



## City and County of Swansea

### Notice of Meeting

You are invited to attend a Meeting of the

## Cabinet

**At:** Council Chamber - Guildhall, Swansea

**On:** Thursday, 17 February 2022

**Time:** 10.00 am

**Chair:** Councillor Rob Stewart

**Membership:**

Councillors: M C Child, R Francis-Davies, D H Hopkins, E J King, A S Lewis, A Pugh, R V Smith, A H Stevens and M Thomas

**Also Invited:** L S Gibbard

**Watch Online:** <https://bit.ly/3rkOBPI>

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**Webcasting:** This meeting may be filmed for live or subsequent broadcast via the Council's Internet Site. By participating you are consenting to be filmed and the possible use of those images and sound recordings for webcasting and / or training purposes.

**You are welcome to speak Welsh in the meeting.**

Please inform us by noon, two working days before the meeting.

### Agenda

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<b>3. Minutes.</b> To approve & sign the Minutes of the previous meeting(s) as a correct record.	1 - 6
<b>4. Announcements of the Leader of the Council.</b>	
<b>5. Public Question Time.</b> Questions must be submitted in writing to Democratic Services <a href="mailto:democracy@swansea.gov.uk">democracy@swansea.gov.uk</a> no later than noon on the working day prior to the meeting. Questions must relate to items on the agenda. Questions will be dealt with in a 10 minute period.	

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*\* **Call In Procedure - Subject to Pre-Decision Scrutiny:** This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".*

*\*\* **Call In Procedure - Urgency:** This decision is exempt from the Authority's Call In Procedure as "either the Head of Paid Service, the Section 151 Officer or the Monitoring Officer certifies that any delay likely to be caused by the Call In Procedure could seriously prejudice the Council or the Public Interest including failure to comply with Statutory requirements".*

**Next Meeting:** Thursday, 17 March 2022 at 10.00 am



**Huw Evans**  
**Head of Democratic Services**  
**Wednesday, 9 February 2022**

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**Contact: Democratic Services - Tel: (01792) 636923**

# Agenda Item 3.



City and County of Swansea

Minutes of the **Cabinet**

Remotely via Zoom

Thursday, 20 January 2022 at 10.00 am

**Present:** Councillor R C Stewart (Chair) Presided

**Councillor(s)**

M C Child  
D H Hopkins  
R V Smith

**Councillor(s)**

R Francis-Davies  
E J King  
A H Stevens

**Councillor(s)**

L S Gibbard  
A S Lewis  
M Thomas

**Officer(s)**

Huw Evans  
Adam Hill  
Tracey Meredith  
Helen Morgan-Rees  
Phil Roberts  
Ben Smith

Head of Democratic Services  
Deputy Chief Executive / Director of Resources  
Chief Legal Officer / Monitoring Officer  
Director of Education  
Chief Executive  
Chief Finance Officer / Section 151 Officer

**Also present**

Councillor(s): A Pugh

**Apologies for Absence**

Councillor(s): -

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**97. Disclosures of Personal and Prejudicial Interests.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interests were declared:

- 1) Councillor R C Stewart declared a Personal Interest in Minute 110 "Proposed Lease to Part of Coedgwilym Park to Friends of Coedgwilym Park". Note: He did not participate in the Vote.
- 2) Ben Smith declared a Personal Interest in Minute 105 "Budget Proposals 2022/23-2025/26".

**98. Minutes.**

**Resolved** that the Minutes of the meeting(s) listed below be approved and signed as a correct record:

- 1) Cabinet held on 16 December 2021.

**99. Announcements of the Leader of the Council.**

The Leader of Council made no announcements.

**100. Public Question Time.**

No questions were asked.

**101. Councillors' Question Time.**

No questions were asked.

**102. Welsh in Education Strategic Plan 2022-2032.**

The Cabinet Member for Education Improvement, Learning & Skills submitted a report that sought adoption of the final Welsh in Education Strategic Plan (WESP) 2022-2032.

**Resolved** that:

- 1) The final Welsh in Education Strategic Plan 2022-2032 be adopted.
- 2) The final Welsh in Education Strategic Plan 2022-2032 be submitted to Welsh Government for its approval.

**103. Pre-Decision Scrutiny Feedback - Covid Recovery and Investment. (Verbal)**

The pre-decision feedback was received.

**104. Covid Recovery and Investment.\***

**Call In Procedure - Subject to Pre-Decision Scrutiny:** This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".

The Cabinet Member for Economy, Finance & Strategy submitted a report that informed of the Covid Recovery progress to date and recommended approval of the future plans and further investment proposals.

**Resolved** that:

- 1) The good progress to date, and the ongoing flexibility required to respond to ongoing and emerging challenges and changes to the Council, its services and its workforce be noted.
- 2) In line with the requirements of Financial Procedure Rule 7 (Capital programming and appraisals), Cabinet commits and authorises a new £2m scheme onto the capital programme for the data centre move to the Guildhall.

- 3) The revised plan and timeline for the implementation of the Oracle programme together with further investment of £3,620,412 in line with the requirements of Financial Procedure Rule 5 be approved.
- 4) The social services update be noted.
- 5) The capital contingency update and the likely allocations be noted and agrees to continue to hold the balance as a remaining contingency sum.
- 6) Allocates £2.05m of the Economic Recovery Fund (ERF) monies set out in the report for the purpose of enhanced play facilities and skate park facilities as a new capital budget in line with the requirements of Financial Procedure Rule 7; and delegates the delivery of this programme to the Cabinet Member for Investment, Regeneration and Tourism and the Director of Place to finalise the detailed delivery programme.

**105. Budget Proposals 2022/23 – 2025/26.**

The Cabinet Member for Economy, Finance & Strategy submitted a report that sought consideration of budget proposals for 2022/2023 to 2025/2026 as part of the Council's existing Budget Strategy.

**Resolved** that:

- 7) The Budget proposals summarised in the report and detailed in Appendix B of the report be approved as the basis of consultation.
- 8) The updated budget future forecast be adopted as the starting planning premise for the new medium term financial plan, which will be considered by Council on 3 March 2022.
- 9) The approach to consultation and engagement with staff, trade unions, residents, partners and other interested parties set out in Section 7 of the report be agreed.
- 10) A report on the outcome of the consultation and final budget proposals be received by Cabinet on 17 February 2022.

**106. South West Wales Regional Economic Delivery Plan.**

The Cabinet Member for Economy, Finance & Strategy submitted a report that sought to secure adoption of the new Regional Economic Delivery Plan for South West Wales by Council (to replace the 2013 Swansea Bay City Region Economic Regeneration Strategy).

**Resolved** that:

- 1) The South West Wales Regional Economic Delivery Plan be approved and adopted as the Council's over-arching economic regeneration policy to replace the Swansea Bay City Region Economic Regeneration Strategy.

**107. South West Wales Regional Energy Strategy Plan.**

The Cabinet Member for Economy, Finance & Strategy and Cabinet Member for Climate Change & Service Transformation jointly submitted a report that sought approval to adopt the South West Wales Regional Energy Strategy.

