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Date: 13th April 2023

To Whom It May Concern,

A multi-locational meeting of the **Cabinet** will be held in Penallta House, and via Microsoft Teams on **Wednesday, 19th April, 2023 at 1.00 pm** 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 on request.

Members of the public or Press may attend in person at Penallta House or may view the meeting live via the following link: <https://civico.net/caerphilly>

This meeting will be live-streamed and a recording made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore, the images/audio of those individuals present and/or speaking will be publicly available to all via the recording on the Council website at [www.caerphilly.gov.uk](http://www.caerphilly.gov.uk)

Yours faithfully,

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

**Christina Harrhy**  
CHIEF EXECUTIVE

## A G E N D A

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

A greener place Man gwyddach



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 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 5th April 2023.

1 - 4

To note the Cabinet Forward Work Programme.

4 Cabinet Forward Work Programme.

5 - 8

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

5 Local Toilets Strategy.

9 - 50

6 Additional Support Delegation.

51 - 58

7 Continued Suspension of Non-Priority Home Repair Grants.

59 - 84

8 Multi-Functional Cadet and Sports Pavilion At Morgan Jones Park And Parc Penallta Visitor Centre.

85 - 90

9 Cwm Ifor Solar Farm.

91 - 96

10 Sustainable Communities For Learning Band B Proposal - Update Trinity Fields School.

97 - 102

#### **Circulation:**

Councillors C. Andrews, S. Cook, E. Forehead, N. George, P. Leonard, S. Morgan, C. Morgan, J. Pritchard, J. Simmonds and E. Stenner

And Appropriate Officers

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# Agenda Item 3



## CABINET

### MINUTES OF THE MULTI-LOCATIONAL MEETING HELD AT PENALLTA HOUSE AND VIA MICROSOFT TEAMS ON WEDNESDAY 5<sup>TH</sup> APRIL 2023 AT 1PM

#### PRESENT:

Councillor S. Morgan – Chair

#### Councillors:

J. Pritchard (Cabinet Member for Prosperity, Regeneration and Climate Change), C. Andrews (Cabinet Member for Education and Communities), S. Cook (Cabinet Member for Housing), E. Forehead (Cabinet Member for Social Care), N. George (Cabinet Member for Corporate Services and Property), P. Leonard (Cabinet Member for Planning and Public Protection), C. Morgan (Cabinet Member for Waste, Leisure and Green Spaces), J. Simmonds (Cabinet Member for Highways and Transportation) and E. Stenner (Cabinet Member for Finance and Performance).

#### Together with:

C. Harry (Chief Executive), R. Edmunds (Corporate Director Education and Corporate Services), M.S. Williams (Corporate Director Economy and Environment)

#### Also in Attendance:

S. Harris (Head of Financial Services and S151 Officer), R. Tranter (Head of Legal Services and Monitoring Officer), S. Pugh (Head of Communications), M. Lloyd (Head of Infrastructure) E. Sullivan (Senior Committee Services Officer).

## RECORDING AND VOTING ARRANGEMENTS

The Leader reminded those present that the meeting was being live streamed, and a recording would be made available to view via the Council's website, except for discussions involving confidential or exempt items. [Click Here To View.](#)

### 1. APOLOGIES FOR ABSENCE

An apology for absence was received from D. Street (Corporate Director Social Services and Housing)

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest received.

### **3. MINUTES – 22<sup>nd</sup> MARCH 2023**

Subject to the inclusion of Councillor C. Andrews (Cabinet Member for Education and Communities), as she had been omitted and the removal of Councillor C. Morgan (Cabinet Member for Waste, Leisure and Green Spaces), as he had given apologies, from the list of those in attendance at the meeting it was: -

RESOLVED that the minutes of the meeting held on the 22<sup>nd</sup> March 2023 be approved as a correct record.

### **4. CABINET FORWARD WORK PROGRAMME – TO NOTE**

Cabinet was provided with the Cabinet Forward Work Programme, which detailed the scheduled reports until 26<sup>th</sup> July 2023.

Following consideration and discussion, it was moved and seconded that the Forward Work Programme be noted. By a show of hands this was unanimously agreed.

### **5. A469 TROEDRHIWFUWCH FUNDING REQUIREMENT**

Consideration was given to the report which sought Cabinet approval for capital funding of £935k to allow progression and development of the detailed design and budget estimates for the next phase of the A469 Troedrhifuwch highway improvement.

Cabinet noted the historic slip issues in this area which had been exacerbated during Storm Dennis. An extensive site investigation had indicated that the depth and extent of the disturbance area within the landslip was not as great as that initially indicated and a potential engineering solution had been identified, although the road could not be fully reopened without remediation works. Funding was now required to take the project forward, and a bid to the Welsh Government Resilient Roads Fund (RRF) had been submitted and support had been agreed although no specific sum has been confirmed.

Cabinet noted the complex nature of this natural fault line and welcomed the opportunity to secure an engineering solution to the slip plane that ran throughout this area of highway. Cabinet acknowledged the significant disruption that this ongoing issue had on residents, utility services, schools and local businesses in the area and sought clarification as to how the community would be kept informed on progress and how the impact of remediation works would be mitigated.

Officers confirmed that a newsletter would be circulated to every household in the area, and this newsletter would continue to be produced and circulated to ensure that residents were kept up to date during every phase of the works.

Cabinet felt that this regular communication would be vital, given the length of time that these issues had been present and the extent of the works required to bring back into full use this major highway link.

Following consideration and discussion, it was moved and seconded that the recommendations contained in the Officer's report be approved and by way of Microsoft Forms and verbal confirmation this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report: -

1. The funding of £935k from Capital Earmarked Reserves to allow the project to continue to progress at pace in 2023/24 to ensure that additional monitoring is

undertaken and design works are completed be approved.

2. Should the Resilient Roads Fund grant bid for £835k be approved in the coming weeks/months, the £835k be earmarked as match funding for the next RRF bid (in late 2023/24) for construction be approved.
3. Further reports be brought forward for Cabinet consideration once the design has progressed sufficiently to inform the works programme and to update Cabinet on any implications associated with that works programme.
4. Officers develop a detailed communication plan to ensure local residents and key stakeholders are fully engaged and informed throughout the development and implementation of this project.

**6. SUSTAINABLE COMMUNITIES FOR LEARNING BAND B PROPOSAL – UPDATE TRINITY FIELDS SCHOOL**

This item stood deferred until the next meeting of Cabinet, 19<sup>th</sup> April 2023.

**7. WASTE AND RECYCLING STRATEGY**

This item stood deferred to a future meeting of Cabinet.

The meeting closed at 13.24 p.m.

Approved and signed as a correct record subject to any corrections made at the meeting held on 19<sup>th</sup> April 2023

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CHAIR

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## Agenda Item 4

Page 5

### Cabinet Forward Work Programme – 11<sup>th</sup> April 2023

| Meeting date:       | Report title:  | Key issue:  | Report author:          | Cabinet Member:        |
|---------------------|--|---|-------------------------|------------------------|
| 19/04/2023<br>13:00 | Additional Support delegation  | To endorse the proposed arrangements for the delegation of additional support funding to schools.   | Sarah Ellis; Keri Cole  | Cllr. Carol Andrews    |
| 19/04/2023<br>13:10 | Review of the Local Public Convenience Strategy  | To seek Cabinet approval for the Council's updated Local Public Convenience Strategy following a review and public consultation.  | Rob Hartshorn           | Cllr. Philippa Leonard |
| 19/04/2023<br>13:20 | Multi-functional Cadet and Sports Pavilion at Morgan Jones Park and Parc Penallta Visitor Centre | To update Cabinet regarding the inability to progress previously approved proposals to build a multi-functional cadet / sports pavilion at Morgan Jones Park and a Visitor Centre at Parc Penallta and to seek Cabinet approval to implement alternative schemes at both locations and to release previously approved capital contributions back to the Authority's capital reserves. | Rob Hartshorn           | Cllr. Chris Morgan     |
| 19/04/2023<br>13:30 | Suspension of Housing Repair Grants  | To determine whether Housing Repair Grants should be reinstated following their suspension during and post covid.   | Nick Taylor-Williams    | Cllr. Shayne Cook      |
| 19/04/2023<br>13:40 | Update on the Trinity Fields Band B project  | To provide Cabinet with an update on the Trinity Fields Band B project and to seek Cabinet approval on the additional budget required to deliver the project.   | Andrea West             | Cllr. Carol Andrews    |
| 19/04/2023<br>13:50 | Cwm Ifor Solar Farm Additional Cost Report   | This report seeks Cabinet approval for the additional costs of £180,000, to take the Cwm Ifor Solar Farm project to full business case, to be taken from previously earmarked service revenue reserves within the Decarbonisation Strategy funding allocation.  | Paul Cooke & Anna Lewis | Cllr. James Pritchard  |
| 03/05/2023<br>13:00 | No items currently scheduled.  |   |                         |                        |

**Cabinet Forward Work Programme – 11<sup>th</sup> April 2023**

| Meeting date:       | Report title:   | Key issue:   | Report author:   | Cabinet Member:       |
|---------------------|---|--|--|-----------------------|
| 17/05/2023<br>13:00 | Court House Car Park,<br>Blackwood – variation of<br>parking charges  | To seek Cabinet approval to vary the parking<br>charges in Courthouse Car Park, Blackwood to<br>allow up to 1 hour parking free of charge for<br>all users.  | Dean Smith; Marcus Lloyd   | Cllr. Julian Simmonds |
| 17/05/2023<br>13:10 | Proposed changes to the<br>operation of the Welsh Church<br>Acts Fund and the small Grants<br>to the Voluntary Sector Fund. | To make changes, following a review by the<br>Grants to the Voluntary Sector Advisory Panel,<br>and recommend delegation to the Section 151<br>for future changes.   | Vicki Doyle/ Stephen<br>Harris   | Cllr. Eluned Stenner  |
| 17/05/2023<br>13:20 | Exempt item - Proposed Mineral<br>Working and Restoration of<br>Bedwas Tips - extension of<br>exclusivity agreement.        | Exempt item subject to Public Interest Test  | Marcus Lloyd   | Cllr. Julian Simmonds |
| 31/05/2023<br>13:00 | No items currently scheduled.   |  |  |                       |
| 14/06/2023<br>13:00 | Violence at Work Policy   | To approve version 4 of the Violence at Work<br>Policy.  | Emma Townsend; Lynne<br>Donovan  | Cllr. Nigel George    |
| 14/06/2023<br>13:10 | Youth Forum priority issues for<br>the coming year.   | Members of the Youth Forum will be<br>requesting Cabinet support to resolve young<br>people's priority issues 2023/24, including the<br>key priority issue - life skills - we need more<br>opportunities to learn new skills including<br>living independently, budgeting, car<br>maintenance and British Sign Language. | Clare Ewings, Community<br>Education Manager<br>(Participation and<br>Inclusion) Keri Cole | Cllr. Carol Andrews   |
| 14/06/2023<br>13:20 | Welsh Language Standards<br>Annual Report 2022-23   | To consider the Welsh Language Standards<br>Annual Report.   | Anwen Cullinane/ Sue<br>Richards   | Cllr. Nigel George    |
| 14/06/2023<br>13:30 | Corporate Plan (including Well-<br>Being Objectives) 2023 to 2028   | To consider the Councils Corporate Plan and<br>Well-being objectives 2023 to 2028  | Christina Harrhy; Ros<br>Roberts   | Leader; Cllr. Stenner |

**Cabinet Forward Work Programme – 11<sup>th</sup> April 2023**

| Meeting date:       | Report title:   | Key issue:   | Report author:                           | Cabinet Member:        |
|---------------------|---|--|--|------------------------|
| 28/06/2023<br>13:00 | Local Housing Market Assessment and the Welsh Government Prospectus   | For Cabinet to discuss and approve the Local Housing Market Assessment and the Welsh Government Prospectus. Welsh Government requires all Local Authorities to undertake a Local Housing Market Assessment and a Prospectus. The documents set out the requirement for housing within the county borough and is utilised to inform the LDP, the allocation of Social Housing Grant and the Council's own Caerphilly Homes development programme. | Nick Taylor-Williams; Jane Roberts-Waite | Cllr. Shayne Cook      |
| 28/06/2023<br>13:10 | Development and Governance Strategy   | The establishment of the development strategy which details the principles, practices and governance arrangements which are needed to facilitate, enable and support the new build objectives of Caerphilly Homes now and in the future. It will tackle the challenges, the development process, development programme and strategic priorities.   | Nick Taylor-Williams; Jane Roberts-Waite | Cllr. Shayne Cook      |
| 28/06/2023<br>13:20 | Review of Licensing fees for Dog Breeders, Scrap Metal Dealers and Activities involving animals (Pet sales) 2023. | The authority has a statutory duty to administer certain licences, registrations and permits and to set fees to recover the cost to the Authority in providing the service. The majority of Licensing fees are set by the two Licensing Committees with the exception of these fees which are the responsibility of the Executive.   | Lee Morgan                               | Cllr. Philippa Leonard |
| 28/06/23<br>13:30   | Draft Waste Strategy  | For Cabinet to agree the draft waste strategy prior to public consultation.  | Marcus Lloyd; Hayley Jones               | Cllr. Chris Morgan     |

**Cabinet Forward Work Programme – 11<sup>th</sup> April 2023**

| Meeting date:       | Report title:  | Key issue:  | Report author:                              | Cabinet Member:       |
|---------------------|--|---|---|-----------------------|
| 12/07/2023<br>13:00 | Team Caerphilly Governance Framework   | To propose a governance framework to programme manage the transformation programme. | Stefano Jefferson/Kath Peters/ Sue Richards | Cllr. Eluned Stenner  |
| 26/07/2023<br>13:00 | Annual Corporate Safeguarding Report plus the Annual Safeguarding Management Information Report. | To seek approval of the Annual Safeguarding reports.                                | Gareth Jenkins                              | Cllr. Elaine Forehead |
| 26/07/2023<br>13:10 | Day Services   | For Cabinet to consider and approve the new proposed Day Services Model.            | Jo Williams                                 | Cllr. Elaine Forehead |

# Agenda Item 5



## CABINET – 19<sup>TH</sup> APRIL 2023

**SUBJECT:** LOCAL TOILETS STRATEGY

**REPORT BY:** CORPORATE DIRECTOR FOR ECONOMY AND ENVIRONMENT

### 1. PURPOSE OF REPORT

- 1.1 To advise Cabinet of the outcome of the review of the Caerphilly County Borough Local Toilets Strategy 2019 and seek approval for the updated Strategy (2023).

### 2. SUMMARY

- 2.1 On the 17<sup>th</sup> May 2019, Cabinet agreed the Caerphilly County Borough Local Toilets Strategy.
- 2.2 Caerphilly CBC has a duty to review the local toilets strategy within a year of each ordinary election for its area. The most recent election date in Wales was Thursday 5 May 2023 so the latest date for review is 4 May 2023. As such a review of the Strategy has been performed with the intention to publish a statement of the steps taken in accordance with the Strategy (appendix 1), together with the revised Strategy (appendix 2).
- 2.3 The duty to prepare a local toilets strategy does not require local authorities to provide and maintain public toilets directly. The Local Authority must take a strategic view on how facilities can be provided and accessed by their local population.

### 3. RECOMMENDATIONS

- 3.1 That Cabinet;
  - I. Consider the content of this report and recommendations made by the meeting of the Environment & Sustainability Scrutiny Committee on 21<sup>st</sup> March 2023.

- II. That Cabinet approves the findings of the review and the updated Local Toilets Strategy with a view to adopting and publishing the updated Local Toilets Strategy.

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

- 4.1 To comply with the statutory requirement to review and publish a Local Toilets Strategy.

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

- 5.1 Toilets for public use matter to everybody, however some groups can be disproportionately affected by poor provision; for example, poor provision is understood to have negative impacts on older people, as some may be less likely to leave their homes without having confidence that adequate facilities will be available to them. This can contribute to increased social isolation and inactivity, as well as affecting people's ability to maintain independence and dignity in later life.
- 5.2 A Local Toilets Strategy was prepared in 2019 and incorporates feedback following a consultation undertaken as part of a Needs Assessment exercise during September 2018. A public consultation exercise on the proposed strategy was undertaken between the 14<sup>th</sup> December 2018 and the 8th March 2019. Cabinet agreed the Caerphilly County Borough Local Toilets Strategy on the 17<sup>th</sup> May 2019.
- 5.3 Caerphilly CBC has a duty to review the local toilets strategy within a year of each ordinary election for its area. As such, the most recent election date in Wales was Thursday 5 May 2022 so the latest date for review is 4 May 2023. There was also a requirement to publish an interim progress report setting out the steps taken in line with the strategy at two years commencing from the date of the last published strategy and to publish the interim progress report within six months of the end date of the two-year period. Therefore, following publication in May 2019, the review was to take place before the end of May 2021 and be published before the end of November 2021. However, due to competing demands associated with officers redeployed to the Covid 19 pandemic, it was not possible to deliver such an interim report.
- 5.4 The duty to prepare a local toilets strategy does not require local authorities to provide and maintain public toilets directly. The Local Authority must take a strategic view on how facilities can be provided and accessed by their local population.
- 5.5 The 2019 Strategy set out 14 options for consideration to increase the provision of local toilets over the next two years. A review of those options has been undertaken and the findings have been used to inform the revised Local Toilets Strategy 2023, as detailed in appendix 1. The main outcomes of the review are listed below:

1. The Council has worked with third parties to successfully re-open the former CCBC public toilet facilities at Bargoed, Risca, Blackwood, and Caerphilly Bus Stations.  
The Council has also worked with Gelligaer Community Council, to successfully re-open the toilet facilities at the bus stops in Ystrad Mynach and in Nelson.  
Businesses have again been surveyed to establish if they are prepared to allow their facilities to be used by the public (without purchasing items), to display a sign and be identified via the data maps. Nine such businesses provided consent.  
New provision will be provided at the developing transport hub in Caerphilly. These modern toilets will assist commuters and those utilising the night time economy offerings.
2. The promotion of equal opportunities and provision of appropriate, accessible and effective services and facilities is embedded in all strategies and operational work.
3. Toilet logo stickers are displayed at entrances to appropriate Council buildings where toilets are accessible without entering secure work areas.  
Stickers are provided to partner providers for display.
4. Health care settings have again been surveyed to establish if they are prepared to allow their facilities to be used by the public, to display a sticker and be identified via the data maps. Five such settings provided consent, compared to three in the previous survey.
5. The Strategy will be published on the council's website, with a link to the Welsh Government's [National Toilet Map](#). The map is interactive and provides details relating to locations, facilities provided, opening hours etc. Updated spreadsheets detailing such information will be provided to Welsh Government as necessary.  
The tables included in the appendices of the 2019 Strategy have been reduced to a list of the locations and post codes within the 2023 Strategy. The extensive tables detailing facilities, opening times etc. have been removed from the revised strategy, as the information is available via the National Toilet Map.
6. The provision of online information maps, physical maps and information sheets, and downloadable information accessed via mobile phone technology has been superseded. The preferred option is digital by default. There is no longer a need for local authorities to publish the locations on their website via a map. Welsh Government are also transitioning from the Lle website to the [National Toilet Map](#). The map is accessible via mobile phones and as the data is open source, in time companies may use the data to produce apps that pinpoint locations and facilities etc.  
Additional signposting to the nearest toilets is to be provided in town centres.  
Hard copy maps and spreadsheets will not be produced as they become outdated and require reprinting.
7. As stated in item 1 above, CCBC has worked with partners to improve

- provision near key night-time gathering points such as taxi ranks, car parks, railway/bus stations and stops. Third party operators are managing the former Council public toilets. These are located at transport locations.
- 8. Business premise operators have a duty to maintain their toilets in a clean condition. Third party partner provision is inspected by Environmental Health Officers when they inspect premises, and the public can report failings for investigation.  
Council buildings are subject to daily cleaning and are monitored by the Facilities Management Team and/or building management teams depending on the type of premise.
  - 9. The Council has a good working relationship with Gwent Police, particularly via the Community Safety network, with Police officers embedded with the Community Safety Team. The Police also engage with business proprietors and link with Licensing Officers and the Licensing objectives, particularly in relation to night-time economy. Reports relating to antisocial behaviour, vandalism and substance misuse within such facilities are reported to the Police for investigation.
  - 10. There is no charge for the use of toilets within appropriate council buildings.
  - 11. Dedicated facilities are not available for rough sleepers.
  - 12. Event organisers are requested to supply details of toilet facilities to the Events Safety Advisory Group (ESAG) when planning an event. ESAG members provide appropriate advice and may check the provision when visiting the event.
  - 13. Sustainable development and energy considerations are embedded into all new builds and where appropriate into retro fitting existing locations. New provision will be provided at the developing transport hub in Caerphilly. These modern toilets will assist commuters and those utilising the night-time economy offerings.
  - 14. Planning Officers have raised the matter with Welsh Government. Additionally, developers are encouraged to consider provision when designing new developments.
- 5.6 Cabinet is therefore requested to consider and approve the findings of the review and the updated Local Toilets Strategy.
- ## 6. CONCLUSION
- 6.1 A review of the strategy has been performed with the intention to publish a statement of the steps it has taken in accordance with the strategy (appendix 1), together with the revised strategy (appendix 2).
- ## 7. ASSUMPTIONS
- 7.1 That there have been no significant changes to the demographics across the county borough and therefore that the needs of residents have not changed

since the Needs Assessment Consultation Report produced for the 2019 strategy.

