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**Date: 17th April 2019**

Dear Sir/Madam,

A meeting of the **Cabinet** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 24th April, 2019** at **10.30 am** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided if requested.

All Committee meetings are open to the Press and Public, observers and participants are asked to conduct themselves with respect and consideration for others. Please note that failure to do so will result in you being asked to leave the meeting and you may be escorted from the premises.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy'.

**Christina Harrhy**  
INTERIM CHIEF EXECUTIVE

## AGENDA

- 1 To receive apologies for absence.
- 2 Declarations of Interest.

Pages

Councillors and Officers are reminded of their personal responsibility to declare any personal

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and/or prejudicial interest(s) in respect of any item of business on the 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 Cabinet held on 10th April 2019. 1 - 10

To receive and consider the following reports on which executive decisions are required: -

4 Junior and Youth Forum Priorities. 11 - 16

5 To Adopt the Welsh Government (WG) 'High Street and Retail Rate Relief' Scheme 2019/20 - Grant Funding. 17 - 42

**Circulation:**

Councillors C.J. Cuss, N. George, C.J. Gordon, Mrs B. A. Jones, P.A. Marsden, S. Morgan, L. Phipps, D.V. Poole and Mrs E. Stenner,

And Appropriate Officers.

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## CABINET

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY, 10TH APRIL 2019 AT 10.30 A.M.

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#### PRESENT:

Councillor D. Poole - Chair

#### Councillors:

C. Cuss (Social Care and Wellbeing), N. George (Neighbourhood Services), C.J. Gordon (Corporate Services), Mrs B.A. Jones (Finance, Performance and Governance), P. Marsden (Education and Achievement), S. Morgan (Economy, Infrastructure and Sustainability), L. Phipps (Homes and Places) and E. Stenner (Environment and Public Protection).

#### Together with:

C. Harrhy (Interim Chief Executive), E. Edmunds (Corporate Director – Education and Corporate Services), S. Street (Corporate Direction – Social Services and Housing) and M. S. Williams (Interim Corporate Director - Communities).

#### Also in Attendance:

S. Couzens (Chief Housing Officer), S. Harris (Interim Head of Business Improvement), J. Lougher (Sport and Development Manager), J. Reynolds (Sports and Leisure Facilities Manager), S. Richards (Head of Education, Planning & Strategy), M. Williams (Interim Head of Property Services), R. Tranter (Head of Legal Services/Monitoring Officer) and C. Evans (Committee Services Officer).

#### 1. **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

#### 2. **DECLARATIONS OF INTEREST**

Councillor C. Gordon declared a personal and prejudicial interest in Item 9 (Pontllanfraith Leisure Centre) and left the meeting during its consideration. Details of which are recorded with the respective item.

#### 3. **CABINET – 27TH MARCH 2019**

RESOLVED that the minutes of the meeting held on 27th March 2019 were approved and signed as a correct record.

## **MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED**

### **4. CAERPHELLY CENTRE FOR CHILDREN WITH ADDITIONAL NEEDS**

The report provided Cabinet with details of a proposal for the provision of a new centre for children with additional needs, to replace the existing Caerphilly Children's Centre at Energlyn, Caerphilly and sought approval to proceed with a formal consultation exercise with regard to this potential new development.

In October 2016 Cabinet approved the allocation of capital funding to build a new Children's Centre as part of the Capital Programme for 2017/18. Although plans were ready to develop, further discussion with health colleagues around the need to link this to the integrated hubs work and ensure services are future proofed as much as possible, delayed the decision to proceed.

Cabinet noted that the Council are now in a position to progress with the development as a suitable site has been identified, namely the lower plateau of the now surplus Pontllanfraith Comprehensive School. As a result, Cabinet were asked to note this opportunity and allow key officers to proceed with a formal consultation exercise with regard to this potential new development.

The Corporate Director for Social Services and Housing added that the current Children's Centre provides a highly valued service and the report offers an opportunity to further develop on this, providing a more fit for purpose venue, in a more centralised location, with upgraded or additional provision for service users.

Discussions took place around the consultation process and clarification was sought on the partners who would be consulted. Officers explained that all Statutory Partners would be consulted as part of the process, which included Service Users and Voluntary Organisations, as well as information being made available on the Council website and Social Media.

Cabinet Members acknowledged that the Children's Centre is an excellent and valued resource but in need of some upgrades and modernisation and sought further information on the advantages of moving to a new site. Officers outlined that the current Centre is located at the lower end of the valley, and at the base of steep hill, which can be problematic for both access and travel, the new location would be more central within the borough and reduce access issues. It was noted that the Hydro pool is no longer fit for purpose, and there are limited therapy rooms, the new Centre would enable users to access a more state of the art premises, offering a broader range of services.

Discussions took place around the additional funding of £900k, which has been sought from Welsh Government (WG). Cabinet were reassured that the £3.1million, which has been allocated to the project will provide a fit for purpose Children's Centre, however additional funding will ensure future proofing. WG have been contacted, with the support of the Aneurin Bevan University Health Board to request additional £900k funding and further information has also been provided, however a response is currently pending. Cabinet noted that the consultation is proposed for a period of 12 weeks and Officers are confident that WG will have provided a response by this time.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's Report it be agreed that the Officers proceed with a formal consultation exercise with regard to this potential new development.

**5. PROGRESS REPORT – RESIDENTIAL REDEVELOPMENT OF THE SITE OF THE FORMER CIVIC CENTRE, PONTLLANFRAITH**

The report provided a progress update on the proposed residential redevelopment of the site of the former Civic Centre in Pontllanfraith, which was considered by the Policy and Resources Scrutiny Committee on 12th March 2019.

Following the decision taken by Cabinet on 3rd October 2018, master planning for a residential development on the site of the former Civic Centre in Pontllanfraith has been progressed in conjunction with Registered Social Landlord, Pobl.

The outline proposals adhere to the Cabinet decision insofar as they are based on the Garden Village model and comprise broadly equal proportions of social rented, shared ownership and market sale and approximately two thirds of the development will be classed as 'affordable'.

Whilst the master planning to date is work in progress it gives assurance that the project is being developed in accordance with the direction given by Cabinet.

With prior approval of the Leader, Mrs Harmer, Local Resident and Granddaughter of Sir Harold Finch, the former MP, was invited to speak in respect of this item. Mrs Harmer provided Cabinet with a detailed background on the memorial park, and raised concerns for the habitat with the park, meadows with protected SSS1 status, local but rare species of birds and wildlife within the woodlands and wetlands area of the site and the potential loss of natural heritage for the area. In addition, Mrs Harmer expressed particular concern for the proposed movement of the memorial stone, which the Council has a duty to protect and maintain.

Officers outlined that previous discussions have taken place with Mrs Harmer in which a number of concerns were addressed.

Cabinet were asked to note that there is no legal covenant in place which would prevent development of the land on proposed footprint and were assured that the principle plans for the housing development site would remain within the footprint of the previous Council Office and car park site, which included a grassed area at the rear of the plot. It was however confirmed that land to the north of the site, including the pond, woodland area and meadows are not part of the footprint for the development. In addition, Officers explained that a proposal has been made to move the memorial stone, along with a time capsule to the new entrance to the park, making the memorial more prominent.

The Leader, in clarifying the purpose of the report, and proposal of the site offered assurances to Mrs Harmer that further discussions between her and council officers would take place, at the point of the planning application stage, in which further consideration would be given for the site plan, however the report at present is to outline, in principle, that a proportion of the site be allocated to Caerphilly Homes as Council housing.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's Report:

- i) The contents of the report be noted;
- ii) the proposal to transfer the social element of this development to Caerphilly Homes, with the purchase cost being covered from the Housing Revenue Account, be approved.

## 6. IMPROVEMENTS TO THE FITNESS SUITE AT NEWBRIDGE LEISURE CENTRE

The report sought Cabinet approval for the allocation of one-off funding for improvement works to the fitness suite at Newbridge Leisure Centre.

In November 2018, Cabinet approved the Authority's Sport and Active Recreation Strategy 2019-2029, which sets out a future purpose and direction for the provision of sport and active recreation in Caerphilly County Borough.

The Council's Sport and Active Recreation Strategy describes over 500 different sport and physical activity spaces across the County Borough, including 10 leisure centres with Newbridge Leisure Centre being identified as one of four strategic facilities.

It was noted that a key income stream is being compromised at Newbridge Leisure Centre due to lack of investment and outdated equipment and as a result, an opportunity has been identified to significantly develop and improve the current provision through the conversion of underutilised squash courts.

A Cabinet Member queried the utilisation of the squash courts as part of the proposal, however Officers explained that there has been a significant decline in the take up of racket sports, and an increase in the take up of group exercise, as result, it was felt that the utilisation of this space to allocate for other activities would meet the needs of, and increase opportunity, participation and users.

