

# Public Document Pack



Cyngor Sir  
**CEREDIGION**  
County Council

Neuadd Cyngor Ceredigion, Penmorfa,  
Aberaeron, Ceredigion SA46 0PA  
[www.ceredigion.gov.uk](http://www.ceredigion.gov.uk)

5 January 2022

Dear Sir/Madam

I write to inform you that a Meeting of Cabinet will be held remotely by video-conference on Tuesday, 11 January 2022 at 10.00 am for the transaction of the following business:

1. **Apologies**
2. **Personal matters**
3. **Disclosure of Personal/ Prejudicial Interests.**
4. **A verbal update by the Leader of the Council in relation to COVID-19**
5. **To confirm as a true record the Minutes of the previous Meeting of the Cabinet and any matters arising from those Minutes.  
FOR DECISION (Pages 5 - 10)**
6. **Any petitions received**
7. **Reports of any decisions (if any) having been called in from Overview and Scrutiny Committee**
8. **Any feedback from Overview and Scrutiny Committee not otherwise on the agenda**
9. **To consider the report of the Corporate Lead Officer for Schools and Culture upon LA Representative on Governing Bodies  
FOR DECISION (Pages 11 - 12)**
10. **To consider the report of the Corporate Lead Officer for Schools and Culture upon 6th Form Education  
FOR DECISION (Pages 13 - 74)**
11. **To consider the report of the Corporate Lead Officer for Schools and Culture upon Mid Wales Education Partnership  
FOR DECISION (Pages 75 - 90)**
12. **To consider the report of the Corporate Lead Officer for Legal and Governance Services upon Growing Mid Wales - Inter-Authority Agreement 3 in relation to the delivery of the Mid Wales Growth Deal  
FOR DECISION (Pages 91 - 150)**

13. **To consider the report of the Corporate Lead Officer for Highways and Environmental Services upon Ceredigion County Council (Prohibition And Restriction Of Waiting And Loading And Unloading) Order 2019 (Market Street, Lampeter) (Amendment Order No. 6) 2022 FOR DECISION (Pages 151 - 178)**
14. **To consider the report of the Corporate Lead Officer for Highways and Environmental Services upon Retaining elements of the Temporary Traffic Regulation Orders (TTROs) in towns in Ceredigion FOR DECISION (Pages 179 - 208)**
15. **To consider the report of the Corporate Lead Officer for Policy, Performance and Public Protection upon Review of Statutory Statement of Gambling Policy FOR DECISION (Pages 209 - 278)**
16. **To note the report of the Corporate Lead Officer for Porth Cynnal upon Independent Reviewing Service Performance Management Report Quarter 1, 2021/22 FOR INFORMATION (Pages 279 - 312)**
17. **To note the report of the Corporate Lead Officer for Porth Cymorth Cynnar upon Ceredigion Youth Council Meeting Minutes (22.10.21) FOR INFORMATION (Pages 313 - 326)**
18. **To note the report of the Corporate Lead Officer for Porth Gofal upon Social Housing Grant (SHG) Development Programme FOR INFORMATION (Pages 327 - 352)**
19. **Any other matter the Chairman decides is for the urgent attention of the Cabinet**

A Translation Service will be provided at this meeting and those present are welcome to speak in Welsh or English at the meeting.

Yours faithfully



**Miss Lowri Edwards**  
**Corporate Lead Officer: Democratic Services**

**To: The Leader of the Council and Members of the Cabinet**  
**The remaining Members of the Council for information**

Notice of the Decisions of the **Meeting of the CABINET**  
held via video-conference on **Tuesday, 7 December 2021**

This Notice is published at 5.00pm on Thursday, 9 December 2021.  
Requests to call-in any decision to be delivered to the Head of Democratic Services by 5.00 pm on Thursday, 16 December 2021. The decisions will come into force (if no valid call-in application is received) on Friday, 17 December 2021

**PRESENT:** Councillor Ellen ap Gwynn (Chair), Councillors Dafydd Edwards, Rhodri Evans, Catherine Hughes, Gareth Lloyd, Catrin Miles, Ray Quant MBE and Alun Williams

**Also in attendance:** Councillors Ceredig Davies Keith Evans, Lynford Thomas, Wyn Thomas, Ivor Williams

(10.00 - 11.35am)

**124 Apologies**

No apologies were received.

**125 Personal matters**

- (i) With great sadness, the sudden death of Daniel Davies, son of Councillor Gareth Davies and Mrs Julie Davies and brother of Angharad was reported. Sincere condolences were extended to the family.  
A minute's silence was observed in his memory.
- (ii) Congratulations were extended to the Reverend Andy John, Bishop of Bangor, on his appointment as Archbishop of Wales.
- (iii) Today is a celebration of Welsh Language Rights Day and the Leader urged all to communicate and use the Council's services in Welsh as well as in English.
- (iv) Councillor Euros Davies was congratulated on his success in exhibiting a pair of Llanwenog lambs at the recent Royal Welsh Agricultural Society's Winter Fair. Congratulations were also extended to all Ceredigion Young Farmers Club members who took part in the event.

**126 Disclosure of Personal/ Prejudicial Interests.**

There were no disclosures of personal and/or prejudicial interests.

**127 A verbal update by the Leader of the Council in relation to COVID-19**

The Leader provided an update on the Covid-19 situation. A further 35 positive cases have been reported today culminating in a total of 6670 since the beginning of the pandemic. This equates to 251.1 per 100,000 of the population in Ceredigion, with 183 positive cases reported in the last seven days. Per area figures per 100,000 population as of 2<sup>nd</sup> December 2021 are as follows:

Cardigan & Aberporth 247.8;  
Beulah, Troedyrour & Llandysul 351.8;  
New Quay & Penybryn 136.9;  
Lampeter & Llanfihangel Ystrad 291.2;

Aberaeron & Llanrhystud 211.4;  
Rheidol, Ystwyth & Caron 450.4;  
South Aberystwyth 313.8;  
North Aberystwyth 147.1;  
Borth & Bontgoch 94.1.

Figures appear to be climbing again as in most areas of Wales with the majority of cases mainly in 12 – 19 year olds. Due to the number of staff and pupils receiving positive results, Dyffryn Cledlyn School has returned to providing lessons online this week. Bro Teifi and Bro Pedr schools are also undergoing staffing problems.

Council services continue as usual. The Click and Collect system remains in the county's libraries. The Leisure Centres in Cardigan and Aberystwyth will reopen as soon as remedial work are complete.

The Leader noted that there are currently no plans nationally to close schools before the end of term.

**128 To confirm as a true record the Minutes of the previous Meeting of the Cabinet and any matters arising from those Minutes.**

To confirm as a true record the Minutes of the previous Meeting of the Cabinet held on 2 November 2021.

Matters arising: Councillor Keith Evans wished it to be noted in the minutes that he had apologised for not being able to attend the meeting.

**129 Any petitions received: Llewod Llambled says "Save our Sports Hall"**

Llewod Llanbed says 'Save our Sports Hall'

It was noted that the above petition had been received and would be dealt with in accordance with the guidelines in the Petitions Protocol.

**130 Reports of any decisions (if any) having been called in from Overview and Scrutiny Committee**

None.

**131 Any feedback from Overview and Scrutiny Committee not otherwise on the agenda**

See decision 135.

**132 To consider the report of the Corporate Lead Officer for Schools and Culture upon LA Representative on Governing Bodies**

(i) To confirm the nominations outlined in the report as LA representatives on the Governing Bodies of the relevant School.

***Reason for decision:***

*To nominate representatives of the LA on Governing Bodies.*

- 133 To consider the report of the Corporate Lead Officer for Finance and Procurement upon Council Tax Base and Precept Payment Dates**  
(i) To approve the Council Tax Base as set out in the appendices to the report; and  
(ii) To approve the proposed schedule of instalments as recommended under item 4 of the report.

***Reason for decision:***

*Legal requirement.*

- 134 To consider the report of the Corporate Lead Officer for Finance and Procurement upon The updated Capital Programme 2021/22**  
(i) To approve an updated 2021/22 Capital Programme of £26.484m as set out in Appendix A of the report  
(ii) To note the performance in the Capital Monitoring Report as set out in Appendix B of the report.

***Reason for decision:***

*To update the 2021/22 Capital Programme.*

- 135 To consider the report of the Corporate Lead Officer for People and Organisation upon HR Model Policies for Schools: Dignity at Work Policy & Procedure and Managing Sickness Absence at Work with feedback from the Overview and Scrutiny Committee**  
(i) To approve the Dignity at Work Model Policy and Procedure for Schools and to commend to Governing Bodies for adoption within schools in Ceredigion.  
(ii) To approve the Managing Staff Sickness at Work Model Policy and Procedure for Schools and to commend to Governing Bodies for adoption within schools in Ceredigion.  
(iii) To note the feedback from the Corporate Resources Overview and Scrutiny Committee.

***Reason for decision:***

*(i) To provide a safe, healthy and productive work environment free from harassment, bullying and victimisation across schools in Ceredigion.*

*(ii) To provide support and promote a healthy workforce that is vital to the success of our pupils.*

- 136 To consider the report of the Corporate Lead Officer for People and Organisation upon HR Policies: (1) Driving at Work - Council Fleet and (2) Driving at Work - Use of Private Vehicles (Grey Fleet) policies with feedback from the Overview and Scrutiny Committee**  
(i) It was agreed to defer the item and to refer it back to the Corporate Resources Overview and Scrutiny Committee for further consideration, and be presented to a future Cabinet meeting.

***Reason for decision:***

*To provide time for further consideration.*

**137 To consider the report of the Corporate Lead Officer for Legal and Governance Services upon Mid Wales Corporate Joint Committee**

(a) To grant delegated authority to the Chief Executive's (in consultation with the Leader) to enter into dialogue within the respective authorities (Powys County Council & Brecon Beacons National Park Authority) to develop proposals for establishing the Mid Wales CJC;

(b) To authorise Officers to:

i) establish the work streams needed to progress the establishment and development of the Mid Wales CJC, and

ii) work with Powys County Council & Brecon Beacons National Park Authority to develop proposals for establishing the Mid Wales CJC.

***Reason for decision:***

*1. To enable establishment of a CJC in the Mid Wales region as required in Part 5 of the Local Government and Elections (Wales) Act 2021.*

*2. Ensure compliance with legislation.*

*3. Ensure that appropriate governance arrangements are in place.*

**138 To consider the report of the Corporate Lead Officer for Porth Cynnal upon Residential Provision for the Care and Support of Children and Young People in Ceredigion**

(i) To approve the establishment of a small group home at a mid county location for the purpose of providing Ceredigion children with a safe haven within Ceredigion and to consider a strategy to develop further similar options north and south of the county.

(ii) To approve that officers submit funding bids to the regional safe accommodation ICF capital and revenue scheme.

(iii) To approve the use of the Council's corporate funds in order to establish and maintain the proposed provision.

(iv) That there will be further consultation through the planning process.

(v) To note that, pending the outcome of the above proposal, necessary alternative temporary care arrangements made on an emergency basis for any child will require officers to take action to comply with the regulatory and legislative requirements.

***Reason for decision:***

*In order to progress the provision of suitable care and support services for children and families in Ceredigion.*

**139 To consider the report of the Corporate Lead Officer for Highways and Environmental Services upon Ceredigion County Council (Llangwryfon) (Width Restriction) Order 2021**

(i) To approve advertising the proposal to members of the public, and should no objections be received, the making of the necessary Traffic Regulation Order and the publication of a subsequent Notice of Making in the press to this effect.

***Reason for decision:***

*To prevent damage to public highway, a bridge, and private property.*

**140 To note the report of the Corporate Lead Officer for Finance and Procurement upon Controllable Revenue Budget - 2021/22**

- (i) Cabinet noted the report

**141 To note the report of the Corporate Lead Officer for Finance and Procurement upon Mid-year review of the Treasury Management Strategy for 2021/22**

- (i) Cabinet noted the report.

**142 To note the report of the Corporate Lead Officer for Porth Cynnal upon CYSUR/CWMPAS Combined Local Operational Group Safeguarding Report Quarter 1 2021/22**

- (i) Cabinet noted the report.

**143 Attachment to the report of the Corporate Lead Officer for Porth Cynnal upon Residential Provision for the Care and Support of Children and Young People in Ceredigion**

The report relating to item 143 is not for publication as it contains exempt information as defined in paragraph 13 and 14 of Part 4 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to information) (Variation) (Wales) Order 2007. If, following the application of the Public Interest Test, the Council resolves to consider this item in private, the public and press will be excluded from the meeting during such consideration, in accordance with Section 100B(2) of the Act.

**Decision**

It was agreed to exclude the press and public from the meeting following the next agenda item, 144.

Cabinet noted the report in relation to decision 138.

**144 Any other matter the Chairman decides is for the urgent attention of the Cabinet**

- i. Councillor Catrin Miles, Cabinet Member for Schools, Lifelong Learning and Skills, Support and Intervention, stated that the current school term ends on 22 December 2021 and that schools will reopen on 5 January 2022.
- ii. The Leader advised all to take care in the imminent storm 'Barra'. She wished all Highways staff well during the next few days and thanked them for their work.

**Confirmed at the Meeting of the Cabinet held on 11 January 2022**

**Chairman:** \_\_\_\_\_

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

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## CEREDIGION COUNTY COUNCIL

**Report to:** Cabinet

**Date of meeting:** 11 January 2022

**Title:** LA Representative on Governing Bodies

**Purpose of the report:** To confirm the nomination of LA Representative on Governing Bodies

**For:** Decision

**Cabinet Portfolio and Cabinet Member:** Cllr Catrin Miles, Schools Service, Lifelong Learning and Leisure.

**Talybont Community Primary School:** Elect Rhian Nelmes as LA Governor at the request of the Governing Body of Talybont Community Primary School.

**Cei Newydd Community Primary School:** Re-elect Richard Phillips as LA Governor at the request of the Governing Body of Cei Newydd Community Primary School.

**Has an Integrated Impact Assessment been completed?**

No – report does not refer to a Policy or Service change.

**Wellbeing of Future Generations:**

**Summary:**

**Long term:**

**Collaboration:**

**Involvement:**

**Prevention:**

**Integration:**

**Recommendation(s):** Members are requested to confirm the nomination of the above named as LA representatives on the Governing Bodies of the relevant School.

**Reasons for decision:** To nominate representatives of the LA on Governing Bodies.

**Overview and Scrutiny:** N/A

**Policy Framework:**

<b>Corporate Priorities:</b>	N/A
<b>Finance and Procurement implications:</b>	None
<b>Legal Implications:</b>	
<b>Staffing implications:</b>	None
<b>Property / asset implications:</b>	None
<b>Risk(s):</b>	N/A
<b>Statutory Powers:</b>	N/A
<b>Background Papers:</b>	N/A
<b>Appendices:</b>	N/A
<b>Corporate Lead Officer:</b>	Meinir Ebbsworth – Corporate Lead Officer - Schools
<b>Reporting Officer:</b>	Nia James
<b>Date:</b>	13 December 2021

## CEREDIGION COUNTY COUNCIL

**Report to:** Cabinet

**Date of meeting:** 11.1.2022

**Title:** Provision of post 16 education in schools

**Purpose of the report:** To gain a recent analysis and appraisal of post 16 provision within the County

**For:** For Decision

**Cabinet Portfolio and Cabinet Member:** Cllr Catrin Miles

Progress against School Service Measures were presented to Performance Board on 24.11.21. As a result of reporting that 51 of the 199 A level courses run in Ceredigion schools in 21-22 academic year have less than 5 pupils.

The last review of post 16 provision was conducted in 2007-8, and is attached below.

Ceredigion's Mid Term Financial Strategy for 2021-22 onwards states "In January 2020, there were 701 year 12 and 13 pupils in Ceredigion schools. By January 2024 this number is forecast to increase to 776. The Audit Commission has suggested that school sixth forms must have at least 150 pupils in order to be viable and sustainable. By 2024, five out of the six Ceredigion sixth forms are likely to have fewer than 150 pupils."

There are currently two elements which are driving the post-16 transition agenda nationally:

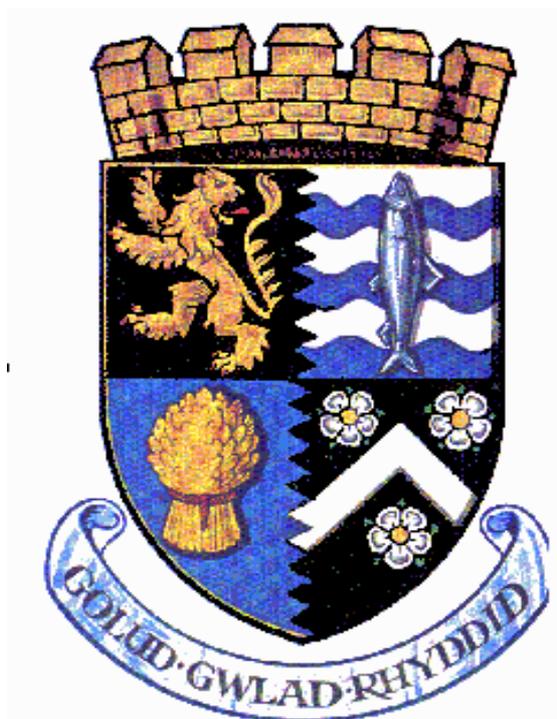
1. **Commission for Tertiary Education and Research (CTER):** This is a new body which will be responsible for overseeing the post-16 sector in Wales, independently of KS3 and KS4 for the first time. The body will have many responsibilities, which will include funding and will consider the viability of subjects and quality in schools and colleges. CTER will have the power to influence the curriculum within any Local Authority. This body will be operational from September 2023 and will be formed by September 2022.
2. **Estyn Thematic Review on Post-16 partnerships:** The findings of this review note a need to ensure strong partnership working underpinned by impartial advice and guidance for all pupils. As a result of this review, Welsh Government have created a board to consider how it can implement the recommendations.

	<p><b>Has an Integrated Impact Assessment been completed?</b>  <b>If, not, please state why</b>  Not Applicable at this stage</p>
<b>Wellbeing of Future Generations:</b>	<p><b>Summary:</b>  <b>Long term:</b>  <b>Collaboration:</b>  <b>Involvement:</b>  <b>Prevention:</b>  <b>Integration:</b></p>
<b>Recommendation(s):</b>	To establish a brief and conduct a review of post 16 education to be presented to Cabinet.
<b>Reasons for decision:</b>	To gain a recent analysis and appraisal of post 16 provision within the county
<b>Overview and Scrutiny:</b>	
<b>Policy Framework:</b>	Not Applicable at this stage
<b>Corporate Priorities:</b>	Investing in People's Future
<b>Finance and Procurement implications:</b>	Not Applicable at this stage
<b>Legal Implications:</b>	Not Applicable at this stage
<b>Staffing implications:</b>	Not Applicable at this stage
<b>Property / asset implications:</b>	Not Applicable at this stage
<b>Risk(s):</b>	Not Applicable at this stage
<b>Statutory Powers:</b>	
<b>Background Papers:</b>	Review of Secondary Education in Ceredigion CTER overview: <a href="https://www.youtube.com/watch?v=Ote73Q6eJA4">https://www.youtube.com/watch?v=Ote73Q6eJA4</a> Estyn thematic review on post 16 provision: <a href="https://www.estyn.gov.wales/system/files/2021-08/Post-16%20partnerships%20en.pdf">https://www.estyn.gov.wales/system/files/2021-08/Post-16%20partnerships%20en.pdf</a>
<b>Appendices:</b>	

**Corporate Lead Officer:** Meinir Ebbsworth  
**Reporting Officer:**

**Date:** 22.12.2021

# DEVELOPING SECONDARY EDUCATION IN CEREDIGION TO 2020



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## PURPOSE OF THE CONSULTATION DOCUMENT

### **Mission Statement**

*'To provide and promote knowledge, skills, competencies, experiences, qualifications and attitudes to ensure that the children, young people and adults in Ceredigion fulfill their potential as bilingual individuals and as members of their local and global communities throughout their lives'.*

**Single Education Plan 2006-08**

In an environment of rapid change and increasing pressures to improve learning standards and opportunities the sustainability of the current provision of education in Ceredigion is being challenged. Given the demands upon headteachers and teachers, falling rolls in schools and the nature and quality of buildings to meet the requirements of the learning environment in the 21st Century the Ceredigion Education Authority must consider the future provision of education in the county.

The principal purpose of the document is:

- *To review and revise the policy context within which the provision of education across Ceredigion may be developed in accordance with key County Council policies and strategies including Ceredigion 2020, Children and Young People's Plan and Welsh Language Strategy.*
- *To enhance bilingual education in the secondary sector.*
- *To establish a strategy for creating and implementing a programme to develop education in Ceredigion - embracing provision for 14 -19 and post 16 education.*
- *To make further recommendations for options for the organisation of schools, particularly in the secondary sector, in the context of falling pupil rolls and their consequences and in the context of primary restructuring.*
- *To provide a foundation for effective future planning in order to maximize funding which may be available from a variety of sources for capital investment in schools.*

The document provides a basis for extensive proposed consultation by the Council with stakeholders on the shape of education delivery to the future thereby building upon the response to the extensive consultation which was undertaken regarding primary education in Ceredigion between September and December 2008.

As indicated above this document therefore presents options for provision of education in various localities and offers, where appropriate, progressive stages to reach what is deemed to be the optimum type of provision by 2020.

It is imperative that it is clearly understood by all stakeholders that retaining the *status quo* is no longer sustainable. There exists an opportunity to build a strong basis not only for current learners but for future generations to come. It calls for vision, boldness and co-operation.

It should be noted that the document focuses primarily upon the secondary phase with close collaboration with Coleg Ceredigion but it does not preclude the inclusion where appropriate of approaches involving primary schools

These proposals have been formulated whilst maintaining five main aims and priorities for Ceredigion. They are to:

- Ensure that the excellent quality and high standards of education and training are maintained
- Protect education between 11-18 in all 6 major market towns for as long as is sustainably possible
- Provide a comprehensive range of 14-19 courses to meet WAG requirements
- Develop and expand on Welsh medium provision across all secondary schools within the Authority
- Ensure all educational buildings and facilities are fit for purpose by 2020

This document was prepared in consultation with the Headteachers of the seven Secondary Schools and the Principal of Coleg Ceredigion. They support the principles underlying the document. The Headteachers also support the presentation of the document for full consultation regarding the relevant options for the local areas of their school.

***Director of Education and Community Services  
Swyddfa'r Sir  
Glan y Mor  
Aberystwyth  
Ceredigion SY 23 2DE***

# REVIEW OF SECONDARY EDUCATION IN CEREDIGION

## INTRODUCTION

This document is designed to provide a more detailed perspective on secondary education than that provided in “Planning Education Provision to 2020”. However the principles upon which that document was based and the vision it projected will underpin the recommendations contained in this report.

Secondary schools in Ceredigion currently deliver a high quality education for learners as demonstrated by the consistently high examination results attained every year. This quality must be safeguarded in any future plans for the county. However, for reasons that will become apparent later in this report the current structure for secondary education will not be sustainable in the longer terms. The evidence for this statement is contained within four analytical sections which examine:

- a) Demographic factors and pupil numbers
- b) The needs of learners and the impact of curriculum change, particularly at 14-19.
- c) The financial management of the secondary sector
- d) The condition of sites and buildings and the prospects for capital development.

The analytical sections are prefaced by a description of the Learners’ entitlement at 14-19 which underpin our planning and organisation.

The recommendations also take account of the proposals for all-through 3-19 schools in “Planning Education Provision to 2020”. The impact of the recently published County Language Strategy and transport issues have also been fully considered. Where appropriate preliminary discussions have taken place with officers from neighbouring unitary authorities. Consultations have also taken place with Coleg Ceredigion and Aberystwyth University.

The recommendations and options are designed to provide viable structures so that parents and learners can be confident that institutions will be able to provide the revised KS3 curriculum and the option menus required at 14-19, either individually or in collaboration with other institutions. The current state of secondary school budgets is a significant risk factor for the unitary authority and the options presented in this report are designed not only to eliminate substantial deficits but also to provide significant revenue savings to underpin a large scale capital development programme to bring the building stock in the secondary sector and some areas in the primary sector up to the required standard.

New management structures will be required to co-ordinate the work of institutions in implementing curriculum changes at 14-19 and these are explained in section 7.

In the section on recommendations and options, interim proposals are outlined to guarantee minimum curriculum entitlements at all institutions in 2009 and 2010 before the options proposed could be implemented. These interim proposals are designed to reduce risk factors: they are not long term solutions to the fundamental issues raised in the first four sections of this report.

The report has been constructed with tight deadlines in mind. The reasons for this decision were as follows:

- The urgency of meeting the demands of the Learning and Skills (Wales) Measure 2009, in time for preliminary curriculum and staffing decisions for September 2009 and projected plans for 2010.
- To allow the LEA time to prepare the options into respective detailed proposals as early as possible to meet DCELLS deadlines for transformation and capital development plans. This is particularly important as a critical recommendation is phased expenditure of £50,000,000 on new build. This work will have to be done between December and March 2009 at the latest.
- To impact upon budget discussions for 2009-10 and to expedite an urgent revision of funding formulae which, in their current form, are unhelpful, both operationally and in terms of strategic planning.
- To allow governing bodies adequate time to reflect upon some challenging conclusions about current practice.

## **1. THE LEARNERS' ENTITLEMENT 14-19**

It is important to set out at the beginning the entitlement of every learner.

**1.1** The Learners' entitlement is based on the following key components:

- Access to high quality learning and teaching in modern, well-equipped facilities.
- Access to the statutory core and an agreed minimum range of options providing curriculum breadth.
- Vocational options which can be accessed across the ability range.
- Options to be delivered in more than one institution where resources allow.
- Clearly defined progression in all the learning pathways through the medium of Welsh.
- Maintaining and enhancing the current standards of education through the medium of both Welsh and English and bilingually.
- Good quality pastoral care and support.
- A wider range of curriculum opportunities.
- Guaranteed progression through the pathways at 14-19 accessing courses through to Level 3.

**1.2 The Learners' Entitlement at KS4 14-16**

The aims of the KS4 curriculum will be:

- to meet all statutory requirements
- to provide breadth and coverage of the five domains of learning
- to provide learning pathways within the curriculum and guaranteed progression through to 16-19
- to meet the needs of individual students of all abilities
- to ensure equitable provision in both Welsh and English and bilingually.

The recommendations are:

- All school pupils in Year 10 starting September 2009 have a minimum entitlement to 24 subjects including all core subjects. This will be increased to at least 30 subjects by September 2012. This entitlement could be delivered either institutionally or collaboratively.
- This total provision will include a minimum of 5 vocational subjects at Level 2 that meet local employment priorities and which can be guaranteed progression through to Level 3 in the local area.

- During the period 2010-12 all providers will consider offering 6 key skills for 14-16, achieving a minimum of 4 to comply with the foundation Welsh Baccalaureate requirement.
- Access to the Welsh Baccalaureate at Foundation and Intermediate levels at KS4 will be considered.
- Wider curriculum opportunities to ensure an appropriate range of formal and non formal experiences, partly to accommodate the needs of young people including those on the NEET (Not in Education, Employment and Training)
- Pastoral support to include existing services, PSHE, access to Learning Coach, link with youth services, health authority, CAHMS and support for LAC and NEET pupils.
- A programme of work based learning that complies with Learning Core guidance.
- Opportunities to participate in and receive accreditation for community focussed activities.

### **1.3 The Learners' Entitlement at 16-19**

The aims of the 16-19 curriculum will be:

- to incorporate legislative requirements
- to provide breadth and coverage of the five domains of learning
- to provide learning pathways within the curriculum and guaranteed progression through employment, further education and higher education
- to meet the needs of individual students of all abilities
- to ensure equitable provision through the medium of Welsh and English and bilingually.

The recommendations are:

- All school pupils in Year 12 starting September 2011 will have access to a minimum of 25 AS/A2 general subjects and 5 Level 3 vocational courses that meet local employment priorities.
- The courses above could be delivered institutionally or collaboratively but in the most cost effective manner consistent with NPFS and county policies.
- All providers will offer 6 key skills for the 16-19 cohort in line with Learning Core requirements.
- Pastoral support to include existing services, PSHE, access to Learning Coach, link with youth services, health authority, CAHMS and support for LAC and NEET pupils.
- A programme of work based learning that complies with Learning Core guidance.
- Opportunities to participate in and receive accreditation for community focussed activities.

## **2. PUPIL NUMBERS AND PLACES**

- 2.1 The last three years have seen a steady decline in pupil numbers in the secondary sector in Ceredigion. This decline is expected to continue.

In January 2008 there were 5004 secondary age pupils registered. By January 2013 this total will have reduced to approximately 4669 using the most optimistic projection.

In January 2008 there were 1480 surplus places in secondary schools, representing 23% of the total capacity. This is similar to the percentage of spare places in the primary sector. However there is significant undercapacity in three secondary schools which ranges from 44% to 34%.

- 2.2 The Audit Commission has recommended that the minimum effective size of a school sixth form is 150 learners across two year groups. In Wales as a whole only 47% of sixth forms are operating at this level. In Ceredigion only one school sixth form out of 7 operates over this level currently. Whilst the Audit Commission recommendation has to be considered in the context of an area where rurality, sparsity and linguistic issues have to be considered, as acknowledged in Transforming Education and Training in Wales document (September 2008). It is nonetheless a significant benchmark to which the authority should have regard.

- 2.3 Current projections indicate a further deterioration in pupil numbers from 2008 to 2013. This data is contained in Fig. 1.

The overall population of secondary schools is estimated to decline to 4669 by January 2013. The number of surplus places by that stage will be 1815, representing 28% of the total. On current projections two schools will be approaching 50% under capacity, with two others approaching 40%.

- 2.4 The number of sixth form students will decrease further as smaller year groups work through the secondary schools by 2013. It is estimated that further hundred sixth form places will have disappeared. Inevitably sixth form unit costs are likely to rise.

- 2.5 In a situation where cumulative deficits in the secondary sector in 2008-9 are already at a minimum of £550,000 and are likely to go as high as £800,000. The demographic changes outlined above will also have an impact and the deficits will become more difficult to manage. As secondary school budgets are primarily affected by pupil numbers and, in the 16-19 sector, primarily by numbers and courses, the deficits will become more difficult to eliminate. Local government settlements also be a contributing factor..

- 2.6 Such a high proportion of surplus places is inefficient in terms of the costs associated with the maintenance of excess school buildings. The difficulties of operating small sixth forms are demonstrated elsewhere in this report and include very high unit costs, excessive duplication of courses other than for linguistic reasons and inadequate choices for learners.

**PUPIL PROJECTIONS 2009-13 (Figure 1)**

<b>SCHOOL</b>	<b>Estimate</b>	<b>JAN 09</b>	<b>JAN 10</b>	<b>JAN 11</b>	<b>JAN 12</b>	<b>JAN 13</b>
Aberaeron	LEA est School est	689 684 (actual)	676 691	663 676	646 664	630 648
Lampeter	LEA est School est	669 707 (actual)	683 734	690 731	701 743	705 720
Tregaron	LEA est School est	348 336 (actual)	334 336	323 357	305 343	288 343
Penglais	LEA est School est	1367 1395 (actual)	1359 1399	1352 1353	1335 1351	1313 1316
Penweddig	LEA est School est	579 575 (actual)	554 568	545 564	534 552	527 550
Cardigan	LEA est School est	658 658 (actual)	622 622	579 579	541 541	509 509
Dyffryn Teifi	LEA est School est	549 607 (actual)	544 589	544 576	528 564	538 583

### 3. CURRICULUM CHANGE IN THE SECONDARY SECTOR

Any review of secondary reorganisation will be influenced by the most significant changes in the curriculum for over 20 years. Not only are the changes significant in themselves but the implementation of such changes will occur within a very narrow time frame 2008-12 in **all** three key stages in the secondary phase.

#### 3.1 The National Curriculum

A revised curriculum framework has been devised which introduces new national curriculum subject orders and statutory frameworks for personal and social education, careers and the world of work. A non statutory skills framework and a national exemplar framework for religious education have also been introduced.

One of the overall aims of the revised curriculum is to reduce prescription and to give control and responsibility back to schools and to learners themselves.

Schools are free to organise and deliver the curriculum in the way that best suits their circumstances and needs. There are no constraints relating to time allocation or organisation of subjects. Schools can choose to:

- retain their existing approach to curriculum organisation whilst adopting a new approach to delivery

or

- develop more imaginative and innovative ways of delivering the statutory curriculum. Such changes in approach might include moving away from a rigid hourly timetable, combining the teaching of one or more subjects in a thematic way or using a series of whole days – in or out of school – to focus on a particular topic.

Secondary schools will, at the very least, be reviewing their KS3 curricula in the light of these recommendations and are expected to respond to the new flexibility that is driving the new agenda.

#### 3.2 14-19 Implications

14-19 the Welsh Assembly Government has outlined its commitment to transforming the provision for 14-19 year olds in “Wales is the Learning Country: Vision into Action” 2006. Its aim is for:

*“95 per cent of young people by the age of 25 to be ready for high skilled employment and / or further or higher education by 2015”.*

- 3.21 This transformation is to be achieved through Learning Pathways 14-19. The Pathways comprise a blend of six key elements which, in combination, will ensure that all learners receive the appropriate balance of learning experiences that best meet their needs. The key elements also enable learners to receive the support and guidance they need to realise their potential. The six key elements are:

- individual learning pathways to meet the needs of each learner;
- wider choice and flexibility of programmes and ways of learning;
- a learning core which runs from 14 through to 19 wherever young people are learning;
- learning coach support;
- access to personal support and
- impartial careers advice and guidance.

3.22 The Learning Pathways 14-19 initiative aims to encourage more young people to achieve their potential so they become better equipped for the world of work, and better informed and more active citizens. It aims to do this by contributing to an improvement in the proportion of 16 year olds gaining worthwhile qualifications, progressing to further learning in education and training, widening choice, promoting equality of opportunity and supporting the achievement of '*Extending Entitlement*'.

The Welsh Assembly Government provided guidance on Learning Pathways 14-19 in July 2004 in '*Learning Pathways 14-19 Guidance*'. In April 2006, it published '*Learning Pathways 14-19 Guidance II*'. This enhanced and built on the original guidance and included the action plan that followed the Deputy Minister's report on Learning Pathways 14-19 in November 2005.

3.23 By September 2007, 14-19 networks were expected to have analysed existing choices, and developed innovative and collaborative option menus for their areas. The option menus should, by 2008, therefore:

- include opportunities in each of the domains of learning;
- demonstrate increased choice for learners, especially in more practical and applied options and
- avoid duplication of provision.

3.24 The WAG is implementing an Assembly Measure for Learning Pathways 14-19 (Learning and Skills (Wales) Measures 2009).

This Measure will make law for the education of school pupils and young people in education or training aged 14-19 in Wales. It amends the law for learners in Wales in education and training aged 14-19, set out in the Education Act 2002 and the Learning and Skills Act 2000. It also makes amendments to the Education Act 1997.

The statutory provisions provide the means by which a legal framework can be put in place that will reflect 14-19 Learning Pathways policy and provide the means to develop that legal framework as policy develops.

The key purpose of this Measure is to create a right for learners aged 14-19 in Wales:

- to elect to follow a course of study from a local area curriculum, known already in 14-19 Learning Networks as an 'Options Menu'.
- The local area curriculum will contain a wide range of options of study, both academic and vocational, across the learning domains.
- It will be possible for 14-19 year olds to study outside their main learning setting.

The Measure will enable regulations to be made by Welsh Ministers that will specify the minimum number of courses of study to be selected for inclusion within the local curriculum as a whole. Regulations will also state the minimum number or volume of vocational courses of study to be included in a local curriculum. By regulation the Welsh Ministers may also specify a maximum number of courses of study a pupil has the right to elect to follow.

The Measure specifies the grounds on which a Headteacher or Principal may decide that, in certain circumstances, a learner is not entitled to follow a course they had elected to study. The Measure also enables regulations to be made as to the making of these decisions.

The Measure will place a duty on Local Education Authorities in Wales in relation to learners aged 14-16, and on the Welsh Ministers for those learners aged 16-19, to form collaborative local area curricula. **A duty will be placed on Governing Bodies and Headteachers of Maintained Schools and Governing Bodies and Principals of Further Education Institutions to assist a Local Education Authority or the Welsh Ministers, as appropriate,** in planning the local area curriculum, having regard to any guidance issued and in compliance with any directions given by Welsh Ministers. Local Authorities will also be under the same duty to assist the Welsh Ministers.

The Measure further requires Local Education Authorities and the Governing Bodies of Schools and Institutions within the Further Education sector to seek to maximise the availability of courses of study within local curricula. Provisions within this section of the Measure enable the Welsh Ministers to issue guidance and directions to assist in achieving this aim.

In relation to youth support services, the Measure makes provision for Local Authorities and Governing Bodies of Maintained Schools and Further Education Institutions so that they may incur expenditure, employ staff and enter into agreements for the supply of goods and services.

A local curriculum comprises courses at the school where the learners are registered and courses available to the learners to via collaboration with establishments / other providers at the home school or at another educational establishment.

### **3.3 Implementation of the Learning and Skills (Wales) Measure 2009**

The proposals for the Learning and Skills (Wales) Measure were revised shortly before this report was composed. The legislation sets out arrangements for a phased implementation from September 2009, commencing with Year 10 and then rolling out to all relevant year groups over four years. Full implementation will be required by September 2012:

Year 10	September 2009	(non-statutory)
Years 10 and 11	September 2010	

Years 10, 11 and 12            September 2011  
 Years 10, 11, 12 and 13      September 2012

In a further revision in December 2008 the changes to September 2009 have been made voluntary. No change has been made to arrangements from 2010.

WAG officials have met senior representatives in each local authority to discuss implementation of the proposals in KS4. All local education authorities will be placed in a band setting out an incremental minimum number of learner choices within a four year timescale:

	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Band A	28	30	30	30
Band B	26	28	30	30
Band C	24	26	28	30

Ceredigion has been placed in Band C. Further information about the Measure is appended in Appendix A.

### 3.4 The Current Curriculum in Ceredigion Secondary Schools

The current curriculum in the seven secondary schools has been analysed and, where relevant, the courses provided by the college of further education have been added to the regional picture.

#### Key Stage Three

- 3.41 The range of subjects is broadly similar in all of the secondary schools, divided into core subjects, foundation subjects and learning core (including key skills). The requirements of the National Curriculum are being met and in all the recent ESTYN reports this has been confirmed.
- 3.42 Analysis of the curriculum in KS3 reveals a significant differential in the cost of current arrangements. The high unit costs in some schools are exemplified in the following analysis of Years 7-9 in 2008-9:

<b>SCHOOL</b>	<b>No of pupils in Yr 7</b>	<b>Teaching Periods<sup>1</sup></b>	<b>Teaching Cost<sup>2</sup></b>	<b>Unit cost per pupil<sup>3</sup></b>
PENGLAIS	210	511	9.5	1990
PENWEDDIG	96	246	4.5	2062
DYFFRYN TEIFI	107	248	4.6	1887
ABERAERON	106	300	5.5	2283
LAMPETER	122	307	5.7	2057
TREGARON	43	161	3.0	3069
ABERTEIFI	80	249	4.6	2546

<b>SCHOOL</b>	<b>No of pupils in Yr 8</b>	<b>Teaching Periods<sup>1</sup></b>	<b>Teaching Cost<sup>2</sup></b>	<b>Unit cost per pupil<sup>3</sup></b>
PENGLAIS	194	444	8.2	1867
PENWEDDIG	92	220	4.07	1954
DYFFFRYN TEIFI	70	184	3.4	2145
ABERAERON	104	259	4.8	2038
LAMPETER	133	307	5.7	1893
TREGARON	54	195	3.6	2944
ABERTEIFI	95	249	4.6	2138

<b>SCHOOL</b>	<b>No of pupils in Yr 9</b>	<b>Teaching Periods<sup>1</sup></b>	<b>Teaching Cost<sup>2</sup></b>	<b>Unit cost per pupil<sup>3</sup></b>
PENGLAIS	206	499	9.2	1972
PENWEDDIG	89	225	4.1	2034
DYFFFRYN TEIFI	105	248	4.6	1935
ABERAERON	131	346	6.4	2158
LAMPETER	124	289	5.3	1888
TREGARON	52	172	3.2	2718
ABERTEIFI	107	309	5.7	2353

Key: 1 Adjusted to align 50 and 60 period cycles  
2 Based on 90% contact time  
3 Based on average teacher salary costs.

The table is illustrative and the lower the contact ratio the higher the unit costs. Nonetheless the implications for planning are clear.

- 3.43 The current and projected financial situation in many of the secondary schools indicate that the high unit costs demonstrated in the current provision are not sustainable.
- 3.44 This review provides the authority with the opportunity to maintain and enhance its language strategy.
- 3.45 Discussions with senior staff at the bilingual secondary schools indicate that in most of them now, and in all of them in the future, commonality of approach with the monolingual schools is perfectly feasible.
- 3.46 Such an arrangement would bring about a simplification of the LMS funding formulae and, eventually, economies of scale in provision in both KS4 and KS5.

## 14-19

- 3.47 In KS4 secondary schools provide a curriculum based on core subjects, a learning core and an options menu offering 3-4 subject choices, including vocational options. Once again National Curriculum requirements are met and several schools have been praised in recent ESTYN reports for the breadth and variety of curriculum provision in the key stage.
- 3.48 Not surprisingly in view of the option menus on offer there are greater costs associated with this provision. However there are considerable variations in the unit costs of the seven secondary schools. An analysis of provision in the current Years 10 and 11 (2008-9) reveals the following unit cost (£) per pupil:

SCHOOL	No of pupils in Yr 10	Teaching Periods <sup>1</sup>	Teaching Cost <sup>2</sup>	Unit cost per pupil <sup>3</sup>
PENGLAIS	234	631	11.6	2189
PENWEDDIG	96	319	5.9	2714
DYFFRYN TEIFI	104	344	6.4	2718
ABERAERON	127	375	6.9	2399
LAMPETER	104	282	5.2	2208
TREGARON	60	237	4.4	3239
ABERTEIFI	119	397	7.3	2709

SCHOOL	No of pupils in Yr 11	Teaching Periods <sup>1</sup>	Teaching Cost <sup>2</sup>	Unit cost per pupil <sup>3</sup>
PENGLAIS	213	536	9.9	2053
PENWEDDIG	99	322	6.0	2677
DYFFRYN TEIFI	118	385	7.1	2657
ABERAERON	100	291	5.4	2385
LAMPETER	99	290	5.4	2409
TREGARON	55	240	4.4	3533
ABERTEIFI	110	345	6.4	2570

**The four schools with the highest unit costs in KS4 are those with the highest current deficits.**

- 3.49 The reasons for those higher unit costs becomes apparent when the group sizes are examined more closely. Over half of the option courses in KS4 currently on offer in the seven secondary schools are operating with fewer than 15 students. **65% of these courses are concentrated in the schools with the largest financial deficits.**

3.50 This situation could not be sustained, even if the changes associated with the Learning and Skills (Wales) Measure were not introduced. As they are being introduced the imperative for change and collaboration is overwhelming.

3.51 Implementing the measure at KS4 will be a significant challenge. The attached analysis of KS4 curriculum reveals the gap that has to be closed by September 2009. Assuming that current provision can be sustained Penglais, Aberteifi and Dyffryn Teifi already meet the minimum requirements for September 2009.

- Aberaeron will have to put on one additional vocational in one new domain.
- Lampeter will have to put on one additional vocational in one new domain.
- Tregaron will have to put on one full course
- Penweddig will have to put on two additional vocational courses in two new domains.

This is a total of five additional courses in 2009.

3.52 By September 2012 a total of at least 30 additional courses will be needed across the seven secondary schools to meet the minimum demands of the legislation at KS4. **The additional costs incurred cannot be absorbed easily into institutions already bearing high unit costs and deficits.**

3.53 At sixth form level there is likely to be a legislative requirement for learners to choose from 25 general AS/A2 courses plus 5 vocational courses at L3. It is also important that there are clear routes for progression from level 2 vocational courses to level 3 vocational courses. Currently provision in the schools ranges from 23 to 29 subjects and implementation of the legislative requirement is likely to take place from September 2011. The challenge for institutions is not only the number of courses but also the guaranteed progression pathways from Key Stage Four to Key Stage Five. A total of at least 31 additional Level 3 course choices will need to be added to the option menus of secondary schools by 2011, either individually or collaboratively with other institutions.

3.54 In the current provision there is a very high proportion of small A Level courses which are very expensive to run. In Year 12 alone in 2008 no fewer than 79 courses have fewer than six registered students. This is nearly 50% of current provision and the expense of this provision is clearly reflected in the unit costs of pupils (£) in the seven secondary schools in 2008 in Year 12:

SCHOOL	Cost per pupil (£)
Penglais	1821
Penweddig	3395
Dyffryn Teifi	3187
Aberaeron	3604
Lampeter	2450
Tregaron	5280
Aberteifi	2432

These figures reflect the high unit costs of small sixth forms. As with Key Stage Four this is a situation which cannot be sustained, given the financial situation in the schools and the need to enhance 14-19 option menus. **Institutions already**

**bearing high unit costs and substantial deficits will not cope with additional demand and will not be in a position to guarantee sustainability of even minimum provision. The link between the number of very small A level groups and financial deficit is very strong with 73% of the very small groups being run in the four schools with the highest deficits in 2008-9.** The variation in costs is extreme with some sixth form courses costing two or three times the cost at an institution a relatively short distance away.

3.55 Three schools in Ceredigion are working in partnership with Coleg Ceredigion and two schools in neighbouring unitary authorities (in a project called CAMU) to share provision across 12 subject areas in an aligned timetable and twilight session venture. This initiative is being reviewed and with further work may provide solutions to issues such as sustainability, bilingual provision and transport costs. Lessons learnt will inform the overall Ceredigion Strategy.

### **3.6 General Conclusions**

3.61 Although there are no significant gaps in KS3 provision in the schools it is clear that the cost effectiveness and sustainability of current provision are open to serious doubt. The rationale behind current bilingual provision needs to be reconsidered in the light of the County Language Strategy and the funding formulae currently being used.

3.62 The high unit costs of provision at both Key Stage Four and Key Stage Five are not sustainable. If current practices are not changed the viability of several institutions in Ceredigion will be seriously undermined by 2012. There is, however, time to consult and implement solutions.

3.63 It should be emphasised that there have been few qualitative criticisms of secondary school performance in recent ESTYN reports. The schools have great strengths in terms of teaching expertise which clearly impacts upon the attainment of pupils. The issues are about the allocation and effective deployment of this precious resource.

3.64 Implementation of the measure at KS4 will present difficulties particularly, but not exclusively, in vocational education:

- In the Aberystwyth area, expertise and appropriate sites in Engineering, Child Care, Health and Social Care, Catering, Travel and Tourism and Business already exist within the three institutions. Provision in both English and Welsh is nearly complete.
- In the mid Ceredigion area level 2 courses need to be made more widely available in Agriculture and Construction. There is already provision for Catering and Hospitality, Health and Social Care, Business, Travel and Tourism and Salon skills either individually or collaboratively.
- In the south there is good provision for vocational education at both Cardigan and Dyffryn Teifi. Catering and Hospitality could be considered for development in the future.

3.65 Whereas there is a fair degree of commonality in allocation of teaching time per subject in Key Stages Three and Four, at 16-19 the allocations vary quite

significantly. The highest allocation for a subject is 18% at one school whereas at two schools it is as low as 13.3%. There is no doubt that the reasons for the disparity are partly financial and partly related to the numbers of pupils. At some schools minority subjects receive fewer lessons. It is conceded that the main reason for a low allocation of subject time is linked to budget shortfall. Such disparities underline the difficulties of running very small sixth forms.

3.66 A key area for development is the progression in vocational subjects from Level 2 to Level 3 by 2011.

- In the Aberystwyth area Engineering and Customer Services are not currently available at Level 3 whereas Health and Social Care and Catering are available through the medium of English. Business and Children Care is available in both Welsh and English.
- In mid Ceredigion three vocational areas progress through to Level 3 (but only in two of the schools).
- In the south there is a good level of progression in both Welsh and English with most areas covered. The problem here is the financial viability of current provision.

3.67 Whatever options are finally decided upon, aligned timetables and collaborative working will become more common. Secondary timetables are already complex and collaborative working will create more constraints within the framework at 14-19. For this to work successfully there will have to be compromises about current Key Stage Three provision to reduce constraints in Key Stages Four and Five. Essentially this means that blocking arrangements in Key Stage Three will have to be reduced to free up teachers for deployment in Key Stages Four and Five.

3.68 One pervading issue has been the entitlement to delivery of courses in both Welsh and English at 14-19. The recommendations in this report favour a local approach to provision. A model which looked at central provision for vocational courses through the medium of Welsh in mid Ceredigion was examined. The capital and transport costs involved, in addition to annual revenue costs, suggested that a local solution was preferable. In addition to costs, the 'travel to learn' issue was too difficult with geographical distances and problems with timetables proving intractable. Collaboration will be more cost effective and manageable within the local areas rather than with central provision.

3.69 It is abundantly clear that delivery of a coherent, yet flexible, curriculum at the 14-19 phase is reliant upon effective partnerships. The Tomlinson report made the point several years ago:

*"I hope we have got past the point where any institution feels it can provide, by itself, all the learning needs for young people aged 14-19".*

Ceredigion County Council has the responsibility to operate an overall strategy which will put in place structures and partnerships to establish equality of opportunity in the 14-19 phase across the county so that **all learners** can access appropriate, flexible and high quality provision regardless of where, in Ceredigion, they live. This is both a moral and legal responsibility for the council: the legal process begins in 2010 and

has to be complete by 2012 for the local curricula at Key Stage 4. The current structure of secondary organisation cannot deliver such an objective in the long term.

## 4. THE FINANCIAL MANAGEMENT OF SECONDARY SCHOOLS

### 4.1 The System

- 4.11 The unitary authority is required to fund secondary school according to agreed, published formulae which comply with school funding regulations.
- 4.12 At 16-19 funding is provided by DCELLS direct to secondary schools according to a national funding formula which is mainly based on numbers of students and courses but which does recognise bilingual and sparsity factors. By 2010 the full effect of this national funding system will be felt on school budgets. In effect the smaller the sixth form the less viable provision will become.
- 4.13 In 2008-9 the unitary authority devolved £18.8 million to its secondary schools to which was added £4 million from DCELLS. The per pupil funding for 11-16 was £4,668 and at 16-19 £4,117. These figures are relatively high, placing Ceredigion in the top quartile of funding in Wales. The level of secondary school deficits is, however, also very high compared to other authorities. Ceredigion currently allocates one of the highest per pupil funding share in Wales. This figure needs to be treated with some caution, as compared to many other authorities, a substantial element of SEN expenditure is delegated to schools. Comparison is made even more difficult by the high unit costs of smaller schools and the expense of bilingual provision in Ceredigion.
- 4.14 **Nonetheless, as at 31<sup>st</sup> March 2008 Ceredigion was the ONLY local education authority in Wales with an overall deficit in its secondary sector. There is no evidence that this situation will have improved by 31<sup>st</sup> March 2009.**

### 4.2 The Current and Projected Situation

- 4.21 Considerable time has been spent in analysing the current situation and preparing models of future budget provision based upon projected pupil numbers. The revised funding formulae have been examined in detail and an attempt to model operating budgets over 5 years has been made. The figures provide an indication of funding **available** for secondary schools and takes no account of inflation.
- 4.22 In order to provide realistic estimates of likely future expenditure the modelling exercise has built in the following assumptions:
- a confirmation of the drive for efficiency savings at county level
  - an increase per year of 1% in SEN expenditure
  - changes in the categorisation of schools to reflect lower pupil numbers
  - DCELLS funding increasing or decreasing in line with pupil numbers
  - pupil projections in line with the earlier section on "Pupil Numbers and Places".
- 4.23 The revised funding formulae were introduced to provide a closer connection between allocation of resources and the curriculum provided in schools. Whilst this intention was entirely praiseworthy the operation of the system in practice is deficient in many respects:

- too much funding is devolved according to factors other than pupil numbers
- the curriculum is one factor of many in the construction of a school budget and to devise a formula for this aspect without considering corresponding formulae for other aspects created a very unbalanced model
- the redistribution of funds to support bilingual education in four of the schools distorts the overall allocation and unduly disadvantages monolingual schools. The bilingual supplements are devolved without any regard for numbers of pupils or subjects.
- the funding formulae in use contain far too many arbitrary lump sums and need to be simplified in line with other unitary authorities
- the operation of the curriculum funding formulae have been consistently undermined by the inability of the unitary authority to fund education in the secondary sector at the desired level. The annual exercise of calculating a desirable curriculum then wrecking it by applying a new formula, based on available resources and devoid of any curricular meaning, is absurd and should be abolished without delay.
- there is, however, a case for a small school supplement to preserve secondary education in the Tregaron area.

4.24 There has been a significant gap between the unitary authority's budget requirement for secondary schools and the actual annual budget allocated. In 2006-7 the gap was 9.68%. The gap had decreased to 6.89% by 2008-9 mainly because of the fall in pupil numbers and the additional funding granted by the council in 2008-9. Nonetheless the gap is huge: as pupil numbers decrease the gap will disappear but as it does the ability of secondary schools to cope with the resultant cuts in provision is open to question.

4.25 Even if the model was adjusted to take no notice of efficiency savings and increased special needs expenditure the comparative figures would be:

In 2009-10 a surplus of £4,000 to balance against cumulative deficits of 2008-9.

In 2012-13 a surplus of £7,000 to balance against 2008-9 figures.

4.26 The impact of pupil projections, and the other working assumptions, on the secondary school budgets over the next five years can be easily summarised:

In 2009-10 there would be £450,000 additional deficit in addition to that of 2008-9.

By 2012-13 this additional deficit would have increased to £1,766,000 over 2008-9 figures.

4.27 Either way the capacity of the current funding model and secondary sector to remove existing deficits and cope with curriculum change over the next five years is non-existent.

### **4.3 Conclusions and Recommendations**

- 4.31 The linkage between resource allocation and curriculum delivery needs to be reconsidered as a matter of urgency.
- 4.32 The current funding formulae need to be revised to achieve a better balance of distribution between the schools. This will be partly achieved by key recommendations in the curriculum section of this report.
- 4.33 The funding formulae need to be better aligned with DCELLS allocations at 16-19 to ensure progression and consistency.
- 4.34 All secondary schools should use the same budget reporting format for all expenditure and income.
- 4.35 These reports need to be analysed to improve financial monitoring and guidance and benchmark with other authorities in Wales.
- 4.36 Financial recovery plans will be assisted by all these measures.
- 4.37 Secondary schools currently are in financial difficulty and as deficits totalled £548,000 in 2007-8, they represent a significant risk factor for the authority. Projections in the current year indicate that the deficits will worsen by 31<sup>st</sup> March 2009. Although three secondary schools may be in surplus they will be so by margins significantly lower than the Audit Commission's minimum levels of prudential planned surplus (2-5%). The 5 year analysis of projected budgets does nothing to alleviate these concerns and the need to increase, for example, the number of KS4 courses by 35 strongly suggests that the solution lies in a revision of funding formulae and restructuring plans which create more cost effective provision.
- 4.38 It will be difficult to sustain the high unit costs at some of the secondary schools in the next five years. Viability is already an issue and doing nothing about it in the next five years will only challenge further the future of some institutions by 2012-13. Without reorganisation the existing structure will neither efficiently deliver the national curriculum nor provide the required range of courses at 14-19.

## **5. SITES AND BUILDINGS**

- 5.1 The provision of school facilities which are fit for purpose is a target for the WAG. Local authorities are required to establish robust plans to reduce surplus places and to improve standards of accommodation. In so doing WAG further requires authorities to exhibit commitment both in terms of principle and also in directing capital resources to the task. The lack of such robust asset management plans and commitment may render authorities ineligible for capital grant funding.
- 5.2 Estyn in the document “Transforming Schools” suggest that the schools of the future should have:
- attractive accommodation and modern buildings
  - sufficient, well-designed, high quality
  - first-class facilities in which pupils can enjoy healthy meals
  - suitable clean modern provision for toilets and personal hygiene
  - buildings that are accessible to the whole community and have suitable facilities for disabled learners
  - up-to-date facilities, such as IT centres, laboratories, workshops and libraries, for use by pupils, staff, parents and members of the community
  - safe, well-lit and sheltered communal areas and grounds for play and relaxation, encouraging wide-spread community use so that users can take pride in caring for their locality
  - indoor and outdoor sports and play facilities that are available both to pupils and the community and community services, where pupils and their families have access to a wide range of support, including health and social services.

### **5.3 Asset Management**

- 5.31 In collaboration with the Highways, Property and Works Department and schools, the Directorate for Education and Community Services undertake a significant Capital Programme annually, largely financed through Welsh Assembly Government funding in particular the School Building Improvement grant.
- 5.32 A survey of all school property in 2000-01 (revised in 2008) concluded that there existed some £7,000,000 of work in order to bring primary and secondary schools to a reasonable standard of repair. Significant other resources are required to improve and provide new facilities. Whilst the authority has achieved a considerable amount in providing new facilities in the secondary sector such as the provision of a new school for Penweddig, extensive work at Aberaeron Secondary School and Lampeter school,, it is unlikely that the authority will meet the challenge set by the Welsh Assembly Government to have all schools fit for purpose by 2010 without a considerable amount of investment.
- 5.33 Indeed a challenge has been set for each authority by the Welsh Assembly Government to prepare plans to significantly reduce unfilled places, to have in place robust asset management plans and to make a significant contributions from Council.
- 5.34 Responsibility for school premises is divided between the LEA and school and guidance clearly defines the respective areas of responsibility for elements of capital

and repairs and maintenance. Schools may enter into a Service Level Agreement with the Highways, Property and Works Department in order to access technical advice and support.

- 5.35 The authority has provided schools with guidance on the respective responsibilities under the disability legislation.

#### **5.4 Condition of Secondary Schools**

- 5.41 A revised condition survey (2008) has indicated that there is a total of £3,700,000 repairs required in the six secondary schools (one school is covered by PFI).

- 5.42 An analysis of the condition grades given in the revised survey indicates that **no** grades have been awarded in the good category in any of the six schools.

- 5.43 The extent of the repairs deficit is clearly exemplified in that all of the schools have been awarded nearly 50% of the grades in the poor and bad categories. At the Dyffryn Teifi and Tregaron sites the proportion of grades in these categories rises to a range of 66 and 63% respectively.

- 5.44 The repairs deficit in the secondary sector is a significant challenge for the unitary authority and the Welsh Assembly Government deadline of 2010 will not be met. The condition of site and buildings is an important factor to be considered in any restructuring of secondary education.

- 5.45 The Dyffryn Teifi site is seriously deficient and is not suitable for further development. The site at Tregaron requires £922,000 investment just to bring the buildings up to the minimum standard required by Welsh Assembly government. The site at Cardigan is very cramped and would require significant and costly renovation. The other secondary sites are more favoured and many have already benefited from substantial capital investment.

- 5.46 Not surprisingly there is evidence that new buildings contribute to significant improvements in pupils' attainment and achievement. A recent ESTYN survey (January 2007) confirmed that ageing school buildings in a poor state of repair fail to meet modern teaching and learning needs. The quality of teaching improved in those schools that have moved into new or refurbished buildings. Improvement in the quality of buildings has a very beneficial effect on the quality of teaching and morale of staff. Pupils' behaviour has been shown to improve with fewer exclusions. Better facilities also encourage after school activities.

- 5.47 A key recommendation in this report is the reinvestment of savings into improved facilities for secondary schools and in some cases significant capital investment to transform the experiences of learners.

## **6. MANAGEMENT STRUCTURES FOR THE DEVELOPMENT OF 14-19 PROVISION**

### **6.1 Introduction**

- 6.11 The further implementation of 14-19 Learning Pathways, in particular the development of option menus at post 14 and post 16, will eventually require formal mechanisms of governance to ensure that collaborative planning and implementation become a reality rather than a vague aspiration.
- 6.12 Enabling legislation and regulations to facilitate collaboration between maintained schools and between maintained schools and further education institutions has been passed by the Welsh Assembly in 2008.
- 6.13 A key recommendation in this report is the formation of a Learning Partnership 14-19 for the whole of Ceredigion. Such a partnership is a vital first step for accessing the Transformation agenda.

### **6.2 Rationale**

- 6.21 The Learning Partnership would be required to implement an agreed minimum core / option entitlement and further develop 14-19 provision in its designated area.
- 6.22 The key components of the Learning Partnership (14-19)'s work will be:
- To develop wider and different learning opportunities for ALL learners including enhanced learning experiences, wider access and increased participation.
  - Delivery, in individual institutions and in collaboration, of an agreed minimum core / options pathway in the designated area for the 14-16 cohort.
  - Delivery, in individual institutions and in collaboration, of an agreed minimum core / options pathway in the designated area for the 16-19 cohort.
  - An options menu at 14-16 based on the five WAG domains.
  - Elimination of duplication of courses.
  - To develop the use of shared resources in terms of staff, materials and equipment.
  - Vocational specialisation linked to local labour market needs.
  - Aligned institutional timetables to facilitate collaboration.
  - Quality assurance system agreed by all providers to maximise standards of achievement.
  - Shared 14-19 staff development programmes
  - Additional support for identified groups of young people e.g. NEETS, LAC.
  - Guaranteed progression routes through the pathways.
  - Systems of advice and guidance for learners.
- 6.23 The learner's curriculum entitlement will be underpinned by key principles:
- An entitlement to high quality learning and teaching in modern, well-equipped schools.
  - An entitlement to the statutory core and an agreed minimum range of options providing curriculum breadth.

- Vocational options which can be accessed across the ability range.
- Options could be delivered in more than one institution where resources allow.
- Clearly defined progression in the learning pathways through the medium of Welsh.
- Cost effective provision through the medium of both Welsh and English and bilingually.
- A minimum core of pastoral care support.
- A range of wider curriculum opportunities will be offered as appropriate.
- Routes will be provided within all the 14-19 Learning Pathways domains.
- Learners will be guaranteed progression through the pathways accessing courses through to Level 3.

### **6.3 Learning Partnership**

6.31 The Learning Partnership will need to be formed by September 2009 and will, in the first instance, be composed of:

The Principal and Vice Principal of Coleg Ceredigion  
 The Headteachers of the secondary schools  
 Representatives from other partners in 14-19 courses  
 The Director of Education  
 Manager of 14-19 education in the LEA.

6.32 The Learning Partnership will:

- provide strategic leadership and vision for the designated area
- implement the learner entitlement
- plan and resource locally agreed core / option pathways at 14-16 including aligned timetables
- plan joint budgeting arrangements for 14-19 provision
- agree pricing of all relevant options courses
- prepare mechanisms for the transfer of funds between partners in the designated area
- agree and monitor quality assurance for all courses provided in the designated area
- plan and prepare shared 14-19 staff development programmes
- agree and implement policy on admissions and progression
- agree and implement standard documentation on applications, admissions, reporting and recording procedures
- agree and implement protocols for disciplinary and welfare issues and day to day management of student issues
- establish minimum entitlements for pastoral care support
- agree and establish transfer arrangements for students at 14+ and 16+

- agree common staffing policies to ensure coherent approaches to deployment of resources.

#### **6.4 Operational Considerations**

From September 2009 it is recommended that the Learning Partnership replaces the current 14-19 Network Committee. The current Executive group can act as a steering group for the Learning Partnership. As the implementation of the Learning and Skills (Wales) Measure (2009) proceeds a decision can be made about the viability of the Learning partnership and whether the local education authority will need to have two learning partnerships in the north and south of the county.

#### **6.5 Governance**

After 2009 consideration will need to be given to the issue of formal mechanisms of governance in this structure. In particular, decision will be needed on the delegation of powers from governing bodies to the 14-19 Learning Partnership(s) and the representation of governing bodies in it (them). Much will depend on the progress made in 2009-10 and the effectiveness of the Learning Partnership.

It is a major change in governance and the concept of delegated powers for such a major issue as 14-19 will be challenging for governing bodies. However the scope of the activities envisaged, the potential size of the budgets involved, the number of staff employed and the strategic role invested in the LEA suggest that eventually nothing less than a formal governance arrangement would be effective.

## **7. RECOMMENDATIONS AND OPTIONS**

There are a number of recommendations which can be applied generally to the secondary sector in the next two years which will not only enable the implementation of curriculum change in a cost effective manner but also provide solutions to the current financial difficulties in the secondary sector in Ceredigion. However longer term proposals involving restructuring and extensive consultation are also proposed which will provide more permanent solutions to these issues.

Taken together the short and longer term proposals have been designed to:

- maintain and enhance the current high standards of pupil performance in the secondary sector.
- deliver curriculum change cost effectively
- be sustainable in the longer term
- eliminate current operating deficits.

In setting out these proposals it must be emphasised that the most radical option for Ceredigion is to do nothing at all in the secondary sector. This will ensure that more than one of the existing institutions will become unviable by 2012 and the county will be unable to fulfil even its minimum legal obligations under the Learning and Skills (Wales) Measure 2008.

### **7.1 Short Term Recommendations 2009-11**

These recommendations can be implemented now:

- Utilise the 14-19 revenue and bilingual budgets to meet the minimum requirements of the Learning and Skills (Wales) Measure 2009 in 2009 and 2010. Although the first stage is now non-statutory it is strongly advised that institutions move incrementally towards the statutory minimum in 2010. These 14-19 budgets can be used as short term props but after 2010 the courses will have to be sustained using baseline funding.
- From a Ceredigion Learning Partnership along the lines recommended in section 6 to provide definition and structure to 14-19 development.
- Agree an explicit learner entitlement at 14-19 to assist the practical implementation of recent legislation.
- Conduct an urgent review of secondary funding formulae to bring about a more realistic and equitable distribution of resources, removing those factors which distort this allocation (see section 4 for details).
- Ensure that all secondary schools have agreed financial recovery plans by April 2009 to reverse the trend towards deficit. It is unlikely that the worst deficits will be eliminated without implementation of the longer term restructuring proposals but a

start has to be made now. The current approach to financial recovery plans is inconsistent between different secondary schools.

- The current practice in bilingual education in the secondary schools needs to be reviewed alongside the Ceredigion language strategy. The strategy states that all pupils will be confidently bilingual in all primary and secondary schools within the county. The strategy describes a continuum into which all secondary schools could be placed in the next few years.

The opportunity to restructure secondary education provides the means to not only maintain this language strategy but also enhance its implementation. As the strategy is implemented the linguistic differences between traditional bilingual and the designated Welsh medium schools will diminish and lead to commonality in approach.

Enhancing bilingual education in the secondary sector is one of the key goals of the restructuring strategy. The traditional bilingual institutions should be supported in developing the bilingual provision towards delivering 80% of the curriculum over a period of time. In so doing the curricular structures should be more uniform and lead to simplification of the funding formula. Where 80% Welsh medium education is not realistic and achievable there will be a minimum entitlement of 20-30% through the medium of Welsh.

Such a move would not only strengthen the implementation of the language strategy but it would also create the economies of scale needed to make the secondary sector financially viable. The proposal has the potential to rationalise the funding of bilingual provision in the funding formulae. To give just one example the creation of an 80% curriculum through the medium of Welsh at one secondary school would save the equivalent of 5 teachers' salaries over five years.

The Welsh Assembly Government document "Defining Schools according to Welsh Medium Provision" was issued in October 2007. The proposals would place most schools in Ceredigion into category 2 using the criteria set out in that document.

- In the short term the Learning Partnership will implement collaborative schemes between schools, Coleg Ceredigion and other providers to extend choice at 14-19, avoid duplication of courses and reduce costs. It is anticipated that between two and six courses at both KS4 and KS5 could be delivered in this way between 2009 and 2011 at every institution. It is also recommended that the Welsh Baccalaureate is introduced into all institutions to provide all learners at Advanced, Intermediate and Foundation levels a coherent framework for the learning core and a cost effective method of increasing choice. Crucial though all these measures are, they will not be sufficient to guarantee sustainability everywhere and for that reason more long term solutions need to be considered.
- The LEA should appoint an officer to review and undertake analysis of potential models of collaboration, perhaps as part of a Transformation bid.

## 7.2 Longer Term Recommendations

Although the short term measures described will provide improvements to current provision they will not by themselves solve the fundamental issues affecting the development of secondary education in Ceredigion.

7.21 These fundamental issues may be summarised as:

- The current very high costs and significant deficits at institutions which are likely to suffer further reductions in pupil numbers.
- The need to find cost effective solutions to preserving high quality secondary education through the medium of Welsh in areas suffering demographic decline.
- The need to find significant revenue savings to finance badly needed capital development at three secondary sites. Without those revenue savings there is no realistic prospect of accessing the sums required to bring those sites up to the standards required for 21<sup>st</sup> century learners.
- The need to co-operate with other unitary authorities to find strategic solutions which cannot be found within the boundaries of Ceredigion.
- The need to find solutions which will not extend pupils' journey time unreasonably. There are a number of environmental concerns, educational concerns (engagement of pupils, attendance and age of pupil) and of course financial issues which have to be considered before proposing excessive journey times. In general, the transport options in the recommendations have been deliberately limited for those reasons.
- The need to improve substantially the collaboration between schools, Coleg Ceredigion and other providers to extend learners' choice, avoid excessive duplication of courses and guarantee linguistic progression in the various pathways.
- The need for secondary schools to work in partnership with Coleg Ceredigion to develop sustainable strategic solutions to the provision of vocational courses.

7.22 Although three of the current secondary schools are of an appropriate size, both now and projected, to be secure in terms of viability and sustainability the others will encounter difficulties in maintaining an adequate range of courses without running into greater financial deficits. The quality of education provided in these is however very good, the small sixth forms have high standards and in some cases the schools provide the only Welsh medium secondary education in the area. The purpose of the longer term recommendations is designed to preserve this good provision in a manner that is cost effective in the long term.

The longer term recommendations include:

- the maintenance of the short term proposals, particularly the economies of scale brought about by the review of bilingual provision

- the creation of two Welsh medium 3-19 all-through schools which combine primary and secondary provision for a defined area on one site, where it is appropriate to do so.
- targeted collaboration between institutions at 14-19 which ensures a broad range of courses, linguistic progression, more cost effective provision and the avoidance of duplication.

It should be clearly emphasised that no one solution will fit a county as diverse as Ceredigion. Retention of the status quo is not a sensible option: more than one institution will become non-viable and the county would be unable to fulfil even its minimum legal obligations under the Learning and Skills (Wales) Measure 2009. The combination of short and long term recommendations is designed to strengthen the existing good quality provision and to provide education for secondary age pupils in the areas of the six major towns of Ceredigion.

### **7.23 The Concept of 3-19 Education**

The concept has already been raised in the document “Developing Education in Ceredigion: Planning Education Provision to 2020” and was included in the 2008 consultation document. The attraction of the concept lies in the preservation of education, particularly in rural areas, where it would otherwise be difficult to sustain the high unit costs (currently amongst the highest in Wales) associated with small primary schools and small secondary schools with sixth forms well below the minimum size recommended by the Audit Commission.

The merger of primary and secondary provision on one site will create substantial economies of scale in deployment of teachers and support staff. The larger the number of primary schools involved, the greater the economies of scale. Later in the document two examples are used to illustrate the reinvestment potential. In addition to these economies of scale, there would be additional savings in the secondary sector from a redesignation of linguistic category and collaboration at 14-19. Without all these potential savings it would be impossible to preserve secondary education in its current form in at least two areas of Ceredigion.

The creation of new Welsh medium 3-19 schools would also provide the opportunity to implement a single school management structure and a single governing body which would ensure greater coherence and cost effectiveness.

Linguistic progression, as envisaged in the county language strategy, would also be strengthened with the designation of new Welsh medium 3-19 schools.

The revenue savings available for reinvestment would enable the county to access significant funding for capital development which is desperately needed not only to improve secondary provision but also to enhance buildings, rooms and resources for earlier phases of education. The shortcomings of the latter were illustrated in the “Developing Education in Ceredigion: Planning Education Provision to 2020” (section 4.9). The calculations used to create the necessary capital development funds are exemplified in section 8 of this document.

As seen in other areas of the United Kingdom establishing 3-19 education establishment provides a viable, sustainable focus for the community, including a

potential range of services including integrated family centres to provide support services for parents and families.

A strong 3-19 establishment would be well placed to adopt community and professional partnerships across areas such as health and welfare, inclusion, lifelong learning, teaching and learning, employment and the local economy, young people and family services, community safety.

It would also be able to adopt a collaborative approach at 14-19 with other providers such as other Welsh medium and bilingual secondary schools and Coleg Ceredigion to meet the needs of learners and maximise cost effectiveness.

### **7.3 Recommendations for Change**

For ease of reference the recommendations are grouped geographically.

