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Date: 11th February 2015

Dear Sir/Madam,

A meeting of the **Regeneration and Environment Scrutiny Committee** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Tuesday, 17th February, 2015** at **5.30 pm** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

Chris Burns
INTERIM CHIEF EXECUTIVE

AGENDA

	Pages
1 To receive apologies for absence.	
2 Declarations of Interest Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.	
To approve and sign the following minutes: -	
3 Special Regeneration and Environment Scrutiny Committee held on 1st December 2014 (minute nos. 1 - 3).	1 - 12

A greener place Man gwyrdach

Correspondence may be in any language or format | Gallwch ohebu mewn unrhyw iaith neu fformat



- 4 Regeneration and Environment Scrutiny Committee held on 9th December 2014 (minute nos. 1 - 11). 13 - 20
- 5 Consideration of any matter referred to this Committee in accordance with the call-in procedure.
- 6 To receive a verbal report by the Cabinet Member(s).
- 7 To receive and consider the following Cabinet reports*: -
1. The National Assistance Act 1948, as Amended - Removal of Persons in Care. Designation of Proper Officer – 10th December 2014;
 2. Notice of Motion – Proposed Development of a New Cinema in Bargoed – 21st January 2015.

** If a member of the Scrutiny Committee wishes for any of the above Cabinet reports to be brought forward for review at the meeting please contact Rebecca Barrett, 01443 864245, by 10.00 a.m. on Monday, 16th February 2015.*

To receive and consider the following Scrutiny reports:-

- 8 Public Protection Enforcement Policy. 21 - 48
- 9 Gwent Trading Standards Project. 49 - 190
- 10 To record any requests for an item to be included on the next available agenda.

To receive and note the following information items*:-

- 11 Budget Monitoring and Trading Account Report 2014/2015. 191 - 208
- 12 Play Sufficiency. 209 - 220
- 13 Town Centre Improvement Group 2014. 221 - 238
- 14 Bryn Compost Liaison Group Minutes - 25th September 2014. 239 - 242
- 15 Grants to the Voluntary Sector Panel Minutes - 26th Nov 2014. 243 - 246
- 16 Voluntary Sector Liaison Committee Minutes - 3rd December 2014. 247 - 252
- 17 Ystrad Mynach Town Centre Management Group Minutes - 25th November 2014. 253 - 256
- 18 Summary of Members' Attendance - Quarter 3 - 1st October 2014 to 31st December 2014. 257 - 260

** If a member of the Scrutiny Committee wishes for any of the above Information Items to be brought forward for review at the meeting please contact Rebecca Barrett, 01443 864245, by 10.00 am on Monday, 16th February 2015.*

Circulation:

Councillors Mrs E.M. Aldworth (Vice Chair), J. Bevan, Mrs A. Blackman, C.J. Cuss, D.T. Davies (Chair), R.T. Davies, N. Dix, C. Elsbury, R.W. Gough, Ms J.G. Jones, S. Kent, Ms P. Leonard, M.J. Prew, Mrs D. Price, A. Rees and Mrs E. Stenner

And Appropriate Officers

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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON MONDAY, 1ST DECEMBER 2014 AT 5.30 P.M.

PRESENT:

Councillor D.T. Davies - Chair
Councillor Mrs E.M. Aldworth - Vice-Chair

Councillors:

J. Bevan, Mrs A. Blackman, C.J. Cuss, R.T. Davies, Ms J.G. Jones, S. Kent, M. Prew, Mrs D. Price, A. Rees and Mrs E. Stenner.

Cabinet Members:

K. James (Regeneration, Planning and Sustainable Development) and T.J. Williams (Highways, Transportation and Engineering).

Together with:

S. Aspinall (Acting Deputy Chief Executive), P. Elliot (Head of Regeneration and Planning), R. Hartshorn (Head of Public Protection), M.S. Williams (Head of Community & Leisure Services), T. Shaw (Head of Engineering Services) D. Price (Parks and outdoor facilities manager), T. White (Waste strategy and operations manager), C. Forbes-Thompson (Scrutiny Research Officer) and C. Evans (Committee Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillors N. Dix, C. Elsbury, R.W. Gough, Mrs P. Leonard and D. Poole (Cabinet Member for Community and Leisure Service).

2. DECLARATIONS OF INTEREST

Councillor D.T. Davies declared an interest in Agenda Item 3 Appendix 3, Bargoed Ice Rink as a Town Councillor for Bargoed.

Councillor Mrs E. Aldworth declared an interest in Agenda Item 3 Appendix 3, Closure of Bedwas Swimming Pool on Sundays as Bedwas Leisure Centre is within her ward and family members use the facilities.

REPORTS OF OFFICERS

Consideration was given to the following reports.

3. MEDIUM TERM FINANCIAL PLAN – 2015/2016 SAVINGS FROM ENVIRONMENT DIRECTORATE – ITEMS FOR FURTHER CONSIDERATION.

S. Aspinall, Acting Deputy Chief Executive provided the Scrutiny Committee with a copy of the report presented to Cabinet on 29th October 2014, which updated the Medium-Term Financial Plan (MTFP) following the provisional 2015/16 Local Government Financial Settlement announced by the Welsh Government (WG) on 8th October 2014.

The Scrutiny noted that the report provided details of draft savings for the 2015/16 financial year to allow for a further more focussed period of consultation prior to a final decision in February 2015.

The Scrutiny Committee, to date, have considered a range of MTFP savings options for the Environment Service Division, in relation to discretionary services and efficiency savings for statutory and essential services during meetings between June and October 2014. Many of the savings options were incorporated into the Cabinet report on 29th October along with some additional savings options put forward for consideration since the original Scrutiny Committee Meetings.

Members were asked to consider further and express their views on the MTFP savings options relating to the Environment Directorate, considered by Cabinet on 29th October 2014.

REGENERATION AND PLANNING

Bargoed Ice Rink

Councillor D.T. Davies declared an interest in this item as a Town Councillor for Bargoed.

P. Elliott, Head of Regeneration and Planning, introduced the proposal to cease operating the Bargoed Ice Rink as part of the annual events programme. Members noted that the Scrutiny Committee did not support the proposal on 1st October and further information relating to the events programme was sought and consultation with Bargoed Town Council regarding the proposed was requested.

The Heads of the Valley Grant initially funded the Ice Rink in 2010; however, the Council now largely funds the cost of the event, the net cost of which was £26,000 in 2013/14. Following consultation with Bargoed Town Council, the event was reduced from 9 days to 5 days, to allow the Town Council to assess their funding commitment to the event. However, in addition Officers agreed to monitor the 2014 event and report details back to members in due course.

Members noted that the Ice Rink is staged in a car park in the town, which resulted in a loss of parking and parking income of circa £1,500. Members were assured that other events in the Town Centre during Christmas and the summer would not be affected by this saving option.

The Scrutiny Committee noted the breakdown of total costs and funding of the Events Programme for 2013/14, which referred to the details of funding provided by both the Council and external funding for each event.

Members raised concerns that only Bargoed Town Centre had been targeted for the saving proposals and added that the Town Council may consider increasing their level of investment following the 2014 event.

Officers highlighted that all events were carefully considered and it was noted that the Ice Rink at Bargoed was the least value for money and not cost effective. Following a meeting with the Town Council, Officers added that the Town Council had agreed to review their contribution towards the event, however, were unable to cover the full cost of the event.

Members sought clarification on the total cost of the event and it was noted that the net cost included the contractual costs to erect and remove the Ice Rink and the loss expected in car parking fees. The cost of ticket sales had been deducted from overall costs. In addition, it was noted that the Council is no longer in receipt of EU funding or sponsorship for the event.

Members debated the proposal and it was proposed that, unless alternative funding could be sources to support the ice rink in Bargoed, Members supported the Officers proposal. Upon vote, the majority present supported the proposal.

Area Forum Funding

The proposal to delete the Area Forum Budget was considered by the Regeneration and Environment Scrutiny Committee on 1st October 2014. The Scrutiny Committee were not in support of the proposal and requested further information on the Area Forum Budget including financial values and reserves. The Area Forum Reserve is £162,000, which represents unspent budget allocation from previous years. Community Regeneration holds the Area Forum budget for small environmental schemes identified by the Community Partnerships.

Members noted the proposal to delete the annual Area Forum budget of £72,000 in 2015/2016 and the accompanying allocations summaries in Appendix 2. In addition, Officers highlighted that, although those in receipt of the Fund value the Area Forum Budget, often the annual allocation is rarely entirely spent.

The Chair thanked the Officer for the presentation and invited Members to raise any queries.

Following consideration and discussion, Members unanimously supported the Officers proposal to delete the Area Forum Budget of £72,000 in 2015/16, on the basis that the funding balances be ring fenced to wards and would be reviewed when the remaining balance has been allocated.

PUBLIC PROTECTION

Licensing and Registrars Fees

On the 4th September 2014 the Scrutiny Committee considered and supported the proposals to increase the licensing and registrars fees and were advised that a detailed report on proposed licensing fees for 2015/16 would be submitted to the Licensing Committee and then Council.

Health Improvement Team

The Scrutiny Committee considered the proposal to delete the non-grant funded Health Improvement Officer Post within the Health Improvement Services on 4th September 2014, which was not supported. In October, a 29 page briefing document was sent to the Committee in response to their request for further information to demonstrate the impact of the work of the team on local health issues and challenges.

The report provided the Committee with the requested data to demonstrate the impact of the work of the Team on local health issues and challenges.

The Team consists of 5.4 FTE with 1.8 FTE delivering the Healthy Schools Programme and funded by grant. Since the report to the Special Scrutiny, the 0.6 FTE post and Senior Health Improvement Officer post have become vacant and therefore the revised option is to delete the 1.6 posts saving £77k, with 3.8 FTE posts remaining, 2 FTE non-grant funded and 1.8 FTE grant funded.

Committee Members were advised during the meeting that the Health Improvement Team lead and deliver corporate employee health and wellbeing programmes including health screening for staff.

Following in depth debate, the Scrutiny Committee supported the Officers proposal to delete the non-grant funded vacant Health Improvement Officer Posts (1.6fte) within the Health Improvement Team.

Environmental Health

The report highlighted a new saving proposal to delete a vacant Environmental Health Officer (EHO) post within the Environmental Health Team.

The General Environmental Health Team protects public health and quality of life by dealing with complaints of nuisances or hazards of health e.g. noise, defective drains and sewers, investigation of odours, bonfires etc. They deal with filthy and verminous premises and travellers' sites, and are also involved in problems of pest infestations, straying animals and irresponsible dog ownership. They also enforce in relation to littering, dog fouling and fly tipping activities. The team responds to approximately 15000 requests for service per year. Much of the work undertaken by this team contributes to the Healthier and Greener priorities within the single plan "Caerphilly Delivers". The assist in the provision of better health and healthier lifestyles within our communities. Reducing the 3 EHOs within the General Environmental Health Team to 2 will extend the time taken to deal with and investigate service requests.

Members raised concerns around the increased workload for the staff within the team and the impact on the environment and health.

Following detailed consideration and debate, it was unanimously agreed that Members were not in support of this proposal.

COMMUNITY AND LEISURE SERVICES

Cessation of bands in the park, events programme- New saving

M.S. Williams, Head of Community and Leisure Services provided the Scrutiny Committee with a new saving proposal to cease the Bands in the Park Event Programme, which is was hosted within 9 Parks within the Borough and would offer a saving of £2000 for 2015/16 financial year.

Members noted that a few Community Councils, and one partnership have supported the past programmes in the main, these funded 50% of the costs to produce the programme of events in specific locations.

Members debated the item at great depth and discussed various options. It was proposed that, consultation be undertaken with Town and Community Councils for funding to support the events. Upon a vote, the majority present supported the Officers proposal, provided that Town and Community Councils are consulted for funding.

Reduction in Playing Field Maintenance (Additional information required by Scrutiny Committee in July 2014)

Since its consideration by the Scrutiny Committee, Officers considered an alternative option involving cessation of regular pitch marking and handing over pitch marking responsibility to clubs (subject to consultation). The saving would be the same but some pitch renovation could then be undertaken. The clubs would be expected to purchase materials themselves.

Members debated the proposal and sought clarification on the cost of Pitch Marking equipment and level of savings that could be achieved as a result. Upon vote, the Officers proposal was unanimously supported, following consultations with the Clubs.

Increasing Outdoor Facilities Charges (Officers asked to look at other options by Scrutiny in July 2014)

In July 2014, the Scrutiny Committee considered the proposal and Officers were asked to consider the effect of increasing outdoor facilities charges for adults but retaining the existing pricing structure for juniors. Officers have therefore suggested 5 options as follows:

Increase adult fees by:-

- 30%= £20k additional income
- 40%= £27k additional income
- 50%= £31k additional income
- 100%= £69 additional income

Members discussed and debated the proposal and an amendment was proposed that an average increase be applied across all services. The majority present did not support this.

The Officers proposal to increase Outdoor Facilities Charges by 30% was discussed and debated and upon vote, the majority present supported this.

Cessation of Saturday Litter Picking at Various Parks- New Saving Proposal

M.S. Williams provided the Scrutiny Committee with a new proposal to cease litter picking services at 14 Parks within the Borough, which would provide a £12,000 saving contribution in 2015/16.

In addition to the 14 Parks, Members noted that a further 56 Parks within the Borough are only cleansed on a routine weekday.

Following debate, Members unanimously supported the Officers proposal to cease Saturday Litter Picking at various parks, on the proviso that the bins are emptied on Friday.

Removal of Barrier Attendants at 5 Locations- New Saving

The Report provided Members with the option to remove the barrier attendants at 5 locations throughout the borough. The locations were historically established to prevent anti-social behaviour at 5 locations throughout the borough during evenings/ weekends and hours of darkness.

Duties of the attendants include 30 minutes to 1 hour opening and closing the facilities.

The Scrutiny Committee noted that the proposal would provide a saving in staffing costs of £14,000. This would require 5 members of staff to be served with notice of termination of contract of employment.

Members raised concerns around an increase in Anti-Social Behaviour in parks, however, upon vote, the majority present supported the Officers proposals.

Charge for all Replacement/ New Issue Containers (No Concessions)- Not Supported and Additional Information Provided

The Scrutiny Committee considered the proposal to charge for replacement/ new issue containers for 2014/15 and 2015/16 at previous Committees, which were not supported by Members.

Officers highlighted that considerations for methods of payment were required but Members were to note that the proposal offers a potential saving of £60,000. The Committee considered the proposed charges:

Replacement/ new issue bins £25
Replacement/ new issue boxes £6
Replacement/ new issue garden waste bags £3
Where residents request bags for recycling/ waste £5 per roll of 25

Members discussed and debated the proposal and upon vote, the majority present supported the Officers proposal.

Reduced Opening Days and Hours on Civic Amenity (CA) Sites- Original proposal not supported and alternative option considered

The Scrutiny Committee, upon previous consideration had not supported the proposal to close any combination of up to 5 Civic Amenity Sites throughout the Borough, and requested that Officers consider alternative options such as closing all sites on certain days/ times.

It was noted that the provision of one CA site is a statutory requirement, in which legislation requires at least one facility should be available on weekends. Officers highlighted however that the Council aims to keep at least 50% sites open every day.

Officers highlighted that in order to achieve the £100k saving, all sites would be required to close on 2 days per week (on a rotational basis) or, alternatively 1 site could be permanently closed. Closure of less than 6 sites for 2 days/week would not realise the £100k saving that is required.

Concerns were raised that additional security would be required and illicit tipping could be an issue at the sites on the days they are closed, however these are difficult to quantify and Officers highlighted that the issues would probably reduce over time and may be mitigated to some extent by use of CCTV.

Members discussed and debated the proposal and upon vote, the majority present supported the Officers proposal.

Reduced Level of Cleansing on Bank Holidays (Cleansing will be reduced to same level as weekends- limited to morning cleanse of town centres)- New Saving Proposal

The report provided the Scrutiny Committee with a new saving proposal to reduce the level of cleansing on bank holidays in Town Centres during Bank Holidays.

It was noted that this would provide a potential saving of £13,000 in 2015/16.

Members discussed the proposal and upon vote, the Officers proposal was unanimously supported.

Reduction in Cleaning Budget via Reduction in Staff Numbers- New Saving Proposal

The Scrutiny Committee considered a new saving proposal to reduce the cleaning budget through the reduction of cleansing staff across the borough. It was estimated that the proposal would provide a total saving of £300,000 comprising a saving of £100,000 in 2015/16 and a further, additional saving of £200,000 in 2016/17.

The Committee noted that the reduction in staffing levels were in addition to those identified in CA Site reduction (6 number) and an additional 6 to achieve the balance of the Route Optimisation changes introduced in 2014/2015. The reductions would effectively mean circa 15 less personnel on street cleansing which will result in an increase in SLA's for responding

to non-emergency cleansing and missed waste collections from 48 hours to 7 days and the integration of hygiene and nappy collections into fortnightly refuse with the provision of additional containers.

Members raised concerns around the impact on cleanliness of the Borough. Other Authorities have reduced budgets and it has had a noticeable impact on the appearance of their boroughs. Members were advised that the Street cleansing is a statutory function, however the levels of proactive cleansing is very much up to the service provider.

Concerns were raised around the implications on the staff involved. Members were assured that policies are in place within Caerphilly for the consideration of voluntary retirement and a key aim for Caerphilly is to avoid redundancy where possible. Discussions and consultations have not been conducted with the Trade Unions or the Staff within the department.

Having carefully considered the proposal and upon vote, the Officers proposal was not supported by the majority present.

Closure of Bedwas Swimming Pool on Sundays- New Saving

Councillor Elizabeth Aldworth declared an interest in this item as the Leisure Centre is within her ward and family members use the facilities. Councillor Aldworth did not take part in the debate or vote.

The report provided the Scrutiny Committee with a new saving proposal to close Bedwas Swimming Pool during Sundays. Members noted that there are very few customers using the pool on Sundays, which provides little income and high staff and energy costs. The proposal would contribute a saving of £10,000 in 2015/16.

Members debated the proposal and upon vote, the Scrutiny Committee unanimously supported the Officers proposal.

Average Price Increase of 5% + Inflation on Leisure Centre Fees- New Saving

The report provided Members with details of a £100,000 saving proposal in 2015/16, which could be achieved through a 5% price increase on Leisure Centre Fees. Members were assured that the service however, would still provide value for money services at competitive prices.

Following in depth consideration and debate, the Scrutiny Committee unanimously supported this proposal.

ENGINEERING SERVICES

Street Lighting Energy Reduction- New Saving Proposal

T. Shaw, Head of Engineering Service provided the Regeneration and Environment Scrutiny Committee with a new saving proposal, which aims to achieve a part year saving of £100,000 in 2015/16 and a full year saving of £450,000 in 2016/17.

The Committee noted that, in order to achieve the full £450,000 saving during 2016/17, some part night light or switch off could be required to add to the introduction of LED and central management control technology. The new technologies are currently being tested and considered and have recently been introduced to the market place.

Members considered the option and queried alternative options such as dimming the streetlights. Officers explained that the proposal suggests purchasing LED bulbs, which are more energy efficient than the current bulbs, which would be more cost effective in the long term. In addition, Members noted that the new systems have been trialled within the borough and have not been met with any complaints.

Following detailed consideration and discussion of the proposal, the Scrutiny Committee unanimously supported the Officers proposal.

Carriageway Resurfacing – Planned Maintenance – New Proposal

T. Shaw provided the Scrutiny Committee a new proposal to reduce the planned maintenance of carriageways resurfacing within the Borough, and further information to understand the affects of the budget changes, which was requested a previous Scrutiny Committee. Members noted that the proposal would achieve a saving of £300,000 in 2015/16 financial year.

The £300,000 equates to approximately 20% of the current revenue budget allocation. It is assumed that the Capital allocation would at least remain at a similar level to previous years , although a capital bid has been submitted to help mitigate this savings reduction.

It was noted that combined with this approach, 2015/16 would see a decrease in planned carriageway resurfacing works than that experienced over the last 3 years as a result of the completion of the Welsh Government Borrowing initiative (LGBI) Scheme.

The Scrutiny Committee considered this proposal at length and raised concerns over the condition of the highways and the impact on the authority of potential claims. Upon vote, the Officers proposal was unanimously not supported by the Scrutiny Committee.

Footway Resurfacing - Planned Maintenance

The report provided Members with a proposal, which would achieve a saving of £60,000 in 2015/16 through the reduction in planned maintenance on footway resurfacing.

Members noted that the Highways Act provides that the asset (Highway) needs to be maintained in a safe condition for users. A more refined risk rating/prioritisation process could be developed within the HAMP process. This would involve developing the current prioritisation process further to consider additional influencing factors. A review of this process is planned for 2015/16.

The £60,000 equates to approximately 12% of the previous revenue budget allocation. It is assumed that the Capital allocation would at least remain at a similar level to previous years , although a capital bid has been submitted to help mitigate this savings reduction. It was noted that combined with this approach, 2015/16 would see a decrease in planned footway resurfacing works rather than that experienced over the last 3 years as a result of the completion of the Welsh Government Local Government Borrowing Initiative Scheme (LGBI).

The Scrutiny Committee considered this proposal and raised concerns for the risk of insurance claims for personal injury and the cost to the Authority. Upon vote, the Scrutiny Committee unanimously did not support the proposal.

Highway Reactive Maintenance

The Scrutiny Committee was provided with a proposal, which would contribute a £50,000 saving in 2014/15. The Committee noted that the proposal suggested an invest to save option to purchase a Jet Patcher. The new equipment would allow more surface area to be repaired at a lower cost. Thus ensuring that service provision is not compromised.

Following consideration and discussion of the Officers proposal, the Scrutiny Committee unanimously supported the proposal.

Highways Operations – Reduce highway/land drainage planned maintenance budget by 11%

At a previous Scrutiny Committee, the proposal to reduce highway/ land drainage was not supported by the Committee. Members were asked to reconsider the proposal, which would provide savings of £30,000 it was noted that only the highest risk categorisation works would be undertaken. Officers have tried to mitigate the saving proposal by increasing the council's capital funding to this area via a bid.

Members felt that this service area was vital in certain high flood risk areas within the Borough. Officers assured Members that no cuts would be made to the high-risk areas and alternative funding is also being sought.

The Scrutiny Committee, following consideration of the Officers proposal, unanimously supported the proposal.

Winter Maintenance

The Scrutiny Committee considered a new option to reduce the winter maintenance gritting routes, through route optimisation strategies, which would provide a saving of £60,000 in 2014/15.

Members considered the proposal and raised concerns around the implications to the public and Staff. Officers confirmed that there would be minimal impact to staff and that grit bins would be maintained in communities. In addition, Members noted that the hopper equipment to be used would ensure grit is distributed efficiently.

Following detailed debate and discussion, the Scrutiny Committee unanimously supported the Officers proposal.

Highways Operations – Reduce highways reactive maintenance budget by 4%

At a previous Regeneration and Environment Scrutiny Committee, additional information was requested in relation to the longer-term impacts of reducing the highways reactive maintenance budget. It was noted that the proposal would provide a saving of £50,000.

Officers assured the Committee that budgets would require close monitoring to ensure reduction in planned maintenance does not significantly increase reactive maintenance, which could also increase third party claims.

The Scrutiny Committee, following consideration and debate, unanimously supported the Officers proposal.

Structures and Retaining Walls

The Regeneration and Environment Scrutiny Committee previously considered the proposal and requested further information, as a result, this area has been reviewed further and the proposed saving has been reduced to £50,000.

The Committee noted that the risk prioritisation methodology has been further considered and has been deemed appropriate. The review identified that a number of future projects should be defined as "Capital" rather than "Revenue". As such appropriate business cases would be produced to provide substantiation for bids to the Capital Strategy group.

Following consideration and discussion, the Scrutiny Committee unanimously supported this proposal.

Highways Adaptations and Agreements Fees

The Scrutiny Committee noted that the income target for 2014/15 was £151,000, which had been decreased from £165,000 in previous years due to the downturn in the economy affecting the pace of development. The proposal suggested an increase in fees by 10%. The Committee were asked to note that fees were last increased in 2012. Since then there are positive signs that development activity is increasing and all local authorities are reviewing their charges.

The Scrutiny Committee considered and debated the proposal and upon vote, unanimously supported the Officers proposal.

Transport and Engineering – Car Park tariffs. Increase car parking charges by typically 10p per hour.

The Scrutiny Committee considered a proposal to increase car parking charges across the borough by 10p per hour, which would provide a £30,000 saving contribution in the 2015/16 financial year.

Members considered the proposal and noted that similar actions are being considered by other Local Authorities.

Members discussed and debated the proposal and upon vote, the majority present supported the Officers proposal.

Management of Off Street Car Parks (Sunday Charging)

The Scrutiny Committee were provided with a proposal to introduce parking charges in all car parks across the borough on Sundays. It is anticipated that the introduction of the charges would provide a £10,000 saving for the 2015/16 financial year, along with an estimated additional income of £15,000.

Members noted that there are currently 13 Local Authorities currently charging for car parking on Sundays and 2 (Carmarthenshire and Monmouthshire) are currently considering introducing charges on Sundays.

Members considered the proposal and raised queries around the rates to be charged and whether this would include the increase of 10p. Officers confirmed that the rates would be the same on a Saturday and Sunday across the Borough.

Following careful consideration and debate, the Officers proposal was supported by the majority present.

Public Transport Subsidy – Confirmed Option

The report provided Members with a proposal to review the spend and services for Public Transport. The proposal included reviewing contracts with the highest subsidy per passenger, fare paying school buses and consideration of times when usage is lowest, or when a reasonable alternative exists. This would include working with existing service providers to look at where efficiencies in provision can be made, with the minimum impact on passengers. The proposal highlighted a part year saving for 2015/16 of £24,000 and a full year saving of £150,000 in 2016/17.

Members noted that further changes in external funding for bus services (e.g. concessionary travel reimbursement; bus service support grant), may result in additional reduction to bus services in the county borough and the need to re-prioritise how savings can be achieved.

Members discussed the bus service in place in the north of the Borough and the recent cut in the Stagecoach service in the area. Concerns were raised that the proposal would further impact upon the services in the area and have an effect on the rest of the borough. Members were assured that the contracts would be carefully considered to mitigate the impact on any one area.

Following careful consideration and detailed debate, the Scrutiny Committee unanimously supported the Officers proposal.

The meeting closed at 7.45 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 17th February 2015 they were signed by the Chair.

CHAIR

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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON
TUESDAY, 9TH DECEMBER 2014 AT 5.30 P.M.

PRESENT:

Councillor D.T. Davies - Chair
Councillor Mrs E.M. Aldworth - Vice-Chair

Councillors:

J. Bevan, Mrs A. Blackman, C.J. Cuss, R.T. Davies, N. Dix, C. Elsbury, R.W. Gough,
Ms J.G. Jones, M.J. Prew, A. Rees, Mrs E. Stenner

Cabinet Members:

K. James (Regeneration, Planning and Sustainable Development), D.V. Poole (Community
and Leisure Services) and T.J. Williams (Highways, Transportation and Engineering).

Together with:

S. Aspinall (Acting Deputy Chief Executive), P. Elliott (Head of Regeneration and Planning),
C. Campbell (Transportation Engineering Manager), R. Kyte (Team Leader Strategic and
Development Planning), D. Phenis (Sport and Leisure Services Manager), J. Lougher (Sport
and Leisure Development Manager), J. Jones (Democratic Services Manager) and
R. Barrett (Committee Services Officer)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S. Kent, Mrs P. Leonard and
Mrs D. Price.

2. DECLARATIONS OF INTEREST

During the course of the meeting, a declaration of interest was received from Councillor Mrs
E.M. Aldworth and is minuted with the respective item.

3. MINUTES – 28TH OCTOBER 2014

RESOLVED that the minutes of the Regeneration and Environment Scrutiny
Committee meeting held on 28th October 2014 (minute nos. 1 – 16) be approved as a
correct record and signed by the Chair.

4. CONSIDERATION OF ANY MATTER REFERRED TO THIS COMMITTEE IN ACCORDANCE WITH THE CALL-IN PROCEDURE

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

5. REPORT OF THE CABINET MEMBERS

The Scrutiny Committee received reports from Cabinet Members K. James, T.J. Williams and D.V. Poole.

Councillor K. James, Cabinet Member for Regeneration, Planning and Sustainable Development, presented his report, and informed Members that HRH Prince Charles would be visiting the Newbridge Memorial Hall on Friday 12th February. An official concert would also be held in February 2015 to mark its reopening.

Members were advised of the recent launch of the “Choose the High Street @ Christmas” discount voucher booklet, which offered shoppers a range of discounts from businesses within the five managed town centres of Bargoed, Blackwood, Caerphilly, Risca and Ystrad Mynach. These booklets were available from CCBC libraries and Customer First Centres and would also be distributed at various CCBC Christmas events.

Sophie Hawkrige, an apprentice with the Countryside Services Division, was congratulated on being awarded Apprentice of the Year at the recent Caerphilly Business Awards. There was also success for the Council’s Events and Marketing Team, who were recently awarded a £14,000 grant from Visit Wales through the Regional Tourism Engagement Fund. The grant will provide for the installation of new visitor and tourism panels in Blackwood, training on social media marketing, and promotion for tourism businesses.

In response to a Member’s query regarding the discount voucher booklets, it was explained that the Town Centre Management Groups approached a number of businesses across the Authority, with the outcome being that offers from businesses located outside the main town centres were also welcomed for inclusion within the booklet.

Councillor T.J. Williams, Cabinet Member for Highways, Transportation and Engineering, presented his report, and advised Members that the Winter Maintenance Plan was well underway, with the Authority’s fleet of vehicles serviced and salt stocks replenished in preparation for the winter months.

Members were informed that Marcus Lloyd had been seconded to the WHQS Programme as Deputy Head of Programmes, with Graham Parry filling his former role of Highway Operations Group Manager in an interim capacity.

The Cabinet Member advised of a number of developments within the Engineer Projects Group, with the Crumlin rail bridge refurbishment completed, Phase 4 of Bargoed Regeneration and Phase 3 of Newbridge Town Centre Enhancement out to tender, and the A469 Trecenydd to Pwllypant road successfully resurfaced and reconstructed. Members were also informed that WG funding had been confirmed for the proposed highway improvements to the A467/A472 signalised junction in Crumlin. It was expected that works would commence on 5th January 2015 for a period of 34 weeks, with an article in the next issue of Newline to inform local residents of the forthcoming works.

Members referenced the hard work undertaken by Engineering staff in relation to the A469 roadworks and asked for their appreciation to be placed on record.

Councillor D.V. Poole, Cabinet Member for Community and Leisure Services, outlined a series of events held in connection with the White Ribbon campaign, including the re-launch

of the Domestic Abuse Multi Agency Centre in Ystrad Mynach on White Ribbon Day itself. A series of further activities are proposed to raise awareness and to help victims of domestic abuse access support, including some planned to coincide with the 6 Nations rugby period.

Members were updated on the draft Business Case being developed in connection with the Gwent Trading Standards Project, with it anticipated that it would be presented to Members for consideration in February/March 2015.

The recent Pride in Your Place awards ceremony was held on Tuesday 25th November 2014 at Blackwood Miners' Institute, with a range of excellent entries received from community groups and schools across the borough, demonstrating their commitment to making the borough a cleaner, greener place. It was also advised that the Christmas waste collection arrangements had recently been released and publicised in Newslines and via local press and the CCBC website.

Members made reference to ongoing waste collection issues in their wards as the result of changes to bin collection days, and the Cabinet Member confirmed that he would make further enquiries with the Waste Strategy and Operations Manager in relation to this.

6. CABINET REPORTS

None of the Cabinet reports listed on the agenda had been called forward for discussion at the meeting.

REPORTS OF OFFICERS

Consideration was given to the following reports.

7. CAERPHILLY COUNTY BOROUGH LOCAL DEVELOPMENT PLAN (FIRST REVIEW) UP TO 2031: DRAFT PREFERRED STRATEGY

During the course of the debate on this item, Councillor E.M. Aldworth declared an interest. In that it was personal (she has a family member who is an estate manager at Trecenydd Business Park) and not prejudicial, she remained in the meeting and took part in the debate.

Rhian Kyte, Team Leader Strategic and Development Planning, together with Pauline Elliott, Head of Regeneration and Planning, presented the report, which informed Members of the progress made to date in respect of the Caerphilly County Borough Local Development Plan up to 2021 and its influence on the Draft Preferred Strategy up to 2031, prior to its presentation to Cabinet and thereafter Council.

The report outlined the stakeholder engagement undertaken to date for the first review of the Caerphilly County Borough Local Development Plan up to 2021 and outlined how this work has influenced the Draft Preferred Strategy up to 2031. Members' views were sought on the Draft Preferred Strategy (attached at Appendix 1 to the report) as a basis for the first formal statutory six-week public consultation stage of the plan review process which is scheduled for early 2015, with details of this consultation process outlined by Officers.

The report also outlined the next stage of the Local Development Plan (LDP) Review Process, together with an extract from the Review Report (attached at Appendix 2 to the report) which detailed the consideration given to undertaking a joint review of the LDP with Blaenau Gwent and Torfaen Councils.

Detailed discussion of the report ensued and Members raised a number of queries regarding the contents of the Draft Preferred Strategy. Reference was made to the proposal to reduce

the over-allocation of employment land and reallocate some employment land within the county borough, and Officers explained that the Strategy had identified a need for all existing land allocations to be revisited to ensure they were still appropriate to the Caerphilly County Borough Local Development Plan.

Members referenced the proposed development of strategic sites in Caerphilly and Maesycwmmmer to support planned growth, querying whether these sites could sufficiently accommodate new and improved infrastructure provision. It was explained that the way forward regarding the determination of strategic sites would be established with the preparation of the forthcoming Deposit LDP. Members also queried the inclusion of certain sites within the schedule of candidate sites for consideration for inclusion in the Deposit LDP with it explained that this was an initial list compiled from parties interested in developing these sites, and that the list indicated whether or not the sites hypothetically met the Sustainable Network Growth Strategy.

The report referenced a need for improvements to the strategic transportation infrastructure within the county borough, and Members' comments regarding these were noted by Officers. Members commented on the need for a new rail station at Nelson and suggested that a road-widening scheme between Nelson and Ystrad Mynach be included in the Strategy. A query was raised regarding details of a proposed new bypass for the Maesycwmmmer area, with Officers clarifying the proposed location and explaining this new road would be required to service the strategic site if established.

The Draft Preferred Strategy referred to the proposed cinema development in Bargoed, with Members citing a forthcoming Notice of Motion (to request a new business case and returned tenders for the cinema) and querying if this should be reflected in the Strategy. Officers explained that the final version of the Strategy would reflect future developments on this matter.

The impact of the Local Development Plan on town centre regeneration was discussed, and Members commented on the need to encourage more premium retailers into Caerphilly Town Centre. Members' attention was directed to 7.43 of the Draft Preferred Strategy, which referenced the Gallagher Retail Park and explained that the future designation of this area (including considering a change of use to a Retail Warehouse Park) would be reconsidered through the review process. Officers outlined the engagement process between Members and local town centre businesses regarding town centre regeneration and offered to arrange a training session with Members in order to identify issues that could be discussed with these local businesses.

Reference was made to the Sustainable Urban Network Growth Strategy and Members commented on the need to explore opportunities to improve the strategic rail network to facilitate the reopening of the Caerphilly-Machen-Newport disused rail line. Queries were also received regarding the Authority's forthcoming Local Transport Plan, and Members were redirected to the appropriate Officer for further information.

Discussion took place regarding land allocation processes and the use of greenfield and brownfield sites. It was reiterated that all existing land allocations would be revisited to ensure they were still appropriate to the Caerphilly County Borough LDP. Officers also responded to general discussion in relation to the impact of the LDP on planning application processes.

Members made reference to paragraph 3.17 of the Draft Preferred Strategy, which referred to average house prices in the county borough, and paragraph 3.27 which referred to overall concentrations of deprivation in the county borough and Officers confirmed that these details would be updated in line with the latest Annual Monitoring Report data.

Following consideration of the report, including the Draft Preferred Strategy and the position statements from each of the three local planning authorities as contained in the Review Report, it was moved and seconded that the recommendation contained therein be forwarded

to Cabinet and thereafter Council for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet, and thereafter Council, that for the reasons contained therein, the Authority's commitment to progress with a single review of the Adopted Caerphilly County Borough Local Development Plan be reconfirmed.

8. ADOPTION OF SOUTH EAST WALES VALLEYS LOCAL TRANSPORT PLAN

Clive Campbell, Transportation Engineering Manager, presented the report, which sought Members' views on the draft South East Wales Valleys Local Transport Plan (LTP) and reported the responses from statutory and public consultation, prior to its presentation to Cabinet and thereafter Council.

It was explained that the Welsh Government (WG) requires all local authorities in Wales to produce LTPs in accordance with guidance issued in May 2014, which will replace the 4 Regional Transport Plans (RTPs) currently in place across Wales. The LTP has to be submitted to WG by 31st January 2015 and as such there has been a very short timescale to produce the LTP.

On 29th October 2014, Cabinet gave approval for a joint South East Wales Valleys Local Transport Plan to be produced by Caerphilly, Rhondda Cynon Taf, Torfaen, Blaenau Gwent and Merthyr Tydfil Councils, with RCT identified as the lead authority for the plan and to act as the main point of contact with the Welsh Government.

Members' attention was directed to the consultation draft of the LTP, which was attached as Appendix 3 to the report. It was explained that the WG requirements stated that the LTP cannot refer to rail/ trunk road schemes, and therefore a number of amendments would need to be made prior to the LTP being submitted to the WG. This included removal of Appendix 2 of the LTP Consultation Report which identified priority rail improvements for the SE Wales Valleys area.

Reference was made to the short-term programme of CCBC schemes identified within the draft LTP, with it explained that there had been accelerated developments in regards to the scheme to extend park and ride facilities at Ystrad Mynach Rail Station. Recent DDA and station improvement works had facilitated the opportunity to bring forward this plan to within the next 12-18 months, therefore increasing the Priority Rating against this scheme from 6 to 2.

The Committee were also advised of Member consultation feedback received regarding LTP scheme programmes, which were contained within Appendix 1 of the report. Officers suggested that a scheme could be added to the LTP to improve the signalised junction serving the Pengam Park and Ride Site.

Discussion of the report ensued and Members commented on the need for an improved road and public transport infrastructure around the county borough, with these comments noted by Officers. A query was also raised in regards to the short consultation timelines with it advised that despite the short WG deadline submission date for the LTP, sufficient notice was given to all consultees.

Following consideration of the report, it was moved and seconded that the recommendation contained therein be forwarded to Cabinet and thereafter Council for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet, and thereafter Council, that for the reasons contained therein, and subject to the amendments to the LTP as detailed by Officers, the South East Wales Valleys Local Transport Plan be adopted.

9. NOTICE OF MOTION – PROPOSED DEVELOPMENT OF A NEW CINEMA IN BARGOED

Sandra Aspinall, Acting Deputy Chief Executive, introduced the report, which detailed a Notice of Motion received from Councillor Roy Saralis and supported by Councillors Jan Jones, Colin Durham, Allan Rees, Jean Summers, Nigel Dix and Pat Cook.

The Members requested in their Notice of Motion that:-

- “This Council requires that a new business case and returned tenders for the proposed development of a new cinema in Bargoed is considered in detail by the Regeneration and Environment Scrutiny Committee, prior to a decision being taken by Officers, Cabinet or full Council to commit any financial support to the project”.

Following consideration of the Notice of Motion, it was moved and seconded that the recommendation contained therein be forwarded to Cabinet for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet that the Notice of Motion be supported.

In response to a Member’s query, Officers confirmed that the Notice of Motion would be presented to Cabinet and the new business case presented to a future meeting of scrutiny once tenders had been returned and evaluated.

10. REVIEW OF THE DUKE OF EDINBURGH AWARD SCHEME

Following a Member’s request, this report was brought forward from the list of information items as an item for discussion.

David Phenis, Sport and Leisure Services Manager, and Jared Lougher, Sport and Leisure Development Manager, presented the report, which advised Members of progress with a review of the Duke of Edinburgh award scheme in CCBC.

The report outlined details of a review of the current provision of the Duke of Edinburgh (DofE) award scheme, and recommended areas for improvement which have been formulated by a cross-directorate task group. The review highlighted that Caerphilly had only reached 1.4% of the youth population (14-24 years), in comparison to the Wales average of 2.5% (Full Report in Appendix 1).

The cross-directorate task group reviewed the current provision of the scheme and evaluated how CCBC could improve on its current level of performance in comparison to other local authorities in Wales. A number of areas for improvement have been identified to increase engagement with organisations (other than schools) and young people in Caerphilly.

Following discussion of the report, Members noted the progress of the DofE award scheme to date and supported the areas identified for improvement.

11. INFORMATION ITEMS

The Committee noted the following items for information, full details of which were included within the Officers reports. None of these items were brought forward for review.

- (1) 6 Month Update – Improvement Objective No. 4;
- (2) Bargoed Town Centre Management Group Minutes – 15th October 2014;
- (3) Blackwood Town Centre Management Group Minutes – 17th October 2014;
- (4) Caerphilly Town Centre Management Group Minutes – 4th November 2014;
- (5) Risca Town Centre Management Group Minutes – 18th November 2014;

- (6) Summary of Members' Attendance – Quarter 2 – 1st July 2014 to 30th September 2014.

The Chair extended his thanks to Members and Officers for their hard work over the past year, and wished those present a Merry Christmas and a Happy New Year.

The meeting closed at 7.17 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 17th February 2015, they were signed by the Chair.

CHAIR

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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 17TH FEBRUARY 2015

SUBJECT: PUBLIC PROTECTION ENFORCEMENT POLICY

REPORT BY: CORPORATE DIRECTOR SOCIAL SERVICES

1. PURPOSE OF REPORT

- 1.1 To seek Members views on a revised Public Protection Enforcement Policy before submission to Cabinet for approval.

2. SUMMARY

- 2.1 The Public Protection division has a major regulatory role in protecting the environment and ensuring a safe, healthy and prosperous community for citizens, business and visitors.
- 2.2 This regulatory role includes the enforcement of numerous statutes, many of which include criminal and other sanctions on those who infringe the law.
- 2.3 In order to ensure a fair and consistent approach to their enforcement responsibilities the division developed an Enforcement Policy, which was last approved in 2011.
- 2.4 The existing Policy now requires updating due to changes in legislation and the range of sanctions available to the division.

3. LINKS TO STRATEGY

- 3.1 Enforcing public protection legislation is a statutory duty and this activity also contributes to the Healthier Caerphilly, Greener Caerphilly, Prosperous Caerphilly, and Safer Caerphilly priorities within the Caerphilly Local Service Board single integrated plan, Caerphilly Delivers, and Objective 1 of the Council's Strategic Equality Plan 2012.

4. THE REPORT

- 4.1 The existing Public Protection Enforcement Policy required amending due to the implementation of the Regulators' Code in 2014 and a number of other changes to legislation, sanctions and powers.
- 4.2 The Regulators' Code places a statutory responsibility on certain regulators to have regard to it when developing policies and operational procedures that guide their regulatory activities. The Code applies to specific regulatory functions, which mainly include non-devolved functions exercised by officers within the Trading Standards, Environmental Health and Licensing service areas. It is expected that supplemental legislation will be implemented in Wales to widen the Code's application to also include devolved functions. With that in mind

the new Policy will apply to devolved and non-devolved functions in the relevant service areas. The current and revised enforcement policies cover all enforcement activities carried out by the Public Protection Division, not just those functions controlled by the Regulators' Code.

- 4.3 Section 6 of the Code sets out Government's expectation that local authorities will ensure that their approach to regulatory activities is transparent. The provision includes an expectation that local authorities will publish a clear set of service standards, setting out what those they regulate should expect from them. This includes an enforcement policy, explaining how we respond to non-compliance.
- 4.4 BRDO (The Better Regulation Delivery Office) produced a Local Authority Tool Kit on section 6 of the code to aid local authorities, which includes templates for Service Standards and Enforcement Policies. This policy has been produced in line with the toolkit and is attached as Appendix 1.
- 4.5 The Enforcement Options section of the existing Policy has also been expanded and updated in the following areas: -
- Taking Animals into Possession
 - Tobacco Restriction Orders
 - Charging of Suspects
 - Equalities
 - Criminal Behaviour Orders
- 4.6 The Policy will be reviewed annually and a report submitted to the relevant Scrutiny Committee on compliance and enforcement action taken by Public Protection.
- 4.7 Once approved the Policy will be bilingual, published on the website and available in hard copy and other formats.
- 4.8 Service Standards have also been established in line with the Regulators' Code and BRDO toolkit and will be published on the Public Protection Web pages. The Standards are included as Appendix 2 for information.

5. EQUALITIES IMPLICATIONS

- 5.1 The authority and its officers in the Public Protection Division take all reasonable and practical steps to prevent and eliminate unlawful discrimination and encourage good relations between all parties, treating all those involved with equal respect, both when corresponding with those individuals and organisations and during the enforcement proceedings.

6. FINANCIAL IMPLICATIONS

- 6.1 None. The policy will be published on the Council's website and supplied in hard copy on request.

7. PERSONNEL IMPLICATIONS

- 7.1 All Officers within the Public Protection areas will be informed of the new Policy and the requirements for implementation and compliance.

8. CONSULTATIONS

- 8.1 This report has been sent to the Consultees listed below and all comments received are reflected in this report.

8.2 A number of external agencies have also been consulted on the revised policy and include Gwent Police, Home Authority Companies, Food Standards Agency, BRDO, Animal Health and the Health and Safety Executive. Any responses received have, where appropriate, been reflected in the policy.

9. RECOMMENDATIONS

9.1 That the views of Scrutiny Committee are sought before submission to the Cabinet for approval.

10. REASONS FOR THE RECOMMENDATIONS

10.1 To establish a proportionate and transparent approach to enforcement throughout the Public Protection Division and to satisfy the requirements of the Enforcement Concordat and Regulators' Code.

11. STATUTORY POWER

11.1 Local Government Act 1972, Prosecution of Offences Act 1985, The Legislative and Regulatory Reform Act 2006, Part 2. Legislative and Regulatory Reform (Regulatory Functions) Order 2007.

Author: Jacqui Morgan, Trading Standards, Licensing and Registrars Manager, Ext. 5034
Consultees: Cllr. Dave Poole, Cabinet Member for Community and Leisure Services
Cllr. D.T. Davies, Chair Regeneration & Environment Scrutiny
Cllr. E.M. Aldworth, Vice-Chair Regeneration & Environment Scrutiny
Dave Street, Corporate Director Social Services
Sandra Aspinall, Acting Deputy Chief Executive
Rob Hartshorn, Head of Public Protection
Kath Peters, Community Safety Manager
Ceri Edwards, Environmental Health Manager
Gail Williams, Interim Head Of Legal Services And Monitoring Officer
Sue Ead, Solicitor, Legal Services
David A. Thomas, Senior Policy Officer (Equalities and Welsh Language)
Mike Eedy, Finance Manager
Sian Phillips, HR Manager

Background Papers:
Current Public Protection Compliance and Enforcement Policy
Regulators' Code – April 2014

Appendices:
Appendix 1 Public Protection Enforcement Policy
Appendix 2 Service Standards

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PUBLIC PROTECTION ENFORCEMENT POLICY

INTRODUCTION

The Public Protection division of the Directorate of the Environment is divided into four groups: - Environmental Health, Trading Standards, Licensing and Registrars, Community Safety and Catering. The division has extensive regulatory functions, dealing with matters as diverse as animal health and welfare, health and safety, emergency planning, pollution and pest control, dog warden services, public health nuisances, food safety, communicable disease control, abandoned vehicles, licensing, registration of births, marriages and deaths, community safety, anti-social behaviour, littering and dog fouling, consumer safety, weights and measures and fair trading.

These services aim to promote the health, safety, social and economic well being of the public and improve environmental conditions by regulation, information, licensing, advice and action. They also aim to assist legitimate business in meeting their legal obligations within a fair, competitive market place.

This policy only applies to those services within the division that have regulatory responsibilities and has been developed with the Enforcement Concordat's principles of good enforcement as its foundation as well as the principles of the Regulators' Code.

AIM OF THE ENFORCEMENT POLICY

The aim of the Policy is to set out our approach to enforcement action through out the service areas covered, without placing an unnecessary burden on local businesses, organisations, consumers and the public. We intend to apply our legal powers consistently and fairly, whatever the circumstances. This Policy sets out our approach for those affected by our enforcement activities as well as for Officers of the Council.

Objectives.

- : To ensure we enforce the law in a fair and consistent manner
 - To assist and advise business and others in meeting their legal obligations
 - To focus on prevention rather than cure
 - To take firm action against those who flout the law, act irresponsibly, or where there is an immediate risk to health and safety
 - To support economic progress.
- We will also make sure all enforcement activities are;
- Taken in accordance with the principles of good enforcement (best practice guides and / or statutory provisions).

Compatible with the European Convention on Human Rights and the Human Rights Act 1998, to protect the rights of the individual. In particular, due regard is had to the right to a fair trial and the right to respect for private and family life, home and correspondence.

Managed efficiently

Taken promptly and without unnecessary delay

Undertaken consistently by all relevant service areas within Public Protection

Undertaken in a fair and transparent manner

Targeted according to risk and having regard to the National Enforcement Priorities for Wales.

EQUALITY AND DIVERSITY

The authority and its officers in Public Protection will take all reasonable and practical steps to prevent and eliminate unlawful discrimination and encourage good relations between all parties, treating all those involved with equal respect, both when corresponding with those individuals and organisations and during the enforcement proceedings.

