

## Economy, Residents, Communities and Governance Scrutiny Committee

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Meeting Venue  
**Committee Room A - County Hall,  
Llandrindod Wells, Powys**

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Meeting Date  
**Monday, 24 February 2020**

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Meeting Time  
**2.00 pm**

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County Hall  
Llandrindod Wells  
Powys  
LD1 5LG

For further information please contact  
**Wyn Richards, Scrutiny Manager and  
Head of Democratic Services**  
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17.02.2020

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Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod. Rhowch wybod pa iaith rydych am ei defnyddio erbyn hanner dydd, ddau ddiwrnod gwaith cyn y cyfarfod.

You are welcome to speak Welsh or English in the meeting. Please inform us of which language you wish to use by noon, two working days before the meeting.

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### AGENDA

<b>1.</b>	<b>APOLOGIES</b>
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To receive apologies for absence.

<b>2.</b>	<b>MINUTES OF PREVIOUS MEETINGS</b>
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To authorise the Chair to sign the minutes of the previous meeting(s) held as follows as a correct record:

13 January, 2020.

29 January, 2020.

(Pages 3 - 22)

<b>3.</b>	<b>DECLARATION OF PARTY WHIPS</b>
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To receive disclosures of prohibited party whips which a Member has been given in relation to the meeting in accordance with Section 78(3) of the Local Government Measure 2011.

(NB: Members are reminded that under Section 78 Members having been given a prohibited party whip cannot vote on a matter before the Committee.)

<b>4.</b>	<b>DISCLOSURES OF INTEREST</b>
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Any disclose of interests by Members relating to items to be considered at the meeting.

<b>5.</b>	<b>DECLARATION OF A REVISED POWYS ECO FLEX 'STATEMENT OF INTENT'</b>
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To undertake a pre-decision scrutiny of the Declaration of a Revised Powys ECO Flex 'Statement of Intent'.

(Pages 23 - 64)

<b>6.</b>	<b>APPOINTMENTS TO WORKING GROUPS</b>
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To appoint Members to the following Working Groups:

**6.1. Mid Wales Growth Deal Joint Working Group**

To appoint 3 members of the Committee to the Joint Working Group relating to the Mid Wales Growth Deal.

**6.2. Car Parking Review Working Group**

To appoint 5 members to the Car Parking Review Working Group.

<b>7.</b>	<b>SCRUTINY WORK PROGRAMME</b>
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To receive a copy of the Scrutiny Forward Work Programme and to make any suggestions for items to be added or deleted for consideration by the Co-ordinating Committee.

(Pages 65 - 70)

## **MINUTES OF A MEETING OF THE ECONOMY, RESIDENTS, COMMUNITIES AND GOVERNANCE SCRUTINY COMMITTEE HELD AT COMMITTEE ROOM A - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON MONDAY, 13 JANUARY 2020**

**PRESENT:** County Councillor M J Dorrance (Chair)

County Councillors K W Curry, D O Evans, J Gibson-Watt, E M Jones, G Jones, I McIntosh, J Pugh and D Selby

Cabinet Portfolio Holders In Attendance: A W Davies (Portfolio Holder for Finance, Countryside and Transport), R Powell (Portfolio Holder for Young People and Culture) and G Breeze (Portfolio Holder for Corporate Governance and Engagement)

Officers: Nigel Brinn (Corporate Director - Economy and Environment), N Davies (Head of Housing and Community Development), Wyn Richards (Scrutiny Manager and Head of Democratic Services), Sian Barnes (Acting Professional Lead - Countryside Access & Recreation) and Kay Thomas (Principal Librarian)

<b>1.</b>	<b>APOLOGIES</b>
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Apologies for absence were received from County Councillors P. Pritchard and M. Barnes.

<b>2.</b>	<b>MINUTES OF PREVIOUS MEETINGS</b>
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The Chair was authorised to sign the minutes of the previous meeting held on 25 November, 2019 as a correct record.

<b>3.</b>	<b>DECLARATION OF PARTY WHIPS</b>
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There were no declarations of party whips which have been given in relation to the meeting in accordance with Section 78(3) of the Local Government Measure 2011.

<b>4.</b>	<b>DISCLOSURES OF INTEREST</b>
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The Committee received a disclosure of Personal Interest from County Councillors G. Jones, E. M. Jones, K. Curry and A. Davies in relation to item 5 - Revised Protocol for Authorising Motor Vehicle Events Affecting Footpaths, Bridleways and Restricted Byways under S.33 Road Traffic Act 1988.

The disclosures were made as the revised protocol could affect bridleways and footpaths that cross the land that the Councillors own or rent.

<b>5.</b>	<b>REVISED PROTOCOL FOR AUTHORISING MOTOR VEHICLE EVENTS AFFECTING FOOTPATHS, BRIDLEWAYS AND RESTRICTED BYWAYS UNDER S.33 ROAD TRAFFIC ACT 1988</b>
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The Committee undertook a pre-decision scrutiny of the report of the Portfolio Holder for Finance, Countryside and Transport.

The revised protocol seeks a balance between safety and access to rights of way. Whilst these events are not trials of speed they are events where there will

be many people as well as vehicles. Advice from Counsel was sought who advised that temporary closure notices should be used for rights of way where such events take place. The benefits of this is to protect public safety as well giving the public access to other footpaths instead of those affected by the event. The Committee was advised that the Section 151 Officer had commented that whilst the closures would cause the Council additional administrative costs, the charges would cover this additional work.

**Question / Comment:** Is public liability in place if the footpath remains open and is this covered by the application?

**Response:** This is what has led to the revised protocol due to the risk. The liability remains with the driver. However if a member of the public uses a path which is closed then this is an offence.

**Question / Comment:** How many of these events have been in the last 2 years?

**Response:** 30 events in 2019 up to 45 in previous years.

**Question / Comment:** Whilst the law has not changed, the protocol has changed regularly. Organisers want a period of calm. This revision will cause more work and lead to less events. There is an economic benefit from these events which should not be slowed down. As a number of events have been arranged the start date at the end of July is not helpful, so can this be delayed? As there's been so much change, can the new protocol be reviewed after 12 months and then a moratorium on changes for 5 years. Other Council also charge different rates with some not charging at all due to economic benefits.

**Response:** There have been no changes to the protocol in the last few years. There have been discussions with organisers. With regard to costs, if the organisation does the work then it will cost less. There is also no element of profit in the costs to be levied, they will just cover the Council's costs. The consultation process has been a lengthy process. It is also difficult to measure the economic benefits from such events.

**Question / Comment:** If an event is on a bridleway and on a road does this process cover both? Is there monitoring of these events?

**Response:** Yes where use of public rights of way are concerned. The process can also be applied to trials of average speed which is a bit of a grey area. The process does not absolve drivers from driving with due care and attention.

**Question / Comment:** Will the new protocol apply to new events rather than from a specific date: There also needs to be a single point of contact for events seeking advice for all aspects of the event.

**Response:** The start date suggested is when the new process will apply to applications received. Any events which have been arranged or applied for prior to the start date will operate under the current process. The application form is a simple checklist to assist organisers.

**Question / Comment:** How will temporary closures be advertised.

**Response:** As these will be a maximum of 5 day closures, there will be notices on site and contact with Town and Community Councils, and path

user groups. The intention of the new process is to speak to people earlier about events than happens under the current process.

**Question / Comment:** If an organisation submits an application before July, will they use the current protocol? Can the new protocol be reviewed after 12 months, including fees?

**Response:** Yes it is the current protocol for applications before July. Organisers will be contacted after 12 months to see if changes are needed. The review will also consider fees.

**Question / Comment:** How does the protocol work within the National Park Area?

**Response:** The protocol will apply to the National Park area within Powys.

**Outcome:**

The report and responses to questions were noted.

## 6. WELSH LIBRARY STANDARDS REPORT

The Committee undertook a pre-decision scrutiny of the report of the Portfolio Holder for Young People and Culture.

The Committee was advised that the Council was continuing to work with communities in relation to libraries. The quality indicators in the report showed an improvement on the previous year. The contribution of partners and volunteers was very important to the service. The report was for 2018/19 and is an interpretation by Welsh Government of library standards in Wales which includes 12 core entitlements and 16 quality indicators, 10 of which have targets.

**Question / Comment:** There is no reference to dilemmas for the future in the documents. Are maintaining and improving standards possible with the future financial position for the Council?

**Response:** Yes as long as the Council works with volunteers and continues partnership working. It should be possible to maintain services for the future.

**Question / Comment:** Does this mean that all libraries can be kept open in future?

**Response:** If the Council gets the relationship right there is no reason why we cannot keep the current number of libraries, but there is a need to work with communities.

**Question / Comment:** The Council is willing to work with communities. There has been a review of libraries over 12 months and evidence that a reduced number of opening hours has reduced usage of libraries. There is a need from the Council to assist libraries as well.

**Response:** The long term stability of libraries is important. The model in Herefordshire is that some smaller libraries are volunteer led. There is a long way to go and assurances cannot be given about libraries. There needs to be some voluntary led services but supported by specialist library staff.

**Question / Comment:** The Communities are on side at present, but they may not be in 12 to 18 months.

**Response:** The Portfolio Holder indicated that she wanted to visit all libraries in Powys again and continue the dialogue with communities.

**Question / Comment:** Why are we supporting buildings such as Y Gaer rather than libraries?

**Response:** Each library is unique. However, all the libraries either large or small need volunteer involvement.

**Question / Comment:** Events for people with special requirements – is this disabled people or those with other requirements?

**Response:** The definition of special requirements is very broad. In relation to events for people with special requirements, the Council badges all events as inclusive.

**Question / Comment:** For some of the individuals who are reluctant to come along, can the Council target those groups / individuals as its concerning that the target is not being met?

**Response:** With Integrated Care Funding and other funding, the Council in 2019/20 is working with various groups and volunteers to try and improve on this target.

**Question / Comment:** How does the Council improve on the target regarding reading material?

**Response:** It would take a budget increase of £100k for the Council to meet this target.

**Question / Comment:** When the Council decides on access to libraries there is no consultation with communities on what times of day and days are best for communities.

**Response:** It is agreed that there should be consultation with communities as there's a need to maximise the availability of libraries for the benefit of residents.

**Question / Comment:** Welsh Government has published indicators of deprivation. How are we going to use libraries to engage with people?

**Response:** There is a need to engage people and make libraries more relevant to them as well as make them more aware of what is already on offer. Work can be undertaken with individual libraries to see what can be done.

**Question / Comment:** Despite austerity, libraries are successful. What is the Council doing to value its staff?

**Response:** Staff have been recognised by means of the staff awards.

The Committee expressed its thanks to the service for its work.

**Outcome:**

**The report and the responses to questions were noted.**

The Committee was asked to appoint a Member as an observer on the Local Development Plan Working Group to replace County Councillor P. Pritchard who had been appointed on behalf of Montgomeryshire Members to the Working Group.

**RESOLVED that County Councillor D. Selby be appointed as the Committee's observer representative on the Local Development Plan Working Group.**

<b>8.</b>	<b>WORKING GROUP RECOMMENDATIONS</b>
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The Committee received and noted the recommendations of the Digital Powys Strategy Working Group held on 20 November, 2019.

<b>9.</b>	<b>SCRUTINY WORK PROGRAMME</b>
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The Committee received a copy of the Scrutiny Forward Work Programme. It was suggested that a request be made to the Co-ordinating Committee for the following items to be included on the scrutiny forward work programme:

- Progress on Council house building programme.
- Refurbishment and re-development of County Farms.

The Committee asked for progress on the Mid Wales Growth Deal. The Committee was advised that there would be a presentation to the next meeting of Council. A Joint Scrutiny Working Group was also being arranged with Ceredigion to scrutinise the Mid Wales Growth Deal.

**County Councillor M J Dorrance (Chair)**

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Economy, Residents, Communities and Governance Scrutiny Committee – 29.01.2020

## **MINUTES OF A MEETING OF THE ECONOMY, RESIDENTS, COMMUNITIES AND GOVERNANCE SCRUTINY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL ON WEDNESDAY, 29 JANUARY 2020**

**PRESENT:** County Councillor M J Dorrance (Chair)  
County Councillors K W Curry, D O Evans, J Gibson-Watt, G Jones, I McIntosh, P C Pritchard and D Selby

Cabinet Portfolio Holders In Attendance: A W Davies (Portfolio Holder for Finance, Countryside and Transport), J Evans (Portfolio Holder for Economic Development, Housing and Regulatory Services), G Breeze (Portfolio Holder for Corporate Governance and Engagement) and H Hulme (Portfolio Holder for Environment)

Officers: N Young (Corporate Director - Transformation), P Bradshaw (Head of Workforce and OD), Gwilym Davies (Head of Property, Planning and Public Protection), N Davies (Head of Housing and Community Development), Adrian Jervis (Head of Highways, Transport and Recycling), Clive Pinney (Head of Legal and Democratic Services), Wyn Richards (Scrutiny Manager and Head of Democratic Services), Jane Thomas (Head of Finance ) and Diane Reynolds (Head of Digital Services).

<b>1.</b>	<b>APOLOGIES</b>
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Apologies for absence were received from Committee Members County Councillors E M Jones, J Pugh, J. Wilkinson and L. Skilton.

Apologies were also received from Cabinet Members County Councillors P Davies (Portfolio Holder for Education and Property), R Powell (Portfolio Holder for Young People and Culture) and R Harris (Leader) who were on other Council business.

Apologies for absence were received from N. Brinn (Corporate Director – Economy and Environment) and E Palmer (Head of Transformation and Communications)

<b>2.</b>	<b>DECLARATION OF PARTY WHIPS</b>
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There were no disclosures of prohibited party whips in accordance with Section 78(3) of the Local Government Measure 2011.

<b>3.</b>	<b>DISCLOSURES OF INTEREST</b>
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There were no disclosures of interest by Members in relation to items to be considered at the meeting.