**Resolved** that:

- 1) The 'draft' version of the South West Wales Regional Energy Strategy, as set out in Appendix A of the report be approved.
- 2) Authority be delegated to the Director of Place and Cabinet Member for Climate Change and Service Transformation to make any final changes to the Strategy in line with the approval process of the four Local Authorities.
- 3) The onward submission of the draft South West Wales Regional Energy Strategy to the Regional Corporate Joint Committee (CJC) once formally constituted be approved.

**108. Future Strategy for Outside Hospitality.**

The Cabinet Member for Delivery & Operations submitted a report that outlined the actions taken during the pandemic to support the hospitality trade and proposed future policies and procedures.

**Resolved** that:

- 4) The concession in respect of Pavement Licences and Highways Licences be extended until 31 March 2023.
- 5) Those agreements and Licences which have extended into the carriageway be reviewed and extend as appropriate within existing delegated authority.
- 6) A further review of licensed, non-highway land be received and considered by mid-2022.

**109. Cultural and Digital Hub at Swansea Grand Theatre; Management Agreement and Lease.**

The Cabinet Member for Investment, Regeneration & Tourism submitted a report that provided an update on the terms of the Management Agreement, Tenancy and Lease arrangements with Race Council Cymru, for the Cultural and Digital Hub at Swansea Grand Theatre.

**Resolved** that:

- 7) The terms of the final version of the Management Agreement with Race Council Cymru (RCC) outlined in the report and set out in Appendix A be

noted and the current recommendation for fees and room rates as set out in Appendix B of the report be approved.

- 8) The provision of additional funding as set out in the Financial Implications at Paragraph 5 of the report be approved.
- 9) Authority be delegated to the Head of Property Services, to enter into a Tenancy at Will, and in consultation with the Chief Legal Officer and the Cabinet Member for Investment, Tourism and Regeneration to negotiate and agree the final terms of the lease with Race Council Cymru.
- 10) Authority be delegated to the Chief Legal Officer to enter into the lease on behalf of the Council.

**110. Proposed Lease to Part of Coedgwilym Park to Friends of Coedgwilym Park.**

The Cabinet Member for Investment, Regeneration & Tourism submitted a report that sought approval to negotiate and agree Heads of Terms and enter into a lease with Friends of Coedgwilym Park for parts of Coedgwilym Park.

**Resolved** that:

- 11) The proposed disposal of the land to Friends of Coedgwilym Park at a level of undervalue being acceptable to Cabinet based on advice of the Head of Property Services be approved.
- 12) Authority be delegated to the Head of Property Services to negotiate and settle the terms of the proposed leases (and thereafter any required Deeds of Variation) and authority be delegated to the Chief Legal Officer to finalise the legal documentation.

**111. Third Sector Compact Agreement Update.**

The Cabinet Member for Supporting Communities submitted a report that provided an update on Swansea's Third Sector Compact Agreement and the work to date of the Compact Liaison Group who were formed as part of the updated Swansea Compact Agreement with the Voluntary Sector in 2018.

**Resolved** that:

- 1) The report be noted.

**112. Housing Rents Management Strategy 2022 – 2026.**

The Cabinet Member for Climate Change & Service Transformation submitted an information report outlining the Housing Rents Management Strategy 2022-2026.

The meeting ended at 11.25 am

Minutes of the Cabinet (20.01.2022)  
Cont'd

**Chair**

<b>Call In Procedure – Relevant Dates</b>	
Minutes Published:	<b>20 January 2022</b>
Call In Period Expires (3 Clear Working Days after Publication):	23.59 on 25 January 2022
Decision Comes into force:	26 January 2022



# Agenda Item 7.



## Report of the Cabinet Member for Economy, Finance & Strategy

Cabinet – 17 February 2022

### Revenue and Capital Budget Monitoring 3rd Quarter 2021/22

<b>Purpose:</b>	To report on financial monitoring of the 2021/22 revenue and capital budgets, including the delivery of budget savings.
<b>Policy Framework:</b>	Budget 2021/22. Transformation and Future Council
<b>Consultation:</b>	Cabinet Members, Corporate management Team, Legal and Access to Services.
<b>Recommendation(s):</b>	It is recommended that Cabinet:  1) Notes the comments and variations, including the material uncertainties, set out in the report and the actions in hand to seek to address these.  2) Approves the virements set out in paragraph 2.7 and the use of the Contingency fund as set out in 3.2 subject to any further advice for the S.151 officer during the year.  3) Cabinet reinforces the need for all Directors to continue to minimise service overspending in year, recognising that the budget overall is currently balanced only by relying heavily on future likely (but far from assured) reimbursement from Welsh Government, centrally held contingency budgets and reserves, but equally recognising that the overspending is almost exclusively due to ongoing , broadly anticipated Covid pressures.  4) Note the indicative options in paragraph 4.1 in relation to potential underspend for the year with final actions to be confirmed at outturn.
<b>Report Author:</b>	Ben Smith
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

## 1. Background and Introduction

- 1.1 This report details forecast variations from the agreed budget for 2021/22.
- 1.2 In respect of Revenue Budgets, this report provides a consolidated forecast, which combines:
- projected variations in relation to budget savings agreed by Council in March 2021
  - Variations arising from other service pressures not directly linked to specific savings plans (e.g. increased service demand, price and pay inflation, increased, but most often unfunded, regulatory obligations and burdens from both UK and Welsh governments)
- 1.3 The report includes comments from Directors in relation to the variations highlighted and the action that is in hand or proposed as appropriate.

## 2. Revenue Outturn Forecast Based on 3rd Quarter position

- 2.1 Appendix 'A' to this report details the approved Revenue Budget for 2021/22 and the forecast variation at this time.
- 2.2 Other than projected variations on Directorate expenditure, it is still too soon to confidently forecast final variations that may arise on some significant Corporate items, including the level of Council Tax collection (which posted a deficit in 2020-21 of £2.4m and 2019-20 of £0.7m). However, given the ongoing impact of COVID and based on the 2020-21 final position on collection an optimistic forecast is that there will be a shortfall in the region of £2.0m in 2021-22. This may be subject to some form of grant underpin support in due course from the Welsh Government, but is far from assured.
- 2.3 The overall Directorate position is summarised below:-

### **DIRECTORATE**

	<b>FORECAST VARIATION 2021/22 £000</b>	<b>COVID VARIATION 2021/22 £000</b>	<b>OTHER VARIATION 2021/22 £000</b>
RESOURCES	4,651	5,880	-1,229
PEOPLE - SOCIAL SERVICES	3,092	4,900	-1,808
PEOPLE – EDUCATION	3,394	2,779	615
PLACE	-1,705	-174	-1,531
<b><i>NET DIRECTORATE EXPENDITURE</i></b>	<b>9,432</b>	<b>13,385</b>	<b>-3,953</b>

- 2.4 Directors' comments on the above variations are shown at Appendix B.