- 7.2 That private businesses will continue to participate in a scheme that allows non-paying customers to utilise their facilities.

## **8. SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

- 8.1 This is a review of an existing strategy and therefore does not require a new Integrated Impact Assessment.

## **9. FINANCIAL IMPLICATIONS**

- 9.1 There are no financial implications associated with this report.

## **10. PERSONNEL IMPLICATIONS**

- 10.1 There are no personnel implications associated with this report.

## **11. CONSULTATIONS**

- 11.1 The consultees listed below have been consulted on this report and their views have been incorporated accordingly.

The report on the Local Toilets Strategy was considered by the Environment and Sustainability Scrutiny Committee on March 21, 2023.

One Member asked about the timescale between closing certain toilets and the responsibility then being transferred to Gelligaer Community Council. Officers advised that information on this would be provided to the Member outside the meeting.

A Member sought clarification on third-party cooperation to run toilets at bus stations across the County Borough and wished to know the timescale of these arrangements. The Corporate Director for Economy and Environment advised that this information would be provided to the Member outside the meeting as each third-party arrangement was different. For example, the facilities at Blackwood bus station were operated by the Taxi Association.

One Member sought clarification on the duty to review the strategy within a year of each ordinary Council election. The Environmental Health Manager provided clarification on this duty and also outlined how a 2 year post-publication review had been delayed due to staff being redeployed because of the Covid-19 pandemic.

A Member expressed his disappointment that the Council did not run the toilets in major towns such as Blackwood. The Member outlined how the Taxi

Association in Blackwood was sometimes forced to close the facilities in the town due to vandalism and that this had a negative impact on the experience of those shopping in the town. The Corporate Director for Economy and Environment advised the Committee that there was no statutory duty on Local Authorities to provide public toilets and that the Council had decided to no longer provide such facilities as part of a previous basket of savings within its medium-term financial plan as a response to austerity measures which were imposed by central government. The Environmental Health Manager provided additional information on the work being done by Community Safety Wardens to tackle anti-social behaviour in Blackwood bus station and the wider town itself.

One Member observed that the National Toilet Map information needed updating as some of the businesses listed no longer participated. The Environmental Health Manager provided information on the survey of businesses who wished to participate, the Toilet Stickers that were issued at premises that allowed their premises to be used and she also provided assurances that the list of participating businesses would be fully updated and passed to the Welsh Government when the Strategy under discussion was finally approved by cabinet.

During the ensuing discussion a Member observed that a continental shift system which facilitated attendants at public toilets was the best solution, but the associated costs were prohibitive. The Chair expressed concern that the number of businesses participating in the strategy had reduced since the last review and he asked if a £500 grant was still available as an encouragement to take part. The Environmental Health Manager advised that this was no longer the case. Another Member observed that if the Council no longer ran public toilets because of the costs involved it was unfair to expect local businesses to take on the additional financial burden with no remuneration.

## **12. STATUTORY POWER**

### **12.1 Part 8 of the Public Health (Wales) Act 2017**

Author: Ceri Edwards, Environmental Health Manager (edwarc@caerphilly.gov.uk)

Consultees: Councillor Philippa Leonard, Cabinet Member for Planning & Public Protection  
Councillor James Pritchard Deputy Leader and Cabinet Member for Prosperity, Regeneration and Climate Change  
Councillor D.T Davies Chair Environment and Sustainability Scrutiny Committee  
Councillor A Hussey Vice Chair Environment and Sustainability Scrutiny Committee

Christina Harrhy, Chief Executive  
Mark S. Williams, Corporate Director for Economy and Environment  
Rob Hartshorn, Head of Public Protection, Community and Leisure Services  
Rob Tranter, Head of Legal Services and Monitoring Officer  
Steve Harris, Head of Financial Services and S151 Officer  
Lynne Donovan, Head of People Services  
Ben Winstanley, Head of Land and Property Services  
Councillor D.T Davies, Chair of Environment and Sustainability Scrutiny Committee  
Councillor Adrian Hussey, Vice Chair of Environment and Sustainability Scrutiny Committee  
Mark S Williams, Corporate Director Economy and Environment  
Steve Harris, Head of Financial Services and Section 151 Officer  
Lynne Donovan, Head of People Services  
Rob Tranter, Head of Legal Services and Monitoring Officer

### **Background Papers: Local Toilets Strategy 2019**

Appendices:

- Appendix 1 Review of the 2019 Local Toilets Strategy
- Appendix 2 Local Toilets Strategy 2023

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## Appendix 1

### Local Toilets Strategy – Review of the 2019 Local Toilets Strategy

In July 2017, the Public Health (Wales) Act 2017 received Royal Assent, bringing together a range of practical actions for improving and protecting health.

Part 8 of the Public Health (Wales) Act 2017: Provision of Toilets came into force on 31 May 2018 and places a duty on each local authority in Wales to prepare and publish a local toilets strategy for its area. There is no funding for additional provisions attached to it.

Local authorities in Wales now have the responsibility to:

- assess the need for toilet provision for their communities;
- plan to meet those needs;
- produce a local toilets strategy; and
- review the strategy, update and publicise revisions.

The Caerphilly County Borough Council's Local Toilets Strategy was published in May 2019. This document details a review of that Strategy.

Caerphilly CBC has a duty to review the local toilets strategy within a year of each ordinary election for its area. As such, the most recent election date in Wales was Thursday 5 May 2023 so the latest date for review is 4 May 2023. There was also a requirement to perform and publish an interim progress report setting out the steps taken in line with the strategy at two years commencing from the date of the last published strategy and to publish the interim progress report within six months of the end date of the two-year period. Therefore, following publication in May 2019, the review was to take place before the end of May 2021 and be published before the end of November 2021. However, due to competing demands associated with officers redeployed to the Covid 19 pandemic, it was not possible to deliver such an interim report.

As such, this review of the strategy provides a statement of the steps taken in accordance with the strategy and, a summary of the steps, together with the revised strategy.

The duty to prepare a local toilets strategy does not require local authorities to provide and maintain public toilets directly. The authority will continue to adopt an enabling approach by promoting the use of existing toilets in Council buildings such as libraries.

The Local Authority must take a strategic view on how facilities can be provided and accessed by their local population

## Review of 2019 Local Toilet Strategy Summary

|    | <b>2019 Options</b>   | <b>Review and Progress</b>   | <b>2023 Options</b>  |
|----|---|--|--|
| 1. | Explore all options available including working with the private sector, voluntary services and Community Councils to make more local toilets available in places where they are most needed. | <p>The Council has worked with third parties to successfully re-open the toilet facilities at Bargoed, Risca, Blackwood, and Caerphilly Bus Stations.</p> <p>The Council has also worked with Gelligaer Community Council, to successfully re-open the toilet facilities at the bus stop in Ystrad Mynach and in Nelson.</p> <p>Businesses have again been surveyed to establish if they are prepared to allow their facilities to be used by the public (without purchasing items), display a sign, and be identified via the data maps. Nine such businesses provided consent.</p> <p>New provision will be provided at the developing transport hub in Caerphilly. These modern toilets will assist commuters and those utilising the night time economy offerings.</p> | Explore all options available including working with the private sector, voluntary services and Community and Town Councils to make more local toilets available in places where they are most needed. |
| 2. | Promote equal opportunities to provide appropriate, accessible and effective services and facilities to all sections of the community without prejudice or bias.                              | This approach is embedded in all strategies and operational work.  | Promote equal opportunities to provide appropriate, accessible and effective services and facilities to all sections of the community without prejudice or bias.                                       |
| 3. | Ensure that the toilet logo sticker will be displayed at entrances at all appropriate Council buildings and private businesses that have agreed to being                                      | <p>Toilet logo stickers are displayed at entrances to appropriate Council buildings where toilets are accessible without entering secure work areas.</p> <p>Stickers are provided to partner providers for display.</p>  | Ensure that the toilet logo sticker will be displayed at entrances at all appropriate Council buildings and private businesses that have agreed to being mapped.                                       |

|    |   |  |   |
|----|---|--|---|
|    | mapped.   |  |   |
| 4. | Work with Aneurin Bevan University Health Board and health care providers; to encourage them to make the facilities available to the public, participate in the mapping scheme and to display the toilet logo sticker, in appropriate premises. | Health care settings have again been surveyed to establish if they are prepared to allow their facilities to be used by the public, to display a sticker and be identified via the data maps. Five such settings provided consent, compared to three in the previous survey.   | Work with Aneurin Bevan University Health Board and health care providers; to encourage them to make the facilities available to the public, participate in the mapping scheme and to display the toilet logo sticker, in appropriate premises. |
| 5. | Improve awareness and information available on toilet provision in the Borough by updating information on the Caerphilly CBC website and will regularly update the Lle open access data repository with WG.                                     | The Strategy will be published on the council's website, with a link to the Welsh Government's <a href="#">National Toilet Map</a> . The map is interactive and provides details relating to locations, facilities provided, opening hours etc. Updated spreadsheets detailing such information will be provided to Welsh Government as necessary.<br><br>The Appendix 1 tables included in the 2019 Strategy have been reduced to a list of the locations and post codes within the 2023 Strategy. The extensive tables detailing facilities, opening times etc. have been removed from the revised strategy, as the information is available via the <a href="#">National Toilet Map</a> . | Improve awareness and information available on toilet provision in the Borough by updating information on the <a href="#">National Toilet Map</a> .   |
| 6. | Provide online information maps, physical maps and information sheets, and downloadable information accessed via mobile phone technology.   | This option has been superseded. The preferred option is digital by default. There is no longer a need for local authorities to publish the locations on their website via a map. Welsh Government are also transitioning from the Lle website to the <a href="#">National Toilet Map</a> . The map is accessible via mobile phones and as the data is open source, in time companies may use the data to produce apps that pin point locations and facilities etc.<br><br>Additional signposting to the nearest toilets is to be provided in  | No Action Required  |

|     |  |   |   |
|-----|--|---|---|
|     |  | <p>town centres.</p> <p>Hard copy maps and spreadsheets will not be produced as they become outdated and require reprinting.</p>  |   |
| 7.  | Work with partners to improve provision near key night-time gathering points such as taxi ranks, car parks, railway/bus stations and stops.    | As stated in item 1 above, third party operators are managing the former Council public toilets. These are located at transport locations.  | Continue to work with partners to improve provision near key night-time gathering points such as taxi ranks, car parks, railway/bus stations and stops. |
| 8.  | Review cleansing operations and standards on a periodic basis to ensure the most efficient and effective provision within allocated resources. | <p>Business premise operators have a duty to maintain their toilets in a clean condition. Third party partner provision is inspected by Environmental Health Officers when they inspect premises, and the public can report failings for investigation.</p> <p>Council buildings are subject to daily cleaning and are monitored by the Facilities Management Team and/or building management teams depending on the type of premise.</p>   | Periodically review cleansing operations and standards within the facilities to ensure hygienic provision.  |
| 9.  | Continue to work with the Police and residents, community groups and others to ensure that facilities are as safe as possible.                 | The Council has a good working relationship with Gwent Police, particularly via the Community Safety network, with Police officers embedded with the Community Safety Team. The Police also engage with business proprietors and link with Licensing Officers and the Licensing objectives, particularly in relation to night-time economy. Reports relating to antisocial behaviour, vandalism and substance misuse within such facilities are reported to the Police for investigation. | Continue to work with the Police and residents, community groups and others to ensure that facilities are as safe as possible.                          |
| 10. | Not charge residents to use toilet facilities in council buildings where there is provision.   | There is no charge for the use of toilets within appropriate council buildings.   | Not charge residents to use toilet facilities in council buildings where there is provision.  |
| 11. | Explore options for providing facilities for the homeless/rough  | Dedicated facilities are not available for rough sleepers.  | Explore options for signposting suitable facilities for the   |

|     |  |   |  |
|-----|--|---|--|
|     | sleepers.  |   | homeless/rough sleepers.   |
| 12. | Ensure that the Events Safety Advisory Group continues to provide advice and guidance on temporary toilet facilities to be provided at organised events. | Event organisers are requested to supply details of toilet facilities to the Events Safety Advisory Group (ESAG) when planning an event. ESAG members provides appropriate advice and may check the provision when visiting the event.  | Ensure that the Events Safety Advisory Group continues to provide advice and guidance on temporary toilet facilities to be provided at organised events. |
| 13. | Ensure that sustainable development and energy is taken into consideration facilitating the provision of local toilets.                                  | Sustainable development and energy considerations are embedded into all new builds and where appropriate into retro fitting existing locations.<br>New provision will be provided at the developing transport hub in Caerphilly. These modern toilets will assist commuters and those utilising the night time economy offerings. | Ensure that sustainable development and energy is taken into consideration when building new toilets or adapting existing provision.                     |
| 14. | Ensure that officers raise the need for changes to Planning Policy and legislation in relation to toilet provision and access.                           | Planning Officers have raised the matter with Welsh Government. Additionally, developers are encouraged to consider provision when designing new developments.  | Ensure that officers raise the need for changes to Planning Policy and legislation in relation to toilet provision and access.                           |

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# Caerphilly County Borough Council

## Local Toilets Strategy

### May 2023 revision

## Executive Summary

Toilets for public use matter to everybody who goes “away from home” for some reason and remain a high-profile issue. They are, however, even more important to certain groups within society, including older people, people with disabilities, people with particular needs (including certain medical problems), women, children and young people and their families. These groups can be disproportionately affected by poor provision; for example, poor provision is understood to have negative impacts on older people, as some may be less likely to leave their homes without having confidence that adequate facilities will be available to them. This can contribute to increased social isolation and inactivity, as well as affecting people’s ability to maintain independence and dignity in later life.

Part 8 of the Public Health (Wales) Act 2017: Provision of Toilets came into force on 31 May 2018 and places a duty on each local authority in Wales to prepare and publish a local toilets strategy for its area.

Local authorities in Wales now have the responsibility to:

- assess the need for toilet provision for their communities;
- plan to meet those needs;
- produce a local toilets strategy; and
- review the strategy, update, and publicise revisions.

Caerphilly County Borough Council published its first strategy in May 2019. The duty to prepare a local toilets strategy does not require local authorities to provide and maintain public toilets directly. The Local Authority must take a strategic view on how facilities can be provided and accessed by their local population. Upon review of this strategy, Caerphilly County Borough Council is required to publish a statement of progress. This strategy contributes toward achieving accessible and clean toilets wherever people live, work or visit.

The provision of local toilets for public use is not a statutory requirement of local authorities in Wales. Therefore, due to financial cutbacks within local government, Caerphilly County Borough Council, like many other local authorities, closed its traditional public toilet blocks. This strategy aims to mitigate potential impacts by making toilets in more council facilities available for public use and to work with the private sector to help promote their facilities.

Locations of toilets are published on the [National Toilet Map](#) as open source of data, which software companies may access to produce apps designed for smart phones. Mapping is an important part of our strategy, particularly for visitors that are not familiar with the locality. It allows people who need to visit a toilet to easily access information about the location, opening times, accessibility and type of facilities available. Participating premises will also display a sticker in a prominent place, indicating that toilets are available for the public. The sticker displays the logo stipulated by Welsh Government. This approach is particularly relevant to residents that are familiar with the locality.

This strategy incorporates feedback following two public consultation exercises. The first was undertaken during September 2018; designed to assess the needs of residents, and people visiting or working within the county borough. A total of 357 responses were received; the analysis of which is detailed in the *Caerphilly County Borough Council Local Toilets Strategy Needs Assessment Consultation Report*<sup>1</sup> and used to inform the content of the draft strategy. The second public consultation exercise was undertaken between the 14th December 2018 and the 8th March 2019 to collect views regarding the content of the draft strategy. 83 responses were received and analysed; the analysis is detailed in *Caerphilly County Borough Council Draft Local Toilet Strategy - Consultation Report*.<sup>3</sup>

The demographics of the county have not changed since the surveys undertaken for the 2019 strategy, therefore the findings of those surveys remain valid for 2023.

This 2023 strategy builds on the set of options detailed in the 2019 strategy. To increase the provision of local toilets Caerphilly CBC will consider and explore the following:

1. Explore all options available including working with the private sector, voluntary services and Community and Town Councils to make more local toilets available in places where they are most needed.
2. Promote equal opportunities to provide appropriate, accessible and effective services and facilities to all sections of the community without prejudice or bias.
3. Ensure that the toilet logo sticker will be displayed at entrances at all appropriate Council buildings and private businesses that have agreed to being mapped.
4. Work with Aneurin Bevan University Health Board and health care providers; to encourage them to make the facilities available to the public, participate in the mapping scheme and to display the toilet logo sticker, in appropriate premises.
5. Improve awareness and information available on toilet provision in the Borough by updating information on the [National Toilet Map](#).
6. Work with partners to improve provision near key night-time gathering points such as taxi ranks, car parks, railway/bus stations and stops.
7. Periodically review cleansing operations and standards within the facilities to ensure hygienic provision.
8. Continue to work with the Police and residents, community groups and others to ensure that facilities are as safe as possible.
9. Not charge residents to use toilet facilities in council buildings where there is provision.

10. Explore options for signposting suitable facilities for the homeless/rough sleepers.
11. Ensure that the Events Safety Advisory Group continues to provide advice and guidance on temporary toilet facilities to be provided at organised events.
12. Ensure that sustainable development and energy is taken into consideration when building new toilets or adapting existing provision.
13. Ensure that officers raise the need for changes to Planning Policy and legislation in relation to toilet provision and access.

## **Introduction**

Wherever people go, outside of their own homes, they depend on toilet facilities for the enjoyment of their visit. Visitors to the county, who may be some distance from their homes, also depend on provision to accessible toilets. Toilets can make a significant impact upon the comfort of individuals and families who visit public spaces and their perception of the area as a desirable place to visit.

Provision of, and access to toilets is an issue that affects public health. Accessible, clean toilets that are well located in places such as town centres, parks, cycle trails and walking routes can help encourage people to socialise take exercise and stay more physically active. This has clear health and economic benefits. Conversely, a lack of adequate toilet facilities can impact on a person's physical and mental health, as well as affecting the wider environmental health of the population.

Therefore, the provision of toilets has implications for public and individual health, transportation, crime prevention, urban design, economic and cultural development and social equity and accessibility. It is an important factor in delivering a 'people friendly' environment for everyone who goes to shopping centres, leisure and entertainment venues, sports facilities, parks and green spaces, everyone who moves about on foot, or bicycle, private or public transport, whether for work or pleasure.

Toilets for public use matter to everybody who goes "away from home" for some reason and remain a high-profile issue. They are, however, even more important to certain groups within society, including older people, people with disabilities, people with particular needs (including certain medical problems), women, children and young people and their families. These groups can be disproportionately affected by poor provision; for example, poor provision is understood to have particular negative impacts on older people, as some may be less likely to leave their homes without having confidence that adequate facilities will be

**3**

- 1 Overview of the Caerphilly County Borough area Demographic and Health Data [add link](#)
- 2 Caerphilly County Borough Council Local Toilet Strategy Needs Assessment Consultation Report [add link](#)
- 3 Caerphilly County Borough Council, Draft Local Toilet Strategy - Consultation Report [add link](#)

available to them. This can contribute to increased social isolation and inactivity, as well as affecting people's ability to maintain independence and dignity in later life.

