommended.

Question 6: AH6 - Do you agree with the method and formulae for calculating the required financial contribution? If not, please explain why.

Issue	Council Response
Affordable housing need figures not felt to be even close to correct. See previous response to AH2. (Rep 525)	This response is referring again to the figures of local housing need included in the LHMA. The use of evidence of local housing need to determine the type of dwelling that would have been required on-site is referred to in para. 6.5.2. See response to Question AH2 regarding this matter.
There may be a risk that, where it is possible for them to do so, developers will seek sites in areas where there is less requirement for affordable housing. (Rep 1552)	The financial contribution will reflect the % target required by policy H5 for the sub-market area where the planning application is located. The representation appears to be referring to the policy requirements that have already been set out and approved in the LDP, and therefore this is not a matter for the SPG. No changes recommended.

Question 7: AH7 - Do you agree with the examples given as to how the Council may spend financial contributions and with the cascade to be applied? If not, please explain why.

Issue	Council Response
Suggestion to include cross-reference to the Planning Obligations SPG in respect of specifying a time period for using contributions. Objection to the 10 year period for spending contributions as it is far too long with regard to affordable housing. (Rep 78)	It is recommended that a cross-reference to the detail regarding the process for handling financial contributions in the Planning Obligations is included after para. 6.5.7. The comments regarding the 10 year period for spending contributions relate to the content of the Planning Obligations SPG and are responded to separately.
The cascade applied to spending commuted sums should also be applied to other types of provision. (Rep 78)	This representation is aimed at applying the cascade to off-site provision on an alternative site to enable a developer to provide affordable housing on an alternative site outside of the local area. The off-site option is only intended for

	situations where there is another site available in the locality within the control of the developer, and therefore it would not be appropriate to allow the area to be widened out by using a cascade. No changes recommended.
Spend should be strictly limited to immediate locality rather than potentially cascaded out, as it is difficult to see how financial contributions could not be applied given housing requirements, potential for upgrading existing or derelict stock, and the commitment to building Council houses. (Rep 517)	Financial contributions will be spent on schemes available within the same settlement, however in case of situations where there are no schemes available within the same settlement, the cascade set out in para. 6.5.7 will be applied. This will ensure that contributions are spent where possible, or if not, are spent in a way that continues to support the provision of affordable housing in the LDP's area. No changes recommended.
BBNPA forms part of the SHA as the rest of the County. Contributions should be able to be spent in adjoining settlements within the BBNPA. Suggests reciprocal agreement with BBNPA. (Rep 1552)	The wording of a) and b) of the cascade already allows for contributions to be spent in the same settlement and, where no schemes are available, within the same community, which means that contributions may be spent within settlements/ communities that cross over the boundary between the Powys LPA area and the BBNP area. It is recommended that the wording of f) is amended to clarify that this final stage applies to the remaining areas of the BBNP. The cascade is compatible with the cascade used by the BBNP.

Question 8: AH8 - Do you agree with the sources of evidence to be used by the Council to determine local housing need? If not, please explain why.

Issue	Council Response
LHMA is already four years out of date. Suggest that para. 6.6.5 clearly states the updated 2018 evidence will be used as soon as it is available and to state time period for next update. (Rep 78)	The SPG states that updated evidence will be referred to by the Council, therefore, it will be used once it is made available for use in decision-making. The expected timescales for further updates i.e. every 2 years, is considered to be clear. No changes recommended in response to this representation, however it is recommended that the timescale stated in para. 6.6.5 for the review of the LHMA is updated as it is now expected by April 2019.
Support for review of the LHMA, noting from local knowledge some data may be inaccurate. (Rep 517)	The LHMA is in the process of being reviewed as explained in the SPG and will provide updated evidence on local housing needs. No changes recommended.
Subject to overhaul of Common Housing Register, developing and promoting the affordable housing register, and transparent, timely mechanisms for conducting local housing need surveys to meet information gaps. LHMA	This representation refers to issues with the sources of evidence listed by the SPG to be used in negotiations, and refers to actions that go beyond the scope of this SPG. These matters have been referred

provides only a snap shot and cannot drill down to any meaningful level to inform site specific applications. (Rep 1552)	onto the SHA. The SPG promotes the use of the Tai Teg Affordable Housing Register in the planning process, and the LHMA is to be used to inform planning decisions. No changes are recommended.
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Question 9 AH9 - Do you agree with the arrangements and information requirements for assessing the financial viability of a specific development and proposals for reviewing viability? If not, please explain why.

Issue	Council Response
Support for the rigorous approach to ensuring affordable homes are constructed as required by the S106 and agree that affordable and market housing to be built concurrently and market homes not to be completed first. If developer considers this unviable, application should be withdrawn. (Rep 517)	The SPG makes it clear that the completion of all open market housing prior to the completion of the affordable homes will not be acceptable, whilst allowing for a proportion of market housing to be built. This flexible approach is aimed at enabling developments to remain viable. No changes recommended.
Require reassurance of Council capacity and expertise to undertake viability assessment and suggests perhaps SHA could lead on this. (Rep 1552)	It is explained that the financial viability appraisal will be assessed by the Council, but only where possible (para. 6.6.9) and therefore this will be dependent on the capacity and expertise available within the Council at the time. Where this is not possible, the DVS will be commissioned. Development Management are expected to lead on negotiations. No changes recommended.
Does not follow argument on reducing timescales for development unless specifically to ensure development achieved within policy timeframes, and not for reasons of financial viability. (Rep 1552)	As explained in para. 6.6.10, the purpose of reducing timescales for development where a lower/nil contribution has been agreed is to enable the position on viability to be kept under review. Otherwise a site could continue to benefit from an extant or implemented permission over a long period of time, however in the meantime development viability may have improved or changed. No changes recommended.

Question 10 AH10 - Do you agree with the guidance on assessing the appropriateness of the location, scale and type of affordable housing on exception sites in Towns and Large Villages? If not, please explain why.

Issue	Council Response
Providing infrastructure can accept such developments and that logical extensions up to 5 houses should also be assessed in terms of impact on integrity of the settlement, transport/highways infrastructure, landscape/heritage site impacts and impact on amenity of existing dwellings. (Rep 517)	Consideration will be given to these matters, where relevant, in assessing proposals for all types of exception sites. The SPG should be read in conjunction with the policies of the LDP, which includes policies relating to these matters. No changes recommended.
Considers there to be a case for exception sites in rural locations. Difficulties for dwelling to be built on farmland by family members, precluding younger farmers remaining on the land. (Rep 517)	Dwellings on farmland for farmers, referred to in planning as Rural Enterprise Dwellings, are dealt with under national guidance (PPW and TAN6). The SPG does not provide guidance on Rural Enterprise

	Dwellings as they do not fall within the definition Affordable Housing and are assessed differently from a planning point of view. No changes recommended.
Wording of para. 7.4 regarding consideration of harm to the character and appearance of the surrounding landscape – this should apply whether affordable housing on exception sites or not. (Rep 1552)	The guidance within para. 7.4 is aimed at ensuring that regard is given to landscape/visual impact in selecting exception sites for affordable housing, avoiding the most sensitive sites and considering alternative sites. The assessment process set out within para. 4.2.32 relating to LDP Policy DM4 will apply to exception sites as they lie outside the boundaries of Town and Large Villages. No changes recommended.

Question 11: AH11 - Do you agree with the guidance on determining whether a site should be viewed as infill or as a logical extension in Small Villages? If not, please explain why.

Issue	Council Response
Noting that only development of less than 5 units/0.25 will be considered, and consider this sensible in view of needs and infrastructure of Small Villages. (Rep 1552)	This support is noted. The guidance within the SPG supports LDP policy H1 in respect of affordable housing in Small Villages.

Question 12: AH12 - Do you agree with the guidance on the tests to be used to determine whether a proposal is located within a Rural Settlement? If not, please explain why.

Issue	Council Response
Emphasises the need for robust and reliable local affordable housing register information to determine whether or not appropriate to provide affordable housing in these areas. (Rep 1552)	Evidence of the local housing need of specific individual households will be needed to justify affordable housing in Rural Settlements, and the Affordable Housing Register (Tai Teg) will be used, as explained in Appendix C. No changes recommended.

Question 13 AH13 - Do you agree with the guidance and principles to be used in assessing Affordable Housing Schemes? If not, please explain why.

Issue	Council Response
Requesting further clarity on self-build or specialised accommodation. (Rep 1552)	An example of requirements of an Affordable Housing Scheme for developing a single intermediate house for sale by an individual (self-build) is included in Appendix F of the SPG. The SPG refers to arrangements for specialist market housing, however it is not possible to provide detailed guidance on Affordable Housing Schemes for such bespoke schemes as part of the SPG. No changes recommended.
Requesting consideration to be given to larger accommodation for extended households by reviewing the maximum size of the property or other arrangements (e.g. allowing semi-	The size of an affordable dwelling is required to reflect the identified local housing need. The maximum size set out in the SPG is based on a household size of 7

detached units to be used as a single unit, and then reverting back to two units when no longer needed). (Rep 1552)	persons, and therefore is expected to cover need in the majority of circumstances. The assessment of local housing need will take into account the needs of the households involved. The appropriateness of any arrangements will need to be considered in planning terms. No changes recommended.
Requesting ACG information in respect of flatted accommodation given demand for this type of housing. (Rep 1552)	It is recommended that the ACG notional floor area for flats is added into the table under para. 8.16.

Question 14: AH14 - Do you agree with the process for assessing the local housing need of proposed occupiers? If not, please explain why.

Issue	Council Response
Support for strengthening guidance for meeting local housing need and maintaining occupancy restrictions unless incontrovertibly proved no longer required. (Rep 517)	This support is noted.
Majority of recent developments are 2 or 3 bed, small third bedroom, with inadequate room for growing family, need for family accommodation. SPG does nothing to encourage sustainable homes to retain families in the villages. (Rep 542)	Para. 8.16 of the SPG expects affordable housing on market developments to be of a range of sizes and to give regard to ACG space standards. The local housing need assessment (Appendix C) also allows for existing owners of affordable housing to transfer to other affordable housing to meet changing circumstances. No changes recommended.
See comments under AH13. (Rep 1552)	See response for AH13 above.

Question 15: AH15 - Do you agree with the approach towards ensuring the provision, affordability and availability of affordable housing at each stage of the planning process? If not, please explain why.

Issue	Council Response
Divergence from LDP stating affordable / local needs can be a home for life, and need to reflect this in considering future applications to modify unit, but keeping within defined parameters. (Rep 517)	The SPG at para. 8.18 explains that planning applications for future extensions will be assessed on a case by case basis taking into account the local need and effect on affordability. No changes recommended.
Support for withdrawal of permitted development rights, ability to refuse applications on underdevelopment, and simultaneous building of market and affordable housing. Requirements to be effectively and rigorously enforced and request for detail of monitoring arrangements to ensure compliance. (Rep 517)	Development Management has responsibility for enforcement and monitoring processes, including planning conditions and obligations. Reports of any breaches will be investigated and enforcement taken where necessary, as stated in section 8.32 of the SPG. No changes recommended.
Detrimental effect of capping the re-sale price at 72% of open market value, disadvantage for first time buyers wanting to move up the ladder, deterrent to moving on, and on releasing dwelling back onto the market. (Rep 542)	The TAN 2 definition of intermediate affordable housing requires prices/rents to be below market housing prices or rents. By restricting the sale/re-sale value of an affordable dwelling, this provides a mechanism for ensuring that the housing is and remains accessible to those in local

	housing need. No changes recommended.
Subject to capacity within the system. Requesting clarification on the S106 Officer's role and capacity to deal with this and other planning obligations. (Rep 1552)	Development Management has responsibility for the planning processes described in this part of the SPG. The role of the Planning and Monitoring Officer in relation to section 106 agreements is explained in the Planning Obligations SPG. No changes recommended.

Question 16: AH16 - If you have any other comments you want to make which are not covered by the above questions please include them here:

Issue	Council Response
Regarding the guidance on time limited permissions to enable review of viability, sites may also become less viable. Comments on the WG S106 guidance (2009) and suitability of the review mechanisms. Notes that the wording of the SPG provides flexibility. Request for cross-reference to the WG guidance. (Rep 78)	It is considered to be appropriate (at para. 6.6.10) to apply a reduced time limit for commencement and/or control over completion in order to enable viability of a development to be kept under review, and the Council is aware of appeal decisions that support this approach. The WG guidance on delivering affordable housing using section 106 agreements referred to is included in Appendix A of the SPG. No changes recommended.
Worth noting in the document that WG are currently reviewing Affordable Housing and therefore there may be changes in the next few years. (Rep 78)	Recommend reference is made to the Affordable Housing Review under Monitoring and Review in para. 9.2 of the SPG.
Deliverability is a fundamental issue. The Council and its strategic partners need to consider further options to stimulate the 5 year land supply, identify and bring forward suitable sites, and other means to meet strategic objectives on housing delivery. (Rep 1552)	This support and comments are noted. This SPG is aimed at assisting the delivery of affordable housing through the LDP's planning policies. The actions called for by the Representor go beyond the scope of this SPG. These matters have been referred onto SHA. No changes recommended.
Requesting clarification on how applications for 100% affordable housing provided by RSLs are processed and conditioned at planning application stage, as current inconsistencies (examples provided). Prefer no restrictions due to effects on borrowing. (Rep 4268)	Recommend adding note after para. 8.6 to clarify the requirements in relation to RSL development. This means that where an RSL is developing a site within their ownership within the development boundary, conditions attached relating to affordable housing will only require the % of affordable housing required under policy H5. This approach is acceptable to the representor.

3.3 Biodiversity and Geodiversity SPG

3.3.1 Reference Group

3.3.2 In order to prepare the Biodiversity and Geodiversity SPG, the Council sought participation and involvement with various Topic Stakeholders, from which the Council formed a Reference Group.

3.3.3 The Reference Group comprised 6 members, which included representatives from the following Council services and outside organisations:

- Planning Policy
- Development Management
- Countryside
- Natural Resources Wales

3.3.4 Engagement with the Reference Group during the preparation of the Draft SPG is summarised in table B6:

Table B6 – Reference Group Involvement (Biodiversity and Geodiversity SPG)

Date	Who and How?
Early April to early May 2018	Contact made with Reference Group members, to confirm membership, discussion and agreement of role and timetable etc.
May 2018	Discussion of suggested scope of SPG, aims, structure and key components. Writing of first draft ready for Topic Stakeholder consultation. Teleconference with Reference Group on 10 th May. Email to Topic Stakeholders to alert them to pending consultation period.
May and June 2018	Circulation of first draft to Topic Stakeholders for consultation period from 25 th May to 8 th June, 2018.
June to July 2018	Teleconference with Reference Group on 13 th June to consider Topic Stakeholder responses. Also to confirm timetable for remainder of the process. Communicating with Reference Group to consider and confirm appropriate revisions. Amending draft SPG ready for public consultation period. Draft SPG presented to LDP Working Group for approval prior to public consultation period.
July 2018	Notice of public consultation period circulated to LDP Database. 6 week public consultation period from 11 th July to 21 st August.
August to September 2018	Teleconference with Reference Group 29 th August to discuss representations and agree required changes. Also to confirm timetable for remainder of the process. Amending draft SPG ready for adoption.
September 2018	Consultation Draft SPG showing proposed changes presented to the LDP Working Group shared with the Reference Group. The Reference Group was informed of any issues raised by the LDP Working Group before the SPG was finalised for Cabinet approval.

3.3.5 Topic Stakeholders

3.3.6 The larger Topic Stakeholder group included an additional 41 members, consisting of representatives from the following outside organisations:

- Biodiversity Information Service (BIS)
- Botanical Society of the British Isles
- Brecknock Bird Group
- Brecknock Dragonfly Group
- Brecknock Geology Group
- Brecknock Mammal/Bat Group
- Brecknock Moth Group
- Brecknock Wildlife Trust
- British Geological Survey
- Butterfly Conservation
- Canal and River Trust
- Central Wales RIGS Group
- Clwyd Powys Archaeological Trust
- Coed Cymru
- Glandwr Cymru - Canal & River Trust in Wales
- Llandinam Lives/Powys Species Habitat Protection Group
- Montgomery Canal Partnership / Canal & River Trust
- Montgomeryshire Barn Owl Group
- Montgomeryshire Moth Group
- Montgomeryshire Wildlife Trust
- Natural England
- Natural Resources Wales
- Plantlife
- Radnorshire Invertebrate Group
- Radnorshire Mammal Group
- Radnorshire Moth Group
- Radnorshire Wildlife Trust
- Rhayader By Nature
- RSPB Cymru
- The Inland Waterway Association
- The River Wye Preservation Trust
- The Woodland Trust Wales/Coed Cadw
- Welsh Government
- Welsh Kite Trust
- Wye & Usk Foundation
- Environment Agency England
- British Trust for Ornithology
- Amphibian and Reptile Conservation
- Bat Conservation Trust
- Vincent Wildlife Trust
- Severn Rivers Trust

3.3.7 These stakeholders were invited to provide informal feedback on a working draft of the SPG prior to the formal public consultation stage.

3.3.8 Comments received from the Topic Stakeholders were considered and responded to, with further discussion taking place on specific issues where necessary. The input from Topic Stakeholders was used to inform changes to the working draft of the SPG.

3.3.9 LDP Working Group

3.3.10 The Draft SPG was considered by the LDP Working Group on 22nd June 2018 and approved for Public Consultation.

3.3.11 SPG Consultation

3.3.12 The public consultation period ran from 11th July to 21st August 2018 and representations were received from the following:

Representor Name (Representor No.)

- Clwyd Powys Archaeological Trust (27)
- Elan Valley Trust (222)

- Mochdre with Penstrowed Community Council (516)
- Abermule (with Llandyssil) Community Council (542)
- The Coal Authority (1481)
- Powys Wildlife Trusts (5201)
- Canal & River Trust in Wales / Glandwr Cymru (5704)
- Sarah Bond (6160)
- CPRW (Brecknock and Radnor Branch) (6235)
- Natural Resources Wales (7076)

3.3.13 The main issues arising from the consultation and the Council's responses to these are set out in Table B7 overleaf.

3.2.14 The representations and Council draft responses were considered by the LDP Working Group at its meeting on the 7th September 2018, and subsequently by the Council's Cabinet at its meeting on 9th October 2018.

Table B7 – Main Issues from the Public Consultation (Biodiversity and Geodiversity SPG)

Question 1: BG1 - Is the information in the Biodiversity and Geodiversity SPG presented in a clear and logical format for the different audiences (i.e. professional developers and domestic (non-professional) planning applicants)?	
Issue	Council Response
Large document likely to feel over-whelming particularly for public seeking permission for small-scale domestic development. Needs to be made clear which sections applicants for different types of development need to read. (Rep 5201)	Comments noted. Clarification to be added to start of Section 8 'Biodiversity and Geodiversity in the Planning Process'.
Table 1 – for clarity, include a bold horizontal line between the sub-sections of sites, habitats and species. (Rep 5201)	Table 1 will be revised to make it clearer.
Paragraph 6.31 – suggest moving this paragraph below Table 1 to make it stand out. (Rep 5201)	Agreed.
Subject to specific comments, the document would appear to be appropriate. Images may help. (Rep 5704)	Comments noted.
No, it is of concern that it is considered that the SPG is only for planning applicants when it will be a material consideration when determining planning applications and is of relevance to Planning Officers, Planning Inspectors and the general public. (Rep 6160)	Comments noted. The Council is content that the SPG makes clear it is relevant advice and an important material consideration to all parties involved in the planning process.
The text needs amending to address: <ul style="list-style-type: none"> • numerous repetitions. • poor paragraph ordering of some topics. • poor or muddled wording in some 	Comments noted. Editing will be undertaken to address these concerns.

<p>paragraphs</p> <ul style="list-style-type: none"> • errors in cross referencing to paragraph numbers including Appendix C. • worrying omissions. (Rep 6160) 	
Confused by the two versions of the SPG available on the Powys website. (Rep 6235)	The correct version for public consultation was available on the main LDP web page, and labelled as such, from the beginning of the consultation period.
The text is sometimes vague, long-winded and repetitive. (Rep 6235)	Comments noted. Editing will be undertaken.
<p>The audience includes all interested parties. It should concentrate on clarifying how existing legislation, policy and guidance on biodiversity and geodiversity is incorporated into the Powys planning process in order to help all interested parties.</p> <p>Audiences need to know exactly how responsibilities in the planning process are allocated between PCC and NRW. This is not clear and we suggest detailed discussion and agreement with NRW to establish this. (Rep 6235)</p>	The Council will review the SPG to make sure roles are clearly defined.
The overall format is well thought out and follows a logical progression. (Comments on details provided in a tracked changes version of the SPG). (Rep 7076)	Comments noted.

Question 2: BG2 - Is the language and terminology used in the SPG appropriate for these different audiences?

Issue	Council Response
Throughout the document, the phrase “proposed development site” should replace “development site”. (Rep 5201)	Comments noted. The text to be amended accordingly.
Table 1 – The final six columns of this table are confusing. For example, the applicant may be left thinking that a site listed under " <i>No Statutory Protection</i> " can be ignored. We recommend that the final six columns are removed from Table 1. (Rep 5201)	Comments noted. The Council has reviewed Table 1 and has clarified the purposes of the columns by rewording the text in the column headers and adding a footnote.
Welcome the inclusion of Wildlife Trust Reserves, however, it seems odd that other NGO nature reserves are absent, notably those of the Woodland Trust & RSPB. If changed, paragraph 6.18 would also need updating. (Rep 5201)	Comments noted. This change may be possible at a future date, but no change required at the moment.
References to the Powys LBAP should be amended to refer to the Powys Nature Recovery Action Plan (NRAP) including Paragraphs 6.33 - 6.35, Appendices B & C, etc. (Rep 5201)	Comments noted. Whilst the Council agrees with the desirability of the proposed change, the LBAP is, until the NRAP is adopted, still the appropriate Plan for applicants to consult. Removal of references to the LBAP at this stage would therefore create the potential for this important source of local information to be omitted from an applicant’s preparatory research. No change required.

<p>Appendix A - Section 42 'important (priority) habitat and species' no longer exists and should be referred to as 'Section 7'. (Rep 5201)</p>	<p>This reference in the Glossary is provided for clarity as the term 'Section 42', and references to the NERC Act, are still in use and often seen in documentation. The superseding of Section 42 by Section 7 is explained in the text under this entry in the Glossary. No change required.</p>
<ol style="list-style-type: none"> 1. Subject to specific comments the document would appear to be appropriate. (Rep 5704) 2. Yes with proviso that glossary expanded – e.g., NRAP, SoNaRR. (Rep 6160) 3. The language used within the document is appropriate for the target audience. (Rep 7076) 	<ol style="list-style-type: none"> 1. Comments noted 2. Comments noted. Both NRAP and SoNaRR are cited and explained in Appendix C. 3. Comment noted.
<p>The language is sometimes verbose making the SPG unnecessarily long. E.g. Paragraph 6.7 SPAs could read: “Special Protection Areas (SPAs): a European designation for the conservation of birds. Three SPAs are wholly or partially within the Powys planning area and another two are close enough to be at risk from development within the planning area. Developers should be aware of ranging and foraging buffers around SPAs”. (Rep 6235)</p>	<p>Comments noted. The opportunity has been taken to review the document and wherever necessary changes have been made.</p>

Question 3: BG3 - Is there any content missing from the SPG, or parts that could be improved?	
Issue	Council Response
<ol style="list-style-type: none"> 1. Paragraph 6.16 – Amend to read: “These are assessed and selected using specific criteria which recognise their wildlife value, developed and agreed by members of the Powys Nature Partnership (see Appendix A)”. 2. Paragraph 6.18 – Amend to read: “The three Wildlife Trusts in Powys also own, lease and manage land as Wildlife Trust Reserves (WTRs). These protect locally or nationally rare or vulnerable wildlife or habitats and many carry statutory designations. In Powys there are...” (Rep 5201) 	<ol style="list-style-type: none"> 1. Agreed. 2. Agreed, plus the additional wording ‘and many carry statutory designations’ to be made.
<ol style="list-style-type: none"> 1. Table 1 - Section 7 habitats and species and Veteran Trees are missing from Table 1 and should be added. 2. Paragraph 6.27 – should include the Ancient Woodland Inventory’s four categories: <ul style="list-style-type: none"> * Ancient Semi-Natural Woodland (ASNW) * Plantation of Ancient Woodland Sites (PAWS) * Restored Ancient Woodland Sites (RAWS) * Ancient Woodland Site of Unknown Category (AWSU) 3. Paragraphs 6.30 & 6.31 - Powys has internationally important areas of veteran trees / historic parkland which should be 	<ol style="list-style-type: none"> 1. Agreed. 2. Agreed. All Categories to be included in the SPG. 3. Comment noted. Having reviewed the text, the current wording is considered adequate so no change required.

emphasised e.g. the Elan Valley. (Rep 5201)	
<ol style="list-style-type: none"> 1. The SPG should be stronger in recognising that non-statutory sites can have biological features of international significance, in the same way that not all sites of SSSI quality end up being designated SSSI. For example biologically rich ponds should be included. The Freshwater Habitats Trust has recognised that parts of Powys are 'Internationally Important Areas for Ponds (IAPs) e.g. 'mawn' pools found on common land across North Brecknock and Radnorshire. These lack statutory protection yet are areas of significant biodiversity value and have high populations of important species, such as the Great Crested Newt. 2. It is important to remember that the national network of SSSIs forms a representative suite of the country's very best wildlife and geographical sites; this needs to be emphasised in paragraph 6.12. (Rep 5201) 	<ol style="list-style-type: none"> 1. Comments noted. Add new para. to include reference to non-statutory sites containing features of international significance and using mawn pools as an example. 2. Agreed. Add the following 'and as such form a representative suite of the country's very best wildlife and geological sites.'
<ol style="list-style-type: none"> 1. Paragraph 6.32 – it is important to retain the significance of the difference between nationally important and locally important sites. Either list the Section 7 habitats here (could remove any that aren't relevant for Powys) or refer the reader to the Wales Biodiversity Partnership for the list. 2. Paragraph 6.33 - Depending on how paragraph 6.32 is dealt with, either list the NRAP habitats or refer the reader to the Powys NRAP for the list. (Rep 5201) 	<ol style="list-style-type: none"> 1. Comments noted. Include reference to the Wales Biodiversity Partnership. 2. The Powys LBAP is still extant until the NRAP is adopted, so the reference to the LBAP Habitats should remain.
<ol style="list-style-type: none"> 1. Paragraphs 7.7 & 7.8 – Environmental Permits (EPRs) are not mentioned and could be included here. 2. Table 2 – emphasise the need for Phase 2 vegetation surveys, at the appropriate time of year if the preliminary ecological appraisal identifies interesting habitat. This is relevant for the top 10 development sites in the table. 3. Paragraph 7.27 - further surveys should include those for priority habitats and species as well as EPS. 4. Table 3 – amend the dormouse survey optimal period to May to October inclusive, whilst the rest of the year would be sub-optimal. (Rep 5201) 	<ol style="list-style-type: none"> 1. Comments noted. 2. Table 2 – additional clarification will be provided. 3. Insert additional text: 'such as those for priority habitats and species and EPS.' 4. Agreed, amend Table 3 accordingly.
Paragraph 8.26 - when saying that "compensation does not necessarily need to be like for like replacement" it should be emphasised that the replacement gain should have integrity and value within the ecological landscape it sits in. (Rep 5201)	Comments noted. The text will be revised.
Intensive Livestock Units Paragraphs 9.16 - 9.20– in the Chief Planning	Comments noted. The Council is familiar with the clarification letters cited and

<p>Officer letter (12/6/18) from Welsh Government, the impacts of intensive agricultural developments were emphasised. The appropriate wording of this section is a great opportunity to improve the current decision making process.</p> <p>PCC is urged to take heed of recent advice from the Welsh Government regarding the importance of a wide range of consultees when considering these developments. (Letter from Lesley Griffiths AM, Cabinet Sec for Energy, Planning and Rural Affairs, 30/4/018). (Rep 5201)</p>	<p>considers it already follows the advice. Having reviewed the Intensive Livestock Units section it is not felt necessary to make any changes.</p>
<ol style="list-style-type: none"> 1. Paragraph 6.42 – refers to “Section 4.4 below”, but this section does not exist. 2. Paragraph 8.18 - refers to Sections 5.5 and 5.6, but these do not exist. 3. Paragraph 8.23 – remove “However” from the start of the second sentence and insert “For example,” instead. 4. Paragraph 8.30 – in the second bullet point, please include ‘bat bricks’. 5. Paragraphs 9.13 & 9.15 – these make reference to section 6.5 which does not exist. (Rep 5201) 	<p>Comments noted. The cross-references will be updated, a reference to ‘bat bricks’ included in Table 5, and the SPG will be edited.</p>
<p>Section 7 could be moved to an appendix. (Rep 5704)</p>	<p>Noted, but the Council considers this is an important section to retain in the body of the SPG.</p>
<p>Paragraph 4.1 – Amend to read “....consider the potential impacts of proposals upon these interests on or near development sites”. (Rep 6160)</p>	<p>Noted. The words ‘and beyond’ will be added.</p>
<p>Paragraph 4.7 states, “<i>As a consequence of its extent, it has a considerable diversity of habitat types</i>”. This statement is misleading. It is not because of Powys’ extent but its geodiversity and man’s interaction that there is considerable diversity of habitats. (Rep 6160)</p>	<p>Comments noted. Add the word ‘Partly’ to the beginning of the paragraph..</p>
<p>Table 2 - is inconsistent when describing surveys. As a result the text following this table becomes confusing about the status of species, e.g. 7.29 to 7.36 discusses EPS but then bats are discussed separately at 7.41. (Rep 6160)</p>	<p>Comments noted. Table 2 has been reviewed and editing amendments made as necessary.</p>
<p>Paragraph 7.27 – Refers to CIEM guidance, but guidance is regularly updated. (Rep 6160)</p>	<p>Agreed. Insert the text:”or any updated”.</p>
<ol style="list-style-type: none"> 1. Para. 7.37 - This paragraph is unacceptable because it totally dismisses many protected avian species in Powys. Most other raptors are Schedule 1 birds, as are some other species which may be affected by development in Powys. 2. Paras 7.37 and 7.38 should be moved and amalgamated with para 8.48 in section 8. 3. Para 7.39 should have a new heading, e.g. ‘avian surveys’, and include discussion about 	<ol style="list-style-type: none"> 1. Comments noted. The Council disagrees. Barn Owls are detailed in the SPG as they commonly nest and roost in buildings so are an example of a species that may be at risk from development. Many other Schedule One birds are found in Powys however these will be covered by surveys already included in the SPG. No change required.

nesting birds and protected birds. (Rep 6160)	2. & 3. It will be made clear that these surveys are examples. A new sub-heading will be inserted.
Paragraph 7.39 “..... <i>Areas of dense vegetation (e.g. hedgerows, or long-derelict land) are also important for other nesting birds</i> ” This statement whilst correct is an oversimplification. It ignores ground nesting birds and in particular the critical status of curlew which nest in damp habitats and are particularly susceptible to the types of agricultural development being applied for and the solar LSAs. (Rep 6160)	Comment noted. Whilst the Council disagrees that this para. ignores ground nesting birds, the words ‘ <u>or open</u> ’ and ‘ <u>or agricultural</u> ’ will be added, and the word ‘or’ be removed.
<ol style="list-style-type: none"> 1. Amend 8.2 - to read “biodiversity and geodiversity interests affected by development sites”. 2. Paragraph 8.27 - should explain compensatory measures will be conditioned. 3. Paragraph 8.34 - It is of great concern that this document has been put forward for public consultation with this illustration missing. 4. Paragraph 8.38 - omits reptiles from the list of fauna e.g. slow worms. 5. Paragraph 8.44 - Should read, “affected by development proposals”. 6. Paragraph 8.45 “..... <i>If a planning application is likely to directly impact on a pond, canal, ditch or cellar a great crested newt survey may be required.</i>” This is incorrect advice and contradictory to advice on EPS at 7.23 A survey for great crested newts is required if: <ul style="list-style-type: none"> * there are historical records of newts within or close to the site proposed for development. * there’s a pond within 500 metres of the application site boundary even if it only holds water some of the year * the development site includes refuges (eg log piles or rubble), grassland, scrub, woodland or hedgerows. (Rep 6160) 	<ol style="list-style-type: none"> 1. Comments noted. The opening paragraphs will be revised for clarity. 2. Agreed. Add following wording: “Compensatory measures may also be subject to planning conditions and ongoing monitoring.” 3. Comment noted but the diagram was only for illustrative purposes. 4. The list of species is not intended to be exhaustive. 5. The comment is noted. It is recommended that the change be made accordingly. 6. Agreed. The word ‘directly’ will be removed.
<ol style="list-style-type: none"> 1. Paragraphs 4.2 and 4.5, 6.16, 6.25, 6.26, 6.27, 7.35 – Repetitious. 2. Paragraph 6.20 - Omit NB – unnecessary. 3. Paragraphs 6.42, 7.33, 8.8. 8.14. 8.18, 8.39, 8.41.8.43, 9.13, 9.15 - Incorrect cross refs. (Rep 6160) 	Comments noted. The SPG will be subject to futher editing.
<ol style="list-style-type: none"> 1. Prior to section ‘5.0 LDP policies’, The Environment (Wales) Act Part 1, Sections 3, 4 and 6 should be set out as they are in the Act. 2. Section 5.0 LDP policies - Should make it clear that the LDP is an integrated document and other policies besides SP7 and DM2 are relevant to Biodiversity and Geodiversity. For instance: <ul style="list-style-type: none"> • DM7 on light pollution 	<ol style="list-style-type: none"> 1. The Council disagrees with this representation. The Environment Act is summarised in Appendix C. No change required. 2. This point is made already in the introduction to the document. It is also repeated in Appendix C which already lists the key LDP Policies that are likely to have a bearing upon Biodiversity and Geodiversity. No change required.

<ul style="list-style-type: none"> • DM13.13.v. on protection of soils • DM14.2 Air quality management • DM15 Waste within developments (Rep 6235) 	
<p>Major elements missing from the SPG:</p> <ol style="list-style-type: none"> 1. Importance of State of Nature Wales report: urgency of reversing decline in Biodiversity. 2. Discussion of Protection of Soils. 3. Discussion of Cumulative impacts. 4. Informative discussion about Intensive Livestock Proposals, regulatory framework and PCC role. (Rep 6235) 	<p>Comments noted. The following changes be made to the document:</p> <ol style="list-style-type: none"> 1. Insert reference to ‘State of Nature’ report. 2. Agreed. Add new section on ‘Soils’ within the Geodiversity and Development Proposals section. 3. Agreed. Add new section on ‘Cumulative and In Combination Effects’ within the Biodiversity and Geodiversity in the Planning Process section. 4. The Council has already included a section on Intensive Livestock Units which is considered adequate. No change required.
<p>SPG to include additional information on:</p> <ol style="list-style-type: none"> 1. Ancient semi natural woodland. 2. The Birds directive. 3. Associated legislation not regulated under planning. (see comments on page 17 of SPG draft attached). 4. NRW role in flood defence. 5. Consideration of long term post construction issues. 6. Clarification over INNS legislation and biosecurity requirements during the planning process. 7. Public Authorities duties including Powys LPA to report and monitor on the Nature Recovery Action Plan under Section 6 of the Env. Act. (Rep 7076) 	<p>Comments noted. Amend SPG to include:</p> <ol style="list-style-type: none"> 1. Additional information on Ancient Woodlands. 2. Text concerning SPAs and a link to more information on the Birds Directive inserted into Appendix B. 3. Comments noted, however the Council believes this information to be unnecessary. 4. Requirement to consult NRW inserted 5. Agreed. Text amended in a number of places to reflect this 6. Text regarding INNS inserted into Section 9. 7. Text inserted in Appendix C under the Environment (Wales) Act regarding LPA duties. The SPG already contains a number of paras regarding unlawful activity and these have been placed under a new heading to draw attention to them, so no change is felt to be necessary.

Question 4: BG4 - Section 6 covers a complex topic. Could the layout or contents of this section be improved? If so how?

Issue	Council Response
<ol style="list-style-type: none"> 1. The layout is good (Rep 542) 2. It is clearly laid out. (Rep 5201) 3. It could be condensed or detail placed in an appendix. The introduction of images may help. Some terms are duplicated in the glossary. (Rep 5704) 4. Paragraphs 6.25- 6.27 are repetitive. 6.27 and 6.28 discuss wood pasture but fail to 	<ol style="list-style-type: none"> 1. & 2. Comment noted. 3. – 11. Comments noted. Section 6 has been reviewed and necessary changes made.

<p>explain what it is - does it include old orchards or ffridd?</p> <p>5. Paragraph 6.31 - Suggest para has a title, e.g. 'designated sites mapping'.</p> <p>6. Paragraph 6.43 - discusses UK protected species but fails to explain how plants are protected. (Rep 6160)</p> <p>7. Section 6 could be improved in its layout and structure of headings. Bold Headings for the designations would help. e.g. 6.11, 6.13, 6.16, 6.17, 6.18, 6.19, 6.21.</p> <p>8. The section is very confusing. Terms need to be used carefully and consistently. Careful explanation is needed for: "designation" and "statutory"; "protected" and "important"; devolution to Wales of some planning functions; what information applicants need to provide about woodland and LBAP categories; what regard PCC will have to LBAP categories in planning determinations.</p> <p>9. In the sub-sub-headings, LBAP habitats and species are only "<i>important</i>", however, in Table 1, LBAP Habitats and Species do have statutory protection but RVNRs and AW do not have statutory protection.</p> <p>10. It needs to be clear that the duty to enhance and maintain biodiversity everywhere where there is no national or international designation lies with Powys CC.</p> <p>11. For International and Nationally designated sites, PCC is responsible for considering cumulative impacts. PCC is also responsible for considering cumulative impacts on all other biodiversity interests. (Rep 6235)</p>	
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Question 5: BG5 - Would the sections on 'Incorporating Resilience into Development Proposals' and 'Green Infrastructure and Resilience' (paras 8.67 to 8.77) be better embedded within the 'Design' section (8.17 to 8.34)?

Issue	Council Response
<p>1. Yes. (Rep 516, 5704, 6160, 6235, 7076)</p> <p>2. Yes; also suggest rationalising this section by removing Table 5 and paragraphs 8.70 & 8.71 as this is all mentioned elsewhere and is likely to mean very little to an applicant. (Rep 5201)</p>	<p>1. Comment noted. The paragraphs will be moved.</p> <p>2. The Council disagrees and considers that Table 5 has a role to play in the SPG. An explanation is provided in the following paras. No change required.</p>

Question 6: BG6 - Would the inclusion of a checklist or flowchart for incorporating biodiversity and geodiversity in the planning process be of use to summarise the process, or could this oversimplify important considerations?

Issue	Council Response
<p>1. Yes, an indicative graphical illustration, such as a flowchart, is likely to be very helpful for applicants. Perhaps an app could be</p>	<p>1. and 2. Comments noted. An indicative flowchart will be included.</p>

<p>developed, as this would allow the detail to be retained. (Rep 516; Rep 5201, 5704 7076)</p> <p>2. No. This would just duplicate text and oversimplify considerations and would not be available for public consultation. In general the text could be tightened and sometimes shortened to underline exactly what a developer has to do. (Rep 6160, 6235)</p>	
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Question 7: BG7 - Does Appendix C tie in to and support other parts of the SPG adequately enough, or should the legal context (i.e. the reason why something is required) be reinforced?

Issue	Council Response
<p>1. Yes. (Rep 516) Appx C is adequate. (Rep 6160)</p> <p>2. Appendix C could be reinforced through referencing in other parts of the document. (Rep 5201)</p> <p>3. Reference is provided within the main document to appendix C, e.g. at paragraphs 2.1, 7.2, 8.13. Given the length of the document it may be useful to elaborate upon the legal context within section 2.0 of the document. (Rep 5704)</p>	<p>1. The comment is noted.</p> <p>2. Extra references to Appendix C will be inserted wherever appropriate.</p> <p>3. Comment noted, however it is considered that Section 2 and Appendix C provide this elaboration already.</p>
<p>1. The WBFGA is much less clear and specific about Biodiversity and Geodiversity than the Environment (Wales) Act section 6 duties which are key to this SPG and their text is a serious omission. The description in Appendix C is not good enough and these should be set out in full earlier in the document. (Rep 6235)</p> <p>2. Relevant legislation should be mentioned within the SPG because it helps to clarify what is a legislative requirement and what is best practice / guidance. Appropriate reference to Appendix C should be made for additional details. (Rep 7076)</p>	<p>1. Comments noted, however the Council considers that the content relating to Environment (Wales) Act and the WBFGA is sufficient and in the right place. No change required.</p> <p>2. Comments noted</p>
<p>To avoid confusion, clarification is needed in Appendix C in relation to Schedule 2 projects of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations (2017). (Rep 542)</p>	<p>The Regulations are not matters within the control of the Council, so no change to the SPG is required.</p>

Question 8: BG8 – If you have any other comments you want to make which are not covered by the above questions please include them here:

Issue	Council Response
<p>CPAT welcomes this SPG. It may be worth noting that there is some cross over between biodiversity and the historic environment and there may be occasions when historic environment policies might be brought to bear to assist biodiversity issues. For example peat bogs, hedges and boundaries, field</p>	<p>Comment noted. Mention of this overlap will be included.</p>

systems, veteran trees, ancient woodland, parkland, caves, rivers, streams, lakes and ponds, etc. have an historic environment dimension which might be useful allies to biodiversity. Mention might be made of this cross over. (Rep 27)	
It is good that policy DM7 is referenced, given Powys's important dark skies and the benefits of dark skies to biodiversity. A robust lighting management policy should be incorporated into the planning process. (Rep 222)	Comments noted. LDP Policy DM7 does cover light pollution and refers to dark sky designations. No change required.
Paragraph 6.17, Appendix B – the Powys wildlife trusts names and contacts need correcting. (Rep 5201)	Agreed.
<ol style="list-style-type: none"> 1. Paragraph 4.7 - should include 'canals', within the list of habitats, especially given the Montgomery canal is designated as a SAC and SSSI. 2. Paragraph 8.30 – Amend wording to read <i>“Creation of a buffer zone along natural watercourses planted with native species (where appropriate)”</i>. This would provide flexibility in respect of development adjacent to the canal. 3. Paragraph 9.11 - should refer to the Montgomery canal designated as a SAC. (Rep 5704) 	<ol style="list-style-type: none"> 1. Agreed. 2. With development alongside man-made waterways already being covered by related regulations, it is felt that inserting 'where appropriate' alongside the use of the word 'natural' would unnecessarily weaken the guidance. The paragraph will be amended to refer to Table 5. 3. Agreed.
Geodiversity - Despite the LDP at DM13 referring to protection of soils as resources providing ecosystem services this is not expanded upon in this SPG. (Rep 6160)	A new section on soils will be included.
<ol style="list-style-type: none"> 1. Water Framework Directive (WFD) - The WFD requirements should be made to dovetail better with biodiversity beyond phosphate pollution. It also ties in with geodiversity and protection of soils. (Rep 6160) 2. This WFD section fails to set out the LPA role in achieving the objectives of the WFD, under which it has duties as a competent authority to protect water quality in Powys. The SPG suggests that all responsibility lies with NRW however NRW has published an advice note “Local Authority services and the water environment” https://naturalresources.wales/media/2627/wfd-docs-eng.pdf In order to fulfil this role, LPAs must have the relevant information about the water environment. Suggest adding: <i>“Applicants must provide <u>contour maps with clearly mapped details of all water features on the development site and surrounding land wherever any flooding or pollution risks may occur.</u>”</i> (Information on Scimap included). (Rep 6235) 	Comments noted and the WFD paragraphs will be reviewed and changes made accordingly.
1. Intensive Livestock Units (ILUs) - Relegating the discussion of requirements for intensive	Comments noted, however the Council is content that sufficient information is

<p>livestock proposals to “other considerations” is unacceptable and illogical. Logically, ILUs should sit next to householder applications in Section 8.</p> <p>2. Paragraph 9.18 - This is misleading. NRW only responds to emissions impacts on internationally / nationally designated sites. It is for the local authority to consider effects on other biodiversity interests. It is therefore for the LPA to consider effects of, e.g., bryophytes in ancient woodland.</p> <p>3. Application documents - The SPG has not seized the opportunity to enforce best practice for application documents to aid the LPA’s environmental statutory duties. E.g. (a) poultry ranging plans with contours which NRW have stated is a requirement. Scimapping should be a requirement. E.g. (b) manure management plans are accepted without contour plans. Land put forward as enough acreage for the waste from the ILU could all be on slopes that should only have seasonal spreading. Colour coded manure management plans should be a standard requirement. (Rep 6160)</p> <p>4. Paragraphs 9.16 to 9.20 – The ILU section is unsatisfactory and misleading. The Council has not explained its own responsibilities in determining ILU planning applications. It is essential that the SPG:</p> <ul style="list-style-type: none"> • is factually right and in sufficient detail. • accords with WG and NRW advice. • explains the roles of NRW and PCC in enhancing and maintaining biodiversity in the planning process. • is crystal clear to PCC officers, applicants and the general public. • informs all parties how planning conditions will be monitored and by whom . • is not published until any unclear issues are resolved. <p>(Detailed comments were provided by the Representer – Please refer to Appendix 1). (Rep 6235)</p>	<p>provided on intensive livestock units so no changes are considered necessary.</p>
<p>1. Paragraph 2.1 - The SPG is important for all stakeholders and Powys residents. The first bullet point should be amended to: “<i>Set out the way in which LDP planning policy is to be interpreted and applied to protect biodiversity and geodiversity in the public interest.</i>” The second bullet point should read: “<i>applicants and all developers, consultants and other agents involved in preparing planning applications.</i>”.</p> <p>2. Paragraph 4.1 - The ecological impacts of development do not stop at the site boundary.</p>	<p>1. Comments noted, however the Council does not consider any change is required to the bullet points.</p> <p>2. The words ‘<u>and beyond</u>’ will be included.</p> <p>3. The wording in Paragraph 4.2 will be amended to shorten the explanation.</p> <p>4. Para. 4.3 will be revised.</p> <p>5. Noted, but no change to the SPG.</p>

<p>Amended wording to: <i>"It is essential to consider the potential impacts of each proposal upon the ecology of the development site and also the ecology beyond the development site"</i>.</p> <p>3. Paragraph 4.2 - It would be clearer to explain at the outset that: (a) the LDP sits within overarching International/EU and National legislation and policy which is already reflected in the latest version of Planning Policy Wales. (b) LDP policy re bio/geodiversity, which is mainly set out in SP7 and DM2, does not directly repeat PPW (PPW9 2.3.1). (c) The SPG therefore expands the guidance in the LDP by setting out the requirements for planning decisions derived from all of these sources to make them clear and accessible for all.</p> <p>4. Paragraph 4.3 – amend last sentence to: <i>"biodiversity and geodiversity have been assessed and accommodated...."</i></p> <p>5. Paragraph 4.5 - Two simple definitions are: <i>"totality of genes, species and ecosystems of a region"</i>; <i>"a biological community of interacting organisms and their physical environment"</i>.</p> <p>6. This introductory section needs further explanation - enhancing and maintaining biodiversity cannot be achieved by only protecting nature reserves and certain species categories whether of international, national or local importance. The ecosystem duty applies to biodiversity throughout Powys and this will be taken into account in planning determination. (The SPG statement Biodiversity in Powys 4.9 <i>"designations alone cannot guarantee the integrity and prolonged existence of these valuable resources"</i> is not clear and forceful enough). We do not understand the full extent of negative impacts of our development activities. Therefore we should exercise the "precautionary principle". However we do know that improving and preventing loss of existing natural habitats and creation of new ones is the best way to avoid loss of species. (Rep 6235)</p>	<p>6. Comments noted. The SPG will be edited, and a new section will be included on un-designated sites.</p>
<p>1. Table 1 - A note on mapped / unmapped categories would be useful.</p> <p>2. Paragraph 6.32 - Section 7 of Env.(Wales) Act imposes the duty to create a list but does not contain the habitat or species lists which are published by the Wales Biodiversity Partnership (but under the name of the WG) as is described in 6.3.4 for species). Suggest: <i>"<u>The Welsh Government publishes a list of habitats of importance for the conservation of Biodiversity in Wales as required by the Environment (Wales) Act (2016).</u>"</i></p>	<p>1. Table 1 will be amended for clarification.</p> <p>2. Comment noted, the wording will be amended.</p> <p>3. The existing wording will be revised to refer to the refusal of planning permission.</p>

<p>3. Paragraph 6.38 – Amend wording from “<i>if it is absent then it may delay determination</i>” to “<u><i>This information is required to be submitted with the application documents prior to determination</i></u>” (Rep: 6235)</p>	
<p>1. Paragraph 7.2 - This section on Environmental Impact assessment should be improved. It is vague and misleading and should refer to and explain “Schedule 1” and “Schedule 2” development of the EIA regulations.</p> <p>2. Paragraph 7.3 - it should be more precise and say that there are a listed variety of development types to which specific criteria and thresholds are applied to determine if the project counts as Schedule 2 development. Any Schedule 2 development must be screened by the LPA (or WG or NRW as appropriate) to determine if there are likely significant impacts which indicate that an EIA is required. (Rep: 6235)</p>	<p>1. & 2. Comments noted. Further clarification will be made to the EIA section.</p>
<p>HRA</p> <p>1. Paragraph 7.16 - The stringency of the HRA test should be made clear. Suggest: “<u><i>Consent cannot be granted unless the results of the Appropriate Assessment show beyond reasonable scientific doubt that the proposal will not have a significant adverse effect on the integrity of the protected site</i></u>”</p> <p>2. Paragraph 7.18 - Unable to trace this reference so a better easily located reference needs to be provided. The SPG should also explain here that, irrespective of site boundaries or buffer zones, significant air and water pollution can occur far beyond a development site. (Rep: 6235)</p>	<p>1. Comments noted. The HRA section will be reviewed.</p> <p>2. Amend Appendix B to provide a link to this mapping.</p>
<p>Biodiversity Surveys</p> <p>1. Paragraph 7.20 - Surveys are not necessary for every development. Suggest: “<u><i>It is often necessary to carry out desk-top or field surveys to understand which protected sites, habitats and species will be affected on the site or beyond the application site</i></u>”.</p> <p>2. Paragraphs 7.21-7.23, Table 2 - This is confusing. 7.23 mentions EPS which a reader might equate with “<i>protected species surveys</i>”. Then Table 2 mentions two general types of survey: “<i>preliminary ecological appraisal</i>” and “<i>protected species surveys</i>” but for Watercourses we have “<i>fish</i>” and “<i>birds</i>” and for Woodlands we have EPS and “<i>badgers, birds</i>”.</p> <p>3. Table 2 - Needs revision. There is no mention of plants or potential important habitats. There is no guidance as to what species are considered “<i>protected</i>”. The duty to maintain and enhance biodiversity cannot be fulfilled by</p>	<p>1. Comments noted. The text in the following paragraphs will be amended.</p> <p>2. Amendments will be made to address the comments.</p> <p>3. Amendments will be made to Table 2.</p> <p>4. Paragraph 7.23 will be reviewed.</p> <p>5. The paragraphs will be reviewed along with the EPS and HRA sections of the SPG.</p> <p>6. The tests reflect the wording of Policy DM2 (criterion 1.B) and should be retained.</p> <p>7. Noted the SPG will be reviewed and edited as appropriate.</p> <p>8. Agreed.</p> <p>9. The wording will be reviewed.</p>

a limited checklist approach.