<b>4.</b>	<b>DRAFT 2020-21 BUDGET</b>
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The Committee considered the following documents in relation to the Cabinet's Budget proposals to the Council for 2020-21:

- Cabinet report - Budget 2020-21
- Service Cost reductions proposals

- Individual Impact Assessment
- Fees and Charges Report
- Capital Programme
- Budget Simulator Public Consultation Exercise

The Head of Finance provided an overview of the budget proposal for 2020-21. All services had been asked to provide details of pay and inflation changes and changes to grants and service provision in preparing the revenue budget. Savings not made in 2019-20 were also identified. Services has identified inescapable budget pressures of around £18m. Whilst an improved budget settlement from Welsh Government had assisted the Council, the budget included £10.7m of cost reductions. The budget as proposed was supported by fees and charges and a proposed 5% Council Tax increase. The capital budget was supporting the delivery of Vision 2025 and the level of reserves was being maintained at the current level and not used to support the budget proposals.

The Committee discussed the budget proposals with each Head of Service.

### **Finance – Jane Thomas.**

The Finance Service assists the Council in achieving its strategic objectives, meeting compliance, promoting good financial management, economy and efficiency. It also assists the way the Council works and in transformation, growing revenues, assisting residents with Council Tax reductions. In terms of cost reductions the Service was realigning its processes with smaller and leaner teams. It was also working to move the Council from a CIPFA 2 star organisation to becoming a 5 star organisation. There was some risk to the proposal but it was low risk. The proposal included some reduction in staff, generating areas of income, and making processes more efficient across the organisation.

<b>Question / Comment:</b> At a time of reductions, are administrative costs remaining the same or reducing rather than increasing? Has anyone analysed whether the costs of administration are reducing?
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<b>Response:</b> It is difficult to identify what are administration costs and what are service costs, but in 2020 -21 the draft budget reduces the four corporate services budgets (Finance, Workforce, Digital and Transformation and Communications services) compared to 2019-20. Funding to support transformation is funded separately from capital receipts.
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<b>Question / Comment:</b> There is a £500k proposed reduction to the risk management budget – what areas does this apply to? Is this the budget reserve for Children's Services – if so, is it wise to do this as the budget for Children's Services has increased significantly this year? Is there benchmarking data for back office services for comparable authorities?
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<b>Response:</b> £2million was set aside in 2019-20 as a risk management budget but services were expected to manage known pressures. The budget was there to recognise the unmanageable pressures and some savings not being made. In 2019-20 the budget is helping to offset overspends but it has not been attributed to specific services.
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The proposal to reduce the budget in 2020-21 reflects the reduction in risk arising from the better than expected provisional 2020-21 settlement, but the remaining budget is the minimum required to manage the unfunded
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risks should they materialise.

**Question / Comment:** The £2million does not just cover social care? Is this not sending the wrong message to reflect overspends in the current year. This year's increase in the settlement is unlikely in future and there is a need for rigorous financial management.

**Response:** The proposed allocation to social care in 2020-21 reflects the costs of the services based on the current caseload and sets a sustainable budget while the services continued to deliver the transformation plans.

**Question / Comment:** Pensions – is this the Council's contribution or employees' contribution?

**Response:** This is the authority's contribution to the pension fund and will not affect employees. Actuaries have reviewed what's needed to pay pensions in future. The fund has done well in the last year so there is no need to increase the contribution in 2020-21.

### Digital – Diane Reynolds.

The proposals include areas of the digital service which have already been transformed. The proposals include 3 customer service proposals and 6 IT proposals.

**Question / Comment:** Telephone contracts – how will we save £103k? Is it a saving in staff costs?

**Response:** This saving has already been achieved (in December 2019) as a result of reducing the telephone contract by reducing the number of mobile phones we lease. This has been achieved by increasing the number of staff who used their own phones under the Bring Your Own Device project.

**Question / Comment:** How does the security operate on Bring Your Own Device applications?

**Response:** All the security is undertaken in the background by ICT and not on the phone itself.

**Question / Comment:** In terms of IT projects, are these software changes or reforming processes?

**Response:** IT02 – there were already staff vacancies which are being utilised. The Service is also looking at robotic processes and using this learning to assist other areas of transformation. Much automation has been undertaken in the Service.

**Question / Comment:** IT02 – does this include telephony?

**Response:** This is internal staff only.

**Question / Comment:** What are the proposals for external facing services?

**Response:** IT01 – this will be around the integration of the facility into customer services.

**Question / Comment:** There are concerns by Members about accessing the Council by telephone. Are any changes proposed?

**Response:** The current system is coming to the end of its contract. There is a need to review the current provision and also more interactive methods of delivering services. This review will also take account of new capabilities for telephony.

### **Legal and Democratic Services – Clive Pinney**

The cost reductions set out in the proposal equate to £282k. This includes the restructure of the Democratic Service, Scrutiny Service and Member Support teams, which will mean a 2 Full Time Equivalent (FTE) staff reduction. There are currently 3 distinct services and restructuring means bringing these 3 groups together to give more resilience so that teams can support each other by cross skilling.

Scrutiny officers take too much time in getting information from services and there is a need to provide this in a more timely fashion. However, if the changes need reviewing, then this will be done. Whilst this provides a cost saving, the services to Members will continue to be appropriate.

**Question / Comment:** LS01 – It is concerning that the Council is not appointing a solicitor for Education and Employment.

**Response:** The plan was to appoint a 0.5 FTE post with Ceredigion County Council. However this has not happened due to funding issues in Ceredigion. There are currently 4 full time solicitors for social care and the Senior Solicitor who was dealing with social care now has capacity to deal with employment matters.

**Question / Comment:** The cost reduction in Members' travel – what does this involve?

**Response:** This is about encouraging Members to car share and using digital technology to hold meetings or conversations thus reducing the need to travel. This will need Members' support.

**Question / Comment:** WD06 – 5p mile passenger allowance for staff – is this contradictory?

**Response:** This proposal removes the allowance on the basis that staff are required to use the most cost effective mode of transport and do not therefore need a financial incentive to do so.

**Question / Comment:** This 5p reduction should apply to Members as well. Members should also be able to access the Bring Your Own Device option.

**Response:** Both are applicable to Members and the Bring Your Own Device was promoted at a Members' Development Session on the digital powers program.

**Question / Comment:** With regard to the vacant solicitor role. How can the grade be changed without going through Job evaluation?

**Response:** The person previously undertaking the role was at a higher level and had more responsibilities. The new person will not have those additional responsibilities as they are being covered elsewhere, so it will go through the job evaluation process to re-evaluate the grade.

**Question / Comment:** There are too many Member Development Sessions which are not necessary. Some of the e-learning sessions are more useful than some of the others provided.

**Response:** Agreed that all Member Development Sessions should have a clear purpose and add value. This had been discussed by the Executive Management Team that day. Members would be consulted on a draft programme for 2020-21 through the Member Development Working Group.

**Question / Comment:** Mobile phones and Bring Your Own Device – can the Council roll that out for laptops as well?

**Response:** Digital Services to be asked to consider this proposal.

With regard to Member Development, the Portfolio Holder for Corporate Governance and Engagement suggested that there is a fine line between providing too many Member Development Sessions and keeping Members informed about what is going on in the Council. All departments have been asked to identify cost reductions. There is also an understanding about the need for scrutiny support and legal services and the Portfolio Holder was confident about the provision moving forward.

### **Transformation and Communication Service – Ness Young (Corporate Director – Transformation)**

This Service includes Business Intelligence, Communications Service and the Welsh Language Service. Part of the proposals include a vacant post and therefore will have no impact. £25k would come from the Communications budget and a contribution to this would come from grant funding, therefore there would be no impact on the quality of the service.

**Question / Comment:** What is the budget for catering?

**Response:** This is for events which were undertaken by the Communications Team in the past which would not be catered for in future.

**Question / Comment:** Is there a drive to find grants which can be used?

**Response:** Yes. Everyone knows there is a need to find new grants and to use them. Part of the budget plan is that grants are sourced to assist the budget.

**Question / Comment:** Is someone looking at possible grants, in case some services are not doing this themselves?

**Response:** Yes, the Regeneration Team are experienced in doing this. Welsh Government is also improving its advertising of grants but timescales for applications can be very short. The Council is also working with partners such as the Health Board to secure grant opportunities.

### **Workforce and OD – Paul Bradshaw**

The cost reduction proposals are £146k for 2020-21. Workforce and OD are not an outward facing service but a support service. The main elements of the proposals were Additional Voluntary Contributions (Pensions), car allowances and apprenticeships. The Service had made cost reductions of £183k in the current year.

**Question / Comment:** WD06 – concern about car sharing. Are staff sure they are not in breach of insurance by carrying passengers. Are staff covered? Who checks that staff have the correct cover?

**Response:** Staff that use their cars for business use are required to have appropriate insurance which automatically covers them to carry passengers. Staff have to provide evidence of the appropriate documentation before using their vehicles for business use.

**Question / Comment:** Is the Council sure that staff who are transporting others have the correct cover and are aware that they require this. Will the additional cost for the insurance be covered by the 5p passenger allowance?

**Response:** The insurance cover is for business use, not for carrying passengers. The Passenger allowance was not designed to cover any costs associated with vehicle insurance but for carrying passengers.

**Question / Comment:** Apprenticeships – is this cheap labour as they are taking on fully substantive posts?

**Response:** No. The Council wants to offer apprenticeships to help grow our own talent and build a sustainable workforce in the future. They provide 'on the job' training as well as professional training the costs of which are met from the apprenticeship levy.

## Highways, Transport and Recycling – Adrian Jervis

The Council has the largest network in Wales but spends less on it than the rest of Wales. The Highways position has been recognised in the budget and some initially proposed reductions have been reprieved. However, the Service still needs to achieve a number of cost reductions. There has been a slight increase in the highway maintenance budget but a reduction in the winter maintenance budget. The Recycling Team is considering changing routes and working patterns. More savings will be more difficult to achieve, unpalatable and will have an effect on customers.

**Question / Comment:** Markets – this is going in the wrong direction as we should be trying to simplify the Council and where we have agreements with others such as Town and Community Councils we should leave markets with them. Bringing markets back in house has not assessed the full costs of running those markets. Town and Community Councils have also already set their precepts. It is difficult to see how this would generate an income for the Council.

**Response:** £60k income is generated from markets. There needed to be a wider discussion about others taking on other services as well as markets, but not all parties wanted to engage with this.

**Question / Comment:** The Council should be simplifying its operation. Town Councils would welcome a discussion about other services which they could take over from the County Council.

**Response:** This is a discussion that can be had in the future before any decisions are taken.

**Question / Comment:** Savings on transferring toilets – concern that Brecon Town Council has already set its precept and there has been no discussion about the proposal. There needs to be earlier discussion with Town and Community Councils.

**Response:** Communication and engagement should improve as the Council plans its budget for a 3 year period.

**Question / Comment:** The Household Waste Recycling Centre (HWRC) in Newtown is good. Are there any plans for a Council facility in North Powys?

**Response:** There is a HWRC in Welshpool, and this will be reviewed in 2021 as the current contract ends in 2021.

**Question / Comment:** The funding from Welsh Government for road maintenance, is it split by shire areas?

**Response:** The funding is split proportionally across 4 areas in the County. The funding split can be provided to Members. Capital is prioritised on a needs basis.

**Question / Comment:** Winter Maintenance – will primary schools have 1 route salted to keep them open?

**Response:** A new hierarchy of roads is to be established. Whilst schools currently are primary routes, some of the criteria and locations have changed over the last 15 years.

**Question / Comment:** Inflation increases – what do these relate to?

**Response:** These relate to matters such as road closures, street maintenance etc.

**Question / Comment:** Car Parks – when can the Committee review this issue and whether the Council can generate more income from car parks?

**Response:** Car park charges will be increased next financial year. There will be a review in 2021 which needs to be scoped and the discussed with a Working Group of Members.

**Question / Comment:** Can communities be provided with salt bins so that they can self grit? HT08 – what evidence is there to bring this proposal forward? With regard to bulky waste costs have increased significantly already.

**Response:** The increase in bulky waste is in line with other authorities. This is also about the proper disposal of items by individuals.

**Question / Comment:** HWRCs are sometimes difficult to access. Will the increase in cost for bulky items increase fly tipping and what evidence is there for this. Other Councils also allow 1 bulky item to be collected at no cost per year.

**Response:** The costs increased last year but there was no increase in fly tipping.

## **Property, Planning and Public Protection – Gwilym Davies**

The proposals included a redesign of the senior management team as well as reviewing the planning service.

**Question / Comment:** How can a statutory service be delivered with less planning officers, in particular enforcement?

**Response:** The aim is to keep as many FTEs as possible and the redesign is meant to do this whilst delivering enforcement and economic development.

**Question / Comment:** The Impact Assessment shows an awareness that the redesign may not work or be risky. Is the Head of Service's opinion that this will work or should the Council be supporting with a larger budget?

**Response:** A smaller number of staff will mean a smaller service. The changes need to be monitored carefully. There will be a greater use of digital technology through the website to reduce the need for interaction with staff. In addition, there is a need for a fit for purpose enforcement policy and information form, so that planning officers have better information about issues which will assist the decisions as to whether enforcement action is required.

The Committee registered its concerns about the proposed reductions to planning services, although the Head of Service had provided assurances, there was still a risk. The Committee was advised that if it continued to be concerned about the proposals then Members should raise them at Full Council.

### **Housing and Community Development – Nina Davies**

£1.2m had been found in the current year. The savings for 2020-21 were £600k. It was noted that it would take time to deliver the savings and some depended on other services such as Education for the catering and cleaning reductions. However, the changes were achievable. The savings were Arts (£63k), Cleaning (£29k), Housing (£25k), Libraries (£30k), Museums – Radnorshire (£16k), Y Gaer (£34k), Countryside Services (£150k). With regard to the Economic Development and Regeneration (£326k) reduction, bids for ESF funding were being sought so that the team would be funded externally.

**Question / Comment:** With the reductions in Countryside Services, the mitigation is grant applications. However there will be less people and applying for grants is a time consuming process.

**Response:** The Head of Finance indicated that all these facts need to be taken into account by the Head of Service in making their proposals for the budget.

**Question / Comment:** Housing (£25k) – this is a small saving, why is this being proposed? There is a lack of joined up thinking as with a reduction in homelessness services it will increase costs for social care. The Council should not make a change where the impact is very poor.

**Response:** There are limited cost reduction possibilities from the Housing General Fund. The impact on homelessness in Year 1 is limited, more in years 2 and 3 and this is where the mitigation is required. The cost reductions are in the restructuring of management.

**Question / Comment:** There continues to be a concern about the impact on homelessness work on other services.



**Response:** The impact assessment is looking across 3 years. The assessment will need to be worked up over the 3 year period.