## Why do we need a strategy for providing toilet facilities?

This strategy contributes toward achieving accessible and clean toilets wherever people live, work or visit. Need is likely to grow through new housing developments and through tourism. This is an opportune time to set a strategy for promoting access to toilet facilities where they are needed.

Part 8 of the Public Health (Wales) Act 2017: Provision of Toilets came into force on 31 May 2018 and places a duty on each local authority in Wales to prepare and publish a local toilets strategy for its area. The strategy is built around the principles of co-production, through local authority engagement with a broad range of potential providers and users.

Local authorities in Wales now have the responsibility to:

- assess the need for toilet provision for their communities;
- plan to meet those needs;
- produce a local toilets strategy; and
- review the strategy, update and publicise revisions.

Local authorities needed to prepare and publish their strategies within one year from 31 May 2018. **The duty to prepare a local toilets strategy does not require local authorities to provide and maintain public toilets directly.** The Local Authority must take a strategic view on how facilities can be provided and accessed by their local population. Upon review of this strategy, Caerphilly County Borough Council is required to publish a statement of progress.

The Well-being of Future Generations (Wales) Act 2015 puts in place a 'sustainable development principle' which tells public bodies how to go about meeting their duty under that Act. The principle is made up of five ways of working that public bodies should follow when carrying out sustainable development. These are:

- looking to the long term so we do not compromise the ability of future generations to meet their own needs;
- taking an integrated approach;
- working with others in a collaborative way to find shared sustainable solutions;

- involving a diversity of the population in the decisions affecting them; and
- acting to prevent problems from occurring or getting worse.

Due regard has been made to the above five ways of working when preparing, reviewing, consulting on and publishing this strategy.

The key prevention aims of this local toilets strategy are to:

- identify key toilet facilities in a location;
- identify facilities at risk of being lost to a location, and ways to preserve their use;
- identify alternative provisions if facilities must close;
- identify additional facilities that can be brought into wider use to supplement existing facilities or as a replacement for those that have been lost; and
- identify opportunities for creating new facilities to modern, inclusive specifications.

## **The Aims of this strategy:**

The aim of this strategy is to review the quality and quantity of local toilets throughout the county borough and to provide or facilitate the provision of clean, safe, accessible and sustainable toilets for residents and visitors to the Borough at locations where the need for such facilities has been identified.

## **To achieve this strategy, we will:**

- Identify the current level of provision of public toilets
- Analyse the findings of the completed assessment of need activities for toilets available for use by the public in their area;
- Consider the requirements of the general population;
- Identify the needs for particular user groups;
- Survey the condition and usage of existing facilities;
- Identify any gaps in current provision;
- Adopt the use of new technologies and communications that it is envisaged will lead to an increased awareness of the locations of local toilets;

- Advise on the provision of adequate temporary toilets by the promoters or organisers of one off events; and
- Provide a statement setting out the steps which the Local Authority proposes to take to meet this need; and any other information which the council considers appropriate.

## **Reviewing the Strategy**

Caerphilly CBC planned to produce an interim progress report setting out the steps taken in line with their strategy at two years commencing from the date of the last published strategy. The intention was to publish the interim progress report within six months of the end date of the two year period. Therefore, following publication in May 2019, the review was to take place before the end of May 2021 and be published before the end of November 2021. However, due to competing demands associated with officers redeployed to the Coronavirus Covid 19 pandemic, it was not possible to deliver such reports.

Caerphilly CBC has a duty to review the local toilets strategy within a year of each ordinary election for its area. As such, the most recent election date in Wales was Thursday 5 May 2023 so the latest date for review is 4 May 2023. There have been no significant changes made to the strategy following the post-election review, therefore Caerphilly CBC publishes this interim progress statement covering a two year period commencing from the date of the last election.

Caerphilly CBC may review its strategy at any time following which it must publish a statement of the steps which it has taken in accordance with the strategy. If following a review, Caerphilly CBC decides to revise the strategy it will publish the revised strategy and then prepare an interim progress report covering the two year period commencing from the date of publication.

## **How has this strategy been developed?**

A multi-disciplinary group was established so the strategy could be developed with input from a cross section of Local Authority services. This approach was considered vital to capture all available baseline data and to maximise opportunities to improve toilet provision in the County Borough. Due regard was made to demographic and health data detailed in a separate report '*Overview of the Caerphilly County Borough area Demographic and Health Data*'<sup>1</sup>.

Engagement with other public bodies, community groups, private enterprise and the public was undertaken to understand what is currently on offer and how any gaps in this contribution can be mitigated.

A public consultation was undertaken throughout September 2018 to assess the needs of residents, and people visiting or working within the county borough. Key engagement mechanisms included:

- Online - via the CCBC Website, social media (including Facebook and Twitter) and on partner organisations' websites
- E-mail alerts and correspondence
- The September 2018 edition of the Council's newsletter "Newsline" delivered to every household within the borough)
- Face to face – discussions at Voluntary Sector Liaison Committee, Voluntary Sector Forum, Caerphilly Youth Forum and Caerphilly Access Forum.
- Paper Questionnaires – requested by groups and residents.

A total of 357 responses were received and have been included in this analysis; the results of which are detailed in the *Caerphilly County Borough Council Local Toilets Strategy Needs Assessment Consultation Report<sup>2</sup>* and have been used to influence the content of this strategy. A list of organisations separately consulted is detailed in the report.

At the same time the Council contacted all the national retailers who operate within the Borough as part of a collaborative exercise across Wales to establish whether these businesses would be prepared to be part of the strategy by allowing their toilet facilities to be used by non-customers, signposted via national websites and phone apps and agreeing to display a sticker showing the national toilet logo. The results were extremely disappointing; no businesses located within the Borough volunteered to offer their toilet facilities to the public and to be mapped.

A similar exercise was also conducted whereby the Council contacted 97 local businesses to ascertain whether they would be prepared to participate. Just 7 of these agreed to allow their facilities to be mapped and formally included in this strategy; however a few did comment that they would allow non-paying customers to use their toilets on request.

This process was repeated during the summer of 2023, with 260 local businesses contacted. Just 9 of these were prepared to participate, 35 declined, and 216 did not reply.

In addition we contacted all primary health care providers including GP surgeries, dentists and opticians asking if they would be prepared to take part in the strategy; 3 agreed to participate. This was repeated in the summer of 2023 and 5 settings agreed to participate.

A public consultation exercise was undertaken between the 14th December 2018 and the 8th March 2019 to collect views regarding the content of the updated draft strategy. 83 responses were received and analysed; they are reported in the *Caerphilly County Borough Council, Draft Local Toilet Strategy – consultation report*<sup>3</sup>.

All feedback received informed the final version of this strategy.

## **How does it fit with other Council priorities and services?**

The Council is committed to a clear vision in which Caerphilly County Borough is a distinctive place with vibrant communities and equal opportunity for everyone to fulfil their potential. This public toilet provision strategy can contribute to that, supporting several of the Well-being Objectives within the Council's Corporate Plan 2018-23 to make the vision a reality:

- Promote a modern, integrated, and sustainable transport system that increases opportunity,
- Promotes prosperity and minimises the adverse impacts on the environment,
- Creating a county borough that supports a healthy lifestyle in accordance with the sustainable development principle within the Wellbeing of Future Generations (Wales) Act 2015;
- Support citizens to remain independent and improve their well-being.

More than that, as described earlier, publicly accessible toilets are needed by every one of us at some point when we are “away from home” and so provision touches on every area of the Council in some way and to some degree.

## **Looking back at historic provision of public toilet facilities in Caerphilly County to where are we now**

At the time of preparing the 2019 strategy, the remaining five public toilets blocks located near the main public transport hubs at Caerphilly Bus Station, Blackwood Bus Station, Bargoed Bus Station, Ystrad Mynach bus stop and Risca were considered as part of the Council's Medium Term Financial Plan; to address a savings requirement of £15.5m faced by the Council for the 2019/20 financial year. The difficult decision to close all the remaining public toilet blocks to facilitate savings was made by Council in February 2019. With this backdrop, the toilet blocks were omitted from the provision within the strategy. However, in recent years, these toilet facilities have been leased to third parties and are now

operational; they have therefore been added to the strategy. Historically to encourage local businesses to open their toilets and increase the number of toilets available for public use Welsh Government (WG) offered a Community Toilet Scheme Grant that was administered by local government. Businesses were offered an annual recompense payment of up to £500. In 2014/15 this funding was transferred to WG Revenue Support Grant and the Council ceased to support a Community Toilet Scheme.

## Who provides local/public toilets?

Providing toilet facilities in separate buildings has been the model for many decades and this approach may still have a role in certain circumstances. However, there are increasing benefits from co-located provision in existing buildings wherever possible to reduce some of the negative aspects such as anti-social behaviour and vandalism and the associated costs.

Commercial providers in retail centres with extended opening hours and in entertainment venues and visitor attractions have an important role to play in satisfying the needs of their customers and the public. The case for publicly accessible toilets in a wider variety of community buildings will become stronger. This draws in a wider range of potential partners to fund and manage them.

The provision of local toilets for public use is not a statutory requirement of local authorities in Wales. Therefore, due to unprecedented financial cutbacks within local government, Caerphilly County Borough Council, like many other local authorities, no longer provides traditional public toilet blocks. This strategy aims to mitigate potential impacts by making toilets in more council facilities available for public use and to work with the private sector to help promote their facilities.

**Local councils are no longer the only providers of toilet facilities;** the section below describes other providers and options. A combination of these forms part of this strategy to help achieve the aims and objectives outlined later.

### A - Council-owned

#### a) Stand-alone – council managed

These are what many people would consider traditional public toilets. They have usually been stand-alone, purpose-built buildings providing separate areas for Ladies, Gents

9

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and more recently an accessible unit for disabled people and changing facilities. Councils have been responsible for the maintenance, management, and cleaning, of such facilities. However, as noted above such facilities have been leased to third parties and are once again operational.

#### **b) Within council facilities, offices and green spaces**

Toilet facilities may be made available to the general public where the individual location, access and circumstances allow, such as the Caerphilly Tourist Information Centre, libraries, sports centres and some council offices. There are also toilets located at some parks and countryside settings. This is part of a wider need to ensure that all services offered are accessible by all members of the community. A list of council premises with toilets available for public use is detailed in Appendix 1.

### **B - Commercial/ Retail sector provision**

Many toilet facilities provided by commercial and retail businesses have been primarily or solely for use by customers. Some shop managers in town centres understand that people enter to use the toilets and recognise that this may lead to people buying goods whilst inside. Most visitor and tourist attractions and entertainment venues such as cinemas provide toilet facilities. It is accepted that the public depend on such facilities.

### **C – Voluntary schemes via private providers**

Some local retailers have volunteered to make toilets accessible to both customers and other members of the public. These are available in addition to existing council-run or other public toilet facilities. They are county wide but based particularly in town centres and other areas where people stay for 2 or more hours. They have the benefit of providing safe, clean, and accessible toilets, available during the partners' opening hours. Toilets can be used without having to make a purchase. They are regularly inspected by council officers to ensure they meet appropriate standards. However, proprietors reserve the right of admission in exceptional circumstances.

Local cafes etc. were surveyed to establish whether they wished to participate in a voluntary scheme that would allow members of the public to access their customer toilets. A limited number of the food business operators responded to the survey. A total of nine premises located across the county borough indicated that they are prepared to participate in a formal scheme in which they would be required to display a sticker in their window and did not want to be identified via a mapping system or app. In addition, several business operators recognised that non-paying customers do use their facilities

and such practice would be allowed to continue, however they declined to be added to the mapping data and to participate in a formal scheme.

Larger national retailers were also surveyed to seek an agreement in principle that their toilet facilities could be used by the public. Those that responded declined such an agreement. However, feedback obtained from the needs assessment survey, indicates that the public do in fact use and rely on facilities provided by the larger stores such as the supermarkets. Furthermore, respondents indicated that such facilities are of a good quality and are hygienic.

Primary health care providers, the Aneurin Bevan University Health Board and healthcare premises including doctors GP surgeries, dentists and opticians etc. have been encouraged to make their toilets available and to be mapped and sign posted for public use; 5 have so far agreed to participate.

## Mapping locations

This is an important part of our strategy so that people who need to visit a toilet can easily access information about the location, opening times, accessibility, and type of facilities available.

The Council will periodically review and update the Welsh Government [National Toilet Map](#) data repository to facilitate access to accurate information by guide and map publishers, residents and visitors.

Once we have identified the toilets that will be publicised as available for use by the public, Caerphilly CBC will prepare a dataset to a given specification, and provide it to Welsh Government. The dataset will consist of the location and specified characteristics of the identified toilets. This data will be consumed by the Welsh Government system and joined to other LA datasets to produce the national dataset for the [National Toilet Map](#). The [National Toilet Map](#) will generate all-Wales maps based on the datasets provided by local authorities that can be configured to focus on either the national picture, or on more local areas. The data included in the [National Toilet Map](#) will be available as an open data service accessible to everyone. The link to the portal is below.

[https://datamap.gov.wales/layers/geonode:national\\_toilet\\_map](https://datamap.gov.wales/layers/geonode:national_toilet_map)



Participating premises will also display a sticker in a prominent place, indicating that toilets are available for the public. The sticker will display the logo stipulated by Welsh Government.

The British Toilet Association also recommends that signs be fitted on the outside with information like opening hours, contact information for reporting problems and the specific facilities provided inside, such as whether there is a baby-changing room.

The Welsh Government has not developed an app as many people are unable to use a smartphone for several reasons. It is more appropriate to focus on ensuring the information is available online via the Welsh Government website and via traditional offline methods.

For data to be classed as open data it must be made available under an open licence. Within the Public Sector this can be achieved by publishing data under the Open Government Licence (OGL).

As the data provided by local authorities is to be made available as open data, it will be available for reuse by third parties, via the dataset behind the [National Toilet Map](#). This might include other online map services, app developers or commercial interests, as well as being available for reuse by other public sector organisations. Locations of toilets will ultimately be promoted via a mapping app specifically designed for mobile technology and smart phones.

The dataset will be available in Welsh and English. The public will be able to see and search the data as it appears on the [National Toilet Map](#), to see the whole of Wales or to look at particular areas.

Caerphilly CBC will publish on its website a link to the [National Toilet Map](#).

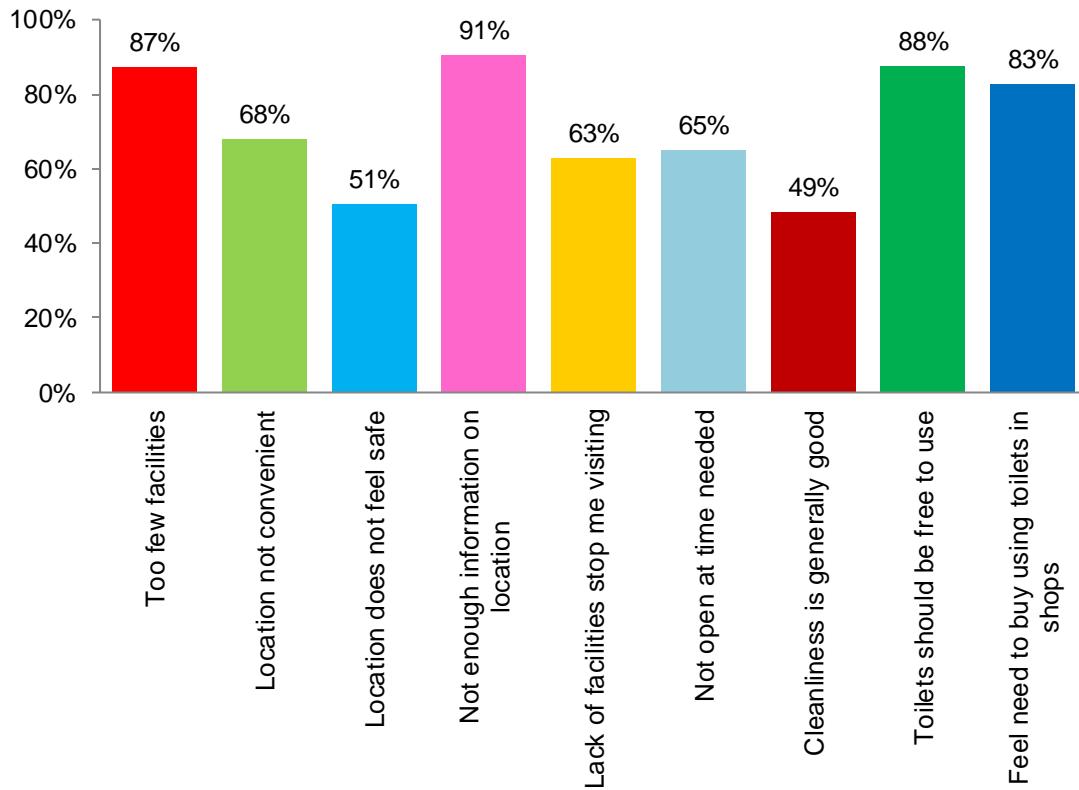
## What we learned from the public consultation about “assessment of needs”:

The full analysis of the public consultation is detailed in the *Caerphilly County Borough Council Local Toilet Strategy Needs Assessment Consultation Report*<sup>2</sup>. A summary of the findings are detailed below. The following chart highlights the percentage of respondents who agreed or strongly agreed with each of the statements.

12

- 1 Overview of the Caerphilly County Borough area Demographic and Health Data [add link](#)
- 2 Caerphilly County Borough Council Local Toilet Strategy Needs Assessment Consultation Report [add link](#)
- 3 Caerphilly County Borough Council, Draft Local Toilet Strategy - Consultation Report [add link](#)

### Agreement with statements: Percentage who agree or strongly agree



Respondents were also asked to provide details of any specific issues with the provision of toilets or changing facilities in Caerphilly county borough. A full summary of the responses is provided in Annex 7 of the above report. A summary of the main themes is given below:

- There are no changing facilities with hoists for individuals with disabilities
- There is a lack of toilet facilities in public parks and where they are available quality and opening hours is an issue
- There are too few public toilet facilities available and where there are public toilets they are generally of poor quality with few exceptions.
- More information needs to be made available about where toilets for public use are available and opening hours.
- Most respondents felt that toilets should be free to use

Respondents were asked what they would prefer as the best way to find out about where the nearest toilet and changing facilities are located when they are out and about. Just over half of respondents said that a sticker or poster displayed in the window of premises where facilities are available was their preferred option, with just over a quarter preferring the option of an app on their mobile phone.