The National Exercise Referral Scheme was discussed and it was noted that, whilst this is not currently something that has been facilitated with Newbridge Leisure Centre, it could be something that can be accommodated over time. However, it is hoped that prevention work can be undertaken through the project, along with working in partnership with the adjoining school to encourage more young people into activities and fitness, thus reducing the need for the Exercise Referral Scheme in the future.

Queries were raised around the current car parking provision at the Leisure Centre and whether there is scope to utilise some of the space within the School. Officers confirmed that discussions are under way with the School to utilise a number of facilities, including land within the school for car parking.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons outlined in the Officers Report a one-off investment of £550k to support facility improvement, developments, and equipment purchase in the fitness suite at Newbridge Leisure Centre be approved; funded from the following sources:

- £253k from the Corporate Asset Management capital budget;
- £92k from unutilised capital funding previously allocated for urgent works at Caerphilly Leisure Centre;
- £205k from the one-off rebate received from HMRC in respect of a VAT exemption on the supply of sporting services (as reported to Cabinet at its meeting on 19th September 2018).

## 7. WELSH GOVERNMENT COMMUNITY HUB GRANT 2019/20

The report provided details of the Authority's bid to Welsh Government for Community Hub Grants, to develop a Community Athletics Hub at Rhiw-syr-Dafydd Primary School and in collaboration with Coleg Gwent to provide a Community Sporting Excellence Education Hub (Installation of a 3G multi use all weather pitch with flood lights) on the Risca Community Comprehensive School Site, and sought approval to progress to procurement and construction with immediate effect, if the Business Cases are approved and funding agreed.

At the end of November 2018 Welsh Government (WG) announced a £15 million Community Hub Grant. This grant was accessible to all Local Authorities and Further Education establishments via a bidding process.

It was noted that the primary purpose of the Welsh Government Community Hub Grant is to use capital investment to facilitate the community use of educational assets. This grant can be used to adapt assets in question; or create a fit for purpose space for the community. This is in line with the Welsh Government's 'Prosperity for All' commitment to introduce Community Learning Centres, which provide extended services with childcare, parenting support, family learning and community access to facilities built around the school day; and creation of community hubs.

Two Business Cases were submitted to Welsh Government to access this grant which, if supported, would provide 100% funding for the construction of an Athletics Facility on the school fields located at Rhiw-syr-Dafydd Primary School, the amount of this bid is £755k and; Develop a Community Sporting Excellence Education Hub (Installation of a 3G all weather multi use pitch with flood lights) on the Risca Community Comprehensive School site. This bid has been submitted by Coleg Gwent in partnership with Caerphilly County Borough Council. The project will be on the school site and procured and constructed by the Authority. The 3G facility will meet both rugby and football governing body requirements. The amount of this bid is £900k.

It was noted that these facilities will address both the gap in sporting provision in these areas and will present an opportunity to develop both recreation and competitive sport linking with our local clubs and will align with the Authority's Sport and Active Recreation Strategy 2019-2029, Caerphilly's Wellbeing Objectives 2018 to 2023 and Caerphilly's Education Attainment Strategy.

Cabinet were also asked to note that since the publication of the report, Welsh Government has approved the application for the £755k Athletics facility at Rhiw-syr-Dafydd Primary School. A Community Use Agreement has been developed which will enable local running and athletics clubs to use the facilities. It was however noted that the bid to develop a Community Sporting Excellence Education Hub is currently on a reserve list, and work is underway to determine how this will be taken forward.

Cabinet were pleased to note the report and update and sought further information around the Athletics Facility, which has been designated as a training track. Officers explained that this site will be entirely fit for purpose for training and junior competitions; however, there will not be the required facilities infrastructure to hold senior competitive events, which require stands and spectator accommodation.

Following consideration and discussion it was moved and seconded that the recommendation in the report be approved. By a show of hands, this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers Report:

- i) the proposal to establish a 21st Century Athletic Facility on the Rhiw-syr-Dafydd Primary School Site, subject to Welsh Government approval and allocation of £755k funding (100% funded by Welsh Government) be endorsed;

- ii) the proposal to develop a Community/ Sporting Education Excellence Hub (3G Multi-use all weather pitch plus floodlights) on the Risca Community Comprehensive School site, in partnership with Coleg Gwent, subject to Welsh Government approval and allocation of £900k funding (100% funded by Welsh Government) be endorsed;
- iii) subject to Welsh Government approval, it be agreed for Officers to proceed to procurement and construction and agree the establishment of an earmarked reserve facility in the Education area of the Council's accounts for major maintenance repairs and ultimately renewal of fixed life elements.

**8. WELSH GOVERNMENT 21st CENTURY SCHOOLS AND EDUCATION PROGRAMME – 3G MULTI USE ALL WEATHER PITCH AT BLACKWOOD COMPREHENSIVE SCHOOL**

The report provided Members with an update on the 3G multi use all weather pitch at Blackwood Comprehensive School and sought agreement to establish an earmarked reserve facility in the Education area of the Council's accounts, for major maintenance repairs and ultimately renewal of fixed life elements. In addition, the report provided Members with an update on the School 21st Century Schools and Education Band A Programme in relation to Trinity Fields Special School.

It was noted that through effective financial and project management of the 21st Century School and Education Programme Band A, the Council identified an underspend that Members agreed to earmark for a 3G multi use all weather pitch at Blackwood Comprehensive School and remodelling works at Trinity Fields Special School.

The Business Case for Blackwood Comprehensive School facility was agreed by Welsh Government (WG) in October 2018. The scheme is due for completion at the start of the Summer term 2019.

A Community Use Agreement has been signed Blackwood Comprehensive School to ensure maximum usage and engagement on the site. This will generate income to provide sustainability and provide revenue to maintain the 3G multi use all weather pitch in the longer term.

It was noted that the Business Case for the remodelling of Trinity Fields Special School was agreed by WG in November 2018. A working group has been established to ensure the effective and efficient delivery of the project. The project is being undertaken in manageable stages as the majority of the work will be carried out with the pupils in situ or during school holidays. The first priority of the plan is in relation to the additional classroom in order to be able to address the growing demand on the school.

Cabinet were pleased to note the progress within the report and sought reassurance that there would be sufficient funding for the 3G pitch at Blackwood Comprehensive School to be maintained and replaced where necessary. Officers explained that, it has been projected that the income generation opportunity would provide sufficient revenue to maintain the 3G pitch and replace in 12 years, as well as additional revenue.

A Member queried the difference between the 3G pitch, which has been implemented at Blackwood Comprehensive School, and the current provision in the area. Officers explained that there are a number of technical differences between the two, however the latest 3G pitch is a multi-use provision, allowing for both rugby and football at a competitive level to be played.

Discussions took place around the improvements to be made at Trinity Fields Special School and Cabinet were pleased to note the proposals, which would have a significant impact on the



already exemplary work being undertaken at the school.

Finally, Cabinet expressed their gratitude to the Head of Education, Planning and Strategy and her team for the excellent delivery of the Band A Programme and generation of an underspend, which has enabled these improvements to be made elsewhere.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By a show of hands, this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers report:

- i) the establishment of an earmarked reserve facility in the Education area of the Council's accounts for major maintenance repairs and ultimately renewal of fixed life elements of the 3G multi use all weather pitch at Blackwood Comprehensive School be agreed;
- ii) the progress in relation to the investment at Trinity Fields Special School be noted.

## **9. PONTLLANFRAITH LEISURE CENTRE**

Councillor C. Gordon declared a personal and prejudicial interest in this item as a service user of the Leisure Centre and left the meeting before the item was considered.

The report, which was presented to the Regeneration and Environment Scrutiny Committee on 26th March 2019, sought Cabinet approval to close Pontllanfraith Leisure Centre.

It was noted that on 28th March 2018 Cabinet agreed to defer the previous decision to close Pontllanfraith Leisure Centre taken on 13th December 2017 and consider the future of Pontllanfraith Leisure Centre later in 2018 after the 10 year Sport and Active Recreation Strategy had been formulated and adopted.

On 14th November 2018 Cabinet approved the Authority's Sport and Active Recreation Strategy 2019 to 2029 (The Strategy) after the adoption of the Strategy had been recommended by the Regeneration and Environment Scrutiny Committee.

The Cabinet Member for Neighbourhood Services highlighted that the Council's Strategy outlines the future purpose and direction for the provision of sport and active recreation in Caerphilly County Borough and establishes the key principles and vision which will inform future decisions and actions.

