

Cabinet

Meeting Venue
**Council Chamber - County Hall,
Llandrindod Wells, Powys**

Meeting date
Tuesday, 9 January 2018

Meeting time
9.30 am

For further information please contact
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01597 826374
steve.boyd@powys.gov.uk



County Hall
Llandrindod Wells
Powys
LD1 5LG

3 January 2018

AGENDA

1.	APOLOGIES
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To receive apologies for absence.

2.	MINUTES
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To authorise the Chair to sign the minutes of the last meeting held on 5 December 2017 as a correct record.

(Pages 3 - 8)

3.	DECLARATIONS OF INTEREST
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To receive any declarations of interest from Members relating to items to be considered on the agenda.

4.	PARKING POLICY
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To consider a report by County Councillor Liam Fitzpatrick, Portfolio Holder for Highways.

(Pages 9 - 42)

5.	POWYS SAFEGUARDING CHILDREN - QUARTER 2 UPDATE
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To consider a report by County Councillor Rachel Powell, Portfolio Holder for Children's Services.

(Pages 43 - 60)

6.	FINANCIAL OVERVIEW AND FORECAST AS AT 30TH NOVEMBER 2017
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To consider a report by County Councillor Aled Davies, Portfolio Holder for Finance.
(Pages 61 - 72)

7.	GENERAL DATA PROTECTION REGULATIONS REVIEW
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To consider a report by the Scrutiny Working Group.
(Pages 73 - 76)

8.	UPDATE FROM THE ANTI-POVERTY CHAMPION
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To receive an update from the Anti-Poverty Champion, County Councillor Joy Jones.

9.	CORRESPONDENCE
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To receive such correspondence as in the opinion of the Leader is of such urgency as to warrant consideration.

10.	DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING
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To note the delegated decisions taken since the last meeting.
(Pages 77 - 78)

11.	FORWARD WORK PROGRAMME
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To consider the Cabinet forward work programme.
(Pages 79 - 82)

**MINUTES OF A MEETING OF THE CABINET HELD AT COUNCIL CHAMBER -
COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 5 DECEMBER
2017**

PRESENT

County Councillor M R Harris (Chair)

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

In attendance: County Councillors P Lewis, G Morgan, J Morris and D Selby and Mr J
Brautigam.

County Councillors G Morgan and D Selby and Maggie Fitzpatrick-Reeves presented
a petition with 5558 signatures calling on the Cabinet to retain Staylitttle Outdoor
Centre.

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 7th and
21st November 2017 as correct records.

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

4.	CLOSURE OF THE HTR COMMISSIONING PROGRAMME
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Cabinet was advised that having looked in great detail at options for the HTR
service, it was being recommended that rather than transfer the service to a
trading company it be retained in house and adopt many of the initiatives and
changes to service delivery that were identified for the trading company. This
option was strongly favoured by staff.

It was further proposed that the current programme board be retained to move
forward and achieve the transformation of the service, adopting most of the
benefits and changes in activity that were outlined for the trading company.

The Leader and Acting Chief Executive paid tribute to the staff and to the work of
the Head of Highways and Senior Business Manager for their work on the
commissioning project which had provided a lot of useful learning points for
future projects.

RESOLVED	Reason for Decision:
To agree this closure report for the HTR Commissioning Programme and support the proposal to retain the HTR service in house and progress with the HTR Transformation Programme.	Timing due to other major change initiatives happening in the Place Directorate. The preference to keep the HTR services in house and retaining the Council's own identity with the delivery of services within our communities across the county.

5. PARKING POLICY

Cabinet was advised that the Chair of Scrutiny Committee A had said that the Committee had not been given an opportunity to scrutinise the policy as it had not appeared in the Cabinet's forward work plan and therefore requested deferral of the report.

Members were advised that the report had been in work programme and that the Scrutiny Chairs and Vice Chairs Steering Group decided not to scrutinise it. The Leader and Cabinet asked that in future when this was the case, this be noted in reports.

In view of the interest now being shown in the parking policy it was moved and seconded that the report be deferred to the next meeting on 9th January 2018 to give an opportunity for the report to be scrutinised.

County Councillor Peter Lewis who had attended to speak against the report said he would reserve his comments until the report was considered.

RESOLVED	Reason for decision
that the report be deferred until the next meeting on 9th January 2018.	To give Scrutiny a chance to scrutinise the report.

6. CORPORATE ASSET POLICY

Cabinet considered a revised version of the Corporate Asset Policy.

RESOLVED	Reason for Decision:
The revised version of the CAP is accepted and adopted.	To ensure continued good practice in the management of the Council's property portfolio.

7.	FINANCIAL OVERVIEW AND FORECAST AS AT 31ST OCTOBER 2017
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Cabinet considered the financial outturn report for the month ended 31st October 2017. The Portfolio Holder for Finance reported that the deficit recovery plan was starting to take effect with a £2m surplus identified in central activities through the capitalisation of some costs. This would help mitigate the impact on reserves. Further measures were being looked at but there were further pressures in the system with the increasing numbers of looked after children.

Portfolio Holders reported that the overspend in school transport had been by £166k and that the Housing service was working to address the number of void council house properties. The Portfolio Holder for Children's Services asked that future reports be updated to reflect the investment required for Golwg Bannau and Golwg Camlas residential establishments under invest to save rather than historic savings targets.

The Chair of the Audit Committee noted that there had been little change in the forecast overspend. The Portfolio Holder for Finance advised that he would be attending the Finance Scrutiny Panel on 8th December to discuss the report.

RESOLVED	Reason for Decision:
<ol style="list-style-type: none"> 1. The contents of this report are noted by Cabinet; and 2. Cabinet supports appropriate action by services to curtail or reduce the reported forecasted service deficits. 3. To approve revenue virements in respect of <ul style="list-style-type: none"> Carers respite services £121k Support for Care Leavers £45k Expanding Edge of Care Services £137k St David's Day Fund £27k 	<p>To monitor the council's financial performance and ensure that spending remains within approved limits and that the 3% minimum general fund reserve is maintained.</p>

RECOMMENDED to Council	Reason for recommendation
<p>To approve budget virements in respect of</p> <ul style="list-style-type: none"> • Social Care Workforce (NLW) £769k • Intermediate Care Fund revenue allocation £1.182m 	<p>In accordance with Financial Standing Orders.</p>

8.	CAPITAL PROGRAMME UPDATE FOR OCTOBER 2017
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Cabinet considered the capital programme update report.

RESOLVED	Reason for Decision:
<p>1. The contents of this report are noted by Cabinet; and</p> <p>2. The Capital virements set out in Section 3 are approved, and those over £500k be submitted to full council for approval.</p>	<p>To outline the capital budget position as at 31st October. To ensure appropriate virements are carried out.</p>

9.	JOINT AUDIT - EDUCATION SCRUTINY WORKING GROUP INTERIM REPORT ON FINANCIAL VIABILITY OF SCHOOLS
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The Chair of the Audit Committee presented the report of the Joint Audit – Education Scrutiny Committee Working Group on the financial viability of schools. Secondary schools were the most serious risk but the rate at which primary schools were depleting their reserves was also a major concern. He had attended the Schools Forum who were broadly supportive of the report. He referred to the Wales Audit Office report which said that the Council faces challenges in achieving the pace required to deliver an affordable, sustainable education service. The Portfolio Holder for Education thanked the Working Group for the report and advised that work was already being undertaken to support schools.

RESOLVED	Reason for decision
<p>To receive the report of the Joint Audit – Education Scrutiny Committee Working Group and that the Portfolio Holder for Education provide a response at the Cabinet meeting on 30th January 2018.</p>	<p>Response to Joint Audit – Education Scrutiny Committee Working Group report.</p>

10.	WELSH PUBLIC LIBRARY STANDARDS REPORT FOR 2016/17
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Cabinet considered the Annual Report from the Welsh Government on the Library Service, for the year 2016-17, as required under the Welsh Public Library Standards. For the year 2016-17, Powys Library Service met 17 of the 18 core entitlements, and partially achieved the 18th. (The same as for 2015/16, the only outstanding item being internet access on mobile libraries). The framework has 16 quality indicators, of which 7 have targets; for those with targets, Powys met 5 in full, 1 in part, and failed to meet one.

Cabinet noted that the report did not cover the 46,000 council transactions carried out by libraries staff as part of the Libraries Plus project and the Leader thanked the Principal Librarian and her staff for their work. The Portfolio Holder thanked the Leisure/Culture Scrutiny Working Group for their comments.

RESOLVED	Reason for Decision:
That the outcomes in the Welsh Public Library Standards Annual Report from Welsh Government on Powys Library Service 2016-17 are duly noted and considered in forward planning.	In order that Powys Library Service continues to provide a quality service to residents, maintains and improves its performance under the 6 th Framework of Welsh Public Library Standards, and seeks to address as far as possible those areas which do not currently meet Welsh Government's standard.

11.	CORRESPONDENCE
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The Leader referred to the email forwarded by County Councillor Matthew Dorrance from one of his constituents in respect of the Parking Policy report that had been deferred.

12.	DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING
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Cabinet noted the delegated decisions taken by Portfolio Holders since the last meeting.

13.	FORWARD WORK PROGRAMME
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The Leader reminded Portfolio Holders of the need to ensure that the forward work programme was kept updated.

The Leader advised that in the last week the Cabinet had met the Welsh Government Cabinet Secretary for Local Government and Public Services Alun Davies AM to discuss a range of issues including local government reform and Under Secretary of State for Wales Guto Bebb MP to discuss economic development.

The Leader noted that this was the last Cabinet meeting Sue Bolter, the Head of Regeneration and Commissioning would be attending before she left the Council for another job and she thanked her for her service and wished her well for the future.

County Councillor M R Harris (Chair)

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CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

9 January 2018

REPORT AUTHOR: County Councillor Liam Fitzpatrick
Portfolio Holder for Highways

SUBJECT: Parking Policy

REPORT FOR: Decision / Discussion / Information

1. Summary

- 1.1 The Council is empowered by the Road Traffic Regulation Act 1984 (as amended), the Traffic Management Act 2004, and other specific secondary legislation to provide parking places on and off the highway, to charge for their use, restrict parking on the highway and to carry out parking enforcement activities.
- 1.2 A parking policy document has been developed to provide a strategic foundation for the council's parking policies and operational practice. It is based upon current practice and aims to provide a framework in which to formalise and standardise practice across the County.
- 1.3 The Policy does not consider charges made for parking however there are some charges where a formal charge has not been adopted previously. This report will therefore include those charges with a view of including them within the department's fees and charges schedule which is periodically reviewed.

2. Proposal

- 2.1 The proposal is to adopt the proposed policy enclosed at Appendix A and the schedule of charges listed below.
- 2.2 Proposed charges:

Replacement Permits – replacement permits for off street car parks has not been formally approved previously. However a replacement permit was introduced in the 2013 approved residents parking policy which was updated in May 2017. Since the work to issue a replacement car park permit is the same as the residents parking permit it is proposed that the charge be made the same, at £25. Replacement permits are required when one is lost/stolen or there has been a change in details on the permit.

Parking Dispensations – the initial approved policy was slightly ambiguous and therefore it is proposed to adopt the simpler easier to understand charge of £15 per vehicle per day up to a maximum of 2 vehicles at any one time.

Parking Suspensions – a proposed charge of £330 to cover the consideration and creating and erecting of temporary parking suspension signs including any site visits as necessary.

Car Park Charges for Events – Long stay car parks can be hired wholly to assist in facilitating an event. The charge will be set at the average daily income from the car park [based on the previous year's income] plus an administration fee of £75.

Car Park Charges for Site Compounds – in addition to charging the daily rate for a car per space for the duration of the compound, a £75 administration fee will also be payable for entering into an agreement.

3. Options Considered / Available

- 3.1 **Option 1** – to approve the proposed policy and charges. This will allow the council to adopt a framework to ensure consistency across the County.
- 3.2 **Option 2** – not to approve the proposed policy. This may lead to inconsistent approaches to parking across the County.

4. Preferred Choice and Reasons

- 4.1 Option 1 is the preferred option as it formalises current practice and charges.

5. Impact Assessment

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

6. Corporate Improvement Plan

- 6.1 The policy assists in supporting the priority 'Developing the Economy' by ensuring parking is available in the right places whilst also easing congestion which may deter visitors to towns.

7. Local Member(s)

7.1 The policy and charges apply with equal force across the whole County.

8. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? No

If so please provide their comments

9. Communications

Have Communications seen a copy of this report? Yes

The Communications Manager has stated 'The report is of public interest and requires news release and use of appropriate social media to publicise the decision'.

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

10.1 The Highways and Enforcement Solicitor has reviewed the proposal and, subject to proper process, has no comment to make.

10.2 The Finance Business Partner [Place] notes the contents of the report. In addition to this as part of the Medium Term Financial Strategy the Parking Service is undergoing a review to meet the £175k efficiency target for 2018/19.

11. Scrutiny

Has this report been scrutinised? No

12. Statutory Officers

The Head of Financial Services (acting Section 151 Officer) notes the comments made by the Finance Business Partner.

The Solicitor to the Council (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report. Before making a decision, the Portfolio Holder must read and understand the impact assessment".

13. Members' Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If the Portfolio Holder has an interest

he/she should declare it, complete the relevant notification form and refer the matter to the cabinet for decision.

Recommendation:	Reason for Recommendation:
To approve the Parking Policy in Appendix A to the report	To ensure a consistent approach to parking across the County.

Relevant Policy (ies):			
Within Policy:	Yes	Within Budget:	See para 10.2 above

Relevant Local Member(s):	All Members
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Person(s) To Implement Decision:	Tony Caine
Date By When Decision To Be Implemented:	Immediately upon approval

Contact Officer:	Tony Caine
Tel:	01597 826652
Email:	tony.caine@powys.gov.uk

Background Papers used to prepare Report:



Parking Policy

Version: DRAFT

Sept 2017

Cyngor Sir Powys County Council

Updates

Version	Date	Approved by

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1 Introduction

This document sets out our approach to parking across all of the towns and the larger and smaller villages of Powys. Providing safe and convenient parking is vital to the economy of Powys, ensuring that our towns remain easily accessible for people who choose to drive.

Appropriate parking management supports the objectives of Powys County Council, offering access to many amenities and places to visit and enabling our residents and businesses to achieve their potential.

This document sets out the key policies within Powys with regard to the provision of both on-street and off-street parking and for the enforcement of Traffic Regulation Orders. By its nature, parking policies adapt and change over time and will need to be regularly reviewed and updated.