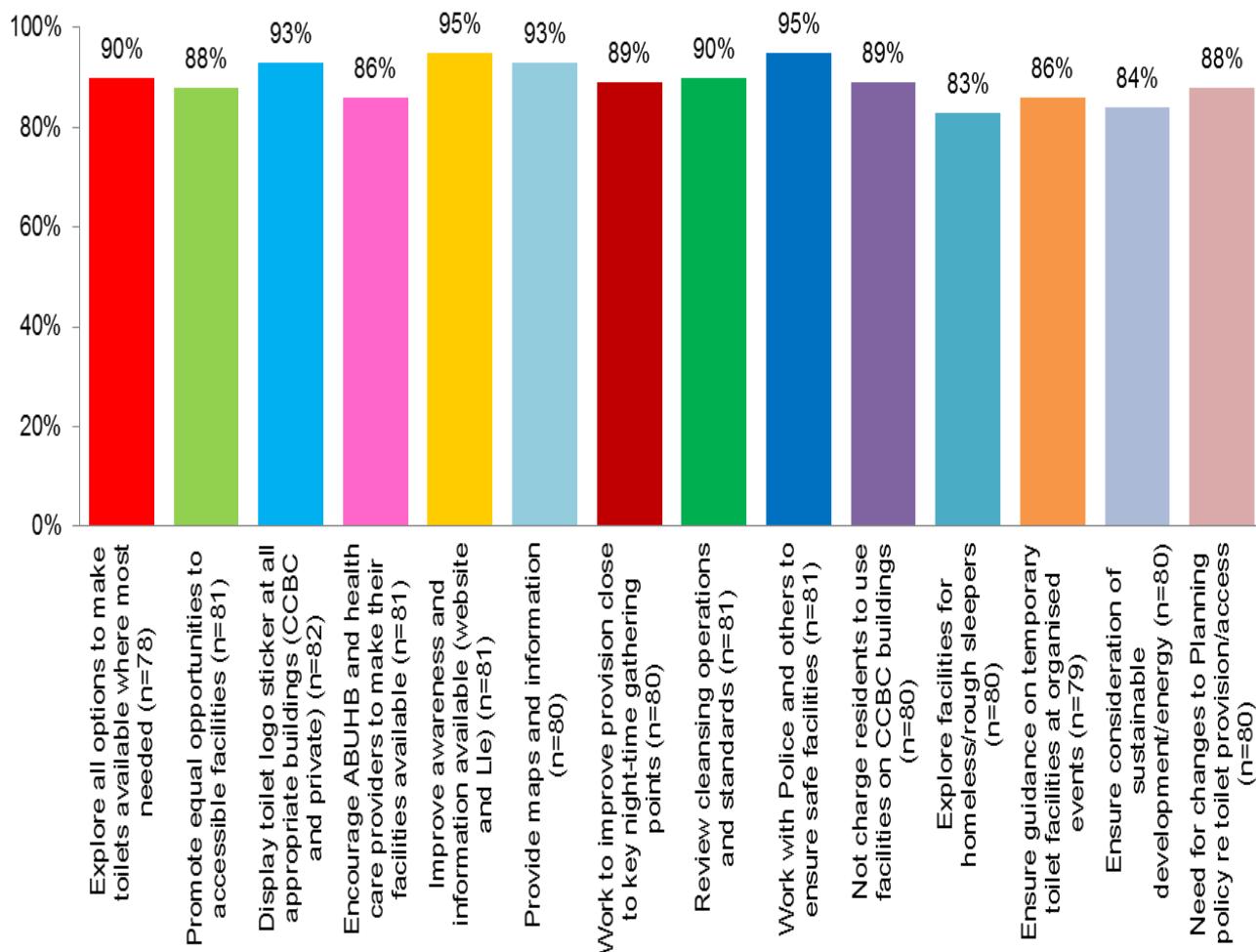
Respondents were asked whether their response to the survey had been influenced (positively or negatively) by the range of protected characteristics as specified in the Equality Act 2010. The issues raised included the need for separate toilets for men and women due to women often having children with them, problems relating to a range of disabilities, the need to take pushchairs or prams into toilets and have appropriate changing facilities available.

## **What we learned from the public consultation regarding the draft final strategy:**

A public consultation exercise was undertaken between the 14th December 2018 and the 8th March 2019 to collect views regarding the content of the draft strategy; *Caerphilly County Borough Council Draft Local Toilet Strategy - Consultation Report*<sup>3</sup>. 83 responses were received and analysed.

Analysis of responses indicates that there was strong agreement with each of the proposed options although caution should be taken when interpreting the results as the total number of responses to the survey was low. Refer to graph below

### Percentage of respondents who agree with options put forward



Those who disagreed with any of the options were asked to give their reasons for this. Respondents were also asked to identify anything that is missing from the list and highlight whether their responses had been influenced due to any of the protected characteristics under the Equality Act 2010.

Key themes included:

- A general disagreement with the proposed closure of Council run facilities in town centres, specifically, Blackwood, Ystrad Mynach and Risca.
- Concerns related to the lack of alternative provision, particularly at transport hubs and the need to work with transport providers

- A number felt that reliance on businesses to provide facilities was impractical (inaccessible, health and safety reasons) or unlikely (lack of incentive for businesses).
- Ensuring that older people, those with disabilities and certain medical conditions and young families are not disproportionately disadvantaged when closing Council run facilities by taking appropriate mitigating actions e.g. a number of comments made reference to those who need accessible toilets via a RADAR key
- Providing information on the location of facilities is important but there were concerns over relying solely on websites and mobile phone technology
- A small number felt that introducing a small charge would be appropriate for clean facilities
- A number commented that the proposals to close Council run public conveniences were counter to several other CCBC strategies and policies.

It should however be noted that the consultation exercise was run almost in parallel with the public consultation on the Medium-Term Financial Plan (MTFP); which included a proposal to close five blocks of public toilets across the county borough. Many of the respondents associated the closure of the public toilets with the Local Toilet Strategy, as such much of the above feedback from the consultation exercise relates to the removal of existing provision, particularly facilities for disabled persons. On the basis that 2019 strategy refers to the closure of the public toilets; it was not necessary to amend the strategy as a direct result of comments received. However, as detailed earlier in this 2023 Strategy, these toilet facilities are currently leased and once again operational.

### **Over the next two years, the Council intends to address the above feedback by facilitating the provision of local toilets as follows:**

- **Enough facilities for the local population and users**

The town centres are the most popular destinations identified by the needs assessment and they are the main transport hub for people arriving by train or bus. Therefore provision should be primarily for visitors in areas of such high volume footfall.

The footfall data is collected for the Council under licence by PFM Footfall Intelligence using electronic pedestrian counting equipment known as footfall cameras. There are six such systems in place at Bargoed, Blackwood, Caerphilly, Risca, Ystrad Mynach and Newbridge.

The table below illustrates the footfall data collected in these larger towns.

**Footfall per town Centre (42 weeks data captured during 2018)**

| Town Centre                   | Bargoed | Blackwood | Caerphilly | Newbridge | Risca   | Ystrad Mynach |
|-------------------------------|---------|-----------|------------|-----------|---------|---------------|
| Total visitors                | 434,847 | 1,297,445 | 1,052,313  | 311,351   | 334,166 | 576,314       |
| Total visitors per week (/42) | 10,353  | 30,891    | 25,055     | 7,413     | 7,956   | 12,721        |
| Total visitors per day (/7)   | 1,479   | 4,413     | 3,579      | 1,059     | 1,136   | 1,960         |

The above data does not differentiate between males and females, therefore it is assumed that the footfall will include a ratio of 50:50 split of males to females. It also assumes the numbers are equally divided across the full week, whereas in reality, the numbers are possibly higher on Saturday and less on days where businesses may close for half day trading.

The BTA makes recommendations on the number of toilet facilities needed in an area based on population density, gender mix and footfall. The ideal level is recommended as 1 cubicle per 550 females and 1 cubicle or urinal per 1100 males, which is a ratio of 2:1 in favour of women. One accessible toilet and also one baby change facility should be provided for every 10,000 population. However, given that the total population footfall numbers are captured over a full day, it is assumed that visitor numbers are staggered across the day and therefore relatively low at any given point through the day, i.e. the visitors do not all congregate at the same time. Therefore having regard to the number and location of premises detailed in Appendix 1, it is apparent that the provision of toilets via council premises and private providers is adequate in some areas but could be improved in other areas. Furthermore, this provision may not meet the demands for accessible/disabled toilets and changing places. This is an issue that the Council will take into consideration when reviewing future developments in and around town centres.

- Facilities accessible to all, at all practicable locations**

Caerphilly CBC will promote equal opportunities to provide appropriate, accessible and effective services and facilities to all sections of the community without prejudice or bias.

- **Facilities suitable for the location (including parks and green spaces)**

Council provision will be primarily for shoppers and visitors in areas of high volume footfall and some larger parks. Parks attract residents and tourists and can often include children's play areas; it is unlikely that there will be other facilities close by which people can use, whilst enjoying the park.

Local shopping centres generally include mixed retail shopping which are often small/medium local businesses (rather than large retail chains) and are areas where people are encouraged to stay for a length of time.

To encourage and promote sustainability, a compost toilet has been provided at the Aberargoed Nature Reserve.

- **Easily found facilities with good direction signage and individual facility information signs**

Locations of toilets are detailed in Appendix 1. The Council will improve awareness and information available on toilet provision in the Borough by regularly updating the [National Toilet Map](#) open access data repository with WG.

The toilet logo sticker will be displayed at entrances at all Council buildings and private businesses that have agreed to being mapped.

Health provider premises will be encouraged to also participate and display the toilet logo.

- **To provide accessible information**

Our website includes a link to the [National Toilet Map](#) where you can find a list of the Council and partner provided toilets and information about the individual facilities. The [National Toilet Map](#) is interactive to help people find the exact location if they are travelling to an unfamiliar area.

This information will be kept up-to-date so it can also be used by the Council and independent publishers of apps, visitor guides, tourist maps etc.

- **Distance-related provision**

An additional method of estimating toilet need is through the BTA recommendation that people should not have to walk more than 500m to a toilet facility. This distance will be factored in to future considerations.

- **Tourist-related provision:**

There are people who will have a need for “somewhere to go” whilst visiting our area. The significant number of tourists visiting Caerphilly and the surrounding visitor attractions throughout the year also places considerable additional demands for toilets

There is a further recommendation that the size of facilities should be adequate for the number of people expected to use the toilets without overcrowding or undue waiting times.

A standard based on Pedestrian flow count (footfall) figures with the BTA female to male toilet ratios will be applied where it is practicable to do so. Pedestrian flow counts are carried out regularly by the Council.

- **Evening/overnight services at key locations where specific need is established**

Anti-social and drug-related misuse, vandalism and graffiti damage to public toilets in the past have led to most facilities being locked up at a scheduled time in the early evening to prevent this. Facilities provided by shops and others are normally limited to the place's opening hours for safety and security reasons. Due regard will be made to such issues when undertaking future reviews.

Development of the night time economy and changes in demographics and human activity in town centres means they have now become leisure and entertainment hubs rather than predominantly centres for retail/commercial trade.

Night time economy growth has unfortunately led to an increase in drug and alcohol-related anti-social behaviour (acts) which includes 'street fouling' and the need for night toilet facilities. It is recognised that publicly accessible facilities need to be near key night-time gathering points such as taxi ranks, car parks, railway/bus stations and stops.

- **Clean, safe and well maintained facilities**

Caerphilly CBC will review cleansing operations and standards on a periodic basis to ensure the most efficient and effective provision within allocated resources. Continue

to work with the Police and residents, community groups and others to ensure that the facilities are as safe as possible.

Toilets within Council buildings will be signposted for public use. (Except for schools, care homes and other buildings where the facilities are in areas not accessible to the public).

- **Non-charging**

The council will not charge residents to use toilet facilities in buildings where there is provision. Other providers are entitled to charge if they deem it appropriate to do so.

- **Liaise with Town and Community Councils, business groups and other stakeholders regarding the needs**

Caerphilly CBC will continue to work with Town and Community Councils to provide toilets in as many locations as possible.

- **Maximised availability through Council, partnership and commercial provision**

The Council will continue to work with local businesses to promote use of their toilet facilities; and will explore options to increase local toilet provision through sponsorship, advertising and partnership working.

Powers may be used to ensure that public toilets are provided and maintained for public use in relevant commercial premises. The Local Government (Miscellaneous Provisions) Act 1976 section 20 allows a local authority to require any business classed as a place of entertainment or selling food and drink to the public for consumption on the premises, to provide public toilets. Consideration will be afforded to adopting these powers and exercising them where possible.

- **Tackling homelessness**

Explore options for providing facilities for the homeless/rough sleepers.

- **Provision of adequate toilet facilities by the promoters/organisers at one-off events**

Toilet facilities for people attending special, one-off outdoor events need to be considered, whether through temporary installations or using existing facilities at or near the event location, by agreement with the Council.

The Events Safety Advisory Group provides guidance for event organisers. Events often include the use of land for events in the open, including highways under the direct control of the Council. Advice and guidance on temporary toilet facilities is provided as part of a consistent, proactive and integrated approach to the provision of support and regulatory functions for events, as well as ensuring compliance with Health and Safety standards.

- **Sustainable provision within the budget available**

The Council is committed to sustainability in its own operations as well as across the county more widely through climate change and carbon management plans.

The current national and local financial position is under increasing pressure and will remain so for several years. There is little prospect of the Council being able to allocate any substantial increase in capital or revenue funding to this non-statutory service and the ongoing impacts of the poor economy continue to impose a downward pressure on these budgets.

Any capital or revenue commitment will need to be supported through a business-case approach, taking account of full costs and possible income sources.

**The above items are summarised in the following action plan:**

**Caerphilly CBC will:**

1. Explore all options available including working with the private sector, voluntary services and Community and Town Councils to make more local toilets available in places where they are most needed.
2. Promote equal opportunities to provide appropriate, accessible and effective services and facilities to all sections of the community without prejudice or bias.
3. Ensure that the toilet logo sticker will be displayed at entrances at all appropriate Council buildings and private businesses that have agreed to being mapped.
4. Work with Aneurin Bevan University Health Board and health care providers; to encourage them to make the facilities available to the public, participate in the mapping scheme and to display the toilet logo sticker, in appropriate premises.
5. Improve awareness and information available on toilet provision in the Borough by updating information on the [National Toilet Map](#).

6. Work with partners to improve provision near key night-time gathering points such as taxi ranks, car parks, railway/bus stations and stops.
7. Periodically review cleansing operations and standards within the facilities to ensure hygienic provision.
8. Continue to work with the Police and residents, community groups and others to ensure that facilities are as safe as possible.
9. Not charge residents to use toilet facilities in council buildings where there is provision.
10. Explore options for signposting suitable facilities for the homeless/rough sleepers.
11. Ensure that the Events Safety Advisory Group continues to provide advice and guidance on temporary toilet facilities to be provided at organised events.
12. Ensure that sustainable development and energy is taken into consideration when building new toilets or adapting existing provision.
13. Ensure that officers raise the need for changes to Planning Policy and legislation in relation to toilet provision and access.

## Potential options that have been ruled out, including the reasons why:

- **Letting policies**

The Council could possibly consider options to introduce a clause in leasing agreements whereby when the Council is letting its own property to a suitable business like a shop or café, to include public access to toilet facilities. However, whilst this could be considered for the small number of shop units leased out, tenants may well raise issues around cleaning, maintenance and availability and the requirement could conceivably deter prospective tenants from taking a lease.

- **Late Night Levy**

The council could explore the options and powers to introduce a charge for premises that have a late alcohol licence. However, a House of Commons review of the levy in April 2017 suggested that it should be scrapped. Only 8 Local Authorities in England and Wales (out of a predicted 94) have introduced a levy since 2013 and one has since removed it. The levy did not generate the amount of income expected even

when introduced in areas with a large night-time economy. Many premises have late licences but use them infrequently for specific events or at certain times a year. Many applied to change their hours rather than pay the levy. There must be a wide consultation and discussions with the Police and Crime Commissioner before implementing and approval by Licensing Committee and Council. At least 70% of any income has to go to the police, 30% can be used by the Local Authority.

Uses of the income must be in line with specific objectives and publicised each year. Toilet provision for the night-time economy could be included under public nuisance but would have to be part of a number of initiatives on crime reduction; public safety etc. and that would reduce the amount of income available for that function.

2019 analysis of current relevant premises around Caerphilly town centre was undertaken to estimate likely income for that area. The levy is set by Government and based on rateable value, band A premises are circa £299 a year, band B £768, band C £1259 (figures correct as at 2019). Most relevant premises are in the Band B bracket.

16 premises could be caught by the scheme i.e., those currently operating after midnight. Of the 16 premises, 5 are late night refreshment establishments. Based on the rateable value of these premises total income generated would be £14,464. The Police allocation of 70% equates to £10,124 and the local authority allocation of 30% would equate to just £4339. The Local Authority can deduct costs for administrating the levy before apportioning the 70/30 split of the remaining income so in reality amounts would be even lower.

A number of the premises would vary their licences in order that their permitted activities ceased at midnight and therefore would not be caught by any levy. There are no current levies in place in Wales.

A night time levy is therefore not considered to be a viable option for Caerphilly county borough as there is not the volume of premises to generate enough income to make a levy worthwhile after having regard to cost involved in establishing, monitoring and reporting on such a scheme.

- Future needs provided by the commercial sector through Council strategy and planning channels**

Community Infra-structure Levy enables the Caerphilly Local Planning Authority to raise funds from developers undertaking new building projects in their area. The funds can be used for a wide range of infrastructure costs, such as education, healthcare,

police and fire and rescue that is needed because of new housing for example. This may be one way to secure funding for future public toilet provision within or near new developments, on a need and demand-driven basis and depending on the prioritisation between new infrastructure needs. Consideration will be given to including local toilet provision in new schemes devised under the Community Infrastructure Levy. Whilst the creation of facilities may be feasible, the conditioning of ongoing maintenance, servicing and cleaning etc. may be problematic. However, each case will be considered on its individual merits.

- **Major Development proposals (*Planning conditions*)**

Some large-scale commercial developments that are going to include cafes, bars, shops, entertainments for example, could possibly be required, as a Planning condition, to allow public access to any toilet facilities that are being built in the premises.

However, there is no policy support at national level for the imposition of planning conditions to allow the public access to toilet facilities at private commercial premises. Therefore, any such condition would fail the test that it must be necessary to make the development acceptable from a planning point of view.

**Appendix 1****Location of Council Toilets**

Facilities offered at each location together with details relating to opening hours, seasonality, etc is available via the [National Toilet Map.](#)

| <b>Location</b>  | <b>Post code</b> |
|--|------------------|
| Aberbargoed Education Centre                           | NP12 0BE         |
| Aberbargoed Library                                    | CF81 9BB         |
| Abercarn Cemetery                                      |                  |
| Abercarn Library                                       | NP11 5DT         |
| Abertridwr Library                                     | CF83 4EJ         |
| Abertridwr Welfare Park                                | CF83 4AG         |
| Bargoed Library (including Customer Services)          | CF81 8QR         |
| Bedwas Cemetery  |                  |
| Bedwas Leisure Centre                                  | CF83 8BJ         |
| Bedwas Library   | CF83 8BJ         |
| Bedwellty Cemetery                                     |                  |
| Blackwood Library (including Customer Services)        | NP12 1AJ         |
| Blackwood Miners Institute                             | NP12 1BB         |
| Caerphilly Leisure Centre                              | CF83 3SW         |
| Caerphilly Library (including Customer Service Centre) | CF83 1JL         |
| Caerphilly Morgan Jones Park                           | CF83 1AP         |
| Cefn Fforest Leisure Centre                            | NP12 3JR         |
| Centre for Sporting Excellence                         | CF82 7EP         |
| Dan-y-graig Cemetery                                   |                  |
| Full Moon Cottage, Sirhowy Valley Country Park         | NP11 7BD         |
| Heolddu Leisure Centre                                 | CF81 9GF         |
| Llanbradach Library                                    | CF83 3LB         |
| Llancaiach Fawr  | CF46 6ER         |
| Nelson Library   | CF46 6NF         |
| New Tredegar Leisure Centre                            | NP24 6XF         |
| New Tredegar Library                                   | NP24 6EF         |
| Newbridge Leisure Centre                               | NP11 5FE         |
| Oakdale Library  | NP11 0HN         |

|   |          |
|---|----------|
| Parc Cwm Darran Centre                                      | CF81 9NR |
| Parc Cwm Darran, Campsite                                   | CF81 9NR |
| Penallta Country Park                                       | CF82 7GN |
| Pengam Library  | NP12 3AB |
| Pen-y-Fan Pond Country Park                                 | NP13 2DT |
| Pontllanfraith Leisure Centre                               | NP12 2DA |
| Rhymney Library   | NP22 5NU |
| Risca Leisure Centre  | NP11 6GH |
| Risca Library (including Customer Services)                 | NP11 6BW |
| Risca Old Cemetery and Chapel                               | NP11 7AH |
| Saint Cenydd Leisure Centre                                 | CF83 2RP |
| Sue Noake Leisure Centre                                    | CF82 8AA |
| The Kiosk, Ystrad Mynach Park                               |          |
| The Visitor Centre, Caerphilly                              | CF83 1JL |
| Ty Penallta Corporate Offices (including Customer Services) | CF82 7PG |
| Visitor Centre, Cwmcarn Forest Drive                        | NP11 7FE |
| Waunfawr Park Kiosk and Community Garden                    |          |
| Winding House Museum  | NP24 6EG |
| Ystrad Mynach Library                                       | CF82 7BB |
|   |          |
|   |          |
|   |          |
| <b>Location of Health Care Providers:</b>                   |          |
| Aber Medical Centre   | CF83 3LR |
| Court House Medical Centre                                  | CF83 3GH |
| Crumlin Medical Centre                                      | NP11 4PQ |
| North Celynen Practice - Newbridge                          | NP11 4RA |
| Oakfield Street, Surgery, Ystrad Mynach                     | CF82 7WX |
|   |          |
|   |          |
| <b>Location of Private Business providers:</b>              |          |
| Argoed Baptist Chapel Café                                  | NP12 0HG |
| Café Tyfu   | CF83 1FQ |
| Imperial Desserts & American Candy, Caerphilly              | CF83 1JQ |
| McDonald's Restaurant, Blackwood                            | NP12 0NT |
| McDonald's Restaurant, Caerphilly                           | CF83 3NC |
| McDonald's Restaurant, Newbridge                            | NP11 5GH |
| Oasis Coffee Shop, Abertridwr                               | CF83 4AZ |
| Ten Degrees   | CF83 1NX |



# Agenda Item 6



## CABINET - 19TH APRIL 2023

**SUBJECT:** ADDITIONAL SUPPORT DELEGATION

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

### 1. PURPOSE OF REPORT

- 1.1 This report provides an update for Members regarding the progress of the Local Authority (LA) in relation to the delegation of additional support to schools.