Members were assured that the Council value the sports and leisure facilities within the area, but Caerphilly has more leisure centres than any other local authority in Wales, and cannot continue to spread its resources so thinly across ageing buildings and facilities. In addition, it was noted that Pontllanfraith Leisure Centre was not one of the 4 strategic sites identified in the Strategy for future investment and, following closure of the adjacent comprehensive school has become even more expensive to run. The impacts of closure on users have been considered and extensive alternative provision is available as outlined within the Officers report. Therefore, it was noted that to keep this leisure centre open would undermine the vision for future delivery set out in the Strategy

With prior approval from the Leader, Councillor K. Etheridge was invited to speak in relation to this item.

Councillor Etheridge sought confirmation that the current bookings for use of the facilities at Pontllanfraith could be accommodated at Islwyn High School or Blackwood Comprehensive

School. Officers confirmed that a Community Use Agreement is in place for the use of 3G pitch at Blackwood Comprehensive School and therefore bookings can be transferred as required. In addition, Islwyn High School has confirmed that they are able to take bookings for the sport hall, and are awaiting further details from the Leisure Centre.

Discussions took place around the tendering process for the demolition of the former Pontllanfraith Comprehensive School and Leisure Centre at the site, and it was noted that these tenders have now expired and will have to be re-tendered, however assurances were given that updates would be provided in due course.

Councillor Etheridge referred to section 6.1 of the report, which referred to Assumptions and sought clarification on a number of elements in which exact figures were not provided. Officers explained that there are a number of unknown factors, such as the impact of Brexit, which cannot be quantified but need to be acknowledged as potential issues.

Finally, Councillor Etheridge requested that Cabinet consider and support the recommendations of the Regeneration and Environment Scrutiny Committee, the petition and a number of objections from local residents and reject the proposal to close the Leisure Centre.

With prior approval from the Leader, Local Resident, Ms J. Taylor was invited to address the Committee.

Ms Taylor raised a number of concerns around the proposal to close the Leisure Centre, which included the cost to decant the Leisure Centre; consideration for Community Asset Transfer of the Leisure Centre; consultation with Head Teachers at Blackwood Comprehensive; Wellbeing and Future Generations Act and additional pressure on services; Impact assessments conducted; implications for transport links and meeting the needs and standards of service users. Officers addressed each concern and it was noted that there were no costs associated with the decanting of the site, as there are already services in place elsewhere, the largest usage impact was around the 3G pitch provision, however these needs have been addressed with the implementation of a state of the art, dual use pitch at Blackwood Comprehensive School, which can be used for competitive games. In respect of the reference to a possible Community Asset Transfer, Officers confirmed this option was not raised by responders during the consultation processes for either the closure of Pontllanfraith Leisure Centre or the Sport and Active Recreation Strategy.

Officers confirmed that consultation was undertaken with Blackwood Comprehensive School with both the previous and current Head teacher of the school, along with the governing body, who were in support of the proposals, and have signed the Community Use Agreement.

The speaker was assured that Equalities Impact Assessments were undertaken for both the closure of Pontllanfraith Leisure Centre and Sport and Active Recreation Strategy 2019-29, and consideration was given to transport links and access for users of the centre.

Finally, Officers addressed the overall concerns for the loss of the centre and highlighted that there is sufficient alternative provision within the area, in respect of private gyms, leisure facilities and community use of school facilities and community centres. Officers reminded Cabinet that Sport and Leisure Services are discretionary services.

Cabinet Members thanked the Speakers and discussion ensued. It was noted that as a result of austerity pressures, decisions to close services are not being taken lightly and the Council are required to deliver services within a balanced budget. However, Members are confident that the Sport and Active Recreation Strategy 2019-29 will provide the County Borough with a sport and leisure service that can provide more activity opportunities for more people.

Discussions took place around Heolddu Leisure Centre, which was built at a similar time to Pontllanfraith Leisure Centre but has been identified as a strategic site within the Strategy.

Officers confirmed that the model is based on a number of factors, which include usage and level of facilities in the centre, of which Heolddu has the full range.

A Member raised concerns around the Community Use Agreements and whether the facilities can be accessed at all times. Officers confirmed that there is a Community Use Agreement in place with Blackwood Comprehensive School and it is anticipated that this can be replicated across other schools with community access sport and leisure facilities.

Cabinet discussed the consultation processes for both the closure of Pontllanfraith Leisure Centre and the Sport and Active Recreation Strategy 2019-29 and the Monitoring Officer confirmed that both consultation processes had been perfectly adequate.

Discussions took place around the financial elements within the report and Members sought clarification on the current budget position. Officers explained that, should the closure be deferred, there will be a requirement to source an additional £28k for the running costs budget to keep the Leisure Centre open. In addition, the Leisure Centre previously benefitted from a £26k joint user (school) virement income, which would also need to be replaced. It was noted that one-off spends would also be required to a total of £112k for diverting utilities, £150k in maintenance costs for the building, and £200k-£300k for the existing 3G pitch, which is likely to require replacement in 2-3 years. Finally Members were asked to note that the Council are required to make further revenue savings of £15million in the next financial year.

A Member queried the difference between 3G pitches in Pontllanfraith Leisure Centre, Blackwood Comprehensive School and Islwyn High School. Officers explained that there are a number of technical differences; however it was key to note that the facilities in Blackwood Comprehensive School and Islwyn High School are dual use pitches fitted to both IRB 22 and FIFA Regulation standards with a shock pad underneath the playing surface, enabling both rugby and football to be played competitively. The pitches will be tested on a bi-annual basis to ensure they remain fit for purpose and compliant with standards. However, it was noted whilst Blackwood Comprehensive School is suitable for senior competitive football, Islwyn High School require retro-fitted barriers, which is under consideration.

The Leader thanked Officers, Cabinet, Speakers and Members of the public for their attendance and wished it noted that decisions to close facilities are done reluctantly in order to manage the authority in accordance with the austerity measures in place.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers report, and in noting the recommendations from Regeneration and Environment Scrutiny Committee:

- i) the content of the report be noted; and
- ii) the closure of Pontllanfraith Leisure Centre by 30th June 2019 be agreed and, for the period up until closure, Officers be authorised to prioritise the transfer of existing block bookings at Pontllanfraith Leisure Centre to alternative facilities, for example Blackwood Comprehensive and Islwyn High School.

The meeting closed at 12:45pm.

Approved and signed as a correct record subject to any corrections made at the meeting held on the 24th April 2019.

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CHAIR

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## **CABINET – 24TH APRIL 2019**

**SUBJECT: JUNIOR AND YOUTH FORUM PRIORITIES**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES**

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- 1.1 The attached report was considered by the Education for Life Scrutiny Committee on 2nd April 2019 prior to its presentation to the Cabinet. Members were advised that it was with sadness that the young people who were due to present at the meeting had attended a friend's funeral earlier in the day and had extended their disappointment at being unable to deliver their presentation.
  - 1.2 The report, which had been presented by the Senior Youth Service Manager informed Members of issues raised by Children and Young People via the Youth Service's Junior and Youth Forums. Members noted the priorities voted on that were set out in paragraph 5.2 and 5.3 in the report. It was confirmed that the overall priority issue for the Youth Forum is 'Mental Health' - Services should be improved with young people's help and young people should receive mental health first aid education. The Junior Forum's overall priority issue is 'more awareness of support for drugs and alcohol support'. The process that follows the identification of issues was set out in paragraph 2.2 in the report.
  - 1.3 A Member referred to the Youth Forum Conference that he attended and was impressed with the discussions that took place, with particular reference to the issue of mental health. The Cabinet Member had also attended the Conference and was equally impressed with the maturity of responses provided. She added that young people stated that issues of mental health are all around them and also how social media can impact negatively on their mental health. Officers confirmed that all secondary schools have Counsellors that provide support. Funding has been secured for this role that will not be affected by any savings proposals. There is an increase in need for support and the CAMHS Service is flooded with referrals. There is also a need to invest in Elsa and Thrive training to support children and young people.
  - 1.4 Reference was made to the previous priorities presented to and supported by the Scrutiny Committee and a Member queried why feedback in terms of the young people's progress is not brought back to the Committee. It was suggested that the Youth Forum be invited to attend the next meeting scheduled on the 21st May 2019 to provide an update on the priority issues and this was agreed by the Scrutiny Committee.

Following consideration of the report, the Education for Life Scrutiny Committee unanimously recommended to Cabinet that for the reasons contained therein:-

- (i) the Junior and Youth Forum issues be supported and presented to Cabinet;
- (ii) the Youth Forum in addressing their Priority Issue of Mental Health, be supported;
- (iii) the Junior Forum in addressing their Priority Issue of raising awareness of Drug and Alcohol Support, be supported,
- (iv) issues raised by Children and Young People when making decisions which impact upon their lives, be supported.

1.5 Cabinet are asked to consider the recommendations of the Education for Life Scrutiny Committee.

Author: A. Dredge, Committee Services Officer, Ext. 3100.