This will be done irrespective of the individual's ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh, BSL or other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

During the monitoring and review process the Council will also ensure that the enforcement reflects these requirements, all of which are in line with the Council's Strategic Equality Plan. This and other related documents can be found at Equalities, Strategies, Plans and Policies.

This Policy is bilingual and will be provided in any other language or format on request. Officers are aware of and respect cultural requirements and when necessary and with prior notice, will arrange suitable meeting times and venues, and appropriate translation or interpretation services.

When dealing with juveniles or persons who are vulnerable, whether due to learning difficulties, mental illness or in some other way, due regard will be taken of their vulnerability and of any current Codes of Practice whether statutory or not, to ensure these persons are treated fairly.

CONSULTATIONS AND REVIEW

This Policy was subject to consultation during its production. We continue to welcome feedback, particularly responses from affected persons. We strive to monitor continually the content and adherence of our officers to this policy. The Policy will be reviewed regularly and we will endeavour to include suggested improvements in future

revisions where possible. A report on enforcement action taken by the Public Protection Division will be submitted annually to the relevant Scrutiny committee.

This Policy was formally approved by Cabinet on

COMPLAINTS

Any complaints about the application of this Policy should be addressed to the Head of Public Protection at the address below. If the matter is not satisfactorily concluded it will be dealt with in accordance with the Caerphilly County Borough Council Corporate Complaint Scheme

This Policy is published on the Public Protection pages of our website at Caerphilly County Borough Council Website and in hard copy. Requests for copies in other formats or languages or comments on this policy should be sent to the following:-

Head of Public Protection
Environment Directorate
Pontllanfraith House
Pontllanfraith
Blackwood
NP12 2YW
01495 235316

THE PRINCIPLES OF GOOD ENFORCEMENT - LOCAL GOVERNMENT CONCORDAT ON GOOD ENFORCEMENT

The Authority has formally adopted the central and local government Concordat on 'Good Enforcement' and will abide by its principles. Consideration will also be given to any additional guidance or codes of practice on enforcement that are relevant to the Public Protection services. The following principles will also be adhered to:

Openness

We will provide information and advice in plain language and in other languages and formats on request, on the rules that apply, and will distribute this as widely as possible. We will be open about how we set about our work including any charges we set. We will discuss general issues, specific compliance failures or difficulties in complying with the law, we will respond to enquiries and visit individuals when requested.

In certain circumstances we will take steps to raise awareness and increase compliance levels by publicising unlawful business practices or criminal activity and, where appropriate, we will publicise the results of specific court cases and other formal actions.

We will draw up clear standards, setting out the level of service and performance the public and business can expect to receive. These will be developed in consultation with other relevant interested parties, where appropriate. We will publish these standards and our annual performance against them. The standards will be made available to local businesses and others who are regulated.

Helpfulness

We believe that 'prevention is better than cure' and that our role involves actively working with business and individuals to advise on compliance. We will provide a courteous and efficient service and our staff will identify themselves by name. We will provide a contact point and telephone number and will encourage businesses and individuals to seek advice and information from us. Applications for licences, registrations, and approval of establishments etc will be dealt with efficiently and promptly. We will ensure that wherever practicable, our enforcement activities are effectively co-ordinated to minimise unnecessary overlaps and time delays.

Proportionality

We will minimise the costs of compliance for business by ensuring that any action we require or take is proportionate to the risks. As far as the law allows, we will take account of the circumstances of the case and the attitude of the business or persons involved when considering action. We will take particular care to work with small businesses and voluntary and community organisations, so that they can meet their legal obligations without unnecessary expense, where practicable.

When dealing with individual members of the public, the concept of proportionality will also apply, in so far as the relevant legislation permits. We will balance the potential effect of enforcement action on the individual against the harm caused by allowing the activity to continue if it affects communities and others. Where possible we will attempt to identify and contact all individuals concerned with each case.

Consistency

We will carry out our duties in a fair, equitable and consistent manner. Where Officers are expected to exercise judgement in individual cases, we will have arrangements in place to ensure consistency, including effective arrangements for liaison with other authorities and enforcement bodies. This will be achieved through staff development training and where appropriate the use of written procedures and protocols.

THE PRINCIPLES OF GOOD REGULATION - REGULATORS CODE

The Legislative and Regulatory Reform Act 2006, Part 2, requires the Authority to have regard to the Principles of Good Regulation when exercising a specified regulatory function¹. The Regulators Code applies to the regulation of business and supplements the principles of the Enforcement Concordat. The code only applies to specified functions carried out by our Environmental Health, Trading Standards and Licensing services.

Regulators must have regard to the code when developing policies and operational procedures that guide their regulatory activities. In certain instances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented. Consideration will also be given to any additional guidance or codes of practice on enforcement that are relevant to the regulatory services.

¹ Specified by the Legislative and Regulatory Reform (Regulatory Functions) Order 2007, available at <http://www.legislation.gov.uk/ukdsi/2007/9780110788708/schedule>

Supporting Regulated Businesses to Comply and Grow

We will try to avoid imposing unnecessary regulatory burdens on business through our regulatory activities and we will assess whether the desired outcomes could be achieved by less burdensome means. Our policies and practices will encourage and promote compliance but, in doing so, will try to minimise the negative economic effect of our activities and the cost of compliance. We will take into consideration the size of the regulated entity, capacity and the nature of their activities.

Engaging With Those We Regulate and Hearing Their Views

We will create effective consultation and feedback opportunities to enable continuing cooperative relationships with regulated entities and other interested parties. We will consider the impact of our policies and service standard on businesses, so we invite views from businesses, citizens and others about them.

We will ensure that our officers provide courteous and efficient services to regulated entities and others and take account of comments regarding the behaviour and activity of our enforcement officers.

Complaints will be dealt with in accordance with the Council's Corporate Complaints Procedure. In cases where disputes cannot be resolved, any right of complaint or appeal will be explained, with details of the process and the likely time-scales involved.

Basing Our Regulatory Activity On Risk

We will ensure that the allocation of our efforts and resources are prioritised and targeted where they would be most effective by assessing the risks to our regulatory outcomes. Such risk assessments will inform our approach to regulatory activity including data collection, inspection programmes, business advice and enforcement /sanctions. Risk assessment will take into consideration the potential impact of and the likelihood of non-compliance. We will make use of any risk assessment methodology schemes that are devised and approved by Government Departments for our specific service areas. Some of the nationally agreed risk assessment schemes that we adhere to are listed below:

- The Health and Safety Executive / Local Authorities Enforcement Liaison Committee (HELA) Health and Safety Inspection Rating System (A rated premises only)
- The Trading Standards Risk Assessment Scheme
- The FSA Food Hygiene Intervention Rating Scheme
- The FSA Food Standards Intervention Rating Scheme
- The DEFRA Local Authority Integrated Pollution Prevention and Control (LA-IPPC)
- Local Authority Pollution Prevention and Control (LAPPC) Risk Method
- DEFRA Animal Health Risk Assessment Scheme
- The Feed Law Enforcement Code of Practice Animal Feed Law Inspection Rating Scheme

We will ensure that inspections and other visits to check compliance will occur in accordance with a risk assessment methodology, except where visits are requested by businesses or where visits are made to check compliance with our advice regarding rectifying non-compliances or where we act on relevant intelligence or complaints. In those circumstances we may carry out inspections outside the

frequencies stated in the appropriate risk assessment scheme. Health and safety interventions are also project based and are determined on a regional basis in line with HSE's priorities. Certain categories of premises are inspected as they are included in the National Local Authority Enforcement Code Annex A - activities/sectors for proactive inspection. In addition we may use a small element of random inspection in our programme.

When we carry out a revisit to check that non-compliances have been rectified we will expect this to have been implemented, at least to a significant extent, and for the business to demonstrate that they have improved their systems to prevent similar non-compliances occurring in the future. If non-compliances have continued we will consider taking more formal enforcement action.

We will focus our greatest inspection efforts on businesses where our risk assessment shows that a compliance breach would pose a serious risk to regulatory outcome and there is a high likelihood of non-compliance by business. We will provide feedback about the results of our visits including the more positive aspects of the visits and encourage and reinforce good practices. We will have regard to published inspection plans for businesses that are a Primary Authority partnership when conducting our programmed activity at the business.

We will comply with the requirements of the Regulatory Enforcement and Sanctions Act 2008, as amended when we are considering taking enforcement action against any business or organisation that has a Primary Authority Partnership, and will have regard to any relevant guidance issued by the Secretary of State. In particular we will consult with the Primary Authority and take into account any advice that they have provided, notify them of any proposed enforcement action and comply with the statutory procedure if the Primary Authority does not consent to us taking this action.

At every step of the decision making process we will choose the most appropriate type of intervention or way of working with businesses, including when targeting checks on compliance or taking enforcement action. If the performance of a business is seen to represent a greater or lesser risk than others of a similar type, we will make a change to their risk rating when this is allowed by the relevant risk assessment scheme. We will recognise their compliance record, including evidence of any external verification so that we can consider any appropriate earned recognition approaches. We will review the effectiveness of our regulatory activities in delivering the desired outcomes and will make any necessary adjustments accordingly.

SHARING INFORMATION ABOUT COMPLIANCE AND RISK

When determining the data we require from businesses we will endeavour to reduce business costs where possible by varying data requests according to risk, limiting collection to specific businesses or sectors, reducing the frequency of data collection, obtaining data from other sources, allowing electronic submission and only requesting data which is justified by risk assessment. In order to help target our resources and activities and to minimise duplication we will share information about business with other regulators when the law allows this. Where there is a need for this authority to share enforcement information with other agencies, we will follow the provisions of the Data Protection Act 1988.

Making Information, Guidance And Advice Available To Business

We will provide general information, advice and guidance free of charge to make it easier for business to understand and meet their legal obligations and we will provide it in clear, concise and accessible language. Where possible we will look to utilise any relevant national guidance. Officers are encouraged to promote compliance with the law by raising awareness of relevant standards and legal requirements by means of press statements, distributing leaflets and face-to-face contact. Face to face contact is generally on request or by means of a programmed visit to discuss general compliance.

When offering compliance advice we will distinguish between legal requirements and suggested best practice and we will try not to impose any unnecessary burdens. Advice will be confirmed in writing, if requested. If our advice conflicts with that provided by another regulator we will liaise with them in order to reach agreement. Businesses may seek advice from us without directly triggering an enforcement action. If a business wishes to enter into a formal Primary Authority Partnership or Home Authority agreement with us, we will use our best efforts to achieve a satisfactory arrangement.

Where we encounter non-compliances we will explain the nature of the non-compliance, clearly advise on any action required and why and explain the reasons behind any decisions we make in relation to them.

When considering formal action we will, where appropriate, discuss the circumstances with those suspected of the breach and take these into account when deciding on the best approach. However this will not apply where immediate action is required to prevent or respond to a serious breach or where to do so is likely to defeat the purpose of the proposed enforcement action.

Ensuring Our Approach Is Transparent

We will publish a set of clear service standards about:

- How we communicate with those we regulate and how we can be contacted;
- Our approach to providing information, guidance and advice;
- Our approach to checks on compliance and protocols for our conduct;
- Our enforcement policy;
- Our fees and charges;
- Our appeals procedure;
- Our complaints procedure;

These service standards are available on the Councils website ([hyperlink](#)) and will be provided on request. We will also publish on a regular basis details on our performance against these standards including customer satisfaction survey results and data on complaints and appeals.

ENFORCEMENT OPTIONS

A number of enforcement options are available and Officers are authorised to enforce legislation in accordance with the Council's **Scheme of Delegation**

The appropriate option will be determined following careful consideration of the circumstances of each individual case. Our enforcement officers will interpret and apply legal requirements and enforcement policies consistently and fairly.

Our Enforcement Actions Will:

- Aim to change the behaviour of the offender and deter future non-compliance;
- Aim to eliminate any financial gain or benefit from non-compliance;
- Consider what is appropriate to the nature of the offence and the regulatory issue;
- Be proportionate to the nature of the offence and the harm caused, with consideration of the size of the business entity where relevant
- Aim to restore the harm caused by regulatory non-compliance, where appropriate;

Conduct Of Investigations

Officers investigating breaches of legislation may use powers relevant to the specific legislation they are enforcing. These can include entering premises, in some instances under a warrant of entry, to inspect goods, services, procedures, and documentation, carry out an investigation, requiring a name and address, taking samples, making test purchases and seizing items. Some legislation may include offences for obstructing an authorised officer or failing to comply with a reasonable requirement made by the officer.

As well as using such powers officers may need to speak to individuals and, in the more serious case, interview persons under caution. Such interviews will take place in accordance with the Police and Criminal Evidence Act 1984. In the most serious cases officers may make arrangements for a potential defendant to be arrested by the police to facilitate the investigation. The authority will comply with any relevant time limits specified in legislation for commencing legal proceedings. All investigations will be conducted expeditiously.

All investigations will be carried out under the following legislation and in accordance with any associated guidance or codes of practice, in so far as they relate to this authority:

The Police and Criminal Evidence Act 1984

The Criminal Procedure and Investigations Act 1996

The Regulation of Investigatory Powers Act 2000

The Criminal Justice and Police Act 2001

The Anti-social Behaviour, Crime and Policing Act 2014

The Human Rights Act 1998

Where there is a need for CCBC to share enforcement information with other agencies, we will follow the provisions of the Data Protection Act 1988. Authorised officers will comply with the requirements of the particular legislation under which they are acting, and with any associated guidance or codes of practice and will keep

alleged offenders, complainants and witnesses informed of the progress of investigations. Investigating officers and managers will make a recommendation on suitable outcomes to the Head of Public Protection who in consultation with Legal Services will make the final decision.

Shared Enforcement Role

There are situations where the local authority shares or has a complimentary enforcement role with other agencies, e.g. Police, Health and Safety Executive. In such situations we shall have due regard to the Data Protection Act 1998 any Information Sharing Protocols, Codes of Practice or Memoranda of Understanding that exist in seeking to co-operate with those agencies.

On occasion, it will be more appropriate for other agencies or other Local Authorities to deal with particular breaches of legislation. In carrying out shared duties, we will still comply with our Enforcement Policy, but the other agencies will maintain the right to take any action they consider to be necessary.

If an offender commits an offence in a number of Local Authority areas, it may be more appropriate for one Council to take a prosecution for all the offences, including ones that took place outside of its area. In such circumstances we may enter into legal agreements with other councils for one authority to take the lead role, making use of the provisions under Sections 19 of the Local Government Act 2000 and 222 of the Local Government Act 1972 or any other enabling powers.

Informal Action

In circumstances where minor breaches of legislation have been identified formal action may not be considered appropriate. There may be no significant risk and the offence appears to have been committed by a genuine mistake or accident and, from the individuals/businesses past history, it can be reasonably expected that informal action will achieve compliance. Therefore formal action may not be in the public interest. Informal action may consist of verbal or written warnings.

We will clearly identify any contraventions of the law and give advice on how to put them right. We will distinguish between legal requirements and best practice. The time allowed will be reasonable and will take into account the seriousness of the contravention. Continued non-compliance of legal requirements could result in an escalation to more formal enforcement action.

We will take account of any advice or guidance provided to businesses by their Primary Authority Partnership when considering the most appropriate enforcement action for us to take and may discuss any need for compliance advice and support with the primary authority.

The authority may in some circumstances accept voluntary undertakings that breaches will be rectified and /or recurrences prevented. Any failure to honour such undertakings is likely to result in enforcement action.

Formal Action

Statutory Notices

Certain legislation allows statutory notices to be served to require offenders to take specific actions or cease activities within particular timescales. These can include prohibition, improvement, revocation, suspension and remedial action, cessation and rectification, seizure and detention notices. A statutory notice will clearly set out the actions that must be taken and the timescale for completion. Failure to comply with statutory notices can be an offence and in some instances may allow the Authority to carry out works in default and charge the person served with the notice for the cost of the work. All notices will include details of any applicable appeal procedure. Some notices issued in respect of premises may be affixed to the premises and /or registered as local land charges.

Fixed Penalty Notice, Penalty Notices for Disorder, Penalty Charge Notices and Community Protection Notices.

In some areas, for example dog fouling, littering, disorder, non display of food hygiene rating, sales of alcohol to minors, and smoking in enclosed public places officers can exercise powers to issue either Fixed Penalty Notices or Penalty Notices for Disorder, which give the offender an opportunity to avoid prosecution by payment of the penalty. They are recognised as a low-level enforcement tool, whereby they do not create a criminal record for the offender. Choosing to pay the penalty is not an admission of guilt and so the issuing of these notices cannot be used as evidence in any future court proceedings. In some circumstances, particularly where breaches are serious or recurrent, or the notice is ignored, a prosecution may be more appropriate. Such action will only continue where there is adequate evidence to support a prosecution. Failure to pay the amount imposed by the notice may result in the offender being pursued through the courts. All notices issued will include details of any applicable appeal procedure.

The service areas will follow relevant guidance on issuing such notices to juveniles, with actions taken being influenced by the offender's age and the circumstances of the offence. When dealing with juveniles who are vulnerable, whether due to learning difficulties, mental illness or in some other way, due regard will be taken of their vulnerability and of any current Codes of Practice whether statutory or not, to ensure these persons are treated fairly. Where a fixed penalty is issued to a juvenile which remains unpaid the authority will implement the Resolution of non payment of FPNs Youth Offending Service intervention programme to minimise the number of cases referred to the criminal justice system. This is outlined in the process map in appendix 1.

Penalty Charge Notices (PCN) are prescribed by certain legislation as a method of enforcement by which the offender pays an amount of money to the enforcer in recognition of the breach. Failure to pay the PCN will result in the offender being pursued in the County Court for non-payment of the debt. A PCN does not create a criminal record and we may choose to issue a PCN without first issuing a warning.

Community Protection Notices (CPN's) may be issued where anti-social behaviour is of a persistent or continuing nature and is affecting a community. A warning stipulating the matter to be resolved will be issued first. A CPN will stipulate the action to be taken

to resolve the issue and the reasonable timeframe to achieve this. Failure to comply with a CPN may result in prosecution.

Revocation, Review and Suspension

The authority issues a number of licences, permits and approvals. It also has a role to play in ensuring that appropriate standards are met in relation to licences issued by other agencies. Most licences include conditions, which require the licence holder to take steps to ensure that, for example, a business is properly run. Breach of licence conditions may also lead to a review of the licence, which may result in its revocation or amendment. When considering future licence applications, the Authority may take previous breaches and enforcement action into account. In relation to reviews or revocations of licences, licence holders have the right to attend hearings and to be informed of their right of appeal against the decision.

The Authority is responsible for issuing Environmental Permits to operators who carry out certain types of industrial processes. The permits contain conditions intended to prevent or minimise pollution. Enforcement powers include revocation and suspension of permits, and in serious cases prosecution for non-compliance with an enforcement notice.

The Authority is responsible for issuing approvals to certain food establishments. The approval authorises the handling of certain types of product within an establishment. Enforcement powers include revocation and suspension of approvals.

Part 2A Orders

The Authority can apply for Part 2A orders under the Health Protection (Part 2A Orders) (Wales) Regulations 2010, to deal with threats to human health from infection or contamination that presents, or could present significant harm. It is for the JP to decide whether an order is necessary to address the risk. If the JP is satisfied by the local authority's case, an order can be made under the Public Health (Control of Diseases) Act 1984 Act. Such orders for instance can specify that an operation must cease and articles and equipment should be surrendered. The Order can also specify to destroy and dispose of surrendered articles.

Injunctive Actions

The authority may seek injunctive orders in the Civil Courts to stop infringements of a wide range of laws that seriously affect the rights of others. Officers may seek agreement from a person /business to:

- Cease a particular action
- Comply with a negative requirement
- Comply with a positive requirement
- Sign an informal undertaking
- Sign a formal undertaking

In urgent cases or where the above cannot be agreed upon, the services may seek an injunctive order in the civil courts or an interim, or without notice order. Contravention of injunction, formal undertaking or order issued by the courts could result in contempt of court and be liable to a fine or imprisonment.

In certain circumstances officers are required to seek enforcement orders after issuing some enforcement notices, providing the court with an opportunity to confirm the restrictions imposed by the notice.

The Council is one of the “responsible authorities” of the Safer Caerphilly Community Safety Partnership (SCCSP). The SCCSP operates a multi-agency “4 Strike” Anti-Social Behaviour (ASB) process, into which partners may refer perpetrators of ASB. Where behaviour is not moderated, and in appropriate cases, the Council may apply to the County Court, or Youth Court in the case of juveniles, on behalf of the partnership, for grant of an Anti-social Behaviour Order (Anti-Social Behaviour Injunction after enactment of Section 1 of the Anti-social Behaviour, Crime and Policing Act 2014). Following conviction of a criminal offence, the Crown Prosecution Service (via the Police), or the local authority may apply for the grant of a Criminal Behaviour Order (CBO).

Confiscation of Assets

Under the Proceeds of Crime Act 2002, officers may seek Confiscation Orders against persons who have been convicted of offences where they have made money from their crimes. The purpose is to recover the financial benefit that the offender has obtained from their crimes and act as an additional deterrent to others. Proceedings only take place after a criminal conviction has been obtained, and are conducted according to the civil standard of proof.

Seizure and Forfeiture

Certain legislation enables officers to seize goods, equipment or documents, where they may be required as evidence for possible future court proceedings or to prevent further offences from being committed. When items are seized an appropriate receipt will be given to the person from whom the items are taken. In certain circumstances an application will be made to the Magistrates’ Courts for forfeiture of the goods. Forfeiture may be used in conjunction with seizure and / or prosecution, where there is a need to dispose of the goods or equipment to prevent them being used to cause a further problem or to prevent them re –entering the market place.

Taking Animals into Possession

Under the Animal Welfare Act 2006, if a veterinary surgeon certifies that ‘protected animals’ are suffering or are likely to suffer if their circumstances do not change, we may consider taking them into possession and applying for Orders for re-imburement of expenses incurred and subsequent disposal. Additionally Horses and Ponies found fly grazing, straying or that have been abandoned may be seized and impounded and owners pursued for the associated costs. In cases of non payment of these costs the authority may keep the animals and dispose of them in accordance with the relevant legislation.

Tobacco Restriction Orders

Where an offender continually breaks the law by selling tobacco products to young people, we may make a complaint to the court and apply for a restricted premises order or a restricted sale order. The effect of such an order is to prohibit a premise or a person from selling tobacco for a period of time up to one year.

Fixed Monetary Penalties

The authority has powers under certain legislation to impose Fixed Monetary Penalties, which are not intended to be used for more serious cases of non-compliance. Fixed Monetary Penalties are not criminal fines and do not appear on an individual's criminal record. Fixed Monetary Penalties cannot be used in conjunction with any other sanction. The form and content of such notices varies between different legislation but will generally include details of the offence, the amount of penalty, the period during which proceedings will not be taken, how to appeal and where to pay. Usually the legislation allows the authority to amend or withdraw such notices if it is appropriate to do so.

Discretionary Requirements

Under certain legislation the authority has the power to impose Variable Monetary Penalties and Non-Monetary Discretionary Requirements.

Variable Monetary Penalties may be imposed up to a maximum level set out in the relevant legislation.

Non-Monetary Discretionary Requirements are requirements to take steps to ensure that a breach does not continue or recur. Where the authority chooses to impose Non-Monetary Discretionary Requirements it will clearly set out what those steps should be and the time period within which they must be completed. A failure to comply with the requirements is likely to result in a financial penalty.

The Authority may use Variable Monetary Penalties and Non-Monetary Discretionary Requirements in combination.

Simple Cautions

The use of a Simple Caution offers an alternative to prosecution and may be considered during any decision to prosecute. A simple caution is an admission of guilt but is not a form of sentence, nor is it a criminal conviction. Before issuing a Simple Caution the following conditions must be satisfied:

- There must be evidence of guilt sufficient to give a realistic prospect of conviction
- The offender must understand the significance of a caution and consent to it
- The offender must admit to the offence
- The offender must be over 18 years of age

A simple caution is a serious matter, which will be recorded and will influence any future decision as to enforcement action should the business or person offend again. A simple caution can be cited in court, so it may influence the severity of any sentence imposed by the court. The refusal of an offender to be cautioned will be a material consideration when deciding whether the offender should then be prosecuted for that offence. Accepting a simple caution may have consequences if an individual seeks certain types of employment.

Prosecution

Where the circumstances warrant it and the alternative actions listed above are considered inappropriate, then prosecution may result. As with all the previous methods of enforcement, in deciding what action to take, a number of factors will be taken into consideration including:

- The nature and seriousness of the offence
- The previous history of the offender
- Any statutory defence available
- Action taken to avoid reoccurrence
- Any explanation offered, and if the law allows, the circumstances and attitude of the offender
- What course of action will best serve the public interest
- Realistic prospect of conviction

The decision to prosecute or any other formal action is taken by an appropriate authorised officer and takes into account:

- This policy
- The current Crown Prosecution Service, 'Code for Crown Prosecutors'
The CPS : The Code for Crown Prosecutors
- Any statutory requirements
- Consideration of all other relevant codes of practice

The Code for Crown Prosecutors has two main tests that must be satisfied;

Evidential Test -Is there sufficient evidence to provide a realistic prospect of conviction?

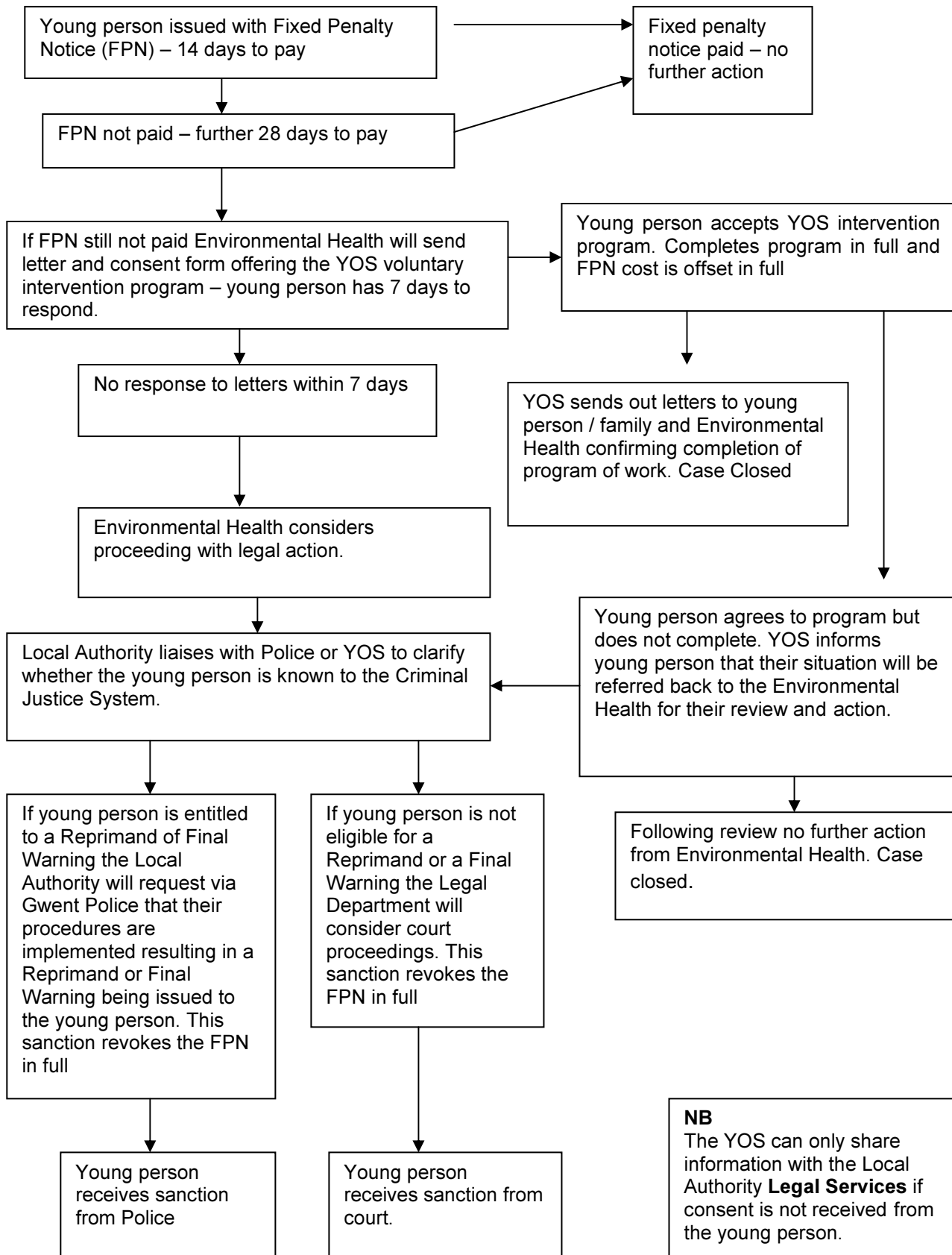
Public Interest Test -Is it in the public interest to take action?

Charging Suspects

There may be circumstances where the police have arrested a suspect but the offences will be investigated by the authority. After interview at the police station it may be appropriate to charge the offender and bail to an appropriate court for the offences rather than to report the suspect so that summonses can be issued at a later date. A senior officer will consider the evidential and public interest tests and if satisfied will instruct an authorised officer to charge the suspect with the offence(s) at the police station.

Fixed Penalty Notice Process

Appendix 1



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Trading Standards, Environmental Health and Licensing Service Standards.

Trading Standards, Environmental Health and Licensing services are a part of the Public Protection Division of Caerphilly County Borough Council. This document explains what businesses regulated by these services can expect from them. We are committed to providing you with an efficient, courteous and helpful service, but where necessary this will be coupled with appropriate enforcement action. This document tells you how we aim to do that and what standards we will meet.

How we deliver our services

Through legislation, local policies, education and enforcement, the above services deal with a wide range of functions that are necessary to help protect personal, environmental, economic and social well-being, to create a safe living and working environment for the communities and people we serve.

We determine our activities by assessing the needs of local people and our business community, and considering the risks that require addressing. We do this through various forms of engagement with local citizens and businesses (satisfaction surveys, feedback mechanisms, report a matter options on our web pages, household surveys etc) and through using data and other information available to us and our partners. In this way we ensure our resources are targeted appropriately, in the light of these local needs and of national priorities.

Details of our current Service Improvement Plan which includes reviews of previous years performance is available at ([hyperlink PP SIP](#)). Also attached is a link to the Corporate Performance Report

We carry out all our activities in a way that supports those we regulate to comply and grow:

- We ensure that information, guidance and advice is available to help you to meet legal requirements (see [Helping you to get it right](#)).
- We carry out inspections and other activities to check compliance with legal requirements, and we target these checks where we believe they are most needed (see [Inspections and other compliance visits](#)).
- We deal proportionately with breaches of the law as set out in our Enforcement Policy, including taking firm enforcement action when necessary (see [Responding to non-compliance](#)).
- We provide a range of services to businesses see [Requests for our service](#)).

We aim to operate our services in accordance with the requirements of the Regulators' Code.

Working with you

In all your dealings with us you can expect, and will receive, an efficient and professional service. Our officers will:

- Be courteous and polite
- Always identify themselves by name in dealings with you, and provide you with contact details
- Seek to gain an understanding of how your business operates
- Provide details of how to discuss any concerns you may have
- Agree timescales, expectations and preferred methods of communication with you
- Ensure that you are kept informed of progress on any outstanding issues.

We recognise that your business will receive advice and inspections from other organisations, and we will do our best to work with them to ensure that you receive the best service.

Helping you to get it right

We want to work with you to help your business to be compliant and successful and it is important to us that you feel able to come to us for advice when you need it. We won't take enforcement action just because you tell us that you have a problem unless there is an imminent safety or health risk.

Information and guidance on meeting legal requirements is available from the CCBC website at the following links;

Trading Standards

Licensing

Environmental Health

Other information and guidance may also be provided on request or in conjunction with our dealings with you.

Where you need advice that is tailored to your particular needs and circumstances we will:

Discuss with you what is required to achieve compliance

Provide advice that supports compliance and that can be relied on

Provide clear advice that can be easily understood and implemented

Distinguish legal requirements from suggested good practice

Ensure that any verbal advice you receive is confirmed in writing if requested

Acknowledge good practice and compliance.

If a business wishes to enter into a formal Primary Authority Partnership arrangement with us under the Regulatory Enforcement and Sanctions Act 2008, or a more informal Home Authority arrangement, we will use our best efforts to achieve a satisfactory arrangement.

Inspections and other compliance visits

We monitor and support compliance in a number of different ways including through inspections, revisits, sampling visits, test purchases, advisory visits and complaint investigations.

We will carry out inspections and other visits to check compliance in accordance with a risk assessment methodology, except in circumstances where we act on relevant intelligence or complaints or where visits are at the request of the business or to check that, following non-compliances, businesses are complying with our advice. We may also carry out a small proportion of random inspections in order to maintain a proper knowledge of business activity within the Council area. We will focus our greatest inspection efforts on businesses where our risk assessment shows that a compliance breach would pose a serious risk and there is a higher likelihood of non-compliance by businesses. Health and safety interventions are also project based and are determined on a regional basis in line with HSE's priorities. Certain categories of premises are inspected as they are included in the National Local Authority Enforcement Code Annex A - activities/sectors for proactive inspection. When carrying out our visits we will have regard to any published inspection plans for those businesses that are in a Primary Authority Partnership.

Some legislation requires the officer to give advance notice in writing two days before exercising a power to enter a business premises. However this requirement is subject to certain exemptions, including where the officer has cause to suspect that there has been a breach of legislation or where the officer reasonably considers that giving notice would defeat the purpose of the entry. If this or similar legislation applies our officers will provide the necessary written advance notice unless a relevant exemption applies. If such legislation does not apply the officer will only give advance notice when it is appropriate to do so.

When we visit you our officer's will:

- Explain the reason and purpose of the visit
- Carry their identification card at all times, and present it on request when visiting your premises

- Exercise discretion in front of your customers and staff
- Have regard to your approach to compliance, and use this information to inform future interactions with you
- Provide information, guidance and advice to support you in meeting your statutory obligations, if required
- Provide written feedback about the results of our visits where appropriate.

Risk assessment frameworks

We use a number of risk assessment frameworks that are devised and approved by relevant Government Departments to cover different aspects of our work. These risk assessment frameworks enable us to decide the frequency of inspections and visits to check compliance.

- The Health And Safety Executive/Local Authorities Enforcement Liaison Committee (HELA) Health and Safety Inspection Rating System (A rated businesses only);
- The Trading Standards Risk Assessment Scheme
- The FSA Food Hygiene Intervention Rating Scheme)
- The FSA Food Standards Intervention Rating Scheme
- The DEFRA Local Authority Integrated Pollution Prevention and Control (LA-IPPC)
- Local Authority Pollution Prevention and Control (LAPPC) Risk Method
- DEFRA Animal Health Risk Assessment Scheme
- The Feed Law Enforcement Code of Practice Animal Feed Law Inspection Rating Scheme

As part of our use of these risk assessment frameworks, we will give consideration to the combined effect of the potential impact of non-compliance on regulatory outcomes and the likelihood of non-compliance. If the performance of a business is seen to represent a greater or lesser risk than other businesses of a similar type, we will make a change to their risk rating when this is allowed by the relevant risk assessment methodology.

Responding to non-compliance

Where we identify any failure to meet legal obligations, we will respond proportionately, taking account of the circumstances, in line with our Enforcement Policy ([hyperlink](#))

Where we require you to take action to remedy any failings we will:

- Explain the nature of the non-compliance
- Discuss what is required to achieve compliance, taking into account your circumstances
- Clearly explain any advice, actions required or decisions that we have taken
- Agree timescales that are acceptable to both you and us, in relation to any actions required
- Where appropriate provide in writing details of how to appeal against any advice provided, actions required or decisions taken, including any statutory rights to appeal
- Explain what will happen next
- Keep in touch with you, where required, until the matter is resolved

Requests for our services

We will respect any requests that are made to contact a business or individual by a particular method of communication and to work with them in the most appropriate way to meet their needs.

In responding to requests for our services, including requests for advice and complaints about breaches of the law, we will:

- Acknowledge your request within 5 working days
- Where a detailed response is required and will take time to complete tell you when you can expect a substantive response
- Seek to fully understand the nature of your request
- Explain what we may or may not be able to do, so that you know what to expect
- Keep you informed of progress throughout our involvement
- Inform you of the outcome as appropriate

A detailed breakdown of our response times and expected resolution times is available at Customer Standards however, please be aware that our officers will exercise their judgment to determine whether a more prompt response is required.

Fees and Charges

We charge for a number of services, which are detailed below:
Trading Standards Verifications

Caerphilly is part of the Cymru Group Notified Body, which undertakes verifications across the Gwent and Mid –Wales area. The fees are set by that group and are based upon fees, which were set nationally and are reviewed yearly.

Approval of Feed Business Establishments

These fees are specified in Schedule 3 of the Feed (Hygiene and Enforcement) (Wales) Regulations 2005 via regulation 14 of those regulations.

Licensing Fees

Locally set licensing fees are reviewed annually in order to recover reasonable costs of providing the service. Other fees are set centrally e.g. Licensing Act 2003 (alcohol & Entertainment), Explosives, and Petroleum Licenses. Whilst the Government sets maximum levels for Gambling fees, the Authority has the discretion to set fees at a level considered appropriate to cover costs.

Pest Control Fees

Fees are set on a cost recovery basis

Environmental Permit Fees

The Environmental Permitting (England and Wales) regulations 2010 (as amended) allow ministers to establish local schemes to revise fees and charges. The current schemes are: 'The Local Authority Permits for Part A2 installations and Small Waste Incineration Plant (Fees and Charges)(Wales) scheme 2014 and The Local Authority Permits for Part B installations and Mobile Plant and Solvent Emission Activities (Fees and Charges) (Wales) scheme 2014

Food Hygiene Re-Rating Inspection

If you wish to apply for a re-rating inspection then the charge is £150. Details on how to apply can be found here <http://www.caerphilly.gov.uk/Business/Food-hygiene-for-businesses/Food-hygiene-ratings-for-businesses>

How to contact us

You can contact us by:

Post:

Written correspondence addressed to Head of Public Protection or the relevant service area should be sent to: CCBC Directorate of the Environment, Ty Pontllanfraith , Blackwood Rd, Pontllanfraith . NP122YW

In person:

At the above address, however appointments are required for a number of services e.g. Licensing, so please check with the service area before calling.

By email or telephone

Consumer Advice

If a consumer requires advice on a consumer law issue please contact Citizens Advice Consumer Service on 03454 04 05 06

They will provide the consumer with initial advice and they will refer the matter to us if there is a need for our involvement.

Trading Standards Businesses Advice

Telephone: 01495 235291 (Not for initial calls about consumer advice issues) or
E-mail: tradingstandards@caerphilly.gov.uk

Licensing

Telephone: 01443 866750 or E-mail: licensing@caerphilly.gov.uk

Environmental Health

Telephone: 01443 866544 or E-mail: environmentalhealth@caerphilly.gov.uk
Food and health and safety issues :- foodhealthsafety@caerphilly.gov.uk

We will seek to work with you in the most appropriate way to meet your individual needs. We can make information available in different formats, and have access to translation and interpretation services.

If you contact us we will ask you for your name and contact details to enable us to keep in touch with you as the matter progresses. We treat all contact with the service in confidence unless you have given us permission to share your details with others as part of the matter we are dealing with on your behalf or there is an operational reason why we need to do so. We will respond to anonymous complaints and enquiries where we judge it appropriate to do so.

Personal data will be managed in accordance with our policies of Data Protection and Freedom of Information. Data Protection

Our Teams

We have dedicated teams of officers who have the appropriate qualifications, skills and experience to deliver the services provided. We have arrangements in place to ensure the ongoing professional competency of all officers.

Where specialist knowledge is required in an area outside of our expertise we have arrangements in place, with both neighbouring authorities and other regulatory organisations, to call on additional resources as necessary.

Working with others

We work closely with other council services and our aim is to provide a streamlined service to you. We have good working relationships with other regulators and this enables us to deliver a more joined up and consistent service. This includes sharing information and data on compliance and risk, where the law allows, helping target regulatory resources. Our officers are familiar with the work of our partners and can signpost you to the advice and guidance you need.

Having your say

Complaints and Appeals

Where we take enforcement action, there is often a statutory right to appeal. We will always tell you about this at the appropriate time.

We are always willing to discuss the reasons why we have acted in a particular way or why we require certain actions to be taken. If you wish to discuss such matters or to appeal against a regulatory decision or a failure to act in accordance with the Regulators Code you can contact the Head of Public Protection as detailed in the contact information above. If after such contact you are still unhappy the matter will be referred to the corporate complaints procedure.

If you have a complaint regarding health and safety regulatory activity undertaken you should firstly follow the above route. If you are not satisfied with the response you receive you can contact the Independent Regulatory Challenge Panel

Complaints

It should be noted that an appeal against an action taken is quite distinct from making a complaint about the service generally or an officer's conduct, which would be covered by the Council's Corporate Complaints Policy. Details can be found at [Complaints and complaints can be made on line by emailing \[complaints@caerphilly.gov.uk\]\(mailto:complaints@caerphilly.gov.uk\), or by telephone on 01443 864221.](#)

Feedback

We value input from you to help us ensure our service is meeting your needs. We would like to hear from you whether your experience of us has been good or in need of improvement. This helps us to ensure we keep doing the right things and make changes where we need to. We use customer satisfaction surveys from time to time but we would welcome your feedback at any time. You can provide feedback by email, post or telephone via the contact information listed above. Any feedback that we receive will where appropriate be acknowledged, considered and responded to.

Performance against service standards

This is how we performed against our service standards during 2014/15

Business and consumer satisfaction surveys

X% of businesses were fairly or very satisfied with the overall level of service provided by Trading Standards.

X% of Consumers were fairly or very satisfied with the overall service provided by Trading Standards

X% of customers were fairly or very satisfied with the overall service provided by the Licensing

X% of customers were fairly or very satisfied with the overall service provided by the Environmental Health

X% of customers were fairly or very satisfied with the overall service provided by the Food and health and safety Team

Complaints against us

X complaints were received about the services or officers conduct under the Corporate Complaints Policy in 2014/15

X complaints or appeals against our regulatory decisions or compliance with our Enforcement Policy or the Regulator Code were received in 2014/15.

X complaints about Trading Standards, Licensing , Environmental Health Services were considered by the Ombudsman in 2014/15, X were upheld.

Dated: *[insert date]*

Name: Robert Hartshorn

Job title: Head of Public Protection

Review Due: *[insert date]*

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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 17TH FEBRUARY 2015

SUBJECT: GWENT TRADING STANDARDS PROJECT

REPORT BY: CORPORATE DIRECTOR SOCIAL SERVICES

1. PURPOSE OF REPORT

- 1.1 This report presents a Business Case for the establishment of a Regional Trading Standards Service across the five Gwent Local Authorities, including governance arrangements, with Caerphilly as the lead authority. If the Business Case is agreed a Shared Services Agreement would be drawn up, to be reviewed after 3 years and all local authority trading standards staff identified as being “in scope” in Blaenau Gwent, Monmouth, Newport and Torfaen would be transferred to Caerphilly under TUPE arrangements. The proposal to establish a Gwent Trading Standards Service is not recommended to members for the reasons set out in the Report. This Report is seeking the views of Members prior to its presentation to Cabinet.

2. SUMMARY

- 2.1 Regeneration and Environment Scrutiny Committee considered a Report on 17th September 2013 regarding proposals for a Gwent Trading Standards Project. The Committee endorsed the recommendations within the report, but requested updates on the Project. Cabinet subsequently approved participation in the proposed Project on 2nd October 2013.
- 2.2 A further report was presented to Regeneration and Environment Scrutiny Committee on the 18th February 2014 updating members on the progress of the Project since its start at the beginning of November 2013.
- 2.3 This report provides Committee with the Business Case at Appendix 1, which has been prepared setting out the rationale for the creation of a Regional Trading Standards service and the recommendations which are being made to Cabinet. The Business Case identifies both the benefits for service users and the partner authorities that would be gained by the development of a regional service.
- 2.4 The Business Case and a similar report is also being presented to Cabinets/Full Council of the four partner authorities setting out a proposal for the creation of the Regional Trading Standards service, including governance arrangements, the transfer of their Trading Standards staff to Caerphilly Council and their proportional financial contribution for service provision over a 3-year period. The commencement date of any new service is dependent on the timing of any decision to proceed, but at the time of drafting this report is envisaged that this would be during 2015.
- 2.5 The Business Case has been developed on the basis of a number of assumptions as set out in 4.7 below which have not been fulfilled. Therefore the proposals to establish a Gwent Trading Standards Service in accordance with the Business Case is not recommended to Members. It is recommended that an alternative option of exploring other opportunities for collaboration is explored.

3. LINKS TO STRATEGY

- 3.1 Trading Standards is a service identified within A Compact for Change between the Welsh Government and Welsh Local Government as one that should be considered for collaborative service delivery.
- 3.2 Enforcing Trading Standards legislation is a statutory duty and this activity also contributes to the Healthier Caerphilly, Greener Caerphilly, Prosperous Caerphilly and Safer Caerphilly priorities within the Caerphilly Local Service Board single integrated plan, Caerphilly delivers and Objective 1 of the Council's Strategic Equality Plan 2012.

4. THE REPORT

4.1 Introduction

The nature of Trading Standards is to serve as a watchdog for legitimate business and consumers. Trading Standards officers remove counterfeit cigarettes and alcohol, dangerous toys and unsafe food products from the market. They also take action against rogue traders, doorstep sellers and mass marketers that prey on the vulnerable. These are challenging times for consumers and in the current economic climate the protection of consumers is an increasingly important issue.

The majority of functions discharged cannot be stopped or provided by the community because of their statutory nature and the duty that each authority has for enforcement. Trading Standards has responsibilities that impacts on all trade sectors, but primarily covers consumer and business protection, investigations and intelligence across areas including food production, farming, manufacturing, imports, retail and internet trading.

The provision of a Trading Standards service remains predominantly with Local Authorities across England and Wales. There is no commercial provision of the full range of Trading Standards services and only one English authority has outsourced this service as part of a wider contract including property services, planning, engineering and environmental health, while seconding staff who remain employed by the authority.

Where central government considers a local authority is failing in regard to its duties relating to Trading Standards, it can undertake enforcement action and recharge the authority for its costs.

Business Case

The Business Case has been prepared following the HMRC Five Case Business Model. The purpose of the business case is to describe the overall vision for a regional service, evaluating the options for delivery and setting out a proposal for the creation of a regional service, to each of the respective Gwent Local Authorities.

4.2 The Strategic Case

4.2.1 The Strategic Context

At a national level there is a commitment to collaboration, which is regarded as one of the key tools available to local authorities, for dealing with the challenges of delivering services in the face of a very significant decline in public funding.

A detailed analysis has been undertaken of the existing Trading Standard provision across the five Gwent authorities encompassing resources, the areas of work, service planning and existing business strategies.

4.2.2 The Case for Change

The case for change arises from concerns, about the future resilience and capacity of each of the five authorities, were Trading Standards to be retained within a single local authority setting.

As a predominantly reactive service, a significant reduction of resources will result in a reduction of preventative work and the inability to deal with any issues that may arise and require a consolidated approach, such as the foot and mouth outbreak, or the horsemeat scandal.

A regional service would provide for greater resilience, in-built flexibility and a 'fit for purpose' service to consumers and businesses in Gwent. The new service model will be required to fulfil business needs incorporating:

- Increased service efficiency
- A reduction in pressure on budgets both overall and for each participating council
- Increased resilience to meet the demand placed on the service

A regional approach will enable the improvement of consumer reporting mechanisms and the flow of intelligence between partners.

The areas of Trading Standards service which have been defined as being 'in scope' for the project are set out in section 1.10 of the Business Case. The services identified as being in scope, are carried out by all five authorities, apart from those exceptions indicated.

4.3 **The Economic Case**

A wide range of options was considered as possible delivery models for a regional service and from which a short-list was drawn up and evaluated against the business objectives and critical success factors. The short-list comprised:

1. Status Quo (included as the baseline)
2. Limited company
3. Lead authority with Joint Committee/Management Board
4. Sub-regional Gwent collaboration

The outcome of the evaluation was the identification of a preferred option:

Lead Authority with Joint Committee/Management Board

This option resulted in a score that was considerably higher than either the Limited Company or the Sub-regional Gwent collaboration, both of which were discounted.

A benefits appraisal was undertaken of the preferred option detailing both the financial and non-financial benefits and dis-benefits. This identified a net cost reduction achieved through a single management structure, efficiencies from a reduction in the duplication of processes and activities, and the development of standardised operating procedures that incorporate best practice across the region.

4.4 **The Commercial Case**

The Commercial case outlines the proposals in relation to the preferred model described in the Economic Case. It provides the rationale for the recommendation that Caerphilly is the lead authority and that the service has two Trading Standard 'hubs' at Caerphilly and Newport, which will provide facilities for 'drop-in' working and meeting space. The emphasis will be on equipping the staff for agile working across the region rather than fixed workstations. Hot desking facilities will also be available, within the offices of the other three authorities.

The proposed operating model for the new service is described, with a single management structure that divides the service into 3 key areas of work:

- Protection (Consumer Intervention)
- Business Support (Business Standards & Support)
- Intelligence and Investigations (Investigations)

Skilled staff will provide 'teams of expertise' within each of the areas and the size of the teams /greater concentration of staff within a regional service will enable resilience and efficiencies through economies of scale.

It is proposed that the Trading Standards staff from the other four authorities are TUPE transferred across to Caerphilly on their existing terms and conditions.