### 2. SUMMARY

- 2.1 A priority for the Education Directorate is ensuring compliance with the ALN Act and Code and ensuring that statutory duties for pupils with ALN are met. Neighbouring authorities and LAs across Wales have delegated additional support funding to schools. In Caerphilly funding for additional support for schools has historically been retained centrally.
- 2.2 Over time there have been attempts made to work with schools to model a scenario to distribute funding to schools.
- 2.3 The Additional Learning Needs and Education Tribunal (Wales) Act (2018) provides an ideal opportunity for the additional support allocation process to be refreshed.
- 2.4 The budget for additional support is currently £4.1 million; this includes the employment of centrally employed teaching assistants. Schools utilise the funding to support them to undertake their responsibility for ALN provision.
- 2.5 A working group with LA officers, Primary and Secondary Head Teachers was re-established in October 2022 to take this work forward. In order to gain support from schools for a model of delegation LA officers identified the need to increase funding in this area, thus demonstrating a recognition of the concerns raised by schools.
- 2.6 The Head Teachers in the working group have agreed an approach that will be shared more broadly with all Head Teachers with a view to potential implementation from September 2023 or April 2024, subject to further discussions and the required consultation process.

### **3. RECOMMENDATIONS**

3.1 Cabinet Members are asked to: -

- a) consider the information contained in the report and to offer views and comments;
- b) endorse the approach to be taken in regard to exploring the delegation of additional support funding to schools and the possible operational models.

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

4.1 Cabinet Members are asked to endorse the approach of the LA in order that the statutory duties of schools / education provisions and the LA are effectively met and all children with ALN have their needs identified and met with appropriate provision.

### **5. THE REPORT**

5.1 Ensuring compliance with responsibilities in relation to the ALN Act (2018) and associated Code is a priority for the Local Authority (LA) and schools.

5.2 LA currently retains a central budget of £4.2 million which includes the employment of centrally employed teaching assistants to support school to undertake their responsibility for ensuring ALN provision is in place to meet need.

5.3 The current model of support is managed by the LA though a robust panel process based on information provided by schools.

5.4 The principle of the group was to find solutions to barriers and inequities within the existing system enabling schools to:

- effectively plan and manage their resources
- respond flexibly to the identified needs of their school
- develop provision that is fit for purpose
- monitor and evaluate impact on pupil outcomes
- ensure value for money

5.5 The delegation of additional support group was established to re-explore a model for delegation with head teacher representatives from across primary and secondary phases. Over time there have been many different scenarios or formula's modelled to distribute this funding to schools. In all scenarios there are always some schools that appear to have less funding than allocated through the presenting funding system and some that will have more.

5.6 Year on year additional support has been overspending by around £500k, but this has in effect been funded by capacity in the out of county budget, with pupils remaining within the Authority's schools.

5.7 In addition to LA / Agency employed staff, schools have received devolved funding to support additional staff hours to support pupils. In 2021-22 £1.8m of funding devolved to schools (following panel decisions) supported staffing requirements. However, the rate that is devolved to schools is below the current hourly rate that centrally employed staff are employed at. This is a significant issue within schools and is being raised increasingly with LA Officers. Based on recent levels of devolved funding it is estimated that circa £1m would cover this differential. As part of the Authority's budget planning

for 2023/24, additional funding of £1m was recently approved by Council (23<sup>rd</sup> February 2023 – Budget Report 2023/24).

- 5.8 Finance officers have developed models for the distribution of funding on the basis of an increase of £1.5m. This increase addresses the pressure on budgets in recent years. To confirm £1m equates to budgetary growth and £0.5m is the realignment of budget within the budget for Vulnerable Learners (£0.5m from the Out of County budget to the Additional Support Budget).
- 5.9 The group agreed delegation should be explored through modelling a number of formula options. LA officers developed options based on criteria including ALN, Free School Meals (FSM), vulnerability and pupil numbers. Modelling was based on comparisons to the 2021-22 actuals and included the additional £1.5m.
- 5.10 The models were shared with the group and modifications made based of feedback. The group also agreed an element of funding would be retained centrally as a contingency to address specific exceptional circumstances that may arise. Despite modelling many options there is no scenario within the financial envelope where all schools will receive funding greater than the benchmark used. That said the benchmark is based at a specific point in time and we recognise that the type and levels of support will change from year to year within a school.
- 5.11 The group identified several challenges through discussion:
  - Establishing a clear & transparent model for delegation.
  - A funding allocation as part of the school formula which would support effective planning and management of school resources for all pupils.
  - Securing additional funding.
  - Identifying issues of losses and gains and understanding any particular issues in those schools that need to be considered to inform the model.
  - Identifying a rationale for managing losses and gains.
  - Identifying and supporting any HR issues.
  - Identifying the rationale and criteria for the use of contingency.
  - Establishing a realistic timeline for implementation.
  - Seeking a solution for the distribution other aspects of the secondary social need's calculation.
- 5.12 On the basis of the work with Head Teachers, four options were presented to the working group. In the options identified below, deprivation was discounted due to funding from other grant streams to support pupils.
  - Option 1 – based on pupil population
  - Option 2 – based on pupil population but prior to the distribution, a lump sum allocation to a small number of schools supporting a disproportionate number of pupils with Autistic Spectrum disorder and or Pathological Demand Avoidance
  - Option 3 – based on pupil population but prior to the distribution, a lump sum allocation to schools under 90 pupils
  - Option 4 – based on a combination of 1, 2 and 3
- 5.13 Head teachers identified benefits of option 1 and option 4 as appropriate methods of distribution. Anonymised figures shared indicated significant implications in terms of gains and losses leading to further work to scrutinise these particular issues at either

end of the distribution. Officers reviewed each school individually to further inform the model working on a proposal considering tapering percentages linked to three year average and pupil numbers. This is scheduled for further discussion with the group.

- 5.14 It is also proposed that the schools identified as receiving a reduced allocation could receive top up support for 12-month period which could equate to around £520k. This will require further discussion and the appropriate approval.
- 5.15 Based on discussions the group has identified several benefits in proceeding with either of the identified models:
  - Flexibility for schools to manage budgets to ensure the needs of all pupils are met.
  - A more responsive approach to resourcing provision to meet need.
  - Opportunity to recruit and train staff.
  - Less bureaucratic processes as the requirement for additional support discussions at panel will cease.
  - Greater flexibility for staff time in schools and LA thus allowing LA time to be utilised differently to support schools.
  - Helping to support schools to deliver their duties under the ALN Act / Code which states “In nearly all cases, the school should be able to provide, arrange and develop the provision required to meet the needs of ALN pupils using a more holistic / whole school approach”.
  - Takes into consideration circumstances of a school i.e. its location, size, budget, experience could affect whether it would be reasonable for a school to secure the provision (as outlined within the ALN Code)
  - Clear / consistent messages to parents/carers around the provision available in school.
  - Quicker responses / resources to meet the needs of learners.
- 5.16 An update on the work to date has been provided for Trade Unions and this dialogue will continue as implications are identified. An update has also been provided to Education SMT.
- 5.17 A further meeting of the working group is scheduled to:
  - Share the updated modelling
  - Update regarding any agreement for additional funding
  - Schedule discussions with HR to work through any identified staffing issues linked to the agreed model
  - Agree a position by the end of March to take forward for wider consultation including implementation timescales.
- 5.18 **Conclusion**
- 5.19 LA Officers and Head Teachers, working together with HR have agreed to delegate additional support to schools and are currently finalising the approach through an agreed model.
- 5.20 The activity of the working group will be finalised and further consultation undertaken with all Head Teachers with a view to finalising staffing arrangement and timescales.

## **6. ASSUMPTIONS**

- 6.1 In considering the recommendations the following assumptions have been made:
- Meeting the ALN of children and young people 0 – 25 years is a key statutory duty of the Council and as such developments must be reported to ensure that members are kept informed.

## **7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

- 7.1 This report is provided in order to ask Members to support the intended approach to exploring the delegation of models for additional support funding to schools. This work is ongoing and therefore at this stage there is no one model upon which to base an Integrated Impact Assessment. An integrated impact assessment will be provided with a final report for the agreement of Education Scrutiny and final Cabinet decision on completion of the work.

## **8. FINANCIAL IMPLICATIONS**

- 8.1 As part of the Authority's 2023/24 budget planning, an additional £1m has been approved to support the pressures presented. In addition an amount of £0.5m will be realigned within the Education budget. In total an additional £1.5m will be added to the additional support budget in financial year 2023/24.

## **9. PERSONNEL IMPLICATIONS**

- 9.1 The delegation of additional support will have workforce implications and a potential associated cost. Work is ongoing with HR to identify any issues that arise as a result of the proposed or agreed model for delegation and the LA will continue to work with Officers and schools to ensure these implications are addressed.

## **10. CONSULTATIONS**

- 10.1 The Additional Support Delegation report was considered by the Education Scrutiny Committee on 28<sup>th</sup> March 2023. The Chair queried why an Integrated Impact Assessment had not been carried out at this stage and yet one would be included for Cabinet consideration when the work was completed. The Lead for Inclusion and ALN advised that as work was still ongoing an Integrated Impact Assessment was not deemed appropriate for this report but that one would be included in a future report when a proper assessment could be made upon completion of the work under discussion. The Chief Education Officer reiterated that once a model had been adopted a full Integrated Impact Assessment would be carried out.
- 10.2 One Member highlighted the importance of individual needs at schools and sought clarification on the criteria for ALN support. The Lead for Inclusion and ALN outlined how the work being carried out sought to address any current inequalities in the system and advised the Member that if a future ALN report in May did not provide clarity further information would be provided for him.
- 10.3 A Member raised an issue outlined in paragraph 5.5 and enquired why it was that under different formulas there were always some schools that appear to have less

funding than allocated through the presenting funding system and some that will have more. The Lead for Inclusion and ALN highlighted the work being done by the delegation of additional support group on identifying the differences in terms of distribution and how plans are made to address these variations. The Member also asked why the options listed in paragraph 5.12 were all based on pupil population across the school. The Lead for Inclusion and ALN outlined how it was a more equitable way of identifying funding and stressed that this was not the only resource to support children with additional learning needs. The Chief Education Officer added that the ambition was to empower schools to be able to train staff to match the needs of pupils.

- 10.4 The Chair asked about the funding for schools with high levels of deprivation. The Chief Education Officer advised that the delegation of additional support group was made up of Head Teachers from a wide range schools from all areas.
- 10.5 One Member asked about future plans if the trend for cutting the budget for additional learning needs continued. The Chief Education Officer highlighted the challenges of forecasting what future funding would be and highlighted the importance of empowering schools to be able to provide quality training with the support of partners. The Finance Manager highlighted that the associated budget had grown by an additional £1.5M and that schools were allocated funds at an earlier stage to help with their internal planning. The Finance Manager was also able to share some indicative grant funding information for ALN from the Welsh Government which was an uplift of £5M across Wales. So, there would be some additional funding for local authorities but at this stage specific information was not available.
- 10.6 Having noted the content of the report, it was moved and seconded that the following recommendation be forwarded to Cabinet for approval. By way of Microsoft Forms (and in noting there were 13 votes for, 0 against and 2 abstentions) this was agreed.
  - Education Scrutiny Members recommend to Cabinet that they support the LA's intended approach to the delegation of additional support funding to schools.

## **11. STATUTORY POWERS**

- 11.1 Additional Learning Needs and Tribunal Act (Wales) 2018  
Well-being of Future Generations (Wales) Act 2015  
Education Act 1996  
Equality Act 2010  
Social Services and Wellbeing Act (2014)  
United Nations Convention on the Rights of the Child.

Author: Sarah Ellis, Lead for Inclusion and ALN elliss@caerphilly.gov.uk

Consultees: Christina Harrhy, Chief Executive  
Richard Edmunds, Corporate Director, Education and Corporate Services  
Dave Street, Corporate Director Social Services  
Rob Tranter, Head of Legal Services  
Steve Harris, Head of Corporate Finance  
Councillor Teresa Parry, Chair Education for Life Scrutiny Committee  
Councillor Jo Rao, Vice Chair Education for Life Scrutiny Committee  
Councillor Carol Andrews, Cabinet Member for Education and Achievement

Keri Cole, Chief Education Officer  
Sue Richards, Head of Education Planning and Strategy  
Jane Southcombe, Finance Manager  
Nicola Hooper, Finance Officer  
Paul Warren, Strategic Lead for School Improvement  
Sarah Mutch, Early Years Manager  
Ros Roberts, Business Improvement Manager  
Adelaide Dunn, Lead for Wellbeing and Equity (EAS)  
Nicola Chapman, HR Service Manager  
Ceri Jenkins, HR Manager  
Lynne Donovan, Head of People Services  
Trade Unions via JCC  
Irene Yendle, Statutory Team Lead  
Stephen Diehl, Head Teacher Bedwas High School  
Lisa Jones, Head Teacher Greenhill Primary Schools  
Angela Taylor, Head Teacher Pontllanfraith Primary School

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# Agenda Item 7



**CABINET – 19 APRIL 2023**

**SUBJECT:** **CONTINUED SUSPENSION OF NON-PRIORITY HOME REPAIR GRANTS**

**REPORT BY:** **CORPORATE DIRECTOR OF SOCIAL SERVICES AND HOUSING**

## **1. PURPOSE OF REPORT**

- 1.1 To advise Members of a formal review being undertaken of the Authority's Private Sector Housing Renewal Policy and to seek approval for a moratorium in respect of routine Home Repair Grants, that was initiated due to the impacts of the pandemic to be continued until such time as a revised Private Sector Housing Renewal Policy is formally adopted.

## **2. SUMMARY**

- 2.1 This report outlines the current operation of the Council's Private Sector Housing Renewal Policy and, in light of a changing economic and social climate, asks Members to consider the reasons for a formal review being undertaken. The report highlights potential difficulties that may be encountered when introducing a revised Private Sector Housing Renewal Policy as a result of operational commitments and a backlog of applications for assistance under the current policy. Members are requested to consider continuing a moratorium currently in place in respect of non-priority Home Repair Grants, whilst a revised Private Sector Housing Renewal Policy is being prepared. This moratorium was initiated in October 2020 due to pressures associated with Covid restrictions, which continue to be largely relevant.

## **3. RECOMMENDATIONS**

- 3.1 That Members of the Cabinet consider the contents of this report.
- 3.2 That Members of the Cabinet approve the continued moratorium in respect of non-priority Home Repair Grants in cases where there is no imminent threat to health and safety, pending the approval and implementation of a revised Private Sector Housing Renewal Policy.

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

- 4.1 The current Private Sector Housing Renewal Policy was formulated at a time when capital and revenue budgets were under significantly less pressure than today. Corporate priorities and customer needs and expectations have changed over time, as have associated regulatory requirements and Welsh Government guidance, and awareness of the impacts of

climate change has increased. Costs associated with the delivery of construction works have significantly increased, compounded by a shortage of suitable and willing contractors to undertake such works. These factors have all contributed to rendering the assistance currently offered inadequate to meet current needs and expectations, with many schemes being considered for financial assistance under the Policy no longer financially viable. Officers no longer consider the existing Policy to be sufficiently relevant or deliverable.

## 5. THE REPORT

- 5.1 In July 2002, by way of a Regulatory Reform Order, the Government introduced significant changes in relation to Private Sector Housing Renewal by repealing much of the legislation that related to housing grants and replacing it with a wide-ranging power which allowed local authorities to provide assistance for Private Sector Renewal in any form. The Order placed a statutory obligation on Local Authorities to produce and implement a Private Sector Housing Renewal Strategy/Policy. It affords Local Authorities the power to provide assistance in any form, although Authorities must be satisfied that their published strategy is deliverable. This Authority duly produced and formally implemented its initial Strategy on 30<sup>th</sup> June 2003.
- 5.2 Since then the Private Sector Housing Renewal Strategy has had four formal reviews, in 2005, 2008, 2011 and 2014. Since the original Strategy was introduced, officers have continued to monitor progress and deliverability against targets and corporate priorities and scrutinised carefully the Strategy's ability to address the needs of those persons for whom it was originally developed to assist.
- 5.3 Generally the Strategy (now reclassified as a policy) has operated extremely successfully to date. However, to ensure the Authority's future ambitions remain deliverable, both in terms of affordability and targeting, officers feel that consideration must now be given to a complete review. The current policy was formulated at a time when capital budgets were under less pressure than today, construction costs were significantly lower and there was less demand on the construction industry, and little recognition was given to energy efficiency due to limited awareness of the impacts of climate change. Some forms of assistance currently on offer, and the way they are required to be administered, are becoming increasingly unviable to meet the needs of the vulnerable households for whom they are targeted.
- 5.4 The current Policy affords owners in the private sector a variety of grant assistance, to address disrepair, provide disabled adaptations, and convert redundant buildings for residential use. A number of loan products have also been developed, in partnership with WG, however it is recognised that a review of the current loans system could result in increased opportunities for owners and reduce pressure on capital budgets by the increased recycling of financial assistance.
- 5.5 Whilst it would be inappropriate to predict the outcome of any review, there will be certain products, such as a Disabled Facilities Grants, which would inevitably remain as provision is mandatory, although Welsh Government guidance has recently been issued requiring Local Authorities to seek to consider alternative non means tested solutions. All forms of assistance would, however, be subject to scrutiny in line with the overall needs of potential recipients and the financial constraints within which any revised Policy would have to operate.
- 5.6 In order for a policy review to succeed it is crucial that the financial and operational commitment from the existing policy is kept as low as possible to ensure that any revised Policy would be affordable and deliverable at or near its point of introduction.
- 5.7 Whilst responsibility for the repair and maintenance of a private property lies with the owner of that property rather than the Council, the current policy includes Home Repair Grants to

enable works of repair of an essential nature, deemed necessary by the Council to be undertaken to enable eligible households to remain within their own homes in safety and comfort. These are small grants, to a maximum of £10,000, with eligibility determined by a means test. Current policy requires that as Home Repair grants are targeted at vulnerable households, applications are overseen by a recognised Home Improvement Agency, and in the absence of alternatives all applications are processed by the Council's in house agency service.