Appendices:

Appendix A Report to the Education for Life Scrutiny Committee – 2nd April 2019 - Junior and Youth Forum Priorities – Agenda Item 9.



## EDUCATION FOR LIFE SCRUTINY COMMITTEE – 2ND APRIL 2019

**SUBJECT: JUNIOR & YOUTH FORUM PRIORITIES**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES**

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### **1. PURPOSE OF REPORT**

1.1 To inform Members of issues raised by Children & Young People via the Youth Service's Junior and Youth Forums. The report is seeking the views of Members prior to its presentation to Cabinet.

### **2. SUMMARY**

2.1 Following the Youth Forum Conference in January 2019 and the Junior Forum meeting in November 2018, Children & Young People have identified issues important to them and have voted on Priority Issues for 2019.

2.2 The previously agreed process that follows the identification of issues has been as follows:

- Presentation of issues to SMT for information.
- Young People present Junior Forum issues to Cabinet for information only and to request support in addressing the Youth Forum priority.
- Young People to present issues to relevant scrutiny groups for information.
- Young People to present issues to the Public Services Board (PSB) for information.
- Issues are presented directly by Young People.
- Young People form a Project Group that meets weekly to address the Youth Forum priority issue, working directly with Officers and Members as appropriate on a range of initiatives intended to have a positive impact on the issue. This work continues until December 2019, with the process re-starting in January.

### **3. RECOMMENDATIONS**

3.1 That the Education Scrutiny Committee supports the presentation of Junior & Youth Forum issues to Cabinet.

3.2 That Education Scrutiny Committee considers how to support the Youth Forum in addressing their Priority Issue of Mental Health.

3.3 That Education Scrutiny Committee considers how to support the Junior Forum in addressing their Priority Issue of raising awareness of drug & alcohol support.

3.4 Education Scrutiny Committee to have due regard to issues raised within this report by Children and Young People when making decisions which impact upon their lives.

#### 4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To ensure Members are informed of priorities identified by children and young people.

#### 5. THE REPORT

##### 5.1 Introduction

- 5.1.1 The Junior & Youth Fora are structured and organised around five themes: Prosperous Caerphilly; Safer Caerphilly; Learning Caerphilly; Healthier Caerphilly; Greener Caerphilly, enabling children and young people to have a voice on issues that affect them. Junior Forum Representatives are aged 7-11 years; Youth Forum Representatives are aged 11-25 years.

- 5.1.2 At the Annual Youth Forum Conference Young People are provided with the opportunity to explore issues previously raised via borough wide consultation. Young people attending the conference present their views on each of the themes and engage in a dialogue with relevant Officers and Cabinet members. From exploring all themes within the context of young people's lives, young people identify and agree on a priority issue for each theme.

Following the Conference, an overall priority is voted for by Young People representing the Youth Service, Schools and Youth Support Services. The issues, as voted for by 2656 young people in a post conference consultation for 2019 are:

5.2 39% Healthier Caerphilly – **Overall Priority Issue**

Mental Health – Services should be improved with young peoples help. Young people should have mental health first aid education.

27% Safer Caerphilly

Knife Crime – Stop the knife crime epidemic

21% Prosperous Caerphilly

Tackling Homelessness – Every person should have a place to live and the opportunity to live comfortably. There needs to be more affordable housing.

9% Learning Caerphilly

Put an end to Period Poverty – Sanitary Products are an essential item. CCBC should make them free and accessible for all young people who need them whilst accessing schools and youth services.

4% Greener Caerphilly

Adventurous Outdoor Play - Provide safe adventurous play areas suitable for young people to encourage them to use local outdoor spaces.

- 5.3 The Junior Forum representatives identified a priority within each Forum theme, raised via consultation and then voted for as the overall priority. The issues voted for by 110 children are:

Junior Forum Issues:

41% Healthier Caerphilly – **Overall Priority Issue**

More awareness of support for drugs and alcohol

25% Learning Caerphilly

More support for children with Additional learning needs

19% Prosperous Caerphilly

More homeless shelters and opportunities for homeless people



11 % Safer Caerphilly  
Speeding cars in communities are dangerous

4% Greener Caerphilly  
Community litter picks

- 5.4 The Youth Forum will attend Education Scrutiny Committee on 2<sup>nd</sup> April 2019. To present on the issues and outline the plans to address the Priority Issue, and wish to proceed with attendance at Cabinet to seek support in addressing the priority issue.

## **6. ASSUMPTIONS**

- 6.1 No related assumptions have been felt to be necessary in relation to this report.

## **7. LINKS TO RELEVANT COUNCIL POLICIES**

- 7.1 Youth Service Plan 2018-2021.
- 7.2 Education Service Improvement Plan 2019.
- 7.3 Statutory duties for the participation of children and young people under the children and families measure, Wales 2010.
- 7.4 Public Services Board Delivery Plan Enabler: E2 – Communications and Engagement.
- 7.5 Caerphilly County Borough Council Corporate Plan priority – The Well-being Objective “Improve Education opportunities for all”.

## **8. WELL-BEING OF FUTURE GENERATIONS**

- 8.1 This report contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act by working with children and young people (and supporting other service providers to work with children and young people) to impact on decision making for short term and long term needs. By listening to the voices of children and young people, service providers are better able to respond to needs, better able to identify and understand problems as experienced by our citizens and thus better able to shape services in the future in a more effective responsive way.
- 8.2 Involving children and young people in decision making at all levels fosters a culture of expectation and responsibility, strengthened by increasing their knowledge and understanding in Children’s Rights.

## **9. EQUALITIES IMPLICATIONS**

- 9.1 This report is for information purposes only, so the council’s full Equalities Impact Assessment process does not need to be applied.
- 9.2 The participative activity that has taken place has benefitted many different groups in the community with many children and young people having been recipients of engagement activity, rights-based education and informed service delivery.

## **10. FINANCIAL IMPLICATIONS**

10.1 There are no financial implications with respect to this report.

## **11. PERSONNEL IMPLICATIONS**

11.1 There are no personnel implications with respect to this report.

## **12. CONSULTATIONS**

12.1 All responses from the consultations have been incorporated in the report.

## **13. STATUTORY POWER**

13.1 'Shared Purpose: Shared Future, Statutory Guidance on the Well-Being of Future Generations (Wales) Act 2015', and in particular SPSF 3 – Annex B, which is issued in accordance with Section 17(3) of the Children and Families (Wales) Measure 2010 and applies to local authorities in respect of local well-being plans and whenever they take decisions which might affect children and young people.

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## **CABINET – 24TH APRIL 2019**

**SUBJECT: TO ADOPT THE WELSH GOVERNMENT (WG) 'HIGH STREET AND RETAIL RATE RELIEF' SCHEME 2019/20 – GRANT FUNDING**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES**

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### **1. PURPOSE OF REPORT**

- 1.1 The Welsh Government (WG) has announced a new temporary business rate relief scheme, the 'High Street Rate and Retail Rate Relief Scheme' for the financial year 2019-20 only. Relief granted by the Authority under this new scheme is to be reimbursed by WG by way of a specific cash-limited grant but, before any relief is awarded, the Authority must consider and adopt the new scheme. This report recommends that Cabinet approval is given to adopt the new rate relief scheme in accordance with the WG guidance set out at Appendix 1.

### **2. SUMMARY**

- 2.1 This report gives details of a new rate relief scheme offered by WG and attaches at Appendix 1 details of the new Scheme. Adoption of the new Scheme as set out at Appendix 1 is obligatory because WG has prescribed the details for the Scheme. The Authority must formally adopt the new Scheme set out in the guidance at Appendix 1 in order to obtain the WG grant funding.

### **3. RECOMMENDATIONS**

- 3.1 It is recommended that Cabinet adopts, with immediate effect, the 'High Street and Retail Rate Relief Scheme' 2019-20 (the 2019/20 Scheme), in accordance with the guidance set out at Appendix 1 and the provisions of section 47(1) (a) and section 47(3) of the Local Government Finance Act 1988. The Head of Corporate Finance and S151 Officer will use delegated powers to award the relief.
- 3.2 It is recommended for the reasons outlined in point 5.5 of this report that Cabinet adopts the proposals to allow successful applicants for the 2018/19 High Street Rate Relief Scheme (the 2018/19 Scheme) who are eligible to receive rate relief under the 2019/20 Scheme to have the rate relief awarded without the need to make a further application.
- 3.3 It is recommended that ratepayers who have not completed an application form for

the 2018/19 Scheme be required to properly complete and return an application form for the 2019/20 Scheme. Where an application form is required, such a form must be completed by each eligible ratepayer for each qualifying property and returned to the Business Rates Team.

#### **4. REASONS FOR THE RECOMMENDATIONS**

- 4.1 To ensure that the Authority complies with the grant conditions in order to obtain and fully utilise the grant funding in respect of any rate relief awarded under the WG Scheme as detailed in the guidance set out at Appendix 1.

