Cabinet

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

Meeting date
Tuesday, 5 December 2017

Meeting time
10.30 am

For further information please contact
Stephen Boyd
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County Hall
Llandrindod Wells
Powys
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29 November 2017

AGENDA

1.	APOLOGIES

To receive apologies for absence.

2.	MINUTES

To authorise the Leader to sign the minutes of the meetings held on 7th November and 21st November 2017 as correct records.
(Pages 3 - 14)

3.	DECLARATIONS OF INTEREST

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

4.	CLOSURE OF THE HTR COMMISSIONING PROGRAMME

To consider a report by County Councillor Phyl Davies, Portfolio Holder for Waste and Property and County Councillor Liam Fitzpatrick, Portfolio Holder for Highways.
(Pages 15 - 20)

5.	PARKING POLICY

To consider a report by County Councillor Liam Fitzpatrick, Portfolio Holder for Highways.
(Pages 21 - 54)

6.	CORPORATE ASSET POLICY

To consider a report by County Councillor Phyl Davies, Portfolio Holder for Property and Waste.
(Pages 55 - 140)

7.	FINANCIAL OVERVIEW AND FORECAST AS AT 31ST OCTOBER 2017

To consider a report by County Councillor Aled Davies, Portfolio Holder for Finance.
(Pages 141 - 154)

8.	CAPITAL PROGRAMME UPDATE FOR OCTOBER 2017

To consider a report by County Councillor Aled Davies, Portfolio Holder for Finance.
(Pages 155 - 162)

9.	JOINT AUDIT - EDUCATION SCRUTINY WORKING GROUP INTERIM REPORT ON FINANCIAL VIABILITY OF SCHOOLS

To consider the Joint Audit – Education Scrutiny Working Group interim report on the financial viability of schools.
(Pages 163 - 168)

10.	WELSH PUBLIC LIBRARY STANDARDS REPORT FOR 2016/17

To consider a report by County Councillor Rachel Powell, Portfolio Holder for Libraries.
(Pages 169 - 210)

11.	CORRESPONDENCE

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

12.	DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING

To note the delegated decisions taken since the last meeting.
(Pages 211 - 212)

13.	FORWARD WORK PROGRAMME

To consider the Cabinet forward work programme.
(Pages 213 - 216)

MINUTES OF A MEETING OF THE CABINET HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 7 NOVEMBER 2017

PRESENT
County Councillor M R Harris (Chair)

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

In attendance: County Councillors B Davies, M Dorrance, E Durrant, K Laurie-Parry, E Vaughan and G Williams

1.	APOLOGIES

Apologies for absence were received from County Councillor James Evans.

2.	MINUTES

The Leader was authorised to sign the minutes of the last meeting held on 10th October 2017 as a correct record.

3.	DECLARATIONS OF INTEREST

The Leader and Deputy Leader advised that they had both participated in the WLGA Council meeting when the Joint Council for Wales resolution on local government pay had been passed.

4.	WELSH IN EDUCATION STRATEGIC PLAN 2017 - 2020

The Portfolio Holder for Education and the Welsh Language presented the draft Welsh in Education Strategic Plan (WESP) for 2017-2020 setting out the outcomes and objectives of the plan. She explained that the plan sought to address the current inequality to access to Welsh language education in the county by replicating the successful Ysgol Dafydd Llwyd model. The WESP included proposals for an all through Category 2A school in the north of the county, additional Welsh medium places in the Ystradgynlais area, the development of Welsh medium provision in the Llanidloes area and the establishment of Welsh medium provision in the Gwernyfed catchment.

County Councillor Elwyn Vaughan spoke in support of the WESP.

RESOLVED	Reason for Decision:
To approve the authority's Welsh in Education Strategic Plan 2017 – 2020 for submission to Welsh Government.	**To meet the statutory requirement to prepare a new Welsh in Education Strategic Plan every three years.**

5.	21ST CENTURY SCHOOLS PROGRAMME - CAPITAL INVESTMENT BAND B (2019 - 2024)

Cabinet considered the Strategic Outline Programme for £113.92m of capital investment in schools as part of the second wave of Welsh Government's 21st Century Schools Programme (known as Band B), 2019 – 2024. The Director of Education confirmed that business plans would be drawn up for each project looking at the demographics of communities, location, size and types of schools and that there would be engagement with local members and communities. Cabinet welcomed the substantial investment in the education infrastructure in the county and thanked the officers involved in drawing up the programme.

RESOLVED:	Reason for Decision:
1. **To approve the Strategic Outline Programme for Band B (2017 – 2020) as set out in Appendix 1 to the report.** 2. **To continue to explore the potential and implications of the two funding streams – capital and revenue – in partnership with Welsh Government and to bring another report to Cabinet with final costs.**	**To :** - **improve the condition of our educational assets;** - **reduce of surplus capacity and inefficiency in the system;** - **expand schools in areas of increased demand for educational services; and** - **provide sufficient places to address growth in demand for Welsh medium education**

6.	PLANS FOR POWYS SCHOOLS POLICY (DRAFT) - VISION 2025

Cabinet considered a new policy for the development and organisation of schools in Powys to replace the current Schools Organisation Policy 2015 and to reflect the proposed changes to the Welsh Government's Schools Organisation Code 2013. The Welsh Government recently consulted upon revisions to the Code which included proposals to strengthen the presumption against closure of rural schools.

The new 'Plans for Powys Schools Policy – Vision 2025' was aligned with the revised Code and included a framework which enabled schools to strengthen school-to-school collaboration and to establish new models of governance, in order to achieve improved outcomes and opportunities for pupils, families whilst also generating potential efficiencies.

The Portfolio Holder for Education explained that an activity led review would be carried out which help establish the costs of delivering the service to ensure that it was sustainable.

RESOLVED:	Reason for Decision:
To approve the Plans for Powys Schools Policy – Vision 2025 for consultation.	**To receive the views of stakeholders on the proposed policy.**

7.	POWYS COUNTY COUNCIL AFFORDABLE HOUSING PROGRAMME

Welsh Government was committed to providing 20,000 new affordable homes in Wales and had made capital resources available, with the Council securing £7.2m in social housing grant to build new affordable homes.

Cabinet considered proposals for the Housing Service:
- to develop a phased five year programme for the development of new council rent homes and the development of low cost home ownership homes;
- to create a project board to develop a Powys specific housing development framework within the next 12 months; and
- to procure individual housing development schemes as pilot schemes whilst the framework is being developed.

Cabinet welcomed the proposals to build new council houses in Powys.

RESOLVED	Reason for Decision:
1. Approve the Housing Service develop a phased five year programme for the development of new council homes for rent and homes for low cost home ownership.	1. A development programme will assist the Council in meeting identified housing need across Powys and ensure the appropriate allocation of resources by the Council and its partners. It is also an essential component in developing a housing development framework.
2. Approve the creation of a project board in accordance with paragraph 3.6 of the report to oversee the development of a Powys specific housing development framework which is based on the "Lots of Values and geographic areas" as referenced in the attached report within 12 months.	2. Project Board will ensure that all relevant services are involved in the framework enable a number of local contractors ranging in size and scale to be considered as development partners rather than a large single development partner and will ensure that the programme developed meets the Councils strategic priorities
3. To approve the Housing Service procure by competitive tender individual housing development schemes as pilot schemes.	3. Ensuring that the opportunities for housing capital investment are taken while the programme and framework are being developed.
4. The Planned Delivery Plan is noted.	4. To provide information about new and potential social housing development in Powys and the levels of investment.

8.	WELSH HOUSING QUALITY STANDARDS PROGRAMME

The Portfolio Holder for Housing and Countryside Services advised that the service aimed to maintain and improve its housing stock to at least Welsh Housing Quality Standards. Delays to letting some contracts meant that the deadline to meet WHQS standards needed to be extended.

RESOLVED:	Reason for Decision:
That Cabinet approves the extension of the WHQS deadline until December 2018.	**To:** • **Mitigate the impact of procurement delays** • **Maintain leadership ambition to meet WHQS standard early** • **Minimise the impact to residents awaiting essential improvements**

9.	EVALUATION OF THE SYRIAN VULNERABLE PERSONS RELOCATION SCHEME IN POWYS

Cabinet received the evaluation report on the resettlement of 12 Syrian families in Ystradgynlais and Newtown noting that overall the scheme was viewed as a success by delivery partners, community groups and the families themselves. The review had highlighted some weaknesses relating to communication and English language support that the service would address. Members spoke in support of the scheme paying tribute to the communities in Ystradgynlais and Newtown and the local members for making the Syrian families welcome. Cabinet also considered the resettlement of a further 6 families in Llandrindod Wells.

County Councillor Emily Durrant spoke in favour of extending the scheme and urged the Cabinet to work with Hay, Brecon and Talgarth Sanctuary for Refugees to resettle further vulnerable Syrian families in that part of the county.

RESOLVED	Reason for Decision:
1. **That Cabinet note the progress made to date on the resettlement of the Syrian families in Ystradgynlais and Newtown.**	1. **To bring to members attention the relative success of the resettlement scheme in Powys.**
2. **That Cabinet agrees to extend the number of families resettled to Powys from 12 to 18, and that the further 6 families are resettled in Llandrindod Wells.**	2. **To demonstrate the council's commitment to providing humanitarian relief to Syrian refugees**

10.	DEVELOPMENT OF ACCOMMODATION FOR GYPSIES & TRAVELLERS

Cabinet received a progress report on the development of additional accommodation for Gypsies and Travellers. Four new pitches had been developed at the Kings Meadow site near Brecon, the Leighton Arches site in Welshpool was being extended and planning consent had been obtained for the site in Machynlleth and the council were currently in negotiation with the owner for the purchase of the site. The Leader suggested that the Cabinet visit the site when they were in Machynlleth.

RESOLVED	Reason for Decision:
That Cabinet notes the content of the report.	N/A

11.	FINANCIAL OVERVIEW AND FORECAST AS AT 30TH SEPTEMBER 2017 AND DEFICIT RECOVERY PLAN

Cabinet considered the budget outturn report for the period ended 30 September and the options contained in the deficit recovery plan to reduce the level of the projected deficit.

The Portfolio Holder for Finance reported that the financial position had deteriorated since the last meeting and that the delivery of savings had slowed down. If not addressed this would not only increase the deficit at the year end but impact on the base revenue budget going forward. He drew Cabinet's attention to the email sent on behalf of the Audit Committee calling for Portfolio Holders to take responsibility for spending within their departments and immediately identify savings. The Portfolio Holder for Finance advised Portfolio Holders to work with their Heads of service to focus on delivering savings and delaying filling vacancies.

The Acting Chief Executive advised that the Management Team had looked in detail at the deficit recovery plan. Budget managers would be encouraged to limit expenditure and take a balanced approach to filling vacancies.

RESOLVED:	Reason for Decision:
1. The contents of the report are noted by Cabinet; and 2. Cabinet supports appropriate action by services to curtail or reduce the reported forecasted service deficits. 3. The revenue virements in paragraph 7.3 of the report be approved. 4. That the actions and options outlined in para 13.6 are implemented and explored further to reduce the projected deficit; and that the	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.

| improvements and further proposals are included in future monthly budget monitoring reports to Cabinet. | |

| 12. | CAPITAL PROGRAMME UPDATE FOR SEPTEMBER 2017 |

Cabinet was advised that the revised Capital Programme after accounting for approved virements was £101,309m, of which committed expenditure was £50.028m (49%) of the budget. The actual spend to the end of September was £24.0m.

RESOLVED:	Reason for Decision:
1. The contents of the report are noted by Cabinet; and 2. The Capital virements set out in Section 3 are approved, and those over £500k be submitted to full council for approval.	To outline the capital budget position as at 30th September. To ensure appropriate virements are carried out.

| 13. | TREASURY MANAGEMENT QUARTER 2 REPORT |

Cabinet considered the Treasury Management report for the second quarter of 2017.

RESOLVED:	Reason for Decision:
That the Treasury Management Quarterly Report be received	To ensure Cabinet remains informed about current Treasury Management performance

| 14. | CORRESPONDENCE |

14.1. **Joint Council for Wales**

The Trade Union side has asked Cabinet to support a motion passed at the WLGA Joint Council for Wales supporting the NJC pay claim for 2018, submitted by UNISON, GMB and Unite on behalf of council and school workers and calling for an immediate end of public sector pay restraint. Cabinet was advised that allowance had been made for a 2% rise in the budget projections. The Leader and Deputy Leader advised that they had been present when the WLGA had voted on this and therefore abstained from voting.

> **RESOLVED to support the Joint Council for Wales motion calling on the government to fund the NJC claim and the pay spine review.**

15.	DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING

Cabinet received details of delegated decisions taken by portfolio holders since the last meeting.

16.	FORWARD WORK PROGRAMME

Cabinet received the forward work programme.

The Leader advised that she was taking the next report as an urgent item in view of the need to submit the improvement plan for Children's Services.

17.	CHILDREN'S SERVICES IMPROVEMENT PLAN

Cabinet considered the draft improvement plan for Children's Services which was due to be considered by the Improvement Board later in the day.

The Interim Director of Social Services explained that the plan focused on the immediate actions that needed to be taken in response to the issues highlighted in the CSSIW inspection and the warning letter sent by the Minister. The Interim Director gave a commitment to delivering safe services to the children in Powys and advised that if the plan was delivered Council could be confident that there would be a far greater degree of safety for children and families. He acknowledged that the plan needed further work to the sections on corporate responsibility in relation to resourcing, HR and performance management.

The Acting Chief Executive gave Cabinet an assurance that Management Team accepted that this was a key corporate issue and was giving this matter its full attention. An improvement plan for corporate services supporting Children's Services was being developed to run alongside the improvement plan for Children's Services.

The Interim Director of Social Services gave a commitment to developing the longer term capacity of the service, recruiting staff and developing those staff in post with proper career progression.

> **RESOLVED to approve the improvement plan for Children's Services subject to any amendments made by the improvement Board.**

18.	EXEMPT ITEMS

> **RESOLVED to exclude the public for the following item of business on the grounds that there would be disclosure to them of exempt information under category 1 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).**

19.	YOUTH SERVICE REDESIGN

Cabinet considered a report on redesigning the Youth Service to deliver the £220k savings target for 2018/19. The proposal was meet the savings target through a mix of direct and contracted out services. The Portfolio Holder thanked the Scrutiny Working Group for their input into the report.

County Councillor Laurie-Parry spoke in support of the work carried out by the Youth Service.

RESOLVED:	Reason for Decision:
To approve Option 1 as the approach to be pursued in managing and developing open access youth services in Powys.	**To strengthen and develop the approach to open access youth provision whilst also meeting the challenges as set out in the MTFS.**

County Councillor M R Harris (Chair)

MINUTES OF A MEETING OF THE CABINET HELD AT COMMITTEE ROOM A - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 21 NOVEMBER 2017

PRESENT
County Councillor M R Harris (Chair)

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

1.	APOLOGIES

Apologies for absence were received from County Councillor Liam Fitzpatrick.

2.	DECLARATIONS OF INTEREST

There were no declarations of interest reported.

3.	COUNCIL TAX BASE FOR 2018-2019

Cabinet considered the Council Tax Base for 2018/19. The Council Tax Base was the adjusted number of chargeable dwellings in the Council's area belonging to each valuation band modified to take account of a number of assumptions and factors including the proportion applying to dwellings in each Council Tax Band together with the number of discounts, exemptions, disablement reductions and premiums.

RESOLVED	Reason for decision:
1. **That the calculation of the Council Tax Base for the whole of its area for the year 2018/19 of 61,768.85 be approved.**	**To meet the legal requirement of the Council to set a Council Tax Base for 2017-18**
2. **That the calculation of the Tax Base for each Town & Community Council as set out below be approved.**	

Community	Tax Base 2018-19
Abbeycwmhir	126.06
Aberedw	136.08
Aberhafesp	219.69
Abermule with Llandyssil	736.62
Banwy	324.42
Bausley with Criggion	362.70

Beguildy	381.35
Berriew	755.27
Betws Cedewain	222.87
Brecon	3463.81
Bronllys	433.43
Builth Wells	1061.56
Cadfarch	451.88
Caersws	698.94
Carno	349.22
Carreghofa	314.42
Castle Caereinion	297.15
Churchstoke	838.59
Cilmery	233.09
Clyro	413.30
Cray	135.79
Crickhowell	1110.45
Cwmdu and District	556.91
Disserth & Trecoed	552.64
Duhonw	155.42
Dwyrhiw	274.64
Erwood	254.70
Felinfach	382.64
Forden	768.16
Gladestry	224.55
Glantwymyn	655.30
Glasbury	561.67
Glascwm	262.93
Glyn Tarrell	302.11
Guilsfield	860.11
Gwernyfed	487.18
Hay-on-Wye	871.12
Honddu Isaf	223.07
Kerry	944.81
Knighton	1313.67
Llanafanfawr	242.70
Llanbadarn Fawr	338.40
Llanbadarn Fynydd	144.70
Llanbister	195.59
Llanbrynmair	497.70
Llanddew	119.62
Llanddewi Ystradenny	148.97
Llandinam	443.25
Llandrindod Wells	2363.91
Llandrinio & Arddleen	713.52

Llandysilio	543.31
Llanelwedd	193.81
Llanerfyl	215.23
LLanfair Caereinion	793.16
Llanfechain	273.64
Llanfihangel	273.25
Llanfihangel Rhydithon	122.60
Llanfrynach	326.91
Llanfyllin	692.89
Llangammarch	267.20
Llangattock	559.78
Llangedwyn	201.25
Llangorse	556.91
Llangunllo	207.30
Llangurig	387.90
Llangynidr	592.91
Llangyniew	308.47
Llangynog	195.29
Llanidloes	1183.55
Llanidloes Without	314.61
Llanigon	274.44
Llanrhaeadr Ym Mochnant	598.08
Llansanffraid	714.12
Llansilin	347.63
Llanwddyn	123.48
Llanwrthwl	109.40
Llanwrtyd Wells	389.59
Llanyre	585.28
Llywel	254.50
Machynlleth	868.64
Maescar	469.50
Manafon	179.22
Meifod	698.55
Merthyr Cynog	142.13
Mochdre with Penstrowed	253.51
Montgomery	715.90
Nantmel	348.13
New Radnor	231.79
Newtown & Llanllwchaiarn	4314.04
Old Radnor	397.53
Painscastle	294.48
Pen Y Bont Fawr	254.30

Penybont & Llandegley	205.01
Presteigne & Norton	1281.93
Rhayader	906.73
St Harmon	312.72
Talgarth	731.37
Talybont-on-Usk	390.29
Tawe Uchaf	572.58
Trallong	195.79
Trefeglwys	457.92
Treflys	225.55
Tregynon	389.10
Trewern	655.60
Vale of Grwyney	491.03
Welshpool	2634.58
Whitton	209.28
Yscir	261.35
Ystradfelte	255.39
Ystradgynlais	2891.74
	61,768.85

County Councillor M R Harris (Chair)

CYNGOR SIR *POWYS* COUNTY COUNCIL.

CABINET EXECUTIVE
5th December 2017

REPORT AUTHOR: County Councillor Phyl Davies, Portfolio Holder for Waste and Property.
County Councillor Liam Fitzpatrick, Portfolio Holder for Highways.

SUBJECT: Closure of the HTR Commissioning Programme

REPORT FOR: Decision

Summary

The HTR Commissioning Programme was focused on finding an alternative delivery solution to manage the achievement of a £1.8m reduction to the HTR service budget by 2018/19.   The service has been successful in its attempts to reduce its budget by up to £2m each year for the past three years of a five year savings plan. Many initiatives have been applied to achieve greater efficiency in the management and delivery of the service. To enable further savings to be achieved, that would not result in depleting the resource and diminishing the current level of service delivery, it was felt a new delivery model should be identified and implemented as soon as possible.

To ensure the correct level of governance, analysis and planning for a programme that would require a significant degree of upheaval and change, we applied and followed the Government Five Case Model. The model takes a step by step comprehensive approach through three key stages. The first to establish the agreed strategic approach, the second to agree the outline business case based on the analysis of a list of proposed options, which would result in identifying the preferred option. The last stage being the full business case which sets out the 5 to 10 year financial plan for the option and the list of benefits and the governance structure and operating plan.

The programme was supported by the key senior leads for the disciplines within the Council that were required to be involved at that point in time. The full business case was focused on the formation of a trading company which, from the outcomes of the analysis stage of the programme, was seen as the preferred option. The whole of the HTR service was in scope to move into a trading company. The company would be owned in its entirety by the Council who would have governance and control via the reserved matters and board arrangements.

The advantage to the service was the opportunity to apply the Teckal exemption and trade within a much broader market place with the private sector. The aim being to produce an annual financial dividend that would increase as the trading company grew. The financial dividend could then be shared with a percentage going back to the owner (the Council) and with a percentage being reinvested in the trading company. One of the many benefits would be the opportunity to secure the future sustainability of the HTR service by giving it the environment within the trading company to grow.

Proposal

The proposal going forward is not to move the service into a trading company but instead to retain the service within the Council. We will retain the members of the current programme board and include other key officers 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.

There has been considerable change happening within the Place Directorate with the transfer of our Leisure Centres to Freedom Leisure and the recent formation of the Joint Venture Company with Kier for the Council's Building Maintenance service. The move to a trading company was too soon at this current point in time. Also there was the view that the Council should keep its own identity with the services it delivers for its residents, services that are seen to be the key services they want and rely on to ensure their community space is as pleasant as possible for them to live in.

The transformation programme going forward is based on six work streams as follows:-

Operations – focusing on the adoption and implementation of key activities across all functions within the HTR service which were identified for the trading company, that will grow the business and win back lost contracts.

Finance & Procurement – focusing on the commercial finance function, management and profit and loss reporting. Asset management and capital programme assessment. Pricing policies and advice on tender rates. The cost of corporate overheads and the need to increase productivity. Creditor and debtor management. Procurement strategy to reduce unit costs and increase tendering opportunities.

Commercialisation – forming a business development strategy. Prioritising opportunities to expand existing revenue streams. Develop a strategy for each service to optimise value for money between external and insource work. Drive web based sales and direct campaigns. Focus on better governance and improved performance and productivity.

Digital Transformation – improve the use of data to provide management information. Payment systems and processes. New website and apps. Mobile technology. Intelligent systems i.e. for street lighting.

People & Productivity – review corporate and working practices to suit a more commercially focused and productive service delivery model. Key areas of focus to include a review of HR policies, approach to rewards and incentives, sickness absence and Health & Safety compliance.

Organisational Development – enabling, supporting and embedding a commercial culture. Management review and development. Skills development strategy. Recruitment. Career progression and promotion. Communication strategy, staff engagement strategy.

The members of the HTR Transformation Board are:-

- Cllr Phyl Davies, Property & Waste (Chair)
- Cllr Liam Fitzpatrick, Highways (Vice Chair)
- Cllr Aled Davies, Deputy Leader Finance
- Cllr James Evans, HR & Communications
- Paul Griffiths, Strategic Director
- Nigel Brinn, Head of Service HTR
- Lisa Griffiths, SM Business Change
- Jane Thomas, Head of Finance
- John Baker, Financial Manager
- Clive Pinney, Solicitor to the Council
- Vincent Hanly, Interim Commissioning & Procurement
- Commercial Consultancy Support, (Peopletoo)
- John Evans, Communications Manager
- Mark Evans, Head of Business Services
- Sarah Powell, Professional Lead Culture & Leadership Development
- Lorna Simpson, HR Manager Operations
- Andrew Durant, Head of ICT & Programme Office
- John Byrne, Union Convenor
- Hayley Hughes, Admin Support

Meetings are taking place to discuss the resource required from the corporate functions which may alter and be covered by consultancy support. This is due to the pressure currently being put on support services by a wide range of initiatives the Council is aiming to achieve. Meetings are also taking place to appoint an Interim Commercial Consultant to support the programme.

Finance colleagues have confirmed that the management of change funding that was agreed for consultancy support for the HTR Commissioning Programme, can be carried forward for the HTR Transformation Programme and we are not expecting to need to ask for any further funding. The funding for consultancy support will be for 12 months from Jan to Dec 2018.

One Powys Plan

This proposal supports the new expected outcomes in the Council's Vision 2025, in particular the Residents & Communities programme and the Economy programme.

Options Considered/Available

A range of alternative delivery models were considered and a preferred option for a trading company was proposed.

Preferred Choice and Reasons

The preferred choice is to keep the service in house but to adopt a lot of the initiatives and changes to service delivery that were identified for the trading company. The reason for this decision is based on considerable change happening in the Place Directorate and suitable timing for further change and the preference to keep the Councils own identity with its front line services.

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

The service will comply fully with the above policies and themes.

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

We do not expect there to be any impact in the context of securing the safety and protection of children and young people.

Local Member(s)

These proposals apply across the whole of Powys.

Other Front Line Services

We do not expect there to be any impact on other front line services outside of the HTR Service.

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

The Corporate Support Services are involved in the development of the work outlined within the work streams for the transformation programme. As mentioned, additional external consultancy support may be required due to the stretched demands on our Corporate Services.

Finance - The Finance Business Partner for Places notes the content of the report. The efficiency target of £1.73m is still proposed to be delivered in 18/19 by the Highways, Transport and Recycling transformation programme.

The funding for additional consultancy support has been confirmed and will be funded from Management of Change in 18/19.

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

Local Service Board/Partnerships/Stakeholders etc.

We expect the HTR Transformation Programme will support the objectives of the Local Service Board.

Corporate Communications

The report is of public interest and requires use of news release and appropriate social media to publicise the decision.

Statutory Officers

The Head of Financial Services (S151 Officer) acknowledges the report and confirms the response from the Finance Business Partner is accurate in that the efficiency target for the service still needs to be delivered in 2018/19, and the internal transformational approach needs to have a clear plan for achieving this target within the timescale.

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

Members' Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

Recommendation:	Reason for Recommendation:
To 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 Councils own identity with the delivery of services within our communities across the county.**

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

Relevant Local Member(s):	All

Person(s) To Implement Decision:	Cllr Phyl Davies, Cllr Liam Fitzpatrick, Paul Griffiths, Nigel Brinn.
Date By When Decision To Be Implemented:	5th December 2017

Contact Officer Name:	Tel:	Fax:	Email:
Lisa Griffiths	0770646723		Lisa.griffiths@powys.gov.uk

CYNGOR SIR *POWYS* COUNTY COUNCIL.

CABINET EXECUTIVE
5 December 2017

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**

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

Table of Contents

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 polices 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 and 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 if 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. 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.

Where and 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 bade 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 bade 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/operated by 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..

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- 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

Powys

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

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4. Impact on Other Service Areas

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

None

Service Area informed:		Contact Officer liaised with:	
Mitigation			

N/A

. 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.

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

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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?

Well-being Goal	How does proposal contribute to this goal?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
A prosperous Wales: An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.	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.	Good		Choose an item.
A resilient Wales: A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).	Provision of parking spaces is not an ecologically sustainable solution and may not encourage the use of more sustainable forms of transport	Poor	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. | Poor |
| **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. | This Policy will not affect this goal | Neutral | | Choose an item. |

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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.

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Sexual Orientation	This Policy will not affect this goal	Neutral		Choose an item.
Pregnancy and Maternity	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

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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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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		

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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

	2018-19				2019-20				2020-21			
Support Requirements	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?

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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	

FORM ENDS

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CYNGOR SIR *POWYS* COUNTY COUNCIL.