- 5.8 Priority is afforded in cases where: a property, on inspection, is found to be so far defective, that there is an imminent threat to the health and safety of residents or passers-by; the property is located within a formally designated Priority Neighbourhood; or a Disabled Facilities Grant cannot be properly undertaken without home improvement works being undertaken concurrently.
- 5.9 In October 2020, coinciding with the second national lockdown, the Council took the decision to suspend the acceptance of new applications for all non-priority Home Repair Grants and loans, whilst continuing to accept priority applications. This was due to the repercussions of pandemic restrictions that were significantly impacting our ability to process applications and the significant backlog of applications accruing as a result that needed to be addressed. The Council's website was updated to advise of the decision and all enquiries were assessed as to whether they met the agreed priority criteria. As such, all residents with active enquiries were sent a letter regarding the Council's position.
- 5.10 The situation has been kept under regular review, and in addition to continuing to progress priority applications the processing of the considerable backlog of non-priority applications that remained open but delayed by the pandemic have since resumed. These applications are currently being progressed, although it is likely that it will take several more months to clear this backlog so the Home Repair Grant system has remained closed to new non-priority applications. The loans system has since reopened to new applications and is not impacted by backlogs to the same extent. This is partly due to them not being processed through an agency and the applicant being responsible for obtaining contractors and arranging works.
- 5.11 It is proving difficult to progress applications due to the increasing costs of both labour and materials that are rendering an increasing number of schemes unviable. The few that are willing to consider such work have long waiting lists and are often unwilling to progress based on their original tender when they become available to commence a project due to cost increases in the interim period. We are frequently finding that schemes need to be tendered on multiple occasions to achieve a single tender and we are often still unable to appoint a contractor for a formal approval to be issued.
- 5.12 To avoid creating unrealistic expectations of grant assistance being awarded under the existing policy it is proposed that the Home Repair Grant system remains closed to new non-priority applications until such time as a revised Policy is introduced, proposed to be introduced by the end of 2023/24 financial year), with customers directed to alternative forms of assistance or partner providers where appropriate. This includes the offer of various interest free loan products. In the meantime, officers will endeavour to process all priority applications and the backlog of non-priority applications to approval and completion whilst also continuing to progress loans and other strategic projects, including the Bryn Carno EWI scheme, George Street replacement wall scheme, PAMS schemes for Public Sector Housing and the implementation of the new all Wales Empty Homes Grant.
- 5.13 The Private Sector Housing Renewal Policy is still in the early stages of review and, following a public consultation exercise, a revised draft policy will be subject to the usual governance arrangements, ensuring that Members have opportunity to give it full consideration prior to taking a decision as to approval.

## **Conclusion**

- 5.13 To ensure the Council's future ambitions remain central to the Policy, both in terms of affordability and targeting, officers are in the process of undertaking a comprehensive review. A revised draft policy will be subject to consultation with stakeholders, and normal governance arrangements, ensuring that Members will have the opportunity to give it full consideration.
- 5.14 In October 2020 the Council suspended acceptance of new applications for all non-priority Home Repair Grants, whilst continuing to accept priority applications. The situation has been kept under regular review, and the processing of the backlog of non-priority applications continues. Due to the increasing unviability of the current product, it is likely that it will take several more months to clear this backlog whilst also progressing priority applications, so the Home Repair Grant system has remained closed to non-priority applications. Potential applicants are referred to alternative forms of financial assistance, comprising interest free loans, to enable necessary repair works to be undertaken to their homes, and/or alternative providers.
- 5.15 It is proposed that the Home Repair Grant system remains closed to new non- priority applications until such time as a revised Policy is introduced. This would prevent the creation of unrealistic expectations of assistance for customers and a backlog of applications and associated operational and financial commitment, that we may not be able to progress as the current product is no longer fit for purpose, which would then compromise the successful implementation of a revised policy.

## **6. ASSUMPTIONS**

- 6.1 No assumptions are made in this report.

## **7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

- 7.1 The eligibility for Home Repair Grant assistance is determined by property conditions, structure and safety of the property rather than the person/household applying for assistance on property condition, therefore, the IIA concluded that there will be no negative impact on the protected characteristics.
- 7.2 Given the nature and duration of the proposal it is considered that its introduction will have a minimal negative impact. Where any negative impacts have been identified through the Integrated Impact Assessment process, mitigating actions have been identified. The impact of the proposal is time limited being linked to the timeframe for development and implementation of a revised Private Sector Housing Renewal Policy.
- 7.3 No adverse impact on the promotion of the Welsh language was identified.
- 7.4 The IIA can be found at: [Link to IIA](#)

## **8. FINANCIAL IMPLICATIONS**

- 8.1 The continuation of a moratorium on non-priority Home Repair Grant applications will limit the level of capital commitment that could have a negative bearing on the implementation of a revised Private Sector Housing Renewal Policy.

## **9. PERSONNEL IMPLICATIONS**

- 9.1 There are no personnel implications as the Private Sector Housing Service. Officers will continue to focus on processing all priority applications and the backlog of non-priority applications to approval and completion, whilst also continuing to progress loans and other strategic projects, including the Bryn Carno EWI scheme, George Street replacement wall scheme, PAMS schemes for Public Sector Housing, together with the implementation of the new all Wales Empty Homes Grant.

## **10. CONSULTATIONS**

- 10.1 All comments received from the consultees listed below have been noted and, where appropriate, incorporated within the report.

## **11. STATUTORY POWER**

- 11.1 The Housing Act 1985, the Local Government and Housing Act 1989, the Housing Grants, Construction and Regeneration etc. Act 1996. The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 places a statutory obligation on local authorities to produce and implement their own Private Sector Housing Renewal Policies.

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Fiona Wilkins, Housing Services Manager. Email: [wilkife@caerphilly.gov.uk](mailto:wilkife@caerphilly.gov.uk)

Consultees: Cllr Sean Morgan, Leader of Council  
Cllr Shayne Cook, Cabinet Member for Housing  
Cllr Andrew Whitcombe, Chair – Housing and Regeneration Scrutiny  
Cllr Patricia Cook, Vice Chair – Housing and Regeneration Scrutiny  
Christina Harrhy, Chief Executive  
Dave Street, Corporate Director for Social Services and Housing  
Rob Tranter, Head of Legal Services and Monitoring Officer  
Stephen Harris, Head of Financial Services and Section 151 Officer  
Lesley Allen, Principal Group Accountant (Housing)  
Claire Davies, Private Sector Housing Manager  
Kerry Denman, Housing Solutions Manager  
Jane Roberts-Waite, Strategic Co-ordination Manager  
Neil Challenger, Principal Housing Officer  
Rhian Evans-McLean, Principal Housing Officer  
Carl Spearman, Principal Housing Officer  
Graham Heath, Principal Housing Officer  
Anwen Cullinane, Senior Policy Officer – Equalities and Welsh Language

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## **Caerphilly County Borough Council - Integrated Impact Assessment**

This integrated impact assessment (IIA) has been designed to help support the Council in making informed and effective decisions whilst ensuring compliance with a range of relevant legislation, including:

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Socio-economic Duty – Sections 1 to 3 of the Equality Act 2010
- Welsh Language (Wales) Measure 2011
- Well-being of Future Generations (Wales) Act 2015
- Statutory Consultation v Doctrine of Legitimate Expectation and Gunning Principles

**PLEASE NOTE: Section 3 Socio-economic Duty only needs to be completed if proposals are of a strategic nature or when reviewing previous strategic decisions.**

See page 6 of the [Preparing for the Commencement of the Socio-economic Duty Welsh Government Guidance](#).

### **1. Proposal Details**

**Lead Officer:- Fiona Wilkins**

**Head of Service:- Nick Taylor - Williams**

**Service Area and Department:- Caerphilly Homes, Private Sector Housing**

**Date:-9/3/23**

**What is the proposal to be assessed?** *Provide brief details of the proposal and provide a link to any relevant report or documents.*

Whilst responsibility for the repair and maintenance of a private property lies with the owner of that property rather than the Council, discretionary Home Repair Grant assistance is offered under the Council's current Private Sector Housing Renewal Policy, to enable works of repair of an essential nature, deemed necessary to be undertaken to enable eligible households to remain within their own homes in safety and comfort. These are small grants, to a maximum of £10,000, with eligibility determined by a means test.

In October 2020, coinciding with the second national lockdown, the Council took the decision to suspend the acceptance of new applications for all non-priority Home Repair Grants whilst continuing to accept priority applications. This was due to the repercussions of pandemic restrictions that were significantly impacting our ability to process applications and the significant backlog of applications accruing as a result that needed to be addressed.

The situation has been kept under regular review, and in addition to continuing to progress priority applications the processing of the considerable backlog of non-priority applications that remained open but delayed by the pandemic have since resumed. These applications are



## Appendix 1

currently being progressed, although it is likely that it will take several more months to clear this backlog so the Home Repair Grant system has remained closed to new non-priority applications. It is proving difficult to progress applications due to the increasing costs of both labour and materials that are rendering an increasing number of schemes unviable.

The current policy was formulated at a time when capital budgets were under less pressure than today, construction costs were significantly lower and there was less demand on the construction industry, and little recognition was given to energy efficiency due to limited awareness of the impacts of climate change. The assistance currently on offer, and the way it is administered, are becoming increasingly unviable to meet the needs of the vulnerable households for whom it is currently targeted. To ensure the Authority's future ambitions remain deliverable, both in terms of affordability and targeting, the policy is now subject to a comprehensive review.

It is considered that should the Home Repair Grant system be reopened to non-priority applications pending the development, approval and implementation of a new Private Sector Housing Renewal Policy, that we will not be in a position to process these applications to approval, as the current grant product is no longer fit for purpose, and the substantial backlog that would result would compromise the introduction of the new Policy and associated financial products.

To avoid creating unrealistic expectations of grant assistance being awarded under the existing policy it is proposed that the Home Repair Grant system remains closed to new non-priority applications until such time as a revised Policy is introduced.

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## Appendix 1

### 2. Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

(*The Public Sector Equality Duty requires the Council to have “due regard” to the need to eliminate unlawful discrimination, harassment, and victimisation; advance equality of opportunity between different groups; and foster good relations between different groups. Please note that an individual may have more than one protected characteristics.*

#### 2a Age (people of all ages)

**(i) Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?**

Discretionary Home Repair Grants have been available for a number of years and have been used to assist low-income private sector households with a repairing obligation for their home to undertake essential repairs to their homes. There is neutral impact from the proposal in relation to all protected characteristics as eligibility for Home Repair Grant assistance is determined by property conditions, structure and safety of the property rather than the person/household applying for assistance.

The development of a revised Private Sector Housing Renewal Policy will be subject to a comprehensive Integrated Impact Assessment.

**(ii) If there are negative impacts how will these be mitigated?**

N/A

**(iii) What evidence has been used to support this view?**

The eligibility criteria for Home Repair Grants is specified with the Council's current Private Sector Housing Renewal Policy.

#### 2b Disability (people with disabilities/ long term conditions)

**(i) Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?**

Please see 2a above

**(ii) If there are negative impacts how will these be mitigated?**

Please see 2a above

**(iii) What evidence has been used to support this view?**

Please see 2a above

#### 2c Gender Reassignment (anybody who's gender identity or gender expression is different to the sex they were assigned at birth)



- (i) **Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?**

Please see 2a above.

- (ii) **If there are negative impacts how will these be mitigated?**

Please see 2a above.

- (iii) **What evidence has been used to support this view?**

Please see 2a above.

**2d Marriage or Civil Partnership** (*people who are married or in a civil partnership*)

- (i) **Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?**

Neutral, although it is acknowledged that joint applicants may have greater household income than sole applicants, thereby impacting on eligibility for financial assistance via the means test.

- (ii) **If there are negative impacts how will these be mitigated?**

Please see 2a above.

- (iii) **What evidence has been used to support this view?**

Please see 2a above.

**2e Pregnancy and Maternity** (*women who are pregnant and/or on maternity leave*)

- (i) **Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?**

Please see 2a above.

- (ii) **If there are negative impacts how will these be mitigated?**

Please see 2a above.

- (iii) **What evidence has been used to support this view?**

Please see 2a above.

**2f Race** (*people from black, Asian and minority ethnic communities and different racial backgrounds*)



## Appendix 1

- (i) **Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?**

Please see 2a above.

- (ii) **If there are negative impacts how will these be mitigated?**

Please see 2a above.

- (iii) **What evidence has been used to support this view?**

Please see 2a above.

### 2g Religion or Belief (*people with different religions and beliefs including people with no beliefs*)

- (i) **Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?**

Please see 2a above.

- (ii) **If there are negative impacts how will these be mitigated?**

Please see 2a above.

- (iii) **What evidence has been used to support this view?**

Please see 2a above.

### 2h Sex (*women and men, girls and boys and those who self-identify their gender*)

- (i) **Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?**

Neutral, although data from the Office of National Statistics shows that men earn more on average than women – something known as the gender pay gap.

- (ii) **If there are negative impacts how will these be mitigated?**

Please see 2a above.

- (iii) **What evidence has been used to support this view?**

Current Private Sector Housing Renewal Policy

Office of National Statistics:

[Gender pay gap - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk)



## Appendix 1

### 2i Sexual Orientation (*lesbian, gay, bisexual, heterosexual, other*)

- (i) Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?

Please see 2a above.

- (ii) If there are negative impacts how will these be mitigated?

Please see 2a above.

- (iii) What evidence has been used to support this view?

Please see 2a above.

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### 3. Socio-economic Duty

(*The Socio-economic Duty gives us an opportunity to do things differently and put tackling inequality genuinely at the heart of key decision making. **Socio-economic disadvantage** means living on a low income compared to others in Wales, with little or no accumulated wealth, leading to greater material deprivation, restricting the ability to access basic goods and services)*

Please consider these additional vulnerable group and the impact your proposal may or may not have on them:

- Single parents and vulnerable families
- People with low literacy/numeracy
- Pensioners
- Looked after children
- Homeless people
- Carers
- Armed Forces Community
- Students
- Single adult households
- People misusing substances
- People who have experienced the asylum system
- People of all ages leaving a care setting
- People living in the most deprived areas in Wales (WIMD)
- People involved in the criminal justice system

#### 3a Low Income / Income Poverty (*cannot afford to maintain regular payments such as bills, food, clothing, transport etc.*)

##### (i) Does the proposal have any positive, negative or neutral impacts on the following and how?

Home Repair Grants of up to £10,000 directly support those on low income by providing financial assistance to owner occupiers and residents with a repairing obligation for essential home repairs. The grants are subject to a means test and are only available to households entitled to means tested benefits or a nil contribution via the means test. The continued suspension of the Home Repair Grant system for non-priority applications will therefore have a negative impact on those with a low income or income poverty who own, or otherwise have a repairing obligation, for their home, if it is in disrepair but the prioritisation criteria for Home Repair Grant assistance are not satisfied. Alternative forms of financial assistance will continue to be offered to those on low income to undertake repairs to their home if they are the owner or otherwise have a repairing obligation.

##### (ii) If there are negative impacts how will these be mitigated?



## Appendix 1

Home Repair Grants will continue to be made available to priority applications, with prioritisation determined by property conditions. This includes where a property, on inspection, is found to be so far defective, that there is an imminent threat to the health and safety of residents or passers-by; the property is located within a formally designated Priority Neighbourhood; or a Disabled Facilities Grant cannot be properly undertaken without home improvement works being undertaken concurrently.

In addition, alternative forms of financial assistance will continue to be offered to those applicants who would be otherwise be eligible to apply for non-priority Home Repair Grants. This assistance is in the form of loans. A number of interest free loan products are offered to property owners to undertake repairs, with eligibility determined by a means test, so financial assistance will continue to be made available for essential repairs to be undertaken.

Eligibility for an interest free Owner Occupier Loan of up to £25,000, with regular monthly repayments, is subject to an affordability test, independently conducted by Smart Money Credit Union. Up to 10 years may be taken to repay the loan and any outstanding debt is required to be repaid in full on the earlier of the death of the loan recipient, when the loan recipient ceases to occupy the property or on the transfer/ sale of the property.

Applicants who fail affordability checks for Owner Occupier Loans are able to apply for a Lifetime Loan of up to £25,000. This is an interest free lump sum loan. The loan is repayable upon the sale or disposal of the property and, in most cases, is expected to be repaid from the proceeds of the sale.

Eligibility for loan assistance is not limited to, or restricted by, any protected characteristic or vulnerable group.

Applicants who would otherwise have benefitted from non-priority Home Repair Grant assistance will also be signposted to partner agencies for alternative forms of assistance.

### **What evidence has been used to support this view?**

The eligibility criteria for the various loan products are specified within the Council's current Private Sector Housing Renewal Policy.



## Appendix 1

**3b Low and/or No Wealth** (*enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provisions for the future*)

(i) **Does the proposal have any positive, negative or neutral impacts on the following and how?**

Please see Section 3a above.

(ii) **If there are negative impacts how will these be mitigated?**

Please see Section 3a above.

(iii) **What evidence has been used to support this view?**

Please see Section 3a above.

**3c Material Deprivation** (*unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, hobbies etc.*)

(i) **Does the proposal have any positive, negative or neutral impacts on the following and how?**

Please see Section 3a

(ii) **If there are negative impacts how will these be mitigated?**

Please see Section 3a

(iii) **What evidence has been used to support this view?**

Please see Section 3a

**3d Area Deprivation** (*where you live (rural areas), where you work (accessibility of public transport) Impact on the environment?*)

(i) **Does the proposal have any positive, negative or neutral impacts on the following and how?**

Please see Section 3a. The proposal will be neutral in respect of area deprivation as it will apply equally to home owners, and others with a repairing obligation for their home, regardless of where they live across the County Borough.

(ii) **If there are negative impacts how will these be mitigated?**

Please see Section 3a

(iii) **What evidence has been used to support this view?**

Please see Section 3a



## Appendix 1

### 3e Socio-economic Background (*social class i.e. parents education, employment and income*)

- (i) **Does the proposal have any positive, negative or neutral impacts on the following and how?**

Please see Section 3a

- (ii) **If there are negative impacts how will these be mitigated?**

Please see Section 3a

- (iii) **What evidence has been used to support this view?**

Please see Section 3a

### 3f Socio-economic Disadvantage (*What cumulative impact will the proposal have on people or groups because of their protected characteristic(s) or vulnerability or because they are already disadvantaged*)

- (i) **Does the proposal have any positive, negative or neutral impacts on the following and how?**

Please see Section 3a

- (ii) **If there are negative impacts how will these be mitigated?**

Please see Section 3a

- (iii) **What evidence has been used to support this view?**

Please see Section 3a



## Appendix 1

### 4. Corporate Plan – Council’s Well-being Objectives

(How does your proposal deliver against any/all of the Council’s Well-being Objectives? Which in turn support the national well-being goals for Wales as outlined in the Well-being of Future Generations (Wales) Act 2015. Are there any impacts (positive, negative or neutral? If there are negative impacts how have these been mitigated?) Well-being Objectives

**Objective 1** - Improve education opportunities for all

Does not contribute directly to this objective. Impact is neutral.

**Objective 2** - Enabling employment

Does not contribute directly to this objective. Impact is neutral.

**Objective 3** - Address the availability, condition and sustainability of homes throughout the county borough and provide advice, assistance or support to help improve people’s well-being

Owner occupiers and residents with a repairing obligation for their home will remain eligible for financial assistance products to undertake essential repairs to their home, via interest free loan products and priority Home Repair Grants.

**Objective 4** - Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impact on the environment.

Does not contribute directly to this objective. Impact is neutral.

**Objective 5** - Creating a county borough that supports healthy lifestyle in accordance with the Sustainable Development principle within the Well-being of Future Generations (Wales) Act 2015

Does not contribute directly to this objective. However, good quality, affordable housing contributes to good health and wellbeing.

**Objective 6** - Support citizens to remain independent and improve their well-being

A good quality, safe and warm home has significant benefits for people’s mental and physical health, well-being and quality of life more generally. A home that is free from damp, is warm and is in a safe environment enables families, individuals and children to thrive. Owner occupiers and residents with a repairing obligation for their home will remain eligible for financial assistance products to undertake essential repairs to their home, via interest free loan products rather than Home Repair Grants.



## Appendix 1

### 4a. Links to any other relevant Council Policy (*How does your proposal deliver against any other relevant Council Policy*)

Local Housing Strategy 2022-2026

Strategic Priority 3 – Creating Healthy Homes & Vibrant Communities

The Private Sector Housing Renewal Policy links directly to the realisation of a strategic theme of *'A Foundation for Success 2018-2023' - Regeneration Strategy for Caerphilly County Borough* by helping to create prosperous and cohesive communities.

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### 5. Well-being of Future Generations (Wales) Act 2015 – The Five Ways of Working (*Also known as the sustainable development principles. The Act requires the Council to consider how any proposal improves the economic, social, environmental and cultural well-being of Wales using the [five ways of working](#) as a baseline*)

#### **How have you used the Sustainable Development Principles in forming the proposal?**

**Long Term** – Housing is a long-term asset. The temporary suspension of non-priority Home Repair Grants will be mitigated by the offer of alternative loan products and will facilitate the development, approval and early implementation of a new Private Sector Housing Renewal Policy, which will include consideration of alternative sustainable financial assistance products for the long-term benefit of residents.