**Question / Comment:** Welshpool sheltered housing upgrade work to the paths. The company which is employed is English and is bringing in materials from England, with no spend in Powys. Is there a way of preventing this?

**Response:** This is an issue for Commercial Services and Procurement. The Council is trying to keep the spend in Powys and Wales and is also working with local suppliers and manufacturers to encourage them to be part of the Council's frameworks for contracts. Each quarter in 2019-20 an additional £1m has been spent in Powys.

**Question / Comment:** There are a number of suppliers in Welshpool but the contractors are spending outside of Powys for materials. The Council needs to do more to protect Powys and Welsh companies.

**Response:** The Housing Service supports the Council's framework agreements and works with procurement officers.

**Question / Comment:** The framework used by the Council (Sell to Wales) is not fit for purpose as main contractors are not using local sub-contractors, therefore not assisting the Powys Pound. Also smaller suppliers are not able to tender for work due to the packaging of tenders, which would attract more local businesses to apply.

**Response:** It is understood that there is a problem for small companies in relation to framework agreements. Some small contractors may not be big enough to undertake the larger contracts. However it is built into contracts that local contractors should be used for Powys tenders. Some of the contracts are more place based as well. It is the larger contracts which are the issue. Local spend is reported.

**Question / Comment:** Countryside Services – in the Impact Assessment, why is this a medium risk for a reduction of £150k. The mitigation is to increase the number of volunteers and apply for more grants. However, with a reduction of staff who is going to train the volunteers and to apply for grants? There are currently a number of blocked footpaths and the position is going to get worse. Doctors are giving out green prescriptions and with less footpaths and staff, these are not going to be effective.

**Response:** It is accepted that the proposal comes with significant risks. The restructuring of the team is to build capacity to work with more volunteers and to work with colleagues in regeneration to access grants.

**Question / Comment:** This needs to be reconsidered by Cabinet as there are risks for other services. Is there transformation funding available to assist this proposal?

**Response:** This is the assessment and mitigation. The role of remaining staff is training and supervision of volunteers. Officers can bid for transformation funding with a business case. The Service has been gearing towards this over the last few years. An externally funded pilot project has been working towards this model of service delivery.

**Question / Comment:** Can the cost reduction be staggered over 3 years?

**Response:** This was considered but it is better to do this all in year 1 rather than restructure the team every year.

**Question / Comment:** Tourism – what part does the Council play in the promotion of tourism?

**Response:** There is a Tourism Officer within the Regeneration team and there is no proposal to change this. Tourism is also one of the workstreams within the Mid Wales Growth Deal.

**Question / Comment:** Arts Funding – the Impact Assessment is poor or very poor. However, the risk is Medium. What is the Head of Service's view on this. The SWAT analysis is comprehensive. There is a role for the arts in tackling poverty. How will the Council achieve its well-being goals if this proposal is implemented?

**Response:** Powys operates a commissioning and contracting model. Providers have been expecting reductions and the Council has been working with them over the last few years. There are some organisations that are very successful without Council funding. The plan is to work with organisations to identify new streams of funding. Health and Well-Being are some of the areas being considered for new streams of funding. Although the Council may not be able to directly support organisations it could assist them getting additional funding.

**Question / Comment:** Members do not recognise this communication which has been described over the last 12 months. A letter has recently been received by organisations about a reduction in funding. The Council is far too slow in communicating with organisations.

**Response:** 12 months ago organisations were told to expect no funding from the Council, and therefore the current position is a better position for them. However the issue of communication will be reviewed.

The Committee expressed concern that the Impact assessment continued to lack detail and required to be quality assured before they were presented to Members.

Scrutiny make the following observations to the Cabinet:

#### **Digital.**

- IT03 – Bring Your Own Device (BYOD) – on mobile telephones – although Members had been advised that this was available, officers were uncertain of the take up. The Committee suggested that this be further promoted to Members.
- IT03 – The Committee asked the service to consider whether BYOD could be extended to include equipment such as laptops.

#### **Workforce and OD**

- WD06 – The Committee sought assurances that appropriate arrangements are in place to ensure staff using their own vehicles for business travel have the appropriate business insurance. The Council needs to recognise that this may cause additional cost to staff.
- WD06 – The Committee sought assurance that the 5p passenger rate reduction would apply to Members as well as officers.

### **Highways, Transport and Recycling**

- HT01 – Markets – The Committee questioned the rationale for taking these services back in house as the aim should be to simplify the Council. Markets should be left with Town and Community Councils. There are difficulties in the proposal in that Town and Community Councils will have set their precepts for the next year which will account for the running of and income generated from markets.
- HT01 – The Council should be having more and earlier discussions with Town and Community Councils about other services which could be transferred to Town and Community Councils.
- HT14 – Toilets. The Committee did not think there has been any discussion with the two Town and Community Councils affected by this proposal to implement this change in 2020-21 and they have already set their precepts. It was accepted that communications should improve as the Council moves to budget planning over three years.

### **Property, Planning and Public Protection**

- PP02 – Planning Services – The Committee expressed concern regarding the cost reductions in Planning Services. Although the Head of Service provided assurances that a statutory service could be delivered, the Committee was concerned that there is a significant risk that this cannot be achieved despite the medium risk score in the Impact Assessment.

### **Housing and Community Development**

- HC03 – Housing – The Committee expressed concern that the proposed changes over three years to the homelessness service would have a knock on effect and impact on the demand for social care services which had not been taken into account.
- HC08 – Countryside Services – The Committee was concerned about the full three years' proposals as staff reductions would lead to less staff available to train volunteers and to apply for grants. There is also a deterioration to the rights of way network currently with blocked paths which was a concern as doctors were prescribing green prescriptions to patients. The Committee was concerned that the proposed changes to service might lead to a further deterioration of the rights of way network
- HC01 – Arts Funding – The Committee considered that arts and culture is an important part of the Well-being agenda. The Committee was concerned that the proposal would reduce the Council's ability to achieve its well-being goals with the proposed cost reduction. The Impact Assessment highlighted that the proposal would have poor and very poor impacts on residents and communities without mitigation. The Committee was frustrated that the Impact Assessment did not contain any mitigating actions to reduce the risk and impact of the proposal.
- HC01 – The Committee was concerned that the communication to organisations had been too late with many of the organisations affected having already set their budgets for next year. The Committee believes this presents a further risk to the delivery of services.

### **Finance / Housing and Community Development**

- FS02 – The Committee was advised of a project in North Powys where the contractor was from England and that contractor was bringing in materials

from England rather than using local suppliers. The Committee accepted that whilst there were improvement in retaining the Powys Pound (an additional £1million per quarter in 2019-20) the procurement process requires further amendment to address issues such as:

- Contractors from England using Powys / Welsh suppliers for materials rather than bringing in supplies from England;
- Adjusting the framework agreements to do more to ensure that Powys businesses are given greater opportunities to become sub-contractors;
- That tenders need to be repackaged to allow individual businesses in Powys more opportunities to tender for relevant elements of Council projects.

The Committee also commented that the standard of Impact Assessment required improvement as some of the assessments submitted lacked detail which could lead the decisions of Council vulnerable to legal challenge/review. The Committee noted that Council is required to fully assess the impact of its budget decisions and asked for the Assessments to undergo Quality Assurance.

Scrutiny's Recommendation	Accept (plus Action and timescale)	Partially Accept (plus Rationale and Action and timescale)	Reject (plus Rationale)
<b>1</b> Bring Your Own Device (BYOD) (mobile phones) – The Committee suggested that this be further promoted to Members			
<b>2</b> That the ICT service consider whether BYOD could be extended to include equipment such as laptops			
<b>3</b> That the Cabinet seek assurances that appropriate arrangements are in place to ensure staff using their own vehicles for business travel have the appropriate business insurance			
<b>4</b> That the 5p passenger rate reduction would apply to Members as well as officers			
<b>5</b> HT01 – Markets – That the Cabinet review			

the rationale for taking these services back in house as the aim should be to simplify the Council. Markets should be left with Town and Community Councils			
<b>6</b> The Council should be having more and earlier discussions with Town and Community Councils about other services which could be transferred to Town and Community Councils			
<b>7</b> That the Cabinet reconsider the following cost reductions proposals in light of the Committee's concerns: <ul style="list-style-type: none"> <li>• PP02 – Planning Services</li> <li>• HC03 – Housing</li> <li>• HC08 – Countryside Services</li> <li>• HC01 – Arts Funding</li> </ul>			
<b>8</b> That the procurement process be further revised to address the concerns raised by the Committee			
<b>9</b> That the standard of Impact Assessment requires improvement and should undergo a quality assurance process			

**County Councillor M J Dorrance (Chair)**

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## CYNGOR SIR POWYS COUNTY COUNCIL.

## CABINET EXECUTIVE

Date .....

**REPORT AUTHOR:** County Councillor James Evans  
 Portfolio Holder for Economic Development, Housing  
 and Regulatory Services  
 County Councillor Aled Davies  
 Portfolio Holder for Finance, Countryside & Transport

**REPORT TITLE:** Declaration of a Revised Powys ECO Flex 'Statement of Intent' to allow private sector households in fuel poverty access to heating upgrades & home energy efficiency improvements available under ECO3.

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**REPORT FOR:** Decision

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## 1. Purpose

1.1 This report sets out Powys County Council's proposal to make a declaration regarding flexible eligibility criteria allowing Powys households access to funding under the Energy Company Obligation (ECO): Help to Heat programme. It builds on work completed under ECO 2t and replaces the Council's previous Statement of Intent. It aims to support households living in Powys most likely to experience fuel poverty and those vulnerable to the effects of a cold home.

1.2 ECO is a UK government energy efficiency scheme administered by OFGEM, which is designed to reduce carbon emissions and tackle fuel poverty throughout Wales and the rest of the UK. The Council's only involvement is to agree to publish a Statement of Intent and following publication, to assess residents' applications to ensure their eligibility under the scheme. This facilitates energy providers in meeting their obligations to reduce carbon emissions and reduce fuel poverty via ECO Flexible Eligibility (ECO 3) within Powys.

1.3 The scheme will be subject to available funding and may close at any time.

1.4 As a consequence of revised guidance issued by the Department of Business, Energy and Industrial Strategy (BEIS), recommendations from an internal independent SWAP audit report and feedback from delivery of ECO 2t, the revised scheme adopted by Powys will need to incorporate more robust qualifying criteria.

1.5 This report seeks approval to declare and publish a Powys ECO 3 'Statement of Intent Version 2,' (Appendix 2) allowing fuel poor private sector household's access to home energy efficiency improvements, delivered by

energy providers and their agents.

1.6 The report is supported by the following appendices:

- 1) Scheme Proposal for Introduction of ECO3 in Powys by Warm Wales
- 2) Revised Powys ECO Flex 'Statement of Intent - Version 2'
- 3) Impact Assessment - Associated with Re-introduction of ECO 3 LA Flex Grant Scheme

## 2. **Background**

2.1 The table below illustrates numbers, type of measure and value of work installed under ECO2t. Figures were estimated from numbers of applications approved because not all approvals were completed, due to scheme viability.

Measure	Approximate Cost	Approximate Numbers	Approximate value of Works
Oil Boilers	£4,000	1450	£5,800,000
LPG Boilers	£3,250	200	£650,000
Electric Storage Heaters	£3,250	60	£195,000
Mains Gas Boilers	£3,000	25	£75,000
Cavity Wall Insulation	£1,500	350	£525,000
Loft Insulation	£1,000	80	£80,000
External Wall Insulation	£10,000	15	£150,000
Internal Wall Insulation	£8,000	5	£40,000
<b>TOTALS</b>	<b>N/A</b>	<b>2,050*</b>	<b>£7,515,000</b>

Note: Approximate estimates based on average values of work undertaken for declarations issued by the authority.

\* Total does not reflect cumulative value, as certain properties received multiple measures

2.2 It is important to note that the previous scheme delivered energy efficiency improvements to over 2,000 households in Powys taking many of them out of fuel poverty. Some local businesses were also used to deliver installation work for households.

2.3 Approximately 16% or 9,500 of the 59,600 households in Powys are in fuel poverty, identified by Powys Council's Well-being Assessment 2017. Disregarding properties assisted by ECO 2t, those households in social housing, on means tested benefits or in property with an incompatible Energy Performance Certificate (EPC), this leaves a figure in the region of 5,000 as the maximum to be targeted under the scheme. However, it is anticipated many properties may not attract enough funding to make grant work viable. It is therefore anticipated numbers of applications for ECO3 may be significantly lower.

2.4 As a result of the SWAP audit report, revised BEIS guidance and feedback on ECO2t, the Council will outsource management of the assessment service for ECO3 to an external organisation. This will provide an independent assessment and employ a more robust vetting and checking process for client applications. Having considered the market and organisations available, the Council will appoint Warm Wales, a Community Interest Company (CIC), specialising in delivery of programmes designed to



address fuel poverty in Wales. They will provide a fully managed scheme, fielding enquiries, undertaking assessments of client eligibility and work directly with energy providers and agents obligated to deliver measures under the scheme. The scheme proposal developed by Warm Wales is attached in Appendix 1.

2.5 The service will be delivered at zero net cost to the Council, funded via referral fees from energy providers. The Council will still be required to provide declarations for households to enable them to access ECO 3. The Council will be entitled to recover an administration fee for providing these declarations and it has been agreed with Warm Wales the administration fee must be paid by the energy provider and may not under any circumstances, be passed onto households receiving assistance via the scheme.

2.6 The Administration Fees will be paid to the Council by Warm Wales one month in arrears, post successful ECO 3 installation. They will be paid in line with Warm Wales proposal, taking account of charges for vetting applicants on behalf of the Council. Charging detail will be included within our published Statement of Intent.

2.7 Even with adoption of a fully managed service, the Council has received independent legal advice that it does not have power under the ECO 3 scheme to offer exclusivity or to restrict energy providers, their agents or installers and neither can it refuse to issue declarations to any eligible resident who meets the schemes eligibility criteria.

2.8 Warm Wales will work with agents to encourage locally sourced contractors and will be required, in conjunction with Business Wales, to run meet the buyer events to make suppliers 'ready' for any subsequent requirements offered by agents.