- 2.5 Within the *Recovery Plan Service Transformation* Programme, work continues to develop service delivery plans linked to savings targets and prioritisation of services. This includes the cross cutting nature of new reviews as well as the completion of current in-flight reviews.
- 2.6 The table above shows an estimated overspend for the year of £9.4million. Bar some “Business as usual” fluctuations, this amount is in effect entirely because of the COVID 19 pandemic and relevant increases in expenditure and reductions in income as a result. This figure does not include the Business Support Grants costs and Retail/Hospitality/Rates reductions resulting from Welsh Government decisions and which are anticipated to be funded in their entirety. Any funding from WG as a result of grant claims actually received at this stage has been included in the figures above. Section 2.7 below shows the level of “service” expenditure that has been deemed as eligible and paid by WG to date.
- 2.7 Currently, monthly claims against additional COVID expenditure (April to December) and first , second and third quarter claim for loss of income as a result of COVID in relation to the services have been submitted to WG. The summary of claims submitted to date and claims WG have agreed to date are set out below:

**Summary of claims submitted and approvals received to date in 2021/22**

	<b>Claim £000's</b>	<b>Paid £000's</b>	
Hardship : April to December	17,662	12,057	WG reviewing various elements of claims primarily Adult Social Care. November & December claims submitted: WG response awaited
Loss of Income 1 <sup>st</sup> , 2 <sup>nd</sup> & 3 <sup>rd</sup> Quarter	7,706	5,247	3rd Qtr Submitted to WG mid-January. Response awaited.

To ensure as accurate forecast position as possible these grants have been vired to services as they are received and the impact included within the relevant service forecasts in section 2.3 and in APPENDIX A.

Welsh Government have amended the eligibility criteria for 2021-22 to reflect the relevant easing of restrictions during the financial year and have further amended the eligibility criteria for the second half of the year claims. As such, the monthly claims are amended to include only those elements of expenditure deemed eligible based on the most recent Welsh Government guidance.

Grant claims to Welsh Government in relation to TTP and the Welsh Vaccination Certificate Service (WVCS) are ongoing and are anticipated to cover all additional costs arising. The remaining additional cost forecast (after grants received) are included under Resources and currently amount to £7.1m in 2021/22. It remains unclear how much will be truly additional cost and therefore claimable. An assumption regarding 100% funding of this figure is included in the table below and in APPENDIX A.

In addition to the additional service costs (and grants) in relation to COVID the

authority has once again continued to act as an “Agent” on behalf of the Welsh Government in relation to various elements of the Business Grant Support national scheme. All of these costs are anticipated to be funded 100% by the Welsh Government and as such costs incurred and grants received will be reported later in the year once the most recent announcements/schemes have been implemented.

2.8 Corporate Management Team has re-enforced the current arrangements for budget monitoring in particular:

- focus on a range of corrective actions;
- targeted immediate spend reduction and deferral action;
- spending control on all vacancies and contracts;
- a continued reminder that **no Responsible Officer is authorised to overspend their budget in line with Financial Procedure Rules;**
- and consequently that Directors must work closely with Cabinet Members and the Corporate Management Team to contain, reduce, defer and delay spending as far as possible, having due regard, to existing agreed budget and political priorities to nonetheless seek to limit service overspending
- but recognising that the overall spend pressures are near wholly Covid related and that reserves were bolstered to temporarily assist with pressures.

2.9 Offsetting opportunities do exist to temporarily ameliorate the currently identified service demand and price pressures as follows.

- £1m was set aside in the budget for the potential costs relating to the impact of the Apprenticeship Levy. The final costs relating to this levy will only be known once final employee related costs are calculated at the year-end. Should the full allocation not be required then any saving will be proposed to be used to mitigate service pressures at year end.
- £3.25m was set aside to meet any specific and significant inflationary increases arising in year. Given the overall financial projection at this stage, it is proposed by the S151 officer that this be released as a compensating corporate saving.
- Use of the Contingency Fund as detailed below.

### 3. Contingency Fund Provision for 2021/22

3.1 The contingency fund budgeted contribution was set at £3.621m contribution for 2021/22 as set out in the budget report approved by Council in March 2021. As a result of the favourable outturn position, this was added to on a one off basis, to bring the total available in 2021/22 to £13.621m. This is an increased figure to the previous year reflecting additional mitigation against any repeated overspending as a result of COVID, one off costs or business as usual.

3.2 The current potential calls on the contingency fund for 2021/22 are:

<b>Contingency Fund 2021/22</b>	<b>Prediction</b>
	<b>2021/22 (£m)</b>
Budgeted contribution for year.	3.621
Increase from 2020/21 carry forward	10.000
Pay award 21/22 for Teachers excess cost: Grant now received from WG and thus removed	0.0
Design Print	-0.250

Welsh Translation costs for social media	-0.035
Medical Surgeries	-0.120
TU facility – saving reversal	-0.069
Backfill for Learning & Development support	-0.070
Cabinet and members support	-0.095
Human Rights City	-0.030
Litigation Costs	-0.023
Armed Forces veteran fund	-0.025
Mayhill Community day	-0.005
Available to fully remove service overspending	-12.899
<b>Balance 31st March 2022</b>	<b>0.000</b>

The above table lists current potential calls on the budgeted contingency fund. All are anticipated to be one off costs. The final amounts will be dependent on a number of factors during the year including speed of implementation, actual costs/commitments incurred and final Directorate outturn position. Spend approvals will be deliberately limited to seek to maximise underspend here as part of mitigating budget savings action.

The Quarter 2 report indicated that an anticipated one off Welsh Government grant for part compensating the higher than expected teachers pay award for 2021-22. This has now been received so the potential call for funding from the Contingency has now been fully removed.

As at 1<sup>st</sup> April 2021 some £3m remained within the Restructure Reserve to contribute toward ER/VR or other cost risks that may arise in 2021-22. The S151 officer remains satisfied that this is sufficient for 2021-22 and that there should be no call on contingency this year to fund such costs. The final costs of ER/VR will only be known towards the end of the year once all management actions re savings proposals etc are implemented. At this stage it is assumed that all ER/VR costs will be able to be contained within the sum left in the Restructure Reserve.

Based on current forecast the S151 officer proposes to utilise the current year forecast underspend on the Contingency Fund of up to £12.899m to provide additional mitigation against the anticipated unfunded elements of cost/loss of income as a result of COVID19.

However, the S151 officer proposes to reserve his final position on the recommended levels of use of the restructure reserve and contingency fund until the absolute success or otherwise of reducing the forecast overspend is known at year-end.

- 3.3 The current indication is that, for 2021-22, there needs to be continued targeted mitigating action and delivery of savings proposals to help reduce the overall service overspends. It looks inevitable at this early stage that some draws from contingency and earmarked reserves will be needed to achieve a fully balanced budget for the year but this was somewhat anticipated and led to the material bolstering of earmarked reserves at outturn. Any inroads to net spending will reduce the necessary draw from reserves and increase the amount of reserves available to carry into 2022-23.

3.4 The action being taken includes working through existing plans on an accelerated delivery basis:

- Management and Business Support Review: ongoing review of the management structure across the Council and future requirements given the Council's priorities, future challenges and the changing nature of the role of managers
- Managing the Pay Bill: review of options to contain or reduce employee costs across the Council as part of our overall future workforce strategy (subject to trade union consultation at the appropriate time)
- Commercialism through third party Procurement Savings and Income Generation: review of further options to increase income from fees and charges, trading etc, in addition to the targets already set.
- Progressing implementation of residual phases Commissioning Reviews and Cross Cutting Themes.
- Further implementation of the Social Services Saving Plan through which we have identified mechanisms for bringing down overall costs.
- On the basis that these are existing agreed actions fully set out in the agreed budget set by Council in March, whilst wholly recognising the ability to progress any of the above have been seriously impacted by Covid 19.
- Continuing the extant spending restrictions which have been agreed as necessary by Corporate Management Team.
- Directors detailed action plans as summarised in their Appendix B commentary.
- The Deputy Chief Executive leading the Recovery Plan implementation as agreed by Cabinet to agree alternative mitigating actions and future steps, taking into account post Covid 19 and Brexit.