#### **7.31 Aberystwyth Area**

##### **Key Issues**

- There is limited collaboration between the three main institutions Ysgol Penweddig, Ysgol Penglais and Coleg Ceredigion, despite their proximity. There is collaboration on the vocational front with Skillstart, Watson's Training and Mudiad Ysgolion Meithrin. There is also limited collaboration with video conferencing and with childcare courses with schools in other parts of Ceredigion and beyond.
- The current operation of LMS funding formulae.
- The current and projected deficit at Ysgol Penweddig and the impact of pupil projections in the next four years.
- The availability of some vocational courses through the medium of Welsh.
- Although there are no substantial capital requirements in the Aberystwyth area some investment will be required at Ysgol Penglais and Ysgol Penweddig to provide additional teaching space and some modest capital investment will be required to facilitate vocational education at all the institutions.

##### **Recommendations**

- Collaboration between Coleg Ceredigion, Skillstart, Watsons Training and the two schools, Ysgol Penglais and Ysgol Penweddig in the delivery of vocational courses at 14-19 ensuring linguistic progression and aiming to reduce unit costs at KS4 and KS5. It is recommended that between four and six vocational courses are organised in this way by 2012 to reduce duplication and costs. Collaboration with Coleg Ceredigion is a major priority.
- Collaboration between Penweddig and other Welsh medium institutions in the county in the delivery of vocational and AS/A2 subjects in order to create economies of scale. Where a course is delivered through the medium of English, collaboration could be considered with Penglais and Coleg Ceredigion.

- There are good reasons why no significant changes are proposed for the Aberystwyth area. The area is served by Coleg Ceredigion, Ysgol Penglais and Ysgol Penweddig. The latter is the only Welsh medium school in north Ceredigion. In line with the Ceredigion Language Strategy that role will remain. Indeed, as the Language strategy is implemented the demand for education through the medium of Welsh is likely to increase which would, in turn, increase the pupil numbers at Ysgol Penweddig. Collaboration with other institutions, as recommended in this report, should also ensure that legislative requirements are met in the Aberystwyth area. The financial situations at both schools will also be assisted by the revision of the current funding formulae for Ceredigion secondary schools. Given the quality of both the sites at Ysgol Penweddig and Ysgol Penglais no major capital investment will be required in the near future. Consequently there is no compelling case to alter the current structure of secondary schooling in the Aberystwyth area provided that the recommended collaborative proposals take place.

### **7.32 Mid-Ceredigion Area**

#### **Key Issues**

- The very high unit costs at Ysgol Tregaron (budget share per pupil in 2007-8 was £5,163 against an average of £4,267 in the secondary sector). The school has a very small sixth form which will be difficult to sustain without subsidy from elsewhere.
- Ysgol Tregaron is already in deficit and Ysgol Llanbedr and Ysgol Aberaeron are operating at the margins of financial viability in 2008-9, well below Audit Commission recommendations for prudential surpluses.
- The site at Ysgol Tregaron will need substantial capital investment whatever organisational solution is found – at least £922,000 is needed to bring the premises up to the minimum WAG guidelines.
- Despite the high unit costs involved, Ysgol Tregaron has developed impressive vocational education courses at its site and in collaboration with others. These already meet the minimum legislative requirements for vocational courses in September 2009. The difficulty, however, lies in the sustainability of these options for learners over the long term.
- There is already collaborative work between the three institutions. Given the organisational and linguistic similarities between the three schools there is considerable scope for collaboration, particularly in vocational courses and minority A levels and with Coleg Ceredigion.
- The high unit costs of A Level provision generally is a major issue affecting both the viability of current provision and its sustainability.
- The sites at Aberaeron and Lampeter have benefited from considerable investment in their infrastructure. The projected size of Aberaeron's sixth form and general pupil projections indicate that the school is viable provided current unit costs are reduced. The same conclusion can be drawn for Ysgol Llanbedr.

## Recommendations

- The key recommendation is the creation of a Welsh medium 3-19 all through school in the Tregaron area – an option already featured in the “Developing Education in Ceredigion: Planning Education Provision to 2020”. However, this proposal needs to be significantly expanded to bring about the merger of Ysgol Tregaron with the primary schools in Tregaron itself, Llandewi, Llangeitho, Bronant, Lledrod, Pontrhydfendigaid and Penuwch which would create a viable and sustainable school, reducing some of the highest unit costs in the county.

Anticipated revenue savings for reinvestment in the Tregaron area	£230,000
Anticipated revenue from sale of sites	£500,000

This would create enough scope, with prudential borrowing, to construct a new area school in Tregaron for 3-19 and deal with the backlog of substantial repairs needed to modernise the secondary school in Tregaron itself. The total cost of this development is estimated to be £15,000,000.

- In addition there will need to be substantial collaboration between Coleg Ceredigion, Lampeter, Tregaron and Aberaeron to achieve economies of scale, particularly in the provision of vocational education and 16-19 AL courses. In the first instance it is recommended that collaboration, requiring aligned timetables, will be needed for between four and six vocational courses at KS4 and an equivalent number of A Level courses at all these institutions. Even from 2009 or 2010, allowing for transport costs it is estimated that savings of between £100,000 and £140,000 could be achieved over four years. These savings combined with the earlier recommendations about bilingual education would generate more efficient curriculum delivery and more extensive choice for learners.

### 7.33 South Ceredigion

#### Key Issues

- The projected decline in pupil numbers at Ysgol Aberteifi by 2012 presents a serious challenge in terms of its viability. This potential problem is compounded by its current financial deficit and some high unit costs at KS4.
- Ysgol Dyffryn Teifi is projected to decline slightly in size by 2012. Its current financial deficit represents a significant risk factor to its capacity to guarantee minimum legislative provision at Key Stages Four and Five.
- The cumulative deficits at both schools will approach £450,000 this year. At a time when budgets will be constrained, the lack of any evidence whatsoever that pupil numbers will increase suggests that significant changes will be required to ensure viability and sustainability.

- Curriculum provision at 14-19 is currently good at both existing secondary schools. However the key question is about the sustainability of such a large number of options at the two sites.
- Coleg Ceredigion offers a range of vocational courses at the Cardigan campus but does not currently offer AS or A2 subjects. Collaborative work has already started between the three institutions and neighbouring authorities. The CAMU project has already been mentioned: this collaborative venture has illustrated issues with teachers' contracts, transport costs and sustainability, all of which will need to be addressed by the Learning Partnership.
- The site at Dyffryn Teifi has serious deficiencies in terms of site development and building quality. It is congested and riddled with health and safety issues. It is not suitable for development as a modern, well equipped secondary school.
- The site at Ysgol Aberteifi requires substantial investment if it is to be continued as a site for secondary education.
- Strategically any solution to the issues at Ysgol Dyffryn Teifi and Ysgol Aberteifi has to take into account the proximity of the secondary school at Newcastle Emlyn. This school is also projected to decline from a current population of 720 to 575 by 2012.
- The availability of courses through the medium of Welsh, particularly in the vocational area.

## Recommendations

### Option A LLANDYSUL

- Create a purpose-built Welsh medium 3-19 all-through school in the Llandysul area, having closed the Dyffryn Teifi site, which merges Ysgol Dyffryn Teifi and several primary schools into a viable and sustainable school. Local discussions are ongoing. The illustration below shows the minimum anticipated savings

Minimum anticipated revenue savings for reinvestment in the Llandysul area	£200,000
Minimum anticipated revenue from sale of sites	£1,500,000

- Although the revision of funding formulae and the revenue savings created in the formation of a 3-19 school in the Llandysul area will go some way towards relieving the current financial problems of Dyffryn Teifi, it will not be sufficient to reduce the high unit costs, particularly at 16-19.
- It is recommended that the Learning Partnership looks at further collaboration within the area to reduce unit costs and create economies of scale in both vocational and AS/A2 provision, ensuring linguistic progression. A preliminary analysis of 2008 provision suggests that such co-operation could be possible.

Over two years this could make savings which would be enough, with recurrent funding and taking into account transport costs, to sustain the financial stability of the new institution.

## **OPTION B CARDIGAN**

It is estimated that pupil numbers will continue to decline at Ysgol Aberteifi to perhaps 550 by 2012. Falling rolls present a considerable challenge as does the quality of the current site which requires substantial investment to ensure that the buildings and facilities are brought up to the standards required in a modern well-equipped secondary school in the 21<sup>st</sup> century. On the other hand there are opportunities for collaboration with Ceredigion. Moreover there is an established 16-19 partnership between Ysgol Aberteifi, Ysgol Dyffryn Teifi, Ysgol Newcastle Emlyn, Ysgol Preseli and Coleg Ceredigion.

The key recommendation is that substantial investment be made at Ysgol Aberteifi and Coleg Ceredigion to upgrade the existing facilities and create a 14-19 centre of excellence. It is planned to deploy £1.5 million from the capital programme alongside a transformation bid of at least £10 million to implement this recommendation. It is anticipated that creation of this 14-19 learning centre will encourage significant collaboration with the new 3-19 school proposed for the Llandysul area as well as cross-border collaboration with two neighbouring local authority areas. It also provides the opportunity to review the Welsh language policy at Ysgol Aberteifi. There is ample capacity at the Ysgol Aberteifi site to implement these changes. It makes geographical, strategic and organisational sense to develop the existing facilities in Cardigan: the viability of these arrangements critically depends on the longer term concentration of cost-effective 14-19 courses for the area into two "hubs" at Cardigan and Llandysul, guaranteeing linguistic progression and encouraging cross-border collaboration.

## 8. CAPITAL PROGRAMMES FOR OPTIONS

The following options have been exemplified to show how the desired capital programmes can be funded:

### 8.1 Indicative Overall School Redevelopment Capital Programme Requirements

Costs and possible funding sources for the three projects are shown below. The amounts are illustrative, but realistic. The amounts for prudential borrowing are based on estimated revenue savings as shown in the next paragraph.

	<b>Tregaron £M</b>	<b>Llandysul £M</b>	<b>Cardigan £M</b>
<b>Capital Cost</b>	<b>15.0</b>	<b>25.0</b>	<b>10.0</b>
Capital Receipts	0.5	1.5	0
Prudential Borrowing	2.3	2.0	0
Capital Programme	1.2	0.5	1.5
SBIG / Transformation	11.0	21.0	3.5
Development Grant?	0.0	0.0	5.0
<b>Total Funding Sources</b>	<b>15.0</b>	<b>25.0</b>	<b>10.0</b>
Gross Revenue Saving	0.315	0.267	0
Transport	0.085	0.063	0
<b>Net Revenue Saving</b>	<b>0.230</b>	<b>0.204</b>	<b>0</b>
Capital Programme per annum	0.750	0.750	0.750

### NOTES

- Future WAG grants are uncertain and targeting arrangements are envisaged to be implemented from 2009-10.
- Costs are best estimates based on likely pupil numbers and at current prices; some allowance is made for the effect of inflation, which will need to be monitored continually.
- The Council's revenue budget benefits from professional fees charged to the capital schemes of £1.1m.

- Capital Receipts from school disposals are potentially higher when taking into account any planning opportunities, however some buildings are not owned by the Council. Capital receipts would be reduced significantly if premises are leased and not sold, which will mean additional funding to be identified from other sources. There will be maintenance savings from premises either sold or leased.
- Capital receipts generated during the period may be held in the corporate pot which would mean that further funding would be required from one of the other headings.
- Unsupported prudential borrowing is to be funded from revenue savings arising from the school reinvestment programme.
- The conditions survey undertaken indicates a repairs backlog but the impact on this amount due to inflation and the outcome of this consultation document is unknown.

## **8.2 Indicative Overall School Redevelopment Revenue Implications**

This illustrates how the revenue savings upon which the prudential borrowing figures in the above table are based have been derived. Two scenarios are presented, with the first based on actual pupil numbers in 2008 and the second based on predicted pupil numbers in 2012.

In the attached tables transport costs are based on a broad range and the following assumptions have been used for the bases of the calculation:

- a) only statutory provision made (whereas the current policy includes some discretionary provision;
- b) no allowance has been made for escorts;
- c) the rates per vehicle are based on county averages which vary greatly, and will be subject to tender, and are in nature different to the typical routes already in situ.

Some of the savings may be required to fund the federation model being proposed with the balance being used to fund the prudential borrowing costs arising.

Year 2008		Year 2012		Assumptions	
	No	Saving	No	Saving	
Schools Closing	7	329,000	Schools Closing	7	All pupils transfer to the school on the secondary campus
Schools Opening	1	(67,000)	Schools Opening	1	30% of pupils in the outlying schools are entitled to transport
Schools Extended	0	0	Schools Extended	0	
Site Saving	6	262,000	Site Saving	6	One vehicle utilised per closed school except for Lledrod and Bronant sharing a vehicle
	<b>Current Pupils</b>	<b>Saving</b>	<b>Current Pupils</b>	<b>Saving</b>	
Bronant	22	18,000	Bronant	16	24,000
Llanddewi Brefi	32	8,000	Llanddewi Brefi	36	4,000
Llangeitho	61	0	Llangeitho	50	0
Lledrod	18	22,000	Lledrod	15	25,000
Pontrhydfendigaid	57	0	Pontrhydfendigaid	54	0
Penuwch	44	0	Penuwch	42	0
Tregaron	73	0	Tregaron	79	0
New School			New School		292
<b>Pupil Saving</b>	<b>307</b>	<b>48,000</b>	<b>Pupil Saving</b>	<b>292</b>	<b>53,000</b>
<b>Gross Saving</b>		<b>310,000</b>	<b>Gross Saving</b>		<b>315,000</b>
<b>Transport from</b>	<b>Pupils</b>	<b>Cost</b>	<b>Transport to</b>	<b>Pupils</b>	<b>Cost</b>
Bronant/Lledrod	12	17,100	Bronant/Lledrod	9	17,100
Llanddewi Brefi	10	17,100	Llanddewi Brefi	11	17,100
Llangeitho	18	26,600	Llangeitho	15	17,100
Pontrhydfendigaid	17	26,600	Pontrhydfendigaid	16	17,100
Penuwch	13	17,100	Penuwch	13	17,100
	<b>70</b>	<b>104,500</b>		<b>64</b>	<b>85,500</b>
<b>Net Saving</b>		<b>205,500</b>	<b>Net Saving</b>		<b>229,500</b>

Year 2008		Year 2012		Assumptions	
	No	Saving	No	Saving	
Schools Closing	6	282,000	Schools Closing	6	282,000
Schools Opening	1	(67,000)	Schools Opening	1	(67,000)
Schools Extended	0	0	Schools Extended	0	0
<b>Site Saving</b>	<b>5</b>	<b>215,000</b>	<b>Site Saving</b>	<b>5</b>	<b>215,000</b>
	<b>Current Pupils</b>	<b>Saving</b>		<b>Current Pupils</b>	<b>Saving</b>
Aberbanc	38	2,000	Aberbanc	36	4,000
Capel Cynon	30	10,000	Capel Cynon	28	12,000
Coed-y-Bryn	39	1,000	Coed-y-Bryn	34	6,000
Pontsiân	52	0	Pontsiân	41	0
Capel Dewi	26	14,000	Capel Dewi	21	19,000
Rhydlewis	32	8,000	Rhydlewis	29	11,000
New School			New School	189	
<b>Pupil Saving</b>	<b>217</b>	<b>35,000</b>	<b>Pupil Saving</b>	<b>189</b>	<b>52,000</b>
<b>Gross Saving</b>		<b>250,000</b>	<b>Gross Saving</b>		<b>267,000</b>
<b>Transport from</b>	<b>Pupils</b>	<b>Cost</b>	<b>Transport to</b>	<b>Pupils</b>	<b>Cost</b>
Aberbanc, Rhydlewis & Coed-y-Bryn	33	32,300	Aberbanc, Rhydlewis & Coed-y-Bryn	30	32,300
Capel Cynon	9	17,100	Capel Cynon	8	5,000
Pontsiân & Capel Dewi	23	26,600	Pontsiân & Capel Dewi	19	26,600
<b>Net Saving</b>	<b>65</b>	<b>76,000</b>	<b>Net Saving</b>	<b>57</b>	<b>63,900</b>
		<b>174,000</b>			<b>203,100</b>

## APPENDICES

- A. **MINIMUM ENTITLEMENT – LOCAL CURRICULUM KEY STAGE FOUR**
  
- B. **KEY STAGE FOUR CURRICULA 2008-9**
  
- C. **COURSES AT COLEG CEREDIGION**
  
- D. **LEVEL 3 COURSES AT COLEG CEREDIGION AND THE SEVEN SECONDARY SCHOOLS**
  
- E. **CAMU**
  
- F. **PROGRESSION FROM LEVELS 1 AND 2 2009-11**

## APPENDIX A - Minimum Entitlement – Local Curriculum Key Stage 4

A Key Stage 4 Local Curriculum will consist of a list of qualifications offered to all learners. The local authority has the responsibility for determining whether there will be one Local Curriculum which applies to all learners registered at maintained secondary schools, or more than one (Local Curricula) to facilitate clustering arrangements. A local curriculum will consist of general and vocational courses and will include all National Curriculum Core subjects. Within each local authority, where there is more than one local curriculum, each needs to match to a particular school.

A Local Curriculum will consist of the following:

- courses offered to learners, available at their registered school i.e. the lead learning setting
- courses offered to learners through partnership / co-operation with other providers such as schools, FE colleges, training providers etc. which may be available at the lead setting or at another learning environment.

Two main criteria are set out in relation to local curriculum requirement:

1. Achievement of a minimum score within the local curriculum (set to ensure adequate volume or size of a local curriculum).
2. A minimum number of choices from level 2 courses for learners (to broaden current practice, particularly in relation to vocational provision for learners at key stage 4).

### Determining the size / volume of a Local Curriculum

To ensure that the needs of all learners are met, a local curriculum will consist of courses at a range of levels. A scoring system will be adopted to ensure adequate volume for learners within a local curriculum. Courses offered at a range of levels may be included. A minimum score of **780** is set for each local curriculum. This score has been set to facilitate providers in their offer of a range of courses of various size / volume. Within this score, a minimum score requirement of **260** has been set in terms of vocational provision (one third).

The scoring mechanism takes account of the variation in size of courses; the threshold equivalencies system (currently being used in relation to RE2 returns for schools) will be adopted. Thresholds represent a volume or 'size' of qualifications at a specific level on the National Qualifications Framework (NQF).

The NQF Level Contribution works on the basis that each approved qualification has been assigned a threshold contribution. This is represented as a percentage of the total size or volume of learning required to meet the level threshold. Any qualification, approved for use in Wales will be awarded a threshold score. See examples below:

### Score Examples

Course	Score
Full GCSE	20
Short GCSE	10

GCSE Double Award	40
BTEC First Cert	40
BTEC First Dip	80

Further scores may be found on the National Database of Accredited Qualifications.

### NVQs

NVQs that are offered within a local curriculum may be awarded their respective score in line with the Threshold Recording System; however, local authorities will need to ensure that a broad and balanced offer is maintained within the local curriculum. Any courses on offer must be genuinely suited to the cohort and not skewed to gain a higher score!

With the further requirement of the legislation that sets out a minimum number of 30 choices for learners at level 2, the likelihood is that where NVQs or larger courses are offered within the local curriculum the overall score will be greater than 780.

### Learner Choice

Whilst Welsh Assembly Government recognises that in order to meet the needs of all learners local authorities will offer courses at a range of levels, from entry to level 3. The measure is setting a minimum requirement for learner choice at level 2. **By 2012, the requirement is that within a local curriculum, each learner will have a choice of at least 30 courses at level 2; of these a minimum of 5 must be vocational.**

### Level 1 / 2 Progression within the Key Stage

If a course is offered as a level 1/2 within a local curriculum, allowing any learners who meet the level 1 competency access to the higher award within that key stage, this may be included as a valid choice. The following criteria must be met:

- Published / offered as a Level 1 / 2 course
- There must be a genuine local progression route from the level 1 to a level 2 course
- The course must be available at level 2 for pre-16 learners
- Within the same key stage, the local authority makes a commitment to enter those learners who they consider suitably eligible for the higher award.

### Transition Timeframe

Whilst local authorities follow their respective transition timeframe, the following revised scores and minimum requirement for level 2 vocational provision are given as the minimum requirement:

Total Number of Courses	Local Curriculum Score	Ceredigion
24	620	2009
26	680	2010
28	720	2011
30	780	2012

## Transition Figures for Vocational Provision

Total Courses	Total Score	Min Number – Voc Course Requirement (L2)	Ceredigion
24	180	3	2009
26	220	4	2010
28	220	4	2011
30	260	5	2012

The minimum requirement that vocational course provision falls across a minimum of three domains will remain.

The local curriculum must consist of a range of courses that lead to formal qualifications.

### What is a Course?

A course may be defined as a period of study based upon a specification or a combination of specifications, leading to a recognised qualification or combination of recognised qualifications at a particular level accredited within the National Qualifications Framework (NQF). The content of the course should not be replicated in any other course offered as part of the local curriculum.

For a course to count as a choice it must be at least the size of a full GCSE, or attain a score of 20, therefore a short course with a score of 10 would count as  $\frac{1}{2}$  a choice.

### Short Course Provision

Where a short course GCSE is offered within a local curriculum in addition to a full course, only the full course will be counted as a choice.

Courses offered within a local curriculum must be both general and vocational in nature.

A general qualification is one, which requires the demonstration of knowledge and understanding mainly through the application of cognitive skills such as analysis, synthesis and evaluation. General courses are normally assessed through written and / or oral examinations, although some may require an element of practical demonstration.

A vocational qualification is primarily designed to prepare learners for employment or specific occupations by increasing their knowledge, skill or proficiency in related subjects and therefore it has labour market value for entry to an identifiable occupation or set of occupations. Within the context of 14-19 Learning Pathways Policy, a small number of GCSEs are considered to have a more vocational context and will be included as vocational qualifications in a local curriculum.

Any qualifications offered within a local curriculum must meet the following criteria:

- Accredited on the National Database of Accredited Qualifications (NDAQ) and
- Listed under Section 96 List (qualifications approved for funding in Wales for learners up to the age of 18).

### **Bilingual Provision**

Where a course is offered bilingually, it remains as one choice. The offer of provision of a course through the medium of both Welsh and English allows the learner to study in the language considered most appropriate for them. Where courses are offered through the medium of English and Welsh, they may be scored independently.

### **Level 3 Provision**

Where a level 3 course is offered at Key Stage 4, in terms of learner choice, this would be considered as an enhancement for Key Stage 4 learners **and therefore should not be counted as a choice**; however, level 3 courses may be included within the local curriculum score and used to meet the vocational score requirement.

### **Welsh Baccalaureate (Intermediate)**

The Welsh Baccalaureate requires evidence of having pursued all six key skills, together with a range of further activities. The core certificate is not attributed with a score within the threshold system; however, for the purposes of a local curriculum, in terms of learner choice, those centres offering the Welsh Baccalaureate at intermediate level may count this as one choice. As the core also includes a requirement to pursue all six Key Skills, these may count as a further two choices. Key Skills offered by the same provider independently of the Welsh Baccalaureate cannot be counted as this would mean double counting.

### **Key Skills Level 2**

Where Key Skill Qualifications are offered by providers who do not deliver the WBQ, they will count within the minimum entitlement for learner choice as follows:

A minimum offer of three Key Skills will count as one choice

An offer of all six Key Skills will count as two choices.

### **Twilight Provision**

It is anticipated that local authorities will be considering the organisation of local curricular within the normal school day; however, in instances where Level 2 courses are offered as part of twilight arrangement, these may be counted as a choice for learners within the local curriculum, the following criteria must be met:

- Courses are available to all those learners for whom the Curriculum applies
- Access to provision is considered to be reasonable in terms of the time that it is offered.
- If provision is offered at an institution other than the base school, then access must be considered reasonable in terms of distance to be travelled by the learner.

### **Learner Entitlement Pre-16**

In terms of the number of courses that a learner is entitled to follow, there will be a maximum entitlement set down for all learners.

- The entitlement for all learners at Key Stage 4 will be equivalent to 10 full GCSEs.

A maximum learner entitlement score of 200 is set for all learners. The way that this is achieved by each learner will vary considerably according to the individual's needs and aspirations but will be compiled from the offer of courses / qualifications within the local curriculum, ensuring that this includes the core statutory subjects.

The Learning and Skills Measure will not prescribe that a pupil must follow a minimum number of courses within each or any one of the domains. The combination of courses taken will reflect the pupil's choices (agreed by parents / guardians). The Regulation will not prescribe that a pupil must follow both general and vocational courses; similarly, the balance will reflect the pupil's choice. **A pupil may follow all general courses, but that pupil will have had an entitlement to access of choice from both general and vocational courses.** At Key Stage 4, pupils will be expected to follow some general courses within the local curriculum as part of their core entitlement e.g. English, Maths etc.

### **Combination of Courses of Study of Different Types**

Individual schools and colleges will be required to provide appropriate guidance and direction to learners, in respect of the combinations of courses selected within their individual learning pathway. Such guidance and direction must be in accordance with rules published by the respective awarding bodies with regard to course specifications. These rules indicate areas of overlap, prohibited combinations and restrictions on candidate entry.

**APPENDIX B**

**KEY STAGE 4 CURRICULA FOR SCHOOLS 2009**

## APPENDIX C - COLEG CEREDIGION

### ABERYSTWYTH CAMPUS

A LEVEL		ART, ENGLISH, MEDIA STUDIES, PSYCHOLOGY, SOCIOLOGY, PHOTOGRAPHY, FILM STUDIES, WORLD DEVELOPMENT (AS only)
GCSE		ENGLISH, MATHS
INTRODUCTORY DIPLOMA	L1	VOCATIONAL STUDIES
BTEC FIRST CERTIFICATE	2 GCSEs	THEATRE / FILM / VISUAL ARTS, TRAVEL AND TOURISM
BTEC FIRST DIPLOMA	4 GCSEs	HEALTH AND SOCIAL CARE, IT (users), BUSINESS, BUSINESS ADMINISTRATION
BTEC NATIONAL DIPLOMA	(3 AL) L3	HEALTH AND SOCIAL CARE, THEATRE STUDIES, ART AND DESIGN
BTEC NATIONAL AWARD	(1 AL) L3	THEATRE STUDIES, FILM AND TELEVISION, ART AND DESIGN, TRAVEL AND TOURISM
BTEC NATIONAL CERTIFICATE (2AL)	L3	IT PRACTITIONERS (SOFTWARE DEVELOPMENT), BUSINESS, ART AND DESIGN
NVQ	LEVEL 1	HEALTH AND SOC CARE, CHILDREN'S CARE LEARNING AND DEVELOPMENT, PROFESSIONAL CATERING AND HOSPITALITY
NVQ	LEVEL 2	
NVQ	LEVEL 3	HEALTH AND SOC CARE (Adults), HEALTH AND SOC CARE (Children), HEALTH (General) CATERING AND HOSPITALITY, HEALTH (Clinical Healthcare Skills), PROFESSIONAL COOKERY, CHILDREN'S CARE LEARNING AND DEVELOPMENT
C&G	LEVEL 2	
C&G	LEVEL 3	
CACHE	LEVEL 2	CHILDCARE AND EDUCATION (DIPLOMA)
CACHE	LEVEL 3	CHILDCARE AND EDUCATION

OCR NATIONAL FIRST CERTIFICATE L2	ICT ADMINISTRATION
OCR NATIONAL CERTIFICATE L3	ICT, ITQ FOR IT USERS
EDEXCEL ACCESS	INDEPENDENT LIVING SKILLS
ACCESS TO HIGHER EDUCATION L2/3	NURSING AND HEALTH PROFESSIONS
ECDL LEVEL 1 / 2	IT
AAT LEVEL 2	ACCOUNTING AND PAYROLL
AAT LEVEL 3	ACCOUNTING AND PAYROLL

**COLEG CEREDIGION**

**CARDIGAN CAMPUS**

A LEVEL		
GCSE		ART / DESIGN, MATHS, ENGLISH, IT, CATERING, BUSINESS STUDIES, CHILDCARE
BTEC FIRST BTEC FIRST	CERTIFICATE DIPLOMA	
BTEC NATIONAL DIPLOMA	L3	VEHICLE REPAIR / TECHNOLOGY
BTEC NATIONAL AWARD	L2	BUSINESS ADMINISTRATION
BTEC NATIONAL CERTIFICATE	L2	BUSINESS ADMINISTRATION
NVQ LEVEL 1 LEVEL 2  LEVEL 3		BRICKLAYING, CARPENTRY / JOINERY PROFESSIONAL CATERING / HOSPITALITY, TROWEL OCCUPATIONS, WOOD OCCUPATIONS, BUSINESS AND ADMINISTRATION PROFESSIONAL COOKER, TROWEL OCCUPATIONS, WOOD OCCUPATIONS, BUSINESS AND ADMINISTRATION
C&G LEVEL 2  LEVEL 3		VEHICLE FITTING OCCUPATIONS, FURNITURE PRODUCTION (making, installing) FURNITURE PRODUCTION (wood machinking), FURNITURE RESTORATION FURNITURE (making and installing), FURNITURE (making and repairing)
CACHE LEVEL 2 LEVEL 3		CHILD CARE AND EDUCATION (CERTIFICATE) CHILD CARE AND EDUCATION
OCR NATIONAL FIRST CERTIFICATE NATIONAL CERTIFICATE	L2 L3	ICT ADMINISTRATION, ICT ICT, ITQ FOR IT USERS
AAT LEVEL 2 LEVEL 3		ACCOUNTING AND PAYROLL ACCOUNTING AND PAYROLL
OCN		INDEPENDENT LIVING SKILLS
ECDL LEVEL 1/2		IT

**APPENDIX D – 16-19 PROVISION (LEVEL 3 SUBJECTS / COURSES)**

**NORTH CEREDIGION**

<b>SUBJECT</b>	<b>PENGLAIS</b>	<b>PENWEDDIG</b>	<b>COLEG CEREDIGION</b>
ACCOUNTING AND PAYROLL			✓
ART	✓	✓	✓
BIOLOGY	✓	✓	
BUSINESS	✓	✓	✓
CATERING AND HOSPITALITY			✓
CHEMISTRY	✓	✓	
CHILD CARE AND EDUCATION	✓		✓
DESIGN TECHNOLOGY (RM)	✓	✓	
DESIGN TECHNOLOGY (Textiles)		✓	
DRAMA	✓	✓	
ENGLISH/ ENGLISH LIT	✓	✓	✓
FILM STUDIES			✓
FRENCH	✓	✓	
FURTHER MATHEMATICS	✓	✓	
GEOGRAPHY	✓	✓	
GEOLOGY	✓		
GERMAN	✓	✓	
HEALTH AND SOCIAL CARE	✓		✓
HISTORY	✓	✓	
IT	✓	✓	
IT PRACTITIONERS (L3)	✓		✓
LEISURE AND TOURISM			✓
MATHEMATICS	✓	✓	
MEDIA STUDIES	✓	✓	✓
MUSIC	✓	✓	
MUSIC TECHNOLOGY	✓		
PHOTOGRAPHY			✓
PHYSICAL EDUCATION	✓	✓	
PHYSICS	✓	✓	
PSYCHOLOGY	✓	✓	✓
RELIGIOUS STUDIES		✓	
SOCIOLOGY	✓		✓
SPANISH	✓		
THEATRE STUDIES			✓
WELSH 1 <sup>ST</sup> LANGUAGE	✓	✓	
WELSH 2 <sup>ND</sup> LANGUAGE	✓		
WELSH BACCALAUREATE	✓	✓	
WORLD DEVELOPMENT			✓

**16-19 PROVISION (LEVEL 3 SUBJECTS / COURSES)**

**MID-CEREDIGION**

SUBJECT	LAMPETER	TREGARON	ABERAERON
ART	✓	✓	✓
BIOLOGY	✓	✓	✓
BUSINESS	✓		
CHEMISTRY	✓	✓	✓
CHILD CARE AND EDUCATION	✓	✓	✓
DAERYDDIAETH	✓	✓	✓
DESIGN TECHNOLOGY (RM)	✓	✓	✓
DESIGN TECHNOLOGY (Textiles)		✓	
DESIGN TECHNOLOGY (Food)		✓	
DRAMA	✓	✓	
ECONOMICS			✓
ELECTRONICS	✓	✓	✓
ENGLISH/ ENGLISH LIT	✓	✓	✓
FILM STUDIES			
FRENCH	✓	✓	✓
GEOGRAPHY	✓	✓	✓
GERMAN			✓
HANES	✓	✓	✓
HEALTH AND SOCIAL CARE	✓	✓	
HISTORY	✓	✓	✓
IT	✓	✓	✓
LEISURE AND TOURISM	✓		
MATHEMATICS	✓	✓	✓
MEDIA STUDIES			✓
MUSIC	✓	✓	✓
PHYSICAL EDUCATION	✓	✓	✓
PHYSICS	✓	✓	✓
PSYCHOLOGY			✓
RELIGIOUS STUDIES		✓	
SPANISH	✓		
WELSH 1 <sup>ST</sup> LANGUAGE	✓	✓	✓
WELSH 2 <sup>ND</sup> LANGUAGE	✓	✓	✓

**16-19 PROVISION (LEVEL 3 SUBJECTS / COURSES)**

**SOUTH CEREDIGION**

SUBJECT	DYFFRYN TEIFI	CARDIGAN	COLEG CEREDIGION	NEWCASTLE EMLYN
ACCOUNTING AND PAYROLL			✓	
APPLIED SCIENCE		✓		
ART	✓	✓		✓
BIOLOGY	✓	✓		✓
BUSINESS	✓		✓	✓
CATERING –Food Preparation and cooking			✓	
CATERING- Hospitality Supervision			✓	
CATERING AND HOSPITALITY			✓	
CHEMISTRY	✓	✓		✓
CHILD CARE AND EDUCATION	✓		✓	
CONSTRUCTION	✓		✓	
CONSTRUCTION–Trowel Trades			✓	
CONSTRUCTION – Wood Trades			✓	
DAERYDDIAETH		✓		
DESIGN TECHNOLOGY (RM)	✓	✓		✓
DESIGN TECHNOLOGY (Food)	✓	✓		
DESIGN TECHNOLOGY (Textiles)	✓			
DRAMA	✓			✓
ELECTRONICS	✓	✓		✓
ENGLISH/ ENGLISH LIT	✓	✓		✓
ENGINEERING	✓	✓		
FINANCE				✓
FRENCH	✓	✓		✓
FURNITURE-Making and installing			✓	
FURNITURE- Making/repairing hand crafted furniture			✓	
GEOGRAPHY	✓	✓		✓
GERMAN				
HANES		✓		
HEALTH AND SOCIAL CARE	✓	✓		✓
HISTORY	✓			✓
IT	✓	✓	✓	✓
ITALIAN	✓	✓		
IT PRACTITIONERS (L3)		✓	✓	
LAW		✓		
LEISURE AND TOURISM	✓	✓		
MATHEMATICS	✓	✓		✓

<b>SUBJECT</b>	<b>DYFFRYN TEIFI</b>	<b>CARDIGAN</b>	<b>COLEG CEREDIGION</b>	<b>NEWCASTLE EMLYN</b>
MEDIA STUDIES	✓			
MUSIC	✓	✓		✓
MUSIC TECHNOLOGY	✓			
PHOTOGRAPHY				✓
PHYSICAL EDUCATION	✓			✓
PHYSICS	✓	✓		✓
PSYCHOLOGY	✓	✓		✓
RELIGIOUS STUDIES	✓	✓		✓
SOCIOLOGY				✓
VEHICLE REPAIR TECHNOLOGY			✓	
WELSH 1 <sup>ST</sup> LANGUAGE	✓	✓		
WELSH 2 <sup>ND</sup> LANGUAGE		✓		✓

## APPENDIX E - CAMU

MUSIC TECHNOLOGY AS  
ECONOMICS AS  
MEDIA STUDIES AS/A2 VC  
PHOTOGRAPHY AS/A2  
CACHE DIPLOMA IN CHILDCARE AND EDUCATION  
ASSOCIATION OF ACCOUNTING TECHNICIANS  
NVQ2/3 FOOD PREPARATION AND COOKING  
BTEC NATIONAL DIPLOMA IN VEHICLE TECHNOLOGY  
ITALIAN GCSE  
DIPLOMA IN HAIRDRESSING  
CITY AND GUILDS CAD  
CERT / DIP FINANCIAL STUDIES

**APPENDIX F  
COLEG CEREDIGION**

**Level 3 Enrolments at 1st November 2008**

**Aberystwyth Campus**

Subject/Course	Number of Enrolments
AS Level Art and Design	9
AS Level English	7
AS Level Film Studies	11
AS Media Studies	12
AS Photography	14
AS Psychology	11
AS Sociology	10
AS World Development	9
A Level Art and Design - Year 2	5
A Level English - Year 2	6
A Level Media Studies - Year 2	5
A Level Photography - Year 2	8
A Level Psychology – Year 2	5
A Level Sociology - Year 2	10
Access to HE – Nursing and Health Professions	12
CACHE Diploma in Childcare and Education - Year 1	17
CACHE Diploma in Childcare and Education - Year 2	17
National Diploma in Health and Social Care - Year 1	13
National Diploma in Health and Social Care - Year 2	11
NVQ 3 Children’s Care, Learning and Development	31
NVQ 3 Health and Social Care	14
NVQ 3 Health	10
HAB Food Preparation and Cooking	6
National Award in Travel and Tourism - Year 1	20
National Award in Travel and Tourism - Year 2	16
National Certificate in Business (Management) - Year 1	20
National Certificate in Business (Management) - Year 2	16
Association of Accounting Technicians NVQ 3	12
OCR Diploma in ICT	14
National Certificate in Fine Art	13
National Diploma in Fine Art - Year 1	12
National Diploma in Fine Art - Year 2	10
National Award in Media (TV and Film)	6
National Diploma in Performance - Year 1	15
National Diploma in Performance - Year 2	13

## Cardigan Campus

<b>Course</b>	<b>Number of Enrolments</b>
CACHE Diploma in Childcare and Education – Year 1	8
CACHE Diploma in Childcare and Education - Year 2	5
Association of Accounting Technicians NVQ 3	13
RSA NVQ 3 Administration [taught with NVQ 2 students]	1
OCR National Certificate in ICT	11
NVQ Level 3 in Professional Cookery	11
HAB Hospitality Supervision	11
C&G Certificate in Furniture Production	11
C&G Certificate in Furniture Restoration	8
National Award in Vehicle Technology (Motor Sports)	8
National Diploma in Vehicle Technology (Motor Sports) - Year 1	10
National Diploma in Vehicle Repair and Technology - Year 2	8
IEE Wiring Regulations	15
Advanced Construction Award (Trowel Occupations)	13
Advanced Construction Award (Wood Occupations)	16

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- Dr. Gwynfor Griffiths for the analysis of KS4 provision in relation to the Learning and Skills (Wales) Measure 2008.
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- Mr. Eifion Evans, Mr. Steve Johnson, Mr. David Taylor and Mr. Chris Macey for guiding me through capital development programmes and site suitability work.

## CEREDIGION COUNTY COUNCIL

**Report to:** Cabinet

**Date of meeting:** 11.1.2022

**Title:** Mid Wales Education Partnership

**Purpose of the report:** To obtain authority for Powys and Ceredigion County Councils to work together, as the Mid Wales Education Partnership

**For:** For decision

**Cabinet Portfolio and Cabinet Member:** Cllr. Catrin Miles

### 1. Background

Ceredigion is no longer a part of the Education in Regional Working (ERW) consortia. ERW began as an alliance of six local authorities delivering school improvement services. Ceredigion presented notice of its intention to leave ERW in March 2020, which became operational 12 months later.

Given this new landscape of regional working, it is vital that Ceredigion Local Authority works with appropriate partners to ensure that we are not insular and that we give schools the best possible opportunities. In order to work alongside the other regions and partnerships across Wales and secure the best outcomes for schools, it is necessary to commit to being a full and active contributor across the range of areas and groups in education improvement.

Ceredigion and Powys share a number of existing partnerships, specifically relating to the Mid Wales Growth Deal on economic regeneration. The Local Government and Elections Bill came to force in January 2021. Section 74 of the Act makes reference to the functions which the regulations may specify. This included the “improving education” function. However, the subsequent regulations (as issued so far) state that Corporate Joint Committees (CJC) must be established for the following functions: strategic development plan, transport and economic well-being only. The Mid Wales CJC has been established by regulations as a result. The principal Councils are Powys and Ceredigion County Councils (as well as the Brecon Beacons NPA in relation to the strategic development plan only). Therefore, education improvement is not a function which must currently be governed by the Mid Wales CJC.

Ceredigion shares many similarities and challenges with Powys, particularly those related to rurality. It is therefore natural that Ceredigion and Powys continue to work closely on the education agenda. The proposed Mid-Wales Partnership is voluntary, developing joint working in appropriate and suitable priority areas for both Local

Authorities. Detailed plans have been submitted to Welsh Government by both LAs outlining the areas of joint working.

It is proposed that the two local authorities agree priority areas, posts and officers working across the two counties of the partnership to collaborate on local and national developments.

The Mid-Wales Education Partnership established agreed ways of working in September 2021. It was agreed to function as a partnership rather than separate authorities with just one officer per workstream to jointly represent the Mid-Wales Partnership at meetings with Welsh Government and cross-regional working parties. This would ensure representation for schools in the Mid-Wales Education Partnership with the nominated officer responsible for all information sharing before and after meetings. The agreed system of briefing notes ensured all parties remained informed whilst only taking up one 'seat at the table'.

The focus of collaboration is currently on:

- ❖ Leadership development
- ❖ Support for Induction and Early Career
- ❖ Professional Learning for Teaching Assistants
- ❖ Deprivation and rural poverty
- ❖ Curriculum for Wales
- ❖ Improving pedagogy
- ❖ Research and enquiry

When permitted to collaborate, the Mid-Wales Education Partnership has relished the opportunity to engage with a range of partners including regions, other partnerships and individual local authorities to ensure equitable and quality professional learning experiences for all schools. We are currently working in collaboration on a wide range of national projects including: The National Professional Enquiry Project, the National Strategy for Educational Research and Enquiry, The National Pedagogy Project, The National Networks and The Wales Collaboratory for Learning Design. The Mid-Wales Partnership is taking an active role in these groups, co-ordinating and facilitating the work of practitioners, as well as producing and delivering professional learning on behalf of a range of stakeholders

Officers of the Mid Wales Education Partnership are full and active contributors to regional working in the following cross regional groups: The regional induction group, early career pathway development, digital professional learning, Curriculum for Wales, assessment. From the beginning of December, the Mid-Wales Partnership has been promised full access to the resources and applications for the regional leadership pathways as part of the regional consortia leadership group.

The Mid-Wales Education Partnership is able to bring additional capacity and expertise to existing cross-regional networks. There is a wealth of experience across the partnership including officers who have worked in school improvement at a local and regional level. Many of the officers in the Mid-Wales Education Partnership have worked closely with cross-regional colleagues in the past, developing resources and programmes to support professional learning. They have delivered and facilitated

the work of a wide range of groups of practitioners, undertaking rigorous evaluations of the impact of their work.

An officer from either Ceredigion or Powys represents the Partnership in national meetings. There are clear protocols and arrangements as regards to information sharing between officers of both local authorities and relevant officers have been informed of their responsibilities if they represent the partnership. Senior officers from Powys and Ceredigion meet every fortnight to further develop future joint working. This collaborative working is mirrored across a range of projects and workstreams.

The arrangement for joint working in appropriate and suitable priority areas for both Local Authorities will be governed by means of a Memorandum of Understanding to be agreed by both Authorities. A draft is presented as a Background paper below.

**Has an Integrated Impact Assessment been completed? If, not, please state why**

**Wellbeing of Future Generations:**

**Summary:**  
**Long term:**  
**Collaboration:**  
**Involvement:**  
**Prevention:**  
**Integration:**

**Recommendation(s):**

**to approve that:**

1. Powys and Ceredigion continue to work together as the Mid Wales Education Partnership
2. Officers from across the Mid Wales Education Partnership will collaborate on a number of agreed local and national priorities
3. The Mid Wales Education Partnership is represented on the full range of cross-regional working parties to ensure equity of provision for schools in Powys and Ceredigion.
4. Ceredigion County Council enters into a Memorandum of Understanding with Powys County Council

**Reasons for decision:**

**To ensure the Council is** involved in regional and national discussions, in collaboration with Powys County Council

**Overview and**

**Scrutiny:**

**Policy Framework:**

**Corporate Priorities:**

Investing in People's Futures

**Finance and Procurement implications:** None

**Legal Implications:**

**Staffing implications:** Currently none, but, as the Partnership develops, there may be new joint posts in specific areas of educational improvement. Existing local authority staff may work in collaboration with their counterparts in Powys, which may involve working directly with both Ceredigion and Powys schools.

**Property / asset implications:** None

**Risk(s):** Risk on not being involved in regional and national discussions without collaboration with Powys

**Statutory Powers:** N/A

**Background Papers:**

**Appendices:** Memorandum of Understanding, Mid Wales Education Partnership

**Corporate Lead Officer:** Meinir Ebbsworth

**Reporting Officer:**

**Date:** 21.12.21



## Cytundeb Lefel Gwasanaeth Partneriaeth Canolbarth Cymru

Medi 1<sup>st</sup> 2021 - Awst 31<sup>ain</sup> 2022

**Memorandum of Understanding  
Mid Wales Education Partnership  
September 1<sup>st</sup> 2021- August 31<sup>st</sup> 2022**



This Agreement is dated \_\_\_\_\_

### **BETWEEN**

(1) **POWYS COUNTY COUNCIL** of County Hall, Llandrindod Wells, LD1 5LG ("**Powys**")

and

(2) **CYNGOR SIR CEREDIGION COUNTY COUNCIL** whose principal address is Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron SA46 0PA ("**Ceredigion**")

(together referred to as "**the Councils**" and individually as a "**Council**")

### **BACKGROUND**

Both Ceredigion and Powys Local Authorities wish to work collaboratively on school improvement priorities to ensure benefits for all schools. The partnership aligns with other collaborations also on the same Mid Wales footprint.

### **COMMENCEMENT AND DURATION**

This Agreement shall commence on 1 September 2021 and shall terminate on 31 August 2022 unless the Councils mutually agree in writing to extend the Agreement for a further period, such period to be confirmed in writing with two months' notice.

**Cytundeb Lefel Gwasanaeth Partneriaeth Canolbarth Cymru**

**Medi 1<sup>st</sup> 2021 - Awst 31<sup>ain</sup> 2022**

**Memorandum of Understanding  
Mid Wales Education Partnership  
September 1<sup>st</sup> 2021- August 31<sup>st</sup> 2022**

**WORKING ARRANGEMENTS**

This Agreement is entered into by the Councils on a basis of co-operation and good faith.

**Principles of Collaboration between Ceredigion and Powys on elements of school support:**

The parties agree to adopt the following principles :

- (a) collaborate and co-operate to ensure that activities are delivered and actions taken as required;
- (b) be accountable - take on, manage and account to each other for performance of the respective roles and responsibilities;
- (c) be open - communicate openly about major concerns, issues or opportunities;
- (d) behave in a positive, proactive manner;
- (e) adhere to statutory requirements and best practice - comply with applicable laws and standards including applicable procurement rules, data protection and freedom of information legislation; and
- (f) act in a timely manner - recognise and respond accordingly to requests for support.

The Parties agree that :

- ❖ A suitable member of staff from either Ceredigion or Powys shall represent the Councils in cross regional and national meetings and for a in accordance with Annexe A .
- ❖ Engagement with schools : staff from either Ceredigion or Powys will only engage with the schools in the other Council's area with the consent of the Head of School Improvement in Ceredigion and Head of Education in Powys and with appropriate DBS checks conducted by the employer.
- ❖ Delivery of professional learning across both Ceredigion and Powys may be co-designed and co-delivered with the consent of the Head of School Improvement in Ceredigion and Head of Education in Powys.

**Cytundeb Lefel Gwasanaeth Partneriaeth Canolbarth Cymru**

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All staff used by the partnership will be employed either by Powys or Ceredigion. The line management and performance management of staff will be the responsibility of the employing Council. If a Council provides services to the other Council, it shall ensure that it provides staff tasked with the role who are appropriately and suitably qualified and have suitable skills, knowledge and experience in the specified aspect of work. If any matters of concern arise the CEO receiving the service should raise the matter directly with the CEO providing the service.

The parties undertake to:

- a) **supply to the other party information and assistance reasonably requested by the other party relating to the collaboration as is necessary to enable that other party to perform its own obligations in relation to the collaboration in respect of :-**
- i) Providing Leadership programmes
  - ii) Providing support for NQTs
  - iii) Providing professional Learning for Teaching Assistants
  - iv) Dealing with deprivation and rural poverty/challenges
  - v) Providing the Curriculum for Wales
  - vi) Attending National fora and meetings, that used to include the four regions, will now also include a representation from the Mid Wales Partnership.
  - vii) Arranging for senior officers from Powys and Ceredigion meet fortnightly to further develop future joint working.
- b) facilitate regular discussions between appropriate members of their respective personnel in relation to the collaboration, including in relation to:
- i) performance and issues of concern in relation to the collaboration and staff;
  - ii) any additional resource requirements; and
  - iii) such other matters as may be agreed between the parties from time to time.

**Cytundeb Lefel Gwasanaeth Partneriaeth Canolbarth Cymru**

**Medi 1<sup>st</sup> 2021 - Awst 31<sup>ain</sup> 2022**

**Memorandum of Understanding  
Mid Wales Education Partnership  
September 1<sup>st</sup> 2021- August 31<sup>st</sup> 2022**

- c) provide all reasonable assistance and cooperation as reasonably requested by the other parties to maintain the operation of this Agreement.
- d) to inform each other as soon as reasonably practicable of any other significant matter that may arise during the term of this Agreement, including any significant matter that may arise in relation to a member of staff.
- e) hold termly meetings between the Chief Education Officers/ Directors of both Councils and the portfolio Cabinet members of both Councils.
- f) collaborate to prepare and present an annual report to Powys and Ceredigion Scrutiny Committees.

**Equalities, Freedom of Information, Environmental Information Regulations and Welsh Language requirements**

The parties shall not unlawfully discriminate within the meaning and scope of any law, enactment, order, or regulation relating to discrimination whether in race, gender, religion, disability, sexual orientation or otherwise.

The parties acknowledge that each is subject to the requirements of the Freedom of Information Act 2000 (as amended) and the Environmental Information Regulations 2004 (as amended) and shall assist and co-operate with each another to enable each other to comply with these information disclosure requirements, where necessary.

The parties' conduct and communications in relation to this Agreement shall comply with the Welsh Language (Wales) Measure 2011.

**Charges**

The parties shall each bear their own costs and expenses incurred in complying with their obligations under this Agreement.

**Cytundeb Lefel Gwasanaeth Partneriaeth Canolbarth Cymru**

**Medi 1<sup>st</sup> 2021 - Awst 31<sup>ain</sup> 2022**

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**Confidentiality**

In this clause the following expressions shall have the following meanings:-

**“Confidential Information”** means any information, data or material of any nature which:

- a) has been designated as confidential by a party in writing; or
- b) the release of which is likely to prejudice the commercial interests of a party or
- c) that ought to be considered as confidential (however it is conveyed or on whatever media it is stored)

including information which relates to the business, affairs, properties, assets, trading practices, services, developments, trade secrets, [Intellectual Property Rights], know-how, personnel, customers and suppliers of either of the parties, all personal data and sensitive personal data within the meaning of the Data Protection Act 2018, subject to the provisions at set out in this Agreement relating to Confidentiality and Freedom of Information.

**“Information”** has the meaning given under Section 84 of the Freedom of Information Act 2000, as amended.

- a) Each party agrees to keep confidential all documents relating to or received from the other party under this Agreement that are labelled as confidential and shall not use such Confidential Information except for the purpose of exercising or performing its rights and obligations under this Agreement in relation to the collaboration or disclose such Confidential Information in whole or in part to any third party, except as expressly permitted by this clause.

**Cytundeb Lefel Gwasanaeth Partneriaeth Canolbarth Cymru**

**Medi 1<sup>st</sup> 2021 - Awst 31<sup>ain</sup> 2022**

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September 1<sup>st</sup> 2021- August 31<sup>st</sup> 2022**

b) Where any request to that another party has designated as confidential, the receiving party shall consult with the disclosing party before deciding whether the Information is subject to disclosure.

party receives a disclose Information

c) The provisions of clauses a) and b) shall not apply to any Confidential Information received by any party from another party:

- i) which is or becomes public knowledge (otherwise than by breach of this clause); which was in the possession of the party, without restriction as to its disclosure, before receiving it from the disclosing party;
- ii) which is received from a third party who lawfully acquired it and who is under no obligation restricting its disclosure;
- iii) which the parties agree in writing is not confidential or may be disclosed;
- iv) which must be disclosed pursuant to a statutory, legal or parliamentary obligation placed upon the disclosing party making the disclosure, including any requirements for disclosure under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

**DISPUTE RESOLUTION**

If any party has any issues, concerns or complaints about the collaboration, or any matter in this Agreement, it shall notify the other party in writing of the issue, concern, complaint or matter and the parties shall attempt in good faith to resolve any such issue, concern, complaint or matter. Where possible, dispute resolution shall be managed by the relevant service lead for each party involved in the collaboration.

If the issue cannot be resolved within a reasonable period of time, the matter shall be escalated in writing to the respective Chief Executives Officers to resolve the dispute between them.

If the Chief Executives Officers fail to resolve the dispute within a reasonable period of time of the dispute having been referred to them, the parties shall give consideration to alternative dispute resolution options.

**Cytundeb Lefel Gwasanaeth Partneriaeth Canolbarth Cymru**

**Medi 1<sup>st</sup> 2021 - Awst 31<sup>ain</sup> 2022**

**Memorandum of Understanding  
Mid Wales Education Partnership  
September 1<sup>st</sup> 2021- August 31<sup>st</sup> 2022**



**Atodiad A / Annexe A**

**Representating the Mid Wales Education Partnership at Regional and National meetings and fora:**

<p><b>Cyn y Cyfarfod:</b></p> <ul style="list-style-type: none"> <li>• Rhannu manylion cyswllt cynrychiolwyr Ceredigion a Phowys â'r trefnydd</li> <li>• Mae angen anfon gwahoddiadau i gyfarfodydd gan gynnwys agendâu a phapurau at gynrychiolwyr o Geredigion a Phowys</li> <li>• Mae angen sgwrs cyn y cyfarfod rhwng cynrychiolwyr o Geredigion a Phowys i sicrhau bod safbwyntiau a gofynion pob awdurdod yn cael cynrychiolaeth lawn yn ystod trafodaethau'r cyfarfod</li> </ul>	<p><b>Before the Meeting:</b></p> <ul style="list-style-type: none"> <li>• Contact details of Ceredigion and Powys representatives shared with meeting organiser</li> <li>• Invitation to meeting including any agendas and papers to be sent to representatives from <b>both</b> Ceredigion and Powys</li> <li>• Pre-meeting to take place between Ceredigion and Powys representatives to ensure full representation of each authority's perspective and requirements during discussion in the meeting</li> </ul>
<p><b>Yn Ystod y Cyfarfod:</b></p> <ul style="list-style-type: none"> <li>• Dim ond un cynrychiolydd o Geredigion a Phowys i fynychu'r cyfarfod. Os na all y cynrychiolydd y cyntunwyd arno/arni ddod, bydd cynrychiolydd o'r awdurdod arall yn cymryd ei le/ei lle dros dro</li> <li>• Rhaid cofnodi nodiadau a chamau gweithredu gan ddefnyddio pro fforma nodyn briffio Partneriaeth Canolbarth Cymru</li> <li>• Bydd y cynrychiolwyr sy'n dod i'r cyfarfod yn rhannu pwyntiau perthnasol a godwyd mewn trafodaethau cyn y cyfarfod i sicrhau bod safbwynt pob awdurdod yn cael ei gynrychioli'n llawn</li> </ul>	<p><b>During the Meeting:</b></p> <ul style="list-style-type: none"> <li>• Only one representative from Ceredigion or Powys will attend the meeting. If the agreed representative is unable to attend, the representative from the other authority will stand in as a temporary replacement.</li> <li>• Notes and actions to be recorded using the Mid Wales Education Partnership briefing note pro forma.</li> </ul>

**Cytundeb Lefel Gwasanaeth Partneriaeth Canolbarth Cymru**

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	<ul style="list-style-type: none"> <li>The representative attending the meeting will share any relevant points raised in pre-meeting discussions to ensure each authority's perspective is fully represented.</li> </ul>
<p><b>Wedi'r cyfarfod:</b></p> <ul style="list-style-type: none"> <li>Dylid anfon unrhyw gofnodion neu gamau gweithredu ffurfiol y cytunwyd arnynt yn y cyfarfod at gynrychiolwyr Ceredigion a Phowys</li> <li>Dylid rhannu nodiadau briffio a luniwyd gan y cynrychiolydd o Bowys neu Geredigion o fewn 24 awr o'r cyfarfod</li> <li>Gellid trefnu cyfarfod dilynol (pan fo galw) rhwng cynrychiolwyr o Geredigion a Phowys i drafod cynnwys y nodyn briffio a nodi camau gweithredu priodol ar gyfer pob awdurdod lleol</li> </ul>	<p><b>After the Meeting:</b></p> <ul style="list-style-type: none"> <li>Any formal minutes or actions agreed in the meeting by the chair should be sent to both Ceredigion and Powys representatives</li> <li>Briefing notes produced by the Ceredigion or Powys representative should be shared within 24 hours of the meeting</li> <li>A follow up meeting may be arranged (when necessary) between Ceredigion and Powys representatives to discuss the content of the briefing note and identify appropriate actions for each local authority.</li> </ul>

Local leads and representation at cross regional and national meetings and for a have been agreed as the following for the 2021-22 academic year:

National and Cross-Regional Teams/Groups/Meetings	Powys lead	Ceredigion lead	To represent Mid Wales Partnership
MD Meetings	Lynette Lovell	Meinir Ebbsworth	Alternate Lynette and Meinir
WG Consortia PL Leads Meeting	Sally Llewellyn	Elen Davies	Sally Llewelyn
WG Consortia Curriculum Leads Meeting	Sally Llewellyn	Catrin Thomas	Sally Llewelyn
WG Assessment and Progression Group	Chris Davies	Elen Davies	Elen Davies

**Cytundeb Lefel Gwasanaeth Partneriaeth Canolbarth Cymru**

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<b>WG PL and Collaboration Meeting</b>	Sally Llewellyn	Elen Davies	Sally Llewelyn
<b>WG National Professional Enquiry Project</b>	Sally Llewellyn	Gareth Evans	Gareth Evans
<b>WG Schools as Learning Organisations</b>	Sally Llewellyn	Catrin Thomas	Catrin Thomas
<b>WG National Strategy for Educational Research and Enquiry</b>	Sally Llewellyn	Gareth Evans	Gareth Evans
<b>WG Talk Pedagogy</b>	Sally Llewellyn	Gareth Lanagan	Sally Llewelyn
<b>WG Digital Professional Learning Journey</b>	Rob Walters	Kay Morris	Kay Morris
<b>Cross-Regional Digital Leads Team</b>	Rob Walters	Kay Morris	Kay Morris Rob Walters
<b>Cross-Regional PL Leads</b>	Sally Llewellyn	Elen Davies	Sally Llewelyn
<b>Cross-Regional Post-16 Team</b>	Huw Griffiths	Gareth Hughes	Huw Griffiths Gareth Hughes
<b>Cross-Regional National Evaluation and Improvement Resource Team</b>	Eurig Towns Huw Griffiths	Gareth Evans Clive Williams	Gareth Evans Huw Griffiths
<b>Cross-Regional Induction Team</b>	Sarah Perdue	Alwyn Ward	Alwyn Ward Sarah Perdue
<b>Cross-Regional Leadership Team</b>	Sarah Perdue	Dafydd Iolo	Sarah Perdue Dafydd Iolo
<b>Cross-Regional TALP Team</b>	Sarah Perdue	Alwyn Ward	Alwyn Ward Sarah Perdue
<b>Cross-Regional Well-Being Team</b>	Chris Davies Mary Strong	Laurie Hughes Gillian Evans	Chris Davies Laurie Hughes
<b>Cross-Regional Coaching and Mentoring Team</b>	Nia Vaughan	Dafydd Iolo	Nia Vaughan Dafydd Iolo



**Cytundeb Lefel Gwasanaeth Partneriaeth Canolbarth Cymru**

**Medi 1<sup>st</sup> 2021 - Awst 31<sup>ain</sup> 2022**

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September 1<sup>st</sup> 2021- August 31<sup>st</sup> 2022**



<b>Cross-Regional Welsh Team</b>	TBC	Menna Jones Menna Sweeny	Menna Jones Menna Sweeny
<b>Cross-Regional PDG Group</b>	TBC	New appointee	New appointee
<b>Cross-Regional Rural Deprivation Grant</b>	TBC	New appointee	New appointee
<b>Qualifications Wales</b>	Sally Llewellyn Huw Griffiths	Gareth Lanagan	Gareth Lanagan Huw Griffiths

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Mae pob Awdurdod Lleol yn rhoi eu caniatâd ysgrifenedig penodol i weithredu ar ran y llall fel a gytunwyd uchod.

Each Local Authority gives their express written consent to act on behalf of the other as outlined above.

Cyngor Sir Powys / Powys County Council

.....

.....

.....

(Agraffu Enw / Print Name)

(Llofnod / Signature)

(Swydd / Position)

Cyngor Sir Ceredigion / Ceredigion County Council

.....

.....

.....

(Agraffu Enw / Print Name)

(Llofnod / Signature)

(Swydd / Position)



**Cytundeb Lefel Gwasanaeth Partneriaeth Canolbarth Cymru**

**Medi 1<sup>st</sup> 2021 - Awst 31<sup>ain</sup> 2022**

**Memorandum of Understanding  
Mid Wales Education Partnership  
September 1<sup>st</sup> 2021- August 31<sup>st</sup> 2022**



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## CEREDIGION COUNTY COUNCIL

**Report to:** Cabinet

**Date of meeting:** 11<sup>th</sup> January 2022

**Title:** Growing Mid Wales – Inter-Authority Agreement 3 in relation to the delivery of the Mid Wales Growth Deal

**Purpose of the report:** To approve the Growing Mid Wales Inter-Authority Agreement 3

**For:** Decision

**Cabinet Portfolio and Councillor Ellen ap Gwynn, Leader of the Council;**

**Cabinet Member:**

**Councillor Rhodri Evans, Cabinet Member for Economy and Regeneration;**

**Councillor Dafydd Edwards, Cabinet Member for Highways and Environmental Services together with Housing.**

### Background

Ceredigion County Council has already engaged in a formal arrangement with Powys County Council to pursue a Mid Wales Growth Deal (“MWGD”) as part of the Growing Mid Wales work – through the Inter-Authority Agreement (“IAA”) dated 11 December 2019 and the amended Inter-Authority Agreement dated 4<sup>th</sup> August 2021 (“IAA2”).

The IAA ensured the appropriate governance arrangements to ensure the partners achieved Heads of Terms which were signed on 22<sup>nd</sup> December 2020 for the MWGD. IAA2 ensured continued governance for the period of development up to Final Deal Agreement (“FDA”), and also to include the new Terms of Reference for the Regional Skills Partnership.

The MWGD is entering the final phases of development with the anticipated signing of the FDA in December 2021.

#### Current position

To ensure there is continued good and robust governance for the delivery phase of the MWGD, it is necessary to further revise and evolve the existing arrangements between both Powys and Ceredigion Councils. This takes the form of a third iteration of the Inter-Authority Agreement in relation to the delivery of the MWGD (“IAA3”) which sets out the principle of the governance and management of the MWGD. IAA3 is intended to commence once the FDA is signed between the two Councils and will remain in force and effect for the period of the MWGD.

IAA3 will remain in full force and effect unless the two Councils agree to terminate the IAA3 or it is brought to an end by the default of a party, in which case the IAA3 can be ended by the Non Defaulting Party (Clause 2.1 & 2.2 of IAA3). The consequences for termination for default are set out in clause 14.2 of IAA3 but in essence the Defaulting Council shall indemnify the other Council against any costs and expenses directly incurred by that Council as a result of such a termination.

The IAA3 was presented to the Growing Mid Wales Board (“the Board”) on 15 December 2021, along with a proposal that the Board recommended to the Cabinets of both Councils that IAA3 was agreed (as set out in Appendix 1), and such a recommendation was made by the Board.

In order to continue to ensure that appropriate governance arrangements are in place for the delivery of the MWGD, it is proposed that the Cabinet approves IAA3 as set out in Appendix 1 of this report.

It is anticipated that future governance changes will be required to reflect the introduction and establishment of the Mid Wales Corporate Joint Committee.

#### **Has an Integrated Impact Assessment been completed? If, not, please state why**

**Wellbeing of Future Generations:** Integrated Impact Assessments will be presented along with any reports specific to the Growing Mid Wales projects etc.

#### **Summary:**

<b>Long term:</b>	The Agreement is intended to continue for the duration of the MWGD.
<b>Integration:</b>	N/A
<b>Collaboration:</b>	With Powys County Council
<b>Involvement:</b>	N/A
<b>Prevention:</b>	To prevent risks arising as a result of poor governance.
<b>Recommendation(s):</b>	<ul style="list-style-type: none"> <li>(i) To approve the Inter-Authority Agreement (IAA3) in relation to the delivery of the Mid Wales Growth Deal (Appendix 1).</li> <li>(ii) To grant delegated powers to the Corporate Lead Officer-Legal &amp; Governance to make minor amendments to the IAA3, in conjunction with Powys County Council. More significant changes to be authorised by Cabinet.</li> </ul>
<b>Reasons for decision:</b>	To ensure that appropriate governance arrangements are in place to cover the delivery of the Mid Wales Growth Deal.
<b>Overview and Scrutiny:</b>	<p>Matters relating to Growing Mid Wales will be considered by the Thriving Communities Overview and Scrutiny Committee.</p> <p>There will also be new regional scrutiny arrangements as part of the amended agreement.</p>
<b>Policy Framework:</b>	Corporate Strategy 2017 - 2022
<b>Corporate Priorities:</b>	<ul style="list-style-type: none"> <li>• Boosting the Economy</li> <li>• Investing in People's Futures</li> </ul>
<b>Financial implications:</b>	None

**Statutory Powers:** Not applicable

**Background Papers:** Cabinet report – 13<sup>th</sup> July 2021  
Cabinet report - 19<sup>th</sup> March 2019  
Cabinet report – 6<sup>th</sup> November 2018  
Cabinet report – 31<sup>st</sup> July 2018  
Cabinet report – 27<sup>th</sup> March 2018  
Cabinet report – 28<sup>th</sup> November 2017  
Cabinet report – 23<sup>rd</sup> July 2015  
Growing Mid Wales Board Report and Draft Minutes 15 December 2021.

**Appendices:** Appendix 1 – Inter-Authority Agreement.

**Lead Officer:** Russell Hughes Pickering (CLO Economy and Regeneration)

Elin Prysor (CLO Legal and Governance)

**Reporting Officer:** Elin Prysor

**Date:** 11 January 2022

**DATED**

**2021**

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- (1) CEREDIGION COUNTY COUNCIL**
- (2) POWYS COUNTY COUNCIL**

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**INTER AUTHORITY AGREEMENT 3**  
**in relation to the delivery of the Mid Wales Growth Deal**

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**BETWEEN**

- (1) **CEREDIGION COUNTY COUNCIL** of Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron, Ceredigion SA46 0PA ("**Ceredigion**"); and
- (2) **POWYS COUNTY COUNCIL** of County Hall, Llandrindod Wells, Powys LD1 5LG ("**Powys**"),

(together referred to as "**the Councils**" and individually as a "**Council**")

**BACKGROUND**

- (A) The Councils entered into an inter authority agreement on 11 December 2019 (the "**IAA**") to formalise their respective roles and responsibilities to develop an outline business case for the Mid Wales Growth Deal ("**MWGD**") and for approval of heads of terms with the Welsh Government ("**WG**") and the United Kingdom Government ("**UKG**") in respect of the MWGD ("**HoTs**").
- (B) The Councils subsequently entered into a second inter authority agreement on 4 August 2021 ("**IAA2**") to govern their respective roles in respect of the next phase of the MWGD to develop a portfolio business case for the MWGD and to agree and enter into the final deal agreement with WG and UKG in respect of the scope of the MWGD and the implementation and delivery of the same as per the HoTs ("**Final Deal Agreement**").
- (C) Pursuant to the IAA, the Councils established a joint committee responsible for overseeing and co-ordinating the discharge of the Councils' obligations in relation to the MWGD (the "**Growing Mid Wales Board**" and herein defined as the "**GMWB**"). The GMWB is responsible for the implementation and overall delivery of the MWGD and (amongst other matters) the delivery of any projects undertaken pursuant to the MWGD from time to time.
- (D) The Councils wish to enter into this inter authority agreement to govern their respective roles and responsibilities in respect of the implementation and delivery of the MWGD agreed with WG and UKG under the Final Deal Agreement.
- (E) The Councils have agreed to appoint Ceredigion to act as the Accountable Body for and on behalf of the Councils and to discharge the Councils' obligations in relation to the MWGD pursuant to and in accordance with this Agreement, pending, if determined by the Councils, transition to a new corporate joint committee (pursuant to Clause 10.4 (Corporate Joint Committee)).
- (F) The Councils wish to enter into this Agreement and deliver the MWGD pursuant to the powers conferred on them by Sections 101, 102, 111 and 113 of the Local Government Act 1972, Section 1 of the Local Authority (Goods & Services) Act 1970, Section 25 of the Local Government (Wales) Act 1994, Section 2, 19 and 20 of the Local Government Act 2000, Section 9 of the Local Government Wales Measure 2009 and all other enabling powers now vested in the Councils.