#### **5. THE REPORT**

- 5.1 WG has announced the 'High Street and Retail Rate Relief Scheme' 2019-20 (the 2019/20 Scheme). It is intended that the relief under the 2019/20 Scheme will be made available subject to the Authority adopting the new Scheme as set out in the guidance at Appendix 1 and accepting the grant offer.
- 5.2 The 2019/20 Scheme aims to provide support for eligible retail businesses by offering up to £2,500 discount on the business rate bill per property, to retailers occupying premises with a rateable value of £50,000 or less for the financial year 2019-2020, subject to State Aid limits. WG has issued the estimated funding allocation for the Scheme, and this Authority's estimated allocation is £920k.
- 5.3 Relief is to be provided under Section 47 of the Local Government Finance Act 1988 in accordance with the criteria and conditions specified in the guidance set out at Appendix 1 of this report.
- 5.4 Appendix 1 is a guidance document issued by WG which in effect prescribes the detailed criteria and conditions for the Scheme.
- 5.5 In order to qualify for this rate relief, the guidance states that it will be for local authorities to determine how they wish to administer the Scheme. In order to maximise take-up by ratepayers and minimise administration costs for the Authority, it is proposed that rate relief is applied directly to eligible ratepayers' bills for those ratepayers who completed an application form and received rate relief under the 2018-19 Scheme, and are eligible for rate relief under the 2019-20 Scheme. In these cases, an application form will not need to be completed for 2019-20. However, if this path were to be followed, the guidance sets out a substantial amount of text which it recommends should be incorporated into an award letter addressed to each eligible ratepayer setting out the State Aid implications. Furthermore, if an eligible ratepayer believes he or she is not entitled to receive this relief, a declaration within the letter must be signed and returned to the Authority.
- 5.6 An application form will need to be completed in cases where a ratepayer did not receive High Street rate relief last year but meets the 2019-20 Scheme eligibility criteria. In 2018/19, officers issued initial application forms and several months later follow-up reminder letters were issued urging those ratepayers yet to apply to do so without further delay. It is intended that similar arrangements will be made for this scheme where a properly completed application form is not held in respect of the 2018/19 Scheme.
- 5.7 Officers of the Authority will make the business community aware of the 2019/20

Scheme through its usual channels, such as its website, social media channels and the 'Newsliner' publication. In addition, where an application form is required to be completed, the Authority will write to ratepayers that it considers may be eligible for relief under the 2019/20 Scheme to inform them about the availability of relief and to provide information on the application process. The Authority's Business Rate Team will therefore write to all newly-eligible businesses enclosing the appropriate application form to try and maximise take-up of the 2019/20 Scheme.

5.8 Full details of the Scheme, including the qualifying criteria, are included in the guidance set out at Appendix 1.

## 5.9 **Conclusion**

The report gives details of a new rate relief scheme offered by WG and attaches at Appendix 1 details of the new Scheme. Adoption of the new Scheme as set out at Appendix 1 is obligatory because WG has prescribed the details for the Scheme. The Authority must formally adopt the new Scheme set out in the guidance at Appendix 1 in order to obtain the WG grant funding. In order to implement the new Scheme, Members are advised to endorse all of the recommendations at points 3.1 to 3.3 inclusive.

## 6. **ASSUMPTIONS**

6.1 It is assumed that the recommendations in the report will maximise the use of the grant funding in terms of the amount of rate relief awarded, whilst minimising the staff/administrative costs incurred in awarding the rate relief.

## 7. **LINKS TO RELEVANT COUNCIL POLICIES**

7.1 The adoption of the 2019/20 Scheme will support eligible businesses by reducing the amount of business rates payable which in turn may help create employment opportunities and increase entrepreneurial activities which is a key theme of 'A Foundation for Success 2018-2023' – Regeneration Strategy.

### 7.2 **Corporate Plan 2018-2023.**

This section shows how the report content (project, proposal, information or decision) contributes towards or impacts the Corporate Well-being Objectives, which are:

Objective 2 - Enabling employment – the awarding of rate relief under the Scheme will reduce the amount of business rates payable by businesses operating within the County Borough, which in turn should help those businesses to sustain the employment of residents.

## 8. **WELL-BEING OF FUTURE GENERATIONS**

8.1 Effective financial management is a key element in ensuring that the Well-being Goals in the Well-being of Future Generations Act (Wales) 2015 are met.

- A prosperous Wales – maximising the take-up of this WG business rate relief scheme will minimise the amount of rates payable by eligible businesses which helps them to continue trading.

- Long Term – It is hoped that eligible local businesses will be able to continue trading which will enable future generations to benefit in the long-term from a diverse number of local retailers, which should also improve the economic, social, environmental and cultural well-being of residents.

## **9. EQUALITIES IMPLICATIONS**

- 9.1 An Equality Impact Assessment (EIA) has been completed in accordance with the Council's Strategic Equality Plan 2016-2020 and supplementary guidance and is set out in Appendix 2. No potential for unlawful discrimination and/or low level or minor negative impact has been identified. This assessment was necessary because WG has not undertaken its own EIA. Each application will be dealt with on its own merits, but will follow the guidance set out in Appendix 1. It is clear that the 2019/20 Scheme will positively assist certain businesses.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 There are no direct financial implications to the Authority as the Authority will be reimbursed by WG for any relief granted, provided it can evidence that the expenditure falls within the terms of the 'High Street and Retail Rate Relief Scheme' 2019-20 grant offer.
- 10.2 Based on an initial WG assessment of qualifying businesses for the 'High Street and Retail Rate Relief Scheme' 2019-20, the funding available to this Authority is estimated to be £920k. This figure is subject to change due to the daily amendments made to the Authority's rating list.

## **11. PERSONNEL IMPLICATIONS**

- 11.1 There are none in respect of this report.

## **12. CONSULTATIONS**

- 12.1 There are no consultation responses which have not been reflected in this report.

## **13. STATUTORY POWER**

- 13.1 Local Government Finance Act 1988, Government of Wales Act 2006 and Local Government Act 1972, 2000 and 2003. The decision as to whether to adopt the WG 'High Street and Retail Rate Relief Scheme' 2019-20 may be taken by Cabinet. The Head of Corporate Finance and S151 Officer will use delegated powers to award the relief.

## **14. URGENCY (CABINET ITEMS ONLY)**

- 14.1 This report will be subject to a "call-in" procedure whereby the relevant Scrutiny Committee can ask for the implementation of the decision to be delayed until it has considered the matter and, if the Scrutiny Committee is so inclined, to ask Cabinet to

reconsider its decision.

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Background Papers:  
Contact Finance Manager (Revenues) (ext. 3421)

Appendices:  
Appendix 1: 'High Street and Retail Rates Relief in Wales'- 2019-20 Guidance'  
Appendix 2: 'CCBC EIA HSRRR 2019'

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Llywodraeth Cymru  
Welsh Government

## Non-domestic Rates

### High Street and Retail Rates Relief in Wales - 2019-20

#### Guidance

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# Non-domestic Rates – High Street and Retail Rates Relief

## Guidance

### About this guidance

1. This guidance is intended to support local authorities in administering the High Street and Retail Rates Relief scheme (“the relief”) announced by the then Cabinet Secretary for Finance on 10 December 2018. This guidance applies to Wales only.
2. This guidance sets out the criteria which the Welsh Government will use to determine the funding for local authorities for relief provided to high street and retail properties. The guidance does not replace any existing non-domestic rates legislation or any other relief.
3. Enquiries on the scheme should be sent to:  
[localtaxationpolicy@gov.wales](mailto:localtaxationpolicy@gov.wales)
4. The relief is being offered from 1 April 2019 and will be available until 31 March 2020.

### Introduction

5. This relief is aimed at high street businesses and retailers in Wales, for example shops, pubs, restaurants and cafes.
6. The Welsh Government will provide grant funding to the 22 Unitary Authorities to continue the High Street and Retail Rates Relief scheme to eligible ratepayers for 2019-20. The enhanced scheme aims to provide support for eligible retail businesses by offering up to £2,500 discount on the non-domestic rates bill per property, to retailers occupying premises with a rateable value of £50,000 or less in the financial year 2019-20, subject to State Aid limits.
7. This document provides guidance on the operation and delivery of the scheme.

# Section 1

## High Street and Retail Rates Relief

### How will the relief be provided?

8. As this is a temporary measure, we are providing the relief by reimbursing local authorities that use their discretionary relief powers under section 47 of the Local Government Finance Act 1988. It will be for individual local authorities to adopt a scheme and decide in each individual case when to grant relief under section 47. The Welsh Government will then reimburse local authorities for the relief that is provided in line with this guidance via a grant under section 58A of the Government of Wales Act 2006.