2.9 Funding is only available for owner occupiers and private sector tenants. Qualification of ECO 3 in Powys will be restricted to those in fuel poverty. Eligibility will be determined by more robust criteria, specified within the attached revised 'Statement of Intent Version 2' (Appendix 2) and will now require a signed declaration by the person in fuel poverty as well as (where necessary) the property owner.

2.10 Qualifying energy efficiency measures that can be installed in eligible properties include: new central heating systems, heating upgrades and insulation plus new forms of greener heating systems, such as ground and air source heat pumps.

2.11 Energy providers and/or their agents involved with ECO 3 surveys and identified works, will be expected to comply with the General Data Protection Regulations (GDPR) 2018 and Data Protection Act 2018. They will need to undertake work in accordance with OFGEM requirements and act in accordance with industry best practice in relation to consumer care and quality standards.

2.12 To ensure as many declarations issued by the authority as possible are delivered, it is now proposed all applications are required to be assessed by Warm Wales under the scheme proposal attached in Appendix 1. No declaration will be issued direct to any other ECO provider.

2.13 The decision whether a household receives a measure under ECO 3 or other ECO funding stream will be made by the energy provider. Qualification under the Statement of Intent or receipt of a declaration by Powys County Council will not guarantee installation of any measure, the final decision rests with the energy provider.

2.14 To qualify for assistance under the scheme:

- i) the applicant must certify that they are in fuel poverty in accordance with income values given in BEIS guidance and published in our Statement of Intent. Warm Wales will conduct verification/means-testing to confirm this. Applicants are then required to sign a declaration confirming the details and sign a declaration at the end of the form. Declarations inform applicants they may be liable for prosecution should they be found to provide false information; and
- ii) the property must be rated F or G on an EPC or score 15 points or more in Table 2 of the attached Statement of Intent; or
- iii) the property must have a rating of an E on an EPC or have a score between 10 and 14 points and a member of the household is vulnerable and at greater risk due to living in a cold property. Vulnerability is ascertained by answering the situation/condition questions listed in Question 2 of the Statement of Intent. [*Based on National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes*].

2.15 Warm Wales will access the best deal for individual households by accessing the highest funding rate for installations from a range of energy companies direct. This does not prevent other agents canvassing for works, presenting assessments to the Council and requesting declarations. However, any third-party agents or contractor with clients they wish to refer to the Council will need to have said clients utilise the vetting services of Warm Wales. The Council will be unable to determine an application that has not been properly assessed and undergone the above vetting process.

2.16 Outsourcing administrative activity to Warm Wales will:

- Allow monitoring of numbers of installations delivered under ECO 3 with the aim of eradicating existence of F and G EPC rated properties (as far as possible), from the private sector housing stock in Powys
- Allow monitoring numbers of families removed from risk of fuel poverty in Powys
- Specialist third parties, such as dedicated fuel poverty charities not only undertake the necessary fuel poverty assessment but also sign-

post vulnerable households to complimentary support services, e.g. debt management and benefit entitlement assessments etc.

- Allow performance monitoring of agents in sourcing installers locally
- Come at an additional cost and need to be factored into fees levied by the authority to cover auditing of scheme delivery
- Will reduce the requirement for local authority project officer support - limited to auditing Warm Wales activity and ensuring compliance
- Generate a small sustainable income for the service to help mitigate significant local authority financial pressures

### **3. Options**

3.1 There are two options for Cabinet to consider:

**Option 1** - To make a declaration and publish a revised 'Statement of Intent' regarding flexible eligibility criteria, allowing Powys households at risk of fuel poverty, access to funding under ECO 3.

#### **Advantages:**

- The scheme is designed to help households who are currently suffering from fuel poverty, many of which may not be in the position to pay for costly works themselves
- Provides households access to free or highly subsidised insulation measures designed to improve poorly insulated properties in Powys
- Allows the authority access to Welsh Government ARBED Am Byth funding - facilitating delivery of gas connection vouchers and heating system upgrades, allowing Council tenants in fuel poverty to switch to a less expensive heating fuel e.g. Radnor Drive strategic proposal should become financially viable to deliver
- Provides independent assessment of applications and additional data on fuel poverty levels in Powys via Warm Wales
- Will seek to provide local businesses opportunities to work with ECO agents to deliver the scheme in Powys
- Potential for local businesses to become ECO Agents via the scheme
- Will provide long-term opportunities for local businesses through on-going service and maintenance requirements
- Generate a small sustainable service level income via fees levied for declarations issued

#### **Disadvantages:**

- It is claimed the scheme will negatively affect established local businesses through the loss of direct work
- The Council does not have power under the ECO 3 scheme to offer exclusivity or to restrict energy providers, their agents or installers and neither can it refuse to issue declarations to any eligible resident who meets the schemes eligibility criteria

**Option 2** - Not to make a declaration or publish a 'Statement of Intent' regarding flexible eligibility criteria, preventing Powys households at risk of fuel poverty, access to funding under ECO 3.

**Advantages:**

- Not making a declaration may assist some local businesses who feel the scheme will negatively affect their business

**Disadvantages:**

- Does not address issues of households suffering from fuel poverty, a large proportion of which are unlikely to be able to afford costly heating or insulation work
- Will deny households access to free or highly subsidised insulation measures designed to improve poorly insulated properties in Powys
- Will deny Council tenants access to Welsh Government ARBED Am Byth funding for fuel switching and heating upgrade opportunities designed to alleviate fuel poverty e.g. Radnor Drive strategic proposal will no longer be financially viable to deliver
- Opportunity to gather additional data on fuel poverty levels in Powys via Warm Wales will be lost
- Will not deliver benefits to the local economy via businesses that are prepared to work with ECO agents or the ongoing servicing and maintenance of installed systems
- Restricts local businesses from becoming ECO agents via the scheme
- Additional capital funding from ECO3 will not be secured to supplement the various loan schemes provided by the Council
- Prevents generation of a small sustainable service level income via fees levied for declarations issued

**Preferred Choice and Reasons**

3.1 Option 1 is the preferred choice. Making a declaration and publishing a revised 'Statement of Intent' will widen existing ECO criteria, thereby allowing Powys households at risk of fuel poverty, access to funding under ECO 3.

3.2 The Council has worked for many years to improve homes across Powys with the aim of increasing energy efficiency and reduce fuel poverty. This fund will be a welcome boost to existing interest free loans for such measures and specifically targets those households likely to suffer from fuel poverty and be less able to access interest free loans.

3.3 Local Authorities, working with energy providers obligated under ECO, have an opportunity to extend eligibility criteria for energy efficiency measures offered to households that are not covered by existing schemes e.g. Welsh Government NEST scheme.

#### **4. Resource Implications**

4.1 Financial Implications - There will be no negative financial implications for the authority. The scheme will be delivered at zero financial cost, funded via referral fees from energy providers. Referral fees will be recovered direct from energy providers by Warm Wales who take their fee at source. There will be opportunity to generate a small sustainable service level income for declarations issued by the authority to Warm Wales. Income will cover the Council's costs and be paid one month in arrears. This will be less than that generated under ECO 2t as it now must take account of charges associated with external vetting and checking of client eligibility by the Community Interest Company. Further detail within Warm Wales Proposal (Appendix 1).

4.2 Workforce/Digital Implications - There will be no additional workforce or digital implications associated with implementation of ECO3. The process will be outsourced to Warm Wales, specialists in delivery of programmes designed to address fuel poverty in Wales. They will use their own resources and infrastructure to deliver the scheme on behalf of the Council under an agreed service level agreement.

4.3 Section 151 Officer comments that the recommendation can be supported from a financial perspective.

#### **5. Legal implications**

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

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

#### **6. Data Protection**

6.1 The declaration of a revised 'Statement of Intent' allowing delivery of ECO3 in Powys will involve the processing of personal data. Delivery will be contracted out to the Community Interest Company, Warm Wales, who will be the data controller. Accordingly, Warm Wales will be required to deliver the scheme and comply with the General Data Protection Regulations 2018, under service level agreement with the Council.

6.2 The personal data being processed by Powys County Council as the data controller, in relation to the declaration will be processed in line with data protection legislation.

## **7. Comment from local member(s)**

7.1 This is a Powys wide initiative with potential to affect all local members across the County.

## **8. Integrated Impact Assessment**

8.1 The Integrated Impact Assessment is attached at Appendix 3.

8.2 Overall Summary and Judgement of Impact Assessment: Adoption of ECO Flex in Powys will facilitate delivery of investment into energy efficiency measures by companies' subject to the Energy Company Obligation (ECO). The Central Government scheme will be impartially facilitated via the Community Interest Company Warm Wales, at zero cost to the Council. The Council will recover costs and generate a small sustainable income for each successful measure installed, following a declaration to Warm Wales allowing ECO agents access to funding.

8.3 The scheme is designed to improve the energy efficiency of dwellings, targeting/improving E, F and G rated premises and reducing likelihood of residents suffering from fuel poverty.

8.4 A negative impact is the potential detrimental effect on local installers, as providers will come from out of county. To mitigate this, Warm Wales will where possible, introduce criteria specifying agents use local installers. Failure to deliver on this obligation will result in removal of agents from the scheme.

## **9. Recommendation**

9.1 That Powys make an ECO Flex 'Statement of Intent' declaration as set out in Appendix 2 to the report to help eliminate F & G EPC rated properties and reduce the risk of residents living in fuel poverty in Powys - allowing private sector households living in poorly insulated properties, access to 'A' rated heating systems, insulation and home energy efficiency improvements funded via the Energy Company Obligation (ECO3).

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## **Warm Wales ECO3 Certification Proposal**

**Commercial - in confidence**

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13<sup>th</sup> February 2020

## **The proposal**

This proposal sets out an offer of services that Warm Wales - Cymru Gynnes CBC (Warm Wales) can provide for Powys County Council.

The proposal is designed to offer a complete bespoke service for the management of ECO3 for the authority.

## **Warm Wales - Who We Are**

Warm Wales - Cymru Gynnes CBC (Warm Wales) is a Community Interest Company, established in 2004, to deliver fuel poverty and associated programmes in Wales and the South West. Its stated mission is:

‘to work with others to alleviate fuel poverty and to provide homes in Wales with affordable warmth. In doing so we aim to make a difference in the everyday lives of people in Wales and the South West by making their homes more energy efficient, healthy, comfortable, durable and affordable’

Warm Wales aims to tackle fuel poverty by bringing together the key solution providers across Wales and the South West and delivering innovative long-term partnerships which will help eradicate fuel poverty on a one-stop-shop basis. In doing so Warm Wales contributes to assisting the Government achieve its sustainable energy objectives. By forging strategic partnerships and delivering fully integrated programmes of work. Warm Wales has, to date, secured investment totalling £60 million for domestic energy efficiency and fuel poverty projects.

## **Principal activities**

To deliver the commitments, stated in the company mission, Warm Wales establishes and manages programmes and activities that:

- Target and reduce the burden of energy costs on the disadvantaged;
- Systematically assess households to determine their energy efficiency needs and fuel poverty status;
- Organise and deliver the installation of a full package of demand side measures and cleaner, reliable and more affordable heating technologies that enhance energy efficiency;
- Strengthen the economic vitality of public-private partnerships;



- Pool the resources of the diverse funding organisations and solution providers;
- Increase the viability and deployment of new energy technologies and innovative solutions in the domestic sector;
- Assist households understand the benefits associated with better energy efficiency;
- Maximise household income by the provision of benefits advice to potentially qualifying households;

### **What is Energy Company Obligation (ECO)?**

ECO places legal obligations on larger energy suppliers to deliver energy efficiency measures to domestic premises. ECO3 will run from Autumn 2018 until March 2022 and delivers energy efficiency and heating measures to homes in Great Britain.

The scheme provides numerous benefits for homeowners, key of which are:

Affordable Warmth – which is focused on low income, vulnerable and fuel poor households. With ECO3, the Government has set the eligibility criteria which will result in approximately 6.6m households being eligible for the scheme. In addition, it will allow up to 25% of the obligation to be met through measures delivered under Local Authority Flexible Eligibility. This is the element which Warm Wales proposes to deliver on behalf of Powys County Council.

Tackling Fuel Poverty Reduction in rural households - to protect rural households, the Government requires suppliers to meet at least 15% of their obligation by delivering measures in rural areas. To strengthen the scheme's link to the Fuel Poverty Strategy further, it also provides an uplift for measures delivered to low-income households living in F and G rated properties under the Flexible Eligibility part of the scheme. Given landlords' responsibilities under the Private Rented Sector Minimum Standard Regulations, the Government has limited the use of ECO in certain circumstances so that landlords do not use it to meet their basic requirements.

Therefore, ECO3 can be considered the key drivers to assist Local Authorities to reduce fuel poverty and reduce carbon emissions from housing stock owned or occupied by those unable to pay for improvements themselves in the area.

## **Opportunities for local suppliers and contractors**

In order to install ECO3 eligible measures, contractors must be accredited to a sufficient level. PAS 2035 covers how to assess dwellings for retrofit, identify improvement options, design and specify Energy Efficiency Measures and monitor retrofit projects.

## **What is PAS 2035**

PAS 2035 sets out a requirement to properly assess all retrofit work and requires a whole house approach to reduce the risk of inadvertently installing measures that negatively impact others.

It contains specification for installers to follow when selecting components, installation methods along with commissioning, including processes, training and qualifications of installers.

The retrofit co-ordinator is the key role, which is basically a project manager with expertise in retrofitting buildings. It is an overarching role with responsibility for co-ordinating and overseeing the activities of the other roles which are all largely self-explanatory: retrofit advisor, retrofit assessor, retrofit designer, retrofit evaluator and retrofit installer.

The retrofit co-ordinator is required to obtain a Level 5 Professional Diploma in 'Domestic Retrofit Coordination and Risk Management'.

## **How local installers can become involved**

This PAS covers work that is initiated, procured, funded and delivered in a variety of ways including, retrofit programmes promoted and/or funded by national or local government schemes such as the Energy Company Obligation (ECO)

Should local installers wish to be accredited there are a number of points to consider such as:

- From 1<sup>st</sup> January 2020 all installers must be able to evidence the incorporation of TrustMark and the new PAS2030:2019 & PAS2035:2019.
- ECO measures (except demonstration actions & some DHS systems) must be installed by a TrustMark registered business
- Measures must be installed in accordance with PAS2030:2019 & PAS2035:2019

However, there is a Transition period for installers to become registered with TrustMark & Certified to PAS2030:2019 that is in place to 30th June 2021, during which measures must be installed to PAS 2030:2017 and be lodged with the TrustMark Data Warehouse before they can be Notified to Ofgem.