Powys County Council's parking policies aim to:-

- Integrate traffic management policies with effective on-street and off-street enforcement.
- Provide dedicated on and off street enforcement.
- Prioritise parking enforcement in areas where the requirement is greatest and to be responsive to changing needs, local factors and demand.
- Provide parking dispensations and suspensions as appropriate.
- Manage parking capacity both on and off street to meet the demands of business and the public.

Parking charges are set by the Council and reviewed periodically as necessary.

2 General

Powys County Council is the Parking Authority and the Enforcing Authority responsible for all on street parking and off street public car parks.

The Welsh Government made an Order – The Civil Enforcement of Parking Contraventions (County of Powys) Designation Order 2011, which provide the Council with the legal framework in which to enforce parking contraventions.

Except for certain military roads that are open for public use all public highways within the County of Powys form the civil enforcement area and a special enforcement area for the purposes of Part 6 of the Traffic Management Act 2004. Parking contraventions on these roads are therefore dealt with through a civil law regime.

Powys County Council will abide by the Statutory Guidance from the Welsh Government on the civil enforcement of road traffic contraventions.

Powys County Council is a member of PATROL, the joint committee of England and Wales for the enforcement of parking and traffic contraventions outside London. Being a member of PATROL allows the Authority to operate Civil Parking Enforcement [CPE] as well as gaining access to the independent appeals tribunal, the Traffic Penalty Tribunal [TPT].

2.1 General Policies

Powys County Council will:

- Ensure that there is effective enforcement of on-street waiting and parking restrictions in order to reduce congestion and increase the availability of short stay parking space.
- Provide adequate space for taxis, coaches and buses to park and operate safely in appropriate locations.
- Review the extent of long stay, on street car parking where this causes problems in residential areas, conflicts with essential traffic movements, creates safety problems or reduces space for short stay visitors.
- Enhance and encourage the use of public off-street car parks for short and long stay parking.
- Make attractive parking arrangements for holders of “Blue Badges” in suitable locations and improve the access and internal layout of car parks to give full access for the disabled.
- Provide adequate space for overnight parking for coaches and heavy goods vehicles (HGV's) where this will not cause a problem for local residents in Long stay car parks.
- Deal with any challenges and appeals regarding enforcement in a fair and consistent manner.
- Ensure all informal/formal enquiries are dealt with within prescribed timescales.

2.2 Parking in Town Centre Areas

Visitors to a town often fall into 3 categories:

1. Short term visitors who visit a few shops and/or banks etc. These shoppers need quick access to those shops for a relatively short duration. They require on street parking outside or within the central business area and be confident spaces would be available. Not having availability of this convenient parking may deter this type of shopper or

cause them to drive away often to out of town to supermarkets for example.

2. Longer term visitors. These are expecting to stay within a town for a longer period and may be visiting a variety of shops/services and or having longer appointments at a hairdressers or Estate Agent etc. These visitors have made a purposeful journey to the town wishing to stay longer than 1 hour and would expect to make use of an off street car park.
3. Commuters, these visitors are regular visitors to a town during the working week and need suitable parking within long stay car parks.

The short term visitor needs to be able to quickly access a towns facilities, undertake their business and then vacate the parking space for the next. Parking within the town centre is often limited however where it is safe and practical to provide, sections of limited waiting bays will be provided. To ensure there is sufficient turnaround of spaces the limited waiting bays will be restricted to either 30 minutes or 1 hour. This should provide sufficient chance for a short term visitor to be able to find a suitable space. In exceptional circumstances different times may be considered to meet a local need however the maximum on street parking will be 1 hour.

For longer staying visitors and commuters, the Council's off street car parks are available.

2.3 Reviews of Traffic Regulation Orders (TROs)

Powys County Council is responsible for all aspects of on-street parking on the local highway network, introducing regulations to improve safety and the turnover of spaces and enforcement of regulations by civil enforcement officers

Traffic regulation orders are in place within our towns and communities, designated with appropriate signing and lining. Traffic orders place restriction on parking such as loading/unloading, disabled and residential permits.

Reviews of restrictions within Towns and Communities will continue to take place as funding permits to reflect new and changing priorities as well as safeguarding safety and securing the expeditious movement of vehicles along the highway.

Powys County Council may review TROs in the following circumstances where funding allows:

- Implementation of additional parking restrictions or alteration of existing to address a potential road safety issue.

- Implementation of additional parking restrictions or alteration of existing restrictions to address a problem associated with traffic movement.
- New or amendments to existing TROs to provide additional on-street or off street parking provision.

TROs may also be altered to allow the implementation of a traffic management scheme approved as part of the County Council capital programme or to facilitate a development and has been highlighted in any Section 106 or 278 agreement.

Requests for the introduction of restrictions or the alteration of existing restrictions will be considered in conjunction with the County Council's priorities on funding or where external funding has been secured to cover the costs incurred. Any such requests made during periods of moratoriums on expenditure will be retained on file for consideration in the event that funding becomes available.

Powys County Council may also review TROs in respect of off street parking places. TROs can be made to vary the terms and conditions of use of a car park or to add or amend the car parks that are covered by an Order.

Any proposed TRO will be consulted upon in accordance with the The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 as amended.

3 On Street Parking

3.1 Disabled Parking Provision

Disabled persons parking places will be provided on street within the town centre shopping areas. These mandatory bays will be marked in accordance with diagrams 661A and 1028.3 of The Traffic Sign Regulations General Directions (TSRGD) and may be enforced at any time of the day.

It will be the general rule that a 3 hour restriction will apply to all these types of bay to ensure that they do provide sufficient time for most visitors needs but also that they do not become blocked out by a limited number of long term visitors/commuters who should make alternative use of the nearest off street car park.

Within residential areas Advisory Disabled bays will be considered outside of people's property where residents with Blue Badges often find it difficult to park at or near their homes.

These types of bay markings are only advisory and therefore cannot be enforced should non blue badge holders park within them. However if they are used appropriately and sparingly they should be generally accepted that they are there to assist those with mobility issues and therefore be. Overuse may lead to them being disregarded and therefore not effective.

Where applications meet the appropriate criteria an advisory bay will be marked on the highway free of charge. The Council reserves the right to request information again, should it be suspected that circumstances have changed and the requirements for the bay are no longer met. The Council may remove the bay if the requested information is not satisfactorily provided.

Applications for disabled bays in residential areas must be able to satisfy the following criteria.

- The applicant does not have any off road parking facility at their home address nor is it feasible for them to make that provision. The feasibility will be based upon engineering difficulty as opposed to any costs involved to make that provision.
- On street parking predominantly occupies the available road space for the majority of the time.
- The applicant holds a blue badge and is the driver of the vehicle.
- There are no existing waiting restrictions
- Less than 10% of spaces in the street are taken up by disabled parking bays.
- It is practical in terms of road safety or traffic management that a bay could be marked outside the applicant's home address.
- The local elected County Councillor for the ward the applicant resides within lends their support.
- A Medical Practitioner provides written statement outlining the applicant's mobility difficulties and how the bay would assist them.

Where approved, a bay will only be marked outside the applicant's home address unless, where it is not possible to do so, neighbours to the applicant provide written confirmation that they would be willing to accept the bay to be marked wholly or partially outside their property.

3.2 Taxi Ranks

Taxis are an essential part of the transport provision to the public. It is important that ample space is provided for taxi ranks in town centres. However, the provision of too many ranks can lead to some ranks not being occupied for long periods of the day and valuable town centre kerb space not being utilised

effectively. The County Council will continue to work with the Local Town Councils and other stakeholders where there is a need for new ranks and where alterations to existing ranks may be necessary.

It is also important that ranks are reserved for the use of hackney carriage taxis only. All ranks will be covered by TROs and are enforceable by the County Council's Civil Enforcement Officers.

3.3 Loading Bays

Loading bays can be provided within town centre locations where they would provide a benefit by reducing the likelihood of goods being loaded or unloaded from vehicles at inappropriate locations. Loading bays can be reserved for the loading/unloading of all vehicles, or restricted to loading/unloading by goods vehicles only. Loading bays are generally only effective between the times and days identified on the accompanying signs, and are available for use by all other traffic outside of those times and days.

3.4 Motorcycle Parking

Individual solo motorcycle on street bays are not generally considered necessary within the town centres. However should it be identified that the use of a specific bay for motorcycles would be appropriate this would be considered as part of a town wide parking provision review.

3.5 Bicycle Parking

Bicycles are exempt from any parking TROs and in order to promote the use of this form of sustainable transport, cycle parking facilities may be provided within town centre areas, public transport interchanges and other key areas such as tourist locations.

3.6 Footway/Verge Parking

Parking on footways and verges can be a significant problem in many areas. Where parking restrictions are in place in affected roads then the restrictions will also extend and apply to any adjacent footway or verge areas and can be enforced by the issuing of PCN's.

TROs may be introduced to deter footway parking, however such orders require significant investment to implement and result in a considerable amount of additional signage to the area, which can increase the 'street clutter' as well as the effect of vehicle displacement. This type of order will therefore not generally be considered except in exceptional circumstances.

The Council will however work in partnership with the local Police to educate motorists in areas where there are safety implications of inappropriate footway parking. Where such parking causes a clear obstruction to pedestrians or danger to other road users in any location then the Police may enforce.

3.7 Resident Parking

Refer to separate policy for On Street Residents Parking.

3.8 Other Types of parking bays

Other types of parking bay such as Bus Stands/Stops or Doctors will be considered and provided where appropriate. Bus Stop/stands do not require a TRO however other such restrictive parking bays and waiting/loading prohibitions do require a TRO and will only be considered as part of a town review unless specific funding is made available for an individual bay or other prohibition.

4 Off Street Car Parking

Powys County Council recognises that by providing good value, attractive and safe off street parking it will contribute towards effective traffic management, economic growth and provide improved access to many members of the community.

The following outline policies have been developed to ensure that the provision of Off-street parking complements the provision of on-street parking in order to reduce congestion, allow safe parking and to allow local businesses to flourish.

Signage to all Council car parks will be provided by the highway authority along the most appropriate route. For town centre car parks signing promotes the use of the car parks thereby improving traffic flow, reduces journey times and congestion.

Car parks should be provided where there is proven demand for off street parking within a locality and it is viable to do so. Where new areas have been identified as requiring additional parking facilities due to a high level of on street parking causing congestion or road safety concerns, a business case will need to be undertaken. If it can be demonstrated there is a positive business case to provide a new car park, a suitable bid for capital funding will be made.

4.1 Charging Policy

4.1.1 Daily charges

The level of car park charges will be reviewed periodically, the charges will be in line with the following two designations. These designations have been developed in order to assist the public in choosing specific car parks to suit their needs.

Short Stay Car Parks: Defined as sites where stays of over 2 hours are to be discouraged in order to create a turnover of available spaces. Primarily designed for the use of shoppers and will be located very close to shops/facilities within a town. Often smaller car parks with limited spaces therefore the short maximum time limit assists in creating the turnaround of vehicles to increase the chances of users finding an appropriate space.

Long Stay Car Parks: Whilst allowing also short stay parking, these would also allow vehicles to park all day. Primarily aimed at commuters longer term visitors to a town.

4.1.2 Parking Permits

Parking permits will be made available at a concessionary rate to encourage the use of long stay off street parking. These permits are available for 1, 3, 6 and 12 months and can only be obtained via the website.

<http://www.powys.gov.uk/parking>

Parking permits are not available for use in any short stay car park.

Parking permits offering reduced rates to specific residents in properties adjacent or near to a long stay car park will not be made available.

4.1.3 Hire of car parks

Long stay car parks only can be hired to assist in facilitating events by entering into an agreement with terms and conditions which may be varied to suit the location and/or the type of event. The car park may be used for providing free parking for an event or to hold an event itself. Where a car park is being used to hold an event the organiser must demonstrate capacity for parking within the town is not compromised by the event unless providing suitable alternative arrangements.

Parts of long stay car parks may be hired, by agreement and subject to terms and conditions as may be appropriate to the operations, to assist in facilitating works where a compound may be required and there is no alternative location

is suitable or where building works are occurring adjacent to a car park. In these situations, a developer/builder will pay the daily charges for each bay taken out of action as if it were occupied by a car for a whole day, plus an administration fee. Within in coach and lorry car parks the charge will be made as if a coach or lorry is utilising the bay taken out of action. Any compound will not be provided for the parking of any vehicle which should make use of the general section of the car park paying any appropriate charges as necessary. For long term hire, consideration will be given to charging the equivalent to a seasonal parking permit for each bay taken out of action plus the administration fee.

Where an event or site compound is requested within a car park where charges are not currently imposed, the fees will be agreed prior to entering to an agreement.

4.1.4 Discounted Parking Vouchers

Car park charges will not be discounted to cater for any local demand. However businesses or business groups and such like may apply for a voucher scheme to be implemented whereby the pay and display machines issues a secondary ticket 'a voucher' which entitles the recipient a discount in a participating business. The voucher may offer full or partial discount or other offer as may be deemed appropriate within the participating businesses. The scheme may be offered in individual car parks or within an agreed area.

The promotor of the scheme must fund all reasonable expenses incurred by the Authority in setting up and maintaining such a scheme. This cost will be agreed and paid upfront prior to it being implemented.

4.2 Advertising on P+D Tickets

An advertiser may work with our supplier and/or their agents by funding the cost of the production of blank pay and display tickets in return for advertising on the rear of those tickets.

The choice of advertiser will be at the discretion of the Authority and that decision is final. Advertisers not meeting the corporate values of the Authority or be offering a product/service that the Authority would not wish to be associated with may not be permitted to take up advertisements on the rear of the tickets.

Advertisers may, by agreement, be used within; individual car parks, within an area or county wide.

4.3 Disabled Parking

Off street parking provisions for disabled drivers will be provided in all pay and display car parks. They will be located within the most easily accessible locations within the car parks and designed to assist ease of mobility.

Blue Badge holders may park within any bay of a pay and display car park and providing the blue badge is clearly displayed in the windscreen will benefit from the concession available.

Within the Short stay car parks the maximum time limit also applies to blue badge holders.

4.4 Motorcycle Parking

In some circumstances motorcycle parking area can be marked within the Council's off street car parks however generally they are able to make use of bays marked for any vehicle. These will only be considered where there is a regular use of a high number of motorcycles within a car park and it would be more efficient use of space.

Where charges apply to vehicles they will also apply to motorcycles.

4.5 Coach Parking

Coaches play a significant role in the provision of long-distance travel and commuter services and in the provision of transport for specific groups such as educational parties, theatre visitors, tourists and people with mobility difficulties. Powys County Council recognises these values and provides coach parking in many long stay car parks.

In addition to these provisions it is recommended that good relationships are established and maintained between the Council and the coach and tourism industries. This will encourage responsible behaviour by operators and drivers as well as providing feedback on any arising coach parking problems.