CABINET EXECUTIVE
5 December 2017

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

SUBJECT: **Corporate Asset Policy**

REPORT FOR: Decision

1.   Summary

1.1   The current version of the Corporate Asset Policy (CAP) document has been in existence since January 2016 during which time no significant amendments or updates have been made. When the CAP was originally introduced, Cabinet agreed that the document would be fully revised and updated every two years, with approval for interim minor amendments being delegated to the portfolio holder with responsibility for Property, currently Cllr Phyl Davies.

2.   Proposal

2.1   Cabinet is asked to adopt the attached revised version of the CAP, which includes the introduction of several new parts - for example, a quick reference guide for Services, a short section regarding sales of potentially contaminated land, when sales need to be referred to Cabinet (rather than Portfolio Holder) for approval. There are also updates to many of the different sections.

3.   Options Considered / Available

3.1   Adopt the new CAP as proposed to provide a sound base for dealing with all property related matters within the Council and its partner organisations.

3.2   Continue to work with the existing two year old CAP which, it should be acknowledged, is out of date and in need of significant amendment to reflect the current aims and objectives of the Council.

4.   Preferred Choice and Reasons

4.1   The preferred choice is to adopt the new CAP, which will provide the Council with clear guidance in respect of all types of property-related issues.

5.   Impact Assessment

5.1   Is an impact assessment required?   No

5.2   If yes is it attached?   N/A

6.   Corporate Improvement Plan

6.1   The revised CAP supports all of the objectives in the new Vision 2025 document, as the appropriate management of property matters – whether sales, investments, lettings, or acquisitions – will in the long term help to deliver each of those objectives by raising revenue and capital income to support the Authority's actions.

7.   Local Member(s)

7.1   The CAP will apply equally to all electoral divisions across the County and so comments from local members have not been sought.

8.   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

9.   Communications

Have Communications seen a copy of this report?   Yes/~~No~~

Have they made a comment? If Yes insert here.

"Review of existing corporate policy no proactive communication action required."

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

10.1   Legal:
The legal department notes the content of the Report and also approves and supports the updated Corporate Asset Policy. Further, the legal department will continue to support the Council departments in the implementation and application of the policy (Vickie Julian – Legal Services)

10.2   Finance:

The Capital and Financial Planning Accountant notes the content of the report.

The Finance Business Partner for Places notes the contents of the report and welcomes the updated policy. The one area within the CAP that must be highlighted is the dealing with liabilities and income linked to Acquisition and Lettings. It is the services responsibility to ensure accurate, prompt billing to the tenant, and it is felt that there is the potential risk to the Council if individual Service Mangers have not been given sufficient guidance and support in how to manage these obligations as set out in the CAP.

10.3   Corporate Property:

The Professional Lead Strategic Property recommends the revisions made to the existing Policy. It is hoped that the quick reference guide added to the front of the policy will assist Services in understanding their responsibilities.

11.   **Scrutiny**

Has this report been scrutinised?   ~~Yes /~~ No?

The Joint Chairs and Vice-Chairs Steering Group decided not to scrutinise the policy.

12.   **Statutory Officers**
The Head of Financial Services (acting Section 151 Officer) notes the comments made by Finance.

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

13.   **Members' Interests**
The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

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

Relevant Policy (ies):	StAMP, CAP January 2016		
Within Policy:	**Y /~~N~~**	**Within Budget:**	**Y /~~N~~**

Relevant Local Member(s):	**All**

Person(s) To Implement Decision:	Natasha Morgan
Date By When Decision To Be Implemented:	January 2018

Contact Officer:	Natasha Morgan
Tel:	01597 827560
Email:	Natasha.morgan@powys.gov.uk

Background Papers used to prepare Report: Current CAP

CYNGOR SIR *POWYS* COUNTY COUNCIL

Corporate Asset Policy (CAP)

for the Acquisition, Disposal, Transfer, Leasing, Monitoring and Management of Property

Current Version	4.0	Awaiting approval
	3.0	Approved by Cabinet - 18-01-16
Previous Versions	2.1	Approved by Portfolio Holder - 12-12-13
	2.0	Approved by Cabinet - 10-09-13
	1.2	Approved by Portfolio Holder – 16-02-11
	1.1	Approved by Portfolio Holder – 26-10-10
	1.0	Approved by Cabinet – 28-09-10

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Quick Reference Guide for Services

Subject	Key Points	Reference
Leases	No officer at any level has specific authority to commit the council to enter any lease agreement, except social housing in respect of its owned operational Housing stock. All lease negotiations need to be referred to the Property Team. Services should notify the Property Team of their intentions (to stay or vacate) when there is only 12 months left to run on a lease where they are the tenant to enable the necessary action to be taken.	Part 2B- paragraphs 6.1-6.3 Part 7B
Policing Assets	Each SM is responsible for ensuring that the properties they manage are thoroughly and regularly policed that no new rights are created over Council Property.	Part 2C
Creation of rights	No formal rights over property should be created e.g. rights of way/ wayleaves without reference to both Legal Services and the Property Team	Part 2C- Paragraph 1.4
External Meeting rooms	Permission to use external facilities not owned by the Council will only be granted in advance, by the relevant Head of Service, after consideration of a full business	Part 2G
Allocation of Office Accommodation	No service is authorised to take over or use corporate office accommodation without express permission from the Property Team. When a service has any form of operational restructure, they will notify the Property Team. A review of the accommodation will then be held with the service, which may result in accommodation changes.	Part 2H
Declaring properties Surplus	As soon as a Service determines that the existing use of a property asset is to cease, (whether owned or leased) they will complete the 'Intention to Cease the	Part 3A

	Current Use of a Property' form and submit it to the Property Team. At the date of closure or vacation of the property, the SM or the Head of Service must fully complete the 'Surplus Property Form' (which is available via an Intranet link). The SM must ensure that all internal or external bought in services (such as trade waste collections, photocopier / printer rentals, cleaning services, but NOT utility connections (gas, electricity, water, drainage, telecommunications) for that site are cancelled in advance of the agreed closure date. The SM must ensure that all service materials – (e.g. in the case of schools - books, registers, work displays, computers, etc.) are removed and the building left in an appropriate condition for disposal before submitting the surplus property form.	
Contaminated Land	When land or property is declared surplus to a Service's requirements, enquiries will be made of the council's contaminated land officer regarding the site's history. If the land cannot be sold/leased it will be handed back to the originating Service for continued management.	Part 3A
Small Parcels of Land	If an individual makes an unsolicited request to acquire a small parcel of land (for example to extend their garden) the request will be noted but the interest is likely to be declined unless "exceptional circumstances" exist.	Part 4D
Acquisitions	All acquisitions, whether freehold or leasehold, must be undertaken by the Property Team.	Part 7A

PART 1

Introduction to the
Corporate Asset Policy ("CAP")

1-A   Asset Management Mission

1-B   General Introduction

1-C   Terminology

Part 1-A   The Property Management Mission Statement

This Corporate Asset Policy (CAP) provides the framework within which Powys County Council (the Council) operates its property on a day-to-day basis. It contains useful information, clear guidance and detailed procedures that support the Council's Strategic Asset Management Plan (StAMP). It includes the allocation of office accommodation, how to deal with surplus property, how to dispose of property and procedures relating to the leasing in and out of property. It should be followed by all Services.

The CAP is part of a suite of documents and should be read in conjunction with these:

Corporate Improvement Plan (CIP)	The Corporate Improvement Plan is our key corporate strategy document. It sets out our vision and what we should all be aiming to achieve.
Strategic Asset Management Plan (StAMP)	Overarching policy for dealing with our assets. It reduces risk and liability and supports the Corporate Improvement Plan; including regeneration and service improvement. This contains the: • Farms Estate Delivery Plan (FEDP) • Commercial Estate Delivery Plan (CEDP) • Service Asset Management Plans (SAMP) which detail the services view of its property and land holdings.
Corporate Asset Policy (CAP)	The framework within which the Council operates its property on a day-to day basis.

Part 1-B   General Introduction

1.   Purpose

1.1   The purpose of the Corporate Asset Policy (CAP) is to provide guidance concerning the acquisition, leasing, disposal, transfer, monitoring and management of the Council's buildings and land assets, and to do this in an integrated and co-ordinated way.

1.2   It is intended that this single comprehensive policy for all key property procedures will achieve high visibility and compliance across the Council, while also providing the structure, guidance, standardisation and discipline that are essential to efficiently manage the large portfolio of valuable property from which most of the Council's services are delivered.

2.   Scope

2.1   The CAP document provides essential frameworks for the key areas that have a major and recurring impact on the Council's property portfolio and therefore require clear guidance.

3.   Strategic Context

3.1   The Corporate Improvement Plan sets out the current Council's priorities. These priorities help shape the Council's business plans and ensure resources are focused on making improvements where they are needed most. The Strategic Asset Management Plan (StAMP) sets out our vision for meeting these objectives.

4.   Cancellation of Previous Asset Management Policies

4.1   This CAP document cancels and overrides previous versions.

Part 1-C   Terminology

1.   Corporate Terminology

1.1   The terms defined below appear throughout this "Corporate Asset Procedure (CAP) Manual" document and are based on the corporate structure as it was revised during the 2009/10 financial year.

1.2   CABINET – The decision making body of the organisation.

1.3   COUNCIL – Powys County Council

1.4   DIRECTORATE – Directorates make up the Council's second level of management, immediately below the Chief Executive.

1.5   SERVICE AREA (SA) – Each Directorate consists of various Service Areas (see Paragraph 3.2 of Part 1-A above), which together form the Council's third level of management.

1.6   SENIOR MANAGER (SM) and / or PROFESSIONAL LEADS – Each Service Area holds a number of Service Units (SUs) that make up the Council's fourth level of management (e.g. Libraries within the Leisure & Recreation service area, and Property Services within Regeneration and Strategic Property). Each Service Unit is led by a Senior Manager (SM) and / or Professional Lead.

1.7   PREMISES MANAGER (PM) - The person responsible for managing a building on a day to day basis. This role has defined responsibilities under the Council's Statutory
Compliance Management System.

1.8   PROPERTY PORTFOLIO HOLDER- The Portfolio Holder for Property and Waste

1.9   REGENERATION, PROPERTY AND COMMISSIONING - This Service Area (within the Place Directorate) is the main driver of Property management issues across the Council. Within RPC, Strategic Property is responsible for the development and maintenance of the CAP.

1.10   STRATEGIC PROPERTY TEAM – This team provides the following asset management services for the Council:-

- Strategic asset management leadership, support and advice
- The Asset Register database of all the Council's buildings and land assets
- GIS images of the Council's buildings and land assets
- Acquisition, disposal, transfer and leasing of property
- Valuation advice
- Ongoing development and promotion of the Strategic Asset Management Plan (StAMP)

- Provide support to individual Service Areas to develop efficient building use strategies
- Compliance of corporate and operational buildings and land with the Disabled Discrimination Act (1995)
- Landlord management of the Council's tenanted farms
- Landlord management of the Council's Commercial Property
- Community Asset Transfer: central point of contact and delivery

References to the "Property Team" refer to the Strategic Property Team.

Any notifications under this Policy required to be sent to the Strategic Property Team should be sent in the first instance to the Professional Lead for Strategic Property- or, in their absence, either the Property Manager or Commercial Property Manager.

1.11 MANAGEMENT TEAM – The Council's Management Team meets regularly to address the strategic direction of the Council.

1.12 The CORPORATE IMPROVEMENT PLAN – sets out the current Council's priorities through a revised rolling programme. These priorities help shape the Council's business plans and ensure resources are focused on making improvements where they are needed most. The CIP also demonstrates what part the Council plays in achieving the wider priorities of the Powys Local Service Cabinet, a strategic partnership covering the whole of Powys County and whose priorities are set out in the Powys Community Strategy.

1.13 LOCAL DEVELOPMENT PLAN (LDP) – This is one of four strategies that the Council is statutorily obliged to produce (according to the Planning and Compulsory Purchase Act of 2004 (s.62) for Wales). The Council's LDP will set out the land-use procedure framework for Powys County outside the Brecon Beacons National Park which has already established its own LDP. The emerging LDP will allocate land for particular uses and also identify existing facilities and heritage to be conserved or enhanced. It is anticipated the LDP will be adopted during early Spring 2018.

2. **Property Definitions**

2.1 ORPHAN ASSET – This is a Council-owned property that exists on the Asset Register but has no active or designated Service responsible for managing it.

2.2 PROPERTY – Throughout this CAP document, the word "property" always refers to buildings and / or land (excluding highway infrastructure and housing).

2.3 SERVICE ASSET MANAGEMENT PLAN (SAMP) – A SAMP is an ongoing "live" document that outlines the current property portfolio of a Service Unit (SU), such as Libraries, Social Services, Depots, Schools and Outdoor Recreation, and seeks to determine efficient service delivery points for that

Service Unit, whether in shared or individual sites. The SAMP analysis process is primarily designed to identify how and where services are delivered, and as a consequence provide additional evidence to support the retention and for disposal of Corporate assets. SAMP information will also feed into the SU's annual business plan or service strategy, while also supporting its business case applications for various grants and funding.

2.4   Asset Management Plan (AMP) updates – these documents are an important information tool which the Property Team uses to disseminate information to all relevant services, including finance, insurance, and Service Managers, AMP updates will be published throughout the year as they are required. Recipients are encouraged to check all AMP updates they receive and to reflect any changes in their own management systems.

3.   Contact

3.1   Email Address: - property.sales@powys.gov.uk
                property.services@powys.gov.uk

                Telephone: - 01597 82 6601

                Webpage: -   http://intranet.powys.gov.uk/index.php?id=2016
                http://intranet.powys.gov.uk/index.php?id=5362

PART 2

Monitoring and Managing Property

2-A   The Asset Register

2-B   Monitoring and Management Responsibilities of Heads of Service and Senior Managers

2-C   Policing and Encroachment Procedure

2-D   Statutory Compliance – Achieving Full Compliance

2-E   The Management of Invasive Species

2-F   The use of Council property to sell external goods and services

2-G   The use of Council meeting rooms

2-H   The allocation of office accommodation

2-I   Rationalisation and Development

2-J Release of Sky Lanterns

Part 2-A   The Asset Register

1.   Role of the Asset Register

1.1   The Asset Register holds a variety of important information about the Council's portfolio of property.

1.2   For each property asset, the Asset Register database contains the following information:-

- Site data
- Estimated asset value – this will be the "carrying value" in the Council's Asset Register for statutory accounting purposes rather than the current market value.
- Details of title deed, lease and various other records
- Purpose of the asset (e.g. car park, housing, open space, office)

2.   Managing the Asset Register

2.1   Management of the Asset Register is shared by Finance and the Property Team. Finance update the financial details concerning the Council's property portfolio, while the Property Team manages the core data.

2.2   The following two sections of the CAP Part 2-B and Part 2-C outline specific procedures and solutions designed to improve management of the Council's property portfolio especially concerning the Asset Register and related legal issues.

Part 2-B   Monitoring and Management Responsibilities of Heads of Service and Service Managers / Professional Leads

1.   **Reviewing Asset Register Data**

1.1   Heads of Service and their Service Managers (SMs) / Professional Leads (PLs) must regularly ensure that their building and land assets are correctly allocated to them on the corporate Asset Register. This can generally be done in one of two stages with the assistance of the Property Team:-

    a.   Requesting an Asset Register report from either the Finance Team or the Property Team;

    b.   Undertaking a periodic review of the above report and notifying the Property Team of any corrections that need to be made to the Asset Register.

2.   **Incorrectly Allocated Assets**

2.1   Where it is considered that an asset is incorrectly allocated to a Service Area, the Manager of that service should raise this with the Property Team using the "Reallocation of Assets" form.

The Property Team will reviews the enquiry to determine the asset's most appropriate Service Unit location on the Asset Register / Master List. The Property Team's recommendation is explained in a report to the Head of Service who initiated the enquiry and also to any other relevant Heads of Service or SMs.

If all concur with the Property Team's recommendation, both the outgoing and incoming SMs will formally agree to re-allocating the property on the Asset Register / Master List. This will be done via the 'Reallocation of Assets' form that is available from the Property Department – Please call one of the Property Administration Officers or alternatively email property.services@powys.gov.uk

If the recommended property re-allocation is disputed by a Head of Service and / or a SM, then the property in question will be referred to the Head of Service for Regeneration and Regulatory Services at Management Team.

3.   **Avoiding Creation of "Orphan Assets" during Corporate Re-Structures**

3.1   To avoid creating orphan assets and other inaccuracies on the corporate Asset Register, Heads of Service and their SMs should:-

    a.   Ensure that any potential Asset Register or Property allocation issues are thoroughly investigated and resolved, following the procedures outlined in Sections 1, 2 and 3 above and also in "Part 4-A, Internal Transfer of Property".

4. Adhering to Title Deed Requirements

4.1 Once a property is correctly reallocated on the Asset Register, the Head of Service and SM now responsible for this property will ensure that they adhere to any requirements or covenants recorded in the title deeds (e.g. liability, boundary responsibilities, insurance, maintenance, etc.).

4.2 If a Service Unit needs advice on any title deed issues, they should contact Legal Services for clarification.

5. Updating Service Asset Management Plans (SAMPs)

5.1 Each SM with an active SAMP is responsible for updating their SAMP whenever relevant changes occur in the properties that they are responsible for. This includes, for example, any significant changes in building condition, land use, or the SAMP site list itself (which should accurately include all the buildings and land parcels currently allocated to the Service Unit's property portfolio).

6. Lease Agreement Procedures

6.1 No officer at any level has specific authority to commit the council to enter any lease agreement, except social housing in respect of its owned operational Housing stock.

6.2 In all other cases, the creation of new leases or any variation of an existing lease, whether the property is leased-in or leased-out will be requested by Service Managers via the Property Team. Legal Services will only act upon formal instructions from the Property Team which will need to include member approval and budgetary information – see Part 7-B.

6.3 Heads of Service and SMs should note that if leases are entered into which do not follow this process, those Heads of Service may be subject to disciplinary action for any breaches (or deemed breaches) in those leases.

7. Leased-In Properties

7.1 Details of the leasing-in procedure are explained in "Part 7, Acquisition and Leasing-In Property Assets".

8. Leased-Out Properties

8.1 For leased-out property, the relevant Head of Service and SM will ensure that the site is responsibly managed, including compliance by both landlord and tenant with all relevant lease requirements.

8.2 Any suspected lease violations should be reported to the Professional Lead for Strategic Property. If deemed necessary, the Professional Lead will then forward the enquiry to Legal Services for further clarification.

8.3 The procedure for leasing-out the Council's property assets is explained in "Part 6, Leasing-Out Property".

9. Surplus Assets and the Disposal Process

9.1 If a Head of Service and a SM determine that one of their properties is no longer required to deliver its current service, it is their responsibility to promptly declare that the asset is surplus to the Service Unit's requirements. This is the case even when the Head of Service and SM have an alternative use in mind for the property. The procedure for declaring and disposing of a surplus property, or for registering a Services interest in the property, is explained in "Part 3, Surplus Property" and "Part 4, Disposal of Surplus Property".

9.2 Where the Property Team identifies a Council owned property that does not appear to be occupied or used by its current Service Unit, the following procedure will be activated:-

    a. The-Property Team will contact the responsible SM as indicated on the Asset Register about declaring the property surplus.

    b. If no appropriate response or report is forthcoming on which a decision can be based, the matter will be referred to the Professional Lead for Property for discussion with the Head of Service and the Property Portfolio Holder for a decision regarding its disposal / retention.

10. Acquisition

10.1 All property acquisitions must be managed by the Property Team. For further details, please refer to Part 7 – Acquisition and Leasing-In Property.

11. County Farm Estate – Management of Tenanted Property

11.1 The day to day management of the farms estate is undertaken by the Property Team in line with the agreed farms strategy. Therefore the CAP does not cover the lease arrangements for these properties but does provide the procedure for all other aspects.

12. Council Housing Service

12.1 The provision and management of Council House Stock is not covered by the CAP, apart from the provision of new land for development or sale of surplus assets (whether by freehold purchase or sale, or lease). Any non-Council House stock managed by another Service will be dealt with as other council owned assets and not as social housing.

13. Commercial Business Units

13.1 The day to day management of the commercial property units is undertaken by the Property Team in line with the agreed commercial policy. Therefore the CAP does not cover the lease arrangements for these properties but does provide the procedure for all other aspects.

14. Rating Returns and Notifications

14.1 Heads of Service / SMs must ensure that any of the Valuation Office Agency's (VOA) requisitions for rating information which arrive in their sections (whether correctly or otherwise) should be forwarded immediately to the Property Team at County Hall.

15. Advice & Training for Heads of Service & Service Unit Managers (SMs)

15.1 Heads of Service and SMs are encouraged to seek clarification and advice from the Property Team about the above responsibilities and procedures for efficiently managing their properties. Providing such consultation is part of the Property Team's role of delivering strategic asset management leadership and support across the Council.

16. Non-Compliance

16.1 The Property Team will raise any compliance issues relating to the CAP with the relevant Service Area Manager or Head of Service for review. In exceptional circumstances the matter will be referred for investigation and action to the Property Portfolio Holder, and also the Portfolio Holder for the relevant Service Area.

Part 2-C   Policing and Encroachment Procedure

1.   Policing Assets

1.1   Each SM is responsible for ensuring that the properties they manage are thoroughly and regularly policed that no new rights are created over Council Property. Such rights can either be unauthorised or permissive.

1.2   Examples of unauthorised property use that require action are:-

- Pipes, cables and electric / telephone lines that have been laid on Council land without consent
- Installation of gates that give private access to Council property
- Installation of gates on Council footpaths, fences or roads without consent
- Encroachment onto Council land (e.g. for gardening, vehicle parking, private use, etc.)
- People using or inhabiting Council buildings without consent

1.3   Any suspected discrepancies that are discovered should be reported to both Legal Services and the Property Team who will start appropriate action.

1.4   Examples of permissive rights that must not be created without reference to both Legal Services and the Property Team include:

- Rights of way
- Rights to park
- Rights to occupy
- Rights to install apparatus on buildings e.g. solar panels on rooftops
- Granting leases (see Part 7-B)
- Wayleave Agreements

1.5   Heads of Service should be made aware of any other notifications made by officers for all the service area and these should be investigated appropriately.

2.   Encroachment Issues

2.1   "Encroachment" is defined as the unauthorised use and / or enclosure of Council Property over a sustained period of time. Examples are:-

- Homeowners or organisations gradually incorporating strips of adjacent Council land for their gardens, lawns or dwelling curtilages
- Land-owners enclosing an adjacent Council-owned land parcel and maintaining it for their own use

2.2   Persons or organisations who openly use Council land to the exclusion of all others over a continued period of years without any Council knowledge,

may be able to claim adverse possession and therefore possessory title to Council property.

2.3   After being informed of a suspected land encroachment, the Property Team will research the asset and if satisfied that an encroachment is occurring, will notify Legal Services.

3.   Non-Compliance

3.1   The Property Team will raise any compliance issues relating to the CAP with the relevant Service Area Manager or Head of Service for review. In exceptional circumstances the matter will be notified to the Property Portfolio Holder.

Part 2-D Statutory Compliance – Achieving Full Compliance

1. Introduction and Background

1.1 The Statutory Compliance Management System sets out how the Council – through its Joint Venture partner, Heart of Wales Property Services Ltd (HOWPS) - will achieve full compliance with statutory legislation specific to Property Management (see Intranet page 5591).

1.2 Although the Council's system will ensure that orders are placed and risk assessments conducted as required for the Council's property assets, SM's remain responsible for any remedial works identified.

1.3 If following statutory testing and remedial work advice, compliance officers continue to have concerns about the operational safety of a property asset, they should follow the escalation procedure.

2. Identification of Remedial Works

2.1 During every site inspection, test or maintenance visit, the appointed service contractor will complete a Service Inspection Sheet (SIS). The layout of the SIS will vary depending upon the asset being serviced and the contractor. A completed SIS will outline what works the engineer undertook and, most importantly, if there are any defects with the asset that need to be remedied.

2.2 In addition to a servicing visit, remedial works may also be identified during callout or breakdown works.

2.3 A Corporate Statutory Compliance Management System is kept where all data is held centrally for auditing and monitoring purposes.

2.4 Using the Building Maintenance Service will ensure that the Council builds up complete records of its assets.

3. Funding of Remedial Works

3.1 In the first instance, the PM should look to their own allocated revenue property budget to fund the works. Where this is not possible, they must seek to identify appropriate alternate funding sources allocated to their Service.

3.2 PMs should include a request in their Service's Financial Resources Model to be considered and prioritised. Details of appropriate funding should be sought from the Finance Team.

3.3 Where capital allocations have already been approved and issued to a Service, the PM should work with their Head of Service or SM to prioritise the need within the Service and to allocate funds appropriately.

4. **Escalation Procedure**

4.1 If a Head of Service, SM or PM fails to complete an urgent remedial action, they will be exposing the Council to risk.

4.2 Council assets cannot be operational if serious defects exist that may expose users of the property to potential harm or injury. In such circumstance, where potential harm or injury exists in a building, and PMs are not undertaking the required remedial actions, the issue should be escalated to the relevant Heads of Service by the PM or the compliance team in HOWPS via the Property Team.

4.3 The Head of Service will report his/her decision, in conjunction with the Property Team, to the relevant Portfolio Holder (s).

Part 2-E   The Management of Invasive Species

1.   Introduction

1.1   Invasive species are defined as those plants and animals that are listed under Schedule 9, Part II of the Wildlife and Countryside Act 1981. Not all the plants and animals listed in Schedule 9 are highlighted within this section, SMs should make themselves aware of the entries in the Schedule and how they may affect their property or any works that they wish to undertake on their property.

1.2   Please refer to Intranet Page No. 6506 for full guidance.

Japanese knotweed (and other invasive plants)

1.3   Japanese knotweed is listed on Schedule 9, Part II of the Wildlife and Countryside Act 1981 making it an offence under Section 14 (2) (a) of the Act to "plant or otherwise cause Japanese knotweed to grow in the wild".

1.4   Both the Police and local authorities have enforcement powers to act under Schedule 9, it is an offence to spread Japanese Knotweed or any other listed species.

1.5   SMs and PM's should use the form on page 6506 of the Intranet to report any suspected invasive growth to the Invasive Plant Co-ordinator (IPC).

2.   Who is Responsible?

2.1   Managing invasive plants is the responsibility of the owner/occupier of the site. In all instances, it is prudent to take action to control its spread quickly.

2.2   Allowing Schedule 9 species to spread onto neighbouring land will be considered a statutory nuisance.

2.3   Where an invasive species is identified on Council land, the Council has a duty to provide a plan of action. The Service is responsible for allocating funds for specified treatments.

3.   Identification and Treatment of an Invasive Species

3.1   If the SM / PM is informed by any contractor or suspects that they may have an invasive species, they should contact the IPC immediately.

3.2   The IPC will visit site and undertake an assessment. If an invasive species is positively identified the IPC will obtain quotes for the effective treatment plan.

3.3   If the SM / PM does not instruct the IPC within one month of receiving quotes to undertake identified treatment, where they are required, then the IPC will escalate the matter to the relevant Head of Service.

3.4   The IPC will maintain a corporate register of all invasive species found within Council sites, along with full details of treatments and action plans.