4. Paragraph 7.23 - Suggest: "When a development proposal is on land, or has an impact on land beyond the site, in one of the categories in Table 2, it is likely that an ecological survey will be required. This survey may need to extend beyond the site boundary."
5. Paragraphs 7.30 to 7.36 - This is repetitive. Suggest: "if a proposal is likely to affect EPS on or beyond the application site, all relevant survey information and assessment of the likely impacts on EPS must be submitted in a survey report as part of the planning application. The report must include mitigation proposals for any adverse impacts, and details matching the mitigation requirements in the Survey Report must be clearly shown on any submitted plans and drawings. The survey, survey reportlicensed surveyor

The LPA needs sufficient information to assess the information against the Habitat Regulations and to decide whether the proposal would pose a risk to maintaining the Favourable Conservation Status of the species at risk (the "FCS test"). NRW is usually consulted for comments on the content and conclusions of the ecological report and advice about planning conditions to protect biodiversity if permission is granted.

If EPS are present and significant damage or disturbance to individuals, their habitat or resting places is likely and cannot be sufficiently mitigated, the LPA must either refuse the application, or, in exceptional circumstances, apply three derogation tests."

6. The second of the three LPA derogation tests (FCS test) is wrong: the tests are "no alternative", "IROPI", "necessary compensation for network of European sites". Copy the tests from

<http://www.assembly.wales/research documents/17-038/17-038-web-english.pdf>

7. It would be clearer to write about permission first and then about the need for an NRW licence.
8. Paragraphs 7.37-7.43 - these could be labelled "examples of specific surveys" because there are many other types of survey as shown in Table 3.
9. Paragraph 7.48 - confusing repetition of 7.33 in EPS section and then introduction of "conservation licence" in UKPS section so reader can't tell if a "development licence" only

<p>applies to EPS or not. Suggest policy and licensing professional from NRW reviews and helps amend this section. (Rep: 6235)</p>	
<p>Step-wise Approach</p> <ol style="list-style-type: none"> 1. Paragraph 8.5 - suggest adding: <i><u>"The LPA will need to consider evidence for whether the new features or habitats will lead to sufficient biodiversity gain to mitigate, off set or compensate for the adverse impacts of the development."</u></i> 2. Paragraph 8.14 - Repeats points already made so heading is confusing. Suggest delete heading and retain 8.15 as third para. of Pre-Application discussions saying: <i><u>"Where pre-application discussions suggest the need for ecological surveys, up-front.....(see Table 3) and early surveying could minimise delays in the application process."</u></i> 3. Paragraph 8.16 - suggest delete heading and make this fourth para. of Pre-Application discussions saying: <i><u>"In some cases.....needed however Developers should..... that in other cases additionalapplication."</u></i> 4. Paragraphs 8.12 - 8.13 - Suggest new heading: <i><u>"Unlawful Activity"</u></i> 5. Paragraph 8.21 - This is unacceptable. If <i>"the land take for construction"</i> involves any earthworks, habitat, species or geological disturbance, it <u>should be within the red line</u> shown on the application form. The ecological impact should be taken into consideration in the biodiversity assessment and any mitigation and restoration plans should be described. 6. Paragraphs 8.24–8.30 - Welcome the text but would like a proviso that the gains are evidence-based and subject to condition and monitoring because in our experience they do not always happen. (Rep: 6235) 	<p>Comments noted.</p> <ol style="list-style-type: none"> 1&2. The Council will review the wording of this section. 3. Agreed to amend the heading. The wording will be reviewed. 4. Agreed. 5. The wording of para 2.81 will be reviewed 6. It is recommended that the wording be amended to refer to compensatory measures being subject to planning conditions and ongoing monitoring.
<p>Incorporating Biodiversity into a Domestic Application</p> <ol style="list-style-type: none"> 1. Paragraph 8.50 - Reads as if author ran out of steam. E.g. <i>"Further advice can be sought from... the internet."</i> 2. This section could be tightened up and simplified. E.g. Suggest Para. 8.38 reads: <i><u>"Bats and birds, especially..... martins and barn owls may nest or roost in buildings. Great crested newts may be found in cellars or, more commonly, outdoors in ponds, canals or ditches and among stones"</u></i> 3. Suggest all the headings re-ordered to put EPS first, mammals, then GCNs, then non-EPS bird categories. If they were presented as e.g. <i><u>Hazel Dormouse (EPS)</u></i> there would be no need to say <i>"this is an EPS"</i>! 	<ol style="list-style-type: none"> 1. Comments noted. The reference to the internet was inserted previously at the request of a topic stakeholder but will be deleted. 2. Comments noted but no change considered necessary. 3. It is recommended that the headings / sections be re-ordered. 4. -7. The wording will be reviewed.

<p>4. Paragraphs 8.51 to 8.58 - Vague and does not inspire confidence in information presented or management of these issues. People need to know how to find out/who to ask about these things because the SPG is where they will expect precise detailed advice.</p> <p>5. Paragraph 8.59 - Misunderstanding of “enhancement and maintaining”. Promoting, learning about and publicising Geodiversity is desirable but <u>not</u> the same as enhancing and maintaining it.</p> <p>6. Paragraph 8.67 – Disagree that this is “<i>relatively easy</i>”. It is extremely difficult to get applicants, particularly those for the larger scale proposals, to “<i>target their actions</i>” to these attributes. On the whole, habitat and species destruction from development and modern agricultural practices far outweighs any of these measures. While we fully support all these resilience measures, this document is SPG and there is nothing in this add-on section to make us feel confident that these resilience ambitions will be incorporated into the planning system.</p> <p>7. Agree that these measures should be incorporated into the design phase where they will attract better scrutiny. (Rep: 6235)</p>	
<p>Missing Sections</p> <p>1. The SPG should include sections at the beginning of the document on:</p> <p>(a) State of Nature (Wales) Report</p> <p>(b) Environment (Wales) Act Part 1, Section 3: Sustainable Management of natural resources; Section 4: Principles of Sustainable Management of natural resources; Section 6: Biodiversity and resilience of ecosystems duty.</p> <p>2. Section 5.0 - Should make it clear that the LDP is an integrated document and other policies besides SP7 and DM2 are relevant to Biodiversity and Geodiversity. For example: DM7 on light pollution, DM13.13.v. on protection of soils, DM14.2 Air quality management, DM15 Waste within developments.</p> <p>3. Cumulative impacts on biodiversity and geodiversity.</p> <p>4. <u>Soils</u> - DM13.13.v.Protects soils and particularly peat which are geodiversity features. This policy is not mentioned in the SPG and the only specific mention of soils is in relation to woodland. Carbon soils, including peat provide a valuable carbon sink and specific soil types support unique ecosystems. (Rep: 6235)</p>	<p>1. Comments noted. Reference to the State of Nature Report will be added, but Appendix C is considered sufficient to explain the legislative requirements.</p> <p>2. The introduction explains this and Appendix C which already lists the key LDP.No change required.</p> <p>3. & 4. New sections will be added on on:</p> <ul style="list-style-type: none"> • Cumulative and In Combination Effects • Soils.
<p>Comments on Section 6</p> <p>1. Paragraph 6.1 - explains that the section follows</p>	<p>1. The Council will review the structure of section 6.</p>

<p>the format of DM2, but in the material which follows the main headings are inconsistent</p> <ul style="list-style-type: none"> - <u>Designated Sites</u> - Habitats <u>of principal importance</u> - <u>Protected and important Species</u> <p>Geodiversity is combined with Biodiversity and a new level of “Regional” is introduced. It would be better to treat Geodiversity separately from Biodiversity in this section.</p> <p>2. The structure of headings needs to be clear and consistent. Bold <u>headings</u> should be used to guide reader clearly through different designations instead of scattering specific designations within paragraph text eg 6.11, 6.13, 6.16, 6.17, 6.18, 6.19, 6.21.</p> <p>3. Section 6 - is confusing. Terms and format need to be used clearly and consistently: “designation” vs “statutory”, “protected” vs “important”, devolution to Wales of some planning functions, what information applicants need to provide about woodland and LBAP categories, what regard PCC will have to LBAP categories in planning determinations. In the sub-sub-headings, LBAP habitats and species are only “<i>important</i>”, however, in Table 1, LBAP Habitats and Species have <u>statutory</u> protection but RVNRs and AW do not.</p> <p>4. It needs to be clear that the duty to enhance and maintain biodiversity) <u>everywhere</u> where there is no national or international designation lies with Powys CC. For International and Nationally designated sites, PCC is responsible for considering cumulative impacts. PCC is also responsible for considering cumulative impacts on all other biodiversity interests. A similar statement is needed for geodiversity (especially soils). (Rep 6235)</p>	<p>2. Headings will be reviewed.</p> <p>3. These terms will be reviewed.</p> <p>4. The Sectiuon 6 duty of the Environment Wales (Act) will be included in the SPG.</p>
<p>1. Section 8 - It could be explained that some sites are not suitable for development and for developers / applicants to seek professional advice.</p> <p>2. It would be useful to provide a framework to applicants for how it might be justified that the benefit of development proposals may significantly outweigh the effects on the environment. (Rep 7076)</p>	<p>1 & 2 The comments are noted. No change required.</p>

3.4 Approval and Adoption of the first set of SPG by the Council

3.4.1. Having considered the issues and comments received and scrutinised the Consultation Draft SPGs, the Cabinet approved the three SPGs at its Cabinet meeting on 9th October 2018.

3.4.2.

4. **Public Consultation on the second set of SPG**

4.0.1 In accordance with the SPG programme agreed for the LDP (in Table 1 on page 1 of this document), the second set of SPG to be prepared for public consultation are as follows:

- **Landscape**
- **Renewable Energy**

4.0.2 In accordance with Stage 4 of the SPG Protocol, the Consultation Draft SPG were published for public consultation over 6 weeks with the consultation period running from 14th January to 24th February 2019.

4.0.3 County Councillors, Town and Community Councils and all representors on the Powys LDP database were informed of the consultation and the documents were available to view on the LDP pages of the Council's website.

4.0.4 Notice of the consultation period was publicised on the Council's News page, the LDP webpage, and via social media. A press release was issued to the local press.

4.0.5 Hard copies of the consultation documents were made available to view in the Council's main offices at:

- County Hall and The Gwalia, Llandrindod Wells.
- Neuadd Brycheiniog, Brecon.
- Neuadd Maldwyn, Welshpool.

4.0.6 Hard copies were made available to view in all Powys Public Libraries.

4.0.7 Representations were invited either by letter /email and the use of a standard representation form was encouraged.

4.0.8 Table B8 below shows how many representors made comments in relation to each SPG. A more detailed report of the responses received for each SPG can be found in the relevant appendices.

Table B8: Number of Representors making consultation comments on the second set of SPG

Consultation Draft SPG	No. of Representors who made Representations
Landscape	9*
Renewable Energy	26**
Total	29***

* 2 of the 9 representations were 'no comment'.

** 1 of 26 representations was 'no comment'

** 6 Representors made Representations to both SPGs

4.0.9 The main issues arising from the consultation are set out for each SPG in the tables below, together with the Council's response.

4.1 Landscape SPG

4.1.1 Reference Group

4.1.2 In order to prepare the Landscape SPG, the Council sought participation and involvement with various Topic Stakeholders, from which the Council formed a Reference Group.

4.1.3 The Reference Group comprised five members, which included the following representatives:

- Planning Policy
- Development Management – Planning Officer
- Development Management – Built Heritage Officer
- Natural Resources Wales
- Clwyd-Powys Archaeological Trust (CPAT)

4.1.4 Engagement with the Reference Group during the preparation of the draft SPG is summarised in table B9:

Table B9 – Reference Group Involvement (Landscape SPG)

Date	Who and How?
Early October 2018	Contact made proposing an initial meeting and requesting involvement in the preparation of the SPG.
Late October 2018	Initial Draft Paper circulated to the reference group.
Early November 2018	Individual meetings or written correspondence with reference group members discussing the content and changes required to the initial draft SPG.
Late November 2018	Revised draft circulated to the reference group at the sametime it was circulated to the topic stakeholders. Ongoing correspondence throughout this stage as the paper progressed and to inform them of key dates.
December 2018	Ongoing engagement as the paper progressed following stakeholder feedback, particularly with Natural Resources Wales, up to the LDP Working Group.
Early January 2019	Circulation of the Draft Landscape SPG prepared for consultation detailing the consultation dates.
March 2019	Circulation of final SPG prepared for LDP Working Group along with the issues raised from the consultation.

4.1.5 Topic Stakeholders

4.1.6 The larger Topic Stakeholder group included an additional seven members, including representatives from the following:

- Brecon Beacons National Park
- Campaign Protection of Rural Wales (Montgomeryshire)
- CADW
- Snowdonia National Park
- Neighbouring Authorities with AONBs (Wrexham and Shropshire)
- Homebuilders Federation

4.1.7 These stakeholders were invited to provide informal feedback on a working draft of the SPG prior to the formal public consultation stage.

4.1.8 LDP Working Group

4.1.9 The Draft SPG was considered by the LDP Working Group on 19th December 2019 and approved for Public Consultation.

4.1.10 SPG Consultation

4.1.11 The public consultation period ran from 14th January to 25th February 2019 and representations were received from the following:

Representor Name (Representor No.)

- CPRW Brecon & Radnor Branch (5466)
- Mid Wales Arts Centre (5815)
- Scottish Power (5911)
- Pennant Walters (6264)
- Innogy Renewable Energy Ltd (6323)
- Canal & River Trust in Wales / Glandwr Cymru (5704)- No Comment
- Snowdonia National Park Authority (6746)
- Land Quality Advisory Service (7085) - No Comment
- Peter Richards Ltd (7086)

4.1.12 The main issues arising from the consultation and the Council's responses to these are set out in Table B10 below.

4.1.13 The representations and Council draft responses were considered by the LDP Working Group at its meeting on the 29th March 2019, and subsequently by the Council's Cabinet at its meeting on 30th April 2019. Note: This paragraph subject to editing further to decision-making at the Cabinet Meeting on 30th April

Table B10 – Main Issues from the Public Consultation (Landscape SPG)

Issue	Council Response
<p>General comments about SPG needing to be clearer, more authoritative, less repetitive etc. Representor; 5466.P1</p>	<p>Comments noted. The document is guidance to support the LDP policy it does not aim to reproduce the Guidelines for Landscape and Visual Impact Assessment. The SPG promotes a thorough consideration of landscape by applicants in the design process, this should then be followed by assessment. As different sections of the document may be referred to at a time (rather than reading cover to cover) the areas of repetition are considered necessary.</p>
<p>Wording of para 2.1 needs revision, with changes to paras 1.2 and 2.2. Representor; 5466.P2</p>	<p>This section follows a standard format set out in the previous tranche of SPG. The guidance is not just about the assessment of landscape impact it is also about promoting design that enables the successful integration of proposals within the landscape (as required by Policy DM4). Landscape impacts will be considered by Officers but they should also be considered by applicants at the design stage, this enables schemes to be amended or mitigation identified at an early stage in the process.</p>
<p>Queries meaning of 'special status' in para 3.3. suggests rewrite. Representor; 5466.P3</p>	<p>Amendment made to paragraph 3.3 to remove reference to 'special status'</p>
<p>Para 4.1 needs rewriting to provide clarity and remove contradiction. Representor; 5466.P4</p>	<p>Amendment made to provide clarity to paragraph 4.1.</p>
<p>Suggests insertion of European Landscape Convention definition, and how all landscape is valued and protected. Representor; 5466.P5</p>	<p>No change considered necessary there is enough detail in this section without it being added to.</p>
<p>Amending para 4.4 to underline value of landscape to well-being of residents and visitors. Representor; 5466.P6</p>	<p>Amendment made to paragraph 4.4 to include reference to visitors..</p>
<p>Suggests insertion of text to qualify lack of Special Landscape Areas in Powys. Representor; 5466.P7</p>	<p>No change considered necessary there is enough detail in this section without it being added to.</p>
<p>For paras 4.6 to 4.18 there should be a separate heading before an indented 4.7. Representor; 5466.P8</p>	<p>Amendment made to formatting.</p>
<p>Recommend moving explanatory text in Section 5. Policy. Representor; 5466.P9</p>	<p>Disagree this format has been used in the other SPG.</p>
<p>Suggest insertion of full text of Policy SP7 1 to 3. Representor; 5466.P10</p>	<p>Amendment made to presentation of Policy SP7.</p>
<p>Suggest presentation in full of policies DM2,</p>	<p>Disagree. This guidance should be read</p>

DM3 and DM7. Representor; 5466.P11	alongside the plan there is no need to repeat these three policies within the SPG.
Suggest, due to importance of message, para 5.8 be moved to beginning of Section 5. Representor; 5466.P12	Disagree, no change required.
Suggest alternative text for para 5.9. Representor; 5466.P13	Amendment made to aid clarification of text in paragraph 5.9.
Remove brackets from para 6.4. Representor; 5466.P14	Amendment made to remove brackets from paragraph 6.4.
Clarification in para 6.5 of who undertakes site visits. Representor; 5466.P15	Amendment made to clarify who undertakes site visits in paragraph 6.5.
Suggestions for rewording 6.8 Step by Step guide. Representor; 5466.P16	6.8 is a diagram, the definitions of the terminology used is explained in detail underneath. The purpose of this guidance is to promote consideration of landscape in the design process in the first instance followed by landscape assessment. A table titled " <i>Details of Information to be Submitted for Different Development Types if the Proposals Fall Outside of a Settlement.</i> " has been inserted to make it clearer what is expected to be submitted for each development type.
Suggests alternative wording for para 6.14 to make the SPG clearer. Representor; 5466.P17	A table titled " <i>Details of Information to be Submitted for Different Development Types if the Proposals Fall Outside of a Settlement.</i> " has been inserted to make it clearer what is expected to be submitted for each development type.
Suggesting changes to paras 6.22 to 6.32 concerning LVIA etc. Representor; 5466.P18	Disagree. Guidelines for Landscape and Visual Impact Assessment refers to 'Appraisal' where not part of an EIA.
Seeking changes to para 6.40. Representor; 5466.P19	A table titled " <i>Details of Information to be Submitted for Different Development Types if the Proposals Fall Outside of a Settlement.</i> " has been inserted to make it clearer what is expected to be submitted for each development type, this removes the need for this section to be amended.
Questioning the redaction to the OS Map in Section 7. Representor; 5466.P20	To avoid over analysis of the area chosen.
Seeks to remove repetition from paras 8.9-10, 8.26-27, 8.33-34 and 8.41-42 and to reference relevant guidance. Representor; 5466.P21	No Change. Reference has been made to NRW guidance where considered appropriate. Different sections of the document may be referred to at a time (rather than reading cover to cover) the areas of repetition are considered necessary
Fig 2 in Section 9 requires amendment. Representor; 5466.P22	Amendments made to Figures 2 and 3 as necessary.
Raises questions about the detail contained in Section 10 Monitoring.	The monitoring is largely determined by what is in the Annual Monitoring

Representor; 5466.P23	Framework. The text has been amended to show this.
Querying the absence of Landscape Capacity and Sensitivity Assessments within SPG as a whole. Representor; 5466.P24	No change considered necessary.
Comment about PCCs Enforcement and the need for mitigations to be monitored. Representor; 5466.P25	No Change. Not relevant enforcement is a development management issue outside of the scope of the SPG.
SPG needs to explain that Non Material Amendment (NMA) which alter original assessment conclusions will not be allowed. Representor; 5466.P26	No Change considered necessary each NMA will be considered on a case by case basis as to whether the amendment complies with the policies in the LDP.
Comment in support of the SPG and the importance of valuing landscape Representor; 5815.P1	Support noted.
Questioning why area around Caersws is not registered as being of historic importance. Representor; 5815.P2	CADW are responsible for the designation of Registered Historic Landscapes not the Local Planning Authority it is therefore beyond the scope of this SPG.
Concern about proliferation of static caravan sites and their impact upon landscape. Questions why there is no special guidance for static caravans. Representor; 5815.P3	Amendment made, section inserted for holiday parks into Appendix 1 - Key Things to Consider for a Sample of Development Types.
Approach in para 1.4 implies only a protective approach to landscape at odds with NRW Guidance. Representor; 5911.P1	Amendment made to paragraph 1.4 to remove reference to protection in line with LDP Policy.
Focus on para 2.1 should be on acceptability of changes, so suggest a text change to reflect this. Representor; 5911.P2	Amendment made to terminology used in paragraph 2.1.
Concerns over the attributes of landscape in para 4.1. Representor; 5911.P3	Amendment made to descriptive text used in paragraph 4.1.
SPG needs to recognise that Powys landscape will change through provision of national Renewable Energy development. Representor; 5911.P4	Disagree. The purpose of the SPG is to provide guidance on how Policy DM4 applies to development proposals including Renewable Energy.
SPG needs to reference NRW Guidance from Aug 2018. Representor; 5911.P5	Disagree. The NRW guidance from August was in draft form only at this time it is unclear what the final document will look like.
Apparent contradiction between para 4.14 and 4.15 requires clarification. Representor; 5911.P6	Amendment made to provide clarification in paragraph 4.14.
SPG terminology should better reflect that of DM4 with regard to 'unacceptable adverse/negative impacts'. Representor; 5911.P7	Amendments made to terminology used in the SPG with regard to 'unacceptable adverse/negative impacts' where appropriate.
Suggests changes to Fig 1. on page 11. suggest that the process outlined acknowledges that landscape is only one of	Not appropriate to add to fig 1 but have inserted additional text at para 6.23 that acknowledges that landscape is only one of

a wide range of considerations that may influence the siting and design of development in the countryside Representor; 5911.P8	a wide range of considerations that may influence the siting and design of development in the countryside
Concern re apparent conflict with existing recognised UK assessment processes. Representor; 5911.P9	The document is guidance to support the LDP policy it does not aim to reproduce the Guidelines for Landscape and Visual Impact Assessment. The SPG promotes a thorough consideration of landscape by applicants in the design process, this should then be followed by assessment. The document does not go into detail on how to carry out a landscape assessment as there are recognised UK assessment processes. The focus is on looking at landscape in siting and design to aid integration and identifying the level of landscape assessment required. However there is some overlap and difference between what is required under the EIA regulations and what is required to comply with LDP Policy DM4.
Recommends usefulness of referencing guidance issued by Scottish Natural Heritage and widely used across UK. Representor; 5911.P10	Not considered appropriate as this is part of Scottish Policy Framework. However this does not undermine its usefulness and appropriateness when considering development proposals.
Concerns about the application and interpretation of LVIA in para 6.23. Representor; 5911.P11, 6264.P1	Amendments made to terminology in paragraph 6.23.
Disagreeing with wording in para 6.31 with regard to non-EIA LVIA (Appraisal). Representor; 5911.P12, 6264.P2	Amendments made to terminology in paragraph 6.31.
Seeks clarification in para 6.35 in the interpretation of LVIA and the determination of acceptability/unacceptability. Representor; 5911.P13	This is the wording in Policy DM4. It is for applicants to consider how development proposals meet LDP Policy prior to the submission of a planning application. Where applicants have not checked that their proposals meet LDP Policy there is a higher risk of schemes being refused.
Concerns about the use of "unacceptable adverse effects" in para 6.36 Representor; 5911.P14	Amendments made to terminology in paragraph 6.36.
Concerns about the subjectivity of para 6.38 (<i>areas of high/ outstanding value that are likely to be harmed by the development proposal</i>) and application and interpretation of LVIA. Representor; 5911.P15, 6264.P3	Some amendments made however Policy DM4 states proposals must be appropriate and sensitive in terms of integration, siting, scale and design to the characteristics and qualities of the landscape. This section is giving an idea of what is unlikely to be successfully integrated within the landscape for development proposals not requiring a LVIA.
Issue with National Policy wording "where adverse effects on landscape character cannot be avoided, it will be necessary to refuse planning permission" Representor; 5911.P16	This is a direct quote from Planning Policy Wales (Ed 10). No changes are considered necessary.

<p>Concern that figs. 2 & 3 process charts on page 29 and 30 do not adequately reflect best practice guidance, and need clarification and cross referencing to be checked.</p> <p>Representor; 5911.P17, 6264.P4</p>	<p>Some amendments made to terminology used and cross referencing. However, the document is guidance to support the LDP policy it does not aim to reproduce the Guidelines for Landscape and Visual Impact Assessment. The SPG promotes a thorough consideration of landscape by applicants in the design process, this should then be followed by assessment. The document does not go into detail on how to carry out a landscape assessment as there are recognised UK assessment processes. The focus is on looking at landscape in siting and design to aid integration and identifying the level of landscape assessment required. However, there is some overlap and difference between what is required under the EIA regulations and what is required to comply with LDP Policy DM4.</p>
<p>Suggest referencing on page 37 the well-developed advice from Scottish Natural Heritage's guidance, used in Wales previously.</p> <p>Representor; 5911.P18</p>	<p>Not considered appropriate as this is part of Scottish Policy Framework. However this does not undermine its usefulness and appropriateness when considering development proposals.</p>
<p>Seeks clarification and more detail regarding wording in para 10.1.</p> <p>Representor; 6264.P5</p>	<p>The monitoring is largely determined by what is in the Annual Monitoring Framework. The text has been amended to show this.</p>
<p>Suggests changes to terms used in the Glossary.</p> <p>Representor; 6264.P6</p>	<p>Amendments made to the Glossary.</p>
<p>Suggests changes to elements within Appendix 1.</p> <p>Representor; 6264.P7</p>	<p>Amendments made to Appendix 1</p>
<p>Querying the wording in para 6.23 relating to apparent confusion between 'significant' (in EIA terms) and 'acceptability' (in planning). Suggests alternative wording.</p> <p>Representor; 6323.P6</p>	<p>Amendments made to terminology in paragraph 6.23.</p>
<p>Suggests additional wording to para 6.26, to include Screening Directions carried out by Welsh Ministers.</p> <p>Representors; 6323.P7</p>	<p>Additional wording added to paragraph 6.26, to clarify that Screening Directions are carried out by Welsh Ministers.</p>
<p>Supporting the exclusion of anemometry masts from requiring LVIA.</p> <p>Representor; 6323.P8</p>	<p>Support noted.</p>
<p>Concern over wording in para 6.38 (similar to concern in Rep P6) relating to the role of informal assessments in the determination of 'acceptability'.</p> <p>Representor; 6323.P9</p>	<p>Amendments made to terminology in paragraph 6.38.</p>
<p>As a consequence of Reps P6 and P9, Figures 2 and 3 of Section 9 should be altered to include suggested alternative wording.</p> <p>Representor; 6323.P10</p>	<p>Amendments made to terminology in Figures 2 and 3, but consideration must be given to meeting the requirements of Policy DM4.</p>

No comment Representor; 6395.P2, 7085.P1	Noted
Supports para 5.4 Representor; 6746.P1	Support noted
Supports para 6.7 Representor; 6746.P2	Support noted
Supports para 6.24 Representor; 6746.P3	Support noted
No clear guidance on what constitutes a development which does not require a Landscape Impact Assessment. Representor; 7086.P1	Table inserted on page 20 and amendment made to paragraph 6.36 to clarify what constitutes a development which does not require a Landscape Impact Assessment
Clearer clarification on project types and what is required will make the planning process more simple. Representor; 7086.P2	Table inserted on page 20 to clarify what applicants should submit as part of a planning application for different development types.

4.2 Renewable Energy SPG

4.2.1 Reference Group

4.2.2 In order to prepare the Renewable Energy SPG, the Council sought participation and involvement with various Topic Stakeholders, from which the Council formed a Reference Group.

4.2.3 The Reference Group comprised 5 members, which included either one or more representatives from the following:

- Planning Policy
- Development Management
- Regeneration
- Community Renewable Energy
- Renewable Energy

4.2.4 These stakeholders were invited to provide informal feedback on a working draft of the SPG prior to the formal public consultation stage.

4.2.5 Engagement with the Reference Group during the preparation of the draft SPG is summarised in table B11:

Table B11 – Reference Group Involvement (Renewable Energy SPG)

Date	Who and How?
Early October 2018	Contact made requesting involvement in the preparation of the SPG.
Early November 2018	Individual meetings or written correspondence with reference group members discussing the content of initial draft.
Late November 2018	Working draft circulated to the reference group. Ongoing correspondence throughout this stage as the paper progressed and to inform them of key dates.
December 2018	Revisions to working draft to finalise as Consultation Draft

Early January 2019	Circulation of the Draft Renewable Energy SPG to Reference Group as prepared for consultation and detailing the consultation dates.
March 2019	Circulation of final SPG prepared for LDP Working Group along with the issues raised from the consultation.

4.2.8 LDP Working Group

4.2.9 The Draft SPG was considered by the LDP Working Group on 19th December 2019 and approved for Public Consultation.

4.2.10 SPG Consultation

4.2.11 The public consultation period ran from 14th January to 25th February 2019 and representations were received from the following:

Representor Name (Representor No.)

- Clwys Powys Archaeological Trust (27)
- Llangorse Community Council (495)
- Welshpool Town Council (537)
- NATS (4589)
- Scottish Power Energy Networks (4601)
- Savills (4911)
- CPRW Brecon & Radnor Branch (5466)
- David Bellamy (5831)
- Scottish Power (5911)
- Sarah Bond (6160)
- CPRW Montgomeryshire (6193)
- Innogy Renewable Energy Ltd (6323)
- Canal & River Trust in Wales / Glandwr Cymru (5704)
- George Harris (6445)
- Jenny Keal (6513)
- Open Space Society (6724)
- Snowdonia National Park Authority (6746)
- Azra Dale (6758)
- Caroline and Jamie Martin (6827)
- Njord Energy Ltd (6847)
- Richard Martin (6871)
- Marcia Gibson Watt (6936)
- The Green Valleys (6967)
- Peter Richards Ltd (7086)

- Stephen and Lynne Sephton (7087)
- Name Withheld upon request (7088)

4.2.12 The main issues arising from the consultation and the Council's responses to these are set out in Table B12 below.

4.2.13 The representations and Council draft responses were considered by the LDP Working Group at its meeting on the 29th March 2019, and subsequently by the Council's Cabinet at its meeting on 30th April 2019. Note: This paragraph subject to editing further to decision-making at the Cabinet Meeting on 30th April.

Table B12 – Main Issues from the Public Consultation (Renewable Energy SPG)

Issue	Council Response
Notification of impending revisions to the boundaries of Registered Historic Landscape (RHL) areas, and a subsequent need to bear these revisions in mind with regard to the boundaries of LSAs Representor; 27.P5	Your representation is noted. Additional text highlighting RHL areas and ASIDOHL2 procedures have been incorporated into the document.
Queries the lack of consideration within the SPG for the infrastructure required to support the transition to electric vehicles. Representor; 495.P1	Your representation is noted. However, the Renewable Energy SPG relates to developments generating energy by renewable and low carbon technologies and therefore no changes are considered necessary. Electric vehicle charging points will be included in the forthcoming design guide SPG.
Supports inclusion of LSA but recommends additional hedgerow planting to scheme any solar PV development proposal Representor; 537.P1	Your support is noted and additional clarification with regards hedgerows included in the reference to the specific LSA
Request to pass on to, or use the SPG to draw the attention of windfarm developers to the presence of, information relating to NATS Aviation Infrastructure. Representor; 4589.P1	Your representation is added. Additional information is provided under para 9.1 and the FAQ has been included as a new Appendix.
Seeking amendment to 1st sentence of para 9.6.1 concerning the determination of technical aspects of grid connection Representor; 4601.P1	Thank you for your comment and the changes suggested have been incorporated into the document.
Seeking to add new sentence to end of para 9.6.1 to qualify the preference for sub-surface connections. Representor; 4601.P2	Thank you for your comment and the changes suggested have been incorporated into the document.
Seeks new para to be added at 9.6.2 covering grid connections and the need for engagement between LPA and network operators. Representor; 4601. P3	Thank you for your comment and the changes suggested have been incorporated into the document.

Representor seeks further engagement with PCC with regard to the contents of the SPG Representor; 4601.P4	Your comment is noted.
SPG should better reflect the strategic direction of national policy and guidance that is outlined in the SPGs policy context section 4. Representor; 4911.P1	Your comment is noted. The SPG recognises national policy direction, and to support this the Council prepared a renewable Energy assessment published in 2017 which informs the opportunities for renewable and low carbon energy across Powys.
SPG should include targets in line with PPW para 5.7.18. Representor; 4911.P2	Your comment is noted. The Powys LDP and the SPG is informed by deliverable opportunities as identified in the Powys REA
SPG needs to consider how the technologies it lists will be better accommodated in future given the dynamism and innovation of the sector. Representor; 4911.P3	Your comment is noted. However, no change is considered necessary as the SPG makes reference to other technologies such as storage and hydrogen generation.
SPG needs to better reflect PPWs positivity and provide better guidance to maximise RE potential. Representor; 4911.P4	Your comment is noted. However, the Council considers that the LDP policies and SPG provide the appropriate policy framework and guidance to enable RE opportunities across Powys and thus the balance is appropriate.
General opening comments about the overall shortcomings of the SPG. Representor; 5466.P27	The Council disagrees with this representation. The Council considers that the SPG provides the appropriate balance and guidance in the context of the policy framework.
Entire UK Policy context section can be deleted as Wales WG policy is now primary legislation. Representor; 5466.P28, 6160.P10	The Council disagrees with this representation. The wider legislative and policy framework with respect to renewable energy remains valid.
The section on renewables obligation requires updating as it is now closed to new applicants. Representor; 5466.P29	The Council notes your representation and the text in relation to the renewables obligation has been revised.
Three paras in 4.2 require editing to remove superseded documents or targets. Representor; 5466.P30, 6160.P11	The Council disagrees with this representation. These documents have not been withdrawn and are considered in an appropriate context.
Requires deletion of superseded or repetitive detail in four paras in 4.3. Representor; 5466.P31, 6160.P12	The Council disagrees with this representation. These documents have not been withdrawn and are referenced in an appropriate context.
Superseded detail re EIA in paras 7.7.4, 7.6.6 and 9.5.1 needs to be deleted. Representor; 5466.P32	The Council notes your representation and the text has been amended.
Headings in Section 7 require clarification to remove confusion about types of, and search	The Council disagrees with this representation. The SPG layout is informed by

areas for RE. Representor; 5466.P33	the LDP policy which considers SSAs, LSAs then all other forms of RE technology.
Section 9 omits odours and air pollution. Representor; 5466.P34	The Council notes this representation. Pollution is included in para.9.1 and odours has been added.
Seeks clarification about who undertakes LSCA. Representor; 5466.P35	The Council notes this representation and additional clarification has been included.
Querying inclusion of LSCA within Section 9. Representor; 5466.P36	The Council disagrees with the representation. LSCA allows for initial assessment of search areas prior to a detailed proposal with an LVIA. The NRW guidance has not been published.
Querying why Cumulative Impact issues are confined to visual issues in para 9.4.3. Representor; 5466.P37	The Council notes this representation and additional clarification has been included.
Queries why there is no mention of protecting historic landscapes in para 9.7.3. Representor; 5466.P38	The Council notes this representation and additional clarification has been included.
Wind section needs to describe the increase in turbine size over time since TAN8 was written. Representor; 5466.P39	The Council notes this representation and references to technological advances and increases in turbine size have been added to section 7.2.
Queries the ignoring of Aecom's findings re Wind LSAs from section 7, whereas the solar findings are set out in para 7.3. Representor; 5466.P40	The Council disagrees with this representation. Policy RE1 which informs the SPG recognised that wind local search areas were not identified but the policy enables wind proposals to come forward if appropriate locations can be identified and as a result Policy RE1 accords with national policy.
1st bullet of para 4.3.11 - notes that Powys has never established separation distances. Representor; 5466.P41	The Council notes this comment but does not agree that any changes are necessary.
Queries lack of specific advice about stand alone turbines in para 7.7.2, Representor; 5466.P42	The Council notes this representation in relation to permitted development and a cross reference to the relevant appendices added.
Queries the conclusions re the use of EIA within Table 3 in section 9.5. Representor; 5466.P43	The Council disagrees with this representation. As is stated in Table 3, these are indicative thresholds and an individual development may still require EIA.
Requiring consistency in referencing of the LSA, and more detail required in Table A1. Representor; 5466.P44, 6160.P25	The Council notes this representation and referencing has been revised and additional clarification added to support Table A1.
Paras 7.5.2, 7.5.3 and 7.5.5 variously require more detail, clarification, qualification and/or	The Council notes this representation and the text has been revised.

rewording. Representor; 5466.P45	
Queries the omission of detail concerning LPA planning permission from Appendix 2. Representor; 5466.P46	The Council does not agree with this representation. Appendix 2 and 3 are not comparable. It is clearly stated that Appendix 2 refers to AD regulations.
Apparent confusion being caused because Appendix 3 is about something that is different to Appendix 2 OR Appendix 3 requires clarification to avoid confusion when compared to Appendix 2. Representor; 5466.P47	The Council does not agree with this representation. Appendix 2 and 3 are not comparable. It is clearly stated that Appendix 2 refers to AD regulations whilst Appendix 3 relates to domestic permitted development.
Concerns about apparent lack of transparency in SPG preparation and lack of detail re the Impact Assessment in paras 3.0.2 & 3.0.3. Representor; 5466.P48	The Council disagrees with this representation. The process for SPG preparation has been previously agreed by the Council.
Para 4.3.11 should be clarified and reconciled with para 9.12. Representor; 5466.P49, 6160.P24	The Council notes this representation and para 9.12 has been revised.
Comment re the importance of supportive local policies in order to realise national intentions. Representor; 5911.P19	Your comment is noted. The Council consider that Policy RE1 provides the necessary supportive policy framework.
SPG needs to be more cognisant of the changing national policy context (NDF) etc, rather than the out of date TAN8. Representor; 5911.P20	Your comment is noted. The Council is aware of the developing NDF. However, at the present time TAN8 has not been withdrawn and the Council considers that the SPG provides the appropriate balance and support to enable renewable energy development within the current national policy framework and stated Welsh Government aspirations. Should there be a change in national policy context, the SPG may require revising to reflect such changes.
Supports the inclusion of repowering paras within the SPG, eg para 9.10.2 Representor; 5911.P21	Your support is noted
General comments re the SPGs failings. Representor; 6160.P9	The Council disagrees with this representation. The Council considers that the SPG provides the appropriate balance and guidance in the context of the policy framework.
Inclusion of 'national in para 6.1.3, and storage as a technology in para 6.1.4. Representor; 6160.P13	The Council disagrees with this representation. Para 6.1.3 is not considered to require changing in the context of national planning policy, and storage was not a technology included in the REA.
Requires deletion of passage within para 7.1.1.	The Council disagrees with this representation and does not consider that para 7.1.1 requires

Representor; 6160.P14	amendment as it covers the Policy approach within the SSAs.
Superseded detail re EIA in para 7.7.4. Representor; 6160.P15	The Council notes your representation and the text has been amended.
Amendments to para 7.7.5 re EIA screening opinion. Representor; 6160.P16	The Council notes your representation and the text has been amended.
Remove reference to outdated policy in para 7.8.6. Representor; 6160.P17	The Council disagrees with this representation. These documents have not been withdrawn and are referenced in an appropriate context.
Para 7.9.4 regarding storage should also consider strategic resources as in SP7. Representor; 6160.P18	The Council notes your representation and the text has been amended to make reference to Policy SP7.
Clarify application of EIA in para 9.1.3 (and typo in para 9.1.2). Representor; 6160.P19	The Council notes your representation and the text has been amended.
Recognition that significant receptors may not be local people in para 9.3.2. Representor; 6160.P20	The Council notes your representation and the text has been amended.
Clarification re the purpose of an LVIA required in para 9.3.3. Representor; 6160.P21	The Council notes your representation and the text has been amended.
Suggestion to reword para 9.3.4 to reflect regular updating of guidance referred to. Representor; 6160.P22	The Council notes your representation and the text has been amended.
Paras 9.5.1 and 9.5.2 refer to superseded EIA regs or outdated guidance. Representor; 6160.P23	The Council notes your representation and the text has been amended.
General criticism of the document, relying on overmuch recitation of policy, with more specific guidance needed as well as information on what constitutes 'acceptable' Representor; 6193.P1	The Council disagrees with this representation. The Council considers that the SPG provides the appropriate balance and guidance in the context of the policy framework.
A need for 'unambiguous cross-referencing' to parts of other SPGs (esp Landscape) and LDP Policies, such as Tourism and Cultural Heritage. Representor; 6193.P2	The Council disagrees with this representation. Other SPG are referenced and para 7.2.6 acknowledges that all national and local plan policies apply. This has been further clarified in para 5.01.
In light of the importance of landscape, Representor seeks wording to be inserted stating that there is no further capacity for windfarms in Powys outside the SSAs. Representor; 6193.P3	The Council does not agree with this representation and Policy RE1 does not prevent windfarm schemes coming forward outside the SSAs if the necessary policy criteria are met.
Seeks qualification to sentence in para 6.1.1 by saying that Powys is well located for	The Council does not agree with this representation. Although grid capacity may at

renewable energy for small community projects, and that larger commercial projects will be limited by the absence of grid connection. Representor; 6193.P4	the current time limit connections, opportunities e.g. direct supply could enable larger schemes to come forward.
In light of the age of TAN8 there is a need for full assessment processes (to include tourism, heritage assets, highways and access, carbon storage and dark soils, watercourses and absorption) for RE developments of any size. Representor; 6193.P5	The Council does not agree with this representation. TAN8 remains part of national policy and all the criteria highlighted by the representor are included in the criteria for consideration in para. 9.1.
Seeks preference in paras 7.4 to 7.10 for schemes producing energy for local use, and schemes that do not involve transfer of materials for long distances. Representor; 6193.P6	The Council does not agree with this representation. To restrict schemes as proposed would not be in accordance with national planning policy.
Para 7.9.4 requires more guidance and cross referencing to the Landscape SPG. Representor; 6193.P7	Your representation is noted. A reference to the Landscape SPG has been included in para 7.9.4.
Endorses large parts of 9.1, however seeks inclusion of Public Rights of Way to avoid any doubt and provide clarity. Representor; 6193.P8	Your representation is noted and a reference to "public rights of way" added to provide clarity.
Seeks specific inclusion of Conservation Areas under the Historic Environment bullet point in 9.1.2, and specific mention of the impact of transmission infrastructure on heritage assets in para 9.1.4. Representor; 6193.P9	Your representation is noted and a reference to Conservation areas has been added.
Welcomes the requirement for LSCA and an LVIA. Representor; 6193.P10	Your support is noted.
In order to align with Landscape SPG, para 9.3.2 should clearly state views and panoramas both into and out of the proposed development will be important considerations. Representor; 6193.P11	Your representation is noted and a reference to has been added.
Welcomes the requirement for cumulative assessment. Representor; 6193.P12	Your support is noted.
Requires the sentence under Table 3 to have more prominence by being given its own numbered paragraph. Representor; 6193.P13	Your representation is noted and this sentence has been separately numbered.
Para 9.6 is wholly insufficient. Seeks inclusion of expanded criteria (that includes impacts upon communities, tourists, residential	Your representation is noted. The Council disagree that criteria should be added to para. 9.6. However, para. 9.1 has been clarified to

amenity and PRoW) that are to be considered laid out as in para 9.1. Representor; 6193.P14	indicate that the criteria apply to transmission and ancillary structures as well as the RE development itself.
Para 9.10.1 needs to specifically include the removal of grid and transmission infrastructure, and in para 9.1 the inclusion of wording concerning the impact of any permanent infrastructure on ecology and hydrology. Representor; 6193.P15	The Council notes your representation. Para. 9.10.1 already includes removal of ancillary infrastructure, but additional clarification is added stating that assessments may be required to assess the impacts of those structures which cannot be removed.
Concern over the potential for financial considerations to have an impact upon decision making. And suggests clarification on this is required in para 9.12.2. Representor; 6193.P16	Your representation is noted. Paras 9.12.1 and 9.12.2 have been revised and additional clarification provided.
Suggests that section 9.11 be kept under constant review in the eventuality of any relevant legislation relating to windfarms and lighting. Representor; 6193.P17	The Council disagree with this representation. The document will be reviewed should legislative and national policy changes require it to be so.
Seeks clarification on the overall focus of the SPG and apparent contradictions within the text, citing two examples, and requests that more attention be given to onshore wind within the document. Representor; 6323.P1	This representation is noted and the text amended to include onshore wind and correct the contradictions.
Para 4.1.4 needs to be updated to give accurate information regarding support mechanisms. Representor; 6323.P2, 5466.P29	This representation his noted and the text has been amended as suggested.
Seeks change of wording to better reflect industry terminology with regard to 'cabling'. Representor; 6323.P3	This representation his noted and the text has been amended as suggested.
Seeks reconsideration of the 'onerous obligations' being proposed for decommissioning. Suggests alternative wording. Representor; 6323.P4	This representation his noted and the text has been amended as suggested.
Seeks clarification in paras 9.12.1 and 9.12.2 regarding the issue of planning obligations, and the circumstances around how and what they can be used for, and seeks a more supportive approach to schemes that involve community and or shared ownership and suggests a rearrangement of this section of the SPG. Representor 6323.P5	This representation is noted. Paras 9.12.1 and 9.12.2 have been amended and additional text incorporated to provide clarity with respect to Community Benefit Funds.
Recognition that the effect any RE	Your comment is noted. Additional references

development (such as wind turbines) would have on the NP would be included within the Landscape SPG. Representor; 6746.P4	to landscape SPG have been incorporated into the document.
Seeks amendment to para 6.1.5. Representor; 6758.P2	Your representation is noted. The Council does not agree with your proposed change as some RE developments will be the responsibility of the Welsh Ministers for determination.
Seeks amendment on page 7 re Strategic Resources. Representor; 6758.P3	Your representation is noted, however the Council does not consider any change is required.
Amendment to para 9.1.2 re enforcement of items listed. Representor; 6758.P4	Your representation is noted, however the Council does not consider any change is required.
Opposed to wind turbines and solar in Powys landscape. Representor; 6827.P1	Your representation is noted, however the Council does not consider any change is required.
SPG does not provide adequate guidance to developers, lacks information on how prejudice is determined, and will hinder development, so is inconsistent with national guidance & policy. Representor; 6847.P1	The Council disagrees with this representation. Examples of prejudicial developments are included in para 7.2.5. It remains the case that the identified SSA capacities remain as targets and any development in excess of the target within SSAs would be required to meet national and local planning policies.
Use of the words 'should be' in para 7.2.4 does not properly reflect the wording of Policy RE1 or the intention of national policy. Representor; 6847.P2	Your representation is noted and the text amended to align with the Policy.
Opposed to implementation of search areas. Representor; 6871.P1	Your representation is noted, however the Council does not consider any change is required. The LDP has been adopted by the Council after it, and the evidence that underlies it, has undergone an Examination in Public. As the SPG explains, the Local Search Areas are identified and detailed in the LDP Policy RE1 and accompanying reasoned justification, and as such they cannot be altered or removed from the LDP at this stage.
Representation drawing the Council's attention to a newspaper article concerning Kent Council and the possibility of colouring off-shore wind turbines. Representor; 6936.P1	Your representation is noted. Additional text referring to the need for appropriate colour schemes to be included in the design has been incorporated into the document.
Overall support for the SPG. Representor; 6967.P1	Your support is noted
SPG should better recognise the potential	Your representation is noted and additional

benefits to economic regeneration and resilience arising from RE. Representor; 6967.P2	text recognising additional benefits has been incorporated into the SPG.
Ministerial ambition from Sept 2017 Statement) for local (or community) ownership should be recognised and referenced throughout the SPG. Representor; 6967.P3	Your representation is noted and additional text added to the SPG.
More info on agricultural and forestry PD Rights to be included in Appendix 3 as stated in para 8.1.1. Representor; 6967.P4	Your representation is noted and the reference corrected with additional text added.
para 9.6 could include more info and guidance on when and where PP is required for grid connection. Representor; 6967.P5	Your representation is noted and additional text added to the SPG.
Could include info in para 9.9 on policy implications of jointly owned/managed AD plants using poultry waste. Representor; 6967.P6	Your representation is noted. A reference to LDP waste policies W1 and W2 has been added as new para 9.9.6
Suggest removal of 25 year requirement to decommission in para 9.10.1 as this is unnecessary for schemes (such as Hydro) that are built to last much longer. Representor; 6967.P7	Your representation is noted. The text has been revised to reflect that operation lifespans can vary.
Para 9.12.1 welcomed but note it presents a good opportunity to underline community ownership / benefit as per Ministers statement (See also Rep P3). Representor; 6967.P8	Your representation is noted and additional text incorporated into the SPG.
Need for more info on potential role of AD systems and/or district heating systems in the candidate site assessment process, in delivering RE and waste reduction targets. Representor; 6967.P9	Your representation is noted and will be considered in future plan preparation. Developers are encouraged to investigate district heating through a variety of heat sources and these are outlined in section 7.10 of the SPG.
Recognises the relationship between the SPG and national policy. Representor; 7086.P3	Your comments are noted. Wording changes have been made throughout the SPG to ensure the environmental and other impacts of renewable energy development are considered by developers and properly mitigated to ensure they meet national and local policy requirements.
Opinions expressed towards individual LSAs (in favour and against). Representor; 5831.P1, 6445.P1, 6513.P1, 6724.P1, 6758.P1, 7087.P1, 7088.P1,	The SPG supports the LDP and individual policies within it. The LDP has been adopted by the Council after it, and the evidence that underlies it, has undergone an Examination in Public. As the SPG explains, the Local Search

	Areas are identified and detailed in the LDP Policy RE1 and accompanying reasoned justification, and as such they cannot be altered or removed from the LDP at this stage.
No Comment Representor; 6395.P1	Noted

4.3 Approval and Adoption of the second set of SPG by the Council

Having considered the issues and comments received and scrutinised the Consultation Draft SPGs, the Cabinet approved the two SPGs at its Cabinet meeting on 30th April 2019. Note: This paragraph subject to editing further to decision-making at the Cabinet Meeting on 30th April 2019.