**1. DEFINITIONS AND INTERPRETATION**

- 1.1 In this Agreement and the Recitals, unless, the context otherwise requires the following terms shall have the meaning given to them below:-

<b>"Accountable Body"</b>	means the Council appointed under Clause 4 (Accountable Body) who shall be responsible for entering into contracts and receiving, accepting and spending funds for and on behalf of the Councils in relation to the MWGD in accordance with the funding condition relating thereto and whose duties are set out under Clause 4 (Duties of the Accountable Body)
<b>"Accounting Date"</b>	means 31 March in each year or such other date as the Councils determine from time to time
<b>"Accounting Period"</b>	means any period of 12 (twelve) calendar months from the day after the Accounting Date up to and including the next Accounting Date, provided that: <ul style="list-style-type: none"> <li>(a) the first Accounting Period shall be the period commencing on the Commencement Date up to and including the next Accounting Date; and</li> <li>(b) the final Accounting Period shall be the period commencing on 1 April immediately preceding the last day of this Agreement and ending on the last day of this Agreement</li> </ul>
<b>"Act"</b>	means the Local Government and Elections (Wales) Act 2021
<b>"Annual Budget"</b>	means the approved annual budget of the Accountable Body held for and on behalf of the Councils and as set out in Clause 11.2 (Annual Budget) in relation to the payment of any GMWB Costs in accordance with this Agreement
<b>"Annual Business Plan"</b>	means each business plan referred to in Clause 7.3 (Annual Business Plans) in relation to the annual spend for approved project(s) to be implemented in that Accounting Period in relation to the MWGD (and the manner and form of such implementation), as the same may be prepared, varied or updated from time to time in accordance with the provisions of this Agreement
<b>"Business Day"</b>	means any day other than a Saturday or Sunday or a public or bank holiday in England and/or Wales
<b>"Mid Wales Region"</b>	comprises the administrative areas of Ceredigion and Powys
<b>"Chair"</b>	means the chair of the GMWB appointed in accordance with Clause 9 (Growing Mid Wales Board)
<b>"Clerk"</b>	has the meaning given to it in Clause 9.8
<b>"Commencement Date"</b>	means the date of this Agreement

"Conditions Longstop Date"	means as defined in Clause 2.3 (Conditions Subsequent)
"Confidential Information"	all know-how and other information whether commercial, financial, technical or otherwise relating to the business, affairs or methods of all or any Council, which is contained in or discernible in any form whatsoever (including without limitation software, data, drawings, films, documents and computer-readable media) whether or not marked or designated as confidential or proprietary or which is disclosed orally or by demonstration and which is described at the time of disclosure as confidential or is clearly so from its content or the context of disclosure
"Corporate Joint Committee"	means a body corporate known as the Mid Wales Corporate Joint Committee and established pursuant to section 74 of the Act and section 3 of the Regulations
"Councils"	means Ceredigion and/or Powys (as the context requires)
"Data"	means all data (including Personal Data) which may be supplied or inputted into a Council's IT systems by such Council under or in connection with this Agreement (including managing the appointment and replacement of representatives, the financial arrangements and/or resolution of any disputes in accordance with this Agreement)
"Data Protection Laws"	means any law, statute, declaration, decree, directive, legislative enactment, order, ordinance, regulation, rule or other binding pronouncement, including findings, orders, decisions and judgements of a competent court or supervisory authority or regulator with jurisdiction as updated and amended from time to time which relates to the protection of individuals with regards to the processing of Personal Data to which a party is subject in the United Kingdom, including the PECR, DPA 2018 and UK GDPR
"Data Subject Request"	means an actual or purported subject access request or notice or complaint from (or on behalf of) a <b>data subject</b> exercising his rights under the Data Protection Laws
"DPA 2018"	means the Data Protection Act 2018 as amended in accordance with the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (as amended by SI 2020 no. 1586) and incorporated into UK law under the UK European Union (Withdrawal) Act 2018

<b>"DP Losses"</b>	means losses, liabilities, damages, compensation, awards, payments made under settlement arrangements, claims, proceedings, costs and other expenses including fines, interest and penalties, whether arising in contract, tort (including negligence), breach of statutory duty or otherwise, legal and other professional fees and expenses
<b>"Economic Advisory Group" or "EAG"</b>	means the Economic Advisory Group as more particularly described in Clause 10.1 (Advisory Panels) and whose terms of reference are set out at Part 2 of Schedule 1. (Economic Advisory Group Terms of Reference)
<b>"Final Deal Agreement"</b>	means the agreement to be entered into by the Councils, UKG and WG on [ December 2021] in respect of the scope, implementation and delivery of the MWGD
<b>"Gateway Review"</b>	means the five (5) yearly examination of programmes and projects by HMT to assess the progress and likelihood of the Councils' successful delivery of the MWGD
<b>"GDPR"</b>	means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)
<b>"GMWB Costs"</b>	means as defined in paragraph 1.2 of Schedule 2 (Heads of Expenditure) and shall, for the avoidance of doubt, not include any revenue costs or capital investment relating to the implementation of any project pursuant to an Annual Business Plan and excluding any Internal Costs (save for the Internal Costs of the Accountable Body which shall be accounted for as GMWB Costs)
<b>"Governance and Assurance Framework"</b>	means the Councils' systems, processes and protocols to assess the governance, risk management, ongoing monitoring and control processes of the Councils for the discharge of their obligations in relation to the MWGD and the delivery of projects pursuant to the MWGD as attached at <b>Schedule 3</b> (Governance and Assurance Framework) of this Agreement
<b>"Growing Mid Wales Board" or "GMWB"</b>	means the joint committee set up by the Councils pursuant to Clause 9 (Growing Mid Wales Board) of this Agreement
<b>"GMWB Meeting"</b>	means a meeting of the GMWB duly convened in accordance with Clause 9 (Growing Mid Wales Board)

<b>"HMT"</b>	means Her Majesty's Treasury, a ministerial department of the UK Government
<b>"HMT Contribution"</b>	means the funding provided by HMT as set out in Clause 11.3.2 (HMT Contribution)
<b>"HMT Funding Conditions"</b>	means as defined in Clause 11.3.2 (HMT Contribution)
<b>"IAA"</b>	means the inter-authority agreement entered into by the Councils on 11 December 2019 to govern the relationship between the Councils in respect of (amongst other matters) the delivery of an outline business case in relation to the MWGD and approval of heads of terms between the Councils, WG and UKG in relation to the MWGD
<b>"IAA2"</b>	means the inter-authority agreement entered into by the Councils on 4 August 2021 to govern the relationship between the Councils in respect of (amongst other matters) the development of a portfolio business case and approval and entry into the Final Deal Agreement
<b>"Information Commissioner"</b>	means the UK Information Commissioner (including any successor or replacement body from time to time)
<b>"Information Commissioner Correspondence"</b>	means any correspondence or communication (whether written or verbal) from the Information Commissioner in relation to the processing of the Data
<b>"Intellectual Property"</b>	any and all patents, trade marks, trade names, copyright, moral rights, rights in design, rights in databases, know-how and all or other intellectual property rights whether or not registered or capable of registration and whether subsisting in the United Kingdom or any other part of the world together with all or any goodwill relating to them and the right to apply for registration of them
<b>"Internal Costs"</b>	means as defined in paragraph 1.1 of Schedule 2 (Heads of Expenditure) (and shall, for the avoidance of doubt, not include any revenue costs or capital investment relating to the implementation of any project pursuant to an Annual Business Plan) and excluding GMWB Costs
<b>"IP Material"</b>	the Intellectual Property in the Material
<b>"JOSSC"</b>	means the joint overview and scrutiny sub-committee as more particularly described in Clause 9.30.1 and whose terms of reference are set out at Part 4 of Schedule 1 (Joint Overview and Scrutiny Sub-Committee Terms of Reference)

<b>"Local Authority"</b>	a principal council (as defined in Section 270 of the Local Government Act 1972) or any body of government in Wales established as a successor of a principal councils
<b>"Management Group"</b>	means the management group as more particularly described in Clause 10 and whose terms of reference are set out at Part 2 of Schedule 1 (Management Group Terms of Reference)
<b>"Material"</b>	all data, text, graphics, images and other materials or documents created, used or supplied by a Council in connection with this Agreement unless before the first use or supply, the Council notifies the other Councils that the data, text supplied is not to be covered by this definition
<b>"Mid Wales Growth Deal" or "MWGD"</b>	means the Mid Wales Growth Deal to be delivered by the Councils pursuant to the Final Deal Agreement and in accordance with the terms of this Agreement
<b>"Portfolio Business Case"</b>	means the strategy which defines MWGD objectives including the high level programme to be agreed as a "Matter Reserved To The Councils" in order to discharge the Councils' obligations in relation to the MWGD
<b>"Portfolio Management Office" or PoMO</b>	means the team lead by the operations manager to assist the GMW Management Group and Board to implement the MWGD. The role and remit of the PoMO is set out in the Management Case of the Portfolio Business Case. The PoMO was established in Summer 2021 via external funding (ESF P5) and a specific service level agreement between all parties.
<b>"PECR"</b>	means the Privacy and Electronic Communications Regulations 2003 (as amended by SI 2011 no. 6) (as incorporated into UK law under the UK European Union (Withdrawal) Act 2018) as amended in accordance with the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (as amended by SI 2020 no. 1586) and incorporated into UK law under the UK European Union (Withdrawal) Act 2018
<b>"Personal Data Breach Particulars"</b>	means the information that must be included in a personal data breach notification, as set out in Article 33(3) of the UK GDPR
<b>"Regional Skills Partnership"</b>	means the stakeholder group known as the Regional Skills Partnership as more particularly described in Clause 10 and whose terms of reference are set out at Part 3 of Schedule 1 (Regional Skills Partnership Terms of Reference)
<b>"Regulations"</b>	means the Mid Wales Corporate Joint Committee Regulations 2021

<b>"Security Requirements"</b>	means the requirement regarding the security of the Personal Data, as set out in the Data Protection Laws (including, in particular, the measure set out in Article 32(1) of the UK GDPR (taking due account of the matters described in Article 32(2) of the UK GDPR)) as applicable
<b>"Senior Officer"</b>	means:- <ul style="list-style-type: none"> <li>a) in respect of Ceredigion, the Corporate Lead Officer for Economy and Regeneration;</li> <li>b) in respect of Powys, the Corporate Director for the Economy and the Environment,</li> </ul> or such other individual notified in writing by the relevant Council to the other Council from time to time
<b>"Third Party Request"</b>	means a written request from any third party for disclosure of personal data where compliance with such request is required or purported to be required by law or regulation
<b>"Translation Costs"</b>	means costs incurred by the Accountable Body in complying with any applicable legislation relating to its obligations under this Agreement
<b>"Treasurer"</b>	means the officer of the Accountable Body who has the responsibility for maintaining the financial accounts of the GMWB in respect of this Agreement and shall act as the section 151 officer in respect of the GMWB
<b>"UKG"</b>	means the UK Government
<b>"UK GDPR"</b>	means the EU General Data Protection Regulation 2016/679 (the <b>GDPR</b> ) (as incorporated into UK law under the UK European Union (Withdrawal) Act 2018) as amended in accordance with the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (as amended by SI 2020 no. 1586) and incorporated into UK law under the UK European Union (Withdrawal) Act 2018
<b>"WG"</b>	means the Welsh Government

## 1.2 Interpretation

In this Agreement, except where the context otherwise requires:-

- 1.2.1 the singular includes the plural and vice versa;
- 1.2.2 a reference to any clause, sub-clause, paragraph, Schedule, recital or annex is, except where expressly stated to the contrary, a reference to such clause, sub-clause, paragraph, schedule, recital or annex of and to this Agreement;
- 1.2.3 any reference to this Agreement or to any other document shall include any permitted variation, amendment or supplement to such document;

- 1.2.4 any reference to legislation shall be construed as a reference to any legislation as amended, replaced, consolidated or re-enacted;
- 1.2.5 a reference to a public organisation (to include, for the avoidance of doubt, any Council) shall be deemed to include a reference to any successor to such public organisation or any organisation or entity which has taken over either or both functions and responsibilities of such public organisation;
- 1.2.6 a reference to a person includes firms, partnerships and corporations and their successors and permitted assignees or transferees;
- 1.2.7 the schedule, clause, sub-clause and (where provided) paragraph headings and captions in the body of this Agreement do not form part of this Agreement and shall not be taken into account in its construction or interpretation;
- 1.2.8 words preceding "include", "includes", "including" and "included" shall be construed without limitation by the words which follow those words; and
- 1.2.9 any reference to the title of an officer or any of the Councils shall include any person holding such office from time to time by the same or any title substituted thereafter or such other officer of the relevant Council as that Council may from time to time appoint to carry out the duties of the officer referred to.

### 1.3 **Schedules**

The Schedules to this Agreement form part of this Agreement.

## 2. **COMMENCEMENT, DURATION AND TERMINATION**

### 2.1 **Duration of the Agreement**

This Agreement shall continue in full force and effect from the Commencement Date until the earlier of the following dates:-

- 2.1.1 the condition subsequent set out in Clause 2.3 (Condition Subsequent) are not satisfied or otherwise waived in writing by the Councils as a "GMWB Matter" prior to the Conditions Longstop Date;
- 2.1.2 both Councils agree in writing to its termination; or
- 2.1.3 the date prescribed pursuant to Clause 2.2 (Termination).

### 2.2 **Termination**

Without prejudice to any other rights or remedies, this Agreement may be terminated in relation to a Council ("**Defaulter**") by the other Council ("**Non-Defaulting Council**") giving written notice to the Defaulter effective on receipt where the Defaulter materially breaches any of the provisions of this Agreement and in the case of a breach capable of remedy fails to remedy the same within forty-five (45) Business Days (or such other period as agreed by the Non-Defaulting Council) of being notified of each breach in writing by the Non-Defaulting Council and being required to remedy the same.

### 2.3 **Conditions Subsequent**

The Councils shall approve the terms of any WG funding conditions relating to the HMT Contribution and the terms of the Final Deal Agreement, each as a "GMWB Matter" within six (6) months of the Commencement Date or by such other date as agreed by the Councils (with any such extension to be approved as a "GMWB Matter")

with the prior agreement of the Accountable Body (in consultation with the other Council) ("**Conditions Longstop Date**").

### 3. **PRINCIPLES AND KEY OBJECTIVES**

3.1 The Councils intend this Agreement to be legally binding.

3.2 The Councils agree to work together to discharge the Councils' obligations in relation to the MWGD pursuant to and in accordance with this Agreement.

3.3 Without prejudice to the terms of this Agreement, the Councils agree that they shall conduct their relationship in accordance with the objectives and principles set out below and shall agree the number and scope of projects to be developed in order to provide an **overall regional benefit to the Mid Wales Region**.

#### 3.4 **Objectives**

Without prejudice to the terms of this Agreement, the Councils agree that they will conduct their relationship in accordance with the following objectives to:-

3.4.1 **Attract and develop industries that drive productivity, earnings and employment growth in the Mid Wales Region**, capitalising on the strengths of its research, industrial and skilled assets;

3.4.2 **Attract and unlock private sector investment within the Mid Wales Region** by ensuring the right environment for growth;

3.4.3 **Position Mid Wales Region as a rural powerhouse** that develops existing industrial strengths to generate new industrial and employment opportunity;

3.4.4 **Reduce outward migration and retain a skilled workforce** through industry-led employment and skills support combined with clear employment pathways; and

3.4.5 **Utilise MWGD investments to influence and catalyse further investments** and policy changes to ensure equitable, inclusive growth across the Mid Wales Region, positioning the MWGD as a core component within the wider regional economic recovery efforts,

and such other objectives determined by the Councils from time to time.

#### 3.5 **Principles**

Without prejudice to the terms of this Agreement, the Councils agree that they will conduct their relationship in accordance with the following principles:-

##### 3.5.1 **Openness and Trust**

In relation to this Agreement the Councils will be open and trusting in their dealings with each other, make information and analysis available to each other, discuss and develop ideas openly and contribute fully to all aspects of making the joint working successful. Whilst respecting the mutual need for commercial confidentiality, the Councils will willingly embrace a commitment to transparency in their dealings and in particular a need to comply with statutory access to information requirements including the Environmental Information Regulations 2004 and the Freedom of Information Act 2000 and

supporting codes of practice. The Councils will be aware of the need for and respect matters of commercial confidentiality and potential sensitivity;

#### **3.5.2 Commitment and Drive**

The Councils will be fully committed to working jointly, will seek to fully motivate employees and will address the challenges of delivering the MWGD with enthusiasm and a determination to succeed;

#### **3.5.3 Skills and Creativity**

The Councils recognise that each brings complimentary skills and knowledge which they will apply creatively to achieving the Councils' objectives, continuity, resolution of difficulties and the development of the joint working relationship and the personnel working within it. It is recognised that this will involve the appreciation and adoption of common values;

#### **3.5.4 Effective Relationships**

The roles and responsibilities of each Council will be clear with relationships developed at the appropriate levels within each organisation with direct and easy access to each other's representatives;

#### **3.5.5 Developing and Adaptive**

The Councils recognise that they are engaged in what could be a long term business relationship which needs to develop and adapt and will use reasonable endeavours to develop and maintain an effective joint process to ensure that the relationship develops appropriately and in line with these principles and objectives;

#### **3.5.6 Reputation and Standing**

The Councils agree that, in relation to this Agreement and the MWGD generally, they shall pay the utmost regard to the standing and reputation of one another, and act with regard to each Council's own employer and member codes of conduct and shall not do or fail to do anything which may bring the standing or reputation of the other Council into disrepute or attract adverse publicity to the other Council;

#### **3.5.7 Reasonableness of Decision Making**

The Councils agree that all decisions made in relation to this Agreement and the MWGD generally shall be made by them acting reasonably and in good faith;

#### **3.5.8 Necessary Consents**

Each Council hereby represents to the other Council that it has obtained all necessary consents sufficient to ensure the delegation of functions and responsibilities provided for by this Agreement; and

#### **3.5.9 Members and Officers Commitments**

Each Council shall use its reasonable endeavours to procure that their respective members and officers who are involved in the MWGD shall at all times act in the best interests of the MWGD, and act with regard to each Council's own employer and member codes of conduct, devote sufficient

resources to deliver the MWGD and respond in a timely manner to all relevant requests from the other Council.

#### **4. CEREDIGION AS THE ACCOUNTABLE BODY**

- 4.1 The Councils (acting severally) have agreed, with effect from the Commencement Date, Ceredigion will act as the Accountable Body responsible for discharging the Councils' obligations in relation to the MWGD pursuant to and in accordance with this Agreement for and on behalf of the Councils and Ceredigion agrees to act in that capacity subject to and in accordance with the terms and conditions of this Agreement.
- 4.2 The Accountable Body shall act as the Accountable Body and shall accept and receive any HMT Contribution from the WG for and on behalf of the Councils and shall hold and manage such HMT Contribution in accordance with the terms of this Agreement.
- 4.3 The Accountable Body shall receive any additional funding from any other source for and on behalf of the Councils and shall hold and manage such funds in accordance with the terms of this Agreement.

#### **DUTIES OF THE ACCOUNTABLE BODY**

- 4.4 For the duration of this Agreement, the Accountable Body shall:
- 4.4.1 act diligently and in good faith in all its dealings with the other Council and it shall use its reasonable endeavours to discharge the Councils' obligations in relation to the MWGD pursuant to and in accordance with this Agreement and all applicable legislation including but not limited to:-
- (a) the Well-being of Future Generations (Wales) Act 2015;
  - (b) Welsh Language (Wales) Measure 2011; and
  - (c) the Welsh Language Standards;
- 4.4.2 act as the primary interface (on behalf of itself and the other Council) with the WG, the UKG and any other body necessary to discharge the Councils' obligations in relation to the MWGD;
- 4.4.3 act as the Accountable Body and to enter into and perform all contracts approved by the GMWB or the Councils (if a "Matter Reserved to the Councils") on behalf of the MWGD; and
- 4.4.4 act as the Accountable Body to hold any funds received directly from the WG, the UKG (if any), the Councils (if any) and/or any other sources (if any) in relation to the MWGD and only to use and release such funds as agreed in accordance with the terms of such funding and this Agreement.

#### **5. DUTIES OF POWYS**

- 5.1 For the duration of this Agreement, Powys shall act diligently and in good faith in all of its dealings with the Accountable Body and shall use its reasonable endeavours to assist the Accountable Body to discharge the Councils' obligations in relation to the MWGD pursuant to and in accordance with this Agreement and all applicable legislation.
- 5.2 It is acknowledged and agreed that the obligations and liabilities of each of Powys and Ceredigion shall bind any successor authority in the event of any local government re-organisation.

6. **THE COUNCILS' OBLIGATIONS**

6.1 The Councils acknowledge and agree that for the purposes of discharging the administrative functions required in connection with the MWGD, the Councils shall divide the administrative functions in accordance with the table below:-

<b>Administrative function</b>	<b>Responsibility</b>
Human Resources	Ceredigion
Clerk to the GMWB	Both Councils shall appoint an individual to act as Clerk who will be responsible for supporting the administrative requirements of the GMWB on an alternate basis in accordance with Clause 9 (GMWB)
Legal Services	Powys
Monitoring Officer	Powys
Treasurer and Section 151 Officer	Ceredigion as Accountable Body
Communications	Ceredigion, supported by the PoMO
Procurement	Powys
Translation	The Council holding the GMWB Meeting
IT	Ceredigion
Internal Audit	Powys
Democratic Services	Powys
Secretariat services to the EAG	Powys, supported by the PoMO

7. **BUSINESS PLANS AND PROGRESS MONITORING**

7.1 **Portfolio Business Case**

7.1.1 The Councils have approved the Portfolio Business Case for the MWGD (which is attached at Schedule 4 (Portfolio Business Case) to this Agreement);

7.2 **Updated Portfolio Business Case**

7.2.1 The Management Group shall, no earlier than three (3) months and no later than one (1) month before 31 March in each calendar year, prepare (or procure the preparation of), finalise, agree (acting in the best interests of the MWGD) and recommend for adoption to the GMWB a draft updated Portfolio Business Case for the proceeding five years which shall comply with the provisions of Clause 7.2.2 below.

7.2.2 The Portfolio Business Case shall, amongst other matters, address the following:

- (a) the methodology for agreeing the nature, scope and prioritisation of projects to be developed for the overall benefit of the Mid Wales Region (in accordance with the terms of the Portfolio Business Case);
  - (b) such other matters as the Councils may determine from time to time .
- 7.2.3 The decision to approve and adopt any updated Portfolio Business Case shall be a "GMWB Matter" save to the extent that any such update amounts to a material change to the prevailing Portfolio Business Case and, in which case, the decision to approve and adopt such updated Portfolio Business Case shall be a "Matter Reserved To The Councils".
- 7.2.4 The GMWB or the Councils (as applicable) shall use its reasonable endeavours to seek to agree such draft Portfolio Business Case (making any amendments they may agree unanimously) and to adopt it as the formal Portfolio Business Case within 60 (sixty) Business Days of the date it is first circulated to the GMWB or such other date as agreed by the Councils.
- 7.2.5 The updated Portfolio Business Case agreed pursuant to Clause 7.2.4 (with such amendments thereto as may be agreed by the GMWB or as a "Matter Reserved To The Councils" (as applicable)) shall replace the then current Portfolio Business Case as the formal Portfolio Business Case upon the later of:
- (a) the expiry of the then current Portfolio Business Case; and
  - (b) the date of the GMWB's approval to it in accordance with Clause 7.2.4 (GMWB) or, as applicable, the date the updated Portfolio Business Case is approved by the Councils as a "Matter Reserved To The Councils".
- 7.2.6 Subject to Clause 7.5, until such time as it is replaced in accordance with Clause 7.2.4, the Portfolio Business Case that has most recently been adopted as the formal Portfolio Business Case shall continue to be the formal binding Portfolio Business Case.
- 7.2.7 Where the draft Portfolio Business Case circulated under Clause 7.2.1 has not been approved by the GMWB or the Councils (as applicable) by the date six (6) calendar months following the date it is first circulated to the GMWB, the matter shall be deemed to be a GMWB Unresolved Matter and Clause 9.201 (GMWB) shall apply or where such approval is to be granted as a "Matter Reserved To The Councils", the Portfolio Business Case shall be deemed not to have been approved following such six (6) calendar month period.

### 7.3 **Annual Business Plans For Approved Projects**

- 7.3.1 The GMWB anticipates discharging the obligations of the Councils in relation to the MWGD through a number of projects and in respect of each Accounting Period the Management Group shall procure the preparation of, and (no later than 45 (forty-five) Business Days prior to the commencement of the relevant Accounting Period) procure the circulation to the GMWB of a draft Annual Business Plan in relation to the annual spend for approved project(s) to be implemented in the forthcoming Accounting Period in relation to the MWGD.

7.3.2 Within 15 (fifteen) Business Days of the date of circulation of a draft Annual Business Plan in relation to an Accounting Period a GMWB Meeting shall be convened in accordance with Clause 9 (GMWB) for the consideration of and (if the GMWB so agrees) approval of the draft Annual Business Plan.

7.3.3 Where the draft Annual Business Plan circulated under Clause 7.3.1 has not been approved by the GMWB by the date four (4) calendar months following the date it is first circulated to the GMWB, the matter shall be deemed to be a GMWB Unresolved Matter and Clause 9.20 (GMWB) shall apply.

#### 7.4 **Progress Monitoring**

7.4.1 Progress against each Portfolio Business Case and Annual Business Plan shall be regularly reviewed at the GMWB Meetings.

7.4.2 If, at any GMWB Meeting, any of the elected members or deputy (as applicable) in their reasonable opinion, believe that there has been a material failure of the Councils to comply with a relevant Portfolio Business Case and/or Annual Business Plan, the GMWB shall discuss appropriate action to immediately rectify the relevant failure and/or mitigate the effects of such failure as far as possible.

7.4.3 Subject to Clause 7.2.3, any variations to the Portfolio Business Case or an Annual Business Plan shall be effective only if approved by the GMWB in accordance with Clause 9 (GMWB).

#### 7.5 **Incorporation of Annual Business Plans into the Portfolio Business Case**

Upon a draft Annual Business Plan being approved in accordance with this Clause 7, or an approved Annual Business Plan being validly varied or updated in accordance with this Clause 7, the Portfolio Business Case shall be deemed to have been amended on and with effect from the date of the same insofar as such amendments to the Portfolio Business Case are necessary in order to ensure that the Portfolio Business Case is fully consistent, and does not conflict, with the Annual Business Plan. The contents of the Annual Business Plan shall be deemed to have been consolidated into the Portfolio Business Case automatically from time to time in accordance with this Clause 7.5.

### 8. **DECISION MAKING**

8.1 In terms of the need for decisions and other actions to be taken and carried out during the term of this Agreement, the Councils have identified the following two categories together with the means by which they will be taken:-

8.1.1 "**GMWB Matter**" – being a matter which it is expected the elected members (or appropriate deputy) of each Council appointed pursuant to Clause 9.4 (GMWB) will be able to make a decision upon and have the power to bind the Council it represents in doing so;

8.1.2 "**Matter Reserved To The Councils**" – being a matter which will have to be referred to each Council for decision and, for the avoidance of doubt, that matter requiring a decision would not be dealt with by the elected members appointed to the GMWB until the unanimous decision shall have been agreed by all of the Councils,

and in each case, such matters are identified in Schedule 1 (Delegations Policy).

### 9. **GROWING MID WALES BOARD**

- 9.1 The Councils established a joint committee of the Councils known as the Growing Mid Wales Board ("**GMWB**") pursuant to the IAA for the purpose of overseeing and co-ordinating the discharge of the Councils' obligations in relation to the MWGD and to carry out the IAA2.
- 9.2 The GMWB may carry out such other functions as the Councils determine from time to time.
- 9.3 The GMWB shall not have power to approve any "Matter Reserved To The Councils" pursuant of Clause 8.1.2 ("**Matter Reserved To The Councils**").
- 9.4 Each Council shall appoint five (5) elected member representatives to the GMWB.
- 9.5 The GMWB shall comprise ten (10) elected member representatives appointed by the Councils.
- 9.6 The Chairperson of the GMWB shall be the leader of each Council which shall act as joint Chairperson and shall preside over alternate meetings. The Chairperson of the first GMWB Meeting shall be the leader of the Accountable Body. The Chairperson shall not have a casting vote.
- 9.7 Each Council shall be entitled from time to time to appoint a deputy for any representative appointed by it but such deputy (in each case) shall only be entitled to attend and vote at meetings of the GMWB in the absence of his or her corresponding principal.
- 9.8 Each Council shall appoint an individual to act as joint clerk and to assist the GMWB in respect of the organisation of GMWB Meetings and provide such other administration support to the GMWB on an alternate basis (the "**Clerk**").
- 9.9 The Clerk shall alternate between the Councils in line with the Chairperson. The Clerk responsible in respect of the first GMWB Meeting shall be the individual appointed by the Accountable Body. The Clerk shall not participate or vote at GMWB Meetings but may attend (where required by the GMWB).
- 9.10 The GMWB may invite such number of appropriate third parties to observe GMWB Meetings as it sees fit from time to time. Such third parties may include individuals or representatives of such organisations and private sector companies as the GMWB shall determine from time to time.
- 9.11 Any third parties invited to a GMWB Meeting shall be entitled to take part in such meeting but shall not be able to vote in respect of any decisions to be taken. Any third party in attendance at a GMWB Meeting may be required by the Chairperson not to attend some or any part of a GMWB Meeting.
- 9.12 Both Councils may, at their discretion, replace their representatives (and their respective deputies) appointed to the GMWB, provided that:-
- 9.12.1 any such replacement shall have no lesser status or authority than is required in order to make decisions on behalf of the Council that has appointed it in respect of any GMWB Matter referred to in Schedule 1 (Delegations Policy); and
- 9.12.2 such Council provides the other Council with written notice of such replacement duly signed by such Council's Chief Executive officer (or such other authorised officer to the Chief Executive officer of such Council as the case may be).
- 9.13 The GMWB shall meet on at least a quarterly basis, or at such frequency as the GMWB shall determine from time to time in order to fulfil its role in respect of the

MWGD, at appropriate times and on reasonable notice to carry out the GMWB Matters referred to in Schedule 1 (Delegations Policy).

- 9.14 GMWB Meetings shall be convened by written notice issued by the Clerk or Chairperson responsible for the relevant GMWB Meeting to each member of the GMWB and any third parties which have been invited by the GMWB to such GMWB Meeting and notified to the Clerk at least five (5) Business Days prior to the GMWB Meeting.
- 9.15 Any notice to a GMWB Meeting shall:-
- 9.15.1 specify the date, time and place of the GMWB Meeting;
  - 9.15.2 specify a meeting agenda identifying the matters to be discussed and;
  - 9.15.3 be accompanied by copies of any relevant materials to be discussed at the GMWB Meeting.
- 9.16 A member of the GMWB may add to the meeting agenda by written request to the Clerk and/or by request to the Chairperson at the start of the GMWB Meeting.
- 9.17 A GMWB Meeting may be held in person and/or via a telephone conference call, video conference call or a combination of the same, at which all members of the GMWB are able to speak to and hear each of the other participants provided that at all times at that telephone or video conference (or combination as appropriate) a quorum of the GMWB is able to so participate.
- 9.18 The quorum necessary for a GMWB Meeting shall be at least two elected members or appropriate deputy appointed pursuant to Clause 9.7 of each Council.
- 9.19 The Clerks shall notify a Council if any of its elected members fail to attend three (3) consecutive GMWB Meetings and that Council shall then consider whether or not such elected member shall continue to represent the Council on the GMWB.
- 9.20 At meetings of the GMWB each elected member or appropriate deputy appointed pursuant to Clause 9.7 (GMWB) above in attendance shall have one vote each. Decisions at meetings of the GMWB will be taken by a majority vote of a quorate meeting.
- 9.21 If, at a meeting of the GMWB, a matter is not determined pursuant to Clause 9.20 above, that matter ("**GMWB Unresolved Matter**") shall be deferred for consideration at the next GMWB meeting which shall be convened within ten (10) Business Days of that meeting. If at the reconvened GMWB Meeting the GMWB Unresolved Matter is not determined, the GMWB Unresolved Matter shall become a "Matter Reserved To The Councils" and shall be deferred for consideration at a meeting of the Leaders and Chief Executives of both Councils/ Cabinet Meeting. The Councils shall use their reasonable endeavours to convene a meeting of its Leaders and Chief Executives/ Cabinet Meeting as soon as reasonably practicable and in any event within three (3) weeks of the GMWB Meeting. Where a GMWB Unresolved Matter is not approved at the Leaders and Chief Executives meeting/ Cabinet Meeting, the GMWB Unresolved Matter shall not be agreed, shall not be implemented by the GMWB and may not be re-introduced at a GMWB Meeting for at least six (6) months unless otherwise determined by the GMWB acting unanimously.
- 9.22 Each Council shall provide all information reasonably required upon request by the GMWB to the Clerk and shall comply with any decisions of the GMWB to request such information.
- 9.23 Where a Council wishes to provide any information and/or serve a notice or demand on the GMWB, this should be served in accordance with Clause 21 (Notices). The

officers set out in Clause 21 shall keep a record of all information, notices and demands received and shall update each Council promptly.

- 9.24 The Clerk shall circulate copies of the draft minutes of the proceedings of every GMWB Meeting to all members of the GMWB, the Chief Executive officers of each Council and the Management Group.
- 9.25 Each Council shall:-
- 9.25.1 consult with the other Council to ensure the diligent progress of the day to day matters relating to the discharge of the Councils' obligations in relation to the MWGD; and
  - 9.25.2 employ or otherwise deploy sufficient people to enable the GMWB to operate in an effective manner within the Annual Budget.
- 9.26 The Councils agree and acknowledge that the GMWB shall adopt the Accountable Body's prevailing contract standing orders, financial procedure rules, codes of conduct and such other applicable policies and procedures for and behalf of the Councils in the discharge of its obligations under this Agreement.
- 9.27 Subject to the statutory role of Powys's monitoring officer in accordance with Section 5(A)(1) of the Local Government and Housing Act 1989 and the Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (Wales) Order 2002 SI 2002 2002/808 in relation to the Councils, Powys shall provide the services of its monitoring officer to the GMWB.
- 9.28 The Accountable Body shall act as the treasurer for the purposes of the MWGD and all financial aspects of the GMWB and MWGD which will be controlled and managed through the financial systems of the Accountable Body and will ensure that the accounting practices comply with relevant legislation and other controls.
- 9.29 **GMWB May Delegate**
- 9.29.1 The GMWB may delegate any of the powers which are conferred on them under this Agreement:
    - (a) to such person, sub-committee or group;
    - (b) to such an extent;
    - (c) in relation to such matters; and
    - (d) on such terms and conditions,as they think fit from time to time.
  - 9.29.2 The GMWB may revoke any delegation in whole or part, or alter its terms and conditions at any time.
- 9.30 **Sub-Committees**
- 9.30.1 The Councils established a joint overview and scrutiny sub-committee (the "JOSSC") pursuant to the IAA2 for the purpose of performing an ongoing monitoring and scrutiny function for the MWGD on behalf of the Councils and to review and scrutinise decisions made or other actions taken by the GMWB in connection with the MWGD.
  - 9.30.2 It is acknowledged and agreed by the Councils that the JOSSC shall undertake a number of roles in accordance with the terms of reference set

out in Part 4 of Schedule 1. (Joint Overview and Scrutiny Sub-Committee Terms of Reference) of this Agreement.

- 9.30.3 The JOSSC shall not have any delegated decision-making powers.
- 9.30.4 Sub-committees or groups to which the GMWB delegates any of its powers must follow procedures which are based as far as they are applicable on those provisions of this Agreement which govern the taking of decisions by the GMWB.
- 9.30.5 The GMWB shall establish the membership, rules of procedure or terms of reference for all or any such sub-committees or groups to, amongst other matters, clarify their respective role and scope of delegation which shall be approved by the GMWB.
- 9.30.6 The GMWB may create additional sub-committees or sub-groups as it sees fit from time to time.

## 10. **ADVISORY PANELS**

10.1 The following advisory panels shall consult with and advise the GMWB in respect of the MWGD:-

10.1.1 **Economic Advisory Group** – to provide input, advice and recommendations to the GMWB on behalf of the private sector and to aid collaboration and communication between the private sector, the Councils and other public funding bodies by providing a business sector view on the MWGD particularly its programmes and projects and as more particularly described in Part 2 of Schedule 1 (Economic Advisory Group Terms of Reference) ;

10.1.2 **Regional Skills Partnership** – to act as a stakeholder group engaging and consulting with specific sectors and regions to identify and respond to the needs of employers and learners across the Mid Wales Region and enable an inclusive regional response to WG policy and initiatives and report back to the GMWB in respect of the requirements of the Mid Wales Region (including (without limitation) the needs of employers, current and future skills requirements and educational needs) and as more particularly described in Part 3 of Schedule 1 (Regional Skills Partnership Terms of Reference).

10.2 The Management Group, EAG and RSP shall undertake a number of roles in accordance with their respective terms of reference set out at Part 1 (Management Group Terms of Reference), Part 2 (Economic Advisory Group Terms of Reference) and Part 3 (Regional Skills Partnership Terms of Reference) of Schedule 1. (Terms of Reference).

### 10.3 **Constitution and Authority of the Management Group**

10.3.1 The Councils shall form the Management Group for the purpose of implementing the MWGD and the day-to-day management of the Councils' obligations in relation to the MWGD and to carry out the roles set out in Part 1 of Schedule 1.

10.3.2 The Management Group shall not have any decision-making powers pursuant to this Agreement (unless otherwise expressly granted by the GMWB).

- 10.3.3 Each Council shall appoint senior officer representatives to the Management Group and such other representatives as the GMWB may determine from time to time. The chairperson shall be one of such representatives as the Management Group may determine from time to time.
- 10.3.4 Each Council shall be entitled from time to time to appoint a deputy for each of its senior officers and such deputies (in each case) shall be entitled to attend meetings of the Management Group in place of his/her principal.
- 10.3.5 The Councils shall, at their discretion, replace their representatives (and their respective deputies) appointed to the Management Group provided that such replacement shall be on the same basis as the original appointed and provided further that no senior officer of the Management Group shall be removed or replaced by any Council without that Council giving prior written notice as soon as reasonably practicable and in any event within ten (10) Business Days of its intention to remove or replace that representative.
- 10.3.6 The Management Group shall meet on a quarterly basis, in advance of GMWB meetings, and any extraordinary meetings will be convened when required in accordance with the timetable for the MWGD and, in any event, at appropriate times and on reasonable notice (to be issued through the chairperson of the Management Group).
- 10.3.7 The PoMO shall be responsible for the day-to-day management of the MWGD and shall report directly to the Management Group.

#### 10.4 **Corporate Joint Committee**

10.4.1 The Councils acknowledge that:-

- (a) pursuant to section 74 of the Act and section 4 of the Regulations the Corporate Joint Committee has been established; and
- (b) pursuant to section 1 of the Regulations, the functions of the Corporate Joint Committee come into effect on 30 June 2022, and

the Councils shall assess and determined the optimal operational and delivery model for the MWGD and, if considered appropriate, the process for transition to the Corporate Joint Committee. Any decision in relation to the Corporate Joint Committee shall be a "Matter Reserved to the Councils" for decision.

### 11. **COMMITMENT OF THE COUNCILS AND CONTRIBUTIONS**

#### 11.1 **General**

The Councils agree and undertake to commit to the MWGD in accordance with the terms of this Agreement and not to commission and/or undertake any procurement and/or project that seeks or would procure the delivery of all or any part of the MWGD outside of the terms of this Agreement.

#### 11.2 **Annual Budget**

11.2.1 The Annual Budget for each Accounting Period shall be determined and approved by the Councils no later than twenty (20) Business Days prior to the start of that Accounting Period.

- 11.2.2 The Councils acknowledge that any and all Internal Costs, GMWB Costs and EAG costs set out in Schedule 2 shall only be recoverable if expressly included within the Annual Budget and approved by the Councils with appropriate evidence being provided on an open book basis.
- 11.2.3 Where the actual aggregate costs are likely to exceed the Annual Budget, such additional costs shall be met by the Councils in equal proportion unless otherwise agreed.
- 11.2.4 The Councils hereby agree that if one of the Councils carries out any work or incurs any cost or expenses to carry out any work or to incur any cost or expense that is not within the Annual Budget or scope of work set out in the Portfolio Business Case, that matter shall be referred by the Management Group to the GMWB for a decision as to whether such work, cost or expense is part of the MWGD or whether such work, cost or expense should be the entire responsibility of the Council so carrying it out or requesting it (as the case may be).
- 11.2.5 Payment of Internal costs will be made within thirty (30) Business Days of receipt by the Accountable Body of an appropriate invoice and supporting documents where required.

### 11.3 Contributions

#### 11.3.1 Total contribution

It is acknowledged and agreed by the Councils that the discharge of the Councils' obligations in relation to the MWGD pursuant to this Agreement shall be funded from the allocation made by HMT ("**HMT Contribution**") and any contributions that the Councils may make from time to time.

#### 11.3.2 HMT Contribution

- (a) It is acknowledged and agreed by the Councils that HMT's contribution shall be provided to the WG to transfer to the Accountable Body for and on behalf of the GMWB.
- (b) It is acknowledged and understood by the Councils that the HMT Contribution is subject to the following funding conditions:-
- (i) approval and adoption of the Governance and Assurance Framework (which the Councils have approved and attached at 03 (Governance and Assurance Framework) to this Agreement);
  - (ii) approval of and entry into this Agreement;
  - (iii) satisfying the five (5) yearly Gateway Reviews by HMT and it is acknowledged and agreed that the form of the Gateway Reviews including, but not limited to, any sanctions if key targets are not met shall be agreed with HMT and approved by the Councils pursuant to this Agreement as a "GMWB Matter";
  - (iv) any WG funding conditions to be proposed by the WG and approved pursuant to this Agreement by the Councils as a "GMWB Matter" pursuant to Clause 2.3 (Conditions Subsequent) and
  - (v) approval of the Portfolio Business Case

together the "**HMT Funding Conditions**".

- (c) Each Council acknowledges and agrees that:
  - (i) it accepts the HMT Funding Conditions and that it shall be bound by those conditions and shall not through any act or omission place the other Council in breach of any of those conditions; and
  - (ii) if any WG funding conditions remain to be agreed and if and when any such conditions are agreed pursuant to Clause 2.3 (Conditions Subsequent), each Council shall be bound by those conditions and shall not through any act or omission place the other Council in breach of any of those conditions.

### 11.3.3 **Audit**

- a) Each Council shall permit all records referred to in this Agreement to be examined and copied from time to time by the Accountable Body, or any representatives of the Accountable Body or any other representatives who reasonably require access to the same in order to undertake any audit of the funds received and spent pursuant to this Agreement.
- b) The Accountable Body shall arrange and procure any required external audit of the funds received and spent pursuant to this Agreement.
- c) Powys shall be responsible for the procurement of any internal Audit arrangement that may be required from time to time.

### 11.3.4 **Retention of Records**

The accounts referred to in this Clause 11 (Commitment of the Councils and Contributions) shall be retained for a period of at least ten (10) years after delivery of the MWGD pursuant to this Agreement.

### 11.3.5 **Transparency**

After the conclusion of each financial year the Treasurer will within a reasonable time in each year send to Powys a copy of the final accounts of the GMWB in connection with MWGD.

## 12. **MITIGATION**

Each Council shall at all time take all reasonable steps to minimise and mitigate any loss for which the relevant Council is entitled to bring a claim against the other Council pursuant to this Agreement.

## 13. **LIABILITY OF THE COUNCILS**

- 13.1 The Accountable Body shall indemnify and keep indemnified the other Council against any losses, claims, expenses, actions, demands, costs and liability suffered by that Council to the extent arising from any wilful default or breach by the Accountable Body of its obligations under this Agreement (and wilful in this context shall, for the avoidance of doubt, not include matters which are outside the reasonable control of the Accountable Body or matters arising from any negligent act or omission in relation to such obligations).

- 13.2 No claim shall be made against the Accountable Body to recover any loss or damage which may be incurred by reason of or arising out of the carrying out by the Accountable Body of its obligations under this Agreement unless and to the extent such loss or damage arises from a wilful default or breach by the Accountable Body under Clause 13.1 (Liability of Councils).
- 13.3 Powys shall indemnify and keep indemnified the Accountable Body against all losses, claims, expenses, actions, demands, costs and liabilities which the Accountable Body may incur by reason of or arising out of the carrying out by the Accountable Body of its obligations under this Agreement or arising from any wilful default or breach by Powys of its obligations under this Agreement (and wilful in this context shall, for the avoidance of doubt, not include matters which are outside the reasonable control of Powys or matters arising from any negligent act or omission in relation to such obligations) unless and to the extent that the same result from any breach by the Accountable Body of any such obligations.
- 13.4 The Councils agree and acknowledge that the amount to be paid to the Accountable Body by Powys under Clause 13.3 (Liability of Councils) shall be borne by Powys to the extent of its responsibility, however in the event that the responsibility is a shared one between the Councils (so that it is not reasonably practicable to ascertain the exact responsibility between the Councils) then the amount to be paid shall be divided between the Councils on an equal basis.
- 13.5 In the event of a claim under this Clause 13 (Liability of Councils) in which it is not reasonably practicable to determine the extent of responsibility as between the Councils, then the amount shall be divided amongst the Councils on an equal basis.
- 13.6 A Council who receives a claim for losses, expenses, actions, demands, costs and liabilities shall notify and provide details of such claim as soon as is reasonably practicable to the other Council.
- 13.7 No Council shall be indemnified in accordance with this Clause 13 (Liability of Councils) unless it has given notice in accordance with Clause 13.6 (Liability of Councils) to the other Council against whom it will be enforcing its right to an indemnity under this Agreement.
- 13.8 Each Council ("**Indemnifier**") shall not be responsible or be obliged to indemnify the other Council ("**Beneficiary**") to the extent that any insurances maintained by the Beneficiary at the relevant time provide an indemnity against the loss giving rise to such claim and to the extent that the Beneficiary recovers under such policy of insurance (save that the Indemnifier shall be responsible for the deductible under any such policy of insurance and any amount over the maximum amount insured under such policy of insurance).

#### 14. **CONSEQUENCES OF TERMINATION**

- 14.1 If the Agreement is terminated in accordance with Clause 2.1 (Duration of the Agreement) or Clause 2.2 (Termination), save for the obligations set out in Clause 11 (Commitment of the Councils and Contributions), Clause 13 (Liability of the Councils), this Clause 14 (Consequences of Termination), Clause 15 (Intellectual Property) and Clause 16 (Confidentiality and Announcements), the Councils shall be released from their respective obligations described in this Agreement.
- 14.2 Where this Agreement is terminated in respect of that Council in accordance with Clause 2.2 (Termination):
- 14.2.1 any capital asset acquired and/or secured and/or owned and provided by such Defaulter for the purposes of the MWGD will remain in the ownership of the Defaulter and the Defaulter will reimburse the other Council its respective

contribution (if any) together with any reasonable costs incurred as a result of default;

- 14.2.2 the other Council may elect to continue or discontinue with any procurement and/or project forming part of the MWGD;
- 14.2.3 the Defaulting Council may elect to independently pursue the procurement of any project within its administrative area which was identified as part of the MWGD provided that it does so at its own cost without any access to any of the HMT Contribution or Councils' Contribution pursuant to this Agreement; and
- 14.2.4 the Defaulting Council shall indemnify the other Council against any costs and expenses directly incurred by that Council as a result of such termination.
- 14.2.5 the Defaulting Council shall be liable for any clawback of MWGD funds that may be requested by the by HMT or WG as a result of such termination.

## 15. **INTELLECTUAL PROPERTY**

- 15.1 Each Council will retain all Intellectual Property in its Material.
- 15.2 Each Council will grant to the other Council a non exclusive, perpetual, non-transferable and royalty free licence to use, modify, amend and develop its IP Material for the discharge of the Councils' obligations in relation to the MWGD and any other purpose resulting from the MWGD whether or not the party granting the licence remains a party to this Agreement.
- 15.3 Without prejudice to Clause 15.1 (Intellectual Property), if more than one Council owns or has a legal or beneficial right or interest in any aspect of the IP Material for any reason (including without limitation that no one Council can demonstrate that it independently supplied or created the relevant IP Material without the help of one or more of the other Councils), each of the Councils who contributed to the relevant IP Material will grant to all other Councils to this Agreement a non-exclusive, perpetual, non-transferable and royalty free licence to use and exploit such IP Material as if all the other Councils were the sole owner under the Copyright Design and Patents Act 1988 or any other relevant statute or rule of law.
- 15.4 For the avoidance of doubt, any entity or person who is at the date of this Agreement a party to this Agreement and who has licensed any Intellectual Property under this Agreement will have a non-exclusive, perpetual right to continue to use the licensed Intellectual Property.
- 15.5 Each Council warrants that it has or will have the necessary rights to grant the licences set out in Clause 15.2 (Intellectual Property) and 15.3 (Intellectual Property) in respect of the IP Material to be licensed.
- 15.6 Each Council agrees to execute such further documents and take such actions or do such things as may be reasonably requested by any other Councils (and at the expense of the Council(s) making the request) to give full effect to the terms of this Agreement.

16. **CONFIDENTIALITY AND ANNOUNCEMENTS**

16.1 Each Council ("**Covenanter**") shall, both during the currency of this Agreement and at all times following its termination or expiry, keep private and confidential and shall not use or disclose (whether for its own benefit or that of any third party) any Confidential Information about the business of and/or belonging to any other Council or third party which has come to its attention as a result of or in connection with this Agreement.

16.2 The obligation set out in Clause 16.1 (Confidentiality and Announcements) shall not relate to information which:-

16.2.1 comes into the public domain or is subsequently disclosed to the public (other than through default on the part of the Covenanter or any other person to whom the Covenanter is permitted to disclose such information under this Agreement); or

16.2.2 is required to be disclosed by law; or

16.2.3 was already in the possession of the Covenanter (without restrictions as to its use) on the date of receipt; or

16.2.4 is required or recommended by the rules of any governmental or regulatory authority including any guidance from time to time as to openness and disclosure of information by public bodies; or

16.2.5 is necessary to be disclosed to provide relevant information to any insurer or insurance broker in connection with obtaining any insurance required by this Agreement.

16.3 Where disclosure is permitted under Clause 16.2.3 (Confidentiality and Announcements) or 16.2.4 (Confidentiality and Announcements), the recipient of the information shall be subject to a similar obligation of confidentiality as that contained in this Clause 16 (Confidentiality and Announcements) and the disclosing Council shall make this known to the recipient of the information.

16.4 No Council shall make any public statement or issue any press release or publish any other public document relating, connected with or arising out of this Agreement or any other agreement relating to the MWGD without the prior written consent of the other Councils.

17. **CONTRACTS (THIRD PARTY RIGHTS)**

The Councils as parties to this Agreement do not intend that any of its terms will be enforceable by virtue of the Contracts (Rights of Third Parties) Act 1999 by any person not a party to it.

18. **DISPUTE RESOLUTION**

18.1 Any dispute arising in relation to any aspect of this Agreement shall be resolved in accordance with this Clause 188 (Dispute Resolution). The Councils undertake and agree to pursue a positive approach towards dispute resolution which seeks (in the context of this partnership) to identify a solution which avoids legal proceedings and maintains a strong working relationship between the Councils.

18.2 In the event of any dispute or difference between the Councils relating to this Agreement (whether this may be a matter of contractual interpretation or otherwise) then save in relation to disputes or disagreements relating to a Matter Reserved To The Councils, the matter shall be dealt with as follows by referral in the first instance to the GMWB who shall meet within ten (10) Business Days of notification of the occurrence of such dispute and attempt to resolve the disputed matter in good faith.

- 18.3 In relation to a dispute or disagreement relating to a Matter Reserved To The Councils, or if the GMWB fails to resolve a dispute or disagreement within five (5) Business Days of meeting pursuant to Clause 18.2 (Dispute Resolution), or fails to meet in accordance with the timescales set out in Clause 18.2 (Dispute Resolution), then the Councils in dispute or the GMWB (as the case may be) may refer the matter for resolution to:-
- 18.3.1 the Chief Executive or Council Leader(s) (as appropriate) of the Councils; or
  - 18.3.2 mediation by such party as the Councils may agree; or
  - 18.3.3 the exclusive jurisdiction of the Courts of England and Wales otherwise.
- 18.4 Any dispute and/or disagreement to be determined by the Chief Executive(s) or Council Leaders (as appropriate), mediation or the Courts of England and Wales or such other body as agreed by the Councils (as the case may be) under this Agreement shall be promptly referred for determination to them.
- 18.5 The Councils shall on request promptly supply to the Chief Executive(s) or Council Leaders or mediator or the Courts of England and Wales (as the case may be) all such assistance, documents and information as may be required for the purpose of determination and the Councils shall use its reasonable endeavours to procure the prompt determination of such reference.
- 18.6 If a mediator is appointed to determine in dispute pursuant to Clause 18.3 (Dispute Resolution), then the mediator shall be deemed to act as an expert and not as an arbitrator and his determination shall (in the absence of manifest error) be conclusive and binding upon the Councils.
- 18.7 The costs of the resolution of any dispute and/or disagreement between the Councils under this Agreement shall be borne by the Councils on an equal basis to the dispute in question save as may be otherwise directed by the Chief Executive(s) or Council Leaders (as appropriate), the mediator or the Courts of England and Wales (as the case may be).
19. **DATA PROTECTION**
- 19.1 For the purposes of this Clause 19, "**controller**", "**processor**", "**data subject**", "**personal data**", "**personal data breach**" and "**processing**" shall have the meanings set out in the UK GDPR and "**process**" and "**processed**" when used in relation to the processing of personal data, will be construed accordingly. Any reference to personal data includes a reference to sensitive personal data, as applicable, whereby "**sensitive personal data**" means personal data that incorporates such categories of data as are listed in Article 9(1) of the UK GDPR.
- 19.2 The Councils acknowledge that the factual arrangements between them dictate the role of each Council in respect of Data Protection Laws. Notwithstanding the foregoing, the Councils anticipate that, for the purposes of this Agreement, each party shall be an independent controller of personal data.
- 19.3 Each Council agrees that in performing its obligations under this Agreement it shall comply with its obligations under Data Protection Laws.
- 19.4 Each Council shall:-
- 19.4.1 use all reasonable efforts to assist the other Council to comply with such obligations as are respectively imposed on them by the Data Protection Laws;

- 19.4.2 not, by its acts or omissions, cause the other Council to breach its respective obligations under the Data Protection Laws;
  - 19.4.3 implement and maintain appropriate technical and organisational measures sufficient to comply at least with the obligations imposed by the Security Requirements;
  - 19.4.4 notify the other relevant party(ies) promptly (and in any event within forty eight (48) hours) following its receipt of any Data Subject Request, Information Commissioner Correspondence or any other Third Party Request (a) insofar as it relates to the processing of the Data, and (b) to the extent permitted by law. In addition to providing the notice referred to in this Clause, such Council shall:
    - (a) only disclose Data in response to any Data Subject Request, Information Commissioner Correspondence or any other Third Party Request where it has obtained the other Council's prior written consent (unless required otherwise by law), and
    - (b) provide the other Council with all reasonable co-operation and assistance required by it in relation to any such Data Subject Request, Information Commissioner Correspondence or any other Third Party Request;
  - 19.4.5 notify the other Council promptly (and in any event within twenty-four (24) hours) upon becoming aware of any personal data breach and, together with such notice, shall provide a written description of the Personal Data Breach Particulars;
  - 19.4.6 ensure that any subcontractors enter into appropriate written data protection terms; and
  - 19.4.7 implement and maintain appropriate technical, organisational contractual and similar safeguards or measures required under the Data Protection Laws to ensure the rights and freedoms of data subjects and the adequate treatment of personal data, where processing is necessary in a territory outside of any originating territory.
- 19.5 Given the nature of this Agreement, the Councils do not envisage that either Council will process any personal data for or on behalf of the other Council as a data processor, under or in connection with this Agreement. Where and to the extent that in undertaking the obligations set out in this Agreement, a Council anticipates that the other Council will process any personal data for and on behalf of it, it shall notify the other Council and the Councils shall agree and enter into a supplemental agreement containing appropriate provisions in accordance with Article 28 of the UK GDPR, or as otherwise required by Data Protection Laws. In the event a supplemental agreement is not able to be agreed, the Councils acknowledge and agree that no further Processing of the personal data under this Agreement will be carried out until such supplemental agreement has been agreed and executed.
- 19.6 In the case of any material non-compliance by a Council, its employees and/or subcontractors with any of the obligations set out under this Clause 19, the Data Protection Laws and/or a Council's instructions in connection with the Processing of any personal data for and on behalf of it, the other Council may suspend data submission under this Agreement and/or require such Council to cease or suspend any processing of Data. This Clause 19 shall continue in full force and effect for a Council so long as such Council Processes any Data of the other Council to this Agreement.

19.7 Each Council shall indemnify and keep indemnified the other Council from and against all DP Losses suffered, incurred by or awarded against the other Council arising out of or in connection with claims and proceedings arising from any breach of such Council's obligations under this Clause 19 or such Council's failure to comply with the Data Protection Laws.

## 20. **FREEDOM OF INFORMATION AND ENVIRONMENT INFORMATION**

20.1 Each Council acknowledges that the other Councils are subject to the requirements of the Freedom of Information Act 2000 ("**FOIA**") and the Environmental Information Regulations 2004 ("**EIR**") and the Councils shall comply with the Accountable Body's policy on FOIA in respect of these information disclosure obligations to the extent they relate to the MWGD.

20.2 Where a Council receives a request for information under either the FOIA or the EIR in relation to information which it is holding on behalf of any of the other Councils in relation to the MWGD, it shall:

20.2.1 transfer the request for information to the Accountable Body as soon as practicable after receipt and in any event within two (2) Business Days of receiving a request for information;

20.2.2 provide the Accountable Body with a copy of all information in its possession or power in the form the Accountable Body reasonably requires within ten (10) Business Days (or such longer period as the Accountable Body may specify) of the Accountable Body requesting that information; and

20.2.3 provide all necessary assistance as reasonably requested by the Accountable Body to enable the Accountable Body to respond to a request for information within the time for compliance set out in the FOIA or the EIR.

20.3 The Councils agree and acknowledge that the Accountable Body shall be responsible for co-ordinating any response on behalf of the relevant Councils to the extent they relate to the MWGD and all costs incurred shall be accounted for as GMWB Costs.

20.4 The Accountable Body shall be responsible for determining in their absolute discretion whether any information requested under the FOIA or the EIR:

20.4.1 is exempt from disclosure under the FOIA or the EIR;

20.4.2 is to be disclosed in response to a request for information.

20.5 Each Council acknowledges that the Accountable Body may be obliged under the FOIA or the EIR to disclose information:

20.5.1 without consulting with the other Councils where it has not been practicable to achieve such consultation; or

20.5.2 following consultation with the other Councils and having taken their views into account.

## 21. **NOTICES**

21.1 Any notice or demand in connection with this Agreement to any Council shall be in writing and may be delivered by hand, prepaid first class post, special delivery post or email, addressed to the recipient at the address as the case may be set out below (or such other recipient address as may be notified in writing from time to time by a Council to the other Council):

Ceredigion Principal office address: Nueadd Cyngor Ceredigion Pernmorfa,  
Aberaeon, Ceridigion, SA46 0PA

For the attention of: Corporate Manager: Legal Services

E-mail address: [legal.helpdesk@ceredigion.gov.uk](mailto:legal.helpdesk@ceredigion.gov.uk)

Powys Principal office address: County Hall, Spa Road East, Llandrindod  
Wells, Powys, LD1 5LG

For the attention of: The Head of Legal and Democratic  
Services

E-mail address: [clive.pinney@powys.gov.uk](mailto:clive.pinney@powys.gov.uk)

21.2 The notice or demand shall be deemed to have been duly served:-

21.2.1 if delivered by hand, when left at the proper address for service;

21.2.2 if given or made by prepaid first class post or special delivery post, forty-eight (48) hours after being posted (excluding days other than Business Days);

21.2.3 if given or made by email, at the time of transmission,

provided that, where in the case of delivery by hand or email such delivery or transmission occurs either after 4.00pm on a Business Day or on a day other than a Business Day service shall be deemed to occur at 9.00am on the next following Business Day.

21.3 For the avoidance of doubt, where proceedings to which the Civil Procedure Rules apply have been issued, the provisions of the Civil Procedure Rules must be complied with in respect of the service of documents in connection with those proceedings.

## 22. **GOVERNING LAW**

This Agreement and any non-contractual obligations arising out of or in connection with it shall be governed by and construed in all respects in accordance with the laws of England and Wales. Subject to Clause 188 (Dispute Resolution), the English and Welsh Courts shall have exclusive jurisdiction to settle any disputes which may arise out of or in connection with this Agreement.

## 23. **ASSIGNMENTS**

23.1 The rights and obligations of the Councils under this Agreement shall not be assigned, novated or otherwise transferred (whether by virtue of any legislation or any scheme pursuant to any legislation or otherwise) to any person other than to any public body (being a single entity) acquiring the whole of the Agreement and having the legal capacity, power and authority to become a party to and to perform the obligations of the relevant Council under this Agreement being:

23.1.1 a Minister of the Crown pursuant to an Order under the Ministers of the Crown Act 1975; or

23.1.2 any Local Authority which has sufficient financial standing or financial resources to perform the obligations of the relevant Council under this Agreement.

24. **WAIVER**

24.1 No failure or delay by any Council to exercise any right, power or remedy will operate as a waiver of it nor will any partial exercise preclude any further exercise of the same or some other right, power or remedy unless a waiver is given in writing by that Council.

24.2 Each Council shall pay their own costs incurred in connection with the preparation, execution, completion and implementation of this Agreement.

25. **ENTIRE AGREEMENT**

This Agreement contains all the terms which the parties have agreed in relation to the subject of this Agreement and supersedes any prior written or oral agreements, representations or understandings between the Councils relating to such subject matter. No Council has been induced to enter into this Agreement or any of these documents by statement or promise which they do not contain, save that this Clause shall not exclude any liability which one Council would otherwise have to the other in respect of any statements made fraudulently by that Council.

26. **COUNTERPARTS**

This Agreement may be executed in any number of counterparts each of which so executed shall be an original but together shall constitute one and the same instrument.

27. **RELATIONSHIP OF COUNCILS**

Each Council is an independent body and nothing contained in this Agreement shall be construed to imply that there is any relationship between the Councils of partnership or (except as expressly provided in this Agreement) of principal/agent or of employer/employee. No Council shall have the right to act on behalf of another nor to bind the other by contract or otherwise except to the extent expressly permitted by the terms of this Agreement. In particular for the avoidance of doubt, none of the provisions relating to the principles of working in partnership shall be taken to establish any partnership as defined by The Partnership Act 1890.

28. **STATUTORY RESPONSIBILITIES**

Notwithstanding anything apparently to the contrary in this Agreement, in carrying out their statutory duties, the discretion of any Council shall not be fettered or otherwise affected by the terms of this Agreement.

**AS WITNESSED** the duly authorised representatives of the Councils have signed this Agreement as a deed on the date written at the beginning of this Agreement.

Schedule 1

DELEGATIONS POLICY

DECISION	MANAGEMENT GROUP MATTER	GROWING MID WALES BOARD MATTER	MATTER RESERVED TO THE COUNCILS
<b>KEY THEMES</b>			
1. Approval of IAA3			Yes
2. Approval and adoption of any Business Plans			Yes
3. Approval and adoption of any updated Business Plans save to the extent any such update amounts to a material change to the prevailing Business Plan (in which case the decision to approve and adopt such updated Business Plan shall be a Matter Reserved to the Councils)		Yes	
<b>FUNDING AND EXPENDITURE</b>			
4. Approval of any increase to the Councils' Contribution			Yes
5. Approval of any disproportionate Internal Costs pursuant to Clause 11 ( <i>Commitment of the Councils and Contributions</i> )		Yes	
6. Approval of expenditure within the approved Annual Budget of the Accountable Body held on behalf of the Councils set out in Clause 11.2 ( <i>Annual Budget</i> )	Yes		
7. Approval of the Annual Budget pursuant to Clause 11.2 ( <i>Annual Budget</i> )			Yes
8. Approval of additional expenditure over and above the approved Annual Budget of the Accountable Body held on behalf of the Councils set out in Clause 11.2 ( <i>Annual Budget</i> )			Yes
9. To approve from time to time the distribution of the Annual Budget as between the different programmes and projects agreed as part of any MWGD or the Regional Growth Strategy		Yes	
10. Entering into (or agreeing to enter into) any borrowing arrangement on		Yes	

<b>DECISION</b>	<b>MANAGEMENT GROUP MATTER</b>	<b>GROWING MID WALES BOARD MATTER</b>	<b>MATTER RESERVED TO THE COUNCILS</b>
behalf of the Joint Committee and/or giving any security in respect of any such borrowing			
11. Accepting terms and conditions in relation to any third party funding for the MWGD		Yes	
<b>GENERAL</b>			
12. Replacement of the Accountable Body			Yes
13. Establishment of a sub-committee pursuant to this Agreement and determining their terms of reference and scope of delegation.		Yes	
14. Making any variations to or waiving any rights to or terminating any contracts signed by Council / the Accountable Body (other than this Agreement) which are material to the MGWD.		Yes	
15. Amendments to the terms of this Agreement			<b>Yes</b>
16. The engagement of (and terms of engagement of) any individual person where the value of the appointment does not exceed £50,000 per Accounting Period	Yes		
17. The engagement of (and terms of engagement of) any individual person where the value of the appointment does exceeding £50,000 per Accounting Period		Yes	
18. Commencing any claim, proceedings or other litigation brought by or settling or defending any claim, proceedings or other litigation brought against the Joint Committee or individual Party in relation to the MWGD, except in relation to debt collection in the ordinary course of business.		Yes	
19. Making any announcements or releases of whatever nature in relation to the Joint Committee and the MWGD.		Yes	
20. Creation of a local authority trading company under Local Government			Yes

DECISION	MANAGEMENT GROUP MATTER	GROWING MID WALES BOARD MATTER	MATTER RESERVED TO THE COUNCILS
Act 2003			
21. Any other matters not covered in this ( <i>Delegations Policy</i> )			Yes



## PART 1

### MANAGEMENT GROUP TERMS OF REFERENCE

#### 1. Status

- 1.1 The Group is a professional executive which supports and advises, and enacts the decisions of, the GMWB.
- 1.2 The Group does not have any formal decision-making powers (unless expressly granted by the GMWB or this Agreement) and will advise those officers of the GMWB, who have delegated powers, in the exercise of their powers.

#### 2. Purpose of the group

- 2.1 To (a) co-ordinate professional advice to the GMWB; (b) to enact the decisions of the GMWB; (c) to oversee the deployment and management of the resources of the GMWB and (d) to be responsible for the performance management of the work-streams, programmes and projects of the GMWB.
- 2.2 The Group has the following specific roles and responsibilities:-

##### **Strategic**

- 2.2.1 to provide strategic advice on the development and delivery of the Vision for the GMWB;
- 2.2.2 to provide professional advice to the GMWB within the remit of the 8 thematic priorities identified in its vision;
- 2.2.3 to provide advice and co-ordination on matters of regional importance/relevance aligned with the remit of the work (economy & regeneration).
- 2.2.4 to co-ordinate lead officer engagement with UKG and WG on any strategic matter within the remit of GMWB.

##### **Portfolio, Programme and Project Management**

- 2.2.5 Act as the portfolio board to oversee the development, co-ordination and delivery of the Programmes and Projects within the MWGD and to oversee the development, co-ordination and delivery of other projects commissioned by the GMWB to deliver their Vision.

##### **Resource Management**

- 2.2.6 to support the Portfolio Management Office with the management of resources, as identified/agreed by the GMWB.

##### **Performance Management**

- 2.2.7 to oversee the management and reporting of performance for the programmes and projects of the GMWB; and
- 2.2.8 to oversee performance management and risk management reporting systems (that have been prepared in regular reporting by the Portfolio Management Office).

##### **Administration and Communications**

- 2.2.9 to support the governance structure and ensure its efficient operation;
- 2.2.10 to oversee a communications strategy (that has been co-ordinated by the Portfolio Management Office); and
- 2.2.11 to act as a "clearing house" for reports to the GMWB.

### 3. **Membership**

- 3.1 Portfolio Senior Responsible Owner – as appointed by the Councils
- 3.2 Operations Manager of the Portfolio Management Office (& relevant team members)
- 3.3 Lead Finance and Legal Officers (or their representatives) from the lead authority (as defined in Clause 6 of this Agreement).
- 3.4 Nominated senior officers from the Local Authorities (Councils)
- 3.5 Observers: UKG and WG Officials (as funders)

### 4. **Meeting Schedules**

- 4.1 Meetings will be held quarterly in advance of GMWB meetings.
- 4.2 However, extraordinary meetings will be convened where deemed necessary.

### 5. **Secretariat**

- 5.1 Secretariat for the Group will be provided by the Portfolio Management Office.

### **Portfolio Management Office (PoMO)**

- 1. To provide a professional support team for the successful delivery of the agreed work programme of the GMWB as outlined within this Agreement (principally, the delivery of the MWGD Portfolio and implementation of the Regional Skills Partnership). The Operations Manager will lead on all aspects relating to the MGWD, and the Regional Skills Manager responsible for the RSP. These roles are line managed by nominated senior officers within the Councils and will be supported on a day to day basis by the Portfolio SROs and/or their nominated deputies.
- 2. To provide professional advice and direction to the GMWB, the Management Group and regional governance on key strategies in support of the Vision for Growing Mid Wales – with a particular focus on the aspects included in the MWGD and work of the Regional Skills Partnership;
- 3. To co-ordinate the development and delivery of MWGD Portfolio Business Case, on behalf of GMWB.
- 4. To maintain and manage performance management and risk management reporting systems to ensure good Portfolio management, with regular reporting to the Management Group and GMWB.

5. To develop and maintain a co-ordinated regional communications framework that align all aspects of work pertaining to this Agreement.
6. To work closely with regional governance structures and stakeholders to maximise the potential from GMWB's work, with a particular focus on ensuring business engagement.
7. To work with nominated civil servants from the UK and Welsh Governments on the operational delivery of the MWGD and RSP.
8. To work with the nominated lead authorities to co-ordinate the delivery of support services identified in Clause 6 of this Agreement (e.g. Procurement, Finance, Legal) – as agreed by the GMWB.
9. To be responsible for the day to day management of delegated resources:
  - a) To maintain an annual budget for the GMWB (in conjunction with the Accountable Body)
  - b) To oversee deployment of the Budget (with the permission of the GMWB)
  - c) To ensure value for money in the use of the budget; and
  - d) to co-ordinate the work of the Lead Authorities (Finance, Legal, Procurement) to appoint and enter into contracts with the approval of the GMWB and within the approved budget, in accordance with the policies of the lead authority as noted in Clause 6.

## PART 2

### ECONOMIC ADVISORY GROUP TERMS OF REFERENCE

#### 1. Introduction

1.1 The Economic Advisory Group (EAG) has a vital role in supporting the MWGD and economic growth across the Mid Wales Region. The role of the EAG is to provide advice to the MGWD on the MWGD Portfolio and its constituent Programmes and Projects that emerge as it develops. Its role is to provide strategic advice and input on ensuring that private sector needs and investment leverage potential are considered when making decisions about funding allocations. The role of the EAG is advisory and an essential part of progressing the GMWD.

1.2 The main objectives of the EAG will be to :

- Provide a business voice on the MWGD to the GMWB
- Champion the MWGD at a strategic level reflecting the need for investment in the Mid Wales economy.
- Provide business experience and expertise to assist the GMWB to make funding decisions about emerging programmes and projects.
- To positively promote the MWGD within the Mid Wales Business Community.

#### 2. Responsibilities of the EAG

2.1 The key role of the EAG is to provide a business sector view on the MWGD and in particularly the programmes and projects that emerge during its lifetime.

2.2 The EAG will use the Portfolio Business Case, that has been developed over the last two years, as a basis for assessing the investment needs of the emerging programmes and projects.

#### 3. Membership of the EAG

3.1 The EAG members will be from the private sector and will include representatives from the Mid Wales Region.

3.2 The Leaders for Powys and Ceredigion will appoint EAG members based on criteria which will include experience and knowledge of the region's needs, leadership qualities and business experience.

3.3 The Chief Executive officer of each Council or their nominated representative shall be entitled to attend meetings of the EAG as advisers.

3.4 The Leaders of each Council shall be entitled to attend meetings of the EAG as observers.

3.5 All EAG members will usually serve a 2-year term at the end of which they may end their term or seek reaffirmation by standing for re-nomination.

3.6 The EAG will consist of no more than six members. The membership will be drawn from business leaders both within and outside Mid Wales, however, all members will have a knowledge and interest in the growth of the Mid Wales economy. The Council

Leaders will have the discretion to appoint additional representatives in exceptional circumstances if it is deemed that this will enhance the work of the EAG.

#### **4. EAG Leadership**

- 4.1 As EAG members will have considerable collective leadership experience and knowledge, the panel will not require a Chair or Vice Chair.
- 4.2 The EAG will be made up of no more than 6 members and will report on a regular basis directly to the Leaders and/or SRO's/Chief Executives of the local authorities representing the region.
- 4.3 A representative from the EAG will be invited to attend Board meetings on a rotating basis subject to EAG member availability.

#### **5. EAG Meetings**

- 5.1 The EAG will meet a minimum of 4 times per year or more frequently depending on the development of the Growth Deals programmes and projects. Meetings may be facilitated from time to time to assist with information sharing, debate and collective conclusions with facilitation being provided by the GMW team.
- 5.2 It is expected that the EAG will provide a collective view on the information presented for comment but if there is a divergence of view it is important that this is communicated in the feedback provided to the GMWB.
- 5.3 If any EAG member develops a personal, business or financial interest in any of the programs and/or projects that form part of the MWGD they will immediately step down as an EAG representative and will take no further part in the role of the EAG. It will be for EAG Members to declare any interest at the earliest opportunity.
- 5.4 EAG members will be expected to conduct themselves in accordance with the 'seven principles of public life' (known as the Nolan Principles). These principles are set out at the end of this Terms of Reference.
- 5.5 Subgroups may be used to consider matters in depth or particular pieces of work. These subgroups may contain membership from both the EAG and other groups.
- 5.6 Minutes will be distributed by e-mail as soon after the meeting as possible for comment and will include a record of decisions, actions and discussions.
- 5.7 Secretariat will be provided by Powys County Council. The Welsh and English Languages will have equal status, and the EAG will work to the Welsh Language standards set out in this IAA.
- 5.8 Meetings of the EAG will be quorate if a minimum of four members are in attendance.
- 5.9 Travelling expenses/subsistence will be paid at the Accountable Body rate for attendance at EAG meetings but no other payment or reimbursement will be made.

#### **6. Communication**

- 6.1 The views of the EAG will be communicated to others, including Welsh Government and UKG, and will also be included in reports to the GMWB and will subsequently be made public. No attribution will be given to any specific member of the EAG.

- 6.2 The GMWB may, from time to time, issue communications with businesses in the region on the development of the MWGD which may include the views expressed by the EAG. In such circumstances a draft press release will be circulated to EAG Members to ensure any reference made to the EAG's comments are accurate before being released.

### **EAG Code of Conduct**

Members of the EAG are required to declare any personal or financial interests in any of the business of the EAG meeting at the commencement of meetings.

The EAG members will be expected to conduct themselves in accordance with the "seven principles of public life" set out by the Committee Standards in Public Life (the Nolan Committee) these are:

#### **Selflessness**

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their families or their friends.

#### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

#### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts or recommending individuals for awards and benefits, holders of public office should make choices on merit.

#### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to whatever scrutiny is appropriate to their office.

#### **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

#### **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

#### **Leadership**

Holders of public office should promote and support these principles by leadership and example.

## PART 3

### REGIONAL SKILLS PARTNERSHIP TERMS OF REFERENCE

#### 1. **Name**

- 1.1 The name and current working title of the RSP shall be the Regional Skills Partnership (the “RSP”) for Mid Wales, Partneriaeth Sgiliau Rhanbarthol, Canolbarth Cymru.

#### 2. **Vision**

To align the public and private sectors in order to address the supply and demand issues for an effective agile workforce, with the appropriate skill level to attract inward investment to the Mid Wales Region and improve communication networks between sectors to understand and identify learning and career pathways into appropriate long term employment for the citizens of the Mid Wales.