4.6 Motorhome/Caravan Parking

Motorhomes and caravans are permitted to use most long stay car parks. Where they are permitted it will be allowed for that vehicle to be used for camping purposes for 1 night in any 7 day period.

It is recognised that visitors staying in a locality benefit the local economy and making use of a car park to stay a night assists in that regard.

4.7 *Parking near Schools*

In order to promote safer journeys to school and to encourage parents/carers to park away from school gates to ease congestion, parking permits are available from some schools for the school start and finish times.

4.8 *Emergency Service Vehicles*

Marked emergency service vehicles are permitted to park in the Authorities car parks without paying any required fee, providing that vehicle is being used in connection with official business. Marked vehicle being used for personal use, will be required to pay and display.

Unmarked vehicles will be required to obtain a valid pay and display ticket.

Emergency Service vehicles are those operated by the Police, Fire and Rescue Service, Welsh Ambulance Service [WAST] or the Mountain Rescue. Private ambulances operated by St John's Ambulance Service will also be exempt whilst providing cover for WAST.

4.9 *Recycling facilities*

Recycling containers that are owned by or under contract to Powys Council Council's recycling service will be permitted within the Off Street car parks where there is no other convenient location within a locality. Where they are located within a car park, their number will be kept to a minimum for effective service delivery and placed only within an agreed area.

Containers from other operators will not be permitted.

5 *Civil Enforcement*

The County Council is a Civil Enforcement Authority operating under the Regulations of the Traffic Management Act 2004.

The Council is responsible for enforcing parking contraventions and the issue of Penalty Charge Notices by Civil Enforcement Officers [CEOs] and will follow statutory guidance as published by the Welsh Government.

Powys County Council is a partner in the Wales Penalty Processing Partnership [WPPP]. WPPP provide all the back office function following the issue of a PCN. The WPPP also produce [Civil Parking Enforcement Procedures](#) which sets out the methodology of enforcement and the appeals process.

5.1 Authorised Personnel

Only appointed Civil Enforcement Officers wearing the issued uniform and identified by a unique CEO number will issue PCNs to a vehicle that is contravening a parking restriction.

CEOs will adhere to the observation times in the [WPPP Procedures](#) and shall not offer any discretion thereby treating every vehicle the same as the next to ensure they act in a fair and consistent manner.

All CEOs will be trained to at least Level 2 in Civil Parking Enforcement or an equivalent/higher qualification.

Body worn video badges are worn by each CEO for their personal safety. Recording can be made whilst patrolling/issuing PCNs. The recordings are encrypted and can only be viewed by nominated personnel. Whilst they are primarily used for the health, safety and wellbeing of an Enforcement Officer, the footage may also be used to substantiate or otherwise any complaints made against the service. The use of body worn cameras is subject to compliance with the requirements of current legislation governing their use and subject to separate policy/procedures.

Discretion will only be provided during appeal/representations following the issue of a PCN as it is recognised there are many genuine reasons for a parking offence for which the PCN may be cancelled. Only the authorised personnel listed below may make a decision upon an appeal. The Welsh Government Statutory Guidance expressly states 'elected members and unauthorised staff should not, under any circumstances, play a part in deciding the outcome of individual challenges or representations. This is to ensure that only fully trained staff make decisions on the facts presented.'

The Authorised staff able to make decisions on formal appeals/representations to a PCN are:

- The lead CEO's [but not on PCN's they issued]
- The Parking Officer
- The Traffic and Travel Manager
- Senior Manager Highways Technical Services
- Head of Highways, Transport and Recycling

Other officers of the authority or County Councillors will not be permitted to influence a decision on an appeal/representation.

5.2 Appeals

Any appeals/representations against a PCN must be made in writing to the WPPP. Any that are received by the County Council will be referred to the WPPP.

Each appeal will be considered on its own merits and a balanced judgement will be made depending upon the circumstances. The [WPPP Procedures](#) outline the main areas where discretion will be allowed providing the required evidence is supplied with the appeal.

The WPPP will notify the appellant of the outcome of any appeal/representation within set timescales.

6 Dispensations

The Council understands that in exceptional circumstances a vehicle (that is not exempt within the relevant Traffic Regulation Order) may need to stop or wait where they would not normally be permitted to do so, or to wait for longer than allowed in a limited waiting or “loading only” bay.

In these circumstances, and only when it is clearly safe and acceptable to do so, a parking dispensation may be issued. This would be subject to the Council being satisfied that there is no alternative available and that a request is not being made simply for the convenience of the applicant.

A dispensation is intended only for circumstances in which constant access to a vehicle is essential. Existing exemptions allow traders to drop off or pick up goods, tools and equipment so that they may move and park where it is legal to do so.

6.1 Dispensation Policy

Other than in exceptional circumstances, dispensations will not be issued for continuous periods in excess of five days or for more than two vehicles at any location.

Dispensations may not be required for vehicles usually exempted in Traffic Regulation Orders and Off-Street Parking Orders. Generally that means vehicles in use:

- by fire, ambulance or police personnel when on duty
- carrying out duties of the Highway Authority or working on the highway as a statutory undertaker

- by mail delivery services to collect or deliver mail
- as a hearse or by principal mourners at funerals (maximum three vehicles)
- as principal or attendants vehicles at weddings (maximum three vehicles)
- by a medical practitioner visiting adjacent premises in an emergency
- if directed to do so by a uniformed Police Officer..
- Vehicles involved in removals [either domestic or business] can do so without applying for a parking suspension, if a parking space is available. Blocking the space off e.g. by using cones or boxes is not permitted. However, the unloading and loading must take place continually, or the vehicle will be liable for a Penalty Charge Notice as it will be parked illegally.

An application may be refused if acceptance would cause unnecessary problems to traffic flow or safety, or if it is requested for an unacceptable reason.

Acceptable reasons may include vehicles required for:

- loading and removing builder's debris
- transporting equipment which cannot be removed, e.g. vehicle-mounted devices, to which tradesmen working at adjacent premises need access
- use by a glazier when large shop front windows are being fitted
- domestic/business removals (when un/loading may not be seen as continuous)
- the loading and removal of asbestos or contaminated waste
- carrying hazardous materials/chemicals for use at adjacent premises
- handling heavy building materials (but not in continuous attendance)
- use as a mobile workshop (e.g. for welding, window cleaning)
- film productions or events that have been agreed with the Council.

The above list is not exhaustive and other situations may be considered.

Dispensations will not normally be approved for parking in:

- disabled parking spaces
- bus stops and areas reserved for specific users, e.g. taxi ranks
- areas subject to a loading ban or locations with loading restrictions
- school or pedestrian crossing areas marked by zig-zag lines
- locations within 50 meters of a signal-controlled junction
- locations at the entry or exit to pedestrian crossing markings
- locations where there may be a serious disruption or hazard to traffic
- instances where there are doubts concerning the validity of the application.

6.2 *Conditions of Issue*

Validity – A dispensation permit may only be used to the applicant and for the approved purpose. The dispensation will only apply for the specified location, dates and vehicle(s).

Parking - Permitted vehicles must be parked in a manner that creates no hazard to pedestrians or other road users, does not obstruct sight lines at junctions or accesses, or impede the free flow of traffic. A dispensation does not remove or relax the necessity to comply with any legal requirement.

Display - Each vehicle must display a valid dispensation permit as prescribed at all times or it may attract a Penalty Charge Notice.

Rights – The grant of a dispensation does not guarantee that space to park a vehicle (or vehicles) will be available. Other road users who do not require a dispensation, e.g. disabled badge holders, may already be parked at the location.

A Police Officer or CEO may require the immediate removal of a vehicle from a location at any time.

Cancellation - A dispensation permit may be cancelled at any time at the discretion of the Council and shall thereupon immediately cease to be valid.

Notification of such cancellation shall be initially by phone and confirmed in writing to the holder of the permit at the address that the Council believes to be that person's address and the dispensation permit shall forthwith be surrendered to the Council.

Redemption – In the event that no use is made of a dispensation, payments made to the Council in respect of an application will not be refunded.

6.3 *Dispensation Applications*

When a dispensation is requested, a correctly completed application form and payment must be received by the Council a minimum of five working days in advance of the proposed start date. This is to enable proper consideration to be given to the proposal, consultation with other services and for a site inspection to be carried out.

Same day dispensations will not to be issued except in situations of genuine emergency.

Applications, by post or in person, must be accompanied by payment of the non-refundable fee.

The vehicle registration number(s) and make(s), the exact location proposed and type of restriction currently in place must be detailed before applications can be processed.

7 Parking Bay Suspensions

Parking bay suspensions can be granted for a number of reasons e.g. to facilitate street/road works, provide access to a site, special events, storing plant and materials and temporary structures. Suspensions can be granted for limited waiting bays and loading only bays and, in exceptional circumstances only, disabled badge holders, taxi ranks and doctors permit holders only bays.

Bay suspensions are not intended to provide unrestricted parking in places where parking would not normally be permitted. In these situations dispensations are available [see section 6].

When a bay suspension is required an application must be received by the Council a minimum of 10 working days in advance of the date required to enable proper consideration to be given, consultation with other officers and if necessary for a site inspection to be carried out.

Except in extenuating circumstances, suspensions will not be issued for a continuous period in excess of 7 days. For periods of more than 7 days the Authority may require the applicant to consult with Locally Elected representatives and/or make alternative provisions.

Applications must be submitted with a non-refundable application fee.

The Council will erect appropriate signage suspending the parking bays for the duration of the suspension. Any vehicle parking in a suspended bay will be issued a PCN if observed by a Civil Enforcement Officer.

Any misuse of a suspended bay will be investigated and we may withdraw the parking suspension.

Alterations to a booked suspension cannot be made unless notification is made at least 3 working days prior to the suspension being made. If notification is less than this an additional administration fee will be charged to amend the date. If the signs have already been erected on site the applicant will be required to reapply with new dates forgoing any fee already paid. Extensions to parking bay suspensions will not be permitted.

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Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



This **Impact Assessment (IA)** toolkit, incorporating 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.

Please read the accompanying guidance before completing the form.

Draft versions of the assessment should be watermarked as "Draft" and retained for completeness. However, only the final version will be made publicly available. Draft versions may be provided to regulators if appropriate. In line with Council policy IAs should be retained for 7 years.

Service Area	HTR	Head of Service	Nigel Brinn	Strategic Director	Paul Griffiths	Portfolio Holder	Liam Fitzpatrick
Proposal	Parking Policy						
Outline Summary / Description of Proposal							
A parking policy document has been developed to provide a strategic foundation for the council's parking policies and operational practice. It is based upon current practice and aims to provide a framework in which to formalise and standardise practice across the County.							

Profile of savings delivery (if applicable)

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

2. Consultation requirements

Consultation Requirement	Consultation deadline	Feedback considered
No consultation required (please provide justification)	A policy to formalise current practice	No

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

Version	Author	Job Title	Date
1	Tony Caine	Traffic and Travel Manager	30/10/2017

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	
None	
Service Area informed:	Contact Officer liaised with:
Mitigation	
N/A	

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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	Appropriate available parking within towns whether this is free on street or paid off street will assist in developing the economy. Appropriate parking controls should will assist in reducing congestion thereby reducing costs to businesses and maintaining the desirability of a destination.	Good	The policy includes for waiting limits which will ensure appropriate turnaround of spaces on street for short term visitors. For longer term visitors the Authority will continue to provide off street parking	Good
Health and Care We will lead the way in effective, integrated rural health and care	Appropriate parking controls should will assist in road safety thereby reducing the risk collisions resulting in injury	Good		Choose an item.
Learning and skills We will strengthen learning and skills	This Policy will not affect this priority	Neutral		Choose an item.

Cyngor Sir Powys County Council
Impact Assessment (IA)

The integrated approach to support effective decision making



Council Priority	How does the proposal impact on this priority?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
Residents and Communities We will support our residents and communities	Residents parking is covered by a separate approved policy. This Policy will ensure appropriate parking and controls within communities.	Good		Choose an item.

Source of Outline Evidence to support judgements

Report produced for the Welsh Government on the effects of car park charges on town centre car parking <http://gov.wales/docs/caecd/research/2015/150610-assessing-impact-car-parking-charges-town-centre-footfall-en.pdf>

s.122 of the Road Traffic Regulation Act 1984 provides the general duty of every local authority upon whom functions are conferred by or under the Act, to exercise those functions to secure the: “expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway”.

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

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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>Appropriate available parking within towns whether this is free on street or paid off street will assist in developing the economy. Appropriate parking controls should will assist in reducing congestion thereby; reducing costs to businesses, maintaining the desirability of a destination and providing access to employment as well as reducing CO2 emissions.</p>	Good		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>Provision of parking spaces is not an ecologically sustainable solution and may not encourage the use of more sustainable forms of transport</p>	Poor	<p>Car park charges are set to encourage alternative modes of transport. The surplus within parking contributes towards the provision of other services which would include public transport provision.</p>	Poor
<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>This Policy will not affect this goal</p>	Neutral		Choose an item.

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



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A Wales of cohesive communities: Attractive, viable, safe and well-connected Communities.	This Policy will not affect this goal	Neutral		Choose an item.
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.	Parking contributes to improving social and economic objectives.	Neutral		Choose an item.
A Wales of vibrant culture and thriving Welsh language: A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.				
Opportunities for persons to use the Welsh language, and treating the Welsh language no less favourable than the English language	Any signs are bilingual with Welsh language uppermost or to the left.	Neutral		Choose an item.
Opportunities to promote the Welsh language	Any signs are bilingual with Welsh language uppermost or to the left.	Neutral		Choose an item.
Welsh Language impact on staff	This Policy will not affect this goal	Neutral		Choose an item.
People are encouraged to do sport, art and recreation.	This Policy will not affect this goal	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	This Policy will not affect this goal	Neutral		Choose an item.
Disability	Disabled parking bays are available in certain circumstances to improve access for blue badge drivers	Good		Choose an item.
Gender reassignment	This Policy will not affect this goal	Neutral		Choose an item.
Marriage or civil partnership	This Policy will not affect this goal	Neutral		Choose an item.
Race	This Policy will not affect this goal	Neutral		Choose an item.
Religion or belief	This Policy will not affect this goal	Neutral		Choose an item.
Sex	This Policy will not affect this goal	Neutral		Choose an item.