Note: The following sections 5. and 6. are to be completed over 2019-2020 as the SPG preparation programme continues.

5. Public Consultation on the third set of SPG

5.0.1 In accordance with the SPG programme agreed for the LDP (in Table 1 on page 1), the third set of SPG to be prepared for public consultation:

- Conservation Areas
- Open Space
- Residential Design Guide

6. Public Consultation on the fourth set of SPG

6.0.1 In accordance with the SPG programme agreed for the LDP (in Table 1 on page 1), the fourth set of SPG to be prepared for public consultation:

- Archaeology
- Historic Environment
- Land Drainage

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P1	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: General opening comments about SPG needing to be clearer, more authoritative, less repetitive etc.

Item Question Representation Text

1 Details

This response has been prepared by members of the CPRW Brecon & Radnor committee.

The role of Supplementary Planning Guidance (SPG) (LDP Manual Edition 2) is to 'provide further detailed information in support of the LDP. The LDP contains policy; SPG contains guidance and advice only.'

Landscape Supplementary Planning Guidance should set out clearly to applicants, agents and local residents - and planning officers - the minimum landscape assessment information which the Local Planning Authority will require to be provided in support of a planning application. As currently drafted this SPG fails to do this.

In summary, as drafted, this SPG needs to be clearer, more authoritative and less repetitive. As it stands the SPG:

- 1.Does not set out clearly how an applicant should prepare landscape information and what is the appropriate level of information required to be provided for determination of an application;
- 2.Does not set out guidance on what Development Management expect in terms of landscape protection;
- 3.Is not clear about the use of all 5 Landmap layers;
- 4.Is not clear about the modern challenges to landscape protection. For example, industrial scale intensive livestock units are not discussed at all;
- 5.Does not set out the respective roles of Development Management and other bodies involved in landscape protection through the planning process, especially NRW and CADW;
- 6.Does not clearly set out the technical tools/regulations such as EIA, ZTV, LVIA, Landmap or provide links to further information and guidance, data sources etc. The SPG needs to set out clearly what these are, how and when they have application or must be used.

This SPG offers the opportunity for Development Management to adopt a more rigorous approach to the protection of landscape. However, to do so the guidance must be rigorous, helpful and prescriptive. As this will represent something of a departure for officers, it is also essential that planning officers are given appropriate training in the application of this guidance. Powys residents have been distressed to see the low priority which has sometimes been given to landscape protection. To give just three examples from recent years:

- Penarth poultry sheds P/2015/0131: No landscape consideration or Landmap information provided.
- Penllanerch single wind turbine P/2013/1064: NRW concerns re understatement of landscape impacts in applicant's documentation not followed up.
- Lower House Farm poultry sheds P/2016/0397: Inadequate consideration of landscape – see extract from CPRW Brecon & Radnor objection below i . It should also be noted that at the planning committee meeting, committee members were misled by the planning officer who incorrectly stated that CADW were the responsible body for assessment of impacts on Landmap Historic Landscape aspect areas.

Also see endnote i ;

i "The applicant has not provided an assessment of landscape and visual impacts, an omission the Officer should have challenged. The site lies outside a designated landscape and so the responsibility for assessing the acceptability of landscape and visual impacts falls to the LPA, who should follow LANDMAP guidance in their assessment...

The officer also fails to use LANDMAP in an appropriate manner, referring only to the Visual and Sensory layer of LANDMAP (rated HIGH), and failing to draw attention to the OUTSTANDING Historic LANDMAP layer (aspect area RDNRHL914). The Officer also fails to draw attention to the LANDMAP assessor's remarks in relation to the Visual and Sensory aspect area (RDNRVS127) remarks that this landscape is "...one of the finest landscapes in the region".

Landscape impacts of Intensive Poultry Units (IPUs) are substantial. At Bage Court, Dorstone in neighbouring Herefordshire, the impacts on landscape have been a reason for repeated refusal of a proposed intensive poultry unit and for the dismissal by the Planning Inspectorate of three separate planning appeals." (Extract from CPRW B&R branch objection to application P/2016/0397 25/1/2018).

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P2	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Wording of para 2.1 needs revision, with changes to paras 1.2 and 2.2

Item Question Representation Text

1 Details

•1.2 leave this out. Repeated in 2.1.

•2.1 bullet 3 (Repeated in 2.2 bullet 4): Development Management must assess not only impacts on views and visual amenity but also impacts on landscape character. In order to reach an informed conclusion on the effect of the application scheme, the LPA normally needs sufficient information to firstly, identify and assess the likely effects of a proposed development on the surrounding landscape and visual amenity, and secondly be confident that the "scale of investigation" that is undertaken is "appropriate and proportional" to the particular site and scheme ii.

SPG must clearly set out application requirements. Wording needs revision along the lines: "what information the Council will require for specific types of development proposal...to assess the impact of the development on the Powys landscape."

•2.1 and 2.2: We suggest these should be condensed/amalgamated.

Also see endnote ii;
ii - paragraph 1.17, Guidelines for Landscape and Visual Impact Assessment, Third Edition, 2013.

5466.P3	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Queries meaning of 'special status' in para 3.3. suggests rewrite.

Item Question Representation Text

1 Details

•3.3 refers to 'special status' of policies within the LDP. What, if anything, does this mean? Could this entire paragraph be rewritten to read simply: "This SPG is a material consideration in the determination of planning applications according to LDP Policy."

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
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5466.P4	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Para 4.1 needs rewriting to provide clarity and remove contradiction

Item Question Representation Text

1 Details

•4.1 The opening sentence incorrectly states that planning is primarily concerned with the visual and sensory aspects of landscape, and contradicts the final sentence. This is confusing and wrong. This paragraph must be rewritten to make it unequivocally clear that all aspects of landscape impact must be considered in determination of a planning application.

5466.P5	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Suggests insertion of European Landscape Convention definition, and how all landscape is valued and protected.

Item Question Representation Text

1 Details

•4.2 We are pleased to see reference to the European Landscape Convention. By way of emphasis it would be helpful to include beneath the ELC definition of landscape the following extract from guidance:
"This is a purposely non-scientific definition that should resonate widely.

- Landscape is important, not as just scenery or a backdrop, but because it links culture with nature, and past with present.
- Landscape has many values not all of them tangible; it matters to, and is valued by, people and provides a context for people's lives.
- It puts emphasis on the whole landscape not just the 'best bits' and applies to all landscapes everywhere and in any condition – land, inland water, inter-tidal, marine, natural, rural, urban and peri-urban, outstanding, ordinary and degraded.
- The ELC is forward looking in its approach, and recognises the dynamic nature of landscape – with an emphasis on management of change and creating new landscapes as well as managing the landscapes that we inherit iii."

In the context of landscape protection within Powys and outside the National Park it is particularly important to emphasise that all landscape whether or not designated has value and is to be protected.

See also endnote iii;

iii European Landscape Convention Guidance Part 1 Natural England 2009 <http://publications.naturalengland.org.uk/publication/6361194094919680?category=31019>

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P6	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Amending para 4.4 to underline value of landscape to well-being of residents and visitors

Item Question Representation Text

1 Details

•4.4 Amend to refer to the importance of landscape for the well-being of Powys residents and a wider range of people, including visitors.

5466.P7	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Suggests insertion of text to qualify lack of SLAs in Powys

Item Question Representation Text

1 Details

•4.5 Powys Council has chosen not to designate Special Landscape Areas. We recommend the insertion of the following words, or similar, to emphasise that absence of SLAs does not imply a low value placed on Powys landscapes: "Powys has not designated SLAs because PCC considers all Powys landscapes are of high value and deserving of protection. The extra protection of specific areas through SLA designation has been forgone in favour of a rigorous assessment of the landscape impact of development on a case-specific basis. Landscape assessment is therefore a fundamental part of planning decision-making throughout the county"

5466.P8	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: for paras 4.6 to 4.18 there should be a separate heading before an indented 4.7

Item Question Representation Text

1 Details

•Paragraphs 4.6 to 4.18: For clarity this section should have a separate heading beneath which paragraphs 4.7 to 4.18 need to be indented. A list of the resources and publications, together with relevant guidance, at the start of this section is required.

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P9	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Recommend moving explanatory text in 5. Policy

Item Question Representation Text

1 Details

•5. Policy. For greater clarity we recommend that the explanatory text be placed below the boxed policy text.

5466.P10	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Suggest insertion of full text of Policy SP7 1 to 3

Item Question Representation Text

1 Details

•5.3 SP7 box. It is unclear what is conveyed by ellipses, and this truncation of the policy fails to reflect that SP7 requires the consideration not only of Registered Historic Landscapes but also their settings. We recommend the inclusion of the full text of SP7 1 to 3 since conservation areas, rights of way etc. are all integral to the perception of landscape and assessment of development impacts.

5466.P11	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Suggest presentation in full of policies DM2, DM3 and DM7

Item Question Representation Text

1 Details

•5.6 We recommend the presentation of policies DM2, DM3 and DM7 in full. This is more helpful to the reader.

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
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5466.P12	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Suggest, due to importance of message, para 5.8 be moved to beginning of Section 5

Item Question Representation Text

1 Details

•5.8 This is a very important message to applicants and agents and deserves emphasis. We feel this could be achieved by making this point at the opening of section 5, with reference to specific types of development to which this might apply at 5.7/5.8 below. These developments would include, for example, large scale agricultural buildings.

5466.P13	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Suggest alternative text for para 5.9

Item Question Representation Text

1 Details

•5.9 Meaning is unclear. We recommend: "In addition to this Landscape SPG, specific guidance for Natural and Historic Environment, Renewable Energy and Residential Design is contained in other SPGs which are also material considerations in determining planning applications."

5466.P14	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Remove brackets from para 6.4

Item Question Representation Text

1 Details

•6.4 Remove brackets from "(and their settings where relevant)".

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P15	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Clarification in para 6.5 of who undertakes site visits

Item Question Representation Text

1 Details

•6.5 "... a site visit is necessary" – it is unclear who is expected to undertake site visits. We recommend "Planning Officers will make a site visit".

5466.P16	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Suggestions for rewording 6.8 Step by Step guide

Item Question Representation Text

1 Details

•6.8 Step by Step Guide – this does not reflect how planning applications are developed. We recommend that LVIA, ZTV and Landmap are flagged up earlier on in the SPG with clarification where they are described.

Step 1: should be called 'Pre-Application Stage'. It should be clear that Powys Development Management will require a blue line outline of the land within the applicant's ownership and information to determine whether alternative siting is available. Information about the pre-application process should be included here and scoping and EIA should also be discussed within this step. The term LVIA is introduced without explanation.

Step 2: should be called 'Baseline Landscape Assessment'. The term ZTV is introduced without explanation.

Step 3: should be called 'Definitive Siting' because discussion of the site or potential sites will already have featured in pre-application.

Step 4: Should be called 'Detailed Landscape Assessment and refinement of plans'. The term LVIA is introduced without explanation.

Step 5: Should be called 'Preparation and Submission of Application'. This step should make clear what documents and specific information the application must contain. For example, requirement for red and blue line areas and the location of the site indicated on an Ordnance Survey contour map of the immediate and wider area should be made explicit. At present many applications are submitted without clear OS contour maps, essential to understanding the site location, which is unacceptable.

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P17	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Suggests alternative wording for para 6.14 to make the SPG clearer

Item Question Representation Text

1 Details

•6.14 The wording 'this may include' should be replaced by 'Where relevant, Powys Development Management will expect these to include...' SPG needs to set out clearly what is required within a planning application.

5466.P18	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Suggesting changes to paras 6.22 to 6.32 concerning LVIA etc

Item Question Representation Text

1 Details

•6.22 and 6.31: LVIA stands for 'Landscape and Visual Impact Assessment' and not 'appraisal'. Delete '(known as Landscape Visual Impact Appraisal)' from 6.31.

•6.29 to 6.32: The structure of this section is unclear. We recommend that this should be rewritten along the lines:

"A landscape and visual impact assessment will be required for the following:

oEIA proposals where landscape impacts are possible

oAll wind energy proposals

oMost major developments (as defined by the Town and Country Planning (Development Management Procedure) (Wales) Order 2012

oOther projects considered to have a significant landscape impact (See policy DM4)

•6.32: "in consistence with" – grammar

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P19	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Seeking changes to para 6.40

Item	Question	Representation Text
1	Details	•6.40 bullet 1 (either as.....) or ? – grammar. Bullet 3 reword ‘it will be necessary...permission’ as ‘will be refused’.

5466.P20	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Questioning the redaction to the OS Map

Item	Question	Representation Text
1	Details	•Z: why redaction from Ordnance Survey map?

5466.P21	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Seeks to remove repetition from paras 8.9-10, 8.26-27, 8.33-34 and 8.41-42 and to reference relevant guidance

Item	Question	Representation Text
1	Details	<p>•Landmap: There is scope for removing repetition from this section e.g. 8.9-8.10, 8.26-8.27, 8.33-8.34, 8.41-8.42.</p> <p>We would recommend that specific reference should be made within this section to all relevant guidance, as available on NRW website iv.</p> <p>See also endnote iv; iv https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/evidence-to-inform-development-planning/landmap-the-welsh-landscape-baseline/?lang=en</p>

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
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5466.P22	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Fig 2 in Section 9 requires amendment

Item Question Representation Text

1 Details

•Section 9 fig 2 keeps referring back to fig 2! This should be Figure 3. The vertical boxes do not fit with "stages" down the left hand side.

5466.P23	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Raises questions about the detail contained in Section 10 Monitoring

Item Question Representation Text

1 Details

•10. Monitoring: It is unclear how any of this is to be achieved or who the 'landscape professionals' (given that Powys has no Landscape Officer) referred to in 10.2 might be. What about monitoring whether development actually has the same or worse impacts compared with those identified in application? Who will report on 'developments that may have an unacceptable adverse impact on the valued characteristics and qualities of the landscape throughout Powys ... without an accompanying LVIA'? To do so would be an admission of having failed to require information necessary for the determination of an application (and likely to lead to its refusal) so there can be no incentive for planning officers to come forward with this information. Does this monitoring methodology have any likelihood of revealing the effectiveness or otherwise of the planning policies and SPG? We suggest that this section requires some further thought.

5466.P24	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Querying the absence of Landscape Capacity and Sensitivity Assessments within SPG as a whole.

Item Question Representation Text

1 Details

In addition to the points raised above we would like to raise the following issues:

•We would expect to see mention of Landscape Capacity and Sensitivity Assessments within this SPG. Although not a requirement from applicants, an explanation would be an aid to understanding and LCSAs may be relevant to the development of an application.

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P25	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	C	W	M	

Document:Landscape SPG

Summary: Comment about PCCs Enforcement and the need for mitigations to be monitored

Item Question Representation Text

1 Details

•Enforcement of planning conditions: planning conditions may prescribe actions which are important for the mitigation of landscape impacts. It is unacceptable that Powys frequently fails to enforce conditions applied to approval of a development. Mitigation undertakings must be monitored.

5466.P26	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: SPG needs to explain that NMAs which alter original assessment conclusions will not be allowed

Item Question Representation Text

1 Details

•Non Material Amendments: It should be set out in this SPG that NMAs which alter the original landscape assessment conclusions will not be allowed.

5845.P1	Mid Wales Art Centre			14/01/2019	<input type="checkbox"/>	E	S	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Support for landscape protection

Item Question Representation Text

1 Details

I am delighted to read that the value of the landscape is appreciated and valued.
It is of great importance to the physical and mental health and well being of the present generation and for the future of mankind.

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5815.P2	Mid Wales Art Centre			14/01/2019	<input type="checkbox"/>	E	C	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Caersws area's historic importance

Item Question Representation Text

1 Details

Powys has an exceptionally beautiful landscape with many important historic and geological features.

I note that the area around Caersws is not registered as being of historic importance, despite having 2 Roman Forts, the Moat at Moat Lane, several very ancient buildings including my own home which can be dated to the early 1500's or before, having connections with Ceiriog Hughes (the 'Robert Burns of Wales') who worked at Caersws Station and is buried in Llangynog and the old railway junction of Moat Lane.

5815.P3 Mid Wales Art Centre

14/01/2019 E O W M

Council Officer: CS

Document:Landscape SPG

Summary: Impact of static caravan sites

Item Question Representation Text

1 Details

I am also concerned about the proliferation of static caravan sites particularly on the A470. The proposals to allow more on Moat Lane contravenes every part of this consultation paper. I question why there is special guidance for solar farms and not for static caravan sites.

Tudalen 594

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5911.P1	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Approach in para 1.4 implies only a protective approach to landscape at odds with NRW Guidance

Item Question Representation Text

1 Details

Para 1.4 ... 'This SPG has been prepared to provide information and guidance on how, through implementation of the policies in the LDP, development proposals should ensure that the landscape is appropriately considered, protected and where feasible enhanced.'

This approach implies only a protective approach towards landscape which precludes consideration of an objective in some areas for landscape change.

This is at odds with draft Natural Resources Wales Guidance "Landscape Sensitivity and Capacity in relation to on-shore wind and solar photo-voltaic developments: An assessment approach for Wales – August 2018" 1 which is currently being consulted upon

1 NRW Draft Guidance (currently out for consultation) : <https://naturalresources.wales/guidance-and-advice/environmental-topics/consultations/our-own-consultations/landscape-sensitivity-and-capacity-assessment/?lang=en>

5911.P2	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Focus on para 2.1 should be on acceptability of changes, so suggest a text change to reflect this

Item Question Representation Text

1 Details

Para 2.1 ...'To ensure development proposals are successfully integrated within the landscape; and to prevent development proposals from having a negative impact on the valued characteristics and qualities of the Powys landscape.'

Commercial infrastructure proposals may give rise to negative or adverse effects however the focus should be on the acceptability of any changes. We therefore suggest 'a negative' should be replaced with 'unacceptable'.

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5911.P3	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Concerns over the attributes of landscape in para 4.1

Item Question Representation Text

1 Details

Para 4.1.. 'The term landscape can be applied to a range of different concepts however with regards to planning and land use it refers primarily to the visual appearance and sensory qualities of the land; including its remoteness, tranquillity, shape, patterns, form, land uses, vernacular, textures and colours.'

The term landscape also applies to its physical attributes, as expressed through different landscape character types.

5911.P4	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: SPG needs to recognise that Powys landscape will change through provision of national Renewable Energy development

Item Question Representation Text

1 Details

Para 4.4... 'The Powys landscape is part of the County's identity and an important asset, with areas of local and national significance (as demonstrated in LANDMAP section eight). It attracts tourism, enables outdoor recreation and provides local employment opportunities. It also delivers benefits to the health and well-being of the residents of Powys, forms the basis of the natural environment and gives a sense of place and a sense of history which in turn contributes to individual, local and national identity. These factors highlight the importance of the LDP policies and this guidance when it comes to managing the impacts of development proposals on the Powys landscape.'

The draft SPG should also acknowledge that the Powys landscape should also consider landscape change through the provision of nationally important renewable energy development, as identified within TAN8, Planning Policy Wales and other relevant National Planning Policy.

Tudalen 596

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5911.P5	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: SPG needs to reference NRW Guidance from Aug 2018

Item Question Representation Text

1 Details

Para 4.14 ... 'The Landscape Sensitivity Study (2017) was conducted to assess the likely impact of solar photovoltaic energy development on the landscape in 33 distinct areas.'

The draft SPG does not reference the NRW draft publication "Landscape Sensitivity and Capacity in relation to on-shore wind and solar photo-voltaic developments: An assessment approach for Wales – August 2018". We would suggest that the guidance should be cross referenced in the final SPG.

5911.P6 Scottish Power Renewables

23/02/2019 E O W M

Council Officer: CS

Document:Landscape SPG

Summary: Apparent contradiction between para 4.14 and 4.15 requires clarification

Item Question Representation Text

1 Details

Para 4.15 'Following the identification of the LSAs it was recognised that one of the main planning considerations yet to be addressed was the effect of solar development proposals on the landscape.'

This seems to contradict paragraph 4.14 which says that "The Landscape Sensitivity Study (2017) was conducted to assess the likely impact of solar photovoltaic energy development on the landscape in 33 distinct areas. The 33 areas were defined in the Renewable Energy and Low Carbon Energy Assessment (AECOM, 2017) as potential Local Search Areas (LSAs)."

We would welcome clarification in the final SPG.

Tudalen 597

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5911.P7	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: SPG terminology should better reflect that of DM4 with regard to 'unacceptable adverse/negative impacts'

Item Question Representation Text

1 Details
LDP Policy DM4

Adopted 'Policy DM4 – Landscape' is clear that development proposals outside settlements must not have unacceptable adverse effects. As noted in response to section 2.1, we would therefore ask that the final SPG is updated to reflect "unacceptable adverse impacts" rather than any negative impacts.

5911.P8	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Suggests changes to Fig 1. on page 11

Item Question Representation Text

1 Details
Figure 1. 'Step by step process for showing how to implement Policy DM4.'

We would suggest that the process outlined acknowledges that landscape is only one of a wide range of considerations that may influence the siting and design of development in the countryside.

We would suggest that the draft SPG is updated to acknowledge that landscape input is not independent from, but an integral part of, the design response to a major development proposal.

Tudalen 598

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5911.P9	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Concern re apparent conflict with existing recognised UK assessment processes

Item Question Representation Text

1 Details

Page 12 & 13. 'STEP 2 - BASELINE ASSESSMENT'

We are concerned that the advice contained in this section does not align with existing assessment processes that are fully recognised across the landscape profession in the UK. For example, those set out in the Landscape Institute's Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA 3).

We would therefore suggest that the SPG is amended to indicate here that any requirement for LVIA (assessment or appraisal) meets the requirements of the Landscape Institute's GLVIA 3 guidance.

5911.P10	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Recommends usefulness of referencing a raft of guidance issued by Scottish Natural Heritage and widely used across UK

Item Question Representation Text

1 Details

Page 14 'STEP 3 – SITING AND DESIGN STAGE'

The draft SPG provides a brief overview of some of the elements that are pertinent to siting and design of development. It could usefully acknowledge here that in relation to commercial wind energy, there is a raft of guidance published by SNH that has been successfully applied across the UK. During the Mid-Wales Public Inquiry, all parties acknowledged the relevance of the guidance already published by SNH in this regard and we would therefore recommend that the SPG refers to current SNH guidance.

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5911.P11	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Concerns about the use of the words unacceptable adverse effect in relation to LVIA

Item Question Representation Text

1 Details

para 6.23... 'Where the LVIA or the informal assessment identifies that the development proposal will have an unacceptable adverse impact on the landscape, then either mitigation measures should be undertaken, or the development proposal should be taken back to the siting and design stage.'

We have concerns with the current wording of this section. LVIA does not determine whether development has acceptable or unacceptable effects. Acceptability is determined by the decision maker, through the planning balance, where a wider range of considerations including but not limited to landscape, is weighed. We would therefore suggest that section 6.23 is reworded to reflect the role of the LVIA and the decision-maker in determining the acceptability of potential impact.

5911.P12	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Disagreeing with wording in para 6.31 with regard to non-EIA LVIA (Appraisal)

Item Question Representation Text

1 Details

Para 6.31 ... 'In some cases, there may already be a requirement for an LVIA to be carried out as part of an EIA (see paragraph 6.25); where this is not the case the LVIA (known as a Landscape Visual Impact Appraisal) should still identify and assess the significance of the effects of change resulting from development on both the landscape as a resource in its own right and on people's views and visual amenity.'

We do not agree with statement 6.31 as currently drafted. A non-EIA LVIA (Appraisal) should not identify whether effects are significant or not as the identification of a significant effect may mean that an EIA should have be required.

This point is confirmed by the Landscape Institute in its Statement of Clarification of GLVIA 3 dated June 2013:

"Statement of Clarification 2 The Phrase 'Significant in EIA Terms':

In carrying out LVIAs, landscape professionals have on occasion identified effects as being 'significant in EIA terms'. It is recommended that this phrase should not be used in a Landscape and Visual Impact Assessment (LVIA). It is understood that the phrase does not appear in any relevant EIA Regulations or associated statutory publications. (see GLVIA3 Page 40, Para 3.32)".

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5911.P13	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Seeks clarification in para 6.35 re interpretation of LVIA and the determination of acceptability/unacceptability

Item Question Representation Text

1 Details

Para 6.35 'Applicants following the 'Guidelines for Landscape and Visual Impact Assessment' still need to be mindful that the development proposal meets the policy requirements of the LDP. This includes making sure proposals are sited and designed to be integrated within the landscape (as per Step 3 above), are appropriate and sensitive, take into consideration cumulative impacts, and don't have an unacceptable adverse effect on the valued characteristics and qualities of the Powys landscape (these should be identified as part of the baseline assessment).'

The application of best practice in LVIA, as set out in GLVIA 3, will not determine acceptability/ unacceptability of effects. This is a planning judgement and a matter for the planning balance. See point in response to 6.23 above. [Rep P11]

5911.P14	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Concerns about the use of "unacceptable adverse effects" in para 6.36

Item Question Representation Text

1 Details

Para 6.36.... 'To demonstrate that there are no unacceptable adverse effects minor development proposals will be expected to undertake an informal landscape assessment.'

See point in response to 6.23 above [Rep P.11]

[copied from P.11;

We have concerns with the current wording of this section. LVIA does not determine whether development has acceptable or unacceptable effects. Acceptability is determined by the decision maker, through the planning balance, where a wider range of considerations including but not limited to landscape, is weighed. We would therefore suggest that section 6.23 is reworded to reflect the role of the LVIA and the decision-maker in determining the acceptability of potential impact.]

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5911.P15	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Concerns about the subjectivity of para 6.38 and application and interpretation of LVIA

Item Question Representation Text

1 Details

Para 6.38.... 'Appropriate planning and location within the landscape should avoid areas of high sensitivity; these are areas of high/ outstanding value that are likely to be harmed by the development proposal.'

and

' Where the informal assessment identifies that the development proposal will have an unacceptable adverse impact on the landscape,...'

We have concerns with the statement as currently drafted as this is subjective and pre-supposes that all development must be harmful.

LVIA (assessment or appraisal) in itself will not identify acceptable or unacceptable effects, if best practice is to be followed (as per GLVIA 3). Acceptability is a matter for the planning judgement having regard to the overall effects of a development, both positive and negative. We would therefore suggest that section 6.38 is amended to reflect this.

5911.P16	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Issue with National Policy wording "where adverse effects on landscape character cannot be avoided, it will be necessary to refuse planning permission"

Item Question Representation Text

1 Details

page 18 ... 'In addition to failing to comply with LDP Policy DM4, Planning Policy Wales (edition 10) states "where adverse effects on landscape character cannot be avoided, it will be necessary to refuse planning permission".'

As per previous points, large-scale infrastructure development will likely cause some effects on the landscape and visual resource, including on landscape character. Therefore focus should be on determining the acceptability of such impacts.

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5911.P18	Scottish Power Renewables			23/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Suggest referencing on page 37 the well-developed advice from Scottish Natural Heritage's guidance, used in Wales previously.

Item Question Representation Text

1 Details

Page 37;... 'Wind Energy Proposals'

We would suggest that consideration is given to reference the well-developed advice of SNH's Siting & Designing Windfarms guidance, which provides detail guidance, applicable to commercial wind energy proposals and has been accepted for use in Wales previously.

5923.P3 Powys County Council

M

Document:Landscape SPG

5954.P1 Pennant Walters Ltd

WYG Group

22/02/2019

E O W M

Council Officer: CS

Document:Landscape SPG

Summary: Concerns about the application and interpretation of LVIA in para 6.23.

Item Question Representation Text

1 Details

Para 6.23: Where the LVIA or the informal assessment identifies that the development proposal will have an unacceptable adverse impact on the landscape ...

The LVIA would identify what effects would occur, the degree and nature (whether adverse or beneficial) of the effects, and whether they would be significant.

It would be for the Authority to determine whether the effects would be acceptable or not.

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6264.P2	Pennant Walters Ltd	WYG Group		22/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Disagreeing with wording in para 6.31 with regard to non-EIA LVIA (Appraisal).

Item Question Representation Text

1 Details

Para 6.31: ... where [LVIA is not to be carried out as part of an EIA] the LVIA (known as a Landscape Visual Impact Appraisal) should still identify and assess the significance of the effects of change resulting from development on ...

The Landscape Institute (LI) advises that, outside of an EIA, an LVIA should identify the degree and nature of landscape and visual effects of a development, but not their significance, since that is a function of formal EIA.

Other descriptors such as "major" or "important" may be used instead.

The rest of the SPG distinguishes between an LVIA where an EIA may be required from an "informal assessment", identified in para 6.31 as 'Landscape Visual Impact Appraisal'. This distinction needs to be maintained throughout the SPG.

It is conceivable that significant landscape or visual effects could occur but not other significant environmental effects. In such cases, a single-topic EIA could be sought, assessing only landscape and visual effects and their significance.

6264.P3	Pennant Walters Ltd	WYG Group		22/02/2019	<input type="checkbox"/>	E	O	W	M	
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Document:Landscape SPG

Summary: Concerns about the application and interpretation of LVIA in para 6.38.

Item Question Representation Text

1 Details

Para 6.38: ... Where the informal assessment identifies that the development proposal will have an unacceptable adverse impact on the landscape ...

See comment on para 6.23 in relation to "unacceptable adverse impact" [Rep P1]

Tudalen 604

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6264.P4	Pennant Walters Ltd	WYG Group		22/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Concern that figs. 2 & 3 process charts on page 29 and 30 need clarification and cross referencing to be checked.

Item	Question	Representation Text
1	Details	<p>Figure 2: No – Go to Figure 2 (occurs twice)</p> <ul style="list-style-type: none"> <input type="checkbox"/> This chart is Fig 2 - should this say "Go to Figure 3"? <p>Lower boxes of Figure 2: "where unacceptable impact consider going back to siting and design stage"</p> <ul style="list-style-type: none"> <input type="checkbox"/> As previous comment for para 6.23. [Rep P.1] <p>Close parenthesis missing in last box: after 'EIA'? Presumably DAS is considered a separate exercise and document?</p> <p>Figure 3: references to significant impact and unacceptability of effects</p> <ul style="list-style-type: none"> <input type="checkbox"/> As previous comments to paras 6.23 and 6.31. [Reps.P1 and P2]

6264.P5	Pennant Walters Ltd	WYG Group		22/02/2019	<input type="checkbox"/>	E	O	W	M	
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Document:Landscape SPG

Summary: Seeks clarification and more detail regarding wording in para 10.1

Item	Question	Representation Text
1	Details	<p>Para 10.1: reference to unacceptability of adverse impacts</p> <ul style="list-style-type: none"> <input type="checkbox"/> As previous comments to paras 6.23 and 6.31. [Reps P.1 and P.2] <p>Para 10.1: The number of developments that could have a significant landscape or visual impact permitted without an accompanying LVIA will also be monitored.</p> <ul style="list-style-type: none"> <input type="checkbox"/> The meaning of this statement is not clear. "... that could have ...": should not this be determined pre-application stage and if significant effects are anticipated, then EIA/ LVIA should be sought? <p>Or if an application is made that is considered to have "significant landscape or visual impact", then shouldn't a EIA/ LVIA be sought before registering or determining the application?</p>

Tudalen 605

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6264.P6	Pennant Walters Ltd	WYG Group		22/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Suggests changes to terms used in the Glossary.

Item Question Representation Text

1 Details

Glossary: We make the following observations and make the following suggested changes:

Aspect Area: LANDMAP Guidance Note 1 section 7 defines aspect areas as: areas of "unique landscape characteristics and qualities.", rather than "character", which results from the composite of all the aspects.

Baseline Assessment: We suggest the following is added to Meaning: '..., the conditions against which the future changes or changes resulting from a development proposal can be measured'.

Feature: In the context of development proposals, a "feature" may also be a particular aspect of the project.

Informal Assessment: typo in first line: "looks"; Add 'or Appraisal' after 'Assessment'; Add to Meaning: '..., predicting effects, although not their significance, and considering how adverse effects might be mitigated'.

Landscape and Visual Impact Assessment / Appraisal (LVIA): delete '/ Appraisal' – the LI advises that this term is used for informal/ non-EIA assessments and it will be useful not to mix the terminology. Informal appraisals do not assess significance of effects, a term reserved for the EIA context, although they may identify 'important' effects.

Townscape: Add after 'open spaces': 'including green spaces'.

Visual Receptors: This is the definition of Visual Effects.
Visual Receptors are: Individuals and/or defined groups of people who have the potential to be affected by changes in views or visual amenity at different places.

Zone of Theoretical Visibility (ZTV): Insert 'theoretically' in 'may be seen'.

Tudalen 606

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

<i>Rep'n/Para/Policy</i>	<i>Representor</i>	<i>Agent</i>	<i>Accession No</i>	<i>Date Lodged</i>	<i>Late?</i>	<i>Source</i>	<i>Type</i>	<i>Mode</i>	<i>Status</i>	<i>Status Modified</i>
6264.P7	Pennant Walters Ltd	WYG Group		22/02/2019	<input type="checkbox"/>	E	O	W	M	

Document:Landscape SPG

Summary: Suggests changes to elements within Appendix 1

Item Question Representation Text

Tudalen 607

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
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1 Details

Appendix 1

Agricultural Buildings

Colour:

Add to penultimate sentence "and, in general, should be selected from the olive - brown part of the spectrum".

Grouping: "For this reason, new buildings should form part of a group rather than stand in isolation"

Shouldn't this decision come out of the baseline analysis of the site in its context, so the proposal can respond to context?

Planting: Planting proposals should also reflect green infrastructure principles e.g. extending or improving habitats, ensuring connectivity, relationship to public rights of way, views available, etc.

Dwellings

Form - Dwellings should have a horizontal emphasis and generally be low rise.

Again, this decision should emerge from an analysis of the local characteristics - the local vernacular could be more vertical in emphasis and a horizontal-emphasis building might then conflict with the prevailing character

Boundaries – Existing vegetation such as hedgerows and trees should be retained: add" ... and their condition enhanced".

Lighting - External lighting should be directed downwards:

Add "and shielded so that light does not "spill" beyond the area needing to be lit"

Solar Energy Proposals

Landcover - Maintain field pattern

Historic or characteristic field pattern may be degraded, in which case it should be investigated and the opportunity taken to reinstate it, where that would be compatible with the solar farm use.

Design ... panels should be lower than any hedgerows on the site: this could conflict with the desire to work with smaller scale field patterns, as solar panels need to be sited so as not to be shaded by tall hedgerows.

Add similar advice re colour of ancillary infrastructure as for Agricultural Buildings above.

Wind Energy Proposals

Skylines - it is particularly important that a wind farm avoids skylines ...

Delete: It is very unlikely that wind farms could avoid skylines as they must make the most of the wind resource. Better to focus on layout designs that work with the topographic characteristics of the site and the nature of the views available.

Tudalen 608

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6323.P6	Innogy Renewables UK Ltd			14/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Para 6.23 wording concerning EIA requirements

Item Question Representation Text

1 Details

Paragraph 6.23 states "Where the LVIA or the informal assessment identifies that the development proposal will have an unacceptable adverse impact on the landscape, then either mitigation measures should be undertaken, or the development proposal should be taken back to the siting and design stage, not doing this may result in the planning application being refused". In my view, paragraph 6.23 confuses 'significant' effects (in environmental impact assessment (EIA) terms) and 'acceptability' (in terms of the planning balance). Significant effects in EIA terms can still be acceptable when balanced against other considerations (e.g. the benefits of a scheme). A developer can take a view on whether they consider the impacts of their proposal to be acceptable but ultimately this is a judgement that can only formally be made by the decision-maker (i.e. the local planning authority or the Welsh Ministers). This paragraph should instead read:

"Where the LVIA or the informal assessment identifies that the development proposal will have [struckthrough; an unacceptable adverse impact] [insert; significant effects] on the landscape, then [insert; the developer should consider] [struckthrough; either] mitigation measures [insert; (where possible)] [struckthrough; should be undertaken], or the development proposal should be taken back to the siting and design stage. [struckthrough; not doing this may result in the planning application being refused]". The identification of 'significant impacts' in EIA terms will not necessarily lead to a planning application being refused (in the same way that the identification of 'no significant impacts' in EIA terms will necessarily lead to a consent) so the final part of the sentence should be deleted – this is a factor inherent in any planning application and does not need to be stated.

6323.P7	Innogy Renewables UK Ltd			14/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Para 6.26 Suggesting additional wording re EIA

Item Question Representation Text

1 Details

Paragraph 6.26: "The requirement for EIA in these circumstances is determined through a Screening Opinion carried out by the Local Planning Authority (LPA) [insert; or a Screening Direction carried out by the Welsh Ministers]."

Consultation Draft Landscape SPG Representations

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6323.P8	Innogy Renewables UK Ltd			14/02/2019	<input type="checkbox"/>	E	S	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Para 6.29 exclusion of anemometry from LVIA

Item Question Representation Text

1 Details

Paragraph 6.29: requires LVIA to be carried out for "...all wind energy proposals (excluding anemometry masts)..." – this exclusion is welcomed.

6323.P9	Innogy Renewables UK Ltd			14/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Para 6.38 wording concerning informal assessment

Item Question Representation Text

1 Details

The comment against paragraph 6.23 above [Ref.P6] equally applies to paragraph 6.38 – it is not the purpose of the informal assessment to determine the 'acceptability' of a proposal. Determining 'acceptability' is the decision-maker's responsibility based on an assessment of 'significance' in the informal assessment and all other material considerations.

6323.P10	Innogy Renewables UK Ltd			14/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Section 9 Fig2&3 Wording of 'Process Chart'

Item Question Representation Text

1 Details

Section 9 Figures 2 and 3: the point against 6.23 and 6.38 above on acceptability vs significance also applies to the wording used in the 'Process Chart'. The fourth green box in Figure 2 should read 'Scoping Opinion or Direction' not 'Scoping Report'.

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6395.P2	Canal and River Trust			04/02/2019	<input type="checkbox"/>	E	C	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: No Comment

Item Question Representation Text

1 Details

Thank you for your consultation in relation to the draft Landscape and Renewable Energy SPGs. Glandŵr Cymru, the Canal & River Trust in Wales, (the Trust) have reviewed these documents and have no comments to make on the draft documents.

6746.P1	Parc Cenedlaethol Eryri / Snowdonia National Park			22/02/2019	<input type="checkbox"/>	E	S	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Supports para 5.4

Item Question Representation Text

1 Details

Comments on the Supplementary Planning Guidance - Landscape

The Authority welcomes paragraph 5.4 which notes: "It requires development proposals (individually or cumulatively) not to have an unacceptable adverse effect on the valued characteristics and qualities of the Powys landscape. All proposals should be appropriate and sensitive in how they are designed and integrated within the landscape and must have regard to visual amenity, LANDMAP, Registered Historic Landscapes, adjacent National Parks and adjacent Areas of Outstanding Natural Beauty."

6746.P2	Parc Cenedlaethol Eryri / Snowdonia National Park			22/02/2019	<input type="checkbox"/>	E	S	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: Supports para 6.7

Item Question Representation Text

1 Details

The Authority welcomes paragraph 6.7 which notes: "Major development, development within visually prominent locations and development with a wide visual influence that can be seen from neighbouring national designations such as National Parks and Areas of Outstanding National Beauty will need to avoid adversely affecting the setting and outlook of these statutory designated landscapes."

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6746.P3	Parc Cenedlaethol Eryri / Snowdonia National Park			22/02/2019	<input type="checkbox"/>	E	S	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Supports para 6.24

Item Question Representation Text

1 Details

The Authority also welcomes the consideration given to the Park with regard to developments and their effects as noted in paragraph 6.24: "Consideration will also need to be given as to the impact of the development proposal on any adjacent National Parks, Areas of Outstanding National Beauty (AONB) and Registered Historic Landscapes."

7085.P1	Land Quality Advisory Service			04/02/2019	<input type="checkbox"/>	E	C	W	M	
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Council Officer: CS

Document:Landscape SPG

Summary: No Comment

Item Question Representation Text

1 Details

Thank you for consulting the Land Quality Advisory Service on the draft supplementary planning guidance. I can confirm that the Department do not have any comments on the draft guidance.

For information

To assist LPA's in meeting Best and Most Versatile (BMV) Policy requirements (PPW Para 3.54 & 3.55), the Department has produced the 'Predictive Agricultural Land Classification (ALC) Map for Wales (2017)'. This map is available to view, and can be downloaded by LPA's from <https://lle.gov.wales/home>.

The map has been produced to assist LPA's make informed decisions regarding agricultural land quality and application of BMV Policy at an early stage in plan development, and as an evidence base for strategic planning and sustainability appraisal. Where the Department holds detailed ALC survey information for a site, this is also shown on the map.

The Department has also produced guidance on the use of the Predictive ALC Map and when to commission a detailed ALC survey. The guidance is available on the Welsh Government website at: - <https://beta.gov.wales/sites/default/files/publications/2018-02/agricultural-land-classification-predictive-map-guidance.pdf>

The Department remain available to provide advice to LPA's on agricultural land quality information.

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
7086.P1	Peter Richards & Co Ltd			21/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: No clear guidance on what constitutes a development which does not require a Landscape Impact Assessment.

Item Question Representation Text

1 Details

Please refer to Appendix 1 and Paragraph 6.9 - 6.16, 6.29 and 6.36

We full understand the difficulty in finding the balance between gaining the right information and the scale of the development.

We feel that the guidance is clear on what constitutes a major project and what is required it is felt that there is no clear guidance on what constitutes a development which does not require a Landscape Impact Assessment. Just the below is quoted;

Landscape Assessment for Developments that do not Require a LVIA

6.36 LDP Policy DM4 requires all proposals not to individually or cumulatively have an unacceptable adverse effect on the valued characteristics and qualities of the Powys landscape. To demonstrate that there are no unacceptable adverse effects minor development proposals will be expected to undertake an informal landscape assessment.

Whilst Major developments have box which show the below;

Major development is defined in article 2 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as:

'major development' means development involving any one or more of the following -

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- © the provision of dwellinghouses where -
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is known whether the development falls within sub-paragraph ©(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more, or,
- € development carried out on a site having an area of 1 hectare or more.

Tudalen 613

Consultation Draft Landscape SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Landscape SPG

<i>Rep'n/Para/Policy</i>	<i>Representor</i>	<i>Agent</i>	<i>Accession No</i>	<i>Date Lodged</i>	<i>Late?</i>	<i>Source</i>	<i>Type</i>	<i>Mode</i>	<i>Status</i>	<i>Status Modified</i>
7086.P2	Peter Richards & Co Ltd			21/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: CS

Document:Landscape SPG

Summary: Clearer clarification on project types and what is required will make the planning process more simple

Item Question Representation Text

1 Details

Appendix 1 is helpful in outlining what needs to be considered in regards to what is need to be considered when putting something together rather than what is required to be submitted.

The process information and flow diagrams are helpful once you know what category you fall into. It is considered from guidance in Appendix 1 that a conversion will not be considered the same as a new build but it is not clearly shown in the main body of text and what is required of applicants.

We think clearer clarification on project types and what is required will make the planning process more simple for applicants and Council staff, especially when the policy is new.

Tudalen 614

**Powys
Local Development Plan**

2011 - 2026

**Supplementary Planning Guidance
(SPG)**

**Consultation Statement
Second Edition: April 2019**

DRAFT



Contents

	Page
PART A	
1. Introduction	1
2. Information on SPG Preparation Stages	3
PART B	
3. Public Consultation on the first set of SPG	5
3.1 Planning Obligations	6
3.2 Affordable Housing	14
3.3 Biodiversity and Geodiversity	26
3.4 Approval and Adoption of the first set of SPG by the Council	68
4. Public Consultation on the second set of SPG	
4.1 Landscape	??
4.2 Renewable Energy	??
4.3 Approval and Adoption of the second set of SPG by the Council	??
5. Public Consultation on the third set of SPG	Section pending
6. Public Consultation on the fourth set of SPG	Section pending

Appendices

- 1 Representations from the Public Consultation on the first set of SPG (October 2018)
- 2 Representations from the Public Consultation on the second set of SPG (**April** 2019)
- 3 Representations from the Public Consultation on the third set of SPG (date pending, 2019)
- 4 Representations from the Public Consultation on the fourth set of SPG (date pending, 2020)

PART A**1. Introduction**

1.0.1 The Powys Local Development Plan (LDP) 2011-2026 was adopted by Full Council in April 2018. Whilst the LDP contains policies and proposals which form the basis for decision-making on planning applications for the Powys Local Planning Authority area, it avoids excessive detail. Therefore, certain policies in the LDP are being supported by a set of guidance documents called Supplementary Planning Guidance (SPG) to assist in understanding, interpretation and application of the policy in making planning decisions.

1.0.2 The preparation of SPG documents has been prioritised according to both subject matter and available time and resource. The Council is required to monitor its performance on preparing and adopting SPG against the following agreed programme:

Table 1: The Powys Local Development Plan SPG Programme

SPG Topic Area		Link to Powys LDP Policy	Target Timescale following LDP Adoption	Target Date for SPG Adoption
Set 1	Planning Obligations	DM1	Within 6 months	October 2018
	Affordable Housing	H5, H6, SP3		
	Biodiversity	DM2, SP7		
Set 2	Landscape	DM4, SP7	Within 12 months	April 2019
	Renewable Energy	RE1, DM13		
Set 3	Conservation Areas	DM13, SP7	Within 18 months	October 2019
	Open Space	DM3		
	Residential Design Guide	DM13		
Set 4	Archaeology	SP7	Within 24 months	April 2020
	Historic Environment – including the Historic Environment Records	DM13, SP7		
	Land Drainage	DM6		

1.0.3 Powys County Council commenced the preparation of the Powys LDP in January 2011. The Delivery Agreement¹ for the LDP was first published in November 2010 and revised in March 2013, February and October 2015. This set out the timetable for preparing the LDP and a Community Involvement Scheme (CIS) describing how and

¹ LDP Delivery Agreement <http://www.powys.gov.uk/ldp>

when the County Council would involve interested persons and organisations in the LDP's preparation.

1.0.4 The Community Involvement Scheme for SPG preparation has been updated from the LDP Delivery Agreement CIS and is tailored for the SPG process. This means that the community engagement approach is developed to be reflective of and proportionate to the detail and content of SPG work and suitable for the parties expected to be involved, whilst meeting the preparation timeframes. The agreed CIS for the preparation of SPG is included in the Protocol for the Preparation and Adoption of Supplementary Planning Guidance² approved by the Council in June 2018 (hereafter referred to as the SPG Protocol).

1.0.5 In accordance with the SPG Protocol, this Consultation Statement summarises for each stage of SPG preparation:

- Who has been involved.
- A summary of Reference Group and Topic Stakeholder engagement.
- The steps taken to publicise the consultation.
- The total number of representation forms received from the public consultation.
- A summary of the main issues raised as part of the public consultation.
- The Council's responses to the main issues raised and any agreed changes to the SPG to address these.

1.0.6 Section 2 of this Consultation Statement is set out chronologically to accord with each stage of the SPG preparation and adoption procedure as laid out in the SPG Protocol:

Stage 1 - Review

Stage 2 - Reference Group, Topic Stakeholders and Working Draft SPG

Stage 3 - Consultation Draft SPG

Stage 4 - Public Consultation

Stage 5 - Final SPG

Stage 6 - Adoption

² Protocol for the Preparation and Adoption of Supplementary Planning Guidance

<http://www.powys.gov.uk/en/planning-building-control/local-development-plan/ldp-supplementary-planning-guidance-spg/>

2. Information on SPG Preparation Stages

2.0.1 In accordance with the SPG Protocol, the following stages of preparation are common to all SPG:

2.1 Stage 1 – Review

2.1.1 A review of national, regional and local legislation, policy and guidance was undertaken in order to form the background and context for the SPG and identify issues of relevance. Where considered appropriate, the Council has sought the involvement of specialist stakeholders with the aim of building consensus.

2.2 Stage 2 – Reference Group, Topic Stakeholders and Working Draft SPG

2.2.1 At an early stage in the SPG preparation process, professional stakeholders were contacted to form a Reference Group for each SPG and relevant Topic Stakeholders were identified. Following Reference Group involvement in the production of a Working Draft SPG, the Draft was shared with Topic Stakeholders to seek initial feedback. The details of the Reference Group and Topic Stakeholders contacted during the preparation of each SPG are shown in the relevant section in Part B below.

2.3 Stage 3 – Consultation Draft SPG

2.3.1 The Council's LDP Working Group, comprised of nine County Councillors, and chaired by the Council's Portfolio Holder for Economy and Planning, is used to scrutinise and approve the Draft SPG for Public Consultation. The agendas, reports and minutes of past LDP Working Group meetings are available for viewing on the Council's website via the following link:

<http://www.powys.gov.uk/en/democracy/council-committees-and-meetings/>

2.3.2. The first set of SPG were approved for the consultation stage by the LDP Working Group on 22nd June 2018.

2.4 Stage 4 – Public Consultation

2.4.1 SPGs have been subject to a six week public consultation period in accordance with the SPG Stakeholder and Community Involvement Scheme (see Appendix 1 of the SPG Protocol). Additionally, Town and Community Councils were provided with advance notice of the consultation period in accordance with the Protocol to enable them to publicise the SPG process in their own communities. The dates of the six-week public consultation period are shown in the relevant section for each SPG in Part B of this document.