3.5   The IPC will manage the action plan and provide ongoing support and advice.

Part 2-F The Use of Council Property to Sell External Goods and Services

1. Introduction

1.1 The section covers the use of public areas of Council buildings, (e.g.: reception areas, car parks) by charity organisations for sale of goods.

1.2 The use of public areas by charities for publicity purposes will be provided free of charge.

2. Key Principles

2.1 The Council values the work undertaken by Charities and Third Sector Organisations, which is crucial to the wellbeing of residents in Powys. These organisations will be supported where practicable.

2.2 The Council should not be seen to support or promote one charity or organisation over another in relation to the sale of goods or services. This is to avoid any potential claims of discrimination or unfairness.

2.3 The Council will allow promotional material to be placed on its notice boards but Services should ensure compliance with this procedure when approached by charities or organisations wishing to use Council premises to sell goods or services or to use the property to collect goods from staff or members of the public.

2.4 The procedure will only allow the sale of any goods by charitable organisations within any Council property, where permission has been obtained from the Property Team, or the specific property falls within one of the permitted exemptions below.

Chairman's Exemption

2.5 The Chairman of the Council may wish to promote one or more charities of his/her choice throughout their term of office and this may involve fundraising. The Council may prioritise these charities over and above others for the use of public areas.

Commercial Organisations

2.6 Commercial organisations will not be permitted to sell goods within public areas.

2.7 Commercial organisations may only promote their business, if staff place an advert on the suitable notice board on the business's behalf.

<u>Exemptions</u>

2.8
- Any properties that are owned or managed by the Council for commercial purposes are not included within this procedure, (e.g. livestock markets, business units, leisure centres, shops).
- Goods produced by the Council Social Services workshops.
- Schools are run by Governing Bodies and therefore it is up to the discretion of the Governors as to what charities or organisations they support.

3.   Approval Process

<u>Corporate Offices</u>

3.1   The use of publicly accessible areas is strictly controlled by the Property Team and anyone seeking to use these areas must obtain written approval from the Property Team within the confines of this guidance.

<u>Other non-exempt buildings</u>

3.2   The use of publicly accessible areas is strictly controlled by the PM for the Service and anyone seeking to use these areas must obtain approval from the PM within the confines of this guidance. It should be noted however that any consent which may be given should follow Corporate guidance.

4.   Approved use of Council Properties

4.1   If a charity has sought and obtained approval to use a public area of a property, the following is recommended:

- Approval will only be given up to one month at a time and not for consecutive periods.
- There should be no more than two charities per month permitted at each location.

Part 2-G   The Use Of Council Meeting Rooms

1.   Corporate Office Accommodation

Use of Corporate Meeting Rooms by the Council

1.1   Meeting facilities within corporate office accommodation for internal use can be booked on the Intranet. The Chamber and Committee Rooms can only be booked by contacting Democratic Services staff in County Hall.

1.2   Where a room booking is no longer required, it must be cancelled as soon as possible to allow the facility to be used by others.

Use of Corporate Meeting Rooms by Groups affiliated to the Council or Powys Teaching Health Board.

1.3   All external organisations will be required to pay for the use of Meeting Rooms (save where there are reciprocal arrangements) other than where such organisations already lease accommodation from the Council in the same building. A schedule of charges is maintained by the Property Team.

1.4   Rooms will only be available to these groups if there is no identified Council need for that meeting facility.

Out of Hours Use

1.5   Office buildings are closed for access at 6.30pm daily during the working week and all day at weekends and Bank Holidays. Where meetings are requested in Corporate buildings outside normal office hours, at weekends or Bank Holidays those requesting the booking will incur additional charges.

1.6   The Registration Service has access to corporate office buildings to perform ceremonies out of normal office hours and this arrangement is separate and not affected by this guidance.

Catering Facilities

1.7   Where formal catering is required at a meeting within corporate office accommodation, services are required to use the in-house catering provider (if available).

Charges

1.8   Room hire charges and booking forms for use of meeting rooms by external organisations are available from Property, on 01597 826601 or property.services@powys.gov.uk.

Equipment

1.9 The room booking system provides guidance regarding conference equipment included in each room. If required, additional facilities (where available) can be provided by arrangement with the Building Caretaker.

2. Other Council Venues

2.1 Services may offer certain rooms in their operational properties for staff to use. Services will operate its own terms, conditions and may charge for bookings and so users should enquire directly with each location.

3. Use of Other Non-Council Property for Meetings / Conferences

3.1 Permission to use external facilities not owned by the Council will only be granted in advance, by the relevant Head of Service, after consideration of a full business case.

4. Health & Safety

4.1 Staff meeting in a building that they are unfamiliar with should make themselves familiar with the fire procedures and exits, especially if they have external guests. They must ensure that they and their guests have signed in and out of the appropriate fire register held at the building.

Part 2-H   The Allocation Of Office Accommodation

1. Application

1.1   Office accommodation is allocated to service areas on a case by case basis based upon the service delivery objectives.

1.2   Services are encouraged to promote agile working practices when advertising any posts.

2. Changes to allocated space

2.1   No service is authorised to take over or use corporate office accommodation without express permission from the Property Team.

2.2   When a service has any form of operational restructure, they will notify the Property Team. A review of the accommodation will then be held with the service, which may result in accommodation changes.

2.3   New posts should follow the HR system via Trent, whereby the Property Team will approve all new posts only when a way forward has been agreed between them and the service for how any new staff will be accommodated.

2.4   The Council continually reviews its office accommodation and will implement review and rationalise as required. SMs should note they may be required to relocate as part of any review process taking place.

2.5   Where services are seeking additional accommodation they are required to contact the Property Team giving as much notice of the future requirements as possible. The Property Team will then review and manage such requests – whether for new starters, staff relocations or service expansion.

PART 2-I   Rationalisation and Development

1.1   The Council reviews its property stock via various mechanisms. These include Service Asset Management Plans (SAMPs) and Service Reviews. Other property reviewing mechanisms will be considered as required.

1.2   Strategic Property hold and maintain all asset data pertaining to property and make it available to services who wish to review their property portfolio.

1.3   For major rationalisation models, Programme Boards are usually set up, for example, Schools Modernisation. Working Groups are also used for more specialist or locally important reviews.

Part 2-J   Release of sky lanterns

Releasing sky lanterns (also known as Chinese lanterns) from any Council owned or managed property was banned following a decision by the Cabinet in October 2015 because of dangers to residents, farm animals, wildlife and property.

Part 2-K Protection of Protected Species

1.1   The Council has a statutory duty to ensure that none of the work it carries out – whether for its own development, or prior to disposal of sites with the benefit of planning permission – will cause harm to protected species (for example, but not exclusively, bats, newts, reptiles, barn owls).

1.2   When considering the purchase of greenfield sites for development, or alternatively sales with planning permission, the Council's Ecology Officer will be consulted in the first instance.

1.3   Inevitably, dependent upon the surveys which are required, ecological demands will add considerably to the time taken to either develop new schemes (e.g. new schools, new Business units) or to gain planning permission.

1.4   Only suitably licensed persons are permitted to undertake surveys of protected species.

1.5   The following table gives some indication of the timescale which ecological delays may have due to survey work:-

Species	Optimal Survey Period (inclusive)
Bats	April to September
Badgers	All year, but early spring / late autumn best
Dormice	April to November
Newts	March to September
Reptiles	April to September
Watervole	Mid-April to Mid-September

1.6   Where protected species are identified, there may be further delays to a project whilst mitigation works are developed and put in place.

PART 3

Surplus Property

3-A   Identification & Management of Surplus Property

3-B   Options Appraisals for Surplus Property

Part 3-A   Identification of Surplus Property

1.   Introduction

1.1   To assist the Council in delivering the priorities of the Corporate Improvement Plan, the Council is committed to prompt and ongoing rationalisation of its buildings and land.

1.2   If considering a sale at less than Market Value, the Local Government Act 1972: General Disposal Consent (Wales) 2003 Paper, "Disposal of land in Wales by authorities for less than best consideration" removes any requirement for local authorities to "… seek specific consent for any disposal at an undervalue where the authority considers that the disposal is in the interests of the economic, social or environmental wellbeing of the whole or any part of its area …and the undervalue is £2,000,000 or less…"

2.   Deciding to Make a Surplus Declaration

2.1   As soon as a Service determines that the existing use of a property asset is to cease, (whether owned or leased) they will complete the 'Intention to Cease the Current Use of a Property' form and submit it to the Property Team.

2.2   Where only a part of a property use has ceased this will be declared surplus.

2.3   The Service will consider the implications of any closure proposals on support services - e.g. cleaning staff. The Head of Service / SM will in any event, ensure that their Portfolio Holder and the relevant local member are aware of their decision.

2.4   Upon receipt of the above form, the Property Team will begin the internal process prior to the disposal process.

NOTE – In all circumstances, the intention to declare an asset surplus should still be made even if the Head of Service and / or the SM already have an alternative use in mind for the asset within their own Service Area.

2.5   As part of this process, the Property Team will review the entire site identified to ensure that disposing the asset will not impact upon any other land parcel(s) that the Council would retain.

Properties with On Going Liabilities

2.6   Where a property has on going liabilities that cannot be immediately resolved (for example community heating system or reinstatement liabilities) the service will remain responsible for all costs, fees and management until the issues are resolved.

2.7   If there are significant issues with the property the Property Team will work with the service to resolve whatever issues may be evident.

<u>Leased in Property</u>

2.8   Where Services have leased in a property which is no longer required by that service, and part of the lease term still remains, that accommodation may be offered to other service providers within the Council, in accordance with any user restrictions or planning conditions apparent in the lease terms.

2.9   The original leasing service will continue to be responsible for all costs associated with the lease and any reinstatement liabilities until an alternative service use is identified. If such use isn't identified, the Property Team will contact the landlord in an attempt to negotiate an early surrender of the lease. The costs of any such early surrender of a lease will be met by the original leasing service.

2.10   If an alternative Service takes over the balance of a lease term, then both Services will share the reinstatement costs at the end of the lease on a pro rata basis or as agreed between them.

<u>Contaminated Land</u>

2.11   When land or property is declared surplus to a Service's requirements, enquiries will be made of the Council's contaminated land officer (CLO) regarding the site's history. Whilst this simple enquiry will enable a site's former use or uses to be identified, this information will not necessarily reflect a site's contamination status. If the CLO advises the land has a former use which could have caused contamination, that site will be assumed at this point to be potentially contaminated.

2.12   If the land is considered suitable for sale or lease then:

2.12.1 the CLO and Property Teams will carry out a reasonable search of the Council's archives to collate all relevant information. The CLO will pass any information it finds to the Property Team; and

2.12.2 the Property and Legal departments will also seek to ensure that there is a provision included within such sale or lease documentation the purpose of which is to remove all liability from the Council as seller / landlord, onto the buyer / tenant.

2.13   It is considered that any site may then be offered for sale (or lease) with full disclosure – including full liability transfer. For full disclosure, the Council must ensure it provides a specific transfer of its Part 2A responsibilities under the Environmental Protection Act 1990. This would include, for example, all existing reports and data held by the Council in relation to the surplus land. Supplied with such information at marketing stage and in advance of any sale or lease, responsibility for any contaminants subsequently discovered – in all probability through intrusive investigation – will pass to any purchaser or tenant of the site.

2.14   In the event, that the land or property cannot be sold or leased, the land or property will be passed back to the originating Service for continued management.

3.   Clarifying Any Restrictive Covenants

3.1   The Property Team, in consultation with the Head of Legal Services, will ensure there are no contractual rights of pre-emption or other restrictions within any title or lease documents, and also ensure that the "Crichel Down" rules do not apply.

3.2   Where legal investigations identify that restrictions exist on a surplus property, whether owned or leased, any costs associated with addressing those restrictions will be the responsibility of the declaring service.

4.   Consulting Planning Authorities

4.1   The Property Team will seek pre application advice (if appropriate) from the relevant planning authorities (including Council Development Management and the Brecon Beacons National Park Authority) to indicate what development may be permissible for the surplus property.

5.   Excluding Surplus Assets from Normal Disposal Options

5.1   Where any property is identified as becoming surplus to requirements as part of a major rationalisation review (for example the School Modernisation Programme) or other authorised initiatives, the Council, via approval from the Property Portfolio may exclude that land and / or property from "Part 4-B, Sale of Property to a Registered Social Landlord / Local Health Board" and "Part 5, Community Asset Transfers" in order to obtain full market value for the Council.

6.   Surplus Declaration Procedure

6.1   At the date of closure or vacation of the property, the SM or the Head of Service must fully complete the 'Surplus Property Form' (which is available via an Intranet link).

6.2   The SM must ensure that all internal or external bought in services for that site are cancelled in advance of the agreed closure date. Services in this context mean, for example, cleaning, trade waste, equipment hire, and DO NOT INCLUDE utility providers such as electricity, water, drainage, gas and telecommunications networks.

6.3   The SM must ensure that all service materials – (e.g. in the case of schools books, registers, work displays, computers, etc.) are removed and the building left in an appropriate condition for disposal before submitting the surplus property form.

6.4   When the form is completed in full, it should be sent to property.services@powys.gov.uk

6.5   If the Surplus Property Form is not completed fully or following inspection found not be have been appropriately cleared, Property will not accept responsibility for the site and will return the form, identifying those areas where additional work is necessary. Please also refer to section 2.6 above.

6.6   Where the SM has an alternative use for the property, this interest should be recorded via 'Surplus Property Form - Expression of Interest' and sent in with the 'Surplus Property Form' to Property. This interest will be considered, with other potential service interest, under "Part 4-A, Internal Transfer of Property Assets".

7.   Community Interests

7.1   If the property is declared surplus but it later becomes the subject of a Community Asset Transfer (CAT), please refer to "Part 5 of this manual, Community Asset Transfers".

7.2   If the property will be used to provide the same service as that originally provided, but is leased to an external organisation for service delivery, the property will revert to the originating Service to monitor the service provision and ongoing lease compliance responsibility through a Service Level Agreement (SLA).

7.3   If the property will be used to provide a different service to that originally provided, the property will be vested in the Service Area usually responsible for the provision of that function to monitor the service provision through an SLA.

8.   Transferring the Surplus Property to Strategic Property

8.1   Once the fully completed 'Surplus Property Form' has been accepted by the Property Team and the building or land parcel has been vacated and secured, management of the asset will transfer to the Property Team.

8.2   The Property Team may arrange for an inspection to be undertaken in the presence of the vacating service to agree what actions are required to safeguard the property whilst vacant. The service will be required to fund any works that are required to retain the property in good order.

8.3   The Property Team will ensure that the surplus asset is added to the Council's Surplus Property List and that the Principal Accountant and all relevant parties are all informed.

8.4   The Property Team will ensure that the Property Portfolio Holder is notified.

8.5   The asset is transferred from the "Operational" category to the "Surplus Assets" category on the Asset Register. The valuation will reflect the market value of the asset in accordance with the CIPFA Code of Practice.

9. Non-Surplus Property

9.1 There will be times when a Service is approached by an organisation or person to rent or sell a piece of land or property that is, at that time, not considered to be surplus. If the property is a "small parcel of land" as defined in Part 4-D then the procedure policy set out in that Part will be followed. If the property is not a "small parcel of land" the Service should consider the request in conjunction with the Property Team. If it is agreed that the asset is to be sold, it will be declared surplus in the usual way.

Part 3-B   Management of Surplus Property

1.   Notification of a Surplus Property

1.1   Property will determine whether the surplus property can provide a solution to any accommodation needs whilst also circulating the property to all Service Managers in line with the internal transfer procedure. There may however be overriding circumstances where it is not appropriate to circulate properties internally before offering for sale – for example, where a property has been bought under a Compulsory Purchase Order and is no longer needed for the purpose of its acquisition (where it legally must first be offered back to the original vendors). Such departures will only be followed having first consulted the Property Portfolio Holder.

1.2   After receiving the above notification, Services have **three weeks** to declare their interest in securing future use of the surplus property.

1.3   Any declaration of interest must be supported within **one calendar month** by a written Statement of Intent highlighting:-

- Support for the internal transfer by the Cabinet Portfolio Holder for the interested Service Area
- A clear and brief Business Case:-

  o   Explanation of the service to be delivered
  o   Long-term management feasibility
  o   Summary of capital and revenue expenditure proposals
  o   Demonstration of the project's long-term sustainability

1.4   If a Business Case is not forthcoming after the defined time limit in 1.3 above, Property will make contact with the service to confirm that the service has no interest in the property so that the disposal process may continue. A further deadline for submission of a Business Case may be agreed.

1.5   If no interest is shown in the surplus property, it will be disposed of. See "Part 4, Disposal of Surplus Property".

1.6   Any interest declared by one or more Heads of Service will be dealt with following the procedures in "Part 4-A, Internal Transfer of Property".

2.   Suitability for Social Housing

2.1   If a Service Area has expressed an interest in the internal transfer of a property or the property has also been identified by a Registered Social Landlord, the interest of both parties will be dealt with under "Part 4-A, Internal Transfer of Property".

3.   Retention of Property

3.1   Where it is viewed by Property officers (for example due to poor market conditions), that a property should be considered for retention, the Property Portfolio Holder, will be presented with a briefing paper for consideration. If it were considered necessary by the Portfolio Holder, a report may also be taken to Cabinet. If approved, the Council would forego an immediate capital receipt for a medium to longer term gain and potential short term revenue income. In this event, finance colleagues should be advised that revenue income should be recorded as temporary and should not be reflected in service income targets.

3.2   The management of this asset whilst it was retained will remain with Property, who manage the surplus property stock.

3.3   Dependent upon the type, location and overall condition of a surplus property, Property officers may seek approval from the Property Portfolio Holder to retain a surplus property long-term as an investment property within the Commercial Property portfolio, to increase the Council's revenue income stream.

PART 4

Disposal of Surplus Property

4-A   Internal Transfer of Property

4-B   Sale of Property to a Registered Social Landlord or Local Health Board

4-C   Sale of Property

4-D   Small parcels of land

4-E   Sale or Reuse of Furniture and Equipment

Part 4-A   Internal Transfer of Property

1.   Procedures for Internal Transfer of Surplus Property

1.1   Under all circumstances, business cases (as referred to in Part 3-B) will be reviewed by the Property Portfolio Holder together with the relevant Portfolio Holders for the requesting areas, and the Portfolio Holder for Finance.

1.2   If the Portfolio Holder approves the transfer, the Property Team will formally advise all concerned of the decision and the transfer date will be taken as the date of approval.

1.3   If the transfer takes place to the Housing Service then paragraph 5 below will apply.

1.4   If the proposed transfer involves a Registered Social Landlord then Part 4-B will apply.

2.   Rejection of an Internal Transfer

2.1   If a request for transfer is rejected through the processes described in Part 4-A above, then the surplus asset will be offered for sale on the open market.

3.   Using the Surplus Property Form to Express an Interest

3.1   If a Head of Service and / or an SM feel they have a compelling case for retaining an asset that is now surplus to requirements, this departure from the normal procedure will follow the relevant processes outlined above.

4.   Notification of Internal Transfer

4.1   At the conclusion of the Internal Transfer, the Property Team will circulate the outcome to all relevant parties.

5. Internal Transfer of assets to or from the Housing Service

5.1   Where a transfer is requested by the Housing Service for affordable housing using its own Capital funds, then the same process as set out in 4-B will be followed as if Housing were an RSL. However, in such an instance, there will be an expectation that as soon as Cabinet, or designated Portfolio Holder, has approved a transfer of a surplus property to the Housing Service at an agreed sale price, the transfer will be effected within 6 months of that decision.

Part 4-B   Sale of Property to a Registered Social Landlord or Local Health Board

Registered Social Landlord (RSL)

1.   Background

1.1   In order to promote development of new affordable housing for either rent or low-cost home ownership, the Welsh Government (WG) gives Social Housing Grants (SHGs) to RSLs.

1.2   Local Authorities identify and prioritise those settlements within their jurisdiction where there is a high demand for social housing schemes and work with RSLs to secure development sites.

2.   The Process

2.1   During the internal circulation process, the Housing Service is able to lodge interest in any property on behalf of one of the RSLs operating in Powys.

2.2   This interest must be supported with a Business Case, as outlined in Paragraph 1.3 of "Part 3-B.

2.3   If the Cabinet Property Portfolio Holder accepts the Business Case, the RSL must accept the management and maintenance liability of the property in the form of an Option Agreement. The Option Agreement fee – charged at 5% of the Council's assessment of Market Value - will need to be completed within three months of this decision. The option fee will be deducted from the purchase price on legal completion, but will be non-refundable should the RSL subsequently withdraw from the process.

2.4   An Option agreement will be offered for up to 24 months (to run concurrently from the date of the Cabinet Portfolio Holder decision) in order to allow for valuation, finance and planning work-streams to be secured and also for a purchase to be negotiated

2.5   The Property Team will advise the relevant Local Member that consideration is being given to a sale of a property to an RSL.

2.6   The Property Team will commission an Independent Expert valuation of the property from the Valuation Office Agency (VOA) or similar independent body, which will comprise both a market value and a market valuation restricted to affordable housing.

2.7   Upon receipt of the VOA report, the RSL will undertake a full viability assessment of the property to determine whether the VOA valuation is affordable.

2.8　　Once the outcome of the viability assessment is known, the Property Team will produce a Cabinet report outlining both valuations, and the offer made by the RSL. Cabinet will in all circumstances be asked to determine whether they wish to support a sale at less than market value in order to meet demonstrable affordable housing needs or whether the Council's need for the higher value capital receipt should take priority. Where the viability assessment indicates that the RSL is only able to submit an offer considerably lower than the affordable housing valuation. The RSL may be required to attend the Cabinet meeting to take questions.

2.9　　In the event that Cabinet does not support the recommendation, instructions will be provided as part of the Cabinet's decision.

2.10　If Cabinet or Portfolio Holder approve the disposal to the RSL, the Property Team will immediately notify the Town or Community Council.

2.11　Instructions to the Head of Legal Services to proceed with the disposal will be issued by the Property Team no sooner than five working days after the Cabinet or Portfolio Holder decision to support the sale has been made.

3.　Overage Provision in the Transfer Document

3.1　　If an asset is sold to an RSL, the property must be developed for affordable housing with the transfer documents containing an overage clause to that effect.

4.　Local Health Board

Background

4.1　　The Local Health Board within Powys (PTHB), mirrors the aims and objectives of Council in that they serve the people of Powys. The two organisations have a working agreement whereby they each strive to ensure the needs of the public are met to the highest standard. In order to achieve this, all surplus property will be circulated to the PTHB.

Process

4.2　　The process to be followed in these cases, when the Council has surplus property, mirrors that for RSL's above.

5.　Notification of Transfer to RSL/PTHB

5.1　　At the conclusion of the transfer, Legal will circulate the transfer document to all parties named on their formal Green Form instruction.

Part 4-C   Sale of Property

1.   The Process

1.1   If there is no internal interest or if expressions were rejected, the property will be offered for sale on the open market.

1.2   The Property Team will consider whether any "exceptional circumstances" (defined below) exist whereby the property should be offered to another party prior to being offered to the general market.

1.3   "Exceptional circumstances" may include, **but are not limited to,** the following: -

- A landmark building (e.g. a former Town Hall) which may have historical links to a Town or Community Council and be considered as a heritage asset.
- Land where a Town or Community Council already has an interest or presence (e.g. an office, recreational area, etc.)
- Crichel Down Rules – If a property was acquired by compulsory purchase, it may have to be offered back to the original owner.
- Minor extensions to gardens, where it is clearly obvious that there can only be one realistic purchaser (and subject to the minor sales policy).

All potential exceptional circumstances will be dealt with individually on a case by case basis. In all cases where officers are considering whether Exceptional Circumstances exist, approval will be obtained from the Monitoring Officer to depart from the normal procedure in this CAP.

1.4   Notification of a proposed sale should be given to the relevant Local Member if the land is to be offered for sale on the open market. Any land offered in this way will not necessarily include newspaper and / or roadside advertising but may be offered solely through the Council's Website, or external agent.

1.5   Where a potential sale has been initiated by a private individual (under Part 4-D or otherwise), the applicant, along with any other adjoining landowners will be contacted directly, to advise them of the land being offered for sale. In these circumstances, the advertisement, via the Council's website will run for a period of no less than **three weeks**.

1.6   If a property was acquired by compulsory purchase it may have to be offered back to the original owner and/or the owner's family, if it had not been utilised for its intended purpose and the original vendors were still alive.

1.7   In order to ensure that the Council maximises its receipt on all disposals, consideration will be given to the possibility of securing additional value by development or change of use in consultation with the appropriate Planning Authority.

1.8 Where it is appropriate to do so, the Property Team will ensure appropriately worded covenants are included in instructions to Legal Services to protect the Council's interest.

1.9 Services should note that where land or property is declared surplus to requirements – whether by deliberate action or in response to a request from a member of the public – if that asset subsequently fails to sell (perhaps because the original applicant no longer wishes to acquire it and it is of limited or no value to any other party), the Property Team reserves the right to transfer the asset back to the originating Service, as the Property Team does not have a significant management budget for the upkeep of surplus assets.

2. Exceptional Circumstances

2.1 The Property Team will notify the local Member and those parties who appear to satisfy the necessary criteria, giving them an appropriate period of time to declare their interest in acquiring the surplus property – **two months** for corporate bodies such as Town Councils, and **one month** for other private vendors.

2.2 Where an interest is confirmed by a qualifying party, the Property Team will issue an instruction to the Valuation Office Agency (VOA) seeking an Independent Expert valuation, taking into account the special circumstances of the proposed transfer. Both parties will agree to accept the independent valuation as evidence of the property's true market value.

2.3 Should the qualifying party wish to proceed at the VOA's figure, a Portfolio Holder Report will be submitted for approval. Upon receipt of approval to the recommendation, the Head of Legal Services will be instructed and the local Member notified.

2.4 Should the qualifying party not wish to proceed at the VOA's figure, both the Property Portfolio Holder and the relevant local Member will be notified and the property placed on the open market.

2.5 If no interest is declared, the property will be offered on the open market.

3. Offering the Property for Disposal on the Open Market

3.1 Where no exceptional circumstances exist or have otherwise been exhausted, the Property Portfolio Holder, will be advised of the marketing proposals, agreeing how the property is to be sold.

3.2 Where a sale is to proceed either by private treaty or by tender, prior to offering property for disposal a Portfolio Holder / Cabinet Report (see paragraph 8 below) will be prepared, providing market value advice and seeking delegated officer approval for accepting offers of an agreed minimum. The report will be reviewed / updated where circumstances dictate (e.g. where the market conditions change) or every 6 months until the property is sold.

3.3 No sooner than five working days after the above Portfolio Holder/Cabinet Report has been accepted and published, the Property Team will advertise the property for sale on the open market.

3.4 Where a sale is to proceed by auction, prior to instructing an auctioneer to put the property in an auction, a Portfolio Holder/ Cabinet Report will be prepared explaining the reasons for this sale method and seeking delegated authority for officers to agree a guide price for the property prior to marketing and for the Property Portfolio Holder to agree a reserve price (which must be no lower than the guide price) prior to the auction itself. The report will be reviewed / updated where circumstances dictate (e.g. where the market conditions change) or every 6 months until the property is sold.

3.5 Sale particulars will be prepared and provided to the Property Portfolio Holder and the local Member for information.