Cyngor Sir Powys County Council
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<i>Sexual Orientation</i>	This Policy will not affect this goal	Neutral		Choose an item.
<i>Pregnancy and Maternity</i>	There is no provision for providing parent/child parking spaces this is due to there not being any mechanism to control and enforce.	Poor	No mitigation is possible	Poor

Source of Outline Evidence to support judgements

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

Principle	How does the proposal impact on this principle?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
Sustainable Development Principle (5 ways of working)				
Long Term: Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.	This Policy will not affect this principle	Neutral		Choose an item.
Collaboration: Working with others in a collaborative way to find shared sustainable solutions.	This Policy will not affect this principle	Neutral		Choose an item.
Involvement (including Communication and Engagement): Involving a diversity of the population in the decisions that affect them.	Any changes to restrictions requires statutory consultations with the public who have an opportunity to make comment on proposals.	Neutral		Choose an item.
Prevention: Understanding the root causes of issues to prevent them from occurring.	This Policy will not affect this principle	Neutral		Choose an item.
Integration: Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives.	This Policy will not affect this principle	Neutral		Choose an item.
Preventing Poverty: Prevention, including helping people into work and mitigating the impact of poverty.	This Policy will not affect this principle	Neutral		Choose an item.

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The integrated approach to support effective decision making



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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	This Policy will not affect this principle	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.	This Policy will not affect this principle	Neutral		Choose an item.
Impact on Powys County Council Workforce	This Policy will not affect this principle	Neutral		Choose an item.
Source of Outline Evidence to support judgements				

8. Achievability of proposal?

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

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



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
	Choose an item.		Choose an item.
	Choose an item.		Choose an item.
	Choose an item.		Choose an item.
Overall judgement (to be included in project risk register)			
Very High Risk	High Risk	Medium Risk	Low Risk
			✓

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

Action	Target Date	Outcome	Decisions made
Portfolio Holder decision required	No	Date required	
Cabinet decision required	No	Date required	
Council decision required	No	Date required	

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

12. Overall Summary and Judgement of this Impact Assessment?

Outline Assessment (to be inserted in cabinet report)	Cabinet Report Reference:
There is little impact upon the adoption of this policy which is largely formalising current practice.	

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

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

None

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.
N/A

15. Sign Off

Position	Name	Signature	Date
Impact Assessment Lead:	Tony Caine		01/11/2017/
Head of Service:	Nigel Brinn		01/11/2017
Strategic Director:	Paul Griffiths		
Portfolio Holder:	Liam Fitzpatrick		

16. Governance

Decision to be made by	Cabinet	Date approved	
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FORM ENDS

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

9th January 2018

REPORT AUTHOR: County Councillor Rachel Powell
Portfolio Holder for Children's Services

SUBJECT: Powys Safeguarding Children
Quarter 2 Update

REPORT FOR: Information

1. Summary

The purpose of the report is to provide an update in respect of work done in Quarter 2 (2017/18) to safeguard children in Powys itself and as part of the Mid and West Wales Region.

There is one Regional Safeguarding Board for Children (CYSUR) and one for Adults (CWMPAS) with cross-cutting issues managed jointly across both. The Boards now provide a website update for public and professionals (www.cysur.wales).

2. Inspection

Following publication of the CSSIW inspection report in October, Cabinet and the Improvement Board approved a children's services improvement plan. The plan contains considerable detail about actions which will help to ensure that children in Powys are kept safe from abuse or neglect. These include the following.

- An assurance mechanism must be implemented as a priority to ensure compliance with legislation, statutory guidance and protocols regarding Looked After Children and children at risk.
- Performance management and quality assurance arrangements, including scrutiny of service demand and routine auditing of the quality of practice needs to be embedded so that managers at all levels have timely, relevant and accurate performance and quality assurance information.
- At a corporate level the Local Authority must establish systems and structures effectively monitor and evaluate progress within Children's Services and throughout all relevant services.

2.1 Staffing

Staffing arrangements across Powys have now been reviewed. Currently, there are 47 agency workers in place. This has brought greater stability to teams but it is not a sustainable solution in terms of meeting the needs of children and families in the longer term. We continue to experience pressure points in some teams, notably Welshpool and Radnor, where a number of staff have tendered their resignation and there are high levels of absences through illness. There are plans in place to strengthen these teams with additional agency social work staff. Over the past three

months, there has been a concerted effort to improve practice and performance, focusing on making sure that children and families are seen and that assessments are completed in a timely manner.

3. Child Practice Reviews

There have been two new referrals for Child Practice Review over the reporting period. In both cases, the information shared to Cysur embedded within this report.

4. Quality Assurance

A Quality Assurance Framework was agreed in November 2017 and it will be implemented across Childrens Services from December. During Quarter 2, case file audits were undertaken by Skylakes, an independent social work agency. The findings from these audits are disseminated to enable learning and improvement in practice and service delivery.

4.1 Policies & Procedures Sub Group Update

A regional threshold document was launched during National Safeguarding Week in November 2017. This is designed to establish a consistent response to children and families in need across the region and to provide the 'right help at the right time'.

A number of other regional documents are nearing completion, including a protocol for children who are electively home educated, a protocol for parents who have identified mental health problems and a Deprivation of Liberty Safeguards (DoLS) protocol.

5. Trends in Child Protection (CP) registrations

Child Protection Activity

Section 47 Investigations

The table below shows the number of Section 47 Assessments completed by team during the three month period between August and October 2017.

Area Team	August	September	October	Total
Brecon & Ystrad	14	12	20	46
Newtown	13	11	16	40
Radnor	10	16	27	53
Welshpool	6	11	23	40
Skylakes	5	0	1	6
Children with Disabilities	3	1	0	4
Total	51	51	87	189

There were more Section 47 investigations in October, coinciding with publication of the CSSIW report. This is often the case. Perhaps because agencies tend to re-refer cases and seek to classify referrals as child protection matters (rather than Care and Well-being referrals).

Child Protection Initial Conferences

The table below shows the number of child protection initial conferences convened by team area.

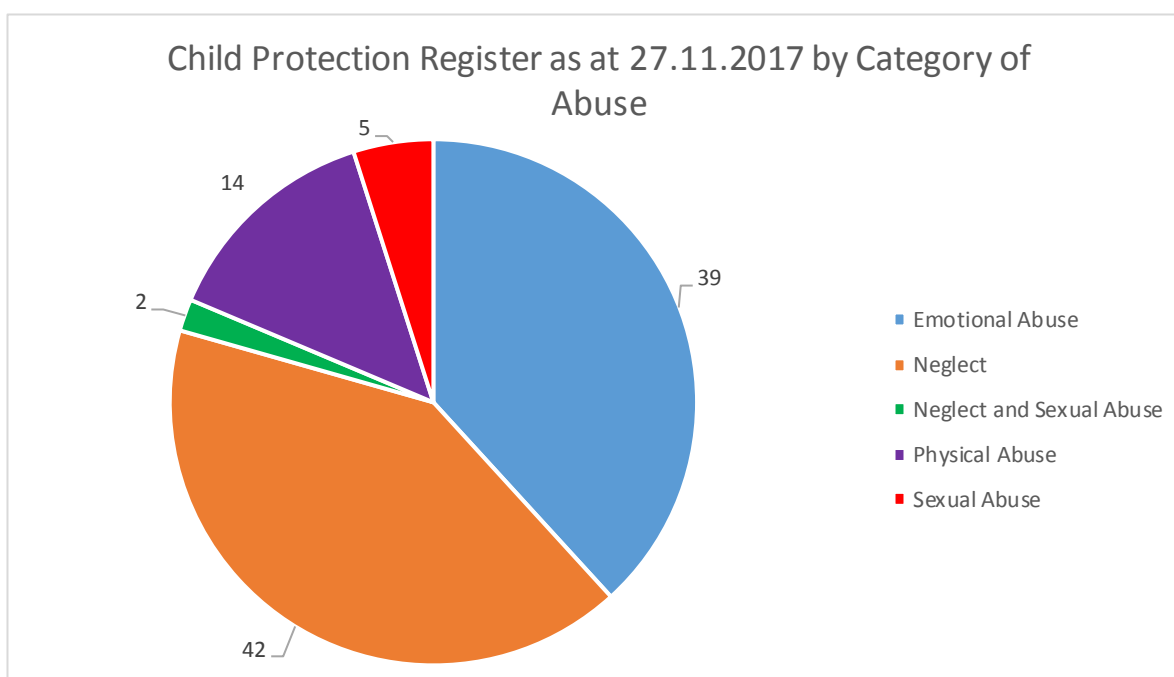
Area Team	August	September	October	Total
Brecon & Ystrad	5	7	0	12
Newtown	3	1	7	11
Radnor	5	0	1	6
Welshpool	1	5	9	15
Total	14	13	17	44

Child Protection Register

As at 27th November 2017, there are 102 children on the register. The table below shows the split by area team. 56% of the registrations are in the South (Radnor and Brecon). The Children with Disabilities team does not have any cases where are currently registered on the Child Protection Register.

Team Area	No. of Children on Register
Brecon & Ystrad	29
Newtown	24
Radnor	28
Welshpool	21
Total	102

The chart below shows registrations by category of abuse. Neglect is the highest category of registration at 41%, closely followed by Emotional Abuse at 38%.



The information below shows the number of children registered and de-registered each month. Over the past six months, there has been a total of 86 registrations and 75 de-registrations. As of the 27th November 2017, an additional 17 children have been registered and 11 children de-registered.

TABLE OF AGE RANGES:

MONTH	0-3	4-7	8-11	12+	Total
JULY	21	13	20	30	84

We do not have statistics about which agency most often makes generic referrals but Dyfed Powys Police are the most frequent referrers in respect of child protection matters.

6. INFORMATION PRESENTED TO CYSUR:

**CYSUR: The Mid & West Wales Safeguarding Children Board
LOG Chairs report to CYSUR Executive Board**



LOG Chair's Report to CYSUR

Local area: Powys County Council

Date: October 9th 2017

1. Analysis of Quarterly Performance data:

➤ *Please summarise areas in which you are performing well. What impact is this having on professional practice and outcomes for children and their families?*

Reporting was not accurate for Q1 because of issues following implementation of WCCIS, which then required narrative and explanation of areas of concern. We have amended our recording and expect improvement during Q2 but this may not be reflected fully until Q3. Currently, the reporting data is limited in respect of safeguarding matters. This is being addressed as a high priority within the improvement plan.

Currently, there is no data being captured in respect of Professional Strategy meetings, MISPER and other data required for CYSUR.

There are currently 196 Looked after Children for Powys County Council and 88 named children on the Powys Child Protection Register. There has been an increase in numbers of Looked after Children within the last quarter due to court proceedings and complex family situations. The number of children on the Powys Child Protection Register has begun to reduce slightly within this quarter from 95 to 88.

Categories of registration

Emotional abuse followed by neglect has continued to be highest category of registration and this has been a consistent trend over the previous three quarters.

This correlates with concerns about Domestic Abuse within the household and the emotional

impact on the child. This is a characteristic of 60% of registrations closely followed by emotional impact on the child of their parent's mental ill health and/or substance misuse, both of which are recorded at 40%.

➤ *Please highlight areas in which data suggests your area is below target or not performing well.*

The aim is to continue to strive to reduce the Looked After Children's population and child protection registrations by offering an Edge of Care resource which will be operational from October 9th 2017. This Edge of Care service will provide Family Group Conferencing, Family Mediation and Intensive work with Families to prevent family breakdown. Action for Children have been commissioned and will lead on this project, supporting and building on existing strengths in Operational Teams.

➤ *Please explain what action you have taken to improve this and the timescale for improvement.*

Powys County Council is committed to improving service provision for children and their families. It has been agreed that a risk assessment model called "Signs of Safety" will be introduced as soon as possible. The improvement plan contains a commitment to begin this process by the end of January 2018, with full implementation during the year.

The Regional Threshold document has been agreed and launched during National Safeguarding week in November 13-17th 2017. This includes working with partner agencies in a multi-agency training event.

A revised Quality Assurance and Performance strategy will be introduced at the end of October 2017.

Skylakes organisation have undertaken themed audits on all children who have become Looked after children in Q2- Q3. The findings from these audits will be disseminated within the service to enable learning and improvements in practice and service delivery. There are Monthly management meetings which have a regular performance and practice section to inform the learning required from these audits, as well as identify professional and governance issues that will aid as a reflective exercise for future practice.

Recording of Parental Factors –: Domestic Violence; Substance Misuse; Mental Health

There has been a significant rise in the identification of DV; MH; Substance Misuse as parental factors recorded at initial conferences. Compared with Q3 15/16 where DV was recorded at 27%, Q2 recorded 60%. Similarly MH Q1 recorded as 17% whilst Q2 recorded 40%. Substance Misuse 13% (Q1 15/16) 40% (Q2 16/17). Figures indicate a steep rise in the recording of DV and SA. On-going awareness raising, training and legislative requirements have led to a more consistent approach to the management of the three main factors impacting on child outcomes.

➤ *Please highlight areas in which data suggests your area is below target or not performing well.*

Professional Strategy Meetings

Total number of Professional Strategy meetings for Q2 ranged from 21 in Brecon /Ystrad to 12 in Newtown. 7 PS's in Q2 were COLA (Child placed in Powys from another Local Authority). The context for the increase is PS's in the North of the county is due to the volume of independent residential homes in this part of the county. Over the latter two quarters of the last four there has

been a significant increase in the numbers of PS's questioning whether a consistent approach to practice across the county for the threshold /criteria to trigger a professional strategy meeting. In Q2 14 Professional Strategy meetings were held in relation to Foster care / Adoptive or Kinship arrangements, this is a rise from a total of 9 in the previous three quarters to 14 in Q2. We plan to investigate what might be creating the increase and what, if any, changes to practice or service delivery is required.

Missing Children and CSE

Currently Powys is unable to consistently report on missing children and children at risk of Child Sexual Exploitation (CSE). This is due to the WCCIS system. Both these matters are discussed elsewhere within the body of this report.

The protocols and processes around CSE within Powys Local Authority are currently being reviewed by the Safeguarding Lead for Childrens services, Safeguarding Lead for Health and Police Lead for CSE.

The following actions have been agreed with timescales:

Review of Terms of Reference for MACSE by end of October 2017.

Referral form to be developed for MACSE by end of October 2017.

Review of the structure and business processes for Practitioners to refer into Mace by end of October 2017.

Audit of all CSE cases held in Operational teams by the end of October 2017.

Review risk assessment processes and recording of information by end of October 2017.

➤ *Please explain what action you have taken to improve this and the timescale for improvement.*

In discussion at our Local Operational Group (LOG) we have agreed improvements in the area of multi-agency working with missing children and those at risk of child sexual exploitation both at a strategic and operational level and we anticipate having more consistent data in Q4 2017/18.