#### 3. **Mission**

- 3.1 The RSP will act as a stakeholder group engaging and consulting with specific sectors, industries and regions:

3.1.1 to identify and respond to the needs of employers and learners across the Mid Wales Region;

3.1.2 to engage with employers, sectors and stakeholders to identify current and future skills needs across the Mid Wales Region and plan accordingly;

3.1.3 to align activity to future demand and stimulate innovation through learning and employment;

3.1.4 to enable an inclusive regional response to WG policy and initiatives; and

3.1.5 to align activity with the skills requirements of the GMWB.

#### 4. **Our Objectives**

- 4.1 Establish methodologies to identify future employment opportunities across all sectors.

- 4.2 Establish a curriculum strategy group to align learning pathways and progression routes for all learners from KS4/5 into work-based learning training programmes / Further Education / Higher Education or a regional apprenticeship scheme or occupational schemes.

- 4.3 Introduce Higher Education degree and masters courses aligned to the future skills agenda for employment opportunities in the Mid Wales Region.

- 4.4 Establish a regional apprenticeship scheme (including shared apprenticeships) that bridges and aligns public and private sectors and which recognizes the transferability of skills.

- 4.5 Produce innovative career guidance for all learners in the Mid Wales Region to link learning and career pathways.

- 4.6 Develop the concept of ‘Centres of Excellence’ in the Mid Wales Region.

- 4.7 Work with a range of partners to ensure opportunities for career-long support for upskilling the current workforce, including those in short term employment.
- 4.8 All of the actions would be underpinned by a strong bilingual focus contributing, via the unique bilingual education system and workforce across the Mid Wales Region, to the vision of a million Welsh speakers by 2050.

5. **Membership**

5.1 The membership will consist of those in the table below:

<b>Membership of the RSP</b>	
2 x Higher Education Representatives	One representative from each of the Universities (Aberystwyth and UWTSU)
2 x Further Education Representatives	One representative from each of the colleges (NPTC and Coleg Sir Gâr)
2 x Education & Skills Representatives	One officer from each Council
2 x Strategic Workforce Planning leads	One officer from each Council
2 x Regeneration Representatives	One officer from each Council
2 x Health Representatives	One representative from each of the Health Boards (Powys Teaching Health Board and Hywel Dda Health Board)
Training providers	National Training Federation for Wales + WBL providers from each LA
<p><b>Industry / Employers</b></p> <p>The Strategic Growth Priorities for Growing Mid Wales are</p> <p>Agriculture, Food &amp; Drink</p> <p>Transport</p> <p>Supporting Enterprise</p> <p>Skills &amp; Employment</p> <p>Energy</p> <p>Strengthened Tourism Offer</p> <p>Applied Research &amp; Innovation</p> <p>Digital</p> <p>These areas should all be covered by the representation that is proposed for the RSP.</p>	<p>A representative each from the sectors derived from those identified in AECOM Report:</p> <ol style="list-style-type: none"> <li>1. Tourism – to include hospitality and catering</li> <li>2. Manufacturing</li> <li>3. Agriculture and the land-based economy</li> <li>4. Public Services – which might include local and national government, emergency services &amp; defence</li> <li>5. Foundation sectors*</li> <li>6. Digital Services (this group is in addition to the AECOM-defined groups)</li> </ol> <p>*This “sector” is particularly significant in its relative scale in the Mid Wales Region and includes infrastructure, utilities, food processing, retailing and distribution, and health, education and welfare. This would merit further breakdown, with particular merit in prioritizing considering representation from health and social care (education is represented in other segments)</p>

Economic Advisory Group Mid Wales	Representative to be nominated
Growing Mid Wales Board	One Representative to nominated by each Council
Careers Wales	
Job Centre Plus	
RSP Manager	
Other	Other industry, employer groups, higher education institutions or third sector partners to be invited as required. These could include local voluntary associations and education or training partners from outside the two authorities who might wish to work within the two authorities, or who can offer routes into education or training for the people of the Mid Wales region.

- 5.2 Observer members and co-opted experts may be invited as needs arise.
- 5.3 Membership to the RSP shall be for a one (1) year term. Members shall be eligible for re-nomination.
- 5.4 The RSP shall appoint a Chair and Vice-Chair at its first meeting bi-annually. If it is necessary for the RSP to appoint an Interim Chair, the appointment will be reviewed every 3 months.
- 5.5 Failure to attend three consecutive RSP meetings will result in a new nomination being sought to represent the sector / stakeholder group.
- 5.6 The secretariat function will be fulfilled by the officers employed to undertake the work of the Regional Skills Partnership.
- 5.7 Members may appoint substitutes to represent their sector when necessary, all names of nominated substitutes to be sent to the Secretariat in advance of the meetings.

## 6. Core Principles and Responsibilities

- 6.1 Members of the RSP shall be expected to work on the basis of mutual support, shared values and a culture of joint working and collaboration.
- 6.2 Members of the RSP shall commit to the Nolan Principles:-
- 6.2.1 **Integrity** – members should avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work;
- 6.2.2 **Objectivity** – Members should act and take decisions impartially, fairly and on merit and for the widest benefit of others;
- 6.2.3 **Accountability** – Every Member will act on behalf of the stakeholders or groups they represent, and it is expected that every member will ensure that reasonable arrangements are in place to report back on their work;
- 6.2.4 **Openness** – Members should act and take decisions in an open and transparent manner;

- 6.2.5 **Confidentiality** – Every Member should respect confidentiality, and where relevant ensure that confidential material is protected and that it is not use without permission from the RSP (as a collective) or for private purposes;
- 6.2.6 **Accountability** – Every Member is accountable to the public for their decisions and must submit themselves to scrutiny if necessary;
- 6.2.7 **Honesty** – Every Member should be truthful;
- 6.2.8 **Declarations** – Every Member should declare any interest that could influence discussions or decisions taken by the RSP, and they will be recorded by the secretariat; and
- 6.2.9 **Promoting equality and respect for others** – Every Member should undertake their responsibilities with due regard to the need to promote equal opportunity for all and demonstrate respect and consideration towards others.

## 7. **Members Obligations:**

- 7.1 Members of the RSP are expected to:
  - 7.1.1 co-operate strategically on behalf of stakeholders across the Mid Wales Region;
  - 7.1.2 attend regular meetings of the RSP;
  - 7.1.3 prepare thoroughly for all meetings by reading the minutes and accompanying papers as well as to contact and discuss any matter that is relevant to the work of the RSP with others they represent as required;
  - 7.1.4 contribute to meaningful discussions at RSP meetings and to listen, give due consideration to and respect the opinions and views of others;
  - 7.1.5 communicate information about any work or development relevant to their sector;
  - 7.1.6 convey and promote the decisions of the RSP within their sector and repost, on a regular basis, the work of the RSP;
  - 7.1.7 recognise and respect the worth and contribution of each member;
  - 7.1.8 represent the RSP effectively on other groups, forums and partnerships as required and to ensure that the views of the RSP are conveyed clearly and firmly on all occasions; and
  - 7.1.9 participate in meetings, events and other activities organised by the RSP from time to time.

## 8. **Operational Procedures of the RSP**

- 8.1 The Regional Skills Partnership host organisation will be Powys who will fulfil the administrative and financial functions of the RSP and shall be responsible for providing secretariat functions to the RSP.
- 8.2 Meetings of the RSP are to be scheduled on a bi-monthly basis and will be reviewed as necessary; however, it shall be a requirement for the RSP to meet at least once every quarter.

- 8.3 The Chair of the RSP shall be responsible for calling meetings of the RSP with the support of the secretariat.
- 8.4 The secretariat shall provide written notice of the time, date and location of the RSP meeting to all members at least 10 working days before the date proposed for the meeting.
- 8.5 If a member of the RSP wishes to include an item on the agenda of the RSP meeting, they should notify the secretariat at least 5 working days prior to the date of the meeting. The Chair of the RSP and secretariat shall agree the final content of the agenda for the RSP meeting.
- 8.6 If a member of the RSP wishes to present a written report to the RSP, they should ensure that the secretariat receives an electronic version of the report at least 7 working days before the date of the meeting. The Chair of the RSP has the discretion to add any items that are of an urgent or informative nature that would benefit discussion at the meeting.
- 8.7 The secretariat shall distribute the final agenda and reports for the RSP meeting electronically at least 5 working days before the date of the meeting.
- 8.8 For RSP meetings, 6 members (including the Chair or the Vice-Chair in the Chair's absence) shall comprise a quorum.
- 8.9 The RSP shall conduct its business in an open and transparent way and in a spirit of consensus and mutual respect. Therefore, the RSP shall endeavour to arrive at a decision on matters by consensus. If consensus cannot be reached, the Chair of the RSP shall ask for a vote and a simple majority shall carry the vote. If necessary, the Chair of the RSP shall ask for a second vote or shall use their casting vote.
- 8.10 It shall be expected that decisions of the RSP will be implemented. However, where executive authority is required, decisions shall be referred to the decision-making bodies of individual authorities / stakeholders for consideration and the outcomes of these considerations shall be reported back to the RSP.
- 8.11 The secretariat shall be responsible for keeping minutes of the RSP and distributing them to members of the RSP
- 8.12 Copies of these minutes shall be made available by the secretariat on request
- 8.13 The Welsh and English languages have equal status and the RSP will work to Ceredigion's Welsh Language Standards.

## 9. **Accountability and Resources**

- 9.1 Powys as the host of the RSP will monitor and be accountable for the financial management of the RSP to ensure that the funder's and financial guidelines of the Councils are followed.
- 9.2 Scrutiny of the RSP will be undertaken through the democratic process of the Councils and through regular updates to the Councils' representative groups (Chief Executives; Regeneration and Education Directors)
- 9.3 **Finance:** WG currently supports the Regional Skills Partnerships, each at a cost of circa £165k per year. Funding is distributed through the Welsh Local Government Association upon receipt of a quarterly claim. Funding is currently awarded annually.

## 10. **Amending the Constitution**

- 10.1 The RSP shall undertake an annual self-assessment to assess the effectiveness of the RSP, including its future consideration.
- 10.2 The RSP shall review the terms of reference on an annual basis and amend it as necessary.

11. **Commitment**

Each member shall sign a copy of the RSP's terms of reference on behalf of the organisation they represent, as a sign of their support and commitment to the vision, mission and objectives of the Regional Skills Partnership for Mid Wales, Partneriaeth Sgiliau Rhanbarthol Canolbarth Cymru.

## PART 4

### JOINT OVERVIEW AND SCRUTINY SUB-COMMITTEE TERMS OF REFERENCE

1. **Membership**
    - 1.1 The Joint Overview and Scrutiny Sub-Committee shall comprise of 10 members in total.
    - 1.2 The Councils shall each appoint 5 individuals to the Joint Overview and Scrutiny Sub-Committee ("**JOSSC**"), ensuring political balance.
    - 1.3 Executive members of the Councils shall not be members of the JOSSC.
    - 1.4 Two nominated substitutes will be allowed for the representatives set out above provided that the substitutes are not involved in and have not attended meetings of the GMWB or EAG.
    - 1.5 Each Council may send a substitute from their own Council if they are unable to attend, but this may not be a member of the Council's executive and should be a member of each Council's relevant scrutiny committees and same political group. A substitute will be able to vote in the absence of his/her principal.
  2. **Purpose**
    - 2.1 The purpose of the Joint Overview & Scrutiny Sub-Committee shall be:
      - 2.1.1 performing the overview and scrutiny function for the MWGD on behalf of the Councils, to:
        - (a) review and or scrutinise decisions made, or other action taken, in connection with the discharge of any of the GMWB's functions;
        - (b) make reports or recommendations to the GMWB or its executive officers with respect to the discharge of any of those functions;
        - (c) make reports or recommendations to the GMWB or its executive officers on matters which affect the area or the inhabitants of that area;
        - (d) exercise such other functions as the GMWB may determine.
      - 2.1.2 To develop a Forward Work Programme annually, reflecting the functions under clause 2.1.1 above.
- For the period post Final Deal Agreement (Delivery):***
- 2.1.3 to seek reassurance and consider if the MWGD is delivering in accordance with this Agreement, the agreed Portfolio Business Case, and timetable, and/or is being managed effectively;
  - 2.1.4 to monitor the delivery of the MWGD regional projects against agreed portfolio/programme/project plans;
  - 2.1.5 to make any reports and recommendations to the Councils, whether to their executive boards or Full Council as appropriate, in respect of any function which has been delegated to the GMWB pursuant to this Agreement;

2.1.6 For the avoidance of doubt, scrutiny of an individual Councils' projects shall be a matter for the relevant Council's Scrutiny Committee.

3. **Chair**

3.1 The Chair and Vice-Chair of the JOSSC shall be elected by the JOSSC at its first meeting for a one (1) year term and then on annual basis.

3.2 The position of Chair and Vice-Chair will rotate between the Councils on an annual basis.

3.3 The JOSSC will elect a Chair and Vice-Chair from the membership of the committee. Substitute members will not be eligible for election as the Chair or Vice-Chair.

4. **Voting**

4.1 Each member of the JOSSC shall have one vote. Decisions of the JOSSC shall be made by simple majority vote.

4.2 In the event of an equal number of votes for and against a decision the Chair of the JOSSC shall have a casting vote.

5. **Conflicts of Interest**

Members of the JOSSC must declare any interest either before or during the meetings of the JOSSC (and withdraw from that meeting if necessary) in accordance with their respective Council's Code of Conduct or as required by law.

6. **Proceedings of Meetings**

6.1 The rules of procedure of the Monitoring Officer in respect of scrutiny shall apply to meetings of the JOSSC.

6.2 Members of the JOSSC shall be subject to the Codes of Conduct for Members of their respective Council.

6.3 Meetings may be rearranged, cancelled or additional meetings scheduled with the agreement of the Chair.

6.4 Each meeting will be recorded through the production of notes which will be made available to the public online after the meeting with the exception of any exempt or confidential information. Notes of meetings will usually be brief, containing a summary of discussions, action points and recommendations.

6.5 The JOSSC is not a decision-making body, and the Chair should aim to facilitate consensual agreement on matters under consideration. Where a consensus cannot be reached, the Chair shall present the split views of the committee to the GMWB.

7. **Quorum**

The quorum for meetings shall be no less than 4 Members, which must include at least 2 Members from each of the 2 Councils.

8. **Frequency**

The JOSSC shall meet at least quarterly, having regard of the GMWB Meetings. Additional meetings may be convened by the Chair on at least 10 Business Days' notice.

9. **Allowances**

No allowances shall be paid by the Councils in respect of the role and work undertaken by the JOSSC in connection with the MWGD.

10. **Sub-Groups**

The JOSSC by agreement may create Task and Finish Groups.

11. **Review**

The Terms of reference of the JOSSC shall be reviewed annually.

## Schedule 2

### HEADS OF EXPENDITURE

1. The following is a non-exhaustive list of the heads of expenditure that may be incurred by the Councils in connection with the MWGD:-
  - 1.1 **"Internal Costs"** means the costs associated with each Council providing internal Council resources in relation to the MWGD which includes but is not limited to:
    - 1.1.1 Staffing costs and associated overheads
    - 1.1.2 Project management / technical & admin support
    - 1.1.3 Communications
    - 1.1.4 costs incurred in respect of managing FOIA requests pursuant to Clause 20 (Freedom of Information and Environmental Information)
  - 1.2 **"GMWB Costs"** means the operational and management costs of the GMWB which includes but is not limited to
    - 1.2.1 Staffing costs and associated overheads
    - 1.2.2 Project management / technical & admin support
    - 1.2.3 Communications
    - 1.2.4 Translation Costs
  - 1.3 **"EAG Costs"** means the travel and subsistence costs of EAG members incurred in connection with the discharge of their duties in respect of the MWGD.
  - 1.4 For the avoidance of doubt, Internal Costs, GMWB Costs and EAG Costs do not include any revenue costs or capital investment relating to the implementation of any project pursuant to an Annual Business Plan.

**Schedule 3**

**GOVERNANCE AND ASSURANCE FRAMEWORK**



Microsoft Word  
Document

**Schedule 4**

**PORTFOLIO BUSINESS CASE**



GMW\_PBC\_Portfolio  
Business Case v1.docx

The Common Seal of **CYNGOR SIR** )  
**CEREDIGION COUNTY COUNCIL** was )  
hereunto affixed in the presence of:- )

.....  
Corporate Lead Officer  
Legal & Governance Services

The Common Seal of **POWYS COUNTY** )  
**COUNCIL** was hereunto affixed )  
in the presence of:- )

.....  
Head of Legal and Democratic Services  
A duly authorised officer

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## CEREDIGION COUNTY COUNCIL

**Report to:** Cabinet

**Date of meeting:** 11/01/2022

**Title:** Ceredigion County Council (Prohibition And Restriction Of Waiting And Loading And Unloading) Order 2019 (Market Street, Lampeter) (Amendment Order No. 6) 2022

**Purpose of the report:** To seek authorisation to advertise a proposed section of Prohibition of Parking At Any Time and a new Loading Bay on Market Street, Lampeter to the public.

**For:** Decision

**Cabinet Portfolio and Cabinet Member:** Highways and Environmental Services, Housing and Customer Contact – Cllr Dafydd Edwards

It is proposed to introduce a section of Prohibition of Waiting At Any Time (double yellow lines) and a Loading Only Bay (Monday to Saturday, 8am to 6pm, 30 minutes No Return Within 1 Hour) on Market Street, Lampeter. These proposals are part of a grant funded Welsh Government Green Infrastructure scheme to assist with new trading arrangements in this part of Lampeter. Details of the proposals are indicated on the site plan in Appendix 1.

First stage consultation has now been completed and two responses were received. One of these was from a nearby business not actually included amongst first stage consultees, but further discussion revealed that the correspondence was not intended as an objection to the proposals, but instead an expression of concern regarding enforcement of the new parking arrangements. The correspondent is otherwise not against the proposal proceeding. Parking Services report that regular patrolling across the county in line with available resources is undertaken.

The other response was from Lampeter Town Council, and expressed concern regarding the loss of parking spaces on Market Street, particularly to nearby businesses. After further discussion, the Authority has received an email from the Clerk to the Town Council on 30/11/21 stating that the Council's objection is withdrawn.

Authorisation is now sought to advertise the proposal to the public, and if no objections are received, to proceed with making the necessary Traffic Regulation Order, the publication of a Notice of Making in the Press, and implementation on site.

**Has an Integrated Impact Assessment been completed? Yes**  
**If, not, please state why**

**Summary:**

**Wellbeing of Future Generations:**

**Long term:** Provision to meet predicted future demand and capable of supporting economic and social and cultural activity.

**Collaboration:** Coordination with related Council service areas and emergency services.

**Involvement:** Compliant with requirements of Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 and local policies and procedures.

**Prevention:** Addresses existing and future access requirements and improves the safe and efficient movement of people and goods.

**Integration:** Formal process to advertise and make Traffic Regulation Order and ongoing monitoring of impacts to ensure alignment with this principle.

**Recommendation(s):** **IT IS RECOMMENDED THAT Cabinet approve advertising the proposals to the public, and should no objections be received, the making of the necessary Traffic Regulation Order and the publication of a subsequent Notice of Making in the press to this effect.**

**Reasons for decision:** **To ensure adequate access for traders as part of the Green Infrastructure Scheme**

**Overview and Scrutiny:** Thriving Communities

**Policy Framework:** Producing better and safer roads

**Corporate Priorities:** Boosting the Economy  
Investing in People's Future  
Enabling Individual and Family Resilience  
Promoting Environmental and Community Resilience

**Finance and Procurement implications:** All costs will be met from a Welsh Government Green Infrastructure Scheme grant

**Legal Implications:** Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, plus amendments.

**Staffing implications:** Enforcement of the proposed Prohibition of Waiting and the Loading Bay will be the responsibility of Parking Services.

**Property / asset implications:** The proposed road markings and signage will become Highways Assets for future inspection and maintenance.

**Risk(s):** Cabinet will be required to consider and determine the outcome of any objections received during public consultation.

**Statutory Powers:** Road Traffic Regulation Act 1984

**Background Papers:** Ceredigion County Council (Prohibition and Restriction of Waiting and Loading and Unloading) Order 2019

**Appendices:** Appendix 1 - Map showing the extent of the proposal

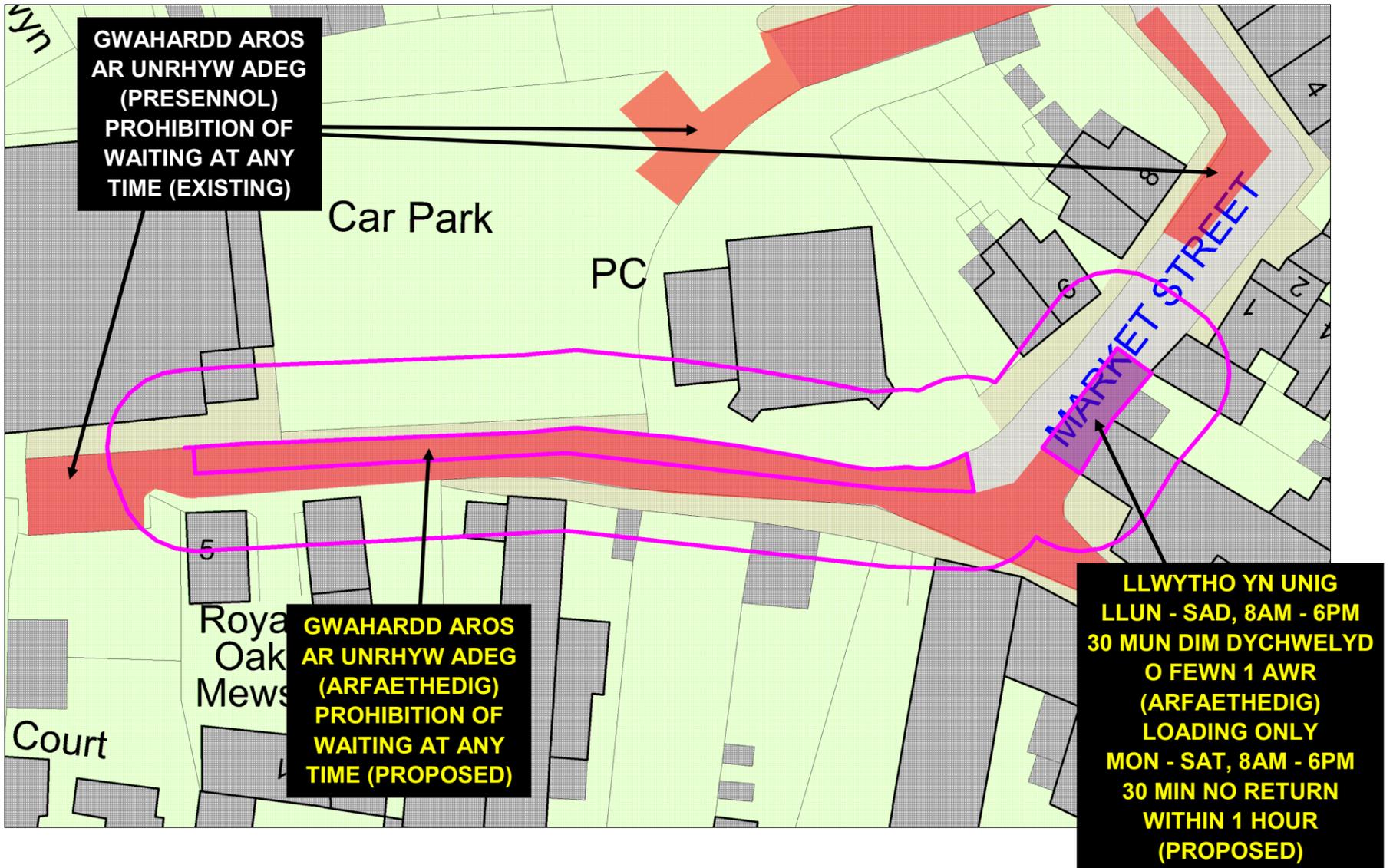
Appendix 2 - Integrated Impact Assessment

**Corporate Officer:** **Lead** Rhodri Llwyd

**Reporting Officer:** Tom Delph-Janiurek

**Date:** 30/11/21

**CYNGOR SIR CEREDIGION COUNTY COUNCIL**



Rhodri Llwyd  
 Prifffyrdd a Gwasanaethau Amgylcheddol  
 Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron, SA46 0PA  
 Highways and Environmental Services  
 Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron, SA46 0PA



Llanbedr Pont Steffan - Stryd y Farchnad  
 Lampeter - Market Street

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**CYNGOR SIR CEREDIGION**

Mae'r Cyngor yn cynnig gwneud Gorchymyn Cyngor Sir Ceredigion (Gwahardd ar Aros a Llwytho a Dadlwytho) 2019 (Stryd y Farchnad, Llanbedr Pont Steffan) (Gorchymyn Diwygio Rhif 7) 2022. Effaith hyn yw cyflwyno Gwaharddiad newydd ar Aros ar Unrhyw Adeg ynghyd â man llwytho ar Stryd y Farchnad, Llanbedr Pont Steffan.

**CEREDIGION COUNTY COUNCIL**

The Council proposes to make the Ceredigion County Council (Prohibition and Restriction of Waiting and Loading and Unloading) Order 2019 (Market Street, Lampeter) (Amendment Order No.7) 2022. The effect of this is to introduce a new Prohibition of Waiting at Any Time and Loading bay on Market Street, Lampeter.

# Cyngor Sir Ceredigion County Council - Integrated Impact Assessment (IIA)

An integrated tool to inform effective decision making



This **Integrated Impact Assessment tool** incorporates the principles of the Well-being of Future Generations (Wales) Act 2015 and the Sustainable Development Principles, the Equality Act 2010 and the Welsh Language Measure 2011 (Welsh Language Standards requirements) and Risk Management in order to inform effective decision making and ensuring compliance with respective legislation.

## 1. PROPOSAL DETAILS: (Policy/Change Objective/Budget saving)

Proposal Title	Ceredigion County Council (Prohibition And Restriction Of Waiting And Loading And Unloading) Order 2019 (Market Street, Lampeter) (Amendment Order No. 7) 2021
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Service Area	Highways	Corporate Lead Officer	Rhodri Llwyd	Corporate Director	Caroline Lewis
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Name of Officer completing the IIA	Dafydd Evans	E-mail	Dafydd.Evans@ceredigion.gov.uk	Phone no	
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Please give a brief description of the purpose of the proposal

To introduce a section of Prohibition of Waiting At Any Time and a new Loading Only bay on Market Street, Lampeter

Who will be directly affected by this proposal? (e.g. The general public, specific sections of the public such as youth groups, carers, road users, people using country parks, people on benefits, staff members or those who fall under the protected characteristics groups as defined by the Equality Act and for whom the authority must have due regard).

General road users

**VERSION CONTROL:** The IIA should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development, Welsh language and equality considerations wherever possible.

Author	Decision making stage	Version number	Date considered	Brief description of any amendments made following consideration
	<i>e.g. Budget Process, LG, Scrutiny, Cabinet etc.</i>			<i>This will demonstrate how we have considered and built in sustainable development throughout the evolution of a proposal. Have you considered and applied the sustainable development principle and Well-being Goals?</i>
Dafydd Evans	Implementation	1	December 2021	

**COUNCIL STRATEGIC OBJECTIVES:** Which of the Council's Strategic Objectives does the proposal address and how?



Boosting the Economy	Improved and safer access to services and opportunities for all road users. Improved efficiency of movement of goods and people.
Investing in People's Future	Safeguarding future access to services and opportunities for all.
Enabling Individual and Family Resilience	Supports independence, improved accessibility and personal mobility.
Promoting Environmental and Community Resilience	Supports more effective, safer and efficient movement of goods and people. Seeks to reduce traffic congestion and associated environmental dis-benefits particularly in traffic-sensitive areas. Supports community resilience through improved access to services and opportunities within local communities.

**NOTE:** As you complete this tool you will be asked for **evidence to support your views**. These need to include your baseline position, measures and studies that have informed your thinking and the judgement you are making. It should allow you to identify whether any changes resulting from the implementation of the recommendation will have a positive or negative effect. Data sources include for example:

- *Quantitative data - data that provides numerical information, e.g. population figures, number of users/non-users*
- *Qualitative data – data that furnishes evidence of people's perception/views of the service/policy, e.g. analysis of complaints, outcomes of focus groups, surveys*
- *Local population data from the census figures (such as Ceredigion Welsh language Profile and Ceredigion Demographic Equality data)*
- *National Household survey data*
- *Service User data*
- *Feedback from consultation and engagement campaigns*
- *Recommendations from Scrutiny*
- *Comparisons with similar policies in other authorities*
- *Academic publications, research reports, consultants' reports, and reports on any consultation with e.g. trade unions or the voluntary and community sectors, 'Is Wales Fairer' document.*
- *Welsh Language skills data for Council staff*

**2. SUSTAINABLE DEVELOPMENT PRINCIPLES:** How has your proposal embedded and prioritised the five sustainable development principles, as outlined in the Well-being of Future Generations (Wales) Act 2015, in its development?

Sustainable Development Principle	Does the proposal demonstrate you have met this principle? If yes, describe how. If not, explain why.	What evidence do you have to support this view?	What action (s) can you take to mitigate any negative impacts or better contribute to the principle?
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# Cyngor Sir Ceredigion County Council - Integrated Impact Assessment (IIA)

An integrated tool to inform effective decision making



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<p><b>Long Term</b> Balancing short term need with long term and planning for the future.</p>	<ul style="list-style-type: none"> <li>The impact of these proposals and any changes in local or national policies or legislation will be monitored and reviewed as part of the next scheduled review of on-street parking within five years – although it should be noted that these changes were introduced as part of a grant funded green infrastructure scheme to assist with new trading arrangements in Lampeter.</li> <li>Future demand will be partly determined by levels of car ownership, levels of public transport infrastructure provision and service patronage as well as economic fortunes of the County and the ‘High Street’ and any changes to future trading arrangements.’</li> </ul>	<p>Evidence from wider periodic on-street parking public and stakeholder engagement undertaken previously along with associated work programme.</p>	<ul style="list-style-type: none"> <li>Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>County-wide review of on-street parking planned for 2023/24, resources permitting.</li> </ul>
<p><b>Collaboration</b> Working together with other partners to deliver.</p>	<ul style="list-style-type: none"> <li>Work with the emergency services. Civil enforcement through Ceredigion County Council Parking services and Police for moving traffic offences (including obstruction etc.).</li> </ul>	<ul style="list-style-type: none"> <li>Evidence from stakeholder engagement and County Council service planning and delivery – including Parking Services, Planning, economic development and licensing and functions.</li> </ul>	<ul style="list-style-type: none"> <li>Civil Parking Enforcement</li> <li>Enforcement by Police</li> <li>County-wide review of on-street parking planned for 2023/24, resources permitting.</li> </ul>
<p><b>Involvement</b> Involving those with an interest and seeking their views.</p>	<ul style="list-style-type: none"> <li>Consultation undertaken according to statutory requirements for parking orders as set out in The Local Authorities’ Traffic Orders</li> </ul>	<ul style="list-style-type: none"> <li>Local Members, emergency services and general public ahead of the proposed changes.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing monitoring of impact of these changes – including correspondence and representations</li> </ul>



	<p>(Procedure)(England and Wales) Regulations 1996 relating to the Traffic Regulation Act 1984 as well as County Council Corporate Engagement Policy and procedures.</p> <ul style="list-style-type: none"> <li>• Statutory provision enables formal objection process and requirement for County Council to consider these objections when formulating the work programme. Outcome of objections will be determined by Cabinet and recorded in public minutes. Orders will be published and information placed within the public domain.</li> <li>• Ceredigion County Council consultation and engagement policies and procedures have been followed throughout the review process – includes engagement of groups with protected characteristics under the Equality Act 2010.</li> </ul>	<p>Notices placed at locations where changes are proposed, information published in the local Press, on the County Council’s Social Media and Internet pages.</p> <ul style="list-style-type: none"> <li>• Consultation with local businesses, employers and service providers including local bus companies.</li> <li>• Consultation with other public local authority service areas whose services to general public and people with protected characteristics may be affected – such as schools, colleges.</li> </ul>	<p>from public, stakeholders and partner agencies.</p> <ul style="list-style-type: none"> <li>• County-wide review of on-street parking planned for 2022/23, resources permitting.</li> </ul>
<p><b>Prevention</b> Putting resources into preventing problems occurring or getting worse.</p>	<ul style="list-style-type: none"> <li>• Proposals will seek to address any existing concerns by improving access, addressing road safety concerns and improve the efficient movement of people and goods.</li> <li>• Particular issues that will be addressed include safety of the most vulnerable road users (pedestrians, cyclists, children and older people and those with a range of physical or mental disabilities).</li> </ul>	<ul style="list-style-type: none"> <li>• Outcome of formal consultation with emergency services.</li> <li>• Discussions with local Members, County Council services areas responsible for highways maintenance and Civil Parking Enforcement.</li> </ul>	<ul style="list-style-type: none"> <li>• Change to on-street parking is to ensure safe and expeditious movement of vehicles and people.</li> <li>• Civil Parking Enforcement</li> <li>• Enforcement by Police</li> <li>• Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> </ul>



			<ul style="list-style-type: none"> <li>County-wide review of on-street parking planned for 2022/23, resources permitting.</li> </ul>
<p><b>Integration</b> Positively impacting on people, economy, environment and culture and trying to benefit all three.</p>	<ul style="list-style-type: none"> <li>Engagement and discussions with large number of organisations, groups and individuals, advertisement of proposed changes and formal process for receiving and responding to any objections, comments or suggestions.</li> </ul>	<ul style="list-style-type: none"> <li>Outcome of engagement process – i.e. proposed work programme.</li> </ul>	<ul style="list-style-type: none"> <li>Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>Civil Parking Enforcement</li> <li>Enforcement by Police</li> <li>County-wide review of on-street parking planned for 2022/23, resources permitting.</li> </ul>



**3. WELL-BEING GOALS:** Does your proposal deliver any of the seven National Well-being Goals for Wales as outlined on the Well-being of Future Generations (Wales) Act 2015? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal. We need to ensure that the steps we take to meet one of the goals aren't detrimental to meeting another.

Well-being Goal	Does the proposal contribute to this goal? Describe the positive or negative impacts-	What evidence do you have to support this view?	What action (s) can you take to mitigate any negative impacts or better contribute to the goal?
<p><b>3.1. A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs.</p>	<ul style="list-style-type: none"> <li>• Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>• The proposal will ensure the efficient use of public resources – both within the County Council and those of other public agencies such as Police.</li> <li>• The proposals will benefit all road users, local businesses and service providers by providing safer, more accessible and better regulated use of available space within the public highway.</li> <li>• The proposals will contribute to a more vibrant and sustainable local and national economy.</li> <li>• Materials will be sourced and installed using local contractors, thus helping to safeguard jobs within the public and private sectors.</li> </ul>	<ul style="list-style-type: none"> <li>• Proposed programme of works that is based upon:                             <ul style="list-style-type: none"> <li>○ Outcome of engagement process; and</li> <li>○ Consideration and determination of any objections, comments or further proposals received.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing monitoring and County-wide review of on-street parking planned for 2023/24, resources permitting.</li> </ul>
<p><b>3.2. A resilient Wales</b></p>	<ul style="list-style-type: none"> <li>• Change to on-street parking is part of a grant funded green</li> </ul>	<ul style="list-style-type: none"> <li>• Improved access arrangements and</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing monitoring and County-wide review of on-street parking</li> </ul>



<p>Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change).</p>	<p>infrastructure scheme to assist with new trading arrangements.</p> <ul style="list-style-type: none"> <li>• Work programme seeks to contribute towards reducing traffic congestion in town centres and contribute towards reducing CO<sub>2</sub> and emissions from transport and travel across the County and in the most traffic-sensitive areas.</li> <li>• Neutral impact upon biodiversity as changes are within the existing highway.</li> </ul>	<p>regulation of parking and goods deliveries.</p>	<p>planned for 2022/23, resources permitting.</p> <ul style="list-style-type: none"> <li>• Response to any issues raised through correspondence from public, stakeholders and delivery partners.</li> </ul>
<p><b>3.3. A healthier Wales</b> People's physical and mental wellbeing is maximised and health impacts are understood.</p>	<ul style="list-style-type: none"> <li>• Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>• Public and stakeholder engagement has enabled the views of providers of health and wellbeing services to be considered</li> <li>• Links to Active Travel provision, leisure and recreational opportunities (National Cycle Network, public rights of way, Coastal Path, tourism).</li> </ul>	<ul style="list-style-type: none"> <li>• Outcome of engagement process and proposed work programme.</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing monitoring and county-wide review of on-street parking planned for 2023/24, resources permitting.</li> <li>• Response to any issues raised through correspondence from public, stakeholders and delivery partners.</li> </ul>
<p><b>3.4. A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected.</p>	<ul style="list-style-type: none"> <li>• Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>• Proposed work programme supports continued economic,</li> </ul>	<ul style="list-style-type: none"> <li>• Outcome of engagement process and proposed work programme.</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> <li>• Response to any issues raised through correspondence from</li> </ul>



	<p>social and cultural viability of towns and local communities across the County through improved access to services and opportunities and better regulation of traffic within these communities.</p> <ul style="list-style-type: none"> <li>The proposed changes will promote improved safety for all road users.</li> </ul>	<ul style="list-style-type: none"> <li>Involvement of Local Members and public throughout process.</li> </ul>	<p>public, stakeholders and delivery partners.</p>
<p><b>3.5. A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental well-being.</p>	<ul style="list-style-type: none"> <li>Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>Following the review and engagement process, the proposed work programme seeks to contribute towards reducing the CO<sub>2</sub> production, negative environmental impacts of transport and travel - including emissions of nitrogen oxide, carbon monoxide, hydrocarbons etc.</li> </ul>	<ul style="list-style-type: none"> <li>Improved regulation and enforcement of on-street parking – alongside other traffic management interventions, public transport provision, promotion of Active Travel and off-street parking provision.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> </ul>

<p><b>3.6. A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances.</p> <p><i>In this section you need to consider the impact on equality groups, the evidence and any action you are taking for improvement.</i> <i>You need to consider how might the proposal impact on equality protected groups in accordance with the Equality Act 2010?</i></p>	<p>Describe why it will have a positive/negative or negligible impact.</p> <p><i>Using your evidence consider the impact for each of the protected groups. You will need to consider do these groups have equal access to the service, or do they need to receive the service in a different</i></p>	<p>What evidence do you have to support this view?</p> <p><i>Gathering Equality data and evidence is vital for an IIA. You should consider who uses or is likely to use the service. Failure to use <u>data</u> or <u>engage</u> where change is planned can leave decisions</i></p>	<p>What action (s) can you take to mitigate any negative impacts or better contribute to positive impacts?</p> <p><i>These actions can include a range of positive actions which allows the organisation to treat individuals according to their needs, even when that might mean treating</i></p>
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<p>These include the protected characteristics of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or beliefs, gender, sexual orientation.</p> <p><b>Please also consider the following guide:</b>  <a href="#">Equality Human Rights - Assessing Impact &amp; Equality Duty</a></p>				<p>way from other people because of their protected characteristics. It is not acceptable to state simply that a proposal will universally benefit/disadvantage everyone. You should demonstrate that you have considered all the available evidence and address any gaps or disparities revealed.</p>	<p>open to legal challenge. Please link to <b>involvement</b> box within this template. Please also consider the general guidance.</p>	<p>some more favourably than others, in order for them to have a good outcome. You may also have actions to identify any gaps in data or an action to engage with those who will/likely to be effected by the proposal. These actions need to link to Section 4 of this template.</p>
<p><b>Age</b> Do you think this proposal will have a positive or a negative impact on people because of their age? (Please tick ✓)</p>				<ul style="list-style-type: none"> <li>• Change to on-street parking is to ensure safe and expeditious movement of vehicles and people.</li> <li>• Whilst still positive, possibly less of a direct impact on younger people in respect of availability and regulation of car parking – unless as passengers with or without protected characteristics. However it is considered that alongside the two other age groups, the impacts of the proposed changes are positive overall.</li> <li>• Particular positive improvements associated with providing better access and prioritisation of available on-street parking for older people based on potential age-related health and mobility issues. Improved provision and</li> </ul>	<ul style="list-style-type: none"> <li>• Census data show that Ceredigion has an ageing population and high levels of private car ownership and access to services and opportunities by public transport is limited in rural areas beyond main transport corridors. It is necessary therefore to ensure that the on-street parking review and associated work programme has understood the issues faced and can assist in facilitating improved access within town and village centres, where services are located.</li> <li>• Also to seek to provide a safer environment for the most vulnerable road users including younger, older and people of all ages with a range of mental or</li> </ul>	<ul style="list-style-type: none"> <li>• Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>• Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> <li>• Ongoing engagement including responses to any issues raised through correspondence from public, stakeholders and delivery partners.</li> </ul>
Children and Young People up to 18	Positive	Negative	None/ Negligible			
People 18-50	Positive	Negative	None/ Negligible			
Older People 50+	Positive	Negative	None/ Negligible			

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				regulation will create positive benefits.	<p>physical disabilities or mobility problems.</p> <ul style="list-style-type: none"> <li>Proposed work programme is the result of the outcome of engagement process which sought and took account of the views of organisations and individuals representing people with the full range of protected characteristics as well as the general public, stakeholders and partner agencies.</li> </ul>	
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<b>Disability</b>			
Do you think this proposal will have a positive or a negative impact on people because of their disability? (Please tick ✓)			
Hearing Impairment	Positive ✓	Negative	None/ Negligible
Physical Impairment	Positive ✓	Negative	None/ Negligible
Visual Impairment	Positive ✓	Negative	None/ Negligible
Learning Disability	Positive ✓	Negative	None/ Negligible
Long Standing Illness	Positive ✓	Negative	None/ Negligible

<ul style="list-style-type: none"> <li>Change to on-street parking is to ensure safe and expeditious movement of vehicles and people.</li> <li>Proposed changes will benefit all disability groups in respect of providing better, more available and convenient access to facilities and services.</li> <li>Provision of more disabled parking bays within closer proximity to facilities within community centres where this is possible.</li> <li>Regulation and enforcement to ensure that designated spaces are not abused and available for</li> </ul>	<ul style="list-style-type: none"> <li>Census data show that Ceredigion has an ageing population and high levels of private car ownership and access to services and opportunities by public transport is limited in deeper rural areas beyond main transport corridors. It is necessary therefore to ensure that the on-street parking review and associated work programme has understood the issues faced and can assist in facilitating improved access within town and</li> </ul>	<ul style="list-style-type: none"> <li>Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> <li>Ongoing engagement including responses to any issues raised through correspondence from public, stakeholders and delivery partners.</li> </ul>
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Mental Health	Positive	Negative	None/ Negligible	disabled users when required. <ul style="list-style-type: none"> <li>• Clearer and simpler regulations and associated road markings, bays and signing.</li> <li>• Any improvements to associated adjacent footways will meet required access for all design standards.</li> </ul>	village centres, where services are located. <ul style="list-style-type: none"> <li>• Also to seek to provide a safer environment for the most vulnerable road users including younger, older and people of all ages with a range of mental or physical disabilities or mobility problems.</li> <li>• Proposed work programme is the result of the outcome of a fully-inclusive engagement process which sought and took account of the views of organisations and individuals representing people with the full range of protected characteristics as well as the general public, stakeholders and partner agencies.</li> </ul>	
	✓					
Other	Positive	Negative	None/ Negligible			
	✓					

<b>Transgender</b> Do you think this proposal will have a positive or a negative impact on transgender people? (Please tick ✓)				<ul style="list-style-type: none"> <li>• Change to on-street parking is to ensure safe and expeditious movement of vehicles and people.</li> <li>• As with people with other protected characteristics, the proposals will have positive impact on</li> </ul>	<ul style="list-style-type: none"> <li>• Responses to the engagement process did not identify any specific issues for the transgender community when considered alongside the wider community.</li> </ul>	<ul style="list-style-type: none"> <li>• Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>• Ongoing monitoring of impact of these changes</li> </ul>
Transgender	Positive	Negative	None/ Negligible			
	✓					



				transgender people. The improvements will benefit all road users.	<ul style="list-style-type: none"> <li>The benefits of the proposed programme will however benefit transgender people alongside all other road users.</li> </ul>	<p>and further review planned for 2022/23 resources permitting.</p> <ul style="list-style-type: none"> <li>Ongoing engagement including responses to any issues raised through correspondence from public, stakeholders and delivery partners.</li> </ul>
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<b>Marriage or Civil Partnership</b> Do you think this proposal will have a positive or a negative impact on marriage or Civil partnership? (Please tick ✓)				<ul style="list-style-type: none"> <li>Change to on-street parking is to ensure safe and expeditious movement of vehicles and people.</li> <li>As with people with other protected characteristics, the proposals will generally have positive impact on those in a marriage or civil partnership. The improvements will benefit all road users.</li> </ul>	<ul style="list-style-type: none"> <li>Responses to the engagement process did not identify any specific issues for the people in marriage or civil partnerships when considered alongside the wider community.</li> <li>The benefits of the proposed programme will however benefit those in a marriage or civil partnership alongside all other road users.</li> </ul>	<ul style="list-style-type: none"> <li>Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> <li>Ongoing engagement including responses to any issues raised through correspondence from public, stakeholders and delivery partners.</li> </ul>	
Marriage	Positive	Negative	None/ Negligible				
	✓						
Civil partnership	Positive	Negative	None/ Negligible				
	✓						

<b>Pregnancy or Maternity</b> Do you think this proposal will have a positive or a negative impact on pregnancy or maternity? (Please tick ✓)				<ul style="list-style-type: none"> <li>Change to on-street parking is to ensure safe and expeditious movement of vehicles and people.</li> <li>As with people with other protected characteristics,</li> </ul>	<ul style="list-style-type: none"> <li>Responses to the engagement process did not identify any specific issues for Pregnancy or Maternity when considered alongside the wider community.</li> </ul>	<ul style="list-style-type: none"> <li>Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> </ul>
Pregnancy	Positive	Negative	None/ Negligible			
	✓					

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Maternity	Positive	Negative	None/ Negligible	the proposals will generally have positive impact on Pregnancy and Maternity. The improvements will benefit all road users.	<ul style="list-style-type: none"> <li>The benefits of the proposed programme will however benefit Pregnancy and Maternity groups alongside all other road users.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> <li>Ongoing engagement including responses to any issues raised through correspondence from public, stakeholders and delivery partners.</li> </ul>
	✓					

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<b>Race</b> Do you think this proposal will have a positive or a negative impact on race? (Please tick ✓)				<ul style="list-style-type: none"> <li>Change to on-street parking is to ensure safe and expeditious movement of vehicles and people.</li> <li>As with people with other protected characteristics, the proposals will generally have positive impact on Race. The improvements will benefit all road users regardless of Race.</li> </ul>	<ul style="list-style-type: none"> <li>Responses to the engagement process did not identify any specific issues for Race when considered alongside the wider community.</li> <li>The benefits of the proposed programme will however benefit people of all Races alongside all other road users.</li> </ul>	<ul style="list-style-type: none"> <li>Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> <li>Ongoing engagement including responses to any issues raised through correspondence from public, stakeholders and delivery partners.</li> </ul>
White	Positive	Negative	None/ Negligible			
	✓					
Mixed/Multiple Ethnic Groups	Positive	Negative	None/ Negligible			
	✓					
Asian / Asian British	Positive	Negative	None/ Negligible			
	✓					
Black / African / Caribbean / Black British	Positive	Negative	None/ Negligible			
	✓					
Other Ethnic Groups	Positive	Negative	None/ Negligible			
	✓					

<b>Religion or non-beliefs</b>			
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Do you think this proposal will have a positive or a negative impact on people with different religions, beliefs or non-beliefs? (Please tick ✓)				<ul style="list-style-type: none"> <li>• Change to on-street parking is to ensure safe and expeditious movement of vehicles and people.</li> <li>• As with people with other protected characteristics, the proposals will generally have positive impact on people with different religions, beliefs or non-beliefs. The improvements will benefit and not discriminate between all road users regardless of religion, belief or non-belief.</li> </ul>	<ul style="list-style-type: none"> <li>• Responses to the engagement process did not identify any specific issues for Religion or non-beliefs when considered alongside the wider community.</li> <li>• The benefits of the proposed programme will however benefit people of all religions and non-beliefs alongside all other road users.</li> </ul>	<ul style="list-style-type: none"> <li>• Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>• Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> <li>• Ongoing engagement including responses to any issues raised through correspondence from public, stakeholders and delivery partners.</li> </ul>
Christian	Positive	Negative	None/ Negligible			
	✓					
Buddhist	Positive	Negative	None/ Negligible			
	✓					
Hindu	Positive	Negative	None/ Negligible			
	✓					
Humanist	Positive	Negative	None/ Negligible			
	✓					
Jewish	Positive	Negative	None/ Negligible			
	✓					
Muslim	Positive	Negative	None/ Negligible			
	✓					
Sikh	Positive	Negative	None/ Negligible			
	✓					
Non-belief	Positive	Negative	None/ Negligible			
	✓					
Other	Positive	Negative	None/ Negligible			
	✓					

<b>Sex</b>			
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Do you think this proposal will have a positive or a negative impact on men and/or women? (Please tick ✓)				<ul style="list-style-type: none"> <li>Change to on-street parking is to ensure safe and expeditious movement of vehicles and people.</li> <li>As with people with other protected characteristics, the proposals will generally have positive impact on gender. The improvements will benefit all road users regardless of gender.</li> </ul>	<ul style="list-style-type: none"> <li>Responses to the engagement process did not identify any specific gender-related issues when considered alongside the wider community.</li> <li>The benefits of the proposed programme will however benefit all other road users.</li> </ul>	<ul style="list-style-type: none"> <li>Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> <li>Ongoing engagement including responses to any issues raised through correspondence from public, stakeholders and delivery partners.</li> </ul>
Men	Positive	Negative	None/ Negligible			
	✓					
Women	Positive	Negative	None/ Negligible			
	✓					
<b>Sexual Orientation</b>				<ul style="list-style-type: none"> <li>Change to on-street parking is to ensure safe and expeditious movement of vehicles and people.</li> <li>As with people with other protected characteristics, the proposals will generally have positive impact on people with different sexual orientation. The improvements will benefit all road users regardless of sexual orientation.</li> </ul>	<ul style="list-style-type: none"> <li>Responses to the engagement process did not identify any specific issues in relation to sexual orientation when considered alongside the wider community.</li> <li>The benefits of the proposed programme will however benefit all other road users.</li> </ul>	<ul style="list-style-type: none"> <li>Change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements.</li> <li>Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> <li>Ongoing engagement including responses to any issues raised through</li> </ul>
Do you think this proposal will have a positive or a negative impact on people with different sexual orientation? (Please tick ✓)						
Bisexual	Positive	Negative	None/ Negligible			
	✓					
Gay Men	Positive	Negative	None/ Negligible			
	✓					
Gay Women / Lesbian	Positive	Negative	None/ Negligible			
	✓					
Heterosexual / Straight	Positive	Negative	None/ Negligible			



	✓					correspondence from public, stakeholders and delivery partners.
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**Having due regards in relation to the three aims of the Equality Duty - determine whether the proposal will assist or inhibit your ability to eliminate discrimination; advance equality and foster good relations.**

**3.6.2. How could/does the proposal help advance/promote equality of opportunity?**

*You should consider whether the proposal will help you to:* ● Remove or minimise disadvantage ● To meet the needs of people with certain characteristics ● Encourage increased participation of people with particular characteristics

This change to on-street is part of a grant funded green infrastructure scheme to assist with new trading arrangements, and to ensure safe and expeditious movement of vehicles and people. The proposal will assist in removing disadvantage to road users with and without protected characteristics by improving access to buildings and facilities where key services and opportunities are provided.

**3.6.3. How could/does the proposal/decision help to eliminate unlawful discrimination, harassment, or victimisation?**

*You should consider whether there is evidence to indicate that:* ● The proposal may result in less favourable treatment for people with certain characteristics ● The proposal may give rise to indirect discrimination ● The proposal is more likely to assist or impeded you in making reasonable adjustments

It is not anticipated that the proposal will have any negative impacts resulting in unlawful discrimination, harassment or victimisation. Provision of improved on-street parking is positive and compliance with regulations will be enforced so as to avoid disadvantaging those road users seeking to legitimately use this facility.

**3.6.4. How could/does the proposal impact on advancing/promoting good relations and wider community cohesion?**

*You should consider whether the proposal with help you to:* ● Tackle prejudice ● Promote understanding

This change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements, and to ensure safe and expeditious movement of vehicles and people. Rationalisation of provision, prioritisation for people with disabilities and clear signing and marking of regulations will improve access to on-street parking for all and contribute towards safer and more efficient use of road space within the public highway and improved economic, social and cultural viability and sustainability of local communities.



<b>3.7. A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh Language are promoted and protected. <i>In this section you need to consider the impact, the evidence and any action you are taking for improvement. This in order to ensure that the opportunities for people who choose to live their lives and access services through the medium of Welsh are not inferior to what is afforded to those choosing to do so in English, in accordance with the requirement of the Welsh Language Measure 2011.</i>				Describe why it will have a positive/negative or negligible impact.	What evidence do you have to support this view?	What action (s) can you take to mitigate any negative impacts or better contribute to positive impacts?
Will the proposal be delivered bilingually (Welsh & English)?	Positive	Negative	None/ Negligible	<ul style="list-style-type: none"> <li>This change to on-street parking is to ensure safe and expeditious movement of vehicles and people.</li> <li>Engagement and public notices to be provided bilingually.</li> <li>Engagement and any changes implemented will be provided bilingually.</li> <li>Service operates a bilingual policy in respect of communication with members of the public and within the workplace.</li> </ul>	<ul style="list-style-type: none"> <li>All engagement as part of the Review has been conducted bilingually and followed Ceredigion County Council corporate policy.</li> <li>All road markings and signs/plates with instructions and information will be bilingual and follow Ceredigion County Council and Welsh Government guidelines in this matter.</li> <li>County Council Welsh Language Scheme.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> <li>Ongoing engagement including responses to any issues raised through correspondence from public, stakeholders and delivery partners.</li> <li>Bilingual policies and staff.</li> </ul>
	✓					
Will the proposal have an effect on opportunities for	Positive	Negative	None/ Negligible	<ul style="list-style-type: none"> <li>This change to on-street parking is to ensure safe and</li> </ul>	<ul style="list-style-type: none"> <li>All engagement as part of the Review has been conducted bilingually</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing monitoring of impact of these changes</li> </ul>
	✓					

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<p>persons to use the Welsh language?</p>				<p>expeditious movement of vehicles and people.</p> <ul style="list-style-type: none"> <li>Engagement and public notices to be provided bilingually.</li> <li>Engagement and any changes implemented will be provided bilingually.</li> <li>Service operates a bilingual policy in respect of communication with members of the public and within the workplace.</li> </ul>	<p>and followed Ceredigion County Council corporate policy.</p> <ul style="list-style-type: none"> <li>All road markings and signs/plates with instructions and information will be bilingual and follow Ceredigion County Council and Welsh Government guidelines in this matter.</li> </ul>	<p>and further review planned for 2022/23 resources permitting.</p> <ul style="list-style-type: none"> <li>Ongoing engagement including responses to any issues raised through correspondence from public, stakeholders and delivery partners.</li> <li>Bilingual policies and staff.</li> </ul>
<p>Will the proposal increase or reduce the opportunity for persons to access services through the medium of Welsh?</p>	<p>Positive</p>	<p>Negative</p>	<p>None/ Negligible</p> <p style="text-align: center;">✓</p>	<ul style="list-style-type: none"> <li>This change to on-street parking is to ensure safe and expeditious movement of vehicles and people. Engagement and public notices to be provided bilingually.</li> <li>Engagement and any changes implemented will be provided bilingually.</li> <li>Service operates a bilingual policy in respect of</li> </ul>	<ul style="list-style-type: none"> <li>All engagement as part of the Review has been conducted bilingually and followed Ceredigion County Council corporate policy.</li> <li>All road markings and signs/plates with instructions and information will be bilingual and follow Ceredigion County Council and Welsh Government guidelines in this matter.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> <li>Ongoing engagement including responses to any issues raised through correspondence from public, stakeholders and delivery partners.</li> <li>Bilingual policies and staff.</li> </ul>



				<p>communication with members of the public and within the workplace. The proposal will help facilitate improved access to a range of services and opportunities provided by other County Council service areas, external organisations and agencies.</p> <ul style="list-style-type: none"> <li>• However, it should be noted that the on-street parking changes will not in themselves necessarily increase or reduce the opportunities through the Welsh language and those opportunities will be beyond the scope of this review and work programme.</li> </ul>		
How will the proposal treat the Welsh language no less favourably than the English language?	Positive	Negative	None/ Negligible	<ul style="list-style-type: none"> <li>• This change to on-street parking is to ensure safe and expeditious movement of vehicles and people.</li> </ul>	<ul style="list-style-type: none"> <li>• All engagement as part of the Review has been conducted bilingually and followed Ceredigion County</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> </ul>
	✓					

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				<p>Engagement and public notices to be provided bilingually.</p> <ul style="list-style-type: none"> <li>Engagement and any changes implemented will be provided bilingually.</li> <li>Service operates a bilingual policy in respect of communication with members of the public and within the workplace.</li> </ul>	<p>Council corporate policy.</p> <ul style="list-style-type: none"> <li>All road markings and signs/plates with instructions and information will be bilingual and follow Ceredigion County Council and Welsh Government guidelines in this matter.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing engagement including responses to any issues raised through correspondence from public, stakeholders and delivery partners.</li> <li>Bilingual policies and staff.</li> </ul>
<p>Will it preserve promote and enhance local culture and heritage?</p>	Positive	Negative	None/ Negligible	<ul style="list-style-type: none"> <li>This change to on-street parking is to ensure safe and expeditious movement of vehicles and people. Engagement and</li> </ul>	<ul style="list-style-type: none"> <li>All engagement as part of the Review has been conducted bilingually and followed Ceredigion County Council corporate policy. It has also included local and</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing monitoring of impact of these changes and further review planned for 2022/23 resources permitting.</li> <li>Ongoing engagement including responses to</li> </ul>

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	✓			<p>public notices to be provided bilingually.</p> <ul style="list-style-type: none"> <li>• Engagement and any changes implemented will be provided bilingually.</li> <li>• Service operates a bilingual policy in respect of communication with members of the public and within the workplace.</li> <li>• It should be noted that the on-street parking changes will not in themselves necessarily preserve, promote or enhance local culture or heritage as these will be beyond the scope of this review and work programme. The changes to on-street parking will however contribute towards improved and better-managed access to local cultural and heritage facilities.</li> </ul>	<p>national organisations promoting culture and heritage.</p> <ul style="list-style-type: none"> <li>• All road markings and signs/plates with instructions and information will be bilingual and follow Ceredigion County Council and Welsh Government guidelines in this matter.</li> </ul>	<p>any issues raised through correspondence from public, stakeholders and delivery partners.</p> <ul style="list-style-type: none"> <li>• Bilingual policies and staff.</li> </ul>
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**4. STRENGTHENING THE PROPOSAL:** If the proposal is likely to have a negative impact on any of the above (including any of the protected characteristics), what practical changes/actions could help reduce or remove any negative impacts as identified in sections 2 and 3?

**4.1 Actions.**

What are you going to do?	When are you going to do it?	Who is responsible?	Progress

**4.2. If no action is to be taken to remove or mitigate negative impacts please justify why.**  
*(Please remember that if you have identified unlawful discrimination, immediate and potential, as a result of this proposal, the proposal must be changed or revised).*

This change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements, and to ensure safe and expeditious movement of vehicles and people. Engagement and public notices to be provided bilingually. There are no negative impacts identified as part of this IIA for the review process and proposed work programme to deliver the changes to on-street parking. It is understood that the proposed changes will benefit all existing and future road users through improvements to safety and access/ availability. The impact of the proposed changes will however be monitored and specific remedial actions taken should these be deemed necessary. Following implementation, a further scheduled review including full community engagement is scheduled to take place in 2022/23 subject to available resources.

**4.3. Monitoring, evaluating and reviewing.**  
*How will you monitor the impact and effectiveness of the proposal?*

The impact of the proposed changes will be monitored and specific remedial actions may be considered if necessary, although it should be noted that this change to on-street parking is part of a grant funded green infrastructure scheme to assist with new trading arrangements, and to ensure safe and expeditious movement of vehicles and people. Following implementation, a further scheduled review including full community engagement is to take place in 2022/23 subject to available resources. Incoming correspondence and representations will be considered alongside available traffic data and information from Civil Parking enforcement and the Police.

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## 5. RISK: What is the risk associated with this proposal?

Impact Criteria	1 - Very low	2 - Low	3 - Medium	4 - High	5 - Very High
Likelihood Criteria	1 - Unlikely to occur	2 - Lower than average chance of occurrence	3 - Even chance of occurrence	4 - Higher than average chance of occurrence	5 - Expected to occur

Risk Description	Impact (severity)	Probability (deliverability)	Risk Score <i>Probability x Impact</i>
Cabinet non-approval of proposed programme of works	5	1	5
Physical constraints to proposed changes at specific locations	3	2	6
Availability of grant funding to cover full costs once known	4	2	8
Availability of contractors to deliver programme of physical works within planned timescale	4	1	4

### Does your proposal have a potential impact on another Service area?

CCC Highways Maintenance – maintenance of the highway asset  
 CCC Parking Services – for Civil Parking Enforcement  
 CCC – Economy and Performance – safer and better access for all to facilities, services and opportunities

## 6. SIGN OFF

Position	Name	Signature	Date
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# Cyngor Sir Ceredigion County Council - Integrated Impact Assessment (IIA)

An integrated tool to inform effective decision making



Transport Strategy & Safety Manager	Chris Wilson		
Service Manager – Highways Development	Steve Hallows		
Corporate Manager - Highways	Phil Jones		
Corporate Lead Officer	Rhodri Llwyd		
Corporate Director	Barry Rees		
Portfolio Holder	Cllr Dafydd Edwards		

## CEREDIGION COUNTY COUNCIL

**Report to:** Cabinet

**Date of meeting:** 11/01/22

**Title:** Retaining elements of the Temporary Traffic Regulation Orders (TTROs) in towns in Ceredigion

**Purpose of the report:** To seek authorisation to make two Experimental Traffic Regulation Orders required for the process for retaining selected parking and traffic flow elements installed temporarily in response to the Covid-19 pandemic

**For:** Decision

**Cabinet Portfolio and Cabinet Member:** Highways and Environmental Services, Housing and Customer Contact – **Cllr Dafydd Edwards**

A number of traffic management measures were introduced via Temporary Traffic Regulation Orders (TTROs) in the above mentioned towns in order to facilitate social distancing during lockdown restrictions associated with the Covid-19 pandemic. TTROs last a maximum of 18 months, and those currently in force begin to expire from October 2022. They can be extended with appropriate permission but only if the rationale behind their creation is still relevant and valid. The restrictions associated with the initial lockdown and subsequent alert level conditions are not in force at this time.

As Requirements for social distancing have been eased in Wales, there is no longer a need for some or all the measures introduced to continue. However, it is recognised that some of the elements have demonstrated a wider benefit to society and there is a justification for starting the legal process required to consider retaining some of these elements.

It is recommended that this process be best undertaken through the making of two Experimental Traffic Regulation Orders (ETROs).

One ETRO will manage the parking restrictions regulations that will entail amending the existing Countywide Parking Traffic Order, whilst the other ETRO will manage the 'moving' regulations including one way traffic flows, prohibitions of right/left turn, no entry etc.

Comparing the ETRO process with the more traditional Permanent Traffic Order process, there is no requirement for a 3 week public consultation phase. Instead, after the publication of a Notice of Intent in the local press, members of the public are granted a six month period during which they may submit formal objections to the ETRO process.

An ETRO can remain in force for up to 18 months. After the end of the initial six month period for objections (Autumn 2022), the Authority can decide to either

revoke, amend, or make permanent the ETRO as outlined in this report. Using ETROs as the process for retaining these features, and adjusting them where necessary, thus allows for a longer period over which effects can be monitored, and members of the public can express any suggestions or objections to introducing the Permanent Traffic Regulation Orders.

The report sets out the proposals for elements to be retained/amended on county roads in Cardigan, New Quay, Aberaeron and Aberystwyth, which are currently contained within the current TTROs but are proposed to be included in the new ETROs with a view to making them permanent, subject to the outcome of the six month periods for consultation, suggestions and objections.

Those measures and/or regulations not included in the proposed ETROs which were introduced by way of the current Temporary Traffic Regulation Orders as part of the 'safe zones' will be revoked, and will revert to what was included in pre-covid19 Permanent Traffic Regulation Orders.

There are no proposals at this time to introduce an ETRO in relation to the measures introduced in Borth due to them being localised in nature which were not the subject of a TTRO, and therefore there is no requirement to formalise them following easing of restrictions.

The proposed measures in each town are provided in the *Thriving Communities Overview and Scrutiny Report Dated 08/11/2021* – see **Appendix A**

Following lengthy discussion at that meeting, the recommendation from the Committee was: *It is recommended that these proposals, and any amendments to them deemed necessary following discussion at the Thriving Communities Overview and Scrutiny Committee held on the 8th November, and after consultation with Local Members be approved for submission to Cabinet to seek authorisation for the making of the necessary Experimental Traffic Regulation Orders and the publishing of a Notice to that effect in the local press and revoke all other measures associated with the Safe Zone Temporary Traffic Orders.*

In accordance with the ETRO process, consultation has been undertaken with the Emergency Services, Local Members, relevant Town Councils, Bus companies, Road Hauliers Association. Six responses were received and a summary of these are included along with Officers recommendations in **Appendix B**

One amendment/correction has been made to the proposals put forward in the Scrutiny paper following consideration of the feedback from the Thriving Communities Overview and Scrutiny meeting on 8<sup>th</sup> November 2021 and the subsequent consultation process, which relates to the proposal to 'introduce a new Prohibition of Right Turn from Bath Street into Terrace Road'. As the existing one way system on Bath Street, Aberystwyth is being retained, this proposal has now been removed from the list of proposals.

No further changes are proposed for the reasons outlined in Appendix B.

<b>Wellbeing of Future Generations:</b>	<b>Has an Integrated Impact Assessment been completed? If not, please state why</b>	No, the impact of the various measures to be introduced will be assessed during the 6 month period for objections following implementation of the proposed ETROs. An IIA at that stage will then inform any decision to make the proposed ETROs permanent
	<b>Summary:</b> <b>Long term:</b> <b>Collaboration:</b> <b>Involvement:</b> <b>Prevention:</b> <b>Integration:</b>	
<b>Recommendation(s):</b>	<b>IT IS RECOMMENDED THAT Cabinet approve the making of the two necessary Experimental Traffic Regulation Orders and the publication of a subsequent Notice of Making in the press to this effect.</b>	
<b>Reasons for decision:</b>	<b>To enable the legal process behind the Experimental Traffic Regulation Orders to proceed to implementation.</b>	
<b>Overview and Scrutiny:</b> <b>Policy Framework:</b>	Thriving Communities Producing better and safer roads.	
<b>Corporate Priorities:</b>	Boosting the Economy Investing in People’s Future Enabling Individual and Family Resilience Promoting Environmental and Community Resilience	
<b>Finance and Procurement implications:</b>	To be confirmed	
<b>Legal Implications:</b>	Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.	
<b>Staffing implications:</b>	N/A	
<b>Property / asset implications:</b>	The necessary signs and road markings will become highways assets	
<b>Risk(s):</b>	Cabinet will be required to consider and determine the outcome of any objections received.	
<b>Statutory Powers:</b>	Road Traffic Regulation Act 1984	

**Background Papers:** None

**Appendices:** Appendix A – Thriving Communities & Overview Scrutiny Report 08/11/2021  
Appendix B – Summary of consultation correspondence received and Officers recommendations

**Corporate Lead Officer:** Rhodri Llwyd

**Reporting Officer:** Tom Delph-Janiurek

**Date:** 15/12/2021

## **Cyngor Sir CEREDIGION County Council**

<b>REPORT TO:</b>	<b>Scrutiny</b>
<b>DATE:</b>	<b>8 November 2021</b>
<b>LOCATION:</b>	Aberaeron, Aberystwyth, Cardigan and New Quay
<b>TITLE:</b>	Retaining elements of the Temporary Traffic Regulation Orders (TTROs) in towns in Ceredigion
<b>PURPOSE OF REPORT:</b>	To present proposals for Experimental Traffic Regulation Orders as part of the process for making selected parking and traffic flow elements installed temporarily in response to the Covid-19 pandemic to be made permanent features
<b>REASON SCRUTINY HAVE REQUESTED THE INFORMATION:</b>	At the Thriving Communities Overview and Scrutiny Committee meeting on 1 October 2021, members requested a further report on the proposed ETRO following the conclusion of further discussions with Local Members, prior to a paper on the ETRO being presented to Cabinet for consideration.

### **BACKGROUND:**

A number of traffic management measures were introduced via Temporary Traffic Regulation Orders (TTROs) in the above mentioned towns in order to facilitate social distancing during lockdowns restrictions associated with the Covid-19 pandemic. TTROs last a maximum of 18 months, and those currently in force begin to expire from October 2022. They can be extended with appropriate permission but only if the rationale behind their creation is still relevant and valid. The restrictions associated with the initial lockdown conditions are not in force at this time.

### **CURRENT SITUATION**

Since requirements for social distancing have been eased in Wales, there is no longer a need for some or all the measures introduced to continue. However it is recognised that some of the elements have demonstrated a wider benefit to society and there is a case for starting the legal process to consider making these more permanent.

It is advised that this process be best undertaken through the making of two Experimental Traffic Regulation Orders (ETROs). One to deal with parking restrictions that will amend the existing countywide Parking Traffic Order, and one to deal with the 'moving' regulations such as one way traffic flows, prohibitions of right/left turn, no entry etc.).

Comparing the ETRO process with the more traditional permanent Order process, there is no requirement for a 3 week public consultation phase. Instead, after the publication of a Notice of Intent in the local press, members of the public are granted a six month period during which

they may submit formal objections to the ETRO process.

An ETRO can remain in force for up to 18 months. After the end of the initial six month period for objections, the Authority may decide to either revoke, amend, or make the ETRO permanent. Using ETROs as the process for making features permanent, and adjusting them where necessary, thus allows for a longer period over which effects can be monitored, and members of the public can express any objections to introducing permanent Traffic Regulation Orders.

This report sets out the proposals for elements to be retained/amended on county roads in Cardigan, New Quay, Aberaeron and Aberystwyth, which are currently contained within the TTROs but are proposed to be included in the new ETROs with a view to making them permanent, subject to the outcome of the six month period for objections.

There are no proposals at this time to introduce an ETRO in relation to the measures introduced in Borth due to them being localised in nature which were not the subject of a TTRO, and therefore there is no requirement to formalise them following easing of restrictions.

Discussions will continue outside the ETRO process in relation to requests for alterations to potential improvements at other locations.

The proposed measures to retain/amend are as follows:

## Cardigan

In addition to the ETRO's outlined below it is advised that the widened sections of footway at the following locations be kept. These are located on:

- High St (nr Belottis)
- Guild Hall
- Pendre (nr Chip Shop)
- Priory St (Crwst)

**It is proposed to include the following parking measures in the ETROs:**

- To introduce a new 12 metre length Loading Bay, Monday to Saturday, 8am to 5pm 20 minutes no return within 20 minutes on High Street opposite the bus stop (which will be reinstated) to the south of the Shire Hall. This will replace the temporary Loading Bay that was introduced at the site of the bus stop. The new Loading Bay will replace part of the limited waiting bay that was on the opposite side of the road prior to the introduction of the safe zone.
- To introduce new Disabled Badge Holders Only parking, 8am to 6pm, 3 hours no return within 3 hours adjacent to the new Loading Bay above in i) to take up the rest of the former limited waiting bay.
- To introduce a new Prohibition of Waiting At Any Time on High Street from the northern end of the bus stop to the south of the Shire Hall to the junction with Market Lane (just beyond Belotti's delicatessen)

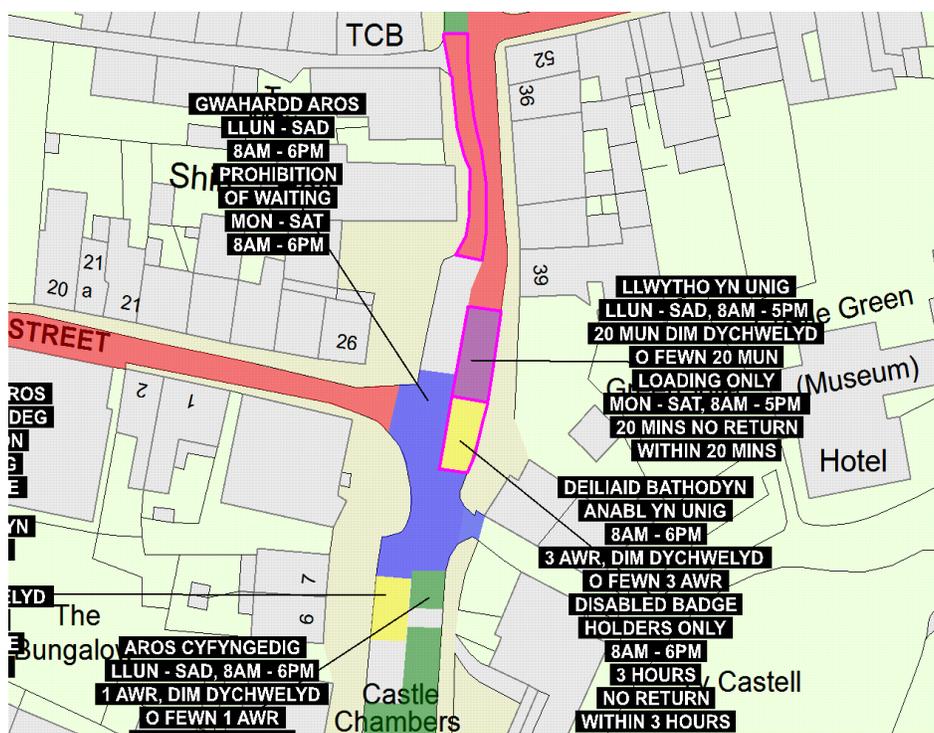


Figure 1: New loading bay (i), extended Disabled bay (ii) and Prohibition of Waiting at any time (iii)

- iv) To retain the temporarily introduced section of Prohibition of Waiting At Any Time on Priory Street by Crwst, where a new build out has been installed.
- v) To retain the temporarily introduced section of Disabled Badge Holders Only, 8am to 6pm, 3 hours no return within 3 hours parking by the Foot Clinic on the opposite side of Priory Street.