### How will the scheme be administered?

9. It will be for local authorities to determine how they wish to administer the scheme to maximise take-up and minimise the administrative burden for ratepayers and for local authority staff. Subject to State Aid considerations set out in paragraphs 29 to 33.
10. Local authorities are responsible for providing ratepayers with clear and accessible information on the details and administration of the scheme. If, for any reason, an authority is unable to provide this relief to eligible ratepayers from 1 April 2019, consideration should be given to notifying eligible ratepayers that they qualify for the relief and that their bills will be recalculated.

### Which properties will benefit from relief?

11. Properties that will benefit from this relief will be occupied high street business and retail properties such as shops, restaurants, cafes and drinking establishments, with a rateable value of £50,000 or less. More detailed eligibility criteria and exceptions to the relief are set out in paragraphs 15 to 19.
12. Relief should be granted to businesses as a payment based on occupation between 1 April 2019 and 31 March 2020. It is recognised that there may be some instances where a local authority is retrospectively notified of a change of occupier. In such cases, if it is clear that the ratepayer was in occupation on or after the 1 April 2019, the local authority may use its discretion in awarding relief.

### Level of support: up to £2,500

13. Eligible ratepayers will be retailers whose property has a rateable value between £6,001 and £50,000 on 1 April 2019. It is expected that retailers with a rateable value of £6,000 and below will receive full Small Business Rate Relief (SBRR), however it is left to the discretion of authorities to determine if there are properties not in receipt of SBRR that should be eligible for this relief.
14. **Unlike previous years, the 2019-20 scheme is not limited to high street premises but will include all properties within Wales meeting the wider retail criteria.**

15. It is intended that, for the purposes of this scheme, retail properties such as, “shops, restaurants, cafes and drinking establishments” will mean the following (subject to the other criteria in this guidance).

**i. Hereditaments that are being used for the sale of goods to visiting members of the public**

- Shops (such as florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off-licences, newsagents, hardware stores, supermarkets, etc)
- Opticians
- Pharmacies
- Post offices
- Furnishing shops or display rooms (such as carpet shops, double glazing, garage doors)
- Car or caravan showrooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale or hire)

**ii. Hereditaments that are being used for the provision of the following services to visiting members of the public**

- Hair and beauty services
- Shoe repairs or key cutting
- Travel agents
- Ticket offices, eg. for theatre
- Dry cleaners
- Launderettes
- PC, TV or domestic appliance repair
- Funeral directors
- Photo processing
- DVD or video rentals
- Tool hire
- Car hire
- Cinemas
- Estate and letting agents

**iii. Hereditaments that are being used for the sale of food and / or drink to visiting members of the public**

- Restaurants
- Drive-through or drive-in restaurants
- Takeaways
- Sandwich shops
- Cafés

- Coffee shops
  - Pubs
  - Wine Bars
16. To qualify for the relief a hereditament listed in (i) to (iii) should be wholly or mainly used as a shop, restaurant, café or drinking establishment. This is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.
17. The above list is not intended to be exhaustive as it would be impossible to list all the many and varied retail uses that exist. There will also be mixed uses. However, it is intended to be a guide for local authorities as to the types of uses that the Welsh Government considers for this purpose to be high street and retail. Local authorities should determine for themselves whether particular properties not listed are broadly similar in nature to those above and, if so, to consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those listed above should not be eligible for the relief.
18. As the grant of the relief is discretionary, local authorities may choose not to grant the relief if they consider that appropriate, for example where granting the relief would go against the local authority's wider objectives for the local area.

### **Types of hereditaments that are not considered to be eligible for High Street and Retail Rates Relief**

19. The list below sets out the types of uses that the Welsh Government does not consider to be retail use for the purpose of this relief and would not be deemed eligible for the relief. However, it will be for local authorities to determine if hereditaments are similar in nature to those listed below and if they would not be eligible for relief under the scheme.
- i. ***Hereditaments that are being used wholly or mainly for the provision of the following services to visiting members of the public***
- Financial services (eg. banks, building societies, cash points, ATMs, bureaux de change, payday lenders, betting shops, pawn brokers)
  - Medical services (eg. vets, dentists, doctors, osteopaths, chiropractors)
  - Professional services (eg. solicitors, accountants, insurance agents, financial advisers, tutors)
  - Post office sorting office
  - Tourism accommodation, eg. B&Bs, hotel accommodation and caravan parks
  - Sports clubs
  - Children's play centres
  - Day nurseries
  - Outdoor activity centres
  - Gyms
  - Kennels and catteries
  - Show homes and marketing suites
  - Employment agencies

There are a number of further types of hereditaments which the Welsh Government believes should not be eligible for the High Street Relief Scheme.

**ii. *Hereditaments with a rateable value of more than £50,000***

It is recognised there are some retail businesses with rateable value above the £50,000 relief who will not be eligible for this relief. However, local authorities have the option to use their discretionary powers to offer discounts outside this scheme to such businesses if it is in the interests of the local community to do so.

**iii. *Hereditaments that are not reasonably accessible to visiting members of the public***

If a hereditament is not reasonably accessible to visiting members of the public, it will be ineligible for relief under the scheme even if there is ancillary use of the hereditament that might be considered to fall within the descriptions in paragraph 15 (i), (ii) or (iii).

**iv. *Hereditaments that are not occupied***

Properties that are not occupied on 1 April 2019 should be excluded from this relief. However, under the Empty Property Relief scheme, empty properties will receive a 100% reduction in rates for the first three months (and in certain cases six) of being empty.

**v. *Hereditaments that owned, rented or managed by a local authority***

Hereditaments owned, rented or managed by a local authority such as Visitor Centres, Tourist Information shops and council run coffee shops/gift shops attached to historic buildings, are exempt from this scheme.

**vi. *Hereditaments that are in receipt of mandatory charitable rates relief***

These properties already receive mandatory charitable relief which gives an 80% reduction in liability and authorities may also choose to provide discretionary charitable relief which can reduce the remaining liability to nil. As such, these properties will not be eligible for High Street Rate Relief.

**How much relief will be available?**

20. The total amount of government funded relief available for each property for 12 months under this scheme is up to £2,500. This relief can be provided in addition to SBRR and Transitional Rate Relief. High Street and Retail Rates Relief should be applied against the net bill after these two reliefs have been applied. Any hardship or discretionary relief awarded by the local authority should be considered by the local authority once all other rates reliefs have been awarded.

21. The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a particular hereditament in the financial year:

$$\text{Amount of relief to be granted} = A \times (B / C)$$

Where:

A is the funding amount of £2,500

B is the number of days in the financial year that the hereditament is eligible for relief; and

C is the number of days in the financial year

22. When calculating the relief, if the net liability before High Street and Retail Rates Relief is £2,500 or less, the maximum amount of this relief will be no more than the value of the net rate liability. This should be calculated ignoring any prior year adjustments in liabilities which fall to be liable on the day.
23. Ratepayers that occupy more than one property will be entitled to High Street and Retail Rates Relief for each of their eligible properties, subject to State Aid de minimis limits.

### **Changes to existing hereditaments, including change in occupier**

24. Empty properties becoming occupied after 1 April 2019 will qualify for this relief.
25. If there is a change in occupier part way through the financial year, after relief has already been provided to the hereditament, the new occupier will qualify for the relief on a pro-rata basis based on the remaining days of occupation using the formula in paragraph 21 of this guidance.



## State Aid

26. State Aid law is the means by which the European Union regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to amount to State Aid. High Street and Retail Rates Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulation (1407/2013).
27. The De Minimis Regulation allows an undertaking to receive up to €200,000 of De Minimis aid in a three-year period (consisting of the current financial year and the two previous financial years). Local authorities should familiarise themselves with the terms of this State Aid exemption, in particular the types of undertaking that are excluded from receiving De Minimis aid, the relevant definition of undertaking and the requirement to convert the aid into Euros.
28. To administer De Minimis it is necessary for the local authority to establish that the award of aid will not result in the undertaking having received more than €200,000 of De Minimis aid. Note that the threshold only relates to aid provided under the De Minimis Regulations (aid under other exemptions or outside the scope of State Aid is not relevant to the De Minimis calculation).
29. Section 3 of this guidance contains a sample De Minimis declaration which local authorities may wish to use. Where local authorities have further questions about De Minimis or other aspects of State Aid law, they should seek advice from their legal department in the first instance.
30. Desk instructions covering the administration of De Minimis schemes are available at:

<http://gov.wales/funding/state-aid/de-minimis-aid/?lang=en>

[http://ec.europa.eu/competition/state\\_aid/legislation/de\\_minimis\\_regulation\\_en.pdf](http://ec.europa.eu/competition/state_aid/legislation/de_minimis_regulation_en.pdf)

## Section 2 – State Aid

### Sample paragraphs that could be included in letters to ratepayers about High Street and Retail Rates Relief for 2019-20

The Cabinet Secretary for Finance announced on 10 December 2018 that an additional £23.6 million of funding would be available to extend and expand the existing High Street and Retail Rates Relief scheme for 2019-20.