2.4.2 Each SPG consultation document posed a series of questions for representors to respond to. This Consultation Statement records responses on a question by question basis and provides the Council's agreed responses to the issues raised.

2.4.3 The Council considers each representation carefully in order to draft a response which may include a recommendation to change or alter the SPG. Consultation responses are drafted with the assistance of Reference Group members where relevant and agreed by the LDP Working Group before being reported to Cabinet. A detailed set of representations will be appended to the Consultation Statement for each SPG.

2.5 Stages 5 and 6 – Final SPG and Adoption

2.5.1 The Cabinet are required to formally adopt the SPG before it is published and used for development management purposes. Part B of this Statement will record this process and will be updated as further SPG is prepared and approved by Cabinet.

2.6 SPG Impact Assessments

2.6.1 Whilst SPG documents are not formal policy in themselves they will be used to support the implementation of adopted Local Development Plan policy and therefore have been assessed informally as a matter of good practice using the Council's Impact Assessment Toolkit.

PART B**3. Public Consultation on the first set of SPG**

3.0.1 In accordance with the SPG programme agreed for the LDP (in Table 1 above), the first three SPGs prepared for public consultation were:

- **Planning Obligations**
- **Affordable Housing**
- **Biodiversity and Geodiversity**

3.0.2 In accordance with Stage 4 of the SPG Protocol, the Consultation Draft SPG were published for public consultation over 6 weeks with the consultation period running from 11th July to 21st August 2018.

3.0.3 County Councillors, Town and Community Councils and all representors on the Powys LDP database were informed of the consultation and the documents were available to view on the LDP pages of the Council's website.

3.0.4 Notice of the consultation period was publicised on the Council's News page, the LDP webpage, and via social media. A press release was issued to the local press.

3.0.5 Hard copies of the consultation documents were made available to view in the Council's main offices at:

- County Hall and The Gwalia, Llandrindod Wells.
- Neuadd Brycheiniog, Brecon.
- Neuadd Maldwyn, Welshpool.

3.0.6 Hard copies were made available to view in all Powys Public Libraries.

3.0.7 Representations were invited either by letter /email and the use of a standard representation form was encouraged.

3.0.8 Table B1 below shows how many representors made comments in relation to each SPG. A more detailed report of the responses received for each SPG can be found in the relevant appendices.

Table B1: Number of Representors making consultation comments on the first set of SPG

Consultation Draft SPG	No. of Representors who made Representations
Planning Obligations	7
Affordable Housing	7
Biodiversity and Geodiversity	10
Total	24

3.0.9 The main issues arising from the consultation are set out for each SPG in the tables below, together with the Council's response.

3.1 Planning Obligations SPG

3.1.1 Reference Group

3.1.2 In order to prepare the Planning Obligations SPG, the Council sought participation and involvement with various Topic Stakeholders, from which the Council formed a Reference Group.

3.1.3 The Reference Group comprised 14 members, which included either one or more representatives from the following Council services:

- Planning Policy
- Development Management (Planning and Monitoring Officer)
- Schools
- Housing
- Leisure and Recreation
- Highways and Transport
- Regeneration
- Welsh Language
- Finance
- Legal Services

3.1.4 Engagement with the Reference Group during the preparation of the draft SPG is summarised in table B2:

Table B2 – Reference Group Involvement (Planning Obligations SPG)

Date	Who and How?
Early May 2018	Contact made proposing an initial meeting, although this was followed up by written correspondence instead. The Reference Group were provided with the details of the SPG scoping exercise, the Draft SPG Protocol and a list of proposed Topic Stakeholders, and feedback was invited.
Late May 2018	Working Draft SPG circulated for feedback.
June 2018	Revised Working Draft SPG circulated to Reference Group and Topic Stakeholders. This was followed up by officer led discussions on various planning contribution topic areas to collate up to date evidence especially surrounding figures/costings for any "set" contributions. Individual meetings were held with Officers from Leisure and Recreation, Schools and Welsh Language. The purpose of this was to engage stakeholders so as to fill any remaining gaps in the Working Draft SPG. Suggested changes were considered and taken into account in the Consultation Draft SPG.
July 2018	Notice of public consultation period circulated to LDP Database. 6 week public consultation period from 11th July to 21st August.

July 2018	A reminder email was circulated to the group which included notification of key dates going forward.
Early August 2018	Involvement of the Welsh Language Officer re: targeting relevant interest groups. Following this, contact was made with a targeted list of Welsh language stakeholders (including those Town and Community Councils identified as Welsh Speaking Strongholds and Welsh Language interest groups) to highlight awareness of the public consultation.
August 2018	Representations received to the public consultation shared and discussed with relevant Reference Group members.
September 2018	Consultation Draft SPG showing proposed changes presented to the LDP Working Group shared with the Reference Group. The Reference Group was informed of any issues raised by the LDP Working Group before the SPG was finalised for Cabinet approval.

3.1.5 Topic Stakeholders

3.1.6 The larger Topic Stakeholder group included an additional 18 members, including representatives from the following services:

- Ecology
- Minerals
- Land Drainage and
- Active Travel;
- Additionally, Council Portfolio Holders with responsibility for Finance, Transport, Learning and Welsh Language, Highways, Housing and Economy and Planning were copied in to the Topic Stakeholder correspondence.

3.1.7 These stakeholders were invited to provide informal feedback on a working draft of the SPG prior to the formal public consultation stage, although no specific comments were received.

3.1.8 LDP Working Group

3.1.9 The Draft SPG was considered by the LDP Working Group on 22nd June 2018 and approved for Public Consultation.

3.1.10 SPG Consultation

3.1.11 The public consultation period ran from 11th July to 21st August 2018 and representations were received from the following:

Representor Name (Representor No.)

- Canal & River Trust in Wales / Glandwr Cymru (5704)
- Homebuilders Federation (78)
- Hughes Architects (Newtown) (1552)
- New Radnor Community Council (131)
- Mochdre with Penstrowed Community Council (516)
- Montgomery Town Council (517)
- Presteigne and Norton Town Council (525)

3.1.12 The main issues arising from the consultation and the Council's responses to these are set out in Table B3 below.

3.1.13 The representations and Council draft responses were considered by the LDP Working Group at its meeting on the 7th September 2018, and subsequently by the Council's Cabinet at its meeting on 9th October 2018.

Table B3 – Main Issues from the Public Consultation (Planning Obligations SPG)

Question 1: PO1 - Do you agree with the Council's approach not to pursue a CIL Charging Schedule at this point in time? If not, please explain why.	
Issue	Council Response
Community and town councils should have greater involvement in S106 agreements, and that further consultation should be undertaken on planning obligations later in the process. (Rep 131, Rep 525)	Opportunities exist for involvement at the pre-application and application stages where communities can raise issues. Unfortunately it would not be practical to formally consult on planning obligations separate to the planning application process.
The position or need for CIL should be kept under review to ensure infrastructure needed is being delivered. (Rep 517)	The Council will continue to monitor the suitability of introducing a CIL as explained in para, 4.17 of the SPG.
Developers should contribute towards necessary improvements to mitigate the adverse impact of development upon the Montgomery Canal infrastructure. (Rep 5704)	Planning obligations will be sought where they comply with the tests and this could include contributions towards the Canal. Specific reference to the Canal within the SPG is not considered appropriate because it has been written to refer to infrastructure generically.

Question 2: PO2 - Do you agree that, in the interests of avoiding duplication, this SPG only cross references to policies in the LDP and does not repeat them? Would you prefer the SPG to include the applicable policies? Is so, should they appear in the main document or in an Appendix?	
Issue	Council Response
Relevant LDP policies should be included in an appendix, or cross-reference with web links. (Rep 516, Rep 5704, Rep 1552)	Include hyperlinks in the SPG to assist readers.

Question 3: PO3 - Due to the nature of planning obligations, this SPG cannot include every scenario/detail. Do you think the document is clear in this respect? Do you agree that it enables officers, stakeholders and developers to understand that additional or alternative obligations may be sought? If not, please explain why.	
Issue	Council Response
Examples should be given of the circumstances in which additional obligations may be sought. (Rep 1552)	Para 5.5 explains that additional obligations will be sought where there is sufficient robust evidence to justify obligations.
Refer to the pre-application stage in para 5.6 as an opportunity to make developers aware of planning obligation requirements. (Rep 5704)	Agreed. Early awareness is important. This point has also been elaborated in revised wording to the Step by Step Flowchart.

Question 4: PO4 - Do you agree that “major” development should be the development that most often triggers obligations? If not, please explain why. Please detail any changes towards seeking obligations that you think may be suitable and relevant for Powys citing examples from other planning authorities where known. Nb. Definite targets/thresholds, where set within the LDP, are not negotiable at this point and would only be re-assessed at the Plan Review stage.

Issue	Council Response
Whilst agreeing with para. 5.11, it is not needed in the SPG. (Rep 78)	It is considered that para 5.11 should be retained because it is important to set out the expectation that planning obligations are likely to be sought for major developments, even though they may not eventually be required.
It should be made transparent that planning obligations may be required for any development. (Rep 517)	The position is correct, providing the tests for planning obligations are met. Para 5.11 states that each case will be considered on its merits so no amendment is considered necessary.
To avoid doubt, applications requiring pre-application consultation should be added as a trigger for an obligation. (Rep 517)	Major applications are those subject to pre-application consultation so no amendment to para 5.11 is considered necessary.

Question 5: PO5 - Do you consider the Step by Step Flowchart in Figure 1 to be clear and accurate? If not, what changes would you suggest? If you have experience of the process within Powys County Council, does this flowchart mirror your experience?

Issue	Council Response
The flowchart should include flexibility for a developer to draft the S106. (Rep 78)	Agreed that this is an option but recommend that para 5.9 is amended to explain this rather than any change to Figure 1.
The flowchart should include the pre-application consultation stage which enables early involvement of town and community councils. (Rep 517)	Noted, but no amendment needed because pre-application consultation is included at the end of the first paragraph in Figure 1. The Council recommends that the flowchart wording in Box 2 is strengthened by amending the wording to read: “The Case Officer makes an initial assessment of S.106 implications having regard to any discussions held or comments arising from the pre-application stage.
Consultation on planning obligations with community and town councils should be included. (Rep 525)	Opportunities exist for involvement at the pre-application and application stages where communities can raise issues. Unfortunately it would not be practical to formally consult on planning obligations separate to the planning application process.
Informal dialogue and informal pre-application discussions are valuable alongside the more formal chargeable pre-application enquiries. This is not emphasised in the flowchart. (Rep 1552)	Noted, but no change to the SPG is considered necessary. The pre-application service lies outside the scope of the SPG and is operated in accordance with Welsh Government Regulations.

Question 6: PO6 - Do you agree with the approach that it is the Affordable Housing SPG and not this SPG which includes the arrangements for assessing the financial viability of a specific development?

Issue	Council Response
Disagree because the viability of a scheme can be affected by any S106 requirement not just affordable housing. (Rep 78)	Comment noted, but no change deemed necessary because the Affordable Housing SPG addresses that point.
Include a hyperlink to the Affordable Housing SPG. (Rep 1552)	Agreed.

Question 7: PO7 - Whilst there is no statutory requirement to specify a time period in which planning contributions should be spent, do you agree with the suggested 10 year (maximum) period? If not, please explain why.

Issue	Council Response
Object to the proposed ten year period as unreasonable and recommends a five year period unless otherwise agreed with the developer. (Rep 78)	The Council is aware that other authorities have successfully operated a 10 year period, but accepts that para 6.17 should make it clear that this is a matter for negotiation.

Question 8: PO8 - Do you consider that the five main topic areas set out in Part 3 are the right topic areas for this document? If not, please explain what changes you would like to see and why.

Issue	Council Response
Community facilities could be a separate topic. (Rep 78)	Noted, but given that community facilities are likely to be site specific and addressed on a case by case basis it is considered that they should remain in the 'Other Topic Areas' category.

Question 9: PO9 - Do you agree that the detail provided in Part 3 for the various topic areas is relevant and sufficient to inform S.106 negotiations? If not, what changes would you like to see and why?

Issue	Council Response
Affordable Housing topic Make it clearer that there is an Affordable Housing SPG that should be used. (Rep 78)	Noted but no change considered necessary because the synopsis includes such a reference.
Education topic 1. Should Welsh medium schools be included in the list of schools supported by contributions? 2. The financial contributions in Table E2 are higher than those charged by other authorities and should be compared. 3. New security and safety measures should not be funded in full. (Rep 78)	1. Welsh medium schools are already accounted for and there is no need to list them separately. 2. The Council has applied BCIS figures which is considered to be accurate and appropriate for Powys, and can be updated more frequently. 3. The wording will be amended to refer to Security and safety improvement measures to provide a safe environment (including) to adequately facilitate an increase in pupil places.
Leisure, Recreation and Open Space topic	1. Noted but no change. The Council's decision not to adopt new open

<ol style="list-style-type: none"> 1. Object to the Council not adopting open space as this will lead to the creation of management companies and add costs to all residents including those in affordable housing. (Rep 78) 2. Town and Community Councils could establish trust funds to maintain open space and community facilities in perpetuity. (Rep 517) 3. Specific mention to improvements to the towpath of the Montgomery Canal should be included. (Rep 5704) 	<p>space lies outside the SPG; alternative management methods will be addressed in the preparation of the Open Space SPG.</p> <ol style="list-style-type: none"> 2. The suggestion is appreciated and will be considered in the preparation of the Open Space SPG. 3. Planning obligations will be sought where they comply with the tests and this could include contributions towards the Canal. Specific reference to the Canal within the SPG is not considered appropriate because it has been written to refer to infrastructure generically.
<p>Transportation and Access topic</p> <ol style="list-style-type: none"> 1. Travel plans and / or transport assessments are only likely to be required for major developments. (Rep 78) 2. Specific mention to improvements to the towpath of the Montgomery Canal should be included. (Rep 5704) 	<ol style="list-style-type: none"> 1. Amend the wording in the synopsis to read "Schemes that may generate significant amounts of traffic or travel will be required to demonstrate....". 2. Planning obligations will be sought where they comply with the tests and this could include contributions towards the Canal. Specific reference to the Canal within the SPG is not considered appropriate because it has been written to refer to infrastructure generically.

Question 10: PO10 - Do you agree with the methods and formulae (where provided) for calculating the required financial contributions as set out in Part 3? If not, please explain why.

Issue	Council Response
No issues raised.	Comments noted

Question 11: PO11 - If you have any other comments you want to make which are not covered by the above questions please include them here:

Issue	Council Response
Reference should be made to the fact that the Council will keep a public register of S106 agreements once signed and this will include a list with details of each contribution. (Rep 78)	The register of S106s is referenced in paragraph 6.18 so no further change is considered necessary.
Para 5.34 - on second line replace the word 'will' with 'could' as S106's will not always be sought. (Rep 78)	The sentence refers to seeking a planning obligation so the word 'will' is considered suitable.
Para 5.38 - the wording suggests that the thresholds are for negotiation on each application which is contrary to para 5.34 table 1 which sets the thresholds. This para should just refer to the trigger points for payment/ implementation of works being negotiated on a site by site basis. (Rep 78)	It is considered that para 5.38 makes it clear that there is a process of negotiation to be had and therefore considers no alteration is required.
Para 6.11 - this suggests that reviews of S106 contributions should be triggered by a change in the economy, although this is common practice recent work carried out by the HBF in relation to Swansea LDP showed that over a two year period	The information is noted and the Council accepts that developers may wish to present more up to date viability evidence and that the S106 may need to be adjusted as a result. However, this

although house prices had doubled build costs had gone up by three times the amount over the same period. The paragraph should explain that all factors and cost associated with the development will be considered as part of any review of viability. (Rep 78)	section refers to situations where viability resulted in nil or reduced contributions and enables the Council to 'check' this position should viability improve. As such, it is not recommended that the paragraph is amended.
Include contact details of the Council's S106 officer. (Rep 78)	Para. 6.18 refers to the Planning and Monitoring Officer who can be contacted via the email address in Appendix A.
It is not sensible to rely on developers to maintain play areas and their long term future must be addressed. (Rep 525) . This representor also welcomed a dedicated monitoring/compliance officer and asked that this continues.	Comments noted. The Council agrees that the future maintenance of play space is important and recognises that developers are not ideally placed for this long term role. Alternative methods are set out in the Leisure, Recreation and Open Space topic and this will be addressed further in the Open Space SPG.
Could new industrial and commercial development be required to contribute towards affordable housing or other infrastructure? (Rep 1552) Also issue of capacity for the S106 officer - caution re: overwhelm or at least slow down the process.	All applications will be considered on their own merits in line with national and local policies. Both levels of policy set the context for securing affordable housing and do not require commercial development to provide affordable housing. Contributions to local infrastructure such as transport improvements are possible, but will be considered at the application level.

3.2 Affordable Housing SPG

3.2.1 Reference Group

3.2.2 In order to prepare the Affordable Housing SPG, the Council sought participation and involvement with various Topic Stakeholders, from which the Council formed a Reference Group.

3.2.3 The Reference Group comprised 7 members, which included representatives from the following Council services:

- Planning Policy
- Development Management
- Housing Strategy
- Affordable Housing
- Legal Services

3.2.4 Engagement with the Reference Group during the preparation of the Draft SPG is summarised in table B4:

Table B4 – Reference Group Involvement (Affordable Housing SPG)

Date	Who and How?
May 2018	Meetings and correspondence with members of the Reference Group to discuss updated topic-related and planning information to inform the

	background and context of the SPG, to discuss the scope of the SPG and process involved, and to identify and agree a list of Topic Stakeholders to seek feedback from prior to public consultation.
June 2018	Initial working drafts of the SPG shared and discussed with the Reference Group to agree content of the working draft to be circulated to Topic Stakeholders. Initial feedback received from the Topic Stakeholders and suggested changes shared with the Reference Group. Specific issues raised by Topic Stakeholders discussed with the relevant members of the Reference Group. Comments from the Reference Group taken into account in preparing of the Consultation Draft.
July 2018	Notice of public consultation period circulated to LDP Database. 6 week public consultation period from 11 th July to 21 st August.
August 2018	Representations received to the public consultation shared with the Reference Group and specific issues discussed with the relevant members of the Reference Group. Any changes proposed to the SPG in response to the representations received also shared with the Reference Group and any outstanding issues discussed further.
September 2018	Consultation Draft SPG showing proposed changes presented to the LDP Working Group shared with the Reference Group. The Reference Group was informed of any issues raised by the LDP Working Group before the SPG was finalised for Cabinet approval.

3.2.5 Topic Stakeholders

3.2.6 The following Topic Stakeholders were involved:

- Registered Social Landlords operating in the area
- Grwp Cynefin (hosts of the Tai Teg Affordable Housing Register)
- Community Housing Cymru
- National Community Land Trust Network
- District Valuations Services
- Home Builders Federation
- Country Landowners Associations
- Council for Mortgage Lenders/UK Finance
- Principality Building Society
- Brecon Beacons National Park Authority
- Welsh Government Local Plans.

3.2.7 These stakeholders were invited to provide informal feedback on a working draft of the SPG prior to the formal public consultation stage.

3.2.8 A working draft of the SPG was also shared with Strategic Housing Partnership (SHP) and also presented to the SHP at a meeting on the 6th of June 2018.

3.2.9 Comments received from the Topic Stakeholders were considered and responded to, with further discussion taking place on specific issues where necessary. The input from Topic Stakeholders was used to inform changes to the working draft of the SPG.

3.2.10 LDP Working Group

3.2.11 The Draft SPG was considered by the LDP Working Group on 22nd June 2018 and approved for Public Consultation.

3.2.12 SPG Consultation

3.2.13 The public consultation period ran from 11th July to 21st August 2018 and representations were received from the following:

Representor Name (Representor No.)

- Homebuilders Federation (78)
- Hughes Architects (Newtown) (1552)
- Mid Wales Housing Association (4628)
- Mochdre with Penstrowed Community Council (516)
- Montgomery Town Council (517)
- Abermule with Llandyssil Community Council (542)
- Presteigne and Norton Town Council (525)
- Canal & River Trust in Wales / Glandwr Cymru (5704)

3.2.14 The main issues arising from the consultation and the Council's responses to these are set out in Table B5 below.

3.2.15 The representations and Council draft responses were considered by the LDP Working Group at its meeting on the 7th September 2018, and subsequently by the Council's Cabinet at its meeting on 9th October 2018.

Table B5 – Main Issues from the Public Consultation (Affordable Housing SPG)

Question 1: AH1 - Do you agree that the affordable housing definitions and types as set out are relevant to the Powys LDP area? If not, please explain why.	
Issue	Council Response
Requesting clarification on whether and in what circumstances self-build would be included in the definition of affordable housing. (Rep 1552)	Self-build is referred to under the definition of 'intermediate affordable housing for sale'. In order to qualify as affordable housing for planning purposes, self-build will need to comply with the definition provided and subject to the relevant restrictions and mechanisms. No changes recommended.
Question 2: AH2 - Do you agree with the data sources and calculations used to work out the affordability level for Powys? If not, please explain why.	
Issue	Council Response
Questions whether the average house price fairly represents the affordable level due to the range of houses in the Authority's area. Suggests calculation that does not include the most	The figure used for the average house price is based on the Land Registry's House Price Index, which is calculated in a way that reduces the weighting given to

expensive housing would be more appropriate. (Rep 78)	high value properties and is close to the median figure. It is considered to be appropriate to use this figure to compare with income levels, in order to demonstrate housing affordability issues in the area. No changes recommended.
Disagrees with the figures used as they do not reflect local variations in prices and wages. (Rep 525, Rep 1552)	The figures used are based on the data available from official government sources, and there are limitations on the data available at a more local level. The availability of data will be kept under review, particularly in connection with the review of the Local Housing Market Assessment. No changes recommended.
Disagrees with the average wage used, given primarily agricultural and light industrial employment at national minimum wage. (Rep 516)	The figures used are based on the data available from official government sources, which are based on averages. It is not possible to account for specific wage levels or types of employment in the calculation of the affordability level. However, the range of affordable housing types provided for are aimed at meeting the varying needs of households, and individual circumstances will be taken into account in assessing local housing need. No changes recommended.
Disagrees with the gross disposable household income figure being based on two full-time workers - does not account for single parent families, part-time employment or where only 1 in full-time employment. (Rep 516, Rep 542, Rep 525)	The figures used are based on the data available from official government sources, which are based on averages, and therefore it is not possible to account for all household situations or employment arrangements. However, the range of affordable housing types provided for are aimed at meeting the varying needs of households, and individual circumstances will be taken into account in assessing local housing need. No changes recommended.
Calculations do not take account of build costs. Only RSLs/SHA capable of financing affordable housing and implications for viability where not possible to secure involvement of RSL or the Council. (Rep 1552)	The calculation is based on the cost of purchasing a house and is aimed at establishing the level at which households, on average, are able to afford to purchase housing. Build costs are not relevant to this calculation, however these costs have been taken into account in the LDP's viability assessment and policy targets. Where involvement of an RSL or SHA cannot be secured, the SPG allows for financial contributions to be made in lieu of on-site provision. No changes recommended.
The figure of numbers of persons in need of affordable housing in East Radnor is too low. Refer to Presteigne and Norton Town Council's own housing survey in 2011 identifying 80 people in need and PCC housing register in 2011 had	The figures referred to in the SPG are taken from the Local Housing Market Assessment (2010, updated 2014), which is in the process of being reviewed. It is recommended that a note is included after

158 in need. (Rep 525)	the table explaining this and cross-referring to para. 6.6.5 of the SPG in relation to evidence used in decision-making.
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Question 3: AH3 - Do you agree with the approach towards seeking affordable housing contributions from specialist market housing developments? If not, please explain why.

Issue	Council Response
There are more likely to be viability issues having regard to the additional design features required of certain specialist provision. (Rep 1552)	Site specific viability issues, where evidenced, will be taken into account in determining the level of affordable housing contribution that can be secured from specialist housing schemes. No changes recommended.

Question 4: AH4 - Do you agree with the examples given of circumstances where alternative provision to on-site provision may be considered? If not, please explain why.

Issue	Council Response
Support for the prevention of subdivision/phasing of development sites to avoid contributions and in defining the density of sites to avoid 4 homes being provided rather than five on a 0.25 hectare site. (Rep 525)	This support is noted.
Request for the monies received to be spent within the same community as the original site. (Rep 525)	Financial contributions will be spent on schemes available within the same settlement, however in case of situations where there are no schemes available within the same settlement, the cascade set out in para. 6.5.7 of the SPG will be applied. This will ensure that contributions are spent locally where possible, or if not, are spent in a way that continues to support the provision of affordable housing in the LDP's area. No changes recommended.
Request for further information on who will be required to provide evidence (and in what form) that a contribution in a different location would have a greater contribution towards meeting local affordable housing. (Rep 1552)	The Council will decide whether alternative provision to on-site provision is appropriate and justified in specific circumstances. The developer may propose alternative provision and provide evidence to support this, however the Council will determine the appropriateness of any proposals. No changes recommended.
Suggestion that the last example box at para. 6.3.4 emphasises the potential role of RSLs as they are increasingly involved in market development. (Rep 1552)	The last example box referred to relates to intermediate housing for rent or sale and does not refer to market development as such. The involvement of RSLs in market developments through developer transfer of units/land is covered in the first two example boxes. No changes recommended.

Question 5: AH5 - Do you agree with the approach used to determine whether off-site provision would be appropriate? If not, please explain why.

Issue	Council Response
Requesting clarity on arrangements where site is not within the same ownership, and on the section 106 arrangements, legal and financial negotiations involved in this. (Rep 1552)	The option of providing affordable housing on an alternative site is only intended to apply where other suitable land is within the control of the developer, as explained in para. 6.4.1. The use of off-site contributions will not be appropriate where the land is not within the same ownership. Any permission involving off-site provision would be subject to a section 106 agreement as explained in para. 6.4.2. No changes recommended.

Question 6: AH6 - Do you agree with the method and formulae for calculating the required financial contribution? If not, please explain why.

Issue	Council Response
Affordable housing need figures not felt to be even close to correct. See previous response to AH2. (Rep 525)	This response is referring again to the figures of local housing need included in the LHMA. The use of evidence of local housing need to determine the type of dwelling that would have been required on-site is referred to in para. 6.5.2. See response to Question AH2 regarding this matter.
There may be a risk that, where it is possible for them to do so, developers will seek sites in areas where there is less requirement for affordable housing. (Rep 1552)	The financial contribution will reflect the % target required by policy H5 for the sub-market area where the planning application is located. The representation appears to be referring to the policy requirements that have already been set out and approved in the LDP, and therefore this is not a matter for the SPG. No changes recommended.

Question 7: AH7 - Do you agree with the examples given as to how the Council may spend financial contributions and with the cascade to be applied? If not, please explain why.

Issue	Council Response
Suggestion to include cross-reference to the Planning Obligations SPG in respect of specifying a time period for using contributions. Objection to the 10 year period for spending contributions as it is far too long with regard to affordable housing. (Rep 78)	It is recommended that a cross-reference to the detail regarding the process for handling financial contributions in the Planning Obligations is included after para. 6.5.7. The comments regarding the 10 year period for spending contributions relate to the content of the Planning Obligations SPG and are responded to separately.
The cascade applied to spending commuted sums should also be applied to other types of provision. (Rep 78)	This representation is aimed at applying the cascade to off-site provision on an alternative site to enable a developer to provide affordable housing on an alternative site outside of the local area. The off-site option is only intended for

	situations where there is another site available in the locality within the control of the developer, and therefore it would not be appropriate to allow the area to be widened out by using a cascade. No changes recommended.
Spend should be strictly limited to immediate locality rather than potentially cascaded out, as it is difficult to see how financial contributions could not be applied given housing requirements, potential for upgrading existing or derelict stock, and the commitment to building Council houses. (Rep 517)	Financial contributions will be spent on schemes available within the same settlement, however in case of situations where there are no schemes available within the same settlement, the cascade set out in para. 6.5.7 will be applied. This will ensure that contributions are spent where possible, or if not, are spent in a way that continues to support the provision of affordable housing in the LDP's area. No changes recommended.
BBNPA forms part of the SHA as the rest of the County. Contributions should be able to be spent in adjoining settlements within the BBNPA. Suggests reciprocal agreement with BBNPA. (Rep 1552)	The wording of a) and b) of the cascade already allows for contributions to be spent in the same settlement and, where no schemes are available, within the same community, which means that contributions may be spent within settlements/ communities that cross over the boundary between the Powys LPA area and the BBNP area. It is recommended that the wording of f) is amended to clarify that this final stage applies to the remaining areas of the BBNP. The cascade is compatible with the cascade used by the BBNP.

Question 8: AH8 - Do you agree with the sources of evidence to be used by the Council to determine local housing need? If not, please explain why.

Issue	Council Response
LHMA is already four years out of date. Suggest that para. 6.6.5 clearly states the updated 2018 evidence will be used as soon as it is available and to state time period for next update. (Rep 78)	The SPG states that updated evidence will be referred to by the Council, therefore, it will be used once it is made available for use in decision-making. The expected timescales for further updates i.e. every 2 years, is considered to be clear. No changes recommended in response to this representation, however it is recommended that the timescale stated in para. 6.6.5 for the review of the LHMA is updated as it is now expected by April 2019.
Support for review of the LHMA, noting from local knowledge some data may be inaccurate. (Rep 517)	The LHMA is in the process of being reviewed as explained in the SPG and will provide updated evidence on local housing needs. No changes recommended.
Subject to overhaul of Common Housing Register, developing and promoting the affordable housing register, and transparent, timely mechanisms for conducting local housing need surveys to meet information gaps. LHMA	This representation refers to issues with the sources of evidence listed by the SPG to be used in negotiations, and refers to actions that go beyond the scope of this SPG. These matters have been referred

provides only a snap shot and cannot drill down to any meaningful level to inform site specific applications. (Rep 1552)	onto the SHA. The SPG promotes the use of the Tai Teg Affordable Housing Register in the planning process, and the LHMA is to be used to inform planning decisions. No changes are recommended.
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Question 9 AH9 - Do you agree with the arrangements and information requirements for assessing the financial viability of a specific development and proposals for reviewing viability? If not, please explain why.

Issue	Council Response
Support for the rigorous approach to ensuring affordable homes are constructed as required by the S106 and agree that affordable and market housing to be built concurrently and market homes not to be completed first. If developer considers this unviable, application should be withdrawn. (Rep 517)	The SPG makes it clear that the completion of all open market housing prior to the completion of the affordable homes will not be acceptable, whilst allowing for a proportion of market housing to be built. This flexible approach is aimed at enabling developments to remain viable. No changes recommended.
Require reassurance of Council capacity and expertise to undertake viability assessment and suggests perhaps SHA could lead on this. (Rep 1552)	It is explained that the financial viability appraisal will be assessed by the Council, but only where possible (para. 6.6.9) and therefore this will be dependent on the capacity and expertise available within the Council at the time. Where this is not possible, the DVS will be commissioned. Development Management are expected to lead on negotiations. No changes recommended.
Does not follow argument on reducing timescales for development unless specifically to ensure development achieved within policy timeframes, and not for reasons of financial viability. (Rep 1552)	As explained in para. 6.6.10, the purpose of reducing timescales for development where a lower/nil contribution has been agreed is to enable the position on viability to be kept under review. Otherwise a site could continue to benefit from an extant or implemented permission over a long period of time, however in the meantime development viability may have improved or changed. No changes recommended.

Question 10 AH10 - Do you agree with the guidance on assessing the appropriateness of the location, scale and type of affordable housing on exception sites in Towns and Large Villages? If not, please explain why.

Issue	Council Response
Providing infrastructure can accept such developments and that logical extensions up to 5 houses should also be assessed in terms of impact on integrity of the settlement, transport/highways infrastructure, landscape/heritage site impacts and impact on amenity of existing dwellings. (Rep 517)	Consideration will be given to these matters, where relevant, in assessing proposals for all types of exception sites. The SPG should be read in conjunction with the policies of the LDP, which includes policies relating to these matters. No changes recommended.
Considers there to be a case for exception sites in rural locations. Difficulties for dwelling to be built on farmland by family members, precluding younger farmers remaining on the land. (Rep 517)	Dwellings on farmland for farmers, referred to in planning as Rural Enterprise Dwellings, are dealt with under national guidance (PPW and TAN6). The SPG does not provide guidance on Rural Enterprise

	Dwellings as they do not fall within the definition Affordable Housing and are assessed differently from a planning point of view. No changes recommended.
Wording of para. 7.4 regarding consideration of harm to the character and appearance of the surrounding landscape – this should apply whether affordable housing on exception sites or not. (Rep 1552)	The guidance within para. 7.4 is aimed at ensuring that regard is given to landscape/visual impact in selecting exception sites for affordable housing, avoiding the most sensitive sites and considering alternative sites. The assessment process set out within para. 4.2.32 relating to LDP Policy DM4 will apply to exception sites as they lie outside the boundaries of Town and Large Villages. No changes recommended.

Question 11: AH11 - Do you agree with the guidance on determining whether a site should be viewed as infill or as a logical extension in Small Villages? If not, please explain why.

Issue	Council Response
Noting that only development of less than 5 units/0.25 will be considered, and consider this sensible in view of needs and infrastructure of Small Villages. (Rep 1552)	This support is noted. The guidance within the SPG supports LDP policy H1 in respect of affordable housing in Small Villages.

Question 12: AH12 - Do you agree with the guidance on the tests to be used to determine whether a proposal is located within a Rural Settlement? If not, please explain why.

Issue	Council Response
Emphasises the need for robust and reliable local affordable housing register information to determine whether or not appropriate to provide affordable housing in these areas. (Rep 1552)	Evidence of the local housing need of specific individual households will be needed to justify affordable housing in Rural Settlements, and the Affordable Housing Register (Tai Teg) will be used, as explained in Appendix C. No changes recommended.

Question 13 AH13 - Do you agree with the guidance and principles to be used in assessing Affordable Housing Schemes? If not, please explain why.

Issue	Council Response
Requesting further clarity on self-build or specialised accommodation. (Rep 1552)	An example of requirements of an Affordable Housing Scheme for developing a single intermediate house for sale by an individual (self-build) is included in Appendix F of the SPG. The SPG refers to arrangements for specialist market housing, however it is not possible to provide detailed guidance on Affordable Housing Schemes for such bespoke schemes as part of the SPG. No changes recommended.
Requesting consideration to be given to larger accommodation for extended households by reviewing the maximum size of the property or other arrangements (e.g. allowing semi-	The size of an affordable dwelling is required to reflect the identified local housing need. The maximum size set out in the SPG is based on a household size of 7

detached units to be used as a single unit, and then reverting back to two units when no longer needed). (Rep 1552)	persons, and therefore is expected to cover need in the majority of circumstances. The assessment of local housing need will take into account the needs of the households involved. The appropriateness of any arrangements will need to be considered in planning terms. No changes recommended.
Requesting ACG information in respect of flatted accommodation given demand for this type of housing. (Rep 1552)	It is recommended that the ACG notional floor area for flats is added into the table under para. 8.16.

Question 14: AH14 - Do you agree with the process for assessing the local housing need of proposed occupiers? If not, please explain why.

Issue	Council Response
Support for strengthening guidance for meeting local housing need and maintaining occupancy restrictions unless incontrovertibly proved no longer required. (Rep 517)	This support is noted.
Majority of recent developments are 2 or 3 bed, small third bedroom, with inadequate room for growing family, need for family accommodation. SPG does nothing to encourage sustainable homes to retain families in the villages. (Rep 542)	Para. 8.16 of the SPG expects affordable housing on market developments to be of a range of sizes and to give regard to ACG space standards. The local housing need assessment (Appendix C) also allows for existing owners of affordable housing to transfer to other affordable housing to meet changing circumstances. No changes recommended.
See comments under AH13. (Rep 1552)	See response for AH13 above.

Question 15: AH15 - Do you agree with the approach towards ensuring the provision, affordability and availability of affordable housing at each stage of the planning process? If not, please explain why.

Issue	Council Response
Divergence from LDP stating affordable / local needs can be a home for life, and need to reflect this in considering future applications to modify unit, but keeping within defined parameters. (Rep 517)	The SPG at para. 8.18 explains that planning applications for future extensions will be assessed on a case by case basis taking into account the local need and effect on affordability. No changes recommended.
Support for withdrawal of permitted development rights, ability to refuse applications on underdevelopment, and simultaneous building of market and affordable housing. Requirements to be effectively and rigorously enforced and request for detail of monitoring arrangements to ensure compliance. (Rep 517)	Development Management has responsibility for enforcement and monitoring processes, including planning conditions and obligations. Reports of any breaches will be investigated and enforcement taken where necessary, as stated in section 8.32 of the SPG. No changes recommended.
Detrimental effect of capping the re-sale price at 72% of open market value, disadvantage for first time buyers wanting to move up the ladder, deterrent to moving on, and on releasing dwelling back onto the market. (Rep 542)	The TAN 2 definition of intermediate affordable housing requires prices/rents to be below market housing prices or rents. By restricting the sale/re-sale value of an affordable dwelling, this provides a mechanism for ensuring that the housing is and remains accessible to those in local

	housing need. No changes recommended.
Subject to capacity within the system. Requesting clarification on the S106 Officer's role and capacity to deal with this and other planning obligations. (Rep 1552)	Development Management has responsibility for the planning processes described in this part of the SPG. The role of the Planning and Monitoring Officer in relation to section 106 agreements is explained in the Planning Obligations SPG. No changes recommended.

Question 16: AH16 - If you have any other comments you want to make which are not covered by the above questions please include them here:

Issue	Council Response
Regarding the guidance on time limited permissions to enable review of viability, sites may also become less viable. Comments on the WG S106 guidance (2009) and suitability of the review mechanisms. Notes that the wording of the SPG provides flexibility. Request for cross-reference to the WG guidance. (Rep 78)	It is considered to be appropriate (at para. 6.6.10) to apply a reduced time limit for commencement and/or control over completion in order to enable viability of a development to be kept under review, and the Council is aware of appeal decisions that support this approach. The WG guidance on delivering affordable housing using section 106 agreements referred to is included in Appendix A of the SPG. No changes recommended.
Worth noting in the document that WG are currently reviewing Affordable Housing and therefore there may be changes in the next few years. (Rep 78)	Recommend reference is made to the Affordable Housing Review under Monitoring and Review in para. 9.2 of the SPG.
Deliverability is a fundamental issue. The Council and its strategic partners need to consider further options to stimulate the 5 year land supply, identify and bring forward suitable sites, and other means to meet strategic objectives on housing delivery. (Rep 1552)	This support and comments are noted. This SPG is aimed at assisting the delivery of affordable housing through the LDP's planning policies. The actions called for by the Representor go beyond the scope of this SPG. These matters have been referred onto SHA. No changes recommended.
Requesting clarification on how applications for 100% affordable housing provided by RSLs are processed and conditioned at planning application stage, as current inconsistencies (examples provided). Prefer no restrictions due to effects on borrowing. (Rep 4268)	Recommend adding note after para. 8.6 to clarify the requirements in relation to RSL development. This means that where an RSL is developing a site within their ownership within the development boundary, conditions attached relating to affordable housing will only require the % of affordable housing required under policy H5. This approach is acceptable to the representor.

3.3 Biodiversity and Geodiversity SPG

3.3.1 Reference Group

3.3.2 In order to prepare the Biodiversity and Geodiversity SPG, the Council sought participation and involvement with various Topic Stakeholders, from which the Council formed a Reference Group.

3.3.3 The Reference Group comprised 6 members, which included representatives from the following Council services and outside organisations:

- Planning Policy
- Development Management
- Countryside
- Natural Resources Wales

3.3.4 Engagement with the Reference Group during the preparation of the Draft SPG is summarised in table B6:

Table B6 – Reference Group Involvement (Biodiversity and Geodiversity SPG)

Date	Who and How?
Early April to early May 2018	Contact made with Reference Group members, to confirm membership, discussion and agreement of role and timetable etc.
May 2018	Discussion of suggested scope of SPG, aims, structure and key components. Writing of first draft ready for Topic Stakeholder consultation. Teleconference with Reference Group on 10 th May. Email to Topic Stakeholders to alert them to pending consultation period.
May and June 2018	Circulation of first draft to Topic Stakeholders for consultation period from 25 th May to 8 th June, 2018.
June to July 2018	Teleconference with Reference Group on 13 th June to consider Topic Stakeholder responses. Also to confirm timetable for remainder of the process. Communicating with Reference Group to consider and confirm appropriate revisions. Amending draft SPG ready for public consultation period. Draft SPG presented to LDP Working Group for approval prior to public consultation period.
July 2018	Notice of public consultation period circulated to LDP Database. 6 week public consultation period from 11 th July to 21 st August.
August to September 2018	Teleconference with Reference Group 29 th August to discuss representations and agree required changes. Also to confirm timetable for remainder of the process. Amending draft SPG ready for adoption.
September 2018	Consultation Draft SPG showing proposed changes presented to the LDP Working Group shared with the Reference Group. The Reference Group was informed of any issues raised by the LDP Working Group before the SPG was finalised for Cabinet approval.

3.3.5 Topic Stakeholders

3.3.6 The larger Topic Stakeholder group included an additional 41 members, consisting of representatives from the following outside organisations:

- Biodiversity Information Service (BIS)
- Botanical Society of the British Isles
- Brecknock Bird Group
- Brecknock Dragonfly Group
- Brecknock Geology Group
- Brecknock Mammal/Bat Group
- Brecknock Moth Group
- Brecknock Wildlife Trust
- British Geological Survey
- Butterfly Conservation
- Canal and River Trust
- Central Wales RIGS Group
- Clwyd Powys Archaeological Trust
- Coed Cymru
- Glandwr Cymru - Canal & River Trust in Wales
- Llandinam Lives/Powys Species Habitat Protection Group
- Montgomery Canal Partnership / Canal & River Trust
- Montgomeryshire Barn Owl Group
- Montgomeryshire Moth Group
- Montgomeryshire Wildlife Trust
- Natural England
- Natural Resources Wales
- Plantlife
- Radnorshire Invertebrate Group
- Radnorshire Mammal Group
- Radnorshire Moth Group
- Radnorshire Wildlife Trust
- Rhayader By Nature
- RSPB Cymru
- The Inland Waterway Association
- The River Wye Preservation Trust
- The Woodland Trust Wales/Coed Cadw
- Welsh Government
- Welsh Kite Trust
- Wye & Usk Foundation
- Environment Agency England
- British Trust for Ornithology
- Amphibian and Reptile Conservation
- Bat Conservation Trust
- Vincent Wildlife Trust
- Severn Rivers Trust

3.3.7 These stakeholders were invited to provide informal feedback on a working draft of the SPG prior to the formal public consultation stage.

3.3.8 Comments received from the Topic Stakeholders were considered and responded to, with further discussion taking place on specific issues where necessary. The input from Topic Stakeholders was used to inform changes to the working draft of the SPG.

3.3.9 LDP Working Group

3.3.10 The Draft SPG was considered by the LDP Working Group on 22nd June 2018 and approved for Public Consultation.

3.3.11 SPG Consultation

3.3.12 The public consultation period ran from 11th July to 21st August 2018 and representations were received from the following:

Representor Name (Representor No.)

- Clwyd Powys Archaeological Trust (27)
- Elan Valley Trust (222)

- Mochdre with Penstrowed Community Council (516)
- Abermule (with Llandyssil) Community Council (542)
- The Coal Authority (1481)
- Powys Wildlife Trusts (5201)
- Canal & River Trust in Wales / Glandwr Cymru (5704)
- Sarah Bond (6160)
- CPRW (Brecknock and Radnor Branch) (6235)
- Natural Resources Wales (7076)

3.3.13 The main issues arising from the consultation and the Council's responses to these are set out in Table B7 overleaf.

3.2.14 The representations and Council draft responses were considered by the LDP Working Group at its meeting on the 7th September 2018, and subsequently by the Council's Cabinet at its meeting on 9th October 2018.

Table B7 – Main Issues from the Public Consultation (Biodiversity and Geodiversity SPG)

Question 1: BG1 - Is the information in the Biodiversity and Geodiversity SPG presented in a clear and logical format for the different audiences (i.e. professional developers and domestic (non-professional) planning applicants)?	
Issue	Council Response
Large document likely to feel over-whelming particularly for public seeking permission for small-scale domestic development. Needs to be made clear which sections applicants for different types of development need to read. (Rep 5201)	Comments noted. Clarification to be added to start of Section 8 'Biodiversity and Geodiversity in the Planning Process'.
Table 1 – for clarity, include a bold horizontal line between the sub-sections of sites, habitats and species. (Rep 5201)	Table 1 will be revised to make it clearer.
Paragraph 6.31 – suggest moving this paragraph below Table 1 to make it stand out. (Rep 5201)	Agreed.
Subject to specific comments, the document would appear to be appropriate. Images may help. (Rep 5704)	Comments noted.
No, it is of concern that it is considered that the SPG is only for planning applicants when it will be a material consideration when determining planning applications and is of relevance to Planning Officers, Planning Inspectors and the general public. (Rep 6160)	Comments noted. The Council is content that the SPG makes clear it is relevant advice and an important material consideration to all parties involved in the planning process.
The text needs amending to address: <ul style="list-style-type: none"> • numerous repetitions. • poor paragraph ordering of some topics. • poor or muddled wording in some 	Comments noted. Editing will be undertaken to address these concerns.

<p>paragraphs</p> <ul style="list-style-type: none"> errors in cross referencing to paragraph numbers including Appendix C. worrying omissions. (Rep 6160) 	
Confused by the two versions of the SPG available on the Powys website. (Rep 6235)	The correct version for public consultation was available on the main LDP web page, and labelled as such, from the beginning of the consultation period.
The text is sometimes vague, long-winded and repetitive. (Rep 6235)	Comments noted. Editing will be undertaken.
<p>The audience includes all interested parties. It should concentrate on clarifying how existing legislation, policy and guidance on biodiversity and geodiversity is incorporated into the Powys planning process in order to help all interested parties.</p> <p>Audiences need to know exactly how responsibilities in the planning process are allocated between PCC and NRW. This is not clear and we suggest detailed discussion and agreement with NRW to establish this. (Rep 6235)</p>	The Council will review the SPG to make sure roles are clearly defined.
The overall format is well thought out and follows a logical progression. (Comments on details provided in a tracked changes version of the SPG). (Rep 7076)	Comments noted.

Question 2: BG2 - Is the language and terminology used in the SPG appropriate for these different audiences?

Issue	Council Response
Throughout the document, the phrase "proposed development site" should replace "development site". (Rep 5201)	Comments noted. The text to be amended accordingly.
Table 1 – The final six columns of this table are confusing. For example, the applicant may be left thinking that a site listed under " <i>No Statutory Protection</i> " can be ignored. We recommend that the final six columns are removed from Table 1. (Rep 5201)	Comments noted. The Council has reviewed Table 1 and has clarified the purposes of the columns by rewording the text in the column headers and adding a footnote.
Welcome the inclusion of Wildlife Trust Reserves, however, it seems odd that other NGO nature reserves are absent, notably those of the Woodland Trust & RSPB. If changed, paragraph 6.18 would also need updating. (Rep 5201)	Comments noted. This change may be possible at a future date, but no change required at the moment.
References to the Powys LBAP should be amended to refer to the Powys Nature Recovery Action Plan (NRAP) including Paragraphs 6.33 - 6.35, Appendices B & C, etc. (Rep 5201)	Comments noted. Whilst the Council agrees with the desirability of the proposed change, the LBAP is, until the NRAP is adopted, still the appropriate Plan for applicants to consult. Removal of references to the LBAP at this stage would therefore create the potential for this important source of local information to be omitted from an applicant's preparatory research. No change required.

<p>Appendix A - Section 42 'important (priority) habitat and species' no longer exists and should be referred to as 'Section 7'. (Rep 5201)</p>	<p>This reference in the Glossary is provided for clarity as the term 'Section 42', and references to the NERC Act, are still in use and often seen in documentation. The superseding of Section 42 by Section 7 is explained in the text under this entry in the Glossary. No change required.</p>
<ol style="list-style-type: none"> 1. Subject to specific comments the document would appear to be appropriate. (Rep 5704) 2. Yes with proviso that glossary expanded – e.g., NRAP, SoNaRR. (Rep 6160) 3. The language used within the document is appropriate for the target audience. (Rep 7076) 	<ol style="list-style-type: none"> 1. Comments noted 2. Comments noted. Both NRAP and SoNaRR are cited and explained in Appendix C. 3. Comment noted.
<p>The language is sometimes verbose making the SPG unnecessarily long. E.g. Paragraph 6.7 SPAs could read: <i>“Special Protection Areas (SPAs): a European designation for the conservation of birds. Three SPAs are wholly or partially within the Powys planning area and another two are close enough to be at risk from development within the planning area. Developers should be aware of ranging and foraging buffers around SPAs”</i>. (Rep 6235)</p>	<p>Comments noted. The opportunity has been taken to review the document and wherever necessary changes have been made.</p>

Question 3: BG3 - Is there any content missing from the SPG, or parts that could be improved?	
Issue	Council Response
<ol style="list-style-type: none"> 1. Paragraph 6.16 – Amend to read: “These are assessed and selected using specific criteria which recognise their wildlife value, developed and agreed by members of the Powys Nature Partnership (see Appendix A)”. 2. Paragraph 6.18 – Amend to read: “The three Wildlife Trusts in Powys also own, lease and manage land as Wildlife Trust Reserves (WTRs). These protect locally or nationally rare or vulnerable wildlife or habitats and many carry statutory designations. In Powys there are...” (Rep 5201) 	<ol style="list-style-type: none"> 1. Agreed. 2. Agreed, plus the additional wording ‘and many carry statutory designations’ to be made.
<ol style="list-style-type: none"> 1. Table 1 - Section 7 habitats and species and Veteran Trees are missing from Table 1 and should be added. 2. Paragraph 6.27 – should include the Ancient Woodland Inventory’s four categories: <ul style="list-style-type: none"> * Ancient Semi-Natural Woodland (ASNW) * Plantation of Ancient Woodland Sites (PAWS) * Restored Ancient Woodland Sites (RAWS) * Ancient Woodland Site of Unknown Category (AWSU) 3. Paragraphs 6.30 & 6.31 - Powys has internationally important areas of veteran trees / historic parkland which should be 	<ol style="list-style-type: none"> 1. Agreed. 2. Agreed. All Categories to be included in the SPG. 3. Comment noted. Having reviewed the text, the current wording is considered adequate so no change required.