4. Sale by Private Treaty

4.1 Following a period of marketing and negotiation where an offer above the agreed minimum price (approved by the Property Portfolio Holder through the portfolio holder report or through a Cabinet Report as outlined in paragraph 3.2 above), has been received and it is deemed that no higher price can foreseeably be achieved, the portfolio holder will be notified of this offer and the Property Team will issue instructions to the Head of Legal Services to complete.

4.2 In certain circumstances of private treaty negotiation, where two or more parties remain interested and are effectively out bidding each other while using the Property Team as an informal auctioneer, a decision may be taken to call for best and final sealed tenders. This decision will be made in consultation with the Property Portfolio Holder where the asking price has not been reached, but will be automatically invoked where the asking price has already been exceeded. The sale method will then adopt the procedure outlined in the following section.

5. Sale by Tender

5.1 The Property Team will instruct the Head of Legal Services to prepare the sale contract, together with any special conditions of sale.

5.2 Applicants will be sent pre-printed tender forms for their completion. Typical required information will be their tendered sum, their solicitor's details, and confirmation that they are in a position to complete a purchase within four weeks of exchange of contracts should their offer be accepted. Instructions will also be issued detailing where, and by when, completed tender forms should be returned.

5.3 After the closing date for the receipt of tenders has passed, opening of the tenders will be arranged by the Business Support Unit, in the presence of a Cabinet Member.

5.4 After tenders have been opened, the most favourable tender received at or in excess of the figure provided to the Portfolio Holder in the report prepared at paragraph 3.2 will be recommended to the officer designated to take that decision. No further report will be required. The most favourable tender will be determined on the basis of all the submitted information – e.g. cash purchase compared with provisional mortgage.

5.5 The Council is not obliged to accept either the highest, or any, tender received.

5.6 Upon receipt of confirmation that the recommendation is acceptable, the Property Team will write to all other parties advising them that their tenders have not been recommended for acceptance, and that should the sale fall through for any reason, they may be given a further opportunity to acquire the property at the level of their submitted bid.

5.7 The Property Team will issue instructions to the Head of Legal Services to complete the sale.

6.   Sale by Auction

6.1 The appointment of external selling agents will be agreed with the Property Portfolio Holder.

6.2 The Property Team will instruct the Head of Legal Services – by use of the Yellow Form - to prepare the sale contract, together with any special conditions of sale.

6.3 The Property Team will agree the guide price for the property prior to marketing during consultation with the Property Portfolio Holder and the Council's appointed auctioneer / selling agents.

6.4 During the final week of marketing, the Property Portfolio Holder in consultation with the Property Team will agree the reserve price below which the property will not be sold, such reserve to be based upon the auctioneer's advice around particulars requests, property viewings and Legal Pack requests / downloads.

6.5 At the auction, if the agreed reserve price is met or exceeded, the successful bidder will be required to sign the Contract of Sale before leaving the sale room.

6.6 The Property Team will notify all relevant Service Units that the sale of the property has been agreed via the normal Green Form.

7.   Completing the Sale

7.1 Prior to exchange of contracts, the Legal Service will require the Property Team to ensure that final meter readings for energy and water are taken and forwarded to the Energy Management Officer.

7.2 Legal Services will notify all parties identified on the Property Team's sale instructions (Green Form) that the sale has been completed and will provide the relevant member of the Property Team with an electronic copy of the transfer documents.

7.3 Where a sale has been agreed to a special purchaser, (item 1.3) the Property Team will notify the relevant Town / Community Council or other relevant party that a sale has been agreed without external marketing.

7.4 Capital Receipts will normally be credited to the Central Fund and will be used to progress the Council's principal objectives defined in the Corporate Improvement Plan. However, up to 4% of the capital receipt may be reclaimed by Property as permitted and approved costs of sale.

7.5 Where sold in auction, the auctioneers cost of sale will normally be deducted from the deposit he has collected on the day, prior to forwarding the balance to Legal Services. These fees are debited to the Service and credited to the capital receipt by the Finance Team.

7.6 At the date of writing, Capital receipts from the sale of Farm or Agricultural land under the County Farm Estate and property vested in the HRA will be subject to the following apportionment:

Type	Service Area	Corporate	Reserved
Agricultural	10%	90%	
Housing Dwellings	100%		
Housing Land	100%		

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8. Financial Authority of the Property Portfolio Holder

In respect of any disposals the following authority limits will apply:

Freehold sales/ Leasehold premiums up to and including £500,000	Property Portfolio Holder
Leaseholds (where there is no premium) up to and including total rental value of £500,000 (e.g. 10 year lease at £50,000 pa)	Property Portfolio Holder
Leaseholds (where there is both a premium and a rental) up to a total value of £500,000 (e.g. 50 year lease with premium of £100k and annual rental of £5k= total £350k)	Property Portfolio Holder
Any disposal for nominal value where the market value to be foregone is £100,000 or under (in the case of a freehold or leasehold premium) or the total rental value to be foregone is at or below £100,000 (in the case of a leasehold with an annual rent e.g.	Property Portfolio Holder

a 10 year lease at a peppercorn rent when the market value is £10,000 per annum)	
Any decisions above these limits	Cabinet

Part 4-D   Small parcels of land

1. Application of this part of the Policy

   1.1   This part of the Policy applies to "small parcels of land" which

   - Are no more than 200 sq m in area OR
   - Are no more than £10,000 in value

2. Unsolicited expressions of interest from individuals

   2.1   If an individual makes an unsolicited request to acquire a small parcel of
             land (for example to extend their garden) the request will be noted but the
             interest is likely to be declined unless "exceptional circumstances" exist (as
             defined below).

   2.2   "Exceptional circumstances" may include, but are not limited to, the following:

   - Where there is a benefit to the Council e.g. a cost saving benefit or
     where the sale would prevent existing anti-social behaviour such as fly
     tipping; or where
   - the applicant can demonstrate a community benefit.

   2.3   If the Property Team consider that an exceptional circumstance exists then
             they will contact the holding Service who should then declare the property
             as surplus. Until a surplus form is received, the Property Team will take no
             further action. The applicant will be advised accordingly.

   2.4   Once a surplus form is received, the Valuation team will undertake a
             valuation appraisal and if this is acceptable to the interested party a pro
             forma will be completed in the form set out in **Appendix A** and sent to the
             Portfolio Holder to approve a sale at no less than this quoted valuation.

   2.5   The land will then be marketed for a **minimum of 3 weeks** by being
             advertised on the Council's website.

   2.6   The Valuation team will then negotiate and the best deemed offer will be
             accepted subject to contract when Property will instruct the Head of Legal
             Services, and advise the Property Portfolio Holder that a sale has been
             agreed.

   2.7   Where the Council decides to sell a small parcel of land ~~to~~ following an
             unsolicited request, on completion the successful purchaser will also be
             responsible for paying a fee of £850 as a contribution to cover the Council's

costs. Such costs will be notified to the applicant and included in any advertising when marketing the land.

3. **Circumstances where the Council wishes to dispose of small parcels of land**

3.1   There may be circumstances where a Service wish to dispose of (a) small parcel(s) of land

3.2   In such circumstances, the Service should notify the Property Team and declare the property as surplus in accordance with Part 3-A.

3.3   The Valuation team will prepare a valuation of the land which will then be marketed for a minimum of **3 weeks** by being advertised on the Council's website.

3.4   Following a period of negotiation with all prospective purchasers the pro forma in Appendix A will be completed with the highest offer and sent to the Property Portfolio Holder for approval.

3.5   Once Portfolio Holder approval has been granted, Property will instruct the Head of Legal Services.

3.6   Where the Council decides to sell a small parcel of land, on completion, the holding Service will also be responsible for paying the costs of sale (subject to a minimum charge of £850).

Part 4-E Sale or Reuse of Furniture and Equipment

1. Introduction

1.1 No service or individual is permitted to sell, gift, remove or dispose of any Council asset without following this procedure. This includes items that may be legitimately identified for scrap or recycling.

1.2 Before serviceable items are deemed to be surplus to the needs of the Council, they must first be offered to Heads of Service / Officers for reuse.

1.3 Where a service holds items of antique furniture and that furniture is declared surplus, such items may not always be offered for internal transfer especially where the item is not suitable or compatible with modern work practices or environments.

1.4 Exemptions to this policy will include (but are not limited to) the following:-

- ICT – Managed by separate procedure.
- Catering and Cleaning. Managed by separate procedure.
- Furniture and equipment that becomes available as a result of school closures will be firstly offered to other schools via the Schools Service.
- Fleet – Dealt with directly by fleet service with agreed procedure.

2. Declaring an item surplus

2.1 In most cases, the relevant Head of Service or SM will assume responsibility for declaring an item surplus to the needs of his/her service and instruct the Property Team accordingly.

3. Reuse of equipment

3.1 Heads of Service should ensure that any furniture and equipment held which is designated surplus to their requirements, is appropriately stored and an appropriate description of the items provided to Property. Property will be responsible for ensuring surplus items are listed on the intranet, including identifying photographs, brief descriptions, and item locations. Items will automatically be listed for a period of one calendar month.

3.2 If listed items are required by another service of the Council, no charge will be made between services.

3.3 Items will be allocated on a first come basis to other service providers.

3.4 Where items offered for reuse in this way are subsequently allocated to another service, the Property Team will advise the disposing service of this and the acquiring service will be responsible for the collection of, or arranging delivery of, such items.

3.5   Items will only be offered for sale if they comply with all relevant and current legislation.

3.6   If a Head of Service considers that items are beyond reuse, the service must dispose of such items accordingly at its own cost.

3.7   Where electrical or gas powered items are declared surplus to the requirements of a specific service, the relevant Head of Service / SM must ensure that the items are carrying current safety certificates. If no safety certificate is supplied, these items will be scrapped.

3.8   Services must satisfy themselves that any items being declared surplus does not contain asbestos.

4.   Methods of Disposal

4.1   The Property Team will dispose of the items in the manner considered most likely to achieve the best outcome for the Council.

Internet Auction

4.2   Other than where approved and exempted processes already exist (e.g. Fleet Management, ICT) the Property Team will administer and manage the process of internet auction sales, ensuring that a log for e.g. excel spreadsheet is kept of all items sold via this method, items details, auction dates, listing no, winning bid, fees, etc.

4.3   General conditions of sale will include:

Items will be advertised for a minimum of 7 days, (auction lots will not be terminated early), generally without reserve, and will be offered on a collection only basis. Items will be sold on description only, with no returns and bidders must hold a PayPal account or in some cases, an instant bank transfer into the Councils bank account will be agreed with the purchaser. No other form of payment will be considered. Due to the Council's VAT status, all lots offered for sale will be on a "plus VAT" basis, and purchasers will be given the opportunity of requesting a VAT receipt.

4.4   Where items remain unsold, a decision will be taken to relist or scrap, based upon the circumstance of each case.

Internet Auction – management of accounts

4.5   The Council operates an Ebay and a PayPal account, managed by approved officers only. A protocol, agreed by Finance, is in place to manage the flow of funds in and out of the PayPal account.

4.6   In selling items via on line auction houses such as Ebay, listing fees are payable by the authority. These fees are managed by Ebay, and are dependent upon the value of the item offered for sale. Ebay automatically deducts its listing fee from the winning bid, before crediting the Council's PayPal account.

4.7 The Council will accept payment for items offered by online auction by either PayPal, or direct bank transfer. Where payments are received by direct bank transfer, the listing fee will be set against the Council's balance held in its PayPal account.

4.8 Finance officers have produced a spreadsheet, available for the use of approved Council Ebay users, to make sure that receipts, listing fees etc are all properly identified for each item sold. Through the use of this spreadsheet, payments received into the Council's PayPal account must be properly accounted to Treasurers on a monthly basis.

Specialist Auction

4.9 A specialist auction is suited to those items which are known or suspected to be of significant value, such as pieces of antique furniture, artworks etc.

4.10 If specialist equipment is being offered for sale, the Service disposing of the equipment must provide some evidence of value.

Charity / Voluntary Sector

4.11 If approached by a charitable or voluntary service organisation, requests for items will be considered on a case by case basis by the Property Team.

5. Proceeds

5.1 In normal circumstances, fees relating to and receipts from the sale of surplus items will be credited to a corporate budget. In other, agreed circumstances where an item is sold and the receipts are returned to the Service, the service will in return, be responsible for meeting the costs of the disposal (fees for advertising, etc).

5.2 As a general rule, funds (under £10k) are permitted to return to the service if the service is declaring items surplus in order to replace or upgrade existing facilities. This should be stated at the time the item is declared surplus.

PART 5

Community Asset Transfers (CAT)

5-A   Introduction to Community Asset Transfers (CAT)

5-B   General Community Asset Transfers (CAT)

5-C   Criteria for Community Asset Transfers (CAT)

Part 5-A   Introduction to Community Asset Transfers (CAT)

1.   Background

1.1   The term "community asset transfer" abbreviated herein as "CAT", is defined by the Department of Communities & Local Government as "passing ownership or management of a building or piece of land from a public sector body to a third sector organisation" (The Quirk Review 2007, page 36).

1.2   The Quirk Review also highlighted that clear procedure guidance, and not more legislation, is required to help local authorities understand and use their existing powers for transferring property assets to community organisations. This procedure guidance should clarify the risks associated with community asset transfers and explain how to manage those risks effectively.

1.3   In Wales, updated guidance exists in the form of the 57 page Welsh Government publication "Community Asset Transfers in Wales – a Best Practice Guide" dated March 2016. Under this guidance, members should be aware that Welsh public authorities are not current obliged to undertake CATs and currently, in the case of Local Authorities, the process of transfer should be initiated by them (although there are plans to enable eligible community bodies to also initiate the process).

1.4   It should be noted that whilst there may be a link between CATs and Service Delivery, the two topics are not intrinsically linked: Service Delivery is a mechanism whereby third sector organisations are prepared and willing to take over the delivery of a traditional Council service, e.g. grounds maintenance, which does not necessarily include a need to take over a Council building currently used for that service delivery. There are likely to be instances where third sector organisations already hold property which may be adequate and suitable for the purpose of delivering a transferred service.

2.   Purpose of the CAT Procedure

2.1   The purpose of this CAT section is to provide guidance and procedures that enable an appropriate property transfer from the Council to a local Third Sector Organisation that has:-

- Identified a suitable property candidate through a written proposal or Concept Paper
- Met the organisational and Business Case requirements listed in "Part 5-D, Criteria for Community Asset Transfers (CAT)"

2.2   To help achieve this result, the CAT procedure provides a standardised framework for assessing the risks and benefits of each proposed property

asset transfer, while also ensuring its alignment with both Council and community priorities by reference to the Place workshops which will take place under the STAMP.

2.3   The CAT procedure also provides for a comparison between the option for disposal at market value and an asset transfer for community benefit. If a Council property asset is transferred at less than market value, it will be accompanied by appropriate legally binding agreement(s)

Part 5-B   General Community Asset Transfers (CAT)

1.   Introduction

1.1   Within Powys County Council, the property asset transfer process should be driven internally. However, Third Sector Organisation approaches to the Council will be considered but only if the asset is available and considered as a "community asset". A "community asset" is an asset which is or will be used, accessed and enjoyed by the local community. Heads of Service and SMs should consider if their property portfolios contain buildings or land parcels that can be managed more sustainably by local voluntary organisations to the benefit of both the community and the Council.

Under the STAMP, an initial series of workshops will have now taken place across the County ("Place workshops") long-term plans for each of the "Places" identified under that process have been established, which can now help inform the Council of potential sites suitable to be treated with as having potential for CAT. More workshops will take place in due course to review progress.

1.2   CATs can be either of the freehold or by a lease. In general terms, Leasehold requests (of an appropriate length) are the preferred option for the Council and Freehold will normally only be considered where a leasehold transfer is likely to cause difficulties to the acquiring organisation, especially where significant grant funding is also being sought by the acquirer or if it is in the Council's interest to offer the freehold. The transfer method used in each case will therefore vary according to the circumstances. In the context of this Part 5-B, "transfer" can be interpreted as either method. If a freehold transfer is being proposed officers must ensure that, where the transfer will take place at less than market value, that part of the value foregone will be recouped by the Council as revenue savings wholly attributable to the CAT within the first five years following legal completion.

1.3   This policy is not intended to cover any major transfer of service provision where property may be included.

2.   Submitting and Reviewing a CAT Application

Internally Identified CAT Property

2.1   A Head of Service and / or SM may identify a property or land that can be considered for a CAT. In this case, they must notify the Property Team in order to progress the matter.

2.2   The Property Team will refer the matter to the Strategic Asset Board for consideration.

2.3   Where, following the Strategic Asset Board meeting, the Head of Service/SM cannot support the request, the applicant will be advised accordingly in writing.

2.4   Where the Head of Service/SM can support the request the procedure outlined in section 3 below will be followed.

Externally Identified CAT Property

2.5   If a Third Party Organisation contacts the Council to enquire about a potential CAT, that application should be referred to the Property Team who will acknowledge receipt of the enquiry. The Property Team will then notify the relevant Head of Service / SM and refer the matter to the next available Strategic Asset Board for consideration.

2.8   Where, following the Strategic Asset Board meeting, the Head of Service/SM cannot support the request, the applicant will be advised accordingly in writing.

2.9   Where, following the Strategic Asset Board meeting, the Head of Service/SM can support the request, the procedure outlined in section 3 below will be followed.

3. **Procedure When a CAT is to be considered**

3.1   Where, following the Strategic Asset Board meeting, the Head of Service/SM is able to agree in principle to the request, the Property Team will invite Expression of Interest (EOI) Forms giving the applicant a timescale for completion (20 working days). Submission of the form will be via property.sales@powys.gov.uk or by post.

3.2   The submitted EOI forms will then be discussed at the first available Strategic Asset Board meeting, chaired by the Property Portfolio Holder, usually held every 4 – 6 weeks.

3.3   Where the applicant's Expression of Interest (EOI) is not considered viable by the Strategic Asset Board, a letter will be issued by the Property Team to the applicant. Other relevant Portfolio Holders may also be informed. The applicant will have no right of appeal but may contact the Property Team for clarity on the reason for refusal.

3.4   If the applicant's Expression of Interest (EOI) is considered viable by the Strategic Asset Board, a letter of comfort will be sent to the applicant that:-

    •   Expresses the Council's initial support for the project
    •   Outlines a timescale (**3 months**)
    •   Invites the applicant to submit a Business Case using the appropriate form available on Intranet page 5700 within the above timescale.
    •   Outlines the next stages of the process – Valuation, Cabinet/ Portfolio Holder report

3.5   A summary of the Business Case will then be presented to the Strategic Asset Board at its next available meeting, when a decision will be taken whether the applicant's proposals are viable or not.

<u>Exemptions</u>

3.6 Where a CAT is linked to a Council Service provision and the applicant is working closely with a Service to develop the proposal, it may not be necessary for the applicant to complete a template Business Case form, as long as the Head of Service can demonstrate, in writing, that the application is sustainable and fits within the Corporate Improvement Plan

4. Transferring a Property Asset at Market Value or Below

4.1 If the CAT applicant's Business Case is considered viable by the Strategic Asset Board, a Portfolio Holder Report will be prepared, and if the proposed asset transfer will be at its previously obtained, independently assessed market value, then the transfer will be confirmed by the Property Portfolio Holder as an "exceptional circumstance," in accordance with "Part 4, Disposal of Surplus Property".

4.2 If the CAT applicant's Business Case is considered viable by the reviewing Officers in their briefing note and the reviewing Members agree but the Business Case requires the transfer of an asset at less than market value, in those cases where the Market Value differs from the CAT bid by no more than £100K, the Property Portfolio Holder may determine the application under delegated powers (see prescribed limits set out in Part 4-C, paragraph 8 of this manual). However, it should be noted that freehold transfers will not normally be approved where the foregone capital value cannot be recouped by not more than 5 years' worth of associated revenue savings.

4.3 If the CAT request is supported but the applicant's submitted bid is more than £100k under the Market Value, then the decision to approve the transfer will be taken by Cabinet (see Part 4-C, paragraph 8 above).   Any such disposal should also be supported where the loss in capital value can again be recovered by no more than 5 years' worth of associated revenue savings.

4.4 Where a CAT request is made and the applicant can only submit a nominal bid for the freehold interest of the property and / or a public service, it is suggested that a freehold transfer will not be agreed, with applicant organisations being encouraged to instead take on a long-term lease of the subject property.

4.5 Where either Cabinet or Portfolio Holder(s) have supported a decision to sell an asset at less than market value, the Head of Legal Services will be instructed to include within the legal documentation, the Council's standard CAT overage and claw-back provisions, a copy of which can be made available to applicant on request. Essentially, and in summary, these provisions allow the County Council, in the event of a subsequent failure of the community organisation granted the CAT, to repurchase the transferred property for the same proportionate consideration as that which the community group originally paid or, alternatively, to receive a pre-agreed percentage of any uplift in value should the Council choose not to

repurchase a property disposed of by CAT, and that property then be disposed of at market value by the community organisation.

PART 5-C   Criteria for Community Asset Transfers (CAT)

1.   Risk Assessment and Options Appraisal

1.1   Deciding to transfer Council property assets to a local community organisation involves assessing various risks and benefits, including:-

- The benefits generated for the Council, the local community and the Third Sector Organisation.
- The risks presented to the Council, Community and Third Sector Organisation.
- How the CAT may affect the Council's overall strategy for an area

2.   Criteria for the Applicant Organisation

2.1   The CAT applicant must:-

a.   Be community led (i.e. its governance arrangements must ensure that it has strong links with the local community and that members of the community are able to influence its operation and decision-making processes.

b.   Be a voluntary Third Sector Organisation that is, a legal entity that:-

- Exists for community / social / environmental benefit
- Has community benefit objectives (e.g. a Community Interest Company)
- Is non-profit distributing (i.e. must reinvest any surplus funds to further its social aims and community benefits)

c.   Be appropriately constituted (e.g. a registered charity; a community interest company; a charitable incorporated organisation; a not-for-profit company; a co-operative). Such constitution allows the ownership and management of buildings and / or the provision of services.

d.   Demonstrate good governance by operating through open and accountable co-operative processes, with adequate systems for monitoring, evaluation, and financial management.

e.   Demonstrate it has the skills and capacity within, or available to, it's managing body to effectively manage the property asset and deliver its services.

f.   Demonstrate a procedure of diversity and also work to improve community cohesion and reduce inequalities.

g.   Be engaged in economic, environmental or social regeneration within Powys County or provide a service of community benefit that aligns with the Council's core priorities.

h. Demonstrate management experience and / or expertise.

i. Have a proven track record (e.g. accounting records)

j. Demonstrate that following any CAT, the asset is likely to be used more frequently and effectively by the whole community and that such use is likely to prolong the life of the asset.

3.   Criteria for the Business Case

3.1   In developing a Business Case for consideration by the Council, a CAT applicant needs to clearly identify:-

a. A proven local need for the project.

b. Planned outcomes and benefits to result from the property asset transfer.

c. 3 year plans for revenue and capital funding, plus cost projections for managing and operating the property asset.

d. Any financial resources that the asset transfer will release or attract.

e. Financial sustainability and forward planning.

f. How the CAT applicant will invest in and maintain the property asset, including a specific plan for meeting Health & Safety responsibilities.

g. A community governance / management structure with the capability to sustain the property asset.

h. A track record for delivering services and / or managing property.

i. A plan for how much space is required and its potential usage.

j. If the CAT applicant requests that the property asset be transferred for an amount equal to or less than its existing use value (either freehold or leasehold), the Business Case must quantify the benefits to the community and Council in order to justify this subsidy.

PART 6

Leasing-Out Property and Allocating Accommodation to Voluntary Community Organisations and Commercial Tenants

Part 6-A   Leasing-Out Property & Allocating Accommodation to Other Public Sector, Voluntary Community Organisations and Commercial Tenants

1.   Introduction

1.1   It is important for the Council to maximise the usage of its Corporate Operational stock. To be able to undertake this effectively, the following guidance is provided.

2.   Declaration of Vacant Accommodation

2.1   Services, should notify the Property Team of any vacant accommodation in their allocated space.

2.2   Where practicable, the Property Team will offer any internal space it has available to the Commercial Market or to other Partner Organisations.

3.   Qualifying for Accommodation

3.1   The County Council will not consider applications for accommodation from Political parties, pressure groups and prospective tenants whose business activities are likely to cause offence.

3.2   OTHER PUBLIC SECTORS – Council is committed to working with similar minded public organisations to deliver the best possible services to its residents.

3.3   COMMERCIAL SECTOR (Corporate Operational Property) – Any potential commercial tenant will need to demonstrate to the Council its compatibility with the existing Council services operating from that site.

3.4   COMMERCIAL SECTOR (Commercial Investment Property) – where such lists exist, the Property Team will offer Business Units to applicants who have asked for their names and addresses to be added to waiting lists for units in specific areas of the County. Applicants will be advised their details will be held exclusively for this purpose, and will be removed from the lists after a period of 6 months if no suitable accommodation has become available. Where no waiting lists exist, and vacancies exist either in Business Units or other commercial investments such as Ladywell House, Newtown, the Property Team will undertake appropriate marketing to attract new tenants. It will be the responsibility of the applicant to ensure that any planning applications etc which may be required for their own specific use are obtained as necessary.

4. Register of Accommodation

4.1 The Property Team will maintain a Register of Accommodation as a database that includes information occupancy.

5. Terms of the Letting

5.1 All leases and licences will be drawn up by the Head of Legal Services who will act only upon instructions (which will include full Heads of Terms) from the Property Team.

5.2 The Property Team will prepare a brief Condition Assessment of the accommodation being let, for inclusion in the lease documents.

5.3 Legal Services will confirm completion of the lease as soon as is practicable, to the Property Team and forward an electronic copy of the completed lease agreement for inclusion on the Asset Register, Managed Records System. No tenant will be permitted to occupy accommodation in advance of the lease completion.

5.4 The Property Team will then confirm with relevant officers that the lease has commenced and that billing for rent, utility charges, NNDR and / or insurance premiums (where appropriate) should be commenced. For the avoidance of doubt, where the Service continues to hold a property under their service, it will be the responsibility of the relevant Service Manager to ensure that recurring billing is established for all liabilities – rent, service charge, insurance etc. The Property Team is unable to take on this role.

5.5 The Property Team will then notify the relevant Head of Service and SM reconfirming the agreed Heads of Terms and identifying key responsibilities of the Service, to ensure compliance with the agreed lease. Confirmation of the date of the agreement and rental payment and review periods will also be provided.

5.6 Where a Service leases out accommodation and that lease has 12 months left to run, the Service will be required to notify the Property Team of its intended course of action. This action will be to either terminate the lease with the tenant or to offer a new lease or extension to the tenant. In addition, the Property Team will advise Services of any other opportunities up to 12 months in advance of those dates.

5.7 Where a lease is to be terminated, the Service is responsible for ensuring that the Property Team are used to prepare a dilapidation schedule for remedial works to be undertaken prior to acceptance from the Tenants.

5.8 Space will be let on either an internal repairing basis or full repairing with the rental element reflecting current market evidence, according to the nature of the specific letting.

5.9 Service charges will be used to recharge external tenants a proportion (based on percentage floor area) of periodic outgoings.

6. Whole Property Rentals

6.1   When disposing of property the Property Team will consider whether a commercial rental is preferable to a sale as the Council needs to increase its revenue income where possible to make it sustainable for the future.

6.2   Any asset being leased out in its entirety will normally have been identified by the Head of Service or SM as surplus to requirements.