Legal proceedings are a feature of Trading Standards work with 54 prosecutions taken across Gwent in 2013/14. Following consultation with the Heads of Legal Services it is proposed that offences will be prosecuted by the Legal Service of the Authority where the offence occurred, or by agreement where there are multiple offences across the region. Effective communication will be essential and this arrangement will be kept under review to ensure that processes and decision making are consistent

4.5 The Financial Case

The Financial Case sets out the indicative financial implications of the proposal. It provides a summary of 2013/14 Trading Standards service budgets across the 5 Local Authorities for 2013/14 (pre-baseline) and also for 2014/15 (baseline).

The following table (Financial Case: Table 25) is presented setting out the proposed costs of a regional service over a 3-year period. (Based on 2014/15 figures)

(Table 25) Projected Regional Service Expenditure and Income (3 year period)

Regional Service Expenditure	2014/15 Baseline	Year 1 2015/16	Year 2 2016/17	Year 3 2017/18
Direct Service Expenditure	£2,498,538	£2,524,165	£2,528,101	£2,529,348
Projected Annual Income Target (Net POCA)	-£65,083	-£53,038	-£53,038	-£53,038
Direct Service Expenditure (Net income)	£2,433,455	£2,471,127	£2,475,063	£2,476,310
Management Charge	£0	£26,933	£39,433	£26,933
Redundancy / Severance	£0	£0	£88,000	£0
Estimated Reduction Service Expenditure	£0	-£84,242	-£199,002	-£299,002
Regional Service Expenditure (Net Income)	£2,433,455	£2,413,819	£2,403,495	£2,204,241

Notes:

- Salaries incl increments.
- Salaries do not incl future estimated pay award (s) and all five authorities would need to make the appropriate adjustment on an annual basis to accommodate this
- Reduced income 15/16 onwards as result of the AHWG being withdrawn.
- Yr1 HR costs from RCF, Yr2 from TS account.
- The estimated reduction in service expenditure is a cumulative reduction over years 1,2 & 3.

Initial opportunities for efficiency savings of £230k have been identified over the 3-year period from 2014/15 to 2017/18 (Table 25). The potential savings achievable however, will be dependent on a number of factors including a commitment by each authority to ring-fence their Trading Standards budget for the 3-year period. It has been acknowledged however, that some authorities may not be able to make this commitment given the volatility of local government funding in the current economic climate.

The figures presented in the table below (Financial Case: Table 26) summarise the costs to each authority of

- i) delivering an 'independent' service
- ii) being part of a regional service across Gwent

and provides a comparison of the difference in estimated service costs between the two options from the baseline year 2014/15 to year 3 2017/18.

(Table 26) Service Cost Comparison Independent v Regional Trading Standards

Operational Headings	Blaenau Gwent £	Caerphilly £	Monmouthshire £	Newport £	Torfaen £	Total £
Service Model: Each LA continues to deliver own service						
Baseline Yr 14/15	334,067	801,394	335,577	649,936	377,563	2,498,538
Year 3 17/18	340,365	804,171	336,703	655,681	348,824	2,485,744
%age increase in estimated costs from Baseline yr to yr 3	2%	0%	0%	1%	-8%	-1%
Service model: Regional Service						
Baseline Yr 14/15	334,067	801,394	335,577	649,936	377,563	2,498,538
Year 3 17/18	303,988	716,906	300,162	584,908	351,315	2,257,279
%age increase in estimated costs from Baseline yr to yr 3	-9%	-11%	-11%	-10%	-7%	-10%
Summary	£	£	£	£	£	£
Difference in Service Costs over 3 years: Each authority delivers its own service	6,298	2,776	1,126	5,745	-27,739	-12,794
Difference in Service Costs over 3 years: Regional Model	-30,079	-84,489	-35,415	-65,028	-28,248	-241,258

Nb Projected income not included the figures in the table above. (Table 26)

4.6 The Management Case

Governance Arrangements

Three options for governance have been identified for the service:

1. Joint Committee - A single body that will provide governance on behalf of the five councils, comprising a joint committee of elected councillors, to oversee all activity. Each authority would delegate decision-making and policy approval to the Joint Committee. This option allows for all 5 Local Authorities to have an equal share in the decision-making, but will require an additional resource to support and convene and incurs additional costs of approximately £5,000 per year to produce externally audited accounts.
2. Management Board – A single body that will provide governance on behalf of the five councils and comprising a management board of elected councillors and local authority officers. This would entail a contract agreement together with a Memorandum of Understanding and would not formally have any decision-making powers delegated to it, and on that basis is not recommended to Members by the Project Board.
3. Discharge of functions to a Lead Authority – The Lead Authority (Caerphilly) will discharge the Trading Standards service on behalf of each of the other four authorities. This would involve the other authorities giving up their decision-making and for Caerphilly CBC to make decisions and run the service. There would also be a legal agreement underpinning this arrangement. A Management Board (or similar) would then be set up with the overall purpose of monitoring and advising on the effective performance and delivery of the service. The Management Board would have no decision making powers vested in it by any of the five authorities nor would it be a Joint Committee for the purposes of the Local Government Act 1972.

Should a decision be taken to proceed Members' views are sought on whether the preferred governance option is a Joint Committee or full delegation of powers to a Lead Authority.

4.7 Business Case Assumptions

Members should be aware that the Business Case presented has been developed on the basis of a number of assumptions:

- Trading Standards budgets of all 5 local authorities would be ring-fenced, but there are budget reductions for 2015/16 of £23k and £40k proposed by Blaenau Gwent and Newport Councils respectively.
- The Business Case has been constructed on the basis that staffing budgets would be fully resourced, however Newport Council adopt a vacancy management factor amounting to £24,000 for Trading Standards in 2014/15.
- The Business Case reflects a proposed Management Charge arising from some of the additional costs to Caerphilly Council in taking on staff from the four other Local Authorities and delivering the regional service. This charge is set out in Table 25 of the Business Case and reproduced in 4.5 above, amounts to £39,433 in Year 2 and includes IT charges, and 0.5 fte HR Officer.
- It is also assumed within the Business Case that the allocation to the Project from Welsh Government's Regional Collaboration Fund in 2015/16 will be £60,000.

4.8 Options Analysis

4.8.1 Option 1 – Do Nothing

Do nothing in this context means do not proceed with the establishment of a Gwent Trading Standards Service as detailed in the attached Business Case. In reality the Trading Standards Service in Caerphilly is subject to the Council's Medium Term Financial Plan and will experience a reduction in resources over the next few years.

4.8.2 **Option 2 - Proceed with the Business Case and establish a Gwent Trading Standards Service**

The Business Case presented cannot be delivered as it has not been possible for all Local Authorities participating in the project to agree to the assumptions set out in paragraph 4.7. In particular the Newport Trading Standards Service is not fully funded in view of the vacancy management factor and Newport and Blaenau Gwent Trading Standards budgets are subject to further reductions in 2015/16. In view of this it is recommended that this option is not pursued.

4.8.3 **Option 3 – Explore other opportunities for collaboration**

There have been a number of work streams within the Gwent Trading Standards Project that have provided the opportunity for joint review of the 5 Trading Standards Services. In particular a series of workshops reviewing business processes within the 5 services have presented opportunities for sharing best practice and knowledge. There may also be some small scale opportunity for sharing of certain resources. This Project has reflected an interest in exploring collaborative working amongst the 5 Local Authorities and it is recommended that should any other opportunities be identified that these are considered, subject to the development of a business case as appropriate.

5. EQUALITIES IMPLICATIONS

- 5.1 A full Equalities Impact Assessment has been undertaken and this formed one of the Welsh Government conditions of the grant funding for the project. It can be found in Appendix E of the Full Business Case that is attached to this report.

6. FINANCIAL IMPLICATIONS

- 6.1 Should the Business Case be approved the financial arrangements are as set out in the Business Case and summarised in 4.5 above. The total cost of the new service for the 3-year period, at 2014/15 levels, is set out in Table 25 above and shows the value of saving after 3 years shown of £229,214 (£2,433,455 14/15 baseline reduced to £2,204,241 17/18).
- 6.2 The additional HR and IT costs, that Caerphilly would incur as the lead authority for the regional service, have been identified and these have been built into the financial model.
- 6.3 The financial model and the associated projected savings are based on the assumption that the trading standards budgets for each of the five authorities are ring-fenced for the 3 year period and are not reduced from the levels set out in Tables 24 and 25. If any of the five authorities are unable to make this commitment, it will not be possible to achieve the projected financial savings and it would be necessary to re-evaluate the viability of the model.
- 6.4 There are concerns however, that the required ring-fencing of the Trading Standards account may not be possible for all five authorities. It should be noted that additional proposed budget reductions for 2015/16 of £23k and £40k by Blaenau Gwent and Newport Councils respectively would impact upon the level of projected efficiency savings.
- 6.5 Regional Collaboration Funding has been awarded to this Project by Welsh Government with £49,365 received in 2013/14, and a further £100,000 allocated in 2014/15. It is clear now however, that implementation will not be possible before the end of 2014/15 and that therefore it will not be possible to utilise this funding as originally planned. £60,000 had been expected for 2015/16 on an indicative basis. However, recent communication from Welsh Government regarding a 50% reduction to the Regional Collaboration Fund in Wales has resulted in a proposed 100% cut to the Gwent Trading Standards Project allocation for 2015/16. The main elements of expenditure to date have been in relation to project management with the bulk of the remainder of the grant identified for IT set up costs should the proposal to proceed be agreed; alternative funding would now be necessary.

7. PERSONNEL IMPLICATIONS

- 7.1 Should the Business Case be approved the terms and conditions for all transferred staff will be within the regulations governing TUPE transfer. Each of the other 4 Councils will need to finalise a piece of work in order to identify which of their employees they believe to be “in scope”. This exercise will be largely but not exclusively dependent on the amount of time the employee spends undertaking the duties that are to be transferred, should the Business Case be approved.
- 7.2 Should the Business Case be approved those “in scope” staff would then transfer to Caerphilly CBC on their existing terms and conditions of service. Those staff affected by the transfer but not deemed to be “in scope” would remain with their home authority and be deployed in line with their existing arrangements as appropriate. It is considered that all staff could be accommodated in the new arrangement.
- 7.3 The arrangements for addressing any employment and pension liabilities should any or all parties withdraw from the service would be set out in the Shared Services Agreement.
- 7.4 The current situation in Caerphilly is that the Licensing Enforcement function lies within the Trading Standards service and it is envisaged that this function, for Caerphilly only would transfer to the Gwent Trading Standards service if a regional service were to be created, with the commensurate staffing resource. The Caerphilly Licensing function itself would remain as existing. As the Caerphilly Trading Standards, Licensing and Registration Manager would also transfer wholly into the Gwent Trading Standards Service it would also be necessary to make alternative line management arrangements for the Licensing and Registration Services. The current post and post holder have, from the outset, been identified as being “in scope” for the purposes of this exercise.

8. CONSULTATIONS

- 8.1 The report has been sent to the consultees listed below and all comments received are reflected in this report.
- 8.2 A broad consultative program on the business case proposals has been undertaken encompassing the key stakeholders identified in section 1.11 of the Strategic Case. Consultation with consumers and businesses across the region, public bodies in the Gwent area and other professional bodies relevant to Trading Standards has been carried out via the consultation questionnaire on the Trading Standards in Gwent website and /or through letters/e-mails sent to individuals.
- 8.3 Consultation with staff and members has been through a variety of channels, including regional and local meetings and newsletters. Consultation has also taken place with the relevant Trade Unions who have been invited to attend staff meetings and have also received copies of newsletters sent to staff and members.
- 8.4 The feedback received as a result of the consultations is included in Appendix 2, together with comments where appropriate. The response from external bodies and businesses is supportive of the proposed Gwent Trading Standards Service, but some concerns have also been raised in relation to ensuring that the standard of service provision is not affected by a regional rather than local delivery. The detailed response received from Trading Standards staff employed by Caerphilly was not in favour of the proposals and a number of concerns were raised. Responses from other Trading Standards staff is mixed with some concerns raised.
- 8.5 The key points Unison made in response to the business case are included in Appendix 2 to this report. In summary, Unison have advised they are broadly in favour of the initiative, as being in line with its policy of supporting collaboration projects as a means of achieving efficiency savings, as an alternative to cutting services / jobs or outsourcing. They support the proposal for in-house provision, but have also stated unequivocally that, should a decision be

made to reconsider the other options evaluated in the Economic Case, they would wish to revisit their stance on this. Unison were strongly of the view that any arrangement should be for 5 years, not 3 as proposed and this was also a view offered in some responses from Trading Standards staff.

- 8.6 At their request, Unison have been invited to participate in the HR working group, which has been set up to provide advice and assistance with all HR related project requirements, including the TUPE arrangements. The Project Board welcomed the positive approach to the project by Unison`

9. RECOMMENDATIONS

- 9.1 Prior to presentation of this Report to Cabinet the Committee are asked for their views on the following recommendations to Cabinet:
- i) That Cabinet do not agree Options 1 and 2 and therefore do not agree to proceed with proposals set out in the Business Case to establish a Regional Trading Standards Service across the five Gwent authorities.
 - ii) That Cabinet support Option 3 in that other opportunities for collaboration are explored.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To seek Members' views.

11. STATUTORY POWER

- 11.1 The 2009 Local Government Measure.

Author: Rob Hartshorn, Head of Public Protection
Consultees: Cllr. D.T. Davies, Chair Regeneration & Environment Scrutiny
Cllr. E.M. Aldworth, Vice-Chair Regeneration & Environment Scrutiny
Cllr Dave Poole, Cabinet Member for Community & Leisure Services
Dave Street, Director of Social Services
Nicole Scammell, Acting Director of Corporate Services and S. 151 Officer
Gail Williams, Interim Head of Legal Services & Monitoring Officer
Angharad Price, Barrister
Steve Harris, Acting Head of Finance
Gareth Hardacre, Head of People Management and Development
Sian Phillips, Human Resources Manager
Mike Eedy, Finance Manager
Lynton Jones, Acting Head of ICT and Customer Services
Paul Lewis, IT Development Manager
Jacqui Morgan, Trading Standards, Licensing and Registrars Manager
David A. Thomas Senior Policy Officer (Equalities and Welsh Language)
Alison Evans, Gwent Trading Standards Project Manager
Gwent Trading Standards Project Board

Background Papers:

Regeneration & Environment Scrutiny Report, 18th February 2014 – Gwent Trading Standards
Regeneration & Environment Scrutiny Report, 17th September 2013 – “Proposed Gwent Trading
Standards Service”
Cabinet Report, 2nd October 2013 - “Proposed Gwent Trading Standards Service”

Appendices:

Appendix 1: Full Business Case Gwent Trading Standards Service
Appendix 2: Consultation responses

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DRAFT

Gwent Trading Standards Project

Business Case

A programme for a Regional Trading Standards Service in Gwent

Draft Executive Summary

Collaborating Authorities



Executive Summary

1. Introduction

The nature of Trading Standards is to serve as a watchdog for legitimate business and consumers. Trading Standards officers remove counterfeit cigarettes and alcohol, dangerous toys and unsafe food products from the market. They also stop rogue traders, doorstep sellers and mass marketeers that prey on the vulnerable. These are challenging times for consumers and in the current economic climate the protection of consumers is an increasingly important issue.

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2. The Strategic Case

2.1 The Strategic Context

At a national level there is a commitment to collaboration, which is regarded as one of the key tools available to local authorities, for dealing with the challenges of delivering services in the face of a very significant decline in public funding.

A detailed analysis has been undertaken of the existing Trading Standard provision across the five Gwent authorities encompassing resources available, the areas of work covered by the trading standards service, service planning and existing business strategies.

2.2 The Case for Change

The case for change arises from concerns, about the future resilience and capacity of each of the five trading standard services, were they to be retained within a single local authority setting and the effects of the council boundaries on regional intelligence sharing.

As a predominantly reactive service, a significant reduction of resources will result in a reduction of preventative work and the inability to deal with any issues that may arise and require a consolidated approach, such as the foot and mouth outbreak, or the horse meat scandal.

A regional service would provide for greater resilience, in-built flexibility and a 'fit for purpose' service to consumers and businesses in Gwent. The new service model will be required to fulfil business needs incorporating:

- Increased service efficiency
- A reduction in pressure on budgets both overall and for each participating council
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A regional approach will provide a framework for the improvement of consumer reporting mechanisms and the flow of information between partners, enabling the development of an intelligence-led service.

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Skilled staff will provide 'teams of expertise' within each of the areas and the size of the teams /greater concentration of staff within a regional service will enable resilience and efficiencies through economies of scale.

It is proposed that the Trading Standards staff from the other four authorities are TUPE transferred across to Caerphilly on their existing terms and conditions.

5. The Financial Case

Financial Benefits are key drivers for each of the partner authorities and these have been reflected in the business objectives defined for the project, namely the achievement of savings through service efficiencies.

The Financial Case sets out the indicative financial implications of the proposal. It provides a summary of 2013/14 Trading Standards service budgets across the 5 Local Authorities for 2013/14 (Pre-baseline) and also for 2014/15 (Baseline).

The following table (Financial Case: Table 25) is presented setting out the proposed costs of a regional service across a 3-year period. (Based on 2014/15 figures)

(Table 25) Projected Regional Service Expenditure and Income (3 year period)

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Notes:

- i) Salaries incl increments;.
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- iii) Reduced income 15/16 onwards as result of the AHWG being withdrawn.
- iv) Yr1 HR costs from RCF, Yr2 from TS account.
- v) The estimated reduction in service expenditure is a cumulative reduction over years 1,2 & 3.

Initial opportunities for efficiency savings of £230k have been identified over the 3-year period from 2014/15 to 2017/18 (Table 25). The potential savings achievable however, will be dependent on a number of factors including a commitment by each authority to ring-fence their Trading Standards budget for the 3-year period. It has been acknowledged however, that some authorities may not be able to make this commitment given the volatility of local government funding in the current economic climate.

The financial model and the associated projected savings are based on the assumption that the trading standards budgets for each of the five authorities are ring-fenced for the 3 year period and are not reduced from the levels set out in Tables 24 and 25. If any of the five authorities are unable to make this commitment, it will not be possible to achieve the projected financial savings and it would be necessary to re-evaluate the viability of the model.

There are concerns however, that the required ring-fencing of the Trading Standards

account may not be possible for all five authorities. It should be noted that additional proposed budget reductions for 2015/16 of £23k and £40k by Blaenau Gwent and Newport Councils would impact upon the level of projected efficiency savings.

The figures presented in the table below (Financial Case: Table 26) summarise the costs to each authority of

- i) delivering an 'independent' service
- ii) being part of a regional service across Gwent

and provides a comparison of the estimated service costs for the two options, over the 3-year period, from the baseline year 2014/15 to year 3 2017/18.

(Table 26) Service Cost Comparison Independent v Regional Trading Standards

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Service model: Regional Service						
Baseline Yr 14/15	334,067	801,394	335,577	649,936	377,563	2,498,538
Year 3 17/18	303,988	716,906	300,162	584,908	351,315	2,257,279
%age increase in estimated costs from Baseline yr to yr 3	-9%	-11%	-11%	-10%	-7%	-10%
Summary	£	£	£	£	£	£
Difference in Service Costs						

over 3 years: Each authority delivers its own service	6,298	2,776	1,126	5,745	-27,739	-12,794
Difference in Service Costs over 3 years: Regional Model	-30,079	-84,489	-35,415	-65,028	-28,248	-241,258

Nb Projected income not included the figures in the table above. (Table 26)

6. The Management Case

6.1 Options for Governance

Three options for governance have been identified for the service:

1. Joint Committee: A single body that will provide governance on behalf of the five councils, comprising a joint committee of elected councillors, to oversee all activity. Each authority would delegate decision-making and policy approval to the Joint Committee.
2. Management Board: A single body that will provide governance on behalf of the five councils, comprising a management board of elected councillors and local authority officers.
3. Discharge of Functions to the Lead Authority: The Lead Authority (Caerphilly) will discharge the Trading Standards service on behalf of each of the other four authorities. This would involve the other authorities giving up their decision-making powers and for Caerphilly CBC to make both the decisions and run the service.

6.1.1 Option 2: Management Board

Option 2 was discounted, as it was felt this would not create the most effective forum for service delivery, as there would be no clear distinction between the responsibility for strategic planning at member level and operational delivery at officer level.

6.2 Preferred Operating Model

The preferred operating model for the regional service, which was identified in the Economic Case, was for a Lead Authority with staff transfer under TUPE regulations.

7. Recommendation

That agreement is given, subject to the five authorities giving their commitment to the level of funding outlined in the financial model, to the creation of a Regional Trading Standard service between the five authorities in Gwent, based upon the preferred approach described in the Business Case:

Lead Authority (Caerphilly CBC) with either

- a) Joint Committee
(One member per authority with Chair for 12 months rotating in alphabetical order, with no casting vote)

or

- b) Lead Authority (Caerphilly) to discharge the Trading Standards function on behalf of the four partner authorities.

DRAFT

Gwent Trading Standards Project

Business Case

A programme for a Regional Trading Standards Service in Gwent

Collaborating Authorities



1. **Strategic Case**

1.1 Introduction

This Business Case has been prepared following the framework of the Five Case Model, which is the Office of Government Commerce's (OGC) recommended standard for the preparation of business cases.

This document sets out the Business Case for a proposed Gwent Trading Standards Service across the 5 Local Authorities in Gwent, namely:

Blaenau Gwent CC; Caerphilly CBC; Monmouth CC; Newport CC and Torfaen CC; who collectively make up the Gwent region.

The purpose of this business case is:

- *To describe the overall vision for a regional service, defining its scope, organisational structure, governance, service delivery benefits and future viability.*

Specifically to:

- *Evaluate the options for a regional model, identify a preferred approach and produce a financial appraisal, that indicates the cost for the implementation of the regional service based on the preferred option;*
- *Explore the benefits that a regional service would bring and any dis-benefits it may encounter, together with its ability to deliver the defined Business Objectives;*
- *Describe the Target Operating model*
- *Describe the options for the governance of a regional service and identify a preferred option;*
- *Provide an outline of and timeline for, the key tasks and resources required to implement a regional service;*
- *Make a recommendation to the respective Committees of each of the Gwent Authorities, based on the conclusions drawn from the business case and whether the business case justifies the change, together with its associated costs and upheaval.*

1.2 The Vision for a Regional service

The Vision for the Regional Trading Standard Service encompasses a service that has the potential to:

Provide enhanced efficiency:

- Provide the existing or improved service levels for citizens and local businesses at reduced cost;
- Embrace both multi-disciplinary working and the development of centres of expertise that enables a focus on specialist areas;
- Implement and expand agile working. Making maximum use of mobile technology and multi base working as appropriate.

Increase Effectiveness:

- Encourage initiative and innovation in its staff and service delivery and make service improvements to meet customer demands;
- Establish an intelligence function to help better target activities through analysis of trends and new developments in service requests, patterns of criminal or undesirable activity etc.

Offer flexibility and resilience, career development and a 'critical mass' of expertise:

- Provide greater flexibility to meet public need eg. Changes in service request patterns, legislative changes, large scale activities as required;
- Have greater resilience to respond to emergencies;
- Will have access, through its staff and managers to a wider range of specialist professional expertise than a single local authority could achieve;
- Provide opportunities for career development for professionally qualified and unqualified staff.

And as a consequence will:

- Provide a consistent approach to service delivery across the region;
- Be recognised as one of the best in the country;
- Have the potential to generate income eg through Proceeds of Crime Act 2002, the development of fee-earning Primary Authority relationships and having the capability to better bid for grants from the Welsh Government, Food Standards Agency, National Trading Standards Board;
- Be better prepared to explore funding opportunities;
- Reduce the costs of pressure on office accommodation.

1.3 Trading Standards Function

Trading Standards has three overriding objectives: to ensure consumers are protected; to ensure there is a fair trading environment where honest businesses can compete on a level playing field; and to ensure vulnerable people are not victimised by rogue trading.

When working towards these objectives Trading Standards Officers carry out many activities including:

- Tackling rogue traders who commit consumer frauds and doorstep crimes at people's expense;
- Ensuring children are not able to buy alcohol, tobacco and fireworks;
- Ensuring people are protected from traders selling counterfeit, falsely described and/or unsafe goods;
- Ensuring that the food chain is not corrupted by fraudsters;
- Checking that farmed animals are treated correctly and there is reduced risk of the spread of animal diseases;
- Making sure ordered/purchased goods are consistent with their sales description.

This is achieved through a variety of methods, including; investigation of criminal offences; consumer complaints; carrying out market surveillance through inspection, project and sampling work; and through the use of statutory powers such as seizure of goods and assets.

These are challenging times for consumers and in the current economic climate the protection of consumers is an increasingly important issue. The unfair treatment of consumers by traders costs them and the UK economy £6.6 billion every year whilst the enforcement of consumer law costs just £247 million; with £213 million of this funding local authority trading standards services.

Based on these figures, it is safe to assume that the cost of unfair treatment to consumers in the Greater Gwent area is £576 million.

Trading Standards has responsibilities that impacts on all trade sectors and covers the farming, food production, manufacturing, imports, retail, wholesale and service sectors, including internet trading.

The provision of a trading standards service remains predominantly with local authorities across England and Wales. There is no commercial provision of the full range of trading standards services and only one English local authority has outsourced this service, as part of a wider contract including property services, planning, engineering and environmental health, while seconding staff who remained employed by the authority.

The majority of services provided cannot be stopped or provided by the community because of their statutory nature and the duty on the authority to enforce. However, it is possible for Central Government to undertake enforcement work where it considers the local authority is failing and recharge the authority for its costs.

A number of shared service trading standards models have been developed eg West Berkshire and Wokingham, Devon and Somerset and a number are currently being developed eg Cardiff, Bridgend and the Vale of Glamorgan and the North Wales collaboration of six authorities. There are at least two that have been in operation for more than 25 years: West Yorkshire and the London Boroughs of Brent and Harrow.

Legislation

A definitive list of the statutory duties for trading standards is set out in *Appendix A*. This includes the Schedule of Duties imposed on weights and measures authorities, food authorities and feed authorities and other legislation likely to be enforced by trading standards departments.

Key legislative responsibilities for trading standards services include:

Fair Trading: Consumer Protection Act 1987; Weights and Measures Act 1984; Consumer Protection from Unfair Trading Regulations 2008; Consumer Credit Act 2006; Trade Marks Act 1994; Enterprise Act 2002;

Food Chain: Food Safety Act 1990; Feed (Hygiene and Enforcement) (Wales) Regulations 2005; Agricultural Act 1970;

Animal Health: Animal Health Act 1981; Animal Welfare Act 2006; Cattle Identification Regulations; Sheep and Goat Identification and Movement Order; Welfare of Animal Transport Order; Equine Identification Regulations; Pig Record and Identification and Movement Order; Animal By Products Regulations;

Age Restricted Sales: Licensing Act 2003; Children and Young Persons Act 1933.

Officers also make use of other key pieces of legislation, including the Proceeds of Crime Act 2002; Regulation of Investigatory Powers Act 2000; and the Fraud Act 2006.

Citizens Advice Consumer Service

First line basic consumer advice is dealt with by the Citizens Advice Consumer Services (CACS). Calls that require in-depth intervention due to their technically or

legally complex nature or which require criminal investigation are referred through to officers within the trading standards service. Most calls are automatically referred at first contact if they relate to vulnerable consumers or criminal offences.

Each of the 5 authorities have a contract with CACs, that sets out an agreed protocol for dealing with and passing on the complaints and queries received, as relevant to each of the councils.

The number of referrals made by CACs to each of the Gwent authorities, during 2013/14, is recorded in Table 1.

It is perhaps worth noting that the current operating procedures within CACs ie no service advertising, may have had the effect of 'damping down' demand and if so this will be reflected in the local authorities figures.

Any change in this strategy in future years could result in a greater number of referrals to the local authority trading standards service. This is recorded as a service risk in the register.

Where a complaint / query is dealt with by CACs and no further action is required, the related information is passed across to the relevant authority as a 'Notification', which enables these to be distinguished from those referrals that require direct attention by the authority.

Table 1: CAC Referrals from 1 April 2013 to 31 March 2014

2013/14	Blaenau Gwent	Caerphilly	Monmouth	Newport	Torfaen	Total For Gwent
No of CAC Referrals	317	919	552	746	493	3027

In addition to the cases forwarded by CACs, each of the 5 authorities also receives direct contact complaints/queries by telephone, e-mail or occasional callers to the trading standards offices.

A summary of the all complaints/queries received (outside the CACs scheme) for 2013/14 can be seen in Table 2.

Table 2 Other Service Requests Received**(eg Trader advice, Weights & Measures, Verification)**

2013/14	Blaenau Gwent	Caerphilly	Monmouth	Newport	Torfaen	Regional Totals
Direct Consumer Advice	293	711	381	47	203	1635
Other Service Requests	99	294	201	942	118	1654
Total – All authorities	392	1005	582	989	321	3289

Part A. The Strategic Context**1.4 Organisational Overview**

Prior to the Welsh Government reorganisation in 1996, the trading standards service operated on a countywide basis. As a result, each of the 22 Local Authorities, which were created in Wales, have since managed their own trading standards service.

Currently, the 5 local authorities in the Gwent region, each have their own in-house trading standards Service, which deliver their respective statutory responsibilities to enforce a wide range of complex and overlapping legislation, that collectively contributes to a fair and safe trading environment, supporting both consumers and businesses.

All five authorities face similar challenges in ensuring that their services continue to meet customer needs at a time of considerable financial pressures, regulatory change and increasing expectations.

1.4.i Trading Standards Staff Resource

The staffing complement for the trading standards service in each of the authorities, is made up of teams comprising:

Managers/Team leaders; Trading Standards Officers(TSO)/ Fair Trading Officers(FTO); Animal Health Officers(AH), Technical Officers(TO) and Support Staff (Admin incl. Data Systems Admin).

These officers provide the broad range of skills required to deliver the service. Their primary function is to act on behalf of consumers/business, dealing with animal health issues, advising on and enforcing laws that govern the supply of goods and services. This includes providing advice on consumer law, investigating complaints and when appropriate, prosecuting traders who break the law.

A summary of the staffing complement for the trading standards service across the region is set out in Table 3.

Table 3 Trading Standards - Roles/Staff FTE across the Gwent Region

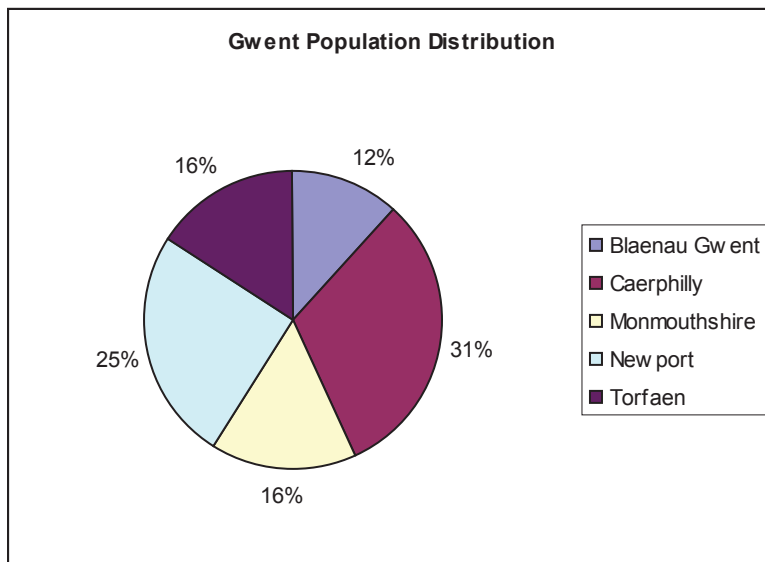
Roles	Blaenau Gwent	Caerphilly	Monmouth	Newport	Torfaen	Regional Totals
Manager/Team leader	1	3	1	4	1	10
TSO (incl AFI)	1.5	5	2	7	1	16.5
FTO	4	9	1.8	2.67	4.6	22.1
AH		*See pt ii)	1.5	1		2.5
Tech Officer	1	1				2
Admin (Incl Database Systems Admin) (See Pt i)	0.5	1.21	0.815	1.26	0.4	4.2
Total Each Authority	8	19.21	7.12	15.93	7	57.26

Nb.

- i) The admin and database provision for each authority as shown above, are made up of fractional FTE across a number of teams and are not reflective of 'whole' people. The admin requirements for the new service to be assessed based on the new service model;
- ii) Caerphilly: 1.2 FTE AH included in FTO figs

There is considerable variation in the size of the trading standards teams across the region, with some authorities sharing their administrative staff with teams in other regulatory services. The data recorded in Table 3 reflects the fractional FTE adjustment.

The distribution of population across the region is shown in the pie chart below:



The FTE per Head of Population ('000's) is shown in Table 4 below.

Table 4	Blaenau-Gwent	Caerphilly	Monmouthshire	Newport	Torfaen	Total
Population	69,789	179,247	92,100	146,558	91,407	579,101
TS FTE	8	19.85	7.12	15.76	7	57.73
FTE per Head of Popn (ooo's)	0.115	0.111	0.077	0.108	0.077	0.010

1.4.ii Core Areas of Trading Standards work

The Trading Standards Service encompasses a broad range of work, typically required by local businesses and the general public. The core areas of work for all authorities in the region typically cover:

- Business Standards & Support
- Community Intervention
- Investigations

The range of work that the trading standards service covers across the region is broadly similar, some variation is seen however in the work undertaken, likewise in the focus of expertise among the staff. Local differences exist however, eg. The Port Authority work undertaken by Newport and the Wales Scambuster Team, which is managed by Newport on behalf of 22 authorities

The work undertaken reinforces the various corporate objectives set across the region and the relationship with the specific areas of trading standards work is shown in Table 5.

Table 5

Corporate Objectives	Area of TS work
Improving Health & Well-being	Age restricted products eg Alcohol + Tobacco
	Illicit Tobacco
	Substance Misuse
Safer, Stronger & Sustainable Communities	Doorstep crime
	Consumer Scams
	Fireworks Control
Protecting & Supporting Businesses	TS Inspections
	Home Authority/Primary Authority Advice
	Metrology
	Product Safety
	Unfair Trading Practices
Consumer Engagement	Consumer Intervention + Education,
	Consumer Credit
Protection Animal Health and Welfare / Food Chain	Animal Health & Welfare
	Agricultural Standards + Feed Enforcement
	Food Standards, Labelling & safety
Protecting the Environment	Road Traffic Enforcement
	Lorry watch Scheme
	Energy Performance (Certification)
	Waste Enforcement (Packaging, re-cycling etc)
Regional / Local Strategic assessment	Identification of Complaint Patterns
	Consumer Detriment & Risk
	Enabling Improved Enforcement & Prevention outcome

The level of enforcement activity, including business advice and support, is directly related to the resource available, any resource reduction could potentially result in increased levels of unfair trading and unsafe goods.

Any level of resource reduction that can be achieved may have a proportional impact upon the level of business and consumer detriment.

Prosecution Work

Some of the investigations carried out across the region will result in a prosecution. Table 6 records the prosecution cases taken to court between 2010 to 2014. The preparation for a prosecution case can take a considerable time; often stretching into months or occasionally years and requiring a substantial dedicated trading standards staffing resource. In a smaller authority, the commitment of a staffing resource to a prosecution case over a long period can cause a depleted resource in other areas of trading standards work. A regional service, with a greater complement of staff, would be able to provide resilience where such situations arose.

Legal expertise is also required and is normally provided primarily through the legal services departments of each of the authorities or through a private firm of solicitors /barristers if the case requires additional/specialist expertise.

Table 6 Prosecutions

	Blaenau Gwent	Caerphilly	Monmouth	Newport	Torfaen	Regional Totals
Prosecutions 13/14	4	28	2	14	6	54
Average No of Prosecutions 2010 to 2014	4.5	31.5	1.5	14.3	6	57.8

NB. The figures in Table 6 do not include Food Standards Prosecutions for Monmouth

Indicative timescales for the commitment of a trading standards staffing resource, for work relating to prosecution cases, is set out in Table 7.

Table 7 Average Time for Each Prosecution type

Prosecution Case Type	Timescale (Hours)
Large CPR/Fraud case re: property rentals	1031
Large animal health & welfare case	335

Major weights & measures (short measure petrol cases)	288
Large car clocking case	180
Large counterfeit case	85
Medium counterfeit case	60
CPR Car sales	57
Simple doorstep crime	57
Underage alcohol test purchase	53
CPR dangerous building work	49
Simple counterfeit case	47
Building work CPRS	42
Illicit tobacco	37
GPSR unsafe vehicle (inspection)	30
Food safety Act (Out of Date Food)	27
Underage tobacco test purchase	27

Nb. The time spent on a case can be spread across many months and is not a single continuous period.

Proceeds of Crime Act 2002 (POCA)

Legislation exists which allows enforcement authorities to investigate the finances of offenders to assess the extent to which they have profited as a result of their criminality; this legislation is called the Proceeds of Crime Act 2002 (POCA). Newport Trading Standards has two Trading Standards Officers who are also trained as Accredited Financial Investigators.

During an investigation these officers have the power to examine bank accounts, seize cash, monitor the activity of a bank account and stop offenders accessing their assets.

Where it has been established that an offender has benefited from criminal conduct, following a conviction, it is possible to confiscate their assets. Once confiscated the enforcement authority is then entitled to a share of the award (up to 37%), which can be used to reinvest in financial investigation.

Trading Standards is the perfect environment in which to utilise the powers of POCA. Newport Trading Standards in recent years has successfully obtained confiscation orders into a number of offending types, including: counterfeit goods sellers; consumer credit scams; unfair landlords; food fraudsters; and doorstep criminals.

Also see Financial Case: Section 4.7

Annual Work Planning

The Trading Standards work undertaken by each of the 5 authorities is both planned and reactive in nature. An annual work-plan is prepared based on the consideration of a number of factors, including risk assessments, strategic requirements and intelligence.

Risk assessment

Each authority holds a database that records all relevant businesses (and can include businesses operating from home/the internet) within its area, which is updated regularly to ensure that it is current. Risk assessment schemes, are utilised by all five authorities in the region.

The basis of the scheme is that each business within a local authority's area, receives a 'score' to direct enforcement activity to deal with the risk posed by the business. The scheme comprises a hazard element and a likelihood of compliance element that is particular to the individual businesses and determined by local authorities. As a result of the assessment businesses are classified as high, medium or low risk.

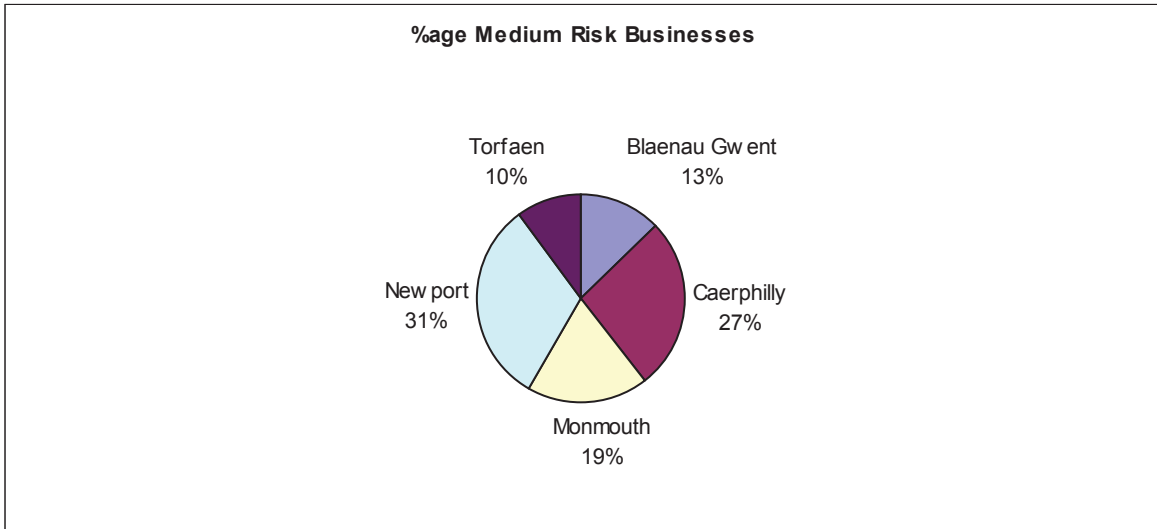
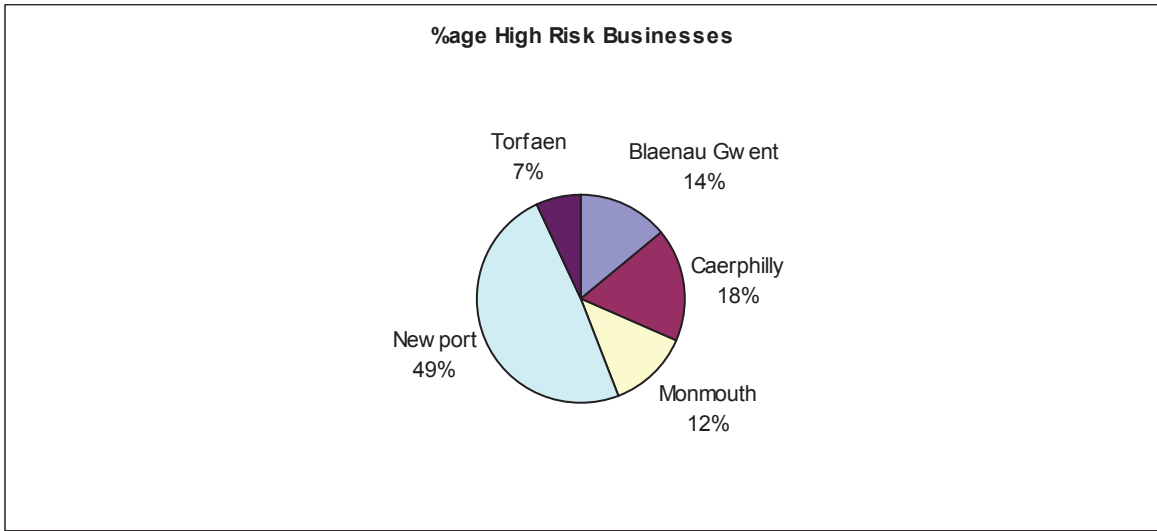
An annual inspection program is drawn up based on the results of this assessment and the figures in Table 8 show a summary of the numbers of businesses across the region, together with their risk rating.

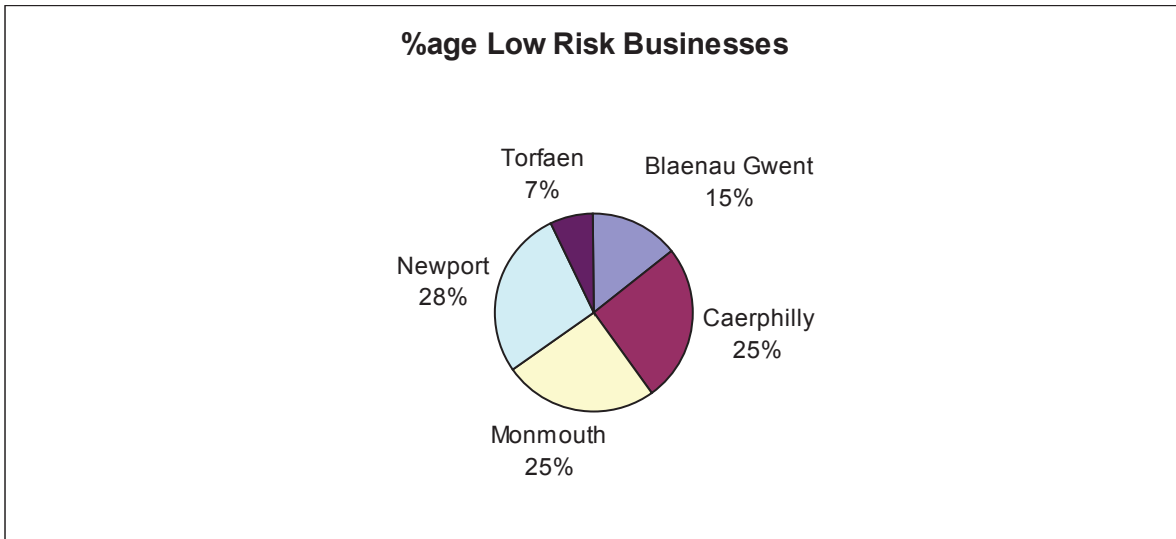
Table 8 No of Businesses across the region with associated Risk Rating

	Blaenau Gwent	Caerphilly	Monmouthshire	Newport	Torfaen	Total
No Of High	30	39	27	107	15	218
No of Med	504	1044	741	1247	396	3932
No of Low	1304	2275	2228	2523	618	8948

Unclassified	97	121	0	226	186	630
Total	1935	3479	2996	4103	1215	13728

The percentages of each category high, medium and low risk businesses across the region are shown in the graphs below.





However, the nature of trading standards work is primarily intelligence led and this type of reactive work impacts heavily upon the annual work plan, often requiring a changing emphasis to be placed on work to be undertaken and the deployment of resources to large scale investigations eg Foot and Mouth crisis, horsemeat scandal.

Consequently, where a crisis arises, such as the recent horsemeat scandal, it will be necessary to deploy considerable resources to resolve a particular situation. This can be problematic, particularly in the smaller authorities as this 'concentration of effort would be at the expense of other trading standards responsibilities. Working as a regional service with greater numbers of staff would have the advantage of a much greater resilience in such cases, with the potential ability to both cover such a crisis while also enabling business continuity in other areas of Trading Standards work.

Table 9 shows the numbers of business across the Gwent region categorised by business type.

Table 9 Numbers /Types of Businesses

	Regional Totals
Population	579,101
Industrial	1,308
Retail	11,988
Unclassified	553
Total All Premises	13,849

1.5 Existing Business Strategies

Welsh Government

At a national level, the Welsh Government has endorsed effective collaboration between Local Authorities to develop shared services that are sustainable, efficient and integrated, delivering improved service outcomes and opportunities for savings. Welsh Ministers are committed to collaboration as one of the key tools in dealing with the challenges of variable service quality, fragmented delivery, duplication of effort and efficiency; they are also committed to collaboration as one of the solutions available to address the very significant decline in public budgets. Collaboration is therefore a major feature in the Welsh Government's Programme for Government. Trading Standards is a service identified within *A Compact for Change* between the Welsh Government and Welsh Local Government, as one that should be considered for collaborative service delivery. Welsh Government's established Collaborative Footprint for Public Services provides clarity around regional areas based on the Local Health Board and Police Authority boundaries and there is an expectation that collaborative working will be aligned to this footprint.

At a regional level, the collaborating authorities within Gwent, are considering the options available to create an innovative regional service that incorporates collaborative working to maximise service efficiency and achieve service delivery savings.

Williams Report

The Williams report, which was published in January 2014, while relevant to the project, did not constitute any formal agreement/acceptance and for the purpose of this Business Case it is anticipated that the report will be the subject of considerable debate within both Welsh Government and the individual local authorities before any decision or steer will be formalised.

Additionally, as the five Gwent authorities within the collaboration already make up the '3' and '2' grouping of authorities identified within the report for the region and also follow the 'footprint' of the Local Health Board and the Police, the decision by the Board, was that the project should continue with the preparation of the Business Case. Particularly as any preparatory collaborative work undertaken, would still be relevant should any alternative arrangements for local government in the region go ahead.

Consumer Landscape Reform

An institutional reform of the consumer protection landscape has taken place over the past 2 years. Local Authority Trading Standards Services are one of the networks

of organisations in the UK that make up the consumer protection landscape and provide advice and help to consumers and enforce consumer law.

As part of this process the National Trading Standards Board has been set up and has responsibility for national and cross-local authority enforcement in England and Wales. The NTSB provides leadership influence, support and resources to help combat consumer and business detriment locally, regionally and nationally and works with and provides strategic guidance for Local Authority Trading Standards services.

The Office of Fair Trading, which ceased to exist on 31st March 2014, also had responsibilities for the 'consumer landscape' and following its closure its functions and responsibilities have been distributed across a number of organisations. As a result of this change, from 1st April 2014, Local Authority Trading Standards services have also taken on a primary role in enforcing Consumer Protection Law at both a local and national level.

National Enforcement Priorities for Wales

The Welsh Assembly Government published national enforcement priorities for Regulatory Services in Wales in 2010. They are Welsh Government priorities for local regulatory delivery and highlight the positive contribution that local regulatory services, together with local and national partners, can make in delivering outcomes.

Trading Standards contributions to them are listed below in Table 10:

Table 10

Welsh Government Enforcement Priority	Examples of Trading Standards Work
Protecting individuals from harm and promoting health improvement	<ul style="list-style-type: none"> • Underage sales enforcement • Nutrition claims • Partnership work on local Health and Well-being strategies • Targeted product safety testing
Ensuring the safety & quality of the food chain to minimise risk to human and animal health	<ul style="list-style-type: none"> • Checking food claims • Sampling & analysis work

Promoting a fair & just trading environment for citizens and businesses	<ul style="list-style-type: none"> • Tackling unfair practices, like doorstep crime and scams • Providing accessible business advice • Focussing on targeted, risk-based delivery
Improving the local environment to positively influence quality of life and promote sustainability	<ul style="list-style-type: none"> • Tackling anti-social behaviour through underage sales enforcement • Monitoring environmental claims on products

There are a number of formal plans trading standards are required to produce by Welsh Government and the FSA.

Animal Health Framework Agreement and Priority Action Plan

The Priority Action Plan sets out the animal health and welfare activities that each local authority plans to carry out in Wales. Currently local authorities will receive a grant on submission of a satisfactory plan.

The aim of the Priority Action Plan is to ensure the effective and consistent enforcement across Wales by focusing resources on the activities that are considered a priority by Welsh Government.