<p>emphasised e.g. the Elan Valley. (Rep 5201)</p>	
<ol style="list-style-type: none"> 1. The SPG should be stronger in recognising that non-statutory sites can have biological features of international significance, in the same way that not all sites of SSSI quality end up being designated SSSI. For example biologically rich ponds should be included. The Freshwater Habitats Trust has recognised that parts of Powys are 'Internationally Important Areas for Ponds (IAPs) e.g. 'mawn' pools found on common land across North Brecknock and Radnorshire. These lack statutory protection yet are areas of significant biodiversity value and have high populations of important species, such as the Great Crested Newt. 2. It is important to remember that the national network of SSSIs forms a representative suite of the country's very best wildlife and geographical sites; this needs to be emphasised in paragraph 6.12. (Rep 5201) 	<ol style="list-style-type: none"> 1. Comments noted. Add new para. to include reference to non-statutory sites containing features of international significance and using mawn pools as an example. 2. Agreed. Add the following 'and as such form a representative suite of the country's very best wildlife and geological sites.'
<ol style="list-style-type: none"> 1. Paragraph 6.32 – it is important to retain the significance of the difference between nationally important and locally important sites. Either list the Section 7 habitats here (could remove any that aren't relevant for Powys) or refer the reader to the Wales Biodiversity Partnership for the list. 2. Paragraph 6.33 - Depending on how paragraph 6.32 is dealt with, either list the NRAP habitats or refer the reader to the Powys NRAP for the list. (Rep 5201) 	<ol style="list-style-type: none"> 1. Comments noted. Include reference to the Wales Biodiversity Partnership. 2. The Powys LBAP is still extant until the NRAP is adopted, so the reference to the LBAP Habitats should remain.
<ol style="list-style-type: none"> 1. Paragraphs 7.7 & 7.8 – Environmental Permits (EPRs) are not mentioned and could be included here. 2. Table 2 – emphasise the need for Phase 2 vegetation surveys, at the appropriate time of year if the preliminary ecological appraisal identifies interesting habitat. This is relevant for the top 10 development sites in the table. 3. Paragraph 7.27 - further surveys should include those for priority habitats and species as well as EPS. 4. Table 3 – amend the dormouse survey optimal period to May to October inclusive, whilst the rest of the year would be sub-optimal. (Rep 5201) 	<ol style="list-style-type: none"> 1. Comments noted. 2. Table 2 – additional clarification will be provided. 3. Insert additional text: 'such as those for priority habitats and species and EPS.' 4. Agreed, amend Table 3 accordingly.
<p>Paragraph 8.26 - when saying that "compensation does not necessarily need to be like for like replacement" it should be emphasised that the replacement gain should have integrity and value within the ecological landscape it sits in. (Rep 5201)</p>	<p>Comments noted. The text will be revised.</p>
<p>Intensive Livestock Units Paragraphs 9.16 - 9.20– in the Chief Planning</p>	<p>Comments noted. The Council is familiar with the clarification letters cited and</p>

<p>Officer letter (12/6/18) from Welsh Government, the impacts of intensive agricultural developments were emphasised. The appropriate wording of this section is a great opportunity to improve the current decision making process.</p> <p>PCC is urged to take heed of recent advice from the Welsh Government regarding the importance of a wide range of consultees when considering these developments. (Letter from Lesley Griffiths AM, Cabinet Sec for Energy, Planning and Rural Affairs, 30/4/018). (Rep 5201)</p>	<p>considers it already follows the advice. Having reviewed the Intensive Livestock Units section it is not felt necessary to make any changes.</p>
<ol style="list-style-type: none"> 1. Paragraph 6.42 – refers to “Section 4.4 below”, but this section does not exist. 2. Paragraph 8.18 - refers to Sections 5.5 and 5.6, but these do not exist. 3. Paragraph 8.23 – remove “However” from the start of the second sentence and insert “For example,” instead. 4. Paragraph 8.30 – in the second bullet point, please include ‘bat bricks’. 5. Paragraphs 9.13 & 9.15 – these make reference to section 6.5 which does not exist. (Rep 5201) 	<p>Comments noted. The cross-references will be updated, a reference to ‘bat bricks’ included in Table 5, and the SPG will be edited.</p>
<p>Section 7 could be moved to an appendix. (Rep 5704)</p>	<p>Noted, but the Council considers this is an important section to retain in the body of the SPG.</p>
<p>Paragraph 4.1 – Amend to read “...consider the potential impacts of proposals upon these interests on or near development sites”. (Rep 6160)</p>	<p>Noted. The words ‘and beyond’ will be added.</p>
<p>Paragraph 4.7 states, “<i>As a consequence of its extent, it has a considerable diversity of habitat types</i>”. This statement is misleading. It is not because of Powys’ extent but its geodiversity and man’s interaction that there is considerable diversity of habitats. (Rep 6160)</p>	<p>Comments noted. Add the word ‘Partly’ to the beginning of the paragraph..</p>
<p>Table 2 - is inconsistent when describing surveys. As a result the text following this table becomes confusing about the status of species, e.g. 7.29 to 7.36 discusses EPS but then bats are discussed separately at 7.41. (Rep 6160)</p>	<p>Comments noted. Table 2 has been reviewed and editing amendments made as necessary.</p>
<p>Paragraph 7.27 – Refers to CIEM guidance, but guidance is regularly updated. (Rep 6160)</p>	<p>Agreed. Insert the text:”or any updated”.</p>
<ol style="list-style-type: none"> 1. Para. 7.37 - This paragraph is unacceptable because it totally dismisses many protected avian species in Powys. Most other raptors are Schedule 1 birds, as are some other species which may be affected by development in Powys. 2. Paras 7.37 and 7.38 should be moved and amalgamated with para 8.48 in section 8. 3. Para 7.39 should have a new heading, e.g. ‘avian surveys’, and include discussion about 	<ol style="list-style-type: none"> 1. Comments noted. The Council disagrees. Barn Owls are detailed in the SPG as they commonly nest and roost in buildings so are an example of a species that may be at risk from development. Many other Schedule One birds are found in Powys however these will be covered by surveys already included in the SPG. No change required.

<p>nesting birds and protected birds. (Rep 6160)</p>	<p>2. & 3. It will be made clear that these surveys are examples. A new sub-heading will be inserted.</p>
<p>Paragraph 7.39 “.....<i>Areas of dense vegetation (e.g. hedgerows, or long-derelict land) are also important for other nesting birds</i>” This statement whilst correct is an oversimplification. It ignores ground nesting birds and in particular the critical status of curlew which nest in damp habitats and are particularly susceptible to the types of agricultural development being applied for and the solar LSAs. (Rep 6160)</p>	<p>Comment noted. Whilst the Council disagrees that this para. ignores ground nesting birds, the words ‘<u>or open</u>’ and ‘<u>or agricultural</u>’ will be added, and the word ‘or’ be removed.</p>
<ol style="list-style-type: none"> 1. Amend 8.2 - to read “biodiversity and geodiversity interests affected by development sites”. 2. Paragraph 8.27 - should explain compensatory measures will be conditioned. 3. Paragraph 8.34 - It is of great concern that this document has been put forward for public consultation with this illustration missing. 4. Paragraph 8.38 - omits reptiles from the list of fauna e.g. slow worms. 5. Paragraph 8.44 - Should read, “affected by development proposals”. 6. Paragraph 8.45 “..... <i>If a planning application is likely to directly impact on a pond, canal, ditch or cellar a great crested newt survey may be required.</i>” This is incorrect advice and contradictory to advice on EPS at 7.23 A survey for great crested newts is required if: <ul style="list-style-type: none"> * there are historical records of newts within or close to the site proposed for development. * there’s a pond within 500 metres of the application site boundary even if it only holds water some of the year * the development site includes refuges (eg log piles or rubble), grassland, scrub, woodland or hedgerows. (Rep 6160) 	<ol style="list-style-type: none"> 1. Comments noted. The opening paragraphs will be revised for clarity. 2. Agreed. Add following wording: “Compensatory measures may also be subject to planning conditions and ongoing monitoring.” 3. Comment noted but the diagram was only for illustrative purposes. 4. The list of species is not intended to be exhaustive. 5. The comment is noted. It is recommended that the change be made accordingly. 6. Agreed. The word ‘directly’ will be removed.
<ol style="list-style-type: none"> 1. Paragraphs 4.2 and 4.5, 6.16, 6.25, 6.26, 6.27, 7.35 – Repetitious. 2. Paragraph 6.20 - Omit NB – unnecessary. 3. Paragraphs 6.42, 7.33, 8.8. 8.14. 8.18, 8.39, 8.41.8.43, 9.13, 9.15 - Incorrect cross refs. (Rep 6160) 	<p>Comments noted. The SPG will be subject to futher editing.</p>
<ol style="list-style-type: none"> 1. Prior to section ‘5.0 LDP policies’, The Environment (Wales) Act Part 1, Sections 3, 4 and 6 should be set out as they are in the Act. 2. Section 5.0 LDP policies - Should make it clear that the LDP is an integrated document and other policies besides SP7 and DM2 are relevant to Biodiversity and Geodiversity. For instance: <ul style="list-style-type: none"> • DM7 on light pollution 	<ol style="list-style-type: none"> 1. The Council disagrees with this representation. The Environment Act is summarised in Appendix C. No change required. 2. This point is made already in the introduction to the document. It is also repeated in Appendix C which already lists the key LDP Policies that are likely to have a bearing upon Biodiversity and Geodiversity. No change required.

<ul style="list-style-type: none"> • DM13.13.v. on protection of soils • DM14.2 Air quality management • DM15 Waste within developments (Rep 6235) 	
<p>Major elements missing from the SPG:</p> <ol style="list-style-type: none"> 1. Importance of State of Nature Wales report: urgency of reversing decline in Biodiversity. 2. Discussion of Protection of Soils. 3. Discussion of Cumulative impacts. 4. Informative discussion about Intensive Livestock Proposals, regulatory framework and PCC role. (Rep 6235) 	<p>Comments noted. The following changes be made to the document:</p> <ol style="list-style-type: none"> 1. Insert reference to 'State of Nature' report. 2. Agreed. Add new section on 'Soils' within the Geodiversity and Development Proposals section. 3. Agreed. Add new section on 'Cumulative and In Combination Effects' within the Biodiversity and Geodiversity in the Planning Process section. 4. The Council has already included a section on Intensive Livestock Units which is considered adequate. No change required.
<p>SPG to include additional information on:</p> <ol style="list-style-type: none"> 1. Ancient semi natural woodland. 2. The Birds directive. 3. Associated legislation not regulated under planning. (see comments on page 17 of SPG draft attached). 4. NRW role in flood defence. 5. Consideration of long term post construction issues. 6. Clarification over INNS legislation and biosecurity requirements during the planning process. 7. Public Authorities duties including Powys LPA to report and monitor on the Nature Recovery Action Plan under Section 6 of the Env't. Act. (Rep 7076) 	<p>Comments noted. Amend SPG to include:</p> <ol style="list-style-type: none"> 1. Additional information on Ancient Woodlands. 2. Text concerning SPAs and a link to more information on the Birds Directive inserted into Appendix B. 3. Comments noted, however the Council believes this information to be unnecessary. 4. Requirement to consult NRW inserted 5. Agreed. Text amended in a number of places to reflect this 6. Text regarding INNS inserted into Section 9. 7. Text inserted in Appendix C under the Environment (Wales) Act regarding LPA duties. The SPG already contains a number of paras regarding unlawful activity and these have been placed under a new heading to draw attention to them, so no change is felt to be necessary.

Question 4: BG4 - Section 6 covers a complex topic. Could the layout or contents of this section be improved? If so how?

Issue	Council Response
<ol style="list-style-type: none"> 1. The layout is good (Rep 542) 2. It is clearly laid out. (Rep 5201) 3. It could be condensed or detail placed in an appendix. The introduction of images may help. Some terms are duplicated in the glossary. (Rep 5704) 4. Paragraphs 6.25- 6.27 are repetitive. 6.27 and 6.28 discuss wood pasture but fail to 	<ol style="list-style-type: none"> 1. & 2. Comment noted. 3. – 11. Comments noted. Section 6 has been reviewed and necessary changes made.

<p>explain what it is - does it include old orchards or ffridd?</p> <p>5. Paragraph 6.31 - Suggest para has a title, e.g. 'designated sites mapping'.</p> <p>6. Paragraph 6.43 - discusses UK protected species but fails to explain how plants are protected. (Rep 6160)</p> <p>7. Section 6 could be improved in its layout and structure of headings. Bold Headings for the designations would help. e.g. 6.11, 6.13, 6.16, 6.17, 6.18, 6.19, 6.21.</p> <p>8. The section is very confusing. Terms need to be used carefully and consistently. Careful explanation is needed for: "designation" and "statutory"; "protected" and "important"; devolution to Wales of some planning functions; what information applicants need to provide about woodland and LBAP categories; what regard PCC will have to LBAP categories in planning determinations.</p> <p>9. In the sub-sub-headings, LBAP habitats and species are only "<i>important</i>", however, in Table 1, LBAP Habitats and Species do have statutory protection but RVNRs and AW do not have statutory protection.</p> <p>10. It needs to be clear that the duty to enhance and maintain biodiversity everywhere where there is no national or international designation lies with Powys CC.</p> <p>11. For International and Nationally designated sites, PCC is responsible for considering cumulative impacts. PCC is also responsible for considering cumulative impacts on all other biodiversity interests. (Rep 6235)</p>	
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Question 5: BG5 - Would the sections on 'Incorporating Resilience into Development Proposals' and 'Green Infrastructure and Resilience' (paras 8.67 to 8.77) be better embedded within the 'Design' section (8.17 to 8.34)?

Issue	Council Response
<p>1. Yes. (Rep 516, 5704, 6160, 6235, 7076)</p> <p>2. Yes; also suggest rationalising this section by removing Table 5 and paragraphs 8.70 & 8.71 as this is all mentioned elsewhere and is likely to mean very little to an applicant. (Rep 5201)</p>	<p>1. Comment noted. The paragraphs will be moved.</p> <p>2. The Council disagrees and considers that Table 5 has a role to play in the SPG. An explanation is provided in the following paras. No change required.</p>

Question 6: BG6 - Would the inclusion of a checklist or flowchart for incorporating biodiversity and geodiversity in the planning process be of use to summarise the process, or could this oversimplify important considerations?

Issue	Council Response
<p>1. Yes, an indicative graphical illustration, such as a flowchart, is likely to be very helpful for applicants. Perhaps an app could be</p>	<p>1. and 2. Comments noted. An indicative flowchart will be included.</p>

<p>developed, as this would allow the detail to be retained. (Rep 516; Rep 5201, 5704 7076)</p> <p>2. No. This would just duplicate text and oversimplify considerations and would not be available for public consultation. In general the text could be tightened and sometimes shortened to underline exactly what a developer has to do. (Rep 6160, 6235)</p>	
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Question 7: BG7 - Does Appendix C tie in to and support other parts of the SPG adequately enough, or should the legal context (i.e. the reason why something is required) be reinforced?

Issue	Council Response
<p>1. Yes. (Rep 516) Appx C is adequate. (Rep 6160)</p> <p>2. Appendix C could be reinforced through referencing in other parts of the document. (Rep 5201)</p> <p>3. Reference is provided within the main document to appendix C, e.g. at paragraphs 2.1, 7.2, 8.13. Given the length of the document it may be useful to elaborate upon the legal context within section 2.0 of the document. (Rep 5704)</p>	<p>1. The comment is noted.</p> <p>2. Extra references to Appendix C will be inserted wherever appropriate.</p> <p>3. Comment noted, however it is considered that Section 2 and Appendix C provide this elaboration already.</p>
<p>1. The WBFGA is much less clear and specific about Biodiversity and Geodiversity than the Environment (Wales) Act section 6 duties which are key to this SPG and their text is a serious omission. The description in Appendix C is not good enough and these should be set out in full earlier in the document. (Rep 6235)</p> <p>2. Relevant legislation should be mentioned within the SPG because it helps to clarify what is a legislative requirement and what is best practice / guidance. Appropriate reference to Appendix C should be made for additional details. (Rep 7076)</p>	<p>1. Comments noted, however the Council considers that the content relating to Environment (Wales) Act and the WBFGA is sufficient and in the right place. No change required.</p> <p>2. Comments noted</p>
<p>To avoid confusion, clarification is needed in Appendix C in relation to Schedule 2 projects of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations (2017). (Rep 542)</p>	<p>The Regulations are not matters within the control of the Council, so no change to the SPG is required.</p>

Question 8: BG8 – If you have any other comments you want to make which are not covered by the above questions please include them here:

Issue	Council Response
<p>CPAT welcomes this SPG. It may be worth noting that there is some cross over between biodiversity and the historic environment and there may be occasions when historic environment policies might be brought to bear to assist biodiversity issues. For example peat bogs, hedges and boundaries, field</p>	<p>Comment noted. Mention of this overlap will be included.</p>

systems, veteran trees, ancient woodland, parkland, caves, rivers, streams, lakes and ponds, etc. have an historic environment dimension which might be useful allies to biodiversity. Mention might be made of this cross over. (Rep 27)	
It is good that policy DM7 is referenced, given Powys's important dark skies and the benefits of dark skies to biodiversity. A robust lighting management policy should be incorporated into the planning process. (Rep 222)	Comments noted. LDP Policy DM7 does cover light pollution and refers to dark sky designations. No change required.
Paragraph 6.17, Appendix B – the Powys wildlife trusts names and contacts need correcting. (Rep 5201)	Agreed.
<ol style="list-style-type: none"> Paragraph 4.7 - should include 'canals', within the list of habitats, especially given the Montgomery canal is designated as a SAC and SSSI. Paragraph 8.30 – Amend wording to read <i>“Creation of a buffer zone along natural watercourses planted with native species (where appropriate)”</i>. This would provide flexibility in respect of development adjacent to the canal. Paragraph 9.11 - should refer to the Montgomery canal designated as a SAC. (Rep 5704) 	<ol style="list-style-type: none"> Agreed. With development alongside man-made waterways already being covered by related regulations, it is felt that inserting 'where appropriate' alongside the use of the word 'natural' would unnecessarily weaken the guidance. The paragraph will be amended to refer to Table 5. Agreed.
Geodiversity - Despite the LDP at DM13 referring to protection of soils as resources providing ecosystem services this is not expanded upon in this SPG. (Rep 6160)	A new section on soils will be included.
<ol style="list-style-type: none"> Water Framework Directive (WFD) - The WFD requirements should be made to dovetail better with biodiversity beyond phosphate pollution. It also ties in with geodiversity and protection of soils. (Rep 6160) This WFD section fails to set out the LPA role in achieving the objectives of the WFD, under which it has duties as a competent authority to protect water quality in Powys. The SPG suggests that all responsibility lies with NRW however NRW has published an advice note “Local Authority services and the water environment” https://naturalresources.wales/media/2627/wfd-docs-eng.pdf In order to fulfil this role, LPAs must have the relevant information about the water environment. Suggest adding: <i>“Applicants must provide <u>contour maps with clearly mapped details of all water features on the development site and surrounding land wherever any flooding or pollution risks may occur.</u>”</i> (Information on Scimap included). (Rep 6235) 	Comments noted and the WFD paragraphs will be reviewed and changes made accordingly.
1. Intensive Livestock Units (ILUs) - Relegating the discussion of requirements for intensive	Comments noted, however the Council is content that sufficient information is

<p>livestock proposals to “other considerations” is unacceptable and illogical. Logically, ILUs should sit next to householder applications in Section 8.</p> <p>2. Paragraph 9.18 - This is misleading. NRW only responds to emissions impacts on internationally / nationally designated sites. It is for the local authority to consider effects on other biodiversity interests. It is therefore for the LPA to consider effects of, e.g., bryophytes in ancient woodland.</p> <p>3. Application documents - The SPG has not seized the opportunity to enforce best practice for application documents to aid the LPA’s environmental statutory duties. E.g. (a) poultry ranging plans with contours which NRW have stated is a requirement. Scimapping should be a requirement. E.g. (b) manure management plans are accepted without contour plans. Land put forward as enough acreage for the waste from the ILU could all be on slopes that should only have seasonal spreading. Colour coded manure management plans should be a standard requirement. (Rep 6160)</p> <p>4. Paragraphs 9.16 to 9.20 – The ILU section is unsatisfactory and misleading. The Council has not explained its own responsibilities in determining ILU planning applications. It is essential that the SPG:</p> <ul style="list-style-type: none"> • is factually right and in sufficient detail. • accords with WG and NRW advice. • explains the roles of NRW and PCC in enhancing and maintaining biodiversity in the planning process. • is crystal clear to PCC officers, applicants and the general public. • informs all parties how planning conditions will be monitored and by whom . • is not published until any unclear issues are resolved. <p>(Detailed comments were provided by the Representer – Please refer to Appendix 1). (Rep 6235)</p>	<p>provided on intensive livestock units so no changes are considered necessary.</p>
<p>1. Paragraph 2.1 - The SPG is important for all stakeholders and Powys residents. The first bullet point should be amended to: “<i>Set out the way in which LDP planning policy is to be interpreted and applied to protect biodiversity and geodiversity in the public interest.</i>” The second bullet point should read: “<i>applicants and all developers, consultants and other agents involved in preparing planning applications.</i>”.</p> <p>2. Paragraph 4.1 - The ecological impacts of development do not stop at the site boundary.</p>	<p>1. Comments noted, however the Council does not consider any change is required to the bullet points.</p> <p>2. The words ‘and beyond’ will be included.</p> <p>3. The wording in Paragraph 4.2 will be amended to shorten the explanation.</p> <p>4. Para. 4.3 will be revised.</p> <p>5. Noted, but no change to the SPG.</p>

<p>Amended wording to: <i>“It is essential to consider the potential impacts of each proposal upon the ecology of the development site and also the ecology beyond the development site”.</i></p> <p>3. Paragraph 4.2 - It would be clearer to explain at the outset that: (a) the LDP sits within overarching International/EU and National legislation and policy which is already reflected in the latest version of Planning Policy Wales. (b) LDP policy re bio/geodiversity, which is mainly set out in SP7 and DM2, does not directly repeat PPW (PPW9 2.3.1). (c) The SPG therefore expands the guidance in the LDP by setting out the requirements for planning decisions derived from all of these sources to make them clear and accessible for all.</p> <p>4. Paragraph 4.3 – amend last sentence to: <i>“biodiversity and geodiversity have been assessed and accommodated....”</i></p> <p>5. Paragraph 4.5 - Two simple definitions are: <i>“totality of genes, species and ecosystems of a region”</i>; <i>“a biological community of interacting organisms and their physical environment”</i>.</p> <p>6. This introductory section needs further explanation - enhancing and maintaining biodiversity cannot be achieved by only protecting nature reserves and certain species categories whether of international, national or local importance. The ecosystem duty applies to biodiversity throughout Powys and this will be taken into account in planning determination. (The SPG statement Biodiversity in Powys 4.9 <i>“designations alone cannot guarantee the integrity and prolonged existence of these valuable resources”</i> is not clear and forceful enough). We do not understand the full extent of negative impacts of our development activities. Therefore we should exercise the “precautionary principle”. However we do know that improving and preventing loss of existing natural habitats and creation of new ones is the best way to avoid loss of species. (Rep 6235)</p>	<p>6. Comments noted. The SPG will be edited, and a new section will be included on un-designated sites.</p>
<p>1. Table 1 - A note on mapped / unmapped categories would be useful.</p> <p>2. Paragraph 6.32 - Section 7 of Env.(Wales) Act imposes the duty to create a list but does not contain the habitat or species lists which are published by the Wales Biodiversity Partnership (but under the name of the WG) as is described in 6.3.4 for species). Suggest: <i>“<u>The Welsh Government publishes a list of habitats of importance for the conservation of Biodiversity in Wales as required by the Environment (Wales) Act (2016).</u>”</i></p>	<p>1. Table 1 will be amended for clarification.</p> <p>2. Comment noted, the wording will be amended.</p> <p>3. The existing wording will be revised to refer to the refusal of planning permission.</p>

<p>3. Paragraph 6.38 – Amend wording from “<i>if it is absent then it may delay determination</i>” to “<i>This information is required to be submitted with the application documents prior to determination</i>” (Rep: 6235)</p>	
<p>1. Paragraph 7.2 - This section on Environmental Impact assessment should be improved. It is vague and misleading and should refer to and explain “Schedule 1” and “Schedule 2” development of the EIA regulations.</p> <p>2. Paragraph 7.3 - it should be more precise and say that there are a listed variety of development types to which specific criteria and thresholds are applied to determine if the project counts as Schedule 2 development. Any Schedule 2 development must be screened by the LPA (or WG or NRW as appropriate) to determine if there are likely significant impacts which indicate that an EIA is required. (Rep: 6235)</p>	<p>1. & 2. Comments noted. Further clarification will be made to the EIA section.</p>
<p>HRA</p> <p>1. Paragraph 7.16 - The stringency of the HRA test should be made clear. Suggest: “<i>Consent cannot be granted unless the results of the <u>Appropriate Assessment show beyond reasonable scientific doubt that the proposal will not have a significant adverse effect on the integrity of the protected site</u></i>”</p> <p>2. Paragraph 7.18 - Unable to trace this reference so a better easily located reference needs to be provided. The SPG should also explain here that, irrespective of site boundaries or buffer zones, significant air and water pollution can occur far beyond a development site. (Rep: 6235)</p>	<p>1. Comments noted. The HRA section will be reviewed.</p> <p>2. Amend Appendix B to provide a link to this mapping.</p>
<p>Biodiversity Surveys</p> <p>1. Paragraph 7.20 - Surveys are not necessary for every development. Suggest: “<i>It is often necessary to carry out desk-top or field surveys to understand which protected sites, habitats and species will be affected on the site or beyond the application site</i>”.</p> <p>2. Paragraphs 7.21-7.23, Table 2 - This is confusing. 7.23 mentions EPS which a reader might equate with “<i>protected species surveys</i>”. Then Table 2 mentions two general types of survey: “<i>preliminary ecological appraisal</i>” and “<i>protected species surveys</i>” but for Watercourses we have “<i>fish</i>” and “<i>birds</i>” and for Woodlands we have EPS and “<i>badgers, birds</i>”.</p> <p>3. Table 2 - Needs revision. There is no mention of plants or potential important habitats. There is no guidance as to what species are considered “<i>protected</i>”. The duty to maintain and enhance biodiversity cannot be fulfilled by</p>	<p>1. Comments noted. The text in the following paragraphs will be amended.</p> <p>2. Amendments will be made to address the comments.</p> <p>3. Amendments will be made to Table 2.</p> <p>4. Paragraph 7.23 will be reviewed.</p> <p>5. The paragraphs will be reviewed along with the EPS and HRA sections of the SPG.</p> <p>6. The tests reflect the wording of Policy DM2 (criterion 1.B) and should be retained.</p> <p>7. Noted the SPG will be reviewed and edited as appropriate.</p> <p>8. Agreed.</p> <p>9. The wording will be reviewed.</p>

a limited checklist approach.

4. Paragraph 7.23 - Suggest: "When a development proposal is on land, or has an impact on land beyond the site, in one of the categories in Table 2, it is likely that an ecological survey will be required. This survey may need to extend beyond the site boundary."
5. Paragraphs 7.30 to 7.36 - This is repetitive. Suggest: "if a proposal is likely to affect EPS on or beyond the application site, all relevant survey information and assessment of the likely impacts on EPS must be submitted in a survey report as part of the planning application. The report must include mitigation proposals for any adverse impacts, and details matching the mitigation requirements in the Survey Report must be clearly shown on any submitted plans and drawings. The survey, survey reportlicensed surveyor

The LPA needs sufficient information to assess the information against the Habitat Regulations and to decide whether the proposal would pose a risk to maintaining the Favourable Conservation Status of the species at risk (the "FCS test"). NRW is usually consulted for comments on the content and conclusions of the ecological report and advice about planning conditions to protect biodiversity if permission is granted.

If EPS are present and significant damage or disturbance to individuals, their habitat or resting places is likely and cannot be sufficiently mitigated, the LPA must either refuse the application, or, in exceptional circumstances, apply three derogation tests."

6. The second of the three LPA derogation tests (FCS test) is wrong: the tests are "no alternative", "IROPI", "necessary compensation for network of European sites". Copy the tests from

[http://www.assembly.wales/research documents/17-038/17-038-web-english.pdf](http://www.assembly.wales/research%20documents/17-038/17-038-web-english.pdf)

7. It would be clearer to write about permission first and then about the need for an NRW licence.
8. Paragraphs 7.37-7.43 - these could be labelled "examples of specific surveys" because there are many other types of survey as shown in Table 3.
9. Paragraph 7.48 - confusing repetition of 7.33 in EPS section and then introduction of "conservation licence" in UKPS section so reader can't tell if a "development licence" only

<p>applies to EPS or not. Suggest policy and licensing professional from NRW reviews and helps amend this section. (Rep: 6235)</p>	
<p>Step-wise Approach</p> <ol style="list-style-type: none"> 1. Paragraph 8.5 - suggest adding: "<u><i>The LPA will need to consider evidence for whether the new features or habitats will lead to sufficient biodiversity gain to mitigate, off set or compensate for the adverse impacts of the development.</i></u>" 2. Paragraph 8.14 - Repeats points already made so heading is confusing. Suggest delete heading and retain 8.15 as third para. of Pre-Application discussions saying: "<u><i>Where pre-application discussions suggest the need for ecological surveys, up-front.....(see Table 3) and early surveying could minimise delays in the application process.</i></u>" 3. Paragraph 8.16 - suggest delete heading and make this fourth para. of Pre-Application discussions saying: "<u><i>In some cases.....needed however Developers should..... that in other cases additionalapplication.</i></u>" 4. Paragraphs 8.12 - 8.13 - Suggest new heading: "<u><i>Unlawful Activity</i></u>" 5. Paragraph 8.21 - This is unacceptable. If "<u><i>the land take for construction</i></u>" involves any earthworks, habitat, species or geological disturbance, it <u>should be within the red line</u> shown on the application form. The ecological impact should be taken into consideration in the biodiversity assessment and any mitigation and restoration plans should be described. 6. Paragraphs 8.24–8.30 - Welcome the text but would like a proviso that the gains are evidence-based and subject to condition and monitoring because in our experience they do not always happen. (Rep: 6235) 	<p>Comments noted.</p> <ol style="list-style-type: none"> 1&2. The Council will review the wording of this section. 3. Agreed to amend the heading. The wording will be reviewed. 4. Agreed. 5. The wording of para 2.81 will be reviewed 6. It is recommended that the wording be amended to refer to compensatory measures being subject to planning conditions and ongoing monitoring.
<p>Incorporating Biodiversity into a Domestic Application</p> <ol style="list-style-type: none"> 1. Paragraph 8.50 - Reads as if author ran out of steam. E.g. "<u><i>Further advice can be sought from... the internet.</i></u>" 2. This section could be tightened up and simplified. E.g. Suggest Para. 8.38 reads: "<u><i>Bats and birds, especially..... martins and barn owls may nest or roost in buildings. Great crested newts may be found in cellars or, more commonly, outdoors in ponds, canals or ditches and among stones</i></u>" 3. Suggest all the headings re-ordered to put EPS first, mammals, then GCNs, then non-EPS bird categories. If they were presented as e.g. <u><i>Hazel Dormouse (EPS)</i></u> there would be no need to say "<u><i>this is an EPS!</i></u>" 	<ol style="list-style-type: none"> 1. Comments noted. The reference to the internet was inserted previously at the request of a topic stakeholder but will be deleted. 2. Comments noted but no change considered necessary. 3. It is recommended that the headings / sections be re-ordered. 4. -7. The wording will be reviewed.

<p>4. Paragraphs 8.51 to 8.58 - Vague and does not inspire confidence in information presented or management of these issues. People need to know how to find out/who to ask about these things because the SPG is where they will expect precise detailed advice.</p> <p>5. Paragraph 8.59 - Misunderstanding of “enhancement and maintaining”. Promoting, learning about and publicising Geodiversity is desirable but <u>not</u> the same as enhancing and maintaining it.</p> <p>6. Paragraph 8.67 – Disagree that this is “<i>relatively easy</i>”. It is extremely difficult to get applicants, particularly those for the larger scale proposals, to “<i>target their actions</i>” to these attributes. On the whole, habitat and species destruction from development and modern agricultural practices far outweighs any of these measures. While we fully support all these resilience measures, this document is SPG and there is nothing in this add-on section to make us feel confident that these resilience ambitions will be incorporated into the planning system.</p> <p>7. Agree that these measures should be incorporated into the design phase where they will attract better scrutiny. (Rep: 6235)</p>	
<p>Missing Sections</p> <p>1. The SPG should include sections at the beginning of the document on:</p> <p>(a) State of Nature (Wales) Report</p> <p>(b) Environment (Wales) Act Part 1, Section 3: Sustainable Management of natural resources; Section 4: Principles of Sustainable Management of natural resources; Section 6: Biodiversity and resilience of ecosystems duty.</p> <p>2. Section 5.0 - Should make it clear that the LDP is an integrated document and other policies besides SP7 and DM2 are relevant to Biodiversity and Geodiversity. For example: DM7 on light pollution, DM13.13.v. on protection of soils, DM14.2 Air quality management, DM15 Waste within developments.</p> <p>3. Cumulative impacts on biodiversity and geodiversity.</p> <p>4. <u>Soils</u> - DM13.13.v.Protects soils and particularly peat which are geodiversity features. This policy is not mentioned in the SPG and the only specific mention of soils is in relation to woodland. Carbon soils, including peat provide a valuable carbon sink and specific soil types support unique ecosystems. (Rep: 6235)</p>	<p>1. Comments noted. Reference to the State of Nature Report will be added, but Appendix C is considered sufficient to explain the legislative requirements.</p> <p>2. The introduction explains this and Appendix C which already lists the key LDP.No change required.</p> <p>3. & 4. New sections will be added on on:</p> <ul style="list-style-type: none"> • Cumulative and In Combination Effects • Soils.
<p>Comments on Section 6</p> <p>1. Paragraph 6.1 - explains that the section follows</p>	<p>1. The Council will review the structure of section 6.</p>

<p>the format of DM2, but in the material which follows the main headings are inconsistent</p> <ul style="list-style-type: none"> - <u>Designated Sites</u> - <u>Habitats of principal importance</u> - <u>Protected and important Species</u> <p>Geodiversity is combined with Biodiversity and a new level of “Regional” is introduced. It would be better to treat Geodiversity separately from Biodiversity in this section.</p> <ol style="list-style-type: none"> 2. The structure of headings needs to be clear and consistent. Bold <u>headings</u> should be used to guide reader clearly through different designations instead of scattering specific designations within paragraph text eg 6.11, 6.13, 6.16, 6.17, 6.18, 6.19, 6.21. 3. Section 6 - is confusing. Terms and format need to be used clearly and consistently: “designation” vs “statutory”, “protected” vs “important”, devolution to Wales of some planning functions, what information applicants need to provide about woodland and LBAP categories, what regard PCC will have to LBAP categories in planning determinations. In the sub-sub-headings, LBAP habitats and species are only “<i>important</i>”, however, in Table 1, LBAP Habitats and Species have <u>statutory</u> protection but RVNRs and AW do not. 4. It needs to be clear that the duty to enhance and maintain biodiversity) <u>everywhere</u> where there is no national or international designation lies with Powys CC. For International and Nationally designated sites, PCC is responsible for considering cumulative impacts. PCC is also responsible for considering cumulative impacts on all other biodiversity interests. A similar statement is needed for geodiversity (especially soils). (Rep 6235) 	<ol style="list-style-type: none"> 2. Headings will be reviewed. 3. These terms will be reviewed. 4. The Section 6 duty of the Environment Wales (Act) will be included in the SPG.
<ol style="list-style-type: none"> 1. Section 8 - It could be explained that some sites are not suitable for development and for developers / applicants to seek professional advice. 2. It would be useful to provide a framework to applicants for how it might be justified that the benefit of development proposals may significantly outweigh the effects on the environment. (Rep 7076) 	<p>1 & 2 The comments are noted. No change required.</p>

3.4 Approval and Adoption of the first set of SPG by the Council

3.4.1. Having considered the issues and comments received and scrutinised the Consultation Draft SPGs, the Cabinet approved the three SPGs at its Cabinet meeting on 9th October 2018.

3.4.2.

4. Public Consultation on the second set of SPG

4.0.1 In accordance with the SPG programme agreed for the LDP (in Table 1 on page 1 of this document), the second set of SPG to be prepared for public consultation are as follows:

- **Landscape**
- **Renewable Energy**

4.0.2 In accordance with Stage 4 of the SPG Protocol, the Consultation Draft SPG were published for public consultation over 6 weeks with the consultation period running from 14th January to 24th February 2019.

4.0.3 County Councillors, Town and Community Councils and all representors on the Powys LDP database were informed of the consultation and the documents were available to view on the LDP pages of the Council's website.

4.0.4 Notice of the consultation period was publicised on the Council's News page, the LDP webpage, and via social media. A press release was issued to the local press.

4.0.5 Hard copies of the consultation documents were made available to view in the Council's main offices at:

- County Hall and The Gwalia, Llandrindod Wells.
- Neuadd Brycheiniog, Brecon.
- Neuadd Maldwyn, Welshpool.

4.0.6 Hard copies were made available to view in all Powys Public Libraries.

4.0.7 Representations were invited either by letter /email and the use of a standard representation form was encouraged.

4.0.8 Table B8 below shows how many representors made comments in relation to each SPG. A more detailed report of the responses received for each SPG can be found in the relevant appendices.

Table B8: Number of Representors making consultation comments on the second set of SPG

Consultation Draft SPG	No. of Representors who made Representations
Landscape	9*
Renewable Energy	26**
Total	29***

* 2 of the 9 representations were 'no comment'.

** 1 of 26 representations was 'no comment'

** 6 Representors made Representations to both SPGs

4.0.9 The main issues arising from the consultation are set out for each SPG in the tables below, together with the Council's response.

4.1 Landscape SPG

4.1.1 Reference Group

4.1.2 In order to prepare the Landscape SPG, the Council sought participation and involvement with various Topic Stakeholders, from which the Council formed a Reference Group.

4.1.3 The Reference Group comprised five members, which included the following representatives:

- Planning Policy
- Development Management – Planning Officer
- Development Management – Built Heritage Officer
- Natural Resources Wales
- Clwyd-Powys Archaeological Trust (CPAT)

4.1.4 Engagement with the Reference Group during the preparation of the draft SPG is summarised in table B9:

Table B9 – Reference Group Involvement (Landscape SPG)

Date	Who and How?
Early October 2018	Contact made proposing an initial meeting and requesting involvement in the preparation of the SPG.
Late October 2018	Initial Draft Paper circulated to the reference group.
Early November 2018	Individual meetings or written correspondence with reference group members discussing the content and changes required to the initial draft SPG.
Late November 2018	Revised draft circulated to the reference group at the sametime it was circulated to the topic stakeholders. Ongoing correspondence throughout this stage as the paper progressed and to inform them of key dates.
December 2018	Ongoing engagement as the paper progressed following stakeholder feedback, particularly with Natural Resources Wales, up to the LDP Working Group.
Early January 2019	Circulation of the Draft Landscape SPG prepared for consultation detailing the consultation dates.
March 2019	Circulation of final SPG prepared for LDP Working Group along with the issues raised from the consultation.

4.1.5 Topic Stakeholders

4.1.6 The larger Topic Stakeholder group included an additional seven members, including representatives from the following:

- Brecon Beacons National Park
- Campaign Protection of Rural Wales (Montgomeryshire)
- CADW
- Snowdonia National Park
- Neighbouring Authorities with AONBs (Wrexham and Shropshire)
- Homebuilders Federation

4.1.7 These stakeholders were invited to provide informal feedback on a working draft of the SPG prior to the formal public consultation stage.

4.1.8 LDP Working Group

4.1.9 The Draft SPG was considered by the LDP Working Group on 19th December 2019 and approved for Public Consultation.

4.1.10 SPG Consultation

4.1.11 The public consultation period ran from 14th January to 25th February 2019 and representations were received from the following:

Representor Name (Representor No.)

- CPRW Brecon & Radnor Branch (5466)
- Mid Wales Arts Centre (5815)
- Scottish Power (5911)
- Pennant Walters (6264)
- Innogy Renewable Energy Ltd (6323)
- Canal & River Trust in Wales / Glandwr Cymru (5704)- No Comment
- Snowdonia National Park Authority (6746)
- Land Quality Advisory Service (7085) - No Comment
- Peter Richards Ltd (7086)

4.1.12 The main issues arising from the consultation and the Council's responses to these are set out in Table B10 below.

4.1.13 The representations and Council draft responses were considered by the LDP Working Group at its meeting on the 29th March 2019, and subsequently by the Council's Cabinet at its meeting on 30th April 2019. Note: This paragraph subject to editing further to decision-making at the Cabinet Meeting on 30th April

Table B10 – Main Issues from the Public Consultation (Landscape SPG)

Issue	Council Response
<p>General comments about SPG needing to be clearer, more authoritative, less repetitive etc. Representor; 5466.P1</p>	<p>Comments noted. The document is guidance to support the LDP policy it does not aim to reproduce the Guidelines for Landscape and Visual Impact Assessment. The SPG promotes a thorough consideration of landscape by applicants in the design process, this should then be followed by assessment. As different sections of the document may be referred to at a time (rather than reading cover to cover) the areas of repetition are considered necessary.</p>
<p>Wording of para 2.1 needs revision, with changes to paras 1.2 and 2.2. Representor; 5466.P2</p>	<p>This section follows a standard format set out in the previous tranche of SPG. The guidance is not just about the assessment of landscape impact it is also about promoting design that enables the successful integration of proposals within the landscape (as required by Policy DM4). Landscape impacts will be considered by Officers but they should also be considered by applicants at the design stage, this enables schemes to be amended or mitigation identified at an early stage in the process.</p>
<p>Queries meaning of 'special status' in para 3.3. suggests rewrite. Representor; 5466.P3</p>	<p>Amendment made to paragraph 3.3 to remove reference to 'special status'</p>
<p>Para 4.1 needs rewriting to provide clarity and remove contradiction. Representor; 5466.P4</p>	<p>Amendment made to provide clarity to paragraph 4.1.</p>
<p>Suggests insertion of European Landscape Convention definition, and how all landscape is valued and protected. Representor; 5466.P5</p>	<p>No change considered necessary there is enough detail in this section without it being added to.</p>
<p>Amending para 4.4 to underline value of landscape to well-being of residents and visitors. Representor; 5466.P6</p>	<p>Amendment made to paragraph 4.4 to include reference to visitors..</p>
<p>Suggests insertion of text to qualify lack of Special Landscape Areas in Powys. Representor; 5466.P7</p>	<p>No change considered necessary there is enough detail in this section without it being added to.</p>
<p>For paras 4.6 to 4.18 there should be a separate heading before an indented 4.7. Representor; 5466.P8</p>	<p>Amendment made to formatting.</p>
<p>Recommend moving explanatory text in Section 5. Policy. Representor; 5466.P9</p>	<p>Disagree this format has been used in the other SPG.</p>
<p>Suggest insertion of full text of Policy SP7 1 to 3. Representor; 5466.P10</p>	<p>Amendment made to presentation of Policy SP7.</p>
<p>Suggest presentation in full of policies DM2,</p>	<p>Disagree. This guidance should be read</p>

DM3 and DM7. Representor; 5466.P11	alongside the plan there is no need to repeat these three policies within the SPG.
Suggest, due to importance of message, para 5.8 be moved to beginning of Section 5. Representor; 5466.P12	Disagree, no change required.
Suggest alternative text for para 5.9. Representor; 5466.P13	Amendment made to aid clarification of text in paragraph 5.9.
Remove brackets from para 6.4. Representor; 5466.P14	Amendment made to remove brackets from paragraph 6.4.
Clarification in para 6.5 of who undertakes site visits. Representor; 5466.P15	Amendment made to clarify who undertakes site visits in paragraph 6.5.
Suggestions for rewording 6.8 Step by Step guide. Representor; 5466.P16	6.8 is a diagram, the definitions of the terminology used is explained in detail underneath. The purpose of this guidance is to promote consideration of landscape in the design process in the first instance followed by landscape assessment. A table titled "Details of Information to be Submitted for Different Development Types if the Proposals Fall Outside of a Settlement." has been inserted to make it clearer what is expected to be submitted for each development type.
Suggests alternative wording for para 6.14 to make the SPG clearer. Representor; 5466.P17	A table titled "Details of Information to be Submitted for Different Development Types if the Proposals Fall Outside of a Settlement." has been inserted to make it clearer what is expected to be submitted for each development type.
Suggesting changes to paras 6.22 to 6.32 concerning LVIA etc. Representor; 5466.P18	Disagree. Guidelines for Landscape and Visual Impact Assessment refers to 'Appraisal' where not part of an EIA.
Seeking changes to para 6.40. Representor; 5466.P19	A table titled "Details of Information to be Submitted for Different Development Types if the Proposals Fall Outside of a Settlement." has been inserted to make it clearer what is expected to be submitted for each development type, this removes the need for this section to be amended.
Questioning the redaction to the OS Map in Section 7. Representor; 5466.P20	To avoid over analysis of the area chosen.
Seeks to remove repetition from paras 8.9-10, 8.26-27, 8.33-34 and 8.41-42 and to reference relevant guidance. Representor; 5466.P21	No Change. Reference has been made to NRW guidance where considered appropriate. Different sections of the document may be referred to at a time (rather than reading cover to cover) the areas of repetition are considered necessary
Fig 2 in Section 9 requires amendment. Representor; 5466.P22	Amendments made to Figures 2 and 3 as necessary.
Raises questions about the detail contained in Section 10 Monitoring.	The monitoring is largely determined by what is in the Annual Monitoring

Representor; 5466.P23	Framework. The text has been amended to show this.
Querying the absence of Landscape Capacity and Sensitivity Assessments within SPG as a whole. Representor; 5466.P24	No change considered necessary.
Comment about PCCs Enforcement and the need for mitigations to be monitored. Representor; 5466.P25	No Change. Not relevant enforcement is a development management issue outside of the scope of the SPG.
SPG needs to explain that Non Material Amendment (NMA) which alter original assessment conclusions will not be allowed. Representor; 5466.P26	No Change considered necessary each NMA will be considered on a case by case basis as to whether the amendment complies with the policies in the LDP.
Comment in support of the SPG and the importance of valuing landscape Representor; 5815.P1	Support noted.
Questioning why area around Caersws is not registered as being of historic importance. Representor; 5815.P2	CADW are responsible for the designation of Registered Historic Landscapes not the Local Planning Authority it is therefore beyond the scope of this SPG.
Concern about proliferation of static caravan sites and their impact upon landscape. Questions why there is no special guidance for static caravans. Representor; 5815.P3	Amendment made, section inserted for holiday parks into Appendix 1 - Key Things to Consider for a Sample of Development Types.
Approach in para 1.4 implies only a protective approach to landscape at odds with NRW Guidance. Representor; 5911.P1	Amendment made to paragraph 1.4 to remove reference to protection in line with LDP Policy.
Focus on para 2.1 should be on acceptability of changes, so suggest a text change to reflect this. Representor; 5911.P2	Amendment made to terminology used in paragraph 2.1.
Concerns over the attributes of landscape in para 4.1. Representor; 5911.P3	Amendment made to descriptive text used in paragraph 4.1.
SPG needs to recognise that Powys landscape will change through provision of national Renewable Energy development. Representor; 5911.P4	Disagree. The purpose of the SPG is to provide guidance on how Policy DM4 applies to development proposals including Renewable Energy.
SPG needs to reference NRW Guidance from Aug 2018. Representor; 5911.P5	Disagree. The NRW guidance from August was in draft form only at this time it is unclear what the final document will look like.
Apparent contradiction between para 4.14 and 4.15 requires clarification. Representor; 5911.P6	Amendment made to provide clarification in paragraph 4.14.
SPG terminology should better reflect that of DM4 with regard to 'unacceptable adverse/negative impacts'. Representor; 5911.P7	Amendments made to terminology used in the SPG with regard to 'unacceptable adverse/negative impacts' where appropriate.
Suggests changes to Fig 1. on page 11. suggest that the process outlined acknowledges that landscape is only one of	Not appropriate to add to fig 1 but have inserted additional text at para 6.23 that acknowledges that landscape is only one of

<p>a wide range of considerations that may influence the siting and design of development in the countryside Representor; 5911.P8</p>	<p>a wide range of considerations that may influence the siting and design of development in the countryside</p>
<p>Concern re apparent conflict with existing recognised UK assessment processes. Representor; 5911.P9</p>	<p>The document is guidance to support the LDP policy it does not aim to reproduce the Guidelines for Landscape and Visual Impact Assessment. The SPG promotes a thorough consideration of landscape by applicants in the design process, this should then be followed by assessment. The document does not go into detail on how to carry out a landscape assessment as there are recognised UK assessment processes. The focus is on looking at landscape in siting and design to aid integration and identifying the level of landscape assessment required. However there is some overlap and difference between what is required under the EIA regulations and what is required to comply with LDP Policy DM4.</p>
<p>Recommends usefulness of referencing guidance issued by Scottish Natural Heritage and widely used across UK. Representor; 5911.P10</p>	<p>Not considered appropriate as this is part of Scottish Policy Framework. However this does not undermine its usefulness and appropriateness when considering development proposals.</p>
<p>Concerns about the application and interpretation of LVIA in para 6.23. Representor; 5911.P11, 6264.P1</p>	<p>Amendments made to terminology in paragraph 6.23.</p>
<p>Disagreeing with wording in para 6.31 with regard to non-EIA LVIA (Appraisal). Representor; 5911.P12, 6264.P2</p>	<p>Amendments made to terminology in paragraph 6.31.</p>
<p>Seeks clarification in para 6.35 in the interpretation of LVIA and the determination of acceptability/unacceptability. Representor; 5911.P13</p>	<p>This is the wording in Policy DM4. It is for applicants to consider how development proposals meet LDP Policy prior to the submission of a planning application. Where applicants have not checked that their proposals meet LDP Policy there is a higher risk of schemes being refused.</p>
<p>Concerns about the use of "unacceptable adverse effects" in para 6.36 Representor; 5911.P14</p>	<p>Amendments made to terminology in paragraph 6.36.</p>
<p>Concerns about the subjectivity of para 6.38 (<i>areas of high/ outstanding value that are likely to be harmed by the development proposal</i>) and application and interpretation of LVIA. Representor; 5911.P15, 6264.P3</p>	<p>Some amendments made however Policy DM4 states proposals must be appropriate and sensitive in terms of integration, siting, scale and design to the characteristics and qualities of the landscape. This section is giving an idea of what is unlikely to be successfully integrated within the landscape for development proposals not requiring a LVIA.</p>
<p>Issue with National Policy wording "where adverse effects on landscape character cannot be avoided, it will be necessary to refuse planning permission" Representor; 5911.P16</p>	<p>This is a direct quote from Planning Policy Wales (Ed 10). No changes are considered necessary.</p>

<p>Concern that figs. 2 & 3 process charts on page 29 and 30 do not adequately reflect best practice guidance, and need clarification and cross referencing to be checked.</p> <p>Representor; 5911.P17, 6264.P4</p>	<p>Some amendments made to terminology used and cross referencing. However, the document is guidance to support the LDP policy it does not aim to reproduce the Guidelines for Landscape and Visual Impact Assessment. The SPG promotes a thorough consideration of landscape by applicants in the design process, this should then be followed by assessment. The document does not go into detail on how to carry out a landscape assessment as there are recognised UK assessment processes. The focus is on looking at landscape in siting and design to aid integration and identifying the level of landscape assessment required. However, there is some overlap and difference between what is required under the EIA regulations and what is required to comply with LDP Policy DM4.</p>
<p>Suggest referencing on page 37 the well-developed advice from Scottish Natural Heritage's guidance, used in Wales previously.</p> <p>Representor; 5911.P18</p>	<p>Not considered appropriate as this is part of Scottish Policy Framework. However this does not undermine its usefulness and appropriateness when considering development proposals.</p>
<p>Seeks clarification and more detail regarding wording in para 10.1.</p> <p>Representor; 6264.P5</p>	<p>The monitoring is largely determined by what is in the Annual Monitoring Framework. The text has been amended to show this.</p>
<p>Suggests changes to terms used in the Glossary.</p> <p>Representor; 6264.P6</p>	<p>Amendments made to the Glossary.</p>
<p>Suggests changes to elements within Appendix 1.</p> <p>Representor; 6264.P7</p>	<p>Amendments made to Appendix 1</p>
<p>Querying the wording in para 6.23 relating to apparent confusion between 'significant' (in EIA terms) and 'acceptability' (in planning). Suggests alternative wording.</p> <p>Representor; 6323.P6</p>	<p>Amendments made to terminology in paragraph 6.23.</p>
<p>Suggests additional wording to para 6.26, to include Screening Directions carried out by Welsh Ministers.</p> <p>Representors; 6323.P7</p>	<p>Additional wording added to paragraph 6.26, to clarify that Screening Directions are carried out by Welsh Ministers.</p>
<p>Supporting the exclusion of anemometry masts from requiring LVIA.</p> <p>Representor; 6323.P8</p>	<p>Support noted.</p>
<p>Concern over wording in para 6.38 (similar to concern in Rep P6) relating to the role of informal assessments in the determination of 'acceptability'.</p> <p>Representor; 6323.P9</p>	<p>Amendments made to terminology in paragraph 6.38.</p>
<p>As a consequence of Reps P6 and P9, Figures 2 and 3 of Section 9 should be altered to include suggested alternative wording.</p> <p>Representor; 6323.P10</p>	<p>Amendments made to terminology in Figures 2 and 3, but consideration must be given to meeting the requirements of Policy DM4.</p>

No comment Representor; 6395.P2, 7085.P1	Noted
Supports para 5.4 Representor; 6746.P1	Support noted
Supports para 6.7 Representor; 6746.P2	Support noted
Supports para 6.24 Representor; 6746.P3	Support noted
No clear guidance on what constitutes a development which does not require a Landscape Impact Assessment. Representor; 7086.P1	Table inserted on page 20 and amendment made to paragraph 6.36 to clarify what constitutes a development which does not require a Landscape Impact Assessment
Clearer clarification on project types and what is required will make the planning process more simple. Representor; 7086.P2	Table inserted on page 20 to clarify what applicants should submit as part of a planning application for different development types.