6.3   When considering external lease over sale, a business case will need to be presented to the Property Portfolio Holder, detailing the benefits to the authority in accepting an ongoing rental income in place of a capital receipt. Where the Portfolio Holder accepts that business case, the following procedure should then be followed.

6.4   The Property Team will market the property and evaluate responses.

6.5   Upon receipt of an acceptable offer, the Property Team will notify the relevant Property Portfolio Holder, and will seek their approval to proceed.

6.6   The Property Team will then instruct the Head of Legal Services accordingly setting out full heads of terms.

6.7   Legal Services will confirm completion of the lease as soon as is practicable, to the Property Section and forward an electronic copy of the completed lease agreement for inclusion on the Asset Register, Managed Records System.

6.8   The Property Team will notify Finance that the property is to be held solely for market rental. It will be reallocated on the Asset Register as an Investment Property and both Property and Finance will update their records accordingly.

6.9   The Property Team will then confirm with relevant officers that the lease has commenced and that billing for rent, utility charges, NNDR and / or insurance premiums (where appropriate) should be commenced.

7. E-Pims

7.1   Surplus property will be placed on E-Pims, which is a Welsh Government sponsored property database of all public organisation stock.

PART 7

Acquisition and Leasing-In Property

Part 7-A   Acquisition

Part 7-B   Leasing-In

Part 7-A   Acquisition

1.   Acquisition

1.1   All acquisitions, whether freehold or leasehold, must be undertaken by the Property Team.

1.2   Upon instruction being received, the Property Team will require evidence of any approvals that may have been given in principle before commencing negotiations. For example Portfolio Holder Report or Cabinet decision.

2.   The Process

2.1   The Property Team will provide the following assistance to Heads of Service and SMs:-

- Identify available properties within the Council's portfolio or if none are available, externally on the open market.
- Undertake an appraisal of identified sites with the Service.
- Negotiate with the external agent / land owner of the preferred site(s)
- Assist in the preparation of further reports to Cabinet prior to purchase including budgetary commentary in respect of both capital and revenue liability in respect of the Property.

2.2   If approved, the Property Team will issue full instructions to Legal Services.

2.3   Legal Services will then confirm with the occupying service that the purchase has been completed and their responsibility for utility, NNDR payments, insurance premiums (where appropriate) or other key responsibilities has commenced.

2.4   The Property Team will then inform other relevant service functions that a new acquisition has been completed and that the Council is now liable for the property, by issuing an AMP update.

Part 7-B   Leasing-In

1.   Leasing-In

1.1   Heads of Service or SMs will occasionally identify the need to lease-in property assets in order to enhance or deliver their service due to growth or a change in requirements. All acquisitions of this type must be undertaken by the Property Team.

1.2   Upon instruction, the Property Team will require evidence of any approvals given and the identified budget, if available at that time.

2.   The Process

2.1   The Property Team can provide the following assistance to Heads of Service and SMs:-

- Identify available properties within the Council's portfolio or if none are available, externally on the open market
- The E-Pims Welsh Government property database will be consulted in the first instance to see if there are any suitable properties available in the required location
- Agree terms with the external agent / land owner of the preferred site(s) – including at least 1 break option.
- Assist in the preparation of reports to Cabinet.

2.2   The Property Team will notify the Head of Service / SM about the proposed terms and seek their approval to proceed, where the estimated rental (not including all on-costs) is below £10,000 pa. Where the estimated rental (not including all on-costs) exceeds £10,000 pa, the Head of Service will be required to seek approval to proceed from the Cabinet / Portfolio Holder(s). Please refer to section 4-C, paragraph 8 for the relevant authorisation thresholds for each level of the organisation.

2.3   The Property Team will issue instructions to the Head of Legal Services.

2.4   Legal Services will confirm completion of the lease as soon as is practicable, to the Property Section and forward an electronic copy of the completed lease agreement for inclusion on the Asset Register, Managed Records System.

2.5   The Property Team will then confirm with the occupying service that the lease has commenced and their responsibility for rent, utility, NNDR payments, insurance premiums (where appropriate) or other key responsibilities has commenced. It will be the responsibility of the managing service to ensure that its obligations under the lease are met. Confirmation of the date of the agreement and rental payment and review periods will also be confirmed as well as a standard checklist for setting up service charge payments such as utilities and NNDR.

2.6   The Property Team will then inform other relevant service functions that a new lease acquisition has been completed and that the authority is now liable for the property.

3.   Renewal of Break Options or Extension to Expiring Business Leases

3.1   Where a Service operates a lease and that lease has 12 months left to run, the Service will be required to notify the Property Team of the intended course of action. This action will be to either allow the lease to terminate or to negotiate for a new lease or extension.

3.2   Where a new lease term or extension is required, the Service will instruct the Property Team to negotiate on their behalf and will supply appropriate authorisation from their Portfolio Holder / Head of Service.

3.3   Services will monitor their leases and will seek advice from Legal Services as break options approach.

4.   Expiry of Business Leases

4.1   If it is intended to vacate a property upon termination, the Property Team will, subject to the appropriate notification having been given under paragraph 3.1 above, advise the Service of its duties under the lease at least 9 months in advance of the relevant termination date. This will give the surrendering service appropriate time in which to seek funding for dilapidation responsibilities as evidenced by their lease agreement.

4.2   Ongoing correspondence after the termination of the lease with the Landlord will be handled by the Legal team on behalf of the Service.

5.   Surplus Lease

5.1   Where a Service has a lease that is valid, but no longer has a use for that property, then paragraph of Part 3-A, Identification and Management of Surplus Property will apply.

PART 8

Provision of Allotments

Part 8-A   Provision of Allotments

1.   **Legal Background**

1.1   Allotments were first appropriated by the Enclosure Act of 1845, and the responsibility for administering these was passed to parish councils under the Local Government Act of 1894. They were once again placed under the responsibility of the parish councils in the Smallholdings and Allotment Act of 1908.

1.2   These laws have been amended many times since, culminating in the Statute Law (Repeals) Act of 1993, which passed over their powers of allotment management to the local authorities. The Local Government (Wales) Act of 1994 went one step further and named the community councils, county councils, and county borough councils in Wales as the "allotment authorities".

1.3   However, the allotment law contained within the 1908 Act has remained substantially unchanged. Under that law "the allotment authority must take into consideration any representation in writing made to them by any six or more registered parliamentary electors or council tax payers resident in the area, to the effect that it is the duty of the allotment authority, to take proceedings for the provision of allotments."

1.4   Section 3 of the 1908 Act also states that "it is the express duty of every allotment authority, where they are of the opinion that there is a demand for allotments in their area, to provide a sufficient number of them, and then to let them to persons resident in the area."

1.5   The 1908 Act goes onto say that "if the duty is not carried out, an interested person would be able to apply for a judicial review, and seek a mandatory order, in accordance with Part 55 of the Act." In practice, however, this archaic procedure is seldom used.

2.   **Identifying Allotment Participants and Suitable Land**

2.1   All enquiries to the Council seeking creation of new allotment gardens to be sent to Countryside & Contracted Services; Outdoor Recreation Officers to act as lead for their areas.

2.2   Upon receipt of initial enquiry, Outdoor Recreation Officer to:-

(a)   Acknowledge receipt of application and check initial numbers of potential plot holders to ensure statutory minimum number of potential allotment holders are properly identified.

       If enquiry has sufficient level of potential allotment holders and is valid, then:-

(b)   Notify Local Member & Portfolio Holder of the application.

(c)   Check against details of existing allotment gardens known in vicinity, as existing facilities; if insufficient or not existing, then:-

(d)   Seek review of Land Terrier to identify potential County Council owned land in the vicinity of enquiry.

(e)   Before taking the matter further, the Applicant, Residents Association or Town / Community Council will need to agree in principle to becoming, or to support the formal creation of, an Allotment Association to take on management and tenure of the site should suitable land be identified and available for such use by any of the Responsible Bodies or other. sources. The Outdoor Recreation Officer would assist in the Agreements development of a formal Constitution and Tenants

2.3   If the Council holds potentially suitable land, notify application to key Service stakeholders, e.g. Housing, Highways, Planning & Regeneration, Farm Estates, etc. Set up meeting with key Council Service stakeholders and determine actual status and availability (subject to tests in Corporate Asset Policy) of land.

Concurrently, the Town Council or Community Council will be notified by the Outdoor Recreation Officer of the formal request and will seek formal notification of what available and suitable land can be offered by these Councils.

At this time, the Outdoor Recreation Officer will compile a composite list of all potentially available and suitable sites.

2.4   Meeting to be arranged with key stakeholders, Local Member & Allotment Garden Applicant to discuss whether or what land can be made available, and to review what conditions may have to be met before an allotment garden can be developed, e.g. Planning and Highway issues, access to water and grant opportunities to support scheme?

2.5   The Outdoor Recreation Officer would request the assistance of the Regeneration Manager to assist the Allotment Association or Town / Community Council in identifying suitable grants or other sources of in kind support in establishing the allotment garden.

2.6   It must be understood from the outset that any agreement entered is undertaken at no additional cost to the Council (except for set up costs associated with the lease agreement).

3.   **Three Options for Establishing New Allotment Areas**

3.1   FIRST OPTION – The Council agrees that the Town or Community Council can assume responsibility through a minimum 21 year lease for a Council land parcel that has been identified for allotment use. It must be understood from the outset that this agreement is undertaken at no additional cost to the Council (except for set up costs associated with the lease agreement).

3.2 SECOND OPTION – Because there is no specific budget allocated by the Council for creating and managing new allotment gardens, any such proposal under this option must include establishing an allotment association that will:-

- Lease the allotment area from the appropriate landowner (on a minimum 21 year lease)
- Obtain appropriate funding for establishing the new allotment gardens
- Be responsible for gaining the appropriate permission to develop the site for allotments
- Be responsible for the administration of the allotment gardens throughout the full period of the lease
- Be responsible for the maintenance, management and insurance of the site throughout the full period of the lease
- Organise those works

It must be understood from the outset that this agreement is undertaken at no additional cost to the Council (except for set up costs associated with the lease agreement).

3.3 THIRD OPTION – Upon identification of a suitable land parcel within the ownership of the Town or Community Council, the Outdoor Recreation Team will offer assistance and advice through the Council's professional officers.

4. Existing Allotment Provision

4.1 Individual Plot Requests (where allotments already exist within a locality),

- Where allotments are managed by the Council, their contact details are placed on the Council's allotment waiting list for their area.
- They are asked to contact the appropriate Town Council, Community Council or allotment association, who independently manage allotment gardens within the relevant areas.

OR

- If the waiting list for existing allotments is considered by the managing Council or Allotment Association to be over-subscribed, that Council can seek to audit land parcels in those areas (belonging or available to County, Town or Community Councils) to determine whether or not there is suitable land for creating new allotments.
- This should also include a regular review of the use and size of existing allotment plots to ensure that opportunities are taken between tenants to meet local need.

4.2 If suitable Council land is identified, it must be declared surplus to the requirements of both the relevant Service Unit and the Council as a whole, before there can be any further consideration or consultation.

5. Promoting Allotments through the Local Development Plan (LDP)

5.1 Policies in the LDP should address the need to provide and protect allotment / compost / wildlife sites where a need (current or future) has been identified, and to improve the accessibility of such sites for all users. It may be appropriate to use Section106 Agreements to provide allotments in combination with composting and natural green spaces.

Where it is proposed to develop land used as statutory allotments for other purposes, the local authority should seek to mitigate loss with a requirement to provide new, alternative allotment/compost/wildlife sites. Statutory allotments, provided by local authorities, receive protection under the Allotments Act 1925.

PART 9

Reviewing, Revising and Promoting the Corporate Asset Policy (CAP) Manual

PART 9-A   Reviewing, Revising and Promoting the Corporate Asset Policy (CAP)

1.   Biennial Reviews and Revisions

1.1   It is essential that the Corporate Asset Policy (CAP) be thoroughly and regularly reviewed, revised and promoted. Therefore, the CAP will be reviewed at least once every two years, (from the date of approval).

1.2   Each CAP review will be implemented by the Property Team, who will ensure that:-

a.   Stakeholders are consulted about proposed changes to the CAP.

b. A new draft CAP is presented to and recommended by the Property Portfolio Holder and key senior management.

c.   Formal approval is obtained for all revisions

2.   Communicating and Promoting the CAP

2.1   When a revised CAP has been formally approved, the Property Team will ensure that the revised policies are clearly communicated and promoted to relevant stakeholders across the Council.

3.   New Heads of Service

3.1   All incoming Heads of Service will be offered the opportunity to receive a formal briefing on the CAP.

PART 10

CAP Toolkit

All forms that support the CAP can all be found on page 5700 of the Intranet.

Appendix A
Sale of small parcels of land Portfolio Holder Approval
Area of land to be sold (name/description):
Local Member:
Reason for sale (Please Circle):

· Service have declared surplus

or

· An unsolicited expression of interest has been made

If an unsolicited expression of interest has been made please outline the reasons for the accepting the expression of interest. For example there is a benefit to the council or the applicant can demonstrate a community benefit:
The land measures sq m (must be 100 sq m or less)
Minimum price at which it is recommended to sell:
Price land will be advertised at for a minimum of 3 weeks:
I Councillor   Portfolio Holder for Property and Waste
confirm that I approve the sale of the above land at the minimum price given above.
Signed: Date:

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CYNGOR SIR *POWYS* COUNTY COUNCIL

CABINET EXECUTIVE

5th December 2017

REPORT AUTHOR:	County Councillor Aled Davies
	Portfolio Holder for Finance
SUBJECT:	**Financial Overview and Forecast as at 31st October 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 31st October 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 £4.260m (September £6.262m), 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	70,999	2	77,124	(6,125)	(9)
Place	38,417	(8,153)	38,216	201	1
Schools	24,448	952	25,019	(571)	(2)
Resources	18,269	(822)	18,064	205	1
Central Activities	12,393	(433)	10,363	2,030	16
Total	**164,526**	**(8,454)**	**168,786**	**(4,260)**	**(3)**
Housing Revenue Account	0	(51)	(67)	67	
Schools Delegated	75,453	(1,999)	75,586	(133)	(0)
Total including HRA and Delegated Schools	**239,979**	**(10,504)**	**244,305**	**(4,326)**	**(2)**

1

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 £838k for general delivery of service, an reduction of £1,484k on the projection at the end of September.

2.3 The deficit recovery plan has identified £2m of proposals that have been factored in to reduce the deficit. These are set out in section 12 and include capitalisation of transformation costs and changing the funding mechanism for some capital costs.

3. Efficiency savings

3.1 The efficiency saving target of £11.78m includes both in year and undelivered previous year targets. For prudency 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 £518k of savings has been achieved during the month. However, it should be noted that £348k of the additional savings are as a result of a realignment of savings from the Highways, Transport and Recycling Service budget. This was explained in an earlier cabinet report relating to the logistics review, whereby the definition of this efficiency target has been redefined. Therefore these savings do not contribute additional resources to improve the overall deficit position previously reported. To date, £6.682m has been achieved (57% of the total), leaving £5.098m 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	6,162	3,454
Total	**11,780**	**6,682**	**5,098**

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.

3.5 To achieve an improved outturn position of £3.808m overspend, (medium confidence in savings delivery) an additional £452k of savings, will need to be 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	-6125	-6065	-4,105
Place	201	469	1,229
Schools	-571	-571	-364
Resources	205	329	329
Central Activities	2030	2030	3,750
Total	**-4260**	**-3,808**	**838**

3.6 All services must aim to deliver their targets in order to achieve a balanced budget by year end. However, it should be noted that even if all the savings were achieved the current projections for service overspend would still result in an overall deficit budget outturn of £1,162k.

3.7 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 31st October, 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 £8.4m.

4.3 Delivery of the agreed efficiency savings will reduce the draw on the general reserve, which is currently forecast at £5m, bringing the projected year end balance to £3.5m. The revised forecast level of General Fund reserve as at 31st October 2017 is just over 2% of total net revenue budget (excluding Schools and HRA).   This increases to 4.3% 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 £4.260m relates to undelivered efficiency savings of £5.1m offset in part by net over/underspends currently projected on service budgets.   RAG status has been applied to service variance based on the categories

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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.	**People Directorate**	Net Working Budget: £ 70,999k
		Net Forecast Expenditure: £ 77,124k
		Variance (Over)/Under Spend: £ (6,125)k
		September Forecast (Over)/Under Spend: £ (6,038)k
		Change in Forecast £ (87)k

6.1 Adult Social Care (ASC) - Net Budget £57,051k, Forecast Overspend £(2,103)k

6.1.1 The forecast position has remained consistent with last month, only a £10k movement. Previous reports have reported detailed explanations on the overspend, which are the gap in delivering efficiencies and service demand. The key changes in month are:

- Older people - £196k Improvement, in the main due to the utilisation of a carers grant to cover core costs.
- Learning Disability £63k deterioration, an additional transition client moving from childrens to adults. This pressure was expected but the timing of transfer was not, and so the forecast did not previously include this cost.
- A deterioration of £179k for mental health because there has been two new clients admitted to the service, one is a high cost placement
- Further staff slippage of £55k contributes to the improvement

6.1.2 Virements are requested for the following grants received from Welsh Government

- Carers respite services £121k
- Social Care Workforce (NLW) £769k
- Intermediate Care Fund revenue allocation £1.182m

6.2 Children's – Net Budget £13,150k, Forecast Overspend £ (4,041)k

6.2.1 Following the outcome of the CSSIW inspection, the service and corporate support will review the budget position and savings strategy as part of the Council's Improvement Plan.

6.2.2 The unachieved savings within Childrens remains at £1.1m. In the main within Children with Disabilities Residential establishments (Golwg Bannau and Golwg Camlas), where the saving of £556k remains a RED rated risk. In addition to this, a further £388k in relation to partnership working with the Powys Teaching Health Board and third sector in respect of the new model for the delivery of Childrens Services, has not been delivered or have plans in place to progress.

6.2.3 Looked After Children numbers are at a five year high, the overspend remains at £2.892m. As previously noted in report's to Cabinet this area is one of significant risk, due to the demand and complexities with service user need and the month on

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month fluctuating activity, making it very difficult to forecast. There has been a 33.6% increase in numbers in 2017/18 to date, with 12 additional placements made in October, however the costs of the additional placements have been mitigated by changes or cessation to the service provision of the existing cohort of children.

6.2.4 The agreed extra package of Social Work support has cost £182k to date, this will increase as not all commitments are on the system. Clarification is required about the central funding of this cost.

6.2.5 The overspends are offset by Staff costs slippage of £180k, due to recruitment issues and post restructure.

6.2.6 Virements are required for the following grants received from Welsh Government:

- Support for Care Leavers £45k
- Expanding Edge of Care Services £137k
- St David's Day Fund £27k

7.	**Place Directorate**	Net Working Budget:	£ 38,417k
		Net Forecast Expenditure:	£ 38,216k
		Variance (Over)/Under Spend:	£ 201k
		September Forecast (Over)/Under Spend:	£ 39k
		Change in Forecast	£ 162k

7.1 Although the Service areas within this directorate are no longer RAG status RED, due to the continued improvement in the forecast position of £162k, it is worth noting the following:

7.2 The savings target relating to the LED conversion programme of £100k has been achieved through a review of service delivery.   However, as a result of the LED lighting there has been a reduction in the kilowatts being consumed and the cost of maintenance resulting in additional savings of £46k.   These further savings will contribute towards the projects 2018/19 target of £200k, with a total additional saving of £130k anticipated in 2017/18.

7.3 Savings in relation to the logistics review, previously accounted for within the Service budgets have now been aligned to the savings target of £615k, with savings achieved to date of £348k.

8	**Schools Service**	Net Working Budget	£24,448k
	(non delegated)	Net Forecast Expenditure	£25,019k
		Variance (Over)/Under Spend:	£ (571)k
		September Forecast (Over)/Under Spend:	£ (568)k
		Change in Forecast	£ (3)k

8.1 Overall there has been very little change in the outturn forecast for Schools Service, however the main changes within the month should be noted:

8.2   The Home to School/College Transport forecast overspend has reduced by £166k to £566k.   The reduction is as a result of an in depth budget review being undertaken by officers in finance and the transport service, this work is not yet completed.

8.3   Centrally retained supply costs forecast overspend has increased by £67k to £222k. This is due to additional pressures in relation to cover for suspended Headteachers, maternity and jury service.   This is expected to increase towards year end due to the number of ongoing maternities.

9	**Resources Directorate**		
	Net Working Budget:	£	18,269k
	Net Forecast Expenditure:	£	18,064k
	Variance (Over)/Under Spend:	£	205k
	Sept Forecast (Over)/Under Spend:	£	206k
	Change in Forecast	£	(1)k

10	**Central Activities**		
	Net Working Budget:	£	12,393k
	Net Forecast Expenditure:	£	10,363k
	Variance (Over)/Under Spend:	£	2030k
	Sept Forecast (Over)/Under Spend:	£	99k
	Change in Forecast	£	1,931k

10.1   The reason for the significant change in forecast, is partly due to the capitalisation of costs, £500k relating to transformation costs and £500k of capital costs currently funded from revenue.   The cost of further borrowing for these items is included within the revised Capital Financing Requirements (CFR).

10.2   The CFR also allows for £1m of additional spending within capital and this will be utilised, releasing monies from reserves set aside for capital to fund revenue instead.

10.3   The Council Tax surplus has again reduced and is now £500k, a reduction of £352k from September's figure of £852k. The decrease is due to the value of discounts and exemptions granted. Further reductions will limit the contribution this can make to the overall budget deficit.

11	**Schools Delegated**		
	Net Working Budget:	£	75,453k
	Net Forecast Expenditure:	£	75,586k
	Variance (Over)/Under Spend:	£	133k
	Sept Forecast (Over)/Under Spend:	£	147k
	Change in Forecast	£	(14)k

11.1   The individual Schools Delegated budgets are forecasting a deficit reserves balance at the 31st March 2018 of £1.6m, this is a £245k increased deficit position than anticipated last month. The figures, where available, incorporate figures provided from the High Schools and the All Through School in accordance with the Scheme for Financing Schools and reflect 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 £2.050m use of reserves.

School Sector	Opening Balance	Original Budgeted Contribution/ (Use)	Revised Budgeted Contribution/ (Use)	Forecast Underspend/ (Overspend)	Forecast Closing Balance
	£'000	£'000	£'000	£'000	£'000
Primary	1,608	(503)	(317)	37	1,328
Special	(259)	42	23	(35)	(271)
Secondary	(864)	(1,522)	(1,756)	(78)	(2,698)
Total	**485**	**(1,983)**	**(2,050)**	**(76)**	**(1,641)**
School Loans/Other	**(493)**		**51**	**0**	**(442)**
Total Balance	**(8)**		**(1,999)**	**(76)**	**(2,083)**

12   Housing Revenue Account

12.1   The Housing Revenue Account (HRA) is forecasting an underspend of £67k, but it is important to note the following:-

12.2.   The number of void properties continues to rise.   At the end of September the voids were at an all time high of 168, of these, 76 have been empty longer than 12 weeks and nearly half empty for longer than 26 weeks, this has been a consistent trend since January 2016.   If this void issue is not addressed the full year effect of the 76 void properties, based on the average rent, would equate to £320k of lost rental income.

12.3   A £288k reduction has been made to the bad debt provision after discussions with the Senior Housing Incomes Officer.   Further reductions may be applied in the future, but at this stage in the year it is appropriate to apply a prudent approach due to the nature of the service and the current level of £230k will be maintained.

12   Deficit Recovery Plan

12.1   The last cabinet report approved a number of actions to be pursued to mitigate and reduce the level of projected overspend.   The effect of these actions is not yet impacting on the position and some are still being developed.

12.2   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.   Improvements arising from this action will start to be reflected from next month.

12.3   There is an expectation that we contain additional costs that are likely to materialise in year through:

- The Management of Change underspend will be used to support the in year costs associated with delivering the Improvement Plan for Childrens, post inspection.
- Adult Social Care are starting to plan for their inspection and there are likely to be costs associated with improvements pre and post inspection.   It is recommended that these costs are funded through the ASC reserve, subject to satisfactory business cases.

12.4 A capitalisation direction will again be utilised to cover £500k of revenue transformation costs. In addition approximately £500k of capital costs currently funded from revenue can be capitalised. The cost of further borrowing for these items is included within the revised Capital Financing Requirements (CFR).

12.5 The CFR allows for £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.

12.6 There is no further update on the technical accounting opportunities, our technical advisors will have an options paper available later this month, and these will be further explained next month.

12.7 The accountants are reviewing the use of grants to ensure a sensible level of core spend is offset against grants where possible. In addition we have identified £100k of depreciation savings that can be made from depot charges.

12.8 The above changes equate to circa £2.5m, of which £2m has been accounted for in this months report, to reflect the capitalisation direction and transfer of reserves. The remaining £500k, will be reflected in the financial position next month.

13 Options Considered/Available

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

14 Preferred Choice and Reasons

None to consider.

15 Impact Assessment

Is an impact assessment required?   ~~Yes~~/No

16 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.

17 Local Member(s)

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

18 Other Front Line Services

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

19 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.

20 **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.

21 **Scrutiny**

Has this report been scrutinised?   ~~Yes~~ / No

22 **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.

23 **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:
a. **The contents of this report are noted by Cabinet; and** b. **Cabinet supports appropriate action by services to curtail or reduce the reported forecasted service deficits.** c. **The revenue virements in para 6.1.2 Adult Services and 6.2.6 Childrens Services be approved**	**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.**

9

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 Name	Tel	Fax	E mail
Jane Thomas	01597-826341	01597-826290	jane.thomas@powys.gov.uk

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Forecast Outturn and Undelivered Savings as at 31st October 2017

Service Area	Net Budget	Forecast Spend	Variance (Over) / Under spend	Total Unachieved Savings as at 31st October 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	57,051	59,154	(2,103)	(918)	(1,185)	(3.7)	R
Children Services	13,150	17,191	(4,041)	(1,101)	(2,940)	(30.7)	R
Housing General Fund	798	779	19	0	19	2.4	B
Place							
Leisure & Recreation	9,181	9,059	122	0	122	1.3	B
Regeneration, Property & Commissioning	8,895	8,798	97	(84)	181	1.1	B
Highways, Transport & Recycling	20,341	20,359	(18)	(944)	926	(0.1)	G
Schools							
Schools Service	24,448	25,019	(571)	(207)	(364)	(2.3)	R
Resources							
Business Services	6278	6,277	1	(92)	93	0.0	G
Information Services	4,588	4,587	1	(32)	33	0.0	G
Legal Services	3,038	2,973	65	0	65	2.1	B
Financial Services	1,877	1,775	102	0	102	5.4	B
Workforce, OD & Comms	2,488	2,452	36	0	36	1.4	B
Service Area Totals	**152,133**	**158,423**	**(6,290)**	**(3,378)**	**(2,912)**	**(4.1)**	
Central Activities	**12,393**	10,363	2,030	(1,720)	3,750	16.4	B
Total	**164,526**	**168,786**	**(4,260)**	**(5,098)**	**838**	**(2.6)**	
Housing Revenue Account (HRA)	0	(67)	67	0	67		G
Schools Delegated	75,453	75,586	(133)	0	(133)	(0.2)	G
Total including HRA	**239,979**	**244,305**	**(4,326)**	**(5,098)**	**772**		

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EFFICIENCY TRACKER AS AT 31ˢᵗ OCTOBER 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	1,313	918	59%
Children Services	0	1	1,101	1,101	0	1,101	0%
People	**0**	**1**	**3,332**	**3,333**	**1,313**	**2,020**	**39%**
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**	**6,682**	**5,098**	**57%**

RESERVES TABLE AS AT 31ˢᵗ OCTOBER 2017   **APPENDIX C**

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	(794)	(4,260)	3,531
	8,585	(794)	(4,260)	3,531
Ringfenced & Specific Reserves				
Budget Management Reserve	3,484	100		3,584
Specific Reserves	1,902	2,485		4,387
21st Century Schools Reserve	6,297	1,268		7,565
Adult Services Reserve	2,750	0		2,750
Regeneration Reserve	100	100		200
Invest to Save & Corporate Initiatives (inc J	5,300	(3,312)		1,988
Insurance Reserve	2,394	(23)		2,371
Transport & Equipment Funding Reserve	6,199	(8,250)		(2,051)
Sub-Total	**28,426**	**(7,632)**	**0**	**20,794**
Schools Delegated Reserves	486	(2,050)	(133)	(1,697)
School Loans & Other Items	(494)	51		(443)
Net School Delegated Reserves	**(8)**	**(1,999)**	**(133)**	**(2,140)**
Total Ringfenced & Specific Reserves	**28,418**	**(9,631)**	**(133)**	**18,654**
Housing Revenue Account	1,761	(80)	67	1,748
	1,761	(80)	67	1,748
Total Revenue Reserves	**38,764**	**(10,505)**	**(4,326)**	**23,933**

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CYNGOR SIR *POWYS* COUNTY COUNCIL.