**Prevention** Reviewing appropriateness and viability of services and supporting residents to help themselves is an important aspect of delivering sustainable services. Supporting the resilience of individuals and communities will remain at the forefront of service planning.

**Integration** There will be little or no impact experienced by other service areas / community groups through the implementation of this proposal. In addition to providing alternative forms of financial assistance we will continue to work with partner organisations to signpost residents to alternative forms of financial assistance to address poor residential property conditions.

**Collaboration** Alternative products and associated budgets will remain available to households who would otherwise be eligible for non-priority Home Repair grants. Collaboration will be required with other Council departments and stakeholders, to develop a revised Private Sector Housing Renewal Policy.

**Involvement** The development of a revised Private Sector Housing Renewal Policy will be subject to extensive consultation with residents, partners and stakeholders.

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### 6. Well-being of Future Generations (Wales) Act 2015



## Appendix 1

### **Does the proposal maximise our contribution to the Well-being Goals and how?**

#### **A Prosperous Wales**

*An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work*

Facilitating housing regeneration provides the Council with the opportunity to promote the foundational economy by supporting local supply chains and through the creation of jobs, apprenticeships and training opportunities. This will be considered as part of the development of the revised Private Sector Housing Renewal Policy.

#### **A Resilient Wales**

*A nation which maintains and enhances a biodiverse natural environment healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for climate change)*

#### **A Healthier Wales**

*A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood*

There is a significant body of research which shows that poor quality housing is a wider determinant of poor health. Facilitating good quality, affordable homes and the promotional of the foundational economy has a positive impact on health and wellbeing. It is considered that this proposal will have a minimal impact due to the limited eligibility criteria for Home Repair Grant assistance and the ongoing availability of alternative forms of financial assistance. It will also facilitate the introduction of a revised Private Sector Housing Renewal Policy.

#### **A More Equal Wales**

*A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances)*

There is a wide body of research which demonstrates the importance of the provision of good quality, affordable housing. Supporting the regeneration of homes enables the Council to promote the foundational economy and the opportunity to create jobs, apprenticeships and training opportunities, which in turn will help to promote a more equal Wales. It is considered that this proposal will have a limited negative impact due to the limited eligibility



## Appendix 1

criteria for non-priority Home Repair Grant assistance and the ongoing availability of alternative forms of financial assistance. It will also facilitate the introduction of a revised Private Sector Housing Renewal Policy.

### **A Wales of Cohesive Communities**

*Attractive, viable, safe and well-connected communities*

Good quality housing positively contributes to the creation and maintenance of cohesive communities. It is considered that this proposal will have a limited negative impact due to the limited eligibility criteria for non-priority Home Repair Grant assistance and ongoing availability of alternative forms of financial assistance. It will also facilitate the introduction of a revised Private Sector Housing Renewal Policy.

### **A Wales of Vibrant Culture and Thriving Welsh Language**

*A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation*

It has been assessed that this policy will have a neutral impact on the Welsh Language.

### **A Globally Responsible Wales**

*A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being*

It is considered that this proposal will have a limited negative impact on the local economy and society due to limited eligibility criteria for non-priority Home Repair Grants and the ongoing availability of alternative forms of financial assistance. It will also facilitate the introduction of a revised Private Sector Housing Renewal Policy.



## Appendix 1

### 7. Welsh Language (Wales) Measure 2011 and Welsh Language Standards

(*The Welsh Language Measure 2011 and the Welsh Language Standards require the Council to have 'due regard' for the positive or negative impact a proposal may have on opportunities to use the Welsh language and ensuring the Welsh language is treated no less favourably than the English language*) **Policy Making Standards - Good Practice Advice Document**

#### 7a. Links with Welsh Government's Cymraeg 2050 Strategy and CCBC's Five Year Welsh Language Strategy 2017-2022 and the Language Profile

##### (i) Does the proposal have any positive, negative or neutral impacts on the following and how?

Neutral. The development of a revised Private Sector Housing Renewal Policy will be subject to a further Integrated Impact Assessment.

##### (ii) If there are negative impacts how will these be mitigated?

##### (iii) What evidence has been used to support this view? e.g. the WESP, TAN20, LDP, Pupil Level Annual School Census

The outcome of the proposal will be made available in Welsh and will be posted on the Welsh version of the Council's website. Welsh speakers will be able to access the service using their preferred language.

#### 7b. Compliance with the Welsh Language Standards. Specifically Standards 88–93

##### (i) Does the proposal have any positive, negative or neutral impacts on the following and how?

Please see 7a above

##### (ii) If there are negative impacts how will these be mitigated?

Please see 7a above

##### (iii) What evidence has been used to support this view? e.g. the WESP, TAN20, LDP, Pupil Level Annual School Census

Please see 7a above

#### 7c. Opportunities to promote the Welsh language e.g. status, use of Welsh language services, use of Welsh in everyday life in work / community

##### (i) Does the proposal have any positive, negative or neutral impacts on the following and how?

Please see 7a above



## Appendix 1

- (ii) **If there are negative impacts how will these be mitigated?**  
Please see 7a above.
- (iii) **What evidence has been used to support this view? e.g. the WESP, TAN20, LDP, Pupil Level Annual School Census**  
Please see 7a above.

### 7d. Opportunities for persons to use the Welsh language e.g. staff, residents and visitors

- (i) **Does the proposal have any positive, negative or neutral impacts on the following and how?**  
Please see 7a above.
- (ii) **If there are negative impacts how will these be mitigated?**  
Please see 7a above
- (iii) **What evidence has been used to support this view?**  
*e.g. the WESP, TAN20, LDP, Pupil Level Annual School Census*  
Please see 7a above

### 7e. Treating the Welsh language no less favourably than the English language

- (i) **Does the proposal have any positive, negative or neutral impacts on the following and how?**  
Please see 7a above.
- (ii) **If there are negative impacts how will these be mitigated?**  
Please see 7a above.
- (iii) **What evidence has been used to support this view? e.g. the WESP, TAN20, LDP, Pupil Level Annual School Census**  
Please see 7a above.

### 7f. Having considered the impacts above, how has the proposal been developed so that there are positive effects, or increased positive effects on (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.

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## Appendix 1

### 8. Data and Information

*(What data or other evidence has been used to inform the development of the proposal? Evidence may include the outcome of previous consultations, existing databases, pilot projects, review of customer complaints and compliments and or other service user feedback, national and regional data, academic publications and consultants' reports etc.)*

#### **Data/evidence (Please provide link to report if appropriate)**

The Council's Private Sector Housing Renewal Policy.

A desktop analysis of data available from the administration of the Home Repair Grant System, and a review of associated customer feedback and complaints, evidences the difficulties being experienced in administering applications to completion, due to escalating costs, lack of availability of contractors

#### **Key relevant findings**

The data evidences the difficulties being experienced in administering Home Repair Grant applications to completion, due to escalating costs, the current cost cap of £10,000, and lack of availability of suitable approved contractors, making the grants increasingly unviable. It also demonstrates the time that it is taking to address the backlog of applications and the potential detrimental impact on the introduction of any new policy if the Home Repair Grant system was to be reopened to new applications, together with the unrealistic expectations that this would create amongst customers.

#### **How has the data/evidence informed this proposal?**

This data showed a need for this proposal to be introduced due to the increasing unviability of the Home Repair Grant product and influenced the content of this proposal.

**Were there any gaps identified in the evidence and data used to develop this proposal and how will these gaps be filled? Details of further consultation can be included in Section 9.**

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## 9. Consultation

(In some instances, there is a legal requirement to consult. In others, even where there is no legal obligation, there may be a legitimate expectation from people that a consultation will take place. Where it has been determined that consultation is required, The Gunning Principles must be adhered to. Consider the Consultation and Engagement Framework. Please note that this may need to be updated as the proposal develops and to strengthen the assessment.

**Briefly describe any recent or planned consultations paying particular attention to evidencing the Gunning Principles.**

The proposal has been closely developed in consultation with the Head of Service and service managers. The draft document has been revised and updated during this process.

A public consultation process will be undertaken as part of the development of a revised Private Sector Housing Renewal Policy, with stakeholders also being provided opportunities to provide feedback.

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## 10. Monitoring and Review

**How will the implementation and the impact of the proposal be monitored, including implementation of any amendments?**

The Council will carry out periodic monitoring of Home Repair Grant and loan enquiries to ensure the effectiveness of this proposal and identify whether any groups protected by the Equality Act 2010 are discriminated against in the application of this proposal.

**What are the practical arrangements for monitoring?**

Analysed data will be presented to the Head of Service on a quarterly basis to review

**How will the results of the monitoring be used to develop future proposals?**

Available data will be analysed to ensure that the proposal is operating in accordance with its intended purpose. Where it is identified that the proposal is not operating as intended then an updated proposal will be produced.

**When is the proposal due to be reviewed?**

The proposal will be reviewed quarterly and will be superseded by the introduction of a revised Private Sector Housing Renewal Policy

**Who is responsible for ensuring this happens?**

The Private Sector Housing Manager and Housing Services Manager



## Appendix 1

### 11. Recommendation and Reasoning (delete as applicable)

- **Implement proposal taking account of the mitigating actions outlined.**

**Have you contacted relevant officers for advice and guidance?**

- Yes

### 12. Reason(s) for Recommendations

*(Provide below a summary of the Integrated Impact Assessment. This summary should be included in the "Summary of Integrated Impact Assessment" section of the Corporate Report Template. The Integrated Impact Assessment should be published alongside the Report proposal).*

The eligibility for Home Repair Grant assistance is determined by property conditions, structure and safety of the property rather than the person/household applying for assistance on property condition, therefore, the IIA concluded that there will be no negative impact on the protected characteristics.

Given the nature and duration of the proposal it is considered that its introduction will have a minimal negative impact. Where any negative impacts have been identified through the Integrated Impact Assessment process, mitigating actions have been identified. The impact of the proposal is time limited being linked to the timeframe for development and implementation of a revised Private Sector Housing Renewal Policy.

### 13. Version Control

*(The IIA should be used in the early stages of the proposal development process. The IIA can be strengthened as time progresses to help shape the proposal. The Version Control section will act as an audit trail to evidence how the IIA has been developed over time) (Add or delete versions as applicable)*

#### ➤ Version 1

**Author:** Fiona Wilkins

**Brief description of the amendments/update:** Draft proposal following review of available data.

**Revision Date:** 1/2/23

#### ➤ Version 2

**Author:-**

**Brief description of the amendments/update:-**

**Revision Date:-**

### Integrated Impact Assessment Author



## Appendix 1

Name:- Fiona Wilkins  
Job Title:- Housing Services Manager  
Date: 15/03/2023

### Head of Service Approval

Name: Nick Taylor-Williams  
Job Title: Head of Housing  
Signature:

A handwritten signature in black ink, appearing to read 'Nick Taylor-Williams'.

Date: 27/03/2023

# Agenda Item 8



## CABINET - 19TH APRIL 2023

**SUBJECT:** MULTI-FUNCTIONAL CADET AND SPORTS PAVILION AT MORGAN JONES PARK AND PARC PENALLTA VISITOR CENTRE

**REPORT BY:** CORPORATE DIRECTOR FOR ECONOMY AND ENVIRONMENT

### 1. PURPOSE OF REPORT

- 1.1 To update Cabinet regarding the inability to progress previously approved proposals to build a multi-functional cadet / sports pavilion at Morgan Jones Park and a Visitor Centre at Parc Penallta and to seek Cabinet approval to implement alternative schemes at both locations and to release previously approved capital contributions back to the Authority's capital reserves.

### 2. SUMMARY

- 2.1 On 22nd July 2022 Cabinet agreed a financial contribution of £258,000 (including VAT) towards a joint project with the Ministry of Defence (MOD) to construct a multi-functional cadet and sports pavilion at Morgan Jones Park, Caerphilly. At its meeting of 9th March 2022 Cabinet approved the acceptance of a Substitution Grant of £903,000 from Welsh Government towards the funding of a multipurpose visitor centre at Parc Penallta and also agreed to allocate £1,268,000 of capital funding.
- 2.2 The costs of both projects have increased significantly such that the previously allocated funding is no longer sufficient and it is not possible for either project to progress as envisaged. The MOD are now pursuing the alternative option of developing a new facility (on the existing site) to replace the current cadet building within the curtilage of Morgan Jones Park. This would accommodate the RAF Air and Army Cadets, but not the Bowls Club, who would continue to use the existing bowls pavilion.
- 2.3 A new private tourism and educational facility is nearing completion on land on the A472 Caerphilly Road, Nelson with stepped access down to National Cycle Route (47) which runs through Parc Penallta. It is proposed that the Council allocates £321,000 to refurbish the existing steps to improve pedestrian and

cyclist access between the new facility and Parc Penallta.

### **3. RECOMMENDATIONS**

- 3.1 That Cabinet note the updated situation regarding projects to build a multi-functional cadet / sports pavilion at Morgan Jones Park and a Visitor Centre at Parc Penallta and that previously approved funding will not now be drawn down from Corporate Capital budgets.
- 3.2 That Cabinet endorse the proposed use of land at Morgan Jones Park for a replacement RAF Air Cadets and Army Cadets facility which would be subject to the necessary approvals including, if required, consideration of any planning application by Planning Committee.
- 3.3 That Cabinet approve the virement of £5,600 plus VAT from the Corporate Capital Reserve to purchase and install a storage container for Morgan Jones Park Bowls Club
- 3.4 That Cabinet approve the virement of £321,000 from the Corporate Projects capital budget for the refurbishment of the steps down to National Cycle Route (47) from the new tourism and educational facility at Colliers Farm Park.

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

- 4.1 To update Cabinet regarding both projects and to enable alternative schemes at both locations to be implemented allowing previously approved capital contributions to be released back to the Authority's capital reserves.

### **5. THE REPORT**

- 5.1 During 2022 Cabinet approved capital funding to support the development of 2 new buildings: a multi-functional cadet and sports pavilion at Morgan Jones Park, and a visitor centre at Parc Penallta. Construction costs in the United Kingdom have increased due to a variety of factors, including rising energy costs, increasing prices for building materials, supply chain disruptions, and a shortage of skilled workers driving up wages. Construction cost estimates for both projects have increased considerably since funding was allocated such that it is no longer possible for either to proceed as envisaged.

#### **5.2 Multi-functional cadet and sports pavilion at Morgan Jones Park**

On 22<sup>nd</sup> July 2022 Cabinet agreed a financial contribution of £258k (including VAT) towards a joint project with the Ministry of Defence (MOD) to construct a multi-functional cadet and sports pavilion at Morgan Jones Park, Caerphilly. The project involved the construction of new building at Morgan Jones Park to replace an existing bowls pavilion and a building used by the RAF Air Cadets in the Park. It was intended that the new building would accommodate the

Bowls Club and the RAF Air Cadets as well as the Army Cadets who currently use a building adjacent to the community centre in Peny rheol, which is not in Council ownership.

- 5.3 Since the allocation of funding by Cabinet the MOD have reviewed and revised their estimates for the proposed building. The MOD have now approached the Council with revised project costs of £1.7 million and requested an increased contribution of £680k (including VAT); a 164% increase.
- 5.4 In view of the significant shortfall in available funding the project can no longer proceed. The MOD are now exploring the option of a new building to replace the existing cadet building in Morgan Jones Park that would accommodate the RAF Air and Army Cadets, but not the Bowls Club who would continue to use the existing bowls pavilion. Any new building would be subject to the necessary approvals including, if required, consideration of any planning application by Planning Committee.
- 5.5 The Bowls Club has insufficient storage space as a result of the number of teams using the pavilion and the proposed joint use building would have addressed these issues. It is therefore proposed to allocate £5,600 plus VAT from the Corporate Capital Reserve to purchase and install a storage container for the Bowls Club.
- 5.6 The Morgan Jones Park Bowls Pavilion is a timber framed/timber clad single storey building under a pitched artificial slate roof. The roof and windows were renewed in 2021 at a cost of approximately £30,000. The timber cladding is generally in a poor condition and it is proposed that this is replaced during the course of 2023. The timber frame would be thoroughly inspected during cladding renewal and any necessary replacement of timbers also undertaken. The estimated cost of these works is £35,000 which can be funded from the Property Services capital budget.

#### **5.7 Parc Penallta Visitor Centre**

In 2019-20 Caerphilly CBC secured £900,000 of funding from Welsh Government under the Valleys Regional Park Discovery Gateway Capital Grant to develop and construct a new visitor centre at Parc Penallta, Ystrad Mynach. With a further contribution from Welsh Government of £100,000 awarded in the 2020-21 financial to assist with increasing costs bringing the total grant award up to £1 million. It was originally envisaged that the estimated total project cost of £1.2 million would be met with the inclusion of some other grant funding as well a contribution from the Countryside capital budget. In a tender exercise completed in October 2021 responses received were significantly over the available budget with £2,426,921 the lowest price submitted.

- 5.8 A value engineering exercise was undertaken to drive down significant cost savings on the submitted tender prices resulting in a revised total project cost including highways improvements of £2,137,000. At its meeting of 9<sup>th</sup> March 2022 Cabinet approved the acceptance of a Substitution Grant of £903,000 from Welsh Government towards the funding of a multipurpose visitor centre at

Parc Penallta. Cabinet also agreed to set aside £1,268,000 from the Corporate Projects capital budget in order to ensure delivery of the project.

- 5.9 In a second tender exercise completed in August 2022 two returns were received with the lowest being £2,892,732. An increase in the estimated cost of highway works resulted in a revised project cost of £3,416,269. As this results in a revised funding shortfall of £883,000 the project can no longer move forward.
- 5.10 A private development is nearing completion on land on the A472 Caerphilly Road, Nelson. Colliers Farm Park is a new tourism and educational facility which includes an indoor and outdoor pet farm area, indoor and outdoor play areas, a café, and classrooms. The external play area and external routes have sweeping curves and geometry to allow for access to all and especially people with disabilities and parents/guardians pushing buggies. A dedicated cycle storage area is being provided that would take advantage of the opportunity to encourage sustainable access by cycles along the National Cycle Route (47).
- 5.11 The new tourism and educational facility also has pedestrian access over the railway line and down to National Cycle Route (47) which runs through Parc Penallta. The existing steps down to the National Cycle Route are in need of refurbishment. In response to the proposal to refurbish the steps local Ward Members asked that the steps be made Disability Discrimination Act (DDA) compliant. Survey works have been undertaken and a proposed scheme developed which would provide a straight grade (1:9 with no landings). The scheme also allows for the width of the proposed ramp to be increased to accommodate hand railing of both sides. The cost of this proposed scheme is estimated at £321,000. A fully DDA compliant scheme is not achievable without significant additional design input, land take, and construction costs. It is proposed that £321,000 is vired from the Corporate Projects capital budget to implement the scheme to improve access for both pedestrians and cyclists between the new facility and Parc Penallta.

## **6. CONCLUSION**

- 6.1 In allocating significant funding the Council demonstrated its desire to see both projects delivered. Construction costs in the United Kingdom have increased due to a variety of factors such that the schemes cannot proceed as originally envisaged. The proposals contained within this report offer an alternative way forward to deliver improvements at Morgan Jones Park Bowls Pavilion, for the RAF and Army Cadets, and access improvements at Parc Penallta and reflect the most judicious approach in the circumstances.

## **7. ASSUMPTIONS**

- 7.1 It is assumed that £321,000 will meet the cost of refurbishing the steps down to National Cycle Route (47) from the new tourism and educational facility at Colliers Farm Park.

## **8. SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

- 8.1 A further Integrated Impact Assessment (IIA) has not been undertaken in relation to these projects as they are no longer proceeding.