Plans are considered within the context of the Animal Health and Welfare Framework, which provide comprehensive advice and is recommended as a best practice guide for local authorities. It identifies what should be considered minimum levels of service for all aspects of Animal Health service delivery. The Priority Action Plan template has been further simplified for the period 2012 – 2015, to provide additional flexibility for authorities to identify local efficiencies in light of the reducing budget that is available. It should be noted that this funding has been reducing each year and is due to end in March 2015.

National priority should be given to Critical Control Points (CCPs), which are the agreed businesses, premises or locations at which controls can be applied resulting in the reduction in risk of the introduction or spread of notifiable disease. The CCPs are:

- Markets, collection centres and assembly centres
- Slaughterhouses
- Dealers
- High Risk Farms
- Ports

The relative numbers of each across the authority are shown in Table 11 below.

Table 11

	Blaenau Gwent	Caerphilly	Monmouth	Torfaen	Newport	Regional Totals
Markets, Collection and Assembly Centres	0	2 (4 days during Sept/Oct)	3 (10 days per month)	0	0	5
Slaughterhouses	0	1	2	0	0	3
Dealers	0	1	2	0	1	4
High Risk Farms	5	5	15	1	0	26
Hauliers	0	0	5	0	1	6
Ports	0	0	0	0	1	1

Nb Need to note that the numbers alone do not indicate the level of work required to regulate these critical control points

The geographical make up of the Gwent region is such, with both an agricultural and coastal bias, that as a consequence all CCP categories are present across the region.

Food Standards Agency Framework Agreement

The Framework Agreement on Official Feed and Food Controls by Local Authorities provides the Agency with a mechanism for implementing its powers under the Food Safety Act to influence and oversee local authority enforcement activity.

The Agreement was last updated in 2009/10.

The Agreement applies to local enforcement of all feed and food laws, and incorporates the latest guidance and standards on feed and food law enforcement.

The Agreement provides for:

- Publicly available local service plans to increase transparency of local enforcement services
- Agreed feed and food law enforcement standards for local authorities
- Enhanced monitoring data with greater focus on inspection outcomes and which provides more detailed information on local authority performance
- An audit scheme aimed at securing improvements and sharing good practice

The Agreement links into one of the four National Enforcement Priorities for Wales namely: -

Ensuring the safety and quality of the food chain to minimise risk to human and animal health.

Trading Standards generally have responsibility for the enforcement of Feed hygiene legislation, which controls feed safety standards throughout the animal, feed supply chain.

Feed businesses include feed importers, manufacturers, sellers, transporters of feed (for example haulage companies), businesses storing feed, and food companies selling co-products for use as feed and must be registered or approved under feed hygiene law.

Trading Standards ensure that animal feeding stuffs produced, sold or supplied and used are safe and wholesome, produced under hygienic conditions; of an acceptable quality; composition; suitably labelled and advertised; so as to protect the health of the public and animals and the rights/expectations of consumers.

Table 12 Feed Safety Premises Profile

	Blaenau Gwent	Caerphilly	Monmouthshire	Newport	Torfaen	Total
Feed Approved	0	1	0	0	0	1
LA Register	51	274	1,359	176	5	1,865
FSA Return	98	282	1,312	145	0	1,837

A series of Food and Veterinary Office (FVO) audit reports of Official Feed controls in the UK and the FSA audits of local authorities (2011 and 2012) identified a catalogue of serious and persistent failings:

- Lack of quality controls;
- Weak imported and inland feed controls;
- Poor or variable HACCP based inspections;
- Poorly targeted sampling programme;
- Poor follow-up on non-compliant businesses;
- Low or no LA priority given to feed;
- Low quality data received by FSA from LAs.

In April 2013, Wales Heads of Trading Standards (WHoTS) proposed a mechanism by which Welsh Local Authorities can contribute to rectifying the perceived failings in Wales through regional delivery of the function.

Each region within Wales, with Gwent being one of the regions, has produced a Regional Feed Plan, for submission to the Food Standards Agency. This plan outlines how the five authorities will collaborate through the year and deliver the feed function.

Part B The Case for Change

The case for change arises from concerns about future reliance and capacity of each of the five trading standards services were they to be retained within a single local authority setting and the effects of 'Local Authority boundaries' on regional intelligence sharing.

As a predominantly reactive service, a significant reduction of resources will result in a reduction of preventative work and an inability to deal with any issues that may arise and require a consolidated approach. A trading standards service requires the ability to be able to adapt and respond to an ever changing market place and the varying demands of the service from consumers and businesses, while also ensuring that the statutory duties of the Local Authorities are met.

A regional service would provide for greater resilience and in-built flexibility in order to provide a 'fit for purpose' service to consumers and businesses in Gwent.

The Gwent authorities have agreed that there are a number of 'Guiding Principles' which are fundamental to the delivery of a Regional TS service (*see Appendix B*), there however, 3 overarching principles that the new service model must follow: -

- Increase service efficiency;
- Reduce pressure on budgets both overall and for each participating council;
- Increase resilience to meet the demand placed on the service.

A regional approach will enable the improvement of consumer reporting mechanisms and the flow of intelligence between partners.

Scammers will always seek to stay one step ahead and realistically it will never be possible to eliminate mass market scams entirely, but there is a real opportunity that with a more joined up approach, a stronger prevention led focus may help to disrupt more schemes than has previously been possible.

A coherent and sufficiently resourced market monitoring and enforcement regime is critical to maintaining standards of safety and fair competition. There is no point in consumer legislation without enforcement. Local market surveillance protects consumers and law-abiding companies alike from rogue traders and scams. The trading standards service plays a vital role in safeguarding consumer rights and the efficient working of consumer markets. Not only do trading standards Officers protect consumers, they also help maintain a level playing field ensuring legitimate businesses survive in a competitive environment.

1.6 Business Objectives

The specific Business Objectives defined for the regional service are: -

- Development of a robust and sustainable Regional Trading Standards service with a 3 year Business Plan that incorporates best practice, increased service resilience, improved efficiencies and standardized service delivery;
- To investigate and evaluate knowledge sharing options, improve access to specialist knowledge/expertise and the development of centres of excellence;
- Investigate and evaluate opportunities for innovative technical and agile working practices;
- Develop a structured regional enforcement strategy that enables effective information sharing and working practices with partner agencies;
- The creation of a collaborative model that may be used as a benchmark for regional working.

1.7 Existing Arrangements

As described within Section 1.4 Organisational Overview, each of the 5 authorities currently provide their own independent, in-house trading standards service, to fulfil their statutory duties to enforce trading standards legislation.

There is some variation in the functions delivered directly by the trading standards service, but typically the core services provided are as set out in 1.4ii

The operating costs for the Trading Standards services within each authority for 2013/14 are summarized in Table 13. The figures do not include internal recharge costs and are pre-baseline (2014/15). The baseline figures are set out in Section 4, Financial Case.

Table 13 Summary of Trading Standards Expenditure 2013/14

Pre- Baseline Service Expenditure	Blaenau Gwent	Caerphilly	Monmouthshire	Newport	Torfaen	Baseline Total Expenditure
Direct Service Expenditure	£546,005	£766,639	£377,745	£610,382	£361,127	£2,661,898

Nb. The figures above do not include Internal Recharges. However, these costs form an integral part of the overall costs of each of the trading standards services and therefore have to be included for the true cost of service delivery to be calculated. The internal recharge and the management costs are addressed in the Financial Case: Section 4.

1.7.1 IT/System Software

Fundamental to the provision of a regional service is a software package that is utilised by all of the partner authorities. This is not the case currently, with one of the authorities using a different package to the other four. The cost of the Trading Standards software across the five Gwent authorities for 2013/14 was £30k.

A Welsh Purchasing Consortium project is in progress, to develop a framework agreement for an all Wales Public Protection software package. The proposed delivery date for the new framework is Autumn 2014 and the IT component of this Business Case is based on the assumption that the regional software package for Trading Standards will be procured through the framework.

The ability for staff to work on an 'Agile' basis is fundamental to the delivery of a regional trading standard service that covers such a large and diverse geographical area. Currently only 2 of the authorities have full 'remote' working capacity and this would have to be extended to enable agile working across the whole region.

The costs for the implementation of agile working together with the funding proposals are set out in the Commercial and Financial sections of the business case.

1.7.2 Accommodation

Four of the five authorities currently have dedicated office accommodation, with one of these also working on a hot desking basis. The fifth authority works solely on a hot desking basis with no permanent workstation space for the members of staff.

1.7.3 Storage

Each of the authorities has a secure store, which is required for the safekeeping of seized goods etc and the provision of this facility would remain an essential part of any regional service.

1.7.4 External Services/Laboratory Testing/Sampling

Laboratory testing and sampling are a routine part of Trading Standards work and are currently provided by a number of different laboratories. The external services include expert witnesses required to produce evidence for prosecution cases.

1.8 Business Needs

To develop and implement a sustainable model for trading standard service provision across the region, that both supports the Welsh Government objectives for collaboration and also addresses the resilience and financial issues that affect all Local Authorities.

Specifically identifying opportunities for trading standard service provision that:

- Delivers the most effective and efficient service possible with the available resources;
- Build critical mass/service resilience/improves flexibility to meet unforeseen demands and changing priorities;
- Develops a structured regional enforcement strategy and policy that addresses regional priorities, local and national guidance and provides clarity and consistency for officers, consumers and for those who are subject to enforcement action;
- Is approachable and accessible in the way it does business and provides guidance, utilising a number of communication channels.
- Enables effective information sharing and working practices with partner agencies
- Is accountable and subject to annual review and challenge.

- Develops and maintains particular expertise, especially in those areas where in isolation, individual authority trading standards would struggle.
- Encompasses officer training/professional development to ensure the service can address its priorities effectively.

1.9 Strategic Priorities

The five Gwent authorities broadly share a number of strategic priorities for the protection of consumers and businesses. The Gwent Trading Standards Service will protect our communities and support businesses through proportionate, intelligence led enforcement and the provision of clear advice.

In particular the service will promote a fair trading environment where good business can thrive and where interests and well being of residents are safeguarded and enhanced.

1.10 Business Scope

The services that have been defined as being 'in-scope' for this project are:

- Fair Trading
- Intellectual Property
- E-Commerce
- Consumer Credit
- Metrology
- Product Safety
- Under Age Sales
- Consumer Intervention
- Agricultural Standards
- Animal Health & Welfare – note BG have a 3 year SLA with Powys from 1.4.12
- Explosives & Poisons
- Food Standards – not Monmouthshire
- Feed (Hygiene)
- Animal Boarding
- Animal Breeding
- Pet Shops

- Zoos
- Dangerous Wild animals
- Performing Animals
- Horse riding establishments

The following services are out of scope:

All types of licensing are excluded except those listed above.

1.11 Key Stakeholders

The key service stakeholders are identified as: -

- Gwent authorities
- Members
- Welsh Assembly/WLGA
- Local Businesses
- Consumers
- Trading Standards/Public Protection Staff
- Other council Departments
- Other public bodies, Gwent area – Police, Fire, Health Services
- TU
- Professional Bodies, Government bodies & Government Agencies

1.12 Main Benefits Criteria

The main benefits criteria have been captured for each of the agreed Business Objectives and are set out in *Appendix C*

1.13 Main Risks

A detailed risk matrix is set out in *Appendix D*.

1.14 Constraints

A number of key constraints have been identified:-

- The number of authorities forming the regional Trading Standard collaboration together with their geographical location/spread/differences;
- The variation, in staffing complement, working practices and support systems in place across the region;
- The cultural and political differences between the authorities
- Budgetary Constraints

1.15 Dependencies

The project is subject to the following dependencies:

- Full co-operation and 'buy-in' required from Senior managers and Trading Standards staff in all 5 authorities;
- Sufficient available financial resources to fund the project
- Political Support

The dependencies will be managed and monitored through the lifespan of the project.

1.16 Equality Impact Assessment

An Equality Impact Assessment of the proposals has been undertaken and the details are set out in *Appendix E*.

Economic case

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Gwent Trading Standards Project

Business Case

A programme for a Regional Trading Standards Service in Gwent

Collaborating Authorities



2. Economic Case

2.1 Introduction

This section of the Business Case documents the wide range of options that have been considered in response to the potential scope identified within the strategic case.

2.2 Critical Success Factors

The defined Critical Success Factors (CSF's), for the project are set out below in Table 15:

Critical Success Factors

Table 14

CSF	Category	Description How well the option:
CSF1	Business Need	Maintains acceptable levels of service delivery and meets organisational needs.
CSF2	Strategic fit	Provides holistic fit and synergy with other key elements of local, regional and national strategies, programmes and projects.
CSF3	Potential Value for Money	Achieves service efficiencies, economies and effectiveness.
CSF4	Potential to match requirements with supply	Satisfies the provision of Trading Standards services required by the stakeholders
CSF5	Attractiveness to Members	Satisfies the requirements for ownership and local accountability
CSF6	Potential Affordability	Can be sustained in terms of both developmental and on-going costs.

2.3 Long-Listed Options

The Project Board members representing each of the five local authorities attended a workshop and discussed a broad range of options for a Regional Trading Standards service, utilising examples of other collaborative Trading Standards initiatives and shared services across England & Wales as points of reference.

The 'long' list of options, considered at the workshop:

1. Status Quo
2. i) Special Purpose Vehicle (SPV) – Multiple Site
ii) Special Purpose Vehicle - Single Site
3. i) Limited Company – Private / Public Sector
ii) Limited Company - Single Site
4. Sub-Regional Gwent Collaboration
5. Lead Authority, Multiple Site with Management Board
6. Formal Collaboration

See further details in *Appendix F*.

Additional variations on the above, were considered and discounted by the Project Board at an earlier meeting:

- Lead Authority, Multiple Site
 - Lead Authority, Single Site
 - Lead Authority, Single Site with Management Board/Joint Committee
1. The single site options were discounted, as it was concluded that these would not be acceptable to **all** partners in the collaboration.
 2. The Lead Authority – Multiple Site option was discounted as it was felt that this option **without** a Management Board/Joint Committee including representatives from all of the partners, would lack the opportunity for ownership and contribution across the region and would therefore not be acceptable to the partners.

2.4 Short-Listing Process - Conclusions

The Project Board discussed each of the options on the long-list:-

2.4.1 Status Quo/Informal Agreement

This represented the baseline service and as such *was included on the short-list*.

2.4.2 i) SPV – Multiple Site ii) SPV – Single Site

Following the legal advice provided at the workshop, the SPV option was discussed in detail and it was concluded that this model (both multiple and single site) was an unsuitable vehicle for the Gwent Trading Standards Service for a number of reasons.

ie The fundamental requirement for the creation of Directors of the SPV, could potentially create a situation where there is a conflict of interests;

There would be less control/influence of the service than with a joint committee arrangement

The consensus was that this/these option(s) should not be short-listed.

2.4.3 i) Limited Company – Private/Public sector ii) Limited Company - Private Only

Again following legal advice, the Limited Company option was discussed in detail.

It was acknowledged that this option has some advantages both in terms of its ability to employ staff directly and would also carry less liability than for example a Joint Committee option. However, the possible conflict of interest through the appointment of councillors/staff as directors would apply as would the more distant arrangement with regard to control of the service. Additionally while a Local Authority could discharge some responsibilities to a Limited Company, not all could be passed across and a residual function would still remain with the Local Authority.

Not all liabilities can be removed by the creation of a separate legal entity and any claim made by a member of staff would still be made against the home authority.

The rationale for the creation of a Limited Company would generally include the following:

- The requirement to employ staff directly (staff T&C would have less protection under this arrangement)
- Profit –making requirement
- Commercial Liability

In addition, to enable the continued enforcement of the legislation (which relies on various powers, including powers of entry) and because the exercise of their functions may lead to custodial sentences, Trading Standards officers must remain in the employment of a local authority.

Considering all of the above, the Project Board concluded that the balance of benefits versus dis-benefits with regard to the creation of a Limited Company was such that this option warranted being given further consideration.

The consensus was that this option should be short-listed.

2.4.4 Sub-Regional Gwent Collaboration

The basic premise of this option is that the Trading Standards Service across Gwent, would be delivered by two management teams, with one sub-region comprising 3

authorities (with a lead authority) and a second comprising two (with a lead authority). All staff would remain employed by their current employers but would join the organisational structure on a secondment basis.

The Board acknowledged, that while there may be advantages with this approach in relation to achieving a level of sub-regional working, through the adoption of a far less disruptive approach to organisational change, whilst enabling members to still feel close to their service and retaining ownership and influence over delivery, the key objective of establishing a Regional Trading Standards Service would not be achieved. By the same token, the new service requirements of increased service resilience, improved efficiencies and standardised service delivery could be compromised.

The Project Board concluded however, that the advantages offered by this option were sufficient to warrant closer evaluation.

The consensus was that it should therefore be included in the assessment of short-listed options.

2.4.5 Lead Authority / Multiple Site with Management Board

It was agreed that the option of a Lead Authority with a Management Board potentially creates a model that could deliver a regional service that can offer the new service requirements of increased service resilience, improved efficiencies and standardised service delivery.

The consensus was that this option should be included in the short-list.

2.4.6 Formal Collaboration

The service design to enable a formal collaboration would entail minimum disruption across the five authorities. Staff and management would remain within their current authority with the creation of a MOU to set out the terms for the sharing of staff and respective responsibilities. Each authority would retain ownership and control over their service. Opportunities for collaboration would be restricted and the key objective of establishing a Regional Trading Standards Service would not be achieved. By the same token, it would be very difficult to deliver the new service requirements of increased service resilience, improved efficiencies and standardised service delivery.

The consensus was that this option should not be short-listed

2.5 Short-List

The short-listed options identified following the workshop discussions were;

1. Status Quo
2. Limited Company
3. Lead Authority with Joint Committee/Management Board
4. Sub-regional Gwent Collaboration

A further evaluation, of the short-listed options utilising the CSF's and the Business Objectives, was undertaken at the workshop.

The evaluation was undertaken in accordance with how well each option met the business objectives and critical success factors.

Options were generated within the following key categories set out in Table 15:

Table 15

Scoping Options	What will be covered by the project?
Service Solution Options	How will it be provided?
Service Delivery Options	Who will be responsible for providing it?
Implementation Options	When will it be delivered?
Funding Options	How will changes be financed? The details are set out in Section 4 of this Business Case – The Financial Case

2.5.1 Scoping Options

The following options were considered:

Option 1: Status Quo - Benchmark

Option 2: Defined Scope + Administrative Function

The defined Scope (section 1.10) reflects the Status Quo for the Trading Standards service because it currently encompasses the work that would be undertaken by a Regional Trading Standards Service. There are a few minor differences with the service delivered across the five authorities. ie Food Standard work in Monmouth is currently undertaken by Environmental Services. Therefore the **Basecase and the**

Preferred option were considered the same in terms of Scope for this service and for the purposes of the Options Appraisal.

2.5.2 Service Solution Options

Each of the 4 short-listed options were considered as a possible Service Solution. The outcome from the evaluation was the identification of a preferred option:

- Lead Authority with Joint Committee/Management Board

This option resulted in a score that was considerably higher than either the Limited Company or the Sub-Regional Gwent Collaboration, both of which were discounted. Although it was agreed, that depending on the recommendations of the Williams report, it may be appropriate to re-consider either or both of these options.

2.5.3 Service Delivery Options

The service delivery options considered were:

1. In-house
2. Some functions in-house/outsourced others
3. Out-source

It was concluded that service delivery options 2 and 3 should be discounted at this stage, as they would only apply if the preferred/possible service solution options comprised Special Purpose Vehicles and / or Limited Company. Therefore if the Limited Company were to be re-considered, (see 2.5.2) service delivery options 2 and 3 would need to be re-evaluated.

2.5.4 Implementation Options

The Implementation options considered were:

1. Phased
2. Single- implementation

The transition of the service through a number of key phases will be essential to the successful implementation of a Regional Trading Standards service and to enable continuity. It was therefore concluded, that a single implementation approach was not practicable and that a phased approach would be the preferred option.

2.5.5 Summary of Evaluation

A summary of the evaluation outcomes from the short-listed option is set out in Table 16.

Table 16

Options	Finding
Scope	
1.1 Status Quo	Option 1.2 The Defined Scope, encompasses the work currently carried out by Trading Standards ie Status Quo. Therefore the preferred option 1.2 is also the same as 1.1 Status Quo
1.2 Defined Scope + Administrative Function	
Service Solutions	
2.1 Status Quo	BaseCase
2.2 Limited Company	Discounted
2.3 Lead Authority with Joint Committee/Management Board	Preferred
2.4 Sub-Regional Gwent Collaboration	Discounted
Service Delivery	
3.1 In-house	Preferred
3.2 In-house + Out-source	Discounted
3.3 Outsource	Discounted
Implementation	
4.1 Phased	Preferred
4.2 Single Implementation	Discounted

2.5.6 Summary of Preferred Option

An outline of the preferred solution ie

Lead Authority, multiple site with Joint Committee or Management Board

is set out in Table 17.

Table 17

	2.1 Base Case	Option 2.3
Scope	Current (Existing)	Defined Scope + Administrative Function (Existing)
Service Solutions	Current Model	Lead Authority, multiple Site with Joint Committee/Management Board
Delivery	In House	In House
Implementation	No Change	Phased
Summary	Base Case	Preferred

A summary of the advantages and disadvantages associated with the Status Quo/Base Case and Preferred option is tabulated below in Table 18.

Table 18

Operating Model	Advantages	Disadvantages
Status Quo	Avoids the problem building external partnerships/setting up contractual agreements	Limits the ability to share resources and experience with potential peer bodies
	None of the disruption associated with staff transfers and restructure	May not achieve economies of scale and or financial efficiencies
	Limits the degree of complexity in terms of organisational, process and technology varieties	Limits the injection of funding and expertise from specialist providers

Lead Authority	A Lead Authority basis (rather than SPV/Limited company) can minimise legal and procurement costs	May limit innovation & growth opportunities if vision only extend to a few neighbouring public bodies
	<p>Single management structure result in a reduction in costs</p> <p>Allows for resource and expertise pooling.</p> <p>Can achieve efficiencies and economies of scale</p> <p>Opportunities for the development of regional procedures and processes and a standardised approach</p>	
	Relatively simple and easy to implement as compared to other options such as Limited company or SPV	

2.6 Economic Appraisal

2.6.1 Estimating Benefits

The benefits identified have been categorised as either Non-Financial or Financial:

A. Non-financial

The key non-financial benefits of a joint service are set out in Table 19:

Table 19

Benefit	How it is achieved.
A service that can provide a better customer experience	Economies of scale making it more possible to focus resources on the agreed priorities
	A consistent approach across the region, through the adoption of common policies and procedures
	Regional intelligence sharing
A more resilient service	Through economies of scale; combining knowledge and expertise, response abilities, service delivery
	A larger service which is better able to meet complex (and often global) challenges eg IP crime and tackle, where necessary, major organisations
	Ensuring achievements of outcomes and statutory requirements when less funding is likely to be available
A more agile and flexible service	A service better positioned to respond to possible changes in role, scope or budget
	Through the development of a regional COE for intelligence analysis and financial investigation (Income from POCA activities)
A service which provides more opportunities for staff development	Opportunities for skills development and specialism leading to greater job satisfaction
	Pooling of best practice from both existing services
	Greater efficiency in training and maintenance and development of staff competence
Shared Regional Website	Consolidated single source of local and regional information relating to Trading Standards
Greater intelligence opportunities	Central source for information and advice, readily available 24/7

B. Financial

The anticipated financial benefits are:

- Savings - see Financial Case: Section 4.5 Table 25 which sets out the estimated costs of the service and projected savings over a 3 year period between 2015/16 to 2017/18
- A reduction in service delivery costs as a result of a single management structure

- Efficiencies achieved through a standardised approach and the removal of duplication within the service
- Efficiencies in spend on property through consolidation of location (2 bases rather than 5) and the consolidation of storage facilities for equipment and seized goods.
- Efficiencies through IT changes enabling agile working practices
- Efficiencies through joint procurement practices i.e. Trading Standards data management package

2.6.2 Dis-benefits

- A commitment to the service and the annual proportion of costs over the 3 year period means that all authorities will lose some flexibility in setting annual budgets
- If a Management Board were to be the chosen governance option, the elected members of the non-lead authorities will have less influence over the service decision-making at a local level.

2.6.2 Estimating Costs/Key results of the Economic Appraisal

The estimated costs of setting up a regional service, based on the 'preferred option', are set out in the Section 4: Financial Case

2.7 Risk Appraisal

The service specific risk categories identified together with their associated risk scores and mitigation are set out in *Appendix D*.

2.8 The Preferred Option

The preferred option is for the creation of a Regional Trading Standard service model comprising a lead authority, multi-site and with governance arrangements, comprising a Joint Committee. The detailed proposal and estimated costs for the new service are set out in the Commercial and Financial cases.

Maintaining a local profile is important under any shared service arrangement, along with maintaining established local networks with key stakeholders and partners.

The regional service will need to be accountable to respective members of all 5 authorities through its governance arrangements.

Key issues such as local profile and accountability through the regional service design and the ability to vary the service to meet individual authority needs and priorities are important in creating a regional trading standards service that is truly representative of all partner authorities.

Commercial Case

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Gwent Trading Standards Project

Business Case

A programme for a Regional Trading Standards Service in Gwent

Collaborating Authorities



3. Commercial Case

The commercial case provides the information relating to the preferred option identified in the economic case and defines the viability and sustainability of the proposal.

3.1 Introduction

The proposed operating model for a regional trading standards service comprises a lead authority, which is multi-site and will be governed by a management board or joint committee. The details of the 3 governance options considered and the preferred option are set out in Section 5: Management Case.

Lead Authority

Caerphilly CBC has been identified as the lead authority and has the capacity to take over the management and support systems necessary to accommodate the additional staff. The details set out in the Commercial Case together with the associated costs for future delivery have been calculated on this basis

Multi-Site

The model proposes that the service be run from two sites; the existing Council Offices at Pontllanfraith House, Blackwood and the other will be based at Council offices within Newport. A two site model will provide the trading standards service with an appropriate geographical presence in the region.

Agile Working

Staff will be provided with the equipment necessary for them to work on an agile basis and access all necessary systems on a remote basis, with the ability to make/receive telephone calls.

The two base locations described above will provide facilities for 'drop-in' working and meeting space as and when required, but will not house permanent workstations for staff. Staff will also be able to utilise other council offices across the region on a drop-in basis whenever required, utilising available wifi.

This arrangement will enable the service to respond quickly to any urgent matters, to minimise travel costs and also minimise disruption to staff.

It is anticipated that agile working will enable efficiency savings to be made and these are quantified in the 3-year financial plan set out in the Financial Case. It is proposed that the capital costs associated with the provision of equipment and software is to be met through the Regional Collaboration Fund (RCF) grant. Details of these costs are also set out in the Financial Case. All associated future

maintenance/running costs will be included in the agreed financial contribution for each authority.

3.2 Required services

The trading standards service activities are determined by legislation and by government and corporate obligations.

The services that have been defined as being 'in-scope' for this project are set out in the Strategic Case section 1.10

The work undertaken will comprise both planned inspections and also reactive work based on information received/complaints from consumers and businesses. The development of a regional intelligence service and close working links with the National Trading Standards Board (NTSB) and other public bodies will be key to providing a service that is both efficient and effective.

3.3 Proposed Structure Structure and Service Description

The proposed staffing structure is set out in *Appendix G*.

A single management structure is proposed, incorporating a Head of Trading Standards overseeing a service that encompasses the following three key areas of work:-

- Business Standards & Support
- Community Intervention
- Investigations

Legal proceedings are a feature of Trading Standards work with 54 prosecutions taken across Gwent in 2013/14. Following consultation with the Heads of Legal Services it is proposed that offences will be prosecuted by the Legal Service of the authority where the offence occurred, or by agreement where there are multiple offences across the region. Effective communication will be essential and this arrangement will be kept under review to ensure that processes and decision-making are consistent.

Trading Standards Service Management staff

Each of the three areas of work will have a Team Manager who will report directly to the Head of Trading Standards. The savings achieved through the single management structure are set out in the Financial Case.

Operational Service staff

Skilled staff will provide 'teams of expertise' within each of these areas and the size of the teams and the concentrated numbers of staff within the regional service will enable service resilience and economies of scale.

Each of the Team Managers will oversee teams of staff working regionally within the following 'Hubs':

- Animal & Agricultural Standards
- Commercial Standards
- Retail premises, enforcement & support
- Consumer Intervention (Criminal & Civil)
- Operations
- Special Investigations

The total number of operational staff employed within the Hubs is 47.9FTE, which reflects the existing staffing provision regionally for operational trading standards staff.

Business Support staff

The regional service will have a centralised business support team of 5 FTE comprising administrative and database support.

Scambusters staff

The grant-funded Scambusters team (six officers) which is currently managed through the trading standards service at Newport City Council will also be attached to the regional service and managed by one of the Team Managers. Funding for this element of the service comes from central government (NTSB) and does not form part of the business case and is therefore not included in the financial case.

The concentration of staffing levels and skill sets will ensure that a regional service has the ability to be resilient, adaptable to change and also have the capability and expertise to deal with complex investigations.

A summary of the proposed staffing complement for a regional trading standards service is set out in Table 20.

Table 20 Regional Service Staffing Complement

Role	No of Staff
Gwent Trading Standards Manager	1

Managers	3
Operational Staff	47.9
Admin Support	5
Total	56.9

The 47.9FTE Operational Staff will make up the staffing complement across the 3 'hubs' described in 3.3 and will comprise a mixture of Trading Standards Officers, Fair Trading Officers, Animal Health, and Technical Officers. A level of flexibility / fluidity will be built into these teams to ensure that the service is both able to respond to changing service requirements / emergency situations eg. Horse meat scandal, while still retaining the ability to provide resilience in the core service provision.

Training and Development Strategy

A staffing skills analysis will be undertaken to ensure that the skill sets of the staffing resource are appropriate for the new regional service and identify where there are any requirements for training/up-skilling. A regional staff training and development plan will be created to both support and enable the aspirations of the new regional service and ensure that the workforce has the skills necessary to enable the flexibility and fluidity described above.

3.4 New Operating Model – Level of Service

The regional service will adopt regional priorities, moving away from the current way of working to focus on the development of an intelligence led service delivery with a regional perspective, that functions as a single entity without boundaries, rather than in separate units.

The service will align with the NTSB strategy of an Integrated Operating Model (IOM), focussing on the identification and assessment of threats, the management of prioritised threats through enforcement and other activity; and the review of the effectiveness of measures taken. Thereby providing a strategic and structured approach to decision making about the utilisation of available resources.

3.5 Staff Transfer

It is proposed that the Trading Standards staff from Blaenau Gwent, Monmouth, Newport and Torfaen will TUPE across to Caerphilly. The staff will be fully integrated and act as 'one' team and all will be treated fairly and equally. Any future restructuring will be informed by service need and the skills and expertise required.

Consultation has been taking place with staff and their representatives, with meetings held both within the individual local teams and further meetings planned for all staff to come together and meet jointly with the project board to discuss the business case proposals.

3.6 Regional Working

- There will be an integrated and uniform level of service across the five authorities. This will mean that common processes are adopted, leading to efficiency savings. Work has already begun to develop regional processes and documentation
- Intelligence tasking, however, will mean that at times there will be different levels of activity in different areas to ensure that the service responds to local need and political priorities.
- As well as dedicated intelligence capability the regional service will maintain a financial investigation resource, which can be used, in serious cases for the recovery of criminal assets under the Proceeds of Crime Act 2002 (POCA). POCA was introduced by the government, as it recognised that leaving illicitly obtained assets in the hands of the criminals was damaging to society.
- The regional service will aim to be a Centre of Excellence for intelligence analysis and financial investigation by offering specialist expertise particularly relevant to trading standards and striving to increase capacity and efficiency.
- The regional service will use recovered criminal assets (Under POCA) to improve enforcement and for the development of consumer and business education as well as community wider initiatives agreed by the Joint Committee/Management Board.
- Equipment, contracts and storage facilities will be rationalised

3.7 Proposed Charging Mechanisms

The total estimated costs of the provision of a regional service for the 3 years from 2015/16 are set out in the Financial Case.

The proportional contributions for each of the partner authorities has been calculated based on budgets for 2014/15 and the respective charges have been built into the financial model. See Section 4: Financial case, Table 24

3.8 Proposed Contract Length

It is proposed that a Shared Services Agreement is drawn up and will be reviewed after 3 years.

Proposed key contractual clauses

- Commitment to contribution;
- Clear apportionment of employment liabilities both historic and future;
- Commitment to redeployment across all partners in the event of a reduction in staff;
- Clear termination and withdrawal clauses permitting termination with sufficient notice and clear terms apportioning costs upon termination;
- Breach clauses apportioning costs between parties;
- Clear financial clauses relating to contributions and when payment will be made;
- Clauses relating to freedom of information and data protection;
- Indemnities protecting partners in relation to actions of the other partners;

3.9 Personnel Implications (including TUPE)

The terms and conditions for all transferred staff will be within the regulations governing TUPE transfer.

Each of the Home Councils will need to finalise a piece of work in order to identify which of their employees they believe to be "in scope". This exercise will be largely but not exclusively dependant on the amount of time the employee spends undertaking the duties that are to be transferred, should the BC be approved.

Those "in scope" staff will then transfer to CCBC on their existing terms and conditions of service.

Those staff affected by the transfer but not deemed to be "in scope" will remain with their home authority and be deployed in line with their existing arrangements as appropriate.

3.11 Procurement Strategy and Implementation Timescales

The proposals for the procurement of a software package for trading standards are set out in Section 4: Financial Case, 4.6.1.

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4. Financial Case

4.1 Introduction

The purpose of this section is to set out the indicative financial implications of the preferred option and the associated working arrangements.

4.2 Affordability

Financial benefits are key drivers for each of the partner authorities and these have been reflected in the business objectives defined for the project, namely the achievement of savings through service efficiencies.

The financial case sets out the actual expenditure of the service in 2013/14 (Pre-baseline): Table 22; the estimated expenditure on Trading Standards for each of the authorities for 2014/15 (Project Baseline): Table 23; the potential future budgets/estimated running costs of a regional trading standards service: Tables 24, 25, 26; Regional Service Implementation Costs: Table 27 and the opportunity for the generation of income through the Proceeds of Crime Act 2002 (POCA) activities: Table 28 (See 4.7 POCA Income).

4.3 Possible Future Funding Opportunities

A regional service may also benefit by attracting funding that a single authority may have difficulty accessing, when not in a partnership. A consolidated bid representing the interests of a larger area may be more attractive, as it offers potential opportunities to develop resilient services that provide centres of expertise, while still retaining the capability to be reactive when required, responding to any crises such as the recent horse meat scandal.

4.4 Detailed Financial Analysis

4.4.1 Pre Regional Service Baseline

Table 22 Summary: Trading Standards Service Actual Expenditure 2013/14

Pre- Baseline Service Expenditure	Blaenau Gwent	Caerphilly	Monmouthshire	Newport	Torfaen	Baseline Total Expenditure
Direct Service Expenditure	£546,005	£766,639	£377,745	£610,382	£361,127	£2,661,898

- Nb. i) The salary figure recorded for Blaenau Gwent also includes the costs of 4 FTE, representing staff who left the service during 2013/14.
- ii) The internal recharge figures (indirect costs) are not included in Table 22.
- iii) The salary figures for Newport, Blaenau Gwent and Torfaen do not include any Admin/support FTE costs.
- iv) Unlike the other four authorities, the salary figure for Monmouthshire does not include those staff who carry out Food Safety Standards work, as they are not part of the Trading Standards service in Monmouthshire and that function is being retained at Monmouthshire. (see Strategic Case, Section 1.10: Scope)

4.4.2 Trading Standards Budgets 2014/15 (Regional Service Baseline)

Table 23 Estimated Expenditure: Trading Standards Service 2014/15

Direct Service Expenditure	Blaenau Gwent	Caerphilly	Monmouthshire	Newport	Torfaen	Total Expenditure
Salaries	£302,721	£704,736	£302,936	£565,565	£323,140	£2,199,099
Salary Vacancy Deficit	£-	£-	£-	£23,969	£-	£23,969
Other (incl Premises, Transport, Supplies & Services)	£31,346	£96,658	£32,641	£60,402	£54,423	£275,471
Total Direct Service Expenditure	£334,067	£801,394	£335,578	£649,936	£377,563	£2,498,538
Income	£0	-£17,513	-£5,679	-£36,791	-£5,100	-£65,083
Direct Service Expenditure Net Income	£334,067	£783,881	£329,898	£613,145	£372,463	£2,433,455
POCA Income	£0	£0	£0	-£28,000	£0	-£28,000

- Nb. i) The internal recharge figures (indirect costs) are not included in Table 23.
- ii) Newport has a Proceeds of Crime Act 2002 (POCA) income target of £27K.
- iii) Newport Council is currently undergoing a Single Status and Job Evaluation process. This is expected to be concluded during 2015 and any implications will be addressed at that time.
- iv) Unlike the other four authorities, the salary figure for Monmouthshire does not include those staff who carry out Food Safety Standards work, as they are not part of the Trading Standards service in Monmouthshire and that function is being retained at Monmouthshire. (Strategic Case, Scope: Section 1.10).
- v) Animal Health work in Blaenau Gwent is currently being undertaken through a contract arrangement with Powys Council. (See details Page 6)

4.4.3 Potential Trading Standards Service Costs 2015/16 (adjusted based on Caerphilly Internal Recharge figs)

In addition to the direct 'running cost' expenditure on the trading standards service (Table 23), the calculation of the 'total cost of a regional trading standards service' also needs to include a management charge to cover the additional annual IT costs which will be incurred and additional HR costs in years 1 and 2 (only) resulting from the HR work associated with a move to a regional model.

Table 24 Estimated Budgets: Trading Standards Service 2015/16

Operational Headings	Blaenau Gwent £	Caerphilly £	Monmouthshire £	Newport £	Torfaen £	Total £
Salaries	285,514	707,513	302,960	529,892	335,848	2,161,726
Salary Vacancy Deficit				23,969		23,969
Projected Underfund	23,000			40,000		63,000
Other (incl. Premises, Transport, Supplies & Services)	31,346	96,658	32,641	60,402	54,423	272,270
Total Direct Services Budget	339,860	804,171	335,601	654,263	390,271	2,524,165
Income excl POCA	0	-10,305	-5,679	-31,954	-5,100	-53,038
Direct Service Budget (Income adjusted)	339,860	793,866	329,922	622,309	385,171	2,471,127
Management Charge	3,601	8,639	3,617	7,006	4,070	26,933
Salary savings	-11,264	-27,020	-11,314	-21,914	-12,730	-84,242
Total Direct Service Budgets	332,197	775,484	322,225	607,401	376,511	2,413,819

It has been proposed that the management charge, is apportioned across all five authorities, based on the gross direct service costs for each Authority (as set out in Table 24 above) and that the charge is built into the regional financial model.

4.5 Projected service costs 3-year programme.

The 2014/15 figure represents the regional service baseline and 2015/16 the transitory period of change to a regional service. The staffing structure proposed for a regional service (Appendix E) shows a reduction in the number of managers from 5 FTE to 4 FTE.

It is anticipated that the regional service would come into operation during 2015/16.

Initial opportunities for efficiency savings of £230k have been identified over the 3-year period from 2014/15 to 2017/18 (Table 25). The potential savings achievable however, will be dependent on a number of factors including a commitment by each authority to ring-fence their Trading Standards budget for the 3-year period. It has been acknowledged however, that some authorities may not be able to make this commitment given the volatility of local government funding in the current economic climate.

It is felt however, that £230k is the minimum target for savings achievable from the implementation of a regional trading standards service. It is anticipated that the implementation of regional working would deliver additional efficiencies through joint procurement, agile working procedures and the rationalisation of operating processes, accommodation and storage costs.

It is proposed that any savings achieved would be shared on a proportional basis, through the SLA, across all five authorities.

Table 25 Projected Regional Service Expenditure and Income (3 year period)

Regional Trading Standards Service Expenditure	2014/15 Baseline	Year 1 2015/16	Year 2 2016/17	Year 3 2017/18
Direct Service Expenditure	£2,498,538	£2,524,165	£2,528,101	£2,529,348
Projected Annual Income Target (Net POCA)	-£65,083	-£53,038	-£53,038	-£53,038
Direct Service Expenditure (Net income)	£2,433,455	£2,471,127	£2,475,063	£2,476,310
Management Charge	£0	£26,933	£39,433	£26,933
Redundancy / Severance	£0	£0	£88,000	£0
Estimated Reduction Service Expenditure	£0	-£84,242	-£199,002	-£299,002
Regional Service Expenditure (Net Income)	£2,433,455	£2,413,819	£2,403,495	£2,204,241

Notes:

- i) Salaries incl increments;
- ii) Salaries do not incl future estimated pay award (s) and all five authorities would need to make the appropriate adjustment on an annual basis to accommodate this
- iii) Reduced income 15/16 onwards as result of the AHWG being withdrawn;
- iv) Yr1 HR costs from RCF, Yr2 from TS account.
- v) The estimated reduction in service expenditure is a cumulative reduction over years 1,2 & 3.

Animal Health work in Blaenau Gwent is currently being undertaken through a contract arrangement with Powys Council. The basic cost of this work is £17,000 per annum and equates to approximately 0.5 FTE. The contract began in 2012/13 and is in place until April 2015. It is envisaged that when the contract comes to an end, this work will then be undertaken as part of the regional trading standards service.

A financial contribution for this service has not been included in the figures in Table 25.

The figures presented in Table 26 summarise the costs to each authority of

- i) delivering an 'independent' service
- ii) being part of a regional service across Gwent

and provides a comparison of the estimated service costs for the two options, over the 3-year period, from the baseline year 2014/15 to year 3 2017/18.

Table 26 Service Cost Comparison Independent v Regional Trading Standards

Operational Headings	Blaenau Gwent £	Caerphilly £	Monmouthshire £	Newport £	Torfaen £	Total £
Service Model: Each LA continues to deliver own service						
Baseline Yr 14/15	334,067	801,394	335,577	649,936	377,563	2,498,538
Year 3 17/18	340,365	804,171	336,703	655,681	348,824	2,485,744
%age increase in estimated costs from Baseline yr to yr 3	2%	0%	0%	1%	-8%	-1%
Service model: Regional Service						
Baseline Yr 14/15	334,067	801,394	335,577	649,936	377,563	2,498,538

Year 3 17/18	303,988	716,906	300,162	584,908	351,315	2,257,279
%age increase in estimated costs from Baseline yr to yr 3	-9%	-11%	-11%	-10%	-7%	-10%

Summary	£	£	£	£	£	£
Difference in Service Costs over 3 years: Each authority delivers its own service	6,298	2,776	1,126	5,745	-27,739	-12,794
Difference in Service Costs over 3 years: Regional Model	-30,079	-84,489	-35,415	-65,028	-28,248	-241,258

Nb Projected income not included in the figures in Table 26

Joint Committee

If the chosen option for governance is a Joint Committee, there will be associated running costs in the region of £5k to cover the requirement for the external audit of the Trading Standards accounts. It is anticipated that if the Joint Committee were to be held bi-annually and the responsibility for chairing and managing the committee was rotated annually and shared by all five authorities, the administrative resource could be met within existing resources.

4.6 Regional Service Implementation Costs

Regional Collaboration Funding (RCF) funding is available for the project for 2014/15 and 2015/16 as set out below in Table 27.

Table 27 Regional Service Implementation Costs

Capital Costs (RCF)	2014/15	2015/16	Total Funding
IT Agile working/ Software Costs	£64,300	£47,500	£111,800
HR		12,500	£12,500
Project Management	£35,700	£0	£35,700
Total Costs	£100,000	£60,000	£160,000

Nb. £60,000 had been expected for 2015/16 , however, recent communication from Welsh Government regarding a 50% reduction to the Regional Collaboration fund in Wales has put that in doubt.

4.6.1 ICT Costs

The Regional Collaboration Funding (RCF) will be used to cover the costs of the implementation of agile working and the further development of a Regional Gwent Trading Standards website.

The equipment required for agile working will largely be determined by the software package identified as the preferred product. This element of the project is aligned to the Welsh Purchasing Consortium Project (WPC) project to develop a framework agreement for the majority of authorities in Wales for the purchase of a Public Protection Package. The timescales for conclusion of the WPC project are February 2015, with a preferred supplier to be identified in January 2015 and a framework contract in place from February 2015.

It had been anticipated that the RCF would provide financial support for the implementation costs associated with IT requirements during 2014/15. It is clear now however, that implementation will not be possible before the end of 2014/15 and that therefore it will not be possible to utilise this funding as originally planned. A further £60,000 had been expected for 2015/16, however, recent communication from Welsh Government regarding a 50% reduction to the RCF in Wales has put this in doubt.

There will be a future requirement for incorporating the costs of an IT refresh programme from year 4 onwards, to cover the costs of replacing any obsolete IT equipment. The funding required will need to be built into the future financial model for the regional service.

4.7 Proceeds of Crime Act 2002 (POCA) Income

Opportunity to generate income through POCA activities has been identified. However, as the basis of this income stream is derived from proceeds recouped following convictions for criminal activity, it is not possible to accurately predict a specific annual figure but rather, based on experience over a period of years, estimate an income value. It is also to be noted that the POCA returns may be subject to a time delay and will not necessarily be received the same year as a conviction.

The Proceeds of Crime Act 2002 (POCA) provides a framework for enforcement agencies to increase their effectiveness by removing the financial benefits from persistent criminals convicted of offences designated as acquisitive crime. Acquisitive crime in a Trading Standards context includes fraud, car clocking, rogue trading and counterfeiting. In addition to prosecuting for the original offence local authorities can also apply for a confiscation order and if successful are entitled to a share of the recovered assets from an incentivisation fund. However there are restrictions and any funds received should be used to improve asset recovery and fund local crime fighting priorities for the benefit of the community.

The actual POCA income generated by Newport council over the past few years is set out in Table 28.

Table 28 POCA Income

Year	Newport
2010/11	£34,600
2011/12	£46,300
2012/13	£156,150
Total	£237,086

The success that Newport has had with this to date would appear to support the assumption that this may be an achievable source of income for the future regional service.

4.8 Potential Financial Benefits

The potential financial benefits achievable, through the delivery of trading standards as a regional service across the Gwent are:-

- £230,000 savings on gross service expenditure over the 3 years from 2015/16 to 2017/18. These savings are projected providing resilience while still delivering a service that ensures that Trading Standards service outcomes and statutory responsibilities are delivered. Thereby contributing to the achievement of the 3 overarching principles that it was felt at the outset of the project, were fundamental to the delivery of a Regional Trading Standards service (Strategic Case, Part B, Page 22)
- This includes a reduction in staffing salary expenditure in 2015/16;

- Greater proportion of spend on front-line services due to a single management structure, agile working and efficiencies achieved through process redesign;
- Efficiencies through rationalisation of office space, storage facilities and equipment;
- Efficiencies through regional procurement

It is unlikely that either this level of saving or indeed the potential for future savings could be achieved by the five services individually, without impacting significantly on both front-line service delivery and the ability to continue to meet both statutory requirements and consumer/business needs.

The potential for income generated by POCA is demonstrated by Newport's success in this area (Table 28). A regional income target has been included in Table 25 and appears to present a significant opportunity to fund relevant service priorities subject to the restrictions set out in 4.7 above.

Further savings may be realisable, once a regional service is established and achievable through process re-design /service efficiencies.

4.9 Assumptions

The financial model and the associated projected savings are based on the assumption that the trading standards budgets for each of the five authorities are ring-fenced for the 3 year period and are not reduced from the levels set out in Tables 24 and 25. If any of the five authorities are unable to make this commitment, it will not be possible to achieve the projected financial savings and it would be necessary to re-evaluate the viability of the model.

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5. Management Case

It is necessary for each Council to consider governance arrangements in accordance with advice from their respective legal services teams.

Consideration was given, to possible governance models as part of the options analysis (See Economic Case) and as a result of this two were identified as 'preferred' in relation to a Regional Trading Standards service. Further discussions that have taken place since the options analysis workshop, have resulted in the identification and inclusion of a 3rd option, as set out below.

5.1 Regional Governance Arrangements

5.1.1 Legal Powers

Under the terms of the Local Government Act 1972:

- i) S101 is a power to create a joint committee to oversee a joint function
- ii) S113 is a power that allows each local authority to delegate its functions to either a joint committee or to the head of the proposed service.

5.1.2 Options for Governance

A number of Governance Options were considered:

Option 1: Joint Committee

A single body that will provide governance on behalf of the five councils, comprising a joint committee of elected councillors, to oversee all activity. The service operating under this arrangement would need to submit a separate set of audited accounts. Each authority would delegate decision-making and policy approval to the Joint Committee.

Option 2: Management Board

A single body that will provide governance on behalf of the five councils, comprising a management board of elected councillors and local authority officers.

This would comprise a contract agreement together with a Memorandum of Understanding and would not formally have any decision-making delegated to it.

Option 3: Discharge of Functions to a Lead Authority

The Lead Authority (Caerphilly) will discharge the Trading Standards service on behalf of each of the other four authorities. This would involve the other authorities

giving up their decision-making and for Caerphilly CBC to make decisions and run the service. There would also be a legal agreement underpinning this arrangement. A Joint Service Panel (or similar) would then be set up with the overall purpose of monitoring and advising on the effective performance and delivery of the service. The Joint Service Panel would have no decision making powers vested in it by any of the five authorities and it is not a Joint Committee for the purposes of the Local Government Act 1972.

5.2 Option 2: Management Board

Option 2 was discounted, as it was felt this would not create the most effective forum for service delivery, as there would be no clear distinction between the responsibility for strategic planning at member level and operational delivery at officer level.