CABINET EXECUTIVE
5th December 2017

REPORT AUTHOR:	**County Councillor Aled Davies**
	Portfolio Holder for Finance
SUBJECT:	**Capital Programme Update for October 2017**

REPORT FOR:	**Decision**

1. Current Capital Programme 2017-18

1.1 The revised Capital Programme after accounting for approved virements is £89.063m, of which committed expenditure is £52.547m (59%) of the budget. The actual spend to the end of October is £28.9m (spend to the end of September was £24.0m). This compares to £13.3m to the end of October the previous year.

1.2 Table 1 below summarises the position for each directorate and service.

1.3 Table 1 Capital Table as at 31st October 2017

Service	Original Budget	Virements Approved	Virements Required by Cabinet	Virements Required by Council	Revised Working Budget 2017/18 as at 31st October 2017 (after virements approved and required)	Actuals & Commitments	Remaining Budget	
	£,000	£,000	£,000	£,000	£,000	£,000	£,000	%
People								
Adult Services & Commissioning	0	1,089	0	0	1,089	79	1,010	92.7%
Childrens Services	0	32	0	0	32	0	32	100.0%
Housing	2,943	-320	0	0	2,623	1,318	1,305	49.8%
Schools and Inclusion	30,086	-1,490	-140	0	28,456	19,964	8,492	29.8%
Resources								
Business Services	446	192	0	0	638	324	314	49.2%
Information Services	1,192	824	0	0	2,016	642	1,374	68.2%
Legal Services	0	23	0	0	23	4	19	82.6%
Financial Services	500	-402	0	0	98	0	98	100.0%
Corporate Activities	0	0	0	0	0	0	0	
Place								
Highways, Transport & Recycling	21,826	5,345	-123	-7,327	19,721	12,371	7,350	37.3%
Leisure & Recreation	4,451	5,827	-471	0	9,807	7,244	2,563	26.1%
Regeneration, Property & Commissioning	3,655	494	-133	0	4,016	660	3,356	83.6%
Total Capital	**65,099**	**11,614**	**-867**	**-7,327**	**68,519**	**42,606**	**25,913**	**37.8%**
Housing Revenue Account	21,260	3,559	-200	-4,075	20,544	9,941	10,603	51.6%
TOTAL	**86,359**	**15,173**	**-1,067**	**-11,402**	**89,063**	**52,547**	**36,516**	**41.0%**

2. Funding

2.1 The funding of the capital programme is shown in Table 2. This has changed by £12,246k and reflects the virements above and additional grants listed in section 4.

2.2 **Table 2 Funding of the Capital Budget as at 31st October 2017**

| | Revised Working Budget 2017/18 as at 31st October 2017 (after virements approved and required) | | | | | |
	Supported Borrowing	Prudential Borrowing	Grants	Revenue Cont's To Capital	Capital Receipts	Total
Council Fund	-10,831	-23,452	-17,929	-4,767	-11,540	**-68,519**
HRA	0	-9,366	-3,875	-5,631	-1,672	**-20,544**
Total	**-10,831**	**-32,818**	**-21,804**	**-10,398**	**-13,212**	**-89,063**

3. Virements

3.1 This report requests that the following virements are carried out to amend the capital budgets for the following projects:

3.2 Highways Transport and Recycling

- The Project to consider the location and type of Fleet Workshops has nearly completed the Business Case stage. The planning and construction of any new sites will take place in 2018/19. It is therefore recommended to roll forward £1.941m to 2018/19.

- The Fleet Replacement Programme now has a project Board to oversee the work of, Fleet, Procurement and Finance. However, despite best efforts several factors, including long lead time in procuring vehicles and issues with tenders has meant that a significant number of vehicles will be delivered in 2018/19. This virement requests that £4.8m is rolled forward from 2017/18 to 2018/19. A detailed programme has been drawn up along with a project plan for 2018/19.

- The work on the Flood Alleviation Scheme for Phase 2 at the River Enig, Talgarth has now had a favourable outcome from the Welsh Government (WG) determination of the objection to the scheme. Work will progress this year with the revised design and tender. It is therefore recommended to roll forward the budget of £585K to 2018/19 when the construction can take place. This is dependent on WG approving their 85% contribution of £497k.

- Work on the design of the Flood Alleviation Scheme for Phase 3 Welshpool is progressing well. Work in the water course cannot now take place until spring 2018. It is therefore recommended to roll forward the budget of £123k to 2018/19. This is dependent on WG approving their 85% contribution of £104k.

3.3 Schools and Inclusion

- Due to additional demands with Early Years setting and safe guarding issues at some schools, the Major Improvement Budget is now showing a forecast overspend. It is recommended to vire £140k from Radnor Valley School Roof to the unallocated budget. The school roof will instead be included in the 2018/19 Major Improvement Programme as a priority. It is more appropriate to do the roof work during the Summer Holidays.

3.4   Leisure and Recreation

- The project to fit out the Library at Y Gaer is now going to take place once the construction of the building is completed, which will be in 2018/19. It is therefore recommended to roll forward the grant and match funding to 2018/19 of £275k

- Development and implementation of some of the co-locations/community delivery solutions and implementation of the Wales Library Management System have taken longer than originally anticipated, causing delay to starting on this project. The concept paper has been approved by ICT governance, and the service is now working on the full business case and drafting the tender specification which it is hoped to get out early in the new year. Therefore it is recommended to roll forward the £196k budget from 2017/18 to 2018/19.

3.5   Regeneration, Property and Commissioning

- The Project to undertake remedial works to Nantmel Landfill site is now going to take place in 2018/19. Due to the nature of the works it is beneficial to commence the site operations next spring or preferably later as we need a period of lower rainfall to complete the works in one go.   It is therefore recommended that the budget of £133k is rolled forward to 2018/19.

3.6   Housing Revenue Account

- Due to the late start to the Welsh Housing Quality Standard Capital Programme this year because of procurement and Health and Safety delays, it is recommended to roll forward £1,725k from 2017/18 to 2018/19 with a further £950k from 2017/18 to 2019/20.

- The work to the Older Persons Accommodation is progressing, however the volume of work required the £700k is rolled forward from 2017/18 to 2018/19 and a further £700k is rolled forward from 2017/18 to 2018/19.

3.7   The other virements in Table 1 were reported in the September Capital Report and are in the process of being approved through Cabinet and Council.

4.   Grant Changes as at 30th September 2017

4.1   Schools and Inclusion

- The WG Grant for the new Schools in the Gwernyfed Catchment has been reduced by £3.807m. The authority has now been given this funding through the Financial Settlement under the Local Government Borrowing Initiative and means it will borrow the funding instead.

4.2   Adult and Commissioning

- Award of a grant from Welsh Government to purchase and refurbish the Old TSB Bank, Welshpool in order to secure the provision of a long term base to deliver substance misuse services in Powys.   The grant is profiled over two financial years with £256k in 2017/18, and the remaining £443k in 2018/19.

4.3   Leisure and Recreation

- A grant of £715k from the Federation of Museums and Art Galleries Wales towards the restoration of the Artefacts in Y Gaer.

5.   Capital Receipts

5.1 A capital receipt occurs when an asset of the authority is sold. Capital receipts historically could only be used to finance new capital expenditure or repay loans. This changed in 2015/16 when it was possible to use capital receipts to finance the revenue costs from transformation. This option has been used in both 2015/16 (£1.6m) and 2016/17 (£0.9m), which has required additional Prudential Borrowing.

5.2 The current capital receipt target, excluding the HRA, for 2017/18 is £1m for Property and £1m for County Farms, of which £334k has been agreed subject to contract and should be received before year end. Three sales of £729k has been completed as at 31st October 2017, Land and Property sales £175k; Smallholding/Farm Sales £554k.

5.3 The HRA is still subject to Right to Buy Disposals and seven sales have been completed as at 31st October 2017 amounting to £667k and other land and garage sales amount to £69k

5.4 As at 31st March 2017 the total Capital Receipts held by the authority was £15.402m of this £13.212m is a commitment in the capital budgets for 2017/18.

5.5 A recent decision by Cabinet to suspend declaring any further property from the Farm estate surplus, will effectively mean the target for capital receipts will not be met in future.

6. Borrowing Requirements

6.1 The Council's underlying need to borrow for capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council's indebtedness. The CFR results from the capital activity of the Council and resources used to pay for the capital spend. It represents the current year's unfinanced capital expenditure and prior years' net or unfinanced capital expenditure which has not yet been paid for by revenue or other resources.

6.2 Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure that sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through external borrowing or utilising temporary cash resources within the Council.

6.3 Net external borrowing (borrowings less investments) should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for the current year and next two financial years. This allows some flexibility for limited early borrowing for future years.

CFR Position:

	As at 31.03.17 Actual	2017/18 Original Estimate	2018/19 Original Estimate	2019/20 Original Estimate
	£M	£M	£M	£M
Capital Financing Requirement	307,524	326,461	357,224	382,433

The Authority had outstanding long-term external debt of £226.4M at 31st March 2017. In relation to the CFR figure for 31st March 2017, this equated to the Authority being under borrowed by £81M. This is a prudent and cost effective approach in the current economic

climate. However, members will be aware that internal borrowing is only a temporary situation and officers have advised that, based on capital estimates, it will be necessary for the Authority to borrow at stages over the next few years. The following temporary borrowing is applicable to this financial year. It is expected that temporary borrowing will be necessary on further occasions throughout the financial year.

	BORROWED				REPAID	
Date	Borrower	Type	Amount £000	Rate%	Date	Amount
28-Mar-17	Derbyshire Pension Fund	Fixed to 4/4	0	0.50	04-Apr	10,000,000
29-Mar-17	Edinburgh City Council	Fixed to 5/4	0	0.50	05-Apr	10,000,000
29-Mar-17	City of London	Fixed to 5/4	0	0.50	05-Apr	5,000,000
29-Sep-17	Manchester City Council	Fixed to 5/10	5,000	0.20	05-Oct	5,000,000

Alongside this, it is likely that some longer term borrowing will take place. This is a prudent approach to ensure some borrowing takes place whilst interest rates are at their low levels as opposed to borrowing at a future date at increased rates.

6.4   The CFR figures above include the increase in the amount of borrowing of £41m that is anticipated in 2017/18. Any borrowing undertaken will have a revenue implication, which includes both the payment of interest on the loan but also the repayment of the principal of the loan. The Minimum Revenue Provision (MRP) is a statutory and prudent way of setting aside the funds required to repay the principal. Work is also ongoing to improve the forecast for capital spend, so that Treasury Management are able to improve the cashflow predictions for the authority. The net cost of borrowing together with the MRP are the real capital charges.

6.5   The virements in section 3 have an impact on the CFR figures for future years. In addition, any capital bids and approved projects for future years will increase the CFR. This in turn increases the MRP and the borrowing requirements. The real capital charge revenue budgets while showing an underspend in the current year will require additional budget to meet the additional borrowing and MRP costs in the future years.

7.   **Options Considered/Available**
No alternative options are considered appropriate as a result of this report.

8.   **Preferred Choice and Reasons**
None to consider.

9.   **Impact Assessment**
Is an impact assessment required?   **No**

10.   **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.

11. **Local Member(s)**
This report relates to all service areas across the whole County.

12. **Other Front Line Services**
This report relates to all service areas across the whole County.

13. **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.

14. **Support Services (Legal, Finance, HR, ICT, BPU)**
This report has no specific impact on support services other than reporting on those service areas with capital programmes. Financial Services work closely with all service areas in monitoring financial performance on capital programmes against budgets. The Capital and Financial Planning Accountant confirms that the projects included in section 3 are included in the Capital Programme.

15. **Scrutiny**
This report presents financial information which will help inform the future capital strategy and therefore has implications for any related organisation.

16 **Statutory Officers**
The Head of Financial Services & Acting Section 151 Officer notes the contents in the report.

The Monitoring Officer has no specific concerns with this report.

17. **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:
a. **The contents of this report are noted by Cabinet; and** b. **The Capital virements set out in Section 3 are approved, and those over £500k be submitted to full council for approval.**	**To outline the capital budget position as at 31st October. To ensure appropriate virements are carried out.**

Relevant Policy (ies):			
Within Policy:	**Y / N**	**Within Budget:**	**Y / N**

Relevant Local Member(s):	

| Person(s) To Implement Decision: | |
| Date By When Decision To Be Implemented: | |

Contact Officer Name	Tel	Fax	E mail
Jane Thomas	01597-826341	01597-826290	jane.thomas@powyscc.gov.uk

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Joint Audit - Education Scrutiny Working Group

Interim Report on: Financial Viability of Schools

Observations made to: Cabinet/Management Team

Background:

Joint Chairs instructed Audit and Education Scrutiny to undertake a joint piece of work assessing the Financial Viability of Schools.

The Wales Audit Office Review of Education Finance Powys published in June 2017 together with projected deficits in the Schools Service had caused the Section 151 Officer to alert the Council to the potential threat raised by schools budgets.

In July 2017 the Cabinet received a report which projected that by 2019/20 schools delegated budgets would be showing a deficit of £5.4M (not including figures for Welshpool High School which shows a deficit of £0.5M by 2017/18). Whilst it is accepted that these projections do not take into account mitigating measures that schools will put in place in the meantime this level of deficit is a risk to the Council and this, together with the WAO report, prompted the current review. We are also aware that the council are proactively looking at this issue but to date have no hard evidence on its views or planned actions.

Scope:

The project is to be undertaken in stages with Stage 1 focussing on Secondary Schools which are showing a more serious position. Discrete areas of work are to include at a high level: standards, school rolls, curriculum provision, Welsh language provision, staffing structures, teacher/pupil ratios, financial expertise within schools and support from Corporate Services. In addition we have examined the allocated proportion to delegated/non-delegated budgets and potential areas of economy.

The Scrutiny Group have met with the following people to date.

Councillor Myfanwy Alexander – Portfolio Holder for Education

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Councillor Aled Davies – Portfolio Holder for Finance
David Powell – Section 151 Officer
Jane Thomas – Head of Financial Services
Ian Budd – Director of Schools
Gareth Jones – Head of Schools
Huw Lloyd Jones – Wales Audit Office
Graham Taylor – Chair of Schools Forum
John Williams – Vice-Chair of Schools Forum and Head of Gwernyfed High School
Jackie Parker – Head of Crickhowell High Schools
Andrew Fryer – Chair of Governors Crickhowell High School
Michael Gedrim – ALN Service.

Introduction

Financial details taken from the published accounts and budgets show that overall funding Education in Powys has remained relatively static, at c.£100m. (per pupil the 3rd highest in Wales), for the last five years. However, the delegated budget available to schools has over that period fallen by some £3.7m. The impact on schools has been exacerbated by the transfer of some costs which were paid for centrally to the individual schools' budgets.

Year	Schools Service	Delegated	Total
All £ million			
2017-18	31.0	68.9	99.9
2016-17	30.4	69.9	100.3
2015-16	30.1	70.3	100.4
2014-15	31.2	71.5	102.7
2013-14	27.5	72.6	100.1

The WAO reported that for 2016/17 the gross budgeted expenditure per pupil is the 6th highest in Wales but the percentage of that delegated to schools is the second lowest in Wales at 78%. As a result the delegated expenditure per pupil is the 5th lowest in Wales: the average for Primary is £4,000 and Secondary £4,800.

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The Council's centrally retained and administered budget per pupil is the second highest in Wales at £1,305 of which the largest component is home to school transport which at £513 is by some margin the highest in Wales.

The Council has known for some time of the threat presented from delegated budget deficits at an increasing number of schools. The WAO report in June was preceded by another WAO report in 2012and a PWC report in 2015. This is illustrated by the following:

School Balances

Actual outturn 2016/17	+£0.48m
Draft Budget 2017/18	-£1.497m
Projection to 2019/20	-£5.454m

(Prior to any mitigation being put in place)

Initial Findings (Delegated)

The increasing deficit position would suggest that the funding is inadequate to maintain the current footprint of schools with the existing staffing structures together with the present curriculum offer. It is appreciated that it is unlikely that additional funding will be available to support schools. An extra £1m per year for 3 years (a total of £6m by the end of year 3) was put into the Schools Service for 2017/18 to help support secondary schools but it appears this was distributed via the Funding Formula to support small schools and only 20% was actually available to support the secondary sector.

How then has this position arisen? Possible causes identified include:

- Falling pupil numbers (including losing sixth form pupils out of county)

    The table below taken from WG data shows that the recent decline in the population under 25 is likely to accelerate through the next decade.

Powys

	2015	2020	2025	2030
People aged 0-2	3,790	3,590	3,290	3,060
People aged 3-7	6,630	6,510	6,130	5,640
People aged 8-10	4,130	4,110	4,010	3,750
People aged 11-13	4,270	4,170	4,150	3,990
People aged 14-19	7,880	8,020	7,930	7,840

    However, pupil data from the WAO report would suggest that following the decline between 2009 and 2012, pupil number have remained relatively static.

    The impact on the delegated schools budgets has been a reduction of over £1,7m between 2013/14 & 2016/7. Although this trend is unlikely to be

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uniform across the county due to pupil movement across borders in both directions. That movement is difficult to predict and is driven by a number of factors.

- Unwillingness to intervene directly in schools' financial management.

The Council has issued letters of concern to those schools that it deemed appropriate but it has been reluctant to use its powers to intervene directly in the management of individual schools finances. In the opinion of virtually all who were questioned on this, lack of action has been perceived as a weakness. The offending schools have, as a result, sensed that little action would be taken.

The Council's reluctance on this has, in part, been due to concerns that it has neither the capacity, nor in the case of curriculum management, the necessary skills, to successfully manage and resolve the problems. The Group felt that this is a significant weakness in the Council's approach.

- Schools failing to take difficult decisions and plan for falling rolls

The reaction of schools to the financial constraints has been mixed. Some schools have taken early and difficult decisions to restructure their leadership, staffing and curriculum offer to meet projected falling rolls and are in a better position to manage decreasing budgets. Some schools have failed to take this action and their budget positions are a risk to themselves and the overall financial health of the authority. It is clearly unfair to allow well managed and financially proactive schools to be worse off due to the inaction of others.

We have discussed above the lack of curricular skills centrally within the Council. It has been suggested that a similar shortcoming of curricular/timetabling skills is evident within individual schools. We consider that such skills have to be provided either through training or the use of computer programmes within the schools themselves.

- School structures

It has been suggested that management structures have not been reviewed to take account of falling rolls. There is also apparently no template or guidance given to Governing Bodies on the management structures for schools. There is concern that the way in which TLAs are used in some schools. TLAs must be sufficiently flexible to support changing circumstances in curriculum and budget. The use of temporary TLAs could be a potential benefit. Schools must also use their teaching staff contact time efficiently and this should be monitored by Governing Bodies. The use of part time contract staff can have a beneficial effect on school budgets.   The above needs to be monitored by ERW, Challenge Advisers, Governing Bodies and Senior Managers.

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- Indecision and inaction

We consider that the Council's lack of a consistent policy direction and implementation has led to inaction and delays in defining School Modernisation. The capital programme surrounding it has led to uncertainty around the future of some schools, inhibited change and exacerbated falling roles.

A particular example of this is the provision of Welsh Medium education in the North of the county. A decision has been pending for some years on the provision of a new Welsh medium only school which would have a massive impact on the remaining schools in the area including a real prospect of closure. Such delays lead to uncertainty which prevents accurate longer term budget planning.

- Funding Formula Review

A comprehensive review of the funding formula is essential but we believe the current review will not address the fundamental issues. We would anticipate a more root and branch review of the formula to be progressed urgently.

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Financial Structures

There has been a lack of clarity between the roles and responsibilities of schools and the finance service allowing schools to overspend. This has resulted in schools not only spending their delegated budget and reserves but also overspending of the non-delegated Council's money.

The issue of dual stream schools against the financial budgets are concerning. A policy on dual stream schools and Welsh Medium Education should be progressed within financial constraints

Initial Findings (Non-Delegated)

There are a number of areas which the Joint Scrutiny Group have concern that expenditure on each is proportionately the highest or approaching the highest in Wales. These are:

- Home to School Transport – including Post 16 transport

Costing over £9m - equivalent last year to £513 per pupil this cost is by some margin the highest in Wales. By comparison Ceredigion and Monmouthshire, the next highest, are c.£475 and £330 per pupil respectively.

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It has been suggested to us that movement of pupils between schools to attend lessons could/should be a delegated responsibility to individual secondary schools. This, or perhaps a wider examination of local solutions could potentially save money. Consideration should be given to the continuation of free transport for Post 16. EMA is available to post 16 students.

- The Freedom Leisure Contract

This contract currently worth £1.8m is part of 'Other Schools Budget' costs allocated centrally. A review of this has already been started with, we understand, a revised allocation for Wet Side – swimming already agreed with agreement on the larger Dry Side to follow.

- ALN and Behaviour support.

As stated above the centrally retained expenditure for Additional Learning Needs of £4.3m represents £243 per pupil and is the third highest in Wales. As at the time of the WAO report (June 2017) the Council was reviewing the way it delivers some of its ALN services.

Conclusions

It is apparent that the present financial position is unsustainable. This has now become a very urgent matter and although this Group were informed by the Portfolio Holders for Education and Finance that there would be a clear direction on the future shape of secondary schools by the end of the Summer 2017 which would inform the financial projections going forward, this so far, has not been forthcoming. This situation cannot continue given the continuing depletion of Council reserves and urgent action is required.

Until such time as the Group receives a clear policy direction there is limited scope to take this any further.

Membership of the Joint Audit - Education Scrutiny Group
Audit representatives: County Councillor J Morris (Lead Member), Independent (Lay) Member J Brautigam, County Councillor H Hulme
Education Scrutiny Group representatives: County Councillors P Roberts, D Jones and S McNicholas

CYNGOR SIR *POWYS* COUNTY COUNCIL.

CABINET EXECUTIVE
5 December 2017

REPORT AUTHOR: **County Councillor Rachel Powell**
                  Portfolio Holder for Libraries

SUBJECT: **Welsh Public Library Standards report for 2016/17**

REPORT FOR: **Information**

1.   Summary

1.1   The purpose of the report is to receive and give consideration to the Annual Report from the Welsh Government on the Library Service, for the year 2016-17, as required under the Welsh Public Library Standards (5th Framework).

1.2   The Welsh Government has a supervisory and monitoring role in relation to the 22 Library Authorities in Wales.

1.3   Welsh Public Library Standards (WPLS) were first developed in 2002. The period 2016-17 is covered by a fifth performance framework, "Libraries making a difference". Under this framework, the Authority's performance was measured against a revised set of 18 Core entitlements and 16 key Performance Indicators, which includes impact and outcome measures, in order to reveal the wide range of benefits that result from public library use, such as improvements to people's literacy skills, digital skills and health and wellbeing.

1.4   The Standards are intended to help define the responsibilities of library authorities in providing a "comprehensive and efficient" service under the Public Libraries and Museums Act 1964. The performance framework aims to:

- enable the Minister for Culture and Sport to fulfil the statutory requirements of the 1964 Act in respect of superintending the provision of a 'comprehensive and efficient' library service by local authorities;

- provide a robust assessment of the performance of library services;

- have clear links to the Welsh Government's agenda, to ensure credibility across local government in Wales;

- incorporate outcome measures to show the benefits of using libraries;

- act as a driver for improvements to library services and local communities

1.5 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.

1.6 There has been a steady improvement over the 3 year course of the 5th framework; in 2014-15, the service met 3 of the quality indicators with targets in full, 3 in part, and failed one. In 2015-16, the service met 4 in full, 2 in part and 1 failed. The standard not achieved throughout the framework relates to expenditure on up-to-date reading materials. The report expresses concern over this indicator, and over levels of staffing, which have been reduced in order to meet financial targets.

1.7 The key performance indicators of library visits per thousand population (actual and virtual) continue to be well above the Welsh median, proving increased benefit to Powys citizens. The full report is attached at Appendix A.

2. Proposal

2.1 It is proposed 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, so that the library service strives to maintain performance at this level as it moves forward into the 6th framework, and seeks to address as far as possible the areas which do not currently meet Welsh Government's standard.

3. Options Considered / Available

3.1 The Authority is obliged to comply with the reporting requirements of the Welsh Public Library Standards, and to pay due regard to concerns raised in the Welsh Government's Annual Report 2016-17 in forward planning of service delivery.

4. Preferred Choice and Reasons

4.1 To note the contents of the Welsh Public Library Standards report in order to inform forward planning of the Library Service and aid compliance with the Welsh Public Library Standards going forward into the next framework period.

5.   Impact Assessment

5.1   Is an impact assessment required?   No

6.   Corporate Improvement Plan

6.1   The library service continues to offer support to communities through provision of access to learning, digital and citizenship opportunities in a safe trusted environment, where residents can get help from trained, friendly and knowledgeable library staff.

6.2   Through providing a free service at the point of delivery, the library service contributes to the poverty agenda and an equality of access, and boosts mental health and overall wellbeing through social interaction, resources and support.

6.3   Community partnerships which have enabled a sustainable future for branch libraries have ensured that these beneficial outcomes are not lost in any areas, and that the authority continues to perform satisfactorily under the Welsh Public Library Standards framework.

7.   Local Member(s)

7.1

8.   Other Front Line Services

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

8.1   Customer Services:
The Library Service provides front-line support for many services within the authority, with 46,000 enquires and transactions taken during 2016 -2017. They are an invaluable resource for many Customers accessing council services through telephony and web-site as well as verifying and scanning documents to support applications and taking payments.

9.   Communications

Have Communications seen a copy of this report?   Yes
No proactive communication action required.

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

10.1   The Professional Lead-Legal notes the compliance obligations that the Library Service has to follow and has no comment to make concerning this report

10.2   Finance - the contents of the Welsh Public Library Standards report are noted and need to be reflected in order to inform forward planning of the Library Service and aid compliance with the Welsh Public Library Standards going forward into the next framework period.