There is also a 20% uplift on the deemed score for measures completed by an installer certified to PAS2030:2019 & compliant with PAS2035:2019 during the Transition Period (1st January 2020 – 30th June 2021).

ECO3 suppliers have commented that they would work with the local supply chain within Powys County, should they be able to meet PAS 2035 accreditation.

### **Warm Wales Offer**

Warm Wales take complete control of ECO3 scheme delivery in Powys as a not for profit energy focused Community Interest Company.

Warm Wales would:

- Create a bespoke service level agreement with Powys County Council for delivery of ECO3, detailing operational parameters, local authority costs/potential income from the scheme
- Be named within the 'Statement of Intent' as the council's partner and body responsible for vetting applications
- Perform all necessary vetting/checks in accordance with Powys County Council's published 'Statement of Intent' determining applicant eligibility, thereby delivering an independent, robust and clear audit trail
- Require declarations to be issued direct to Warm Wales by Powys Council. This allows Warm Wales to source the best available deal for qualifying applicants from an array of ECO providers with whom Warm Wales already have direct funding links
- Recover fees associated with ECO3 delivery direct from ECO funding partners
- Develop Warm Wales branded 'Application for Flexible Eligibility' form (see appendix 1)
- Offer a net zero service cost service to Powys Council for delivery of ECO3. Powys would still receive a £90 plus VAT payment for declarations issued direct to Warm Wales post installation i.e. zero financial risk to Powys & reduced financial risk to Warm Wales

## **Confidence in eligibility check**

Warm Wales will assess each application to ensure the applicant meets the set ECO3 criteria

This includes:

- ECO3 Qualifying Benefit checks
- ECO3 Qualifying Disability Benefit checks

Warm Wales will also assess each application against Powys County Council Flexible Eligibility criteria to ensure that applicants in an area are eligible for affordable warmth grants.

Warm Wales will adopt The Department for Business, Energy and Industrial Strategy (BEIS) ENERGY COMPANY OBLIGATION: ECO3, 2018 – 22 FLEXIBLE ELIGIBILITY GUIDANCE and use an income threshold to determine whether a household has a low income and - where households will be eligible if their income is equal to or below the relevant income threshold.

In general, the lower an income threshold the greater the likelihood of households below that threshold being in fuel poverty.

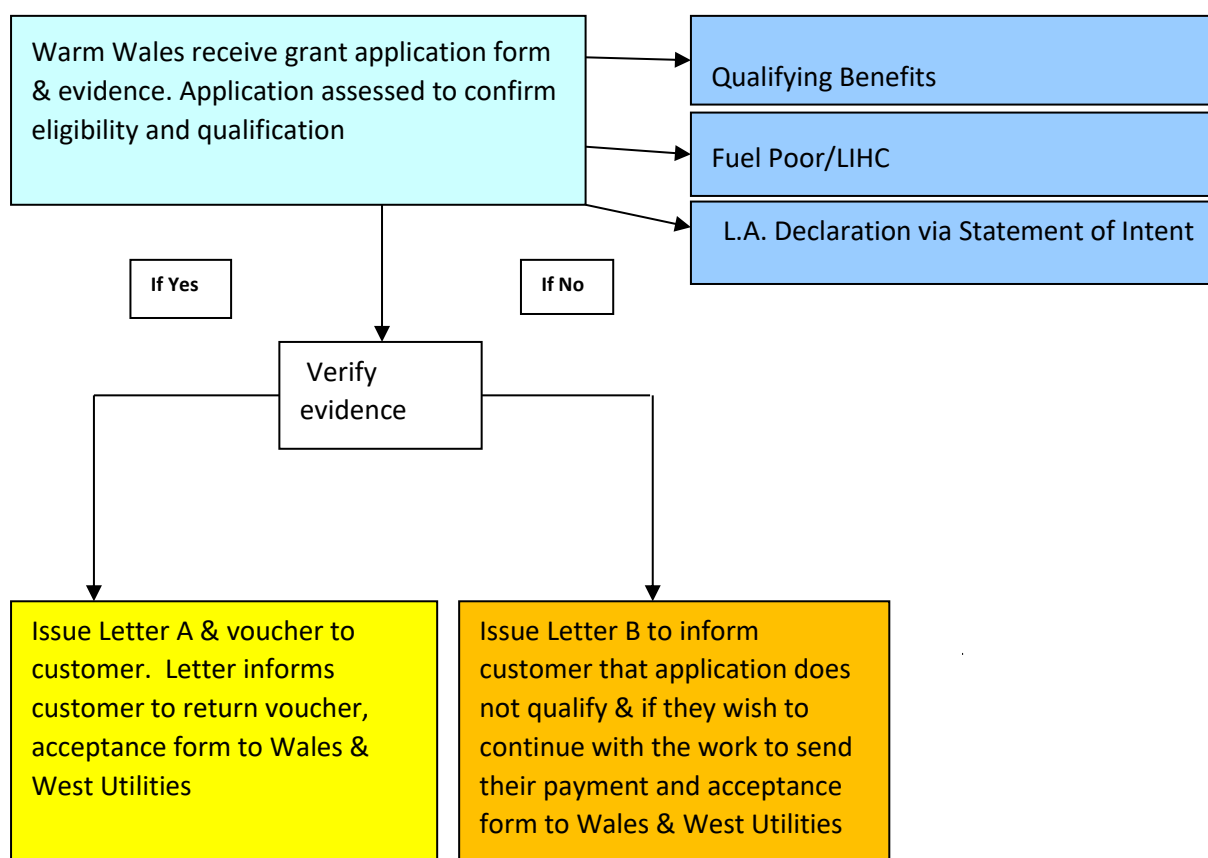
Income here is defined as a household's disposable income after they have paid for their rent or mortgage. This comprises income from all sources, such as net earnings (after tax), income from savings and investments, pensions, all benefits (including housing benefit), and net council tax payments.

All checking of financial and fuel poverty criteria will be completed with full record-keeping. All data stored and shared will be in compliance with GDPR.

Warm Wales has vast experience of managing certification schemes similar to ECO3. Current work includes the management of the Ofgem's Fuel Poor Network Extension Scheme (FPNES) to help households connect to the gas network on behalf of Wales & West Utilities. A partnership dating back to 2009 with the completion of over 12,000 connections.

Through this scheme, Warm Wales is responsible for the certification of grant applications on the scheme. Eligibility rules are similar to ECO3 and the skills gained through its delivery are transferable to this project i.e. assessment of qualifying benefits and of eligibility through Powys Council's Eco Flex declaration via their Statement of Intent.

Please see below a flow diagram to show eligibility process route for FPNES which will be adapted for ECO3:



Flowchart to FPESN self-referral scheme

### Further Information

Warm Wales operate web-based upload and download portals for the secure transfer of customer data and comply fully with data protection regulations. Our central UK data centres are ISO27001:2013 certified and their security features include: 24-7 security on site and redundant and uninterruptible power supplies.

All staff will be dressed in branded Warm Wales clothing with a visible id badge on display.

## Additional services

- Warm Wales will work with appointed ECO3 providers to encourage access from the local supply chain. Where possible appointed ECO3 providers will source local resources/sub-contractors when carrying out any works. Appointed contractors from the local supply chain must be capable of meeting all compliance and legal requirements set by the appointed ECO3 provider.
- Warm Wales to establish relationships with doorstep canvassers to ensure quality of leads and eliminate false claims. Our compliance process includes background checks on the canvasser, statistical analysis to identify unusual trends, quality control phone calls and the compiling of daily activity logs.
- Develop a Warm Wales Field Canvass App. The Warm Wales field app will be designed to work on smart phones and tablets for both Apple and Android devices. It takes the canvasser through a structured set of questions relating to the householder, property and eligibility criteria. Where appropriate, the canvasser will be prompted to upload photos of the property and documents to the app. Visit complete, the canvasser will send the survey securely to Warm Wales head office for quality checking. Once sent, the survey will not be visible on the device to protect the privacy of the householder and comply with GDPR regulations.
- Warm Wales would provide a lead upload page for canvassers to avoid danger of paper records, this also reduces the threat of double sales.
- Warm Wales will offer eligible households a Healthy Homes Healthy People service via the phone. This service provides homeowners with advice on a selection of energy related issues - e.g. tariff switching, energy advice, fuel debt advice etc.
- In order to ensure a high-quality service, exclusively from partner organisations and to mitigate against ineligible claims from sales agents, homeowners will be contacted to establish consent has been given. Each householder will be provided with a declaration to sign, to ensure they are comfortable with the work that is to be completed.
- Contact has been made with a further 9 Local Authorities across Wales who have expressed an interest in Warm Wales delivering this model on their behalf. This is an opportunity for Powys to join the consortium, standardising delivery of ECO3 LA Flex.

The ECO3 Lead Generation Process that Warm Wales proposes to manage can be seen on the flow diagram below:

# ECO LEAD GENERATION PROCESS FLOW

## Pre-launch clarification



- What measures can be offered
- Qualifying criteria per measure
- Lead and survey requirements per measure
- Evidence requirements per measure
- Lead volume requirements per measure
- Lead submission procedures
- Rejection timescales / procedures
- Agree payment process / timescales
- Establish pre-install check and survey process

1

## Qualification checks



- Leads contacted by warm wales assessment team
- Qualification checks carried out
- Additional evidence requested
- Client records updated
- Surveys booked (if required)

3

## Submission



- Client details and surveys securely submitted to energy company
- Confirmation of receipt received
- Work tracked via portal access
- Invoices sent
- Weekly quality call with energy company
- Complaint log maintained / reviewed
- Post install calls to client

5

## Lead generation



Inbound generation	Field generation	3rd party referrals
Targeted marketing campaigns encouraging direct applications	Field canvassers working in agreed territories to generate applications	Referrals from local authority and other agreed partners

## Survey booking process



- Survey booked with DEA Confirmation
- sent to client and DEA
- Reminders sent
- Outcomes / cancellation rates monitored
- Completed surveys sent to quality

## **Cost**

No up-front cost to Powys County Council and declarations issued to Warm Wales would attract a fee of £90 + VAT payable by Warm Wales post successful installation of measure.

Please Note: Fees are derived from individual ECO providers following an assessment and production of a declaration of eligibility, NOT from clients in receipt of successful measures.

We would be delighted to discuss this proposal with you and other ways we can work with Powys County Council.

Jonathan Cosson  
Director  
Warm Wales - Cymru Gynnes



## Appendix 1: APPLICATION FOR FLEXIBLE ELIGIBILITY



This is an application form to ascertain if you would qualify for grant funded heating or insulation measures under a scheme called "ECO 3 - LA Flex". This is a national scheme that is operated by Warm Wales CIC who redistribute money levied from energy companies.

Warm Wales CIC will select a contractor and arrange for and fund work. You will have been given this form by an agent working on behalf of Warm Wales CIC.

The only involvement of Powys Council is to issue a declaration if you are eligible to receive funding under this scheme. The council do not underwrite or take responsibility for works.

### Heating Systems, upgrades and insulation measures.

#### Via - Energy Company Obligation (ECO) Local Authority Flexible Eligibility (LA FLEX)

The aim of the scheme is to install energy efficiency measures in properties that are currently energy inefficient which in turn reduce household fuel bills. This is an opportunity, if your home qualifies, for potential improvements such as a new central heating system, upgrades to the existing heating system and/or insulation measures. Warm Wales will be determining whether households qualify for the scheme based on information supplied from this application form. Declarations for those who could benefit from improvements will be issued direct to the organisation chosen to deliver your installation.

Your chosen organisation will obtain funding from Energy Companies obligated under (ECO) to deliver measures under this scheme. Companies will have a limited amount of ECO funding available and this will be utilised on a first come first serve basis.

### What happens next?

- 1. Complete the application form if you consider yourself in fuel poverty and eligible to apply.**  
Funding is available to owner occupiers and private rented tenants. To be eligible for inclusion of flexible eligibility in Powys your home must be energy inefficient; and/or householder(s) is vulnerable.
- 2. Warm Wales verifies your application – with a fee applied, payable by your installer.**  
The Local Authority will issue a signed declaration to the organisation of your choice.
- 3. The organisation investigates potential measures for installation.**  
The final decision on whether a household receives a measure under flexible eligibility or other ECO funding streams will be made by the organisation who you instruct. Qualification and the declaration by Powys County Council does not guarantee installation of any measures, as the final decision will be made by the supplier.
- 4. Installation of qualifying measures.**  
If your property is considered suitable for measures then the organisation will commission the work. Permission and access will need to be provided by the owner and resident to enable the smooth delivery of works.

Please complete the following Application Form and arrange for your chosen supplier to return, with supporting evidence (where applicable) to the address, or email on the top of the form. Your application will be considered and if it is determined that you and/or your property are eligible a declaration will be issued to your chosen supplier. The declaration can only be used to obtain energy efficiency measures, e.g. heating systems and insulation from your chosen supplier while funding remains available.

## APPLICATION FOR FLEXIBLE ELIGIBILITY: Energy Company Obligation (ECO) Regulations 2018 onwards (ECO3 LA Flex under Powys county council statement of intent Version 2)



This form must be completed in partnership with an agent/company as they are able to unlock the funding. Please do not submit it to Warm Wales on your own.

You the applicant, should not be charged to have this application submitted.

**Exaggerating personal circumstances and/or making a false statement on this form could be considered a criminal offence and may result in prosecution and/or removal of any grant funded measure.**

### PART 1

#### 1 Please tell us about your household income

To qualify you must have a household income equal to, or below, the values listed in the table below, for the size of your family, after housing costs have been deducted. Please study the table and pick the band that applies to you. Housing costs are defined as rent or mortgage expenses.

As part of the application process we will require evidence of income and housing costs.