Actions to further develop the data development agenda

Areas for data development and thematic audits for local practice audits;

- Missing children
- Sexual Exploitation Risk Assessment Framework (SERAFs)
- Adverse Childhood Experiences
- Electively Home Educated (EHE) Children
- Ensuring a Safe Workforce
- Trends in CP registrations

2. Summary / Outcome of any local practice audits:

- *Please provide the Board with a summary of any local practice audits you have undertaken, actions you intend to take as a result of this and the timescale for completion.*

A Quality Assurance and Performance strategy has been introduced since last summer within children's services and regular case file audits and themed audits are undertaken and the findings from these audits disseminated within the service to enable learning and improvements in practice and service delivery. Monthly management meetings have a regular performance and reflective practice section to inform the learning required from these audits.

Other than the monthly case file audits across all service areas undertaken there have been themed audits undertaken or are planned for in the forthcoming year on:

- Strategy discussions and meetings
- Emotional health and wellbeing needs and how these are provided for older children in care and care leavers
- Assessments including analysis of information and management of risk
- Contacts and referrals to our Front Door (Powys People Direct – PPD)

A key finding from themed audit on strategy discussions / meetings was the lack of multi-agency involvement. Generally only police and children's social services had been routinely involved in strategy discussions even where a medical may be required. This was raised at the LOG to ensure more robust and effective multi-agency attendance to include health and education services.

Multi-agency themed audits are planned for in Q4 2017/18 in relation to the emotional and health needs of children and young people and how their needs are provided for as well as how risks are appropriately managed through multi-agency care planning. The learning from these audits will be disseminated through the LOG.

3. Child Sexual Exploitation Regional Strategy (CSE):

- *Please highlight to the Board any actions that your area has RAG-Rated as Amber or Red on the action plan.*

ACTIONS

CYSUR currently have a regional pathway to improve services around CSE. There is a scrutiny process around CSE matters which are discussed at MACSE (Multi) agency Child Sexual Exploitation). There will be local plans in place within Powys to work on these matters. CYSUR will then ensure that Powys is undertaking the work that is required as part of the regional plan.

- *Please explain to the board what actions you intend to take to improve your performance and the timescale for this.*

Actions are as outlined in sections above – all actions should be completed by end March 2018.

4. Child Practice Review Regional Action Plan:

- *Please highlight to the Board any actions that your area has RAG-Rated as Amber or Red on the action plan.*

- a. **CYSUR 3/2015 (Powys MAPF)** – PLOG and CYSUR Child Practice Review sub group have agreed an action plan which is to enable multi-agency learning, and where appropriate consideration for regional learning will be addressed through the sub group. LOG will monitor the implementation and progress of the action plan and also report to the sub group progress. (Child A was a Powys young person who died in April 2015)

- a. One case has been agreed to be put forward to the regional board for a decision around a Child Practice Review. This was agreed in a LOG meeting in September 2017.

5. Outcome of any CSSIW Inspection Reports:

- *Please report on any CSSIW Inspections that have been undertaken. Outline the outcome of any safeguarding themes and actions that have been advised as a result of this.*

The CSSIW Inspection report for Powys County Council is due for release on October 17th 2017. Following the release of this report the safeguarding themes and actions will be documented within a service improvement plan. This information will be made available to Cysur on release of the Inspection report.

6. Other relevant issues:

- *Please highlight any other issues discussed at your LOG that you would like to bring to the Board's attention.*

Following the release of the Inspection Report regarding Powys County Council, the themes and issues will be discussed at LOG in November 2017.

7. Any specific information requests by the Chair in relation to this Board:

- *Please provide an update of progress in relation to the interface with the Adult's LOG in your area and progress in terms of timings and locations of meetings and the development of your local cross over 'all age agenda'.*

- *Please provide details for your planned local audits for Q3 October to December 2017 and reported to the Exec Board in January 2018. Please include:*
 - Audit theme
 - Brief Terms of Reference
 - Sample size
 - Identified outcome

A Quality Assurance Framework will be introduced, agreed and be operational between October and December 2017. This QA framework will highlight and target Operational Teams to ensure that all Care and Wellbeing Assessments are completed within 10 and 42 days. It will also provide an audit theme of quality of analysis within assessments as well as identified outcomes for children and families. It is expected that up to 40 assessments will be audited.

The themed audit will be around CSE over Q3.

The theme will look at the quality of risk assessments, cases proceeding to strategy discussion and Seraf meeting and how this is monitored and scrutinised within the MACE process. The sample size will be 20 cases.

7. Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV)

Improvement Plan for VAWDASV

Introduction.

The Violence Against Women, Domestic Abuse and Sexual Violence Act (Wales) 2015 (VAWDASV) places legal duties on the Council and other relevant agencies (such as the Health Board and Fire Service) to take action to reduce the acceptability of all forms of gender-related violence and to improve services for victims and survivors.

These issues affect many of the services and departments of the Council and the obligations under the Act are corporate in nature. The Commissioning Manager for VAWDASV, located in the CYPP, seeks to co-ordinate the Council's response to the Act.

Under the provisions of the Act there are a number of statutory deadlines with which the Council and other relevant authorities have to comply. Monitoring of compliance is undertaken by the VAWDASV team in the Welsh Government.

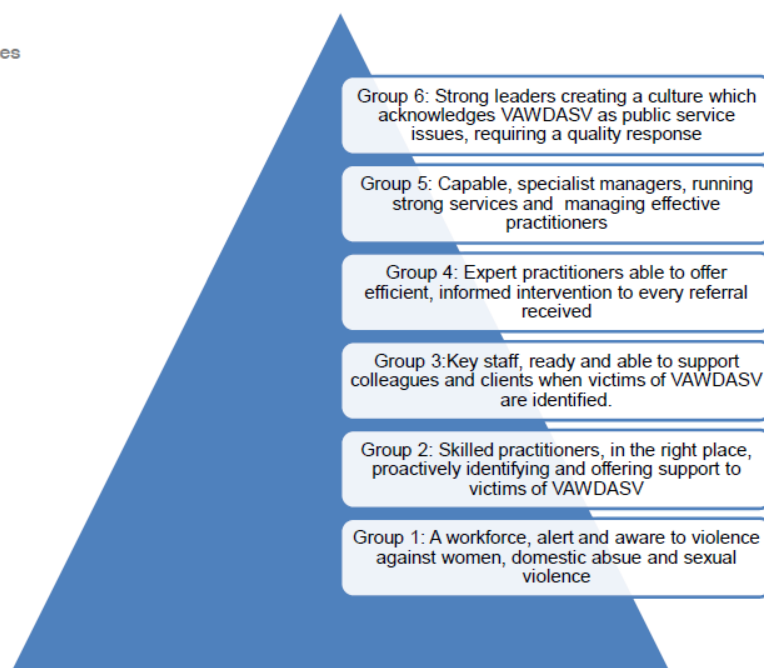
Regional arrangements

VAWDASV requires new strategic regional partnership arrangements to ensure co-operation and liaison between the statutory and voluntary agencies involved in providing services. In Powys and the West Wales regions, these structures have been aligned with existing safeguarding arrangements to maximise efficiency. The VAWDASV strategic board for Mid and West Wales has started to prepare a Local VAWDASV strategy which requires Cabinet approval by April 2018.

Training

A key requirement of the VAWDASV Act is a very major investment in training within relevant authorities. The statutory guidance identified six levels of training required with all staff employed by the Council coming within at least one and potentially several of these groups. For each group, specified training is required and, in some cases, there is an associated timetable for compliance.

Outcomes



25

Under the statutory guidance the Council is required to ensure that there is proper governance. The requirements and our current performance are identified below:

Requirement	Status
Identify the CX or another Director who will be specifically responsible for the NTF	Phil Evans has been designated as the Lead Director
Ensure the NTF is included within the Terms of Reference of a relevant strategic board or group who will monitor activity and progress.	The NTF has been incorporated into the remit of the Corporate Management Team.
Although not a legal requirement it is good practice to have a champion for VAWDASV issues in the Cabinet.	It is proposed that two Cabinet members jointly share the lead for VAWDASV.

National Training Framework Group 1

Group 1 contains all Council employees including part-time staff and staff in schools. It does not automatically apply to agency staff and contracted staff who are not employees of the Council, although we have decided to extend this requirement to staff employed to provide a care service under a contract with the Council in line with a recommendation from a Domestic Homicide Review held in Powys.

The Council's performance against the statutory requirements is detailed below:

Requirement	Date by which it had been completed	Status
That all new starters receive this training	October 2016	This will be addressed when a new corporate induction process is implemented.
50% of staff trained	April 2017	Powys did not reach this target.
100% of staff trained	April 2018	Because of the number of staff involved (over 6,000) it is unlikely that Powys will achieve this target, but we aim to reach 100% compliance by the end of 2018. We have gone above and beyond our obligations under the Act by requiring certain contractors to train their staff to group 1.

Many of the Council's employees have IT access and so can complete this training by e-learning. For others, a presentation has been prepared which can be delivered along with a workbook for employees to complete.

Key actions needed to achieve compliance:

Action	Who	When
To initiate action to ensure that those employees who have IT access undertake this training.	All Directors	By Dec 2017
To organise staff who do not have IT access into groups, secure suitable venues and contact the CM for VAWDASV who will provide the required training.	All Directors	April 2018
To add Group 1 VAWDASV training to the list of mandatory training for Council members in accordance with the National Training Framework.	Democratic Services	Nov 2017

National Training Framework Groups 2 and 3

Group 2 are professionals such as Social Workers and Teachers who work is impacted on and complicated by VAWDASV issues. The Council has assessed that there are 867 employees falling within Group 2 and who will need "Ask and Act" training.

Group 3 are the VAWDASV champions who, amongst other duties will be responsible for the provision of the accredited training to Group 2 staff. We have assessed there are 86 employees falling into this category in Powys.

The training for Group 2 staff will not be available until March 2018. It is intended that it is delivered on a regional basis. Before March 2018 the Council is required to undertake the following actions:

- Consider the establishment of an "Ask and Act" steering group.
- Develop an "Ask and Act" workplace policy.
- Develop an "Ask and Act" Referral Protocol or care pathway
- Appoint an "Ask and Act" "lead" to co-ordinate and support the work
- Identify who will be in Group 3 (Ask and Act champions) so they can be the first to be trained in Ask and Act (in accordance with the work plan submitted to the WG in April)
- Plan for the regional rollout and coordination of "Ask and Act" training

National Training Framework Group 6

Group 6 comprises the Senior Management Team and Cabinet. Delivery will be taken forward in two work streams: a Strategic Engagement Plan and the Strengthening Leadership Series.

Requirement	Status
Design a programme for the Cabinet and Corporate Management team to complete the VAWDASV elements of the Strengthening Leadership series	Not yet undertaken

Services to Victims and Survivors

Powys Council in consultation with the Health Board has re-commissioned Calan DVS and MFCC to provide services to victims and survivors using money from the Supporting People Programme. These new contracts come into force on the 1st October 2017.

Independent Domestic Violence Advocates (IDVAs)

IDVAs are currently provided by Hafan Cmryu, funded by the police and Powys Council. Last year the Council, through the CYPP provided £40,000 in grant aid to this service. As a result of the loss of Home Office funding this year, there is only £13,000 available, leaving a short-fall of £27,000. A commitment was given by the previous Head of Children Service to continue to fund this service for 2017/18, however to do so requires the Council to find £27,000 in additional funding, which has not yet been identified.

As from March 2018, the IDVA service is being jointly commissioned (with the Police) on a regional basis across Mid and West Wales. It will be funded from the regional VAWDASV grant.

Public Awareness raising

The Commissioning Manager for VAWDASV co-ordinated activities on behalf of the Council and its partners on White Ribbon Day in 2016 and 2017. The Chairman of the Council opened the event and the Cabinet Members for Children services and Highways spoke. It is hoped that more members will be able to attend his event in the future.

Whole Schools Approach

Under VAWDASV guidance, schools are encouraged to consider VAWDASV not just as a curriculum issue but in the management and leadership of their school. In Powys

the Spectrum project (funded by the Welsh Government) is available to schools and meets the requirements of the guidance. However, not all schools have chosen to adopt this approach and some have only adopted parts of the programme. A comprehensive approach to meeting the requirements is required.

Governance

The Welsh Government has published guidance on multi-agency arrangements at strategic, operational and practitioner levels. In partnership with the police, a report has been presented to the PLOG proposing that an operational partnership and a multi-agency forum co-ordinates our response to domestic abuse. This is currently under consideration.

A task and finish group of Council officers has been meeting to consider the organisational issue involved in the roll-out of Group 1 training for VAWDASV. However in view of the significant additional work needed to comply with the legal obligations, it is considered that the governance of the National Training Framework in Powys Council be placed on a more senior basis and chaired by the appointed designated member of the Corporate Management team.

Funding

The work on VAWDASV is funded from the following sources:

Provision	From	Application
£80,000 pa	Welsh Government VAWDASV funding	For the salary of the Commissioning Manager, contribution to the region and to the IDVA service and for printing booklets and promotional materials
£400,000pa	Supporting People	Contract with providers for support services to victims and survivors
£30,000pa	Powys Council – Children Services	Contribution to the above contract

Apart from the £30,000 from Children Services, no core funding from Powys Council is provided for VAWDASV, although domestic abuse has been identified as the single greatest parental factor in children being entered onto the Child Protection register. The regional VAWDASV board has resolved that Local Authorities should consider making a contribution to VAWDASV from their core budgets in 2018/19. If the VAWDASV grant from the Welsh Government is managed by the region and not apportioned to individual local authorities there will be a funding gap in the provision for the post of the Commissioning Manager for VAWDASV which has been funded from that grant.

8. Welsh Government Update

Members will wish to be aware that Ministerial responsibility for UASC/refugee children has now passed to Huw Irranca-Davies AM as Minister for Children and Social Care and (at Cabinet level) to Julie James AM as Leader of the House and Chief Whip who has Equalities as part of her portfolio.

The Enabling People Division within the Social Services and Integration Directorate has

worked closely with the WSMP and WLGA to arrange the transfer of four children from France to Wales under the Dubs Amendment (s67 of the Immigration Act 2016).

Safeguarding

Cross Departmental Welsh Government Safeguarding Group: The Group has general oversight of the Welsh Government's policy on safeguarding for children and adults and its relations with partner agencies. The Group's remit includes the provision of: advice and guidance from the perspective of the area they represent; a forum to share policy developments and learning on safeguarding; liaison with external agencies as relevant and developing a shared response to issues that arise and have cross-government relevance. The Safeguarding Policy Team from the Health and Social Services Directorate provides the secretariat to the Group. The Group meets on a quarterly basis but can call meetings or liaise virtually at other times to respond to safeguarding matters that arise with cross departmental links. The Group includes representatives from all parts of the Welsh Government with an interest in the work of the Group. Agreement has been reached to include Refugee and Asylum Seekers as a standing agenda item.