10.3   Corporate Property (if appropriate)

10.4   HR (if appropriate)

10.5   ICT (if appropriate)

11.   Scrutiny

Has this report been scrutinised?   Yes – see appendix.

12.   Statutory Officers

12.1   The Strategic Director Resources (S151 Officer) notes the comments made by finance.

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

13.   Members' Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

Recommendation:	Reason for Recommendation:
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 6th 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.**

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

Relevant Local Member(s):	N/A

Person(s) To Implement Decision:	Kay Thomas
Date By When Decision To Be Implemented:	With immediate effect

Contact Officer: Kay Thomas
Tel: 01597 826864
Email: kay.thomas@powys.gov.uk

Background Papers used to prepare Report:

"Libraries making a difference"; the 5th quality framework of Welsh Public Library Standards 2014-2017 (included at Appendix B)

Appendices:
Appendix A: Powys Library Service; annual report from Welsh Government 2016-17

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Welsh Public Library Standards 2014-17

Powys County Council

Annual Assessment Report 2016-17

This report has been prepared based on information provided in Powys' annual return, case studies and narrative report submitted to Museums, Archives and Libraries Division of the Welsh Government.

1) Executive summary

Powys met 17 of the 18 core entitlements in full and partially met 1.

Of the 7 quality indicators which have targets, Powys achieved 5 in full, 1 in part and failed to achieve 1.

Low levels of investment in staffing and stock are reflected in below average customer satisfaction in these areas, and this is an area of concern. Powys is to be commended on improving its performance against the targets across this framework in challenging circumstances and during ongoing budget reductions, and for maintaining a high level of professional staff, which should help it to move forward in the current financial climate and continue to deliver a valued service. Care is needed to ensure that any future cuts or changes do not impact on the quality of the service.

- Powys reports the highest percentage of adult users who think that the library has made a difference to their lives, and all children surveyed felt the library helped them learn and find things out. Four case studies demonstrated the value of the library to a variety of users.

- Powys undertook a customer survey of adults in November 2015 and of children in October 2016, with above average results for making a difference, but satisfaction levels were below the median for Wales.

- Powys meets the target for easy access to service points. The number of library members has increased, and AV / electronic issues have also increased for which the library service should be praised, but other indicators of use have fallen. Virtual visits per capita remain among the highest in Wales, however. Attendance at events remains low, and there has been a disappointing decline in the speed of supply of requests.

- Powys has failed to achieve the targets for overall acquisitions, associated with inexperienced staff and changing supplier during the year. There is an appropriate balance of spending on materials for children and in the Welsh language this year. ICT provision in branches is good, with equipment used for 32% of available time.

- There have been further cuts to overall staffing levels this year, which are close to the median for Wales and do not meet the target set. The level of professional staffing is one of the highest in Wales, and staff training is at an appropriate level.

- Overall spending was under-reported last year, and the average net cost per visit this year of £2.44 compares to a corrected figure of £2.22 last year.

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Considering the four areas in the framework (*Customers and communities; Access for all; Learning for life; and Leadership and development*) in comparison to the rest of Wales, Powys performs relatively poorly on indicators in the areas of *Customers and communities*, and *Learning for life*. Results in the remaining areas are more mixed, with some indicators showing a good performance, and others rather poorer.

Compared to previous years the service appears static, with continued decline in some indicators being balanced by improvements elsewhere.

2) Performance against the standards

The standards framework comprises of core entitlements, quality indicators with targets, quality indicators with benchmarks and impact measures. Section 2 summarises achievements against the core entitlements, the quality indicators which have targets, the quality indicators showing performance against others, and impact measures. A narrative assessment of the authority's performance is made in Section 3.

a) Core entitlements

Powys is meeting 17 of the 18 core entitlements in full and partially meeting 1, unchanged from last year. The entitlement which is only partially met again this year is in *Learning for life*, where online information sources are not available via the mobile service at present.

b) Quality indicators with targets

There are 16 quality indicators (QI) within the framework. Of the 7 which have targets, Powys is achieving 5 in full, 1 in part and is failing to achieve 1 of the indicators:

Quality Indicator		Met?
QI 3 Individual development:		Met in full
a) ICT support	✔	
b) Skills training	✔	
c) Information literacy	✔	
d) E-government support	✔	
e) Reader development	✔	
QI 5 Location of service points	✔	Met in full
QI 8 Up-to-date reading material:		Not met
a) Acquisitions per capita	✘	
or Materials spend per capita	✘	
b) Replenishment rate	✘	
QI 9 Appropriate reading material:		Met in full
a) % of material budget on children	✔	
b) % of material budget spent on Welsh	✔	
or Spend on Welsh per capita	✘	
QI 10 Online access:		Met in full
a) All service points	✔	
Computers per capita	✔	
b) Wi-Fi provision	✔	
QI 13 Staffing levels and qualifications:		Partially met

Quality Indicator	Met?	
a) Staff per capita	✗	
b) Professional staff per capita	✔	
c) Head of service qualification/training	✔	
d) CPD percentage	✔	
QI 16 Opening hours per capita	✔	Met in full

* Authorities are not penalised on this indicator if all static service points provide internet access but their mobiles do not.

This is an improvement over 2015-16, overall. The target for replenishment rate has been missed this year, but the targets relating to appropriateness of reading material have been achieved.

c) Impact measures

The framework contains three indicators which seek to gather evidence of the impact that using the library service has on people's lives. Through these and other indicators it is possible to see how the library service is contributing towards educational, social, economic and health and wellbeing local and national agendas. These indicators do not have targets. Not all authorities collected data for the impact indicators, and ranks are included out of the numbers of respondents stated, where 1 is the highest scoring authority.

Powys undertook an impact survey of adults in November 2015 and of children in October 2016.

Performance indicator		*Rank*	Lowest	Median	Highest
QI 1 Making a difference					
b) % of children who think that the library helps them learn and find things out:	100%	*1/19*	68%	93%	100%
e) % of adults who think that the library has made a difference to their lives:	97%	*1/19*	36%	86%	97%
% of children who think that the library has made a difference to their lives:	58%	*17/17*	58%	82%	98%
QI 4 b) % of attendees of training sessions who said that the training had helped them achieve their goals:	93%	*17/19*	80%	97%	100%

Powys provided four impact case studies which showed the real difference the library service makes:

- A poetry group member who enjoys the literary and social exchange and stimulation.

- Library support for Syrian refugees, including language support and provision of a safe space to meet.

- A year 5 pupil who was inspired to write his own story after attending an author visit event.

- The use of local studies resources to develop information and research skills for primary school pupils.

d) Quality performance indicators and benchmarks

The remaining indicators do not have targets, but allow performance to be compared between authorities. The following table summarises Powys' position for 2016-17. Ranks are included out of 22, where 1 is the highest, and 22 the lowest scoring authority, unless stated otherwise. Indicators where fewer than 22 authorities supplied data are those where relevant data elements were not available to some authorities. Figures reported in respect of the first two years of the framework for QI 4 to QI 16 are repeated for convenience of comparison. Note that indicators 'per capita' are calculated per 1,000 population.

Performance indicator		*Rank*	Lowest	Median	Highest	*2015/16*	*Rank*	*2014/15*	*Rank*
QI 1 Making a difference									
a) new skills	76%	*9 /19*	23%	71%	93%				
c) health and well-being	69%	*7 /20*	26%	56%	94%				
d) enjoyable, safe and inclusive	99%	*2 /19*	93%	98%	100%				
QI 2 Customer satisfaction									
a) 'very good' or 'good' choice of books	74%	*20/20*	74%	90%	98%				
b) 'very good' or 'good' customer care	90%	*20/20*	90%	99%	100%				
c) 'very good' or 'good' overall;	95%	*15/20*	92%	97%	100%				
d) child rating out of ten	8.8	*15/19*	8.6	9.1	10.0				
QI 4 User training									
a) attendances per capita	34	*12*	3	34	248	33	*10*	26	*11*
c) informal training per capita	98	*15/20*	1	156	712	112	*14 / 19*	162	*11 / 21*
QI 6 Library use									
a) visits per capita	4,316	*9*	2,453	4,033	6,751	*4,611*	*7*	*4,540*	*8*
b) virtual visits per capita	1,410	*4 /21*	341	922	2,299	*1,505*	*3*	*1,571*	*2*
c) active borrowers per capita	157	*10*	77	153	235	*161*	*10*	*97*	*21*
QI 7 attendances at events per capita	122	*19*	62	214	496	*122*	*18*	*68*	*18*
QI 11 Use of ICT - % of available time used by the public									
a) equipment	32%	*11/21*	16%	32%	69%	*34%*	*10*	*37%*	*10*
QI 12 Supply of requests									
a) % available within 7 days	63%	*19/21*	48%	70%	82%	*69%*	*16*	*65%*	*20*
b) % available within 15 days	80%	*17/21*	65%	85%	96%	*82%*	*17*	*80%*	*18*
QI 13 Staffing levels and qualifications									
(v) a) total volunteers	78	*3*	0	24	209	*95*	*2*	*0*	*17*
b) total volunteer hours	438	*15*	0	798	5,156	*418*	*14*	*0*	*17*
QI 14 Operational expenditure									
a) total expenditure per capita	£14,817	*6 /21*	£6,745	£11,979	£16,968	*£12,749*	*11 / 21*	*£18,278*	*3*
b) % on staff	54%	*14/21*	46%	58%	75%	*67%*	*7 / 21*	*54%*	*15*
% on information resources	8%	*20/21*	4%	13%	25%	*10%*	*15 / 21*	*7%*	*21*
% on equipment and buildings	8%	*3 /21*	0%	4%	20%	*3%*	*11 / 21*	*3%*	*18*
% on other operational costs	29%	*5 /21*	9%	22%	37%	*20%*	*11 / 21*	*37%*	*1*

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Performance indicator	Rank	Lowest	Median	Highest	2015/16	Rank	2014/15	Rank
c) capital expenditure per capita	£341	11/21	£0	£341	£16,692	£1,236	6 / 21	£1,873	3
QI 15 Net cost per visit	£2.44	8 /20	£1.50	£2.33	£3.30	£1.90	20 / 21	£2.74	5/11
QI 16 Opening hours *(see note)*									
(ii) a) % hours unplanned closure of static service points	0.00%	1	0.00%	0.00%	0.48%	0.00%	1	0.03%	12
b) % mobile stops / home deliveries missed	0.13%	4 /19	0.00%	0.13%	8.33%	2.81%	16 / 19	3.3%	18 / 19

Note: Rankings here have been reversed, so that 1 is the lowest scoring (best performing) authority.

Data on Wi-Fi usage has only been provided by three authorities for 2016-17 and so is not included in the table above.

3) Analysis of performance

The core entitlements and quality indicators are divided into four key areas. This section of the report outlines performance against the quality indicators within these four areas, and compares results with those from the first two years of the framework.

a) Customers and communities

Powys undertook a customer survey of adults in November 2015, reported in detail last year, and of children in October 2016. Adult satisfaction with the choice of books and customer care is the lowest in Wales and is reflected in the missed targets in QI 8. The authority notes that children may have had difficulty understanding some of the concepts, with many 'don't know' responses. The percentage of attendees who said that training helped them achieve their goals has increased compared to last year, but remains below the median for Wales. Levels of informal training per capita have fallen for the second year.

b) Access for all

Powys continues to meet the target for easy access to service points. Physical and virtual visits, book issues and active borrowers per capita have all fallen compared to last year, but the numbers of library members and AV/electronic issues have increased. The authority notes that increased use of apps which give access to e-resources without going through the web site may have contributed to the fall in virtual visits, which remain among the highest in Wales. Attendance at events has remained static, and is one of the lowest in Wales, but this perhaps reflects the rural nature of the authority. The authority has a number of small, single staffed libraries which make it difficult to run an extensive events programme, and is beginning to build volunteer support to help in this area.

c) Learning for life

Supply delays while joining the Welsh Purchasing Consortium and new staff affected acquisitions targets this year, which were not met, but the authority anticipates a smoother process for next year. Powys continues to give priority to maintaining good quality stock circulated between service points. Targets for materials for children and in the Welsh language were met this year, children continue to be a priority group, and promotion of the Welsh language is strong.

The authority has achieved the target for PCs per capita, and notes 21 PCs for children

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with restricted internet access, and a bank of 20 tablet devices used for educational purposes. All static sites provide access to the internet and Wi-Fi connectivity; however connectivity issues in rural areas preclude internet access on the mobile libraries. Data on usage of the Wi-Fi network is not available, but observation suggests it is well used, and that usage is increasing. There has been a slight fall in the speed of supply of requests, affected by mechanical problems and staff sickness.

d) Leadership and development

There have been further reductions in staffing, following a restructure of back office staff. Staffing resources are prioritised on the frontline branch libraries and mobiles. The service meets the targets for professional staffing, with one of the highest level of professional staff per capita in Wales, and the head of service is a Chartered Librarian. The target for staff training has been met with a variety of training undertaken during the year. Powys reported using fewer volunteers this year, with 78 each giving an average of 5.6 hours to the service. From the description of the training provided to volunteers, including those on work experience placements, the assessors consider that the contribution they make may be underestimated.

Revenue expenditure per capita has apparently increased, but the authority notes that corporate recharges were incorrectly omitted from the return last year. Net cost per visit last year should have been reported at £2.22; this has increased to £2.44, owing in part to reductions in both income and visits. Opening hours are unchanged from last year.

4) Strategic context

Powys submitted a clear statement of the support provided to the county council and Welsh Government priorities and strategic goals, in four broad areas: prosperous and secure; healthy and active; ambitious and learning; and united and connected.

5) Future direction

Five key strands have been identified to achieve the savings targets identified in the council's medium term financial plan. These are further development of community delivery partnership models; development of volunteer opportunities; co-location to reduce running costs; improvements in ICT; and staff development.

6) Conclusion

Low levels of investment in staffing and stock are reflected in below average customer satisfaction in these areas, and this is an area of concern. Powys is to be commended on improving its performance against the targets across this framework in challenging circumstances and during ongoing budget reductions, and for maintaining a high level of professional staff, which should help it to move forward in the current financial climate and continue to deliver a valued service. Care is needed to ensure that any future cuts or changes do not impact on the quality of the service.

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Libraries making a difference

Llywodraeth Cymru
Welsh Government

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The fifth quality framework of Welsh Public Library Standards 2014-2017

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Foreword

I know from my many visits and from meeting people at events that the public library is a very important and valued service at the heart of communities. It provides a friendly space for learning and leisure, for meeting people and taking part in events. The modern library is also available 24/7 through online services such as e-books, e-magazines, and other digital resources. In poorer parts of Wales, libraries provide vital free access to digital services including information about welfare benefits and jobs.

The economic forecast for the next three years represents a challenge for us all. I appreciate that local authorities will have to make difficult decisions about the services they provide. However, public libraries are a statutory service as laid out in the *Public Libraries and Museums Act 1964*. For over a decade the Welsh Government has implemented successive assessment frameworks which have helped bring a more consistent level of public library provision across Wales. I want everyone in Wales to continue to benefit from effective and relevant public library services and resources.

April 2014 sees the start of the next assessment framework. It has been prepared in consultation with the library sector and local authorities and reflects not only the difficult economic future, but also sets some aspirational targets. The framework includes impact and outcome measures for the first time. This will help to reveal the wide range of benefits that can result from using the public library service such as improvements to people's literacy skills, digital skills and health and wellbeing.

I am therefore pleased to publish this fifth framework of the Welsh Public Library Standards and to also acknowledge the continuing partnership between the Welsh Government and local authorities. Together we can work to ensure that library services in Wales remain at the heart of our efforts to improve the lives of the people of Wales.

John Griffiths AM
Minister for Culture and Sport
April 2014

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1. Introduction

"Public, educational, and workplace libraries, are at the heart of their communities. The very reason for their existence is to inspire and assist people to make a positive difference to their lives. Libraries contribute to the social, educational, cultural and economic well being of the people of Wales."[1]

1.1. The benefits of using public libraries

Library service engagement with individuals and with the wider community drives benefits in many of the Welsh Government's outcome areas such as literacy, digital inclusion, cohesive communities, poverty, and health and well being. How the library interacts with its stakeholders – chiefly the users (and potential users) of the service – is key to the provision of a quality service. User perceptions of the services available derive from their experiences. Libraries which engage appropriately with their customers will provide the maximum benefits both for individuals and the community. As well as providing training and learning support for individuals, libraries contribute to society in other ways, such as providing access to computers and e-government for digitally excluded members of the community.

The public library may be the only place in the community where users can spend time in a safe and neutral environment. Supporting job-seekers in their search for work contributes to the local – and national – economy. By providing specialist facilities and services for those in the community who might have special needs, libraries contribute to health and well-being. Such benefits will only be achieved if the library provides equality of access for all. Much information is now more easily accessible online, and some is only available online, and libraries are uniquely positioned to facilitate access to resources which may be too costly for individuals (e.g. the cost of the basic hardware, Internet access or the resource subscription).

Libraries play a key role in providing information, promoting knowledge and developing skills for people of all ages and all walks of life. From children's first steps in listening to stories and learning to read, to providing quiet spaces for study, and supporting older people in using new technologies, libraries contribute to the delivery of literacy targets, information literacy and digital inclusion.

Good libraries play an important part in shaping people's views of their local authority. In order to deliver quality, sustainable services to the public, libraries need active leadership and a programme for development enabling them to respond in a timely way to the changing information and cultural needs of their local communities. Staff must have the skills, knowledge and confidence to deliver services and meet customer needs, demonstrated by appropriate professional qualifications. Libraries have the opportunity to contribute to a range of wider local and national government agendas, but this will only happen if the library is pro-active in promoting its role, based on a strong vision linked to those agendas.

1.2. What this means for the people of Wales

The fifth framework of Welsh public library standards comprises 18 core entitlements and 16 quality indicators to monitor how well library services realise these benefits for the people of Wales. The mapping between benefits and indicators is not a simplistic one, as measuring outcomes and impacts at a service-wide level cannot be achieved directly, but must be inferred from broader indicators. The table below shows the indicators in this framework which are most directly related to some of the key benefits of using public libraries. Libraries which perform well on these indicators will be engaging appropriately with their customers to make a difference to their lives.

[1] CyMAL (2011) *Libraries Inspire: The strategic development framework for Welsh libraries 2012-16*, p 7 Available at http://wales.gov.uk/topics/cultureandsport/museumsarchiveslibraries/cymal/libraries/librariesinspire/?lang=en

Outcomes and impacts	Core entitlements	Quality indicators
I am able to increase my knowledge/skills having used the library	1, 2, 3	1, 3, 4
I am able to take part in reading and other cultural events organised by the library service	3	8, 9
I feel part of a community using the library service	3, 15	1, 5, 6
I am able to take advantage of the opportunities offered in the digital world using the library service	1, 10, 11	8, 12, 13
My health and well-being is enhanced by using the library	3, 7	1
I can participate more fully in local affairs via the facilities in the library	3, 11	3, 12

Other core entitlements and quality indicators are concerned with the effective management of services, which underpins the effective delivery of the outcomes and impacts.

A short user guide for the public and local authority members is available from CyMAL.[2]

1.3. Fulfilling the statutory duty

The *Public Libraries and Museums Act 1964*[3] makes it a duty of the relevant Welsh Ministers (currently the Minister for Culture and Sport) *"to superintend and promote the improvement of the public library service provided by local authorities…and to secure the proper discharge by local authorities of the functions in relation to libraries conferred upon them as library authorities under this Act"*. Under the same Act, library authorities are required to *"provide a comprehensive and efficient library service for all persons desiring to make use thereof"*.

Since 2002, the Welsh Ministers have fulfilled this duty through the Welsh Public Library Standards (WPLS, or, the Standards). The first framework ran from 2002 to 2005 with subsequent frameworks covering the periods 2005-08, 2008-11 and 2011-14. Each individual framework evolved to reflect the changing needs and expectations of public library users. In addition to the fulfilment of statutory duties, the WPLS framework plays

a valuable role in supporting the development of public library services. There is general consensus among stakeholders concerned with the provision of public library services in Wales that these performance measurement frameworks, introduced and administered by the Welsh Government for the sector, have helped public library services to improve in a number of ways and in key areas. For example, as a result of the Standards, there have been significant improvements in service areas such as the delivery of requests and provision of ICT facilities and services, leading to enhanced outcomes for library customers.

Local authorities also have a statutory duty (under section 7 of the Act) to provide a library service and encourage both adults and children to make full use of that library service. The performance indicators listed here will assist the Welsh Government in assessing whether or not local authorities in Wales are complying with their duties under the 1964 Act, and in assessing the comprehensiveness and efficiency, in terms of the manner of delivery, of library services in Wales.

1.4. The fifth quality framework

The aims of this new, fifth, framework of Welsh Public Library Standards are to:

- enable the Minister for Culture and Sport to fulfil the statutory requirements of the 1964 Act in respect of superintending the provision of a 'comprehensive and efficient' library service by local authorities;

- provide a robust assessment of the performance of library services;

- have clear links to the Welsh Government's agenda, to ensure credibility across local government in Wales;

- be relevant and useful to all local authority library services in Wales;

- be transparent, easily understood and accepted by all stakeholders;

- incorporate outcome measures to show the benefits of using libraries;

- act as a driver for improvements to library services and local communities; and

- minimise the burden of data collection on library authorities.

Introduced at a time of budgetary constraint, this framework provides opportunities for libraries to deliver services in innovative ways and the flexibility to make best use of the resources available to them. The framework has been developed using a variety of quality performance models as a basis to create a unique framework for Wales, incorporating input and output measures, as well as qualitative and impact/outcome elements.

It will come into operation on 1st April 2014, and libraries will make their first report against its requirements in the summer of 2015. This document describes the new framework in detail. It is appreciated that some areas of the framework may be more or less relevant in particular authorities and it is appreciated that library services will need to regard local priorities.

Library services contribute to a range of Welsh Government outcomes such as literacy, skills and learning, digital inclusion, poverty, health and well-being. Library provision spans these outcomes, offering a range of services which often support two or more of the outcomes simultaneously. The new quality framework has therefore been themed around four core service aspects:

- customers and communities;

- access for all;

- learning for life; and

- leadership and development.

Each aspect has a number of core entitlements and quality indicators associated with it, and has been related to wider government agendas. The desired outcome of the fifth framework is that libraries offer all the services and facilities listed as core entitlements. In order to assess the quality of these services and facilities, a range of performance indicators and outcome-based impact measures are

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described, to show how people are better off as a result of using the library service.

A set of **core library entitlements** for Welsh citizens is set out in *Libraries Inspire*, the strategic development framework for Welsh libraries for 2012-16. These have been formally incorporated into this fifth quality framework, and a small number of additional entitlements included. These additional entitlements will help to promote the wider societal role of public libraries, ensuring inclusivity and sustainability of the service.

The **quality indicators** included are of three broad types.

- Input indicators are concerned primarily with what the library service will provide for the citizens of Wales in key areas in order that the core entitlements described above can be delivered.

- Output indicators are concerned with levels of use. When considered alongside input indicators, they can give an indication of the efficiency of delivery of the service.

- Outcome and impact indicators measure the direct or indirect effects of the library service on its users, and on the wider community. They show the difference libraries make to people's lives.

Some indicators have been developed from previous frameworks; others are new, reflecting an increasing emphasis on the outcomes and impact of the public library service for the people of Wales. Most will be reported every year; some may be reported once in the three year period, for example, where user survey data are required. For some indicators, formal targets are set, although such targets are not appropriate in all cases. Libraries will be expected to compare their performance on all indicators with previous

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years, and to meet the targets where these are set. Benchmarking of authorities will be possible when all results are available.

The nature of the geography, distribution of population and other factors within individual authorities can cause significant variations in the approaches necessary to the planning and delivery of library services. For this reason, Welsh library authorities are offered alternatives against which to measure their services in some of the indicators described, and should choose the most appropriate to reflect their circumstances.

Definitions of the various terms and methods of data collection are not specified in this document; however these will be included with the reporting template provided to library services, and are available on request.[4] In all cases, detailed guidance on data collection and calculation will be provided to library authorities to ensure consistency and comparability. Existing data will be utilised wherever practicable. Where appropriate, international standard definitions and methods have been adopted.

A final section of this document details the reporting requirements, which include an element of self evaluation and descriptive reporting in addition to key service statistics and the performance indicators, and describes the monitoring and assessment process. A holistic view of assessment will be taken. Library performance will be judged on all the aspects of the framework, including compliance with the core entitlements, ranking on the quality indicators, how many performance targets are met, and the narrative providing evidence of the impact of the service on individuals and the community.

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2. Customers and communities

Entitlements and indicators in this service aspect are designed to ensure that the library service engages with its customers and potential users, providing opportunities for individual and community development.

2.1. Core entitlements

WPLSCE 1
Libraries in Wales will ensure friendly, knowledgeable and qualified staff are on hand to help.

WPLSCE 2
Libraries in Wales will stage a range of activities to support learning, enjoyment and enable users to obtain the maximum benefit from the available resources.

WPLSCE 3
Libraries in Wales will provide access to a range of services and resources to support lifelong learning, personal well being and development, and community participation.

2.2. Quality indicators

WPLSQI 1 Making a difference
This selection of indicators assesses the impact of library use on people's lives in a variety of ways. Although some are relevant to other areas of this framework, they are grouped together here as being key to the overall customer experience.

Authorities will report, at least once in the three year period:

a) the percentage of adults who think that using the library has helped them develop new skills;

b) the percentage of children who think that the library helps them learn and find things out;

c) the percentage of adults who have found helpful information for health and well- being at the library;

d) the percentage of adults who experience the library as an enjoyable, safe and inclusive place;

e) the percentage of adults and the percentage of children who think that the library has made a difference to their lives.

Data will be collected from user surveys of adults and of children, which should be conducted in accordance with good statistical practice, at least once during the three year period of this framework. Authorities will be given guidance on the conduct of the survey and wording of questions to ensure comparability. Authorities may conduct annual surveys if they wish to do so and report accordingly.

WPLSQI 2 Customer satisfaction
Customer satisfaction is a key element of library performance. As with the indicators concerned with library impact (QI 1), some of these are relevant to other areas of this framework, but are grouped together here as being key to the overall customer experience.

Authorities will report:

a) the percentage of adults who think that the choice of books available in the library they use is 'very good' or 'good';

b) the percentage of adults who think that the standard of customer care in the library they use is 'very good' or 'good';

c) the percentage of adults who think that the library they use is 'very good' or 'good' overall;

d) the average overall rating out of ten awarded by users aged 16 or under for the library they use.

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Data will be collected from user surveys of adults and of children, which should be conducted in accordance with good statistical practice, at least once in the three-year period of this framework. It is appreciated that not all authorities wish to use the CIPFA PLUS suite of survey instruments (from which the above indicators are drawn), and guidance will be issued to ensure that authorities which choose to use their own surveys will have comparable results. Authorities may conduct annual surveys if they wish to do so and report accordingly.

WPLSQI 3 Support for individual development

Libraries shall ensure that the following services are offered in all static service points open for 10 hours per week or more:

a) basic support in the use of the ICT infrastructure provided (including Wi-Fi) and in accessing the range of electronic information resources available;

b) training to improve literacy, numeracy, information and digital skills. Training programmes may be developed and delivered with appropriate partners outside the library service;

c) information literacy sessions for users (i.e. assistance in developing or enhancing capabilities to: identify and access appropriate resources efficiently and effectively; critically evaluate information; and apply information appropriately to further objectives, such as educational, employment, health and well-being);

d) support for users to access local and national e-government resources;

e) reader development programmes/activities for both adults and children.