4.2 Renewable Energy SPG

4.2.1 Reference Group

4.2.2 In order to prepare the Renewable Energy SPG, the Council sought participation and involvement with various Topic Stakeholders, from which the Council formed a Reference Group.

4.2.3 The Reference Group comprised 5 members, which included either one or more representatives from the following:

- Planning Policy
- Development Management
- Regeneration
- Community Renewable Energy
- Renewable Energy

4.2.4 These stakeholders were invited to provide informal feedback on a working draft of the SPG prior to the formal public consultation stage.

4.2.5 Engagement with the Reference Group during the preparation of the draft SPG is summarised in table B11:

Table B11 – Reference Group Involvement (Renewable Energy SPG)

Date	Who and How?
Early October 2018	Contact made requesting involvement in the preparation of the SPG.
Early November 2018	Individual meetings or written correspondence with reference group members discussing the content of initial draft.
Late November 2018	Working draft circulated to the reference group. Ongoing correspondence throughout this stage as the paper progressed and to inform them of key dates.
December 2018	Revisions to working draft to finalise as Consultation Draft

Early January 2019	Circulation of the Draft Renewable Energy SPG to Reference Group as prepared for consultation and detailing the consultation dates.
March 2019	Circulation of final SPG prepared for LDP Working Group along with the issues raised from the consultation.

4.2.8 LDP Working Group

4.2.9 The Draft SPG was considered by the LDP Working Group on 19th December 2019 and approved for Public Consultation.

4.2.10 SPG Consultation

4.2.11 The public consultation period ran from 14th January to 25th February 2019 and representations were received from the following:

Representor Name (Representor No.)

- Clwys Powys Archaeological Trust (27)
- Llangorse Community Council (495)
- Welshpool Town Council (537)
- NATS (4589)
- Scottish Power Energy Networks (4601)
- Savills (4911)
- CPRW Brecon & Radnor Branch (5466)
- David Bellamy (5831)
- Scottish Power (5911)
- Sarah Bond (6160)
- CPRW Montgomeryshire (6193)
- Innogy Renewable Energy Ltd (6323)
- Canal & River Trust in Wales / Glandwr Cymru (5704)
- George Harris (6445)
- Jenny Keal (6513)
- Open Space Society (6724)
- Snowdonia National Park Authority (6746)
- Azra Dale (6758)
- Caroline and Jamie Martin (6827)
- Njord Energy Ltd (6847)
- Richard Martin (6871)
- Marcia Gibson Watt (6936)
- The Green Valleys (6967)
- Peter Richards Ltd (7086)

- Stephen and Lynne Sephton (7087)
- Name Withheld upon request (7088)

4.2.12 The main issues arising from the consultation and the Council's responses to these are set out in Table B12 below.

4.2.13 The representations and Council draft responses were considered by the LDP Working Group at its meeting on the 29th March 2019, and subsequently by the Council's Cabinet at its meeting on 30th April 2019. Note: This paragraph subject to editing further to decision-making at the Cabinet Meeting on 30th April.

Table B12 – Main Issues from the Public Consultation (Renewable Energy SPG)

Issue	Council Response
Notification of impending revisions to the boundaries of Registered Historic Landscape (RHL) areas, and a subsequent need to bear these revisions in mind with regard to the boundaries of LSAs Representor; 27.P5	Your representation is noted. Additional text highlighting RHL areas and ASIDOHL2 procedures have been incorporated into the document.
Queries the lack of consideration within the SPG for the infrastructure required to support the transition to electric vehicles. Representor; 495.P1	Your representation is noted. However, the Renewable Energy SPG relates to developments generating energy by renewable and low carbon technologies and therefore no changes are considered necessary. Electric vehicle charging points will be included in the forthcoming design guide SPG.
Supports inclusion of LSA but recommends additional hedgerow planting to scheme any solar PV development proposal Representor; 537.P1	Your support is noted and additional clarification with regards hedgerows included in the reference to the specific LSA
Request to pass on to, or use the SPG to draw the attention of windfarm developers to the presence of, information relating to NATS Aviation Infrastructure. Representor; 4589.P1	Your representation is added. Additional information is provided under para 9.1 and the FAQ has been included as a new Appendix.
Seeking amendment to 1st sentence of para 9.6.1 concerning the determination of technical aspects of grid connection Representor; 4601.P1	Thank you for your comment and the changes suggested have been incorporated into the document.
Seeking to add new sentence to end of para 9.6.1 to qualify the preference for sub-surface connections. Representor; 4601.P2	Thank you for your comment and the changes suggested have been incorporated into the document.
Seeks new para to be added at 9.6.2 covering grid connections and the need for engagement between LPA and network operators. Representor; 4601. P3	Thank you for your comment and the changes suggested have been incorporated into the document.

Representor seeks further engagement with PCC with regard to the contents of the SPG Representor; 4601.P4	Your comment is noted.
SPG should better reflect the strategic direction of national policy and guidance that is outlined in the SPGs policy context section 4. Representor; 4911.P1	Your comment is noted. The SPG recognises national policy direction, and to support this the Council prepared a renewable Energy assessment published in 2017 which informs the opportunities for renewable and low carbon energy across Powys.
SPG should include targets in line with PPW para 5.7.18. Representor; 4911.P2	Your comment is noted. The Powys LDP and the SPG is informed by deliverable opportunities as identified in the Powys REA
SPG needs to consider how the technologies it lists will be better accommodated in future given the dynamism and innovation of the sector. Representor; 4911.P3	Your comment is noted. However, no change is considered necessary as the SPG makes reference to other technologies such as storage and hydrogen generation.
SPG needs to better reflect PPWs positivity and provide better guidance to maximise RE potential. Representor; 4911.P4	Your comment is noted. However, the Council considers that the LDP policies and SPG provide the appropriate policy framework and guidance to enable RE opportunities across Powys and thus the balance is appropriate.
General opening comments about the overall shortcomings of the SPG. Representor; 5466.P27	The Council disagrees with this representation. The Council considers that the SPG provides the appropriate balance and guidance in the context of the policy framework.
Entire UK Policy context section can be deleted as Wales WG policy is now primary legislation. Representor; 5466.P28, 6160.P10	The Council disagrees with this representation. The wider legislative and policy framework with respect to renewable energy remains valid.
The section on renewables obligation requires updating as it is now closed to new applicants. Representor; 5466.P29	The Council notes your representation and the text in relation to the renewables obligation has been revised.
Three paras in 4.2 require editing to remove superseded documents or targets. Representor; 5466.P30, 6160.P11	The Council disagrees with this representation. These documents have not been withdrawn and are considered in an appropriate context.
Requires deletion of superseded or repetitive detail in four paras in 4.3. Representor; 5466.P31, 6160.P12	The Council disagrees with this representation. These documents have not been withdrawn and are referenced in an appropriate context.
Superseded detail re EIA in paras 7.7.4, 7.6.6 and 9.5.1 needs to be deleted. Representor; 5466.P32	The Council notes your representation and the text has been amended.
Headings in Section 7 require clarification to remove confusion about types of, and search	The Council disagrees with this representation. The SPG layout is informed by

areas for RE. Representor; 5466.P33	the LDP policy which considers SSAs, LSAs then all other forms of RE technology.
Section 9 omits odours and air pollution. Representor; 5466.P34	The Council notes this representation. Pollution is included in para.9.1 and odours has been added.
Seeks clarification about who undertakes LSCA. Representor; 5466.P35	The Council notes this representation and additional clarification has been included.
Querying inclusion of LSCA within Section 9. Representor; 5466.P36	The Council disagrees with the representation. LSCA allows for initial assessment of search areas prior to a detailed proposal with an LVIA. The NRW guidance has not been published.
Querying why Cumulative Impact issues are confined to visual issues in para 9.4.3. Representor; 5466.P37	The Council notes this representation and additional clarification has been included.
Queries why there is no mention of protecting historic landscapes in para 9.7.3. Representor; 5466.P38	The Council notes this representation and additional clarification has been included.
Wind section needs to describe the increase in turbine size over time since TAN8 was written. Representor; 5466.P39	The Council notes this representation and references to technological advances and increases in turbine size have been added to section 7.2.
Queries the ignoring of Aecom's findings re Wind LSAs from section 7, whereas the solar findings are set out in para 7.3. Representor; 5466.P40	The Council disagrees with this representation. Policy RE1 which informs the SPG recognised that wind local search areas were not identified but the policy enables wind proposals to come forward if appropriate locations can be identified and as a result Policy RE1 accords with national policy.
1st bullet of para 4.3.11 - notes that Powys has never established separation distances. Representor; 5466.P41	The Council notes this comment but does not agree that any changes are necessary.
Queries lack of specific advice about stand alone turbines in para 7.7.2. Representor; 5466.P42	The Council notes this representation in relation to permitted development and a cross reference to the relevant appendices added.
Queries the conclusions re the use of EIA within Table 3 in section 9.5. Representor; 5466.P43	The Council disagrees with this representation. As is stated in Table 3, these are indicative thresholds and an individual development may still require EIA.
Requiring consistency in referencing of the LSA, and more detail required in Table A1. Representor; 5466.P44, 6160.P25	The Council notes this representation and referencing has been revised and additional clarification added to support Table A1.
Paras 7.5.2, 7.5.3 and 7.5.5 variously require more detail, clarification, qualification and/or	The Council notes this representation and the text has been revised.

rewording. Representor; 5466.P45	
Queries the omission of detail concerning LPA planning permission from Appendix 2. Representor; 5466.P46	The Council does not agree with this representation. Appendix 2 and 3 are not comparable. It is clearly stated that Appendix 2 refers to AD regulations.
Apparent confusion being caused because Appendix 3 is about something that is different to Appendix 2 OR Appendix 3 requires clarification to avoid confusion when compared to Appendix 2. Representor; 5466.P47	The Council does not agree with this representation. Appendix 2 and 3 are not comparable. It is clearly stated that Appendix 2 refers to AD regulations whilst Appendix 3 relates to domestic permitted development.
Concerns about apparent lack of transparency in SPG preparation and lack of detail re the Impact Assessment in paras 3.0.2 & 3.0.3. Representor; 5466.P48	The Council disagrees with this representation. The process for SPG preparation has been previously agreed by the Council.
Para 4.3.11 should be clarified and reconciled with para 9.12. Representor; 5466.P49, 6160.P24	The Council notes this representation and para 9.12 has been revised.
Comment re the importance of supportive local policies in order to realise national intentions. Representor; 5911.P19	Your comment is noted. The Council consider that Policy RE1 provides the necessary supportive policy framework.
SPG needs to be more cognisant of the changing national policy context (NDF) etc, rather than the out of date TAN8. Representor; 5911.P20	Your comment is noted. The Council is aware of the developing NDF. However, at the present time TAN8 has not been withdrawn and the Council considers that the SPG provides the appropriate balance and support to enable renewable energy development within the current national policy framework and stated Welsh Government aspirations. Should there be a change in national policy context, the SPG may require revising to reflect such changes.
Supports the inclusion of repowering paras within the SPG, eg para 9.10.2 Representor; 5911.P21	Your support is noted
General comments re the SPGs failings. Representor; 6160.P9	The Council disagrees with this representation. The Council considers that the SPG provides the appropriate balance and guidance in the context of the policy framework.
Inclusion of 'national in para 6.1.3, and storage as a technology in para 6.1.4. Representor; 6160.P13	The Council disagrees with this representation. Para 6.1.3 is not considered to require changing in the context of national planning policy, and storage was not a technology included in the REA.
Requires deletion of passage within para 7.1.1.	The Council disagrees with this representation and does not consider that para 7.1.1 requires

Representor; 6160.P14	amendment as it covers the Policy approach within the SSAs.
Superseded detail re EIA in para 7.7.4. Representor; 6160.P15	The Council notes your representation and the text has been amended.
Amendments to para 7.7.5 re EIA screening opinion. Representor; 6160.P16	The Council notes your representation and the text has been amended.
Remove reference to outdated policy in para 7.8.6. Representor; 6160.P17	The Council disagrees with this representation. These documents have not been withdrawn and are referenced in an appropriate context.
Para 7.9.4 regarding storage should also consider strategic resources as in SP7. Representor; 6160.P18	The Council notes your representation and the text has been amended to make reference to Policy SP7.
Clarify application of EIA in para 9.1.3 (and typo in para 9.1.2). Representor; 6160.P19	The Council notes your representation and the text has been amended.
Recognition that significant receptors may not be local people in para 9.3.2. Representor; 6160.P20	The Council notes your representation and the text has been amended.
Clarification re the purpose of an LVIA required in para 9.3.3. Representor; 6160.P21	The Council notes your representation and the text has been amended.
Suggestion to reword para 9.3.4 to reflect regular updating of guidance referred to. Representor; 6160.P22	The Council notes your representation and the text has been amended.
Paras 9.5.1 and 9.5.2 refer to superseded EIA regs or outdated guidance. Representor; 6160.P23	The Council notes your representation and the text has been amended.
General criticism of the document, relying on overmuch recitation of policy, with more specific guidance needed as well as information on what constitutes 'acceptable' Representor; 6193.P1	The Council disagrees with this representation. The Council considers that the SPG provides the appropriate balance and guidance in the context of the policy framework.
A need for 'unambiguous cross-referencing' to parts of other SPGs (esp Landscape) and LDP Policies, such as Tourism and Cultural Heritage. Representor; 6193.P2	The Council disagrees with this representation. Other SPG are referenced and para 7.2.6 acknowledges that all national and local plan policies apply. This has been further clarified in para 5.01.
In light of the importance of landscape, Representor seeks wording to be inserted stating that there is no further capacity for windfarms in Powys outside the SSAs. Representor; 6193.P3	The Council does not agree with this representation and Policy RE1 does not prevent windfarm schemes coming forward outside the SSAs if the necessary policy criteria are met.
Seeks qualification to sentence in para 6.1.1 by saying that Powys is well located for	The Council does not agree with this representation. Although grid capacity may at

renewable energy for small community projects, and that larger commercial projects will be limited by the absence of grid connection. Representor; 6193.P4	the current time limit connections, opportunities e.g. direct supply could enable larger schemes to come forward.
In light of the age of TAN8 there is a need for full assessment processes (to include tourism, heritage assets, highways and access, carbon storage and dark soils, watercourses and absorption) for RE developments of any size. Representor; 6193.P5	The Council does not agree with this representation. TAN8 remains part of national policy and all the criteria highlighted by the representor are included in the criteria for consideration in para. 9.1.
Seeks preference in paras 7.4 to 7.10 for schemes producing energy for local use, and schemes that do not involve transfer of materials for long distances. Representor; 6193.P6	The Council does not agree with this representation. To restrict schemes as proposed would not be in accordance with national planning policy.
Para 7.9.4 requires more guidance and cross referencing to the Landscape SPG. Representor; 6193.P7	Your representation is noted. A reference to the Landscape SPG has been included in para 7.9.4.
Endorses large parts of 9.1, however seeks inclusion of Public Rights of Way to avoid any doubt and provide clarity. Representor; 6193.P8	Your representation is noted and a reference to "public rights of way" added to provide clarity.
Seeks specific inclusion of Conservation Areas under the Historic Environment bullet point in 9.1.2, and specific mention of the impact of transmission infrastructure on heritage assets in para 9.1.4. Representor; 6193.P9	Your representation is noted and a reference to Conservation areas has been added.
Welcomes the requirement for LSCA and an LVIA. Representor; 6193.P10	Your support is noted.
In order to align with Landscape SPG, para 9.3.2 should clearly state views and panoramas both into and out of the proposed development will be important considerations. Representor; 6193.P11	Your representation is noted and a reference to has been added.
Welcomes the requirement for cumulative assessment. Representor; 6193.P12	Your support is noted.
Requires the sentence under Table 3 to have more prominence by being given its own numbered paragraph. Representor; 6193.P13	Your representation is noted and this sentence has been separately numbered.
Para 9.6 is wholly insufficient. Seeks inclusion of expanded criteria (that includes impacts upon communities, tourists, residential	Your representation is noted. The Council disagree that criteria should be added to para. 9.6. However, para. 9.1 has been clarified to

amenity and PRow) that are to be considered laid out as in para 9.1. Representor; 6193.P14	indicate that the criteria apply to transmission and ancillary structures as well as the RE development itself.
Para 9.10.1 needs to specifically include the removal of grid and transmission infrastructure, and in para 9.1 the inclusion of wording concerning the impact of any permanent infrastructure on ecology and hydrology. Representor; 6193.P15	The Council notes your representation. Para. 9.10.1 already includes removal of ancillary infrastructure, but additional clarification is added stating that assessments may be required to assess the impacts of those structures which cannot be removed.
Concern over the potential for financial considerations to have an impact upon decision making. And suggests clarification on this is required in para 9.12.2. Representor; 6193.P16	Your representation is noted. Paras 9.12.1 and 9.12.2 have been revised and additional clarification provided.
Suggests that section 9.11 be kept under constant review in the eventuality of any relevant legislation relating to windfarms and lighting. Representor; 6193.P17	The Council disagree with this representation. The document will be reviewed should legislative and national policy changes require it to be so.
Seeks clarification on the overall focus of the SPG and apparent contradictions within the text, citing two examples, and requests that more attention be given to onshore wind within the document. Representor; 6323.P1	This representation is noted and the text amended to include onshore wind and correct the contradictions.
Para 4.1.4 needs to be updated to give accurate information regarding support mechanisms. Representor; 6323.P2, 5466.P29	This representation his noted and the text has been amended as suggested.
Seeks change of wording to better reflect industry terminology with regard to 'cabling'. Representor; 6323.P3	This representation his noted and the text has been amended as suggested.
Seeks reconsideration of the 'onerous obligations' being proposed for decommissioning. Suggests alternative wording. Representor; 6323.P4	This representation his noted and the text has been amended as suggested.
Seeks clarification in paras 9.12.1 and 9.12.2 regarding the issue of planning obligations, and the circumstances around how and what they can be used for, and seeks a more supportive approach to schemes that involve community and or shared ownership and suggests a rearrangement of this section of the SPG. Representor 6323.P5	This representation is noted. Paras 9.12.1 and 9.12.2 have been amended and additional text incorporated to provide clarity with respect to Community Benefit Funds.
Recognition that the effect any RE	Your comment is noted. Additional references

development (such as wind turbines) would have on the NP would be included within the Landscape SPG. Representor; 6746.P4	to landscape SPG have been incorporated into the document.
Seeks amendment to para 6.1.5. Representor; 6758.P2	Your representation is noted. The Council does not agree with your proposed change as some RE developments will be the responsibility of the Welsh Ministers for determination.
Seeks amendment on page 7 re Strategic Resources. Representor; 6758.P3	Your representation is noted, however the Council does not consider any change is required.
Amendment to para 9.1.2 re enforcement of items listed. Representor; 6758.P4	Your representation is noted, however the Council does not consider any change is required.
Opposed to wind turbines and solar in Powys landscape. Representor; 6827.P1	Your representation is noted, however the Council does not consider any change is required.
SPG does not provide adequate guidance to developers, lacks information on how prejudice is determined, and will hinder development, so is inconsistent with national guidance & policy. Representor; 6847.P1	The Council disagrees with this representation. Examples of prejudicial developments are included in para 7.2.5. It remains the case that the identified SSA capacities remain as targets and any development in excess of the target within SSAs would be required to meet national and local planning policies.
Use of the words 'should be' in para 7.2.4 does not properly reflect the wording of Policy RE1 or the intention of national policy. Representor; 6847.P2	Your representation is noted and the text amended to align with the Policy.
Opposed to implementation of search areas. Representor; 6871.P1	Your representation is noted, however the Council does not consider any change is required. The LDP has been adopted by the Council after it, and the evidence that underlies it, has undergone an Examination in Public. As the SPG explains, the Local Search Areas are identified and detailed in the LDP Policy RE1 and accompanying reasoned justification, and as such they cannot be altered or removed from the LDP at this stage.
Representation drawing the Council's attention to a newspaper article concerning Kent Council and the possibility of colouring off-shore wind turbines. Representor; 6936.P1	Your representation is noted. Additional text referring to the need for appropriate colour schemes to be included in the design has been incorporated into the document.
Overall support for the SPG. Representor; 6967.P1	Your support is noted
SPG should better recognise the potential	Your representation is noted and additional

benefits to economic regeneration and resilience arising from RE. Representor; 6967.P2	text recognising additional benefits has been incorporated into the SPG.
Ministerial ambition from Sept 2017 Statement) for local (or community) ownership should be recognised and referenced throughout the SPG. Representor; 6967.P3	Your representation is noted and additional text added to the SPG.
More info on agricultural and forestry PD Rights to be included in Appendix 3 as stated in para 8.1.1. Representor; 6967.P4	Your representation is noted and the reference corrected with additional text added.
para 9.6 could include more info and guidance on when and where PP is required for grid connection. Representor; 6967.P5	Your representation is noted and additional text added to the SPG.
Could include info in para 9.9 on policy implications of jointly owned/managed AD plants using poultry waste. Representor; 6967.P6	Your representation is noted. A reference to LDP waste policies W1 and W2 has been added as new para 9.9.6
Suggest removal of 25 year requirement to decommission in para 9.10.1 as this is unnecessary for schemes (such as Hydro) that are built to last much longer. Representor; 6967.P7	Your representation is noted. The text has been revised to reflect that operation lifespans can vary.
Para 9.12.1 welcomed but note it presents a good opportunity to underline community ownership / benefit as per Ministers statement (See also Rep P3). Representor; 6967.P8	Your representation is noted and additional text incorporated into the SPG.
Need for more info on potential role of AD systems and/or district heating systems in the candidate site assessment process, in delivering RE and waste reduction targets. Representor; 6967.P9	Your representation is noted and will be considered in future plan preparation. Developers are encouraged to investigate district heating through a variety of heat sources and these are outlined in section 7.10 of the SPG.
Recognises the relationship between the SPG and national policy. Representor; 7086.P3	Your comments are noted. Wording changes have been made throughout the SPG to ensure the environmental and other impacts of renewable energy development are considered by developers and properly mitigated to ensure they meet national and local policy requirements.
Opinions expressed towards individual LSAs (in favour and against). Representor; 5831.P1, 6445.P1, 6513.P1, 6724.P1, 6758.P1, 7087.P1, 7088.P1,	The SPG supports the LDP and individual policies within it. The LDP has been adopted by the Council after it, and the evidence that underlies it, has undergone an Examination in Public. As the SPG explains, the Local Search

	Areas are identified and detailed in the LDP Policy RE1 and accompanying reasoned justification, and as such they cannot be altered or removed from the LDP at this stage.
No Comment Representor; 6395.P1	Noted

4.3 Approval and Adoption of the second set of SPG by the Council

Having considered the issues and comments received and scrutinised the Consultation Draft SPGs, the Cabinet approved the two SPGs at its Cabinet meeting on 30th April 2019. Note: This paragraph subject to editing further to decision-making at the Cabinet Meeting on 30th April 2019.

Note: The following sections 5. and 6. are to be completed over 2019-2020 as the SPG preparation programme continues.

5. Public Consultation on the third set of SPG

5.0.1 In accordance with the SPG programme agreed for the LDP (in Table 1 on page 1), the third set of SPG to be prepared for public consultation:

- Conservation Areas
- Open Space
- Residential Design Guide

6. Public Consultation on the fourth set of SPG

6.0.1 In accordance with the SPG programme agreed for the LDP (in Table 1 on page 1), the fourth set of SPG to be prepared for public consultation:

- Archaeology
- Historic Environment
- Land Drainage

Consultation Draft Renewable Energy SPG Representations

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
27.P5	Clwyd Powys Archaeological Trust			18/01/2019	<input type="checkbox"/>	E	C	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: RHL Boundary changes and LSAs

Item Question Representation Text

1 Details

You should be aware that Cadw are in the process of revising the boundaries of the Registered Historic Landscapes. Following on from the original publication of the RHL boundaries Cadw undertook an exercise of characterization which resulted in the drawing or character areas based on the defined RHLs. Some of these character areas extend outside the originally drawn RHL boundaries and it is these extensions that Cadw are now intending to incorporate into the Registered Historic Landscapes. Consequently, some of your LSA boundaries will now overlap with those of the revised RHLs. Given that WG guidance regarding development in and adjoining RHLs is fairly rigorous you may wish to consider revising your LSA boundaries to avoid the new RHL boundaries, or at the very least include text in the SPG to alert developers to the required ASIDOHL2 procedures that may be necessary in order to assess impacts of renewable energy developments on the historic landscape. I can supply the expected boundary revisions if these would prove useful.

49.1 P1 Llangors Community Council

22/02/2019 E O W M

Council Officer: AH

Document:Renewable Energy SPG

Summary: Queries the lack of consideration of the need for electric vehicle infrastructure in the SPG

Item Question Representation Text

1 Details

Llangors Community Council are concerned that this SPG takes us into 2026. PV type generation will advance and battery storage will become the norm, as the policy indicates.

In 2040 or 2032 if the Green Alliance and others lobby hard enough, both Diesel and Petrol cars will be banned from sale. Nothing is said about the electricity infrastructure (which currently will not cope) to charge all the proposed electric vehicles. There will be a need for charging points at each property or multi points in housing developments, car parks, public places, hotels, visitor attractions etc.

How are village communities to plan for tourists needing a top up charge? Where will they plug in? How will people in roadside accommodation with on street parking manage, will there be charging leads over pavements? Will remote charging points need to be consulted on and planning permission granted?

In planning for the future, perhaps these issues should be addressed in this LDP SPG?

Link below for further information

<https://www.westernpower.co.uk/news-and-events/latest-news/charging-ahead/>

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
537.P1	Welshpool Town Council			14/02/2019	<input type="checkbox"/>	E	C	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: In support of LSA at Pool Quay

Item Question Representation Text

1 Details

Renewable Energy

The Committee considered the proposals for renewable ene (sic), in particular with regard to solar panel sites. There is a site proposed for the land between Pool Quay (River Severn) and the railway line.

The Committee SUPPORTS this proposal but would suggest that planting to form a screen would be advisable.

439.P1 NATS Safeguarding

14/01/2019 E C W M

Additional material submitted

Council Officer: AH

Document:Renewable Energy SPG

Summary: Provision of information for applicants

Item Question Representation Text

1 Details

Please find attached some FAQs on the potential impact of wind turbines on NATS's aviation infrastructure. We would be grateful if this information could be disseminated to applicants, or included, or referenced within your own guidance in order to assist applicants for wind turbine applications.

Tudalen 680

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
4601.P1	SP Energy Networks			20/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Seeks amendment to 1st sentence of para 9.6.1 re grid connections

Item Question Representation Text

1 Details

Comment 1
Para 9.6.1 1st sentence

Grid connections are a planning consideration. The point it seems to be made is that grid connection is not a determination by Powys Council. It is suggested that the first sentence should be amended as follows:

In many cases the technical details of the connection of a renewable / low carbon energy proposal to the electricity distribution grid will not be a [insert new text; matter for Powys County Council to determine and instead sit with Welsh Ministers or the UK Government Secretary of State for Energy] [to delete; planning consideration].

4601.P2	SP Energy Networks			20/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Seeks additional text to lasst sentence of para 9.6.1

Item Question Representation Text

1 Details

Comment 2
Para 9.6.1 last sentence

There is stated UK policy relating to undergrounding of electricity lines defined as Nationally Significant Infrastructure Projects (NSIPs) in National Policy Statement EN-5 and Welsh Government policy in PPW 10 para 5.710. Both sets of policies recognise that a balanced approach must be taken between the level of the landscape and visual impacts of overhead lines with the increased costs of undergrounding and other environmental impacts from undergrounding. In addition, the type of grid connections (11kV and 33kV) required to support the proposed developments referred to in the Renewables SPG are typically of a type and design (single wood) that are commonplace in the landscape already and indistinguishable from the network used to supply existing homes and businesses. The sentence should be amended to:

Preference will be for sub-surface connections where possible. However, a balanced view must be taken of the level of the landscape and visual impact of the type of overhead lines proposed against the costs and other environmental impacts of undergrounding and mitigation. Proactive engagement with energy companies and the public to mitigate the visual impacts of transmission lines should take place.

Tuedale 681

Consultation Draft Renewable Energy SPG Representations

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
4601.P3	SP Energy Networks			20/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Seeks insertion of new para at 9.6.2 regarding grid connections

Item Question Representation Text

1 Details

Comment 3
New para 9.6.2

NPS EN-5 and PPW 10 both encourage planning authorities to plan positively for grid infrastructure. PPW says Development Plans should facilitate the grid infrastructure required to support the areas identified for renewable energy and that planning authorities and system operators should engage with each other to ensure development plans take grid infrastructure into account.

Furthermore, whilst SP Energy Networks has previously engaged with Powys County Council on renewable energy matters including available grid capacity, there is no reference at all in the Renewables SPG to this issue. There is a particular concern given the extent of the information provided in the SPG in relation to the Local Search Areas for Solar Farms. There are opportunities to utilise and upgrade existing infrastructure corridors for improving network capacity and this should be reflected in the plan. It is suggested that a new para is added to say:

[New para; 9.6.2 New grid connections to connect renewable energy generation will need to have regard to the existing grid network capacity. Where there are gaps in the network to facilitate connections for the renewable energy planned in this SPG, Powys County Council will work with network operators to utilise existing upgraded infrastructure corridors for the required connections. Preference will be given to proposals for upgrading existing grid network and proposals for sharing new network to avoid a proliferation of new networks.]

4601.P4	SP Energy Networks			20/02/2019	<input type="checkbox"/>	E	C	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Seeking further engagement with PCC on SPG contents

Item Question Representation Text

1 Details

Comment 4

SP Energy Networks is currently seeking to engage with Powys County Council regarding this SPG and would welcome further discussions on the above and related points prior to the adoption of the SPG. The above comments are submitted as an initial response and SP Energy Networks may wish to add or withdraw these in due course as further information comes to light.

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
4911.P1	Savills			22/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: SPG should better reflect the strategic direction laid out in national policy & guidance etc

Item Question Representation Text

1 Details

We welcome the consultation on the draft SPG on renewable energy. These representations are made by Savills as a property services firm with a team of specialist energy and infrastructure planners and in the context of a number of renewable energy interests in the area.

Although the draft SPG is prepared directly in the context of the LDP, The Well-being of Future Generations (Wales) Act 2015 and Towards 2040: The Powys Well-Being Plan are both directly relevant and provide contemporary context of the significance of a low carbon economy and the potential contribution of the renewable energy sector and associated uses. Renewable energy is a thread through the Towards 2040 Plan, and specifically referenced in the 12 well-being steps, including to develop a carbon positive strategy that maximises green energy production and to attract inward investment into Powys.

The updated Planning Policy Wales (PPW) Edition 10 also provides clear direction for a positive approach to facilitating renewable energy and associated infrastructure. PPW states (paragraph 5.7.8) that the planning system should maximise renewable and low carbon energy generation, and associated uses.

Paragraph 5.7.18 of PPW states that:

“5.7.18 To assist in the achievement of these targets, local authorities must take an active, leadership approach at the local or regional level, by identifying challenging, but achievable targets for renewable energy in development plans. In order to identify a measurable target, which can be assessed and monitored, it should be expressed as an absolute energy installed capacity figure. This should be calculated from the resource potential of the area and should not relate to a local need for energy.

Paragraph 5.7.19 of PPW provides guidance on how these targets should be achieved and how these targets should be treated, stating that:

5.7.19 Planning authorities should consider the renewable energy resource they have available in their areas when formulating their renewable energy target, informed by an appropriate evidence base, and use the full range of policy options available, including developing spatial policies in their development plans. Targets must not be seen as maximum limits, but rather used as a tool to maximise available resource, and where proposals exceed the target they should not be refused.” [Emphasis added]

It is in the context of this strategic direction that the draft SPG requires further consideration and development .

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
4911.P2	Savills			22/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: SPG should include targets in line with PPW para 5.7.18

Item Question Representation Text

1 Details

Reflecting the policy direction at paragraph 5.7.18 of PPW, there is a need for the SPG to set an ambitious target for renewable energy generation, and for the SPG to recognise that these targets should not be seen as maximum limits (paragraph 5.7.19 of PPW).

Although the draft SPG refers to some of the relevant policy framework, including decarbonisation and targets on renewables, the draft SPG does not focus on Powys' potential and how the planning system can facilitate and maximise opportunities.

4911.P3	Savills			22/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: SPG needs to consider how the technologies it lists will be better accommodated in future given the dynamism and innovation of the sector

Item Question Representation Text

1 Details

Whilst the SPG considers a broad range of renewable energy generation technologies such as solar, wind, anaerobic digestion, hydro-power, combined heat and power, district heat, and battery storage, the SPG should consider how these technologies are likely to come forward in a changing market (the changes to subsidy regimes for example). This may hybrid projects with co-location of multiple technologies, and co-location of generation and consumption. New and future technology should be considered, such as hydrogen, and also grid management projects including standalone battery storage and upgrades. The renewable energy sector is dynamic and innovative and the planning system needs to be responsive to this, including the spatial and scale consequences of the sector's evolution.

Tudalen 684

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
4911.P4	Savills			22/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: SPG needs to better reflect PPWs positivity and provide better guidance to maximise RE potential

Item Question Representation Text

1 Details

Whilst the LDP includes Policy RE1 (Renewable Energy) which sets the tests for proposals for renewable energy, it does not reflect the positivity in PPW:

“5.9.1 Planning authorities should facilitate all forms of renewable and low carbon energy development . In doing so, planning authorities should seek to ensure their area’s full potential for renewable e and low carbon energy generation is maximised and renewable energy targets are achieved.

5.9.8 Planning authorities should support and guide renewable and low carbon energy development to ensure their area’s potential is maximised. Planning authorities should assess the opportunities for renewable and low carbon energy in the area, and use this evidence to establish spatial policies in their development plan which identify the most appropriate locations for development . There should be a presumption in favour of development in identified areas, including an acceptance of landscape change, with clear criteria-based policies setting out detailed locational issues to be considered at the planning application stage.” [Emphasis added]

Certainly, the potential for renewable energy development in Powys is greater than reflected in the draft SPG. The draft SPG includes coverage on constraints to development, which is certainly a useful reference point, but does not necessary reflect the planning balance indicated in PPW, and does not provide the guidance that would help maximise the potential in Powys.

I trust this representation is helpful and please do get in touch if you wish to discuss its contents further.

Tudalen 685

Consultation Draft Renewable Energy SPG Representations

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P27	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	C	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: General opening comments about the overall shortcomings of the SPG

Item Question Representation Text

1 Details

These comments were prepared by members of BRB-CPRW committee. We made extensive submissions during the LDP hearings and were disappointed that many of these were ignored however we recognise that the SPG relates to the adopted LDP and we warmly welcome the opportunity to comment.

General Comment. SPG is intended to add clarification and detail to LDP policy to assist all those involved in the planning process. Applicants and others need to know what information is required of applicants and need guidance as to what PCC may regard as "acceptable" or "unacceptable" harm.

SPG is not intended to repeat either PPW, Powys LDP, or other legislation except where there is a need to identify policy for reference purposes.

SPG should be concise and not contain repetition or "padding".

We do not think the SPG is clearly structured or informative enough to provide applicants and others with the enhanced guidance they will be seeking about RE in the Powys planning process.

"Monitoring" and "Impact assessment" are not mentioned although they are in the Landscape SPG.

5466.P28	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Entire UK Policy context section can be deleted as Wales WG policy is now primary legislation

Item Question Representation Text

1 Details

Policy Considerations and RE background.

(4.1) The entire UK policy context should be deleted because legal precedent has established that Wales WG policy is the primary legislation and when WG set new targets for Wales in 2017 of 70% electricity consumption to come from RE. Furthermore, SPG itself quotes from Renewable Energy Generation in Wales 2017 which shows that we had already reached 48%.

Tudalen 696

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P29	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Para 4.1.4 is misinformed about Renewables Obligations, so needs rewriting

Item Question Representation Text

1 Details

(4.1.4) is seriously misinformed about Renewables Obligations. RO is now closed to "all eligible renewable technologies". While RO arrangements still apply to generating stations accredited in the past, the information is not relevant to Powys Planning Policy as stated above.
https://www.ofgem.gov.uk/system/files/docs/2018/04/ro_closure_guidance_-mar2018_final_0.pdf

5466.P30	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Document:Renewable Energy SPG

Summary: three paras in 4.2 require editing to remove superseded documents or targets

Item Question Representation Text

1 Details

(4.2) requires drastic editing as follows:
 (4.2.1 to 4.2.3) Considers superseded policy documents, e.g., these documents use figures and targets that are now outdated.
 (4.2.6) "Despite the positive indicators, further progress towards the 22.5GW installed capacity target by 2020/2025 identified in "The Low Carbon Revolution" (2010) has to be supported by policy and guidance at the national, regional and local levels."
 PPW does not quote this target and parameters now changed to 70% of consumption.

Tidalen 687

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P31	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Requires deletion of superseded or repetitive detail in four paras in 4.3

Item Question Representation Text

1 Details

(4.3.2) Mention of ambitions in policy document, now superseded

(4.3.9) TAN 8 acknowledges that onshore wind power offers the greatest potential for achieving identified targets

These targets relate to superseded policy. Delete this sentence

(4.3.10) A Ministerial Letter in 2011 confirmed the ongoing commitment of the Welsh Government to limiting the development of large scale wind farms to the seven SSAs, and identifying indicative maximum capacities within each area. The Minister for Environment and Sustainable Development in his letter dated July 2011 revised the maximum capacities for each SSA. The TAN provides guidance on how such amendment may be undertaken.

Delete the underlined sentence which repeats the first sentence.

And

(4.3.3) suggests that protections only need be applied to designated areas and assets with statutory protection. This is at odds with Powys LDP (and draft Landscape SPG) and TAN 8 re areas outside SSAs, and PPW10 5.9.4.

5466.P32	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Superseded detail re EIA in paras 7.7.4, 7.6.6 and 9.5.1 needs to be deleted

Item Question Representation Text

1 Details

(7.7.4) (7.6.6) & (9.5.1) refer to outdated EIA regulations now superseded by EIA 2017 (Wales) Regulations and an outdated UK planning circular.

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
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5466.P33	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Headings in Section 7 require clarification to remove confusion about types of, and search areas for RE

Item Question Representation Text

1 Details

Section 7 includes a heterogeneous set of headings – some about types of renewable energy and some about search areas for types of renewable energy. This reinforces the general impression that SPG items are rabbits pulled out of a hat rather than being part of a comprehensive structured guidance to RE in the planning system. The search area information should be presented in sub-headings under the appropriate type (wind, solar).

5466.P34	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Section 9 omits odours and air pollution

Item Question Representation Text

1 Details

Section 9 does not include odours or specifically mention air pollution (ammonia or traffic fumes associated with AD/Biomass).

5466.P35	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Seeks clarification about who undertakes LSCA

Item Question Representation Text

1 Details

(9.1.3) & (9.2) LSCA. Landscape Sensitivity and Capacity Assessment. A Capacity assessment for renewable energy types was undertaken by Aecom (Powys REA) and subsequently a landscape sensitivity exercise was incorporated by EnPlan for solar energy alone. Neither an applicant nor PCC (without extensive consultant input) is able to provide LSCA.

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P36	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Querying inclusion of LSCA within Section 9

Item Question Representation Text

1 Details

(9.2.2) We were expecting to see LCSA mentioned in the Draft Landscape SPG but it is not.
<https://naturalresources.wales/guidance-and-advice/environmental-topics/consultations/our-own-consultations/landscape-sensitivity-and-capacity-assessment/?lang=en> NRW Landscape sensitivity and capacity assessment is an approach used in spatial planning where the details of specific development proposals and sites are not known etc.
 The inclusion of LCSA in Section 9 throws doubt on the authors' grasp of fundamental planning issues.

5466.P37	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Document:Renewable Energy SPG

Summary: Querying why Cumulative Impact issues are confined to visual issues in para 9.4.3

Item Question Representation Text

1 Details

(9.4.3) Cumulative impact assessments should not be confined to visual issues.

5466.P38	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Queries why there is no mention of protecting historic landscapes in para 9.7.3

Item Question Representation Text

1 Details

(9.7.3) No mention of protecting historic landscapes.

Consultation Draft Renewable Energy SPG Representations

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
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5466.P39	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Wind section needs to describe the increase in turbine size over time since TAN* was written

Item Question Representation Text

1 Details

Wind energy in Powys

The wind section in general needs to describe the progressive increase in turbine size since Tan 8 was written and many existing turbines were built.

5466.P40	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Queries the ignoring of Aecom's findings re Wind LSAs from section 7, whereas the solar findings are set out in para 7.3

Item Question Representation Text

1 Details

(1.0.3) "In the Powys LPA area...demand for more wind farms is expected to continue over the coming years". The Powys LDP was based on a revised REA commissioned from Aecom. The specific findings of this report which related to Wind Local Search Areas, as opposed to Strategic Search Areas, should be clearly set out in the SPG. The revised REA findings re Solar LSAs are set out in (7.3) but the findings about Wind LSAs are ignored in Section 7.

5466.P41	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	C	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: 1st bullet of para 4.3.11 - notes that Powys has never established separation distances

Item Question Representation Text

1 Details

(4.3.11) It is notable that Powys has never established suitable criteria for separation distances as in first bullet point.

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P43	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Queries the conclusions re the use of EIA within Table 3 in section 9.5

Item Question Representation Text

1 Details

(9.5 Table 3) The bottom line: wind vs Indicative thresholds and criteria, suggests EIA would be less likely to be required for a four turbine development generating under 5MW. This would be extremely likely to have significant environmental impacts and to cover a large area.

5466.P44	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Document:Renewable Energy SPG

Summary: Requiring consistency in referencing of the LSA, and more detail required in Table A1

Item Question Representation Text

1 Details

Solar Energy in Powys

(Appendix 1) Solar LSAs are described by numbers on each map. Several maps have more than one numbered LSA and this alongside reference within the text to the two-letter classification, as used in the LDP, is confusing. This is particularly so for LSA SL, which is mapped with several other entire LSAs. Referencing consistent with that within the LDP is essential.

It should be clearly stated that the two highest categories in Table A1 were excluded from the solar LSA list.

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P45	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Paras 7.5.2, 7.5.3 and 7.5.5 variously require more detail, clarification, qualification and/or rewording

Item Question Representation Text

1 Details

Anaerobic Digesters in Powys

(7.5) This AD section reads as a general simplistic, and rather optimistic, copy and paste essay on ADs which completely fails to give any clear advice as to if and when planning applications are required for ADs. The authors of the report have not addressed the relevance of ADs to the Powys Planning System.

ADs have been responsible for very serious pollution episodes in Powys and elsewhere in Wales.

While digestate may be suitable for land-spreading, this will depend on many factors including concentration of pollutants in the digestate.

(7.5.2) refers to "non-point source pollution associated with agricultural practices". Why not say "potential pollution arising from manure and slurry spreading" which people will more readily understand?

(7.5.3) "also other engineering and bio-chemical solutions". The reader requires specific guidance and not generalisations.

(7.5.5) Poultry units are hardly "restricted to particular areas" in Powys. The notion that ADs are invariably an environmentally friendly way of dealing with manure/slurry and other animal products needs qualification, particularly as chicken manure (so super-abundant in Powys) is too dry for ADs without addition of more liquid matter or water, itself a scarce resource.

5466.P46	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Queries the omission of detail concerning LPA planning permission from Appendix 2

Item Question Representation Text

1 Details

(Appendix 2) is about the NRW environmental permitting regime and does not mention LPA planning permission.

Tudalen 693

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P47	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Appendix 3 requires clarification to avoid confusion when compared to Appendix 2

Item Question Representation Text

1 Details

RE and Domestic Permitted Development (Appendix 3) is called RE and Domestic Permitted Dev. and is about planning permission. When compared to Appendix 2, this is confusing to the point where it must be questioned whether the authors are also confused about the respective roles of Powys LPA and NRW. This issue needs to be clearly addressed in the SPG.

5466.P48

Brecknock and Radnorshire Committee of the Campai

24/02/2019

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Council Officer: AH

Document:Renewable Energy SPG

Summary: Concerns about apparent lack of transparency in SPG preparation and lack of detail re the Impact Assessment in paras 3.0.2 & 3.0.3

Item Question Representation Text

1 Details

Public accountability in SPG preparation

(3.0.2) publication of a selective summary of public responses does not make for a transparent process.

(3.0.3) there is no description of what kind of "Impact Assessment" is referred to. The impact assessment should be specified and should be included within the SPG consultation document.

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5466.P49	Brecknock and Radnorshire Committee of the Campai			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Para 4.3.11 should be clarified and reconciled with para 9.12.

Item Question Representation Text

1 Details

Community benefits

(4.3.11) this quote from Tan 8 is not at all clear re community benefits. Although TAN 8 does say something like this, it is impossible to understand without looking at Annex B of Tan 8. This section should be reconciled with (9.12).

(9.12.2) '... however, where appropriate, developers may be in a position to provide benefits to help compensate for [deleted; alleviate] any negative consequences.' Community funds do not "alleviate" disbenefits. We suggest rewording as above.

31.P1 Bellamy, Mr David

24/02/2019 E O W M

Council Officer: AH

Document:Renewable Energy SPG

Summary: Opinions expressed towards individual LSAs (in favour and against).