3.5 It should be noted that at this time, although the Council continues to pursue a number of VAT related claims, some are more advanced than others, there is NO certainty of windfalls from VAT refunds or any other external source being received in the current year.

#### **4. Revenue Budget Summary**

4.1 The position reported above reflects the best known current position and shows a net £9.4m of shortfall in service revenue budgets, almost entirely in relation to anticipated costs/loss of income as a result of COVID19 which when combined with a forecast £2.0m shortfall in Council Tax collection leads to a total shortfall of £11.4m. To date the amount actually approved by WG in relation to COVID related additional costs/loss of income is set out as per 2.7 above. It is assumed that all the TTP costs will also be recovered and for 2021/22 some additional grant is shown below in the overall summary table of £7.1m. It is also possible that Council tax losses, or part of them at least, will be met by future WG grant support, but this is yet to be assured. In addition as identified above further mitigation is anticipated from the Apprenticeship/Inflation provision of £3.25m and Contingency fund of £12.9m. Taking account all of these mitigations and including the shortfall in Council Tax collection this results in a net forecast underspend for the council of some £11.9m. Although shown as an effective underspend it is more accurately a lower than expected draw from one off contingency sums and members will have the opportunity to consider in due course how to respond to that indicative figure.

Indicative Options include

- Reducing the draw on contingency and conserving more for future years – an indicative £4.5m is proposed but will be confirmed only at outturn
- Allocating the sum to other reserves, including for example the Economic Recovery Fund - an indicative £5m is proposed but will be confirmed only at outturn
- Allocating a sum to ICT reserves, recognising the fundamental shift in service delivery and on line working practices and the attendant pressures on future development activity. An indicative £2.4m (the current balance of underspending forecast left) is proposed but will be confirmed only at outturn.

The position will be firmed up significantly by the outturn report as most of those ongoing uncertainties will be removed (though the delayed national local government pay award may still not be actually resolved so an estimated cost may still need to be provided for).

### Summary

	£'m
Service Forecast overspend	9.4
Council Tax shortfall	2.0
<b>Less Mitigating</b>	
Assumed TTP/WVCS costs recovered	-7.1
Apprenticeship/Inflation	-3.3
Contingency Fund not utilised	-12.9
<b>Net underspend forecast</b>	<b>-11.9</b>

NB Further claims for re-imbursment of both expenditure and loss of income will be submitted to Welsh Government in accordance with their relevant announcements and terms and conditions. The Welsh Government is continuing to review eligibility and its own available resources in relation to both additional costs and Loss of Income claims across Wales. Any decision re the nature of and subsequent success or otherwise of any further claims to Welsh Government is unknown at that this stage.

- Currently, all revenue grant income from WG in relation to COVID claims for the services, including schools, has been allocated “back” to departments.
- Corporate Management Team have reinforced the expectation that both service and overall net expenditure **must** be, as far as practicable, contained within the relevant limits of the current year budget as set by Council, and certainly within any agreed level of tolerance set by Cabinet on the advice of the s151 Officer, recognising the extreme nature of the covid 19 impact.
- As previously mentioned, an early forecast as to the potential outturn on corporate items such as Council Tax collection is estimated to result in a shortfall in collection of £2m.
- Included in the projected budget for 2021/22 for other corporate items are capital finance charges. At this stage an underspend variance of £6m is forecast, any underspending or overspending will be transferred at year end to or from the capital equalisation reserve, a strategy previously agreed by

Council. This will be reviewed and updated during the year as various capital schemes/programmes progress. Borrowing activity throughout 2021/22 to lock in sub 2% long term rates means the overall borrowing envelope debt is now fully externalised which will feed through into significantly higher base capital financing costs in 2022/23. Ongoing underspends in this line should no longer be presumed for future years.

- e. There continue to be risks around general inflationary pay and price pressures this year, including increases to the National Living Wage which will significantly impact contractors to the Council in some service areas. It will also put further pressure on the lower end of the current local government pay spine in future years. There is, as yet, no resolution to the national local government pay award offer (1% budgeted) although the latest full and final offer is in the region of 1.75%.
- f. Detailed monitoring of budgets will continue and will be reported to the monthly Departmental Performance and Financial Management meetings.
- g. It remains imperative that sustainable, but sensitive in the ongoing unusual circumstances of Covid 19, base budget savings are found to replace in year one off actions to stabilise the 2021-22 budget ahead of the finalisation of the 2022-23 budget round.

4.2 Additional total costs in the delivery and implementation of the Oracle Fusion ICT project estimated arising directly as a result of delays related to the pandemic will need to be funded over 2021-22 and 2022-23. The Section 151 officer proposes to meet these costs from the Capital Equalisation Reserve in both years. A separate update report was considered at Cabinet on 20 January 2022 and appropriate budgetary provisions made.

## 5. Capital Budget

5.1 Expenditure to 31st December 2021 is £103.229 million, summarised as follows:

<b>Directorate</b>	<b>Budget 2021/22</b>	<b>Actual to 31/12/21</b>	<b>% spend</b>
	£'000	£'000	
Resources	5,275	1,406	26.7%
Education	22,463	15,291	68.1%
Social Services	822	336	40.9%
Place (General Fund)	119,296	55,127	46.2%
Place (HRA)	47,431	31,069	65.5%
<b>Total</b>	<b>195,287</b>	<b>103,229</b>	<b>52.9%</b>

Expenditure on major capital schemes is detailed in Appendix C.

It should be noted that the actual spend to 31 December may only have 4 or 5 months costs relating to external invoices. The impact of COVID continues to have an impact on the timing and potential slippage of the original capital programme. Schemes will continue to be reprofiled during the year as the impacts of timing / slippage become known. In addition, the effect of substantial price inflation on supplies and materials for schemes is adversely impacting across the capital programme. This is under constant review with scheme cost re-engineering,



however any material cost increases on individual schemes shall need to be agreed through FPR7 procedures.

This will have an impact on the revenue Capital Financing Charges in 2021/22 and future years.

## **6. Housing Revenue Account**

6.1 The economic impact of the Covid pandemic on rent collection rates is being closely monitored. During the first half of the year, collection rates have not been significantly affected however; it is difficult to forecast the longer-term impact and it is too early in the year to forecast the full impact on rent arrears and the budgeted Bad Debt Provision. Revenue repairs expenditure has increased as a result of the back log of repairs from 2020/21 caused by the pandemic and an overspend of £1m in 21/22 is forecast. Spend in this area will continue to be closely monitored. In addition, an increase in the number of disrepair insurance claims has led to a forecast overspend of £170k. This is offset by a forecast underspend on employees costs of £180k as a result of higher than expected vacancies. Covid has also had an ongoing impact on the delivery of the HRA Capital Programme and some slippage is forecast. This will mean a reduction in the amount of borrowing required to fund this year's programme and a reduction in financing costs.