The format of the support offered and frequency of any specific timetabled sessions should be appropriate both for the size of the service point and local community needs.

WPLSQI 4 User training

This indicator assesses the extent to which sessions offered match local need and would include: reader development sessions; literacy, numeracy, information and digital skills sessions; ICT sessions, etc., including sessions arranged in collaboration with partner agencies. User training may have a general audience, or be targeted towards specific sub-groups of the population e.g. children, carers, unemployed persons, etc. Sessions may require advance registration, or be open to all on a drop-in basis.

Authorities will report:

a) the total number of attendances at pre-arranged training sessions organised and/or hosted by the library service at its own service points or at other locations within the authority during the year, divided by the resident population, multiplied by 1,000;

b) the percentage of attendees at such sessions who said that attendance helped them to achieve their goals;

c) the number of customers helped by means of informal training during the year, divided by the resident population, multiplied by 1,000.

Part (b) of this indicator should be derived from a simple feedback form offered to all attendees. Part (c) of the indicator may be derived by sampling. Authorities will be provided with guidance to ensure consistency of reporting.

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3. Access for all

Entitlements and indicators in this service aspect are designed to ensure that library services are delivered from buildings and facilities which are welcoming, inclusive and fit for purpose.

3.1. Core entitlements

WPLSCE 4
Libraries in Wales will be open to all members of their communities.

WPLSCE 5
Libraries in Wales will be free to join.

WPLSCE 6
Libraries in Wales will provide a safe, attractive and accessible physical space with suitable opening hours.

WPLSCE 7
Libraries in Wales will provide appropriate services, facilities and information resources for individuals and groups with special needs. Special needs can be caused by physical and health impairment, economic disadvantage (e.g. long term unemployment), cultural difference (e.g. language, new arrivals), educational background, or other circumstances that require special library services.

3.2. Quality indicators

WPLSQI 5 Location of service points
Authorities shall ensure that they meet the following criteria for the location of service points and mobile library stops, according to their population density:

No stipulation is made with regard to minimum opening hours of static libraries (on a site by site basis) however, authorities are asked to consider the viability of service points which are open for fewer than 10 hours per week. Equally, no stipulation is made with regard to length or frequency of mobile library stops, however it is expected that mobile libraries will visit each scheduled stop at least 12 times per year.

WPLSQI 6 Library use
Three measures of use of the library are required, covering the physical and the electronic resources provided. Together, they assess the library's success in attracting users to its services.

Authorities will report:

a) the total number of visits to library premises during the year divided by the resident population, multiplied by 1,000;

b) the total number of external visits to the library's website during the year divided by the resident population, multiplied by 1,000;

c) the total number of active borrowers divided by the resident population, multiplied by 1,000.

The data used should be those as reported to CIPFA for the public library actuals return. This is a performance indicator in the National Strategic Indicators, Leisure and Culture, for Wales (LCL/001), and the guidance for the collection of data and calculation of this

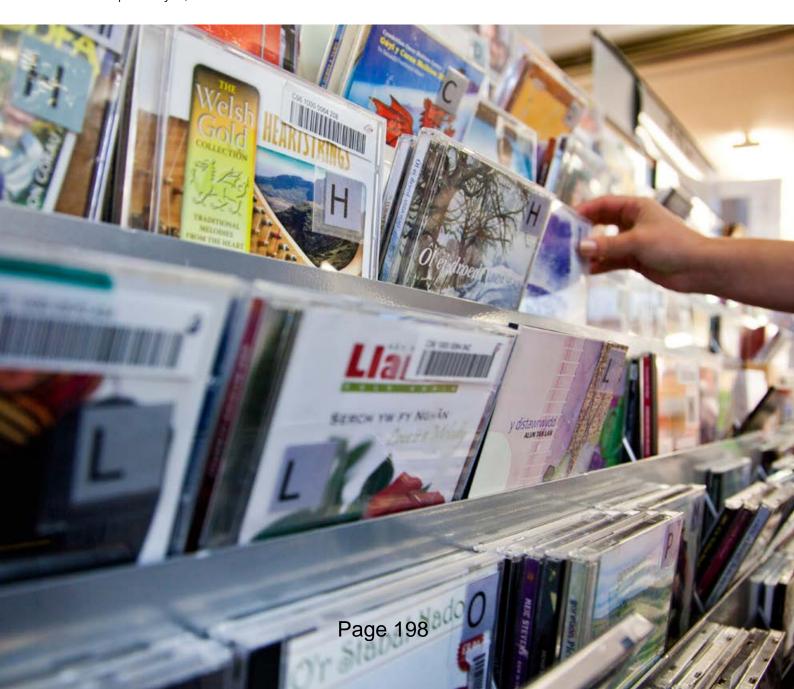| Population density	% of households	Distance from library
20 or more persons per hectare:	At least 95%	within 2 miles of a static service point
Between 1.1 and 19.9 persons per hectare:	At least 75%	within 2.5 miles (or 10 minutes travelling time by public transport) of a static service point, or within ¼ mile of a mobile library stop
1.0 person or fewer per hectare:	At least 70%	within 3 miles (or 15 minutes travelling time by public transport) of a static service point, or within ¼ mile of a mobile library stop

performance indicator is substantially the same for both frameworks.

WPLSQI 7 User attendances at library events per 1,000 population

The purpose of this indicator is to estimate the attraction of library events for the library's population to be served, and the extent to which such events meet local need.

Authorities will report:

- The total number of attendances at events and activities organised by the library service at its own service points or at other locations within the authority during the year, divided by the resident population, multiplied by 1,000.

Events include events with literary, cultural or educational intent, e.g. author visits, reading groups, literary discussions, digital and information literacy workshops, genealogy workshops, health literacy, financial literacy, job seeking etc. Events specifically for children are included, such as storytelling, poetry, music. Authorities may choose to report separately concerning events targeted at specific sections of the population, e.g. visually impaired readers; socially excluded groups.

4. Learning for life

Entitlements and indicators in this service area are designed to ensure that the library service provides a range of resources and services to meet people's needs.

4.1. Core entitlements

WPLSCE 8
Libraries in Wales will lend books for free.

WPLSCE 9
Libraries in Wales will deliver free access to information.

WPLSCE 10
Libraries in Wales will provide free use of the Internet and computers, including Wi-Fi.

WPLSCE 11
Libraries in Wales will deliver free use of online information resources 24 hours a day.

WPLSCE 12
Libraries in Wales will provide access to high quality resources in a range of formats, including those in the Welsh language, reflecting changing forms of publication.

WPLSCE 13
Libraries in Wales will share their catalogues, to enable a single search of all Welsh library resources.

4.2. Quality indicators

WPLSQI 8 Up-to-date reading material
a) Library authorities should achieve

  either a minimum of 243 items acquired per 1,000 resident population

  or a minimum spend of £2,180 per 1,000 resident population annually.

  Books and e-books, periodicals, audio-visual material and electronic resources are all included.

b) Acquisitions during the year of materials for loan (including electronic materials for loan) should be equivalent to at least 11% of the lending stock at the start of the year.

WPLSQI 9 Appropriate reading material
This indicator is designed to ensure an appropriate balance of resources across various sections of the community.

a) The percentage of the material budget spent on resources for children should reflect the percentage of children in the resident population, within ±2 percentage points.

b) Either a minimum of 4% of the material budget,
  or a minimum of £750 per 1,000 Welsh speaking resident population,

  should be spent on the purchase of Welsh Language materials.

WPLSQI 10 Online access
a) Every static library and mobile library should provide a minimum of one device giving public access to the Internet and networked digital content. Authorities should achieve an aggregate total across the authority of no fewer than 9 such devices per 10,000 resident population. Computers, laptops, tablets, and other mobile devices are all included.

b) All static service points should provide Wi-Fi access for users to bring their own laptops or mobile devices.

WPLSQI 11 Use of ICT – % of available time used by the public
Authorities will report:

a) the percentage of available time allocated for use of public access ICT equipment (i.e. library-provided computers and other devices) actually taken up by users.

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b) the percentage of time during which Wi-Fi services are available that they are used by the public.

This should be aggregated across all libraries in the authority, including mobiles.

WPLSQI 12 Supply of requests

This indicator measures the efficiency of the public library service in responding to requests for material which is not immediately available.

Authorities will report:

a) the percentage of requests for material which are notified to the user as being available within 7 calendar days of the request being made;

b) the percentage of requests for material which are notified to the user as being available within 15 calendar days of the request being made.

Requests for pre-publication material shall be counted from the date of publication. Material which is not owned by the library but must be acquired by purchase or by inter-library loan is included in the calculations.

5. Leadership and development

Entitlements and indicators in this service aspect are designed to ensure that the library service is professionally managed with adequate resources.

5.1. Core entitlements

WPLSCE 14
Libraries in Wales will promote libraries to attract more people to benefit from their services.

WPLSCE 15
Libraries in Wales will regularly consult users to gather their views on the service and information about their changing needs.

WPLSCE 16
Libraries in Wales will work in partnership to open up access to the resources of all Welsh libraries.

WPLSCE 17
Libraries in Wales will provide access to the library service's strategy, policies, objectives and vision, in print and online, in a range of languages appropriate for the community.

WPLSCE 18
Libraries in Wales will provide a clear, timely and transparent complaints process if things go wrong.

5.2. Quality indicators

WPLSQI 13 Staffing levels and qualifications

a) Library authorities shall achieve total establishment staffing levels for the service of 3.6 (full time equivalent) per 10,000 resident population. Staff who do not work directly in service provision, e.g. cleaners, are excluded.

b) The total number of staff (full time equivalent) holding recognised qualifications in librarianship, information science or information management per 10,000 resident population should not fall below 0.65. Staff with qualifications in cognate areas, such as ICT, heritage or leisure management or education and learning may be included in the calculations if they occupy posts on the library staff establishment which require those qualifications, and when the qualifications held are relevant to their current roles and functions within the library service.

c) The designated operational manager of the library service shall,

   either be the holder of recognised qualifications in librarianship, information science or information management **or** have undertaken relevant library management training within the last 3 years.

   Authorities will also report:

   i. where this post sits within the local authority management structure;

   ii. the post held by the most senior professional librarian (where different); and

   iii. where that post sits within the local authority management structure.

d) A minimum of 1% of aggregate staff working hours should be spent in training and personal/professional development during the year. All library staff should be encouraged to undertake relevant training and development.

e) Library authorities may offer members of the community the opportunity to volunteer to support additional library services. Such opportunities can, for example, enhance the life skills and employability of individuals, contributing to tackling poverty outcomes.

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Where there is community involvement in delivering the library service at a branch level, we expect there to be paid staffing working alongside the volunteers in the libraries.

Library authorities that use volunteer staff to deliver additional services shall ensure:

- a designated volunteer coordinator from the library service's permanent professional staff coordinates those parts of the service involving volunteer workers;

- each volunteer receives a written role description;

- legal requirements are met for each volunteer in relation to their role;

- both induction training and continuing training is provided for all volunteers;

- volunteers are appropriately supervised; and

- they have achieved, or are actively working towards, Investing in Volunteers accreditation.[5]

Authorities will report:

i. the total number of volunteers

ii. the total number of volunteer hours during the year

iii. whether they have accreditation status relating to the NOS or are working towards this accreditation.

WPLSQI 14 Operational expenditure

In the current economic climate it is not thought appropriate to set a target for library expenditure, but spending on the public library service will continue to be scrutinised closely.

Authorities will report:

a) the total revenue expenditure per 1,000 resident population;

b) the percentages of this total spent on staff, materials and information resources, maintenance, repair and replacement of equipment and buildings, and other operational costs;

c) total capital expenditure per 1,000 resident population.

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[5] See http://iiv.investinginvolunteers.org.uk/inyourcountry/iiv-wales for more information

WPLSQI 15 Cost per visit

This indicator is useful for justifying expenditure of public funds, giving a proxy for value for money, but it must be interpreted in conjunction with demographic indicators and quality indicators relating to use. It measures the cost of the library service related to the number of library visits, including virtual visits.

Authorities will report:

• The total revenue expenditure divided by the sum of the number of physical visits to library premises (including mobiles) plus the number of visits to the library web site during the year.

Authorities which complete the CIPFA public library actuals return should use the same data here.

WPLSQI 16 Opening hours

a) Welsh public libraries should achieve a level of aggregate opening hours across all service points administered by the authority (defined as those that provide access to materials, staff and a range of library services) of no less than 120 hours per annum per 1,000 resident population.

b) This part of the indicator is concerned with the adequacy of the library service's maintenance programme and staffing strategy.

Authorities will report:

i. the total number of hours of unplanned and emergency closure of static service points as a result of building failure or staff unavailability as a percentage of the total planned opening hours of all static service points during the year;

ii. the number of mobile library stops and/or home delivery services missed as a result of vehicle failure or staff unavailability, as a percentage of the total number of planned mobile library stops and/or home delivery services during the year.

Scheduled opening hours not open as a result of adverse weather conditions, or any other cause beyond the library's control, are not included.

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6. Reporting, monitoring and assessment

The statutory requirements of public library service provision in Wales are enshrined in the *Public Libraries and Museums Act 1964.* The performance indicators listed here will assist the Welsh Government in assessing whether or not local authorities in Wales are complying with their duties under the 1964 Act, and in assessing the efficiency of the manner of delivery of library services in Wales.

6.1. Reporting requirements

Each year, local authorities will be required to report their performance against the various elements of the framework. The return will include a compliance rating against the core entitlements – indicating whether these are fully met, partially met, or not met, with appropriate description/explanation where relevant. For all entitlements which are not fully met, the return should also include a comparison to the previous year, and a plan for improvement in the following year.

Individual authority returns will also include data showing performance against the quality indicators included in this framework, together with a comparison for the previous year. Where performance has declined, the return should include the authority's strategy to halt the decline. Where targets are not met, the return should include a narrative outlining proposals and a timescale to achieve these targets. These data will be drawn together to provide an overview of Welsh public library services as a whole, to assist with identification of good practice, and of areas where action may be required to bring about improvements.

Measurement of the impact of public library services – the difference those services make to people's lives – is not easily quantifiable. For this reason, a qualitative element will be included in the reporting. Each authority's return should include at least one, but no more than four, specific case studies describing the impact which the library service has had on an individual, or on a group of individuals, during the year. This is expected to describe the use made of the service, and the difference that use made to the individuals or group. Guidance will be provided on the format of the case studies and appropriate material to include. Such case studies will build into a valuable source of evidence of impact and value, and will further promote the spread of good practice across Wales.

A second qualitative element of reporting will be a narrative that demonstrates how the library service is contributing towards both local authority agendas and wider Welsh Government priorities and strategic goals. The purpose of this strand of reporting is to encourage libraries to be aware of the wider social drivers (e.g. health and well-being; digital inclusion including information literacy; literacy, including reading and the connection with digital literacy; community engagement and community benefits, including families, children and young people, older people, welfare reform; Welsh language and culture), to which their service should be able to demonstrate a contribution, and to make explicit their relevance and value to policy makers at local, regional and national level.

Authorities will also be required to confirm that feedback in the form of opinion on the year's performances achieved by each library service has been adequately considered by the member with responsibility for library services and by the relevant management, scrutiny and performance monitoring procedures. A reporting template will be provided to authorities to ensure that reporting is consistent and comparable across Wales.

6.2. Monitoring and assessment procedures

The process of monitoring and assessing will be led by CyMAL: Museums Archives and Libraries division of the Welsh Government, and will follow the pattern established in earlier frameworks. Annual returns should be submitted by the deadline each year, and will be scrutinised for completeness by an

independent reviewer and a peer reference group. The independent reviewer will then prepare a formal written feedback report, covering all aspects of the framework, including all quality indicators and narrative elements, which will be delivered to each authority in the autumn, in time to address any issues raised as part of their formal service planning process. This feedback will be formally disseminated to library authority chief executives and also to council leaders, scrutiny officers or performance managers as well as to the managers of library services. The annual reports will be made public, via the CyMAL web pages.

The independent reviewer will prepare a summary overview each year, including an analysis of overall performances, and significant trends within those performances, against the entitlements and quality indicators. The highest, lowest and median performances in Wales will be calculated for each indicator. The overall analysis will be disseminated to all local authorities. At the end of the framework period a summary report will be published via the CyMAL web site.

The findings of these processes will be brought to the attention of the relevant Minister annually, highlighting achievements and trends and also problem areas, such as declining performances, incidences of non-compliance or recurring failure, together with a diagnosis of the causes wherever possible. Noteworthy improvements in performances and improving trends will also be drawn to the Minister's attention.

The core entitlements and quality indicators set out in this framework deal with aspects of the library service which are considered by the Welsh Government to be necessary – but are not necessarily sufficient – for the delivery of a comprehensive and efficient library service under the terms of Section 10 of the *Public Libraries Act 1964.*

As the ultimate sanction in the cases of failure to deliver a comprehensive and efficient library service, the Welsh Government can institute an inquiry, issue a direction and transfer the library functions of a library authority to itself or to another authority/organisation. Sanctions would be invoked in cases where, for example, a significant number of the core entitlements and performance targets are not reached, there is a failure consistently to reach the average performance of comparable Welsh authorities with no evidence of improvement over time, or performance across the service as a whole is consistently falling year on year.

To date, it has not been necessary to implement any of these sanctions due to constructive discussion between the relevant parties.

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Appendix: List of core entitlements and indicators

Leisure/Culture Scrutiny Working Group
Scrutiny Observations to Cabinet on 5th December 2017

The Leisure/Culture Scrutiny Working Group were asked by Joint Chairs to undertake scrutiny of the Welsh Public Library Standards draft Cabinet report.

The Group makes the following observations:

Whilst the Annual assessment can be welcomed as a sign of a service in a stable state it also offers no room for complacency. Despite Powys meeting 17 of the core indicators in full its benchmark position in respect of other Welsh councils deteriorated on almost every measure where there was comparative data.

Of particular concern are the following areas which should be monitored closely over the next six months

- QI8 Availability of up to date reading material
- QI 12a supply of requests available in 7 days
- QI 14 b % Expenditure on information resources
- QI7 Attendance at events
- QI2 Customer satisfaction ratings

Whilst many of these failings are attributed to one-off factors outside the control of the service there is no scope for complacence at this time particularly in the field of acquisitions where performance in respect of choice of books is the worst in Wales.

An additional concern is the limited use of library facilities in holding related events. Scrutiny would encourage the service to look at the programmes of community events run by third sector organisations in school holidays and would encourage the development of similar initiates within the library service.

Finally the impact of different ways of accessing library books including the all Wales Library ebooks initiative and the ability to reserve books from any library via the internet are not explicitly monitored by this report. As these are clearly likely to impact on some of the other statistics we would encourage the service to lobby for the inclusion of suitable performance indicators in the standards for 2018 onwards.

So in summary Scrutiny welcome this report but would express grave concerns about the long term ability for the Council to deliver a comprehensive service if acquisition levels are not maintained and genuine efficiencies delivered by collocating with other services are not realised.

Membership of the Leisure/Culture Scrutiny Group:

County Councillors: **P Roberts** (Chair of Scrutiny Committee B and Lead Member) G Breeze, H Hulme, D R Jones, E Roderick, G Thomas

Delegated Decision List

1 November	Portfolio Holder for Finance	Considered applications for hardship and charitable rate relief.
1 November	Portfolio Holder for Housing and Countryside Services	Approved a budget virement for repairs to a council house.
6 November	Portfolio Holder for Education	Approved a budget virement for the upgrade and relocation of mobile classroom to Ysgol Dyffryn y Glowyr.
7 November	Portfolio Holder for Regeneration and Development	Approved a review and alignment of the Council's Economic Development Strategy with Vision 2025.
14 November	Portfolio Holder for Highways	Decision not to progress the decision of Cabinet on the 20 December 2016 to make the traffic regulation order to implement control and charges within the 9 identified car parks. Not to progress the decision to roll out residents permits to become available within existing long stay car parks To undertake a review of all non pay and display car park assets to determine how best these are managed in the future.
14 November	Portfolio Holder for Housing and Countryside Services	Approved the sale of 45 square metres of land adjacent to Pool Quay, Wern View.
15 November	Portfolio Holder for Education	Approved the appointment of school governors: County Councillor Edwin Roderick to Brecon High School, Mr Craig Bufton to Irfon Valley CP School, County Councillor Lucy Roberts to Brynhafren CP School, County Councillor Les George to Caersws CP School, County Councillor Jon Williams to Llandrindod High School, County Councillor

		Elwyn Vaughan and Ms T Davies to Ysgol Bro Hyddgen, Mrs RL Owen and County Councillor Myfanwy Alexander to Llanerfyl C in W Foundation School.

Cabinet Date	Cabinet/Mar	Title	Portfolio Holder	Lead	Description
09/01/18	19/12/17	Residential care fee setting arrangement	Cllr Stephen Hayes	Lee Anderson	
09/01/18	19/12/17	Children's and Adult Services Quarterly Safeguarding Report	Cllr Rachel Powell Cllr Stephen Hayes	Karen Arthur	Safeguarding report for 2nd quarter
09/01/18		Update from the Anti-Poverty Champion		Cllr Joy Jones	
09/01/18	19/12/17	Fair Funding Formula for Schools and Scheme for the Financing of Schools	Cllr Myfanwy Alexander	Marie James	
09/01/18	19/12/17	Redesign of the Trade Waste Service	Cllr Phyl Davies	Ashley Collins	
09/0118	19/12/18	School Balances	Cllr Myfanwy Alexander	Marie Jones	
09/01/18	19/12/17	Budget 2018/19	Cllr 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	Adoption of Additional Land Drainage Bye-laws	Cllr Liam Fitzpatrick	Alastair Knox	To consider adopting bye-laws
30/01/18	16/01/18	Sustainable Drainage Approval Body	Cllr Liam Fitzpatrick	Alastair Knox	Statutory new function currently out for consultation
30/01/18	16/01/18	Treasury Management Report for Quarter 3	Cllr Aled Davies	Ann Owen	
30/01/18	16/01/18	Safeguarding report	Cllr Rachel Powell	David Johnston	
30/01/18	16/01/18	Budget Outturn Report	Cllr Aled Davies	Jane Thomas	
30/01/18	16/01/18	Capital Programme Update	Cllr Aled Davies	Jane Thomas	
20/02/18	06/02/18	Moelfre City	Cllr Liam Fitzpatrick	Alastair Knox	
20/02/18	06/02/18	Toilet Strategies	Cllr Liam Fitzpatrick	Shaun James	As required by the Public Health (Wales) Act 2017
20/02/18	06/02/18	Public Conveniences	Cllr Liam Fitzpatrick	Alastair Knox	Continue funding and / or move to Freehold transfer
20/02/18	06/02/18	Safeguarding report	Cllr Rachel Powell	David Johnston	

20/02/18	06/02/18	School Transformation Policy	Cllr Myfanwy Alexander	Marianne Evans	
20/02/18	06/02/18	Budget Outturn Report	Cllr Aled Davies	Jane Thomas	
20/02/18	06/02/18	Capital Programme Update	Cllr Aled Davies	Jane Thomas	
20/02/18	06/02/18	Housing Developments	Cllr Phyl Davies	Natasha Morgan	
20/02/18	06/02/18	Review of Farms Policy	Cllr Jonathan Wilkinson	Natasha Morgan	
13/03/18	27/02/18	Office Accommodation - North Powys Review	Cllr Phyl Davies	Natasha Morgan	To consider proposals for north offices
13/03/18	27/02/18	Safeguarding report	Cllr Rachel Powell	David Johnston	
13/03/18		Update from the Anti-Poverty Champion		Cllr Joy Jones	
13/03/18	27/02/18	Local Development Plan	Cllr Martin Weale	Peter Morris	
13/03/18	27/02/18	Rights of Way Improvement Plan	Cllr Jonathan Wilkinson	Mark Stafford-Tolley	
13/03/18	27/02/18	Health and Care Plan	Cllr Stephen Hayes		
13/03/18	27/02/18	Office Accommodation - North Powys Review	Cllr Phyl Davies	Natasha Morgan	
13/03/18	27/02/18	Budget Outturn Report	Cllr Aled Davies	Jane Thomas	
13/03/18	27/02/18	Capital Programme Update	Cllr Aled Davies	Jane Thomas	
10/04/18	27/02/18	Safeguarding report	Cllr Rachel Powell	David Johnston	
10/04/18	27/03/18	Capital Programme Update	Cllr Aled Davies	Jane Thomas	
10/04/18	27/03/18	Budget Outturn Report	Cllr Aled Davies	Jane Thomas	
01/05/18	17/04/18	Treasury Management Report for Quarter 4	Cllr Aled Davies	Ann Owen	
22/05/18	08/05/18	Safeguarding report	Cllr Rachel Powell	David Johnston	
22/05/18	08/05/18	Budget Outturn Report	Cllr Aled Davies	Jane Thomas	
19/06/18	05/06/18	Safeguarding report	Cllr Rachel Powell	David Johnston	
19/06/18		Update from the Anti-Poverty Champion		Cllr Joy Jones	
19/06/18	05/06/18	Budget Outturn Report	Cllr Aled Davies	Jane Thomas	
19/06/18	05/06/18	Capital Programme Update	Cllr Aled Davies	Jane Thomas	

10/07/18	26/06/18	Treasury Management Review 2017/18	Cllr Aled Davies	Ann Owen
10/07/18	26/06/18	Safeguarding report	Cllr Rachel Powell	David Johnston
10/07/18	26/06/18	Budget Outturn Report	Cllr Aled Davies	Jane Thomas
10/07/18	26/06/18	Capital Programme Update	Cllr Aled Davies	Jane Thomas
18/09/18	04/09/18	Treasury Management Report for Quarter 1 2017/18	Cllr Aled Davies	Ann Owen
18/09/18	04/09/18	Safeguarding report	Cllr Rachel Powell	David Johnston
18/09/18		Update from the Anti-Poverty Champion		Cllr Joy Jones
18/09/18	04/09/18	Budget Outturn Report	Cllr Aled Davies	Jane Thomas
09/10/18	25/09/18	Safeguarding report	Cllr Rachel Powell	David Johnston
09/10/18	25/09/18	WHQS Completion	Cllr Jonathan Wilkinson	Simon Inkson
09/10/18	25/09/18	Cemeteries Review	Cllr Jonathan Wilkinson	Nia Hughes
09/10/18	25/09/18	Homelessness Strategy	Cllr Jonathan Wilkinson	Simon Inkson
09/10/18	25/09/18	Capital Programme Update	Cllr Aled Davies	Jane Thomas
06/11/18	23/10/18	Treasury Management Report for Quarter 2 2017/18	Cllr Aled Davies	Ann Owen
28/11/18	13/11/18	Safeguarding report	Cllr Rachel Powell	David Johnston
28/11/18	13/11/18	Budget Outturn Report	Cllr Aled Davies	Jane Thomas
28/11/18	13/11/18	Capital Programme Update	Cllr Aled Davies	Jane Thomas
18/12/18	04/12/18	Safeguarding report	Cllr Rachel Powell	David Johnston
18/12/18		Update from the Anti-Poverty Champion		Cllr Joy Jones
18/12/18	04/12/18	Budget Outturn Report	Cllr Aled Davies	Jane Thomas
18/12/18	04/12/18	Capital Programme Update	Cllr Aled Davies	Jane Thomas

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