5.3 Implementation Options for a Regional Service

Ongoing discussions are taking place between each of the councils and their relevant departments ie HR, IT, facilities etc, to develop the implementation approach to be adopted.

5.3.1 Preferred Operating model

The preferred operating model for the regional service, which was identified in the Economic Case, was for a Lead Authority with Staff Transfer under TUPE regulations.

The remit for the lead authority will encompass:

- Hosting function for the employment and management of staff;
- Delivery of the operational service in line with strategic objectives and priorities;
- Management and monitoring of service;
- Management and monitoring of budgets;
- Planned reporting of service delivery in line with the chosen governance option
- Guidance, advice and information to the chosen governance body
- Reporting to the governance body in regard to service issues, problems with delivery, required changes to service priorities.
- Scrutiny function to the governance body to be provided by the individual Scrutiny Committees in each of the five authorities.

Detailed proposals for the implementation of a regional service would be developed following any decision, to create a regional trading standards service, being taken by the partner authorities in Gwent.

However, the broad route map that would be followed to create a regional service, would be to transfer the work and all staff identified as 'in scope' for the trading standards service, under TUPE regulations, to the Lead authority ie Caerphilly CBC.

A recruitment exercise would then be undertaken to fill the 4 senior posts identified in the structure *Appendix G*. The new senior team would then assist both with the planning for and implementation of the new service and also with the process for establishing staff within the operational teams.

5.3.2 Legal Agreement

A legal contract under which services will be delivered, including governance agreements with each council detailing the service levels, costs, sharing arrangements and exit arrangements etc. to be drawn up and agreed by all partner authorities.

5.4 Business Case Timetable

The timescales for the Business Case to be considered by the respective committees/councils of each of the partner authorities are:-

Activity	Timescales
Completion of draft Business Case	December 2014
Business Case Consultation	(Up to) January 2015
Finalised Business Case	January 2015
Business Case to LA's for Decision-making	
Blaenau Gwent	Executive: Council:
Caerphilly	Scrutiny: 17 th February 15 Council: 10 th March 15

Monmouthshire	Cabinet: Council:
Newport	Cabinet: 9 th February 15 or 16 th March 15
Torfaen	Cabinet: Council:

5.5 Post Approval Implementation Plan.

If approval is given for the creation of a Regional Trading Standards Service, a detailed implementation plan will be drawn up and work-streams and timescales for delivery will be developed under the headings:-

- HR
- Finance
- Legal
- ICT & Agile working
- Accommodation
- Management
- Regional Working
- Communication

The Project Board and Advisory Board will continue to oversee and direct the project, project co-ordination will be provided by the Senior Responsible Officer.

5.6 Performance Management & Reporting

Arrangements will be put in place for quality assurance and performance measurement and management of the new service and a set of Performance Indicators will be agreed as part of the implementation process.

The chosen governance body will receive regular reports on service performance and delivery to enable monitoring against strategic objectives, priorities and service budgets.

In addition, periodic peer reviews of the new service will be undertaken by project board members of other Trading Standards collaborations to review performance of the regional service against the business objectives and project deliverables.

5.7 Recommendations

5.7.1 That agreement is given, subject to each of the five authorities giving their commitment to the level of funding outlined in the financial model, to the creation of a Regional Trading Standard service between the five authorities in Gwent, based upon the preferred approach described in the Business Case:

Lead Authority (Caerphilly CBC) with (Each authority to indicate their preference a) or b)

a) Joint Committee
(One member per authority with Chair for 12 months rotating in alphabetical order, with no casting vote)

or

b) Lead Authority (Caerphilly) to discharge the Trading Standards function on behalf of the four partner authorities.

Business Case Agreed by:

Date: For Blaenau Gwent CBC

Date: For Caerphilly CBC

Date: For Monmouthshire CC

Date: For Newport CC

For Torfaen CBC

Date:



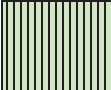

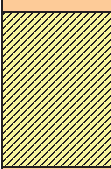


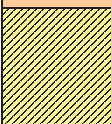



Gwent Trading Standards Project

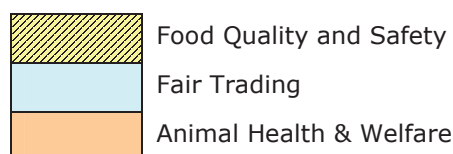
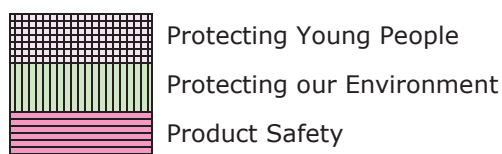
Business Case

Appendices:

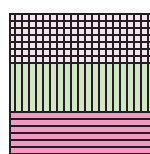
- A. Trading Standards Legislation
- B. Gwent Regional Trading Standards Guiding principles
- C. Main Benefits Criteria
- D. Service Specific Risk Appraisal
- E. Equality Impact Assessment
- F. Options for Regional Working
- G. Regional Service Staff Structure

Trading Standards Service

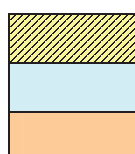
PART 1: LEGISLATION WHICH THE COUNCIL HAS A <u>DUTY</u> TO ENFORCE	
	Advanced Television Services Regulations 2003 <ul style="list-style-type: none"> require digital TVs to meet certain standards
	Agriculture Act 1970 <ul style="list-style-type: none"> controls the quality and labelling of fertilisers and animal feeding stuffs
	Animal By-Products Regulations 2005 <ul style="list-style-type: none"> specify methods of disposal for animal carcasses and other by-products
	Animal Health Act 1981 <ul style="list-style-type: none"> provides for the control of animal diseases and the welfare of farm animals
	Animals & Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997 <ul style="list-style-type: none"> ensure that animal-derived foods do not contain excessive amounts of medicinal and other residues
	Animals and Animal Products (Import and Export) (England) Regulations 2006 <ul style="list-style-type: none"> control the import and export of animals and animal products
	Avian Influenza (Preventive Measures) (England) Regulations 2006 <ul style="list-style-type: none"> establish measures to prevent the spread of bird flu
	Beef and Veal Labelling Regulations 2008 <ul style="list-style-type: none"> establish a system for the labelling and marketing of beef and beef products, including veal
	Biocidal Products Regulations 2001 <ul style="list-style-type: none"> control the placing on the market of biocidal products
	Bluetongue Regulations 2008 <ul style="list-style-type: none"> lay down provisions for the control and eradication of bluetongue
	Business Protection from Misleading Marketing Regulations 2008 <ul style="list-style-type: none"> prohibit misleading trade-to-trade advertising, and control comparative advertising



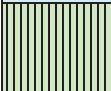

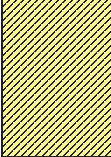



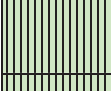

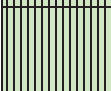
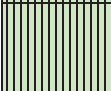
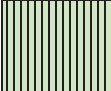


PART 1: LEGISLATION WHICH THE COUNCIL HAS A <u>DUTY</u> TO ENFORCE	
	<p>Cancellation of Contracts made in a Consumer's Home or Place of Work etc Regulations 2008</p> <ul style="list-style-type: none"> • give cancellation rights in respect of a contract for goods or services made during a visit by a trader to a consumer's home or place of work or on an excursion organised by the trader
	<p>Cat and Dog Fur (Control of Import, Export and Placing on the Market) Regulations 2008</p> <ul style="list-style-type: none"> • prohibit the import, export and placing on the market of cat and dog fur
	<p>Cattle Identification Regulations 2007</p> <ul style="list-style-type: none"> • establish requirements for tagging cattle and for cattle passports
	<p>Chemical (Hazard Information and Packaging for Supply) Regulations 2009</p> <ul style="list-style-type: none"> • control classification, packaging & labelling of dangerous substances and preparations
	<p>Children & Young Persons Act 1933</p> <ul style="list-style-type: none"> • prohibits sale of tobacco products to under 18s <p>Children & Young Persons (Protection from Tobacco) Act 1991</p> <ul style="list-style-type: none"> • requires warning notices and an enforcement programme <p>Note: <i>here the duty is to annually consider a programme of enforcement</i></p>
	<p>Clean Air Act 1993</p> <ul style="list-style-type: none"> • aims to limit or reduce air pollution by setting compositional standards for fuel
	<p>Community Trade Mark Regulations 2006</p> <ul style="list-style-type: none"> • applies the protective measures in the Trade Marks Act 1994 to Community trade marks
	<p>Construction Products Regulations 1991</p> <ul style="list-style-type: none"> • control safety of construction products
	<p>Consumer Credit Act 1974</p> <ul style="list-style-type: none"> • controls consumer credit and hire, including the form and content of advertisements and agreements
	<p>Consumer Protection Act 1987</p> <ul style="list-style-type: none"> • provisions in respect of product safety for a variety of consumer goods
	<p>Consumer Protection from Unfair Trading Regulations 2008</p> <ul style="list-style-type: none"> • prohibit unfair business-to-consumer commercial practices, including misleading actions, misleading omissions, aggressive commercial practices and certain commercial practices specified in Schedule 1
	<p>Contaminants in Food (England) Regulations 2007</p> <ul style="list-style-type: none"> • sets maximum limits for certain contaminants in foodstuffs

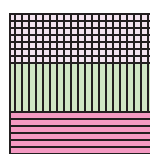


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Product Safety

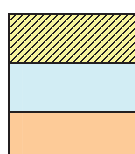


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Animal Health & Welfare

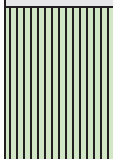
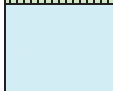
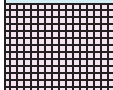


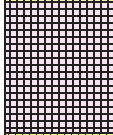


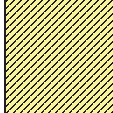





PART 1: LEGISLATION WHICH THE COUNCIL HAS A <u>DUTY</u> TO ENFORCE	
	Copyright, Designs and Patents Act 1988 <ul style="list-style-type: none"> protects intellectual property and makes unauthorised use illegal
	Crystal Glass (Description) Regulations 1977 <ul style="list-style-type: none"> control description of crystal glass products
	Education Reform Act 1988 <ul style="list-style-type: none"> prohibits granting of degrees by unrecognised institutions
	Ecodesign for Energy-Using Products Regulations 2007 <ul style="list-style-type: none"> establish standards of ecodesign for energy-using products
	EC Fertilisers (England and Wales) Regulations 2006 <ul style="list-style-type: none"> establish composition and labelling requirements for fertilisers
	Eggs and Chicks (England) Regulations 2009 <ul style="list-style-type: none"> control the labelling of eggs and time limits within which they may be sold set down standards for marketing eggs as 'free-range'
	Electromagnetic Compatibility Regulations 2006 <ul style="list-style-type: none"> ensure that equipment does not emit electromagnetic interference
	Electro-medical Equipment (EEC Requirements) Regulations 1988 <ul style="list-style-type: none"> control marking of electro-medical equipment
	Energy Information (Combined Washer Driers) Regulations 1997 <ul style="list-style-type: none"> require energy efficiency information to be marked on appliances
	Energy Information (Dishwashers) Regulations 1999 <ul style="list-style-type: none"> require energy efficiency information to be marked on appliances
	Energy Information (Household Air Conditioners) (No 2) Regulations 2005 <ul style="list-style-type: none"> require energy efficiency information to be marked on appliances
	Energy Information (Household Electric Ovens) Regulations 2003 <ul style="list-style-type: none"> require energy efficiency information to be marked on appliances
	Energy Information (Lamps) Regulations 1999 <ul style="list-style-type: none"> require energy efficiency information to be marked on appliances
	Energy Information (Household Refrigerators and Freezers) Regulations 2004 <ul style="list-style-type: none"> require energy efficiency information to be marked on appliances
	Energy Information (Tumble Driers) Regulations 1996 <ul style="list-style-type: none"> require energy efficiency information to be marked on appliances
	Energy Information (Washing Machines) Regulations 1996 <ul style="list-style-type: none"> require energy efficiency information to be marked on appliances

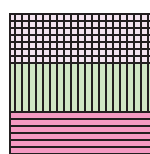


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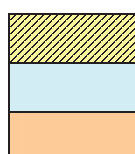


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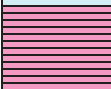







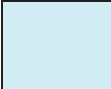
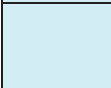
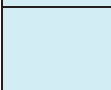
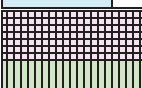


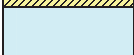


PART 1: LEGISLATION WHICH THE COUNCIL HAS A <u>DUTY</u> TO ENFORCE	
	<p>Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007</p> <ul style="list-style-type: none"> lay down requirements for the production of energy performance certificates when buildings are constructed, sold or rented out
	<p>Estate Agents Act 1979</p> <ul style="list-style-type: none"> controls activities of estate agents
	<p>Explosives Act 1875</p> <ul style="list-style-type: none"> prohibits sale of gunpowder to under 16s
	<p>Fair Trading Act 1973</p> <ul style="list-style-type: none"> promotes fair trading via the Business Advertisements (Disclosure) Order 1977 and the Consumer Transactions (Restrictions on Statements) Order 1976 (now available for historic offences only)
	<p>Feed (Hygiene and Enforcement) (England) Regulations 2005</p> <ul style="list-style-type: none"> ensure verification of compliance with feed and food law
	<p>Fireworks Act 2003</p> <ul style="list-style-type: none"> controls the sale and supply of fireworks and other explosives prohibits persons under 18 from possessing a firework in a public place
	<p>Food (Chilli, Chilli Products, Curcuma and Palm Oil) (Emergency Control) (England) Regulations 2005</p> <ul style="list-style-type: none"> set out requirements that the named products must meet if they are to be used for human consumption
	<p>Food (Control of Irradiation) Regulations 1990</p> <ul style="list-style-type: none"> ensure that irradiated food is described as such and safe
	<p>Food Hygiene (England) Regulations 2006</p> <ul style="list-style-type: none"> implement European measures to ensure food is fit for human consumption
	<p>Food (Jelly Mini Cups) (Emergency Control) (England) Regulations 2009</p> <ul style="list-style-type: none"> suspend the placing on the market and import of jelly confectionery containing the food additive E425: Konjac
	<p>Food Safety Act 1990</p> <ul style="list-style-type: none"> controls the description, composition and labelling of food
	<p>Foot-and-Mouth Disease (Control of Vaccination) (England) Regulations 2006</p> <ul style="list-style-type: none"> make provision for a programme of vaccination against foot-and-mouth disease if necessary
	<p>Footwear (Indication of Composition) Labelling Regulations 1995</p> <ul style="list-style-type: none"> ensure that footwear is marked with an indication of composition
	<p>General Food Regulations 2004</p> <ul style="list-style-type: none"> lay down the general principles and requirements of European food law



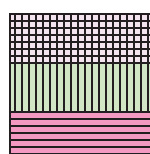
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Product Safety



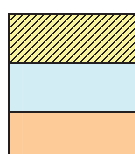
Food Quality and Safety
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PART 1: LEGISLATION WHICH THE COUNCIL HAS A <u>DUTY</u> TO ENFORCE			
	General Product Safety Regulations 2005 <ul style="list-style-type: none"> require products not controlled by other specific regulations to be safe 		
	Genetically Modified Animal Feed (England) Regulations 2004 <ul style="list-style-type: none"> control sale etc. of GM animal feed 		
	Genetically Modified Food (England) Regulations 2004		
	Genetically Modified Organisms (Traceability and Labelling) (England) Regulations 2004 <ul style="list-style-type: none"> ensure the traceability and accurate labelling of GMOs 		
	Hallmarking Act 1973 <ul style="list-style-type: none"> controls the description and marking of goods as silver, gold and platinum 		
	Health and Safety at Work etc Act 1974 <ul style="list-style-type: none"> allows local authorities to enforce safety provisions 		
	Horse Passports (England) Regulations 2009 <ul style="list-style-type: none"> establish the horse passports scheme 		
	Housing Act 2004 <ul style="list-style-type: none"> establishes the requirement for Home Information Packs 		
	Licensing Act 2003 <ul style="list-style-type: none"> prohibits supply of alcohol to under 18s 		
	Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006 <ul style="list-style-type: none"> set out legal requirements for weighing equipment that calculates the mass of bulk loads by subdividing it into discrete quantities 		
	Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006 <ul style="list-style-type: none"> set out legal requirements for equipment for weighing railway vehicles 		
	Measuring Instruments (Automatic Catchweighers) Regulations 2006 <ul style="list-style-type: none"> set out legal requirements for weighing equipment for catchweight prepacks 		
	Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 <ul style="list-style-type: none"> set out legal requirements for weighing equipment that fills containers with a predetermined, constant mass from bulk 		
	Measuring Instruments (Beltweighers) Regulations 2006 <ul style="list-style-type: none"> set out legal requirements for beltweighers for bulk materials 		
	Measuring Instruments (Capacity Serving Measures) Regulations 2006 <ul style="list-style-type: none"> set out legal requirements for beer and wine glasses 		
	Measuring Instruments (Cold-water Meters) Regulations 2006 <ul style="list-style-type: none"> set out legal requirements for water meters 		
	Protecting Young People		Food Quality and Safety
	Protecting our Environment		Fair Trading
	Product Safety		Animal Health & Welfare


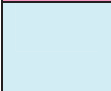











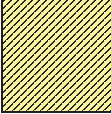
PART 1: LEGISLATION WHICH THE COUNCIL HAS A <u>DUTY</u> TO ENFORCE	
	Measuring Instruments (EEC Requirements) Regulations 1988 <ul style="list-style-type: none"> establish a system of European approval for measuring instruments
	Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006 <ul style="list-style-type: none"> set out legal requirements for petrol pumps
	Measuring Instruments (Liquid Fuel delivered from Road Tankers) Regulations 2006 <ul style="list-style-type: none"> set out legal requirements for fuel tankers
	Measuring Instruments (Material Measures of Length) Regulations 2006 <ul style="list-style-type: none"> set out legal requirements for length measures
	Medical Devices Regulations 2002 <ul style="list-style-type: none"> control the marketing and labelling of medical devices
	Medicines Act 1968 <ul style="list-style-type: none"> controls labelling and advertising of medicated animal feed
	Non-automatic Weighing Instruments Regulations 2000 <ul style="list-style-type: none"> nnnnn
	Non Commercial Movement of Pet Animals (England) Regulations 2004 <ul style="list-style-type: none"> implement European rules on the non-commercial movement of pet animals
	Official Controls (Animals, Feed and Food) (England) Regulations 2006 <ul style="list-style-type: none"> implement various European rules about animal health, animal feed, and food safety that are not covered in existing UK regulations
	Official Feed and Food Controls (England) Regulations 2007 <ul style="list-style-type: none"> establish a system for verification of compliance with feed and food law
	Organic Products Regulations 2004 <ul style="list-style-type: none"> control the use of the term 'organic' to describe produce
	Package Travel, Package Holidays and Package Tours Regulations 1992 <ul style="list-style-type: none"> protect consumers who purchase package holidays
	Packaging (Essential Requirements) Regulations 2003 <ul style="list-style-type: none"> ensure that packaging is safe e.g. does not contain heavy metals
	Passenger Car (Fuel Consumption and CO2 Emissions Information) Regulations 2001 <ul style="list-style-type: none"> require suppliers & dealers to provide information for consumers
	Personal Protective Equipment (EC Directive) Regulations 2002 <ul style="list-style-type: none"> require PPE to be safe
	Poisons Act 1972 <ul style="list-style-type: none"> controls the sale and labelling of certain listed poisons

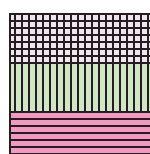


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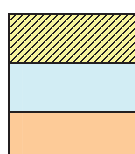


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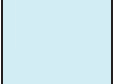
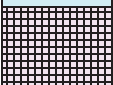
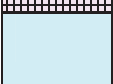
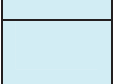
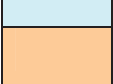



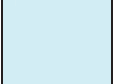
PART 1: LEGISLATION WHICH THE COUNCIL HAS A <u>DUTY</u> TO ENFORCE	
	Pressure Equipment Regulations 1999 <ul style="list-style-type: none"> require pressure equipment to be safe
	Prices Act 1974 <ul style="list-style-type: none"> provides for the price of goods to be indicated by sellers
	Products of Animal Origin (Import and Export) Regulations 1996 <ul style="list-style-type: none"> regulate import & export of animal products
	Products of Animal Origin (Third Countries Import) (England) Regulations 2006 <ul style="list-style-type: none"> regulate import & export of animal products
	Property Misdescriptions Act 1991 <ul style="list-style-type: none"> controls the description of property by estate agents and developers
	Radio Equipment and Telecommunications Terminal Equipment Regulations 2000 <ul style="list-style-type: none"> require RTTE equipment to satisfy certain essential requirements
	Recreational Craft Regulations 2004 <ul style="list-style-type: none"> require recreational craft to be safe
	Registration of Establishments (Laying Hens) (England) Regulations 2003 <ul style="list-style-type: none"> require egg producers to register
	Rice Products from the United States of America (Restriction on First Placing on the Market) (England) Regulations 2008 <ul style="list-style-type: none"> implement emergency measures regarding the non-authorised genetically modified organism "LL RICE 601" in rice products from the USA
	Salmonella in Turkey Flocks and Slaughter Pigs (Survey Powers) (England) Regulations 2006 <ul style="list-style-type: none"> establish salmonella prevention measures
	Scotch Whisky Regulations 2009 <ul style="list-style-type: none"> implement national rules on the manufacture, marketing, movement and presentation of Scotch Whisky
	Simple Pressure Vessels (Safety) Regulations 1991 <ul style="list-style-type: none"> require simple pressure vessels to be safe
	Specified Products from China (Restriction on First Placing on the Market) (England) Regulations 2008 <ul style="list-style-type: none"> implement emergency measures regarding the unauthorised genetically modified organism "Bt 63" in rice products from China
	Spirit Drinks Regulations 2008 <ul style="list-style-type: none"> implement European rules on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks

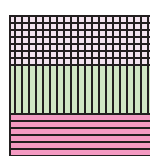


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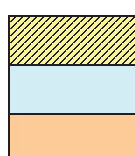


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PART 1: LEGISLATION WHICH THE COUNCIL HAS A <u>DUTY</u> TO ENFORCE	
	Swine Vesicular Disease Regulations 2009 <ul style="list-style-type: none"> provisions to prevent the spread of swine vesicular disease
	Supply of Machinery (Safety) Regulations 1992 <ul style="list-style-type: none"> require machinery to be safe
	Textile Products (Indication of Fibre Content) Regulations 1986 <ul style="list-style-type: none"> require that textile products are marked with an indication of composition
	Timeshare Act 1992 <ul style="list-style-type: none"> regulates the sale of timeshare properties and gives a cooling off period
	Tobacco Advertising & Promotion Act 2002 <ul style="list-style-type: none"> prohibits advertising and other means of promoting tobacco products
	Trade Descriptions Act 1968 <ul style="list-style-type: none"> prohibits false claims about Royal approval of goods and services
	Trade Marks Act 1994 <ul style="list-style-type: none"> prohibits unauthorised use of trade marks
	Transmissible Spongiform Encephalopathies (England) Regulations 2008 <ul style="list-style-type: none"> provisions to prevent the spread of transmissible spongiform encephalopathies (diseases such as BSE and Scrapie)
	Tryptophan in Food (England) Regulations 2005 <ul style="list-style-type: none"> prohibit the addition of tryptophan (an amino acid) to food, and the sale, offer for sale and exposure for sale of food containing tryptophan
	Weights and Measures Act 1985 <ul style="list-style-type: none"> regulates weights and measures equipment used for trade protects consumers against short weight or measure
	Weights and Measures (Packaged Goods) Regulations 2006 <ul style="list-style-type: none"> establish legal requirements for goods packed under the average quantity system
	Wine Regulations 2009 <ul style="list-style-type: none"> control descriptions and marketing of wine

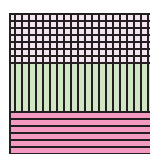


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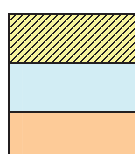


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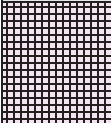
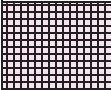



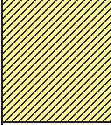
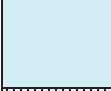
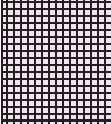


PART 2: LEGISLATION WHICH THE COUNCIL <u>MAY</u> ENFORCE UNDER SECTION 222 OF THE LOCAL GOVERNMENT ACT 1972	
	Accommodation Agencies Act 1953 <ul style="list-style-type: none"> prohibits the taking of commission from people seeking rented accommodation
	Administration of Justice Act 1970 <ul style="list-style-type: none"> creates an offence of harassment of debtors or alleged debtors
	Aerosol Dispensers (EEC Requirements) Regulations 1977 <ul style="list-style-type: none"> controls quantity of goods sold in aerosols
	Animal Welfare Act 2006 <ul style="list-style-type: none"> prohibits the causing of unnecessary suffering to animals establishes a duty of care for persons responsible for an animal establishes means of disqualifying persons convicted of offences from being further involved with animals establishes a mechanism for taking possession of animals at risk
	Anti-social Behaviour Act 2003 <ul style="list-style-type: none"> prohibits sale of aerosol paint to under 16s
	Architects Act 1997 <ul style="list-style-type: none"> prohibits use of name "architect" by unregistered person
	Cancer Act 1939 <ul style="list-style-type: none"> prohibits claims concerning cures for cancer
	Charities Act 1992 <ul style="list-style-type: none"> controls activities of professional fundraisers
	Charities Act 2006 <ul style="list-style-type: none"> prohibits use of badges and certificates by unauthorised persons
	Companies Act 2006 <ul style="list-style-type: none"> requires sole traders and partnerships to state their trading details on their premises, stationery and websites prohibits fraudulent trading
	Companies (Trading Disclosures) Regulations 2008 <ul style="list-style-type: none"> requires limited companies to state their trading details on their premises, stationery and websites
	Consumer Protection (Distance Selling) Regulations 2000 <ul style="list-style-type: none"> prohibit demands for payment for unsolicited goods
	Crime and Disorder Act 1998 <ul style="list-style-type: none"> permits a local authority to obtain an anti-social behaviour order
	Criminal Attempts Act 1981 <ul style="list-style-type: none"> makes it unlawful to attempt to commit offences

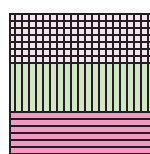


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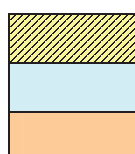


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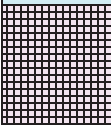

PART 3: LEGISLATION WHICH THE COUNCIL <u>MAY</u> ENFORCE UNDER SECTION 222 OF THE LOCAL GOVERNMENT ACT 1972	
	Criminal Justice Act 1988 <ul style="list-style-type: none"> prohibits sale of knives and certain articles with blade or point to persons under 18
	Criminal Law Act 1977 <ul style="list-style-type: none"> creates the offence of conspiracy to commit other offences
	Crossbows Act 1987 <ul style="list-style-type: none"> prohibits supply of certain crossbows to persons under 17
	Customs & Excise Management Act 1979 <ul style="list-style-type: none"> prohibits the sale of tobacco that is not UK Duty Paid
	Enterprise Act 2002 <ul style="list-style-type: none"> prohibits traders from engaging in business practices that harm the collective interests of consumers establishes a mechanism for obtaining injunctions to stop such practices
	Farm and Garden Chemicals Act 1967 <ul style="list-style-type: none"> controls labelling of certain chemicals
	Food and Environment Protection Act 1985 <ul style="list-style-type: none"> aims to protect the public from food made unsafe through environmental factors such as radiation and use of pesticides
	Forgery and Counterfeiting Act 1981 <ul style="list-style-type: none"> prohibits forgery and counterfeiting of documents
	Fraud Act 2006 <ul style="list-style-type: none"> prohibits fraud by the making of false representations, by failing to disclose information, or by abuse of position
	Gambling Act 2005 <ul style="list-style-type: none"> outlaws chain gift schemes
	Intoxicating Substances (Supply) Act 1985 <ul style="list-style-type: none"> prohibits supply of solvents to under 18s if seller has reason to believe they will be abused
	Knives Act 1997 <ul style="list-style-type: none"> prevents the marketing and sale of combat knives
	Legal Services Act 2006 <ul style="list-style-type: none"> prohibits carrying on of certain reserved legal activities by a person who is not so entitled

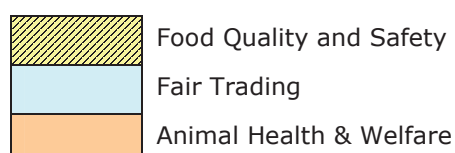
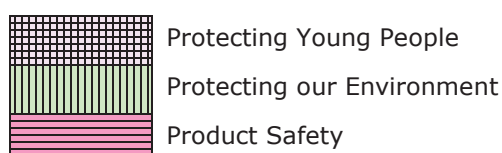


Protecting Young People
Protecting our Environment
Product Safety

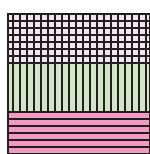


Food Quality and Safety
Fair Trading
Animal Health & Welfare

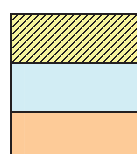
PART 3: LEGISLATION WHICH THE COUNCIL <u>MAY</u> ENFORCE UNDER SECTION 222 OF THE LOCAL GOVERNMENT ACT 1972	
	<p>Magistrates Courts Act 1980</p> <ul style="list-style-type: none"> • makes it illegal to aid, abet, counsel or procure the commission of an offence
	<p>Malicious Communications Act 1988</p> <ul style="list-style-type: none"> • prohibits the sending or delivering of communications for the purpose of causing distress or anxiety • can be used to protect staff from harassment
	<p>Measuring Container Bottles (EEC Requirements) Regulations 1977</p> <ul style="list-style-type: none"> • requires manufacturers of measuring container bottles to conform to certain standards and keep records to demonstrate this
	<p>Merchant Shipping (Weighing of Goods Vehicles & Other Cargo) Regulations 1988</p> <ul style="list-style-type: none"> • requires weighbridges at ports to be accurate
	<p>Money Laundering Regulations 2007</p> <ul style="list-style-type: none"> • prohibits the use of the financial system for laundering the proceeds of crime
	<p>National Lottery etc Act 1993</p> <ul style="list-style-type: none"> • makes it unlawful to sell lottery tickets to under 16s or for someone aged under 16 to sell a lottery ticket
	<p>Olympic Symbol etc. (Protection) Act 1995</p> <ul style="list-style-type: none"> • prevents unauthorised use of the Olympic Games symbol and motto
	<p>Performing Animals (Regulation) Act 1925</p> <ul style="list-style-type: none"> • allows only registered persons to exhibit or train performing animals
	<p>Protection from Harassment Act 1997</p> <ul style="list-style-type: none"> • protects persons from harassment and similar conduct • can be used to protect staff
	<p>Road Traffic Act 1988</p> <ul style="list-style-type: none"> • sets out requirements for protective equipment for motorcyclists • prohibits use of overloaded goods vehicles on the road • prohibits supply of unroadworthy vehicles or parts
	<p>Road Traffic (Foreign Vehicles) Act 1972</p> <ul style="list-style-type: none"> • prohibits overloading by foreign goods vehicles



PART 3: LEGISLATION WHICH THE COUNCIL <u>MAY</u> ENFORCE UNDER SECTION 222 OF THE LOCAL GOVERNMENT ACT 1972	
	Solicitors Act 1974 <ul style="list-style-type: none"> • unlicensed person not to prepare certain instruments (conveyances)
	Theft Act 1968 <ul style="list-style-type: none"> • prohibits false accounting and going equipped to cheat
	Unfair Terms in Consumer Contracts Regulations 1999 <ul style="list-style-type: none"> • prohibit use of unfair terms in business-consumer contracts
	Unsolicited Goods and Services Acts 1971 <ul style="list-style-type: none"> • prevents demands for payment for unsolicited goods or unsolicited directory entries
	Veterinary Surgeons Act 1966 <ul style="list-style-type: none"> • prevents use of the term "vet" by unqualified persons



Protecting Young People
Protecting our Environment
Product Safety



Food Quality and Safety
Fair Trading
Animal Health & Welfare

Part 4: Licensing Legislation	
	Animal Boarding Establishments 1963
	Breeding of Dogs Acts 1973 - 1991
	Dangerous Wild Animals Act 1976
	Explosives Act 1875
	Fireworks Acts 1951 & 2003
	Performance of Animals (Regs) Acts 1925
	Pet Animals Act 1951
	Riding Establishments Act 1964 to 1970
	Control of Horses Act 2014

Appendix B

Gwent Regional Trading Standards Guiding Principles

To establish a regional service that

- Improves levels of service to consumers and businesses through the sharing of staff, best practice methods and expertise;
- Is focussed on identifying and tackling the most significant risk to consumers, business and the community;
- Maximises resilience in a climate of reducing budgets and resources and is capable of tackling large scale or specialist crime;
- Is accountable to local members and with robust governance structure, underpinned by service level agreements;
- Maintains a local profile and presence within each local authority and with established networks, partners and key stakeholders;
- Operates within a wider context and streamlines contacts with regional services such as Gwent Police and Local Health Boards;
- Takes advantage of new opportunities to re-define a service that embraces new technologies and agile working;
- Adopts a variety of access methods to facilitate ease of contact;
- Maximises the potential to standardise performance and raise the profile of the service;
- Increases specialisation and expertise and has the flexibility to respond to changing levels of demand;
- Provides for development, improvement and innovation and optimises opportunities for re-investment in the service; (POCA; Primary Authority etc)
- Reduces duplication in cost and effort and achieves efficiencies through joint procurement and efficiencies of scale;
- Anticipates future challenges by embedding routine horizon-scanning.

Business Objective	Relative Timescale	Relative Value	Benefit by Stakeholder group
<p>BO1:</p> <p>Development of a robust and sustainable Regional Trading Standards service with a 3 year Business Plan that incorporates best practice, increased service resilience, improved efficiencies and standardized service delivery.</p>	<p>Med</p>	<p>High</p>	<p>Gwent Authorities – Synchronised working practices, increased resilience, Continuous improvement, economies of scale enabling focus of resources on consumer intervention and education</p> <p>Members – resilient service, regional intelligence and working, an operating model which better reflects regional delivery policies and contributes more readily to regional service with defined local priorities</p> <p>Welsh Assembly/WLGA – regional shared working, shared intelligence</p> <p>Local Businesses & Consumers – ‘joined up’ service, resilience, specialist knowledge, a larger service which is better able to meet complex challenges eg IP crime</p> <p>Trading Standards/Public Protection Staff – Improved career opportunities, greater concentration of colleagues, service resilience, responsive to change</p> <p>Other Council Departments</p> <p>Other public bodies, Gwent area – Police, Fire, Health Services – Consistent regional approach & shared intelligence, single point of contact</p> <p>TU - Improved career opportunities, greater concentration of colleagues, service resilience</p> <p>Professional Bodies, Government bodies & Government Agencies – professional development, more service resilience, capacity to deliver on statutory duties and legislation</p>

Business Objective	Relative Timescale	Relative Value	Benefit by Stakeholder group
<p>BO2:</p> <p>To investigate and evaluate knowledge sharing options, improve access to specialist knowledge/expertise and the development of centres of excellence.</p>	<p>Med</p>	<p>Med</p>	<p>Gwent Authorities & Members - Opportunities to share good practice, efficient working practices</p> <p>Welsh Assembly/WLGA – supporting the shared service ambition</p> <p>Local Businesses & Consumers – development of a streamlined/standardised/consistent regional service with access to specialist knowledge</p> <p>Trading Standards/Public Protection Staff - Opportunities to share good practice/processes & procedures</p> <p>Other Council Departments</p> <p>Other public bodies, Gwent area – Police, Fire, Health Services – access to centralised centres of expertise and knowledge</p> <p>TU – ‘Specialist’ development opportunities for TU members</p> <p>Professional Bodies, Government bodies & Government Agencies – Development of regional ‘specialists/centres of excellence</p>

Business Objective	Relative Timescale	Relative Value	Benefit by Stakeholder group
<p>BO3:</p> <p>Investigate and evaluate opportunities for innovative technical and agile working practices.</p>	<p>Short</p>	<p>High</p>	<p>Gwent Authorities & Members – Lower running costs, more efficient ways of working, maximising staff time, more resources</p> <p>Welsh Assembly/WLGA – streamline service, increased efficiencies in use of available resources</p> <p>Local Businesses & Consumers – opportunities for a more responsive and ‘interactive’ service</p> <p>Trading Standards/Public Protection Staff - More resilient efficient service,</p> <p>Other Council Departments – Opportunities to share principles/knowledge from the development of innovative/agile working practices</p> <p>Other public bodies, Gwent area – Police, Fire, Health Services – effective and ‘timely’ opportunities for regional information/knowledge sharing</p> <p>TU – streamline service, increased efficiencies in use of available resources</p> <p>Professional Bodies, Government bodies & Government Agencies – Opportunities to share principles/knowledge from the development of innovative/agile working practices</p>

Business Objective	Relative Timescale	Relative Value	Benefit by Stakeholder group
<p>BO4:</p> <p>Develop a structured regional enforcement strategy that enables effective information sharing and working practices with partner agencies.</p>	<p>Long/Med</p>	<p>Med</p>	<p>Development of a Regional Intelligence & Enforcement strategy– more effective in fighting and preventing consumer crime, beneficial to all stakeholders:-</p> <p>Gwent Authorities Members</p> <p>Welsh Assembly/WLGA</p> <p>Local Businesses</p> <p>Consumers</p> <p>Trading Standards/Public Protection Staff</p> <p>Other Council Departments</p> <p>Other public bodies, Gwent area – Police, Fire, Health Services</p> <p>TU</p> <p>Professional Bodies, Government bodies & Government Agencies</p>

Business Objective	Relative Timescale	Relative Value	Benefit by Stakeholder group
<p>BO5:</p> <p>The creation of a collaborative model that may be used as a benchmark for regional working.</p>	<p>Med</p>	<p>Med</p>	<p>A tried and tested model that can be used for others has benefits across the stakeholder groups:-</p> <ul style="list-style-type: none"> Gwent Authorities Members Welsh Assembly/WLGA Local Businesses Consumers Trading Standards/Public Protection Staff Other Council Departments Other public bodies, Gwent area – Police, Fire, Health Services TU Professional Bodies, Government bodies & Government Agencies

Service Specific Risk Appraisal

Risk Categories	Description of Risk	Score (L X I)	Mitigation
Business/ Financial	Failure to agree the method for calculating proportional contribution	4 x5 = 20	Effective dialogue as part of Business case preparation
	Inability to achieve cashable savings	2 x 4 = 8	Efficiencies will be identified through the project
	Inaccurate estimation of costs and savings in the Business Case could lead to the level of costs and savings not being as forecast resulting in the unexpected costs for the partner authorities	1 x 4 = 4	Application of robust financial preparation and management will form key part of Business Case preparation
	Failure of the regional service, leads to the partner authorities to re-establish separate services resulting in increased costs	1 x 4 = 4	Effective management and governance arrangements
Legal	Legal challenge to transfer or unfair dismissal claims results in increased costs or delays	2 x 3 = 6	Use of HR and legal advice and open and consultative approach with staff
	Future prosecutions brought by the joint service are challenged on the basis of the legality of the joint service	1 x 3 = 3	Use of legal teams to advise on process
	Insufficient legal resource to support the service	3 x 4 = 12	Discussions and agreement of a way forward with legal service
	If each of the five authorities undertakes those prosecutions where the offence arises within their area, the potential for an inconsistency of approach across the region will exist.	3 X 3 = 9	The five authorities to work together to determine and agree a consistent approach to prosecution work, that will be adopted across the region.
Reputational	Local Members feel disengaged with the regional service	2 X 3 = 6	Governance arrangements and effective engagement strategy
	Failure of regional service leads to damage the reputations of all partner authorities	1 x 2 = 2	Effective governance and management of service

Stakeholder	Stakeholders do not support the proposal for a regional service leading to legal challenge	1 x 2 = 2	Effective consultation & communication
	Consumers and businesses perceive that the regional service does not effectively meet their needs resulting in stakeholder dissatisfaction	1 x 2 = 2	Effective consultation & communication
	Increased no of referrals from CACs, as a result of a possible change in strategy relating to publicity of service (External) and leading to an increased volume of service referrals.	1 x 2 = 2	Review of service priorities
Human Resources	Staff dissatisfaction as a result of changes/the levels of savings across the public sector result in a negative impact on front-line work	2 x 3 = 6	Full engagement with staff and TU and close working with HR
	Teething problems in establishing a fully integrated regional team leads to a distraction from the day job (managers and staff) resulting in a negative impact on the quality of service provided.	3 x 2 = 6	Good planning, effective consultation and good management
	TUPE transfer issues incl. salary differences between staff undertaking the same roles	2 x 2 = 4	Full engagement with staff and TU and close working with HR
	Problems liaising across the five authorities	2 x 2 = 4	Effective communication governance arrangements
IT	Technological issues prevent agile working	4 x 5 = 20	Engage fully with IT services
	Set up costs for agile working prohibitive	3 x 4 = 12	RCF funding has been allocated
	WPC package delivery date delayed	4 x 2 = 8	Interim arrangement would be put in place

Appendix E

Equality Impact Assessment (EIA) Template – Part 1

Policy title and purpose (brief outline):	Gwent Trading Standards Project To review the options for the development of a Trading Standards service across Gwent, developing a Business Case to enable a regional service.
Name of official:	Rob Hartshorn
Department:	Caerphilly CBC, Public Protection
Date:	Aug 14
Signature:	

1. Please provide a brief description of the policy/decision.

For example what is the overall objective of the policy/decision, what are the stated aims (including who the intended beneficiaries are), a broad description of how this will be achieved, what the measure of success will be, and the time frame for achieving this?

The overall objective of the project is the development of a Regional Trading Standards Service for Gwent.

Intended key beneficiaries encompass Consumers and Businesses across the region, together with intelligence sharing with other public bodies such as the Police, Fire and Health services.

This will be achieved through the creation of a single service, multi-site, with a lead authority, that employs all Trading Standards staff and provides an efficient, effective and robust regional service.

The Business Case will be presented to each of the collaborating councils for approval in Sept/Oct 14. If approved, implementation will take place early 2015.

2. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?

One of the key project documents developed has been a Communication Strategy, which identifies the stakeholders together with both their communication needs and appropriate methods of communication/engagement.

The Communication strategy to be amended, as appropriate, during the course of the project. Internally stakeholders are being communicated/engaged with through a variety of means including newsletters, workshops, team meetings, e-mails and reports.

Externally communication/engagement will be through a combination of website updates, press releases and a consumer questionnaire.

Each of the 5 local authorities in the region has in place a Strategic Equality Plan (as required by the *Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011*) that includes local guidance on Consultation and Monitoring of people with protected characteristics (e.g. Caerphilly CBCs *Strategic Equality Objective 5 - Engagement and Participation* and the associated guidance document) and these contacts can also be used to ensure compliance with the legal duty.

3. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?

The business case will be developed utilising information from a variety of sources, including: service data for existing provision, budgetary information, corporate and strategic priorities, business intelligence reports and related policy/strategy proposed by relevant institutions ie TSI, other public bodies, government agencies etc.

In terms of protected characteristics, the data from the 2011 Census will help provide a regional picture of the population both as customers and employees.

The evidence will provide a very comprehensive body of information on which to develop a business case.

It is important to note any opportunities you have identified that could advance or promote equality.

Impact

Please complete the next section to show how this policy / decision / practice could have an impact (positive or negative) on the protected groups under the Equality Act 2010 (refer to the EIA guidance document for more information).

Lack of evidence is not a reason for *not* progressing to carrying out an EIA. Please highlight any gaps in evidence that you have identified and explain how/if you intend to fill these gaps.

4.1 Do you think this policy / decision / practice will have a positive or negative impact on people because of their age?

Age	Positive	Negative	None / Negligible	Reasons for your decision (including evidence) / How might it impact?
Younger people (Children and young people, up to 18)	✓			Through the positive effects of the work undertaken by TS to prevent underage sales of alcohol, fireworks and age-inappropriate publications.
People 18-50			✓	Covered by the general work already undertaken by TS.
Older people (50+)	✓			Through various consumer protection schemes such as the prevention of doorstep crime etc

4.2 Because they are disabled?

Impairment	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Visual impairment	✓			Through targeted work undertaken by TS that would be a greater possibility through regional working.
Hearing impairment	✓			As above.
Physically disabled	✓			As above.
Learning disability	✓			As above.
Mental health problem	✓			As above.
Other impairments issues	✓			As above.

4.3 Because of their gender (man or woman)?

Gender	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Male			✓	Covered by the general work already undertaken by TS.
Female			✓	As above.

4.4 Because they are transgender?

Transgender	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
	✓			Through targeted work undertaken by TS that would be a greater possibility through regional working.

4.5 Because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Marriage	✓			Through targeted work undertaken by TS that would be a greater possibility through regional working.
Civil Partnership	✓			As above.

4.6 Because of their pregnancy or maternity?

Pregnancy and Maternity	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Pregnancy			✓	Covered by the general work already undertaken by TS.
Maternity (the period after birth)			✓	As above

4.7 Because of their race?

Race	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Ethnic minority people e.g. Asian, Black,	✓			Through targeted work undertaken by TS that would be a greater possibility through regional working.
National Origin (e.g. Welsh, English)	✓			As above.
Asylum Seeker and Refugees	✓			As above.
Gypsies and Travellers	✓			As above.
Migrants	✓			As above.
Others	✓			As above.

4.8 Because of their religion and belief or non-belief?

Religion and belief or non – belief	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists, Hindus, Others (please specify)	✓			Through targeted work undertaken by TS that would be a greater possibility through regional working.
Belief e.g. Humanists	✓			As above.
Non-belief	✓			As above.

4.9 Because of their sexual orientation?

Sexual Orientation	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Gay men	✓			Through targeted work undertaken by TS that would be a greater possibility through regional working.
Lesbians	✓			As above.
Bi-sexual	✓			As above.

4.10 Do you think that this policy will have a positive or negative impact on people’s human rights? Please refer to point 1.4 of the EIA Annex A - Guidance for further information about Human Rights.

Human Rights	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Human Rights including Human Rights Act and UN Conventions			✓	Covered by the general work already undertaken by TS.

If you have identified any impacts (other than negligible ones), positive or negative, on any group with protected characteristics, please complete Part 2.

Only if there are no or negligible positive or negative impacts should you go straight to part 2 and sign off the EIA.

Equality Impact Assessment – Part 2

1. Building on the evidence you gathered and considered in Part 1, please consider the following:

1.1 How could, or does, the policy help advance / promote equality of opportunity?

For example, positive measures designed to address disadvantage and reach different communities or protected groups?

A regional service will enable cross-boundary intelligence and provide both consumers and businesses with service consistency, protection and advice that is not inhibited by local authority boundaries.

1.2 How could / does the policy / decision help to eliminate unlawful discrimination, harassment or victimisation?

A regional service will provide a centralised information base and standardised operational procedures.

The overall Trading Standards function is of particular value to individuals covered by the Equality Act 2010 as they can be at greater risk of fraudulent and/or criminal behaviour when purchasing goods and services (eg older people, people with physical or learning disabilities etc), or at greater risk of being denied goods or services (e.g. due to their race, or real or assumed sexual orientation).

It would also help in pooling existing Equalities and Welsh language provision between the 5 councils across the region, to work with a regional Trading Standards provision that would be able to far better target and reach the harder-to-reach groups in the community.

1.3 How could/does the policy impact on advancing / promoting good relations and wider community cohesion?

A regional service will provide a single point of contact for information gathering and dispersal, providing a consolidated regional link with other public bodies/community groups etc.

Trading Standards work with traders from all backgrounds to ensure compliance with current legislation and for example has provided specific and targeted guidance in a range of languages, where required.

By working regionally, TS can access the support of the 5 councils' Equalities and Welsh language staff, as well as the regional community cohesion coordinators and the Hate Crime staff of Heddlu Gwent etc to ensure that any disputes that may arise between a customer and trader that has elements of discrimination or cohesion issues is properly signposted and dealt with at the right level of intervention.

2. Strengthening the policy

2.1 If the policy is likely to have a negative effect ('adverse impact') on any of the protected groups or good relations, what are the reasons for this?

What practical changes/actions could help reduce or remove any negative impacts identified in Part 1?

2.2 If no action is to be taken to remove or mitigate negative / adverse impact, please justify why.

(Please remember that if you have identified unlawful discrimination (immediate or potential) as a result of the policy, the policy must be changed or revised.)

3. Monitoring, evaluating and reviewing

How will you monitor the impact and effectiveness of the policy?

List details of any follow-up work that will be undertaken in relation to the policy (e.g. consultations, specific monitoring etc).

Through the post-implementation service review, on-going performance monitoring and consultation with stakeholders.