National Protection Procedures: Cardiff and the Vale Safeguarding Board have been commissioned to review the existing All Wales Child Protection Procedures and adult procedures on behalf of ADSS Cymru. Welsh Government has provided funding to enable this work. There are a number of additional protocols which have been issued under the All Wales Child Protection Procedures.

This includes Safeguarding-and-Promoting-the-Welfare-of-Unaccompanied-Asylum-Seeking-Children-and-Young-People-All-Wales-Practice-Guidance. The Wales Strategic Migration Partnership led the work to produce this protocol which was issued in 2011 and work to update it will be led by the WSMP and undertaken in 2018. The work to update it will include a review of the recently published *Care of unaccompanied migrant children and child victims of modern slavery - Statutory guidance for local authorities* linked in section 1 above. The revised and newly titled *Care of unaccompanied migrant children and child victims of modern slavery - Statutory guidance for local authorities*

<https://www.gov.uk/government/publications/care-of-unaccompanied-and-trafficked-children>

PREVENT training

Recent tragic events have highlighted the importance of safeguarding people, including young people and children, who may be vulnerable to radicalisation. The PREVENT programme includes awareness training which is intended to provide help to identify those vulnerable to radicalisation and importantly, where to access support where there are concerns. Protecting children from the risk of radicalisation should be seen as part of wider safeguarding and is similar in nature to protecting children from other harms. Under the Counter Terrorism Act 2015, there is a 'PREVENT duty' on specified authorities but currently, the PREVENT Duty does not extend to foster carers – however, organisations providing fostering services may be subject to 'the duty'.

Following the Parsons Green attack, questions were raised about PREVENT awareness raising for foster carers and the Minister has requested, as part of the safeguarding vulnerable people (including children) agenda, to know the extent to which social workers, social care staff and foster carers (local authority and independent), have received PREVENT awareness training.

So, although the PREVENT duty does not extend to foster carers, your views are being sought to establish:

- if you have already received PREVENT awareness training; and
- whether you believe there would be merit in rolling out PREVENT awareness training to social care staff and foster carers that work with UASC and refugee children.

Please reply to

Sarah.Austin@gov.wales

9. Child Practice/Adult Practice Review Protocol

The Regional Board has commissioned support to write and develop a regional protocol to compliment the new CPR guidance to ensure consistency of approach.

10. Regional Quality Assurance Reporting

The Mid & West Wales Safeguarding Children (CYSUR) and Safeguarding Adults' (CWMPAS) Annual Plans for 2017-18 are available on their website (www.cysur.wales).

11. Options Considered / Available

11.1 Not applicable.

12. Preferred Choice and Reasons

12.1 Not applicable.

13. Impact Assessment

13.1 Is an impact assessment required? Yes/No

13.2 If yes is it attached? Yes/No

14. Corporate Improvement Plan

14.1 Safeguarding is everybody's business and links to objectives within the Corporate Improvement plan.

15. Local Member(s)

15.1 Not applicable.

16. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes/No

If so please provide their comments:-

The Powys Local Safeguarding Group engages with frontline staff/services through its child protection fora. Both the PLOG and PLOGA have active training programmes co-ordinated by the local authority and attended by staff from all agencies. The Safeguarding team give advice and information to managers and staff working with children and adults' at risk from all sectors.

17. Communications

Have Communications seen a copy of this report? Yes

Have they made a comment? Communications have no comments but will help publicise aspects of the report.

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

18.1 Legal - The recommendation can be supported from a legal point of view

18.2 **Finance** - The Finance Business Partner notes the content of the report. Some funding issues have been identified within the report re Independent Domestic Advocates (IDVAs) and there is uncertainty how these and VAWDASV more generally are being funded from April 2018, particularly around regional working and funding distribution. This potential financial pressure is not currently identified within the budget plan so will be kept under review as more information becomes available.

18.3 Corporate Property (if appropriate)

18.4 **HR** - Any implications that may affect staff will be dealt with appropriately in line with Powys County Council's Management of Change policy.

18.5 ICT (if appropriate)

18.6 **Business Support** - Business Support staff continue to provide safeguarding support to Safeguarding and Operational Officers. Support tasks and activities have been reviewed and safeguarding support requirements confirmed.

19. Scrutiny

Has this report been scrutinised? Yes / No?

Children's Scrutiny Group will be meeting on 14th December and will be focussing on Safeguarding matters at this session.

20. Statutory Officers

20.1 The Head of Financial Services (Acting S151 Officer) notes the comments from the Finance Business Partner and the need to better understand the funding arrangement of VAWDASV from April 2018, the impact of this will have to be considered as part of the budget proposal.

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

21. 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:
That Cabinet accepts the safeguarding update in line with its safeguarding responsibilities.	Safeguarding is everyone's business and this report provides assurance to Cabinet of work that is underway both locally and regionally on important safeguarding matters.

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

Relevant Local Member(s):	All
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Person(s) To Implement Decision:	Agency representatives
Date By When Decision To Be Implemented:	N/A

Contact Officer:	Sharon Powell - Interim Safeguarding Lead for Children
Tel:	07899060482
Email:	sharon.powell@powys.gov.uk
Contact Officer:	David Johnston - Interim Head of Childrens services
Email:	david.johnston@powys.gov.uk

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CYNGOR SIR POWYS COUNTY COUNCIL

CABINET EXECUTIVE

9th January 2017

REPORT AUTHOR: County Councillor Aled Davies

Portfolio Holder for Finance

SUBJECT: Financial Overview and Forecast as at 30th November 2017

REPORT FOR: Decision / Discussion / Information

1. **Summary**

- 1.1 This report provides an update on the Revenue spend against Budget for the year to date, as at 30th November 2017, and provides an early indication of the 2017/18 end of year financial forecast.
- 1.2 The report has been prepared on an exceptions basis, using actual variance against budget to define the RAG (Red, Amber, Green and Blue) status of the services' financial position. This method assists in highlighting those service areas with significant pressures which carry the most financial risk to the Authority and where corrective action must be taken to ensure a balanced year end budget, and mitigate any risk for future years.

2. **Revenue**

- 2.1 The projected revenue forecast, is shown in the table below, with a projected overspend of £4.469m (October £4.260m), excluding Housing Revenue Account (HRA) and Delegated Schools. This is largely the result of non-delivery of savings targets. There has been limited improvement in recent months and it is of concern that savings delivery is becoming increasingly difficult. This raises concerns about the anticipated year end position. Sensitivity analysis, shown in 3.3 below, demonstrates the impact of the future delivery of savings on the outturn position.

Summary Forecast by Directorate	Total Working Budget	Approved Use To / (From) Reserves	Forecast Spend	Variance (Over) / Under Spend	
	£'000	£'000	£'000	£'000	%
People	71,025	2	77,417	(6,392)	(9)
Place	38,494	(8,153)	37,754	740	2
Schools	24,459	(1,158)	24,983	(524)	(2)
Resources	18,261	(554)	18,068	193	1
Central Activities	12,299	(456)	10,785	1,514	12
Total	164,538	(10,319)	169,007	(4,469)	(3)
Housing Revenue Account	0	(53)	(108)	108	
Schools Delegated	75,442	(2,027)	75,578	(136)	(0)
Total including HRA and Delegated Schools	239,980	(12,399)	244,477	(4,497)	(2)

- 2.2 The table contained in Appendix A provides a forecast spend by service, against approved working budget, which includes budgeted transfers to / from reserves. It

shows the projected position on both savings delivery and service performance. Services are collectively forecasting an underspend of £245k a reduction of £593k on the £838k underspend projected at the end of October.

- 2.3 The deficit recovery plan has identified £2m of proposals that have been factored in to reduce the deficit. The delivery of a further £4.6m is explained in section 13.

3. **Efficiency savings**

- 3.1 The efficiency saving target of £11.78m includes both in year and undelivered previous year targets. For prudence the forecast includes savings that have been achieved or have progressed to a point where there is confidence in final delivery taking place.

- 3.2 An additional £384k of savings has been achieved during the month, within Adult Social care, all other Service's unachieved savings remain the same. To date, £7.066m has been achieved (60% of the total), leaving £4.714m yet to be attained.

Financial Year	Target £'000	Delivered £'000	Variance £'000
2015/16	1,323	44	1,279
2016/17	841	476	365
2017/18	9,616	6,546	3,071
Total	11,780	7,066	4,714

- 3.3 The table contained in Appendix B provides a service breakdown on the delivery of savings required within the budget.

- 3.4 A sensitivity analysis has been introduced for delivery of savings and the potential impact on the outturn position. The table below shows a range of forecasts, based on the level of confidence in the delivery of the remaining targets. The analysis uses a rating of High, Medium or Low; High being the current forecast position and includes savings already delivered; Medium based on savings with RAG status Amber; and Low, the position if all savings are delivered.

Forecasted sensitivity analysis of savings delivery			
	BASE	POTENTIAL	BEST CASE
Directorate	Current forecast - includes savings already delivered	Forecast if savings with RAG status Amber are delivered	Forecast if all savings are delivered
	£'000	£'000	£'000
People	-6,392	-6,096	-4,756
Place	740	1,008	1,768
Schools	-524	-524	-317
Resources	193	317	317
Central Activities	1,514	1,514	3,234
Total	-4,469	-3,781	245

- 3.7 To achieve an improved outturn position of £3.781m overspend, (medium confidence in savings delivery) an additional £688k of savings, will need to be delivered.

3.6 All services must aim to deliver their targets in order to achieve a balanced budget by year end. If all the savings were delivered, based on the current service projections an overall budget outturn of £245k would be achieved. A number of savings continue to be reported as RED and as the year progresses there is an increased risk that these will fail to be delivered. The risk within Children's services is of particular concern and in addition to the non-delivery of savings, the overspend in this service continues to rise and is the main contributor to the overall deficit position.

4 Reserves

4.1 The total revenue reserves held at 1 April 2017, together with the forecast addition/ (use) of reserves during the year and the projected year end balances as at 30th November, are set out in the table in Appendix C.

4.2 The revenue reserves held at the beginning of the year totalled £38.8m, with £8.6m held in the General Reserve and Specific and Ring fenced reserves of £28.4m. The forecast use of reserves to support the revenue budget during the year, (excluding Schools and HRA) is £10.3m.

4.3 Delivery of the agreed efficiency savings will reduce the draw on the general reserve, which is currently forecast at £5.2m, bringing the projected year-end balance to £3.3m. The revised forecast level of General Fund reserve as at 30th November 2017 is 2% of total net revenue budget (excluding Schools and HRA). This increases to 4.2% if the budget management reserve is included, and meets the 3% agreed strategy.

4.4 The Capital Financing Requirements allows for £1m of additional spending within capital, we have assumed this in our forecast to bridge the funding gap, by transferring monies from reserves set aside for capital to fund revenue instead.

5 Revenue Forecast

5.1 Appendix A confirms that the overspend of £4.469m relates to undelivered efficiency savings of £4.7m offset in part by net over/underspends currently projected on service budgets. RAG status has been applied to service variance based on the categories below, and those with a variance calculated at "red" have been explained in more detail.

- **Blue** Underspend above 1%
- **Green** +/- 1% (or £0.05m if budget less than £5m)
- **Amber** Overspend of 1-2% (£0.05m - £0.1m if budget less than £5m)
- **Red** Variance above 2% (£0.1m if budget less than £5m)

6. <u>People Directorate</u>	Net Working Budget:	£ 71,025k
	Net Forecast Expenditure:	£ 77,417k
	Variance (Over)/Under Spend:	£ (6,392)k
	October Forecast (Over)/Under Spend:	£ (6,125)k
	Change in Forecast	£ (267)k

6.1 Adult Social Care (ASC) - Net Budget £57,077k, Forecast Overspend £(1,908)k

6.1.1 The forecast position has improved by £194k from October. The key changes in month are:

- Further efficiencies of £383k have been delivered, mainly through identification of the how Reablement service has reduced home care packages after the intensive support intervention. The analysis of business intelligence data shows a real reduction in care hours across client packages after Reablement as well as cost avoidance of £88k associated with new clients accessing Reablement and remaining independent after the intervention rather than entering the care system.
- Increase in support of existing Learning Disability clients and an additional 3 mental health clients resulting in £75k and £137k part year cost respectively.

6.1.2 The service are preparing a report to demonstrate the need to draw down £500k from the ASC reserve to cover winter pressures and inspection readiness costs that are likely to be incurred in the last quarter of the financial year.

6.2 Children's – Net Budget £13,150k, Forecast Overspend £ (4,499)k

6.2.1 The forecast overspend for Childrens Services has increased by £458k to that reported at the end of October, mainly due to the following:-

- Additional looked after child placement and changes to the service provision of the existing client base, resulting in further costs of £279k in year.
- Increase in capacity to deliver the Childrens Improvement Plan resulting in additional costs to date of £101k. Finance are working with the service to finalise the total in year cost which is expected to be in the region of £900k.
- Legal costs of £78k

7. <u>Place Directorate</u>	Net Working Budget:	£ 38,494k
	Net Forecast Expenditure:	£ 37,754k
	Variance (Over)/Under Spend:	£ 740k
	October Forecast (Over)/Under Spend:	£ 201k
	Change in Forecast	£ 539k

7.1 The Service areas within this directorate remain in a forecast underspend position and there has been a significant increase in underspend of £539k projected at the end of November.

7.2 As a result of the request to capitalise revenue expenditure, as set out in October's Cabinet Finance report, a total of £564k of revenue expenditure has been capitalised; £466k in relation to structural maintenance schemes and £98k on waste and recycling bins and caddies.

8 <u>Schools Service</u> (non delegated)	Net Working Budget	£24,459k
	Net Forecast Expenditure	£24,983k
	Variance (Over)/Under Spend:	£ (524)k
	October Forecast (Over)/Under Spend:	£ (571)k
	Change in Forecast	£ 47k

8.1 Overall there has been very little change in the outturn forecast for Schools Service, the main change with the Home to School/College Transport forecast overspend

reducing by £39k to £527k. The review of all routes by the transport department and finance has now been completed, resulting in a slight reduction to that previously forecast.

- 8.2 A virement request is made to transfer £140k from Cleaning Services to Non Delegated Schools to cover the cleaning staff costs in schools that arose from job evaluation. Cleaning were fully funded for these pressures when all cleaning staff were under their control. Since cleaning staff are now in school control this budget needs to be transferred. In year this funding supports the Home to School Transport deficit. In 2018/19 it will be included within delegated schools budgets.