Relief of up to £2,500 will be provided to eligible occupied retail properties with a rateable value of £50,000 or less in 2019-20. Your current rates bill includes this High Street and Retail Rates Relief.

Awards such as High Street and Retail Rates Relief are required to comply with the EU law on State Aid<sup>1</sup>. In this case, this involves returning the attached declaration to this authority if you have received any other De Minimis State Aid, including any other High Street and Retail Rates Relief you are being granted for premises other than the one to which this bill and letter relates, and confirming that the award of High Street and Retail Rates Relief does not exceed the €200,000 an undertaking<sup>2</sup> can receive under the De Minimis Regulations EC 1407/2013.

Please complete the declaration and return it to the address above. In terms of declaring previous De Minimis aid, we are only interested in public support which is De Minimis aid (State Aid received under other exemptions or public support which is not State Aid does not need to be declared).

If you have not received any other De Minimis State Aid, including any other High Street and Retail Relief you are being granted for premises other than the one to which this bill and letter relates, you do not need to complete or return the declaration.

If you wish to refuse to receive the High Street and Retail Rates Relief granted in relation to the premises to which this bill and letter relates, please complete the attached form and return it to the address above. You do not need to complete the declaration. This may be particularly relevant to those premises that are part of a large retail chain, where the cumulative total of High Street and Retail Rates Relief received could exceed €200,000.

Under the European Commission rules, you must retain this letter for three years from the date on this letter and produce it on any request by the UK public authorities or the European Commission. (You may need to keep this letter longer than three years for other purposes). Furthermore, information on this aid must be supplied to any other public authority or agency asking for information on 'De Minimis' aid for the next three years.

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1 Further information on State Aid law can be found at <https://www.gov.uk/state-aid>

2 An undertaking is an entity which is engaged in economic activity. This means that it puts goods or services on a given market. The important thing is what the entity does, not its status. Thus a charity or not for profit company can be undertakings if they are involved in economic activities. A single undertaking will normally encompass the business group rather than a single company within a group. Article 2.2 of the de minimis Regulations (Commission Regulation EC/ 1407/2013) defines the meaning of 'single undertaking'.

**‘De Minimis’ declaration**

Dear [ ]

NON-DOMESTIC RATES ACCOUNT NUMBER: \_\_\_\_\_

The value of the non-domestic rates High Street and Retail Rates Relief to be provided to [name of undertaking] by [name of local authority] is £ [ ] (Euros [ ]).

This award shall comply with the EU law on State Aid on the basis that, including this award, [name of undertaking] shall not receive more than €200,000 in total of De Minimis aid within the current financial year or the previous two financial years). The De Minimis Regulations 1407/2013(as published in the Official Journal of the European Union L352 24.12.2013) can be found at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>.

Amount of De Minimis aid	Date of aid	Organisation providing aid	Nature of aid
€	1 April 2019 – 31 March 2020	Local authorities (for the High Street and Retail Rates Relief total, you do not need to specify the names of individual authorities)	High Street and Retail Rates Relief

I confirm that:

- 1) I am authorised to sign on behalf of \_\_\_\_\_ [name of undertaking]; and
- 2) \_\_\_\_\_ [name of undertaking] shall not exceed its De Minimis threshold by accepting this High Street and Retail Rates Relief.

SIGNATURE:

NAME:

POSITION:

BUSINESS:

ADDRESS:

DATE:

### Refusal of High Street and Retail Rates Relief form

Name and address of premises	Non-domestic rates account number	Amount of High Street and Retail Rates Relief

I confirm that I wish to refuse High Street and Retail Rates Relief in relation to the above premises.

I confirm that I am authorised to sign on behalf of \_\_\_\_\_ [name of undertaking].

SIGNATURE:

NAME:

POSITION:

BUSINESS:

ADDRESS:

DATE:

# EQUALITY IMPACT ASSESSMENT FORM

October 2018

## THE COUNCIL'S EQUALITIES STATEMENT

This Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities, residents, elected members, job applicants and workforce.

We will also work to create equal access for everyone to our services, irrespective of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh language, BSL or other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

The Council is required to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

The Act explains that having due regard for advancing equality involves:

- removing or minimising disadvantages experienced by people due to their protected characteristics
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- encouraging people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The protected characteristics are:

- |                                  |                                  |
|----------------------------------|----------------------------------|
| • Age                            | • Race                           |
| • Disability                     | • Religion, Belief or Non-Belief |
| • Gender Re-assignment           | • Sex                            |
| • Marriage and Civil Partnership | • Sexual Orientation             |
| • Pregnancy and Maternity        | • Welsh Language*                |

\* The Welsh language is not identified as a protected characteristic under the Equality Act 2010, however in Wales we also have to treat Welsh and English on an equal basis as well as promoting and facilitating the use of the Welsh language.

Further advice on completing impact assessments can be found on the equalities pages of Corporate Policy Unit Portal.

## THE EQUALITY IMPACT ASSESSMENT

<b>NAME OF NEW OR REVISED PROPOSAL*</b>	Welsh Government High Street and Retail Rate Relief Scheme 2019/20
<b>DIRECTORATE</b>	Corporate Services
<b>SERVICE AREA</b>	Corporate Finance – Business Rates
<b>CONTACT OFFICER</b>	John Carpenter
<b>DATE FOR NEXT REVIEW OR REVISION</b>	Not applicable as one-off scheme

**\*Throughout this Equalities Impact Assessment Form, ‘proposal’ is used to refer to what is being assessed, and therefore includes policies, strategies, functions, procedures, practices, initiatives, projects and savings proposals.**

The aim of an Equality Impact Assessment (EIA) is to ensure that Equalities and Welsh Language issues have been proactively considered throughout the decision making processes governing work undertaken by every service area in the Council as well as work done at a corporate level.

The Council’s work across Equalities, Welsh Language and Human Rights is covered in more detail through the [Equalities and Welsh Language Objectives and Action Plan 2016-2020](#).

When carrying out an EIA you should consider both the positive and negative consequences of your proposals. If a project is designed for a specific group e.g. disabled people, you also need to think about what potential effects it could have on other areas e.g. young people with a disability, BME people with a disability.

There are a number of supporting guidance documents available on the [Corporate Policy and Business Support Portal](#) and the Council’s Equalities and Welsh Language team can provide advice as the EIA is being developed. Please note that the team does not write EIAs on behalf of service areas, the support offered is in the form of advice, suggestions and in effect, quality control.

Contact [equalities@caerphilly.gov.uk](mailto:equalities@caerphilly.gov.uk) for assistance.

## PURPOSE OF THE PROPOSAL

<b>1</b>	<p><b>What is the proposal intended to achieve?</b> <i>(Please give a brief description and outline the purpose of the new or updated proposal by way of introduction.)</i></p> <p>The Welsh Government (WG) has decided to fund a High Street and Retail Rate Relief Scheme from 1 April 2019 to 31 March 2020 which is aimed at helping certain retail business rate payers. WG has not carried out an equality impact assessment (EIA), hence the need for this assessment.</p> <p>WG is offering specific grant funding to each local authority in Wales and has issued a Guidance document which contains the requirements that need to be followed in administering the scheme. This rate relief scheme has to be adopted by each local authority wishing to award the relief and in this Authority's case a report is to be taken to Cabinet proposing the adoption of the WG scheme.</p>
<b>2</b>	<p><b>Who are the service users affected by the proposal?</b> <i>(Who will be affected by the delivery of this proposal? e.g. staff members, the public generally, or specific sections of the public i.e. youth groups, carers, road users, people using country parks, people on benefits etc. Are there any data gaps?)</i></p> <p>If this proposal is adopted, it will affect certain business rate payers that would otherwise have had to pay a higher amount in business rates for the financial year 2019/20.</p> <p>A ratepayer may apply for relief of up to £2,500 on a business rates bill for the financial year 2019/20 if they are a retailer occupying qualifying premises with a rateable value of £50,000 or less in the financial year 2019/20, subject to State Aid limits.</p> <p>Properties that benefit from the relief will be occupied retail properties and must be wholly or mainly being used as a shop, restaurant, café or drinking establishment that is wholly or mainly providing a service to visiting members of the public (properties must be reasonably accessible to the public).</p> <p>WG has also laid down other conditions in its Guidance document, in particular:</p> <ul style="list-style-type: none"><li>• The amount of relief will be calculated on a daily basis and limited to the amount of rates actually payable.</li><li>• If a property is occupied after 1 April 2019 the ratepayer will be eligible for this relief.</li><li>• If a property is vacated after 1 April 2019 the amount of relief will be reduced proportionately.</li><li>• Ratepayers occupying more than one property may apply for High Street and Retail Rate Relief on each of their eligible properties, subject to State Aid limits.</li><li>• Properties already receiving mandatory charitable rate relief are not eligible for High Street and Retail Rate Relief.</li><li>• Properties owned, rented or managed by a local authority are not eligible.</li><li>• State Aid 'de minimis' rules apply.</li></ul>