Household size	Income after housing costs	Tick	Household size	Income after housing costs	Tick
1 ADULT	£9,300 or less		2 ADULTS	£15,200 or less	
and 1 child	£12,200 or less		and 1 child	£18,200 or less	
and 2 children	£15,000 or less		and 2 children	£21,100 or less	
and 3 children	£18,000 or less		and 3 children	£24,100 or less	
and 4+ children	£21,000 or less		and 4+ children	£26,800 or less	

2 Applicant's Name: \_\_\_\_\_ Title: Mr/Mrs/Miss/Other: \_\_\_\_\_  
Address: \_\_\_\_\_  
Post code: \_\_\_\_\_  
Home Tel. No: \_\_\_\_\_ Work Tel. No: \_\_\_\_\_

3 Applicant's Date of Birth: \_\_\_\_\_

4 Please give the following details of the property to which the application relates:

Address: \_\_\_\_\_  
Post code: \_\_\_\_\_

☐ OR Tick here if address is same as above



Property type (Please provide details to what best describes your property):

- ☐ House   ☐ Mid Terrace   ☐ End Terrace   ☐ Semi-detached   ☐ Detached  
☐ Bungalow   ☐ Mid Terrace   ☐ End Terrace   ☐ Semi-detached   ☐ Detached  
☐ Maisonette   ☐ 1 or 2 external walls   ☐ 3 external walls  
☐ Flat   ☐ 1 or 2 external walls   ☐ 3 external walls  
☐ Mobile home

Property Age: \_\_\_\_\_

5 Do you live in the property as your only or main residence? ☐ Yes ☐ No

6a Do you live in the property as your only or main residence? ☐ Yes ☐ No

6b Are you a tenant? ☐ Yes ☐ No

7 If you are a tenant at the property, please give details of your landlord:

Landlord's Name: \_\_\_\_\_ Title: Mr/Mrs/Miss/Other: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Post code: \_\_\_\_\_

Home Tel. No: \_\_\_\_\_ Mobile No: \_\_\_\_\_

## PART 2 - Qualifying Criteria

i) If there is an EPC (energy performance certificate) for the property, is it in:

Band	Tick box	Action
A, B, C or D	<input type="checkbox"/>	You do not qualify sorry, do not continue with the form
E	<input type="checkbox"/>	Go to iii) below
F or G	<input type="checkbox"/>	Go to declaration

ii) If there is no EPC for the property, complete the table on the following page:

**DO NOT FILL OUT IF YOU HAVE ANEPC**



House Features	Type	Points	Tick box	Score
Bedrooms	1	1		
	2	2		
	3+	3		
Household occupants	1	1		
	2	2		
	3+	3		
Loft insulation	None	5		
	Up to 150mm	3		
	150mm and above	1		
Wall type	System built	5		
	Solid stone/brick	3		
	Cavity construction/ unknown	1		
Wall insulation	External	1		
	Internal	1		
	Cavity	2		
	None	5		
Heating fuel	Mains gas	1		
	Oil	2		
	LPG	3		
	Electric	5		
	Solid Fuel	5		
Central heating system age	Less than 10 years old	1		
	Over 10 years old	3		
	Broken system	5		
	No system	5		

Points	Tick box	Action
<b>NOT VALID IF YOU HAVE AN EPC</b>		
Less than 10 points (and no EPC)		You do not qualify sorry, do not continue with the form
10 or greater and less than 15 points		Go to iii) below
15 points or greater		Go to declaration



iii) **Client Vulnerability** - Do not fill out if you have an F or G EPC or no EPC and 15 points:



A member of the household is:

Details	Tick box	Proof seen	Print and signed	Dated	Action
Aged over 60 (Proof of Age and address of person)					Go to signed declaration
Children in education and pregnant mothers (Proof of child age/Further education or Maternity details)					

A member of the household is:

Health Condition - The following require a signed declaration by doctor or health practitioner to confirm any health-related issues		Yes	No
1.	Aged over 60 (proof or age necessary)		
2.	Children under 5 and those in primary and secondary education or pregnant		
3.	Respiratory disease (COPD, asthma)		
4.	Cardiovascular disease		
5.	Moderate to severe mental illness (e.g. schizophrenia, bipolar disorder)		
6.	Substance misusers		
7.	Dementia		
8.	Neurobiological and related diseases (e.g. fibromyalgia, ME)		
9.	Cancer		
10.	Limited mobility		
11.	Haemoglobinopathies (sickle cell disease, thalassaemia)		
12.	Severe learning disabilities		
13.	Autoimmune or immunodeficiency diseases (e.g. MS, diabetes, HIV)		

Signed declaration by doctor or health practitioner to confirm any health related issues i-xi.

Condition	Doctor	Surgery	Signed	Dated

## DECLARATION - To be completed in respect of all applications

**WARNING: if you knowingly make a false statement you may be liable for prosecution.**

I declare that to the best of my knowledge the details I have provided are correct.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

☐ **Please tick** - I confirm I have read the cover page and understand the process

By signing you will also consent to have your details audited by the council in the event you are selected as part of a sample verification check.

Warm Wales accept no responsibility or liability resulting from any negative consequence, damage or loss arising from an ECO FLEX grant being accepted or arising from works or efforts connected to the preparation, application or survey prior to a grant.

Warm Wales do not endorse any specific energy supplier, grant agent, installer or company connected to the application or installation of ECO flex grants or products. This also applies to those identified on the published list of known contractors.

In the event of liability against an agent/contractor, the maximum liability Warm Wales would entertain is for the refund of the declaration fee.

Any grievance or issue raised against grant works or application process, should be taken up with Warm Wales, installing party, agent or financier. Powys County Council's involvement in the scheme is limited to the declaration of eligibility for a grant, should you wish to have the declaration explained in further detail, please email - [information@warmwales.org.uk](mailto:information@warmwales.org.uk)

### To be filled out via agent

Please identify the measure/s being applied for:

☐ **Please tick** - I confirm that the client has been informed about the acquisition, use and storage of their data as part of this process



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## Powys County Council Flexible Eligibility Statement of Intent - Version 2

This statement sets out Powys County Council's flexible eligibility criteria for the ECO3 LA Flex: Help to Heat programme from April 2019 forward. The scheme is supported from the ECO commitment provided by utility companies and the availability of funding is beyond the control of Powys County Council and may be closed at any time. It aims to support households living in Powys who are most likely to experience fuel poverty and those vulnerable to the effects of a cold home.

**Introduction** - Powys County Council welcomes the introduction of Flexible Eligibility and intends to utilise it for the purposes of reducing fuel poverty and tackling hard to heat homes across the county. ECO 3 LA Flex is not a Powys County Council funded or managed scheme, many aspects of it are outside the council's control or design. Powys County Council will refer clients to Warm Wales, a not for profit Community Interest Company specialising in tackling fuel poverty. Warm Wales will assess and if appropriate, refer eligible clients to 3<sup>rd</sup> parties who may have access to funding under the scheme.

**What is flexible eligibility** - Local Authorities working with Energy suppliers obligated under ECO, have an opportunity to extend eligibility criteria for energy efficiency measures to households not covered by existing schemes of support.

**Identifying households** - Funding is only available for owner occupiers and private tenants. Qualification for the scheme is restricted to those **in fuel poverty** as identified in Table 1 in Part 1 below. Eligibility will be determined by criteria listed below and requires a signed declaration by the owner/tenant.

**Qualifying measures** - The energy efficiency measures that may be installed in eligible properties include new central heating systems, heating upgrades and insulation.

**Liabilities** - Powys County Council accept no responsibility or liability resulting from any negative consequence, damage or loss arising from the acceptance of an ECO FLEX grant. This includes efforts connected to the preparation, application or survey prior to an installation or as a result of works delivered under the scheme.

Powys County Council do not endorse any specific energy supplier, grant agent, installer or company connected to the application or installation of ECO flex grants or products.

Any grievance or issue raised against grant works or application process, should be taken up with the installing party / agent / financier. Powys County Council's involvement in the scheme is limited to the declaration of eligibility for grant. Should you wish to have the declaration explained in further detail, please email - [privatesectorhousing@powys.gov.uk](mailto:privatesectorhousing@powys.gov.uk)

**Final decision** - The decision on whether a household receives a measure under flexible eligibility or other ECO funding streams will be made by the **energy supplier** or their **agent / contractor**. Qualification in the statement of intent or issuance of a declaration by Powys County Council will **NOT** guarantee installation of a measure, the final decision **rests with the supplier**.

***Revised guidance issued for ECO3 by BEIS significantly differs to that associated with ECO 2t LA Flex. Consequently, Powys Council cannot reissue any declaration previously issued under Powys County Council Statement of Intent version 1. A new application will need to be made to ensure it now meets our new criteria.***

### **Cost Associated with measures**

Whilst some measures being grant funded will be free to the consumer at point of sale, others may only be partially grant funded and will require a contribution from the consumer or agent in order to be delivered.

Any financial or contractual arrangement relating to the installation of a specific measure or home survey or service shall be at the discretion of the homeowner or occupier to accept or decline as they choose. Powys County Council will not be party to any such arrangements; this shall solely be between the client and any third party of their choice.

### **Governance**

The body to which any application for assessment prior to qualification under this Statement of Intent will need to be made shall be delegated to the Community Interest Company - **Warm Wales**. Powys Council will no longer accept applications direct.

If you wish to make an application for confirmation of grant eligibility, please contact:

**Warm Wales**, Llewellyn House, Harbourside Business Park, Port Talbot, SA13 1SB.  
email: [information@warmwales.org.uk](mailto:information@warmwales.org.uk) call: 01656 747 622 Web [www.warmwales.org.uk](http://www.warmwales.org.uk)

**Warm Wales** shall field calls, engage in scheme promotion and conduct vetting of applications via collection of evidential client information. ***Warm Wales will be solely responsible for referring successful applications to Powys Council for sign off.***

The council shall issue declaration certificates to eligible applicants.

Any 3<sup>rd</sup> party agent of a contractor with clients they wish to refer to the council will need to have said clients utilise the vetting services of **Warm Wales** and have those clients referred to the council via that organisation. The council will not be party to any such arrangement implemented between **Warm Wales** and any 3<sup>rd</sup> party agent of each independent contractor.

**Warm Wales** shall select the installer and/or funder for all clients for whom they facilitate the application process for funding under ECO3.

Officers holding the following positions shall be empowered to sign declarations on behalf of Powys County Council, including those issued under Part 3 (1 & 2) -

Private Sector Housing Lead, Environmental Health Officer, Housing Standards & Improvement Officer, Affordable Warmth & Renewable Energy Officer, Service Improvement Officer.

### **Monitoring**

Information regarding the number of referrals made to the council by **Warm Wales** and declarations issued, shall be recorded by the council. Any further information would be held by the agent or contractor and submitted to BEIS/OFGEM separately.

## Part 1 - Qualifying Criteria

- i) To qualify you must have a disposable household income falling below that of the value in the table below, corresponding to family size - after housing costs have been deducted. Housing costs are defined as rent or mortgage expenses. **WARM WALES WILL REQUIRE APPROPRIATE EVIDENCE TO DEMONSTRATE THIS FROM ALL APPLICANTS.**

**Table 1 - Identifying fuel poor households**

(Referenced from BEIS ECO 3 Flexible eligibility guidance - Annex 6)

Household composition	2019
<b>1 Adult</b>	£ 9,300
and 1 child	£ 12,200
and 2 child	£ 15,000
and 3 child	£ 18,000
and 4+ child	£ 21,000
<b>2 Adults</b>	£ 15,200
and 1 child	£ 18,200
and 2 child	£ 21,100
and 3 child	£ 24,100
and 4+ child	£ 26,800

- ii) In addition to point i) the property must have a current EPC rating of **F or G**. **E** ratings will also be accepted where an occupant meets a qualifying vulnerability as identified in **Part 2**.

*(All EPC scores will be taken at face value from [www.epcregister.com](http://www.epcregister.com) any property with an expired EPC will be considered to have no EPC.)*

**If the property has no EPC, then it must score 15 points or more** in Table 2 below.

If the property scores **more than 10 points**, it can also be accepted where an occupant meets a qualifying vulnerability as identified in **Part 2**.

**Table 2 - Property Condition**

House features	Type	Points	Tick	Score
Bedrooms	1	1		
	2	2		
	3+	3		
Household occupants	1	1		
	2	2		
	3+	3		
Loft Insulation	None	5		
	Up to 150mm	3		
	150mm and above	1		
Wall Type	System built	5		
	Solid stone/brick	3		
	Cavity construction/Unknown	1		
Wall insulation	External	1		
	Internal	1		
	Cavity	2		
	None	5		
Heating fuel	Mains gas	1		
	Oil	2		
	LPG	3		
	Electric	5		
	Solid fuel	5		
Central Heating system age	Less than 10 years old	1		
	Over ten years old	3		
	Broken system	5		
	No system	5		
			Total	

## Part 2 - Client Vulnerability

**(Demonstration of a vulnerability is not necessary if the property has an EPC of F or G; or No EPC and more than 15 points)**

If it is necessary to demonstrate that householders are at a greater risk to the effects of living in a cold home, Powys County Council adopt the following approach:

Powys County Council will target households containing people from the following list, which reflects the National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes.

*'Excess winter deaths and illness and the health risks associated with cold homes' states that: a wide range of people are at greater risk to the cold. This is either because of a medical condition, such as heart disease; a disability that, for instance, stops people moving around to keep warm, or makes them more likely to develop chest infections; or personal circumstances, such as being unable to afford to keep warm enough.*

A member of the household is/has

- i. Aged over 60 (proof of age necessary)
- ii. Children under 5 and those in primary and secondary school education or is pregnant
- iii. Respiratory disease (COPD, asthma)
- iv. Cardiovascular disease (e.g. ischaemic heart disease, cerebrovascular disease)
- v. Moderate to severe mental illness (e.g. schizophrenia, bipolar disorder)
- vi. Substance misusers
- vii. Dementia
- viii. Neurobiological and related diseases (e.g. fibromyalgia, ME)
- ix. Cancer
- x. Limited mobility
- xi. Haemoglobinopathies (sickle cell disease, thalassaemia)
- xii. Severe learning disabilities
- xiii. Autoimmune and immunodeficiency diseases (e.g. lupus, MS, diabetes, HIV)

**Signed declaration by doctor or health practitioner necessary to confirm any health-related issues listed above (iii – xiii).**

## General Data Protection Regulations & Privacy Notice

In order to access ECO3 funding, personal data will need to be shared with 3<sup>rd</sup> parties by agents through which any application is made.

Powys Council are not able to process or handle applications without involvement of said 3<sup>rd</sup> parties. The 3<sup>rd</sup> parties not the Council, are responsible for sourcing ECO 3 funding and arranging installation of measures.