9	<u>Resources Directorate</u>	Net Working Budget:	£	18,261k
		Net Forecast Expenditure:	£	18,068k
		Variance (Over)/Under Spend:	£	193k
		October Forecast (Over)/Under Spend	£	205k
		Change in Forecast	£	(12)k

10	<u>Central Activities</u>	Net Working Budget:	£	12,299k
		Net Forecast Expenditure:	£	10,785k
		Variance (Over)/Under Spend:	£	1,514k
		October Forecast (Over)/Under Spend	£	2,030k
		Change in Forecast	£	(516)k

- 10.1 The reason for the change in forecast, is due to the capitalisation of revenue costs of £539k which have now been actioned and accounted for within the Place directorate forecast, whilst last month we accounted for it centrally.

- 10.2 The £500k relating to transformation capitalisations and the £1m relating to the reserve monies set aside for capital, which can now be utilised to fund revenue have been accounted for in the figures above.

- 10.3 There has been no further decrease due to discounts and exemptions granted in respect of Council Tax; the surplus remains at £500k.

11	<u>Schools Delegated</u>	Net Working Budget:	£	75,442k
		Net Forecast Expenditure:	£	75,578k
		Variance (Over)/Under Spend:	£	136k
		October Forecast (Over)/Under Spend	£	133k
		Change in Forecast	£	(3)k

- 11.1 The individual Schools Delegated budgets are forecasting a deficit reserves balance at the 31st March 2018 of £2.1m. The figures, where available, incorporates figures provided from the High Schools and the All Through School in accordance with the Scheme for Financing Schools of any update to their previous available forecast year end position.

- 11.2 The budgeted and forecast use of Schools Reserves is shown in the table below. The current information projects a £2.027m use of reserves.

	Opening Balance	Original Budgeted Contribution/ (Use)	Revised Budgeted Contribution/ (Use)	Forecast Underspend/ (Overspend)	Forecast Closing Balance
School Sector	£'000	£'000	£'000	£'000	£'000
Primary	1,608	(503)	(360)	1	1,249
Special	(259)	42	23	(30)	(266)
Secondary	(864)	(1,522)	(1,741)	(103)	(2,708)
Total	485	(1,983)	(2,078)	(132)	(1,725)
School Loans/Other	(493)	55	51	0	(442)
Total Balance	(8)	(1,928)	(2,027)	(132)	(2,167)

12 Housing Revenue Account

- 12.1 The Housing Revenue Account (HRA) is forecasting an underspend of £108k, but it is important to note the following:-
- 12.2. As previously reported voids are impacting on underachieved income of £137k along with an overspend of £147k in respect of repairs and maintenance to void properties. The service has reviewed its planned repairs and maintenance to mitigate the overspend.
- 12.3 Grounds Maintenance is currently showing an underspend, but this is due to there being issues with the maps that were used when drawing up the external contract. This has resulted in an increase in the contract for 2018/19 by £153k.

13 Deficit Recovery Plan

- 13.1 The October cabinet report set out £2m of actions to be pursued to mitigate and reduce the level of projected overspend, thus far Place have transferred capital costs currently funded from revenue totalling £564k. The current forecast also allows for a capitalisation direction of £500k for revenue transformation costs and £1m of additional spending within capital and we will utilise this to bridge the gap transferring monies from reserves set aside for capital to fund revenue instead.
- 13.2 Cabinet agreed that budget managers should look to minimise spend where possible, and refrain from all spend unless essential, this includes delaying recruitment where appropriate.
- 13.3 Management of Change and Contingency budgets are frozen and held for additional Children Improvement Plan costs likely to be incurred in the new year, not currently included in the overall forecast.
- 13.4 ASC are preparing a report to request the draw down of £500k from the ASC reserve to cover winter pressures and inspection preparatory work occurring in the new year. This report will need approval before funds are released.
- 13.5 Technical experts have set out the implications of changing the Minimum Revenue Provision (MRP) policy in order to provide a more prudent approach whilst generating annual revenue savings. MRP is the annual revenue charge that local authorities are required to make for the repayment of their debt liability in respect of capital

expenditure funded by borrowing. In Wales this provision is applicable to both General Fund (GF) and Housing (HRA) debt and an MRP allowance for supported borrowing is provided within the Revenue Support Grant (RSG) awarded to the Authority by the Welsh Government.

13.6 An explanation of the proposed MRP changes will be presented in a report to Cabinet and Council for approval in January as part of the annual MRP Statement. The financial implications are summarised below and allow for up to £4,624k to be used in this year to offset the deficit.

- The Adjustment A calculation represents an annual reduction to the debt liability that would otherwise arise when using the Capital Financing Requirement (CFR) as an ongoing capital debt liability assessment factor. A calculation of the CFR as at 31 March 2004, based upon the Prudential Code principles which could result in a permanent annual reduction in MRP for supported borrowing of £48k per annum. A one off benefit can be taken by the council in 2017/18 of £624k which equates to the annual reduction of £48k backdated over 13 years.
- Calculation have been completed to confirm the savings that could be made if adjustments to the current years calculations to apply the straight-line policy of 2% retrospectively. The impact of applying the retrospective application of 2% would repay the 2007/08 liability a full 8 years earlier and effectively move the start of the 50 years back to 2007/08. This means that the liability will be reduced to nil in 2057 years rather than in 2065. Over the years 2007/08 to 2016/17, the Authority would have charged a total of £17.584m less MRP on the General Fund CFR balance as at 2007/08 if it had adopted the 2% straight line method on its historic/supported debt in 2007/08. The benefit of this approach is to release an annual amount into revenue, suggested at £4m in 2017/18, £5m in 2018/19 and 2019/20 and the balance in 2020/21.

14 **Options Considered/Available**

No alternative options are considered appropriate as a result of this report.

15 **Preferred Choice and Reasons**

None to consider.

16 **Impact Assessment**

Is an impact assessment required? Yes/No

17 **Corporate Improvement Plan**

To achieve the Corporate Improvement Plan (CIP) objectives the Council undertakes forward planning with its medium term financial strategy (MTFS) - this sets out the financial requirements to deliver the short and longer term council vision. These capital and revenue monitoring reports are used to ensure the funding identified to deliver the council priorities is spent appropriately and remains within a cash limited budget.

18 **Local Member(s)**

This report relates to all service areas across the whole County.

19 **Other Front Line Services**

This report relates to all service areas across the whole County.

20 **Communications**

This report has no specific communication considerations. Detailed finance reports are presented to Heads of Service, Cabinet and the Audit Committee. These reports are public and are part of a range of statutory and non-statutory financial information documents including the Statement of Accounts.

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

This report has no specific impact on support services other than reporting on those service areas financial outturns. Financial Services work closely with all service areas in monitoring financial performance against budgets.

22 **Scrutiny**

Has this report been scrutinised? Yes / No

23 **Statutory Officers**

The Head of Financial Services (Acting Section 151 Officer) has provided the following comment:

As with previous reports to Cabinet the position is a prudent reflection of the projected 2017/18 revenue budget outturn. The projections will only be adjusted when there is confidence and evidence that savings have been delivered.

The actions identified within the Deficit Recovery Plan must now be implemented to reduce the level of projected deficit currently being forecast and to bring the budget back to as near a balanced position as possible. This is essential to limit the impact on the General Fund reserve and to safeguard the council's financial position.

The increasing demand within Children Services and the implementation of the improvement plan continues to be the main financial challenge for the Authority. It is essential that the costings developed to support the plan are robust in order to provide the appropriate level of financial resource and governance.

The overall schools' balance position remains a risk that needs to be addressed and will require concerted effort to ensure it is managed effectively.

The Monitoring Officer has no specific concerns with this report.

24 **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:
<p>a. The contents of this report are noted by Cabinet; and</p> <p>b. Cabinet supports appropriate action by services to curtail or reduce the reported forecasted service deficits.</p> <p>c. Revenue virement as set out in paragraph 8.2 is approved</p>	To monitor the council's financial performance and ensure that spending remains within approved limits and that the 3% minimum general fund reserve is maintained.

Relevant Policy (ies):		Financial Regulations	
Within policy:	Yes	Within Budget:	n/a
Relevant Local Member(s):			
Person(s) To Implement Decision:		Jane Thomas	
Date By When Decision To Be Implemented:		ongoing	
Contact Officer	Tel	Fax	E mail
Jane Thomas	01597 826341	01597 826290	jane.thomas@powys.gov.uk

Forecast Outturn and Undelivered Savings as at 30th November 2017

Service Area	Net Budget	Forecast Spend	Variance (Over) / Under spend	Total Unachieved Savings as at 30th November 2017	Service Under/(Over) spend excl. unachieved savings	Variance (Over) / Under spend as a % of Net Budget	Variance BRAG status
		£'000	£'000	£'000	£'000	%	
People							
Adult & Commissioning	57,077	58,985	(1,908)	(534)	(1,374)	(3.3)	R
Children Services	13,150	17,649	(4,499)	(1,101)	(3,398)	(34.2)	R
Housing General Fund	798	783	15	0	15	1.9	B
Place							
Leisure & Recreation	9,207	9,087	120	0	120	1.3	B
Regeneration, Property & Commissioning	8,906	8,816	90	(84)	174	1.0	B
Highways, Transport & Recycling	20,381	19,851	530	(944)	1,474	2.6	B
Schools							
Schools Service	24,459	24,983	(524)	(207)	(317)	(2.1)	R
Resources							
Business Services	6278	6,303	(25)	(92)	67	(0.4)	G
Information Services	4,588	4,587	1	(32)	33	0.0	G
Legal Services	3,030	2,955	75	0	75	2.5	B
Financial Services	1,877	1,771	106	0	106	5.6	B
Workforce, OD & Comms	2,488	2,452	36	0	36	1.4	B
Service Area Totals	152,239	158,222	(5,983)	(2,994)	(2,989)	(3.9)	
Central Activities	12,299	10,785	1,514	(1,720)	3,234	12.3	B
Total	164,538	169,007	(4,469)	(4,714)	245	(2.7)	
Housing Revenue Account (HRA)	0	(108)	108	0	108		G
Schools Delegated	75,442	75,578	(136)	0	(136)	(0.2)	G
Total including HRA	239,980	244,477	(4,497)	(4,714)	217		

EFFICIENCY TRACKER AS AT 30th November 2017

APPENDIX B

Efficiency / Saving	2015/16	2016/17	2017/18	Total to be Achieved 17/18	Total Achieved to Date	Remainder to find	Achieved
	£000's	£000's	£000's	£000's	£000's	£000's	%
Place							
Highways Transport & Recycling	151	364	1,839	2,354	1,410	944	60%
Regeneration, Property & Commissioning	14	35	399	448	364	84	81%
Leisure & Recreation	0	0	730	730	730	0	100%
Place	165	399	2,967	3,532	2,504	1,028	71%
Schools							
Schools	158	88	1,619	1,865	1,658	207	89%
Schools	158	88	1,619	1,865	1,658	207	89%
People							
Adult	0	0	2,231	2,231	1,697	534	76%
Children Services	0	1	1,101	1,101	0	1,101	0%
People	0	1	3,332	3,333	1,697	1,636	51%
Chief Executives							
Chief Executives	0	0	250	250	250	0	100%
Legal	0	12	28	40	40	0	100%
Chief Executives	0	12	278	290	290	0	100%
Resources							
Business Services	0	0	278	278	187	92	67%
Information Services	0	0	232	232	200	32	86%
Professional Services	0	20	215	235	235	0	100%
Corporate Activiites	999	320	695	2,015	295	1,720	15%
Resources	999	340	1,421	2,760	917	1,844	33%
Grand Total	1,323	841	9,616	11,780	7,066	4,714	60%

Summary	Opening Balance (1st April 17) Surplus / (Deficit)	Forecast Addition / (Use) of Reserves	Forecast (Over) / Under Spend	Projected Balance (31st March 18) Surplus/ (Deficit)
	£'000	£'000	£'000	£'000
General Fund	8,585	(778)	(4,469)	3,338
	8,585	(778)	(4,469)	3,338
Ringfenced & Specific Reserves				
Budget Management Reserve	3,484	100		3,584
Specific Reserves	1,902	(285)		1,617
21st Century Schools Reserve	6,297	(1,581)		4,716
Adult Services Reserve	2,750	0		2,750
Regeneration Reserve	100	100		200
Invest to Save & Corporate Initiatives (inc J)	5,300	(562)		4,738
Insurance Reserve	2,394	(46)		2,348
Transport & Equipment Funding Reserve	6,199	(7,238)		(1,039)
Sub-Total	28,426	(9,512)	0	18,914
Schools Delegated Reserves	486	(2,078)	(136)	(1,728)
School Loans & Other Items	(494)	51		(443)
Net School Delegated Reserves	(8)	(2,027)	(136)	(2,171)
Total Ringfenced & Specific Reserves	28,418	(11,539)	(136)	16,743
Housing Revenue Account	1,761	(82)	108	1,787
	1,761	(82)	108	1,787
Total Revenue Reserves	38,764	(12,399)	(4,497)	21,868

A2 Scrutiny Working Group – 1st November 2017

Report to Cabinet on: General Data Protection Regulations Review – 9th January, 2018.

Observations made to: Cabinet

- The new General Data Protection Regulations (GDPR) would replace the Data Protection Act in May 2018. These new regulations apply to all of Europe from 25th May, 2018.
- The Westminster Government is proposing to introduce a new Data Protection Bill which will mirror the GDPR. The law needed to catch up with the technology and the amount and types of personal information that is used today.
- There is a new principle of “accountability” in the GDPR i.e. the Council will need to demonstrate how we are compliant with the regulations.
- Local authorities, are expected to rely upon the legislation that drives service delivery and make use of the provisions within Acts of Parliament which gives the Council powers to undertake public functions as their legal basis for the processing of personal information rather than the consent of the individual.
- With regard to contracts with 3rd parties who deliver services on our behalf, such as voluntary organisations, the Council will need to ensure that rules are set out in the contracts and agreements with those providers.
- Where data is provided to contractors, they should act on Council data in ways which they are authorised to do. Should there be a breach of the regulations this will still fall back on the Council, but the contractor could also be liable if they have not acted in line with the principles contained within the regulations.
- The GDPR contains provisions on the rights of individuals, such as being able to request that records held by the Council be deleted, that inaccurate information is corrected etc.
- The current Data Protection Act requires that when the Council receives a request as to what information the Council holds about the individual (Subject Access Requests), the Council can charge that individual £10 to provide that information and has 40 days to comply with the request. Under the new regulations the Council will not be able to charge for such requests and has 1 month to comply.
- It is likely that the numbers of subject access requests to the Council will double. Currently the Council only has 1 officer responding to such requests as well as Freedom of Information (FOI) and Environmental Information Regulations (EIR) requests.