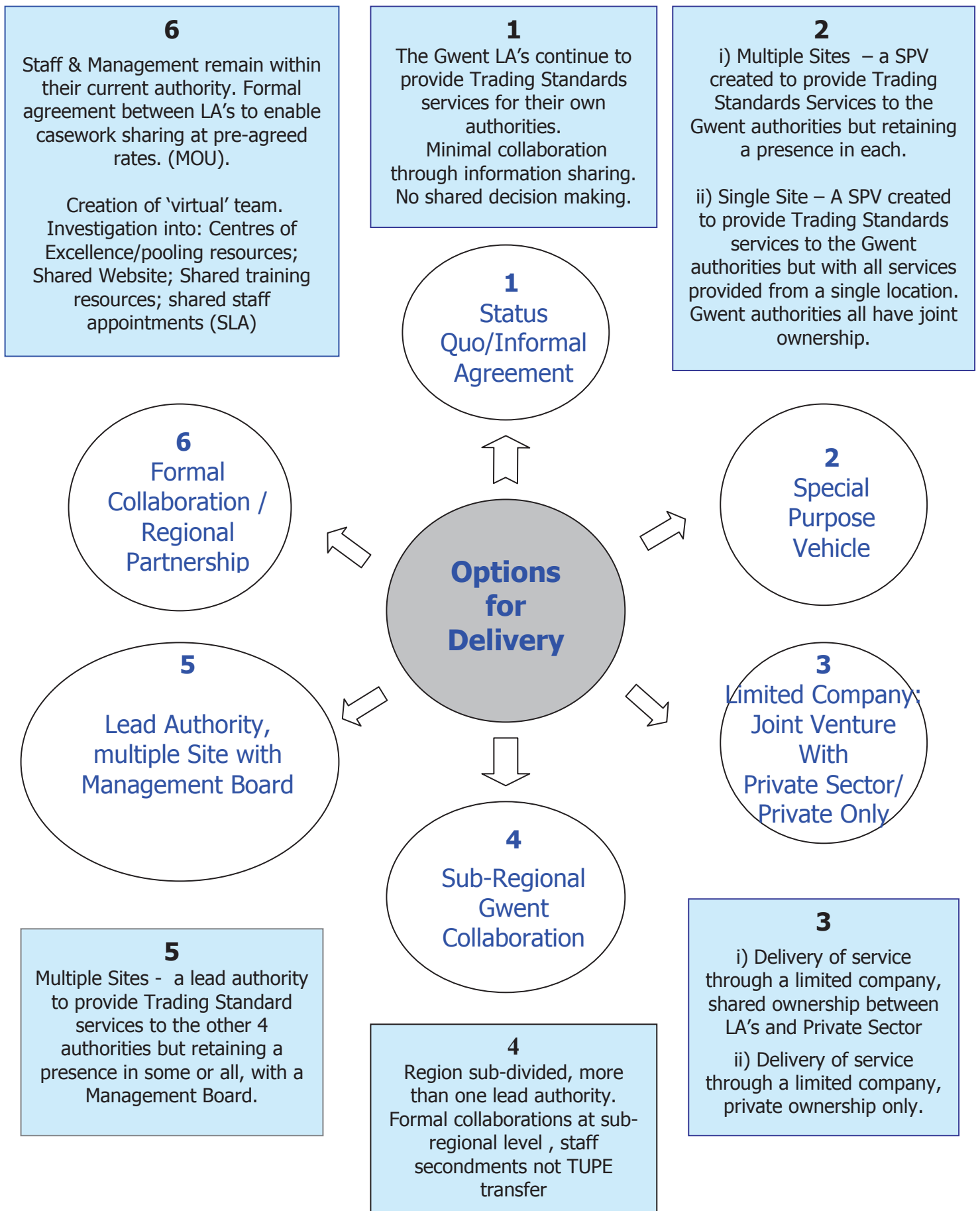
The results of all impact assessments where the impact is significant will be published on the Welsh Government's website.

4. Declaration

***Please delete as appropriate:**

The policy *does / does not have a significant impact upon equality issues

Official completing the EIA
Name:
Alison Evans
Department:
Trading Standards Service, Caerphilly CBC
Date:
26/02/14
Signature:
Head of Division (Sign-off)
Name:
Robert Hartshorn
Job title and department:
Head of Public Protection, Caerphilly CBC
Date:
26/02/14
Signature:
Review Date:



Option 4 – Further Information

- The act of Delegation should not create a contract and therefore EU procurement would not apply to any delegatory arrangements
- A Lead Authority is a legal entity and can therefore enter into contracts when fulfilling its delegatory duty
- A Joint Committee is not a legal entity and therefore can make decisions but not enter into contracts

Where the collaborative purpose is to share delivery of a service then the delegation of the function to the lead authority could achieve this purpose. This could then be complemented by a Joint Committee to provide oversight of the lead authority.

Alternatively the delegation of functions could be to the Joint Committee, which then charges a lead authority enter into contracts and hold property on its behalf.

Long Listed Options:

1. Status Quo / Informal Agreement
2.
 - i) Special Purpose Vehicle – Multiple Sites
 - ii) Special Purpose Vehicle – Single Site
3.
 - i) Limited Company – Private/Public Sector
 - ii) Limited company – Totally Private
4. Sub-Regional Gwent Collaboration
5. Lead Authority / Multiple Site with Management Board
6. Formal Collaboration

DRAFT

Gwent Trading Standards Manager

Business Standards & Support

Community Intervention

Investigations

Animal and Agricultural Standards
Commercial Standards

Consumer Intervention (Civil & Criminal)
Retail Premises, Enforcement & Support

Special Investigations
Operations

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Admin & Database Support

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GTSP Business Case Consultation

10/10/2014

ID	Comments by Team/Individuals	Response
	Caerphilly CBC Trading Standards Staff	
	Service Resilience	
1	The document as provided fails to clarify any of the major issues that will be faced by a collaborative service and makes numerous bold statements which are either factually incorrect or are not supported at all by evidence	See Below
2	Draft business case mentions throughout that a Regional Collaborative Service will provide resilience. This is not unsurprising as Welsh Government when suggesting collaboration of Trading Standards services, put resilience at the heart of any collaboration. Despite the continued use of the word throughout the document provided, there is absolutely nothing to explain how any of the 5 services involved will be more resilient.	<p>1. Part B - case For Change Para 2 and 3 Refers to resilience;</p> <p>2. Table 19 Non-Financial Benefits, Point 2 describes how a resilient service would be achieved:</p> <ul style="list-style-type: none"> i) Through economies of scale; Combining knowledge and expertise, response activities, service delivery; ii) A larger service which is better able to meet complex (and often global) challenges eg IP crime and tackle, where necessary major organisations; iii) Ensuring achievements of outcomes and statutory requirements when less funding is likely to be available <p>3. Commercial Case Page 4, "The concentration of staffing levels and skills sets will ensure that a regional service has the ability to be resilient, adaptable to change and also have the capability and expertise to deal with complex investigations</p>

3	<p>When collaboration was first mooted, insofar as Greater Gwent was concerned, it was obvious that the level of service provided by some of the constituent authorities was very low due mainly to efficiency savings and a lack of investment in the service. A collaborative service, with adequate resources would in stable economic times undoubtedly provide an enhanced service for these poorly resourced Authorities without severely affecting the service provided by those better performing Authorities.</p>	<p>Some of the authorities have reduced resources as a result of financial pressures, with the result that it has been necessary for them to consider different ways of working. All Local Authorities in Gwent are facing considerable financial pressures and are exploring reductions in service as well as find alternative methods of service delivery that can maximise the use of diminishing resources through new and innovative working practices. The work undertaken through the GTSP has concluded that the delivery of a regional TS service will provide a framework for this and the delivery of an intelligence-led service as recognised by the National Trading Standards Board as the way forward in a the current financial climate.</p>
4	<p>However we are now in an environment where all Local Authorities face severe cuts in relation to their budgets across the board. This not only puts pressure on budgets, but introduces more than a hint of financial uncertainty. Should the collaborative service go ahead, during these troubled financial times, there is every chance that one or more of the constituent Authorities would pull out. Once the collaborative service had been set up, dismantling it, with all the HR ramifications could leave all 5 services in a much weaker position and certainly no better off than they would be if collaboration had not taken place.</p>	<p>If the five authorities all agree to join and create a joint trading standards service this will signify a commitment to the resources and timescales set out in the inter-authority agreement and to making a success of the project. As standard with any collaborative agreement of this type, the legal agreement will however, set out the terms and conditions for a planned exit for 'an authority' should this be required. Even if one of the authorities were to pull out there would still be a concentration of resources that would be large enough to provide a resilient and adaptable service intelligence-led, unlikely to be matched by any service that could be provided by any of the authorities acting independently.</p>
5	<p>it would therefore appear that a collaborative service actually reduces the resilience of each Authority's Trading Standards Service, especially those that currently provide a high level of service.</p>	<p>See Previous Comments</p>
6	<p>It would appear that the setting up of a collaborative service would pose significant risks in relation to Service Provision across the 5 Authorities and severe financial risk to the host Authority, in this case Caerphilly CBC.</p>	<p>Service risks exist because of the financial cuts to council budgets. One of the key objectives of developing a regional service is to minimise the service risk, by developing resilience through a concentration of resources that will enable strategic planning across the region and thereby achieve economies of scale and financial savings to offset the challenging cuts to come, while still minimising the risk to service provision. The scrutiny role provided by Caerphilly's Head of Finance in relation to the detail provided in the GTSP Financial Case and the level of contribution to be made by each of the partner authorities is instrumental to managing this area of risk to the authority. The Business Case, Appendix D: Service Specific Risk Appraisal has already identified this as a risk and as such has been considered previously by the board who have acknowledged its importance and will continue to monitor this carefully and manage as appropriate.</p>
<p>Level of Service</p>		

7	The level of Service provided by Caerphilly CBC for its residents and businesses has been of a high standard throughout the life of the Authority, a fact which the members of the workforce are both proud and protective of.	
8	Caerphilly Trading Standards staff are more than aware of the pressures that Caerphilly CBC are under in relation to budgets, and that efficiencies will have to be made, which will put more pressure on the service.	
9	However, the biggest concern is that because some of the services in Greater Gwent are so under resourced, that a collaborative service, if it is to meet the aims of being consistent across the 5 Authorities, will mean the level of service will be far below that currently provided by some Authorities-including Caerphilly, and above that provided by others. This surely will affect adversely residents and businesses within Caerphilly, and the reputation of the Council	It is accepted that service level does vary between Local Authorities in some activities and therefore moving to a single service will result in some changes. However, it is not intended that there would be cross-subsidisation of services, as this would be illegal. It should be remembered that whilst specific services, such as Trading Standards, may experience cuts at different times, all 5 Local Authorities are facing similar budgetary pressures. ID Ref 6: + Protection of reputation has also been identified as a risk and will be managed as such.
10	The business case quotes Trading Standards collaborations that are currently working successfully. However, each of these (West Yorkshire, West Berkshire/Wokingham and Devon/Somerset) were created under totally different circumstances, are different services and did not have to contend with both the diversity in levels of service provision and the severe budgetary pressures together. The success of these collaborations therefore cannot be used as an indicator as to how a Greater Gwent collaboration will work.	The West Yorkshire collaboration was a front-runner in the provision of TS across borders and has existed for some time and was therefore created at a time when the current financial pressures did not apply. West Berkshire/Wokingham and Devon/Somerset, however are more recent collaborations. WB is a small service but still works successfully across boundaries, Devon/Somerset covers a much larger geographical area and the total number of staff are approximately 30% more than that of a regional Gwent service. Whilst no two collaborations will be identical there are similarities to draw upon.
	Working Conditions and how they affect Service delivery	
11	The business case makes great play on the introduction of so called "agile" working, introducing both cost and service delivery efficiencies. An element of flexibility undoubtedly benefits staff and service delivery, and the reduction of fixed workstations for staff will undoubtedly lead to cost savings.	Agile working undoubtedly brings benefits to both service provision, including tangible savings from a reduction in accommodation requirements, efficiencies through the rationalisation of travelling time / costs and also to staff, through the opportunities for flexible working. Agile working has been successfully implemented in many local authorities, including some of the partner authorities for the Gwent Trading Standards project..

12	<p>However, a widely dispersed workforce who cannot interact on a daily basis with managers and peers, introduces service inefficiencies and demotivation of staff, which would likely outweigh any efficiencies both perceived and demonstrable.</p>	<p>The vision for agile working will be translated into a strategy for Agile working which can encompass interaction through a variety of channels including: e-mail, telephone, skype, shared website, defined contact with managers and with further opportunities through the two dedicated trading standards bases situated at Caerphilly and Newport, where it will be possible to access meeting facilities and the administrative support as required.</p> <p>Each member of operational staff will be provided with the necessary equipment such as a tablet, mobile phone etc to maintain contact as necessary with managers and colleagues and to enable access of all systems remotely. It is envisaged that working agilely will minimise unnecessary travelling in terms of both time and cost, releasing these resources to service provision.</p> <p>Opportunities will still exist for team interaction/discussion of issues through regular team meetings.</p> <p>The move towards shared spaces and 'hot desks' represents a more dynamic approach to work, where networks of teams come together to complete specific task-based pieces of work.</p>
13	<p>The environment that Trading Standards work requires constant interaction between team members and managers to solve the regularly occurring complex problems. The concern of staff is that a move towards total "agile" working decreases the effectiveness of the service, makes management of staff far more difficult and leads to staff feeling isolated and dissatisfied .</p>	<p>Managers recognise that in addition to the advantages that mobile working brings, there will also be challenges and some staff may find the transition and the change in working practices difficult. Some of the authorities however, have already successfully introduced agile working and the strategy for the Gwent service will build on the basic principles already established. The project board have agreed to establish a working group to consider agile working and development and to define the role of the 'professional office' within the agile environment.</p>
14	<p>The business case vaguely states that there are benefits of "agile" working, without quantifying them and without considering any of the disadvantages.</p>	<p>See response ID Ref 11,12 & 13</p>

<p>15</p>	<p>Consistency of enforcement: Firstly, though not mentioned at all in the business case, it is understood that the Legal Services Sections of each of the 5 Authorities when considering how to support the collaborative Trading Standards Service, have indicated that each Authority will deal with matters in relation to their own area. This means that any collaborative service will have 5 different ways of dealing with legal breaches across the area. This is not only confusing but could easily lead to conflicting decisions, putting the Service at risk to Legal Challenge and the associated costs.</p>	<p>Consistency of enforcement has been discussed by the project board and the Heads of Legal for each of the five authorities have been consulted with regard to this issue. The Heads of Legal have proposed that each authority will continue to manage their own prosecutions. However, each of the Heads of Legal are also members of a regional shared legal collaboration which is considering ways of working together and standardising working practices. The management of prosecutions will therefore fall within this remit. It is perhaps worth noting that the West Berks/Wokingham collaboration, whilst also adopting the approach of managing their own prosecutions at the outset of the shared service, have as the service matured, reviewed and amended certain working practices. Legal work is one of these and they are now in the process of setting up an in-house legal resource dedicated to supporting trading standards work.</p>
		<p>Food Standards is not currently part of Monmouthshire's Trading Standards service. In common with a number of other Unitary Authorities in Wales, the food standards element of food law delivery is undertaken by Monmouthshire's Environmental Health service through its food safety team. Programmed interventions for Food Standards, as required by the Food Law Code of Practice (Wales) are delivered alongside programmed food hygiene inspections, as required by both the Food Law Code of Practice and the Food Hygiene Ratings (Wales) Act. The vast majority of those interventions are delivered simultaneously with the 600 food hygiene inspections each year. This delivers a model of working that has proved efficient and effective for Monmouthshire for many years. Only a small no (around 30) have risk ratings that require standards inspections at increased frequency to those required for hygiene.</p> <p>Monmouthshire's EH staff meet the competency requirements of the Code of Practice and have extensive experience in delivering the service. The ability to offer food businesses an holistic food law compliance service for both hygiene and standards (along with health and safety at work if appropriate) is an important element of its chargeable services in relation to Primary Authority services and its own ACCESS consultancy programme.</p> <p>From a purely financial perspective, as Food Standards is delivered by MCC EH staff as a small component of a number of people's roles, none would TUPE across. Therefore, if programmed Standards interventions were to be delivered in Monmouthshire by a Gwent Service, additional resource would need to be found by Monmouthshire to purchase this element of the service. That would not be a viable proposition, when competent officers are already undertaking a programmed visit, commissioning from a Gwent service, would not make sense for Monmouthshire from an economic, financial, customer service or better regulation perspective.</p>

16	Consistency of enforcement: Secondly the apparent decision of Monmouthshire to remove the Food Standards enforcement function from scope just for the Monmouthshire area appears to be flying in the face of collaborative service, and again will lead to inconsistencies and confusion for officers.	Purely taking the issue of 'consistency' there is no reason why effective liaison would not continue between Monmouthshire and a Gwent Service. (and the rest of Wales for that matter) and that would be a good thing. However, it is noted that the latest data from the FSA on standards delivery shows that the %age of interventions achieved is much higher in Monmouthshire than the average across Gwent.
	Finance-cost of the service and how it will be funded	
17	The financial case is presented in very broad terms with little or no detail.	Further detail will be provided.
18	Much is made of the savings being made of the savings to be made due to rationalisation of back office/support costs. However there is concern that any of these savings are not savings to the Authority at all, but merely savings to the Service. The amount spent by each Authority on HR, Legal etc will not decrease.	The efficiencies identified are not in relation to central support costs. Any savings made to the service will impact positively on overall savings being made by each of the authorities.
19	The apparent reliance on a sum of money being received each year from the Home Office Proceeds of Crime Incentivisation Scheme. Basing a financial case, even in part, on a sum of money that is not guaranteed at all, would appear to be foolhardy. Incentivisation money, cannot be guaranteed for any financial accounting period and therefore should not be used as part of producing budgets. The reality of the situation is that income from this source will vary between zero and thousands of pounds. There is no way to forecast what income from this source will be in 2015/16, so how can estimated figures be used, bearing in mind the huge variance in income.	The identification of the potential for POCA income in the business case has followed careful consideration by the project board of the positive results by Newport in this area of income generation and a review of the strategy implemented to achieve this, ie through a dedicated staff resource performing a financial investigative function. The level of success and consistency achieved by Newport in generating POCA income over successive years from 2010/11 to the present day led to the Project Board's conclusion that including POCA income generation targets as part of the financial plan was a reasonable assumption. It is acknowledged that the operating model will need to include an appropriately resourced financial investigative function to achieve this. The Project Board are aware however, that definitive figures are not possible for income generation, hence the modest income target which has been included initially in the ongoing calculation for service costs, but which will be closely monitored and amended as appropriate going forward.

20	<p>the proposed structure of a Trading Standards Manager with 3 Managers below managing large teams of on average 15-20 people (taking into account that numbers of people will exceed the number of FTEs) would seem to dictate-although not mentioned in the Business Case-that as these numbers are far too high to be effectively managed, each of the 5 or 6 teams would have a "supervisor" responsible for an amount of the day to day management. This would appear to make the structure top heavy, and leave the 3 identified Managerial posts surplus to requirements, and having introduced a extra tier of management, would prove to be more costly.</p>	<p>A structure has been proposed which reflects a reduction in the number of managerial positions as compared with the status quo. It is recognised that there is likely to be a need for additional leadership roles elsewhere in the structure, but the detail of this has not yet been determined.</p>
21	<p>A far more logical structure would be a leaner flatter one, with 5 or 6 team managers. Without knowing the grades assigned to (or proposed to be assigned to the posts), would, it is expected, be cheaper, although it is not possible to say with any great deal of certainty</p>	<p>A leaner, flatter structure would lack a strategic/operational level that provides 'link' between Gwent TS Manager and the operational roles, with responsibility for monitoring and managing service delivery.</p>
<p>Torfaen CBC Trading Standards Staff</p>		
22	<p>Firstly the concept of a joined up service is of benefit in terms of economies of scale. Ability to work across the whole Gwent will be useful.</p>	
23	<p>At what point will be told what you consider our jobs will be (Roles) etc and where we will be based.</p>	<p>This will be developed in consultation with staff following a decision to proceed with the establishment of a Gwent Trading Standards Service.</p>
24	<p>I am aware that there were some concerns in the past over the finances at caerphilly as a council. Will my pension be protected</p>	<p>Caerphilly Council has a sound financial base and robust financial processes. In relation to pensions all staff will still access the same regional pension scheme no changes to existing provision are proposed.</p>
25	<p>In terms of the Food Standards and Monmouthshire, the overall strengthening the merger is the ability for unity and a strengthening of service. I fail to understand why the concept is being undermined prior to commencement, by the opting out of food standards by Monmouthshire. If anything this totally undermines the whole concept. Also, how Monmouthshire can state at the meeting that " it is not up for negotiation" surely that is what we are doing negotiating a whole joined up, unified, strengthened service.</p> <p>The service should be a complete service in all areas.</p>	<p>See ID Ref 16</p>

26	<p>How will it work if we call ourselves a Gwent service when in fact we are a Gwent service but not totally for food standards. As an example if we are a Gwent service then it will follow that we will be authorised to access businesses in the Gwent area, but, if Monmouthshire have opted out of food standards then the authorisation would not encompass Monmouthshire, this makes administration of this disjointed. Will office powers be restricted to not include Monmouthshire. if we go for the LACORS rating system then possibly one visit could be made for different areas of enforcement but if Food Standards is opted out then two visits will be required to the same premise. The Gwent service paperwork will talk of a Gwent service, but with an opt out for Monmouthshire Food Standards. In all areas of the work we should have a unified position. I therefore strongly request that Monmouthshire be required to come under the one umbrella for all the services in the new service.</p>	<p>Also see ID Ref 16 Authorisations: There are countless examples of a range of agencies working in the same geographical area with different regulatory responsibilities, powers and authorisations. Examples included the HSE, NRW, Police etc. responsibility for programmed food standards interventions in Monmouthshire, along with other food-related service requests, will remain, as now, with Monmouthshire. that should not be confusing. With effective liaison there is no reason why Gwent Trading Standards officers should not be authorised to undertake Food Standards work in the County of Monmouthshire should that assist them in their Gwent-wide roles. Matters pertaining to a wider geographical nature may lend themselves to a regional approach, in relation to which cross authorisation might be useful. There is an expectation that effective liaison between authorities will continue and the establishment of a Gwent service should not undermine that.</p>
	<p>Monmouthshire CBC Trading Standards Staff</p>	
	<p>General - Intro</p>	
	<p>This initial response is to raise concerns held by members of the team, all of which have been agreed and supported.</p> <p>The aim of this response is to use our experiences in Monmouthshire to positively respond to some of the concerns, offer potential alternatives and identify further points for consideration so that any new service is designed in-line with the vision in 1.2 and that content is not placed in the report to tick a box whilst the plans reflect the same old' with different names.</p> <p>Whilst the team acknowledge the level of work required and needed to be undertaken with such a project, it is felt that the draft business case does not provide options for considering both positive and negative aspects of creating a Gwent service have been superceded by the need to make this work and hence is written in a way that emphasises only the potential (not guaranteed) positives.</p>	

27	It must be made clear though that this is just the perception of the team and combined with some of the issues to follow it is strongly felt that this is not the way to begin a service that will 'be recognised as one of the best in the country'!	
28	<p>Any proposal going to the respective cabinets should also include either as part of the business case or in addition to:</p> <p>i) A list of issues that staff have raised and any response, ii) A list of considerations not covered by the business case that should be reflected in a new service <i>Clarification sought with regard to ii) - advised 3 parts to this:</i></p> <p>1. <i>There is not enough detail provided or rather available yet in order to determine some key facts mainly around the financial, HR and structure</i> 2. <i>5 year initial agreement rather than 3.</i> 3. <i>If there is any clause that allows an authority to withdraw then this should ensure that there is some form of staff protection ie staff transfer back</i></p>	<p>1. A summary of the comments generated by the consultation on the business case, together with the replies received, to be attached as an appendix to the Scrutiny reports to be presented to the committees of the 5 authorities. 2. The Project Board acknowledges that a 5 year program would be preferable to a 3 year program, however, it was also recognised that the current financial situation means that this may be impractical. 3. TUPE conditions will apply to any staff transferred.</p>
	Timeframe	
29	One of the biggest concerns is that there is a distinct lack of detail in the report not only from a staff point of view but of more concern for those who do not fully understand the service and will ultimately be making the decision. That is a concern whether supporting the proposal or not.	The service delivered by TS is described in detail in the Strategic Case.
30	Reference to a 3 year arrangement if withdrawal is allowed under 3.9 during this period by any of the 5 LA's, this would also go against one of the main aims of providing a more resilient service and would make it potentially less resilient!	<p>1) See comments in ID Ref 28 ; 2) A withdrawal clause is standard for a this type of arrangement.</p>
31	It is felt that the period agree should be 5 years and if there are any circumstances allowing a LA to withdraw there should be some form of clause with regards to staff transferring back or a penalty charge as it is unlikely that the remaining LA's would be able to cover the cost of retaining that level of workforce	See ID Ref 28
	Reference to Reduced Cost	

32	1.2 refers to reduced cost - whilst it will be provided more efficiently the use of this phrase surely creates the wrong impression, there will be less duplication therefore allowing resource to be focussed elsewhere including areas currently under resourced	It is proposed that the overall cost of the service will reduce over the 3 year period.
Proceeds of Crime Act		
33	POCA is referred to constantly as being an income generation opportunity and used as a key element to the future affordability of the service with no clarity provided as to the restrictions placed on its use.	
34	POCA should only be referred to in the strategic case with full information as to how it can be used and that it cannot be used to fund a service or replace funding from another source but does allow for limited service development.	<p>Noted. Business Case amended to clarify. Use of POCA income:</p> <ol style="list-style-type: none"> 1. Expanding capacity to undertake POCA work can include: <ol style="list-style-type: none"> a) Training for staff to become accredited FI's b) purchase of specialist software to scan and analyse bank statements c) Temporary additional staff to assist with processing large volumes of research 2. Training officers to undertake complex criminal investigations 3. Maintaining ability to undertake POCA work: <ol style="list-style-type: none"> a) paying for officer accreditation fees b) relevant CPD training to maintain accreditation c) funding specialist counsel to represent confiscation proceedings 4. Part-funding a Prosecutions solicitor in Legal Services to undertake criminal prosecution work to free up officer time 5. Local crime reduction initiatives. This includes payments for target laundering schemes
Operating Model:		
	Whilst there are some questions as to the most appropriate model, there is general support for the lead authority option. It is felt especially with the missing financial data	The evaluation of the options summarised in the economic case, identified both the positive and negative points associated with each of the models. It was concluded after careful consideration, that the lead authority model with a joint committee, offered the greatest potential overall to deliver a regional service, that could produce the required outputs of service resilience, improved efficiencies etc, whilst remaining an acceptable option for the councils and members. As a local authority run service, local government procurement rules will obviously apply. However, the project board are aware of the importance of both IT and legal provision for the service going forward.

35	<p>that determination of the host authority has not yet shown to be the most appropriate or more importantly whilst a host authority is required for employment purposes this should not limit or inhibit the new services ability to select the most beneficial supplier for the various business needs ie IT and legal services provision. if this is not an option then surely the consequences of this have to be highlighted especially when considering some of the claims being stated in the business case.</p>	<p>An IT project working group is being set up, the remit for which will be to review both the existing IT provision and to scope future requirements and to develop an appropriate IT strategy for implementation. Arrangements for legal services provision has been considered with the Heads of Legal Services of the 5 Authourities.</p>
	<p>Local Needs:</p>	
36	<p>During the all staff meeting on the 22nd July there were a number of good, important questions raised most of which were unable to be answered satisfactorily but the reasons for this are understood and it is hoped that they will be answered in good time. One of the concerns was from a Caerphilly perspective and the potential loss of service to Caerphilly taxpayers, equally though that is felt in other areas including ourselves especially as Monmouthshire is clearly perceived as being affluent in comparison to the other areas and resources would be diverted away from needs here. Over time we are sure the position of the professional staff that we have would be that they serve the people of Gwent rather than the current LA they work for now but the important point is that any service delivery models/priorities acknowledge all needs and not necessarily those that the better resourced services deliver now.</p>	
	<p>Structure:</p>	
37	<p>The detail around structure is considerably deficient for anyone making a decision on such a proposal. Explanations around the proposal do not address concerns regarding future service provision or how and where staff may 'fit' in. It is very much a historic, old fashioned, traditional hierachical structure that doesn't acknowledge changes in service delivery through the intelligence operating model or that of a modern agile service which does not fit in with the statements made in 3.4</p>	<p>The options for a staffing structure are generally either hierachical or flat. The avoidance of unnecessary managerial layers within the structure has been aa consideration for teh Project Board. It has been concluded that the proposed approach addresses the desire to deliver an intelligence-led service, including for example, a layer of staff who provide the link between strategic policy-making and operational delivery, ensuring co-ordination and cohesion of an 'agilely' delivered service across a broad geographical region. (Also see ID Ref 21)</p>

38	<p>More meaningful engagement is carried out with all staff so that suggestions can be put forward and considered. Golden opportunity to create something new and surely examples from other organisations (not just other TS collaborations but across the world) should be sought as part of this process</p>	<p>Engagement with staff will be an ongoing element of the development of the service both pre and post implementation.</p>
39	<p>Once a proposed structure has been agreed, staff should be given very opportunity to apply/state their preference and that no slotting in should take place unless there is a lack of particular skills, knowledge or experience. Where there is more interest than posts then all staff interested should be given the opportunity to apply and state their case through a fair and equal process</p>	<p>The recruitment process will be agreed by all five authorities and staff will be advised of this process in due course. It is intended that the agreed process will be transparent and will be carried out equitably and fairly and that no member of staff will be disadvantaged as a result. Primarily it is likely that the roles will be ring-fenced and staff identified who it is felt, are regarded as a potential match based on pre-agreed criteria.</p>
	<p>Food Standards:</p>	
40	<p>is concern around the food standards position, as this is the only aspect within the proposed scope that is restricted and certainly does not align with many of the claims and statements made about the reasons for the proposed new service including consistency and resilience. This is a decision that needs to be made by the authority at the appropriate level to do so and should form part of the report put to members. At this moment this skew's the figures in a number of the tables and for comparative purposes those tables should separate food standards information from that of the wider service.</p>	<p>See Ref ID 16</p>
	<p>Blaenau Gwent CBC Trading Standards Staff</p>	
41	<p>Why two bases - wouldn't one make more sense with people working agilely anyway. Two bases could get confusing as to what is the base/address etc. of the service</p>	<p>As will be noted, accommodation proposals reflect the 2 main existing concentrations of staff. Accessing new accommodation is likely to result in additional cost.</p>
42	<p>Why Newport for a base - it seems very skewed geographically and has little in the way of free parking for staff. Wouldn't it make more sense to have a more central single base in the County where parking is free and available? (Cwmbran was suggested) This would keep costs and travelling time down for any times that officers had to attend the base rather than be dragging some officers the entire length of the County to get to the Newport base.</p>	<p>As above. It is envisaged that hot desking will be available across the region as part of the agile working strategy.</p>

Unison

ID	Comments Received 13th Aug 14	Response
1	Unison is broadly in favour of the initiative as being in line with its policy of supporting collaboration projects as a means of achieving efficiency savings as an alternative to cutting services / jobs or outsourcing	
2	Unison fully supports the preferred option set out in para 2.8 of the Economic Case. It should be noted that Unison would wish to revisit its stance should the council propose to support other of the initial shortlisted options.	
3	Unison fully supports the conclusion in para 2.5.3 of the Economic Case which commits to in house provision. It should be noted that Unison would wish to revisit its stance should the Councils propose to support other than the short-listed options.	
4	If Unison needs to revisit its stance in respect of the above 2 bullet points it would wish to challenge some of the statement in para 2.4.3 of the economic case which it believes to be inaccurate in the context of TUPE and the Welsh Assembly code in relation to the two tier workforce.	
5	Para 3.5 Commercial Case It is recognised that the consultation has taken place with Unison however we have recorded our concerns that there appears insufficient impetus to:	
	i) Identify all staff in scope for any TUPE transfer, particularly in respect of support staff	Completed
	ii) Undertake an audit of existing pay and grading and terms and conditions of service.	Ongoing
	iii) Detail a view in respect of the ongoing Total Rewards review in Newport Council	Newport is currently undergoing a single status and job evaluation process. This is expected to be concluded during 2015 and any implications will be addressed at that time.
	iv) Establish a HR work-stream group, with Unison representation, to oversee the process of negotiation/consultation including around the issues detailed above.	Agreed. 1st meeting took place Sept 14.
6	Para 3.8 Commercial Case: Unison is strongly of the view that any initial contract period should be for 5 years to provide the appropriate degree of certainty for both the service and staff	
7	Para 3.10 Commercial Case: This para fails to reflect or address the concerns expressed by Unison about how the existing councils or the new host council will address the TUPE implications surrounding staff who currently only spend a limited amount of their time engaged in activities relating to the Trading Standards functions - primarily support staff	
8	Para 5.2.1 Management Case: Unison is strongly of the view that there should be a TU representative on any management board to be established. If the preferred option of a joint committee is adopted then there should be provision built in for a trade union representative to attend and make submissions to any Joint Committee	It is proposed that there will be a single member representative from each LA on the Joint Committee. The request for TU attendance will be considered when drafting the Terms of Reference.
9	Para 5.2.1 Management Case: There would need to be consultation with Unison/TU's over any process to fill the 4 senior posts and there would need to be agreement with the recognised Tu's over any recruitment procedures for staff within the operational teams	Consultation with staff and their relevant representatives will be part of the process.
10	Para 5.4 Management Case: Unison notes the timetable set out for approval by the respective councils and accepts that it is clearly appropriate for them to do so in line with their respective established procedures. Equally, however, it wishes to restate its concern that leaving the establishment of the proposed work-streams, specifically the HR work-stream is short sighted and has the potential ultimately delay implementation, as there is likely to be insufficient time to conclude negotiations around a number of the areas referred to in this submission.	See Pt 5 ii) & Pt 5 iv)
11	Appendix E: Although alluded to earlier in this submission, and stated unequivocally in previous discussions/correspondence, Unison would be vigorously opposed to any proposal to establish an SPV or Limited Company and would, under such circumstances, wish to review its stance in support of the initiative.	

Businesses & Residents (Website Consultation)

ID	Business (If applicable)	Authority of Residence	Comments on Proposal	Response
1	Get Connected	Monmouthshire	I think it is a great idea and would be easier than dealing with different offices.	
2	International Greetings	Caerphilly	I am concerned that the TSD will become 'too big' and the service in particular the relationship will be affected. The current smaller set up has local knowledge and a strong business relationship built and maintained. I feel that this enable focus of the business and this excels where changes or issues arise.	
3	Blaengwaeny Farm, Halletts Real Cider	Caerphilly	We have a good relationship with our Caerphilly Trading Standards Officer and would hope we would continue to do so in a unified service.	
4	A G Barr	Blaenau Gwent	<p>i) I think this will dilute the relationships we have as a business with the TSO. It will mean a variety of people visiting with no previous knowledge of the site leading to longer sessions and repeating of data and explanations that have already been made.</p> <p>ii) When trying to make contact it will result in being unable to talk to the staff we know. This will not only take us extra time to explain the situation but also waste the TSO's time as they will have to research us before being able to answer our queries.</p>	

iii) With people covering a larger geographical area travel time will increase for the TSO's I believe and active work time will reduce negating some of the benefits of sharing the load.

iv) If we look at the NHS if you are in hospital you will have a named nurse as first point of contact - will this be the case with the TSO or will it be the next one on the rank who picks up a problem, I value the relationship I have with the current incumbent there is a level of trust on both sides which would be hard to replicate.

5 Monmouthshire

i) Clearly potential benefits but similarly potential for loss of service in some areas. Future service should be created on a modern needs basis and be fully transparent in its reasoning.

ii) Consultation needs to be more meaningful questionnaire should have more detailed answers and access to relevant information in order to make an informed response.

iii) Wider variety of consultation including roadshows and events that can be attended by both consumers and business alike.

6 Tudor Brewery Blaenau Gwent

I can understand why the streamlining of services will be beneficial in the reduction of costs but I do have my concerns over the logistical viability of this proposal.

If I am correct in my assumptions all services relating to Trading Standards will be amalgamated into one unit based at a specific location. The main issues I with this:

a) At present we have a strong working relationship with our Trading Standards officers. How will this be maintained going forward? Having someone who is aware of the local area and the business we do has been very helpful over the past two years of trading and advice given has been invaluable. What reassurances can be given to ensure that this level of contact continuity and commitment will be maintained?

b) Will this 'super cell' have the staffing capacity to effectively manage an area as large as the one proposed?

c) Will jobs be lost through this restructure?

d) What benefits will be seen through the merging of service areas and how will this be effectively measured going forward?

7

Newport

I can't see how I or anyone else can answer this question without seeing the proposals.

I worked in Trading Standards for over 40 years before retirement working for authorities across South Wales as well as participating in governance of consumer affairs across the uk. It is fair therefore to point out therefore that my views and responses may be more than the average consumer.

I have only read about the broad simple proposal of combining the current five council TS services in Gwent into one Regional one covering the same area. I have seen no detail of staffing or resources or of organisational managerial or reporting structures. It is therefore very difficult if not impossible for anyone to give an informed view on the idea.

I can only therefore give broad views on the assumption that resources and staffing levels are provided at a level that make a regional service efficient and effective and capable of investigating and bringing to task both local scams and rogue traders as well as large and international companies and organisations.

I fear that is not currently the case which has led to a gradual but regretful fall in standards in many of our High Street retail establishments and in corporate service standards across the financial and commercial services sector. Not least on the internet.

Any proposals should not just be about saving money or sustaining or safeguarding existing services for in many areas these appear to be failing as national standards drop. No they should be about organisational and service delivery changes that efficiently utilise existing resources into a service that can swiftly and effectively deal with the everyday concerns of the public (consumers) of Gwent.

On the general principle of 'is bigger better' I worked for both Gwent County Council when the Trading Standards service were at that County level. Both were successful Trading Standards authorities that could hold their own with large Corporates and had national recognition. Both were well resourced and supported elected members who recognise the invaluable work carried out by the service in protecting their constituents. both were well managed and organised constantly seeking and embracing new methodologies and ideas.

On the break-up of the two County Councils in many local authorities the Trading Standards were absorbed by larger Departments and allowed to wither. To the credit of Caerphilly CBC this never happened and they continued to be a first class example of a small but effective service. So if a lead authority is required for this service in Gwent it can only really be CCBC.

I would very much like to see the detailed plans for an all Gwent service and have the opportunity to comment on resources and organisational issues if that is possible.

Public Bodies

Public Body	Contact	Address	Letter Sent	Replied Rec'd	Comments
BRDO	Graham Russell	Lowere ground floor, Victoria Square House, Victoria Square, Birmingham. B2 4AJ	23/05/2014	25/06/2014	BRDO\BRDO Response.doc
FSA Wales	Nina Purcell	11th Floor, Southgate House, Wood Street, Cardiff. CF10 1EW	23/05/2014		
Aneurin Bevan HB	Gillian Richardson	Victoria House, 2nd Floor, 136-140 Corporation Rd, Newport, NP10 0BH	23/05/2014	25/06/2014	Full support of the proposal confirmed
Gwent Police	Jeff Farah	Gwent Police Headquarters, Croesycyceillog, Cwmbran. NP44 2XJ	23/05/2014		
H&S Exec	Jane Layssey	Government Buildings, Phase 1, Ty Glas, Llanishen, Cardiff. Cf14 5SH	23/05/2014		
HMRC					
AHVLA (Animal Health Vets in WG)	Martin Sharples, Wales Operations Director	South Wales Animal Health Regional Office, Ty Melin, Heol Glasdwr, Parc Pensarn, Carmarthen, SA13 2NF	03/06/2014	30/05/14	Holding reply only received
FACT (Federation against copyright theft)	Eddy Leviten, Director of Communications)	Regal House, 70 London Rd, Twickenham, Middlesex. TW1 3QS	03/06/2014		
CAB/CACs					
NTSB		1 Sylvan Court, Sylvan Way, Southfields Business park, Basildon, Essex. SS15 6TH			
ACTSO		1 Sylvan Court, Sylvan Way, Southfields Business park, Basildon, Essex. SS15 6TH	23/05/2014	03/06/2014	ACTSO does not comment on specific proposals relating to the arrangements which Local Authorities choose to deliver their services.
BPI (British Phonographic Society)		Riverside Building, County hall, Westminster Bridge Rd, London SE1 7JA	03/06/2014		
IPO (Intellectual Property Office)		Concept House, Cardiff Road, Newport, S. Wales. NP10 8QQ	03/06/2014		
ACG (Anti-counterfeiting Group)		PO Box 578, High Wycombe, Buckinghamshire, HP11 1YD	03/06/2014		
South Wales Fire & Rescue	Hugh Jakeway	Forest View Business park, Llantrisant, CF72 8LX	23/05/2014		
TSI	Leon Livermoor	1 Sylvan Court, Sylvan Way, Southfields Business park, Basildon, Essex. SS15 6TH	23/05/2014		
LA Home Authority and Primary Authority Companies	See separate List				

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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 17TH FEBRUARY 2015

SUBJECT: BUDGET MONITORING AND TRADING ACCOUNT REPORT 2014/2015

REPORT BY: ACTING DEPUTY CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To inform Members of the most recent budget monitoring position for 2014/2015 for Environment Directorate service divisions, including Regeneration, Planning & Economic Development Division, Engineering Division, Public Protection Division and Community & Leisure Services Division. The report also outlines the latest trading position for the Direct Labour and Direct Service Organisations (DLO/DSO's), including Network Contracting Services (NCS), Building Cleaning DSO and Fleet Management & Vehicle Maintenance DSO.

2. SUMMARY

- 2.1 The report summarises the most recent budget monitoring projections for 2014/2015 based on the latest available financial information, including likely budget outturn variations and the latest trading results for the DLO/DSO trading accounts.
- 2.2 It attaches, as appendices the more detailed budget monitoring figures for each of the Council Fund Services outlined in paragraph 1.1 above.

3. LINKS TO STRATEGY

- 3.1 The content of the report is in accordance with the budget strategy considered by the Council at its meeting of 26th February 2014.
- 3.2 The budget figures outlined in this report assist in meeting the ambition of the Authority to build better communities by building better public services, building better lifestyles, building a vibrant economy and building Futures Changing Lives.
- 3.3 Budget and trading account monitoring and management information itself is in accordance with the corporate theme of delivering the Strategies.

4. THE REPORT

4.1 Introduction

- 4.1.1 The report outlines the revenue budget position for each of the service divisions that form part of the Environment Directorate based on the most current financial information available. Projected outturn figures for the financial year are compared with the budget to show the anticipated under/overspends. More detailed budget monitoring figures are shown in the

appendices'. The report also outlines the latest trading position for the Environment DLO/DSO's.

- 4.1.2 It should be noted that the budget report to Council on 26th February 2014 detailed the need to apply further budget efficiency savings in 2014/2015 to meet medium term financial plan (MTFP) targets and achieve budget strategy aims. Environment Directorate services were targeted to achieve new budget efficiency savings of £2.7million (appendix 2). The savings targets were detailed in the budget report to Regeneration and Environment Scrutiny Committee on the 1st July 2014, some applied to Direct Labour and Direct Service Organisations (DLO/DSO's) as contract efficiency savings.
- 4.1.3 As noted above, budget details for 2014/2015, including budget efficiency savings, were reported to and considered by the Regeneration and Environment Scrutiny on 1st July 2014.
- 4.1.4 The table below summarises the present budget monitoring position, with an overall Directorate under spend of £512k, but **exclusive** of ring fenced budgets this under spend is reduced to £200k. Appendices 1a to 1d provide more detail on the budget variation projections for each Service Division.

	ORIGINAL ESTIMATE 2014/2015	REVISED ESTIMATE 2014/2015	ANTICIPATED OUTTURN 2014/2015	ANTICIPATED VARIANCE 2014/2015 Under (Over)
	£000	£000	£000	£000
Regeneration, Planning & Economic Development Division	4,932	5,012	4,848	164
Engineering Services Division	21,304	21,404	21,458	(54)
Public Protection Division	7,269	7,279	7,044	235
Community & Leisure Services Division	20,152	20,454	20,215	239
Directorate General	(197)	(197)	0	(197)
DLO/DSO's	68	68	(57)	125
NET DIRECTORATE	53,528	54,020	53,508	512
Home to School Transport - ring fenced under spend				22
Social Services Transport - ring fenced overspend				(75)
Cemeteries Task & Finish - ring fenced under spend				365
NET DIRECTORATE excluding ring fenced budgets				200

4.2 Regeneration, Planning & Economic Development

- 4.2.1 Overall, the service division presently has a projected under spend of £164k. Planning services are reporting an over spend of £202k and Economic Development & Tourism an under spend of £366k.
- 4.2.2 Countryside Services are reporting a small over spend of £9k, with a shortfall in income generation from the recently introduced car park charging of £50k due to late implementation of this MTFP initiative, offset by under spends in relation to staffing and other operational costs.

- 4.2.3 Planning application fee, building control fee and search fee income is dependent on the number of applications received and in recent years has been adversely affected by the general economic climate. The budget for Planning Application fees was set at £553k for 2014/15 including a new budget of £20k for pre-application advice as part of the MTFP savings. At present income is projected to be £131k below budget. Building Control fee income budget was set at £302k and is anticipated to be £89k below budget. Search fee income is £5k below the £111k budget. These income shortfalls are however partly offset by under spend in staffing costs of £127k, part of which are subject to MTFP savings proposals in 2015/2016. Income in these areas will be monitored closely as numbers of applications and fee levels can vary.
- 4.2.4 Strategic Planning and Local Development Plan (LDP) budgets are presently over spent by £95k due a present shortfall in grant and other fee income and associated LDP monitoring costs. The Monitoring costs of £21k will however be funded from an existing reserve for expenditure associated with ongoing LDP monitoring.
- 4.2.5 Schemes under the Rural Development Plan (R.D.P) are continuing in 2014/2015 as extensions to European grant funding was secured. The total cost of these schemes will be 80% funded by European (W.E.F.O) grant. Approval of the new schemes has helped secure continuity of employment of Planning Countryside staff.
- 4.2.6 Economic Development & Tourism is presently projecting an under spend of £366k. This under spend is partly due to staff vacant posts (£156k) in Business Enterprise Support, Business Urban Renewal and Tourism & Events, all of which are proposed MTFP savings in advance for 2015/2016. There is also a projected £150k under spend in relation to industrial estates due to income from rents in excess of targets and reduced maintenance costs, again this is being considered as a MTFP saving in 2015/2016. At present the Tourism Venues are reporting an overall under spend of £84k due to a combination of income generation above target and reduced operational costs, again, further MTFP savings are being considered for the tourism venues in 2015/2016.
- 4.2.7 The under spends noted in paragraph 4.2.6 are partly offset by a projected over spend on the GO 2 initiative of £60k. The GO 2 hosting service has now been transferred to alternative providers, to alleviate any further future overspend. There is also a projected unbudgeted cost of £25k in relation to the Bargoed retail shop units which are part of the Bargoed Regeneration project, this is due to anticipated under occupancy in 2014/2015 on the units.
- 4.2.8 Cabinet approved at its meeting on 2nd April 2014 to award £80k of Community Assets funding to Regeneration & Planning for a range of initiatives including town centre urban renewal schemes, community partnership schemes, invasive plant species and living environment partnerships.
- 4.3 Engineering Services**
- 4.3.1 A net over spend of £54k is projected for the Engineering Division for 2014/15, but after excluding budget variations in relation to Home to School Transport (£22k under spend) and Social Services Transport (£75k over spend) which will be ring fenced and appropriated back to the Service Directorates, there is an over spend of £1k.
- 4.3.2 The original 2014/2015 highways infrastructure/ roads maintenance and street lighting budget was subject to budget efficiency savings of £225k, the original budget being £9,182million. Expenditure is presently overall projected to be £52k over spent due to highway reactive maintenance repairs. However, the severity of winter weather in relation to snow, gritting and flooding will have an impact on the overall outturn position. Engineering are reviewing the highway maintenance programme and endeavouring to balance the budget by the financial year end.
- 4.3.3 The Engineering Projects Group (EPG) has a projected under spend of £32k, mainly due to staff vacant posts.

- 4.3.4 There are some overspends in relation to car parks, primarily NNDR costs (£21k) but this is partly offset by car park income in excess of budget (£6k). Car park income budget includes an increased target to reflect the no free parking in the Christmas period applied as part of the MTFP savings in 2014/2015. There is also a £20k projected overspend in relation to park & rides in relation to maintenance, cleaning and CCTV.
- 4.3.5 At present the Engineering Division budget over spend variations noted above are partly offset by under spend in relation to staffing non/delayed filling of vacant posts and other operational savings.
- 4.3.6 As noted in paragraph 4.3.1 above, budget variation in relation to Home to School Transport and Social Services transport which are now part of the Engineering Division's I.T.U (Integrated Transport Unit), will be ring-fenced for transfer back to the service Directorates. Home to School transport is presently projecting a £22k under spend although this may increase as a result of the new contracts introduced in January 2015 and Social Services transport an over spend of £75k due to demand.
- 4.3.7 Cabinet approved at its meeting on 2nd April 2014 to award Community Assets funding to Engineering for community response teams (£100k) and this is included in the revised estimates.