Item Question Representation Text

1 Details

I object in the strongest manner against the proposal to erect solar panel fields on Llandegley Common because:

- This area is one of outstanding natural beauty, used by many for recreation, walking bird-watching, sketching, photography and other activities, an amenity of immense value to both local people and visitors;
- It stands beside the A44, one of the main arteries into Mid-Wales used by visitors, and trashing our beautiful landscapes in this manner will send a clear message to visitors that we don't care a fig about our natural landscapes and why do you bother to come here?
- Following the strength of protest against the Henty wind factory it must be obvious even to the most myopic of planners that this area is much valued by locals, and to most intelligent people to propose erecting further industrial structures is purely vindictive and fuelled by excessive greed;
- It will seriously affect wildlife, especially the birds, given the enormous numbers of starlings present;
- Given that we are leaving the EU we will need all the land available for food and stock – we can't simply live solely on leeks.

Consultation Draft Renewable Energy SPG Representations

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5911.P19	Scottish Power Renewables			25/02/2019	<input type="checkbox"/>	E	C	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Comment re the importance of supportive local policies in order to realise national intentions

Item Question Representation Text

1 Details

SPR COMMENTS ON DRAFT SUPPLEMENTARY PLANNING GUIDANCE – RENEWABLE ENERGY

New development

As referenced within the draft SPG, Planning Policy Wales states that onshore wind energy will continue to a key part of meeting the Welsh Government’s vision for future renewable electricity production. Given the clear policy intention at national policy level, it is vital that the Powys Local Development Plan translates this into supportive policies for new and repowered wind energy developments at the local level.

5911.P20	Scottish Power Renewables			25/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: SPG needs to be more cognisant of the changing national policy context (NDF) etc, rather than the out of date TAN8

Item Question Representation Text

1 Details

We note the ongoing work on the National Development Framework (NDF) for Wales which will replace the existing Welsh Spatial Plan and set out where nationally important infrastructure is needed. The NDF will also provide direction for Strategic and Local Development Plans and support the determination of Developments of National Significance in Wales. This will include the identification of spatial areas suitable for new onshore and solar PV projects. Given this ongoing work, and the potential update or replacement of Technical Advice Note 8 (TAN8), we would therefore ask that the Powys LDP and SPG is cognisant of the changing national policy context of infrastructure and does not include overly restrictive policies based purely on the Strategic Search Areas identified in TAN 8 (2005).

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
5911.P21	Scottish Power Renewables			25/02/2019	<input type="checkbox"/>	E	S	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Supports the inclusion of repowering paras within the SPG, eg para 9.10.2

Item Question Representation Text

1 Details

Repowering

As well as continued support for new renewable energy developments, including new onshore wind, solar and energy storage projects, there is also a need to encourage more efficient use of existing onshore windfarm schemes. This may include blade extensions, modifications to wind turbines, as well as the repowering of sites with larger turbines, with a view to increasing their efficiency, with the promotion of compatible uses such as solar and energy storage.

We welcome recognition within the draft SPG, that there will likely be a number of situations where developers will seek to repower older wind farms coming to the end of their life span, or in situations where newer more efficient turbines would provide much greater yields. As noted in section 9.10.2 of the draft SPG, this is in line with Planning Policy Wales. We welcome the statement that the existing use of the site will be treated as a material consideration and would therefore suggest that a proportionate approach to level of scrutiny of the location, scale and design of the repowered wind farm will be applied to ensure consistent decision making in line with Government policy aspirations.

60.P9	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	C	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: General comments re the SPGs failings

Item Question Representation Text

1 Details

Thank you for the opportunity to comment on the RE SPG.

I am concerned that overall the document reads more as a treatise on legislation and policy than an aid to interested parties to understand what will make a proposal acceptable and the requirements that will need to be submitted with any application.

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6160.P10	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Entire UK Policy context section can be deleted as Wales WG policy is now primary legislation.

Item Question Representation Text

1 Details

4.1 DELETE THE ENTIRE UK POLICY CONTEXT.

REASON: WG implement UK legislation through their planning policy. Legal precedent has established that in Wales WG policy is the primary legislation.

It is nonsense and confusing to quote UK policy targets established in 2009 when WG set new targets for Wales in 2017 of 70% electricity consumption to come from RE. Furthermore, SPG itself quotes from Renewable Energy Generation in Wales 2017 which shows that we had already reached 48%.

6160.P11 Bond, Ms Sarah

24/02/2019 E O W M

Council Officer: AH

Document:Renewable Energy SPG

Summary: Three paras in 4.2 require editing to remove superseded documents or targets.

Item Question Representation Text

1 Details

4.2 EDIT MUCH OF THESE PARAS

PPW does not refer to any of these documents in their RE chapter

4.2.1 to 4.2.3 Considers superseded policy documents, eg, these documents use figures and targets that are now outdated.

4..2.6 "Despite the positive indicators, further progress towards the 22.5GW installed capacity target by 2020/2025 identified in "The Low Carbon Revolution" (2010) has to be supported by policy and guidance at the national, regional and local levels."

PPW does not quote this target and parameters now changed to 70% of consumption.

Tudalen 698

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6160.P12	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Requires deletion of superseded detail involving four paras in 4.3.

Item Question Representation Text

1 Details

4.3.2 Mention of ambitions in policy document, now superseded

4.3.9 TAN 8 acknowledges that onshore wind power offers the greatest potential for achieving identified targets

These targets relate to superseded policy. Delete this sentence

4.3.10 A Ministerial Letter in 2011 confirmed the ongoing commitment of the Welsh Government to limiting the development of large scale wind farms to the seven SSAs, and identifying indicative maximum capacities within each area. [The Minister for Environment and Sustainable Development in his letter dated July 2011 revised the maximum capacities for each SSA.] { The TAN provides guidance on how such amendment may be undertaken. }

DELETE [red sentence]

EDIT { highlighted sentence }: move to 4.3.9

Tudalen 699

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6160.P13	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Inclusion of 'national in para 6.1.3, and storage as a technology in para 6.1.4

Item Question Representation Text

1 Details

6.1.3 Whilst permitted large-scale (>25MW) onshore wind energy within the TAN 8 Strategic Search Areas (SSA) is likely to make a substantial contribution to national renewable energy targets in the Powys planning area, Welsh Planning Policy advises that development plans should support a diverse range of renewable energy projects and ensure that an area's potential to accommodate them is realised.

EDIT to include "national". REA established that only 4MW additional wind capacity in PCC area.

6.1.4 The Council prepared a Renewable Energy Assessment (May 2017) informed by the Welsh Government's Practice Guidance: Planning for Renewable and Low Carbon energy – A Toolkit for Planners (2015) to be in accord with National Policy. Other than wind power and solar PV farms, hydro-power schemes, biomass / CHP and anaerobic digesters are three examples of potentially viable renewable technologies that could be capable of delivering renewable energy at a commercial scale and would be generally supported by the Council.

EDIT Should include storage as a technology.

6160.P14	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Requires deletion of passage within para 7.1.1

Item Question Representation Text

1 Details

7.1.1 Policy RE1: Renewable Energy covers the development of all types of renewable and low carbon energy. Policy criterion 1 is concerned with wind farms [of 25MW and over] {delete and the approach to be taken within the Strategic Search Areas (SSAs). } Policy criterion 2 is concerned with the approach to be taken within the identified Local Search Areas (LSAs) for solar PV development, while criteria 3, 4 and 5 are applicable to all renewable / low carbon technologies.

EDIT as in red

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6160.P15	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Superseded detail re EIA in para 7.7.4

Item Question Representation Text

1 Details

7.7.4 Welsh Government Circular 11/99 is a useful reference in determining whether a wind energy development is likely to require an EIA, and covers other associated planning issues. Individual wind turbines with a hub height exceeding 15 metres and windfarms of more than two turbines are listed under Schedule 2.3(i) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

EDIT This para includes guidance and EIA regs that are superseded. EIA regs now The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. 11/99 Guidance is outdated as new EIA regs have some new parameters to assess for environmental effects. Also 5 turbines or over 5MW is a nonsense in that modern turbines could reach over 5MW with 2 turbines.

6160.P16	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Amendments to para 7.7.5 re EIA screening opinion

Item Question Representation Text

1 Details

7.7.5 For turbines and developments of this size, an Environmental Impact Assessment (EIA) is not mandatory but the Council will provide a 'screening opinion' on request, indicating whether an EIA is required, based on whether the development is likely to give rise to significant environmental effects.

EDIT An EIA is not mandatory for sch 2 development but it is mandatory for the LPA to undertake a screening opinion. It is for the developer to choose whether to request one before submitting an application.

Consultation Draft Renewable Energy SPG Representations

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6160.P17	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Remove reference to outdated policy in para 7.8.6

Item Question Representation Text

1 Details

7.8.6 The Welsh Government's Energy Policy Statement (2010) confirms a target of 1GW installed capacity of electricity generation from biomass by 2020.

EDIT refers to outdated policy

6160.P18

Bond, Ms Sarah

24/02/2019

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Council Officer: AH

Document:Renewable Energy SPG

Summary: Para 7.9.4 regarding storage should also consider strategic resources as in SP7

Item Question Representation Text

1 Details

7.9.4 Any development proposals for renewable energy storage facilities should be sensitively sited, and measures should be taken to minimise any visual and noise impacts on local residents associated with the operation of the plant and movements of vehicles if applicable.

EDIT Storage should also consider strategic resources as in SP7

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6160.P19	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Clarify application of EIA in para 9.1.3 (and typo in para 9.1.2)

Item Question Representation Text

1 Details

9.1.2 but the information requested by the Council is are likely to include:

EDIT typo

9.1.3 Development specific considerations will have to be addressed through a Landscape and Visual Impact Assessment (LVIA), the Environmental Impact Assessment (EIA) and the application design statement.

EDIT This reads that all development will need EIA

6160.P20	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Recognition that significant receptors may not be local people in para 9.3.2

Item Question Representation Text

1 Details

9.3.2 These impacts should be identified in relation to significant receptors (local residents or communities) as well as the wider landscape generally

EDIT Significant receptors may not be local people, they could be for example rights of way users or heritage assets.

Tuesdays 703

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6160.P21	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Clarification re the purpose of an LVIA required in para 9.3.3

Item Question Representation Text

1 Details

9.3.3 The impact upon visual amenity can be a subjective one, but ultimately can be measured as being people's responses to a change in the composition of views as a result of changes within the landscape.

EDIT The purpose of an LVIA is to assess visual amenity objectively having followed the steps in the GLVIA.

6160.P22	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Suggestion to reword para 9.3.4 to reflect regular updating of guidance referred to

Item Question Representation Text

1 Details

9.3.4 Guidelines for Landscape and Visual Impact Assessment; Third Edition, April 2013 (GLVIA3);

EDIT This is the valid guidance as of now, guidance is regularly updated.

SUGGEST which is expected to adhere to the most recent edition of the Guidelines for Landscape and Visual Impact Assessment;

Tudalen 704

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6160.P23	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Parass 9.5.1 and 9.5.2 refer to superseded EIA regs or outdated guidance

Item Question Representation Text

1 Details

9.5.1 Some renewable energy development proposals require an Environmental Impact Assessment (EIA) under Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (known as the 'EIA Regulations'). These regulations implement the EU's Environmental Impact Assessment Directive 85/337/EEC as amended by 97/11/EC and 2003/35/EC.

EDIT Refers to superseded EIA Regs

9.5.2 Welsh Government Circular 11/99 states

EDIT Outdated guidance

6160.P24	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Para 9.12 requires clarification

Item Question Representation Text

1 Details

9.12.2 however, where appropriate, developers may be in a position to provide benefits to help compensate for alleviate any negative consequences

EDIT community funds do not "alleviate" disbenefits. SUGGEST red wording.

Tregalena 705

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6160.P25	Bond, Ms Sarah			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Requiring consistency in referencing of the LSA, and more detail required in Table A1.

Item Question Representation Text

1 Details

APPX 1

TABLE A1 EDIT Remove very high landscape sensitivity. LSAs in this category were removed for the adopted LDP.

MAPS It is disappointing that the mapping contains numbered LSAs whilst the individual LSA heading refers to the lettering system adopted in the LDP. This is confusing, particularly for LSA SL which is mapped with several other entire LSAs.

6193.P1	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: General criticism of SPG and need of more specific guidance within it

Item Question Representation Text

1 Details

Thank you for the opportunity to comment on the Draft Renewable Energy SPG. Our overall comment is that it relies overmuch on recitation of Policy. As a working document we feel there needs to be more specific guidance as to assessments required and what constitutes acceptable in order that the relevant Policies in the LDP are adhered to and unacceptable harm does not result.

6193.P2	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Need for unambiguous cross referencing to other SPG and policies

Item Question Representation Text

1 Details

In particular we consider there needs to be unambiguous cross-referencing to specific sections and paragraphs of other SPGs, in particular Landscape, and Policies such as Tourism and Cultural Heritage.

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6193.P3	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Seeking statement saying no further capacity for wind outside SSAs

Item Question Representation Text

1 Details

Landscape is of major importance where large RE installations and transmission infrastructure are to be considered. Landscapes form the settings that draw in visitors and it is recognised that landscape is ' the central reason why visitors choose to holiday in Wales'. Tourism depends on the quality and experience of our natural resources and cultural heritage. Place-based products and services have long-been recognised as adding value.

Landscapes provide the settings for our lives and the context for physical activity and outdoor recreation. Easy access for all, to high quality landscapes and their benefits, means that all landscapes matter. Furthermore, landscapes can provide a distinct and positive sense of place identity around which people can come together.

We are mindful that the adopted Powys LDP unequivocally states that Powys' greatest asset is its varied, outstanding landscapes. Such a resource requires the highest level of consideration in planning particularly where large scale renewable installations with far reaching impacts are concerned.

The preparation of the LDP included an assessment of the potential for new solar and further wind development in the County. A number of solar LSAs were identified following this assessment but it was concluded there was no potential for wind LSAs once all material factors had been taken into account.

Proposed change: At an appropriate point the SPG should state in terms that following a full assessment it was determined that there was no further capacity for windfarms in Powys outside of the SSAs.

Tudalen 707

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6193.P4	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Seeks qualification to sentence in Para6.1.1 and additional wording re grid connectivity to limit development

Item Question Representation Text

1 Details

6.1.1 The county may be 'well located in terms of tapping into renewable sources of energy' for small community schemes that can provide energy used at source. We would agree there is indeed potential for such schemes however, larger, commercial schemes require Grid proximity. Normally the industry considers build uneconomic and transmission losses unacceptable (particularly with renewable sources where outputs are relatively low) for energy projects to be situated more than 10kms from the Grid. That there are very few sites suitable for large scale renewables that are proximate to the Grid is clearly demonstrable, as in the Powys assessment for wind LSAs.

The Local Area Network has no further capacity to take energy production so any increase for export would require significant and industrialising build out.

The further issue of the siting of transmission infrastructure and sub-stations in rural areas of such high landscape sensitivity and terrain as much of Powys needs to be addressed in the SPG.

Suggested alteration: that the statement be amended to - 'well located in terms of tapping into renewable resources for small community projects. The absence of Grid connection will limit the development of larger, commercial projects.'

Tudalen 708

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6193.P5	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Need for full assessment processes for all RE in light of the age of TAN8

Item Question Representation Text

1 Details

7.2 TAN8 is now 15 years old and designation of SSAs took no account of :

- landscape
- socio-economic factors such as tourism, essential to the economic well being of our communities
- heritage assets
- Grid proximity (in Mid Wales; this was considered in other parts of Wales and significantly large areas removed as a result)
- the public consultation responses
- access issues

Technological changes have been such that turbines are now 3 times higher than in 2003 so have a far grater visual and sensory impact. The authors themselves (Arup and Partners) considered TAN8 would have to be reviewed within seven years and also that each LPA must carry out its own refinement exercise on the SSAs taking into account all other local factors and that following this refinement it was unlikely all the land identified would prove suitable for wind energy.

SSAs are Search areas only and there can be no presumption in favour of development without consideration of other material planning considerations.

On-shore windpower is one of the most intrusive forms of renewable energy with impact over the largest area and Over-reliance on an outdated Advice Note (TAN 8) is unjustified given the lack of an adopted refinement exercise for SSAs in Powys.

Suggested change: RE developments of any size must be subject to the same Landscape Policy and Guidelines as any other development if the noted high quality of landscape and its economic and well being importance to the region is to be maintained. LVIA's and LSCA must be carried out in all cases alongside assessment of impact on socio-economic factors such as tourism, heritage assets, highways and other access issues, carbon storage peat and dark soils; HRA assessment where appropriate and potential for disturbance of watercourses and water absorption that could result in downstream flooding. None of these aspects were considered in designation of SSAs.

Tudalen 709

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6193.P6	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Seeks inclusion of restrictions for local use of energy and local supply of materials for paras 7.4-7.10

Item Question Representation Text

1 Details

7.4 - 7.10 We broadly support the investigation of the potential of other renewable energy and heat resources but there need to be clear assessment criteria.

Suggested change: preferred schemes will produce energy for local use and preferred schemes will not involve the transfer of materials for long distances which is both carbon counterproductive and often incompatible with the structure and safety of rural roads.

6193.P7	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Acknowledging importance of Storage but wants more guidance and cross referencing in para 7.9.4

Item Question Representation Text

1 Details

7.9.4 Storage: Guidance required on how this is to be achieved important here as this is emerging technology and potentially will require large structures and considerable land take in exposed areas. Again reference should be made to use of the Landscape SPG.

Tudalen 710

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6193.P8	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Need to include consideration of certain listed impacts and Public RoW in para 9.1

Item Question Representation Text

1 Details

9.1 Impacts on communities and individual dwellings must include consideration of area of visibility (ZTV requirement); cumulative impact; the disturbing element of movement for wind turbines and the impact of any required transmission / storage infrastructure. The impact on visitors to the area and tourist accommodation should also be factored in here.

We strongly endorse the inclusion of impacts on tourism, recreation and public access and the inclusion of bridleways. Suggested change: Public Rights of Way are included in terms for the avoidance of doubt.

6193.P9	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Protection of heritage assets from transmission infrastructure and in para 9.1.4

Item Question Representation Text

1 Details

Suggested change: inclusion of Conservation Areas under Historic Environment. It is often transmission infrastructure that has the greatest impact on heritage assets and their setting and this should be specifically mentioned, in addition to inclusion at 9.1.4.

6193.P10	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	S	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Supports LCSA in addition to LVIA in para 9.2

Item Question Representation Text

1 Details

9.2 We welcome the requirement for an LSCA in addition to an LVIA and agree they provide assessment against different parameters

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
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6193.P11	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Seeks inclusion for views both into and out of proposed dev to align with Landscape SPG in para9.3.2

Item Question Representation Text

1 Details

9.3.2 In order to align with the Landscape SPG this paragraph should clearly state views and panoramas both into and out of the proposed development.

6193.P12	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	S	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Supports inclusion of cumulative assessment requirement in para 9.4.3

Item Question Representation Text

1 Details

9.4.3 We welcome both the requirement for cumulative assessment and this clarification on inclusion.

6193.P13	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Seeks sentence in para 9.5.3 to be given greater prominence with its own numbered para

Item Question Representation Text

1 Details

9.5.3 The sentence under Table 3 regarding other legislation and Regulations is of sufficient importance to be given its own separate numbered paragraph for clarity.

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
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6193.P14	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Para 9.6 wholly insufficient as it ignores important impacts

Item Question Representation Text

1 Details

9.6 Is wholly insufficient. As stated above transmission and grid infrastructure has the potential to have as much, and on occasion greater, impact than the energy generator itself and often over a greater area. It would avoid all doubt if the criteria to be considered were expanded and set out clearly as at 9.1. The impact on communities, tourists, residential amenity and PRoWs for example has been completely omitted.

6193.P15	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Concerns over decommissioning wording in para 9.10.1 and seeks change to para 9.1

Item Question Representation Text

1 Details

9.10.1 Needs to include removal of Grid and transmission infrastructure following decommissioning of generation plant with sufficient de-commissioning bond to cover all costs.

If concrete bases for infrastructure and turbines in wind developments are not to be removed then their permanent impacts on hydrology and ecology of upland areas must be a prime consideration in the planning application process. Unlike the turbines themselves where visual and landscape amenity may, eventually, be restored, the bases and their environmental impact are a permanent feature.

Proposed change: this is included at 9.1 as a subsection 'impact of any permanent infrastructure on the ecology and hydrology of the area.'

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6193.P16	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Concerns over transparency re financial considerations and their influence on decision making in para9.12.2

Item Question Representation Text

1 Details

9.12.2 Financial considerations such as community benefits must not , as stated, impact on the decision making process.

Proposed change: It would be more transparent if this was strengthened by stating that potential community benefits or other monetary gains must not be alluded to in any planning application but may form part of Planning Obligations determined after conditional planning consent has been granted to ensure they form no part of the decision making process. Any application should be decided on its own merits and acceptability alone.

6193.P17	Montgomeryshire Committee (Campaign for the Protec			21/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Need to state that para9.11 will be kept under review to comply with any new legislation

Item Question Representation Text

1 Details

? 9.11 This section may need to be kept under review in the eventuality of legislation on lighting of the now considerably higher wind turbines. For example, in most of Europe this is obligatory for turbines over a certain height with considerable landscape, visual and dark skies impact. Such legislation would inevitably affect decision making on proposals.

Suggested change: clearly state that this section will be kept under review in line with any new legislation on lighting requirements for windfarms.

Tudalen 714

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6323.P1	Innogy Renewables UK Ltd			20/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Overall focus of the SPG

Item Question Representation Text

1 Details

Paragraph 1.0.4 states that at a "local level, this SPG largely focuses on solar photovoltaic energy generation (solar PV)..."
 As an overall comment, Innogy would like to highlight that this seems contradictory to a number of later statements within the SPG document, which draw upon national planning guidance including Planning Policy Wales and Technical Advice Note 8 (TAN8). A number of examples of such statements are provided below. Furthermore, the SPG should provide more consideration to onshore wind due to the fact that a number of Strategic Search Areas lie within the Council's administrative area.
 •Paragraph 4.3.3 states "It is stressed that development of all forms of renewable and low carbon energy should be facilitated by Local Planning Authorities (LPAs) which should seek to ensure that their area's full potential for renewable and low carbon energy generation is maximised and renewable energy targets are achieved."
 •Paragraph 4.3.9 states that "TAN8 acknowledges that onshore wind power offers the greatest potential for achieving identified targets..."

6323.P2	Innogy Renewables UK Ltd			20/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Out of date information about support mechanisms

Item Question Representation Text

1 Details

Paragraph 4.1.4 gives out of date information about the support mechanisms available for renewable technologies and should be amended as follows:
 'The UK Government provides financial support for renewable energy generation through the Renewables Obligation and Feed in Tariff schemes. The Contracts for Difference (CfD) scheme is [insert; now] the government's main mechanism for supporting low-carbon electricity generation.
 CfDs incentivise investment in renewable energy by providing developers of projects with high upfront costs and long lifetimes with direct protection from volatile wholesale prices, and they protect consumers from paying increased support costs when electricity prices are high. [struckthrough; In Wales], [insert; T]he 'Renewables Obligation' places an obligation on electricity suppliers to generate a certain portion of electricity from renewable sources and is regulated by the 'Office for Gas and Electricity Markets' (Ofgem). [insert; The Renewables Obligation scheme closed to all new generating capacity on 31st March 2017.] [struckthrough; Eligible renewable technologies include wind energy; hydro-power; tidal and tidal stream energy; wave energy; photovoltaics; geothermal; all biomass material; landfill gas; sewage gas; and co-firing of biomass with fossil fuel.]

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6323.P3	Innogy Renewables UK Ltd			20/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Correction required to terminology

Item Question Representation Text

1 Details

Paragraph 9.8.1 advises that "...electrical [struckthrough; cabling] [insert; connections] should wherever possible be underground or carried [insert; predominantly] on wooden poles." This statement should be amended as highlighted as cables are by default underground in the terminology of network operators.

6323.P4	Innogy Renewables UK Ltd			20/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Obligations regarding decommissioning

Item Question Representation Text

1 Details

Paragraph 9.10.1 provides onerous obligations on developers in relation to decommissioning. To remove all infrastructure, including tracks, and restoring the site to its condition 25 years earlier may not be practical, sensible or realistic, depending upon the changes that have taken place at the site in the intervening years (access tracks may, for example, be utilised for other purposes and guidance on site restoration may have changed significantly). It is suggested that this paragraph be amended to include a statement such as 'notwithstanding this aspiration, decommissioning will take place based on the actual environmental impacts and current best practice prevailing at the time'.

Judicial Review 7/16

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6323.P5	Innogy Renewables UK Ltd			20/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Planning obligations and community benefits

Item Question Representation Text

1 Details

Paragraph 9.12.1 states that "Planning Policy Wales supports commercial developers of renewable energy schemes working together with community based organisation. Where a proposal is acceptable in land use terms and consent is being granted, the Council may wish to engage in negotiations to secure community benefits through planning obligations."

Planning obligations should only be sought where they are necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development; and reasonable in all other respects (Welsh Office Circular 13/97). Annex B of TAN8 draws a clear distinction between benefits that enable a development to proceed (e.g. highway improvements, habitat management and mitigation) and benefits that are outside the planning process (e.g. community benefit funds). The former would meet the tests of Circular 13/97 however the latter would not, and the Council should not engage in negotiations on voluntary contributions which are outside the planning process.

This paragraph speaks positively about community involvement in projects, which may, for example, take the form of shared ownership. In accordance with paragraph 5.916, bullet point 3 of PPW10, the net economic benefits of shared ownership are a material consideration that planning authorities should take into account. It would therefore be welcome to see Powys County Council take a supportive approach to proposals featuring shared ownership within this SPG.

Paragraph 9.12.2 states that "Community benefits in the form of financial contributions must not impact on the decision making process (PPW 10 – para 5.9.22), however, where appropriate, developers may be in a position to provide benefits to help alleviate any negative consequences and to ensure the community benefits from the development." In some cases, a financial contribution may meet the tests of Circular 13/97, e.g. payments to overcome adverse impacts on television or radar, or a financial obligation related to decommissioning and site restoration.

Both the title of Section 9.12 (Community benefits and ownership) and the wording of paragraphs 9.12.1 and 9.12.2 should be reworded to draw a distinction between a) benefits directly related to the development proposed (be that financial or otherwise) that make a development acceptable (i.e. ones that meet the tests of Circular 13/97); and benefits which are not (i.e. ones that fail to meet the tests of Circular 13/97). It would be clearer if this section was separated into three distinct elements (1. Mitigation (financial or in kind); 2. Community Benefit Funds, and 3. Shared Ownership) as it is impossible to address them coherently under one heading.

6395.P1	Canal and River Trust			04/02/2019	<input type="checkbox"/>	E	C	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: No Comment

Item Question Representation Text

1 Details

Thank you for your consultation in relation to the draft Landscape and Renewable Energy SPGs. Glandŵr Cymru, the Canal & River Trust in Wales, (the Trust) have reviewed these documents and have no comments to make on the draft documents.

Tudalen 717

Consultation Draft Renewable Energy SPG Representations

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6445.P1	Harris, Mr George			10/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Objection to Llandegley Rhos LSA

Item Question Representation Text

1 Details

My objection relates to The Solar PV Farm Search Areas identified in the Powys LDP.(pg.50)

Specifically, with regards to the proposed Llandegley Rhos location. Acknowledging that PCC amended the ambitious Wind Farm proposals in the original LDP, this decision was taken prior to the disastrous outcome that is now The Hendy Wind Farm project.

In view of this outcome that Llandegley Rhos is already being desecrated, this proposal of further development should be removed from the local search area for solar development.: -

It is an area of beauty in danger of becoming an industrial landscape. It includes an area of ancient common land, there are graziers that have rights. Notwithstanding the impact the impact on wildlife

PLEASE REMOVE LLANDEGLE Y RHOS FROM THIS LIST. ENOUGH IS ENOUGH.

Tudalen 718

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6513.P1	Keal, Jenny			17/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Objection to Llandegley Rhos LSA

Item Question Representation Text

1 Details

Page 52 of Powys Local Development Plan – Renewable Energy SPG Consultation Draft January 2019

I would like to object strongly to the designation of land near Llandegley Rhos as suitable for large scale solar panel developments.

This is a an area of very high value landscape and fragile ecology, with many species vulnerable to industrial style solar parks, including a large starling roost, nesting curlews and several species of raptor.

There are several scheduled monuments in the area which would be degraded by the presence of industrial solar panels.

Part of the outlined area is Llandegley Rhos, Common Land used by local graziers and the public and as such should be exempt from industrial development. This land was given in Perpetuity in 1885 to the people and cannot be developed.

During the FFC's of the LDP consultation process this area was specifically excluded from the LSA's for renewable energy projects and it is hard to believe that it is now under threat after so many people worked hard to protect it.

This is an area well used by ramblers, bird watchers, cyclists, and tourists and as such is an important asset to the local tourist businesses. It MUST not be degraded further.

6591.P1	Horsburgh, Peter			14/01/2019	<input type="checkbox"/>	E	X		N	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: NDM mentions Renewable Energy

Item Question Representation Text

1 Details

Thanks you for this – but with Leslie Griffiths riding rough-shod over all county, local and expert opinions and judgements concerning, for example, the Henty windfarm approval, why should we waste our time (and you, yours) with this sort of stuff?

If all local opinions, representations and legal niceties are going to be ignored, why bother?

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6724.P1	Open Spaces Society (East Powys Local Correspondence)			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Opinions expressed towards individual LSAs (in favour and against).

Item Question Representation Text

1 Details

Solar energy panels on common land and across or near rights of way - Llandegley

LSA SO: LLANDEGLEY RHOS

We object to the inclusion of Llandegley Rhos as an area for solar panels. These must not go onto the Common Land taking away the rights of the graziers and the public to enjoy, or on the enclosed lands which have rights for the public. The area is an important wildlife habitat with many species of birds including ground nesting ones, and other mammals and invertebrates in and around its many little streams and pools.

There are public rights of way across the area in many directions, including some which are on the Enclosure Awards and are going to be subject shortly to claims to be included on the Definitive Map.

6746.P4	Parc Cenedlaethol Eryri / Snowdonia National Park			22/02/2019	<input type="checkbox"/>	E	C	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: recognition that the effect any RE development (such as wind turbines) would have on the NP would be included within the Landscape SPG

Item Question Representation Text

1 Details

Comments on the Supplementary Planning Guidance – Renewable Energy

Although there doesn't appear to be a direct reference to the National Park in the document, or the effect that a development such as wind turbines would have on its setting and/or scenery in or outside of the Park, we accept that this would come under the Landscape SPG which would note the need to protect and consider the effects on the Park when assessing developments.

Tudalen 750

Consultation Draft Renewable Energy SPG Representations

by: Representation No

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<i>Rep'n/Para/Policy</i>	<i>Representor</i>	<i>Agent</i>	<i>Accession No</i>	<i>Date Lodged</i>	<i>Late?</i>	<i>Source</i>	<i>Type</i>	<i>Mode</i>	<i>Status</i>	<i>Status Modified</i>
6758.P1	Dale, Azra			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Opinions expressed towards individual LSAs (in favour and against).

Item Question Representation Text

Tudalen 721

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
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1 Details

Adopted Powys Local Development Plan 2011-2026
 Draft Supplementary Planning Guidance (SPG) Consultation
 SECTION 2: Comments and suggested changes on the draft Renewable Energy SPG as follows:
 After reviewing the information about Powys County Council's requirements to fulfil renewable energy targets in accordance with UK, Welsh Government and it's own policies I must say that I do not agree with the policies themselves which in my opinion are based upon false science created to support a narrative which well serves corporate interests locally, nationally and internationally. This policy can be tracked back to the Earth Summit held in Rio de Janeiro in 1992 at the behest of Canadian billionaire Maurice Strong when the Agenda for the 21st Century also known as Agenda 21, was officially launched. I am not a "climate change denier", a term the green lobby likes to use. In my opinion the only constant in all forms of life is change. What we are seeing and experiencing here now is yet another cycle within cycles of shifting conditions on earth. In fact, many scientists have been commenting for years that we are overdue for a "mini ice age". A number of truly independent scientists that are not financed by corporate interests who have a huge vested interests in perpetuating the global warming scare promulgated by Al Gore, are predicting a solar minimum by 2020. It is of note that the climate alarmists parroting the global warming narrative had to change their official terminology to "climate change". I love this land and this earth and seek to protect and preserve it. Littering the landscape here, there and everywhere with wind turbines and solar arrays nor electric vehicles is not the answer. Solar and wind power are intermittent and unreliable sources of energy which require back-up power systems. As such they have a complex relationship with the power grid and can in fact create more problems than energy. As a result the situation arises whereby wind turbine developers are given constraint payments, to not operate. These constraint payments are tacked onto our ever increasing electric bills as tariffs which we residents pay for. These back-up power sources necessarily involve electricity produced from coal and gas, along with on-site diesel generators for both wind turbines and solar arrays. In fact, according to research, turbine and solar 'farm' operators are able to make even more profit from the subsidies paid for operating diesel generators which necessarily require fuel storage tanks on-site. These are some of the many reasons why wind and solar are not a viable source of "renewable energy" nor are they clean nor green. Even Bill Gates agrees that unreliable wind, solar and batteries are not the answer. <https://www.youtube.com/watch?v=9xe3BWPsBTU>
 The fact is that the mining in China of rare earth minerals "essential to advanced technology, from smartphones to GPS receivers, but also to wind farms and, above all, electric cars" produces highly toxic waste which causes massive environmental damage and fatal diseases including cancer and leukemia. <https://www.theguardian.com/environment/2012/aug/07/china-rare-earth-village-pollution>
 The push for renewable energy in my opinion, and many others, is not about saving the planet nor is it in the best interests of humanity, myriad species and this earth. It's all about money, power and control.
 Upon reviewing the Draft Supplementary Planning Guidance (SPG) Consultation I noticed that Llandegley Rhos is now included in the Local Search Areas (LSA) as identified in Section 7.3.3, Table 1 on page 13 of the Renewable Energy Consultation Document. The description for Llandegley Rhos as a potential LSA for solar arrays is described as a

Tudalen 722

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
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landscape of medium sensitivity in the Appendix 1 chart at page 50 of the SPG document. I strongly object to the inclusion of Llandegley Rhos in particular in Powys' Local Search Areas for Solar PV 'Farms'. This is particularly so given what has and continues to occur with the abomination that is Hendy Wind Farm wherein Powys CC, with the Welsh Government's support has by all appearances and actions enabled the developers to construct an 110 meter (360ft 10.7 inches with Blade diameter of 82 meters (269ft 0.35 inches), identified as Turbine 5 on Llandegley Rhos in breach of all pre-commencement planning conditions. This has required the use, alteration and interference with Llandegley Rhos Common land without the necessary permissions in place. Powys CC has also allowed the Hendy WF developer to hastily construct, without even bothering to submit plans nor applying for planning permission from Powys CC or the Highways department, what is in my opinion an illegal entrance to gain wider access to the track on Llandegley Rhos Common from the A44 trunk road. In doing so, they have cut down trees and ripped out a hedgerow in an area where there is most likely to be protected species including but not limited to Otters, Great Crested Newts and water voles. No environmental studies were done. As such I consider the Hendy Wind Farm an unlawful development.

And

The outstanding natural beauty of Powys along with the ancient history it has preserved and protected for centuries make it one of the most highly favoured tourist destinations in the world. Tourism along with farming are the primary source of revenue for the majority of Powys residents. As such, the livelihoods and lives of a high percentage of the resident population will be changed for the worst if renewable energy developments, are allowed to proceed without upholding and enforcing the safeguards which Powys CC purports to have in place. Again, I must mention the current reality of how Powys CC does not follow it's own guidance as exemplified by the myriad infractions which in my opinion and many others, have been committed by Hendy WF without any enforcement of planning rules and regulations by Powys CC. This situation sets a dangerous precedent which cannot be allowed to happen again. It can be shown with substantive evidence that the Hendy WF development on Llandegley Rhos and Common has already had a detrimental impact upon the following:

- Farming • Tourism • Noise
- Health • Wildlife • Traffic
- Environment • Water • Bats, birds, bees etc.
- Infrastructure • Quality of Life • Property blight
- Irreplaceable Archeology & historic landscapes

The common land, stunning landscapes, hydrology, protected and endangered species, schedule monuments and ancient relics, possibly yet unknown in Powys must be protected and preserved for future generations, rather than desecrated and destroyed, raped and pillaged as has been the case at Hendy WF and many other areas without any proper enforcement of planning rules and regulations. From my observations and research it is apparent that Powys CC has allowed the wishes of City of London and other wealthy developers to supersede those of it's residents and protection of this ancient sacred land, with all that it holds and nourishes. This situation must not be enabled to continue by Powys CC, the Welsh and UK Governments.

I worked for many years in litigation. So-called legally binding agreements like the

Tudalen 723

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
renewable energy ones are made. They can also be amended and/or broken, dissolved.										

6758.P2	Dale, Azra			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Seeks amendment to para 6.1.5.

Item Question Representation Text

1 Details

Given this history I do not trust Powys CC to fulfil their mandate and take measures to properly protect and preserve Llandegley Rhos and Common. This is particularly so when at 6.1.5 of the SPG I note it is stated that: "Developers should always seek to involve the Council at the outset of any development proposals." I strongly feel that this should be revised to state that "Developers are required to involve the Council at the outset of any development proposals in a transparent manner, with we resident taxpayers knowledge and easy access to information." Having said this, my faith and trust in Powys CC has been severely tainted by it's handling of the Hendy WF matter, which is ongoing.

6758.P3	Dale, Azra			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Seeks amendment on page 7 re Strategic Resources.

Item Question Representation Text

1 Details

I appreciate the inclusion of the Strategic Policy SP7 – Safeguarding of Strategic Resources and Assets at page 7 of the SPG. In my opinion there should be a caveat included to ensure enforcement of safeguarding measures. This is particularly so given that these safeguarding guidelines have not been nor are being followed in relation to the Hendy WF development on Llandegley Rhos and Common.

Tudalen 724

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

<i>Rep'n/Para/Policy</i>	<i>Representor</i>	<i>Agent</i>	<i>Accession No</i>	<i>Date Lodged</i>	<i>Late?</i>	<i>Source</i>	<i>Type</i>	<i>Mode</i>	<i>Status</i>	<i>Status Modified</i>
6847.P1	Njord Wind Developments Ltd, Bryn Blaen Windfarm Lt	Framptons		22/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: SPG does not provide adequate guidance to developers, lacks information on how prejudice is determined, and will hinder development, so is inconsistent with guidance & policy

Item Question Representation Text

Tudalen 726

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
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1 Details

1. The purpose of this Supplementary Planning Guidance is stated as being to 'provide practical information for officers, landowners, and the public involved in proposals for renewable energy' (2.0.1). A particular concern is the issue raised in Policy RE1 concerning prejudice to the purpose of the SSA in respect of windfarm development.
2. Policy RE1 Renewable Energy states:
 - '1. Within or close to the Strategic Search Areas (SSAs), proposals for wind energy greater than 25MW will be permitted subject to criteria 3 to 5; all other proposals for renewable and low carbon energy will only be permitted where they can demonstrate they would not prejudice the purpose of the SSA. (emphasis added)
 2. Within the Local Search Areas (LSAs), proposals for solar PV between 5 – 50MW will be permitted subject to criteria 3 to 5; all other proposals for renewable and low carbon energy will only be permitted where they can demonstrate they would not prejudice the purpose of the LSA.'
3. The SPG provides no practical information as to how 'prejudice' is to be assessed within the development management process.
4. The SPG places reliance upon the Welsh Government Ministerial Letter issued in 2011 as setting 'maximum appropriate figures for each SSA' (7.2.2 – 7.2.3). It is not clear from the SPG whether the approach of PCC is that any provision above the capacity figures identified in TAN8 is to be regarded as being objectionable as a matter of planning principle.
5. The 'indicative capacity targets for SSAs' (TAN8 Table 1) were based upon a typical turbine generation of 2Mw. Technological advancement over almost two decades (since the early stages of the research undertaken towards the preparation of TAN8) has now resulted in the provision of turbines of significantly greater output.
6. The SPG is inappropriate and inconsistent with PPW10 December 2018. Paragraph 5.9.1 states: 'Planning authorities should facilitate all forms of renewable and low carbon energy development. In doing so, planning authorities should seek to ensure their area's full potential for renewable and low carbon energy generation is maximised and renewable energy targets are achieved.' (emphasis added)
7. The application of indicative capacities to the SSAs from TAN8 as a policy threshold for acceptability of any further windfarm development is inconsistent with PPW, and a proper application of the technical guidance within TAN8.
8. Properly read in accordance with the language used, the Welsh Government letter of July 2011 confirms the Welsh Government remains committed to achieving the potential for onshore wind energy development in the SSAs. The letter records that this potential was estimated in the Low Carbon Revolution Energy policy statement, and based on the maximum capacities assessed by independent consultants Garrad Hassan in the preparation of TAN8.
9. The Minister was not expressing the opinion of the Welsh Government that any windfarm development in excess of the capacities identified in TAN8 would necessarily be objectionable as a matter of national planning policy.
10. In re-writing national planning policy for energy in PPW 10, paragraph 5.9.8 states: 'Planning authorities should support and guide renewable and low carbon energy development to ensure their area's potential is maximised.'
11. With national planning policy (issued after the adoption of the Powys Local Plan) urging that a local authority area's potential is maximised, an exceedance of the inductive capacities identified in TAN8 cannot in itself be treated as being prejudicial to the purpose of the SSAs. The SPG should helpfully make this principle clear for all participants and in so doing would provide practical information.
12. The SPG provides no practical information as to how 'developers, landowners and the public' may understand the intended approach of the LPA in considering whether a particular proposal prejudices the purpose of the SSA. It is acknowledged that windfarms of greater than 25Mw are to be encouraged within the SSAs. This is a policy of concentration and not confinement to the SSAs. No practical information is provided in the SPG as to how a proposal for less than 25Mw within an SSA will be considered for the potential harm of prejudice to the purpose of the SSA.
13. Policy RE1 places an evidential burden upon an applicant to prove a negative. The SPG could usefully have assisted developers and landowners in setting out an approach that will be applied to enable the LPA to determine whether prejudice to the purpose of the SSA would arise from an individual proposal which is to be treated on its individual merits. The Criteria for Determining Renewable Energy Schemes (Section 9) is entirely silent on requiring any form of assessment of potential prejudice to the SSAs.
14. The primary purpose of the SSAs is to concentrate largescale windfarms (>25Mw), with an implicit acceptance of that there will be significant change in landscape character from wind turbine

Tudalen 727

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
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development. Wind turbine developments of less than 25Mw will also give rise to some localised significant landscape effects. It is clearly not feasible for an applicant of a windfarm proposal to design and assess the environmental effects of other potential windfarm development across the SSA, and if a potentially acceptable scheme is identified, to then consider whether the particular proposal which the applicant wishes to bring forward might prejudice a potential >25Mw proposal - which is hypothetical in its existence.

15. Such an approach runs the risk of preventing smaller scale windfarm developments coming forward – in an area where significant landscape change is accepted – on the basis that a larger scheme may come forward in another location. As an applicant for an individual windfarm is unlikely to have access to other parcels of land, the analysis of the potential for a large >25Mw windfarm to be provided elsewhere within the SSA will invariably be less than robust. Furthermore, the potential costs in analysing the potential acceptability of large-scale windfarm development elsewhere within the SSA would be a serious disincentive to new windfarms of a lesser scale being brought forward.

16. In the absence of practical information on how to approach the issue of 'prejudice' the SPG does not 'support and guide' renewable energy development. Rather the policy has the potential to frustrate windfarm development of less than 25Mw on the basis a developer is not provided with any form of guidance as to how to demonstrate no prejudice would be caused to the purpose of the SSA.

6847.P2	Njord Wind Developments Ltd, Bryn Blaen Windfarm Lt	Framptons		22/02/2019	<input type="checkbox"/>	E	O	W	M
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Council Officer: AH

Document: Renewable Energy SPG

Summary: Use of the words 'should be' in para 7.2.4 does not properly reflect the wording of Policy RE1 or the intention of national policy.

Item	Question	Representation Text
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1 Details

17. Paragraph 7.2.4.

18. The first sentence states:

'Criterion 1 sets out the Council's policy requirement that large windfarms... should be located within or close to the SSA.' (emphasis added)

19. The use of the words 'should be' does not properly reflect the wording of Policy RE1 which provides support in principle for wind energy within SSAs (subject to Criteria 3 to 5). Policy RE1 does not preclude windfarm development in excess of 25Mw outside SSAs (and is therefore consistent with national planning policy PPW8 / TAN8).

20. Policy RE1 does not convey an objection in principle to large-scale windfarm development outside SSAs. The words 'should be located' imply such a policy limitation, and these words should be replaced with the words 'will be permitted subject to criteria 3 to 5'. This alteration would be consistent with the wording of Policy RE1, and in turn be consistent with national planning policy.

Consultation Draft Renewable Energy SPG Representations

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6871.P1	Martin, Mr Richard			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Opposed to implementation of search areas.

Item Question Representation Text

1 Details

1. If I remember correctly, following much consultation and public hearings the LDP identified a total of 280 acres of LSAs for solar development. This has now been amended to 92.2 square kilometres, with apparently no further public hearings to discuss the matter!! Please explain how that can be justified.
2. PCC and WG should be looking at brown field sites for solar development, by which I mean roofs; industrial, domestic and farm roofs. There is no need whatever to use priceless wild land, and to contemplate this needless action is utterly irresponsible.
3. The implementation of search areas is a faulty concept, because it is bound to risk planning blight on properties in or near them. This is exactly what happened due to the wind power LSAs originally planned; a house sale near my own home fell through because the property was surrounded by a wind LSA, and it remained unsold for a further year. I am sure that this was not the only example.

6871.P1	Gibson-Watt, Marcia and Robin			22/01/2019	<input type="checkbox"/>	E	O	W	M	
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Additional material submitted

Council Officer: AH

Document:Renewable Energy SPG

Summary: Objection to Llandegley Rhos LSA

Item Question Representation Text

1 Details

[Representation is in the form of an incomplete Newspaper cutting (Daily Telegraph 15/01/2019) regarding the colour of offshore windturbines in Kent]

Consultation Draft Renewable Energy SPG Representations

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6967.P1	The Green Valleys			24/02/2019	<input type="checkbox"/>	E	S	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Overall support for the SPG

Item Question Representation Text

1 Details

Overall we very much welcome this SPG. It provides us confidence that appropriate renewable energy technologies will have a suitable planning policy framework within Powys going forwards. However, we have a number of observations which have been set out below.

6967.P2	The Green Valleys			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: SPG should better recognise the potential benefits to economic regeneration and resilience arising from RE

Item Question Representation Text

1 Details

1.0.3: The rationale for supporting and encouraging renewable energy references the need to combat climate change and reduce our reliance on fossil fuels, However, we believe it is also worth referencing from the outset their potential for both economic regeneration and economic resilience. The local economic benefits derived through renewable energy should not be understated or undersold, with numerous studies* showing the positive local economic benefits that can accrue for these technologies in Wales. Much of this evidence also shows that additional economic benefits accrue when the system is of a community or cooperative ownership model. See also, 9.1.2

*The Economic and Social Impact of Small and Community Hydro in Wales (Jones et al)
<http://www.regenwales.org/upload/pdf/071015091201Impact%20of%20Small%20and%20Community%20Hydro%20in%20Wales.pdf>

*Energy and Development in the Periphery: A regional perspective on small hydropower perspectives (Jones et al, 2016).
<https://journals.sagepub.com/doi/abs/10.1177/0263774X16662029>

*The Economic Impact of Energy Transition in Wales, Institute of Welsh Affairs, (Jones, 2018). <https://www.iwa.wales/wp-content/uploads/2018/09/EconomicImpactofEnergyTransition-2.pdf>

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6967.P3	The Green Valleys			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Ministerial ambition (from Sept 2017 Statement) for local (or community) ownership should be recognised and referenced throughout the SPG

Item Question Representation Text

1 Details

4.2.5. Whilst it's very useful that you have mentioned the Ministers statement from Sept 2017 we feel that it would be appropriate to also reference the ministers ambition from the same statement that all renewable energy schemes from 2020 should have at least an element of local ownership and that this important statement should run throughout the entirety of the SPG. We acknowledge that the term local ownership is rather opaque (cynically, one can imagine a large corporation merely registering a company locally to tick the box), and would therefore recommend that clarity is sought from the Welsh Government on how this statement should be applied to the planning process and would also suggest that a less opaque term, such as community ownership, would be preferable. This would also go towards the Ministers other statement from Sept 2017 which looks for 1GW of renewable energy to be locally owned. We acknowledge that this is referenced within section 9.12.4, but feel that it is of such significant merit that it is given greater prominence throughout the entire SPG.

6967.P4 The Green Valleys

24/02/2019 E O W M

Council Officer: AH

Document:Renewable Energy SPG

Summary: More info on agricultural and forestry PDRights to be included in Appendix 3 as stated in para 8.1.1

Item Question Representation Text

1 Details

8.1.1. Non-Domestic Permitted Development Rights. The document references the fact that certain permitted development rights extend to agricultural and forestry land, and then references Appendix 3 for further information, however, these are not made mention of within the Appendix. The correct reference should be "The Town and Country Planning (General Permitted Development) (Amendment) (Wales) (No.2) Order 2012" which sets out the criteria for permitted development rights on hydropower turbine houses and boiler houses etc.

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6967.P5	The Green Valleys			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: para 9.6 could include more info and guidance on when and where PP is required for grid connection

Item Question Representation Text

1 Details

9.6 Grid connection. We welcome the clarity given in this section, but would suggest that it would be beneficial to state that systems (even very small ones) that don't connect through a residential property will require planning permission for the grid connection works. This would therefore set out clearly the requirements of people looking to develop a renewable energy system.