Figure 2: Retained Prohibition of Waiting At Any Time (iv) and Disabled Bay (v)

- vi) To retain the temporary Prohibition of Waiting At Any Time on Pendre from Mundos/Food for Thought Café to the junction with Bathhouse Road adjacent to Pendre Café and Fish & Chip Shop.

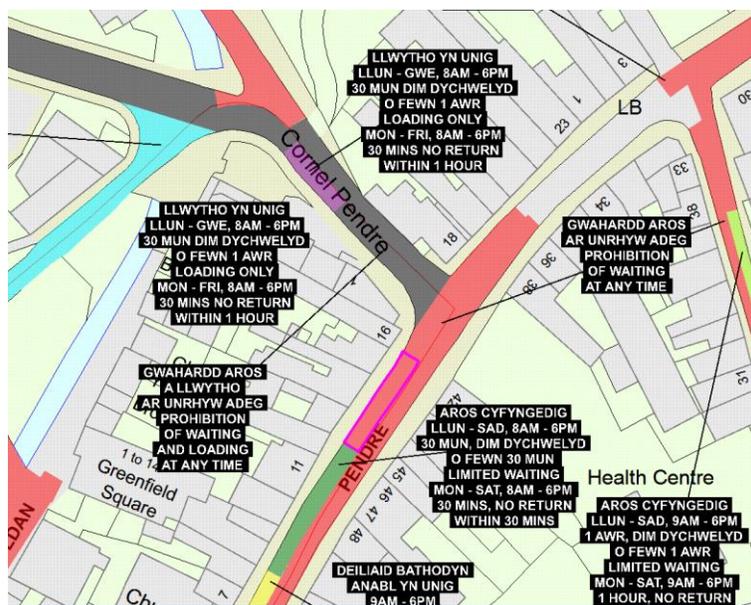


Figure 3: Prohibition of Waiting At Any Time (vi)

**It is proposed to include the following Moving Prohibitions in the ETROs:**

- i) To retain the One Way traffic flow that was introduced temporarily on College Row (from High Street to Queen's Terrace/Middle Mwdan by Greenfield car park).
- ii) To introduce a new Prohibition of Left Turn from Upper Mwdan [the car park] onto College Row
- iii) To introduce a new Prohibition of Right Turn from Middle Mwdan onto College Row
- iv) To introduce a new One Way traffic flow on Pwllhai from Cardigan Antiques Centre to its junction with High Street (east to west).
- v) To introduce a new One Way traffic flow on Chancery Lane from the direction of St Mary Street to High Street (south to north).



*Figure 4: Proposed One Ways and Prohibited Turns, Cardigan (i, ii, iii, iv and v)*

**New Quay**

**It is proposed to include the following parking measure in the ETROs:**

- i) To retain the Disabled Badge Holders Only parking 9am to 5pm, 3 hours no return within 3 hours that was temporarily installed on the seaward side of Glanmor Terrace in the bay opposite the Penwig.
- ii) To introduce a new Prohibition of Parking At Any Time on South John Street on its western side both sides of its junction with White Street to join up with the existing Prohibitions of Parking At Any Time.
- iii) To introduce a new Prohibition of Parking At Any Time on South John Street from the end of the existing Prohibition of Parking At Any Time by the property known as The Marina to the property boundary on the landward side of Ty Glyn at Glyn Square opposite the junction with Wellington Place.

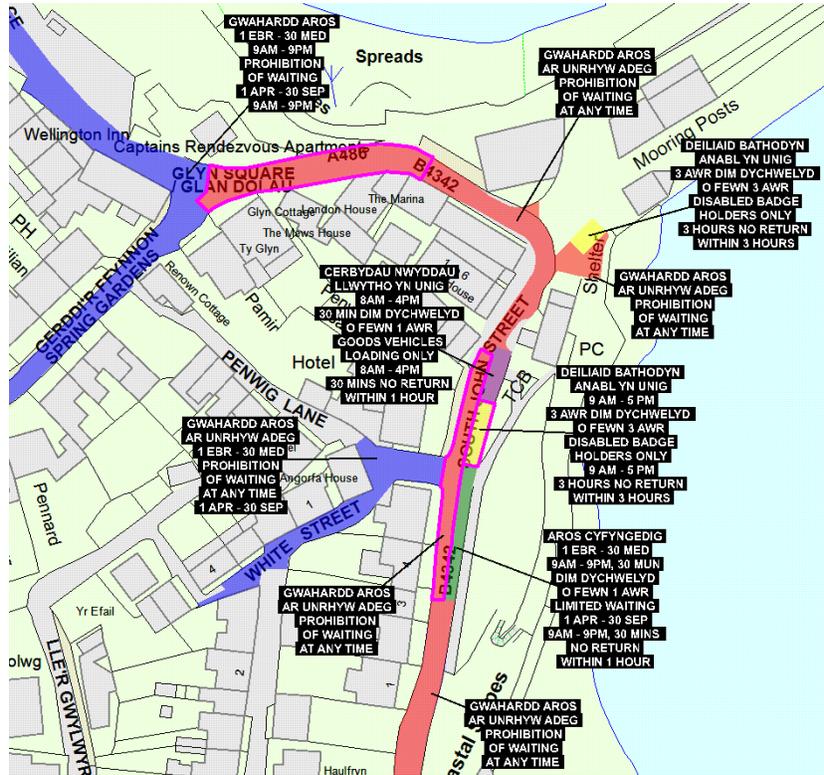


Figure 5: Retained Disabled Bay (i) and new Prohibition of Waiting At Any Time (ii and iii)

It is proposed to include the following Moving Prohibition in the ETROs:

- i) To retain the section of One Way traffic flow on Water Street from its junction with Albion Terrace travelling north - east to its junction with High Street.
- ii) To introduce a new Prohibition of Right Turn from Marine Terrace onto Water Street.
- iii) To introduce a new Prohibition of Left Turn from High Street onto Water Street



Figure 6: One Way on Water Street (i) with supporting Prohibited Left and Right turns (ii and iii)

## Aberaeron

In addition to the ETRO's outlined below it is advised that the widened section of footway at the following location be kept. These are located on:

- Market St (nr Cadwgan Pub, Celtic, Costcutters)

It will be recommended to the Welsh Government/NMWTRA that the widened section of footway by Ambassadors on the A487 be removed and this revert back to limited waiting, and that the section of double yellow lines by the junction of the A487 and Alban Square by The Royal Oak be retained.

**It is proposed to include the following parking measures in the ETROs:**

- To retain the southern half (towards the A487 Trunk Road) of the Disabled Badge Holders Only parking, 2 hours no return within 2 hours temporarily introduced to the bay on the opposite side of the road to Costcutter on Market Street. The northern half of the bay (towards the harbour) will revert back to being Limited Waiting, Monday to Saturday, 9am to 6pm, 1 hour no return within 1 hour.
- To retain the section of Prohibition of Waiting At Any Time opposite the above Disabled and Limited Waiting bays (i) outside Costcutter to coordinate with the (retained) widened footway.

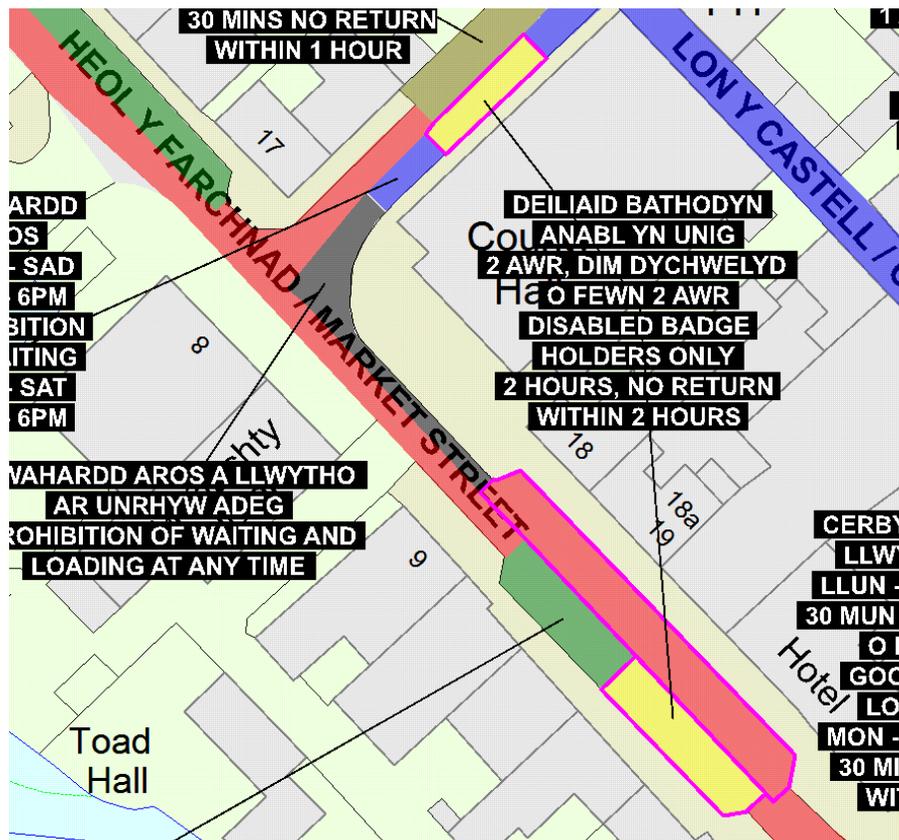


Figure 7: Retained Disabled Bays (i above and iv below) and Prohibition of Waiting At Any Time (ii)

- iii) To retain the section of Prohibition of Waiting At Any Time temporarily installed on Cadwgan Place on the side adjacent to Pwll Cam from its junction with Market Street/Tabernacle Street to its junction with Drury Lane, and to extend this to the junction with Quay Parade by The Hive and to cover the access to the harbour quayside.

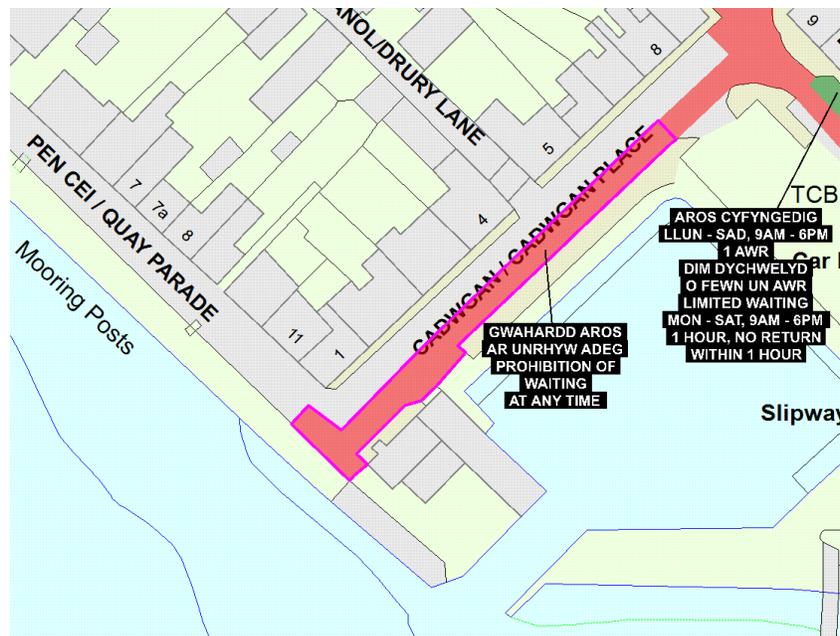


Figure 8: Prohibition of Waiting At Any Time (iii)

- iv) To retain the section of Disabled Badge Holders Only parking, 2 hours no return within 2 hours parking temporarily introduced on the south side of Victoria Street by County Hall.
- v) To introduce a new Goods Vehicle Only Loading Bay, Mon – Sat, 9am – 5pm, 30mins no return within 1 hour, 12m in length on the western side of Alban Square on the western side of the road.
- vi) To introduce a new Disabled Badge Holders Only bay 6.6m length, on the western side of Alban Square on the western side of the road.

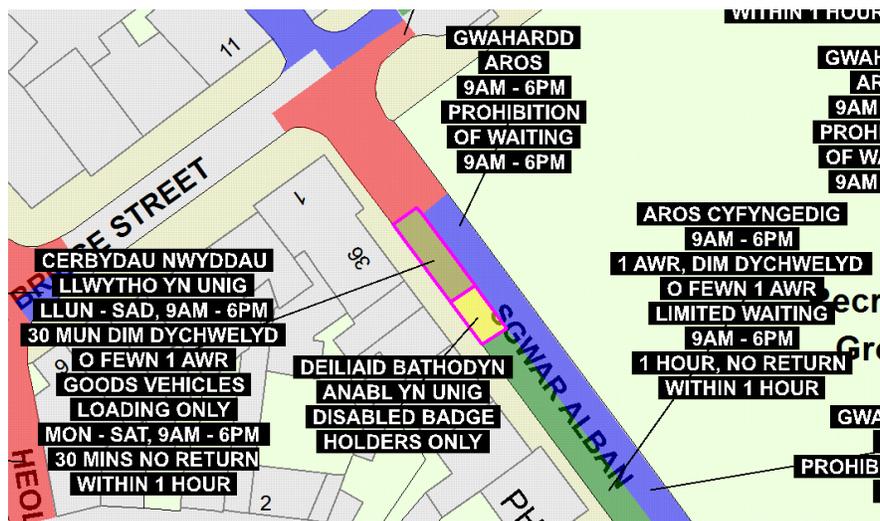


Figure 9: New Loading Bay (v) and Disabled Bay (vi)

**It is proposed to include the following Moving Prohibitions in the ETROs:**

- i) To retain the One Way traffic flow temporarily introduced on Lower Regent Street from north of the pay and display car park, to the seafront, along the seafront and onto Tabernacle Street and then Market Street.
- ii) To introduce a new Prohibition of Left Turn from Waterloo Street onto Tabernacle Street.
- iii) To introduce a new Prohibition of Right Turn from Glan y mor onto Tabernacle Street.



Figure 10: One way system and supporting Prohibited turns, Aberaeron

Other prohibitions of vehicle movement in Aberaeron may also be included, these will be presented at the meeting of Scrutiny.

## **Aberystwyth**

In addition to the ETRO's outlined below it is advised that the widened sections of footway at the following locations be kept. These are located on:

- Pier St (nr Sports Direct and Cactws)
- Chalybeate St (nr Evola)
- Terrace Road (nr Stars and Boots)

**It is proposed to include the following parking measures in the ETROs:**

- i) To remove the existing Disabled Badge Holders Only parking, 2 hours no return within 2 hours (2-3 spaces) on Market Street and replace with a Prohibition of Waiting At Any Time.
- ii) To retain the Prohibition of Waiting At Any Time temporarily introduced on the western side of Pier Street between its junctions with New Street and King Street. (This replaced a single yellow line 9am to 6pm Prohibition of Waiting).

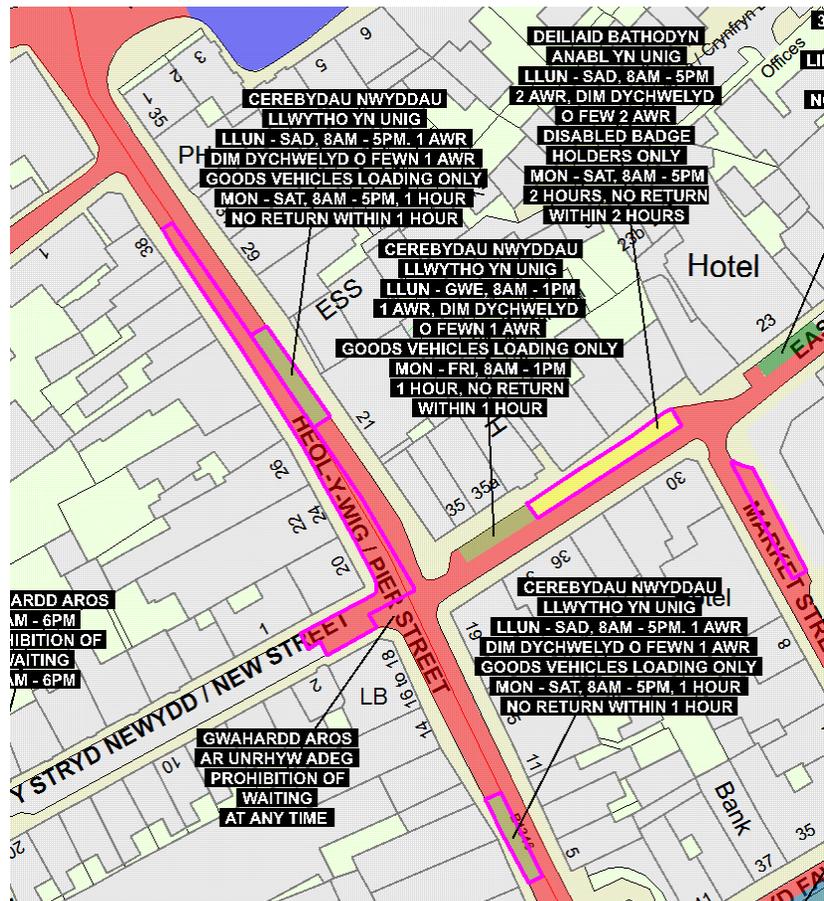


Figure 11: Removed Disabled Bay (i), Retained Loading Bays (x and xi below), Retained Disabled Bay (vii below) and Retained Prohibition of Waiting At Any Time (ii)

- iii) To retain the Goods Vehicles Only Loading Bay, Monday to Saturday, 8am to 6pm, 1 hour no return within 1 hour temporarily introduced on Chalybeate Street on its eastern side outside Evola hairdressers and Rattray Butchers.
- iv) To retain the Prohibition of Waiting At Any Time temporarily introduced to replace a Loading Bay and Limited Waiting on its western side of Chalybeate Street opposite the new Loading Bay in ii) above.
- v) To retain the Disabled Badge Holders Only parking 11am to 6pm, 2 hours no return within 2 hours temporarily introduced on the western side of Chalybeate Street by The Care Society etc. but to adjust the timing to 9am to 5pm, 2 hours no return within 2 hours.

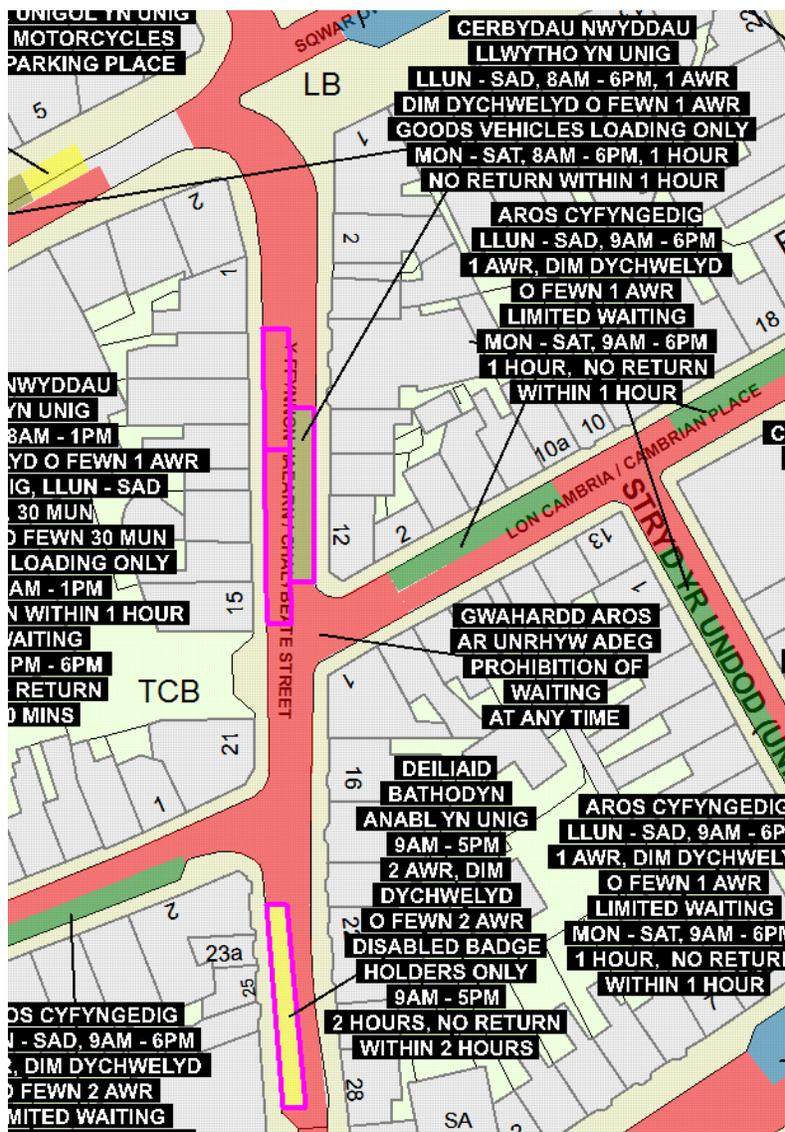


Figure 12: Retained Loading Bay (iii), Prohibition of Waiting At Any Time (iv) and Disabled Day (v)

- vi) To retain the section of Disabled Badge Holders Only parking, Monday to Saturday, 9am to 5pm, 2 hours no return within 2 hours temporarily introduced on Baker Street, on its western side (the bay on the eastern side of Baker Street will revert back to being a Loading Bay, Monday to Saturday, 8am to 1pm, 1 hour no return within 1 hour: Limited Waiting, Monday to Saturday 1pm to 6pm, 30 minutes no return within 30 minutes).

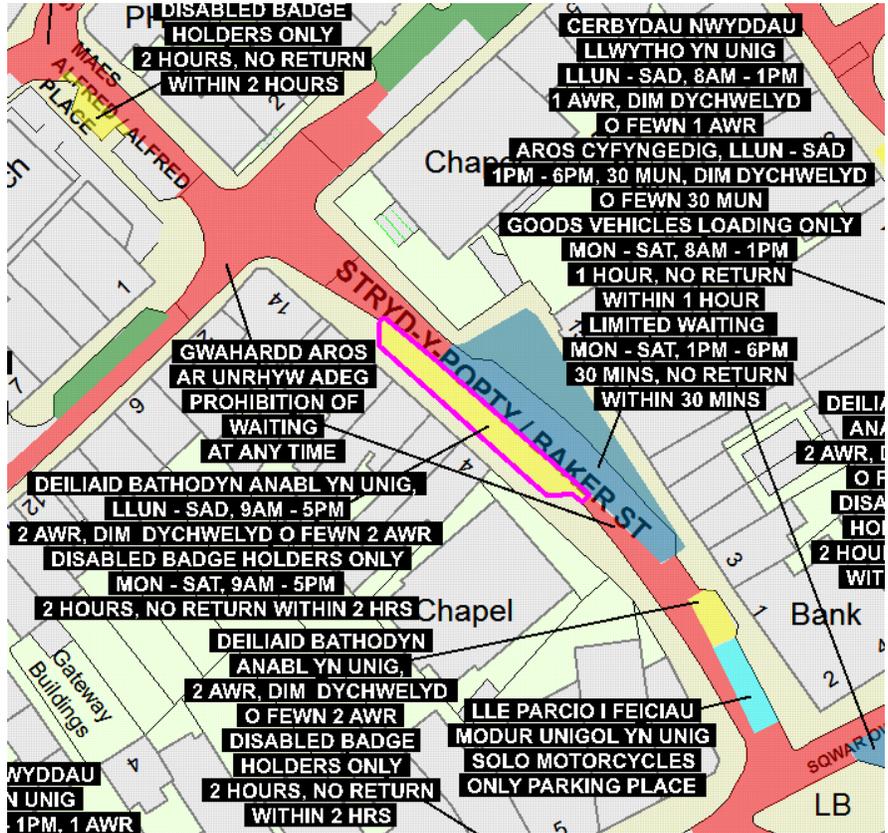


Figure 13: Retained Disabled Bay (vi)

- vii) To retain the Disabled Badge Holders Only parking, Monday to Saturday, 8am to 5pm, 2 hours no return within two hours on Eastgate on its northern side outside Downies Vaults/Fusion King etc.
- viii) To retain the Goods Vehicles Loading Only bay, Monday to Saturday, 8am to 5pm, 1 hour no return within 1 hour that was temporarily introduced on Portland Street on its northern side by its junction with Terrace Road, outside the minor entrance to Boots pharmacy.

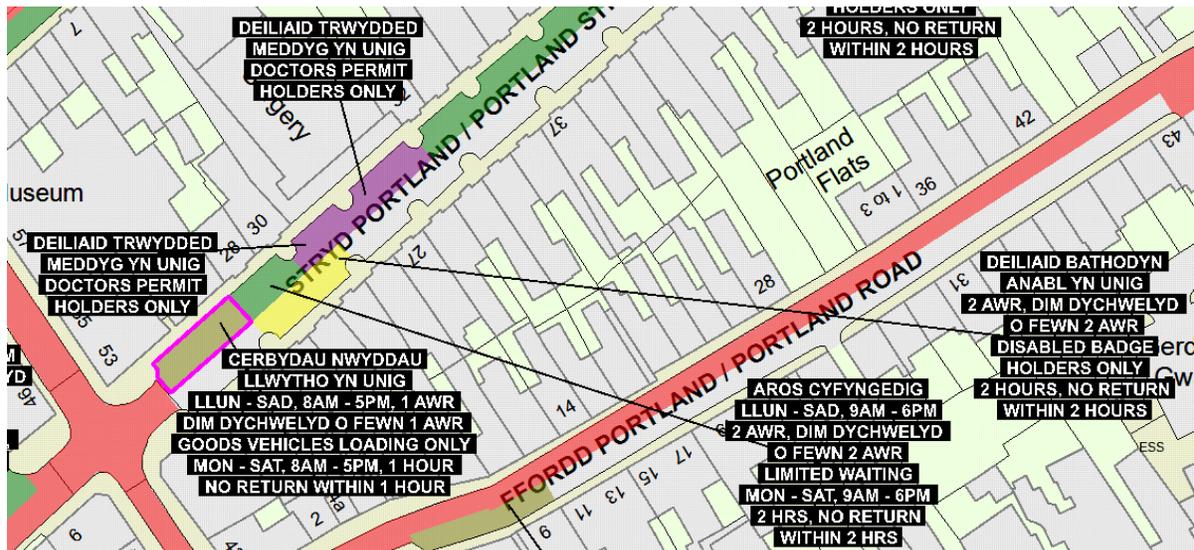


Figure 14: Retained Loading Bay (viii)

- ix) To retain the Disabled Badge Holders Only parking, 9am to 5pm, 2 hours no return within 2 hours temporarily introduced to Laura Place on its western side adjacent to St Michael's church, but to amend the timing to 9am to 5pm, 2 hours no return within 2 hours.

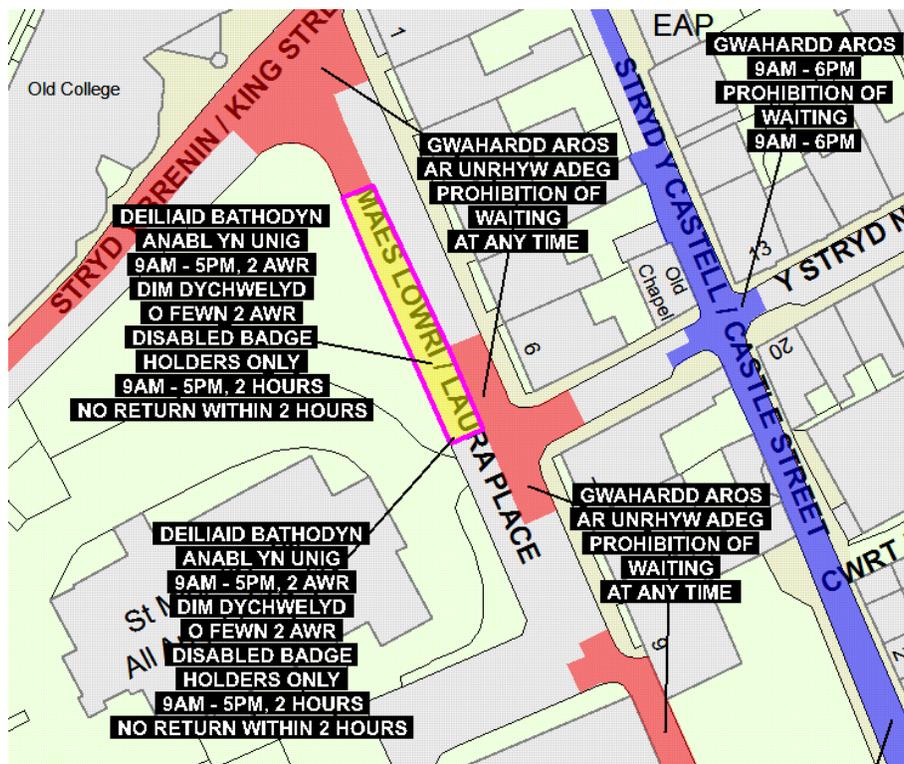


Figure 15: Retained Disabled Bay (ix)

- x) To retain the Goods Vehicle Only Loading bay Monday to Saturday, 8am to 5pm, 1 hour no return within 1 hour outside No. 8 to No. 10 for 14.6 metres temporarily introduced on the western side of Pier Street (adjacent to Sports Direct)
- xi) To retain the Goods Vehicle Only Loading bay Monday to Saturday, 8am to 5pm, 1 hour no return within 1 hour temporarily introduced outside Cactws for 12 metres on the eastern side of Pier Street.
- xii) To retain the Goods Vehicle Loading Only bay, Monday to Saturday, 8am to 5pm, 1 hour no return within 1 hour temporarily introduced on Terrace Road on its western side by Stars.

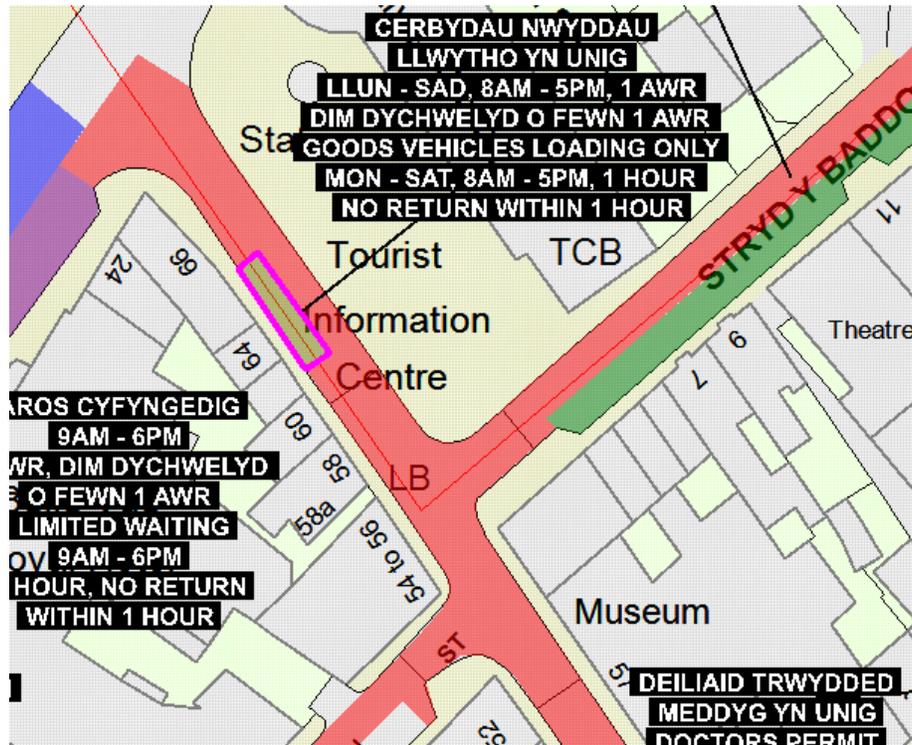


Figure 16: Retained Loading Bay (xii)

**It is proposed to include the following Moving Prohibitions in the ETROs:**

- i) To retain the One Way traffic flow temporarily introduced on Pier Street (south to north from Great Darkgate Street to New Promenade/Marine Terrace).
- ii) To introduce a Prohibition of Left Turn from Eastgate onto Pier Street, to support the one way on Pier Street.
- iii) To introduce a new Prohibition of Right Turn from King Street onto Pier Street.
- iv) To retain the One Way traffic flow temporarily introduced on Terrace Road from the seafront at Marine Terrace to its junctions with Portland Street.
- v) To introduce a new Prohibition of Right Turn from the eastern arm of Portland Street onto Terrace Road.
- vi) To introduce a new Prohibition of Left Turn from the western arm of Portland Street onto Terrace Road.
- vii) To introduce a new Prohibition of Right Turn from Portland Road onto Terrace Road.
- viii) To retain the One Way traffic flow temporarily introduced on Baker Street, from the direction of its junction with Portland Street towards its junction with North Parade/Great Darkgate Street.
- ix) To introduce a new Prohibition of Right Turn from Bath Street into Terrace Road.
- x) Retain the One Way traffic flow temporarily introduced on Bath Street.
- xi) To introduce prohibitions of turn (left and right) from Queens Road into Bath Street

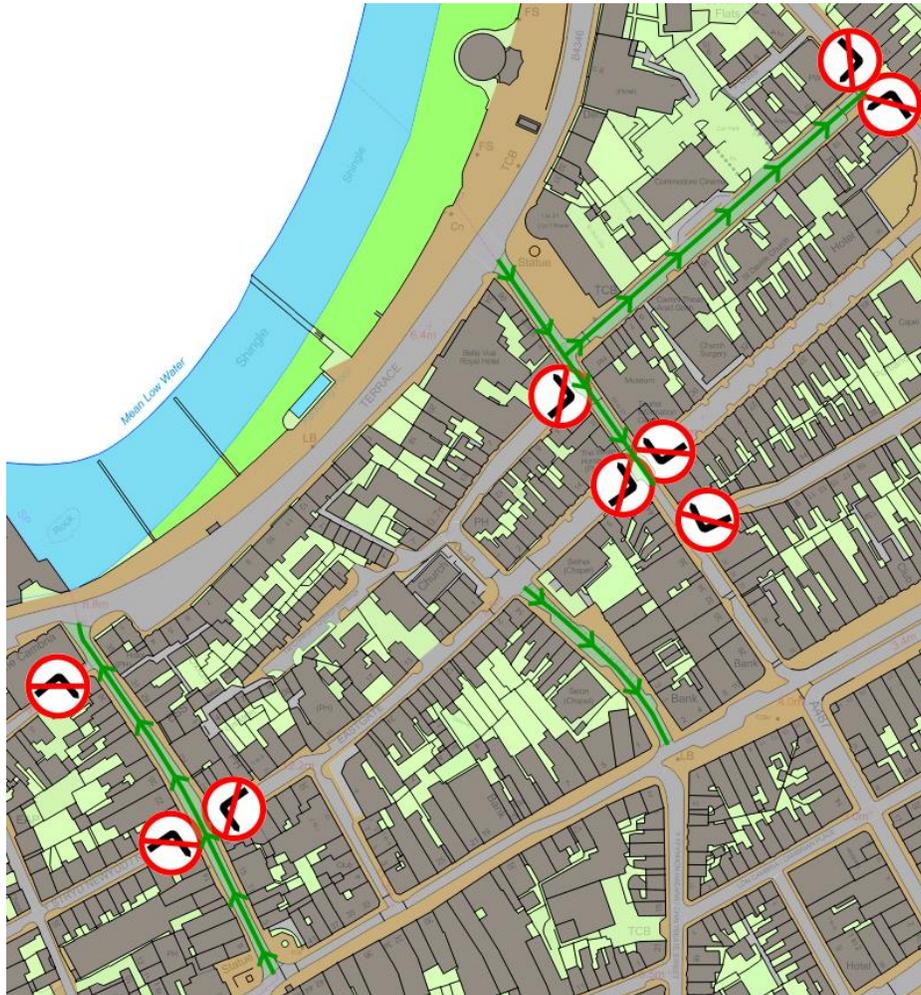


Figure 17: Aberystwyth proposed One Ways and supporting Prohibited turns

**Has an Integrated Impact Assessment been completed? If not, please state why.**

No, the impact of the various measures to be introduced will be assessed during the 6 month period for objections following implementation of the ETROs. An IIA at that stage will then inform any decision to make the ETROs permanent

**WELLBEING OF FUTURE GENERATIONS:**

- Summary: N/A**
- Long term: N/A**
- Integration: N/A**
- Collaboration: N/A**
- Involvement: N/A**
- Prevention: N/A**

**RECOMMENDATION (S):**

It is recommended that these proposals, and any amendments to them deemed necessary, be approved for submission to Cabinet to seek authorisation for the making of the necessary Experimental Traffic Regulation Orders and the publishing of a Notice to that effect in the local press and revoke all other measures associated with the Safe Zone Temporary Traffic Orders.

**REASON FOR RECOMMENDATION (S):**

So that the benefits afforded by some elements of traffic management in the aforementioned towns be investigated/monitored and considered to be made permanent, and to provide a baseline traffic management network to assist in development of future proposals for the four towns.

**Contact Name:** Steve Hallows  
**Designation:** Service Manager Highways Development  
**Date of Report:** 22/10/2021  
**Acronyms:**

## **APPENDIX B**

Summary of consultation correspondence received (*in italics*) and Officers  
recommendations (**in bold**)

Responses were received from Mid and West Wales Fire and Rescue Service, Cllr. Elaine Evans, Cllr. Endaf Edwards, Cllr. Ceredig Davies, Aberystwyth Town Council and Aberaeron Town Council during the consultation period, and these have been grouped by location below:

## **GENERAL**

1. *Correspondence was received from the Mid and West Wales Fire and Rescue Service but contained no objection to any of the measures in the proposed ETROs.*

## **CARDIGAN**

2. *Did not object to any of the proposals but requested a drop-off bay be installed on the High Street, Cardigan, by the Factory Shop. She was informed that although the location is currently covered by a permanent prohibition of Waiting and Loading At Any Time, it is still legal for vehicles to stop there to allow passengers to board or alight. Installing a formal bay would place a considerable burden on Parking Services, since a Civil Enforcement Officer would have to witness a vehicle being left in contravention of the time limit placed on the bay. **It is suggested that time be given for the effects of the proposed ETROs to be assessed before considering any additional measures.***

## **ABERYSTWYTH**

3. *The changes in highways arrangements that were introduced in towns in Ceredigion were composed and introduced 'on the hoof' in response to the unprecedented circumstances of the Covid-19 pandemic. There are differing opinions on the effectiveness of them, and unintended consequences which persist for residents and businesses in town centres. The proposals in the ETROs are not based on prior studies, merely being a continuation of measures that have been in place for over 12 months that are being proposed to justify their temporary introduction and which will be in place over another summer season. **Multiple measures introduced 12 months ago are to be amended/removed. The ETRO process allows a minimum of 6 months for the effects of the introduction of the proposed measures and the revocation of some of the measures that were temporarily introduced to be evaluated. Following the initial 6 month period during which objections can be received, amendments can be made and a different set of measures evaluated if there is sufficient, appropriate justification.***
4. *The impression given by the leader of the council was that the streets would revert to how they were once the summer season was over. It is now evident that officers differ in their view and are not proposing the removal of the extended pavements. **The measures included in the proposed ETROs include only a part of the overall measures that were introduced for the 'safe zone' in Aberystwyth, and they include none of the road closures, which were removed after the summer season.***

5. *To remove the existing Disabled Badge Holders Only parking, 2 hours no return within 2 hours (2-3 spaces) on Market Street and replace with a Prohibition of Waiting At Any Time. There is no justification in the consultation document for the removal of the disabled parking in Market St and as a consequence disabled parking should remain. It was put there originally, following extensive consultation, in order that those with a Blue Badge had somewhere close to park for Great Darkgate St. The need for such spaces has not gone away and the spaces created in Eastgate in the vicinity of Downies is that much further away from GDS and further than the 50 metre walking distance, a criteria for obtaining a Blue Badge. Creating disabled parking in the vicinity of Downies impacts on nearby businesses with the deliveries and pick-ups. There is the need to retain the ability of Pantyfedwen staff to exit with their vehicles on to Market St. **The proposal to remove all parking on Market Street permits vehicle and pedestrian provision to be reviewed and the existing problem with obstruction of the access to Pantyfedwen to be addressed. Under what is proposed, the nearest disabled parking provision to Market Street is only approximately 8 metres away in Eastgate. Disabled parking spaces on Market Street are already more than 50 metres away from the majority of shops on Great Darkgate Street, and spaces are already provided on Great Darkgate Street itself.***
  
6. *To retain the Goods Vehicles Only Loading Bay, Monday to Saturday, 8am to 6pm, 1 hour no return within 1 hour temporarily introduced on Chalybeate Street on its eastern side outside Evola hairdressers and Rattray Butchers. The creation of extended pavements and as a consequence the loss of parking has impacted on blue badge holders but also on the less mobile who do not have a blue badge. Chalybeate St, western side, has always provided parking for those accessing banks and businesses in and around Sgwar Owain Glyndwr. Whilst it was not “legal” parking it was a great boon to those who literally used the parking for a matter of minutes. **The proposals will introduce more disabled parking in central Aberystwyth than previously. The proposed measures re-balance pedestrian provision on narrow streets, traffic flows, and on street parking provision. There is no means within current legislation to create parking specifically for those without blue badges who may nevertheless be less mobile, other than to increase parking provision at the expense of provision of footways. The Authority cannot be seen to be encouraging illegal parking, restrictions are imposed on the basis they are enforced and that drivers respect them.***
  
7. *To retain the Disabled Badge Holders Only parking 11am to 6pm, 2 hours no return within 2 hours temporarily introduced on the western side of Chalybeate Street by The Care Society etc. but to adjust the timing to 9am to 5pm, 2 hours no return within 2 hours. This should read eastern side of Chalybeate St. Willing to accept this as part of the ETRO. **The bay referred to is correctly noted as being on the western side of Chalybeate Street.***
  
8. *To retain the section of Disabled Badge Holders Only parking, Monday to Saturday, 9am to 5pm, 2 hours no return within 2 hours temporarily*

*introduced on Baker Street, on its western side (the bay on the eastern side of Baker Street will revert back to being a Loading Bay, Monday to Saturday, 8am to 1pm, 1 hour no return within 1 hour: Limited Waiting, Monday to Saturday 1pm to 6pm, 30 minutes no return within 30 minutes). Parking along the “even numbered side”, referred in the report as the western side, should revert to what was there previously in order to provide parking for residents and the less abled, without blue badges, in order that they could access banks and other services in and around Sgwar Owain Glyndwr. This view is reinforced by the loss of parking in nearby Chalybeate St. Support the recommendation to revert the “odd side”, referred as the eastern side in the report, to how it was as a loading bay. **The proposals address the relatively low level of disabled parking provision during the daytime in this part of Aberystwyth. They introduce and maintain a mixture of parking (i.e. loading, limited waiting, disabled parking, motorcycle parking and unrestricted parking overnight for residents).***

9. *To retain the Disabled Badge Holders Only parking, Monday to Saturday, 8am to 5pm, 2 hours no return within two hours on Eastgate on its northern side outside Downies Vaults/Fusion King etc. The temporary disabled bay outside Downies should be removed and returned to a time limited parking bay as was. The reason being that a disabled bay at this point is too far away from most of the services that blue badge holders would want. Disabled parking bays here impact on local businesses, a white goods retailer, a public house and two carpet shops. This proposal is only being made due to the suggestion that disabled parking was being removed from Market St. **The proposals will lead to a net increase in disabled parking provision. The locations of disabled parking in central Aberystwyth have been chosen to provide opportunity to allow short walking distances to most of the shops and facilities serving the town.***
  
10. *To retain the Goods Vehicles Loading Only bay, Monday to Saturday, 8am to 5pm, 1 hour no return within 1 hour that was temporarily introduced on Portland Street on its northern side by its junction with Terrace Road, outside the minor entrance to Boots pharmacy. If the extended footways along the section of Terrace Rd between Bath St and Portland St are to be retained then this recommendation is inevitable. How effective will it be in practise is another thing as the delivery to Boots is early morning when our parking enforcement team are usually undertaking other duties. The loading bay in Portland St does not meet the needs of The White Horse public house which has its cellar entrance in the middle of the extended pavement section between Bath St and Portland St. The dray wagon when delivering to The White Horse blocks off this section of Terrace Rd during their delivery as a consequence cars drive against the one way system up Corporation St risking colliding with vehicles coming around the corner next to Kane’s Bar. **This loading bay was introduced temporarily earlier in the year in line with requests from nearby businesses. The temporary one way system on Corporation Street and Alfred Place is to revert back to how it was prior to alteration.***
  
11. *To retain the Disabled Badge Holders Only parking, 9am to 5pm, 2 hours no*

return within 2 hours temporarily introduced to Laura Place on its western side adjacent to St Michael's church, but to amend the timing to 9am to 5pm, 2 hours no return within 2 hours. Of all the recommendations in the report this one seems to be the most indefensible. Laura Place is a long way from the centre of town. When Laura Place was used earlier in the pandemic it was little used but had a negative impact on parking for residents living in Laura Place, New St, King St, Castle St, Eastgate and now Pier St. Laura Place should return to how it was. **Correspondence has been received in support of the proposal to retain the disabled parking provision that was temporarily introduced in central Aberystwyth. This particular provision can be reviewed following the initial six month period to allow for any objections to be received to the proposed ETROs.**

12. *To retain the Goods Vehicle Only Loading bay Monday to Saturday, 8am to 5pm, 1 hour no return within 1 hour outside No. 8 to No. 10 for 14.6 metres temporarily introduced on the western side of Pier Street (adjacent to Sports Direct) To retain the Goods Vehicle Only Loading bay Monday to Saturday, 8am to 5pm, 1 hour no return within 1 hour temporarily introduced outside Cactws for 12 metres on the eastern side of Pier Street. In response to the recommendations, the extended pavements are to be retained there is the need for delivery parking but their effectiveness is only as good as the authority's ability to enforce. With ever increasing on line shopping the number of delivery vehicles in our towns is increasing. With limited opportunities to park these vehicles often park on the extended footways where they can or simply block the road whilst delivering. **These comments are noted and will be passed onto Parking Services.***
13. *To retain the Goods Vehicle Loading Only bay, Monday to Saturday, 8am to 5pm, 1 hour no return within 1 hour temporarily introduced on Terrace Road on its western side by Stars. If the extended pavements are to be retained there is the need for delivery parking but the effectiveness of any such bays is dependent on its enforcement. **These comments are noted and will be passed onto Parking Services.***
14. *Corporation Street is not included [in the list of proposed prohibitions of movement], but should have its traffic flow reversed. **Corporation Street is not included because it will revert back to how it was prior to temporary measures being introduced.***
15. *To retain the One Way traffic flow temporarily introduced on Pier Street (south to north from Great Darkgate Street to New Promenade/Marine Terrace). As these are experimental traffic orders there is an opportunity here to trial Pier St being one way, the other way. i.e. from the Pier towards Great Darkgate St. We could then glean information as to which direction of traffic would be the better. What is being proposed will continue the problem with traffic congestion around Castle Point, South Road, High St, Princess St and Queen St. I acknowledge that if Pier St's traffic flow was turned there could be an impact on the northern side of town but unless we trialled the alternative we would not know which flow created the biggest positive / negative impact. **The impact of the current arrangement temporarily introduced on Pier***

Street has not been assessed during a summer season whilst Market Street and Great Darkgate Street have been open to traffic. However, we have also received support for the temporarily introduced one way system on Pier Street that is included in the proposed ETROs. Traffic modelling will be undertaken to assess the impact of various configurations of One Way systems within central Aberystwyth, including Pier Street. Using traffic modelling to investigate the changes to traffic flow has less impact to people in Aberystwyth than trialling the proposals on the ground. If the modelling suggests that there would be no significant and unintended consequences for residents and vehicle flows, then they can be trialled as part of the ETRO process.

16. *To retain the One Way traffic flow temporarily introduced on Terrace Road from the seafront at Marine Terrace to its junctions with Portland Street. Whilst the extended pavements are in place this proposal is inevitable but there is the need to improve the signage. **Signage provision will be reviewed alongside any other measures introduced to support the provisions of these proposed ETROs.***
17. *To introduce a new Prohibition of Right Turn from the eastern arm of Portland Street onto Terrace Road. This recommendation naturally follows the previous recommendation, but again signage must be adequate and possibly more than what appears as adequate on paper. **Signage provision will be reviewed alongside any other measures introduced to support the provisions of these proposed ETROs.***
18. *To introduce a new Prohibition of Left Turn from the western arm of Portland Street onto Terrace Road. By western arm I presume that the author of the report means Upper Portland St. If the current traffic flow is maintained then Upper Portland St is one way from Terrace Road towards Eastgate and no traffic should be coming down Upper Portland St towards Terrace Road. **The section of Portland Street between Terrace Road and the junctions with Alfred Place/Eastgate/Baker Street (Upper Portland Street) is currently two way. Therefore the proposal is appropriate.***
19. *To introduce a new Prohibition of Right Turn from Portland Road onto Terrace Road. There has been a long standing prohibition of right turn when exiting Portland Road on to Terrace Road. **Currently there is a 600mm round blue sign with a white arrow indicating the one way system on Terrace Road for drivers emerging from Portland Road, however for consistency with other nearby junctions and to reinforce the one way flow, a no right turn TRO is proposed.***
20. *To retain the One Way traffic flow temporarily introduced on Baker Street, from the direction of its junction with Portland Street towards its junction with North Parade/Great Darkgate Street. Traffic flow along Baker St should be returned to being away from Sgwar Owain Glyndwr towards Eastgate. The No Entry from Sgwar Owain Glyndwr is being flouted on an hourly basis. With the current traffic flow large delivery vehicles have difficulty exiting from Baker St into Sgwar Owain Glyndwr. Reversing Baker to what it was reduces traffic*

being diverted around town i.e. along North Parade, Queens Road, Portland St, Upper Portland St to get to Baker St. Access to the motorcycle parking bay again means going a long way around town. **This is noted, particularly regarding problems for larger vehicles. The proposal aims to discourage drivers circling the busiest part of Aberystwyth searching for on street parking. Arrangements at the junction with Owain Glyndwr Square will be reviewed, along with signage and other measures introduced to support the provisions of the proposed ETROs.**

21. *In addition to reversing the traffic flow in Baker St, Corporation St should be reversed to how it was. If this was done, traffic blocked off delivery vehicles outside of The White Horse could exit via Corporation Street. With Terrace Rd blocked outside of The White Horse vehicles at present either drive against the traffic flow in Corporation St or reverse into traffic flow coming off Marine Terrace in order to access Bath St, both dangerous practises for vehicles and pedestrians. **Corporation Street will revert back to how it was prior to temporary measures being introduced.***
22. *To introduce a new Prohibition of Right Turn from Bath Street into Terrace Road. If traffic flow in Bath St is retained as being one way from Terrace Road towards Queens Road is there a need for this recommendation? **Since the existing one way system on Bath Street is being retained, this proposal is rightfully questioned. It has now been removed from the list of proposals.***
23. *Retain the One Way traffic flow temporarily introduced on Bath Street. I will defer to the local member who I believe is in favour of this proposal. I would though suggest a one way sign to be erected on a light column in the vicinity of Arad Goch to direct vehicles coming out at the Kings Hall shops that they need to turn left down Bath St. **Signage by egresses to private car parks is not usually provided, and in this case drivers will be aware of the one way system having driven past a one way road sign to access the car park. However, signage provision to reinforce the proposed one way system on Bath Street will be considered along with other measures introduced to support the provisions of the proposed ETROs.***
24. *Residents have noted that having a Disabled Parking Area in Laura Place is not useful, as it is far away from where disabled people would use such an area, in comparison with, for example, Baker Street. **Correspondence has been received in support of the proposal to retain the disabled parking provision that was temporarily introduced in central Aberystwyth. This particular provision can be reviewed following the initial six month period for objections to be received to the proposed ETROs.***
25. *Prohibition of traffic along Pier Street in the direction of the Prom could have the effect of reducing the number of visitors to the Harbour (there is a sign to the Harbour on the Prom, intended for vehicles travelling along Pier Street in the direction of the Prom). **The proposed one way system on Pier Street is in the direction of the prom, so retaining the flow that was temporarily introduced.***

26. *Residents of the South Road area and surrounding streets wish to keep the Princess Street - Queen Street - Chalybeate Street - Mill Street - Trefechan Bridge area open to make for an easier route south. **There are no proposals to change any traffic flows in this area, temporary road closures have been removed.***
27. *Market Street and Baker Street need to go in opposite directions due to distances needing to be travelled in the current configuration. Baker Street should be reverted to its original direction of travel. **This is noted. The proposal aims to discourage drivers circling the busiest part of Aberystwyth searching for on street parking. Arrangements at the junction with Owain Glyndwr Square will be reviewed, along with signage and other measures introduced to support the provisions of the proposed ETROs.***

### **ABERAERON**

28. *A request for the reintroduction of limited waiting on both sides of Market Street. **The proposals allow for a mix of limited waiting and disabled parking on the southern side only. However, consideration for pedestrian need and parking on both sides of Market Street will need to be undertaken together and changes presented and agreed during the ETRO period. Additional parking provision on the northern side of Market Street can be introduced if the need is considered to be appropriate.***
29. *Regarding raised pavement on the A487 on the northern side of Alban Square, that the raised pavement be removed and the limited parking layby be reintroduced. **This has been recommended to the Welsh Government/NMWTRA since it involves the TRA487 trunk road.***
30. *In addition to providing sufficient short-term on-street parking, the Council is still strongly of the opinion that the Regent Street car park should be short-term, with reduced parking fees, and has continually supported County Councillor Elizabeth Evans in her representations on this matter. Long-term parking needs can be met at the South Beach and North Beach car parks. **This request is beyond the scope of the proposed ETROs, and will have to be considered separately.***
31. *To support extending the loading bay at the western side of Alban Square in order to alleviate congestion on the A487. **The proposed loading bay on Alban Square is of minimum length and situated as close to the Trunk Road as possible without interfering with bus turning movements***
32. *To request that the built-up pavement at the junction of Alban Square and North Road be extended to the junction with Darkgate Street in order to improve visibility at this junction. **This will have to be recommended to the Welsh Government/NMWTRA since it involves the TRA487 trunk road.***

33. *To support the reintroduction of a two-way traffic system in Queen Street.*  
**This is included in the proposals.**

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## Cyngor Sir CEREDIGION County Council

**REPORT TO:** Cabinet

**DATE:** 11 January 2022

**LOCATION:** ZOOM

**TITLE:** Feedback from the Thriving Communities Overview and Scrutiny Committee on Retaining elements of the Temporary Traffic Regulation Orders (TTROs) in towns in Ceredigion

**PURPOSE OF REPORT:** To provide feedback from the Thriving Overview and Scrutiny Committee held on 8<sup>th</sup> November 2021

The Committee Members had a re-cap of the information presented to the Committee on the 1<sup>st</sup> October 2021. Reference in particular to the next steps which included engagement with Local Members and Cabinet Members in October, followed by a report to Scrutiny today, which would be presented to Cabinet in January 2022. If supported, he confirmed that an Experimental Traffic Regulation Order (ETRO) would be introduced which involves an on-going six month consultation period for public views.

Officers presented the proposals for Experimental Traffic Regulation Orders (ETRO), as part of the process for making selected parking and traffic flow elements installed temporarily in response to the Covid-19 pandemic, to be made permanent features. The Officer reiterated that several traffic management measures were introduced via the Temporary Traffic Regulation Orders (TTRO's) in Aberaeron, Aberystwyth, Cardigan and New Quay, to facilitate social distancing during lockdown restrictions during the Covid-19 pandemic. TTRO's have an 18-month life span and some of those currently in force, will expire in October 2022. These can be extended with appropriate permission providing the rationale is still relevant and valid, which is unlikely to be the case currently given the relaxation of initial lockdown restrictions.

It was stated that the review of the temporary arrangements has recognised that some of the elements implemented gave rise to wider benefits to society, and that there is a case for commencing a legal process for possibly making these permanent, by making two ETRO's. One for parking restrictions that will amend the existing countywide Parking Traffic Order and the other for 'moving' regulations such as one-way traffic flows, prohibitions of right/left turn, no entry etc.

The process that following the publication of a Notice of Intent was explained, members of the public are granted a six month period during which formal objections may be submitted to the ETRO process. He also explained that an ETRO can remain in force for up to 18 months. After the end of the initial six month period, the Authority may decide to either revoke, amend, or make the ETRO permanent. Using ETROs as the process for making features permanent, and adjusting them where necessary, thus allows for a longer period over which effects can be monitored, and members of the

public can contribute their views prior to introducing permanent Traffic Regulation Orders.

The proposed measures to retain/amend were then presented to the Committee.

Members asked many questions relating to their area of interest, which were answered in turn by Officers.

Members asked that consideration be provided to those who are elderly and infirm and do not have a blue badge to whom parking within close proximity of town is of great importance. In response, it was confirmed that the study undertaken looked at each town individually.

In response to a question, Officers confirmed that they would need to investigate the blue badge allocation hours that a Member referred to as having decreased from 3 hours to 2 hours as the Member considered that the original 3 hours should now be reinstated in all affected locations.

In response to another question, Officers confirmed that pooling of water had been an issue at some locations and that where it is an issue it is easily rectifiable.

It was confirmed following a query that licensing fees would be applied from 2022, and that the reason for not applying charges until then was to support Ceredigion's Traders during an extremely difficult challenging period.

It was confirmed following a question that parking for members of the public is available for 30 minutes at Baker Street, Aberystwyth from 1pm until 6pm daily. It was also reiterated that as the consultation will be over a 6-month period, all comments, suggestions, views would be considered in relation to these, and any other, arrangements

Regarding Cardigan Town Council, following a question, it was confirmed that the loading bay near the Castle has been located as close as it could be in order for traffic to pass comfortably. It was also requested that Officers investigate a request for signage to warn lorries that a particular road is unsuitable for large loads. A request was made for increased traffic warden presence on Pendre.

Committee Members agreed that the notice of intent, which will be submitted to press in February 2022 with information regarding the 6-month consultation period, needs to be highlighted and communicated to the public.

Committee Members agreed that easy access for everyone is key and that the older and infirm (those without blue badges) need to be accommodated too. A recommendation was made that when the car park charging fees are set that they are affordable for all so that residents can continue to shop in their local towns.

In response to a question regarding the proposed timetable for implementation, These are Officer proposals that will require Cabinet ratification.

A Committee Member raised concerns that he has received many complaints from his constituents who reside out of Aberystwyth Town that they are no longer comfortable with shopping in town due to the road closures and the one-way systems. An Officer confirmed

that the safe zones was a separate issue and moving forward under these experimental orders, the public have an opportunity to express their views for future consideration. Committee Members welcomed this consultation opportunity.

The Chairman then gave non-Committee Members an opportunity to speak and concerns were raised as follows:

- Parking for residents has been extremely difficult and the impact on those individuals should be considered;
- Traffic Flow efficiency should be considered;
- A full report on economic impact would be beneficial;
- It was suggested that a drop-off point should be considered outside the Factory Shop in Cardigan;
- Extended pavements have seen increased flooding in Pendre, Cardigan.

Following a lengthy discussion, Committee Members were asked to consider the following recommendation:

**RECOMMENDATION:**

It is recommended that these proposals, and any amendments to them deemed necessary, be approved for submission to Cabinet to seek authorisation for the making of the necessary Experimental Traffic Regulation Orders and the publishing of a Notice to that effect in the local press and revoke all other measures associated with the Safe Zone Temporary Traffic Orders.

Committee Members AGREED to recommend the following amended recommendation (changes highlighted in bold) to Cabinet:

It is recommended that these proposals, and any amendments to them deemed necessary **following discussion at the Thriving Communities Overview and Scrutiny Committee held on the 8<sup>th</sup> November, and after consultation with Local Members** be approved for submission to Cabinet to seek authorisation for the making of the necessary Experimental Traffic Regulation Orders and the publishing of a Notice to that effect in the local press and revoke all other measures associated with the Safe Zone Temporary Traffic Orders.

**Councillor Marc Davies**  
***Chairman of the Thriving Communities Overview and Scrutiny Committee***

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## CEREDIGION COUNTY COUNCIL

**Report to:** Cabinet

**Date of meeting:** 11<sup>th</sup> January 2022

**Title:** Review of Statutory Statement of Gambling Policy

**Purpose of the report:**

- To consider the proposed revisions to the Council's Statement of Gambling Policy and seek to adopt the policy as the Authority's Statutory Statement of Gambling Policy for 2022-2025;
- To consider whether the Authority's "No Casino Resolution" should be retained

**For:** Decision

**Cabinet Portfolio and  
Cabinet Member:** Councillor Gareth Lloyd – Public Protection

### **Background**

Under the Gambling Act 2005, the Council as the Licensing Authority is required to adopt a Gambling Policy, setting out how it will deal with various applications for licences and permits. The current Policy was approved by Council on 13th December 2018 and was published on 31st January 2019.

The Act also places a duty on the Licensing Authority to keep its Policy Statement under general review, but must determine its Policy at least every 3 years, including undertaking a period of statutory consultation.

A review of the current Policy has been completed and a revised draft policy has been prepared (see Appendix A). The revised Gambling Policy will replace the current policy on (27<sup>th</sup> January 2022) if adopted.

The Statement of Policy forms the Licensing Authority's mandate for managing local gambling provision and sets out how the licensing authority views the local risk environment and therefore its expectations in relation to operators with premises in the locality.

The Statement of Policy acts as the primary vehicle for setting out the licensing authority's approach to regulation having taken into account local circumstances.

In exercising its functions under part 8 of the Act (Premises Licenses and Provisional Statements), a Licensing Authority is expected to apply the principles contained in Section 153 of the Act and should aim to permit the use of premises for gambling in so far as it thinks it:

- a) is in accordance with any relevant Section 24 Code of Practice
- b) is in accordance with any relevant Section 25 Guidance issued by the Commission
- c) is reasonably consistent with the licensing objectives and
- d) is in accordance with this Policy Statement.

There have been only minor changes on this occasion to the Gambling Commission's Licensing Conditions and Codes of Practice to all Gambling Operators and The Guidance to Licensing Authorities. Therefore, as part of the review and redrafting of this Policy, the Authority has taken account of the changes in the Codes of Practice and the Fundamental Principles within the Guidance and included them within the draft Policy. Particular regard has also been given to comprehensive advice provided directly by representatives of the Commission to Licensing staff of the four local authorities within the Dyfed-Powys area.

The Authority's Statement of Gambling Policy can only reflect the Authority's position to support the licensing objectives involving the issuing of licences and other authorities under the Gambling Act 2005. It is felt that the new draft policy reflects this as well as addressing changes in law and guidance since the last policy. The new proposed Statement of Gambling Policy 2022-2025 reflects the current nature of the licensing trade within Ceredigion.

Once adopted, the Policy will remain a living document and can be revised further during the next 3 year period as circumstances dictate.

### **Consultation**

The draft Statement of Gambling Policy was consulted upon in accordance with the Gambling Commission's Guidance to Licensing Authorities. This included consultation with all Responsible Authorities under the Act.

All Premises Licence Holders, other relevant bodies/representative of businesses, residents, Elected Members of the County Council, Town and Community Councils including other consultees as indicated in the draft policy statement were consulted.

The consultation period closed on 28<sup>th</sup> November 2021. Careful consideration was given to all responses and relevant information provided by the consultees was included where necessary.

The draft Policy is attached to this report (see Appendix A).

### **Consultation Responses**

Only 13 responses were received, of which:

- A response was received from Dyfed-Powys Police and Gosschalk Solicitors (acting on behalf of the Betting and Gaming Council) - their suggestions have been considered and changes made, where relevant;
- 12 were from residents of Ceredigion;

- 3 responses indicated that changes should be made to the draft policy, two of which stated that Casinos should be allowed;
- 4 of the responses stated that they had experienced gambling related problems in their communities namely:
  - Problems associated with on-line gambling,
  - Reporting a run-down arcade in their area which required an enforcement visit and
  - Experience of a work colleague losing their home due to gambling debts;
- 4 of the responses provided additional general comments regarding gambling and/or the draft Gambling Policy Statement, which included:
  - Gambling was destructive but there was little in the area in the way of entertainment and things to do for the old and young alike;
  - People would find a way to gamble but it was better to provide a safe place locally, where there would be some welfare provision in place;
  - All gaming places should prominently display posters identifying where problem gamblers could get help.

### **Casinos**

In England and Wales, primary legislation dictates where casinos are sited. Cardiff and Swansea are the only places in Wales where casinos are permitted at present. Regardless of this, S.166 of the Gambling Act requires that every three years that Council resolves to adopt the provision to accept Casinos or to reject it.

The rationale behind this is that should primary legislation be amended and extra casino areas are offered, this could occur between policy reviews and could theoretically leave the door open to a casino application which from a policy viewpoint would be difficult to reject.

Central Government upon the advice of the Casino Advisory Panel permitted 8 large and 8 small casinos along with those who had grandfather rights when the Act came into force, which have all been duly issued. There is currently no further provision for more casinos to be allocated.

There are currently no casinos operating within Ceredigion. Previously, Council resolved not to issue casino licences within the County of Ceredigion as provided for in Section 166 Gambling Act 2005. This resolution may be reviewed as necessary, and at least every three years in line with the adoption of the Statement of Gambling Policy. There is no right of appeal against this resolution. Potential licence applicants should note that as a 'no-casino' resolution has been passed by this Council, no applications for casino premises licence will be considered.

**Has an integrated impact assessment been completed? If not, please state why** Yes.

**Wellbeing of Future Generations:** *Summary*  
**Long-term:**

It is accepted good practice for local authorities to regularly review its Statement of Gambling Policy to ensure that it keeps up to date with legislative changes, changes recommended by the government or where the authority considers amendments necessary to promote the safety of the public. The Policy is in place for the next 3 years but can be reviewed sooner, if required.

Public Protection is a statutory duty of the authority and contributes towards the following well-being goals within the Wellbeing of Future Generations Act (Wales).

**Collaboration:** The authority has collaborated with other local authorities and partners when considering this policy for a consistent approach which meets the needs of the County.

**Involvement:** A 6 week public consultation and involvement of various partners, agencies has taken place to ensure a policy that is fit for purpose. Involvement with the trade and the public is also paramount to achieving a thriving but safe licensed trade in Ceredigion.

**Prevention:** The licensing objectives are wholly consistent with the 'prevention' approach advocated by industry standards and legislation and this proposed policy seeks to promote each of the objectives as far as reasonably practicable. The Licensing Policy would be one of many that the authority operates to maintain public protection.

**Integration:** The Gambling Policy is one of many that the authority operates to maintain public protection.

**Recommendation(s):**

1. That Cabinet recommend that Council approve the revised Statement of Gambling Policy as the Statement of Gambling Policy for Ceredigion for the period 2022-2025.
2. That Cabinet recommend that Council consider and decide whether the Authority's "No Casino Resolution"

should be retained and the decision recorded and added to the final policy.

<b>Reason(s) for decision:</b>	To fulfil statutory requirements to review and publish a Statement of Gambling Policy in accordance with the requirements of the Section 349 of the Gambling Act 2005 and to improve public safety and clarity for the licensed trade within Ceredigion.
<b>Overview and Scrutiny:</b>	Licensing Committee – 16/09/2021
<b>Policy Framework:</b>	The Statutory Statement of Gambling Policy is a fundamental element of Public Protection policy framework.
<b>Corporate Priorities</b>	<ul style="list-style-type: none"><li>• Investing in People’s Future</li><li>• Promoting Environmental and Community Resilience</li></ul>
<b>Finance and procurement implications:</b>	Within budget
<b>Legal implications:</b>	If the authority does not have a Gambling Policy, decisions could be subject to legal challenge.
<b>Staffing implications:</b>	None
<b>Property/asset implications:</b>	None
<b>Risk(s):</b>	Legal challenge / Reputational risk if the authority does not operate a statutory policy.
<b>Statutory Powers:</b>	Gambling Act 2005 and any Regulations made under the Act. The decision is the responsibility of the Council.
<b>Background Papers</b>	None
<b>Corporate Lead Officer:</b>	Alun Williams (Policy & Performance)
<b>Reporting Officer:</b>	Anne-Louise Davies (Trading Standards & Licensing Manager)
<b>Date:</b>	20 <sup>th</sup> December 2021

## Appendices

A: Revised Statement of Gambling Policy  
B: Gambling Policy Consultation Responses



Cyngor Sir  
**CEREDIGION**  
County Council

# **Cyngor Sir Ceredigion County Council Statement of Gambling Policy 2022 - 2025**

Approved by Council: **TBC**

Publication Date: **TBC**

Policy Review Date: 27<sup>th</sup> January 2025

**This policy is available in Welsh and in large print on request to the Licensing Authority**

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# 1 STATEMENT OF GAMBLING POLICY

## 1.1 Introduction

The Gambling Act 2005 came into force in September 2007. Ceredigion County Council became a Licensing Authority under the Act. This resulted in the Authority becoming responsible for granting premises licences and other permissions within the County of Ceredigion in respect of:-

- ❖ Casino premises;
- ❖ Bingo premises;
- ❖ Betting premises, including tracks;
- ❖ Adult Gaming Centres;
- ❖ Family Entertainment Centres;
- ❖ Temporary Use Notices;
- ❖ Occasional Use Notices.

The Gambling Act 2005, S.349, requires the Council to prepare and publish a “Statement of Gambling Policy” that sets out the principles it proposes to adhere to in order to exercise its functions under the Act.

This “Statement of Gambling Policy” has been prepared having regard to the provisions of the Guidance issued by the Gambling Commission, including the latest guidance, the Gambling Act 2005, the Codes of Practice, and any responses from those consulted on the policy statement.

However, where updates are required due to changes in national legislation, statutory guidance or contact details, the Authority reserves the right to amend this policy without consultation where it is necessary to ensure the policy reflects national legislation or statutory guidance.

The Policy will be reviewed from time to time, and every three years in any event. This policy will come into force on **27 January 2022**.

## 1.2 The County of Ceredigion

Ceredigion County Council is a mixed urban and rural district in Ceredigion covering an area of approximately 1795 sq. km. with a population of approximately 74600 (2017). The population of Ceredigion increases greatly during the summer months due to the number of visitors to the area. As can be seen from the map attached as Appendix A, the County has six main towns, namely, Aberaeron, Aberystwyth, Cardigan, Lampeter, Llandysul and Tregaron. Four of these are market towns and two, namely Aberystwyth and Lampeter are university towns. There are 7 Secondary schools located in the County. The topography of the County is such that it includes

seaside resorts, mountainous and boggy areas of special scientific interest as well as lush, fertile valleys.

In 2020 there were approximately 32,309 . There are some 3,955 VAT registered businesses within the County. The main urban areas are Aberystwyth and Cardigan. The remainder of the area is a mixture of small towns, villages and farmland. Ceredigion is not densely populated although there are concentrations of housing in some areas, in particular, Aberystwyth.

60.1% (Over 3 years of age) (Welsh Govt Stats 2019) of the population are Welsh speakers and 25% (Stats Wales) of residents are pensioners. It has the 6<sup>th</sup> lowest percentage of people of working age with no qualifications (7.7% ) in Wales. In 2020 the employment rate in Ceredigion was 71.6% . This was the second lowest in Wales. .