## **7. Legal Issues**

7.1 There are no legal issues contained within this report.

## **8. Integrated Assessment Implications**

8.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English. Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

8.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

- 8.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 8.4 The Revenue budget of the Council was approved following the application of the corporate Equality Impact Assessment (EIA) process throughout the Budget setting process (now replaced by IIA's). It is essential where service levels are affected by changes to the Revenue Budgets (including savings options) that the IIA process (alongside consultation and engagement as appropriate) is applied to ensure due regard is paid to the potential equality impacts of any proposals prior to decision making.

**Background papers:** None

**Appendices:**

Appendix A – Revenue Budget forecast 2021/22

Appendix B – Directors comments on variances and action plans

Appendix C – Expenditure on major Capital Schemes

## REVENUE BUDGET PROJECTION QUARTER 3 2021/22

<b><u>DIRECTORATE</u></b>	<b>BUDGET 2021/22 £000</b>	<b>PROJECTED 2021/22 £000</b>	<b>VARIATION 2021/22 £000</b>
RESOURCES	57,701	62,352	4,651
PEOPLE - SOCIAL SERVICES	129,556	132,648	3,092
PEOPLE – EDUCATION	188,786	192,180	3,394
PLACE	72,017	70,312	-1,705
<b><i>NET DIRECTORATE EXPENDITURE</i></b>	<b>448,060</b>	<b>457,492</b>	<b>9,432</b>
SPECIFIC PROVISION FOR APPRENTICESHIP LEVY/INFLATION	4,250	1,000	-3,250
CONTINGENCY FUND	12,899	0	-12,899
<i>Assumed additional TTP grant to cover costs</i>	0	-7,130	-7,130
<b><i>OTHER ITEMS</i></b>			
LEVIES			
SWANSEA BAY PORT HEALTH AUTHORITY	88	88	0
CONTRIBUTIONS			
MID & WEST WALES COMBINED FIRE AUTHORITY	14,120	14,120	0
<b><i>CAPITAL FINANCING CHARGES</i></b>			
PRINCIPAL REPAYMENTS	16,368	12,790	-3,578
NET INTEREST CHARGES	20,010	17,587	-2,423
<b><i>NET REVENUE EXPENDITURE</i></b>	<b>515,795</b>	<b>495,947</b>	<b>-19,848</b>
<b><i>MOVEMENT IN RESERVES</i></b>			
GENERAL RESERVES	0	0	0
EARMARKED RESERVES	-27,352	-9,504	17,848
<b><i>TOTAL BUDGET REQUIREMENT</i></b>	<b>488,443</b>	<b>486,443</b>	<b>-2,000</b>
DISCRETIONARY RATE RELIEF	418	418	0
<b><i>TOTAL CITY AND COUNTY OF SWANSEA REQUIREMENT</i></b>	<b>488,861</b>	<b>486,861</b>	<b>-2,000</b>
COMMUNITY COUNCIL PRECEPTS	1,641	1,641	0
<b><i>TOTAL REQUIREMENT</i></b>	<b>490,502</b>	<b>488,502</b>	<b>-2,000</b>
<b><i>FINANCING OF TOTAL REQUIREMENT</i></b>			
REVENUE SUPPORT GRANT	269,725	269,725	0
NATIONAL NON-DOMESTIC RATES	82,917	82,917	0
COUNCIL TAX - CITY AND COUNTY OF SWANSEA	136,219	134,219	2,000
COUNCIL TAX - COMMUNITY COUNCILS	1,641	1,641	0
<b><i>TOTAL FINANCING</i></b>	<b>490,502</b>	<b>488,502</b>	<b>2,000</b>

## Director's comments on budget variances

### Director of Resources

The budget position in the third quarter shows the resources directorate underspending in a number of areas. This is mainly due to employee recruitment which has been delayed due to COVID. A recruitment programme is underway, however in some areas recruitment is proving difficult. The TTP and WVCS programmes will both recover all costs.

Variance (under -)/over spend	£000	Explanation and Action
<b>COVID-19 Variation:</b>		
Test Trace & Protect Programme (TTP)/Wales Vaccination Certificate Service(WVCS)	7,130	Additional £14m funding has been awarded to the Region of which £7.1m is the forecast cost for Swansea Council. This forecast is based on the latest position which includes the extension to the WVCS service. The expenditure is expected to be fully recoverable from Welsh Government Grant.
Design Print	250	Loss of trading income which relates mainly to internal recharges to Council departments, a review of the overheads has been undertaken to help manage this loss of income
Council Tax Reduction Scheme (CTRS)	-1,500	The base budget reflects an increase of £2,346k for the year. This has resulted in an underspend based on caseloads, however, this may change and may lead to more demand and hence additional costs. There is no guarantee that it is going to be the same position at year end but it does seem to be favourable at the moment.
<b>Net COVID-19 variation</b>	<b>5,880</b>	
<b>Other Variations:</b>		
Net variations	-1,229	Net Employee, Supplies & Services underspends across the Directorate.
<b>Total Other Variations</b>	<b>-1,229</b>	
<b>Total Forecast Variation</b>	<b>4,651</b>	

### Director of Social Services

Variance	£000s	Explanation and Action
<b>Covid 19 Variation</b>		
Projected Hardship Costs	8,166	<p>This is the current estimated additional cost of actions taken in accordance with Welsh Government guidance around the Hardship Fund. This spend supports the commissioned sector and ensures we are best placed to support the national response to Covid-19. This also takes into consideration the tapering arrangements as specified by WG</p> <p>Such actions include</p> <ul style="list-style-type: none"> <li>• increasing capacity within the domiciliary care market</li> <li>• participating in a Welsh Government scheme to provide financial support to our private residential providers</li> <li>• providing support to supported living providers</li> <li>• providing additional respite capacity</li> </ul>
Projected Income Loss	1,668	This loss of income relates to income that would have been received from citizens and partners were it not for the pandemic. It covers day services, respite services and the Gower Activity Centres.
Hardship Funding Received to date	-4,861	Three tranches of funding has been received and allocated to the Directorate
<b>Other</b>		
Internal Staffing and Services	-2,226	<p>Despite the best efforts of the Directorate, some staffing vacancies are taking some time to fill. Whilst this is a situation we are seeking to resolve, financial savings do occur from such vacancies.</p> <p>We continue to receive grants that are able to support the overall financial position. Work to ensure services are designed in a way that enables the Council to access all funding sources continues.</p>
Commissioned Care	-1,255	Activity levels remain lower than we would expect were it not for the pandemic.