6967.P6	The Green Valleys			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Could include info in para 9.9 on policy implications of jointly owned/managed AD plants using poultry waste

Item Question Representation Text

1 Details

9.9 Waste. With the proliferation of chicken farms across Powys it may be appropriate to set out within this section the policy implications of a number of users (eg farmers) working together to form a jointly owned and managed anaerobic digester for their waste. We see this as an area of potential growth within the next LDP period, and specific reference to its policy implications would be useful.

6967.P7	The Green Valleys			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Suggest removal of 25 year requirement to decommission in para 9.10.1 as this may be unnecessary for schemes (such as Hydro) that are built to last much longer

Item Question Representation Text

1 Details

9.10.1. We would suggest that the inclusion of the 25 year reference for decommissioning be removed, leaving only the reference to the end of a systems operational life. This would remove potential ambiguity for planning officers. We have seen examples (although not in Powys) where hydropower schemes have been given conditions to remove all works 25 yrs after commissioning, which, for a system with an operational life of over 50 yrs, has caused unnecessary paperwork in getting the inappropriate conditions amended. To avoid any potential confusion only one term should be used.

Consultation Draft Renewable Energy SPG Representations

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
6967.P8	The Green Valleys			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Para 9.12.1 welcomed but note it presents a good opportunity to underline community ownership / benefit as per Ministers statement (See also Rep P3)

Item Question Representation Text

1 Details

9.12.1. We welcome this statement, but feel it would be useful to include reference to a potential element of community ownership as well as community benefit (which links to the Ministers statement of Sept 2017 referenced earlier and in section 9.12.4).

6967.P9 The Green Valleys

24/02/2019 E O W M

Council Officer: AH

Document:Renewable Energy SPG

Summary: Need for more info on potential role of AD systems and/or district heating systems in the planning process, in delivering RE and waste reduction targets

Item Question Representation Text

1 Details

Siting of Anaerobic Digesters. There is no mention within the document of the role AD systems could play in a well-designed Local Development Plan. We feel that an aspiration for AD and/or district heating systems to be incorporated into the analysis of outline development sites for housing would be very useful in delivering the Welsh Governments renewable energy and waste reduction targets and their inclusion in site analysis would greatly increase their likelihood in coming to fruition.

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
7086.P3	Peter Richards & Co Ltd			21/02/2019	<input type="checkbox"/>	E	C	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Recognising the relationship between the SPG and national policy

Item Question Representation Text

1 Details

It is felt that the policies set out by Powys primarily reflect the policies and attitudes set out by National Policy

It is not felt that many changes are required to this policy given they are primarily based on existing policies.

It is felt that the council should be sure to be in line with National Policy as much as possible with renewable energy to ensure that it can be delivered but all Environmental Impacts are adequately covered and mitigated.

It is appreciated that local policies such as typical landscaping will be required to be considered.

7087.P1	Sephton, Mr & Mrs Stephen & Lynne			24/02/2019	<input type="checkbox"/>	E	O	W	M	
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Council Officer: AH

Document:Renewable Energy SPG

Summary: Opinions expressed towards individual LSAs (in favour and against).

Item Question Representation Text

1 Details

We would like to object in the strongest possible terms to the application for solar farms in the Llangurig area.

The recent non functional build of the wind farm is over industrialisation of the Cambrian Mountains and is now being considered for even more devastation of our beautiful countryside.

1. The destruction of wildlife
2. Would be visible from the Clywedog Dam
3. The destruction of more bog leading to flooding into the River Wye and Severn
4. Devastating effects on tourism
5. Not enough sun in Wales to have a considerable contribution to the grid

Tudalen 34

Consultation Draft Renewable Energy SPG Representations

by: Representation No

Filtered to show: (all of) Stage=P; Status<>D; Document=Renewable Energy SPG

Rep'n/Para/Policy	Representor	Agent	Accession No	Date Lodged	Late?	Source	Type	Mode	Status	Status Modified
7088.P1	at request of Representor, Withheld			24/02/2019	<input type="checkbox"/>	E	O	W	M	

Council Officer: AH

Document:Renewable Energy SPG

Summary: Opinions expressed towards individual LSAs (in favour and against).

Item Question Representation Text

1 Details

PAGE 50

LSA SO: LLANDEGLEY RHOS

S21

1.It seems to me that open-season has been declared on the Llandegley Rhos area since Powys County Council's almost unanimous rejection of the Hendy Wind Farm and the subsequent planning enquiry which decisively upheld that decision were summarily dismissed by Lesley Griffiths.

2.I object most strongly to this new threat of a solar development further despoiling this area of outstanding natural beauty. Such a development cannot fail to have a detrimental visual impact on the area.

3.If solar development is permitted to go-ahead in areas which will already be blighted by huge turbines, are we to assume that all such developments will be constructed in tandem?

4.Please note that I do not want my name to be published.

Tudalen 735

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

CYNGOR SIR POWYS COUNTY COUNCIL.**CABINET EXECUTIVE****30th April 2019****REPORT AUTHOR: Executive Leader County Councillor Rosemarie Harris
Portfolio Holder for Risk Management****SUBJECT: Strategic Risk Register Report Quarter 3 2018/19**

REPORT FOR: Discussion / Information

1. Summary

The Council is in a process of continuously improving and updating its approach to risk management to help better understand and manage the risks the Council is facing, and to increase the likelihood of achieving its objectives. Risk management is a core management discipline that supports organisational delivery. The risks that Powys County Council face are changing all the time, so the art of good risk management is to combine planning for what we know might happen with preparation for unknown situations, and to safeguard the organisation and in turn make it more resilient.

2. Risk Management Improvement

The electronic risk management software (JCAD Core) is currently being rolled out across the organisation on a phased approach. Users for each service are being identified, and guidance and training is being rolled out to those users. The system will promote greater ownership of risks, as services will be required to update their risk registers themselves. Challenge and support to services on their risk registers will still take place on a quarterly basis.

Reporting will be much less onerous using JCAD, with the ability to generate reports at the touch of a button.

JCAD has so far been rolled out across the following services: -

- Adult Services
- Children's Services
- Schools Service
- Highways, Transport and Recycling
- Housing
- Regeneration
- Leisure and Recreation
- Planning, Policy and Public Protection

Following completion of rollout of JCAD at service level, the system will be rolled out to EMT and Cabinet, to enable monitoring of the strategic risk register via this tool. Appropriate training will be provided to users.

3. Strategic Risk Register

The strategic risk register was previously reviewed and refined, to provide a more concise document for review, enabling greater clarity. As a result of this review, a number of risks were de-escalated to service risk registers, and those risks will be reviewed quarterly by Director and Portfolio Holder. The remaining 12 risks are also reviewed quarterly by services, but remain on the strategic risk register.

Appendix A details the current risks on the strategic risk register.

4. Options Considered / Available

N/A

5. Preferred Choice and Reasons

N/A

6. Impact Assessment

5.1 Is an impact assessment required? No

7. Corporate Improvement Plan

7.1 The Corporate Risk Register outlines the key risks to the Council's 'business as usual' activities, as well as risk to delivery of objectives contained within the Corporate Improvement Plan.

8. Local Member(s)

8.1 This report impacts all Members equally and does not affect local Members individually.

9. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes

10. Communications

Have Communications seen a copy of this report? Yes

Awaiting comment

11. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

11.1 Legal – awaiting comment

11.2 Finance – “The Finance Business Partner notes the contents of the report.”

12. Scrutiny

Has this report been scrutinised? No

13. Statutory Officers

13.1 Section 151 Officer – Comments will be reported at the meeting.

13.2 Monitoring Officer – Comments will be reported at the meeting.

14. Members’ Interests

14.1 The Monitoring Officer is 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.

Recommendation:	Reason for Recommendation:
That Cabinet notes the risk register and the current risks faced by the organisation.	To ensure the adequate management of risk, and safeguard the Council

Relevant Policy (ies):			
Within Policy:	Y / N	Within Budget:	Y / N

Relevant Local Member(s):	N/A
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Person(s) To Implement Decision:	N/A
Date By When Decision To Be Implemented:	N/A

Is a review of the impact of the decision required?	Y / N
If yes, date of review	

Person responsible for the review	
Date review to be presented to Portfolio Holder/ Cabinet for information or further action	

Contact Officer: Bets Ingram Tel: 01597 826017 Email: bets.ingram@powys.gov.uk
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Background Papers used to prepare Report:

CABINET REPORT TEMPLATE VERSION 6

Risk Ref	Corporate or Service	Date Identified	Source	Service Area	Risk Identified	Potential Consequence	Inherent Risk		Current Controls	Risk Owner	Portfolio Holder	Proposed Further Actions / Controls	Residual Risk		Notes		
							P	I					Risk Rating	P		I	Risk Rating
ASC14	Corporate (Linked to CS22)	14/09/15	CEO	Social Services	Continuity of provision / availability of WCCIS, due to system and network issues	- Inability to access client files - Clients at risk as files do not contain the most up-to-date information - Continuity of reporting - Loss of data - Reduction in staff capacity - Impact on staff morale	H	H	High 9	- Ongoing support from ICT - Support post implementation benefit release of the National WCCIS system. Some data will become available beginning of November 2017 enabling reporting and practice. - Work is ongoing to utilise different packages within WCCIS, and work is ongoing with the Business Intelligence team to draw accurate information as required.	Alison Bulman	Clr Stephen Hayes	- Delivery plan for the proposed WCCIS finance module - Business Intelligence working on data reporting and performance measures from WCCIS	H	H	High 9	
CR1	Corporate	21/11/12	Risk Register 21/11/12 12.100	Financial Services	The Council is unable to manage the level of financial cuts required by the Welsh Government and the relatively poor funding position	- The Council incurs significant overspend - Projected budget will suffer an overspend - Penalties and fines may be imposed - Council reputation damaged	H	H	High 9	- Medium Term Financial Strategy - Cost Recovery work - 3rd party spend reduction - Income Generation - Monthly reports to cabinet and Management Team on budget progress and progress on savings - Budget Challenge Events - Moved to a 3 year balanced budget - Budget Management Reserve - Impact Assessments - Resource Delivery Plan - Panel made up of Leader, Deputy Leader, Chief Executive, Deputy Chief Executive and Head of Financial Services	Jane Thomas	Clr Aled Davies	Re-establishment of the Income & Cost Improvement Board.	M	H	Medium 6	
CR6	Corporate Tudalen 74	21/11/12	Risk Register 21/11/12 12.90	Policy, Planning and Public Protection	Lack of adequate resilience planning	- Non-compliance with Civil Contingencies Act (CCA) 2004 - Failure to deliver critical services in the event of a declared emergency or event - Disruption to business as usual activities	M	H	Medium 6	- Education and training programme - Business Continuity Management (BCM) Group - Service Business Continuity Plans (BCP) - Corporate BCP - Major Incident Plan - Self-evaluation of BCM incorporated into SIP process - PCC representation on Dyfed Powys Local Resilience Forum (LRF) - 24/7 Duty Emergency Planning Officer to facilitate PCC response	Nigel Brinn	Clr Aled Davies	- Continual engagement with BCM Champions via quarterly Business Continuity Group - Services to continue to develop and test their BCPs - External Education and Training with LRF Partners to ensure Integrated Emergency Management (IEM)	L	M	Low 2	
CR10	Corporate (E1 & CR14)	21/11/12	Risk Register 21/11/12 12.97	HR, Workforce and Organisational Development Department	Lack of a robustness risk assessment process for the management of Health and Safety across the organisation, to ensure compliance with the Health and Safety at Work Act	- Injury to individuals (staff and public) - Exposure to litigation - Breach of legislation	H	M	Medium 6	- Health and Safety meetings, reviews, training and audit - Public liability insurance - Management Team (MT) briefing cascaded to ensure learning is understood by all staff responsible for H&S	Paul Bradshaw	Clr James Evans	- Full review of risk assessments to be undertaken by all Service Areas - Risk assessment audit process currently being reviewed by H&S team - Strategic Outline Plan for 21st Century Schools and Capital Investment Programme - Revision of Schools Service Asset Management Plan	M	M	Medium 4	
ICS1	Corporate	Prior to 2014	SIP.ICT.?	ICT and Programmes	Loss of use of, or access to ICT systems, due to a cyber-crime attack or other issue, as current ICT systems are not being covered by a fully resilient Disaster Recovery Solution (Infrastructure and Policies / processes).	Failure to maintain key ICT services in the event of a major incident.	H	H	High 9	- Close working with Microsoft and Platform Consultancy to explore utilising the latest cloud services to provide both a backup solution and disaster recovery solution, and ability to instantly power up all replicated servers in the cloud - Microsoft Data Protection Manager will perform nightly backups to on-site storage, this will then be replicated as an off-site back for long-term storage	Ness Young	Clr James Evans	- Replacement of existing systems - Fire prevention for server rooms - Second link from a second site within the North of the County to replicate systems - New systems which are purchased require cloud hosting capability - SLA discussions will also impact the solutions - Engagement with external provider to identify and provide a suitable BC solution	H	H	High 9	
PPPP12	Corporate	11/12/15	HoS	Property, Planning & Public Protection	We have identified €1M of health and safety works (electricals, sewerage systems, asbestos etc.) that need to be undertaken on the 139 Farm Houses in our estate.	Financial and reputational risk to the Council if the remedial works are not undertaken.	H	H	High 9	A further £500k capital identified to undertake work in 2018/2019, which will be rolled out on a priority basis. With request for a further £500k rejected by Cabinet.	Nigel Brinn	Clr James Evans	- Rolling programme of works - Funding for the urgent works has been dealt with as part of the Council's overall budget setting process - £500k capital works (urgent works) has been completed - Programme developed for the next 2 years to address the highest priority cases - Underspend from 17/18 rolled forward to 18/19	M	H	Medium 6	Programme developed for £500k spend for 2018/2019.

Risk Ref	Corporate or Service	Date Identified	Source	Service Area	Risk Identified	Potential Consequence	Inherent Risk			Current Controls	Risk Owner	Portfolio Holder	Proposed Further Actions / Controls	Residual Risk			Notes
							P	I	Risk Rating					P	I	Risk Rating	
CR16	Corporate	07/07/16	Audit Committee	Regeneration	The impact on the Council as a result of Brexit	<ul style="list-style-type: none"> - Interest rates - Negative impact on investments - Negative impact on pension fund - Wider economic impact - Negative impact on exchange rates - Loss of European funding grants 	H	H	High 9	<ul style="list-style-type: none"> - Close monitoring - Cabinet briefed - Advice from pension advisers - Continue to work with WEFO - Brexit Working Group established 	Nigel Brinn	Cllr Aled Davies	<ul style="list-style-type: none"> - Continue to monitor economic indicators - Ongoing dialogue with external advisers 	H	H	High 9	
CS4	Corporate	14/11/17	SMT	Corporate	The Council receives a negative regulatory / inspection report.	<ul style="list-style-type: none"> - Meeting regulatory and legislative duties - Managing demand on the service - Recruitment and retention of staff - Staff morale - Reputational damage 	H	H	High 9	<ul style="list-style-type: none"> - Improvement and Assurance Board - Improvement Plans - Communications strategy (internal/external) - Close working relationships with regulators - Corporate support provided to services - Close working relationships with WG 	Caroline Turner	Cllr Rosemarie Harris	<ul style="list-style-type: none"> - Continuation of current controls 	H	H	High 9	
CR19	Corporate Tudalen 742	28/11/17	CIOG	ICT and Programmes	Non Compliance of the principles of the General Data Protection Regulation (GDPR)	<ul style="list-style-type: none"> - Potential fine of up to £20,000,000 or 4% of annual turnover - The Council is subject to regulatory data protection audits - Reputational damage - Regulatory enforcement action - Detriment to the data subjects - Civil action and associated consequences 	H	C	High 12	<ul style="list-style-type: none"> - Development of Communication Plan - Provision of information to EMT, HoS, and Team Meetings - Presentations to schools - GDPR Surgeries - Information Asset Audit (IAA) - Development of internal records of processing - Staff training - Technical controls - Policies and Procedures - Compliance Policy - Information sharing protocols - Data sharing agreements - Review existing Data Processing agreements 	Ness Young	Cllr James Evans	<ul style="list-style-type: none"> - Develop processes and provide awareness to all staff - Actions from Information Asset Audit - Identify where information sharing takes place - Implement revised WASPI Accord and templates - Review current ISP in line with revised versions - Train more ISP facilitators - Revised centralised ISP register to link to information Asset and Record of Processing Activities (ROPA) - Create policy on services undertaking due diligence potential processors - Create log of data processors and agreements linking to information asset and ROPA - Ensure signed agreements are appropriately stored - Develop data controller vs data Processor check list for services 	M	C	High 8	<ul style="list-style-type: none"> - Data Protection Officer planning aspect in hand, however there are concerns over service area management of their responsibilities in terms of considering legal basis for processing, developing privacy notices etc.
ASC19	Service	23/10/17	HoS	Adult Social Care	Ensuring an adequate caring and professional workforce in light of the projected demographics of Powys, which suggest a significant increase in older people, and a significant decrease in the working age population	Care provision and assessment provision becomes scarce, leaving service users at risk of no care	V	C	Very High 16	<ul style="list-style-type: none"> - Recruitment campaign - Technology Enabled Care / Telecare 	Alison Bulman	Cllr Stephen Hayes	<ul style="list-style-type: none"> - PSB to consider the decrease in the population of working age in Powys and its impact upon services and the wider community - Consideration of workshop to brainstorm future strategy - Developing the economy being considered as a major strand of the Workforce Transformation Group - Elected members to Lobby Welsh Government to receive acknowledgement of the challenging and unique issue in Powys - Research to be commissioned. This will look at the possibility of carers, stay at home parents, retired individuals, and others becoming part time support workers or carers for service users. - Improve IAA services to divert demand away from ASC 	V	C	Very High 16	<ul style="list-style-type: none"> - Linked to ASC 18. Needs consideration across wider Council and not just in ASC. Audit Committee will be reporting on this.

Risk Ref	Corporate or Service	Date Identified	Source	Service Area	Risk Identified	Potential Consequence	Inherent Risk			Current Controls	Risk Owner	Portfolio Holder	Proposed Further Actions / Controls	Residual Risk			Notes		
							P	I	Risk Rating					P	I	Risk Rating			
CS12	Corporate	02/02/18	HoS	Children's Services	Savings within Children's Services are insufficient to meet the service overspend	Financial implications for the Authority - budget will suffer an overspend. Impact on other services / functions.	H	H	High	15	- Development of transformation plan - Being considered within the 2019/20 budget setting process	Alison Bulman	Clr Rachel Powell	- Review of residential placements - Decrease use of agency staff	V	H	High	15	
HS9	Corporate	05/08/15	Environment Management Team	Housing / Property, Planning, and Public Protection	Heart of Wales Property Services (HOWPS) ability to meet contractual requirements, and the stability of the company as an ongoing concern.	- Failure of statutory functions - Failure to perform repairs and maintenance - Failure to achieve projected savings - Reputational damage to PCC - Cost to PCC for compensating residents for poor performance - Officer time costs (due to additional workload) - Financial risk to HRA and wider Authority - Critical WAO Report - Non-delivery of key projects due to lack of resources	V	H	High	12	- Director of Environment and Portfolio Holder on HOWPS Board of Directors - Escalation of risk and concerns to Chief Executive and Directors - Reputational damage to PCC - Recovery plan submitted by Kier on behalf of HOWPS - Additional resources allocated by Kier (3.5 FTE Change Managers) - Close monitoring by Directors / Portfolio Holder / Chief Executive	Nigel Brinn	Clr Aled Davies Clr Phyl Davies	- Performance monitoring - Utilisation of contract document to escalate issues - Development of evidence and fall-back systems - Introduced weekly officer level meetings - Development of contingency plans for contract failure - Potential to invoke step-in clauses for specific parts of the contract, in line with contract - Awaiting consultation resource plan	H	H	High	9	

Tudalen 743

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

**MINUTES OF A MEETING OF THE JOINT PARTNERSHIP BOARD HELD AT THE
BOARD ROOM, BRONLLYS ON THURSDAY 21 MARCH 2019**

PRESENT

Cllr Stephen Hayes (SH), Cabinet Member PCC	Chair
Cllr. Aled Davies (AD)	Cabinet Member, PCC
Cllr. Rosemarie Harris (RH)	Cabinet Member PCC
Cllr. Rachel Powell (RP)	Cabinet Member PCC
Carol Shillabeer (CS)	Chief Executive. PTHB
Melanie Davies (MD)	Independent Member, PTHB
Owen James (OJ)	Independent Member, PTHB

In attendance:

Clive Pinney (CP), Solicitor to the Council PCC
Hayley Thomas (HT), Director of Planning and Performance, PTHB by Skype
Rani Mallison (RM), Interim Board Secretary PTHB

1.	WELCOME AND APOLOGIES
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Apologies for absence were received from Professor Vivienne Harpwood, Julie Rowles, Director of Workforce and Organisational Development, PTHB
Caroline Turner Chief Executive PCC and Dylan Owen Head of Commissioning (Childrens and Adults) PCC.

2.	MINUTES
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The minutes of the last meeting held on 7th January 2019 were agreed as a correct record.

JPB welcomed the award of the contract for the operation and management of the county's 12 residential care homes and the integrated health and care centre and acknowledged the efforts of staff who had worked on the contract. Clive Pinney gave an update and advised that there had been some delay from Bupa in transferring information which may need to be escalated to Chief Executive level if not resolved. He was not aware of any difficulties in the registration of the new provider and the Head of Commissioning was confident that the transfer would go ahead on time.

3.	COMMUNITY HUBS
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JBP discussed the development of Community Hubs which was one of the main projects being overseen by the Council's Transformation Delivery Board. Llanfyllin and Llandrindod Wells libraries were good examples of incorporating services into libraries but the scope of the project needed to be broadened to consider other community buildings and what services provided by Health could

be co-located. It was agreed that Hayley Thomas and Emma Palmer should draw together a paper setting out options.

Hayley Thomas gave an update on the Machynlleth community hub. Planning permission had been granted but a requirement by the Trunk Road Agency for improvements to the site entrance would increase costs and would require submission of a revised business case to Welsh Government who remained supportive of the project. JPB was advised that NHS procurement rules required there to be a benefit for the local economy with a percentage of work awarded to local traders. It was suggested that PTHB be invited to participate in the next Council meet the buyer event.

4. NORTH POWYS WELLBEING PROGRAMME

The transformation bid had been submitted to Welsh Government. The bid was awaiting ministerial approval but was believed to have been well received with the caveat that Welsh Government did not wish to support the costs through transformation funding. The business case was being re-profiled which would add a few months to the project. There was a question over how the project was funded after transformation funding ended.

It was noted that the project was being overseen by the Overview Group of the Regional Partnership Board so it was agreed that in future the JPB would only receive updates. It was also agreed that the Cabinet and Board should receive the minutes of the Overview Group. JPB also discussed the possibility of having a training academy for nurses as part of the project.

The JPB thanked Hayley Thomas and all of the officers who had worked on the project.

5. SECTION 33 AGREEMENTS

CS referred to the Internal Audit report on Section 33 agreements which had highlighted the delays in getting the agreements signed off. She flagged up her concerns over the ICT agreement noting that Ministers had yet to decide on the ICT infrastructure for the NHS.

JPB gave approval for the Chief Executives to sign off the Section 33 agreements for 2018/19. It was suggested that the Cross Cutting Group on the Regional Partnership Board should sign off Section 33 agreements in the future.

6. ANY OTHER BUSINESS

There was a discussion on the future role of the JPB as some of its functions now being taken on by other bodies. Members felt that it still performed a useful role bringing the Health Board and Council together to discuss issues. It was agreed that the Chair and Vice-Chair would set future agendas and that the full Board and Cabinet should be invited to the meeting scheduled for 5 September.

CS reported that the Shrewsbury and Telford Hospital NHS Trust intended to proceed with the model of hospital care for Mid Wales and Shropshire set out in their Future Fit consultation. She gave an update on services at Neville Hall and Prince Charles hospitals.

The Chair reported that the Council's new single point of contact for Adult Social Care called Assist was being launched on 25th March.

County Councillor Rachel Powell gave an update on the restructure of Children's Services. She also wanted the service to consider more innovative ways of providing respite care.

**County Councillor S Hayes
Chair**

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

**MINUTES OF A MEETING OF THE IMPROVEMENT AND ASSURANCE BOARD
HELD AT COMMITTEE ROOM A - COUNTY HALL, LLANDRINDOD WELLS,
POWYS ON WEDNESDAY, 27 FEBRUARY 2019**

Present

Jack Straw (Chair)	JS	Independent Chair
Bozena Allen	BA	Independent Member
Jaki Salisbury	JSa	Independent Member
Phil Hodgson	PH	WLGA Adviser

In Attendance – PCC Representatives

			Present for Item:
Alison Bulman	AB	Director of Social Services	All
Caroline Turner	CT	Chief Executive	All
Cllr Aled Davies	AD	Deputy Leader	All
Cllr James Gibson Watt	JGW	Leader of the Liberal Democrat Group	All
Cllr Matthew Dorrance	MD	County Council	All
Cllr Stephen Hayes	SH	Portfolio Holder for Adult Services	All except 5
Dylan Owen	DO	Head of Transformation for Adult Services	4
Felicity Llewellyn	FL	PA to Executive Office	All
Jan Coles	JC	Head of Childrens Services	5
Jane Thomas	JT	Head of Financial Services	All
Jen Jeffreys	JJ	Interim Head of Operations for Adult Services	4
Jeremy Evans	JE	WAO	All

Apologies

Alistair Davey	AD	Welsh Government Social Services Division
Catrin Jones	CJ	Welsh Government
Cllr James Evans	JaE	Portfolio Holder for Corporate Governance
Cllr Rachel Powell	RP	Portfolio Holder for Young People
Cllr Rosemarie Harris	RH	Executive Leader
David Powell	DP	Acting Deputy Chief Executive
Emma Palmer	EP	Head of Strategic Policy and Performance

The Chair thanked Mohammed Mehmet, former Acting Chief Executive, who has now left the authority.

Yesterday's workshop regarding workforce issues was productive, helpful and challenging. **ACTION: AB will ensure that a note will be circulated to I&AB members following each future workshop and specifically report back at the next board on the effectiveness of the proposals outlined at yesterday's workshop.**

1. APOLOGIES

Apologies were received and noted above.

2. MINUTES OF THE LAST MEETING - (5 MINUTES)

Comment re: Page 5: "MM noted that 'good KPIs' can hide poor practice..." PH noted that they can also help improve performance.

Amendment requested for Page 7: "JS was happy with the approach..."; **ACTION: FL will amend the minutes to state "stressed" rather than "acknowledged"**.

3. RESPONSE TO ACTIONS FROM THE LAST MEETING - (10 MINUTES)
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Re: item 6.1. relating to potential changes to the Children's Performance Report; **ACTION: AB/JC to meet with the independent members prior to presenting a revised report at the next Board meeting to discuss in detail rationale for proposed changes.**

ACTION: AB will circulate the list of deep dive workshop sessions (the second schedule, as agreed by MM and JS) with the draft minutes of today's meeting. [Attached to these minutes as Appendix 1.]

ACTION: The Legal Support for Children's Services will be brought back to the meeting of 05 June 2019 by AB. AB confirmed that there is no further update regarding legal support for Adults Services, and the authority has not raised any concerns; there is no specialist adults social care solicitor. **ACTION: JS requested assurance that where staff and managers need support it is available; JS requested a dual report to cover children's and adults services.**

4. ADULT SERVICES - (1 HOUR)

4.1. Adult Services Performance Report and Progress Against CIW Actions

Additional information about savings has been included in the summary.

Page 2 of the performance report: The list of savings has been identified. An impact statement is available and the risk and impact on the service has been considered. The presentation on these plans has been delivered to full Council, noting that the risks are high. DO acknowledged that there are challenges within the plan. **RECOMMENDATION: BO suggested a monthly report on the OT service pressure points, deliverability and future funding. ACTION: JJ will provide the Board with an OT report.**

AB highlighted two main risks for Adult Social Care: the deliverability of the plans, and that the plans don't cover the forecast pressure.

BO requested clarity on page 4 re: what needs to happen (working with the Health Board re: robust reporting practices), and DO provided an update on the system; AB noted that the codes on the system must be updated accordingly when required. AB highlighted the work being undertaken with out of county hospitals in influencing the discharge planning for Powys residents.

ACTION: JJ will provide the next Board meeting with reports on, and timelines for completing, the reviews that are outstanding.

The Board welcomed AB's comments that the authority will be commencing work to consider how the Adult Services teams can develop/restructure to achieve better outcomes for the people of Powys but wished to understand what this means in practice. AB needs to cover this in transformation deep dive.

ACTION: DO will arrange to include on the schedule a workshop around the Regional Partnership Board.

BO noted the shift in culture in accountability and performance etc.

ACTION: JJ will provide the Board with further information on the actions detailed in "What do we need to do next?".

Re: "What are we worried about?": The new finance system is commencing on 01 April; plans are in place to ensure business as usual. A significant number of commitments will need to be actioned promptly for Adult Services, and this has been prioritised by the Finance Team, along with training for the service staff.

The Chair recognised the compliments that had been received and presented.

SH confirmed that the contract for the management of central care homes has been awarded, and acknowledged officers' work in progressing this.

CIW are likely to undertake a monitoring visit in May; this reduces from a quarterly monitoring visit to a five-month visit.

5. CHILDREN'S SERVICES - (1 HOUR)
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5.1. Children's Services Performance Report Children's Services Progress Against CIW Recommendations

Benchmarking was discussed; PH noted that if the Powys data was benchmarked against other authorities it would not be 'poor'. Benchmarking is not currently available. CT highlighted the success that Powys has had with good practice the reporting systems.

Page 3 notes the regulatory requirement that "...children with disabilities are receiving more than 100 nights of respite per year and so must be considered as children who are looked after.". **RECOMMENDATION: AB will highlight this to Welsh Government when they visit the authority, and will challenge this requirement.**

Page 4: PH positively noted the SGO approach.

Page 16: The cost of placements was discussed.

Page 18: JC explained that the funds available for supporting adoption will be routed through the ICF and the authority will need to bid for a portion. There are currently 26 children awaiting (adoption) placements.

5.2. External Placements for Children Looked After

The Board noted that the work is currently underway, and positive results are evident.

5.3. Audit Activity Report

The number of children on the child protection register suffering emotional abuse and neglect was highlighted.

5.4. CIW Monitoring Visit

The visit that took place a fortnight ago was a relatively positive visit, recognising some good and excellent work. There are still areas for improvement. The monitoring letter has been received; **ACTION: AB will circulate the letter to the Board immediately and ensure that the board is notified in advance of any further planned visits. AB to place letter on next board agenda along with any specific actions planned.**

6. CORPORATE LEADERSHIP AND GOVERNANCE - (15 MINUTES)
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RECOMMENDATION: that Ness Young (the incoming Corporate Director – Transformation) report to the Board in in-service and cross-service transformation plans across the authority.

The new Senior Management Structure is effective as from Friday 01 March 2019; the first meeting of the new Executive team was held today, and Ness Young joined the meeting. There is one Head of Service post being re-advertised.

CT highlighted the new arrangements for Scrutiny Committees, which will be: Economy, Residents, Communities; Health and Care; Learning and Skills. Arrangements for audit committee have also changed to align with the all-Wales approach. A co-ordinating committee is now in place to focus the committees, and to set up a number of working groups.

SH commended the exceptional officers working within Social Services.

7. FINANCE (15 MINUTES)

7.1. Financial Overview and Forecast

The forecast outturn is shown as a £3.1m overspend. JT advised that the January 2019 position shows an improvement around Children's Services as the cost of placements has reduced. Adult Services have delivered all of their savings.

7.2. S151 Officer 2019/20 Budget Sign-Off

JT provided a verbal overview of the report, and advised that she was of the opinion that there is a robust plan going forward. JSa noted that she had worked closely with DP and JT over the last few months, and was pleased that the information had been clearly raised with Members via various workshops etc. **RECOMMENDATION: Consider a move towards future planning and ensure that there is a lead-in time, and moving away from a yearly plan to longer term planning.**

Included within the savings figure is £3.9m of historical savings that not deliverable; these will be removed from next year's budget requirement. JT noted that if these savings were disregarded from the current year, the authority has already achieved 73% of savings.

JGW highlighted the lines within the savings reports that are detailed as income generating activities. It was noted that Adult Social Care contributes towards the authority's income, but its ability to do this reduces annually.

The Board received the level of assurance that they required.

8.	EXTERNAL ADVISOR / INDEPENDENT MEMBER UPDATES
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Updates were not provided for this meeting.

9.	DATES OF FUTURE MEETINGS
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ACTION: PCC to liaise with JS to propose dates for August to December 2019 at the next meeting.

Further information will be provided, but the Board were asked to note that there may be a change of date to the next meeting, due to take place on 27 March, to bring it forward to Tuesday 26 March 2019 instead.

Jack Straw, Independent Chair

Actions from Improvement and Assurance Board held on 27 February 2019

	<u>Item Number</u>	<u>Page Number</u>	<u>Owner</u>	<u>Action</u>	
	1.	N/A	1	AB	Ensure that a note will be circulated to I&AB members following each future workshop and specifically report back at the next board on the effectiveness of the proposals outlined at yesterday's workshop.
	2.	2	2	FL	Amend the minutes to state "stressed" rather than "acknowledged". [completed]
	3.	3	2	AB / JC	Meet with the independent members prior to presenting a revised report at the next Board meeting to discuss in detail rationale for proposed changes.
Tudalen 754	4.	3	2	AB	Circulate the list of deep dive workshop sessions (the second schedule, as agreed by MM and JS) with the draft minutes of today's meeting. [completed – please note that the Board dates for August – December are under discussion and will be confirmed a.s.a.p.]
	5.	3	2	AB	The Legal Support for Children's Services will be brought back to the meeting of 05 June 2019 by AB; JS requested assurance that where staff and managers need support it is available; JS requested a dual report to cover children's and adults services. [Added to agenda for 05/06/2019]
	6.	4.1.	2	JJ	Provide the Board with an OT report.
	7.	4.1.	2	JJ	JJ will provide the next Board meeting with reports on, and timelines for completing, the reviews that are outstanding.
	8.	4.1.	3	DO	DO will arrange to include on the [deep dive] schedule a workshop around the Regional Partnership Board.
	9.	4.1.	3	JJ	Provide the Board with further information on the actions detailed in "What do we need to do next?" [of the Performance Report.]
	10.	5.4	4	AB	Circulate the letter to the Board immediately and ensure that the board is notified in advance of any further planned visits. AB to place letter on next board agenda along with any specific actions planned.
	11.	9	6	PCC (secretariat)	PCC to liaise with JS to propose dates for August to December 2019 at the next meeting.

APPENDIX A: Workshop Schedule (Note that dates for August to December are currently under consideration and may change.)

Improvement and Assurance Board Wednesday, 27 February 2019

Tudalen 755

Date of Workshop	Workshop Focus	Time allocation	Lead Officer	Officers in attendance	Apologies Received
Tuesday 26/02/2019	Workforce	3.00pm - 5.00pm	Ali Bulman	Alison Bulman	
				Dylan Owen	
				Jen Jeffreys	
				Jan Coles	
				Sadie Hughes (HR)	
				Joanna Harris	
				Jackie Barnett	
				Louise Richards	
Thursday 28/02/2019	Commissioning and High Quality Care Placements (as originally scheduled)	9.30am - 11.30am	Anne Marie Davies	Anne Marie Davies	Cllr Rachel Powell
				Jan Coles	
				Jo Harris	
				Barry Kirwaun	
Tuesday 26.03.2019	Service Transformation - Adults and Childrens	3.00pm - 5.00pm	Alison Bulman	Alison Bulman	
				Dylan Owen	
				Jen Jeffreys	
				Jan Coles	
Thursday 28/03/2019	Participation and Voice (as originally scheduled)	9.00am - 11.30am	Daniel Harper	Alison Bulman - standing invite	
				Jan Coles	
				Jo Harris	
				Kellie Wood	
				Emma Palmer	
				Barry Kirwaun	
				Cllr Rachel Powell	
Anne Marie Davies					

Tudalen 756

				Sharon Powell	
Tuesday 30/04/2019	Budget (Children's and Adults)	3pm - 5pm		Alison Bulman Dylan Owen Michael Gray & Jen Jeffreys Jan Coles Jane Thomas Jackie Pugh	
Thursday 02/05/2019	Dynamic Purchasing System for Domiciliary Care	9.00am - 11.30am	Martin / Sally	Dylan Owen Martin Heuter / Lee Anderson Sally Beech Vincent Hanly Angela Williams	
Tuesday 04/06/2019	Fostering (1hr) / Shared Lives (1hr)	3pm - 5pm	Jan Coles / Dylan Owen	Alison Bulman Dylan Owen Michael Gray David Moody - TBC SM for Fostering Comms Officer for Fostering Jan Coles	
Thursday 06/06/2019	Independent Reviewing, Quality Assurance and Complaints (Children's and Adults)	9.00am - 11.30am	Ali Bulman	Alison Bulman Dylan Owen Michael Gray Jan Coles Complaint Officers	
Tuesday 25/06/2019	Safeguarding and Good Core Social Work Practice - Children's and Adults	3pm - 5pm	Jan and Michael	Alison Bulman Dylan Owen Michael Gray Jan Coles	

Tudalen 757

	and Adults			Sharon Powell	
				Karen Arthur	
Thursday 27/06/2019	Market Shaping for Adult Social Care	9.00am - 11.30am	Dylan Owen	Alison Bulman	
				Dylan Owen	
				Michael Gray	
Tuesday 30/07/19	Independent Reviewing, Quality Assurance and Complaints - Adults and Childrens	3pm - 5pm	Jan / Michael	Alison Bulman	
				Dylan Owen	
				Michael Gray	
				Jan Coles	
				QA Officers - Adults & Childrens	
Thursday 01/08/2019	Delayed Transfers of Care	9.00am - 11.30am		Alison Bulman	
				Dylan Owen	
				Michael Gray	
				Adam Greenow	
Tuesday 27/08/19	Eligibility criteria (thresholds) and Early Help / Early Intervention and Prevention	3pm - 5pm		Alison Bulman	
				Dylan Owen	
				Michael Gray	
				Jan Coles	
Thursday 29/08/2019	Partnership Working (Regional Partnership Board)	9.00am - 11.30am		Alison Bulman	
				Dylan Owen	
				Michael Gray	

Tudalen 758

			Jan Coles	
			Dominique Jones	
Tuesday 24/09/19	Infrastructure and Support Services	3pm - 5pm	Alison Bulman	
			Dylan Owen	
			Michael Gray	
			Jan Coles	
			Emma Palmer	
Thursday 26/09/2019	TBC	9.00am - 11.30am	Alison Bulman	
			Dylan Owen	
			Michael Gray	
			Jan Coles	
Tuesday 29/10/19	TBC	3pm - 5pm	Alison Bulman	
			Dylan Owen	
			Michael Gray	
			Jan Coles	
Thursday 31/10/2019	TBC	9.00am - 11.30am	Alison Bulman	
			Dylan Owen	
			Michael Gray	
			Jan Coles	
Tuesday 26/11/19	TBC	3pm - 5pm	Alison Bulman	
			Dylan Owen	
			Michael Gray	
			Jan Coles	

Thursday 28/11/2019	TBC	9.00am - 11.30am		Alison Bulman
				Dylan Owen
				Michael Gray
				Jan Coles

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

Delegated Decision List

22 March	Leader	Let the County Farms at Bedol, Sarn and Plasgwyn, Kerry following interviews.
26 March	Portfolio Holder for Learning and Welsh Language	Approved the appointment of school governors: Mrs J Owen to Cradoc CP School, Mr R Dover to Carreghoffa CP School, Mr G Davies to Ysgol Dyffryn y Glowyr and Mrs J Jenkins to Arddleen CP School.
28 March	Portfolio Holder for Highways, Recycling and Assets	Approved the appointment of Mr Graham Jones to chair the Bryn Posteg Liaison Committee.
29 March	Portfolio Holder for Finance, Countryside and Transport	Considered applications for charitable and hardship rate relief.
5 April	Leader	Let the County Farm at The Willows, Pool Quay following interviews.
5 April	Portfolio Holder for Highways, Recycling and Assets	Approved the Highway Infrastructure Capital Programme 2019 – 2024, delegated approval to the Head of Service for Highways Transport and Recycling to determine and approve a prioritised list of schemes within overall budget allocations and approved the continuation of the moratorium on major schemes within the budget allocations.
9 April	Portfolio Holder for Highways, Recycling and Assets Portfolio Holder for Corporate Governance, Housing and Public Protection	Approved the purchase of land to extend Presteigne cemetery.
11 April	Portfolio Holder for Learning and Welsh Language	Approved the appointment of school governors: Mr D Ap Dafydd to St. Mary's RC School.
11 April	Portfolio Holder for Finance, Countryside and Transport	Approved a deviation from policy and not require a Performance Bond for pension purposes in respect of the contract with Shaw Ltd to manage the Council's residential care homes.

23 April	Portfolio Holder for Highways, Recycling and Assets	Granted delegated authority to the Head of Property, Planning, and Public Protection – in consultation with the Portfolio Holder for Highways, Recycling and Assets – to accept offers, following a suitable period of marketing, which meet or exceed the recommended minimum sale price of the following properties: potential building plot at Aberhosan, former Youth Centre, Brecon, former library at Hay on Wye, former library at Knighton and former library at Talgarth.
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21/05/19	07/05/19	Treasury Management Quarter 4 report	Aled Wyn Davies	Ann Owen	Cabinet
21/05/19	07/05/19	Annual employment monitoring report	James Evans	Bets Ingram	Cabinet
21/05/19	07/05/19	Light review of the Strategic Equality Plan	James Evans	Bets Ingram	Cabinet
21/05/19	07/05/19	HRA Business Plan	James Evans	Dafydd Evans	Cabinet
21/05/19	07/05/19	Housing association development programme (PDP)	James Evans	Dafydd Evans	Cabinet
21/05/19	07/05/19	Evaluation of the impact of the roll out of full service universal credit on HRA rent arrears	James Evans	Dafydd Evans	Cabinet
21/05/19	07/05/19	Budget Outturn as at 31 March 2019	Aled Wyn Davies	Jane Thomas	Cabinet
21/05/19	07/05/19	Budget Outturn 2018/19	Aled Wyn Davies	Jane Thomas	Cabinet
21/05/19	07/05/19	Feasibility Study	James Evans	Nia Hughes	Cabinet
21/05/19	07/05/19	Children's Pledge	Rachel Powell	Daniel Harper	Cabinet
21/05/19	07/05/19	Transfer of properties from general fund to Housing	Phyl Davies	Natasha Morgan	Cabinet
21/05/19	07/05/19	Upper House Farm, Crickhowell	Phyl Davies	Natasha Morgan	Cabinet
21/05/19	07/05/19	Corporate Asset Policy Review	Phyl Davies	Natasha Morgan	Cabinet
21/05/19	07/05/19	The development of extra care housing across the county and the disposal of Neuadd Maldwyn, Welshpool	Cllr Stephen Hayes	Dylan Owen	Cabinet
21/05/19	07/05/19	Foster Care Support Offer	Rachel Powell	Jan Coles	Cabinet
21/05/19	07/05/19	Local Authority Trading Company/HWBS	Aled Wyn Davies	Nicola Williams	Cabinet
21/05/19	07/05/19	Scrap Metal Dealers and Delegation	James Evans	Beverley Cadwallader	Cabinet
21/05/19	07/05/19	School Major Improvement Welsh Government Grant Programme	Myfanwy Catherine Alexander	Marianne Evans	Cabinet
21/05/19	07/05/19	Capital Programme Update	Aled Wyn Davies	Jane Thomas	Cabinet
31/05/19		Lake Vrynwy	Phyl Davies	Alastair Knox	Portfolio Holder
31/05/19		Minimum Unit Prices	James Evans	Clive Jones	Portfolio Holder
18/06/19	04/06/19	HAMP	Phyl Davies	Alastair Knox	Cabinet
18/06/19	04/06/19	Prosecution enforcement policy	James Evans	Clive Jones	Cabinet
18/06/19	04/06/19	Review of WHQS compliance policy	James Evans	Dafydd Evans	Cabinet
18/06/19	04/06/19	Vision 2025: Our CIP Quarter 4 2018-19 Performance Report	Aled Wyn Davies	Rhian Jones	Cabinet
18/06/19	04/06/19	FINAL Vision 2025: Our CIP 2019/20 Update and Annual Report 2018-19	Aled Wyn Davies	Rhian Jones	Cabinet
18/06/19	04/06/19	Towards 2040 (PSB Well-being Plan) Annual Report	Aled Wyn Davies	Rhian Jones	Cabinet

Tudalen 763

18/06/19	04/06/19	Medium Term Financial Strategy	Aled Wyn Davies	Jane Thomas	Cabinet
18/06/19	04/06/19	School Reorganisation – Llanerfyl and Banw Objection Report	Aled Wyn Davies	Marianne Evans	Cabinet
18/06/19	04/06/19	Specialist Centre Provision	Myfanwy Catherine Alexander	Imtiaz Bhatti	Cabinet
18/06/19	04/06/19	Regional Technical Statement	Martin Weale	Peter Morris	Cabinet
18/06/19	04/06/19	Health & Care Strategy – Statements of Intent	Cllr Stephen Hayes	Dylan Owen	Cabinet
18/06/19	04/06/19	Prosecution Enforcement Policy	James Evans	Clive Jones	Cabinet
18/06/19	04/06/19	School Balances	Myfanwy Catherine Alexander		Cabinet
18/06/19	04/06/19	Changes to functions of NTSEAT (National Trading Standards Estate Agency Tam)	James Evans	James Munro	Cabinet
28/06/19		Food Hygiene Rating System Audit by FSA (Audit report FSA received)	James Evans	Beverley Cadwallader	Portfolio Holder
09/07/19	25/06/19	Public toilets strategy	Martin Weale	Peter Morris	Cabinet
09/07/19	25/06/19	Post 16 Review update	Myfanwy Catherine Alexander	Marianne Evans	Cabinet
09/07/19	25/06/19	Strategic Equality Plan End of Year Monitoring Report	James Evans	Bets Ingram	Cabinet
09/07/19	25/06/19	Implementation of the Renting Homes Act 2014	James Evans	Dafydd Evans	Cabinet
09/07/19	25/06/19	HRA New Build Programme	James Evans	Dafydd Evans	Cabinet
09/07/19	25/06/19	Budget Outturn Report as at 31 May 2019	Aled Wyn Davies	Jane Thomas	Cabinet
09/07/19	25/06/19	Libraries Options report following consultation	Rachel Powell	Kay Thomas	Cabinet
09/07/19	25/06/19	Llanfyllin All Through School Objection Report	Myfanwy Catherine Alexander	Marianne Evans	Cabinet
09/07/19	25/06/19	Capital Programme Update as at 31 May	Aled Wyn Davies	Jane Thomas	Cabinet
09/07/19	25/06/19	Annual Information Governance Report to Cabinet	James Evans	Clive Pinney	Cabinet
30/07/19	16/07/19	Treasury Management Review Report 2018/19	Aled Wyn Davies	Ann Owen	Cabinet
30/07/19	16/07/19	Treasury Management Quarter 1 Report	Aled Wyn Davies	Ann Owen	Cabinet
30/07/19	16/07/19	Local Housing Market Assessment	James Evans	Dafydd Evans	Cabinet
30/07/19	16/07/19	Budget Outturn Report as at 30 June 2019	Aled Wyn Davies	Jane Thomas	Cabinet
30/07/19	16/07/19	Corporate Safeguarding 6 Monthly Update	Cllr Stephen Hayes	Alison Bulman	Cabinet
30/07/19	16/07/19	Capital Programme Update as at 30 June	Aled Wyn Davies	Jane Thomas	Cabinet
17/09/19	03/09/19	South Office Review	Phyl Davies	Natasha Morgan	Cabinet

17/09/19	03/09/19	Implications of Grenfell (awaiting Inspector's report)	Martin Weale	Ian Maddox	Portfolio Holder
17/09/19	03/09/19	Outcome of the tenants' satisfaction survey	James Evans	Dafydd Evans	Cabinet
17/09/19	03/09/19	Budget Outturn as at 31 July 2019	Aled Wyn Davies	Jane Thomas	Cabinet
17/09/19	03/09/19	Capital Programme Update as at 31 July	Aled Wyn Davies	Jane Thomas	Cabinet
30/09/19		Consolidation of Parking	Phyl Davies	Shaun James	Portfolio Holder
30/09/19		Highways Winter Plan	Phyl Davies	Shaun James	Portfolio Holder
30/09/19		Consolidation for speed limits	Phyl Davies	Tony Caine	Portfolio Holder
08/10/19	24/09/19	3 x Supplementary Planning Guidance	Martin Weale	Peter Morris	Cabinet
		National Development Framework – Welsh Government			
08/10/19	24/09/19	consultation	Martin Weale	Peter Morris	Cabinet
08/10/19	24/09/19	Budget Outturn as at 31 August 2019	Aled Wyn Davies	Jane Thomas	Cabinet
08/10/19	24/09/19	Capital Programme Update as at 31 August	Aled Wyn Davies	Jane Thomas	Cabinet
05/11/19	22/10/19	Treasury Management Quarter 2 Report	Aled Wyn Davies	Ann Owen	Cabinet
05/11/19	22/10/19	HRA Asset Management Strategy	James Evans	Dafydd Evans	Cabinet
05/11/19	22/10/19	Budget Outturn as at 30 September 2019	Aled Wyn Davies	Jane Thomas	Cabinet
05/11/19	22/10/19	Capital Programme Update as at 30 September	Aled Wyn Davies	Jane Thomas	Cabinet
27/11/19	12/11/19	Council Tax Base	Aled Wyn Davies	Andrew Griffiths	Cabinet
			Myfanwy Catherine		
27/11/19	12/11/19	School Balances	Alexander		Cabinet
17/12/19	03/12/19	Budget Outturn as at 31 October 2019	Aled Wyn Davies	Jane Thomas	Cabinet
17/12/19	03/12/19	Capital Programme Update as at 31 October	Aled Wyn Davies	Jane Thomas	Cabinet
21/01/20	07/01/20	Regional Technical Statement - Minerals	Martin Weale	Peter Morris	Cabinet

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