There are 8 Gambling Premises in Ceredigion consisting of:

- 2 Betting Premises
- 2 Bingo Premises
- 3 Adult Gaming Centres
- 0 Family Entertainment Centres

In addition, there are 20 Unlicensed Family Entertainment Centres within Ceredigion.

### **1.3 Glossary of Terms**

Within this Statement of Policy, the following words and terms are defined as stated:

Licensing Objectives:	As defined in section 1.4 below
Council:	Ceredigion County Council (hereinafter referred to as “the Council”)
County	The area of Ceredigion administered by Ceredigion County Council referred to in the map attached (see Appendix A)
Licences:	As defined in section 1.4 below
Applications:	Applications for licences and permits as defined in section 1.4 below
Licensing Authority	A Licensing Authority within the meaning of Section 2 of the Gambling Act 2005 (hereinafter referred to as “the Authority”)
Notifications:	Means notification of temporary and Occasional Use Notices

Act:	The Gambling Act 2005
Regulations:	Regulations made under the Gambling Act 2005
Premises:	Any place
Code of Practice:	Means any relevant code of practice made under Section 24 of the Gambling Act 2005
Mandatory Condition:	Means a specified condition provided by regulations to be attached to a licence
Default Condition:	Means a specified condition provided by regulations to be attached to a licence, unless excluded by Ceredigion County Council
Track:	“Track” means a horse-race course, dog track or other premises on any part of which a race or other sporting event takes place or is intended to take place.
Responsible Authority:	<p>For the purposes of this Act, the following are Responsible Authorities in relation to premises:</p> <ol style="list-style-type: none"> <li>1. The Licensing Authority in whose area the premises are wholly or partly situated (“Ceredigion County Council”);</li> <li>2. The Gambling Commission;</li> <li>3. Chief Constable of Heddlu Dyfed-Powys Police;</li> <li>4. Mid and West Wales Fire Service;</li> <li>5. The Development Control Section of Ceredigion County Council’s Planning Services Division;</li> <li>6. Environmental Control Team, Public Protection, Policy and Performance, Ceredigion County Council;</li> <li>7. Children’s Services, Ceredigion County Council;</li> <li>8. HM Revenue and Customs;</li> <li>9. In relation to a vessel, a navigation authority, Environment Agency, British Waterways Board and Secretary of State;</li> <li>10. Any other person prescribed in regulations by the Secretary of State;</li> </ol>
Interested Party:	For the purposes of this Act, a person is an interested party in relation to a premises licence if, in the opinion of the Authority which issues the licence or to which the application is made, the person :-

- a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) Has business interests that might be affected by the authorised activities;
- c) Represents persons who satisfy a) or b) above.

## **1.4 Licensing Objectives**

In exercising most of their functions under the Act, the Authority must have regard to the licensing objectives, as set out in Section 9 of the Act. In particular, Licensing Authorities must have regard to the licensing objectives in relation to Premises Licences, Temporary Use Notices and some permits.

Each of the Licensing Objectives identified below are of equal importance.

The objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is carried out in a fair and open way;
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

## **1.5 Types of Licence**

This document sets out the policies that the Authority will apply when making decisions upon applications or notifications made for :-

- Premises Licences;
- Temporary Use Notices;
- Permits as required under the Act;
- Registrations as required under the Act.

## **1.6 Licensable Premises and Permits**

This policy relates to all those licensable premises, notices, permits and registrations identified as falling within the provisions of the Act, namely:-

## **1.7 Casinos**

There are currently no casinos operating within Ceredigion. Following debate at full Council on **27<sup>th</sup> January 2022, a resolution was passed to/not (delete as applicable)** issue casino licences within the County of Ceredigion as provided for in Section 166 Gambling Act 2005. This resolution may be reviewed as necessary, and at least every three years in line with the adoption of the Statement of Gambling Policy. There is no right of appeal against this resolution. Potential licence applicants should note that as a 'no-casino' resolution has been passed by this Council, no applications for casino premises licence will be considered. Any applications received will be returned with a notification that a 'no casino' resolution is in place.

## 1.8 Bingo Premises

This licensing authority notes that the Gambling Commission's Guidance states:

*“18.4 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.”*

This authority also notes the Guidance at paragraph **18.8 S.172(7)**, as amended, provides that the holder of a bingo premises licence may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. For example, a premises with a total of 25 gaming machines available for use can make five or fewer category B3 gaming machines available on that premises. Premises that were licensed before 13 July 2011 are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. There are no restrictions on the number of category C or D machines that can be made available. Regulations state that category B machines at bingo premises are restricted to sub-category B3 (SI 2007/2158 Categories of Gaming Machine Regulations 2007 (but not B3A) and B4 machines. Licensing authorities should ensure that gambling machines are made available for use in a manner consistent with our guidance within Part 16. For the purpose of calculating the category B machine entitlement in gambling premises, gaming machines should only be counted if they can be played simultaneously by different players without physical hindrance. This includes tablets.

Paragraph 18.7 further states that children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use, these must be separated from areas where children and young people are allowed.

This licensing authority will expect applicants to detail in their operator's local risk assessment their own measures to meet the licensing objectives however appropriate measures/licence conditions should cover issues such as:

- Adopt a proof of age scheme such as challenge 21 or think 21;
- How any risks to children and vulnerable persons from gambling that have been identified in a risk assessment carried out in accordance with paragraph 4.3(4) of this policy will be addressed
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

## **1.9 Betting Premises**

**Betting machines** - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. This Licensing Authority expects applicants to demonstrate suitable measures to ensure children do not have access to such machines.

This licensing authority will expect applicants to detail in their operator's local risk assessment, their own measures to meet the licensing objectives however appropriate measures/licence conditions should cover issues such as:

- Adopt a proof of age scheme such as challenge 21 or think 21;
- How any risks to children and vulnerable persons from gambling that have been identified in a risk assessment carried out in accordance with paragraph 4.3(4) of this policy will be addressed
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

The Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the Authority a single named point of contact, who shall be a senior individual, and whom the Authority will contact first should any compliance queries or issues arise.

Whilst the licensing authority has the power to limit the number of Self Service Betting Terminals (SSBT) betting machines under Section 181 of the Gambling Act 2005, the holder of a Betting Premises licence may make available for use up to four gaming machines of categories B, C or D and there is no power to restrict the number of gaming machines.

A betting office is an adult only environment and children are not permitted to access it at any time. It is expected that licence holders have measures in place to stop young people from entering the premises.

## **1.10. Tracks**

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children

and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities.

It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

The Act does not define what constitutes a sporting event or race and licensing authorities will need to decide this on a case by case basis. The Commission is aware of some instances of the apparent misuse of occasional use notices (OUNs). Local sporting clubs or other venues seeking to become tracks through a contrived sporting event have utilised OUNs to solely or primarily facilitate betting taking place on events occurring away from the identified venue, examples include the Cheltenham Festival and Grand National meeting. Whilst we have not introduced a new licence condition limiting the betting to the outcomes of a race, competition or other sporting event taking place at the track in question whilst the OUN is in force, the situation is being kept under review. Further details can be found in Part 15.

This licensing authority will expect applicants to detail in their operator's local risk assessment, their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes, such as challenge 21 or [think 21](#);
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

Pool Betting - S.179 provides that a betting premises licence in respect of a track may not authorise pool betting to take place, other than in respect of dog or horse racing and only where the acceptance of bets is by the holder of the betting premises licence, or in accordance with arrangements made by them. In the case of dog racing, this preserves the existing arrangements at dog tracks where the totalisator is operated by or on behalf of the occupier of the track.

### **1.11 Gaming machines**

Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

### **1.12 Betting machines**

This licensing authority will, as per Part 6 of The Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

### **1.13 Condition on rules being displayed**

The Gambling Commission has advised in its Guidance for local authorities that licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.

This Licensing Authority will expect applicants to detail in their operator's local risk assessment, how they will comply with this guide as part of their application.

### **1.14 Applications and plans**

The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, para 20.43).

**Plans** – Applicants will be expected to provide a plan of the premises in a scale of 1:100 unless the Authority has agreed in writing to the applicant to accept a plan in an alternative scale. The plan should show:

- The entire boundary of the premises, and all buildings and structures within the premises.
- The location of the points of access to and egress from the premises.
- The areas to be used for gambling activities whether permanent or temporary.
- Any areas where access by children is restricted/prohibited.
- Location of any warning or information notices.
- Location of any public conveniences.
- Location of any gambling areas at the premises covered by separate licences or permits.
- The plan may include a legend through which the above matters may be identified.

This Licensing Authority is of the view that, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the

subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information so that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities, para 20.46).

### **1.15 Travelling Fairs**

It will fall to this licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met. The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

### **1.16 Adult Gaming Centres (AGC)**

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

This licensing authority will expect applicants to detail in their operator’s local risk assessment, their own measures to meet the licensing objectives however appropriate measures/licence conditions should cover issues such as:

- Adopt a proof of age scheme such as challenge 21 or think 21;
- How any risks to children and vulnerable persons from gambling that have been identified in a risk assessment carried out in accordance with paragraph 4.3(4) of this policy will be addressed
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;

- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

Social Responsibility Code Provision 3.5.6 requires that all non-remote casino and bingo and betting licences (except those at a track) and holders of gaming machine general operating licences for adult gaming centres must offer self-exclusion schemes to customers requesting such a facility. There is also an Ordinary Code provision at 3.5.7.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

### **1.17 Family Entertainment Centres (FEC)**

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. Applicants are strongly advised to refer to the safeguarding information set out on page 33 of this policy document.

This licensing authority will expect applicants to detail in their operator's local risk assessment, their own measures to meet the licensing objectives however appropriate measures/licence conditions should cover issues such as:

- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets/helpline numbers for organisations such as GamCare;
- Measures/training for staff on how to deal with suspected truant school children on the premises.
- How any risks to children and vulnerable adults from gambling that have been identified in a risk assessment carried out in accordance with paragraph 4.3(4) of this policy will be addressed.
- Carry out Criminal Record checks (DBS) on each individual employed by the Operator
- Provide details of their criminal convictions criteria

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be

delineated. This licensing authority will also make aware of any mandatory or default conditions on these premises licences, when they have been published.

### **1.18 Club Gaming and Club Machine Permits**

Members Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance. Members Clubs and Miners' Institutes and also Commercial Clubs may apply for a Club Machine Permit. A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

The Council has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. In doing so it will take into account a number of matters as outlined in the Gambling Commission's Guidance. These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members. The club must be conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs. The Council may only refuse an application on the grounds that:

- (a) The applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) The applicant's premises are used wholly or mainly by children and/or young persons;
- (c) An offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) A permit held by the applicant has been cancelled in the previous ten years; or
- (e) An objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold Club Premises Certificates under the Licensing Act 2003 and so cannot use the fast-track procedure. As the Gambling Commission's Guidance for local authorities' states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced." And "The grounds on which an application under the process may be refused are:

- (a) That the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) That in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) That a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the Act, including the small society lottery.

### **1.19. Prize Gaming and Prize Gaming Permits**

The Council has the right in accordance with this 'Statement of Principles' to specify matters that this authority propose to consider in determining the suitability of the applicant for a permit.

It also specifies that the applicant should set out the types of gaming that they are intending to offer and that the applicant should be able to demonstrate:

- That they understand the limits to stakes and prizes that are set out in Regulations;
- And that the gaming offered is within the law;
- Clear policies that outline the steps to be taken to protect children from harm.

When deciding on application for these type of permits the authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:-

- The limits on participation fees, as set out in regulations, must be complied with;
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- Participation in the gaming must not entitle the player to take part in any other gambling.

### **1.20. Temporary Use Notices/Occasional Use Notices**

S.39 of the Act provides that where there is betting on a track on 8 days or fewer in a calendar year, betting may be permitted by an OUN without the need for a full premises licence. The Secretary of State has the power to increase or decrease the number of occasional use notices that an operating licence holder could apply for each calendar year. 'Day' is defined as midnight to midnight, so an event that starts on one calendar day and ends on the following day would count as two days. OUNs are designed to allow licensed betting operators to provide betting facilities at genuine sporting events (such as point-to point racecourses and golf courses for major competitions) within the boundaries of the identified venue on a specific date, without the need for a full betting premises licence. An OUN must be served by a

person who is responsible for the administration of events on the track or by an occupier of the track. The following should be noted in relation to an OUN:

- OUNs can only be relied upon for eight days or fewer in a calendar year and therefore licensing authorities should keep a record of the number of notices served in relation to each track. The period of eight days applies to the venue and not the individual who has submitted the notice.
- an OUN must be submitted for each day that betting activity will be conducted on the premises. If betting activity is to be held over a period of eight consecutive days, the operator will be required to submit eight separate notices.
- the notice must specify the day on which it has effect. An event running past midnight and ending on the following day accounts for two occasional use days, even though in practice it is one event.
- no objection or counter notice (refusal) is possible unless the maximum number will be exceeded.
- notice must be given to the licensing authority and the police, in writing, before the event starts.
- no premises licence can exist for the place which is the subject of the notice.
- land can be used temporarily as a track, for example for a point-to-point race, provided that sporting events or races take place there. There is no need for a track to be permanently established.

Local sporting clubs or other venues seeking to become tracks through a contrived sporting event have utilised OUNs to solely or primarily facilitate betting taking place on events occurring away from the identified venue, examples include the Cheltenham Festival and Grand National meeting. Whilst we have not introduced a new licence condition limiting the betting to the outcomes of a race, competition or other sporting event taking place at the track in question whilst the OUN is in force, the situation is being kept under review.

### **1.21 Registration of Small Society Lotteries**

A lottery is any arrangement that satisfies all of the criteria contained within the statutory description of either a simple lottery or a complex lottery, in accordance with section 14 of the Act.

A 'society' is the society, or any separate branch of such a society, on whose behalf a lottery is to be promoted, and has been established as a non-commercial organisation. Section 19 of the Act defines a society as such if it is established and conducted:

- for charitable purposes, as defined in section 2 of the Charities Act 2006;
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity;
- for any other non-commercial purpose other than that of private gain.

The society must have been established for one of the permitted purposes as set out in section 19 of the Act, and that the proceeds of any lottery must be devoted to

those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries.

Local authorities are entitled to operate their own lotteries, but may only do so if licensed by the Gambling Commission. Local authorities must commit a minimum of 20% of the proceeds from such lotteries for a purpose for which they have power to incur expenditure, and must also adhere to the other relevant provisions in the Act. They may also need to hold a remote gambling operating licence, in the event that they wish to sell lottery tickets via electronic or other remote technological methods such as over the telephone, email or via the internet.

Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and must be accompanied by a registration fee and a copy of the terms and conditions and the constitution to prove that they are a non-commercial society. Paragraphs 47 and 48 of Schedule 11 of the Act set out the grounds for licensing authorities to refuse a small society lottery registration application.

Licensing authorities are required by paragraph 44 of Schedule 11 of the Act to record details of the society on a register. While it does not have to be a public register, the Commission recommends that licensing authorities make the register available to the public on request.

Once the application for registration has been accepted and entered on the local register, the licensing authority must then notify both the applicant and the Commission of this registration as soon as practicable.

The Council will adopt a risk-based approach towards its enforcement responsibilities for small society lotteries. The Council considers that the following list, although not exclusive, could affect the risk status of the operator:

- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- submission of incomplete or incorrect returns
- breaches of the limits for small society lotteries

Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

### ***1.22 Alcohol Licensed Premises Gaming Machine Permits***

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The Council can remove the automatic authorisation in respect of any particular premises if:

- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- Gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- The premises are mainly used for gaming; or
- An offence under the Gambling Act has been committed on the premises.

If a premises wishes to have more than 2 machines, then an application for a permit must be submitted and the Council must consider that application based upon the licensing objectives, any guidance and codes of practice issued by the Gambling Commission and “*such matters as the Council think relevant.*” The applicant will have to provide reason(s) why they need more than 2 machines at their premises. The Council considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Council that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Council that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be of help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence. It should be noted that the Council can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached. It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

Applicants for Licensed premises Gaming Machine Permits are therefore required to provide the following information alongside their application:-

1. A plan of the premises in accordance with paragraph 1.14 of this policy on which they shall show the proposed location of each gaming machine along with details of the locations of supervising staff as well as Notices and signage.
2. Information regarding the nature of the premises including access to the premises by persons aged under 18.

Applicants are required to demonstrate that the gambling activity proposed at the premises, except in the case of Tracks (where the occupier may not be the person

offering gambling), Premises Licences will only be granted to those issued with an Operating Licence by the Gambling Commission.

### **1.23 General Principles**

Nothing in this Statement of Policy will:-

a) Undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits;

OR

b) Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.

All applicants for Premises Licences will be required to set out how they will be 'reasonably consistent with the licensing objectives, as specified in section 1.4 above, and what measures they intend to employ to ensure compliance with them.

When determining an application to grant a Premises Licence regard will be taken in relation to the proximity of the premises to schools, vulnerable adult centres or residential areas where there may be a high concentration of families with children. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be decided on its merits and will depend to a large extent on the type of gambling that it is proposed will be offered on the premises. Moral objections to gambling are not a consideration when determining applications. Therefore, if an applicant can effectively demonstrate how he/she might overcome licensing objective concerns, this will be taken into account.

Licensing is about the control of licensed premises, Temporary Use Notices or Occasional Use Notices within the terms of the Act. Conditions may be attached to licences that will cover matters that are within the control of individual licensees. Conditions should only be attached where there is evidence that mandatory and default conditions need to be supplemented in the circumstances of a particular case.

When considering any conditions to be attached to licences, the Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned. The Secretary of State may by regulation provide for specified conditions to be attached to a Premises Licence as either "mandatory" or "default" conditions.

In determining an application, the Authority may not have regard to the expected demand for the facilities which it is proposed to provide.

The Authority recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including:-

- a) Planning controls;
- b) Ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council departments;
- c) Regular liaison with the Police on law enforcement issues regarding disorder and anti-social behaviour;
- d) The power of the Police, other responsible authorities or local residents and businesses to seek a review of the licence.

Responsible Authorities or Interested Parties making representations will be required to relate their objection to one of more of the Licensing Objectives, as specified in section 1.4 above before the Authority will be able to consider it.

In fulfilling its licensing function, the Council will have to consider the need to eliminate unlawful discrimination and promote equality and good relations between people from different racial groups. Regard will always be given to the public interest in the regulation of gambling in Ceredigion.

In exercising its functions under part 8 of the Act (premises licences and provisional statements) a Licensing Authority will apply the principles contained in Section 153 of the Act and should aim to permit the use of premises for gambling in so far as it thinks it:

- a) is in accordance with any relevant Section 24 Code of Practice
- b) is in accordance with any relevant Section 25 Guidance issued by the Commission
- c) is reasonably consistent with the licensing objectives and
- d) is in accordance with this Policy statement

### **1.24 Consultees**

The Statement of Gambling Policy will be subject to formal consultation with:-

- a. the Chief Constable of Heddlu Dyfed-Powys Police;
- b. one or more persons who appear to the Authority to represent the interest of persons carrying on gambling businesses in the Authority's area, and
- c. one or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise or the Authority's functions under the Act.

These include:-persons/bodies with whom the Authority has consulted (see Appendix B)

### **1.25 Information exchange**

In fulfilling its functions and obligations under the Gambling Act 2005 the Authority will exchange relevant information with the Commission and other regulatory bodies which may establish protocols in this respect as appropriate. In exchanging such information, the Authority will conform to the requirements of data protection and freedom of information legislation in accordance with the Council's existing policies.

Any person who wishes to access data relating to themselves may make a written application to the Council's Data Protection Officer.

Details of those persons making representations will normally be made available to applicants and in the event of a hearing being held, will form part of a public document. Persons making representations or applying for the review of a Premises Licence will be informed that their details will be disclosed. There may be circumstances, however, where an objector requests that the representation be kept in confidence, if there is good reason to respect that confidence.

## **2 LEGISLATION, POLICIES AND STRATEGIES**

### ***2.1 Legislation***

In undertaking its licensing function under the Gambling Act 2005, the Authority is also bound by other legislation, including:-

1. Crime and Disorder Act 1998;
2. Human Rights Act 1998;
3. **Data Protection Act 2018 (section 3)**

However, the policy is not intended to duplicate existing legislation and other regulatory regimes.

### ***2.2 Relationship with Planning Policies***

When determining an application, the Authority shall not take into account matters not relevant under the Act such as the likelihood of the applicant obtaining planning permission or building control approval.

An applicant can apply for a "provisional statement" if the building is not complete or if he does not yet have a right to occupy it. Such an application is, however, a separate and distinct process to the granting of planning permission or building control approval.

### ***2.3 National Strategies***

The Authority will also seek to discharge its responsibilities identified by other Government strategies, insofar as they impact on the objectives of the licensing function.

### ***2.4 Local Strategies and Policies***

Where appropriate, the Authority will consider applications with reference to other adopted local strategies and policies, including the following:-

1. The Council's Corporate Strategy;
2. The Community Safety Strategy;
3. Relevant Enforcement Policies
4. Sustainable Development Community Strategy.

### Sustainable Development Community Strategy

The Local Government Act 2000 requires all local authorities to produce a community strategy within the framework of the UK Sustainable Development Strategy – “A better Quality of Life” and relevant regional strategies. The Wellbeing and Future Generations (Wales) Act 2015 requires all Welsh local authorities to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems such as poverty, health inequalities and climate change.

Community strategies provide a focal point for the identification of local issues and aspirations on social inclusion, environmental protection, employment and economic development.

Local strategic partnerships, typically involving the police, local authorities, local health boards, and representatives from education, business and the voluntary sector organisations, are responsible for the achievement of locally set objectives.

Under the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent crime and disorder in the area. The Council will have particular regard to the likely impact of licensing on related crime and disorder in the County, particularly when considering the location, impact, operation and management of all proposed licence/permit applications, renewals and variations of conditions.

### **2.5 Integrating Strategies**

There are many stakeholders involved in the leisure industry and many are involved in the promotion of the licensing objectives. A number of stakeholders’ plans and strategies deal with matters related to the licensing function. Where this is the case, the Authority will aim, as far as possible, to co-ordinate them.

The Authority recognises in particular the importance of the co-ordination and integration of the Gambling policy with other strategies aimed at the management of town centres and the night-time economy.

Relevant plans and strategies include:-

- ❖ Ceredigion Community Safety Partnership – The Council will fulfil its duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the County.
- ❖ Health Social Care & Wellbeing Strategy
- ❖ Children and Young Persons Strategy
- ❖ The Area Planning Board for Substance Misuse’ strategy

## **3 DECISION MAKING**

### ***3.1 Administration, Exercise and Delegation of Functions***

The powers and duties of the Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.

It is considered that many of the functions will be largely administrative in nature with no perceived areas of contention. In the interests of efficiency and cost effectiveness these will, for the most part, be carried out by officers.

The following schedule sets out the recommended delegation of functions and decisions by guidance. The Authority may, nevertheless, refer any matter to the Licensing Committee or Sub-Committee.

The schedule of delegation of licensing functions is attached at Appendix C.

### ***3.2 Giving Reasons for Decisions***

The Authority will give comprehensive reasons for its decisions. The Authority will address the extent to which decisions have been made with regard to any relevant Codes of Practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with this Policy Statement.

### ***3.3 Licensing Reviews***

The Licensing Authority will carry out a review of a Premises Licence where it has received a formal application for review in accordance with the Act that is relevant to one of more of the Licensing Objectives from a Responsible Authority or an interested party.

An application for review may be rejected if the Authority thinks that the grounds upon which it is sought:

- a) are frivolous;
- b) are vexatious;
- c) are not relevant to the principles that must be applied by the Authority (under Section 153 of the Act) (see paragraph 1.23(23) above)
- d) will not cause the Authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence;
- e) are substantially the same as the grounds cited in a previous application relating to the same premises; or
- f) are substantially the same as representations made at the time the application for a premises licence was considered.

A Premises Licence may also be reviewed by the Authority of its own volition.

In relation to particular premises, the Authority may review any matter connected to the use made of the premises, if it has reason to suspect that licence conditions have not been observed, or for any other reason, which gives them course to believe that a review may be appropriate.

Although the policy statement should identify the factors to be considered, it should be clear that each application or review will be decided on its merits. Importantly, if an applicant for a premises licence can show how licensing objective concerns can be overcome, the licensing authority will need to take that into account in its decision making.

## 4 LOCAL STANDARDS

### 4.1 Licence Environment

The Guidance to Local Authorities and the Licence Conditions and Codes of Practice (LCCP) commencing October 2020, set out additional matters that the Authority should take into account when considering licence applications for Premises Licences.

<https://www.gamblingcommission.gov.uk/licensees-and-businesses/lccp/print>

The Authority will consider any application based on the provisions in these codes and guidance. These may be subject to change by the Gambling Commission from time to time.

Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls, the Authority will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises, and that the premises is adequately supervised at all times.

The Authority, in line with the Commission, considers that it is not permissible and indeed is highly undesirable for Family Entertainment Centres or Unlicensed Family Entertainment Centres (FEC/uFECs) to have been granted for entire venues in that it exposes the public, and young people in particular, to the “ambient gambling” that the Act was designed to prevent (i.e. the removal of machines from food take-away premises, taxi offices, etc.).

Similarly, the Authority in line with the Commission, considers that it is not permissible for gaming machines which should be contained within **the uFEC or FEC premises, to be located in corridors and walkways which form part of the larger building. uFECs are premises which are ‘wholly or mainly’ used for making gaming machines available (S238 Gambling Act 2005 (opens in new tab)). As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport, motorway service station or similar. Typically, the machines would be in a designated, enclosed area.**

Machines have been found in such venues without the requisite uFEC permit or FEC premises licence and as such the machines are being made available unlawfully and are not subject to the controls necessary to minimise gambling-related harm and protect children and vulnerable people.

The Authority will consider these and any other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission's Guidance for relevant access provisions for each premises type is reproduced in Appendix D.

## **4.2 Applications**

An application for a Premises Licence may only be made by persons (which includes companies or partnerships):

- who are aged 18 or over **and**
- who have the right to occupy the premises **and**
- who have an operating licence which allows them to carry out the proposed activity Details of operators that hold an operating licence are available on the Commission's website **or**
- who have applied for an operating licence to allow them to carry out the proposed activity. The premises licence cannot be determined until an operating licence has been issued.

Applications for the grant, transfer or variation of a Premises Licence must be accompanied by an assessment that demonstrates how the applicant will be reasonably consistent with all the Licensing Objectives in the form of a written Operating Schedule.

This should take the form of a written risk assessment submitted with such an application indicating how the applicant will demonstrate how they can be reasonably consistent with each of the licensing objectives. Applicants will be expected to maintain risk assessments where particular challenges to complying with their social responsibility obligations might appear at their premises, and in the context of local environmental risk factors. This is entirely consistent with the promotion of the licensing objectives. Licensees should share a copy of their risk assessments with the local Authority when applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority.

The Licence Conditions and Code of Practice (LCCP) issued by the Gambling Commission commencing in October 2020 places further onus on premises to complete a risk assessment based on code 8, the social responsibility code. The Authority will have regard to this code when considering applications. This is covered in detail below in 4.3 of this statement.

The level of detail to be provided will be advised by the Authority and will be proportional to the scale and nature of the application made.

Definitions of "Responsible Authorities" and "Interested Parties" who are able to make representations under this Act can be found in the Glossary of Terms at 1.3 of this Policy.

## **4.3 Risk Assessments**

Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence. The Code requires all operators of Adult Gaming Centres (AGC's), Bingo Premises, Family Entertainment Centres (FEC's), Betting

Shops and Remote Betting Intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.

Operators are required by the LCCP Code to make the risk assessment available to licensing authorities when an application is submitted either for new Premises Licence or variation of a Premises Licence, or otherwise on request, and this will form part of the Authority's inspection regime and may be requested when officers are investigating complaints. The risk assessments should be retained at the premises and be available for inspection by Licensing officers.

The Code requires the Authority to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this Authority expects the following matters to be considered by operators when making their risk assessment:-

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, youth centres, commercial environment, factors affecting footfall,
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc., including those identified in a licensing authority's statement of licensing policy.

The Authority expects the following matters to be considered by Operators when making their risk assessment:-

(i) Matters relating to children and young persons, including:-

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling alleys, cinemas, etc.
- Any premises where children congregate including bus stops, cafés, shops, and any other place where children are attracted,
- Areas that are prone to issues of youths participating in anti-social behaviour, including such activities as graffiti/tagging, underage drinking, etc
- Recorded incidents of attempted underage gambling

(ii) Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.

- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, Council Housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

This list is not exhaustive and other factors not in this list that are identified must be taken into consideration.

A local area profile may be developed by the Licensing Authority following discussions with stakeholders. This could assist applicants in consideration of local issues. If and when this is developed it will be added to the Policy as a separate Appendix.

#### **4.4 Assessment of Need**

Unfulfilled demand is not a criterion that will be taken into consideration when determining an application for a Premises Licence under the Gambling Act 2005. Each application must be considered on its merits without regard to demand.

#### **4.5 Conditions**

Premises licences granted under the Gambling Act 2005 are subject to robust mandatory and default conditions. Any conditions attached to licences will be proportionate and will be:-

- Relevant to the need to make the proposed building suitable as a gambling facility;
- Directly related to the premises and the type of licence applied for;
- Fairly and reasonably related to the scale and type of premises; and
- Reasonable in all other respects.
- Only added where there is evidence of a particular risk to the licensing objectives that additional conditions will be considered.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas, etc. There are specific comments made in this regard under some of the licence types below. The Authority will also expect the licence applicant to offer his/her own suggestions in relation to ways in which the licensing objectives can be met effectively.

The Authority will also consider specific measures, which may be required for buildings, which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

The Authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:-

- All such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- Only adults are admitted to the area where these machines are located;
- Access to the area where the machines are located is supervised;
- The area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- At the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises, including buildings where multiple premises licences are applicable.

The Authority is aware that tracks may be subject to one or more than one Premises Licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this Authority will consider the impact upon the licensing objective of ***Protecting Children and Vulnerable persons from being harmed or exploited by gambling*** and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions, which the Authority cannot attach to Premises Licences, namely:-

- Any condition on the Premises Licence which makes it impossible to comply with an Operating Licence condition;
- Conditions relating to gaming machine categories, numbers, or method of operation;
- Conditions which provide that membership of a club or body is required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- Conditions in relation to stakes, fees, winning or prizes.

#### ***4.6 Enforcement, Inspection and Prosecution***

The Authority's principles are that it will be guided by the Gambling Commission's Guidance to local authorities, the Regulators Code and the Council's Enforcement Policy. It will endeavour to be:-

- **Proportionate:** regulators should only intervene when necessary, remedies should be appropriate to the risk posed, and costs identified and minimised;
- **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
- **Consistent:** rules and standards must be joined up and implemented fairly;
- **Transparent:** regulators should be open, keep regulations simple and user friendly, and
- **Targeted:** regulation should be focused on the problem, and minimise side effects.

The Authority will use appropriate enforcement to ensure location and operation of gaming machines. Dealing with illegal poker or illegal/illegally sited machines in a specific premises often lends itself to a multi-agency coordinated approach with licensing authority officers leading the operation and the police and sometimes HMRC providing support, advice and expertise. Licensing officers should contact the Commission in the first instance to agree if such a multi-agency approach would be appropriate.

#### **4.7 Licensable Activities**

Below is a list of Gambling Activities that this Authority can authorise;

#### **Premises Licences (In association with a Licensed Operator licensed with the Gambling Commission)**

- Adult Gaming Centre
- (Licensed) Family Entertainment Centres
- Bingo Premises
- Betting Premises

#### **Provisional Statements**

Developers may wish to apply to this Authority for provisional statements before entering into a contract to buy or lease property or land to determine whether a development is worth taking forward in light of the need to obtain a Premises Licence. There is no need for the applicant to hold an Operating Licence in order to apply for a provisional statement.

## **5 CRIME AND DISORDER**

The Council will fulfil its duty under s17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the County, and for the purposes of this policy, prevent gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

A high standard of control is expected to be exercised by licence holders over licensed premises.

The Authority will, when determining applications, consider whether the grant or a Premises Licence will result in an increase in crime and disorder.

Applicants are encouraged to discuss the crime prevention procedures in their premises with the Council's Licensing Officers and Heddlu Dyfed-Powys Police before making a formal application.

In considering licence applications, the Authority will particularly take into account the following:-

- a) The design and layout of the premises
- b) Location insofar as the location relates to the licensing objectives
- c) The training given to staff in crime prevention measures appropriate to those premises;

- d) Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
- e) Where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
- f) The likelihood of any violence, public order or policing problem if the licence is granted.
- g) In relation to the prevention of disorder, the Authority has the ability (under S169 of the Act) to impose licence conditions.
- h) The staff's awareness of Money Laundering legislation and the provision of a clear procedure for reporting any suspicious activity to senior management

## **6 ENSURING THAT GAMBLING IS CONDUCTED IN A FAIR AND OPEN WAY OBJECTIVE**

Generally, the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be a matter for either the management of the gambling business (and therefore relevant to the Operating Licence), or will be in relation to the suitability and actions of an individual (and therefore relevant to the Personal Licence). Both of these options fall under the purview of the Gambling Commission.

However, in relation to the licensing of tracks, the premises licence may need to contain conditions to ensure the environment in which betting takes place is suitable.

## **7 PROTECTION OF CHILDREN AND OTHER VULNERABLE PERSONS OBJECTIVE**

### ***7.1 Principles applied in designating a body competent to advise the Authority about the protection of children from harm***

In designating, in writing a body competent to advise the Authority about the protection of children from harm, the Council has considered the views of the Strategic Directors as well as Heddlu Dyfed-Powys Police's Child Protection Team. Based on the following principles it has been decided that the Council's Children's Services is most competent to advise the Authority in relation to such matters.

- Whilst Schools Services has responsibility for the holistic well-being of children, Children's Services is actively involved in the protection of children from harm.
- Social Workers specialising in children's services are trained and experienced in assessing initiatives that could harm the essential and psychological health and well-being of children. These officers will also be able to identify situations in which children could be the subject of exploitation.

## **7.2 Access to Licensed Premises**

With limited exceptions, children and young persons should not be permitted to gamble, and should be prevented from entering those gambling premises which are adult only environments.

The Authority will expect premises to have procedures in place for removing (from adult only premises) anyone who appears to be under age and who tries to access gambling facilities and cannot produce an acceptable form of identification.

To this end Premises Licence holders should consider an appropriate age verification policy. The Authority expects to be advised in writing of what this policy entails for each of the premises in its area.

The Authority will seek to limit the advertising for premises so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children. Particular care should be taken where premises are in the vicinity of schools, youth centres and other educational establishments.

The Authority considers that the ability to supervise customers on all gambling premises is essential for the pursuit of the licensing objectives, in particular that of protecting children and other vulnerable people from being harmed by gambling.

The Authority expects that existing and prospective licensees ensure that their policies and procedures take account of the structure and layout of their gambling premises regarding supervision.

The Authority expects existing and prospective licensees to ensure that their procedures for preventing access to gambling by self-excluded individuals take into account the structure and layout of their gambling premises.

The Authority will consult with Children's Services or Adult Services if any application indicates there may be concerns over access for children or vulnerable persons.

The Authority will consider the merits of each separate application before deciding whether to impose conditions to protect children on particular categories of premises.

This may include such requirements as:-

- a) Supervision of entrances/machine areas.
- b) Segregation of gambling areas from areas frequented by children
- c) Supervision of gaming machines in licensed family entertainment centres
- d) Adopt a proof of age scheme such as challenge 21 or think 21;
- e) Explain how any risks to children and vulnerable persons from gambling will be addressed
- f) CCTV. Applicants are advised to follow the guidance available from Dyfed-Powys Police regarding the standard and specifications.
- g) Physical separation of areas;
- h) Location of entry
- i) Notices/signage
- j) Specific opening hours.
- k) Self-exclusion schemes

- l) Provision of information leaflets/helpline numbers for organisations such as Gamcare

See also Appendix D.

### **7.3 Test Purchasing**

The Authority supports the stance of the Gambling Commission in promoting operators to test the integrity of their age verification policies and procedures to prevent children from accessing gambling facilities. Each premises will be expected to inform their Primary Authority (where there are such agreements in place with specific operators) in writing of the approach they have adopted and share the results of such tests with the Authority annually with a view to working with the Authority to enhance robustness of procedures preventing children using gambling facilities.

Those who **do not** have such Primary Authority agreements are expected to share the results of such test purchases with this Licensing Authority.

### **7.4 Vulnerable Persons**

The Authority does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children, but it will assume for regulatory purposes, that “vulnerable persons” include:

- a) People who gamble more than they want to;
- b) People who gamble beyond their means;
- c) People who may not be able to make an informed or balanced decision about gambling due to a mental impairment, or as a result of alcohol consumption or the use of illegal substances, e.g. drugs.

The Authority expects all Betting Premises and Adult Gaming Premises to put in place provisions to identify those customers potentially at risk of gambling-related harm, whether or not they are displaying obvious signs of, or overt, behaviour associated with problem gambling.

### **7.5 Bet-Watch**

The Authority encourages and will support local operators to create and maintain an information sharing network to discuss issues of problem gamblers that are identified. This will also be an opportunity for operators to discuss issues with licensing officers.

### **7.6 Local Health Board Notification**

The Licensing Authority will notify the Local Health Board of applications for gambling premises licences.

### **7.7 Good Practice Guidance**

Premises operators, responsible authorities and decision makers are strongly advised to consider best practice guidance when assessing the impact of granting a licence. Particular reference should be made to the following reports:-

- Welsh Government Framework on Tacking the Night Time Economy
- The Relationship Between Alcohol and Gambling behaviours - Alcohol Concern Cymru (2015)
- Gambling with Our Health – Chief Medical Officer for Wales Annual Report 2016/17

## **7.8 Training**

Premises operators are advised to provide staff with relevant training, which includes training on drug and alcohol related issues, particularly training on local policies for dealing with discarded needles and the risks of blood borne virus in order to protect staff. Training could also include awareness of the types of new and emerging drugs referred to as “New Psychoactive Substances” (previously “Legal Highs”) in order to better equip staff to handle use on premises.

Premises operators are also strongly advised to promote local help services for addressing gambling, drug and alcohol issues. Details of where to obtain relevant promotional material can be obtained from the licensing authority.

## **7.9 Safeguarding**

Ceredigion County Council believes that the safeguarding of Children and Vulnerable persons is a priority.

Ceredigion’s Licensing Section in conjunction with agencies, including the Gambling Commission and Dyfed Powys Police is looking to work in partnership with licensees, their staff and other organisations to ensure that premises offering gambling activities, operate responsibly and with due regard to children and vulnerable persons.

As part of this initiative the group is working towards producing information and training material to raise awareness of safeguarding issues, including Child Sexual Exploitation and to provide local points of contact for advice and guidance as well as to report concerns.

The authority recommends that businesses offering gambling activities need to ensure that their staff have been adequately trained in relation to safeguarding matters in order to respond appropriately and quickly where issues arise. This advice is equally as important to operators of premises which offer gaming machines alongside the sale or supply of alcohol.

The authority strongly suggests that applicants for authorisations include information regarding their arrangements for staff safeguarding training as part of the application documents.

# **8 COMPLAINTS AGAINST LICENSED PREMISES**

The Authority will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first

instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Authority may initially arrange a conciliation meeting to address and clarify the issues of concern.

This process will not override the right of any interested party to ask that the Licensing Committee consider their valid objections or for any licence holder to decline to participate in a conciliation meeting.

Due consideration will be given to all relevant representations unless they fit the exceptions outlined in 3.3 above.

## **9 DOOR SUPERVISORS**

The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect. Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirement for different types of premises vary (as per the Guidance, Part 33).

However, where an applicant chooses not to engage SIA registered door supervisors this Licensing Authority will expect the applicant to detail in their application and operator's local risk assessment ,how they intend to: -

- a) Carry out Criminal Record checks (DBS) on each individual
- b) Provide details of their criminal convictions criteria
- c) Explain the proposed method of identifying these individuals when working in the capacity of door supervisors.
- d) Indicate the ratio of male and female operatives
- e) Provide details of the appropriate training for the role
- f) Provide a work register showing the duty time and date (same applies to SIA registered

## **10 DECLARATION**

Ceredigion County Council in its capacity as licensing authority hereby declares that in producing this policy statement, it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance issued by the Gambling Commission, and any responses received from those consulted on the policy document.

## 11 FURTHER INFORMATION

Further information about the Gambling Act 2005, this Statement of Gambling Policy or the application process can be obtained from:-

The Licensing Team

Ceredigion County Council, Policy, Performance and Public Protection, Neuadd  
Cyngor Ceredigion, Penmorfa, Aberaeron, SA46 0PA

Tel: 01545 572179;

E-mail: [licensing@ceredigion.gov.uk](mailto:licensing@ceredigion.gov.uk)

Information is also available from:-

Gambling Commission Victoria Square House, Victoria Square, Birmingham, B2 4BP Tel:0121 230 6500, E-mail: <a href="mailto:info@gamblingcommission.gov.uk">info@gamblingcommission.gov.uk</a> Website: <a href="http://www.gamblingcommission.gov.uk">www.gamblingcommission.gov.uk</a>	The Department for Digital Culture, Media and Sport, 100 Parliament Street, London, SW1A 2BQ Telephone: 020 7211 2210 Website: <a href="http://www.culture.gov.uk">www.culture.gov.uk</a>
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# 12 APPENDICES

## 12.1 Appendix A – Map of Locality (Ceredigion)



## **12.2 Appendix B – List of Consultees**

- Elected Members, Ceredigion County Council
- Community and Town Councils in Ceredigion
- One Voice Wales
- Chief Executive, Ceredigion County Council
- Corporate Director x 2 Ceredigion County Council
- Corporate Lead Officer Legal and Governance,, Ceredigion County Council
- Corporate Lead Officer Economy and Regeneration Services, Ceredigion County Council
- Corporate Lead Officer Policy, Performance and Public Protection, Ceredigion County Council
- Corporate Lead Officer, Porth Cynnal Children’s Services, Ceredigion County Council
- Corporate Lead Officer, Porth Gofal Adult Services, Ceredigion County Council
- Corporate Lead Officer, Schools and Culture Services, Ceredigion County Council
- Corporate Lead Officer, Porth Cymorth Cynnar, Community Wellbeing and Learning , Ceredigion County Council
- Development Control Manager Ceredigion County Council
- The Gambling Commission
- Heddlu Dyfed Powys Police and Police and Crime Commissioner
- Mid and West Wales Fire & Rescue Service
- The Local Area Health Board, Hywel Dda University Health Board
- Hafal Ceredigion
- Mind Aberystwyth
- West Wales Action for Mental Health
- Ceredigion Community Safety Partnership
- Association of British Bookmakers Ltd
- Licence Holders or the representatives of the holders of the various licences for premises in the Authority’s area who will be affected by this policy.
- Members of the public who will be affected by this policy.
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area.
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Act.

Note: This list is not intended to be exclusive. Comments and observations will be welcome from anyone who will be affected by this policy

### 12.3 Appendix C – Table of Delegations of Licensing Functions

Matter to be dealt with	Full Council	Sub-Committee	Officers
Final Approval of the <u>Gambling</u> Policy Statement	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate	X		
Fee Setting (if delegated by Full Council)		X	
Application for premises licences		X Where representations have been received and not withdrawn	X Where no representations received/ representations have been withdrawn
Application for a variation to a licence		X Where representations have been received and not withdrawn	X Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		X Where representations have been received from the Commission	X Where no representations received from the Commission
Application for a provisional statement		X Where representations have been received and not withdrawn	X Where no representations received/ representations have been withdrawn
Review of a premises licence		X	

Application for club gaming/club machine permits		X Where representations have been received and not withdrawn	X Where no representations received/representations have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

X – Indicates at the lowest level to which decisions can be delegated.

## **12.4 Appendix D - Access to Premises**

### **Adult Gaming Centre**

- No customer should be able to access the premises directly from any other licensed gambling premises.

### **Betting Shops**

- Access must be from a street or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect, there cannot be an entrance to a betting shop from a shop of any kind, unless that shop is itself a licensed betting premises e.g. it would not be permissible to have a betting shop at the back of a café; the whole area would have to be licensed.

### **Tracks**

No customer should be able to access the premises directly from:

- a casino;
- an adult gaming centre.

### **Bingo Premises**

No customer must be able to access the premises directly from:

- a casino;
- an adult gaming centre;
- a betting premises, other than a track.

### **Family Entertainment Centre**

No customer must be able to access the premises directly from:

- a casino;
- an adult gaming centre;
- a betting premises, other than a track.

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this Authority will also take into account in its decision-making.

## 12.5 Appendix E - Summary of Machine Provisions by Premises

Machine category							
Premises type	A	B1	B2	B3	B4	C	D
<b>Large casino</b> (machine/table ratio of 5-1 up to maximum)				Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)			
<b>Small casino</b> (machine/table ratio of 2-1 up to maximum)				Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)			
<b>Pre-2005 Act casino</b> (no machine/table ratio)				Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead			
<b>Betting premises and tracks occupied by pool betting</b>				Maximum of 4 machines categories B2 to D (except B3A machines)			
<b>Bingo premises<sup>1</sup></b>		Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4			No limit on category C or D machines		
<b>Adult gaming centre<sup>2</sup></b>		Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4			No limit on category C or D machines		
<b>Licensed family entertainment centre<sup>3</sup></b>				No limit on category C or D machines			
<b>Family entertainment centre (with permit)<sup>3</sup></b>				No limit on category D machines			
<b>Clubs or miners' welfare institute (with permits)<sup>4</sup></b>				Maximum of 3 machines in categories B3A or B4 to D			
<b>Qualifying alcohol-licensed premises</b>				1 or 2 machines of category C or D automatic upon notification			
<b>Qualifying alcohol-licensed premises (with licensed premises gaming machine permit)</b>				Number of category C-D machines as specified on permit			
<b>Travelling fair</b>				No limit on category D machines			

<sup>1</sup> S.172(7), as amended, provides that the holder of a bingo premises licence may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. For example, a premises

with a total of 25 gaming machines available for use can make five or fewer category B3 gaming machines available on that premises. Premises that were licensed before 13 July 2011 are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. There are no restrictions on the number of category C or D machines that can be made available. Regulations state that category B machines at bingo premises are restricted to sub-category B3 (SI 2007/2158: Categories of Gaming Machine Regulations 2007 (but not B3A) and B4 machines. Licensing authorities should ensure that gambling machines are made available for use in a manner consistent with our guidance within Part 16. For the purpose of calculating the category B machine entitlement in gambling premises, gaming machines should only be counted if they can be played simultaneously by different players without physical hindrance. This includes tablets.

S.172(8) provides that the holder of a betting premises licence may make available for use up to four gaming machines of category B, C or D. Regulations state that category B machines at betting premises are restricted to sub-category B2, B3 and B4 machines (the terminals commonly in use are able to provide both B2 and B3 content).

<sup>2</sup> Gaming machine provisions by premises are set out at Appendix A. S.172(1) of the Act, as amended, provides that the holder of an AGC premises licence may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. For example, a premises with a total of 25 gaming machines available for use can make five or fewer category B3 gaming machines available on those premises.

Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.

<sup>3</sup> Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FECs and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.

<sup>4</sup> Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.

<sup>5</sup> Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

## **12.6 Appendix F - The meaning of ‘available for use’**

Gambling Commission guidance to licensing authorities:

### **The meaning of ‘available for use’**

**16.16** S.242 of the Act makes it an offence for a person to make a gaming machine available for use, where they do not hold an operating licence or other permission covering gaming machines and where no other exemption applies.

**16.17** The Act does not define what ‘available for use’ means, but the Commission considers that a gaming machine is ‘available for use’ if a person can take steps to play it without the assistance of the operator.

**16.18** More than the permitted number of machines may be physically located on a premises but the onus is on licensees to demonstrate that no more than the permitted number are ‘available for use’ at any one time.

**16.19** A machine that can operate at more than one category, which is operating at a lower category, does not contribute to the number of machines ‘available for use’ at a higher category until it switches to that category. Licensees must ensure no more than the permitted number are ‘available for use’ at any one time.

**16.20** Systems in which a number of machines are networked so that the player can select which game and category they play are permitted but licensees must still adhere to any restrictions on the number of machines at a certain category.

**16.21** Gaming machine entitlements in AGC or bingo premises set out that only 20% of machines can be category B machines in order to ensure a balanced offering of gambling products and restrict harder gambling opportunities.

**16.22** Machine design has changed in recent years and space-saving gaming machines - in the form of tablets, multi-player units and narrow/in-fill machines - have become available. Some of these machines appear to have been designed primarily to maximise category B machine entitlements.

**16.23** We updated our [‘available for use’ guidance<sup>11</sup>](#) in 2019 to make it clear that for the purpose of calculating the category B machine entitlement in gambling premises, gaming machines should only be counted if they can be played simultaneously by different players without physical hindrance. For example, the Commission would consider that a multi-position machine that technically allows two or more players to play simultaneously but in reality requires those players to stand very closely together or adopt unnatural participation positions, to the effect that a second player would be discouraged from attempting to use the machine, could not be classed as two or more machines.

**16.24** In relation to tablets, licensees should ensure that there is sufficient floorspace in the premises to permit counted tablets to be used simultaneously.

**16.25** Electronic Bingo Terminals (EBTs) that offer gaming machine content in addition to bingo content are gaming machines and subject to adherence with the above principles. Licensees are reminded however that an EBT must only allow participation in one gambling activity at a time and should not therefore contain functionality which allows participation in bingo and gaming machine activity simultaneously.

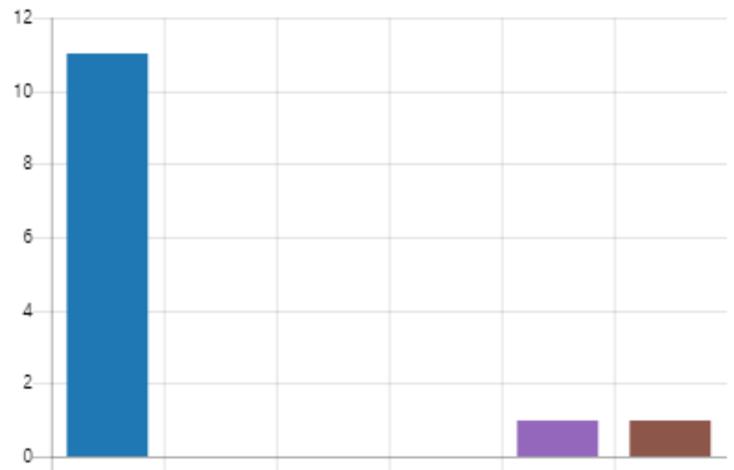
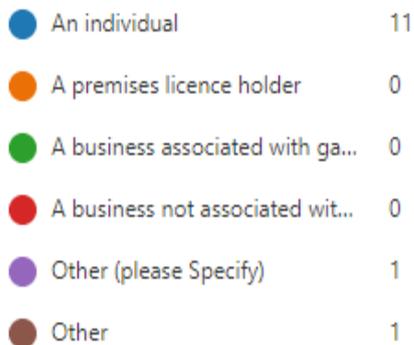
**16.26** We have published our 'available for use' guidance<sup>12</sup> on the Commission website, and provided additional information specifically in relation to when is a gaming machine 'available for use' in AGC or bingo premises under the 20% regulations.”

## Annex B – Gambling Policy Consultation Responses

### Consultation Responses to Ceredigion County Council Statement of Gambling Policy 2022-2025

1. Are you responding primarily as:

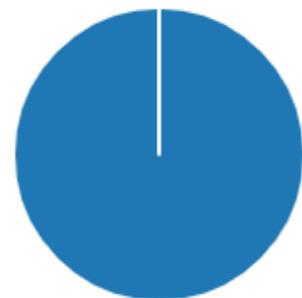
[More Details](#)



2. Are you a resident of Ceredigion

[More Details](#)

Insights



3. Have you read the draft policy

[More Details](#)



4. Having read the policy do you think there are any changes or additions that should be included

[More Details](#)

[Insights](#)



5. If you answered yes to Q 4 . Please explain what changes or additions should be considered.

2 Responses

ID ↑	Name	Language	Responses
1	anonymous	English (United Kingdom)	I think bingo halls & casinos should be allowed
2	anonymous	English (United Kingdom)	I believe that casinos should be allowed in Ceredigion. It's not for the council to set the no casino policy and the public should be asked for their views. I know of a lot of highly paid people who are gamblers who live in the area and regularly go on holiday to places where gambling is allowed. If you allowed gambling then their money would stay in the Ceredigion economy.

6. Are there any areas in your community where you experience problems specifically related to gambling.

[More Details](#)

[Insights](#)



7. If you answered Yes to Q6 please identify the area and describe the gambling related problems you experience.

4 Responses

ID ↑	Name	Language	Responses
1	anonymous	English (United Kingdom)	Online gambling is an issue that I have encountered through work and private life, the results of which can be devastating for individuals and families through finances, mental health and addiction issues.
2	anonymous	English (United Kingdom)	I think gambling is destructive, but so is this area with so little in the way of entertainment & things to do for young & old alike. I would support any new venture at this point that didn't just centre around drinking.
3	anonymous	English (United Kingdom)	There's an amusement arcade in Lampeter and it looks very unkempt and run down. They don't appear to have the relevant supervision arrangements in place as per the draft policy. Enforcement officers need to re-start site inspection visits.
4	anonymous	Cymraeg (Y Deyrnas Unedig)	Wedi gweld cydweithwr wedi gorfod gwerthu ei dy oherwydd dyledion gamblo ar ceffylau.

## 8. Do you have any final comments about the Gambling Policy Statement of Licensing Principles? You may use this as an opportunity to make general points about gambling premises in Ceredigion

### 5 Responses

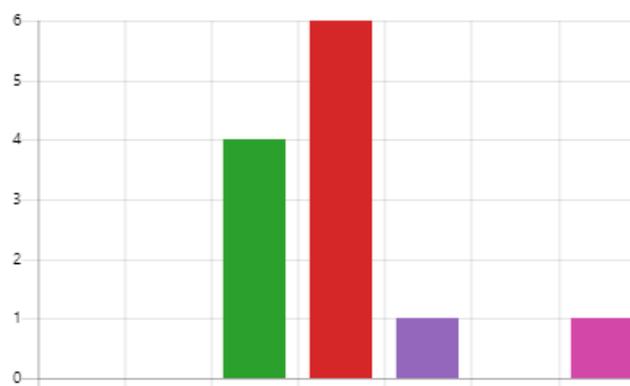
ID ↑	Name	Language	Responses
1	anonymous	English (United Kingdom)	no
2	anonymous	English (United Kingdom)	I think gambling is destructive, but so is this area with so little in the way of entertainment & things to do for young & old alike. I would support any new venture at this point that didn't just centre around drinking.
3	anonymous	English (United Kingdom)	People are going to find a way to gamble no matter what so it's better to provide a safe place locally rather than going away on holiday to gamble or online. At least if local there would be some welfare in place.
4	anonymous	English (United Kingdom)	N/A
5	anonymous	English (United Kingdom)	All gambling premises should prominently display posters showing where problem gamblers can get help.

## 9. Are you?

[More Details](#)

[Insights](#)

Under 16 years of age	0
16-24	0
25-44	4
45-64	6
65-74	1
75 and over	0
Prefer not to say	1



### 10. Are you

[More Details](#)

[Insights](#)

Male	6
Female	5
Prefer not to say	1
Other	0



### 11. Transgender: Is your gender the same now as when assigned at birth?

[More Details](#)

[Insights](#)

Yes	10
No	0
Prefer not to say	1



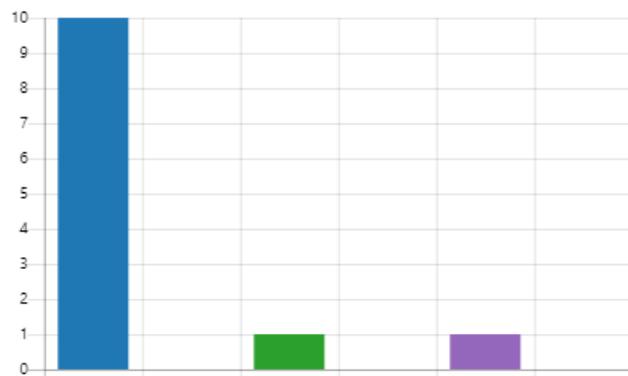
### 12. Only answer this question if you are over 16:

Sexual Orientation: Which of the following options best describes how you think of yourself?

[More Details](#)

[Insights](#)

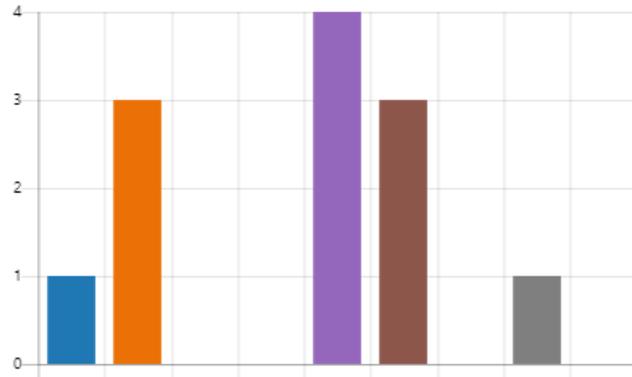
Heterosexual/Straight	10
Bi-sexual	0
Gay Man	1
Gay Woman/Lesbian	0
Prefer not to say	1
Other	0



13. Partnership: Which of the following describes your partnership status?

[More Details](#)

● Single	1
● Married	3
● Widowed	0
● Civil Partnership	0
● Living with partner	4
● Divorced	3
● Separated	0
● Prefer not to say	1
● Other	0

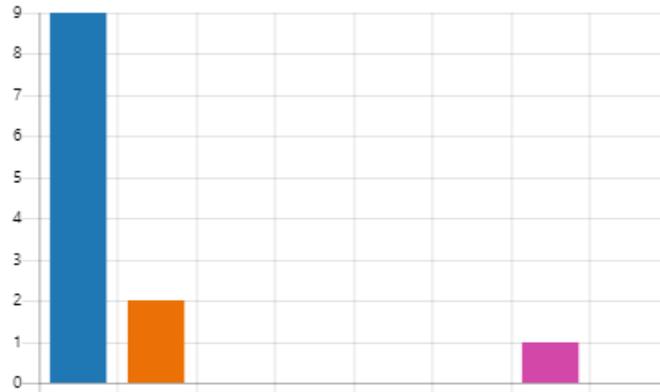


14. National Identity: How would you describe your national identity?

[More Details](#)

[Insights](#)

● Welsh	9
● British	2
● English	0
● Irish	0
● Scottish	0
● Northern Irish	0
● Prefer not to say	1
● Other	0

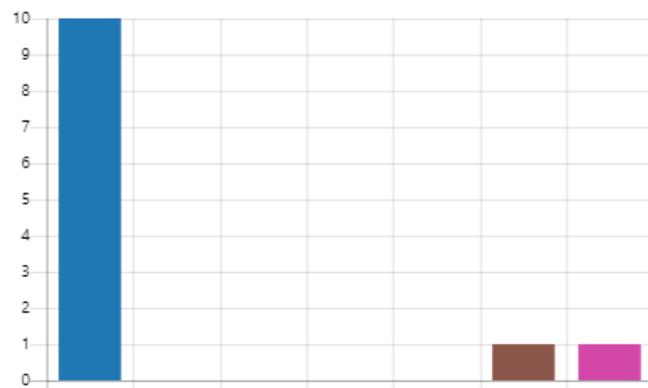


15. Race: What is your ethnic group? Choose one option that best describes your ethnic group or background.

[More Details](#)

[Insights](#)

● White	10
● Mixed	0
● Asian	0
● Gypsy/Travellers	0
● Black/African/Carribbean	0
● Prefer not to say	1
● Other	1

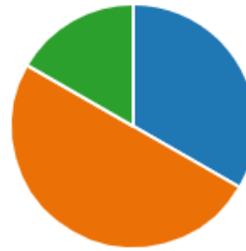


### 16. Language: What is your preferred language

[More Details](#)

[Insights](#)

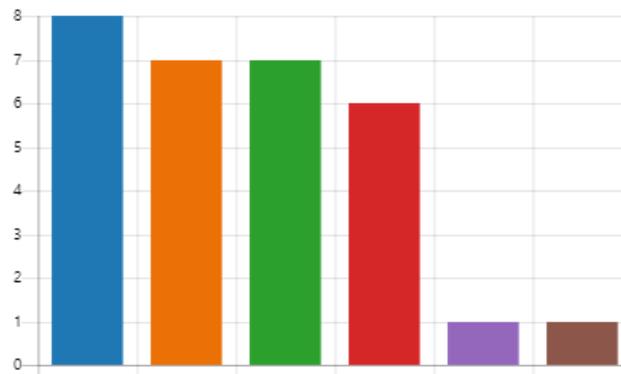
● Welsh	4
● English	6
● Prefer not to say	2
● Other	0



### 17. Can you understand, speak, read or write Welsh?

[More Details](#)

● Understand spoken Welsh	8
● Speak Welsh	7
● Write Welsh	7
● Read Welsh	6
● None of the above	1
● Prefer not to say	1



### 18. Disability: Do you have a long term physical or mental health condition or illness that reduces your ability to carry out day to day activities

[More Details](#)

[Insights](#)

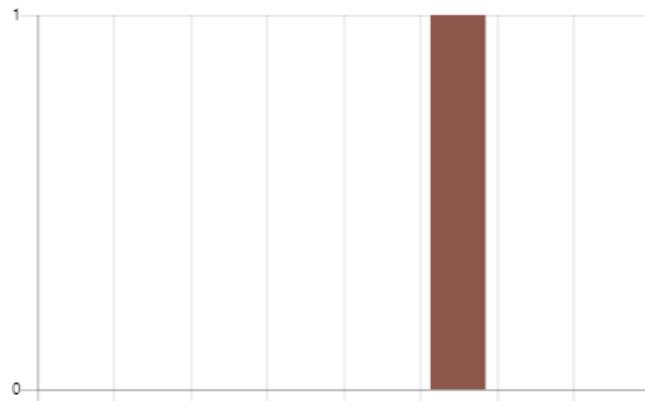
● Yes	1
● No	10
● Prefer not to say	1



19. If you answered 'Yes' please indicate which applies to you;

[More Details](#)

<span style="color: blue;">●</span> Hearing Impairment	0
<span style="color: orange;">●</span> Visual Impairment	0
<span style="color: green;">●</span> Speech Impairment	0
<span style="color: red;">●</span> Learning Difficulties	0
<span style="color: purple;">●</span> Mental Health Issues	0
<span style="color: brown;">●</span> Physical/Mobility Impairment	1
<span style="color: magenta;">●</span> Prefer not to say	0
<span style="color: grey;">●</span> Other	0



20. Caring Responsibilities: Do you look after or give help or support to family members, friends, neighbours or others.

[More Details](#)

[Insights](#)

<span style="color: blue;">●</span> Yes	4
<span style="color: orange;">●</span> No	6
<span style="color: green;">●</span> Prefer not to say	1



21. Religion or Belief: What is your religion?

[More Details](#)

[Insights](#)

<span style="color: blue;">●</span> Christian (all denominations)	7
<span style="color: orange;">●</span> Buddhist	0
<span style="color: green;">●</span> Hindu	0
<span style="color: red;">●</span> Muslim	0
<span style="color: purple;">●</span> Sikh	0
<span style="color: brown;">●</span> Jewish	0
<span style="color: magenta;">●</span> Atheist	0
<span style="color: grey;">●</span> No religion	3
<span style="color: olive;">●</span> Prefer not to say	1
<span style="color: teal;">●</span> Other	0

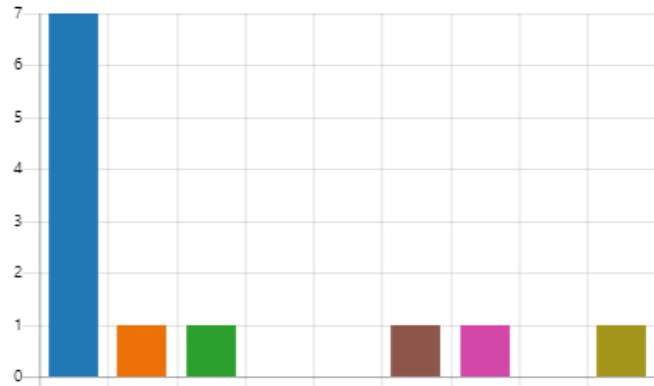


22. Which of the following categories best describes your employment status?

[More Details](#)

[Insights](#)

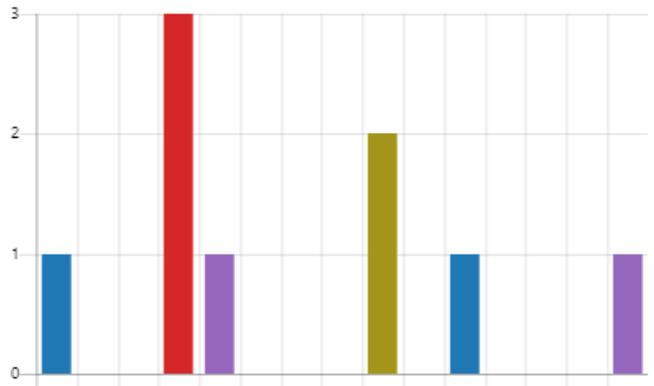
- Employed-Full time 7
- Employed-Part time 1
- Self-employed 1
- Unemployed, looking for work 0
- Unemployed, not looking for ... 0
- Retired 1
- Unable to work due to health ... 1
- On a government supported t... 0
- Other 1



23. Which of the following best describes your role in industry?

[More Details](#)

- Self-employed/Partner 1
- Corporate manager or director 0
- Upper management 0
- Trained Professional 3
- Middle Management 1
- Skilled Labourer 0
- Junior Management 0
- Consultant 0
- Administrative Staff 2
- Temporary Employee 0
- Support Staff 1
- Researcher 0
- Volunteer 0
- Student/Intern/Apprenticeship 0
- Other 1



## 24. The organisation you work for is in which of the following categories

[More Details](#)

[Insights](#)

Public Sector (e.g. government)	8
Private Sector (most businesse...	2
Not for profit sector	0
Don't know	0
Other	1



## **Annex B - Ymatebion Ymgynghori ar Bolisi Gamblo**

### **Ymatebion Ymgynghori i Ddatganiad Polisi Gamblo Cyngor Sir Ceredigion 2022-2025**

1. Ydych chi'n ymateb yn bennaf fel

- Unigolyn
- Deiliad trwydded mangre
- Busnes sy'n gysylltiedig â deiliad trwydded gweithgaredd gamblo
- Busnes nad yw'n gysylltiedig â gweithgaredd gamblo
- Arall (Nodwch os gwelwch yn dda)
- Arall

2. Ydych chi'n byw yn Ceredigion

- Ydw
- Nac ydw

3. Ydych chi wedi darllen y polisi drafft

- Ydw
- Nac ydw

4. Ar ôl darllen y polisi, ydych chi'n meddwl y dylid cynnwys unrhyw newidiadau neu ychwanegiadau

- Ydw
- Nac ydw

5. Os gwnaethoch chi ateb ydw i Q 4.Esboniwch pa newidiadau neu ychwanegiadau y dylid eu hystyried.

Rhowch eich ateb

6. A oes unrhyw feysydd yn eich cymuned lle rydych chi'n profi problemau sy'n ymwneud yn benodol â gamblo.

- Oes
- Nac oes

7. Os gwnaethoch chi ateb Ydw i C6, nodwch yr ardal a disgrifiwch y problemau cysylltiedig â gamblo chi

Rhowch eich ateb

8. A oes gennych unrhyw sylwadau terfynol am y Datganiad Egwyddorion Trwyddedu Polisi Gamblo?  
Gallwch ddefnyddio hwn fel cyfle i wneud pwyntiau cyffredinol am adeiladau gamblo yng Ngheredigion

Rhowch eich ateb

9. Ydych chi

- O dan 16 mlwydd oed
- 16-24
- 25-44
- 45-64
- 65-74
- 75 neu drosodd
- Gwell da chi ddim gweud

10. Ydych chi yn

- Gwrw
- Benyw
- Mae'n well gen i beidio â dweud

11. Trawsryweddol: A yw eich rhyw yr un peth nawr a gafodd ei aseinio adeg genedigaeth?

- Ydy
- Nac ydy
- Mae'n well gen i beidio â dweud

12. Atebwch y cwestiwn hwn dim ond os ydych chi dros 16 oed:

Cydeiriadedd Rhywiol : Pa un o'r opsiynau canlynol sy'n disgrifio orau sut rydych chi'n meddwl amdanoch chi'ch hun?

- Heterorywiol/syth
- Deurywiol
- Dyn Hoyw
- Menyw Hoyw/Lesbiaidd
- Mae'n well gen i beidio â dweud

BY EMAIL ONLY  
LICENSING SECTION  
CEREDIGION COUNCIL

**Please ask for:** Richard Taylor  
**Direct Tel:** 01482 590216  
**Email:** rjt@gosschalks.co.uk  
**Our ref:** RJT / MJM / 123267.00001  
#GS4207256  
**Your ref:**  
**Date:** 15 November 2021

Dear Sirs,

## **Re: Gambling Act 2005 Policy Statement Consultation**

We act for the Betting and Gaming Council (BGC) and are instructed to respond on behalf of the BGC to your consultation on the review of your Gambling Act 2005 Statement of Principles.

### **The Betting and Gaming Council**

The Betting and Gaming Council (BGC) was created in 2019 as the new standards body for the UK's regulated betting and gaming industry. This includes betting shops, online betting and gaming businesses, bingo and casinos. Its mission is to champion industry standards in betting and gaming to ensure an enjoyable, fair and safe betting and gaming experience for all of its members' customers.

BGC members support 119,000 jobs and account for £4.5 billion to the Treasury annually in tax. Recent study also showed that BGC members contributed around £7.7 billion in gross value added to the UK economy in 2019.

The gambling industry is integral to the survival of sport. Betting companies spend over £40 million a year on the English Football League (EFL) and its clubs. Horse racing, an industry estimated to be worth £3.5 billion a year to the UK economy and which generates 85,000 jobs receives over £350 million per annum through the Horse Racing Industry Levy, media rights and sponsorship. Darts and Snooker receive in excess of £10 million per annum which represents 90 % of all sponsorship revenue.

The BGC has four principal objectives. These are to –

- **create a culture of safer gambling throughout the betting and gaming sector, with particular focus on young people and those who are vulnerable**
- **ensure future changes to the regulatory regime are considered, proportionate and balanced**

- **become respected as valuable, responsible and engaged members of the communities in which its members operate**
- **safeguard and empower the customer as the key to a thriving UK betting and gaming industry**

Before we comment on your draft policy document, it is important that the backdrop against which the comments are made is established.

### **Betting and Gaming in the UK**

Betting and gaming is an incredibly important part of the UK leisure and hospitality industry, employing over 70,000 people, including 50,000 in betting, 13,000 in casinos and 10,000 people directly employed online. The betting and gaming industry contributes £8.7 billion Gross Value Added to the UK economy & contributes £3.2 billion to HM Treasury. In addition, casinos contribute over £120 million to the tourism economy each year.

Betting and gaming is widely enjoyed in the UK. Around 30 million people participate in some sort of gambling, whether that is on the National Lottery, placing a bet in betting shops, playing in casinos or at bingo. The overwhelming majority of these people do so safely without reporting any problems.

Any consideration of gambling licensing at the local level should also be considered within the wider context.

- the overall number of betting shops is in decline. The latest Gambling Commission industry statistics show that the number of betting offices (as of March 2020) was 7681. This is reducing every year and has fallen from a figure of 9137 in March 2014. Covid 19 had a devastating effect on the betting industry. The number of betting offices in June 2020 was down to 6461.
- planning law changes introduced in April 2015 have increased the ability of licensing authorities to review applications for new premises, as all new betting shops must now apply for planning permission.
- In April 2019 a maximum stake of £2 was applied to the operation of fixed odds betting terminals
- successive prevalence surveys and health surveys tells us that problem gambling rates in the UK are stable and possibly falling.

### **Problem Gambling**

Problem gambling rates are static or possibly falling. The reported rate of 'problem gambling' (according to either the DSM-IV or the PGSI) was 0.8% of the adult population in 2015, in 2016 it was 0.7% and in 2018 it was 0.5% of the adult population.

Figures published by the Gambling Commission in October 2021 show that the rate of problem gambling in the year to September 2021 was 0.3%, having fallen from 0.6% the previous year.

We might finally be seeing a reduction in problem gambling due to the raft of measures that have been put in place recently both by the industry, the Gambling Commission and the Government – from a ban on credit cards, restrictions to VIP accounts, new age and identity verification measures and voluntary restrictions on advertising.

Whilst one problem gambler is too many, both the Government and regulator both say there is no evidence that problem gambling has increased in recent years.