## **9. FINANCIAL IMPLICATIONS**

- 9.1 Cabinet agreed a financial contribution of £258,000 (including VAT) from the Corporate Capital Reserve towards a joint project with the Ministry of Defence (MOD) to construct a multi-functional cadet hut and sports pavilion at Morgan Jones Park, Caerphilly. The £258,000 will not be drawn down from the Corporate Capital Reserve.
- 9.2 The cost of the proposed replacement of the timber cladding at the Morgan Jones Park Bowls Pavilion is £35,000 which can be funded from the Property Services capital budget. It is proposed that £5,600 plus VAT is vired from the Corporate Capital Reserve to purchase and install a storage container for the Bowls Club.
- 9.3 Cabinet approved the acceptance of a Substitution Grant of £903,000 from Welsh Government towards the funding of a multipurpose visitor centre at Parc Penallta. Cabinet also agreed to set aside £1,268,000 from the Corporate Projects capital budget in order to ensure delivery of the project. The Substitution Grant has been returned to Welsh Government and the £1,268,000 allocation will not be drawn down from the Corporate Projects capital budget.
- 9.4 It is proposed that £321,000 is vired from the Corporate Projects capital budget for the refurbishment of the existing steps down to National Cycle Route (47) from the new tourism and educational facility at Colliers Farm Park.

## **10. PERSONNEL IMPLICATIONS**

- 10.1 There are no direct personnel implications arising from this report.

## **11. CONSULTATIONS**

- 11.1 The views of the listed consultees have been incorporated into this report.

## **12. STATUTORY POWER**

- 12.1 The Local Government Act 1972.

Author: Rob Hartshorn, Head of Public Protection, Community and Leisure Services

Consultees:

Cllr Chris Morgan, Cabinet Member for Waste, Leisure and Green Spaces  
Councillor D.T Davies, Chair of Environment and Sustainability Scrutiny Committee  
Councillor Adrian Hussey, Vice Chair of Environment and Sustainability Scrutiny Committee  
Cllr Sean Morgan, Nelson Ward Member and Leader of the Council  
Cllr Brenda Miles, Nelson Ward Member  
Cllr Anne Broughton-Pettit – Morgan Jones Ward Member  
Cllr Shayne Cook – Morgan Jones Ward Member  
Cllr James Pritchard - Morgan Jones Ward Member  
Cllr Greg Ead, Peny rheol Ward Member  
Cllr Jon Scriven, Peny rheol Ward Member  
Cllr Steve Skivens, Peny rheol Ward Member  
Cllr Lindsay Whittle, Peny rheol Ward Member  
Christina Harrhy, Chief Executive  
Mark S Williams, Corporate Director Economy and Environment  
Marcus Lloyd, Head of Infrastructure  
Steve Harris, Head of Financial Services and Section 151 Officer  
Lynne Donovan, Head of People Services  
Rob Tranter, Head of Legal Services and Monitoring Officer  
Michael Headington, Green Spaces and Transport Services Manager  
Philip Griffiths – Green Space Strategy and Cemeteries Manager  
Jonathan Davies, Parks Operations Manager  
Dewi Thomas, Countryside Planning Assistant  
David Roberts, Finance Manager  
Alun Ford, Facilities Manager, Corporate Property  
Ben Winstanley, Head of Land and Property Services  
Chris Adams, Highway Engineering Group Manager

Background Papers:

Cabinet Report 9<sup>th</sup> March 2022: Development of a multipurpose visitor centre at Parc

Cabinet Report 27<sup>th</sup> July 2022: Proposed construction of a multi-functional cadet facility and sports pavilion at Morgan Jones Park, Caerphilly.

# Agenda Item 9



## CABINET – 19<sup>TH</sup> APRIL 2023

**SUBJECT:** CWM IFOR SOLAR FARM

**REPORT BY:** CORPORATE DIRECTOR OF EDUCATION & CORPORATE SERVICES

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### 1. PURPOSE OF REPORT

- 1.1 This report seeks Cabinet approval for additional funding of £180,000 to progress the Cwm Ifor Solar Farm project to full business case.

### 2. SUMMARY

- 2.1 On the 5<sup>th</sup> October 2022 Cabinet gave approval for the Cwm Ifor Solar farm to be taken to full business case using previously approved budgets. Since then, there has been an increase in unforeseen costs which will require additional funding.
- 2.2 To date a total budget of £483,000 has been approved to take the project to full business case.
- 2.3 The further costs relate to the requirement for an alternative route to market after the company operating our preferred Dynamic Purchasing System (DPS) withdrew in February 2023. There will potentially also be additional costs as part of the planning process. This has given us the opportunity to undertake a re-evaluation of the route to market and take the opportunity to support other decarbonisation projects through the use of an alternative framework.
- 2.4 Approval is being sought to increase the budget by up to an additional £180,000 with this funding coming from the previously approved earmarked service revenue reserves within the Decarbonisation Strategy funding allocation.

### 3. RECOMENDATIONS

- 3.1 It is recommended that Cabinet:

- a) Approve an increase in the budget of up to £180,000 to take the Cwm Ifor Solar Farm project to full business case.

- b) Approve that the additional £180,000 should be made available from the previously approved earmarked reserve for the delivery of the Decarbonisation Strategy.

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

- 4.1 To provide the budget required to take Cwm Ifor Solar Farm through to full business case.
- 4.2 To contribute towards the Council's commitment to be net zero carbon by 2030 and to deliver the aims set out in the Decarbonisation Strategy and Action Plan.

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

- 5.1 The Cwm Ifor Solar Farm project will be the largest publicly owned solar farm in Wales and will make a significant contribution towards the Council's aim of being net carbon zero by 2030.
- 5.2 To date a total budget of £483,000 has been approved to take the solar farm project to full business case. This comprises of £49,000 approved by Cabinet on the 11<sup>th</sup> November 2020 for the novation and initial investigations. A further £434,000 was recommended for approval by the Regeneration Board on 30<sup>th</sup> March 2021 and formally approved by Cabinet on 23rd June 2021
- 5.3 On 5<sup>th</sup> October 2022 Cabinet gave approval for the procurement process to be undertaken as part of preparing the final business case in order to get accurate projected costs of the construction of the solar farm. To allow future decisions to be taken by the Council.
- 5.4 Since the 5<sup>th</sup> October there has also been the requirement to amend the proposed route to market for the project. The use of a Dynamic Purchasing System (DPS) through our Technical Consultants was originally agreed at a cost of £15,000. However, the company concerned, PPS, have withdrawn from the agreement as a result of them being bought out by another company.
- 5.5 As a result of the withdrawal of PPS a re-evaluation of the route to market has been undertaken. An alternative framework has been identified which offers significant additional support as well as other additional benefits. The new framework provides template documentation, specifications and technical support throughout the procurement process including tender evaluation. Due to the technical and specialist nature of the Energy Performance Contract that will form the basis of the tender, this additional support will be of significant benefit. Additionally the use of the new framework will provide access to suppliers with expertise to support other decarbonisation projects including major works to our schools and corporate buildings.
- 5.6 The cost of the alternative framework will be £101,000, however this will include the technical support and access to the framework for other decarbonisation projects. Additionally, we estimate that legal costs for stage 1 of the process will be £10,000 plus £10,000 for stage 2 of the work to support the process, giving a total additional cost of £121,000 for this element of the project.

- 5.7 There is also the potential for additional costs relating to the planning process, should a planning inquiry, hearing or written representations be required. We estimate a budget of £59,000 may be required for this additional work and any additional unforeseen costs associated with the planning process.
- 5.8 With the additional procurement costs of £101,000, legal and technical support costs of £20,000 and potential additional project costs of £59,000 we estimate that a further budget of £180,000 may be required to take the project to full business case.
- 5.9 Cabinet has previously set aside a budget of £500,000 for work related to the Decarbonisation Strategy and an earmarked revenue reserve of £500,000 has been set up accordingly.
- 5.10 The additional funding will ensure that the solar farm proposal will reach a stage where we will have a commercially viable product to sell on the open market should this be the preferred option as per the report to Outline Business Case report to Cabinet on 5<sup>th</sup> March 2022.

## **6. ASSUMPTIONS**

- 6.1 This report is based on the assumption that an additional £59,000 for additional project costs will be sufficient to enable the planning process for the project to be completed.
- 6.2 This report further assumes that the additional £121,000 for procurement and legal costs will cover all the additional work required to take the project to full business case.

## **7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

- 7.1 This proposal and the associated community benefits have the opportunity to make significant positive impacts across a number of key areas as identified within the IAA; decarbonisation, employment opportunities, community education, collaboration with partners and a long term view of energy production in the county borough. The challenge will be as officers develop the full business case to ensure that those benefits are achievable and aligned to the priorities of both the WG, legislation, corporate priorities and the needs and wants of the community. (As per appendix 4 of the Outline Business Case report to Cabinet on 5<sup>th</sup> October 2022)

## **8. FINANCIAL IMPLICATIONS**

- 8.1 Cabinet has previously agreed to allocate a total of £483,000 development funding to the Cwm Ifor Solar Farm project, to take the proposal forward as outlined in the summary above.
- 8.2 As a result of additional requirements and necessary changes to the procurement of the project, a revaluation of the projected cost of taking the project to full business case has taken place and it is anticipated that the expected costs of completing this stage of the project are likely to increase by an additional of £180,000.
- 8.3 Cabinet has previously set aside a budget of £500,000 for work related to the Decarbonisation Strategy as an earmarked service revenue reserve. It is

recommended that the additional £180,000 is covered from this Decarbonisation Strategy funding allocation which will leave a balance of £320,000 in the Decarbonisation strategy reserve

## **9. PERSONNEL IMPLICATIONS**

- 9.1 No personnel implications have been identified at this stage of the project.

## **10. CONSULTATIONS**

- 10.1 The public consultation for the solar farm has already taken place with ward members and the community in order to gain the views in relation to reducing the potential impact for residents and starting to be identifying appropriate community benefits. No additional consultation has taken place or is required other than with internal stakeholders in relation to this report.

## **11. STATUTORY POWER**

- 11.1 Local Governments Act 1998 and 2003

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Background Papers:

Appendices:



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# Agenda Item 10



## CABINET - 19TH APRIL 2023

**SUBJECT:** SUSTAINABLE COMMUNITIES FOR LEARNING BAND B PROPOSAL - UPDATE TRINITY FIELDS SCHOOL

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

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### 1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to update Cabinet Members in relation to the Welsh Government's Sustainable Communities for Learning Band B Programme in respect of Trinity Fields School and Resource Centre.
- 1.2 The Project is seeking to build a new two storey extension within the curtilage of the existing Trinity Fields School and Resource Centre to accommodate an additional 80 places plus additional facilities. The current building will also receive a proportion of remodelling, refurbishment, and condition improvements to offer a whole school solution.
- 1.3 Cabinet Members are asked to approve that an additional £1,380,783 is set aside from the Authority's Place-Shaping Reserve in respect of the increased financial contribution required to complete the proposal for Trinity Fields School and Resource Centre as part of the Sustainable Communities for Learning Band B programme.
- 1.4 Cabinet Members are asked to approve an upfront allocation of £1,434,186 from the Council's total contribution as outlined in 5.2.9 below for pre-construction, design and other professional services including surveys, explorations, early orders and enabling works prior to Welsh Government Full Business Case approval.

### 2. SUMMARY

- 2.1 Cabinet approved on the 5<sup>th</sup> October 2022 a revised proposal for a new two storey extension onto the existing Trinity Fields School and Resource Centre to accommodate 80 additional pupils with extra facilities for use by the school and wider community which is now progressing at pace.
- 2.2 Officers have undertaken a scoping exercise for a delivery partner and have progressed, using the SCAPE Framework, the appointment of Wilmot Dixon as our Delivery Partner.

- 2.3 A Pre Construction Services Agreement (PSCA) will need to be signed by both the Authority and the Delivery Partner prior to Ministerial approval of the Full Business Case by Welsh Government. To ensure delivery of the project in time for the planned occupation date an upfront allocation of £1,434,186 from the Council's total contribution as outlined in 5.2.9 below is required for pre-construction, design and other professional services including surveys, explorations, early orders and enabling works.
- 2.4 Welsh Government and Members have previously agreed in principle to earmark a total of £12,588,573 for the Trinity Fields School expansion, with a Welsh Government contribution of £9,441,429 (75%) and the Authority's contribution within this sum of £3,147,143 (25%).
- 2.5 The £12,588,573, was based on cost standards calculated in line with the Welsh Government Building Bulletin 104 which provides the building area formulae recommended for special schools and as such was not market tested.
- 2.6 The impact of inflation and other market forces on the construction sector, together with some additional enhancement works to the existing school building, have increased the total cost of the project to £18,111,704.
- 2.7 The project has been developed to ensure a cohesive whole school solution to include a new build extension element costing £13,811,704 and condition improvements to the existing school building costing £4,300,000.
- 2.8 As a result, there needs to be an increase of £5,523,131 of funding for the project overall. This will mean a revised Welsh Government contribution of £13,583,778 (75%) and a revised contribution from Caerphilly of £4,527,926 (25%).
- 2.9 Members are asked to approve an additional £1,380,783 be set aside from the Authority's Place-Shaping Reserve, on top of the £3,147,143 previously agreed.
- 2.10 Full Business Case approval is anticipated for August 2023, however Welsh Government approval of the Strategic Outline Case and the Outline Business Case demonstrates that Welsh Government are supportive of the project, subject to consideration of the final agreed cost.

### **3. RECOMMENDATIONS**

- 3.1 Cabinet Members are asked to agree:
  - a) A further £1,380,783 be set aside from the Authority's Place-Shaping Reserve to fund the cost of the expansion of Trinity Fields School and Resource Centre
  - b) An upfront allocation of £1,434,186 from the Council's total contribution as outlined in 5.2.9 below for pre-construction, design, and other professional services including surveys, explorations, early orders and enabling works prior to Welsh Government Full Business Case approval.

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

- 4.1 To ensure Cabinet Members are updated on the progress of the Welsh Government's Sustainable Communities for Learning Band B Programme in respect of the expansion proposal for Trinity Fields School and Resource Centre.
- 4.2 To ensure that funding is available to meet the additional costs of expanding the school.
- 4.3 To ensure that upfront funding is released from the Council's total financial contribution to allow for pre-construction, design, and other professional services prior to a final Welsh Government decision on the Full Business Case. This will ensure that, subject to Welsh Government approval, the project will be deliverable within the current planned timescales.

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

##### **5.1 Band B**

5.1.1 The key aims of the Sustainable Communities for Learning Band B investment programme, outlined by Welsh Government, are:

- *Investment Objective One* - to provide efficient and effective educational infrastructure that will meet current and future demand for places
  - The right number of places for the delivery of Welsh and English medium education
  - Addressing sufficiency issues where relevant
  - Reducing backlog maintenance costs for schools
  - Working towards Net Zero Public Sector Buildings in line with Welsh Government Carbon Reduction Commitments
- *Investment Objective Two* – to optimise the use of infrastructure and resources, to deliver public services for our communities.

This will include:

- Flexibility of our assets so that space and facilities available for our stakeholders are maximised.

##### **5.2 Trinity Fields School and Resource Centre**

- 5.2.1 Cabinet approved on the 5<sup>th</sup> October 2022 a revised proposal for a new two storey extension onto the existing Trinity Fields School and Resource Centre to accommodate 80 additional pupils with extra facilities for use by the school and wider community which is now progressing at pace.
- 5.2.2 Officers have undertaken a scoping exercise for a delivery partner.

- 5.2.3 In order to meet the challenging timescales and complexities of the project the Council are proposing to utilise the SCAPE Construction Framework.
- 5.2.4 SCAPE is a direct award framework designed to accelerate essential projects and deliver them to the highest possible standard.
- 5.2.5 The Council has the ability to direct award under the SCAPE framework and will utilise Willmott Dixon as our Delivery Partner due to the value of the school being within the £7.5m - £75m category.
- 5.2.6 In accordance with the terms of the framework, this decision is based on previous and current experience of successful delivery of projects of a similar scale, complexity and sector specialism with Willmott Dixon, for example: Islwyn High School circa. £24 million; Idris Davies 3-18 School circa. £8.5 million; and more recently the Council's Housing Programmes via Welsh Government's Innovative Housing Programme funding.
- 5.2.7 Welsh Government and Members have previously agreed in principle to earmark a total of £12,588,573 for the Trinity Fields School expansion, with a Welsh Government contribution of £9,441,429 (75%) and the Authority's contribution within this sum of £3,147,143 (25%).
- 5.2.8 However, as reflected within a feasibility study undertaken by Willmott Dixon, market forces have resulted in significant inflationary increase within the construction sector since initial project inception.
- 5.2.9 The total cost of the project is now £18,111,704, this is as result of the new extension and significant additional investment into the refurbishment and remodelling of the existing school site, such as a new roof and internal upgrades. Therefore, there is an overall project increase of £5,523,131, with a revised Welsh Government contribution of £13,583,778 (75%) and revised Authority contribution of £4,527,926 (25%).
- 5.2.10 Members are asked to approve an additional £1,380,783 be set aside from the Authority's Place-Shaping Reserve in order to meet the additional financial contribution.
- 5.2.11 A Full Business Case has been submitted to Welsh Government and is currently being scrutinised by its Business Case Scrutiny Group and Programme Investment Panel. The increased costing identified in 5.2.9 has been indicated in the Full Business Case as part of this process.
- 5.2.12 A Pre Construction Services Agreement (PSCA) will need to be signed by both the Authority and Willmott Dixon prior to Ministerial approval of the Full Business Case by Welsh Government. To ensure delivery of the project in time for the planned occupation date an upfront allocation of £1,434,186 from the Council's total contribution as outlined in 5.2.9 above is required for pre-construction, design and other professional services including surveys, explorations, early orders and enabling works.
- 5.2.13 Full Business Case approval is anticipated for August 2023, however Welsh Government approval of the Strategic Outline Case and the Outline Business Case demonstrates that Welsh Government are supportive of the project, subject to consideration of the final agreed cost.

### **5.3 Conclusion**

The proposal for Trinity Fields School and Resource Centre has progressed through the Statutory process as outlined by the School Organisation Code 2018 and has progressed through the planning application and procurement process.

The overall costs have increased as a result of Global supply chain issues, inflation and market forces.

To meet these additional costs and ensure this exciting project can be delivered, Cabinet are asked to approve an additional £1,380,783 from the Authority's Place-Shaping Reserve and agree an upfront allocation of £1,434,186 from the Council's total contribution as outlined in 5.2.9 above for pre-construction, design and other professional services including surveys, explorations, early orders and enabling works prior to Ministerial approval of the Full Business Case by Welsh Government anticipated in August 2023.

### **6. ASSUMPTIONS**

- 6.1 It is assumed that the increase in project cost for the Authority will be no more than £1,380,783 in order to complete the project.
- 6.2 It is assumed that the completion date of September 2024 for the extension is achievable. However, refurbishment of the existing building will likely be after September 2024 and will be managed in conjunction with all parties.

### **7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

- 7.1 An Integrated Impact Assessment for this proposal was undertaken and updated as part of the School Organisation Code 2108 and consultation process and is published on the Council's website.

**[Link to full Integrated Impact Assessment](#)**

**[Link to Integrated Impact Assessment - Trinity Fields](#)**

### **8. FINANCIAL IMPLICATIONS**

- 8.1 Welsh Government and Members have previously agreed in principle to earmark a total of £12,588,573 for the Trinity Fields School expansion, with a Welsh Government contribution of £9,441,429 (75%) and the Authority's contribution within this sum of £3,147,143 (25%).
- 8.2 However, currently market forces have resulted in significant inflationary increase within the construction sector along. This has been kept under close review and has been reflected within the updated project costs and feasibility study undertaken by Willmott Dixon.
- 8.3 The revised total cost of the project is now £18,111,704. An increase of £5,523,131 for the project overall and a revised Welsh Government contribution of £13,583,778 (75%) and revised Authority contribution of £4,527,926 (25%).

- 8.4 It is proposed that an additional £1,380,783 be set aside from the Authority's Place-Shaping Reserve in order to meet the additional financial contribution.
- 8.5 Any unspent allocation will be returned to the Authority's Place-Shaping Reserve.
- 8.6 It is also proposed that upfront funding of £1,434,186 is released from the Council's total financial contribution to allow for pre-construction, design, and other professional services prior to a final Welsh Government decision on the Full Business Case.

## **9. PERSONNEL IMPLICATIONS**

- 9.1 There are no personnel implications to the recommendations of the report at this time.

## **10. CONSULTATIONS**

- 10.1 The draft report was distributed as detailed below. All comments received have been reflected within the report.

## **11. STATUTORY POWER**

- 11.1 School Organisation Code 2018 (Welsh Government)  
School Standards and Organisation (Wales) Act 2013

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