<b>Variance</b>	<b>£000s</b>	<b>Explanation and Action</b>
Independent Child and Family Placements and support for care leavers	-1,600	We have been successful in safely reducing the cost of a number of our most expensive placements. This budget remains volatile and is subject to enhanced monitoring
Western Bay Adoptions	-300	The costs of the regional adoption service is split between partners depending on the proportion of children placed by each. This underspend is based on the latest projections which have seen an increase in the number of children placed by our partners.
Revenue Contribution to Capital Outlay	3,500	The cumulative business as usual underspends above have given the directorate headroom to make a significant contribution to the future cost of forecast capital expenditure.
<b>Overall Variation</b>	<b>3,092</b>	

### **Director's Comments**

The Council's response to Covid-19 continues to dominate the operational and financial outlook for the Directorate. To ensure we are able to recover all eligible costs through Welsh Government grant, our processes and the support we provide to the commissioned sector is aligned with Welsh Government guidance and has been updated to take into account tapering of support

Activity levels in several of the services we commission continue to be lower than they were before the Pandemic. In producing these forecasts, we have reviewed current service levels and forecast activity for the fourth quarter. We continually monitor our assumptions and revise financial forecasts when the data supports this. Within Child and Family Services, we have seen a reduction in the number and cost of some of our most expensive placements. Whilst this represents a relatively small number of children, the high cost of these placements means that it has a significant effect on our financial forecasts.

Once all expected Covid income is received, we expect the Directorate to underspend at year end. This has provided an opportunity to make an unbudgeted contribution to the Council's Capital Programme. This enables investment in services for the longer term, whilst protecting future revenue budgets.

## Director of Education

<b>Variance</b>	<b>£000</b>	<b>Explanation and Action</b>
<b>Covid 19 Variations</b>		
Additional direct cost of maintaining provision of lunches / food bags / BACS payments for FSM eligible pupils	2,567	Reflects significant additional food costs, considerably greater coverage of eligible families (with transitional protection), and additional provision over holidays – including Y11 & Y13 costs for Summer Term Finishing
Additional cost of PPE in excess of funding provided by WG	182	Forecasted for 21/22 based on previous year expenditure.
Additional staffing costs over normal contracted hours (catering, cleaning and school support teams)	527	Continuing additional staffing costs of enhanced cleaning. Daytime cleaning regime continues to be required and will continue until WG grant ceases to support this.
Additional hours for teaching assistants outside of term	755	Claims from schools for those staff being paid for additional non-contracted hours
Additional transport, PPE, and utility costs.	107	Claims from Schools for continue for Covid related expenditure
Additional Transport Costs arising from taking pupils home to self-isolate	29	Additional costs associated with additional journeys home for children with an identified positive case in their year group - Summer Term 21
Additional costs of licences to support Chromebooks and continuity of learning for pupils	24	Additional cost over and above core broadband and other IT infrastructure costs and available base budget after MTFP savings
Loss of paid School Meal Income	547	Based on 21/22 Q1 (£326K) & Q2 (£61K) Claims - claims will continue until take up of paid meals can return to pre-Covid levels. Forecast £70K per Qtr for rest of 21/22.
Loss of other income such as from school clerking services and penalty notices	24	On the basis of comparison with previous year - Was reimbursed by WG at £6K/quarter last year.
Loss of income to schools for example from school lettings and breakfast and other clubs	386	Reflects detailed analysis of income lost across our maintained schools.
Paid to Date	-2348	Hardship Claims up to October 2021 & Q1+Q2 Loss of Income – Reimbursement Received from WG
<b>Total Covid 19 variations</b>	<b>2779</b>	
<b>Non Covid Variations</b>		

Continuing additional costs of FSM transitional protection	335	Considerable increase in those entitled to FSM with lockdown and transitional protection will maintain these numbers without any certainty of additional core funding from WG
Loss of additional paid meal income from previously proposed MTFP increased prices (April 20 and Sept 20)	0	£125k loss of income from political decision to remove increase from April and further £80k part year impact as prices frozen in September. Pressure met by Recovery Fund in current year.
Home to School Transport - further underlying cost pressures and undeliverable savings target relating to creation of additional walking routes, allocated from Place Directorate	280	MTFP reflects robust management action to mitigate scale of demand and cost pressures but underlying pressures continue to grow. The overall shortfall in delivery of the MTFP savings targets transferred to Education would be greater again at £280,000 for 2021-22 and at least £186,550 for 2022-23 and £143,300 thereafter until the third walking route is delivered.
Home to School Transport - Additional cost pressures of additional transport requirements for Education from September 2021.	85	Additional costs for Ysgol Penybryn from September but savings from Clase bus being taken off. Additional bus for Y G Gwyr from September to deal with increased pupil numbers. Additional costs for YGG Tirdeunaw from September.
Implications of school decisions on SLA buy back on services	0	Reflects existing pressures on areas such as Music Service - Update - WG Grant received covering 21/22 music pressure.
One-off additional contribution to Regional Improvement Partnership	28	PYE of ERW additional charge at £28K. Ongoing work with new partnership.
Union Duties – Reflects current expenditure	73	Called on claims against this budget continue to increase. Confirmed Adherence to Policy.
Historical change of use of the caretaker house to school use - at Pontarddulais Comprehensive	6	Overlap period where both council tax & rates have been charged. No option but to pick up on a one-off basis from Directorate budget. Unfair for the school to be charged twice.
Difference in Teacher's Pay Award. 0.75 of a 1.75% increase is unfunded.	0	Welsh Government national grant to fund the additional percentage element of teachers pay award (£333K) in 21/22. However, full year impact would be £571K if this is not met going forward.
Other continuing pressures (Primarily Historic Pension Costs, Maternity etc)	300	Will continue to mitigate as far as possible and contain such costs
One-off managed savings with delay to full	-300	Further managed savings can be delivered whilst the new EOTAS model



implementation of new EOTAS model		cannot be fully implemented
One-off managed savings identified in year in addition to those already reflected in MTFP	-193	Challenging to identify significant further savings in addition to MTFP requirements
Net non-Covid 19 projected overspend	615	Continuing robust management action will seek to identify further savings in addition to MTFP requirements but the remaining projected overspend reflects the scale of externally driven and uncontrollable cost pressures
<b>TOTAL PROJECTED PRESSURES</b>	<b>3,394</b>	Reflects impact of decisions preventing the delivery of current year MTFP savings assumptions and unrecovered additional Covid-19 costs

The Council response to Covid-19 continues to dominate the financial outlook for the year. The Council's response is in line with Welsh Government Guidance and has required significant resource directed at Education.

Forecasts for Covid related expenditure and income loss are subject to the progression of the pandemic through the remainder of the financial year and further guidance around the use of the Hardship Fund. It is hoped that most costs considered Covid related will be recovered from available WG grant funding but there is clearly a risk that some costs may not be fully reclaimable.

The non-Covid 19 projected overspend is more than accounted for by the impact of WG or local decision which has increased the uncontrollable and statutory cost pressures, prevented the delivery of significant elements of current year MTFP savings assumptions, and incurred unrecoverable additional Covid-19 costs.

There are other areas of identified demand and cost pressures, in spite of the continuing delivery of the Education strategy, but these are anticipated to be largely offset by further one-off managed savings in addition to those already reflected in the MTFP. However, the underlying base budget shortfall facing the Education portfolio budget, potentially at almost £615k, is clearly of concern even though it directly reflects the full year impact of national or local decisions.

### **Director of Place**

The directorate is currently projecting a £1.7m underspend which is testament to all of the hard work and rigour applied by the service areas. However, it is a difficult year to project out turn in details as a result of a number of factors namely

- The ongoing dependency of Welsh Government who continue to provide funding for Covid expenditure and loss of income and the assumption is that this will continue for the full year ahead.
- The continued pressure on income via a range of sources including fees, charges, car parking, volatile recycles and residual waste cost and the gradual return to normal of events and venues
- The continued uncertainty of inflationary increases on materials and contractor resources

- Continued asset related income and uncertainty resulting from pressures on businesses and dependency on economic recovery
- An assumption that there would be no further Covid restrictions later in the year further impacting on income

As such the directorate is projecting a £1.7m underspend but even with the above challenges it is expected that it will at least break even at year end.