4.4 Public Protection

- 4.4.1 Public Protection is presently projecting an under spend of £235k on a revised budget of £7.2million.
- 4.4.2 Environmental Health is currently projecting a net under spend of £55k, this is primarily due to an increase in fee income in relation to the pest control service, MTFP staff vacancy savings in advance during the year in Health Improvement and additional FSA funding for Food Team. Increased sewer discharge costs at closed landfill sites are expected towards the end of the year and therefore may offset some of the projected under spend. Funding was approved by Cabinet on 1st October 2014 from corporate balances to complete works at Coed Top closed landfill site to alleviate some of these sewer discharge issues though these benefits will not be realised this financial year. There is also a likely to be a need to undertake remedial works to address drainage issues at Aberbargoed closed landfill site, estimated at £25k.
- 4.4.3 Trading Standards, Licensing and Registration service group is reporting a projected under spend of £26k, this is primarily due to an under spend in staffing from a continuing secondment and income above budget in relation to Registrar's fees, this is partly offset by a shortfall in licensing fee income. Licensing income will continue to be monitored closely as it can be subject to variation during the year.
- 4.4.4 Community Safety is projecting an under spend of £56k this is primarily due to an under spend in staffing costs in the CCTV control room due to change in shift patterns & maternity. There has been additional income during the year due to extra cameras for clients. The new Airwaves licence has been purchased in advance for the next three years at cost of £25k, which will be spread over the life of the Licence. Cabinet approved £196k invest to save funding to upgrade BT broadband connection for CCTV. This should reduce costs of line rentals by £45k over the next five years. All grant funded schemes are on budget to date, final approval of the 2014/2015 spend plans from Welsh Government for the Substance Misuse Action Fund, have now been agreed. Newport County Borough Council now acts as regional banker for this initiative for the Gwent Authorities and is being periodically recharged for costs incurred.
- 4.4.5 Catering Services are projecting an overall under spend of £96k on a £3.2million net budget. There is an under spend projected in Primary, breakfast club and Comprehensive school catering of £116k due to a combination of increased income and reduced operating costs. However, this will need to be carefully monitored as any school closures due to adverse

winter weather will impact upon income. An increase in school meal prices of 5% was implemented in September 2014 as part of the 2014/2015 MTFP savings, which may have an impact on meal take up and income levels for the remainder of the year, so this will be monitored closely. The level of projected under spend also reflects anticipated increased pay costs this year for the additional non consolidated lump sum payment to staff in January 2015 as part of the pay award settlement. The under spend in schools catering is partly offset by small over spend in relation to the staff restaurants of £12k, which also includes a 5% increase in prices as part of 2014/2015 MTFP savings and an over spend of £8k in sheltered housing.

4.4.6 Cabinet approved at its meeting on 2nd April 2014 to award £10k of Community Assets funding to Public Protection for Community payback (graffiti removal etc) schemes.

4.5 **Community & Leisure Services**

4.5.1 The Community & Leisure Division is presently projecting an under spend of £239k on a revised budget of £20.4 million. However, £365k of this relates to cemeteries where any under spend is ring fenced for future improvement and enhancement in cemeteries. Excluding cemeteries there is an over spend of £126k.

4.5.2 Waste management & cleansing is presently projecting a small under spend of £9k. There is an under spend of £526k anticipated in residual waste disposal due to the commencement of the Project Gwyrdd interim contract, this is less than anticipated earlier in the year due to operational issues with the Plant, which has resulted in a greater diversion of waste to landfill disposal, the final value of under spend will be dependent on tonnage of waste treated which in turn is dependent on any technological issues and periods the Plant is available to take waste. At present the under spend in relation to Project Gwyrdd is more than offset by over spend in relation to residual and recycling waste collection costs, dry recycling treatment tonnage and contract rates, increased costs at CA sites dealing with recyclable waste and works required to the Full Moon transfer station. There is a high level of uncertainty in relation to the cost of treating recyclable waste due to the need for re-tendering exercises and it is likely that this will be an ongoing budget pressure next financial year, along with the cost of dealing with recyclable waste through CA sites. The overall over spend in waste management services is offset by and under spend of £281k in street cleaning services and £80k HQ staffing and operational costs, both of which have been identified as MTFP savings options for 2015/2016.

4.5.3 Overall, Parks, Outdoor Facilities and Cemeteries services is presently projecting an under spend of £305k however as noted in paragraph 4.5.1 above, £365k of this relates to cemeteries where any under spend is ring fenced for future planned investment to create and enhance cemetery provision across the County Borough. The remainder of the service area is presently projecting an over spend of £60k.

4.5.4 Leisure is reporting an over spend of £75k primarily due to an over spend in staffing costs at the Leisure centres and late implementation of the administrative staff rationalisation as part of the MTFP savings for 2014/2015. The Leisure Centres have challenging income budget targets as a result of the additional £135k MTFP savings applied in 2014/2015, but at present the increased income target is projected to be achieved. Income targets will be monitored closely as they can be volatile. The over spend on Leisure Centres is partly offset by under spend in relation to energy costs and in sports development.

4.5.5 Cabinet approved at its meeting on 2nd April 2014 to award £62k of Community Assets funding for litter bin replacements, allotment strategy implementation and Parks services for a range of initiatives in relation to cemeteries, allotments, route and roundabouts enhancements and community schemes.

4.6 **Directorate General**

4.6.1 As noted in 4.1.2 above, an element of vacancy management savings are held at strategic Directorate level until specific service savings are identified. The present target is £197k and this will be reduced as further savings are identified and allocated to service divisions.

4.7 Direct Labour And Direct Service Trading Accounts

- 4.7.1 At this stage of the year Network Contracting Services is reporting a break even position compared to a small £11k profit this time last year. It is anticipated that the value of work and income will increase during the remainder of the year which should result in an improved financial position. NCS is undertaking the work in relation to the Operation and Maintenance (O&M) sub contract with Sirhowy Enterprise Way Ltd for a further 10 years and this should have a positive impact on the overall financial position, although in order to be compliant with the risk transfer aspects of the PFI procurement, surpluses in relation to this contract will again be ring fenced, as they were in previous financial years.
- 4.7.2 The Vehicle Maintenance DSO is presently showing a loss of £28k compared to a £15k loss for the same period last year, primarily due to a reduction in work and income generated through the workshop. The outturn position will be dependent on the value of work through the workshop over the next few months and the ability of the DSO to finance fixed overheads.
- 4.7.3 Building Cleaning DSO is reporting a cash profit of £85k this year compared to a profit of £144k for the same period last year. This includes additional budget provision provided to the DSO of £337k to finance increased salary costs associated with the implementation of and increases in the living wage, less a £50k budget reduction as a contribution to MTFP savings. The reduced profit projection reflects anticipated increased pay costs this year for the additional non consolidated lump sum payment to staff in January 2015 as part of the pay award settlement. The DSO has continued to achieve operational efficiency savings and identify and expand new areas of work including window cleaning and electrical appliance testing, which has assisted in financing operational fixed overheads.

4.8 Medium Term Financial Plans (Mtfp) Savings 2014/2015

- 4.8.1 The 2014/15 revenue budget for Environment Directorate included targeted MTFP savings of £2.712m as detailed in appendix 2. The projected overspends and under spends discussed in the above paragraphs take account of these savings targets.
- 4.8.2 As reflected in the budget monitoring figures reported above, most of the approved MTFP savings introduced for 2014/2015 have or will be achieved by the end of the financial year, however, there are some where full achievement is not likely due to late implementation, including car park charging at country parks (paragraph 4.2.2) and waste collection route optimisation (paragraph 4.5.2). Also there are others that require further review and monitoring including increased income generating targets in relation to Leisure Centres, Catering, Licensing, waste collection charges and CA site charging/restrictions etc.

5. EQUALITIES IMPLICATIONS

- 5.1 There are no potential equalities implications of this report and its recommendations on groups or individuals who fall under the categories identified in Section 6 of the Council's Strategic Equality Plan. There is no requirement for an Equalities Impact Assessment Questionnaire to be completed for this report.

6. FINANCIAL IMPLICATIONS

- 6.1 As noted in the table in paragraph 4.1.4 above some service under and over spends will be appropriated ring fenced reserves for specific requirements, the remaining Directorate under spend and cash profit of the DLO/DSO's presently projected at £200k, will be appropriated to the Environment Directorate strategic reserve and 50% of this "pooled" under spend/profit will then be appropriated to Authority working balances, the remaining 50% will, subject to members approval be utilised for Directorate based service initiatives or investment requirements.

7. PERSONNEL IMPLICATIONS

- 7.1 Members will be aware that when setting the budget, MTFP savings were identified for the Environment Directorate in relation to vacancy management savings, these are reflected in the financial figures reported.

8. CONSULTATIONS

- 8.1 There are no consultation responses, which have not been included in this report.

9. RECOMMENDATIONS

- 9.1 Members are requested to note the contents of this report and the detailed budget monitoring pages as an Appendix.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 The Council Budget is based on the achievement of both expenditure and income targets. In order to ensure that these are met and the Council's financial integrity maintained Directors are required to review income and expenditure trends.

11. STATUTORY POWER

- 11.1 Local Government Act 1972.

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E – Mail eedyp@caerphilly.gov.uk

Consultees Councillor D.T Davies, Chair Regeneration & Environment Scrutiny Committee
Councillor Mrs E.M Aldworth, Vice Chair Regeneration & Environment Scrutiny Committee
Councillor K. James, Cabinet Member Regeneration, Planning & Sustainable Development
Councillor D. Poole, Cabinet Member Community & Leisure Services
Councillor T. Williams, Cabinet Member Highways, Transportation & Engineering
Chris Burns, Interim Chief Executive
Dave Street, Director of Social Services
Sandra Aspinall, Acting Deputy Chief Executive
Pauline Elliott, Head of Regeneration & Planning
Robert Hartshorn, Head of Public Protection
Terry Shaw, Head of Engineering Services
Mark S Williams, Head of Community & Leisure Services
Nicole Scammell, Acting Director of Corporate Services
Tony Maher, Assistant Director Planning & Strategy
Steve Harris, Interim Head of Corporate Finance
Cheryl Jeremic, Acting Group Accountant
Rose Shears, Finance Officer
Jane Southcombe, Financial Services Manager
Dave Roberts, Group Accountant
Paul Adams, Senior Assistant Accountant

Background Papers:

Divisional budget monitoring working papers 2014/2015 and DLO/DSO Trading Accounts 2014/2015

Appendices:

Appendix 1A	Budget Monitoring Report – Regeneration, Planning and Economic Development
Appendix 1B	Budget Monitoring Report – Engineering Services
Appendix 1C	Budget Monitoring Report – Public Protection
Appendix 1D	Budget Monitoring Report – Community and Leisure Services
Appendix 2	Environment Directorate – Savings 2014/15

Links to other Documents:

Minutes - Council Meeting 26/02/2014: “Budget Proposals 2014/15 and Medium Term Financial Strategy 2014/2017” – Agenda Item No. 3(2)

ENVIRONMENT DIRECTORATE	Page No.	Estimate 2014/2015	Revised Estimate 2014/2015	Projection 2014/2015	Under(Over) 2014/2015
		£	£	£	£
REGENERATION, PLANNING & ECONOMIC DEVELOPMENT					
ECONOMIC DEVELOPMENT AND TOURISM					
BUSINESS DEVELOPMENT		1,255,011	1,275,011	1,181,672	93,339
BUSINESS URBAN RENEWAL		303,802	303,802	281,851	21,951
TOURISM EVENTS		149,980	149,980	142,747	7,233
EUROPEAN AFFAIRS		84,550	84,550	78,182	6,368
COMMERCIAL PROPERTIES		(857,610)	(857,610)	(1,007,559)	149,949
TOURISM VENUES		1,034,900	1,034,900	950,756	84,144
COMMUNITY REGENERATION		243,044	278,044	274,842	3,202
COMMUNITY FIRST Expenditure		3,076,523	3,076,523	3,076,523	0
COMMUNITY FIRST Grant Funding		(3,076,523)	(3,076,523)	(3,076,523)	0
BLACKWOOD MINERS INSTITUTE		297,957	297,957	297,957	0
ARTS DEVELOPMENT		143,111	143,111	143,111	0
		2,654,745	2,709,745	2,343,559	366,186
PLANNING					
COUNTRYSIDE AND LANDSCAPE		1,343,905	1,368,905	1,377,565	(8,660)
STRATEGIC PLANNING		373,780	373,780	469,604	(95,824)
DEVELOPMENT CONTROL		456,896	456,896	483,533	(26,637)
BUILDING CONTROL		(23,268)	(23,268)	43,577	(66,845)
LAND CHARGES		(14,554)	(14,554)	(10,177)	(4,377)
CORPORATE & DEMOCRATIC CORE		140,319	140,319	140,319	0
		2,277,078	2,302,078	2,504,421	(202,343)
TOTAL NET BUDGET		4,931,823	5,011,823	4,847,980	163,843
CENTRAL SUPPORT SERVICE APPORTIONMENTS		999,923	999,923	999,923	0
CORPORATE PREMISES APPORTIONMENTS		134,956	134,956	134,956	0
		6,066,702	6,146,702	5,982,859	163,843

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<i>ENVIRONMENT DIRECTORATE</i>	Estimate 2014/2015	Revised Estimate 2014/2015	Anticipated Outturn 2014/15	Variance 2014/15
<u>ENGINEERING SERVICES DIVISION</u>				
HIGHWAY OPERATIONS				
Gross Expenditure	11,176,353	11,276,353	11,308,006	
Grants, Fees & Charges and Other Income	374,000	374,000	378,307	
Net Expenditure	10,802,353	10,902,353	10,929,699	(27,346)
ENGINEERING PROJECTS GROUP				
Gross Expenditure	1,314,972	1,314,972	1,089,397	
Fees & Charges and Other Income	1,437,974	1,437,974	1,244,461	
Net Expenditure	(123,002)	(123,002)	(155,064)	32,062
TRANSPORTATION ENGINEERING				
Gross Expenditure	1,805,451	1,834,951	1,802,275	
Grants, Fees & Charges and Other Income	1,092,187	1,092,187	1,043,354	
Net Expenditure	713,264	742,764	758,921	(16,157)
PASSENGER TRANSPORT				
Gross Expenditure	5,370,372	5,340,872	5,587,774	
Grants, Fees & Charges and Other Income	3,531,194	3,531,194	3,769,281	
Net Expenditure	1,839,178	1,809,678	1,818,493	(8,815)
HOME TO SCHOOL TRANSPORT				
Gross Expenditure	6,495,958	6,495,958	6,473,603	
Grants, Fees & Charges and Other Income	0	0	0	
Net Expenditure	6,495,958	6,495,958	6,473,603	22,355
SOCIAL SERVICES TRANSPORT				
Gross Expenditure	1,391,373	1,391,373	1,473,682	
Grants, Fees & Charges and Other Income	14,210	14,210	21,911	
Net Expenditure	1,377,163	1,377,163	1,451,771	(74,608)
ENGINEERING - GENERAL (Expenditure Only)				
	199,066	199,066	180,489	18,577
TOTAL NET EXPENDITURE				
	21,303,980	21,403,980	21,457,912	(53,932)
CENTRAL SUPPORT SERVICE APPORTIONMENT	505,205	505,205	505,205	0
PONTLLANFRAITH CORPORATE BUILDING APPORTIONMENT	103,931	103,931	103,931	0
NET EXPENDITURE : ENGINEERING SERVICES	21,913,116	22,013,116	22,067,048	(53,932)

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DIRECTORATE OF THE ENVIRONMENT	Page No	Estimate 2014/2015	Revised Estimate 2014/2015	Projected Outturn	Variance
<u>PUBLIC PROTECTION DIVISION</u>					
TRADING STANDARDS					
Expenditure		924,938	924,938	822,236	
Income		(117,513)	(117,513)	(54,470)	
Net Expenditure		807,425	807,425	767,766	39,659
LICENSING					
Expenditure		359,468	359,468	355,774	
Income		(341,201)	(341,201)	(326,811)	
Net Expenditure		18,267	18,267	28,963	(10,696)
REGISTRARS					
Expenditure		276,883	276,883	284,805	
Income		(198,000)	(198,000)	(203,206)	
Net Expenditure		78,883	78,883	81,599	(2,716)
CCTV					
Expenditure		644,729	644,729	619,458	
Income		(130,017)	(130,017)	(148,642)	
Net Expenditure		514,712	514,712	470,816	43,896
COMMUNITY WARDENS					
Expenditure		355,478	355,478	344,006	
Income		0	0	0	
Net Expenditure		355,478	355,478	344,006	11,472
COMMUNITY SAFETY					
Expenditure		140,733	150,733	149,852	
Income				(155)	
Net Expenditure		140,733	150,733	149,697	1,036
SAFER CAERPHILLY - COMMUNITY SAFETY PARTNERSHIP					
Expenditure		389,374	389,374	375,888	
Income		(389,374)	(389,374)	(375,888)	
Net Expenditure		0	0	0	0
CORPORATE AND DEMOCRATIC COSTS (CDC)					
		33,166	33,166	31,756	1,410
HEALTH IMPROVEMENT					
Expenditure		584,202	584,202	573,263	
Income		(144,409)	(144,409)	(150,637)	
Net Expenditure		439,793	439,793	422,626	17,167
ENFORCEMENT					
Expenditure		762,550	762,550	764,561	
Income		(124,132)	(124,132)	(137,627)	
Net Expenditure		638,418	638,418	626,934	11,484
POLLUTION					
Expenditure		364,012	364,012	362,310	
Income		(24,847)	(24,847)	(23,205)	
Net Expenditure		339,165	339,165	339,105	60
FOOD TEAM					
Expenditure		575,434	575,434	553,564	
Income		(20,000)	(20,000)	(22,189)	
Net Expenditure		555,434	555,434	531,375	24,059
EMERGENCY PLANNING					
Net Expenditure		138,772	138,772	137,046	1,726
CATERING					
Expenditure		7,240,064	7,234,969	7,150,040	
Income		(4,031,576)	(4,026,481)	(4,037,655)	
Net Expenditure		3,208,488	3,208,488	3,112,385	96,103
TOTAL NET EXPENDITURE					
		7,268,734	7,278,734	7,044,074	234,660
CENTRAL SUPPORT SERVICE APPORTIONMENTS					
		901,070	901,070	901,070	
CORPORATE BUILDINGS APPORTIONMENTS					
		163,858	163,858	163,858	
		8,333,662	8,343,662	8,109,002	0

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<i>ENVIRONMENT DIRECTORATE</i>	Page No	Estimate 2014/2015	Revised Estimate 2014/2015	Projected 2014/2015	Under(Over)' Estimate 2014/2015
<u>COMMUNITY & LEISURE SERVICES</u>					
WASTE MANAGEMENT					
<i>Residual Waste</i>		3,973,450	4,213,450	3,965,691	247,759
<i>Organics recycling</i>		1,859,244	1,859,244	1,862,766	(3,522)
<i>Civic Amenity Sites</i>		2,579,620	2,579,620	2,917,362	(337,742)
<i>Waste Transfer Station</i>		178,958	178,958	326,469	(147,511)
<i>Dry Recycling</i>		2,330,596	2,330,596	2,925,116	(594,520)
<i>Bulky Waste</i>		253,682	253,682	158,198	95,484
<i>Commercial Waste</i>		(56,697)	(56,697)	(414,212)	357,515
<i>Other Waste</i>		69,019	69,019	41,955	27,064
<i>Trehir</i>		177,297	177,297	181,684	(4,387)
<i>Sustainable Waste Management Grant</i>		(3,449,586)	(3,449,586)	(3,449,586)	0
<i>HQ Staffing and Other Costs</i>		1,463,476	1,463,476	1,383,603	79,873
CLEANSING					
<i>Public Conveniences</i>		96,715	96,715	88,955	7,760
<i>Street Cleansing</i>		4,075,558	4,082,558	3,801,364	281,194
GROUND MAINTENANCE AND PARKS					
<i>Cemeteries</i>		251,221	251,221	(114,352)	365,573
<i>Allotments</i>		37,297	42,297	38,284	4,013
<i>Parks, Playing Fields & Highway Maintenance</i>		1,596,054	1,596,054	1,615,288	(19,234)
<i>Playgrounds</i>		276,351	276,351	276,351	0
<i>Outdoor facilities</i>		347,457	347,457	342,043	5,414
<i>Housing Ground Maintenance</i>		245,594	245,594	245,594	0
<i>Community Assets & Gateway Funding</i>		0	50,000	50,000	0
<i>HQ Staffing</i>		1,040,455	1,040,455	1,091,629	(51,174)
		17,345,761	17,647,761	17,334,202	313,559
LEISURE SERVICES					
<i>Leisure Centres</i>		1,806,990	1,806,990	2,030,480	(223,490)
<i>Leisure HQ & Staffing</i>		720,494	720,494	549,792	170,702
<i>Sports & Health Development</i>		96,285	96,285	99,414	(3,129)
<i>Outdoor Education</i>		182,328	182,328	200,752	(18,424)
Total Net Expenditure Community & Leisure Services		20,151,858	20,453,858	20,214,640	239,218
CENTRAL SUPPORT SERVICE APPORTIONMENTS					
		1,052,581	1,052,581	1,052,581	0
CORPORATE BUILDINGS APPORTIONMENTS					
		54,544	54,544	54,544	0
		21,258,983	21,560,983	21,321,765	239,218

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Service Division	Service Brief Description	2014-15 £'000
Engineering	Engineering Projects Group (EPG) Surplus	40.00
Engineering	Structures and Retaining Walls	50.00
Engineering	Consultancy Structures SLA reduce amount of work undertaken on contractual/non contractual work.	25.00
Engineering	Cease Special Works Programme	90.00
Engineering	RASWA Inspectors increased coring regime increase default payback	10.00
Engineering	SEW ring fenced surplus - 50% of surplus put forward as saving	50.00
Engineering	SEW Insurance money - budget realignment	10.00
Engineering	Review Bus Shelter cleansing operation	24.00
Engineering	Review Bus Shelter repairs & maintenance	30.00
Engineering	Review Bus Station Cleaning Blackwood and Bargoed	6.10
Engineering	Cease 2 week free Xmas parking in car parks	30.00
Engineering	Review SCP (School Crossing patrol) Site Assessments	10.00
Engineering	Connect2 Flexible Transport Service - Increase fares by 5%	1.00
Planning & Strategy	Home to School / College Transport. Efficiency Savings on Contracts.	50.00
		426.1
Regeneration & Planning	Increase Industrial Property Rents	70.00
Regeneration & Planning	Visit Caerphilly centre - Increased income.	11.00
Regeneration & Planning	Cwmcarn - Increased income.	25.00
Regeneration & Planning	Llancaiach Fawr - Increased income.	25.00
Regeneration & Planning	BMI - Increased income	25.00
Regeneration & Planning	Vacancy Management	219.00
Regeneration & Planning	Supplies & services - budget realignment	77.00
Regeneration & Planning	Increase fees for Land Charges	4.00
Regeneration & Planning	Introduction of charges for pre-application planning advice	20.00
Regeneration & Planning	Restructure at BMI	27.00
Regeneration & Planning	Income for monitoring of LDP	20.00
Regeneration & Planning	Introduce Car parking charges at Country Parks	85.00
Regeneration & Planning	Charges for Invasive Species monitoring/removal	12.00
Regeneration & Planning	Reduction in Enhanced Maintenance Budget	80.00
Regeneration & Planning	Community Regeneration Projects	15.00
		715.00
Public Protection	Review Community Safety Warden provision	4.00
Public Protection	Catering Staff Restaurants - Increase prices by 5%	12.00
Public Protection	Catering Schools – Increase meal prices by 5%	27.00
Public Protection	Catering Functions - Increase prices by 5%	4.80
Public Protection	Crucial Crew – Cease service	13.00
Public Protection	Licensing Fees increase	8.00
Public Protection	Increase Pest Control Income	20.00
Public Protection	Annual increase Registration Fees	10.00
		98.80

Community & Leisure	Parks & Bereavement Services - Vacancy management	44.00
Community & Leisure	Cessation of CONFIRM management system licence-Introduction of in house solution	5.70
Community & Leisure	Sports & Leisure Services Management Restructure	150.00
Community & Leisure	Review concessionary pricing policy to introduce a 3 tier pricing system	100.00
Community & Leisure	Sports & Leisure Services Match pricing structure to market value	35.00
Community & Leisure	Charge for Vans & Trailers at Civic Amenity sites	50.00
Community & Leisure	Waste Strategy & Operations Reducing Training Budget	10.00
Community & Leisure	Asbestos Collection Service FULL cost recovery	6.00
Community & Leisure	Waste Strategy & Operations Reduce Insurance Provision-Budget realignment	20.00
Community & Leisure	Reduce Landfill Tax credit budget	11.00
Community & Leisure	Reduce provision of management grants to bowls clubs	10.00
Community & Leisure	Increase Outdoor Facilities charges by 10%	10.00
Community & Leisure	Sports & Leisure Services - Improve energy efficiency facilities- may require some up front investment for longer term goal	23.00
Community & Leisure	Charging full fee for those currently having free Residual Collections (charities, community centres etc)	60.00
Community & Leisure	Waste Strategy & Operations - vacancy management	25.00
Community & Leisure	Reduce grass cutting frequency on Amenity/Housing Estates	180.00
Community & Leisure	Closure of cricket squares not used	30.00
Community & Leisure	Parks & Bereavement Services - Delete January cut of highways/banks	25.00
Community & Leisure	Sports & Leisure Services - Centralisation of Admin support	30.00
Community & Leisure	Waste Strategy & Operations vacancy management	180.00
Community & Leisure	Introduce double shift working for mechanical sweeping	73.00
Community & Leisure	Closure of 3 less well used Public Conveniences (Nelson, Newbridge and Fleur De Lys)	24.00
Community & Leisure	Reduced contribution to weed removal team - will reduce service provision	100.00
Community & Leisure	Phased removal of flowerbeds in open locations	40.00
Community & Leisure	Residual Waste Collections Route optimisation	53.50
Community & Leisure	Organics Waste Collections. Route optimisation	53.50
Community & Leisure	Dry recycling Waste Collections. Route optimisation	53.50
Community & Leisure	Closure of Cafeteria in Caerphilly Leisure Centre	20.00
		1,422.20
Building Cleaning DSO	Building Cleaning Services - Introduce contract efficiency	50.00



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 17TH FEBRUARY 2015

SUBJECT: PLAY SUFFICIENCY

REPORT BY: ACTING DEPUTY CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To update members on the new Welsh Government statutory duty requiring Local Authorities to secure sufficient play opportunities for children.
- 1.2 To update Members on the progress made since assessing sufficiency of play opportunities and the priorities identified in the attached plan.

2. SUMMARY

- 2.1 This report provides a brief overview of the requirement of the duty and updates members on progress made since assessing sufficiency of play opportunities and the priorities identified in the attached action plan.
- 2.2 The second part of the new legislation came into effect in July 2014 with the publication of “Wales, a Play Friendly Country”. This new duty requires Local Authorities to secure sufficient play opportunities, so far as reasonably practicable.
- 2.3 There are many examples of how improved play opportunities have resulted from excellent partnership work, however, the biggest challenge remains the heavy reliance on external sources of funding to deliver many aspects of play provision.

3. LINKS TO STRATEGY

- 3.1 Play is an important method in achieving many other strategies relating to children’s education, development and well-being. Play opportunities can contribute to mitigating the negative effects of poverty on children’s lives. Play contributes to the Child Poverty Strategy, Communities First, Families First, 21st Century Schools, the Single Integrated Plan, Active Travel (Wales) Act 2013 and many more plans and strategies.
- 3.2 Due to the potential contribution play makes to wide ranging agendas and plans a partnership approach was adopted to ensure Caerphilly County Borough Council maximised existing resource to secure sufficient play opportunities for children.

4. THE REPORT

- 4.1 In 2012 Welsh Government produced “Creating a Play Friendly Wales”, the statutory guidance to Local Authorities on assessing sufficient play opportunities. The play sufficiency assessments were produced through a multi partnership approach and were submitted to Welsh Government for approval.

- 4.2 The second part of the legislation came into effect in July 2014 with the publication of “Wales: A Play Friendly Country”, which is statutory guidance to local authorities on securing sufficient play opportunities for children in their areas. The duty also required Local Authorities to publish and keep up-to-date information about play opportunities for children.
- 4.3 There are no precedents for this work as Wales is the first Country in the world to establish such a duty within its legislative framework. While this approach is to be applauded and there is positive partner engagement, the duty needs to be delivered within existing or indeed reduced resources. However, the duty does include the caveat that opportunities should be secured “so far as reasonably practicable” and that sufficiency should be “determined locally”.
- 4.4 Representations from all relevant stakeholder groups, both from within Caerphilly County Borough Council and partner organisations play an active role in a working group that developed the initial sufficiency assessment and are now contributing towards the delivery of the priorities within the attached action plan. The work of this group has been quoted as good practice by Welsh Government.
- 4.5 The accountability of delivering the actions in the plan are not the responsibility of any one department and are very reliant on effective partnership working. Many aspects are also reliant on external sources of grant funding that are short term in nature and may impact on the sustainability of some of the actions. Indeed, the funding for the current Play Development Officer (employed by GAVO) ends in March 2015. A large proportion of the play workforce is also externally funded through Community First, family First, Groundwork etc.
- 4.6 Groundwork, based in Pontllanfraith, has been given a leading role nationally and received funding to deliver sustainable play opportunities across Wales. Groundwork are included in the working group and will contribute to the delivery of the priorities within the Action Plan.
- 4.7 As part of the duty it is a requirement to review, update and submit plans annually to Welsh Government for assessment. The updated Action Plan has been submitted and the Authority is awaiting feedback from Welsh Government. It was not the intention of the working group to include all play activities but only actions where working in partnership could address gaps in provision and meet the needs identified in the sufficiency assessment.
- 4.8 Significant advancements have been made in the provision of resources and training for staff delivering play leading to the improved quality of play provision. This has also been used as an example of good practice by Welsh Government.
- 4.9 Some of the key priorities within the Action Plan include continued support of the workforce, support for the delivery of play in Schools, using School facilities for Community Groups and improved promotion and awareness of provision.
- 4.10 There are some examples of excellent work being delivered by all stakeholders in a very dynamic working group, however, the biggest challenge that remains is securing sufficient resources to deliver sustained play opportunities for children.

5. EQUALITIES IMPLICATIONS

- 5.1 The play sufficiency assessment has considered the diverse needs of our communities.

6. FINANCIAL IMPLICATIONS

- 6.1 Some of the actions in the plan are dependent on successfully securing external sources of funding; the remainder of the actions will need to be delivered through existing resources, improved co-ordination and partnership working.

7. PERSONNEL IMPLICATIONS

- 7.1 Externally funded posts are at risk if new funding is not secured (these employees are not employed by Caerphilly County Borough Council).

8. CONSULTATIONS

- 8.1 This report reflects the views of the listed consultees and the working group..

9. RECOMMENDATIONS

- 9.1 Members are asked to note the requirements of the new statutory duty requiring Local Authorities to secure sufficient play opportunities for children, as far as reasonably practicable.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To update Members of the Committee on progress with the statutory play sufficiency duty.

11. STATUTORY POWER

- 11.1 Local Government Acts.
Children & Families (Wales) Measure 2010.

Author: David Phenis, Sport & Leisure Services Manager
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Consultees: Mark S. Williams, Head of Community & Leisure Services
Sandra Aspinall, Acting Deputy Chief Executive
Councillor David Poole, Cabinet Member for Community & Leisure Services
Adeline Wilcox, Senior Planning Officer
Rachel Maflin, GAVO
Gareth Davies, Area Parks Officer
Jared Lougher, Sport & Leisure Development Manager

Appendices:
Appendix 1 - Welsh Government Play Sufficiency Action Plan

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Play Sufficiency Action Plan



Llywodraeth Cymru
Welsh Government

Name of local authority: Caerphilly County Borough Council

Name of person responsible officer: Dave Phenis

Job title: Sport and Leisure Services Manager

Date of completion: November 2014



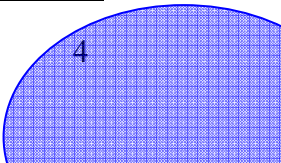
Actions to be taken to address the issues / shortcomings recorded in the Play Sufficiency Assessment

Proposed actions for the period of 2014 – 2015

Matter	Priorities	Targets	Milestones	Resources, including costs	Funding source (new or existing funding streams)
Statutory Guidance-policy framework	To adhere to the Statutory Guidance – policy framework for future Play Sufficiency Assessments	Submit subsequent Assessments and accompanying Action Plan to Welsh Govt every 3 years	Play sufficiency assessments and action plans to be submitted by the deadlines set by WG	Play Sufficiency Officer	Additional funding would be required
Matter A: Population	To ensure that up to date demographic information is available when planning for the development of new and existing play opportunities	Annual updating of information	Census data when updated /released	Planning Department CCBC	Existing funding
Matter B: Providing for diverse needs	Ensure that inclusive play training is offered to providers. Training also needs to deal	To ensure availability to play providers across Caerphilly	Playwork staff trained to deal with all aspects of equality within play settings	Play Sufficiency Officer/Senior Play Officer	Provided through GAVO within existing funding streams. CCBC Equalities Team also provide a variety

	with all aspects of inclusion				of equality based training that play providers can access.
Matter C: Space available for children to play	Play Sufficiency Officer to contribute to the development of a tender for inspection of fixed play provision within Caerphilly County Borough. Removal of no ball games signs	Parks Dept to send the proposed tender to GAVO Play service to contribute to the process by Summer 2015 Identify those areas that would benefit from the removal of no ball games signs	Consultation complete/ appointment of independent assessor and annual inspection Increased advocacy in these communities to highlight children's right to play	Play Sufficiency Officer Play Sufficiency Officer	Existing funding streams until April 2015 Additional funding would be required
Matter D: Supervised provision	Establish a baseline quality toolkit that encompasses all aspects and needs of play To continue to offer accredited and non accredited	To agree quality standards. As part of this consider best practice elsewhere Ensure training reflects any quality issues that have been identified	To establish the available options and cost implications of a quality toolkit Training offered to settings on a termly basis	Play Sufficiency Officer Play Sufficiency Officer	New funding streams would need to be sourced New funding streams would need to be sourced

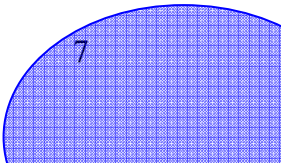
	training to play settings across Caerphilly				
Matter E: Charges for play provision	Ensure continuation of free at point of access play projects such as GAVO Adventure Play teams	Raising the profile of the projects across Caerphilly borough and developing innovative ways to meet joint agendas across Families First and Communities First.	Continued funding from April 2016	Project costs	Identify further funding to continue provision
Matter F: Access to space/provision	Update website and make clearer the sections on regular road closures	Website to be updated by Spring 2015	All information online and correct	CCBC Highways Dept – low resources	Existing funding
	Ensure website is constantly updated and managed with the addition of quick links to ensure ease of access for users	Data on website managed and up to date	All information online and correct	CCBC Highways Dept – low resources	Existing funding
Matter G: Securing and developing the workforce	Ensure CPD training and accredited play	Training programme meets the needs of play	Play workforce to have access to high quality training	Play Sufficiency Officer and resources	Existing funding stream until April 2015. External



	<p>training is available to all workers. The Play Sufficiency Officer will also deliver targeted training sessions for settings identified by Workforce Development</p> <p>Development of a conference highlighting the importance of play for childcare and play providers</p>	<p>workforce as identified through workforce audit</p> <p>To work with partners within the voluntary sector and CCBC to plan for conference</p>	<p>according to their needs</p> <p>Conference to take place in March 2015</p>	<p>Play Sufficiency Officer, venue, publicity</p>	<p>funding would then need to be found.</p> <p>Existing funding streams</p>
<p>Matter H: Community engagement and participation</p>	<p>Undertake detailed consultations with schools and with specific</p>	<p>Determine consultation questions with key stakeholders by Summer 2015</p>	<p>Carry out detailed consultations Autumn/Winter 2015</p>	<p>Play Sufficiency Officer</p>	<p>Would require external funding</p>

	<p>groups as identified by 2011 census analysis on enhancing play opportunities in specific areas</p> <p>Promote play agenda to primary schools, offering training for lunchtime supervisors, teaching staff and awareness raising sessions to head teachers and governors</p> <p>Planning for National Playday Event</p>	<p>Support schools to develop their own play policy and implement it during the school day</p> <p>Regular meetings with partner orgs, to ensure successful planning of the event, Engage with local media to highlight Playday and children's right to play</p>	<p>Five schools to have a play policy in place by Summer 2015</p> <p>National Playday event to take place on 5th August 2015</p>	<p>Play Sufficiency Officer</p> <p>Play Sufficiency Officer, publicity etc</p>	<p>External funding would be needed</p> <p>Funding through partners such as Flying Start, Communities First</p>
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Matter I: Play within all relevant policy and implementation agendas	Play is considered within all Strategic and Community plans and a reporting mechanism is in place by next Play Sufficiency Assessment review Spring 2016	Ensure that a Play Champion is selected and appointed	To have a Play Champion in place by Summer 2015	Play Sufficiency Officer will provide support and briefings to enable the Play Champion to be fully informed when attending meetings. The PSO will also provide the mechanism for information to be disseminated to the PS Group and the play workforce across the borough.	External funding would be needed
	Build on existing media campaign of play promotion	On-going Facebook/Twitter publicity. Establish a play section on CCBC website and contribute to events that will be displayed on the CCBC media planner	Play section on website established by Autumn 2015. Regular contributions to CCBC media planner ongoing from Spring 2015	Play Sufficiency Officer	External funding would be needed
	Ensure 21 st century schools	Process for consultation with	Design in relation to play to be	Play Sufficiency Officer	External funding would be needed



	<p>look at designing play inside and outside of the classroom (ie well equipped and accessible playgrounds)</p> <p>Recruitment of a Play Sufficiency Officer</p>	<p>Play Sufficiency Officer to be put in place by Autumn 2015</p> <p>To lead the play sufficiency action plan, ensuring appropriate actions are implemented and taken forward.</p>	<p>incorporated within all 21st century schools</p> <p>To produce progress reports on the play sufficiency action plans and future play sufficiency assessments and any other reporting required by Welsh Govt and the local authority.</p>	<p>Dave Phenis Sports & Leisure Manager</p>	<p>Additional funding would be required for this post</p>
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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 17TH FEBRUARY 2015

SUBJECT: TOWN CENTRE IMPROVEMENT GROUP 2014

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To provide information on the progress made within the Town Centre Improvement Group during 2014.

2. SUMMARY

- 2.1 This report will provide information on the work undertaken by the Town Centre Improvement Group during 2014. It will highlight how the Group works alongside the Council's five Town Centre Management Groups and outlines some of the issues that have been resolved in each of the five principal towns. An accompanying Appendix contains a full list of the issues resolved in 2014 by the Town Centre Improvement Group using an Environmental Audit process.

3. LINKS TO STRATEGY

- 3.1 The Council has agreed to a five-year regeneration programme entitled "People, Businesses and Places". The proposals within the strategy are based on a number of regeneration principles, one of which is "Strengthening Town Centres".
- 3.2 "Prosperous Caerphilly" is identified as one of the key outcomes in the Council's "Single Integrated Plan". The Implementation of the *Unique Places* model of Town Centre Management in the County Borough's principal town centres is one of the actions identified to achieve this outcome.

4. THE REPORT

- 4.1 The Town Centre Improvement Group was established in 2005 with appropriate representation from all relevant service areas.
- 4.2 The remit of the group is to:
- Improve the environment within the five principal town centres: Caerphilly, Blackwood, Bargoed, Risca and Ystrad Mynach;
 - Benchmark the performance of CCBC services in the five town centres;
 - Demonstrate the commitment of CCBC as an authority to the environmental improvement of the five town centres;

- Aid the "Wales In Bloom" entry for Caerphilly, by showing continuous environmental improvements to the town centre;
 - Provide an internal forum for CCBC to address issues that blight town centres.
- 4.3 The group includes representatives from all the relevant parts of the Council, in addition to the five Police Inspectors whose responsibilities include the town centres of Bargoed, Blackwood, Caerphilly, Risca and Ystrad Mynach.
- 4.4 The purpose of the Town Centre Improvement Group is to ensure that there is a responsive and co-ordinated approach to the maintenance of the town centres through the process of an Environmental Audit. In addition, the Town Centre Improvement Group addresses items raised within the meetings of the five Town Centre Management Groups.
- 4.5 The work of the Town Centre Improvement Group should be seen as complementary to the five Town Centre Management Groups, ensuring that environmental and maintenance matters, which are the responsibility of CCBC, are addressed in an effective and expeditious manner.
- 4.6 In 2014, a total of 167 issues across the five town centres were actioned through the Town Centre Improvement Group (TCIG). This Group's strength continues to be built on a mindset of collaborative working across Council departments, providing a forum for officers to exchange information. An outline of some of the issues resolved by the TCIG in each of the five managed town centres is shown below. It provides an overview of the scope of the work examined in the audit process and highlights the group's role in resolving them.
- 4.7 **Caerphilly**
- 4.7.1 Air Quality – Environmental Health / Transportation / Urban Renewal / Town Centre Management
The Welsh Government requires the Council to develop an 'Air Quality Action Plan' in order to improve air quality in and around the town centre. The Town Centre Management Group has acted as a consultative body and the TCIG audit has provided a record of the issue's progress.
- 4.7.2 Lead Removal from Vacant Shop – Town Centre Management
When issues arise in the town centres that necessitate liaison with the private sector, Town Centre Management instigates contact and seeks to find a solution to the problem.
- 4.7.3 Rough Sleepers – Town Centre Management / Community Safety / Police
There have been a number of instances involving homeless persons in the town centre. The issue is a complex one for which there is no easy solution. To address the problem, a multi-agency group was established building on existing relationships forged in the TCIG meetings.
- 4.8 **Blackwood**
- 4.8.1 Car Cruisers - Police
Although the issue of car cruisers has substantially improved since the road closure was introduced, sporadic problems do still occur. The TCIG provides a valuable forum to note these instances and for the Police and officers to exchange information.
- 4.8.2 Graffiti Removal – Cleansing
On a number of occasion's instances of graffiti occurred at the rear of the shops in High Street. Retailers were offered the chance to sign a disclaimer and have the work undertaken at no cost through an arrangement with the Council's Cleansing team and the Probation Service.
- 4.8.3 Cinema Development – Planning / Town Centre Management
In preparation for the opening of the new *Maxime Cinema*, Town Centre Management worked closely with the owner to facilitate a dialogue between the appropriate Council departments including: Planning, Licensing, Highways and Communications.

4.9 **Bargoed**

4.9.1 **BIG Idea - Regeneration Scheme – Urban Renewal / Planning / Transportation / Highways / Town Centre Management**

The TCIG has given officers not directly involved in the works regular updates on the progress of the new cinema, the unit shops development and the 'Pocket Park' scheme. The aim has been to encourage an exchange of information to assist in managing the change.

4.9.2 **Parking Issues – Police / Urban Renewal**

Since the completion of the new public realm scheme, parking has been a constant problem in the town centre. At the TCIG, officers have engaged directly with the local Police Inspector in order to utilise Police Community Support Officers to enforce parking restrictions. Different public realm solutions were also discussed to resolve the issue.

4.9.3 **New Bus Stop Traffic Flow Issues – Transportation / Police / Urban Renewal**

The disruption to vehicular traffic due to the bus stop located at Royal Square is an issue local members, businesses and the Police have asked officers to consider. The relationships established in the TCIG forum have meant that there has been close cooperation as the matter was debated.

4.10 **Risca**

4.10.1 **Hoe Down Show Down Event – Events Team**

Given the number of town centre events that take place across the County Borough, it is important that Council departments and the Police are involved in the planning and staging of an event. The TCIG meeting helps officers understand the impact that an event may have on their particular service area.

4.10.2 **Commercial Lane – Police / Regulatory Planning / Urban Renewal / Highways / Town Centre Management**

The issues affecting Commercial Lane were able to be largely resolved over the last year by allocating the correct issue to the most appropriate department or agency. Updates were provided at the TCIG meetings to ensure all parties knew how the situation as a whole was progressing.

4.10.3 **Smoking & Cigarette Ends – Environmental Health / Cleansing**

Both shoppers and retailers notice when the small things are done well in town centres. The accumulation of detritus from discarded cigarettes is a problem in all of our town centres. Through the TCIG a coordinated programme of cleansing and enforcement has been implemented.

4.11 **Ystrad Mynach**

4.11.1 **Siloh Square – Town Centre Management / Highways/ Parks / Urban Renewal / Transportation / Police**

A number of issues have been recorded on the Environmental Audits that relate to Siloh Square. These range from maintenance and repair, to bus stops and parking assessment. The process of the TCIG ensures that these issues are addressed holistically with a view to any wider implications.

4.11.2 **Sign Damage – Highways**

A road traffic accident resulted in a sign being badly damaged and needing replacement. The issue was audited and the sign was moved a few metres so that in the future it would not be susceptible to accident damage.

4.11.3 **Telephone Box Repainting – Town Centre Management**

One of the strengths of the Council's 'Unique Places' Town Centre Management model is that it provides a mechanism to resolve things which otherwise would be left undone. In order to get the phone boxes repainted. Countless phone calls & e-mails were made to BT until the work was completed.

4.12 Town Centre Issues

- 4.12.1 Attached is an Appendix containing a detailed breakdown of all the issues resolved in each of the town centres over the past twelve months. This is evidence of the commitment of individual service areas and shows the diverse nature of problems addressed by the group.
- 4.12.2 In December, the 'Unique Places' model of Town Centre Management was recognised by organisers of the *Great British High Street Awards*, which were organised by The Department for Communities and Local Government. The Council was highly commended by judges for its work in town centres and the 'Unique Places' model was recognised as being an "excellent example for other councils who want to help small towns in their area."
- 4.12.3 The objective in 2015 is to continue to provide a high level of service in the principal town centres despite growing financial pressures on Council budgets. The wider economic situation means that town centres are fighting to retain their customer base as consumer spending weakens, which in turn places local retail jobs at risk. The aim for the TCIG and the process of Town Centre Management is to contribute to the long-term economic growth of the County Borough by working to deliver well-maintained and managed town centres.

5. ADDITIONAL PROJECTS

- 5.1 Through the TCIG a number of additional projects have been achieved which have added value to the street scene and have offered a visible improvement to the town centres. Many of these have tackled specific issues and sought to resolve long-term problems, these may have proved difficult for departments to work through without this collaborative approach and the support of other officers.

6. EQUALITIES IMPLICATIONS

- 6.1 This report is for information purposes, so the Council's Eqla process does not need to be applied.

7. FINANCIAL IMPLICATIONS

- 7.1 The Community Assets Budget in 2014 / 2015 allocated £20,000 for work in the five town centres, a reduction from the previous sum of £40,000. The Enhanced Maintenance Budget, which is used in part for work in the five town centres, has also been reduced from £96,000 to £18,000. With the ongoing budget constraints it is likely that both these budgets will continue to be reviewed on an annual basis. As a direct result of the reduction in budgets the audit has needed to become a more reactive and less proactive tool.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no direct personnel implications, although the 'Two Man Team' from the Engineering Services Division, funded through the Community Assets Budget, has been an important asset to the process of improving the appearance of the town centres.

9. CONSULTATIONS

- 9.1 No there are no consultation responses that have not been reflected in this report.

10. RECOMMENDATIONS

- 10.1 To inform members of the work of the Town Centre Improvement Group.