## IMPACT ON THE PUBLIC AND STAFF

<b>3</b>	<p><b>Does the proposal ensure that everyone has an equal access to all the services available or proposed, or benefits equally from the proposed changes, or does not lose out in greater or more severe ways due to the proposals?</b> <i>(What has been done to examine whether or not these groups have equal access to the service, or whether they need to receive the service in a different way from other people?)</i></p> <p>For those ratepayers who completed an application form and received rate relief under the 2018-19 Scheme, and are eligible for rate relief under the 2019-20 Scheme, it is proposed that rate relief is applied directly to eligible ratepayers' bills. In these cases, an application form will not need to be completed for 2019-20.</p> <p>An application form will need to be completed in cases where a ratepayer did not receive High Street rate relief last year but meets the 2019-20 Scheme eligibility criteria.</p> <p>Those ratepayers that may be eligible to apply for this relief, and have not completed and returned an application form in 2018/19 will be sent an application form this year. Officers of the Authority will make the business community aware of the WG Scheme through its usual channels, such as its website, social media and the 'Newslines' publication.</p> <p><b>Actions required:</b></p> <ul style="list-style-type: none"><li>• Award this relief to ratepayers who completed an application form and received rate relief under the 2018-19 Scheme, and are eligible for rate relief under the 2019-20 Scheme;</li><li>• Issue an application form to ratepayers that appear to be eligible to apply for this relief in 2019/20 but have not made an application previously;</li><li>• Publicise the WG Scheme through the Council's usual channels.</li></ul>
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<b>4</b>	<b>Is your proposal going to affect any people or groups of people with protected characteristics?</b> <i>(Has the service delivery been examined to assess if there is any indirect effect on any groups? Could the consequences of the policy or savings proposal differ dependent upon people's protected characteristics?)</i>	
	<b>Protected Characteristic</b>	<b>Positive, Negative, Neutral</b>
		<b>What will the impact be? If the impact is negative how can it be mitigated?</b>
	<b>Age</b>	Neutral The proposal is not aimed at a specific group within the eligible ratepayer group. No evidence has been identified to suggest that the WG scheme would have a differential impact on this group.
	<b>Disability</b>	Neutral The proposal is not aimed at a specific group within the eligible ratepayer group. No evidence has been identified to suggest that the WG scheme would have a differential impact on this group.
	<b>Gender Reassignment</b>	Neutral The proposal is not aimed at a specific group within the eligible ratepayer group. No evidence has been identified to suggest that the WG scheme would have a differential impact on this group.
	<b>Marriage &amp; Civil Partnership</b>	Neutral The proposal is not aimed at a specific group within the eligible ratepayer group. No evidence has been identified to suggest that the WG scheme would have a differential impact on this group.
	<b>Pregnancy and Maternity</b>	Neutral The proposal is not aimed at a specific group within the eligible ratepayer group. No evidence has been identified to suggest that the WG scheme would have a differential impact on this group.
	<b>Race</b>	Neutral The proposal is not aimed at a specific group within the eligible ratepayer group. No evidence has been identified to suggest that the WG scheme would have a differential impact on this group.
	<b>Religion &amp; Belief</b>	Neutral The proposal is not aimed at a specific group within the eligible ratepayer group. No evidence has been identified to suggest that the WG scheme would have a differential impact on this group.
	<b>Sex</b>	Neutral The proposal is not aimed at a specific group within the eligible ratepayer group. No evidence has been identified to suggest that the WG scheme would have a differential impact on this group.
	<b>Sexual Orientation</b>	Neutral The proposal is not aimed at a specific group within the eligible ratepayer group. No evidence has been identified to suggest that the WG scheme would have a differential impact on this group.

<b>5</b>	<b>In line with the requirements of the Welsh Language Standards. (No.1) Regulations 2015, please note below what effects, if any (whether positive or adverse), the proposal would have on opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language.</b> <i>(The specific Policy Making Standards requirements are Standard numbers 88, 89, 90, 91, 92 and 93. The full detail of each Standard is available on the Corporate</i>
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*Policy Unit Portal. Although it is important that what is outlined in the proposal is available in Welsh and English, please consider wider impacts on Welsh speakers.)*

The application form will be bilingual and so there should be no negative impact. We will ensure that the application process will comply with Standards 71, 72, 72A, 74 and 75 of the council's Compliance Notice.

## INFORMATION COLLECTION

**6** **Please outline any evidence and / or research you have collected which supports the proposal? This can include an analysis of service users.**  
*(Is this service effectively engaging with all its potential users or is there higher or lower participation of uptake by one or more protected characteristic groups? If so, what has been done to address any difference in take up of the service? Does any savings proposal include an analysis of those affected?)*

All ratepayers (service users) who appear to the Council to be eligible to apply for relief under the WG scheme will be identified by data analysis of the business rates database to ensure take-up of the assistance available under the scheme is maximised. Beyond this, no detailed analysis has been undertaken.

## CONSULTATION

**7** **Please outline the consultation / engagement process and outline any key findings.**  
*(Include method of consultation, objectives and target audience. What steps have been taken to ensure that people from various groups have been consulted during the development of this proposal? Have you referred to the Equalities Consultation and Monitoring Guidance?)*

WG developed this rate relief scheme and has laid down guidance containing various criteria which must be satisfied; therefore the Council was not at liberty to carry out a consultation on its development.

The Council's Senior Policy Officer (Equalities and Welsh Language) has been consulted and the Equalities Consultation and Monitoring Guidance considered.

## MONITORING AND REVIEW

**8** **How will the proposal be monitored?**  
*(What monitoring process has been set up to assess the extent that the service is being used by all sections of the community, or that the savings proposals are achieving the intended outcomes with no adverse impact? Are comments or complaints systems set up to record issues by Equalities category to be able analyse responses from particular groups?)*

	<p>As this is a WG scheme, the Council will be required to provide certain information to WG about the number of ratepayers receiving this relief and the amount of relief awarded. This information may be used by WG to inform future policy decisions regarding the provision of this type of rate relief.</p>
<b>9</b>	<p><b>How will the monitoring be evaluated?</b>  <i>(What methods will be used to ensure that the needs of all sections of the community are being met?)</i></p> <p>As above, WG may use information reported to them by each local authority to inform future policy decisions regarding the provision of this type of rate relief.</p> <p>No evidence has been identified to suggest that the implementation of this WG scheme would have a differential impact on this group.</p>
<b>10</b>	<p><b>Have any support / guidance / training requirements been identified?</b>  <i>(Has the EIA or consultation process shown a need for awareness raising amongst staff, or identified the need for Equalities or Welsh Language training of some sort?)</i></p> <p>No</p>
<b>11</b>	<p><b>If any adverse impact has been identified, please outline any mitigation action.</b></p> <p>N/A</p>
<b>12</b>	<p><b>What wider use will you make of this Equality Impact Assessment?</b>  <i>(What use will you make of this document i.e. as a consultation response, appendix to approval reports, publicity etc. in addition to the mandatory action shown below?)</i></p> <p>It will be used to support the proposal to adopt the WG scheme going before Cabinet in April 2019.</p>

<b>13</b>	<p><b>An equality impact assessment may have four possible outcomes, through more than one may apply to a single proposal. Please indicate the relevant outcome(s) of the impact assessment below.</b></p> <p style="text-align: right;"><b>Please tick as appropriate:</b></p> <p><b>No major change</b> – the impact assessment demonstrated that the proposal was robust; there was no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. <input checked="" type="checkbox"/></p> <p><b>Adjust the proposal</b> – the impact assessment identified potential problems or missed opportunities. The proposal was adjusted to remove barriers or better promote equality. <input type="checkbox"/></p> <p><b>Continue the proposal</b> – the impact assessment identified the potential problems or missed opportunities to promote equality. The justification(s) for continuing with it have been clearly set out. (The justification must be included in the impact assessment and must be in line with the duty to have due regard. Compelling reasons will be needed for the most important relevant proposals.) <input type="checkbox"/></p> <p><b>Stop and remove the proposal</b> – the impact assessment identified actual or potential unlawful discrimination. The proposal was stopped and removed, or changed. <input type="checkbox"/></p>
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<b>Completed by:</b>	John Carpenter
<b>Date:</b>	March 2019
<b>Position:</b>	Finance Manager (Revenues)
<b>Name of Head of Service:</b>	Nicole Scammell