During the Covid-19 period of lockdown, both the Gambling Commission and Government have acknowledged that problem gambling levels have not increased.

In June 2020, the BGC's five largest members committed to increasing the amount they spend on research, education and treatment (RET) services from 0.1 per cent to 0.25 per cent of their annual revenue in 2020, 0.5 per cent in 2021, 0.75 per cent in 2022 and 1 per cent in 2023. The five operators confirmed they will provide £100 million to GambleAware charity to improve treatment services for problem gamblers.

Rates of 'problem gambling' in the UK are low by international standards – compared to France (1.3%), Germany (1.2%), Sweden (2.2%) and Italy (1.27%).

The BGC supported the creation of the new NHS gambling treatment clinics who have promised 22 clinics, 3 of which are open now. We are pleased that the NHS have committed to work to increase the number of clinics in the UK in addition to existing services delivered by Gordon Moody Association and GamCare's 120 treatment centres located throughout the UK.

The BGC welcomes the Gambling Commission's National Strategy as a way of accelerating progress on responsible gambling and tackling problem gambling. Our members are fully committed to meeting this challenge and are working tirelessly to deliver new responsible gambling initiatives including technology that tackles problem gambling and supporting a statutory levy and increased funding for problem gambling clinics.

Underage participating by those aged 11-16 in any gambling activity has declined from 22% to 11% over the past decade; here, 'gambling activity' mainly relates to personal betting (e.g. playing cards with friends) and legal play of lotteries (e.g. participating with consent of parents / guardians). BGC members have a zero tolerance to those under the age of 18 attempting to use their products.

### **Working in partnership with local authorities**

The BGC is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership. The exchange of clear information between councils and betting operators is a key part of this and the opportunity to respond to this consultation is welcomed.

## **Differentiation between Licensing Act 2003 and Gambling Act 2005 applications**

When considering applications for premises licences, it is important that a clear distinction is made between the regimes, processes and procedures established by Gambling Act 2005 and its regulations and those that are usually more familiar to licensing authorities – the regimes, processes and procedures relating to Licensing Act 2003.

Whilst Licensing Act 2003 applications require applicants to specify steps to be taken to promote the licensing objectives, those steps being then converted into premises licence conditions, there is no such requirement in Gambling Act 2005 applications where the LCCP provide a comprehensive package of conditions for all types of premises licence.

It should continue to be the case that additional conditions in Gambling Act 2005 premises licence applications are only imposed in exceptional circumstances where there are clear reasons for doing so. There are already mandatory and default conditions attached to any premises licence which will ensure operation that is consistent with the licensing objectives. In the vast majority of cases, these will not need to be supplemented by additional conditions.

The LCCP require that premises operate an age verification policy. The industry operates a policy called “Think 21”. This policy is successful in preventing under-age gambling. Independent test purchasing carried out by operators and submitted to the Gambling Commission, shows that ID challenge rates are consistently around 85%.

When reviewing draft statements of principles in the past, we have seen statements of principles requiring the operation of Challenge 25. Unless there is clear evidence of a need to deviate from the industry standard then conditions requiring an alternative age verification policy should not be imposed.

The BGC is concerned that the imposition of additional licensing conditions could become commonplace if there are no clear requirements in the revised licensing policy statement as to the need for evidence. If additional licence conditions are more commonly applied this would increase variation across licensing authorities and create uncertainty amongst operators as to licensing requirements, over complicating the licensing process both for operators and local authorities

## **Considerations specific to the draft Statement of Gambling Policy**

In paragraphs 1.8 Bingo Premises, 1.9 Betting Premises, 1.10 Tracks, 1.16 Adult Gaming Centres and 1.17 Family Entertainment Centres there is the same sentence that reads, *“This licensing authority will expect applicants to come up with their own measures to meet the licensing objectives however appropriate measures/licence conditions should cover issues such as ...”* There then follows a list of bullet points.

These paragraphs should be redrafted to avoid any confusion with Licensing Act 2003 requirements and to make it clear that policies, procedures and mitigation measures to ensure operation that is consistent with the licensing objectives, should be detailed in the operator’s local area risk

assessment. It is very important that a distinction is made between applications made under Licensing Act 2003 and those made under Gambling Act 2005. Under Licensing Act 2003, applicants are expected/required to identify measures to be taken to promote the licensing objectives in the operating schedule. These are then converted into conditions. There is no similar facility or expectation under Gambling Act 2005.

Gambling Act 2005 premises licences are subject to mandatory and default conditions which are designed to be, and usually are, sufficient to ensure operation that is reasonable consistent with the licensing objectives. These sections and indeed the section which explains the Licensing Authority's approach to the imposition of conditions on premises licences (paragraph 4.5) would benefit from re-drafting in order to make this clear. These sections should be clear that additional conditions will only be imposed where there is clear evidence of a risk to the licensing objectives which is not already adequately addressed by the policies, procedures and mitigation measures described in an applicant's risk assessment.

It is important that these policies, procedures, and mitigation measures to meet the licensing objectives as required by paragraph 15.8 are dealt with via the risk assessment rather than by way of licence conditions (where possible) as the risk assessment is a dynamic document which (in accordance with SR Code Provision 10.1.2) must be reviewed if there is a significant change in local circumstances. As risk change or new risks are identified, the policies, procedures, and mitigation measures to address those identified risks may be changed very quickly. However, if the mitigation measures are the subject of premises licence conditions, then an application for variation of the premises licence will be required to change those conditions. This could delay any change and would cause unnecessary expense and administration for both operators and the Licensing Authority.

Paragraph 4.3 explains the requirement for operators to undertake local risk assessments. This paragraph contains lists of bullet points detailing matters that the Licensing Authority expects be taken into account by operators when undertaking local risk assessments. These lists need to be re-drafted to remove any bullet points that refer to matters that cannot be relevant to any assessment of risk to the licensing objectives.

For example, the first list of bullet points refers to *"known problems in the area such as problems arising from street drinkers, youths participating in antisocial behaviour, drug dealing activity etc."* None of these issues are relevant to any assessment of whether gambling will be a source of or associated with crime and disorder and therefore this bullet point should be removed.

Similarly, in the next two lists of bullet points, there are references to *"areas that are prone to issues of youths participating in antisocial behaviour, including activities such as graffiti/tagging, underage drinking etc"* and *"gaming trends that may coincide with days for financial payments such as paydays or benefit payments."* These two bullet points should be removed. The first bullet point refers to issues of low level anti-social behaviour and nuisance which have no bearing on any assessment of risk to the licensing objectives. The second bullet point can only be relevant if the Licensing Authority's view is that any person in receipt of benefits or indeed paid employment is to be considered automatically vulnerable. This cannot be the case.

**Conclusion**

On behalf of the BGC, we thank you for the opportunity to comment on your draft statement of principles and hope that these comments above are useful. The BGC will work with you to ensure that its members' operation of its premises will operate in accordance with the licensing objectives.

Yours faithfully,

**GOSSCHALKS LLP**

This **Integrated Impact Assessment tool** incorporates the principles of the Well-being of Future Generations (Wales) Act 2015 and the Sustainable Development Principles, the Equality Act 2010 and the Welsh Language Measure 2011 (Welsh Language Standards requirements) and Risk Management in order to inform effective decision making and ensuring compliance with respective legislation.

### 1. PROPOSAL DETAILS: (Policy/Change Objective/Budget saving)

Proposal Title	Review of Ceredigion County Council's Statement of Gambling Policy				
Service Area	Policy, Performance and Public Protection	Corporate Lead Officer	Alun Williams	Corporate Director	
Name of Officer completing the IIA	Gareth Rees	E-mail	Gareth.rees@ceredigion.gov.uk	Phone no	01545572179

Please give a brief description of the purpose of the proposal

It is a statutory requirement that the Authority's Statement of Gambling Policy is reviewed at least every three years. The policy is intended to provide clarity to officers and to businesses/individuals on the approach that the Authority is likely to take in relation to gambling activities within its area.

Who will be directly affected by this proposal? (e.g. The general public, specific sections of the public such as youth groups, carers, road users, people using country parks, people on benefits, staff members or those who fall under the protected characteristics groups as defined by the Equality Act and for whom the authority must have due regard).

Local businesses with a gambling element to their business, businesses from outside the County who conduct transactions in Ceredigion, for example, bookmakers that operate at local race and trotting events and consumers who undertake gambling activity.

**VERSION CONTROL:** The IIA should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development, Welsh language and equality considerations wherever possible.

Author	Decision making stage	Version number	Date considered	Brief description of any amendments made following consideration

**COUNCIL STRATEGIC OBJECTIVES:** Which of the Council's Strategic Objectives does the proposal address and how?

Boosting the Economy	The Statement of Gambling Policy is designed in such a way that enables the economy and local business to develop and prosper provided that they are minded to comply with legislative requirements. Officers will always attempt to educate local businesses to secure compliance. More formal sanctions are retained for
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	more serious and conduct inspections to gambling premises, occasionally with Gambling Commission Compliance Officers.
Investing in People's Future	N/A
Enabling Individual and Family Resilience	The policy addresses family resilience through avenues of support such as Gamcare and Gamaware.
Promoting Environmental and Community Resilience	

**NOTE:** As you complete this tool you will be asked for **evidence to support your views**. These need to include your baseline position, measures and studies that have informed your thinking and the judgement you are making. It should allow you to identify whether any changes resulting from the implementation of the recommendation will have a positive or negative effect. Data sources include for example:

- *Quantitative data - data that provides numerical information, e.g. population figures, number of users/non-users*
- *Qualitative data – data that furnishes evidence of people's perception/views of the service/policy, e.g. analysis of complaints, outcomes of focus groups, surveys*
- *Local population data from the census figures (such as Ceredigion Welsh language Profile and Ceredigion Demographic Equality data)*
- *National Household survey data*
- *Service User data*
- *Feedback from consultation and engagement campaigns*
- *Recommendations from Scrutiny*
- *Comparisons with similar policies in other authorities*
- *Academic publications, research reports, consultants' reports, and reports on any consultation with e.g. trade unions or the voluntary and community sectors, 'Is Wales Fairer' document.*
- *Welsh Language skills data for Council staff*

**2. SUSTAINABLE DEVELOPMENT PRINCIPLES:** How has your proposal embedded and prioritised the five sustainable development principles, as outlined in the Well-being of Future Generations (Wales) Act 2015, in its development?

Sustainable Development Principle	Does the proposal demonstrate you have met this principle? If yes, describe how. If not, explain why.	What evidence do you have to support this view?	What action (s) can you take to mitigate any negative impacts or better contribute to the principle?
<b>Long Term</b> Balancing short term need with long term and planning for the future.	The current policy has served the Authority well from January 2019 and it is anticipated that the proposed policy will serve us for the next three years now that it has been reviewed to reflect legislative and/or procedural changes. The Policy will be further reviewed	The current policy has served the authority well; therefore, there is no reason to believe that there will be any objections to the proposed policy.	

	during the next 3 years when the Governments White Paper is published.		
<b>Collaboration</b> Working together with other partners to deliver.	Whilst the draft policy has been prepared by Ceredigion officers with an emphasis on Ceredigion, a collaborative approach has been taken with meetings held with Service Managers with responsibility for licensing functions from Carmarthenshire, Pembrokeshire and Powys as well as representatives of the Gambling Commission.	Embedded into the policy are matters suggested by the Gambling Commission at the meeting with the four local authorities, for example, premises must offer self exclusion schemes, local authority registering a register of small society lotteries, changes in the Guidance to Local Authorities and Codes of Practice (October 2020) edition, Changes to Occasional use Notices, Changes to persons entitled to make applications for Premises Licences, entitlement of the holder of a Bingo Premises Licence to make available for use category B gaming machines not exceeding 20% of the total gaming machines on those premises.	
<b>Involvement</b> Involving those with an interest and seeking their views.	The Authority has recently consulted with interested parties as outlined in Appendix B of the report. The consultation took place over a six week period. Any responses will be considered by officers initially and if sensitive or contentious will be discussed with the Chair and Vice Chair of the	Public consultation responses; responses from interested parties.	Careful consideration has been given to any responses received to ensure that the proposed policy does not have a negative impact in relation of the licensing objectives.

	Licensing Committee prior to proceeding further through the democratic process.		
<b>Prevention</b> Putting resources into preventing problems occurring or getting worse.	Officers strive to work with local businesses to ensure compliance by several means including advice and support and reasonable time to comply if this is practically possible. The Council will have particular regard to the likely impact of licensing on related crime and disorder in the County, particularly when considering the location, impact, operation and management of all proposed licence/permit applications, renewals and variations of conditions.	Officers are confident that working proactively with new businesses reduces legislative infringements and non-compliance.	An emphasis by Service Managers and operational officers on 'prevention rather than cure' approach to compliance.
<b>Integration</b> Positively impacting on people, economy, environment and culture and trying to benefit all three.	The policy is intended to balance the positive impact on the economy that responsible gambling can bring.	The policy is the subject of a public consultation exercise and responses will be made available.	

<b>3. WELL-BEING GOALS:</b> Does your proposal deliver any of the seven National Well-being Goals for Wales as outlined on the Well-being of Future Generations (Wales) Act 2015? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal. We need to ensure that the steps we take to meet one of the goals aren't detrimental to meeting another.			
Well-being Goal	Does the proposal contribute to this goal? Describe the positive or negative impacts:-	What evidence do you have to support this view?	What action (s) can you take to mitigate any negative impacts or better contribute to the goal?
<b>3.1. A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs.	It is not expected that the proposal will place greater pressure on local business as businesses are required to comply with legislative requirements regardless of policy.	The proposed policy itself.	Service Managers to ensure consistency in compliance and enforcement.
<b>3.2. A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change).			
<b>3.3. A healthier Wales</b> People's physical and mental wellbeing is maximised and health impacts are understood.	Irresponsible gambling can lead to mental health issues and on occasion this can result in cases of suicide. Ceredigion's draft Gambling Policy expects businesses to provide Information leaflets and helpline numbers for organisations such as Gamcare.	The proposed policy itself. Checked by officers when conducting an inspection of gambling premises.	Inspection visits will be conducted to ensure that self exclusion policies are being offered and recorded correctly.
<b>3.4. A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected.	The Licensing Authority in liaison with the Planning Authority will determine whether it is viable to have a gambling premises in close proximity to, for example, a school or a bank/building society insofar as the location relates to the licensing objectives. The Council will have particular regard to the likely impact of licensing on related crime and disorder in the County, particularly when considering the location, impact, operation and management of all	The proposed policy itself.	

	proposed licence/permit applications, renewals and variations of conditions.		
<b>3.5. A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental well-being.			.

<p><b>3.6. A more equal Wales</b>                  People can fulfil their potential no matter what their background or circumstances.</p> <p><i>In this section you need to consider the impact on equality groups, the evidence and any action you are taking for improvement.</i></p> <p><i>You need to consider how might the proposal impact on equality protected groups in accordance with the Equality Act 2010?</i></p> <p><i>These include the protected characteristics of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or beliefs, gender, sexual orientation.</i></p> <p><b>Please also consider the following guide:</b>  <a href="#">Equality Human Rights - Assessing Impact &amp; Equality Duty</a></p>	<p>Describe why it will have a positive/negative or negligible impact.</p> <p><i>Using your evidence consider the impact for each of the protected groups. You will need to consider do these groups have equal access to the service, or do they need to receive the service in a different way from other people because of their protected characteristics. It is not acceptable to state simply that a proposal will universally benefit/disadvantage everyone. You should demonstrate that you have considered all the available evidence and address any gaps or disparities revealed.</i></p>	<p>What evidence do you have to support this view?</p> <p><i>Gathering Equality data and evidence is vital for an IIA. You should consider who uses or is likely to use the service. Failure to use <u>data</u> or <u>engage</u> where change is planned can leave decisions open to legal challenge. Please link to <b>involvement</b> box within this template. Please also consider the general guidance.</i></p>	<p>What action (s) can you take to mitigate any negative impacts or better contribute to positive impacts?</p> <p><i>These actions can include a range of positive actions which allows the organisation to treat individuals according to their needs, even when that might mean treating some more favourably than others, in order for them to have a good outcome. You may also have actions to identify any gaps in data or an action to engage with those who will/likely to be effected by the proposal. These actions need to link to Section 4 of this template.</i></p>
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<p><b>Age</b>                  Do you think this proposal will have a positive or a negative impact on people because of their age? (Please tick ✓)</p>	<p><i>Guidance:</i>  <a href="#">Equality &amp; Impact Assessment Older People</a></p>	<p>Chapter 7 of the draft policy</p>				
<p>Children and Young People up to 18</p>	<p>Positive ✓</p>	<p>Negative</p>	<p>None/ Negligible</p>	<p>The draft policy is designed with a view to safeguarding children and vulnerable persons , indeed, this is one of the key licensing objectives in the Act.</p>		
<p>People 18-50</p>	<p>Positive</p>	<p>Negative</p>	<p>None/ Negligible ✓</p>			
<p>Older People 50+</p>	<p>Positive</p>	<p>Negative</p>	<p>None/ Negligible ✓</p>			

<p><b>Disability</b>                  Do you think this proposal will have a positive or a negative impact on people because of their disability? (Please tick ✓)</p>						
<p></p>	<p>Positive</p>	<p>Negative</p>	<p>None/</p>			

Hearing Impairment			Negligible			
			✓			
Physical Impairment	Positive	Negative	None/ Negligible			
			✓			
Visual Impairment	Positive	Negative	None/ Negligible			
			✓			
Learning Disability	Positive	Negative	None/ Negligible			
			✓			
Long Standing Illness	Positive	Negative	None/ Negligible			
			✓			
Mental Health	Positive	Negative	None/ Negligible			
			✓			
Other	Positive	Negative	None/ Negligible			
			✓			

<b>Transgender</b> Do you think this proposal will have a positive or a negative impact on transgender people? (Please tick ✓)						
Transgender	Positive	Negative	None/ Negligible			
			✓			

<b>Marriage or Civil Partnership</b> Do you think this proposal will have a positive or a negative impact on marriage or Civil partnership? (Please tick ✓)						
Marriage	Positive	Negative	None/ Negligible			
			✓			
Civil partnership	Positive	Negative	None/ Negligible			

			✓			
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<b>Pregnancy or Maternity</b> Do you think this proposal will have a positive or a negative impact on pregnancy or maternity? (Please tick ✓)						
Pregnancy	Positive	Negative	None/ Negligible			
			✓			
Maternity	Positive	Negative	None/ Negligible			
			✓			

<b>Race</b> Do you think this proposal will have a positive or a negative impact on race? (Please tick ✓)						
White	Positive	Negative	None/ Negligible			
			✓			
Mixed/Multiple Ethnic Groups	Positive	Negative	None/ Negligible			
			✓			
Asian / Asian British	Positive	Negative	None/ Negligible			
			✓			
Black / African / Caribbean / Black British	Positive	Negative	None/ Negligible			
			✓			
Other Ethnic Groups	Positive	Negative	None/ Negligible			
			✓			

<b>Religion or non-beliefs</b> Do you think this proposal will have a positive or a negative impact on people with different religions, beliefs or non-beliefs? (Please tick ✓)						
Christian	Positive	Negative	None/			

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			Negligible			
			✓			
Buddhist	Positive	Negative	None/ Negligible			
			✓			
Hindu	Positive	Negative	None/ Negligible			
			✓			
Humanist	Positive	Negative	None/ Negligible			
			✓			
Jewish	Positive	Negative	None/ Negligible			
			✓			
Muslim	Positive	Negative	None/ Negligible			
			✓			
Sikh	Positive	Negative	None/ Negligible			
			✓			
Non-belief	Positive	Negative	None/ Negligible			
			✓			
Other	Positive	Negative	None/ Negligible			
			✓			

<b>Sex</b> Do you think this proposal will have a positive or a negative impact on men and/or women? (Please tick ✓)						
Men	Positive	Negative	None/ Negligible			
			✓			
Women	Positive	Negative	None/ Negligible			
			✓			

<b>Sexual Orientation</b> Do you think this proposal will have a positive or a negative impact on people with different sexual orientation? (Please tick ✓)						
Bisexual	Positive	Negative	None/ Negligible			
			✓			
Gay Men	Positive	Negative	None/ Negligible			
			✓			
Gay Women / Lesbian	Positive	Negative	None/ Negligible			
			✓			
Heterosexual / Straight	Positive	Negative	None/ Negligible			
			✓			

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**Having due regards in relation to the three aims of the Equality Duty - determine whether the proposal will assist or inhibit your ability to eliminate discrimination; advance equality and foster good relations.**

**3.6.2. How could/does the proposal help advance/promote equality of opportunity?**  
*You should consider whether the proposal will help you to:* ● Remove or minimise disadvantage ● To meet the needs of people with certain characteristics  
 ● Encourage increased participation of people with particular characteristics

**3.6.3. How could/does the proposal/decision help to eliminate unlawful discrimination, harassment, or victimisation?**  
*You should consider whether there is evidence to indicate that:* ● The proposal may result in less favourable treatment for people with certain characteristics ● The proposal may give rise to indirect discrimination ● The proposal is more likely to assist or impede you in making reasonable adjustments  
 The Authority will always have due regard to such characteristics when applying the policy.

**3.6.4. How could/does the proposal impact on advancing/promoting good relations and wider community cohesion?**  
*You should consider whether the proposal will help you to:* ● Tackle prejudice ● Promote understanding

<b>3.7. A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh Language are promoted and protected. <i>In this section you need to consider the impact, the evidence and any action you are taking for improvement. This in order to ensure that the opportunities for people who choose to live their lives and access services through the medium of Welsh are not inferior to what is afforded to those choosing to do so in English, in accordance with the requirement of the Welsh Language Measure 2011.</i>				Describe why it will have a positive/negative or negligible impact.	What evidence do you have to support this view?	What action (s) can you take to mitigate any negative impacts or better contribute to positive impacts?
Will the proposal be delivered bilingually (Welsh & English)?	Positive	Negative	None/ Negligible	As with all of the Council's policies, this policy will be available bilingually.	The draft policy is available on the Council's website under the 'Consultation' heading. Once adopted, the policy will be permanently available on the council's website and hard copy format bilingually.	
	✓					
Will the proposal have an effect on opportunities for persons to use the Welsh language?	Positive	Negative	None/ Negligible			
			✓			
Will the proposal increase or reduce the opportunity for persons to access services through the medium of Welsh?	Positive	Negative	None/ Negligible			
			✓			
How will the proposal treat the Welsh language no less favourably than the English language?	Positive	Negative	None/ Negligible	The policy will be available in bilingual format on the Authority's website.	Ceredigion County Council website	
	✓					
Will it preserve promote and enhance local culture and heritage?	Positive	Negative	None/ Negligible			
			✓			

**4. STRENGTHENING THE PROPOSAL:** If the proposal is likely to have a negative impact on any of the above (including any of the protected characteristics), what practical changes/actions could help reduce or remove any negative impacts as identified in sections 2 and 3?

**4.1 Actions.**

What are you going to do?	When are you going to do it?	Who is responsible?	Progress

**4.2. If no action is to be taken to remove or mitigate negative impacts please justify why.**  
*(Please remember that if you have identified unlawful discrimination, immediate and potential, as a result of this proposal, the proposal must be changed or revised).*

**4.3. Monitoring, evaluating and reviewing.**

*How will you monitor the impact and effectiveness of the proposal?*

The policy will be reviewed every three years as required by the Gambling Act 2005 and earlier if there are changes of sufficient significance.

**5. RISK:** What is the risk associated with this proposal?

Impact Criteria	1 - Very low	2 - Low	3 - Medium	4 - High	5 - Very High
Likelihood Criteria	1 - Unlikely to occur	2 - Lower than average chance of occurrence	3 - Even chance of occurrence	4 - Higher than average chance of occurrence	5 - Expected to occur

Risk Description	Impact (severity)	Probability (deliverability)	Risk Score
			<i>Probability x Impact e.g. 3 x 5 = 15</i>

Does your proposal have a potential impact on another Service area?

No

**6. SIGN OFF**

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Position	Name	Signature	Date
Service Manager	Anne-Louise Davies		
Corporate Lead Officer	Alun Williams		
Corporate Director			
Portfolio Holder	Cllr. Gareth Lloyd		

## CEREDIGION COUNTY COUNCIL

**Report to:** Cabinet

**Date of meeting:** 11 January 2022

**Title:** Porth Cynnal Specialist Services (Children & Adults)  
**INDEPENDENT REVIEWING SERVICE**  
**PERFORMANCE MANAGEMENT REPORT**  
**Qtr 1 2021/22**

**Purpose of the report:** To monitor the progress of Looked After Children through Independent Reviewing Officers scrutiny of their plans and placements during the first quarter of 2021/2022.

**For:** Information

**Cabinet Portfolio and Cabinet Member:** Care, Protection & Lifestyle  
Cllr Alun Williams

This report represents the monitoring and quality assurance of Looked After Children who were reviewed during the first quarter of 2021/22.

This information contributes to Members fulfilling their roles as Corporate Parents.

The information is based on the monitoring forms completed by the Independent Reviewing Officers (IRO) following each Looked After Children Statutory Review (LAC Review) and is informed by other performance information held by Children Services.

The report includes National and Local standards and targets used to measure outcomes for Looked After Children (LAC) at the time of their statutory review, and includes Welsh Government Performance Indicators (PI's) and Local Performance Targets.

On the basis of the information available and the views expressed during the LAC Review Meeting, the IRO makes a professional judgement about the effectiveness of a child/young person's Care Plan in meeting their needs and may recommend changes to the Plan.

During the Review Meeting the IRO considers whether the child/young person who is being reviewed requires assistance to identify relevant other people to obtain legal advice/take proceedings on their behalf. This action was not deemed necessary by the IRO for any child in the period

In addition, the IRO has regard as to whether the child/young person's human rights are being breached in any way and, if so, might make a referral to CAFCASS. This action was not required at any review.

## SUMMARY OF KEY POINTS;

- At the end of this Quarter, as of June 30<sup>th</sup> 2021, there were 89 children being looked after by the Local Authority. This is an increase of 4 in the number of children being looked after. At the end of Q4, there were 85 children being looked after.
- 67 children were reviewed in this quarter compared to 58 in the previous quarter 98.5 % were reviewed within the statutory timeframe compared to 89.7% in Q4.
- 5 children left care in this quarter compared to 4 in Quarter 4. 2 children were returned home to family during this quarter, compared to 1 child in Q4. 1 child was adopted in this quarter, 1 went to a “When I am ready” placement and 1 was the subject of a revocation of a care order
- The placement provision for the children reviewed in this quarter ranged from 26 placed in Local Authority Foster Care Provision, 9 placed with family, 12 placed with parents, 9 in Independent Foster Care Provision, 4 in residential care, 5 with kinship carers and 2 in a mother and baby placement.
- Of the children reviewed in this quarter, 89.6% of children received a statutory visit. This was compared to 87.9% in Quarter 4.
- 41 of children reviewed were the subjects of a Full Care Order, 12 were of an Interim Care Order, 5 of a Placement Order and 9 were under the legal status of Section 76.
- 100% of the care and support plans were recorded as meeting the needs of the children/young people reviewed in this quarter.
- The number and percentage of children (of sufficient understanding) who were involved in or consulted about their review, was 98%.
- The number and percentage of children who were made aware of their right for an advocacy service, was 98%
- The percentage of young people who are eligible and have a Pathway Plan in place and a PA to support them is 100%.
- 15 Pathway Plan Reviews were completed in this quarter. 80% were completed within timescale.
- 100% of the Reviews undertaken evidenced that the Pathway Plans that were in place were meeting the needs of the young people.
- 100% of the Pathway Plan Reviews that had taken place had either the views of the person represented in the review or the young person attended their review.

### **Has an Integrated Impact No Assessment been completed?**

#### **If, not, please state why**

##### **Summary:**

This report is provided on an ongoing basis and demonstrates the continuing work that is undertaken with Looked after Children in Ceredigion.

### **Wellbeing of Future Generations:**

- |                       |   |
|-----------------------|---|
| <b>Long term:</b>     | Balancing short term need with long term planning for the future                                  |
| <b>Integration:</b>   | Positively impacting on people, economy, environment and culture and trying to benefit all three  |
| <b>Collaboration:</b> | Working together with other partners to deliver   |
| <b>Involvement:</b>   | Involving those with an interest and seeking their views; stakeholder engagement and consultation |

<b>Prevention:</b>	Putting resources into preventing problems occurring or getting worse
<b>Recommendation(s):</b>	<b>Members to note the contents of the report</b>
<b>Reasons for decision:</b>	To ensure that Ceredigion Local Authority and its officers and safeguarding partners are effectively discharging their statutory duties
<b>Overview and Scrutiny:</b>	Healthier Communities Overview & Scrutiny Committee
<b>Policy Framework:</b>	Corporate Strategy
<b>Corporate Priorities</b>	Enabling individual and family resilience
<b>Finance and Procurement implications:</b>	Within core budget
<b>Legal implications</b>	None
<b>Staffing implications</b>	None
<b>Property / asset implications</b>	None
<b>Risk(s):</b>	The report reflects a risk of harm to children and how they are safeguarded.
<b>Statutory Powers:</b>	Children Act 1989, Children Act 2004, Social Services Well-being (Wales) Act 2014
<b>Background Papers:</b>	Internal documents only that are held by Specialist Services
<b>Appendices:</b>	Independent Reviewing Service Performance Management Report Quarter 1 2021/22
<b>Corporate Lead Officer:</b>	<b>Sian Howys Corporate Lead Officer Porth Cynnal</b>
<b>Reporting Officer:</b>	<b>Sian Howys Corporate Lead Officer Porth Cynnal Elizabeth Upcott Corporate Safeguarding Manager</b>
<b>Date:</b>	<b>30 September 2021</b>

**Cyngor Sir CEREDIGION County Council**  
**Safeguarding Service**

**Independent Reviewing Service Performance Management Report**

**Quarter 1: 1<sup>st</sup> April 2021 – 30<sup>th</sup> June 2021**



**...yn gofalu i wneud gwahaniaeth**  
**...taking care to make a difference**

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## **SECTION ONE: INTRODUCTION**

This report provides information collated by the Quality Assurance and Independent Reviewing Service in order to monitor performance and quality assure services to looked after children, care leavers, children in residential placements and those children who receive respite care and short breaks. The information is based on the monitoring forms completed by the Independent Reviewing Officers (IRO) following each review meeting within this quarter along with other performance information held by the Children and Families Service.

## **BENCHMARKING**

This report includes national and local measures and targets used to measure outcomes for looked after children and care leavers at the time of their review meeting.

On the basis of the information available and the views expressed during the review meeting, the IRO makes a professional judgement about the effectiveness of a child/young person's care plan in meeting their needs and the IRO will highlight to managers any poor practice.

During the review meeting the IRO considers whether the child/young person requires assistance to identify relevant other people to obtain legal advice/take proceedings on their behalf. This action was not deemed necessary for any children/young persons in the period.

In addition, the IRO has regard as to whether the child/young person's human rights are being breached in any way and, if so, might make a referral to CAF/CASS Cymru. This action was not required at any of the review meetings in the period.

*For any query or comment contact:*

Elizabeth Upcott  
Safeguarding Service  
Penmorfa,  
Aberaeron  
SA46 0PA

## SECTION TWO CARE PLANNING

### 1. **Headline Figures for Q1:**

Number of Looked After Children	Total
31 <sup>st</sup> March 2021	<b>85</b>
30 <sup>th</sup> June 2021	<b>89</b>

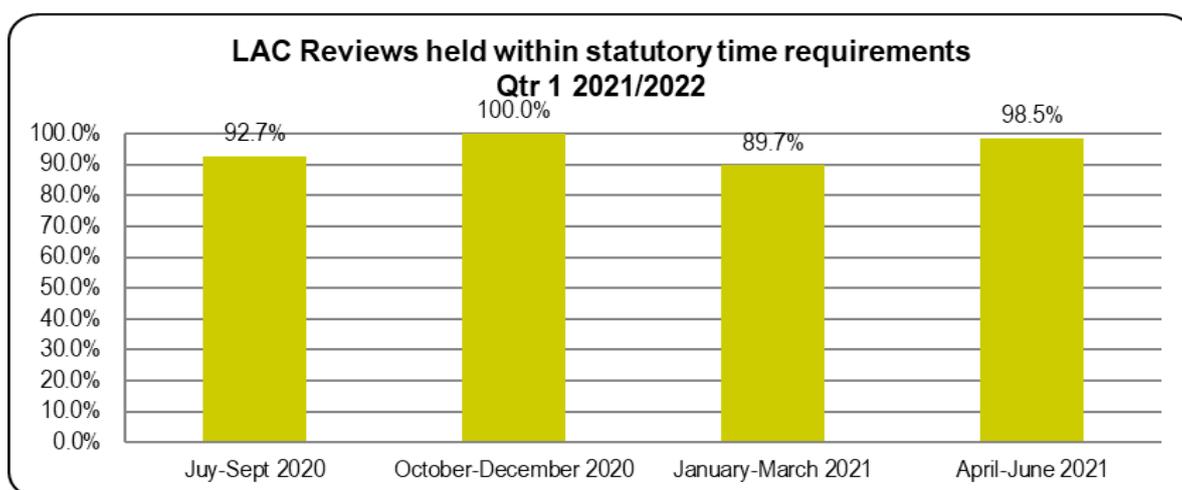
### 2. **Number and percentage of Looked After Children Reviews undertaken within the statutory time requirement.**

Target Set 100% - Target achieved 98.5%

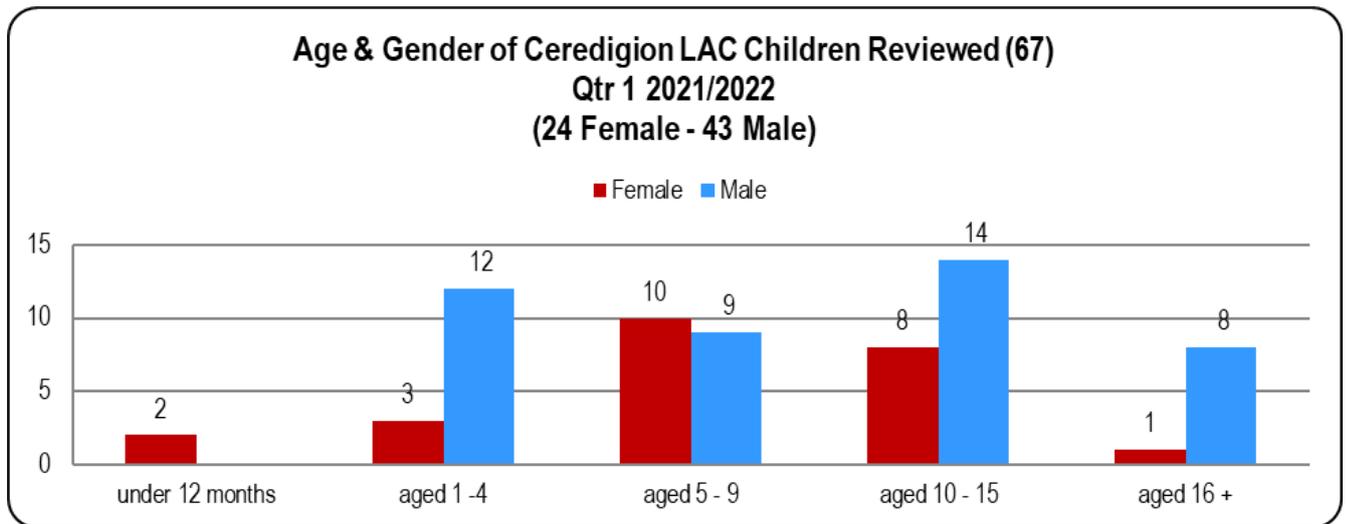
67 Children were reviewed within the Quarter.

- 66 (98.5%) LAC Review Meetings were undertaken within the statutory requirements.
- 1 (1.5%) LAC Review Meeting was held out of statutory requirements; reason recorded was as follows: -
  - There was a delay of 1 day for 1 child's review due to a misunderstanding regarding the review date.

	April-June 2021	Jan-Mar 2021	Oct-Dec 2020	July-Sept 2020	April-June 2020
Number of children reviewed in the quarter	67	58	60	41	62
Number of reviews held in timescale	66	52	60	38	60
Number of reviews held out of timescales	1	6	0	3	2

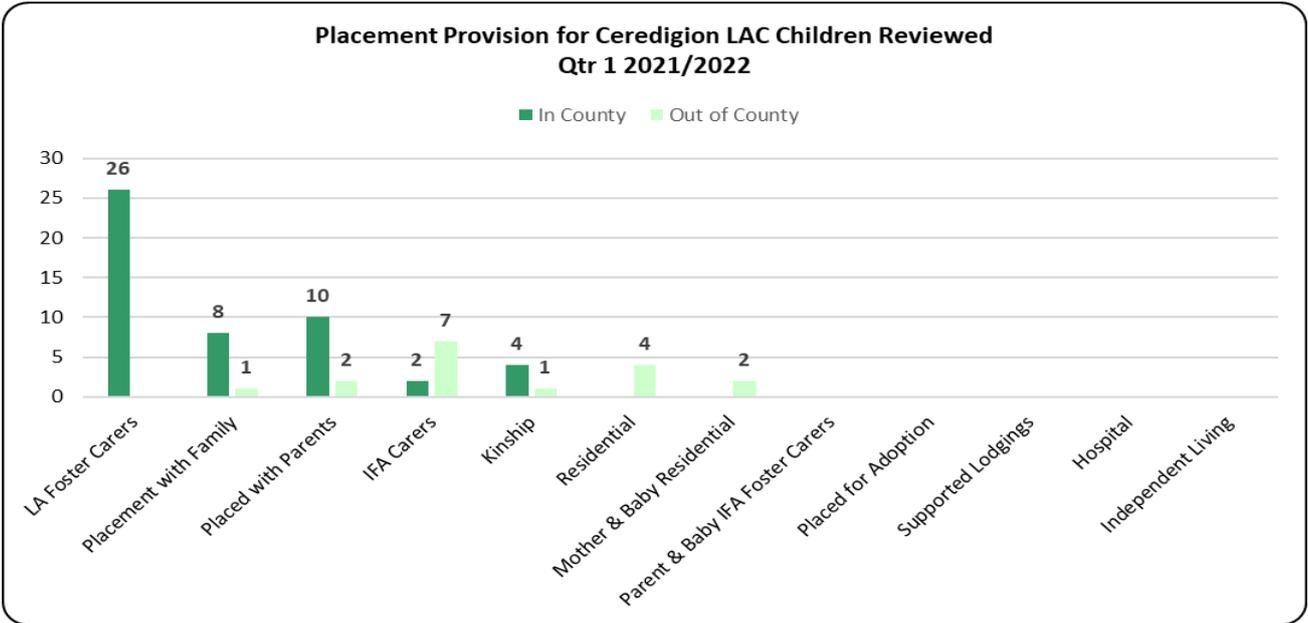


### 3. Age and Gender of the Children Reviewed in the Quarter:



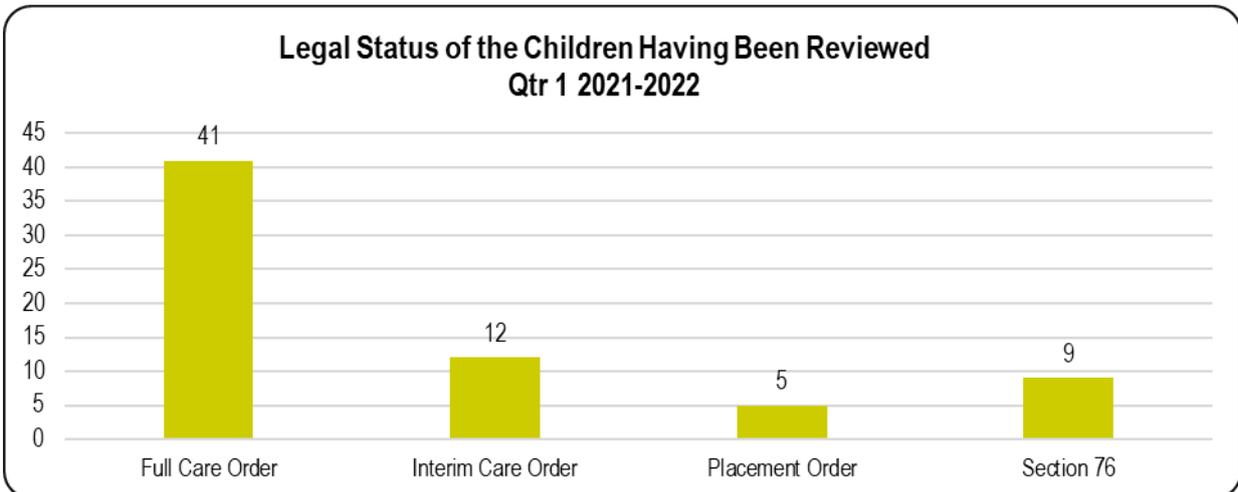
### 4. Nature of the Placement Provision of Children Reviewed in the Quarter:

Type of Placement	In County	Out of County	Total
LA Foster Carers	26	-	26
Placement with Family	8	1	9
Placed with Parents	10	2	12
IFA Carers	2	7	9
Kinship Carers	4	1	5
Residential		4	4
Mother & Baby Residential		2	2
Parent & Baby IFA Foster Carers			
Adoption			
Supported Lodgings			
Hospital			
Independent Living			
	<b>50</b>	<b>17</b>	<b>67</b>



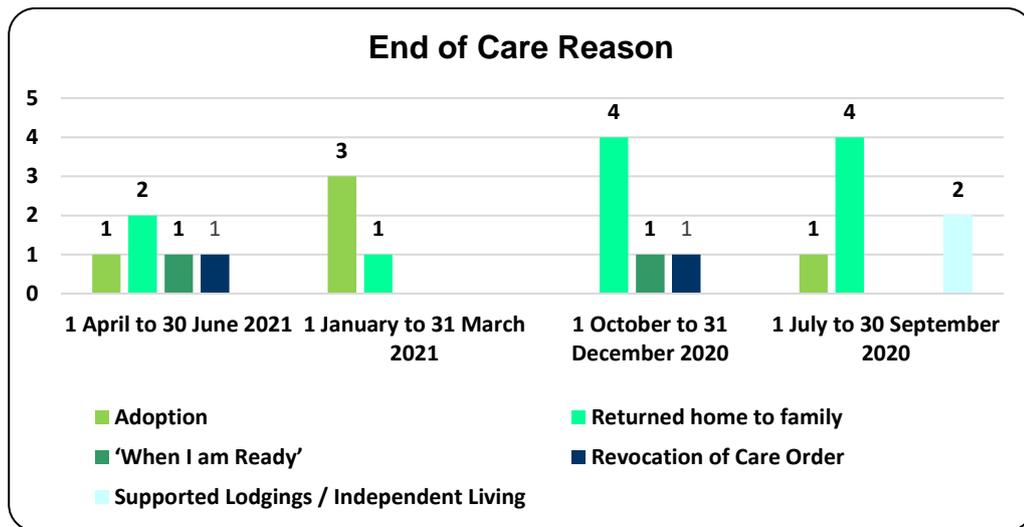
**5. Legal Status of Children Reviewed in the Quarter:**

Legal Status of the Children Having Been Reviewed	
Full Care Order	41
Interim Care Order	12
Placement Order	5
Section 76	9
<b>Total</b>	<b>67</b>



## 6. Reasons for End of Care of the Children Reviewed

Period	Number left care	End of Care Reason				
		Adoption	Returned home to family	'When I am Ready'	Revocation of Care Order	Supported Lodgings / Independent Living
1 April to 30 June 2021	5	1	2	1	1	-
1 January to 31 March 2021	4	3	1	-	-	-
1 October to 31 December 2020	6	0	4	1	1	-
1 July to 30 September 2020	7	1	4	-	-	2
<b>Total</b>	<b>22</b>	<b>5</b>	<b>11</b>	<b>2</b>	<b>2</b>	<b>2</b>



## 7. Number and percentage of Looked After Children who have an allocated Social Worker.

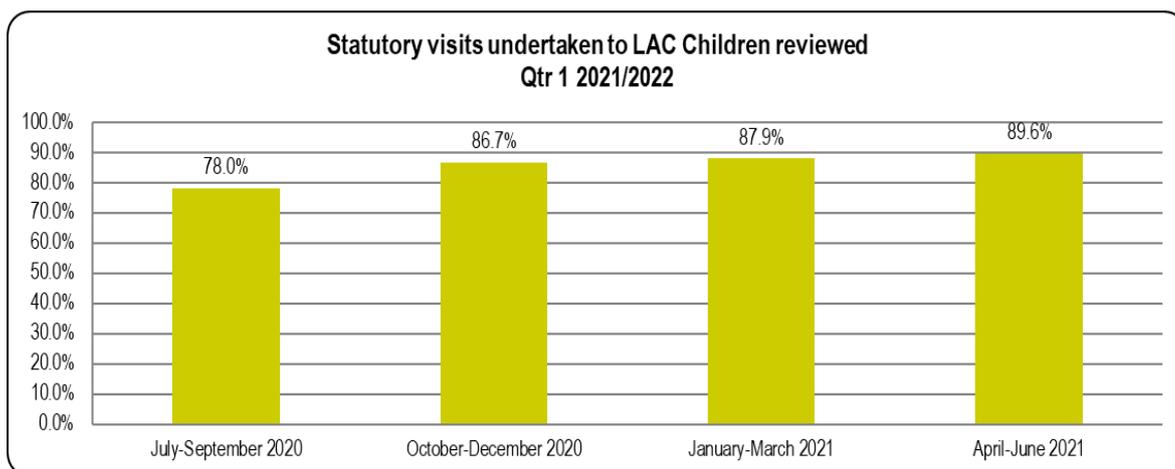
Target Set 100% - Target achieved 100.0%

- 67 (100.0%) LAC Reviews recorded that a qualified Social Worker was allocated and actively involved with the child.

**8. Number and percentage of statutory visits undertaken to Looked After Children reviewed within the required timescales.**

Target Set 100% - Target achieved 89.6%

- 60 (89.6%) Looked After Children received Social Worker visits in accordance with the statutory requirements.
- 7 (10.4%) Looked After Children did not receive Social Worker visits in accordance with the statutory requirements.



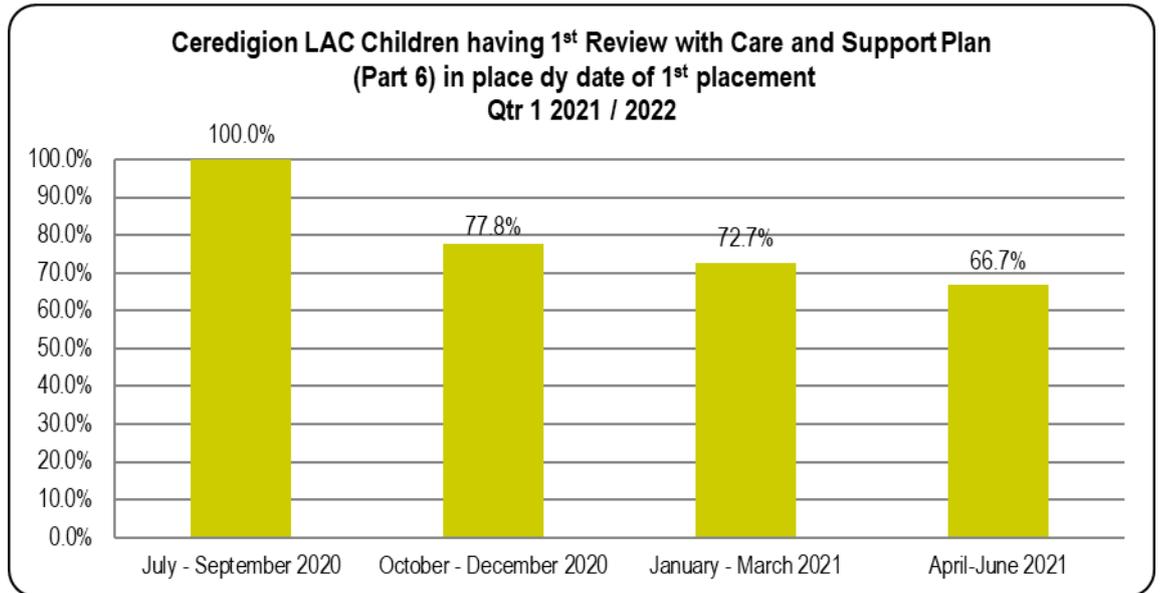
**Comment:** This is the percentage of visits that were undertaken where children were seen, however in 3 of the cases the stat visits were undertaken but not recorded on the system.

1 Further case recorded that the visit wasn't undertaken in timescales; however it was noted that a visit subsequently took place but 3 days out of timescales.

**9. Number and Percentage of Care and Support Plans (Part 6) in place at the date of the first placement and of up to date plans available for the Review.**

Target Set 100% - Target achieved 66.7%

- There were 6 new LAC placements made during this quarter; 4 (66.7%) Review meetings recorded that the child / young person had a Care and Support Plan (Part 6) in place by the date of his/her placement.
- For 2 children / young persons the Care and Support Plan was not in place by date of first placement; however the Care and Support Plan was in place at the time of the review for 1 child; this was an action from the review for the other child.



- The IRO identified that updates were required to the Care and Support Plan records (Part 6) of 4 children.

**Comment:** It is now confirmed that the Care and Support Plan for 3 children have been updated since the review, for 1 other young person the Pathway Plan is being updated and will supersede the Care and Support Plan.

**10. Number and percentage of Looked After Children who have a Permanency Plan by the second review if a return home has not been planned.**

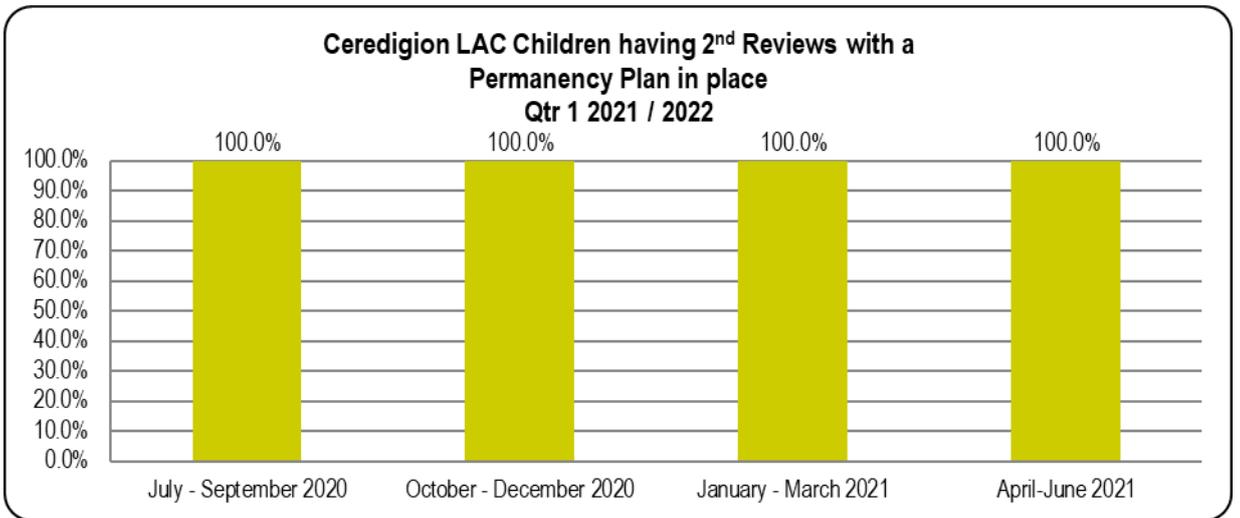
Target Set 100% - Target achieved 100.0%

- There were 10 second reviews during this quarter, all 10 reviews (100.0%) recorded that a Permanency Plan had been agreed. This is consistent with the previous quarter.
- There was concerns recorded by the IRO in 5 (7.5%) reviews in this period regarding the progress of the Placement / Care and Support Plan / Permanency Plan.

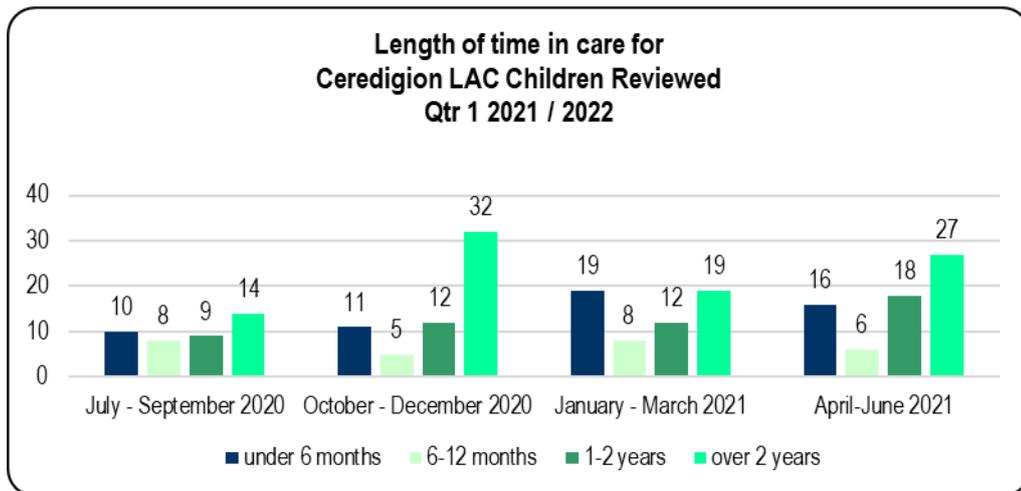
The nature of the concerns was as follows: -

- 2 Reviews recorded that there were concerns of drift due to plans for long term still not identified and a further psychological assessment requested.
- For 1 young person the Special Guardianship Order has been delayed and changes in worker have meant it needed to restart.
- Adoption process delayed for 1 young person because of foster placement breakdown/ removal of child from foster home.

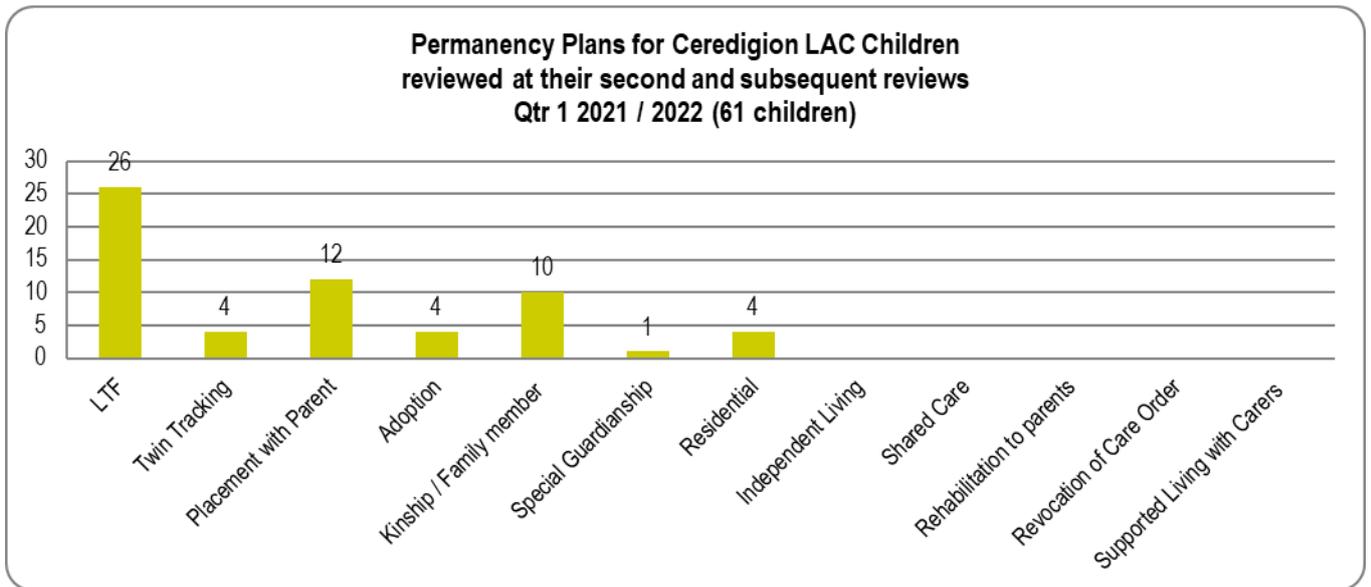
- A further review recorded that an assessment of grandparents was not successful and foster carer has now expressed interest in adopting child/ young person.



**11. Length of Time in Care:**



**12: Nature of Permanency Plans:**



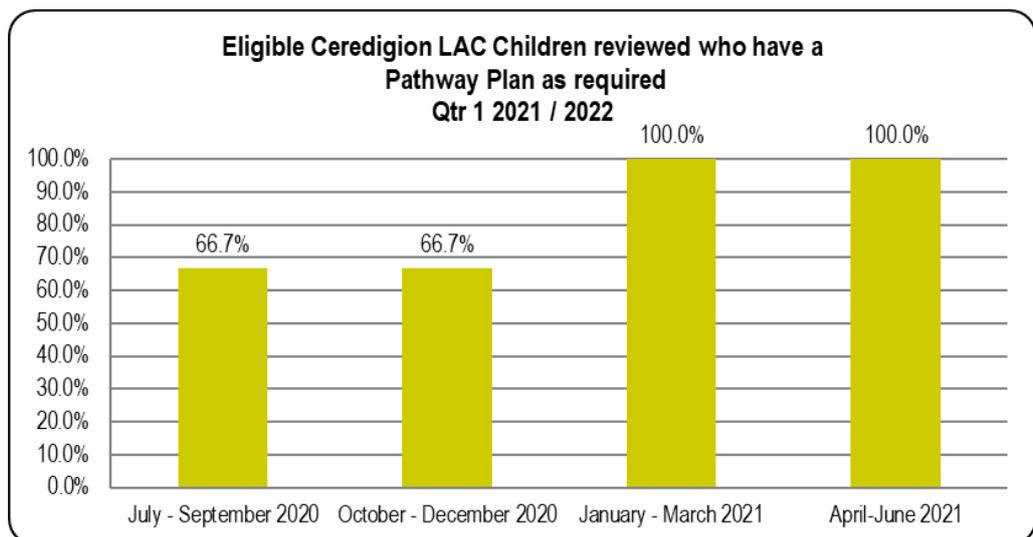
**13. Number and percentage of Looked After Children receiving Respite Care away from Main Carers**

- 1 (1.5%) LAC Review noted that the child / young person was receiving respite care away from their main carer.

**14. Number and percentage of eligible young people who have a Pathway Plan as required.**

Target set: 100% Target Achieved 100.0%

- All 6 (100.0%) Young People recorded that there was a Pathway Plan in place and were allocated a Personal Advisor.



**15. Number and percentage of Looked After Children (of appropriate age and level of understanding) who understand the reasons for them being looked after.**

Target Set 100% -Target achieved 98.0%

- The data for this performance indicator relates to 51 children / young persons as 16 children / young persons were not considered to be of an appropriate age and level of understanding to comprehend the reasons for being looked after.
- 50 (98.0%) Of this group showed some level of understanding about why they were cared for away from their families, which compares to 100.0% in the previous quarter.
- 1 (2.0%) Review recorded that the child is aware to a degree what the plan is for him/her and why s/he isn't able to live with their mother.

**16. Number and percentage of Looked After Children (of appropriate age and level of understanding) understand their Care and Support Plan.**

The data for this performance indicator relates to 51 children / young persons as 16 children / young persons were not considered to be of an appropriate age and level of understanding and were therefore not included in the figures.

- 48 (94.1%) of this group showed a level of understanding as to the nature of their Care and Support Plan (part 6).
- 3 (5.9%) Reviews recorded that this was unclear and a piece of work that needed to be undertaken with the young person.

**17. National Measure 33: Number and percentage of moves for Looked after Children.**

- 6 (8.9%) LAC Reviews reported that there was a change in a child's/young person's placement during this quarter; this compares to 19.0% in the previous quarter.

The reasons for the changes in Placement were as follows:

- 1 Young person moved due to foster placement breakdowns.
- 1 Young person was reviewed twice in the quarter and it was identified that there were placement breakdowns at both reviews.
- 2 Young persons moved to live with a family friend/placement with family
- 1 Young person moved from an emergency placement to a short term placement.

**18 Number and percentage of placement plans (including education and health provision) that are assessed as meeting the needs of Looked after Children.**

Target Set 100% - Target achieved 100.0%

- All 67 (100.0%) Placement/care and support plans were recorded as meeting the needs of the children / young people; this is consistent with the previous quarter.

**19. Number and percentage of Safeguarding Concerns identified for Looked After Children during this quarter**

- 2 (3.0%) LAC Reviews (for the same young person) identified safeguarding concerns for the young person; it was confirmed that the concerns were being addressed.

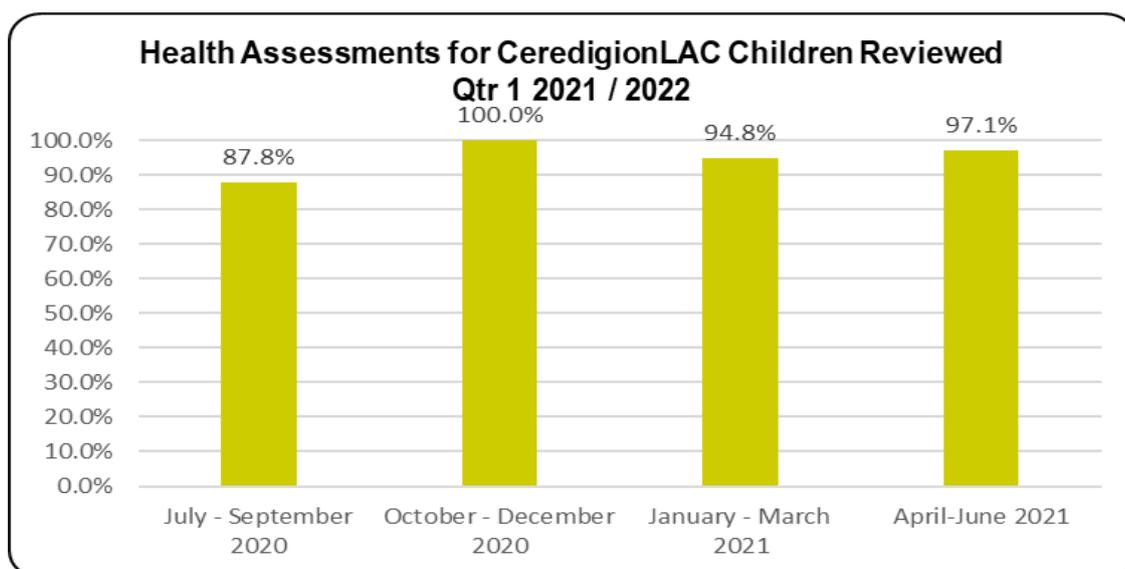
**20. Number of Looked After Children's names on the Child Protection Register.**

- 5 (7.5%) Reviews confirmed that the young person's name was included on the Child Protection Register.

**21. Number and percentage of Looked After Children who received Health Assessments in accordance with statutory requirements**

Target Set 100%- Target achieved 97.1%

- 65 (97.1%) Children/Young People Looked After had an up to date health assessment reported at their review, which compares to 94.8% in the previous quarter.
- 2 (2.9%) Child/Young People Looked After did not have an up to date health assessment at their review.



**Comment:** Both children had their health assessments subsequently completed by 27 May, the reason for the delay was due to late notification to Health of them becoming LAC.

**22. The percentage of children registered with a dentist within 20 working days of becoming looked after**

Target set: 100% Target Achieved 100.0%

**Registered with a dentist**

The data for registering a child / young person with a dentist within 20 days of start of placement relates to 10 children / young persons.

- All 10 (100.0%) Reviews recorded that the child / young person was registered with a dental practitioner within 20 working days of the start of placement.

\*\*\*\*\*

### Registered with a dentist

The data for this performance indicator relates to 61 Children / Young persons as 6 Children / Young persons having a first LAC Review were taken out of the above equation to coincide with National Measure requirements.

- 58 (95.1%) Children and young people were registered with a dentist. This compares to 87.2% in the previous quarter.
- 3 (4.9%) Children and young people had not been registered with the dentist, 2 of these children were under 2 years old.

**Comments:** 2 children are not currently registered with the dentist and will be referred to Community Dental Service once they return to area. 1 Further child was subsequently referred and seen following the review.

### 23. National Measure 30: Number and percentage of Looked After Children who have had their teeth checked by a dentist within 3 months of becoming Looked After.

#### Seen by a dentist

The data for being seen by a dentist within 3 months of becoming looked after relates to 10 children.

- 6 (60.00%) Review recorded that the child / young person had been seen by a registered dentist within 3 months of becoming LAC.
- 4 (40.0%) Children and young people were recorded as not having had dental checks within 3 months of becoming LAC.

**Comment:** Ongoing Covid19 pandemic. Routine appointments not occurring. All 4 Registered with private dentists, not Community Dental Service.

\*\*\*\*\*

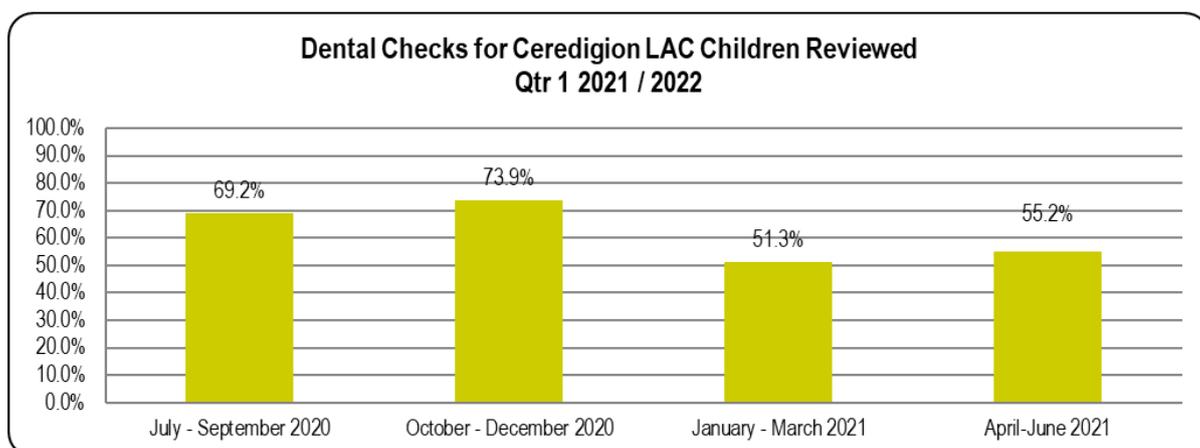
#### Seen by a dentist

Target Set 90% - Target achieved 55.2%

The data for this performance indicator relates to 58 Children / young persons as 9 Children / Young persons were under 2 years of age and / or having their first LAC Reviews and were taken out of the above equation to coincide with National Measures requirements.

- 32 (55.2%) Children and young people were recorded as having a dental check during the preceding 12 months, which compares to 51.3% in the previous quarter.
- 26 (44.8%) Children and young people were recorded as not having had dental checks.

**Comment:** Ongoing Covid19 pandemic. LAC Health Team contacted Service Manager for Community Dental Service to raise concern that looked after children have not had routine appointments for in excess of 12 months. Response from Community Dental Services is that Welsh Government guidelines stipulates that they don't carry out routine appointments, although it does say if any treatment is deemed necessary then they can carry it out. They stated that if it is required that a LAC child be seen then the clinic can be contacted. All staff will be informed that if they receive a phone call and the child is LAC then to book them in to the appropriate clinic.



**24. National Measure 31: Percentage of children looked after who were registered with a GP within 10 working days of the start of their placement**

- 8 (80.0%) Reviews recorded that the child was registered with a provider of general medical services within 10 working days of the start of placement.
- 2 (20.0%) Reviews reported that this action remained outstanding, this was an agreed action from the Review.

**Comment:** LAC Health Nurse has advised that these 2 children have subsequently registered with a GP in the area of their placement. They did have GP registration at the time of the review, but not local to placement.

**25. Number and percentage of children looked after who were registered with a GP**

Target Set 100% - Target achieved 100.0%

- All 67 (100.0%) children and young people were registered with a GP, which is consistent with the previous quarter.
- 61 (96.8%) Children had their immunisations up to date.
- 2 (3.2%) Children were late in receiving their immunisations; however it was confirmed that both young people were on track to receive their immunisations.

4 Reviews were taken out of the equation as the parent was refusing to allow the child to have an immunisation.

**26. Number and percentage of Looked After Children assessed as requiring CAMHS services that are referred and receive an assessment /service.**

Target: 50%

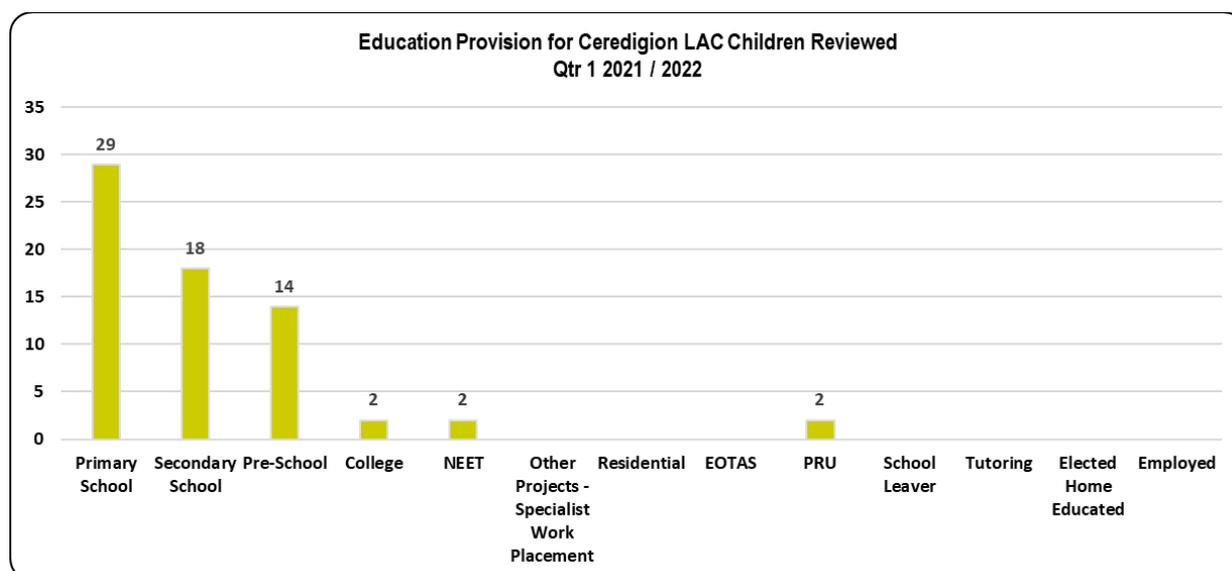
Actual Performance

- 5 (7.5%) LAC Reviews recorded that a child/young person had been referred to CAMHS, it was confirmed at all 5 Reviews that the referral had been accepted for the child/young person.
- 1 Further review recorded that a service was being provided to a young person that was referred previously.
- 64 (97.0%) LAC Reviews recorded that children/young people's mental/emotional health had been considered during the Health Assessment and/or during discussions in the meeting.
- 2 (3%) LAC Reviews recorded that the children/young people's mental/emotional health had not been considered during the Health Assessment and/or during discussions in the meeting.
- 1 review recorded that the child / young person was too young, this was therefore taken out of the equation.

## 27. Nature of Education Provision:

During this quarter the children and young people reviewed were in the following educational provision.

Education Provision	
Primary school pupils	29
Secondary school pupil	18
Pre-school children	14
College	2
NEET	2
Residential	
Other Projects-Specialist Work Placement	
PRU	2
EOTAS	
School Leaver	
Tutoring	
Elected Home Educated	
Employed	
<b>Total</b>	<b>67</b>



## 28. Number and percentage of Looked After Children of school age who had a Personal Education Plan within 20 school days of entering care or joining a new school.

Target Set 70% - Target achieved 100.0%

The data for this performance indicator relates to 45 children / young persons who were of compulsory school age and therefore eligible for a Personal Education Plan.

- 45 (100.0%) Children and young people of statutory school age had an up to date Personal Education Plan.
  - 4 (100.0%) Reviews recorded that the PEP had been completed within 20 school working days of becoming Looked After or 20 working days of a change in school as required.
  - 41 (100.0%) Reviews recorded that the young person had an up to date Personal Education Plan.

\*\*\*

- 11 (23.4%) Children and young people attending school/college were identified as having a recognised additional learning need.
  - \*\*\*
- 16 (35.6%) Reviews deemed that the children / young persons attending school/college were underachieving educationally. All 16(100.0%) Reviews recorded that the young people were receiving support.
  - \*\*\*
- 7 (100.0%) Reviews identified that the educational provision had been put in place at the start of the placement.
- No Reviews identified that there had been a period whereby the child / young person had been out of education awaiting a school placement.