11. REASON FOR RECOMMENDATION

11.1 This report is for information only.

12. STATUTORY POWER

12.1 Local Government Act 2000.

Author: Andrew Highway, Town Centre Development Manager
Consultees: Chris Burns, Interim Chief Executive
Sandra Aspinall, Acting Deputy Chief Executive
Pauline Elliott, Head of Regeneration & Planning
Cllr. K. James, Cabinet Member for Regeneration, Planning and Sustainable Development
Cllr C. Forehead, Chair of Caerphilly Town Centre Management Group
Cllr D.T Davies, Chair of Bargoed Town Centre Management Group
Cllr N. Dix, Chair of Blackwood Town Centre Management Group
Cllr N. George, Chair of Risca Town Centre Management Group
Cllr A. Angel, Chair of Ystrad Mynach Town Centre Management Group
Cllr D.T Davies, Chair of Regeneration Scrutiny Committee
Tony White, Refuse & Cleansing Officer
Rhodri Lloyd, Special Projects Officer
Lyndon Ross, Senior Environment Officer
Kath Peters, Community Safety Manager
Clive Campbell, Transportation Engineering Manager
Gavin Barry, Assistant Engineer
Myra McSherry, Licensing Manager
Derek Price, Parks and Outdoor Facilities Manager
Simon Beacham, Area Parks Officer
Tim Stephens, Development Control Manager
Allan Dallimore, Team Leader – Urban Renewal
Steve Wilcox, Assistant Town Centre Manager
Steve Pugh, Communications Manager
Paul Hudson, Marketing and Events Manager
Tina McMahon, Community Regeneration Manager
Inspector G. Jones (Caerphilly)
Inspector M. Thomas (Blackwood)
Inspector J. Hill (Bargoed)
Inspector L. Thompson (Risca)
Inspector I. Bartholomew (Ystrad Mynach)

Appendices:

Appendix 1 Matrix of Issues Resolved Across the Five Town Centres

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TOWN CENTRE IMPROVEMENT GROUP 2014

APPENDIX 1

BARGOED

AUDIT	ISSUE	LOCATION	DATE	DEPARTMENT
FEBRUARY	Phase 3 Works	Hanbury Road / High Street	03-Feb Urban Renewal	
	Artwork Plinth Repair	Bus Station	03-Feb Highways	
	Christmas Event	Town Centre	03-Feb Business Enterprise Support Team	
	Temporary Grit Bins	Town Centre	03-Feb Highways	
	Christmas Banners	Town Centre	03-Feb Town Centre Management	
	Defective Lights	O/S Ricci's Café, Cardiff Road	03-Feb Urban Renewal	
	Advertising on the Highways	Town Centre	03-Feb Highways	
	Removal of Human Excrement	Interchange Bus Station	03-Feb Cleansing	
APRIL	Temporary Grit Bin	O/S Emporium, Upper High Street	14-Apr Highways	
	Chewing Gum Removal	Royal Square	14-Apr Cleansing	
JUNE	New Bus Stop Traffic Flow Issues	O/S Spar, Royal Square	02-Jun Urban Renewal / Transportation / Police	
	Advertising on the Highway	Town centre	02-Jun Town Centre	
	Damaged Bin	O/S Peacocks, High Street	02-Jun Urban Renewal	
	Condition of Miners' Heads Artwork	Lowry Plaza	02-Jun Urban Renewal	
	Banner Changeover	Town Centre	02-Jun Town Centre Management	
AUGUST	Youth Annoyance	Morrisons Car Park	04-Aug Police	
	Chewing Gum Removal	Town Centre	04-Aug Cleansing	
	Angel Artwork Spotlight	High Street	04-Aug Urban Renewal/Highways	
	Condition of Shop Hoardings	Lowry Plaza	04-Aug Urban Renewal	
	Clearance of Weeds	Hanbury Square	04-Aug Urban Renewal	
OCTOBER	Damage to Trees	Hanbury Road Car Park	06-Oct Transportation/Urban Renewal	
	Water in Shop Cellar	Cardiff Road	06-Oct Urban Renewal	
DECEMBER	Morrisons Store Construction	Bargoed Gateway	08-Dec Urban Renewal	
	Railway Station Fencing	Station Road	08-Dec Transportation	
	Deep Clean of Public Realm	Royal Square	08-Dec Cleansing	
	Additional Parking Provision	Lowry Plaza	08-Dec Urban Renewal	
	Remedial Works	Hanbury Square	08-Dec Urban Renewal	
	Organised Shoplifting	Bargoed Gateway	08-Dec Police	
	Graffiti Removal	Lower High Street	08-Dec Cleansing	
	Christmas Event	Town Centre	08-Dec Business Enterprise Support Team	

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TOWN CENTRE IMPROVEMENT GROUP 2014

BLACKWOOD

AUDIT	ISSUE	LOCATION	DATE	DEPARTMENT
FEBRUARY	Noise Nuisance	Hall Street	03-Feb	Environmental Health
	Private Security	Bus Station, The Market Place	03-Feb	Police / Community Safety
	Entrance Cleaning	Interchange Bus Station	03-Feb	Parks / Transportation
	Car Cruisers	ASDA Car Park, Cliff Road	03-Feb	Police
	Taxi Bay Trail	High Street	03-Feb	Transportation / Police
	Christmas Event	Town Centre	03-Feb	Business Enterprise Support Team
	Temporary Grit Bins	Town Centre	03-Feb	Highways
	Christmas Banners	Town Centre	03-Feb	Town Centre Management
APRIL	Road Closure	Pentwyn Road	14-Apr	Transportation
	Bin Replacement	Town Centre	14-Apr	Town Centre Management / Urban Renewal / Cleansing
	Homeless People	O/S Library, Gordon Road	14-Apr	Community Safety / Police
	Planning Application	Former Junior School, Pentwyn Road	14-Apr	Development Control
JUNE	Advertising on the Highway	Town Centre	02-Jun	Highways
	Defective Step	Hall Street	02-Jun	Highways
	Pot Holes	Cliff Road	02-Jun	Highways
	Banner Changeover	Town Centre	02-Jun	Town Centre Management
AUGUST	Homeless People	Bus Station	04-Aug	Cleansing/Community Safety/Police
	Smoking & Cigarette Ends	High Street	04-Aug	Environmental Health
	Graffiti Removal	Town Centre	04-Aug	Cleansing
	Graffiti Removal	Rear of High Street	04-Aug	Cleansing
	Beach Party Event	Town Centre	04-Aug	Business Enterprise Support Team
	Removal of Overgrown Foliage	High Street	04-Aug	Highways
	General Cleansing	Bus Station	04-Aug	Transportation
	Weeding of Steps	Hall Street	04-Aug	Highways/Parks Services
OCTOBER	Provision of a dedicated disabled parking bay	High Street	06-Oct	Transportation
	Cinema Development	High Street	06-Oct	Development Control/Town Centre Management
	Loading Bay Reinstatement	High Street	06-Oct	Highways
DECEMBER	Installation of Posts & Studs	High Street	08-Dec	Urban Renewal/Highways
	Removal of High Kerb	High Street/Pentwyn Road	08-Dec	Highways
	Raised Paving Slabs	Blackwood Retail Park	08-Dec	Highways
	Damage to Maxime Cinema Signage	High Street	08-Dec	Police
	Youth Annoyance & Damage	High Street	08-Dec	Police
	Disabled Bay Regulations	High Street	08-Dec	Police
	Christmas Event	Town Centre	08-Dec	Business Enterprise Support Team

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TOWN CENTRE IMPROVEMENT GROUP 2014

CAERPHILLY

AUDIT	ISSUE	LOCATION	DATE	DEPARTMENT
FEBRUARY	Development of Former Post Office Site	The Twyn	03-Feb	Regulatory Planning
	Skateboarding Problems	Around Bus Station Toilets, Station	03-Feb	Highways / Urban Renewal
	Cigarette Butts	Windsor Lane and Bus Stop & Ste	03-Feb	Cleansing
	Condition of Footway	O/S Tilley's Café, Cardiff Road	03-Feb	Highways
	Christmas Event	Town Centre	03-Feb	Business Enterprise Support Team
	Temporary Grit Bins	Town Centre	03-Feb	Highways
	Christmas Banners	Town Centre	03-Feb	Town Centre Management
	Cleansing of Steps	Cardiff Road	03-Feb	Cleansing
	Advertising on the Highway	Town Centre	03-Feb	Highways
APRIL	Drainage on Steps	Between Twyn Car Park and Lowe	14-Apr	Highways
	Defective Street Lighting Column	Cardiff Road	14-Apr	Highways
	Lighting of Steps	Twyn Car Park / Market Street	14-Apr	Transportation
	Condition of Land	Rear of Morrisons, Bedwas Road	14-Apr	Town centre Management
	Bin Replacement	O/S New Library, The Twyn	14-Apr	Urban Renewal
JUNE	Repainting of Street Furniture	Town Centre	02-Jun	Highways
	Temporary Grit Bin	Castle Street	02-Jun	Highways
	Banner Changeover	Town Centre	02-Jun	Town Centre Management
AUGUST	Maintain Tommy Cooper Walk of Fame	The Twyn	04-Aug	Highways/Urban Renewal
	Damaged Bench	Cardiff Road	04-Aug	Highways
	Footway Defects	Crescent Road	04-Aug	Highways
	Street Lighting Defect	Pentrebane Street	04-Aug	Highways
	Loose Drain Cover	Castle Street	04-Aug	Highways
	Caerphilly 10k Race	Town Centre	04-Aug	Business Enterprise Support Team
	The Big Cheese	Town Centre	04-Aug	Business Enterprise Support Team
	Resetting of Bollard	Cardif Road	04-Aug	Highways
OCTOBER	Repainting of Fingerposts	Town Centre	06-Oct	Urban Renewal

Installation of Railings
Replacement of paving Slabs
Lead Removal
Missing Paviers

Pentrebane Street
Clive Street
Cardiff Road
Seating area, Windsor Street

06-Oct Urban Renewal/Highways
06-Oct Highways
06-Oct Town Centre Management
06-Oct Highways

DECEMBER

Illegal Parking/Obstruction of Highway
Fire Damaged Property
Commemorative Plaque
Rough Sleepers
Age Concern Planning Application
Securing of Handrail
A-Frame Placement
Loose Step
Dropped Paviers
Scaffolding Permit
Raised Paviers
Christmas Event

Cardiff Road
Cardiff Road
Town Centre
Cardiff Road
Cardiff Road
The Twyn
St. Fagans Street
The Twyn
The Twyn
Cardiff Road
The Twyn
Town Centre

08-Dec Highways/Police
08-Dec Town Centre Management
08-Dec Town Centre Management/Urban Renewal
08-Dec Town Centre Management/Community Safety/Police
08-Dec Regulatory Planning
08-Dec Highways
08-Dec Highways
08-Dec Highways/Urban Renewal
08-Dec Highways/Urban Renewal
08-Dec Highways
08-Dec Highways/Urban Renewal
08-Dec Highways
08-Dec Highways/Urban Renewal
08-Dec Business Enterprise Support Team

TOWN CENTRE IMPROVEMENT GROUP 2014

RISCA

AUDIT	ISSUE	LOCATION	DATE	DEPARTMENT
FEBRUARY	Risca Discover More....Sign	New Event Site	03-Feb	Urban Renewal / Town Centre Management
	Centenary Event	Palace Cinema, Tredegar Street	03-Feb	Business Enterprise Support Team / Town Centre Management
	Seating Area	O/S Risca Pine Centre, Tredegar Street	03-Feb	Cleansing / Parks Services
	Christmas Event	Town Centre	03-Feb	Business Enterprise Support Team
	Temporary Grit Bins	Town Centre	03-Feb	Highways
	Drainage Problems	Junction of Station Road	03-Feb	Highways
	Christmas Banners	Town Centre	03-Feb	Town Centre Management
	Pillar Foliage Removal	Tredegar Grounds, Tredegar Street	03-Feb	Parks
	Advertising on the Highway	Town Centre	03-Feb	Highways
APRIL	Reinstatement of "The Valleys & Rivers o Tredegar Grounds, Tredegar Street		14-Apr	Parks Services Town Centre Management / Communications / Transportation / Parks
	Medal Presentation Ceremony	Town Centre	14-Apr	Services / Cleansing
	Cleansing of Steps & Pavement	O/S Palace Cinema Library, Tredegar stret	14-Apr	Cleansing
JUNE	Extension of Scrap Car Storage	Commercial Lane	02-Jun	Regulatory Planning / Police
	Fly Tipping	Commercial Lane	02-Jun	Cleansing / Environmental Health / Regulatory Planning
	Vehicle Arson	Commercial Lane	02-Jun	Police
	Advertising on the Highway	Town Centre	02-Jun	Highways
	Directional Signage	Railway Station, Park Road	02-Jun	Town Centre Management / Urban Renewal
	Drainage Problems	Town Centre	02-Jun	Highways
	Condition of Paving	Commercial Street	02-Jun	Highways
	Chewing Gun Residue	O/S Spar, Tredegar Street	02-Jun	Cleansing
	Banner Changeover	Town Centre	02-Jun	Town Centre Management
AUGUST	Smoking & Cigarette Ends	Tredegar Street	04-Aug	Environmental Health/Urban Renewal
	Drug Use	Commercial Lane	04-Aug	Police
	Refuse Collection	Commercial Lane	04-Aug	Cleansing

Town Centre Action Plan Consultation	Town Centre	04-Aug Urban Renewal/Regulatory Planning
Repainting of Railings	Tredegar Street	04-Aug Highways
Removal of Signage	Lyne Road/Brooklands Road	04-Aug Highways
Removal of Foliage from Pillar	Tredegar Street	04-Aug Parks Services
Repair of Library Roof	Tredegar Street	04-Aug Library Services
Hoe Down & Show Down Event	Tredegar Street	04-Aug Business Enterprise Support Team
Removal of Weeds & Grubbing Out	Tredegar Street	04-Aug Parks Services

OCTOBER	Directional signage to Risca RFC	Tredegar Street	06-Oct Urban Renewal
	Clearance of foliage & jet washing	O/S Brooklands Centre, Commercial Street	06-Oct Cleansing
	Exposed electrical wiring	Tredegar Grounds, Tredegar Street	06-Oct Parks Services

DECEMBER	Seating Area	Tredegar Street	08-Dec Cleansing/Parks Services
	Height of Dropped Kerbs	Tredegar Street/Dan-y-Graig Road	08-Dec Highways
	Christmas Event	Town Centre	08-Dec Business Enterprise Support Team

TOWN CENTRE IMPROVEMENT GROUP 2014

YSTRAD MYNACH

AUDIT	ISSUE	LOCATION	DATE	DEPARTMENT
FEBRUARY	Christmas Banners	Town Centre	03-Feb	Town Centre Management
	Repainting of Double Yellow Lines	Oakfield Street	03-Feb	Highways
APRIL	New Grit Bin	Siloh Square	14-Apr	Highways
	Repair or Replace Black & White Bollard	Town Centre	14-Apr	Highways / Urban Renewal
	Signage Strategy	Town Centre	14-Apr	Urban Renewal
	Archway & Signage	Lane Linking Nelson Road with Church Street	14-Apr	Urban Renewal
	Reduction of Bollards	Town Centre	14-Apr	Transportation / Urban Renewal / Town Centre Management
	Pavement Inspection	Commercial Street, Town Centre	14-Apr	Highways
	Replacement of Bus Shelter	Siloh Square	14-Apr	Highways
Repainting of Bollards	Lewis Street	14-Apr	Highways	
JUNE	Landscaping Scheme	O/S The beech Tree Hotel	02-Jun	Parks / Urban Renewal
	Repainting of Street Lights	Town Centre	02-Jun	Town Centre Management / Urban Renewal / Highways
	Advertising on the Highway	Town Centre	02-Jun	Highways
	Removable Bollard Replacement	Rear Lane, Lewis Street	02-Jun	Highways
	Banner Changeover	Town Centre	02-Jun	Town Centre Management
AUGUST	Telephone Box Repainting	Bedwlwyn Road	04-Aug	Town Centre Management
	Repainting of Benches	Siloh Square	04-Aug	Highways
	Telephone Box Repainting	Penallta Road/Lewis Street	04-Aug	Town Centre Management
	Bus Stop Location Assessment	Bedwlwyn Road	04-Aug	Transportation
	Dog Mess	Town Centre	04-Aug	Environmental Health
	Sign Replacement	Caerphilly Road	04-Aug	Highways
OCTOBER	-	-	-	-
DECEMBER	Loose Manhole Cover	A472	08-Dec	Highways
	Overgrown Foliage	Pengam Road	08-Dec	Highways
	Christmas Event	Town Centre	08-Dec	Business Enterprise Support Team

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TOWN CENTRE IMPROVEMENT GROUP 2014

TOWN	AUDIT MONTH	NUMBER OF ISSUES RESOLVED
Bargoed	February	8
	April	2
	June	5
	August	5
	October	2
	December	8
	TOTAL	30
Blackwood	February	8
	April	4
	June	4
	August	8
	October	3
	December	7
	TOTAL	34
Caerphilly	February	9
	April	5
	June	3
	August	8
	October	5
	December	12
	TOTAL	42
Risca	February	9
	April	3
	June	9
	August	10
	October	3
	December	3
	TOTAL	37
Ystrad Mynach	February	2
	April	8
	June	5
	August	6
	October	0
	December	3
	TOTAL	24

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BRYN COMPOST LIAISON GROUP

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON THURSDAY, 25TH SEPTEMBER 2014 AT 2.00 P.M.

PRESENT:

Councillor D. V. Poole - Chair

Councillors:

H.W. David, W. David, G.J. Hughes, J.A. Pritchard, S. Morgan

Together with:

Residents: Mr G. Reynolds, Mrs G. Davies, Mrs P. Lapsa, Mr J. Szura

Gelliargwellt Farm: Mr P. Colley

Natural Resources Wales: Mr. J. Harrison, Mrs E. Roe

Public Health Wales: Mrs T. Deacon

Environmental Health: Ms C. Edwards, Mr G. Mumford, Mr S. Wedge

Officers: R. Barrett (Committee Services Officer)

1. CHAIRMAN'S ANNOUNCEMENT

It was advised that Mr Raymond Matthews had tendered his resignation as a local resident representative of the Bryn Compost Liaison Group, with thanks extended for his valued contribution to the meetings. Mr Matthews' replacement, Mr Joseph Szura, was welcomed to his first meeting of the Bryn Compost Liaison Group.

The Chair also welcomed Mr Simon Wedge (Student Environmental Health Officer) to the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A. Angel and D. Bolter, together with local resident representatives Mr J. Cuthbert, Mr M. Davies, Mrs A. Gray, Mr W. Griffiths, Mrs. C. Woods, Mr T. Matthews, Public Health Wales representatives Dr G. Richardson and Mr H. Brunt, and Mr R. Thomas (Gelliargwellt Farm).

3. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

4. MINUTES – 3RD JUNE 2014

The minutes of the Bryn Compost Liaison Group meeting held on 3rd June 2014 were received and noted.

5. MATTERS ARISING

Reference was made to the ongoing investigation into the waste volumes received at the site and the outcome of the findings presented to the National Resources Wales Enforcement Panel.

It was confirmed that investigations had been completed with it determined that there was insufficient evidence available in relation to the volume of food waste processed at the Bryn Compost site. Members discussed the recycling methods utilised by the site and by other local authorities. It was confirmed that Bryn Compost staff were aware of the issues in relation to the co-mingling of food waste and green waste and were continuing to monitor and assess the volume of incoming waste on a daily basis.

With regards to the recording of odour incidents by the NRW Call Centre, it was advised that enquiries had been made into the logging of complaints, with it confirmed that the location of the odour was now being consistently logged. Members were satisfied with this response.

In response to the Chair's request for data relating to odour complaints to be presented on a day-by-day basis over a 3-month period, it was noted that a graph containing this information had been included with the agenda papers. Reference was made to the Composting Best Practice Document, with it advised that this was still in draft form with a date for publication not yet determined. **NRW confirmed that they would make enquiries as to whether they would be permitted to share the draft version of the Composting Best Practice Document with the Group ahead of the next meeting.**

6. UPDATES FROM NATURAL RESOURCES WALES (NRW)

The Group were referred to the overview of complaint data from Bryn Compost between 1st June and 31st August 2014 with it explained that a new dataset within this information enabled viewing of the complaints at a daily rate over a three-month period. Reference was made to the monthly updates sent to local residents from NRW with it hoped that residents found these newsletters informative. It was requested that residents contact NRW if they were not receiving these updates.

Officers explained that the new dataset made it clear how many complaints relating to odour had been received on a daily basis, with NRW visits to these odour locations also displayed within the dataset, together with whether or not an odour was detected during these visits. It was explained that there were no calls in June or July that triggered Officer visits but that procedures changed at the end of July which resulted in a subsequent increase in NRW visits to odour complaint locations.

The Group noted a peak of 6 odour complaints received by NRW on 2nd July 2014 which did not trigger a visit by Officers with it explained that the cause of this odour was due to farming activities within the area.

The Chair made reference to the monitoring visits from NRW detailed within the dataset and requested, that in addition to visits made in response to odour complaints, the information also display the visits made as part of NRW routine inspections. **NRW Officers arranged for this information to be clearly displayed on the next dataset of odour complaints received.**

A query was raised in regards to the cause of the odour complaint on 6th August 2014. It was explained NRW were carrying out a routine inspection at Bryn Compost that day and had detected odours off site. When on site the Officer found a small break in the seal to the ventilation system from the in-vessel composting facility which was emitting composting odours. Bryn Compost agreed to fix this section immediately and a Category 3 breach was recorded for this event.

A return routine inspection on 12th August 2014 again detected composting odours off site. It was explained that Bryn Compost had attempted to fix the leak but were unable to complete the fix to the seal due to poor weather conditions and the seal thus being unable to adhere. As they had not communicated the problem to NRW since the visit on 6th August 2014, a Category 3 breach was also recorded for this inspection. Bryn Compost informed NRW that they would implement a temporary fix until weather conditions improved so that full repair could be completed. A subsequent visit by NRW on 9th September 2014 saw that the seal had been repaired.

A query was raised in relation to the recording of breaches, and NRW clarified that two separate breaches were recorded. It was explained that had Bryn Compost informed NRW of the difficulties fixing the seal, then NRW would probably have extended the completion deadline, with only one breach recorded against the initial report. Bryn Compost will now report back to NRW if they encounter any problems in carrying out actions arising from inspections. This will enable NRW to re-assess the situation and determine if any extensions to deadlines can be given on a case-by-case basis.

It was arranged for information regarding the number of breaches and type of breach recorded against the Bryn Compost site for the current year to be forwarded to Members following the meeting.

Residents made reference to an odour complaint in the Mill Park area of Penybryn in August 2014 with it explained that it was reported to Environmental Health and the local ward member. Environmental Health Officers attended the odour location immediately upon receipt of the complaint. However by the time they arrived, the odour had dissipated. The Chair assured Members that Officers would also attend promptly to future complaints.

Reference was made to the graph within the agenda papers which displayed the number of odour complaints and the odour complaints by location. Members noted a downward trend in complaints and raised concerns that residents were being deterred from reporting repeat odour incidences because they felt the issue was already being addressed. NRW Officers encouraged residents to report all odours so that they could be investigated, and also detailed the procedure that was undertaken upon arrival at the odour location.

Members of the Group referenced a recent occasion where Environmental Health had communicated information regarding slurry spreading in the area, and the usefulness of information was noted and welcomed in that it helped residents in attributing odours to a possible source.

A query was raised regarding the current position of the proposed Anaerobic Digester facility. Mr Colley of Bryn Compost confirmed that he had consulted with a number of companies in order to progress the development and that it was hoped that this facility would be up and running as soon as possible.

Reference was made to the Urdd National Eisteddfod 2015 event which would be held in the grounds of Llancaiach Fawr manor, and a query was raised regarding contingency plans for

the addressing of odour incidents during the weekend of the event. Environmental Health Officers assured Members that they would liaise with Bryn Compost regarding the event and also that an event management plan would be prepared to ensure the safety of the event and the surrounding areas.

Members discussed the frequency of the Bryn Compost Liaison Group meetings and it was agreed that this would be reviewed at the next meeting in January 2015.

The meeting closed at 2.40 p.m.



GRANTS TO THE VOLUNTARY SECTOR PANEL

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN PARK
ON WEDNESDAY, 26TH NOVEMBER 2014 AT 5.00 PM

PRESENT:

Councillor R. Gough - Vice Chair

Councillors:

Ms L. Ackerman, Mrs A. Blackman, C. Cuss, D. Havard, C. Hawker, A. Higgs, A. Lewis and K. Lloyd.

Together with:

S. Harris (Interim Head of Corporate Finance), D. Roberts (Principal Group Accountant - Financial Advice and Support), G. Elliot (Communities First Finance Assistant) and C. Evans (Committee Services Officer).

1. APOLOGIES

Apologies for absence had been received from Councillors Mrs G. Oliver, M. Prew, R. Saralis, Mrs E. Stenner and Mrs J. Summers.

2. DECLARATIONS OF INTEREST

D. Roberts, Councillors A. Higgs and K. Lloyd declared an interest in Appendix 2 – General Criteria Awards. Councillors L. Ackerman and K. Lloyd declared an interest in Appendix 5 – Welsh Church Fund Grants Withdrawn. Details are minuted with the respective item.

3. MINUTES – 16TH JULY 2014

The Panel received and approved the minutes of the Grants to the Voluntary Sector Panel held on 16th July 2014 (minute nos. 1 - 7).

The Panel were asked to note that the Parent Network had not responded to the Panel's queries.

4. DISCRETIONARY RATE RELIEF

Mr S. Harris, Interim Head of Corporate Finance, provided the Panel with an update on the Discretionary Rate Relief Policy.

The Council is able to assist a wide range of voluntary and sporting organisations by granting rate relief. Under the Council's Scheme of Delegation, applications for discretionary rate relief submitted to the Council are determined by the Council's Head of Corporate Finance. The determination is exercised following consideration of the Council's Policy on discretionary rate relief supplemented by guidance from Welsh Government and Central Government.

Mr Harris explained that the current Policy is being reviewed and that a report will be presented to the Policy & Resources Scrutiny Committee in January 2015, prior to consideration by Cabinet in February 2015. Due to the need to serve notice, any agreed changes to the Policy would be effective from April 2016. The Panel were assured that they would be consulted throughout the process.

The draft savings proposals for 2015/16 agreed by Cabinet on the 29th October 2014 include a proposed £30,000 reduction in the GTVS budget. As any savings arising from the change in the Discretionary Rate Relief Policy will not be realised until April 2016, Mr Harris proposed that grants awarded by the Panel during the 2015/16 financial year should be funded from previous years underspends.

The Panel were in agreement with the proposal and thanked the officer for the update.

5. APPLICATIONS FOR FINANCIAL ASSISTANCE

5.1 Statement of Expenditure

Members noted the available budget for 2014-2015 together with the total amounts requested, as detailed within the report.

5.2 Welsh Church Act Fund

Councillor L. Ackerman and K. Lloyd declared a personal interest in Appendix 5 - Friends of the Navigation, due to having involvement with the organisation.

The report highlighted that Caerphilly County Borough Council has received written confirmation that the 2014/2015 budget allocation is £40,084.00. Monmouthshire County Council have confirmed that the underspends from previous years of £132,720.00 can be carried forward, resulting in a total available budget for the current year of £172,804.00. Members noted that it has been highlighted that due to the present economic climate, allocations in the future could be reduced considerably due to declining returns on investments.

Members noted the Welsh Church Act Fund applications received and approved by officers since the last meeting in accordance with the agreed criteria as set out in Appendix 3. The total allocated amounts to £4,000.00.

Members' attention was directed to Appendix 5, which provided a breakdown of applications that have exceeded the 18-month time limit to claim funding as set out in the terms and conditions. Members noted this amount totalled £4,400.00 and that the applicants have received notification that the grant has now been withdrawn. Officers highlighted that the Friends of the Navigation have requested a new application for this fund.

Members noted the process and the information contained within the report.

5.3 Applications for Financial Assistance: Panel Awards

Members were asked to consider the applications listed in Appendix 1 to the report and to make appropriate recommendations to the Interim Head of Corporate Finance for approval.

RECOMMENDED that the following applications for financial assistance be referred to the Interim Head of Corporate Finance for approval under delegated powers: -

	£
(a) Music in Hospitals	£250.00
(b) Helping Hands (Rhymney Cancer Self Help Group)	£250.00
(c) Kids Cancer Charity T/A Christian Lewis Trust	£500.00
(d) Pontllanfraith Children's Contact Centre *	£500.00

* The £500 grant for Pontllanfraith Children's Contact Centre was agreed subject to the Interim Head of Corporate Finance discussing the award with the Council's Head of Children's Services

RECOMMENDED that for the reasons outlined at the meeting, the following application for financial assistance be deferred, pending the receipt of further information: -

- (e) Cylch Meithrin Coed Duon

5.4 Applications for Financial Assistance: General Criteria Awards

D. Roberts declared a personal interest in Appendix 2, 14/GC078 - Nelson Cavaliers Football Club - a close family member plays for the club.

Councillor A. Higgs declared a personal interest in Appendix 2, 14/GC04 - CLURV, as a previous employee and 14/GC062 - Gwent Cadets, as the Armed Forces Community Covenant Champion.

Councillor K Lloyd declared a personal interest in Appendix 2, 14/GC063 - Pentwyn and District Allotments, as a plot holder.

Members noted the applications received since the last meeting, as listed in Appendix 2, which are in accordance with the agreed criteria and to be processed by officers.

The meeting closed at 5.36 p.m.

Approved and signed as a correct record subject to any amendments agreed and recorded in the minutes of the next meeting.

CHAIR

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VOLUNTARY SECTOR LIAISON COMMITTEE

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN
ON WEDNESDAY 3RD DECEMBER 2014 AT 10.30 A.M.**

PRESENT:

Mr. R. Cooke – Chair

Councillors:

Ms. L. Ackerman, P. J. Bevan, C. Hawker, K. James, A. Lewis, Mrs. J.A. Pritchard, A. Rees, Mrs. J. Summers, R. Woodyatt

Together with:

Abbeyfield	-	Mr. P. Jones
Abertridwr Community Church	-	Mr. L. Clay
Age Cymru	-	Ms. S. Brown
Bargoed YMCA	-	Ms. J. Price
Caerphilly 50+ Forum	-	Mr. D. Morgan
Caerphilly Groundwork Trust	-	Mr. R. H. Cooke
Caerphilly People First	-	Mr. C. Luke
Disability Can Do Organisation	-	Mrs. H. Williams
GAVO – Chief Executive	-	Mr. M. Featherstone
GAVO – Assistant Chief Executive	-	Mrs. E. Forbes
The Parent Network	-	Ms. M. Jones

Also present:

J. Dix (CCBC Policy & Research Manager), J. Elliott (CCBC Senior Research Officer), A. Palmer (GAVO), Sgt. R. Davies (Gwent Police), C. Hunt (Regional Community Cohesion Officer – West Gwent), M. Chapman (Office of the Police & Crime Commissioner for Gwent)

1. APOLOGIES

Apologies for absence were received from Cllrs. Mrs. E. M. Aldworth, J. Bevan, D. G. Carter, Mrs. P. Cook, R. W. Gough, Mrs. P. Griffiths.

Also from, Ms. P. Jones (Caerphilly Care & Repair), Ms. J. Lawton (Caerphilly MIND), Mrs. B. Helps (Caerphilly Parents & Carers Forum), Mr. A. Read (Cancercareline), Mrs. C. Williams (Cruse Bereavement Care), Mr. G. Mitchell (Graig-Y-Rhacca Communities Partnership), Ms. G. Jervis (Homestart Caerphilly Borough), Mrs. J. Morgan (New CLURV), Mr. M. Thorne (SYDIC), Mr. K. Viney (The Settlement), Mrs. M. Wade (The Vanguard Centre), Mr. J. Wade (Van Road United Reformed Church), Mr. D. Brunton (Vice Chair Voluntary Sector Representatives), Ms. S. Crane (ABUHB), Mrs. D. Crossman (South Wales Fire & Rescue Service), Mr. H. Llewellyn (Town & Community Councils Representative), Mrs. D. Lovering (Caerphilly Business Forum Representative).

2. DECLARATION OF INTEREST

None declared.

3. MINUTES

3.1 Disappointment was expressed at the lack of representation from the ABUHB, when questions were wished to be asked regarding the present situation at the Trinant Surgery. It was commented that the ABUHB had also not attended the Health Social Care and Wellbeing Committee on 2nd December 2014. It was requested that the Chair of the Voluntary Sector Liaison Committee send a letter to the ABUHB on the importance of attending the Voluntary Sector Liaison Committee meetings.

3.2 The accuracy of the minutes of 17th September 2014 was agreed.

4. SAFEGUARDING PUBLIC SERVICES – WHAT ROLE CAN THE THIRD SECTOR PLAY?

4.1 Chris Burns (Interim Chief Executive, CCBC) introduced the open budget discussion with the Committee around what role can the third sector play in these times of public sector budget constraints. He informed that CCBC is facing a cut of 3.4% in the local government provisional settlement for 2015/16 and will need to make an estimated saving of £39m over the next three years. All CCBC services will be looking at a 20% reduction over the next 3-years. He noted CCBC is seeking an early engagement with services users, with the emphasis on protecting front line services, and looking at possibly reducing services rather than loosing services all together. Back office functions, such as administration, will be cut back as far as possible, and there will be streamlining of the CCBC's estate. The challenge for CCBC will be on how to provide services for the future, and focus on what matters most to local communities, in providing more imaginative and innovative ways of working with partners in service delivery. The good model of the voluntary sector working with partners was noted, with the CCBC's door open for suggestions in working together to provide services in local communities around the reduced budget.

4.2 Martin Featherstone (Chief Executive, Gwent Association of Voluntary Organisations (GAVO)) thanked CCBC for having an open door policy for hearing suggestions from the voluntary sector. He mentioned that GAVO was in the process of developing a voluntary sector leadership group, which will be looking at shared approaches to public sector delivery. He noted that it would be helpful in moving the discussion on around shared services for CCBC to be more specific about what it is looking for the voluntary sector to take on.

4.3 Cyril Luke (Caerphilly People First) and Michelle Jones (The Parent Network) discussed the partnership work they are doing with Social Services around day services for people with a learning disability. CCBC have calculated that half of its budget for day services is consumed by costs of transporting people to the day centres. The Parent Network helped with Caerphilly People First consultation with the parents of children and young people attending day services, and it has been found that alternative sources of transport can be sourced through parents and the voluntary sector in reducing costs. In addition Caerphilly People First have surveyed service users of learning disability services, and found 98% satisfaction with services received. A meeting is being held with Social Services in February 2015 to further consider the transport options. Cllr Woodyatt noted his support of the work being undertaken by Mr Luke and Ms Jones.

4.4 The beneficial experience of providing volunteering opportunities was described by Caerphilly People First. The organisation has taken on ten volunteers who have a learning disability, who are now running a range of good training courses on meeting the needs of people with learning disabilities. It was commented that some people with learning disabilities run Woodfield Services and Blackberry Catering which are working well, but would benefit through better marketing.

- 4.5 It was noted that a trigger in developing a solution to the transport costs of getting people to day services, was having the specifics of the situation. It was suggested that it would be helpful to know the specifics of what CCBC would like the voluntary sector to take on.
- 4.6 Peter Jones, Abbeyfield Wales Society Ltd described how Abbeyfield in Wales provides a range of care services for older people including people with dementia. In Caerphilly, Abbeyfield provides two supported care homes. He noted the growing problem of loneliness among the older population. He commented that Abbeyfield would welcome an early dialogue with CCBC over what Abbeyfield can do in providing innovative care. He also noted that there are funds available to the voluntary sector, which are unavailable to local authorities. Mr Jones asked for budget discussions to become a standing item on the agenda.
- 4.7 Cllr P.J. Bevan observed how this agenda item was just the start of an important conversation around shared services with the voluntary sector. He stressed the importance of voluntary organisations being aware of the complexity in taking on council services, such as libraries and community facilities, and the need to understand the full financial undertaking. He noted that there were possibilities for town and community councils to take on services through a small rise in precepts, if required, and agreed by the residents affected.
- 4.8 Cllr Pritchard suggested that the voluntary sector should familiarise themselves with the budget reports being considered at CCBC scrutiny committees, which contain lots of detail on specific information. Cllr Pritchard also alerted to the technological advances, which were resulting in savings, and gave the example of low energy street lighting being introduced, which as well as reducing costs, were contributing to carbon reductions.
- 4.9 Cllr Woodyatt noted the importance of shaping services with people who use services. He highlighted the budget consultation which features in the current edition of the Council's *Newsline*, and the drop in consultation events being held in local communities, which are dealing with the specifics of the current budget situation.
- 4.10 Chris Burns said while he understood comments about the voluntary sector requiring a list of services that they could potentially take over, this was not possible at this stage. It was noted that at the moment CCBC was trying to keep budget reductions fairly modest in comparison to some other South Wales councils. However, once the budget for 2015-16 is set, councillors will need to look at budgets over the next two years, and so by the Spring CCBC may be able to give a better steer. The importance of two way discussion between CCBC and the voluntary sector was highlighted, with the Council being receptive to ideas.
- 4.11 Cllr P.J Bevan commented that there are two years for continuing discussions with the voluntary sector over this, and it is important for community and town councils to become involved. Cllr Bevan in support of Mr Jones suggestion on budget discussions put forward the recommendation for budget discussions to become a standing item on the agenda, which was passed.

5. MAINSTREAMING COMMUNITY COHESION – VERBAL REPORT BY CHRIS HUNT REGIONAL COMMUNITY COHESION CO-ORDINATOR (WEST GWENT)

- 5.1 Chris Hunt noted committee report is for raising awareness of the community cohesion agenda and promoting the need to embed cohesion within both the statutory and voluntary sector. He described the background to the development of the community cohesion agenda as residing in lessons learned from the 2001 civil disturbances in Northern England - Bradford, Burnley and Oldham and in Wales 2003 - Wrexham. In the aftermath of these public disturbances the government took two approaches regarding community cohesion: targeted community interventions and mainstreaming. The first refers to projects specifically relating to community cohesion i.e. that aim at directly bringing people together and on creating a sense of belonging. The second refers to introducing the principles of community cohesion to all the work undertaken by government at local, regional and national levels.

5.2 *Why mainstream community cohesion?* This is because we are living in increasingly diverse communities which can often present challenges in the way people get on together; immigration, deprivation, prosperity can all impact the way communities integrate with each other and on rare occasions these factors can create community tensions which can disrupt cohesion. Recognising local cohesion priorities (such as the growing influence of far right extremism or the intolerance of some communities towards diversity or difference) and strategically embedding cohesion in the way we provide services and support communities, can encourage communities to become more cohesive, particularly with regards to tackling intolerance, and to develop greater community resilience to violent extremism.

5.3 The Welsh Assembly Government launched *Getting on Together* the national community cohesion strategy for Wales along with the first of its funding streams in 2009, as part of the Welsh Assembly Government's One Wales commitment to achieve a 'fair and just society, a place where all citizens are empowered to determine their own lives and shape the communities in which they live'.

<http://wales.gov.uk/docs/dsijq/publications/commsafety/091130ccstratenv1.pdf>

Easy read version

<http://wales.gov.uk/docs/dsijq/publications/commsafety/100706gotreaden.pdf>

5.4 *What is Mainstreaming?* The following is taken from the *Mainstreaming Community Cohesion Guidance for Local Authorities* (Sheffield Hallam University) [Local Authority Mainstreaming Community Cohesion Guidance](#)

'Mainstreaming involves infusing the principles and priorities of the community cohesion agenda into the collective consciousness of a local authority or partnership so that responsibility for building cohesion is embedded within the everyday duties and functions of all departments and partners'.

5.5 The potential role of the voluntary sector in developing community cohesion is seen in its role with communities. Whilst the public sector has the potential to influence policy-making and service delivery, especially on issues such as housing and policing, the role of the third sector (in relation to the cohesion agenda) can be seen more in terms of liaising directly with communities, especially those defined as 'hard-to reach' communities and communities of interest.

5.6 Mr Hunt was asked if Communities First would be an important link to develop with communities and the voluntary sector around community cohesion. He said that he was working with Communities First in several areas of the county borough, to involve them with the principles of Community Cohesion in local action plans.

6. **THE COMPACT AGREEMENT AND ANNUAL ACTION PLAN – JACKIE DIX (CCBC POLICY & RESEARCH MANAGER)**

6.1 Jackie Dix as requested by the Voluntary Sector Representatives sitting on the Committee gave the background to the Compact Agreement and Annual Compact Action Plan. Following the recent consultation on the Compact Action Plan 2015-16 the Committee were asked to endorse the new Compact Annual Action Plan, which was approved by the Committee.

7. **COMMUNITY PLANNING QUARTERLY BRIEFING – OCTOBER TO DECEMBER 2014**

7.1 This is an information only item.

8. DATE OF NEXT MEETING: 18TH MARCH 2015 AT 10.30AM IN THE SIRHOWY AND EBBW COMBINED ROOMS

Next meeting on the 18th March 2015, will be held at 10.30am in the Sirhowy and Ebbw combined rooms.

The Chair wished everyone a Happy Christmas and Prosperous New Year.

Meeting ended 12.05pm.

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YSTRAD MYNACH TOWN CENTRE MANAGEMENT GROUP

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE ON TUESDAY 25TH NOVEMBER 2014 AT 2:00PM

PRESENT:

Councillors:

A. Angel, D. Bolter, K. James, E. Aldworth

Together with:

C. Mortimer (Clerk), Inspector Ian Bartholomew (Gwent Police), Mr W Jeff (Tredomen Allotments Association), Dr M Jorro (Rhymney Valley Music Club), Mr K Jones (Ystrad Mynach Partnership)

Also:

A. Dallimore (Team Leader – Urban Renewal & Conservation), A. Highway (Town Centre Development Manager), A. Jones (Clerk)

1. TO RECEIVE APOLOGIES FOR ABSENCE

Councillors: M. James, J. A. Pritchard, D. T Davies
S. Wilcox (Assistant Town Centre Manager), P. Hudson (Marketing and Events Manager)

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. TO NOTE THE PREVIOUS MINUTES OF MEETING HELD ON 15TH JULY 2014

Dr Jorro was not noted as sending in apologies. C. Mortimer advised on item 8 the last but one paragraph should have read 'preserve' not 'reserve'.

The minutes were taken as read, subject to the above amendments.

4. ARTWORK SILOH SQUARE

Mr Dallimore advised that in the previous meeting he said he would look into the condition of the artwork and consider possible solutions for its repair.

The group were presented with the following two options:

- Option 1 – Circular block paving costing £4,531.00 with little maintenance
- Option 2 – A resin-bound gravel costing £5,952.94 that requires regular cleaning to maintain colour

The group were invited to vote on the preferred option and a show of hands were 5 in favour of option 1.

The group discussed the removal of the dome and the fountain feature and a show of hands were 5 in favour of removing both items. Mr Dallimore will examine the possible relocation of the fountain within the surrounding area.

5. 'CHOOSE THE HIGH STREET' CAMPAIGN PROGRESS UPDATE

Mr. Highway informed the group that the Portas Review (2011) identified several threats to town centres. The "Choose the High Street" (CTHS) campaign aimed to promote the County Borough's principal town centres to the public and businesses alike. Starting in the summer of 2014, the CTHS initiative used several platforms to highlight the brand and town centres; these included: free cotton shopping bags bearing the logo, billboards in the town centres, balloons and leaflets distributed at summer events and a series of YouTube videos.

The number of new businesses and potential business enquiries were summarised in the report, along with feedback from business and public surveys, which gave differing perceptions of the campaign. However, it was noted that there was a very small number of business surveys received.

The campaign is intended to be long-term, aiming to make people change their attitudes and shopping habits to support local businesses. Mr. Highway stated that it would continue as long as budgetary commitments allowed, bearing in mind the Medium Term Financial Plan for the Authority.

6. 'CHOOSE THE HIGH STREET @ CHRISTMAS'

Mr. Highway provided an overview of the "Choose the High Street @ Christmas" campaign, which aims to link in with the existing, ongoing campaign, but also continue the Christmas discount scheme that has been run since 2012.

Following feedback from previous years, it was decided that the format for 2014 would be slightly different. During the last two years, any offers submitted by businesses were listed on a Website. To redeem the relevant offer, the consumer would present a discount card at the time of sale. This was deemed to be too complicated by businesses and was supported by the fact that transactional use of the card was low, despite 30,000 cards being distributed across the County Borough.

The Christmas 2014 format is based around a voucher booklet. To redeem an offer, the relevant voucher is cut out from the booklet and presented at the time of sale. Businesses were sent a letter, sign-up form and prepaid return envelope with the Town Centre Gazette and this simpler format has proved popular, resulting in 92 offers being received – the highest to date.

Voucher booklets will be available in Libraries and Customer First centres in the town centres, as well as at some of the visitor attractions. Publicity of the scheme, which goes live on 1st December 2014, will be via Heart FM, The South Wales Advertiser, Caerphilly Observer, Newline, CCBC's Website and social media.

A second element of the Christmas campaign is the launch of a "Pop-Up Shop Guide" that outlines the steps that need to be undertaken in order to establish a short-term use of a property. This is particularly useful for budding entrepreneurs who want to try a business model during the key pre-Christmas trading period. The guide is available in both hard and electronic copy.

Mr Highway passed his thanks to Chairman and their members for handing out voucher booklets in the Christmas Fare.

7. CHRISTMAS EVENT FEEDBACK

Mr Highway passed on apologies from Mr Hudson and said that feedback was very positive.

The Chairman confirmed that the event was very successful and there were approximately 4,000 visitors.

Feedback from retailers, visitors and stall operators was overall very positive. One operator commented on how this was the best event he had attended as the warmth of local community really stood out to them and he wanted to return next year.

The Chairman highlighted problems with JPL who were providing the sound system. It was felt that they were rude to some people. The Chairman asked if there could be an alternative operator booked for next year's event.

Mr Jones advised that there was a problem with Co-speedy and the Christmas lights – some of the bulbs were not working and there was no safety switch fitted. These could have been checked overnight as they were delivered the day before and stored in David Lloyd's building yard. Replacements had to be brought in.

Mr Highway will pass comments back to Mr Hudson.

8. YSTRAD MYNACH TOWN CENTRE AUDIT – OCTOBER 2014

Members enquired about the item on audit for bus stop location. Mr Highway advised the group that all options have been looked at, by officers and bus companies. It has been confirmed that the bus stop will remain as it is.

The Chairman advised that there are issues at certain busy times of the day where emergency services are not able to get through.

Inspector Bartholomew confirmed that he was not aware of any incidents that emergency services were not able to get through but will look into this and feedback to transportation.

Mr Highway will also add the emergency services blue light issue to the audit report in addition officers will discuss with traffic management possibly changing traffic orders.

Meeting closed at 15:12

CHAIRMAN

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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 17TH FEBRUARY 2015

**SUBJECT: SUMMARY OF MEMBERS' ATTENDANCE – QUARTER 3 –
1ST OCTOBER 2014 TO 31ST DECEMBER 2014**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151
OFFICER**

1. PURPOSE OF REPORT

1.1 To report Members' levels of attendance at scheduled meetings of Caerphilly County Borough Council.

2. SUMMARY

2.1 The report details the attendance of Members at scheduled meetings throughout the Quarter 1st October to 31st December.

3. THE REPORT

3.1 Appendix 1 details Members' attendance for quarter 3 (1st October 2014 to 31st December 2014), at the following meetings:

- Council;
- Cabinet;
- Scrutiny Committees;
- Planning Committee;
- Audit Committee;
- Democratic Services Committee; and
- Sustainable Development Advisory Panel.

3.2 The information is compiled from attendance sheets signed by Members at these meetings.

3.3 The appendix also allows for a comparison with the same period in the preceding two years. When making comparisons to previous quarters/years, please note that overall averages given are the weighted average to reflect the number of meetings in each quarter.

3.4 Details for the next quarter (1st January 2015 to 31st March 2015) will be reported to the next appropriate meeting of the Scrutiny Committee.

4. EQUALITIES IMPLICATIONS

4.1 There are no specific equalities implications arising as a result of this report.

5. FINANCIAL IMPLICATIONS

5.1 There are no specific financial implications arising as a result of this report.

6. PERSONNEL IMPLICATIONS

6.1 There are no specific personnel implications arising as a result of this report.

7. CONSULTATIONS

7.1 None.

8. RECOMMENDATIONS

8.1 That Members note the content of the report.

9. REASONS FOR THE RECOMMENDATIONS

9.1 To inform Members of attendance levels at scheduled meetings of Caerphilly County Borough Council from the Annual Meeting of Council, 2014.

Author: C. Evans (Committee Services Officer)

Background Papers:
Member attendance sheets

Appendices:
Appendix 1 Schedule of Members' Attendance 2012 to 2015

Quarterly Summary of Attendance Levels (Percentages)

AGM to AGM

	2012-2013					2013-2014					2014-2015				
	Q1	Q2	Q3	Q4	Total	Q1	Q2	Q3	Q4	Total	Q1	Q2	Q3	Q4	Total
Council	89	88	85	81	84	87	82	82	88	85	84	84	75		81
Crime & Disorder		38		59	59		69		94	82		81			81
Education For Life	75	78	66	69	72	72	75	69	75	73	66	65	81		71
Health, Social Care & Wellbeing	88	75	85	88	84	75	66	78	69	72	75	73	74		74
The Living Environment															
Regeneration															
Regeneration and Environment	69	77	71	88	76	69	63	81	84	74	81	80	77		79
Policy & Resources	81	88	71	79	77	69	78	84	85	79	78	77	88		81
Planning Committee	75	83	80	74	78	75	82	85	89	83	85	75	73		78
Audit Committee		58	50	42	48	83	75	67	83	77	58	83	58		66
Democratic Services Committee		44	63	69	60	69		69	75	71	88	75	69		77
Sustainable Development Advisory Panel	73	45	64	45	61	64	64		64	64		82	55		69
Average Attendance per quarter	78	67	71	71	74	74	72	77	81	76	77	86	81		81
Cabinet	90	94	93	88	91	95	82	92	93	91	93	93	95		94

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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 17TH FEBRUARY 2015

**SUBJECT: REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE
FORWARD WORK PROGRAMME**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151
OFFICER**

1. PURPOSE OF REPORT

1.1 To report the Regeneration and Environment Scrutiny Committee Forward Work Programme

2. SUMMARY

2.1 Forward Work Programmes are essential to ensure that Scrutiny Committee agendas reflect the strategic issues facing the Council and other priorities raised by Members, the public or stakeholders.

3. LINKS TO STRATEGY

3.1 The operation of scrutiny is required by the Local Government Act 2000 and subsequent Assembly legislation.

4. THE REPORT

4.1 The Regeneration and Environment Scrutiny Committee Forward Work Programme identifies reports that are due to be presented to scrutiny during the period February to April 2015 and have followed consultation process which includes key stakeholders and the public.

4.2 For information, the latest Regeneration and Environment Scrutiny Committee Forward Work Programme is attached at Appendix 1.

5. EQUALITIES IMPLICATIONS

5.1 There are no specific equalities implications arising as a result of this report.

6. FINANCIAL IMPLICATIONS

6.1 There are no specific financial implications arising as a result of this report.

7. PERSONNEL IMPLICATIONS

7.1 There are no specific personnel implications arising as a result of this report.

8. CONSULTATIONS

8.1 There are no consultation responses that have not been included in this report.

9. RECOMMENDATIONS

9.1 That Members note the Forward Work Programme.

10. REASONS FOR THE RECOMMENDATIONS

10.1 To improve the operation of scrutiny.

11. STATUTORY POWER

11.1 The Local Government Act 2000.

Author: Catherine Forbes-Thompson Scrutiny Research Officer
Consultees: Jonathan Jones Democratic Services Manager

Appendices:
Appendix 1 Regeneration and Environment Scrutiny Committee Forward Work Programme

Regeneration and Environment Scrutiny Committee Forward Work Programme – February to April 2015		
Subject Area	Report Title	Proposed Meeting Date
Pre-decision Scrutiny	Public Protection Enforcement Policy	17 th February 2015
	Gwent Trading Standards Project full Business Case	17 th February 2015
	Strategic Review of Outdoor Sports Facilities	31 st March 2015
Consultation & Information	Town Centre Information Group	17 th February 2015
	Review of the Play Action Plan	17 th February 2015
Performance Management; <ul style="list-style-type: none"> • WAO Service Performance Reports • Improvement Objectives • Council Self-evaluation • Service Improvement Plans 	No reports for this area	
Budget Monitoring	Budget Monitoring and Trading Account Report 2014/2015	17 th February 2015
Ombudsman Reports	No reports for this area	
Task and Finish Group	No reports for this area	

Subject Area	Report Title	Proposed Meeting Date
Members/ Public Requests, Call-ins & CCfA	Taxi Trade Licensing requirements and compliance	31 st March 2015
Scrutiny of Designated Persons and Other Organisations	No reports for this area	