## Appendix C

<b>Capital expenditure on major schemes to 31 December 2021 (where spend greater than £250k)</b>	<b>£000's</b>
<b>Education</b>	
Bishopston Comprehensive School refurbishment	3,213
YG Gwyr extension	1,606
YGG Tan y Lan new build	3,805
YGG Tirdeunaw new build	5,390
Improvement Works at Arfryn	351
YGG Bryniago classroom extension	342
<b>People</b>	
ICF Community Equipment Vehicles	309
<b>Resources</b>	
Agile and Mobile IT equipment	662
<b>Place</b>	
City Deal Development Phase 1 (Arena schemes)	29,024
Hafod Copper Powerhouse scheme	2,338
Wind Street improvements	2,069
City Centre acquisition	2,102
Palace Theatre Redevelopment	513
Castle Square Regeneration	375
Kingsway Infrastructure	271
Corporate Building Services (including schools)	5,078
Community Play Schemes	954
Highways carriageway resurfacing including invest to save	3,101
Highways Footways	695
Highways Graig Road Emergency Repairs	423
Active Travel schemes	1,550
Highways Drainage works	510
Mumbles Seawall Repairs	386
Fabian Way	1,464
Disability Facilities Grants	2,303

Mini Adaptation Grants	493
<b>HRA</b>	
HRA capital programme (More Homes schemes)	8,332
Wind and Weatherproofing	2,956
Flat Roof & Window Replacement	354
Fire Safety	913
Electrical Rewiring	894
Chimney Repairs	375
External Facilities	4,321
Adaptations	1,621
Bolier and Heating Upgrades	917
HRA Kitchens & Bathrooms	9,643

Total scheme value where spend greater than £250k 99,653

# Agenda Item 8.



## Report of the Section 151 Officer

Cabinet - 17 February 2022

### Medium Term Financial Planning 2023/24 - 2025/26

<b>Purpose:</b>	This Report sets out the rationale and purpose of the Medium Term Financial Plan and details the major funding assumptions for the period and proposes a strategy to maintain a balanced budget.
<b>Policy Framework:</b>	Medium Term Financial Plan and Budget Strategy
<b>Consultation:</b>	Legal, Access to Services, Cabinet Members and Corporate Management Team
<b>Recommendations:</b>	It is recommended that:-  1) The Medium term Financial Plan 2023/24 to 2025/26 be recommended to Council as the basis for future service financial planning.
<b>Report Author:</b>	Ben Smith
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction and Background

- 1.1. Service and financial planning continues to be undertaken against a backcloth of increasing service pressures and demand. Again this year there is the added pressure and uncertainty of the COVID-19 pandemic. This has affected short-term planning and is expected to continue impact the budget in the medium term.
- 1.2. The Medium Term Financial Plan (MTFP) is an overarching strategy that:
  - Covers three future years.
  - Forecasts future known additional spending requirements, likely resources and potential funding shortfalls.

- Links to the Council's adopted strategy '**Swansea – Achieving Better Together**' as a means of addressing future budget shortfalls.
- Links to the Council's revised Corporate Plan, "Delivering for Swansea" and the delivery of our top 6 priorities.
- Has due regard to our duties under the Well-being of Future Generations Act 2015.

Future detailed Service planning will need to be undertaken within the financial assessments and forecasts contained within the Medium term Financial Plan.

- 1.3. **It is important to understand that the MTFP does not constitute a formal budget in respect of the period 2023/24 to 2025/26 and as such the indicative annual assumptions included both within the projected spending pressures detailed in Sections 2 and 3 of this report, and the potential funding detailed in Sections 4 and 5, will be subject to a full review and decision making process as part of each of the annual Revenue Budget and Council Tax setting decisions.**
- 1.4. Instead, the MTFP is intended to outline, in broad terms, the specific service and funding issues over the three year period and how the Council will, within its financial constraints, fund its priorities and achieve major service change and savings.
- 1.5. It is essential as a planning and review tool in order to assess, on an ongoing basis, base assumptions around service pressures and progress against delivery of savings.
- 1.6. The plan serves to highlight the trend for increasingly uncertain times ahead in terms of funding for this Council and Local Government in general, as well as the service pressures that the Council faces from rising demands and increases in demography, together with potential funding pressures arising from ambitious plans for capital development.
- 1.7. Importantly, it is essential that the MTFP is a 'living' document that is subject to regular review and revisions as more information becomes available and risks are updated. As such, it is anticipated that, along with close monitoring of the specific budget proposals and savings targets for 2022/23, further reports to Cabinet regarding the MTFP will be made as necessary. In particular, the Mid Term Budget Statement in the autumn of 2022 will provide a key update on the financial outlook and delivery of savings.
- 1.8. The MTFP is one of many documents that are produced in terms of financial planning and control. These include:-
  - The annual Revenue and Capital Budgets of the Authority
  - The annual HRA Capital and Revenue Budgets
  - The formal quarterly budget monitoring reports presented to Cabinet
  - The Mid-term Budget Statement intended to be produced each year as an aid to strategic review on progress

- The Revenue and Capital Outturn Statements taken to Cabinet following year end
  - The Statement of Accounts produced and approved by Council annually.
- 1.9. The MTFP is intended to form a logical flow from an assessment of forecast resources over the medium term through each step of a structured planning process for future years and as such it specifically details:-
- Section 2 Overview of financial planning environment 2023/24 – 2025/26
  - Section 3 Detailed spending and resources forecast 2023/24 – 2025/26
  - Section 4 Strategy to address future savings requirements
  - Section 5 A summary of the Medium Term Financial Plan and Swansea – Achieving Better Together Strategy.
  - Section 6 Medium Term Financial planning for Schools
  - Section 7 Risks and issues surrounding the MTFP
  - Section 8 An assessment of reserves
  - Section 9 Legal and Equalities implications

## **2. Overview of Financial Planning Environment 2023/24 to 2025/26**

- 2.1. The Medium Term Financial Plan (MTFP) report considered by Council on 4<sup>th</sup> March 2021 included a service and financial overview. This was updated in the budget proposals report given to Cabinet in January 2022 and is updated further below.