- The maximum fine for failure to comply with the new regulations is €20m or £18m, where there has been a failure to facilitate the exercising of rights under the regulations. Additionally maximum monetary penalties for breaches of personal data could be levied up to €10 or nearly £9m.
- To comply with GDPR the Council will need to:
 - develop, introduce and undertake Data Protection Impact Assessments where required
 - appoint a Data Protection Officer.
 - for any breaches the Council will have 72 hours to notify the Information Commissioner's Office (ICO) of such breaches. This timescale includes periods including weekends and bank holidays.
 - Evidence its compliance with the principles of the regulations
- The Group asked if it would be possible for the Council to insure itself to cover the costs of any fines, and if the Council could not do this individually could it be done on an all Wales basis. *(Note – Insurance Section have confirmed that the Council cannot insure itself against a breach)*
- All services will need to undertake an Information Asset Audit and prepare Information Asset Registers, to ensure that the Council knows what data is being processed and where it is being stored.
- The Group asked whether Town and Community Councils were affected by the new regulations and whether they were aware that the new regulations were coming into force. The Scrutiny Manager was asked to contact One Voice Wales and raise this issue with them as the representative body for Town and Community Councils. *[Note – One Voice Wales has been contacted and they have advised Town and Community Councils and are preparing training]*
- The main differences between the Data Protection Act and GDPR as well as main concerns for the Council were as follows:
 - Services identifying the legal basis which is being relied upon to process the personal data, as currently the Council relies heavily on consent.
 - Accountability, and the need to evidence our compliance
 - Subject Access Requests, and the ability to exercise other rights under the regulations
- With regard to training for Members it was suggested that this would need to be mandatory and could be delivered by e-learning or by other methods. *[Note: Report considered by Member Development Working Group and to be considered by the Democratic Services Committee in November]*
- There were large pieces of work which the Council needed to undertake such as the Information Asset Audits, the assessments of the Information Risk., and the development of evidence of compliance
- Members expressed concern that there was a need to quantify the costs of implementing GDPR.
- There were some previous recommendations from the ICO when they undertook an audit into Powys County Council's compliance with the Data Protection Act a couple of years ago, which the Council still has included in its plan, such as what happens to data from schools that have closed and the need for an auditing system within the new Health and Social Care System (WCCIS).
- A detailed action plan will be developed from the Information Asset Audit responses, to identify and prioritise high risk areas requiring activity to deliver compliance where possible by 25th May 2018
- The position regarding additional resources was outstanding but Members recognised that this could be a risk in the delivering the plan if resources were not provided.

Scrutiny recommendations to Cabinet on the Council's preparation for GDPR:

- **Due to the high risk to the Council from the potential fines, and enforcement actions, officers be asked to consider whether it is possible for the Council to insure itself against the possibility of high fines under GDPR or whether this could be undertaken on an all Wales basis.**
- **One Voice Wales to be asked about whether information has been circulated to Town and Community Councils about GDPR.**
- **Services will need to have a clear understanding of the Legal Basis being relied upon for processing, rather than to rely on consent.**
- **There is concern that the numbers of subject access request will rise significantly with the implementation of GDPR, together with the loss of income to the Council.**
- **There is a high risk to the Council in being able to implement the plan for GDPR if additional staffing resources are not made available.**
- **The cost to the Council of implementing GDPR should be costed.**
- **Data sharing and disclosure rules need to be clear in contracts and agreements with 3rd parties, and partners.**
- **Compliance requirements from previous ICO reports need to be addressed.**

Membership of the A2 Scrutiny Working Group 1st November 2017
County Councillors G. Williams, K. Curry, S. Davies, J. Pugh.
Apologies from County Councillors E. Durrant and G. Jones.

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Delegated Decision List

5 December	Portfolio Holder for Adults Services, Portfolio Holder for Housing & Countryside Services Portfolio Holder for Property & Waste	Approved the sale of land at Greenfields, Cae Glas, Welshpool
7 December	Portfolio Holder for Housing & Countryside Services	Approved the Food and Health & Safety Service plans.
7 December	Portfolio Holder for Education	Approved the appointment of school governors: Reverend R Storer Llanfihangel Rhydithon CP School, County Councillor H Hulme Ysgol Rhiw Bechan, Mrs G Knill Llandrindod High School, Mrs P Wormleighton Ysgol y Mynydd Du, Mr H Pattrick and Mr R Walker Ysgol Maesydderwen and Mrs L Tuffin Berriew CP School.
11 December	Portfolio Holder for Property & Waste	Approved a review of office accommodation in the north of the county.
14 December	Portfolio Holder for Highways	Approved lifting the moratorium of Traffic Regulation Orders allowing them to be funded from the existing core capital budget for Road Safety and Traffic Management.
18 December	Portfolio Holder for Property & Waste	Approval to give authority to the Head of Regeneration and Regulatory Services to accept offers for the Broads, Churchstoke.
21 December	Portfolio Holder for Finance	Approved application for local discretionary rate relief
21 December	Portfolio Holder for HR ICT and Communications	Approved the appointment of a consultant to undertake a review of communications and engagement
21 December	Portfolio Holder for Education	Approved change of the name of Llandrindod Wells Church in Wales Controlled School Trefonnen to Ysgol Trefonnen Church in Wales Community Primary.
28 December	Portfolio Holder for Housing and Countryside Services	Approved the Council's Housing Tenancy Management Policy.

Cabinet Date	Cabinet/Man:	Title	Portfolio Holder	Lead	Description
09/01/18		Parking Policy	Liam Fitzpatrick	Tony Caine	
09/01/18		Update from the Anti-Poverty Champion		Joy Jones	
09/01/18		General Data Protection Regulation		Wyn Richards	
30/01/18	16/01/18	Residential care fee setting arrangement	Cllr Stephen Hayes	Lee Anderson	
30/01/18	16/01/18	Adoption of Additional Land Drainage Bye-laws	Liam Fitzpatrick	Alastair Knox	To consider adopting bye-laws
30/01/18	16/01/18	Sustainable Drainage Approval Body	Liam Fitzpatrick	Alastair Knox	Statutory new function currently out for consultation
30/01/18	16/01/18	Treasury Management Report for Quarter 3	Aled Wyn Davies	Ann Owen	
30/01/18	16/01/18	Fair Funding Formula for Schools and Scheme for the Financing of Schools	Myfanwy Catherine Alexander	Jane Thomas	
30/01/18	16/01/18	Redesign of the Trade Waste Service	Phyl Davies	Ashley Collins	
30/01/18	16/01/18	Budget 2018/19	Aled Wyn Davies	Jane Thomas	Cabinet approve Budget, MTFs, Capital Strategy, Council Tax rates and Fees and Charges Register
30/01/18	16/01/18	Budget Outturn Report	Aled Wyn Davies	Jane Thomas	
30/01/18	16/01/18	Capital Programme Update	Aled Wyn Davies	Jane Thomas	
30/01/18	16/01/18	Response to Joint Audit - Education Scrutiny Working Group report on the Financial Viability of Schools	Myfanwy Catherine Alexander	Ian Budd	
30/01/18	16/01/18	Approval of Corporate Leadership Governance Improvement Plan		Ian Budd	
30/01/18	16/01/18	Development of a pooled budget for residential care	Cllr Stephen Hayes	Lee Anderson	
30/01/18	16/01/18	Ethical Procurement	Aled Wyn Davies	Vincent Hanly	
30/01/18	16/01/18	Setting of Council House Rents & Service Charges	Jonathan Wilkinson	Simon Inkson	
30/01/18	16/01/18	Health and Care Strategy	Cllr Stephen Hayes		

30/01/18	16/01/18	Gwernyfed High School 21st C Schools Capital Programme	Myfanwy Catherine Alexander	Joni Hughes	Seeking approval of business case to improve teaching facilities for submission to Welsh Government
20/02/18	06/02/18	Moelfre City	Liam Fitzpatrick	Alastair Knox	
20/02/18	06/02/18	Toilet Strategies	Liam Fitzpatrick	Shaun James	As required by the Public Health (Wales) Act 2017
20/02/18	06/02/18	Public Conveniences	Liam Fitzpatrick	Alastair Knox	Continue funding and / or move to Freehold transfer
20/02/18	06/02/18	Children's Services Safeguarding report	Rachel Powell	David Johnston	
20/02/18	06/02/18	School Transformation Policy	Myfanwy Catherine Alexander	Marianne Evans	
20/02/18	06/02/18	Budget Outturn Report	Aled Wyn Davies	Jane Thomas	
20/02/18	06/02/18	Capital Programme Update	Aled Wyn Davies	Jane Thomas	
20/02/18	06/02/18	Housing Developments	Phyl Davies	Natasha Morgan	
20/02/18	06/02/18	Review of Farms Policy	Jonathan Wilkinson	Natasha Morgan	
20/02/18	06/02/18	Annual report on Secondary School Standards, Attendance & Exclusions	Myfanwy Catherine Alexander	Ian Budd	
20/02/18	06/02/18	Draft ICT Strategy	James Evans	Andrew Durant	
20/02/18	06/02/18	Area Plan & Health and Care Strategy	Cllr Stephen Hayes	Dylan Owen	
20/02/18	06/02/18	Evaluation of extra care at Llys Gan-yr-afon	Cllr Stephen Hayes	Dylan Owen	
20/02/18		Dynamic Purchasing System for Domiciliary Care	Cllr Stephen Hayes	Dylan Owen	
13/03/18	27/02/18	Office Accommodation - North Powys Review	Phyl Davies	Natasha Morgan	To consider proposals for north offices
13/03/18	27/02/18	Children's Services Safeguarding report	Rachel Powell	David Johnston	
13/03/18		Update from the Anti-Poverty Champion		Joy Jones	
13/03/18	27/02/18	Local Development Plan	Martin Weale	Peter Morris	
13/03/18	27/02/18	Rights of Way Improvement Plan	Jonathan Wilkinson	Mark Stafford-Tolley	
13/03/18	27/02/18	Health and Care Plan	Cllr Stephen Hayes		

Office Accommodation - North Powys				
13/03/18	27/02/18	Review	Phyl Davies	Natasha Morgan
13/03/18	27/02/18	Budget Outturn Report	Aled Wyn Davies	Jane Thomas
13/03/18	27/02/18	Capital Programme Update	Aled Wyn Davies	Jane Thomas
13/03/18	27/02/18	HIW Inspection report on Substance Misuse	Cllr Stephen Hayes	Dylan Owen
13/03/18	27/02/18	CSSIW Adult Social Care Inspection Report	Cllr Stephen Hayes	Dylan Owen
13/03/18	27/02/18	Residential Care Pooled Budget	Cllr Stephen Hayes	Dylan Owen
13/03/18		Health and Care Strategy	Cllr Stephen Hayes	
10/04/18	27/02/18	Children's Services Safeguarding report	Rachel Powell	David Johnston
10/04/18	27/03/18	Capital Programme Update	Aled Wyn Davies	Jane Thomas
10/04/18	27/03/18	Budget Outturn Report	Aled Wyn Davies	Jane Thomas
10/04/18	27/03/18	Integrated Teams Evaluation & Plan	Cllr Stephen Hayes	Dylan Owen
Residential Care Homes - Onwership and				
10/04/18	27/03/18	Administration	Cllr Stephen Hayes	Dylan Owen
10/04/18	27/03/18	Director of Social Services Annual Report	Cllr Stephen Hayes	Dylan Owen
10/04/18	27/03/18	Capital Programme Update	Aled Wyn Davies	Jane Thomas
01/05/18	17/04/18	Treasury Management Report for Quarter 4	Aled Wyn Davies	Ann Owen
22/05/18	08/05/18	Children's Services Safeguarding report	Rachel Powell	David Johnston
22/05/18	08/05/18	Budget Outturn Report	Aled Wyn Davies	Jane Thomas
19/06/18	05/06/18	Children's Services Safeguarding report	Rachel Powell	David Johnston
19/06/18		Update from the Anti-Poverty Champion		Joy Jones
19/06/18	05/06/18	Budget Outturn Report	Aled Wyn Davies	Jane Thomas
19/06/18	05/06/18	Capital Programme Update	Aled Wyn Davies	Jane Thomas
19/06/18	05/06/18	Adult Social Care Strategies	Cllr Stephen Hayes	Dylan Owen
19/06/18	05/06/18	Regional Partnership Board Annual Report	Cllr Stephen Hayes	Dylan Owen
10/07/18	26/06/18	Treasury Management Review 2017/18	Aled Wyn Davies	Ann Owen

10/07/18	26/06/18	Children's Services Safeguarding report	Rachel Powell	David Johnston
10/07/18	26/06/18	Budget Outturn Report	Aled Wyn Davies	Jane Thomas
10/07/18	26/06/18	Capital Programme Update	Aled Wyn Davies	Jane Thomas
10/07/18	26/06/18	Update on Operation Jasmine	Cllr Stephen Hayes	Dylan Owen
Treasury Management Report for Quarter 1				
18/09/18	04/09/18	2017/18	Aled Wyn Davies	Ann Owen
18/09/18	04/09/18	Children's Services Safeguarding report	Rachel Powell	David Johnston
18/09/18	Update from the Anti-Poverty Champion			Joy Jones
18/09/18	04/09/18	Budget Outturn Report	Aled Wyn Davies	Jane Thomas
18/09/18	04/09/18	Review of 3rd Sector Social Care Grants	Cllr Stephen Hayes	Dylan Owen
09/10/18	25/09/18	Children's Services Safeguarding report	Rachel Powell	David Johnston
09/10/18	25/09/18	WHQS Completion	Jonathan Wilkinson	Simon Inkson
09/10/18	25/09/18	Cemeteries Review	Jonathan Wilkinson	Nia Hughes
09/10/18	25/09/18	Capital Programme Update	Aled Wyn Davies	Jane Thomas
Treasury Management Report for Quarter 2				
06/11/18	23/10/18	2017/18	Aled Wyn Davies	Ann Owen
06/11/18	23/10/18	Homelessness Strategy	Jonathan Wilkinson	Simon Inkson
28/11/18	13/11/18	Children's Services Safeguarding report	Rachel Powell	David Johnston
28/11/18	13/11/18	Budget Outturn Report	Aled Wyn Davies	Jane Thomas
28/11/18	13/11/18	Capital Programme Update	Aled Wyn Davies	Jane Thomas
18/12/18	04/12/18	Children's Services Safeguarding report	Rachel Powell	David Johnston
18/12/18	Update from the Anti-Poverty Champion			Joy Jones
18/12/18	04/12/18	Budget Outturn Report	Aled Wyn Davies	Jane Thomas
18/12/18	04/12/18	Capital Programme Update	Aled Wyn Davies	Jane Thomas
Review of Day Time Activities for Older				
18/12/18	04/12/18	People	Cllr Stephen Hayes	Dylan Owen
15/01/19	08/01/19	Joint Dementia Action Plan	Cllr Stephen Hayes	Dylan Owen