**29. National Measure 32: Percentage of Looked After Children who have changed schools and outside of transitional arrangements**

Target Set 0% - Target achieved 0.0%

- 0 (0.0%) Reviews recorded a change of school which was not transitional, which compares to 5.9% in the previous quarter.

**30. Number and percentage of Looked After Children who were excluded from school**

Target Set 12% fixed term exclusion –Target achieved 2.2%

Target Set 1% permanent exclusion – Target achieved 0.0%

- 1 (2.2%) Reviews reported that the young person had been excluded on a fixed term basis during the review period. This compares to 0% in the previous quarter.
- 0 (0.0%) Reviews reported that the young person had been excluded from school permanently, which is consistent with the previous quarter.

There were exclusions during this quarter: -

- 21 sessions – 10.5 days
- 7 sessions - 3.5 days

- 7 sessions 3.5 days

## SECTION THREE

### CONSULTATION AND PARTICIPATION

**1. Local Performance Indicator: Number and percentage of Looked After Children of age and understanding consulted by the Social Worker or attended their review**

Target Set 100% – Target achieved 98.0%

The data for this performance indicator relates to 51 reviews as 16 reviews recorded that the children / young persons were not of an age and level of understanding to be included in the consultation process although 2 of these children / young people attended the review.

- 50 (98.0%) Reviews recorded that consultation had taken place
- 1 (2.0%) Review recorded that no consultation had taken place due to Carer declining Consultation/Advocate for the young person.

Breakdown of consultation

21 Children / young people attended their review via Teams.

29 Children / young people completed consultation papers or/and had their views represented by professionals, parents, carers or advocates.

- The IRO did not have direct contact with any children / young people during the review period outside of the review meeting.

**2 Local Performance Indicator: Number and percentage of Children who were aware of their right for an Advocacy Service / Independent Visitor Scheme**

Target Set 100% - Target achieved 98.0%

The data for this performance indicator relates to 50 reviews as 17 reviews recorded that the children / young people reviewed were not of an age and understanding to be informed about their right for Advocacy / Independent Visitor Scheme and were therefore taken out of the equation.

- 49 (98.0%) Children / young persons were informed of their right for an Advocacy / Independent Visitor Scheme and a referral made.
- 1 (2.0%) Review recorded that the child/young person was not aware of the Advocacy Service.

### 3 **Local Performance Indicator: Number and percentage of Children informed about the Complaints Procedure**

Target Set 100% - Target achieved 97.7%

The data for this performance indicator relates to 44 reviews as 23 reviews recorded that the children / young people were not of the age / level of understanding and were therefore taken out of this equation.

- 43 (97.7%) Children / young people knew about the complaints process, which compares to 97.4% in the previous quarter.
- 1 (2.3%) Child / young person needed to be advised by their Social Worker about the complaints procedure.

### 4 **Local Performance Indicator: Number and percentage of Parents consulted by the Social Worker before the review or who attended the review**

Target Set 80% - Target achieved 100.0%

The data for this performance indicator relates to 64 reviews as 3 reviews recorded that the parents were not involved in the statutory review process and these were therefore taken out of the above equation.

- 64 (100.0%) Parents completed consultation papers or met with / spoke with the IRO prior and / or after the review or / and attended the review themselves or / and had their views represented by a professional.

#### Breakdown of consultation

Consultation Papers were sent out for 64 reviews.

51 Reviews confirmed that the parents were present, or spoke to the IRO by phone prior and/or after the review.

### 5 **Local Performance Indicator: Number and percentage of Foster Carers consulted by the social worker or attends the Child's Review**

Target Set 100% - Target achieved 100.0%

The data for this performance indicator relates to 55 reviews as 12 reviews recorded that the child was placed with a parent or living independently, these reviews were therefore taken out of the equation.

- 55 (100.0%) Foster Carers completed consultation papers or / and attended the reviews during this period.

**6 Local Performance Indicator: Number and percentage of Health Representative attending the Review or Sending a Report**

Target Set 100% - Target achieved 100.0%

- 67 (100.0%) Reviews confirmed that information regarding health was available for the meeting.

**7. Local Performance Indicator: Number and percentage of a School Representatives attending a Review or Sending a Report**

Target Set 100% - Target achieved 100.0%

- 54 (100.0%) LAC Reviews had a school representative attend or provided a written report, which is consistent with the previous quarter.

**8. Local performance Indicator: Number and percentage of LAC Review Documents completed by the Social Worker prior to the review**

Target Set 100% - Target achieved 64.2%

- 43 (64.2%) LAC Reviews confirmed that the LAC Review document had been completed by the Social Worker prior to the review, this compares to 72.4% in the previous quarter.
- 24 (35.8%) LAC Reviews confirmed that the LAC Review document had not been completed by the Social Worker prior to the review; 15 of these documents remain uncompleted.

**Comment:** This is due to staffing issues within the Social Work Team. Measures are being put in place to address this issue.

**SECTION FOUR:  
ISSUE RESOLUTION PROTOCOL**

The Issue Resolution Protocol was not initiated during this period for any child by the IRO.

Although it was noted that Mid-Point reviews were not taking place, where needed, IRO were bringing reviews forward when there were concerns.

**SECTION FIVE  
EVALUATION**

This information was unavailable for this quarter

## SECTION SIX

### PATHWAY PLANNING

#### For over 16 years old and not LAC / over 18 year old care leavers

15 Pathway Plan Reviews were held during the quarter.

- 1 Performance Indicator: Percentage of Pathway Plan Review held within timescales**

  - 12 (80.0%) Pathway Plan Reviews were held within timescales, which is consistent with the previous quarter.
  - 3 (20.0%) Pathway plan reviews were held out of timescales. The reasons recorded were: -
    - To allow the young person to attend
    - For the Pathway Plan Review to coincide with a College Placement Review.
    - Miscommunication in date and time.
  
- 2 Performance Indicator: Percentage of Young Persons with allocated Personal Advisor / Social Worker**

  - It was identified at all 15 (100%) reviews that all the young persons had an allocated Social Worker or/and Personal Advisor.
  
- 3 Performance Indicator: Percentage of Pathway Plan Review Record Completed for the Meeting**

  - The review record had been completed for the meeting for 15 (100%) Pathway Plan reviews, which is consistent with the previous quarter.
  
- 4 Performance indicator: Percentage of Young People Consulted for the Review Meeting**

  - All 15 (100%) Reviews confirmed that the young person had his / her views represented at the review or / and attended the review.

- 5 Performance indicator: Percentage of Young People attending their Review Meeting**
- 8 (53%) Reviews recorded that the young person attended their review, 1 (7%) further review recorded that the young person attended very briefly.
  - 6 (40%) Reviews recorded that the young persons had not attended their review.
- 6 Performance Indicator: Percentage of Pathway Plan meeting young person's needs**
- All 15 (100%) Reviews confirmed that the Pathway Plan was meeting the young person's needs.
- 7 Performance Indicator: Percentage of Pathway Plans updated prior to Leaving Care/18<sup>th</sup> Birthday**
- There were no young people in the category of needing to have their Pathway Plan updated prior to the young person leaving care/18<sup>th</sup> Birthday.
- 8 Evaluation This information was unavailable for this quarter**

**SECTION SEVEN**  
**RESIDENTIAL NON LAC**

There were no Residential Non LAC Reviews held during this period.

\*\*\*

**SECTION EIGHT**  
**REGULAR RESPITE**

There was 1 Regular Respite Review held during the quarter.

- 1 **Performance Indicator: Percentage of Regular Respite Reviews undertaken within the statutory time requirement**
  - This review was not held within timescales due to safeguarding concerns regarding an Out of County Placement, the placement was suspended at this facility whilst a safeguarding process was being undertaken.
  
- 2 **Performance indicator: Percentage of statutory visits undertaken to children at Regular Respite placements within the required timescale**
  - It was recorded that the statutory visits had not been undertaken within timescales for this review.
  
- 3 **Performance Indicator: Percentage of Young Persons Consulted/Attended the Review Meeting**
  - It was recorded at the review that the young persons was represented/attended the review meeting.
  
- 4 **Performance Indicator: Percentage of Parents Consulted for the Review Meeting**
  - It was recorded that the parent either attended/was represented the review.
  
- 5 **Performance Indicator: Percentage of Foster Carers Consulted for the Review Meeting**
  - It was recorded that the Carers either attended/were represented at the review.

\*\*\*

**SECTION NINE**  
**SHORT BREAKS**

There were no Short Break Reviews held during this period

\*\*\*

## SECTION TEN

### FOSTER CARER REVIEWS

7 Foster Carer Reviews were undertaken during this period

- 1 **Performance Indicator: Number and percentage of Foster Carer Reviews undertaken within the statutory timescales**
  - 2 (29%) Foster Carer Reviews were held within timescales.
  - 5 (71%) Foster Carer Reviews were held out of timescales; this was due to absent of the Independent Chair.
  
- 2 **Performance indicator: Percentage of consultation received from LAC Social Worker**
  - 7 (100%) Foster Carer Reviews confirmed that consultation had been provided by the LAC Social Worker.
  
- 3 **Performance Indicator: Percentage of Consultation received from children**
  - 4 (66%) Foster Carer Reviews confirmed that consultation had been received from children.
  
- 4 **Performance Indicator: Percentage of Supervising Social Workers' Reports Received**
  - Supervising Social Workers' reports were received for all 7 (100%) reviews.
  
- 5 **Performance Indicator: Percentage of Reviews able to carry out its purpose**
  - All 7 reviews (100.0%) confirmed that the review was able to carry out its purpose.
  
- 6 **Performance Indicator: Percentage of Level of Satisfaction from Family Placement Service**
  - 6 (86%) Reviews identified that the Foster Carers were 'very satisfied' with the service from the Family Placement Service.
  - 1 (14%) Review identified that the Foster Carer found the service from the Family Placement Service to be 'unsatisfactory'; it was noted that this was due to the fact that Reviews had not been held on an annual basis and that regular supervision had not taken place.

## CEREDIGION COUNTY COUNCIL

<b>Report to:</b>	Cabinet
<b>Date of meeting:</b>	11 <sup>th</sup> January 2021
<b>Title:</b>	Ceredigion Youth Council Meeting Minutes (22.10.21)
<b>Purpose of the report:</b>	To present the minutes from the last Ceredigion Youth Council meeting
<b>For:</b>	For information
<b>Cabinet Portfolio and Cabinet Member:</b>	Councillor Catrin Miles. Cabinet Member: Schools, Lifelong Learning & Skills, Support and Intervention.

### BACKGROUND:

One of the duties bestowed on Local Authorities within the Welsh Government - Shared Purpose: Shared Future: Statutory Guidance to the Well-being of Future Generations (Wales) Act 2015 – is Annex B – the **Statutory Guidance on Children and Young People’s Participation**



Annex B.docx

In order to meet one of the requirements of the legislation, Local Authorities are expected to work with relevant partners to:

- *Support a County Youth Forum/Council as a representative body of young people to act as a channel for young people’s views across their local authority and represent those views to local and national decision-making bodies.*
- *They should aim to be as inclusive as possible in terms of geographical spread, age, gender and to represent specialist needs and more marginalised young people.*
- *For County Youth Forums/Councils to operate effectively, they will need to be adequately supported by Local Authorities who should consider what support is required to do this.*
- *They should be informed and linked to their local democratic structures.*
- *They will also need to be effectively linked into national participation structures such as Young Wales, the Children’s Commissioner for Wales and the National Assembly for Wales.*

*Children and young people have the human right to have opinions and for these opinions to matter. It says that the opinions of children and young people should be considered when people make decisions about things that involve them, and they*

*shouldn't be dismissed out of hand on the grounds of age. It also says children and young people should be given the information they need to make good decisions.*  
**Article 12 (Respect for the view of the child - United Nations Convention on the Rights of the Child (UNCRC))**

**CURRENT SITUATION:**

Ceredigion Youth Service is responsible for coordinating and managing the Ceredigion Youth Council since it was first established in Autumn 2015. They meet three times a year (once each term) and host an event at the end of their year 'in office'. At present, Youth Council meetings take place virtually, but ordinarily, they would be based at the chamber in Penmorfa.

**Has an Integrated Impact Assessment been completed? If, not, please state why**

**Summary:**

**Long term:** Balancing short term need with long-term planning for the future

**Wellbeing of Future Generations:**

**Integration:** Considering how young people's well-being may impact upon each of the well-being goals

**Collaboration:** Working with others to create opportunities for young people

**Involvement:** Involving young people and seeking their views

**Prevention:** Providing early intervention to reduce problems from developing

**Recommendation(s):**

For Elected Members to agree that Ceredigion Youth Council minutes are presented to both the Learning Communities Overview and Scrutiny Committee and Cabinet, for information, each term.

**Reasons for decision:**

To meet the requirements of the legislation as set out in Annex B of Welsh Government - Shared Purpose: Shared Future: Statutory Guidance to the Well-being of Future Generations (Wales) Act 2015 - Statutory Guidance On Children And Young People's Participation

**Overview and Scrutiny:**

**and** Learning Communities Overview and Scrutiny Committee

**Policy Framework:**

**Corporate Priorities:** Corporate Strategy 2017-2022 Investing in People's Futures

**Finance and Procurement implications:** None

**Legal Implications:** None

**Staffing implications:** None

**Property / asset implications:** None

**Risk(s):** None

**Statutory Powers:** Statutory Guidance On Children And Young People's Participation.  
United Nations Convention on the Rights of the Child

**Background Papers:** Ceredigion Youth Council Meeting Minutes 22.10.21

**Appendices:**



Youth Council  
Minutes 22.10.21.doc

**Corporate Officer:** **Lead** Elen James

**Reporting Officer:** Lowri Evans / Gwion Bowen

**Date:** 14<sup>th</sup> December 2021

**Meeting Minutes  
Ceredigion Youth Council  
Online via Microsoft Teams  
Friday 22 October 2021**

(13:15 – 15.00)

**Present:**

Naimur Rahman	Ysgol Bro Pedr
Gwion Owen	Ysgol Bro Pedr
Rhys Corden	Ysgol Gyfun Aberaeron & Support and Prevention Services
Jacob Willis	Ysgol Gyfun Aberaeron
Poppy Evans	Ysgol Gyfun Aberaeron & UKYP MYP
Jessica Jones	Ysgol Gyfun Aberaeron
Elin Howells	Ysgol Gyfun Aberaeron
Molly Crombie	Ysgol Uwchradd Aberteifi
Evelyn Rees	Ysgoil Uwchradd Aberteifi
Megan Williams	Ysgol Henry Richard & Ceredigion Young Farmers Clubs
Jessica Jones	Ysgol Henry Richard
Hanna Morgans Bowen	Ysgol Bro Teifi
Gwenllian Morgan	Ysgol Bro Teifi
Cadan Pearce	Ysgol Bro Teifi
Alexandra Moore	Ysgol Penglais
Ella Bradick	Ysgol Penglais
Elen Llewelyn-Williams	Ysgol Gyfun Penweddig
Elain Morgan	Ysgol Gyfun Penweddig
Luned Jones	Ysgol Gyfun Penweddig

**Also Present:** Cllr Catrin Miles (Cabinet Member; Schools, Lifelong Learning & Skills, Support and Intervention – Ceredigion County Council), Gwion Bowen (Chair and Children and Young People’s Participation Officer, Youth Work and Engagement Service), Lowri Edwards (Corporate Lead Officer, Democratic Services – Ceredigion County Council) Lowri Evans (Team Manager, Youth Work and Engagement Service – Ceredigion County Council), Carys Huntly (Regional Wellbeing Assessment Coordinator – Regional / Ceredigion County Council)

**Speakers:** Samantha Boswell (Electoral Services Engagement and Processing Officer – Ceredigion County Council), Emma Harries (Service Support Officer, Electoral Services – Ceredigion County Council)

**Apologies:** Gethin Jones (Corporate Manager, Support and Prevention Service – Ceredigion County Council), Elen James (Corporate Lead Officer, Porth Cymorth Cynnar – Ceredigion County Council)

<b>MINUTES</b>	
<b>1</b>	<b>Welcome, Apologies and Introductions (Colleagues)</b>
	<p>Gwion Bowen opened the meeting by welcoming the new Youth Council.</p> <p>Ceredigion County Council colleagues in attendance introduced themselves and their roles.</p> <p>Apologies noted by Gethin Jones, Corporate Manager.</p>

<b>2</b>	<b>Navigating Microsoft Teams</b>
	<p>Gwion Bowen explained the 'housekeeping' elements of Microsoft Teams.</p> <ul style="list-style-type: none"> <li>• Connection issues</li> <li>• Mute button</li> <li>• Chat function</li> <li>• Email correspondence to follow</li> </ul> <p>Gwion also provided some background to the Youth Council, and due to the pandemic, we have not been able to host in-person meetings at the Chamber. The Local Authority will continue to review this to see whether we are able to invite the Youth Council to have the experience of being in the Chamber in Penmorfa before the end of their office term. At present, we will continue with virtual meetings.</p>
<b>3</b>	<b>Youth Council Members' Introduction</b>
	<p>Youth Council members introduced themselves, who they are representing (school / organisations etc.) and a hobby they enjoy.</p>
<b>4</b>	<b>What is our Youth Council and 2021/22 Youth Council structure?</b>
	<p>Gwion Bowen presented to the Youth Council.</p> <div style="text-align: center;">  <p>Cyfarfod 1af Cyngor leuencid 2021.22.ppt</p> </div>
<b>5</b>	<b>Consultation: Assessment of Local Wellbeing Discussion</b>
	<p>Gwion Bowen presented a video and a series of slides illustrating the purpose of the Assessment of Local Wellbeing which is currently being undertaken.</p> <p>Youth Council members participated in a quiz which aided with sharing thoughts and perspectives largely covering the following headings;</p> <ul style="list-style-type: none"> <li>• Community Cohesion</li> <li>• Environment</li> <li>• Transport</li> <li>• Housing</li> <li>• Physical and Mental Health</li> <li>• Language and Culture</li> </ul> <div style="text-align: center;">  <p>Local Assessment of Wellbeing - Cyngor Ie</p> </div>

	<p><b>Link to Megan’s Story:</b>  <a href="https://www.youtube.com/watch?v=rFeOYlxJbmw">https://www.youtube.com/watch?v=rFeOYlxJbmw</a></p> <p>Youth Council members shared thoughts and opinions on what is important to them and their communities.</p> <p style="text-align: center;">  Cyfarfod  Rhagarweiniol Cyngo</p>
<b>6</b>	<b>Presentation: Voting at 16</b>
	<p>Emma Harries and Samantha Boswell presented ‘Voting at 16’ to the Youth Council.</p> <p style="text-align: center;">  Pleidleisio yn 16 ac  17 - Voting at 16 and</p> <p>Gwion asked whether Youth Council members could share this information with their peers in their schools.</p>
<b>7</b>	<b>United Kingdom Youth Parliament (UKYP) Update</b>
	<p>Poppy Evans introduced herself and her role as recently elected Member of UK Youth Parliament representing Ceredigion. Poppy touched on her work to date, referencing the ‘Mind our Futures’ online event in which she co-hosted with CAVO and Youth Services. Poppy talked about her role, and what it will entail locally, and nationally alongside the British Youth Council and Children in Wales.</p>
<b>8</b>	<b>Wales Youth Parliament Update</b>
	<p>Gwion Bowen updated the Youth Council on the Welsh Youth Parliament, which is different to the UK Youth Parliament, but both do work alongside each other. Registration is now open for young people to vote at the next WYP with elections taking place in November 2021.</p> <p style="text-align: center;">  WYP Update.pptx</p>
<b>9</b>	<b>Communication: Regeneration of Welsh Town Centres – Welsh Government Voluntary Response</b>
	<p>Gwion Bowen touched on the above consultation, which will be circulated to the Youth Council via e-mail shortly. This is a voluntary task for the Youth Council, and if they wish to respond, all the details will be included in the correspondence.</p>
<b>10</b>	<b>Information Sharing and Date of Next Meeting</b>
	<p>Gwion shared information about the next meeting which will be held on the 04/02/2022.</p>

During the next meeting we will look to elect a Chair for Ceredigion Youth Council. Gwion explained that this process will involve those who are interested in representing the Youth Council as chair, will have the opportunity to describe to the group why they are a suitable candidate to champion the voices of the Youth Council. Each candidate will have 30 seconds to a minute to undertake this task, and then a vote will take place.

Gwion also asked the Youth Council to start to think of 'hot topics' for the next meeting. 'Hot topics' are agreed by the Youth Council, and these are what shape the focus of the Youth Council for the year. Typically, hot topics include things such as; Housing, Welsh Language, Education, Transport and all the things that young people consider important to them, or where they see a need for change.

Dates of meetings;

Meeting 1; 22/10/21

Meeting 2; 04/02/22

Meeting 3; 11/03/22

End of office, Pawb a'i Farn Event; 8/07/22

Shared Purpose: Shared Future 3 - Collective role (public services boards)

**SPSF 3 - ANNEX B  
STATUTORY GUIDANCE ON CHILDREN AND YOUNG PEOPLE'S  
PARTICIPATION**

**This statutory guidance is issued in accordance with [Section 17\(3\) of the Children and Families \(Wales\) Measure 2010](#) and applies to local authorities both in respect of local well-being plans, and whenever they take decisions which might affect children and young people.**

Local Authorities have a duty to promote and facilitate participation by children and young people in decisions which might affect them. The legal basis for this duty is Section 12 of the Children and Families (Wales) Measure 2010. It requires Local Authorities to *make such arrangements as they consider suitable to promote and facilitate participation by children in decisions of the authority which might affect them, and to publish and keep up to date information about its arrangements*. These duties can be discharged via the local well-being plan.

The [United Nations Convention on the Rights of the Child \(UNCRC\)](#) ) is an international convention which sets out the civil, political, economic, social and cultural rights of children up to the age of 18. It recognises not only their basic human rights but gives them additional rights to protect them from harm as one of the most vulnerable groups in society. The UNCRC has 54 articles. Articles 1-41 set out how children and young people should be treated. The other 13 articles set out how governments and adults should work together to make sure children and young people can access their rights.

In Wales, the commitment to the UNCRC is enshrined in legislation with [the Rights of Children and Young Persons \(Wales\) Measure 2011](#) . Section 1 of the Measure places a duty on the Welsh Ministers to have due regard to the UNCRC when exercising their functions. This means the Welsh Ministers must consider how what they are doing relates to the rights and obligations in the UNCRC and every opportunity has been taken to identify ways of realising the relevant rights before making decisions. Consequently, this filters down to the local level through legislation, regulation and statutory guidance.

Shared Purpose: Shared Future 3 - Collective role (public services boards)

This guidance relates to children and young people's right to participate which is a fundamental and enabling right as set out in Article 12 of the UNCRC:

Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.

**Article 12 (Respect for the view of the child)**

The articles of the UNCRC have been summarised into [Seven Core Aims](#) which should underpin the working practice of any service provision working with children and young people nationally and locally. Core Aim 5 in particular relates to children and young people's participation with the aim that:

All children and young people are listened to, treated with respect, and have their race and cultural identity recognised.

**Core Aim 5**

### **Requirements**

In order to meet the requirements the legislation, Local Authorities are expected to work with relevant partners to:

- promote and facilitate children and young people's participation within the broad context of the UNCRC, as part of their policies, services and wider citizen engagement. Local Authorities are expected to make sure as many children and young people as possible are aware of their rights as set out in the UNCRC, including their right to participate and for their opinion to be heard, and to be involved in decision-making about policies and services which affect their lives.
- embed children and young people's participation into all aspects of planning, delivering and reviewing services. This should include the assessment of local well-being, the local well-being plan and relevant sub plans;

- adopt the [National Participation Standards](#). Support for the National Participation Standards reinforces the commitment to children's rights in Wales and there are many examples of good practice of organisations which have adopted the standards as a means of ensuring participation happens meaningfully and effectively. The expectation is all Local Authorities adopt the Standards when meeting their statutory duty regarding participation of children and young people.
- publish information about the benefits of and arrangements for promoting and facilitating participation in the authority, and disseminating examples of good practice, for instance through websites and newsletters as well as social media and linking in/working with '[Young Wales](#)'. Children and young people themselves can be actively involved in raising awareness of the importance of participation. The Welsh Government has many resources which could support this and could be adapted to suit local needs. As well as using resources and media which is accessible to children and young people information can be included in the public services board's annual progress report;
- ensure information and materials aimed at children and young people are clear and easy to understand, answer their questions and identified needs as well as being accurate, up-to-date, relevant and accessible in terms of language and format;
- ensure a range of opportunities and the appropriate required support are provided for effective participation. The opportunities for children and young people as individuals to participate should be integrated into day to day services as well as specific participation structures such as forums for children, forums for young people, or groups/forums which represent children and young people who are marginalised, vulnerable or have a special interest in a particular issue. These forums and groups have a key role to play in supporting children

Shared Purpose: Shared Future 3 - Collective role (public services boards)

and young people to have a voice and to access their rights as set out in the UNCRC;

- support a County Youth Forum/Council as a representative body of young people to act as a channel for young people's views across their local authority and represent those views to local and national decision-making bodies. They should aim to be as inclusive as possible in terms of geographical spread, age, gender and to represent specialist needs and more marginalised young people. For County Youth Forums/Councils to operate effectively, they will need to be adequately supported by Local Authorities who should consider what support is required to do this. They should be informed and linked to their local democratic structures. They will also need to be effectively linked into national participation structures such as Young Wales, the Children's Commissioner for Wales and the National Assembly for Wales.
- give due consideration to the Welsh language in the promotion and facilitation of participation and as part of preparing the local wellbeing plan, reflecting its official status in Wales and the national well-being goal of 'a thriving Welsh language'.

### **Working with partners**

Whilst this statutory guidance, issued under the [Children and Families \(Wales\) Measure 2010](#) relates only to Local Authorities, we would encourage them to work closely with each of their relevant partners. Working in a multi-agency way is good practice and Section 25 of the [Children Act 2004](#) places a legal duty on local authorities to promote cooperation with a view to improving the wellbeing of children in the area. Furthermore, [Section 38 of the Wellbeing of Future Generations \(Wales\) Act 2015](#) also places a requirement for public services boards to consult in assessing the state of economic, social, environmental and cultural well-being in its area.

Shared Purpose: Shared Future 3 - Collective role (public services boards)

There are many examples of partners contributing to children and young people's participation and mainstreaming it into their areas of work and their arrangements for citizen engagement. Some of these can be found on [www.youngwales.wales](http://www.youngwales.wales) and [www.pupilvoicewales.org.uk](http://www.pupilvoicewales.org.uk).

### **What happens now?**

The scope of the duty to promote and facilitate children and young people's participation is wider than involvement in the local well-being plan. It is important participation becomes part of policy and practice of all local partners. Local Authorities should work with local partners, including children and young people, to ensure participation is promoted and facilitated.

However, the well-being plan could set out how children and young people's participation and engagement is embedded into all aspects of planning, delivering and reviewing services and their "arrangements for promoting and facilitating participation". The public services board's annual progress report could include a summary as to how these statutory duties have been met, and how they can be improved upon. The public services boards annual progress report could consider the protected characteristics in particular with reference to age, specifically reporting on outcomes for children and young people.

The Welsh Government will monitor local arrangements for children and young people's participation. In addition well-being plans provide evidence to Inspectorates and the Welsh Audit Office (WAO) when undertaking reviews of efficiency and effectiveness of local services. Inspectorates and the WAO may also review the outcomes achieved and procedures involved to demonstrate how effectively children and young people are being listened to, involved and engaged. Children and young people have a right to be listened to, have a voice and be able to access opportunities to play an active role in decision making wherever they are – in school, out and about in the community or as users of services.

Our ambition is for every child and young person in Wales to realise their rights as set out in the UNCRC. There may sometimes be barriers to

Shared Purpose: Shared Future 3 - Collective role (public services boards)

achieving this, however, working in a collaborative way, we all have a responsibility and a role in considering ways in which these barriers can be removed or overcome. Wales has been leading the way in children and young people's participation and momentum must be maintained.

Further information on good practice in relation to children and young people's participation can be found on [www.childrensrights.wales](http://www.childrensrights.wales) or [http://www.childrensrights.wales/images/PDF/Participation\\_En2.pdf](http://www.childrensrights.wales/images/PDF/Participation_En2.pdf)

Information, resources, materials and good practice which support participation in Wales are also available at [www.youngwales.wales](http://www.youngwales.wales)

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## CEREDIGION COUNTY COUNCIL

**Report to:** Cabinet

**Date of meeting:** 11<sup>th</sup> January 2022

**Title:** Social Housing Grant (SHG) Development Programme.

**Purpose of the report:** Year-end update on the Social Housing Grant programme for 2020 – 21 & the 3 year forward development programme with accompanying Prospectus.

**For:**

1. Overview of the Social Housing Grant Development Programme.
2. Overview of the new SHG Prospectus

**Cabinet Portfolio and  
Cabinet Member:** Dafydd Edwards

Ceredigion has once again been able to utilise our full Cash Limited Allocation (CLA) for the year. This has included additional year-end slippage funding and a successful Innovative Housing Programme funding bid which has resulted in a year on year increase in SHG receipts from previous years.

The total SHG amounts drawn down under the Social Housing Grant Development Programme for 2020 - 21 are as follows :

- **SHG** = £2,248,000 (CLA allocation increased from £1,732,000 for the year )
- Cumulative slippage bids funding = £735,492
- **Total = £2,983,492**
- Innovative Housing Programme (IHP) = £826,000
- **Final Total = £3,809,492**

The programme has been delivered by our RSL Partners who are focused on maximising both the available funding and delivering increased numbers of quality social rented homes to meet affordable housing needs across Ceredigion. This has been achieved despite a number of challenges such as the ongoing Covid situation and also the added difficulties resulting from the merger of Tai Ceredigion with Mid Wales Housing to form Barcud Housing Association.

The Social Housing Grant development programme has delivered a number of new schemes across the Authority area. This includes larger new-build developments located in the higher demand areas in addition to a targeted number

of acquisitions/buy-backs of ex Local Authority properties. A number of wheelchair accessible homes have also been delivered specifically for pre-identified applicants from the Housing Registers.

Breakdown of schemes/projects funded in the year:

### SHG Funded :

RSL	Site/Property	Units	Area
Barcud	2 St Johns Flats	1x 3 Bed Flat	Aberystwyth
Barcud	107 Heol Tyn Y Fron	3 Bed GN House	Aberystwyth
Barcud	19 Heol Helyg	3 Bed GN House	Aberystwyth
Barcud	19 Heol Tyn Y Fron	3 Bed GN House	Aberystwyth
Barcud	21 Penmorfa Flats	1 Bed Flat	Aberystwyth
Barcud	7 Penmorfa Flats	2 Bed Flat	Aberystwyth
Barcud	28 Penmorfa Flats	1 Bed Flat	Aberystwyth
Barcud	37 Glan Y Mor	3 Bed GN House	Aberystwyth
Barcud	41 Heol Dinas	3 Bed GN House	Aberystwyth
Barcud	Awel Yr Afon Site	11 Houses - Mixed Development	Cardigan
Barcud	Maes Llanio Site	3 x General Needs Houses	Blaenplwyf
WWHA	Old Aberaeron Hospital Site	12 x 1 Bed GN Flats	Aberaeron
WWHA	Site Adj Cylch Perris	8 x WCA 1 Bed Flats	Llanon
WWHA	Penybanc Site	19 x Mixed Housing site	Penrhyncoch
WWHA	Tollgate Site	14 x Mixed Housing Site	Penparcau

### IHP Funded (Innovative Housing Programme)

#### Dinas Garages IHP Scheme :

**(IHP) = £826,000**

The proposal is to demolish the dilapidated existing garages and build an innovative Eco design encompassing nine one bedroomed Apartments with 4 ground floor units being wheelchair accessible. All nine apartments will be single bedroomed and fully conform to current DQR standards as well as the Code for sustainable homes level 3+.

#### 3D View of the proposed scheme :



## SHG assisted homes delivered in 2020 – 21

### RSL: Barcud HA:

RSL	Site/Property	Units	Area
Barcud	2 St Johns Flats	1x 2 Bed Flat	Aberystwyth
Barcud	107 Heol Tyn Y Fron	3 Bed GN House	Aberystwyth
Barcud	18 Penmorfa Flats	2 Bed GN Flat	Aberystwyth
Barcud	Glan Yr Afon Cenarth	3 Bed WCA Bungalow	Aberystwyth
Barcud	Jasper House	8 Bed Shared House	Aberystwyth
Barcud	Dol Dalis	14 x Mixed Housing site	Lampeter
Barcud	Awel Yr Afon Phase 2	11 x Mixed Housing Site	Cardigan
Barcud	Maes Arthur Flats	33 x 1 & 2 Bed Flats	Aberystwyth

**Sub total = 63 Homes**

### RSL: WWHA:

- Tai Pedr, Lampeter 12 x 1 Bed Flats (General Needs)
- Tai Pedr, Lampeter 6 x 2 Bed Houses (General Needs)
- Tai Pedr, Lampeter 2 x 3 Bed Houses (General Needs)

**Sub-total = 20 Homes**

**Total Units delivered in the year = 83**

See attachment showing some of the larger schemes delivered :

- 1) Dol Dalis Scheme (Lampeter)
- 2) Awel Yr Afon Phase 2 (Cardigan)
- 3) Maes Arthur Flats (Aberystwyth)
- 4) Tai Pedr (Lampeter)

## Social Housing Grant Programme Update 2021 to 22/23

Welsh Government are committed on delivering on their 20,000 Affordable Homes promise and have made very significant increases to the available funding levels under the SHG Programme for the next 3 years as follows :

- SHG CLA Allocation 21-22: **£5,700,000 (Agreed)**
- + RCG of **£569,000** for 2021 – 22

- Total = **£6,269,000**
- SHG CLA Allocation 22-23 = **£5,700,000 (Indicative)**
- SHG CLA Allocation 23-24 = **£5,700,000 (Indicative)**

The development schemes included in this current funding year are as agreed with both our partner RSL's and Welsh Government and consist of our priority 1 schemes.

The rolling 3 year programme includes a number of additional larger schemes which are currently in the early negotiation stage and as such are considered Commercially sensitive, however an indication of the general location has been included in the scheme description.

### **Planned Delivery Programme for 2021 – 22/23:**

RSL	Site/Property	Scheme Description	Units	Area
WWHA	Tollgate Site, Penparcau	Mix of 2 & 3 Bed homes + 6 Flats	14	Aberystwyth
WWHA	Penybanc Site	Mix of general needs family homes + 4 Flats	19	Penrhyncoch
WWHA	Cylch Perris Developmemnt	Mix of general needs Family Homes + 2 WCA	10	Llanon
WWHA	Aberaeron Hospital Site	8 x WCA Flats + 12 x GN Flats	20	Aberaeron
Barcud	Plaenplwyf Site	General needs homes	3	Blaenplwyf
Barcud	Dol Dallis (Social Rented phase)	Mix of social rented homes	14	Lanpeter
Barcud	Dol Dallis (R2O phase)	Rent to Own homes	8	Llampeter
Barcud	Dinas Garages Development	Self contained flats (4 x WCA)	9	Aberystwyth
WWHA	Maes Y Mor Extra Care	1 & 2 Bed self-contained apartments	56	Aberystwyth
		Total G.N =	89	
		Total R2O =	8	
		Total Extra Care =	56	
		Total =	153	

The Council has also been requested to draft an Affordable Housing Strategic Delivery Document identified as The "Prospectus". This is a high level outline of the strategic aims and ambitions of the Authority in relation to Affordable Housing delivery and includes Low Cost Home Ownership (LCHO).

WG have requested that all LA's submit a "Prospectus" to accompany their 3 year Development programmes as part of the new SHG Protocol. A copy of the WG Guidance: **Attachment a) "Local Authority Prospectus - Welsh Government Guidance** (Issued May 2021) and is attached for information.

Local Authorities are expected to progress their Prospectus through formal channels within their Authority with the final version being signed off at Senior Officer level within their Housing Directorate which in Ceredigion's case rests with the CLO for Porth Gofal.

**Note:** A draft version of the Prospectus has already been submitted to Welsh Government and is as attached to this report:

Attachment b) “LA Prospectus (PDP) - Ceredigion

**List of potential Schemes for 2022 - onwards**

The following list of schemes include a number of projects currently in development together with more aspirational schemes which may or may not come to fruition. It is well understood within the industry that the development process is often subject to change and can to lead to abortive works when sites are no longer available. Therefore the following list is a draft list and will be subject to change over the 3 year rolling period.

Address	RSL	Status	Priority	Type	WCA	C
18 Penmorfa, North Rd, Aberystwyth	Barcud Cymru	Main RSL	1	General Needs	0	
20 Penmorfa, North Rd, Aberystwyth	Barcud Cymru	Main RSL	1	General Needs	0	
Land at Tenby Road, Cardigan	Barcud Cymru	Main RSL	1	General Needs	0	
Vacant Office Conversion, Ty Pantyfedwen, Borth	Barcud Cymru	Main RSL	1	General Needs	0	
Former Garages Site, Tregerddan, Bow Street, Ceredigion	Barcud Cymru	Main RSL	1	General Needs	0	
Jasper House, Great Darkgate St, Aberystwyth	Barcud Cymru	Main RSL	1	Supported Housing Homelessness	0	
Upland Square Site, Newquay, Ceredigion	Barcud Cymru	Main RSL	1	General Needs	0	
Maes Glas Bungalows, Cardigan	Barcud Cymru	Main RSL	2	General Needs	0	
Penybanc, Penrhyncoch, Aberystwyth	Wales & West	Main RSL	1	General Needs	0	
SR Housing Development, Hafan Y Waun, Waunfawr	Wales & West	Main RSL	2	General Needs	0	
LD Scheme, Hafan Y Waun, Waunfawr	Wales & West	Main RSL	2	Supported Housing Learning Disabilities	0	
Development Site at Llanarth	Wales & West	Potential RSL	2	General Needs	8	
Brynglas Development, Aberporth	Wales & West	Potential RSL	2	General Needs	0	
Cardigan Hospital Site Development, Cardigan	Wales & West	Main RSL	1	Older Persons	0	
Bow Street Site (LA Owned)	Wales & West	Rejected LA	3	General Needs	0	
Hafan Yr Efail LA Site, Llanon (LA owned)	Barcud Cymru	Main RSL	1	Older Persons	0	
The Toy Library, Maesglas Cardigan	Barcud Cymru	Main RSL	1	General Needs	0	
Town Site, Cardigan	Barcud Cymru	Main RSL	2	General Needs	0	
Erwau Tysul, Llandysul	Barcud Cymru	Main RSL	3	General Needs	0	
Development Site in Aberaeron area	Barcud Cymru	Main RSL	2	General Needs	5	
Development Site, Cardigan	Barcud Cymru	Potential RSL	2	General Needs	4	
Penmorfa Flats, North Road, Aberystwyth	Barcud Cymru	Concept	3	General Needs	0	
Development Site, Tal-y-Bont. (LA owned)	Barcud Cymru	Potential RSL	2	General Needs	4	
LA Development (Supported Acc), Aberystwyth	LA	Concept	5	Supported Housing	2	
LA Development (Supported Acc), Cardigan	LA	Concept	5	Supported Housing	2	

Has an Integrated Impact Assessment been completed? No  
If, not, please state why

Wellbeing of Future Generations: *Summary:*  
Long term:  
Collaboration:  
Involvement:  
Prevention:  
Integration:

Recommendation(s): To note the year-end report.

To note the Prospectus

Reasons for decision:

Overview and Scrutiny:  
Policy Framework:

Corporate Priorities:

Finance and Procurement implications:

Legal Implications: SHG does not go through the Councils accounts

Staffing implications: None

Property / asset implications: Some of the proposed schemes may require the sale of an LA site to a partner RSL but would be subject to further assessment and agreement by the Asset Panel and Cabinet.

Risk(s):

Statutory Powers:

Background Papers: None

Appendices: Attachment a) "Local Authority Prospectus Guidance - Welsh Government  
Attachment b) Ceredigion - Local Authority Prospectus (Final 14-12-21)

Corporate Lead Officer: Donna Prichard

**Reporting Officer:** Llyr Hughes/Keith Davies

**Date:** 17/12/21



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Llywodraeth Cymru  
Welsh Government

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## ***Local Authority Prospectus***

# **Welsh Government Guidance**

***Issued: May 2021***

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# Local Authority Prospectus

## *Guidance from Welsh Government*

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### **Background**

There will be challenging targets in the next few years for the delivery of affordable housing. We recognise that we need to develop tools to make the process as effective as possible and that starts with making sure we have identified what type of housing is needed and where.

As part of the new grant framework, Local authorities (LAs) will be required to identify their priorities for Social Housing Grant. The Prospectus will be the first step in presenting a summary of strategic housing priorities clearly and consistently across all local authorities in Wales, while accepting that no one authority is the same and each will have different requirements.

### **Purpose of the Prospectus**

- Welsh Government are asking for a brief document which provides a clear and concise summary of the housing need and demand in your area and which succinctly identifies your housing priorities.
- Your prospectus should explain the type of provision that you plan to deliver with Welsh Government Social Housing Grant in order to meet your housing priorities.
- Your prospectus will be published by Welsh Government within the new Social Housing Grant Framework guidance.

### **Who will use it and why?**

- **RSLs and LAs** – it will provide an accessible and transparent summary of housing need and strategic priorities to enable the right type of affordable housing development to be delivered in the right places.
- **Welsh Government** – it will provide evidence to allow final decisions to be made about schemes which will be included in your programme (both Main and Reserve programmes)

### **What are Welsh Government looking for in the Prospectus?**

- The Prospectus should provide the information that your partners need to bring forward affordable housing schemes which meet the local needs and priorities of the authority.
- The prospectus should be clear, concise and no more than 4-6 pages in a word or pdf document.
- It should be easy to read, and easily understandable.
- You should discuss your Prospectus with your delivery partners.
- As a minimum, the Prospectus should be signed off by the Head of Housing
- Please use the Prospectus template on page 4.

### **Transitional Arrangements**

- The Review of the Quarter 1 PDP (2021-22) will primarily focus on the Main Programme for this financial year.
- The New Grant Framework Guidance will be issued in September and will detail how the Social Housing Grant Programme will operate from 2022-23 onwards.
- As part of the new Grant Framework, Welsh Government will use the Quarter 3 PDP (due on November 15) to approve and sign off the programme for 2022-23 onwards.
- In approving the PDP, Welsh Government will use your Prospectus to ensure that schemes are meeting your identified need and priorities.

### **Submission Details**

Please submit your prospectus to the Social Housing Grant Programme mailbox – [socialhousinggrantprogramme@gov.wales](mailto:socialhousinggrantprogramme@gov.wales) by 6<sup>th</sup> August 2021.

### **WG contact details**

If you have any queries about the guidance or your Prospectus, please contact Helga Warren using the Social Housing Grant Programme Mailbox shown above.

# ***Prospectus Template***

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## **Section 1 – Strategic Housing Priorities**

This section should state your key strategic housing priorities for delivering social/affordable housing in your area and should focus on no more than 4 or 5 key bullet points.

## **Section 2 – Housing Need, Demand and Priorities**

- This section should provide:
  - a brief description of your area by local housing market area, community council or ward (including maps or tables if helpful)
  - a summary of the current social housing stock in your area
  - a description of the housing need and demand in your area
  - an assessment of the gap in provision of affordable housing by location, size of property, tenure and specific need (i.e. who the housing is intended for and number of homes required).
  
- The prospectus should clearly outline the types of provision required from the list below by property size and geographical area and also give an indication of the relative priorities.
  - General needs
  - Older persons
  - Extracare
  - Disabled
  - Homelessness Provision (Temporary accommodation)
  - Supported Housing/Specialist Provision
    - Learning Disabilities
    - Mental Health Difficulties
    - Domestic Violence
    - Ex-offenders
    - Drug & Substance Misuse
    - Young Vulnerable
  - Empty Properties
  - Existing Dwellings
  - Rural Housing
  - Homebuy
  - Mortgage Rescue
  - Regeneration of Town Centres
  - Other (e.g. cultural requirements)

## **Section 3 - Programme Development Plan Schemes**

- The purpose of this section is for you to provide information on how schemes are prioritised in your PDP for approval and sign off by Welsh Government.
- This section should explain how schemes obtain LA support to get into the PDP and how all partners are expected to work together.

- This section should also explain how you will ensure any adhoc requests for specific/specialist accommodation will be considered in your programme.
- It is essential the above processes are discussed with both RSL partners and authorities' internal departments and clearly documented so that the process is fully open and transparent.

#### **Section 4 – Monitoring and Governance**

The purpose of this section is to confirm how your Social Housing Programme will be monitored in terms of meetings and information requirements. This will include the timing of:

- Individual RSL/stock retaining LA meetings
- Joint RSL/LA/WG PDP meetings
- Submission of PDP information
- Communication and information sharing



Cyngor Sir  
**CEREDIGION**  
County Council

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## ***LA Prospectus (PDP) - Ceredigion***

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Welsh Government has set an ambitious target of 20,000 new Affordable Homes to be delivered within this Senedd term with more than £2bn invested in Housing since 2016. In order to achieve this target it is essential that appropriate tools are developed in order to improve targeting and ensure that housing need is clearly identified across all Housing tenures.

Welsh Government working in partnership with Local Authorities (LA's) and Registered Social Landlords (RSL's) are transitioning to a new Social Housing Grant (SHG) framework from 2022 onwards. As part of this new grant framework, Local authorities are required to identify their strategic priorities for utilising Social Housing Grant and this LA Prospectus provides a summary of Ceredigion's housing priorities.

This Prospectus will provide evidence to Welsh Government to allow final decisions to be made about schemes which will be included in the Development Programme. The Prospectus underpins the Affordable Housing Delivery Plan to utilise Welsh Government Social Housing Grant and allied funding streams in conjunction with other enabling policies. This will help deliver on our key housing priorities and build on our historic success of delivering increased numbers of Social & LCHO Housing and also align with the Corporate Strategy, the Wellbeing Plan and the Local development plan.

### **Section 1 – Strategic Housing Priorities:**

The following priorities have been determined on the basis of detailed needs analysis of the Housing Registers together with feedback gained from delivering previous schemes and RSL partner feedback/requests.

The Authority is also investing time & resources into identifying where there may be opportunities to deliver improved services at reduced cost and in particular where support would be provided via Housing Support Grant.

- 1) Provide General Needs Social Rented and Intermediate Affordable Housing in those areas of highest need consisting of 2, 3 and 4 bedroomed houses as required.
- 2) Provide wheelchair accessible/mobility impaired housing for identified applicants from the HR alongside General Needs where required.

- 3) Deliver an Extra Care Development located in Mid-County (Tregaron) & carry out a detailed needs analysis to determine whether any additional schemes may be required in the County.
- 4) Provide a number of 1 bedroomed flats in the larger population centers.
- 5) Deliver purpose built supported housing for specific client groups (e.g. learning/ physical disabilities/complex needs/mental health) & progressed in partnership with Social Services.
- 6) Continue the remodeling and repurposing of redundant existing assets/buildings to provide temp/supported accommodation for age 16 – 24 applicants who are homeless and/or need support.
- 7) Deliver supported accommodation for Ceredigion clients who are currently accommodated outside of the County so as to enable them to return to the County (subject to LA direction).
- 8) Deliver accommodation specifically for respite care/short breaks (Children/YP & adults) again subject to LA direction.
- 9) Provide Low-cost Home Ownership opportunities to include a range of affordable tenures.

## General housing position in Ceredigion

Ceredigion is a coastal county, bordered by Cardigan Bay to the West and corresponds to the historic county of Cardiganshire. The county has no large commercial areas and relies primarily on agriculture and tourism as a basis for its economy. The current population is estimated at 72,900 (ORS 2020):

The total Housing stock for Ceredigion as of March 2020 stands at 35,660 dwellings with an (updated) total Social Housing stock of 3,445 Social/Intermediate rented properties together with an additional 473 Sheltered/Extra Care units. There are also a further 635 Intermediate Discounted For Sale/Intermediate Rented properties which have been delivered via S106 Planning Gain. The Social Rented properties are managed by our zoned RSLs together with a limited number of Intermediate Rented properties which have been delivered either via the SHG Programme or alternatively directly acquired by the RSL's.

## Summary of housing stock (Ref: Statswales data)

Area	Local Authority (Number)	Registered Social Landlord (Number)	Owner occupied/Private rented (Number)	Owner occupied (Number)	Privately rented (Number)	All tenures (Number)	
Wales	87,331	142,571	1,207,664	(p) 1,002,709	(p) 204,955	1,437,567	
North Wales	25,558	23,378	279,805	(p) 236,722	(p) 43,084	328,741	
Mid and South West Wales	33,774	32,724	363,563	(p) 304,523	(p) 59,041	430,061	
Wales	Powys	5,357	3,258	56,298	(p) 45,319	(p) 10,979	64,913
	Ceredigion	.	3,352	32,309	(p) 26,402	(p) 5,906	35,660
	Pembrokeshire	5,656	2,620	54,757	(p) 46,795	(p) 7,962	63,034
	Cardiganshire	9,223	3,197	76,053	(p) 66,389	(p) 9,664	88,473

The types of Social Rented unit's available in Ceredigion range from General needs housing, retirement homes, adapted properties and intermediate units. Dwelling types comprise a mix of houses, bungalows, flats and maisonettes and are available from 1 – 4/5 bedrooms.

The following table shows the Social Rented property breakdown by bedroom numbers in Ceredigion (RSL Stock data).

<b>Social Rented Housing Stock - Ceredigion 2021</b>		<b>No</b>	<b>%</b>
1 Bed Flats/Apartments		1012	29
2 Bedrooms		1340	39
3 Bedrooms		1036	30
4 Bedrooms		48	1
5 Bedrooms		5	0.5
6 Bedrooms		4	0.5
	<b>Sub total =</b>	<b>3445</b>	
Sheltered Accomodation		369	
Extra Care		104	
	<b>Total units =</b>	<b>3918</b>	

The total number of Social/Intermediate and homes in Ceredigion is at approximately 10% of the total County wide housing stock with Sheltered/Extra Care providing an additional 1% of the total stock. A further 277 x S106 Planning Gain Discounted For Sale properties have also been delivered since the tenure was introduced under the Unitary Development Plan in 2006 which brings the total number of affordable homes in Ceredigion to around 12.5% of the total housing stock.

## Social Housing Delivery via SHG

The following table shows the totals for the affordable tenures delivered in Ceredigion since 2017/18 to date. It can be seen that the numbers delivered are increasing annually and it is anticipated that the recent large increases in SHG funding will enable this trend to continue.

<b>Affordable Housing Delivery for Ceredigion :</b>					
<b>AH Type</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>
Social Rented (SR)	15	35	41	45	68
Intermediate Rent (IR)		5	2	2	
Discounted For Sale	18	9	16	33	
Rent To Own (R2O)				2	8
Extra Care					56
<b>Totals =</b>	<b>33</b>	<b>49</b>	<b>59</b>	<b>82</b>	<b>132</b>



- Wheelchair Accessible Register,
- Sheltered and Extra Care Registers
- Low Cost Home Ownership (LCHO) Registers

## Section 2 – Housing Need, Demand and Priorities

Ceredigion County Council in partnership with its Registered Social Landlords have agreed a Common Allocations Policy which reflects the growing demand on Social housing coupled with the growing need to maintain and strengthen communities. There are currently approximately 1700 applicants on the Combined Registers.

Allocations are carried out using a three stage process which help Housing Services, Partners and most importantly applicants themselves, to understand their housing need; and ensure Social Housing is accessible to those most in need.

Applicants are placed into Bands A – F and with Band A being the applicants with the highest need to Band F being the applicants with the lowest need.

The following information has been obtained from an analysis of the Housing Registers as of the 1<sup>st</sup> of November 2021:

### General Needs:

Area	Band A					Band B					Band C					Band E				
	1	2	3	4	5+	1	2	3	4	5+	1	2	3	4	5+	1	2	3	4	5
Bedrooms																				
Aberystwyth/Penparcau/Llanbadarn/Trefechan	97	37	18	15	4	73	16	6	4	2	62	13	10	4	1	182	62	24	6	2
Bow Street/Llandre	24	12	6	7	1	14	5	2			13	9	6	1		53	21	12	4	2
Borth	12	5	3	2		6	3	1			7	5	3			28	13	4	3	
Talybont	4	1	1	1		2	2	1	1		4	2	2	0	1	12	4	1	2	
Aberaeron/Llanon/Ffos Y Ffin	24	12	7	2	0	26	5	3	1		18	8	7	3	0	81	32	9		
Llwynycelyn/Llanarth/Synod Inn	8	3	2			4	2				4	2	3			25	10	3		
Lampeter	14	7	5	0	1	16	3			1	11	2	2	1		37	24	9	4	1
Newcastle Emlyn/Beulah/Cenarth	9	7	1	2		7	5				5	7	2		1	23	14	10		1
Llandyssul/Croselan/Penrhiwllan	5	1	2			8	2				6	3	3		1	24	10	8	1	
Aberporth/Parcllyn area	11	5	4	1		12	7	1	1	1	7	5	5	1	1	34	12	7		
Cardigan/Penparc/Llechryd	40	11	5	4		27	10	5			19	18	6	3	2	88	35	11	1	2

### Older Persons (Over 55's)

Older Persons Acc	Band A					Band B					Band C					Band D					Band E		
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3
Bedrooms																							
Aberystwyth/Penparcau/Llanbadarn/Trefechan	58	11	3			31	2				37	2									59	7	2
Bow Street/Llandre	10	3	1			6					5	2									16	1	1
Borth	6					2	1				3										10	2	1
Aberaeron/Llanon/Ffos Y Ffin	16	5	1			8	2				10	2									33	3	1
Lampeter	9	0	1			2					5										6	1	1
Llandyssul/Croselan/Penrhiwllan						1															6	1	1
Cardigan/Penparc/Llechryd	23	1	1	2		8		1			9	1									29	6	1

## Wheelchair Accessible Housing

Accessible/Mobility Impaired	Full WCA					Part WCA				
	1	2	3	4	5+	1	2	3	4	5+
<b>Bedrooms</b>										
Aberystwyth/Penparcau/Llanbadarn/Trefechan	10	5	1			4	2	1	1	
Bow Street/Llandre	2								1	
Borth	1	1							1	
Talybont	0					0				
Aberaeron/Llanon/Ffos Y Ffin	3	3	1	1		2	1	1		
Llwyncelyn/Llanarth/Synod Inn	0					1	1			
Lampeter			1			1	1			
Adpar/Beulah/Cenarth		1	1							
Llandyssul/Croeslan/Penrhiwllan	0					0				
Aberporth/Parcllyn area	0					1	1			
Cardigan/Penparc/Llechryd	6		2			5		2		

## Sheltered Accommodation:

Sheltered	Band A					Band B					Band C					Band D					Band E				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Location																									
Aberystwyth/Penparcau/Llanbadarn	35	2				28	1				24										38	4	1		
Bow Street/Llandre	8					4					3					0					8	2			
Aberaeron/Llanon/Ffos Y Ffin	7	2				8					6	2									11				
Lampeter	5					3					2					7		1							
Llandyssul/Croeslan/Penrhiwllan						1															1		1		
Cardigan/Penparc/Llechryd	13					12					9										16	1			

## Extra Care:

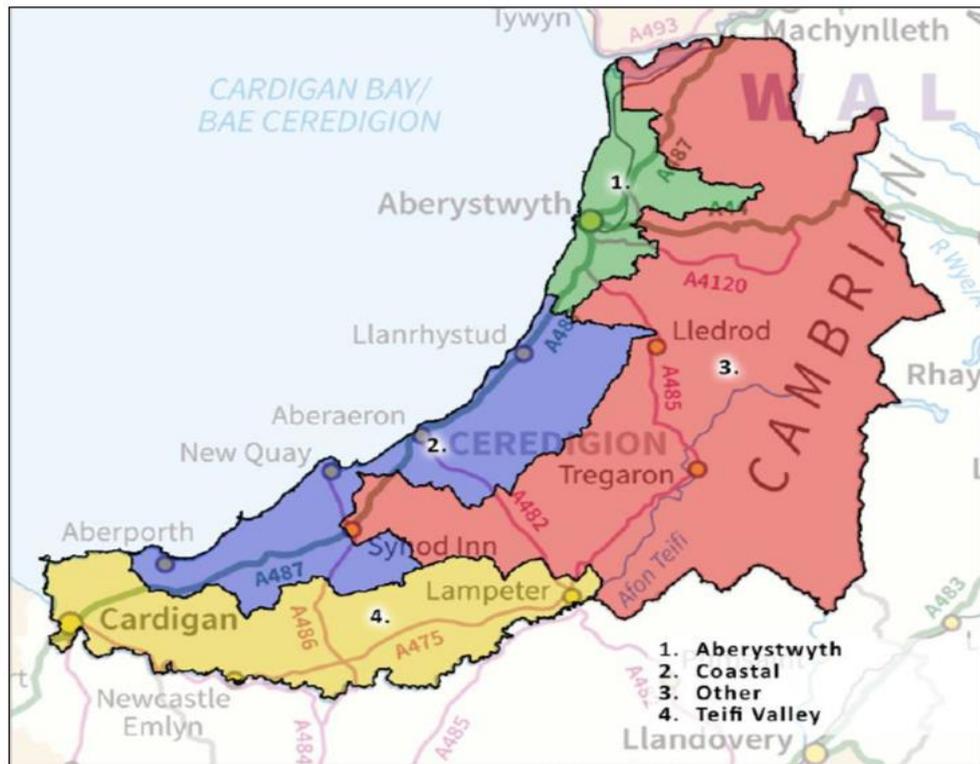
Extra Care	Band A					Band B					Band C					Band D					Band E				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Location																									
Aberystwyth/Penparcau/Llanbadarn/Tr	34	2	1			26	1				19										22	2	1		
Bow Street/Llandre	3					3					2					0					2	1			
Cardigan/Penparc/Llechryd	14					4					4										7	1			

It can be seen from the above tables that the need for 1 bedroom flats is high in all the major Towns, however this has to be balanced against the need for small 2 bed family homes followed by a reduced number of 3 bed and a smaller number of 4 and 5 bed homes. There is also a limited but significant demand for 2 and 3 bed Wheelchair Accessible Bungalows which are specified for identified individuals.

## Local Housing Market Assessment (2019)

A Local Housing Market Assessment was carried out in 2019 and was sub-divided into four sub-areas (Figure 1). The four sub-areas were defined on the basis of the particular socio-economic and demographic influences at work within them.

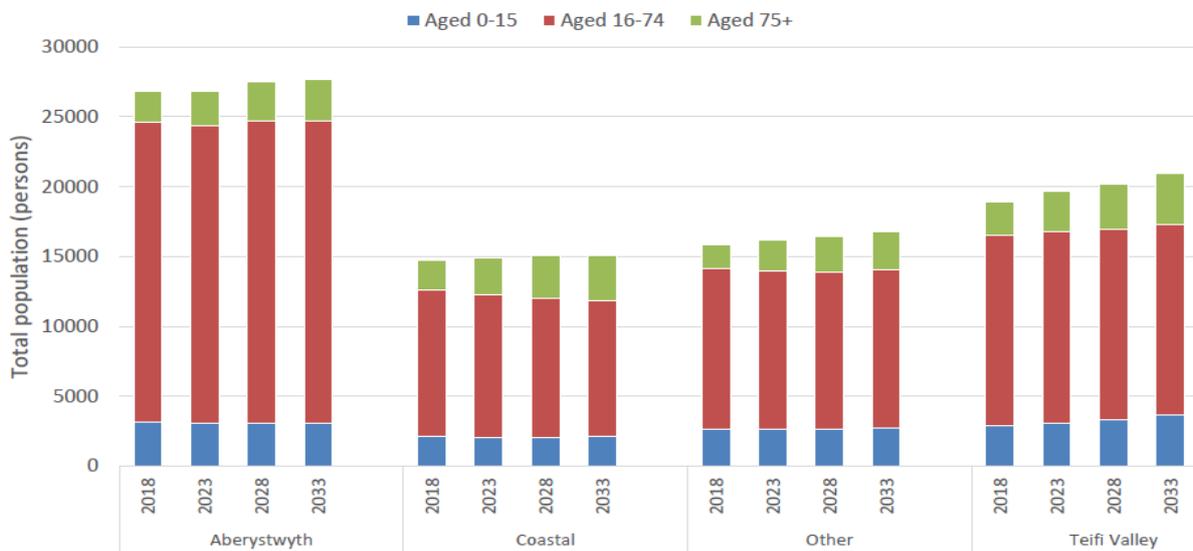
Figure 1: Sub-Areas in Ceredigion



Overall, the population is projected to increase between 2018 and 2033 with the Teifi Valley likely to double the projected growth of any other sub-area as can be seen in Figure 7 below:

### Projected Population change by Age:

Figure 7: Projected Population by Age and Sub-Area (Source: Welsh Government, ORS Model)



## Projected Housing need by Tenure:

Figure 23: Housing Need by Tenure 2018-33 (Source: ORS model. Note: figures may not sum due to rounding)

	Households Requiring Market Housing			Households Requiring Affordable Housing			Overall Total Change 2018-33	%age affordable change within sub-area
	2018	2033	Net Change	2018	2033	Net Change		
Aberystwyth	8,486	8,880	394	1,682	1,892	210	604	35%
Coastal	5,941	6,100	159	756	832	76	235	32%
Other	6,243	6,635	392	751	846	95	487	20%
Teifi Valley	6,822	7,537	715	1,641	1,921	280	995	28%
<b>TOTAL</b>	<b>27,492</b>	<b>29,152</b>	<b>1,659</b>	<b>4,830</b>	<b>5,490</b>	<b>660</b>	<b>2,319</b>	<b>28%</b>

## Projected bedroom requirements 2018 – 2033:

Figure 27: Changes in Bedroom Requirements by Tenure – Households 2018-33 (Source: Welsh Government, ORS Model. Note: figures may not sum due to rounding)

	Households Requiring Housing				
	1-bedroom	2-bedroom	3-bedroom	4+ bedrooms	TOTAL
<b>MARKET HOUSING</b>					
Aberystwyth	+60	+107	+136	+91	+394
Coastal	+17	+60	+58	+24	+159
Other	+20	+100	+165	+107	+392
Teifi Valley	+41	+153	+324	+198	+715
<b>TOTAL MARKET HOUSING</b>	<b>+137</b>	<b>+420</b>	<b>+682</b>	<b>+420</b>	<b>+1,659</b>
<b>AFFORDABLE HOUSING</b>					
Aberystwyth	+89	+79	+29	+12	+210
Coastal	+30	+32	+11	+4	+76
Other	+10	+40	+35	+9	+95
Teifi Valley	+71	+105	+86	+18	+280
<b>TOTAL AFFORDABLE HOUSING</b>	<b>+201</b>	<b>+257</b>	<b>+161</b>	<b>+42</b>	<b>+660</b>

## Summary of Key Findings from the LHMA:

The population is projected to increase, and the age profile is likely to change with a small increase in the number of people aged under 45, alongside a larger increase in people over 75, with reduced numbers in the middle age bands. Due to reducing average household size and a projected increase in population, the number of households is projected to increase between 2018-2033 by 2,216 (148 per year).

Of the total housing need, 72% is for market tenures and the remaining 28% is for affordable. There will likely be changes in the types of dwelling required across all tenures, most notably an increase in two to four-bedroom market properties and one to three-bedroom properties in the affordable tenures.

## How many additional Affordable Homes are needed in Ceredigion?

The 2019 Local Housing Market Assessment identified a need for 660 new affordable homes which is 28% of all future housing stock to be affordable with the greatest need (64%) of these are in the social rented sector. The WG focus in Future Wales - The National Plan 2040 shows 67% of housing need in the Mid Wales region being affordable. It is clear that there is an increasing need for affordable housing, with an overwhelming focus on Low Cost and in particular Social Rented Housing.

### Low Cost Home Ownership Tenures/Options

The Council is currently reviewing the range of Affordable options available in Ceredigion and considering whether there are any additional opportunities of creating additional tenures and additional affordable pathways to home ownership. The following are some options that are potentially available or could be made available to qualifying applicants.

1. **Shared Ownership** – The LA is currently looking at ways of incorporating shared ownership properties into Social Rented developments with our RSL partners so as to help deliver a broader range and mix of affordable properties utilising SHG.
2. **Shared Equity** – The Authority is currently considering potential schemes where new-build houses are made available on a 75% owner - 25% LA share is being considered where the LA delivers mixed housing schemes on its own sites thereby removing the cost of the land from the upfront purchase cost. A mix of market housing with LCHO Housing could deliver receipts that would also help subsidise the LA's 25% equity share. It may also be possible to demonstrate economies of scale on larger developments which again could assist in providing the 25% share for the LA/RSL.

An additional funding source would be to utilise the Commuted Sums Fund, however there are limited funds available annually due to the length of time it takes for the properties to be sold on by the initial owner.

3. **Rent To Own** - The WG Rent To Own scheme (R2O) has suffered with a range of problems including difficulties in applicants accumulating rent arrears, problems with obtaining mortgages and lack of stair casing to higher share ownership and viability issues. WG have currently withdrawn the R2O products and is considering alternative options.
4. **Homebuy Scheme** – Ceredigion participated in an early Top-sliced SHG funded shared equity scheme in the early 90's and over 30 properties that were purchased at that time are still under shared ownership by the Authority. A small number of these properties are sold most years and the 30% equity in the properties are realised by the Authority at that time. The Authority is currently considering whether this funding could also be made available to assist in delivering a new Shared Equity model across Ceredigion.

**5. RCG/Shared Equity** – Potential for the use of RCG (Recycled Capital Grant) to deliver a limited number of properties utilising SHG funding that has been repaid to the RSL's through the Right To Buy schemes. Local Authorities in conjunction with our Partner RSL's can consider allocating any RSG held by the RSL's for delivering Shared Equity properties.

**6. National Affordable Housing schemes – Help to Buy Wales.**

There are currently a limited number of schemes available via the Welsh Government to enable people to purchase or rent an affordable home in Ceredigion. **Help to Buy Wales** is one such scheme and provides opportunities through Qualifying Developers to purchase Shared Equity new-build homes. A number of these new homes have been developed in recent years in Llanon, Penrhyncoch and Rhydyfelin and continue to be a popular choice.

**7. Extra Care** – Given the projected increases in numbers for people 65 and over, Ceredigion Council together with Hywel Dda Health Trust Board are looking at the current provision and considering whether there is a need for additional Extra Care and/or Dementia Care Homes in Ceredigion.

Ceredigion is fortunate to have two existing schemes at present:

- a) **Maes Mwldan** is located in Cardigan and provides 48 self-contained flats in an Extra Care setting and was opened in 2011.
- b) **Maes Y Mor**, Aberystwyth is located in Aberystwyth and provides 56 brand new self-contained flats and opened in 2021.
- c) A third scheme known as the **Cylch Caron** Integrated Resource and Extra Care Scheme consisting of 34 self-contained flats and linked 6 Health Units is currently being planned for 2022 – 23 located in the Tregaron/ Mid Ceredigion area.

**Current waiting list for Extra Care:**

North (Aberystwyth) = 85

South (Cardigan) = 41

**Note:** There is a significant overlap with a number of applicants being located in the middle of the County.

## Homelessness in Ceredigion

The availability of temporary accommodation in Ceredigion is limited for people who are homeless in Ceredigion and awaiting the availability of a more permanent home suitable for their needs. The provision of more secure, affordable accommodation is a priority for the Authority and we aim to provide opportunities for both Temporary and subsequent Move on accommodation.

Presently the Authority has limited access to suitable accommodation and has agreed Service Level Agreements with both our Partner RSL's and Third sector landlords such as Ceredigion Care to supply suitable accommodation.

### Current position:

Homelessness - Ceredigion		No
Number of Households presented to the Council as homeless In 2020/21		435
Number of Single person households who were eligible for homelessness assistance.		64%
Number of people in emergency temporary accommodation as of 31/03/21		55
Number of presentations from young people aged 16-25 years in 2020 - 21		62
Number of young people occupying emergency/ temporary accommodation as of December 2021		19

The Authority is reviewing the way it accesses and procures Temporary & Emergency Accommodation and is currently exploring opportunities to convert existing redundant assets located in the main Towns. The Authority is hopeful that following the recent transitional arrangements introduced under the new SHG delivery programme on the 1st of April 2021 that it will now be able to access SHG directly for specific priority schemes. It is anticipated that a number of schemes will be identified and delivered over the coming few years to assist the Authority in discharging its statutory Housing obligations.

### Mortgage Rescue & S157 Properties.

The Housing Service are also responsible for a number of related services such as determining whether RCG could be used for Mortgage Rescue and which might be appropriate in certain circumstances. The Housing Department is also responsible for determining eligibility to acquire Ex LA properties sold under the Right To Buy under S157 of the Housing Act 1985. There are also exemptions under certain scenarios that may apply under the Act which may need to be considered.

### Supported Housing and Specialist Provision

The Council is currently carrying out a review of its existing accommodation for Learning Disabilities, Mental Health and vulnerable Clients in general. Currently the majority of Clients are accommodated in Partner RSL accommodation together with a number of Private Rented Sector Landlords with the third Sector Support Providers delivering care via both Housing Support Grant and Core funding.

A number of new-build projects have already been identified which are intended to deliver modern purpose built self-contained accommodation in high need areas based on a design that includes a number of clustered self-contained flats plus a well-equipped support unit attached.

## Section 3 – Programme Development Plan (PDP)

Ceredigion County Council went through a stock transfer process in 2009 which led to the establishing of a new RSL named Tai Ceredigion. Subsequently both Mid Wales Housing and Tai Cantref were also zoned for Ceredigion and have subsequently delivered all new-build Social Housing in Ceredigion.

Under the SHG Protocol, our Partner RSL's are required to present potential social rented schemes to the LA for consideration. The LA will then assess the scheme based on a number of factors and in particular the local housing need including any specialist/wheelchair accessible needs. The general housing market is also considered to help determine the optimum type and mix of properties that are required in that specific location.

The following protocol is based on the Welsh Government (WG) Programme Management Guide for the Programme Delivery Plan (PDP) for Social Housing Grants (SHG) / Recycled Capital Grant (RCG) or similar grant/public funding.

The Council's Affordable Housing Manager/Officer is responsible for organising regular PDP meetings with the Partner RSL's. These take the form of operational group meetings in addition to 1 to 1 meetings with individual RSL's. The officer also liaises with the Welsh Government's Affordable Housing funding team and will maintain and update the PDP.

The Council's Executive Management Team consisting of Directors and Chief Executive Officer will approve the PDP annually before submission to the Welsh Government.

### LA/RSL SHG Protocol

LA's are required to develop housing strategies and work in conjunction with RSL's to identify strategic need and community benefits in order to prioritise and deliver appropriate development opportunities. Schemes should be clearly prioritised on the basis of established agreed and transparent criteria.

RSL's are invited to identify schemes for inclusion in the programme that meet the identified scheme criteria and which also includes for the potential physical and social impact on the local communities. These requirements also include for sympathetic and appropriate scheme design whilst also providing value for money.

Significant over-programming is necessary together with the inclusion of an adequate number of reserve schemes readily available to take up any additional development opportunities as they present themselves.

Potential schemes/developments are assessed against agreed criteria including the assessment matrix which includes:

- Strategic importance to the Authority**
- Deliverability within the required timescales**

- **Housing need in the development locality**
- **Any wider community benefits and potential impact**
- **Overall value for money**
- **Overall scheme design**

## Section 4 – Monitoring and Governance

The management of the SHG programme and selection of schemes together with programming of the delivery plan is carried out by the Affordable Housing Manager/Officer. This is done in conjunction with regular input from the Housing Register Team together with consultation with the Planning Policy Team. Both the Housing Register Team Manager and Senior Planning Policy officers attend the SHG Operational Group meetings where early advice is welcomed and any potential issues are identified early on in the scheme selection process.

The Corporate Manager for Housing also attends the Operational Group meetings and is kept regularly updated on the programme as is the Cabinet Member for Housing who is also kept informed on the development and progress of the programme.

When the years programme is being drawn up at Quarter 1, the draft programme will also be presented to the Councils Development Group so as to inform other Sections and Departments within the Authority which schemes are being considered. This again provides useful feedback which helps inform the development of the schemes.

Dependent on the size and location of the individual schemes, the Local Member may also be consulted/informed and will on occasion discuss the scheme with both the LA and the Developing RSL. The RSL Development Officers are expected to keep the Affordable Housing Manager/Officer manager regularly updated in relation to any changes to the schemes within the PDP.

It is understood that under the new PDP SHG protocol, there is a requirement for the Annual Programme to be signed off by the Senior Officer with responsibility for Housing. The Housing Department in Ceredigion is now located within Porth Gofal and as such comes under Donna Prichard the Corporate Lead Officer (CLO) for Porth Gofal within the Adult Social Care Service.

### Annual Report to Cabinet:

The SHG year-end report is presented to Cabinet by the Cabinet Member annually for Housing and includes scheme proposals for the following years programme.

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