For this reason, Powys County Council does not consider itself to be the Data Controller in this scenario because it is not the body responsible for offering or delivering the grant.

Powys County Council will process all data submitted as part of the scheme in accordance with data protection legislation. Please refer to Powys County Council's Housing Privacy Notice: <https://en.powys.gov.uk/article/7132/Housing-Privacy-Notice>

### Part 3 - Alternative Strategically Targeted Qualifying ECO Schemes

Powys Council are aware of numerous grant schemes and renewal activities targeted towards those in fuel poverty i.e. mains gas connection projects & **Rent Smart Wales - Warm Home Fund**. For these schemes to access funding via ECO, Powys Council will, permit applications and award declarations in situations falling outside the standard qualification criteria mentioned above, provided that the strategically targeted activity specifically addresses fuel poverty.

The following element of this Statement of Intent will only be used on specific energy efficiency projects where 'the Council' is a participating partner. Please note: The Council will only sign declarations for qualifying households that are part of these projects and will not work with any third party outside of these projects. The subsequent pathway will only be accessible via pre-agreed arrangements between partner Welsh Government agencies involving "**Arbed am byth**".

#### (1) - Households identified as living in areas of severe fuel poverty via Welsh Government's Arbed programme

Arbed am Byth have been appointed by the Welsh Government to deliver Arbed, an area-based programme that sets out to alleviate and where possible eradicate fuel poverty across Wales. The aim of the programme is to provide a suite of measures, based on a whole house assessment, to improve the energy efficiency of properties in areas of severe fuel poverty. In order to establish whether an area is in severe fuel poverty Arbed am Byth along with their lead subcontractor, The Carbon Trust, model against the following criteria and make an assessment.

(Note - not an exhaustive list and not all indicators need to be present for all schemes to demonstrate fuel poverty):

- a. Hard to heat (EFG EPC ratings)
- b. Hard to heat (archetype)
- c. Gas connection status
- d. Exposure Zone
- e. Poor health (Census)
- f. WIMD (income, employment, health, education and housing domains)
- g. Benefits (Council Tax, Housing Benefit, JSA, ESA & Incapacity benefits, Lone parents, Carers, Disabled, other income related benefits, other out of work benefits)
- h. Free school meals (% of children eligible/ receiving free school meals in local school/s)
- i. Need for local support groups (e.g. Flying start, food banks, fuel banks, etc.)
- j. HHSRS Category 1 hazards for Excess cold (e.g. high number of reports into the local authority for the archetype/s in the proposed scheme)

If an assessment of an area provides evidence of severe fuel poverty, Arbed am Byth then develop a highly detailed scheme proposal that indicates which measures need to be installed in order to lift the client out of fuel poverty. The Welsh Government oversee this process from an audit perspective to ensure they are comfortable with the investment being requested.

#### Enactment -

Signature: xxxxxxxxx

Date: xxxx

xxxxxxxxxxxxxxxxxxxx, Powys County Council

URL of published Statement of intent – xxxxxxxxxxxxxxxxxxxx

Publication date - xxxxxxxxxxxxxxxxxxxx

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



**Please read the accompanying guidance before completing the form.**

This **Impact Assessment (IA)** toolkit, incorporates a range of legislative requirements that support effective decision making and ensure compliance with all relevant legislation.

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

<b>Service Area</b>	Housing	<b>Head of Service</b>	Nina Davies	<b>Director</b>	Nigel Brinn	<b>Portfolio Holder</b>	Cllr James Evans
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<b>Proposal</b>	Re-Introduction of ECO 3 LA Flex grant scheme						
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### Outline Summary / Description of Proposal

This is a proposal to seek cabinet approval for adoption of an updated "statement of intent", the signed governance document allowing delivery of the Energy Company Obligation, ECO 3 LA flex grant scheme in Powys. ECO 3 LA flex is a scheme by which energy companies invest funding to upgrade boilers and insulation measures in qualifying dwellings (identified by the proposed statement of intent). Powys intends to utilise a proposal developed by Warm Wales; a Community Interest Company specialising in delivery of programmes designed to address fuel poverty in Wales. The housing service will receive a fee from Warm Wales to cover council administrative costs associated with the process and to generate a sustainable income stream for the lifetime of the project. This will not be a council managed scheme and all activity regarding funding viability will be undertaken by ECO agents who will be working at their own discretion but following national guidance issued by OFGEM.

The council had a scheme in operation between February 2018 and September 2018, during which in excess of 2,000 measures were installed and over £200,000 was collected by the council in income. Summary of measures installed and savings delivered to Powys residents provided in the following table.

Measure	Approximate Numbers	Approximate Cost	Approximate Value of Work Delivered
Oil Boilers	1450	£4,000	£5,800,000
LPG Boilers	200	£3,250	£650,000
Electric Storage Heaters	60	£3,250	£195,000
Mains Gas Boilers	25	£3,000	£75,000
Cavity Wall Insulation	350	£1,500	£525,000
Loft Insulation	80	£1,000	£80,000
External Wall Insulation	15	£10,000	£150,000
Internal Wall Insulation	5	£8,000	£40,000
<b>Totals</b>	<b>2050 (some include multiple measures)</b>		<b>£7,515,000</b>

However, the scheme was withdrawn following political pressure to better utilise local contractors and better regulate to whom grants were being offered. The revised proposal incorporating Warm Wales includes for more robust checks regarding client eligibility and allows for better regulation of agents. Warm Wales selection criteria will facilitate use of local labour and favour Powys based ECO providers and businesses.

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



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

Version	Author	Job Title	Date
1	Julian Preece	Private Sector Housing Lead	5th November 2018
2	Julian Preece	Private Sector Housing Lead	11 <sup>th</sup> February 2020

### 2. Profile of savings delivery (if applicable)

2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
£200,000+ via new income	£20k+ via new income	£40k+ via new income	£40k+ via new income	£40k+ via new income	£340,000+ via new income

### 3. Consultation requirements

Consultation Requirement	Consultation deadline/or justification for no consultation
No consultation required (please provide justification)	Consultation has been made on a voluntary basis with the Powys Plumbing Group, further consultation will occur following adoption with local business. The view of the Powys Plumbing Group fundamentally differ from the local authority: <b><i>"It's important that the council realise that there will always be a fundamental conflict of interest between their desire to get as many measures as possible completed under ECO3 and at the same time support the local plumbing &amp; heating industry. The reality is that almost every central heating boiler and central heating system installed under the ECO3 scheme is one less that would have been installed, at some point over the next 5 to 10 years, by a local, Powys based, plumbing &amp; heating company."</i></b> However, whilst this view may sustain a certain number of established plumbing businesses, it does NOT support establishing new or growth of existing plumbing or other building trades prepared to work directly for ECO providers. It does not support reduction of fuel poverty for residents living in poorly insulated properties in Powys. ECO3 scheme emphasis has moved from installation of boilers to delivery of insulation measures and Powys has amended the scheme to encourage use of local trades, thereby providing greater support for the Powys economy.

### 4. Impact on Other Service Areas

Does the proposal have potential to impact on another service area? (Have you considered the implications on Health & Safety, Corporate Parenting and Data Protection?) PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY
Adoption of the scheme will likely increase enquiries for Trading Standards and general customer's services / call centre enquiries, as there will be a rise in consumer communication relating to canvassing activities and complaints. Engagement has been made with Trading Standards who have offered advice and suggestions to help mitigate its impact. Outsourcing delivery of ECO3 to Warm Wales, a Community Interest Company specialising in delivery of programmes designed to address fuel poverty in Wales will reduce the impact on Council services. It will also allow more robust controls in vetting and checking of applications, establishing applicants are in fuel poverty by comparing income alongside actual energy bills. It is hoped certain forms of canvassing which have potential to cause complaints will reduce. However, complaints may rise due to the nature of activity being undertaken.



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

Council Priority	How does the proposal impact on this priority?	<b>IMPACT</b> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<b>IMPACT AFTER MITIGATION</b> Please select from drop down box below
<b>The Economy</b> We will develop a vibrant economy	The adoption of the scheme will present business opportunities for local contractors who chose to engage with agents and offer additional revenue for other associated Powys business such as scaffolders and hoteliers. Residents in receipt of savings on heating & fuel bills will also have greater levels of disposable income they may use to provide a boost to the local economy. However, the provision of grants will naturally reduce sales of measures locally by existing providers.	Good	Specifying use of local contractors by ECO agents will contribute to a more positive impact.	Good
<b>Health and Care</b> We will lead the way in effective, integrated rural health and care	Health & wellbeing in both the elderly & young will be improved via provision of affordable warmth within homes. There will also be an associated reduction in health effects associated with cold homes.	Good	Better targeted support to those in greatest need will contribute to a more positive impact.	Very Good
<b>Learning and skills</b> We will strengthen learning and skills	Students will suffer less ill health & be better placed to complete homework, given a more comfortable & 'warm' home environment from which to work.	Good	Better targeted support to homes with children in greatest need will contribute to a more positive impact.	Good
<b>Residents and Communities</b> We will support our residents and communities	Carbon emissions will be reduced from domestic property by upgrading homes with more efficient heating systems. Home energy efficiently will be improved via increased insulation & better use of technology such as heating controls. Services previously unavailable will be provided to communities, enabling residents to do more for themselves i.e. upgrading of heating systems.	Good	Better targeted support to those properties in greatest need (E, F & G EPC rated) will contribute to a more positive impact.	Very Good

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### Source of Outline Evidence to support judgements

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/15810/142631.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf)

(Page 57-62)

Powys County Council will also target households containing people with specific medical conditions, reflecting the National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes.

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
<b>A prosperous Wales:</b> 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.	Opportunities offered by ECO flex may be exploited by the council to boost local trade and help deliver residents real savings on heating bills that may be recycled within the local Powys economy.	Good	Specifying use of local contractors by ECO agents will contribute to a more positive impact.	Good
<b>A resilient Wales:</b> 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).	Adoption of ECO flex will improve efficiency of dwellings and help reduce climate change by lowering carbon emissions from domestic property. Income generate by the council will also offer a certain resilience to future budget cuts.	Good	Better targeted support to those properties in greatest need (E, F & G EPC rated) will contribute to a more positive impact.	Good

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Well-being Goal	How does proposal contribute to this goal?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
<b>A healthier Wales:</b> 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. <b>Public Health (Wales) Act, 2017:</b> Part 6 of the Act requires for public bodies to undertake a health impact assessment to assess the likely effect of a proposed action or decision on the physical or mental health of the people of Wales.	Powys residents at risk of fuel poverty may benefit from heating & insulation upgrades, delivering affordable warmth, improving health & wellbeing for young, elderly & disabled residents alike.	Good	Better targeted support to those in greatest need will contribute to a more positive impact.	Good
<b>A Wales of cohesive communities:</b> Attractive, viable, safe and well-connected Communities.	ECO flex will support people in the community to live fulfilled lives, providing greater levels of disposable income.	Good	Better targeted support to those in greatest need will contribute to a more positive impact.	Good
<b>A globally responsible Wales:</b> 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. <b>Human Rights - is about being proactive (see guidance)</b> <b>UN Convention on the Rights of the Child:</b> The Convention gives rights to everyone under the age of 18, which include the right to be treated fairly and to be protected from discrimination; that organisations act for the best interest of the child; the right to life, survival and development; and the right to be heard.	Carbon emissions will be reduced from domestic properties by improving the energy efficiency of buildings.	Good	Better targeted support to those properties in greatest need (E, F & G EPC rated) will contribute to a more positive impact.	Good
<b>A Wales of vibrant culture and thriving Welsh language:</b> 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.				
<b>Opportunities for persons to use the Welsh language, and treating the Welsh language no less favourable than the English language</b>	It is anticipated most canvassers will be English speaking with limited provision for communication via the medium of Welsh.	Poor	Provision will be made available to clients who wish to communicate via the medium of Welsh upon request.	Neutral

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Well-being Goal	How does proposal contribute to this goal?	<b>IMPACT</b> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<b>IMPACT AFTER MITIGATION</b> Please select from drop down box below
<i>Opportunities to promote the Welsh language</i>	No impact expected.	Neutral	N/A	Neutral
<i>Welsh Language impact on staff</i>	No impact expected.	Neutral	N/A	Neutral
<i>People are encouraged to do sport, art and recreation.</i>	No impact expected.	Neutral	N/A	Neutral
<b>A more equal Wales:</b> A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).				
<i>Age</i>	Both the very young & elderly will have a greater chance of eligibility for grant under new OFGEM rules based on increased risks to health.	Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact.	Good
<i>Disability</i>	Disabled people may be more likely to have lower incomes. Disabled people are on average more often vulnerable.	Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact.	Good
<i>Gender reassignment</i>	Will not directly affect chances of residents receiving grant assistance under the scheme.	Neutral	N/A	Neutral
<i>Marriage or civil partnership</i>	Will not directly affect chances of residents receiving grant assistance under the scheme.	Neutral	N/A	Neutral
<i>Race</i>	Will not directly affect chances of residents receiving grant assistance under the scheme.	Neutral	N/A	Neutral
<i>Religion or belief</i>	Will not directly affect chances of residents receiving grant assistance under the scheme.	Neutral	N/A	Neutral
<i>Sex</i>	Will not directly affect chances of residents receiving grant assistance under the scheme.	Neutral	N/A	Neutral
<i>Sexual Orientation</i>	Will not directly affect chances of residents receiving grant assistance under the scheme.	Neutral	N/A	Neutral
<i>Pregnancy and Maternity</i>	Residents with children will have an increased chance of eligibility for grant under OFGEM criteria based on increased risks to health.	Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact.	Good

**Source of Outline Evidence to support judgements**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/15810/142631.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf)

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Powys County Council will also target households containing people with specific medical conditions, reflecting the National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes.

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

Principle	How does the proposal impact on this principle?	<b>IMPACT</b> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<b>IMPACT AFTER MITIGATION</b> Please select from drop down box below
<b>Sustainable Development Principle (5 ways of working)</b>				
<b>Long Term:</b> Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.	The scheme facilitates replacement of inefficient heating appliances and installation of energy efficiency measures such as insulation, reducing carbon emissions from domestic property. This in turn makes buildings more energy efficient and reduces likelihood of residents suffering from fuel poverty.	Very Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact.	Very Good
<b>Collaboration:</b> Working with others in a collaborative way to find shared sustainable solutions.	The scheme does not require council funding and is 100% funded via external sources. Agents source funding and undertake installation of grant funded measures. This helps deliver council objectives, working collaboratively, utilising external funding, while simultaneously reducing carbon emissions and reducing fuel poverty.	Very Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact. Specifying use of local contractors by ECO agents will also contribute to a more positive impact on the Powys local economy.	Very Good
<b>Involvement (including Communication and Engagement):</b> Involving a diversity of the population in the decisions that affect them.	The council has consulted with the Powys Plumbing Group who raised concerns regarding impact on the local plumbing industry.	Poor	Specifying use of local contractors by ECO agents will contribute to a more positive impact on the local economy and should mitigate concerns.	Neutral
<b>Prevention:</b> Understanding the root causes of issues to prevent them from occurring.	The scheme has the capability to generate income and address fuel poverty at no expense to the council. The council has made changes to appease critics & comply with new OFGEM guidance but are not in control of scheme mechanics or operation.	Very Good	Specifying use of local contractors by ECO agents will contribute to a more positive impact on the local economy. Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact.	Very Good

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Principle	How does the proposal impact on this principle?	<b>IMPACT</b> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<b>IMPACT AFTER MITIGATION</b> Please select from drop down box below
<b>Integration:</b> Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives.	ECO Flex takes an integrated approach to delivery of energy efficiency measures within dwellings. Consequently, it contributes towards many well-being goals, particularly a resilient, healthier, cohesive, globally responsible and prosperous Wales.	Very Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact. Specifying use of local contractors by ECO agents will also contribute to a more positive impact on the Powys local economy.	Very Good
<b>Preventing Poverty:</b> Prevention, including helping people into work and mitigating the impact of poverty.	Grants will be available for persons in fuel poverty but restricted those in larger homes due to OFGEM funding criteria.	Good	Better targeted support to those individuals in greatest need living in poorly insulated properties (E, F & G EPC rated) will contribute to a more positive impact.	Very Good
<b>Unpaid Carers:</b> Ensuring that unpaid carers views are sought and taken into account	No impact expected.	Neutral	N/A	Neutral
<b>Safeguarding:</b> Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.	No impact expected.	Neutral	N/A	Neutral
<b>Impact on Powys County Council Workforce</b>	The impact of ECO flex being unavailable in Powys will place additional pressure on statutory services provided by the Council.	Poor	The service in question is prepaid to absorb extra work as it will be compensated by income generated to subsidise activities. Most additional work associated with the scheme will be delivered by Warm Wales at zero cost to the council.	Neutral
<b>Source of Outline Evidence to support judgements</b>				
<a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf</a> (Page 57-62) Powys County Council will also target households containing people with specific medical conditions, reflecting the National Institute for Health and Care Excellence (NICE) 2015 guidance on excess winter deaths and illness caused by cold homes.				

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

Severity of Impact on Communities	Scale of impact	Overall Impact
Low	Low	Low
<b>Mitigation</b>		
The council will not be actively involved in delivery of the scheme and will only take a minor administrative role. 1-2 members of staff will need to be seconded away from other duties to assist in operation of the scheme. Impact on communities will be positive regarding reducing carbon emissions from domestic housing and reducing likelihood of residents suffering from fuel poverty. It will also positively impact the local economy providing ECO agents make use of local contractors to undertake installation measures. Impact on communities could be negative regarding existing established business should ECO funding providers take away local trade. Mitigation: Specifying ECO agents use local contractors will contribute to a more positive impact on the local economy.		

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

Impact on Service / Council	Risk to delivery of the proposal	Inherent Risk
Low	Low	Low
<b>Mitigation</b>		
All risks identified can be absorbed by the housing services with a negligible impact.		

Risk Identified	Inherent Risk Rating	Mitigation	Residual Risk Rating
Any risk to be absorbed by housing services with minimal impact	Low	N/A	Low
<b>Overall judgement (to be included in project risk register)</b>			
Very High Risk	High Risk	Medium Risk	Low Risk
			Low Risk

10. Overall Summary and Judgement of this Impact Assessment?

Outline Assessment (to be inserted in cabinet report)	Cabinet Report Reference:
Adoption of ECO Flex in Powys will facilitate delivery of investment into energy efficiency measures by companies' subject to the Energy Company Obligation (ECO). The Central Government scheme will be impartially facilitated via the Community Interest Company Warm Wales at zero cost to the council. The council will recover costs and generate a small sustainable income for each successful measure installed, following a declaration to Warm Wales allowing ECO agents access to funding. The scheme is designed to improve the energy efficiency of dwellings, targeting/improving E, F and G rated premises and reducing likelihood of residents suffering from fuel poverty. A negative impact is the potential detrimental effect on local installers, as providers will come from out of county. To mitigate this, Warm Wales will introduce criteria specifying agents use local installers. Failure to deliver on this obligation will result in removal of agents from the scheme.	

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

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

- Previous success of the scheme whilst in operation in terms of delivery and income generated
- Opinions of local lobbying group who desired concessionary changes
- Desire to assist residents in fuel poverty and to deliver energy efficiency/property improvements, eradicating E, F & G EPC rated properties from Powys
- Political repercussions for the council will likely endure should Powys decline free energy efficiency grants for residents in fuel poverty

12. On-going monitoring arrangements?

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

Feedback from frontline staff involved in operation of the grant, councillor feedback and reviewing of any scheme complaints over time.

### Please state when this Impact Assessment will be reviewed.

October 2020 (or 6 months after scheme adoption)

13. Sign Off

Position	Name	Signature	Date
Impact Assessment Lead:	Julian Preece		January 2019
Head of Service:	Nina Davies		
Director:	Nigel Brinn		
Portfolio Holder:	Cllr. James Evans		

14. Governance

Decision to be made by	Date required
Cabinet	

# FORM ENDS



Scrutiny date	Scrutiny Committee	Item	Working Group end date	Cab/Mgmt Team Date	Cab Date
<b>FEBRUARY 2020</b>					
07/02/20	Audit Committee	Strategic Risk Management Business continuity Internal Audit - performance monitoring Q3 Treasury Management Q3 Closure of Accounts Self Assessment			
13/02/2020	Children's Services WG	Children at the edge of care Children accessing support to meet identified need (IP 4.1 4.6)			
18/02/2020	ERCG WG	Joint Working Group - CIP Update Working Group - HOWPS			
21/02/20	Finance Panel	Financial Overview and Forecast - January Capital Report			03/03/20
24/02/20	ERCG	ECO3 - Pre Cabinet Scrutiny Car Parking Review - establish Working Group Mid Wales Growth Deal - appoint 3 Members to Working Group			
24/02/19	H&C	Children's Services Workforce Development 'Grow Your Own' Child Exploitation Finance and Performance North Powys Project - Model of Care	deferred from 13/01/20	12/02/20 "	03/03/20 "
				10/03/20	24/03/20
<b>MARCH 2020</b>					
02/03/20	LS	Verified Standards, National Categorisation, ERW business plan Mid Wales Growth Deal - confirm representative on Joint Working Group			
04/03/20	Adult Services WG	Service Delivery Plan Transformation of Older People's Accommodation Care and Support in the Community - Financial Assessment of Providers Quality Assurance			
12/03/20	Children's Services WG	Children who are looked after - Placements Commissioning and Placements (IP - Section 4)			
20/03/20	Finance Panel	Financial Overview and Forecast - February			

Scrutiny date	Scrutiny Committee	Item	Working Group end date	Cab/Mgmt Team Date	Cab Date
<b>APRIL 2020</b>					
02/04/20	Health and Care	Children's Services Journey of Transformation		11/03/20	21/04/20
		Children's Services Early Help Strategy			
		Dtoc quarterly information			
		Glan Irfon Update			
		Transformation of Older People's Accommodation			
		North Powys Project - PBC		28/04/20	12/05/20
06/04/2020	LS				
06/04/20	ERCG	Further review of Workways+ Powys and CfW+			
		Progress Report - on Implementing Tenant Satisfaction Survey Action Plan			
		Revision of Policy - Death of a Tenant with no next of kin			
		Centre for Rail Excellence - Presentation			
08/04/20	Children's Services WG	Children who are looked after - support			
		Meeting the placement needs of children within Powys (IP-4.8 - 4.22)			
27/04/20	Finance Panel				
27/04/20	Adult Services WG	Digital Front Door			
		Carers			
		Care and Support in the Community - Direct Payments			
		Quality Assurance			
<b>MAY 2020</b>					
07/05/20	Audit	WAO - Audit Plan			
		Draft Annual Governance Statement			
		Strategic Risk Management			
		Business continuity			
		Internal Audit - Annual Plan and Performance Review			
		Treasury Management Annual Review and Q4			
		Closure of Accounts			
11/05/20	Children's Services WG	Young People Leaving Care			
		Services to care leavers in line with good practice (IP 3.36-3.38)			
18/05/20	LS	Annual Scrutiny Review and 2020/21 work programme			
		PIAP - focus on R3			
		Vision for Schools Transformation - Principles			
18/05/20	Health and Care	Finance and Performance			
		Children's Services Intervention and Prevention Update (I)			
		Returning Children Closer to Home (I)			
		Children's Services Intervention and Prevention Update			

Scrutiny date	Scrutiny Committee	Item	Working Group end date	Cab/Mgmt Team Date	Cab Date
		Children's Services Short Breaks			
		Supported Accommodation 16+			
		Participation with children and young people			
		Relaunch of Children's Front Door			
		Support to Care Leavers			
		North Powys Project - SOC		30/06/20	14/07/20
18/05/20	ERCG	Green Waste Bins - Update Report			
		Evaluation of the impact of the roll out of full service - universal credit on HRA rent arrears			
		Crime and Disorder			
20/05/20	Adult Services WG	Community Equipment Service			
		Care and Support in the Community - DPS and Virtual			
		Quality Assurance			
28/05/20	Finance Panel	Outturn 2019/20			02/06/20
<b>JUNE 2020</b>					
12/06/20	Audit Seminar	Draft SoA			
22/06/20	Adult Services WG	Service Delivery Plan			
		Supporting People			
		Care and support in the community - Contract monitoring and safeguarding			
		Quality Assurance			
25/06/19	Children's Services WG	Youth Justice			
		Safeguarding and good Core Social Work Practice (IP - Section 3)			
26/06/20	Finance Panel				
29/06/20	Health and Care	Director of Services Annual Report			
		Detoc quarterly information			
		Child Exploitation Prevention Strategy			
		Children's Services Participation and MOMO (I)			
		Children's Services Practice Standards (I)			
		Corporate Safeguarding			
		Glan Irfon Update			
29/06/20	ERCG	Statutory Plan for the implementation of the Council's biodiversity duty			

Scrutiny date	Scrutiny Committee	Item	Working Group end date	Cab/Mgmt Team Date	Cab Date
15/06/20 - 19/06/20	Working Groups				
22/06/20 - 26/06/20	Working Groups	Proportion of revenue spend increase 2% 19/20			
29/06/20 - 03/07/20	Working Groups	Assess effectiveness of marketing programme			
	Committees	Check inward investment strategy and action plan			
<b>JULY 2020</b>					
06/07/2020 (To be moved to June)	LS	WESP Draft document prior to consultation			
		Finance and Update on budget			
27/07/20	Children's Services WG	Education - curriculum being mindful of the wellbeing of children			
		Participation Officer (scrutiny of user feedback)			
27/07/20	Adult Services WG	Care and Support in the Community - Community Catalysts			
		Care and Support in the Community - Reablement			
		Quality Assurance			
29/07/20	Finance Panel				
<b>AUGUST 2020</b>					
13/08/20	Health and Care				
13/08/20	ERCG				
17/08/20	LS				
28/08/20	Audit Seminar				
<b>SEPTEMBER 2020</b>					
04/09/20	Audit	SoA including AGS			
		Annual Audit Opinion			
		WAO - Annual Improvement Report			
		Strategic Risk Management			
		Business Continuity			
		Treasury Management			
		Internal Audit - Performance Management Q1			
		Closure of Accounts			

Scrutiny date	Scrutiny Committee	Item	Working Group end date	Cab/Mgmt Team Date	Cab Date
08/09/20	Adult Services WG	Service Delivery Plan			
		Care and Support in the Community - Recruitment/Retention/Demographics			
		Quality Assurance			
11/09/20	Finance Panel	Financial Overview and Forecast - June/July Capital Report			15/09/20
17/09/20	Children's Services WG				
28/09/20	Health and Care	Detox quarterly information Adoption EDT Out of Hours Services			
28/09/20	ERCG	Housing Estate Management Service - Progress Report Progress on Council House building programme			
28/09/20					
<b>OCTOBER 2020</b>					
05/10/20	Finance Panel	Financial Overview and Forecast -August Capital Programme			06/10/20
07/10/20	Adult Services WG	Care and Support in the Community - fee setting and living wage Quality Assurance Accommodation Options			
12/10/20	Children's Services WG				
29/10/20	Finance Panel	Financial Overview and Forecast - September Capital Report			03/11/20
<b>NOVEMBER 2020</b>					
01/11/20	ERCG	Crime and Disorder			
02/11/20	Health and Care	Finance and Performance			
02/11/20	LS	WESO Final Document (following consultation)			

Scrutiny date	Scrutiny Committee	Item	Working Group end date	Cab/Mgmt Team Date	Cab Date
09/11/20	Adult Services WG	Supported Living			
		Care and Support in the Community - home based support			
		Quality Assurance			
19/11/20	Finance Panel	Financial Overview and Forecast - October			24/11/20
		Capital Report			
23/11/20	Children's Services WG				
<b>DECEMBER 2020</b>					
09/12/20	Adult Services WG	Service Delivery Plan			
		Care and Support in the Community -Single Handed Care Project			
		Quality Assurance			
10/12/20	Audit	Strategic Risk Management			
		Business continuity			
		Internal Audit - Performance Q2			
		Closure of Accounts			
10/12/20	Finance Panel	Financial Overview and Forecast - November			15/12/20
		Capital Report			
14/12/20	Health and Care				
14/12/20	ERCG				
14/12/20	LS				
	ERCG				
<b>2021</b>					
Jan	ERCG	Budget / MTFS / Vision 2025			
Jan	LS	Budget / MTFS / Vision 2025			
Jan	HC	Budget / MTFS / Vision 2025			
July	Audit	SoA by 31 July 2021			