### ***Economic Outlook and Prospects for Public Finances***

- 2.2. The announcement of the provisional Revenue and Capital Settlement for 2022/23 has resulted in an overall cash increase of £33.943m in 2022/23 compared to 2021/22. There have been two transfers into the settlement in respect of Gate Fee Support for Food and Residual Waste (£0.102m) and a partial transfer in from the Social Care Workforce Grant (£0.395m). There is an increase of just under £33.5m in block grant after allowing for these changes. Whilst this is a much appreciated, substantial increase, it needs to be set in the context of the forecast cost of pressures faced by this Council – around £40m for 2022/23 alone.
- 2.3. The current economic climate continues to be uncertain, even more so at the moment, and the Welsh Government acknowledged in their letter to all Local Authorities that local government is facing significant pressures. There is and will continue to be uncertainty over the UK's relationship with Europe and the impact on Wales post Brexit as well as the on-going impact of the COVID-19 pandemic. It is still the case that the Section 151 Officer assumes the Welsh Government budget will be expected to reduce in real terms over the latter period to 2025/26 notwithstanding the short term boosts for the current and next year budget.
- 2.4. Of course, the level of Welsh Government devolved Block Grant is not the only determinant of Welsh Government support for Local Authorities. It is likely that further delegation and transfer of powers and rights from

Westminster to Cardiff, including full devolution of matters relating to business rates, together with further tax changing/raising powers, may impose greater or lesser financial risks to Welsh Government than is currently the case. There is also the fact that Welsh Government has to decide on its own cross-sectoral allocation of devolved funding to public services in Wales.

- 2.5. Whilst it is a very positive provisional settlement for 2022/23, there is no certainty that it can continue at such a relatively high level in future years and, in addition to possible real terms reductions in future core funding, the Council also has a wide range of service and demographic pressures which will inevitably impact on demand for services. Equally clearly, there is a potential for further UK Government announcements to impact on costs borne by the Council, particularly in respect of any changes to taxation. The clear example is of the changes to the National Living Wage, which will add around £1.1m to the Council's annual costs.
- 2.6. As mentioned above, a further complicating factor over the period of the MTFP involves proposals to devolve tax varying powers from Westminster to the Welsh Government. Whilst this notionally impacts primarily on individual taxation, potential devolution of National Business Rates (NDR) has the potential to impact directly on Local Authority budgets and risk. Latest proposals, for example, are to devolve the cost of welfare provision in Wales to the Welsh Government with all the risk regarding cost movement.
- 2.7. In terms of core revenue funding, the provisional Revenue settlement issued by the Welsh Government in December 2021 gave a detailed settlement level for 2022/23 only, however there was an indication of the likely funding levels for Local Government for the following two years. Whilst only indicative it is nevertheless a very welcome tool to assist future forecasting by Authorities. The likely levels of funding indicated are increase of 3.5% for 2023/24 and 2.4% for 2024/25, significantly lower increases than for 2021/22 and 2022/23.
- 2.8. All this of course has to be set against a backdrop of significant global instability where events can impact significantly – and at short notice – on the UK economy and the overall UK economic outlook.
- 2.9. For the purposes of the planning assumptions, although the future year indications are very helpful, they are only indications at an all Wales level. Swansea's actual increase could be higher or lower than the headline increase. Furthermore it is possible that the all Wales headline figure will be different to the indication, given the Welsh Government is reliant on the funding that flows from the UK Government. As such it is good practice to forecast a range of potential funding scenarios, each of which will result in differing financial forecast for the Council over the period covered. The forecasts will be updated using the mid-term budget statement to Council each year to reflect the best information available on a rolling basis. For the purposes of the MTFP, forecasts will be based around a range of scenarios between cash flat (0%), an increase of 3% and an increase of 9.3%.



2.10. These are scenarios to demonstrate the range of possibilities and are entirely contingent upon UK and Welsh Government future budget decisions.

Year	AEF Standstill @ 0% £'000	AEF Increase @ 3% £'000	AEF Increase @ 9.3% £'000
2023/24	0	11,600	36,000
2024/25	0	11,900	39,300
2025/26	0	12,300	43,000
<b>Cumulative</b>	<b>0</b>	<b>35,800</b>	<b>118,300</b>

Note that the above scenarios are based on the provisional AEF for 2022/23 of £386.585m as announced in December 2021.

The above represents a spread in terms of potential overall increases over the life of the MTFP, which will have to be updated on a regular basis.

**The compounding effect of this key assumption is substantial over the life of the MTFP – the savings ask could be considerably higher if the actual increase is less than the range (of 3.5% - 2%) used as a planning assumption or considerably less if the settlements are more than assumed.**

- 2.11. During the timescale of the MTFP there are a significant number of events which could impact on some of the major assumptions made. These include:
- Any voluntary or joint arrangements, including regionalisation, in lieu of compulsory Local Government reorganisation in Wales;
  - Wider events that could impact on the Global economic position;
  - The impact of the final exit package agreed by the UK Government in respect of Brexit.
  - The on-going impact of the COVID-19 pandemic

### ***Support for Capital Programmes***

The provisional settlement indicated support for future General Fund Capital programme at a level of £10.722m for 2022/23, a disappointing decrease of £2.040m compared to 2021/22. It is understood this may be reinstated by 2023/24 but this allocation is not even sufficient to meet the current budgets allocations to cover core commitments. There will be a temporary use of the Capital Equalisation Reserve in 2022/23 to fund the gap of £2.040m, this is on a one-off basis and will only be utilised if necessary.

This settlement support is through a mix of General Capital Grant and support for borrowing. Wider capital support elsewhere is however very significant and must be equally recognised.

Planning assumptions over the life of the MTFP are based on unchanged levels of capital support, in the absence of any further indications from the Welsh Government.

As reported elsewhere on this agenda, in the Capital Budget & Programme 2021/22- 2026/27 Report, there is an ambitious capital investment programme. This includes the continued investment in Swansea Schools, through the Band B phase of the 21<sup>st</sup> Century Schools Programme and major capital schemes flowing from the Swansea Bay City Deal including the Swansea Arena and the Digital Village. There will also be continued investment in IT across the Council, as well as a significant programme to assist the economic recovery from the COVID-19 pandemic.

The capital investment identified above will attract significant grant funding (21<sup>st</sup> Century Schools and Swansea Bay City Deal), however the programme will still require material unsupported borrowing to enable completion.

- 2.12. The total estimated cost of the Band B schools programme envelope is £149.5m (if the potential aided sector scheme is excluded this amounts to £141.3m). Of this total, £124m is being sought from traditional capital funding, requiring (after allowance for realisable capital and other receipts) a net local funding requirement of £34.5m. The remaining £25.19m (or £16.975m if the potential aided sector scheme is excluded) is expected to be delivered through revenue funding (Mutual Investment Model), which would require no local capital funding contribution but incur an annual charge once the accommodation and facilities are completed. An equivalent local share of the capital cost would be £3.225m although the 19% local contribution would apply to the annual revenue charge.
- 2.13. The capital financing strategy underpinning the capital budget seeks to maximise grants, supported borrowing, contributions and capital receipts in order to minimise the need to borrow. The borrowing requirement identified to support the capital programme is significant and shall require substantial revenue support to service. The revenue implications are reported in the Revenue Budget elsewhere on this agenda. The revenue implications are considered affordable and sustainable over the cycle of the programme.
- 2.14. As indicated above, the position remains that should such capital receipts not materialise the Council will have no option but to consider reductions in spend, seek alternative sources of funding or, as a last resort, consider additional borrowing which shall place a further burden on revenue finances.
- 2.15. In the recent past, the Council has sought to minimise its external borrowing by the use of internal funds, which is entirely consistent with good Treasury Management policy given historic low interest rates on investments and avoiding the 'cost of carry', which has served this Authority well. Sustained internalisation of borrowing requirement and the significant funding required for the capital programme from 2021/22 onwards and the planned medium term depletion of earmarked Reserves and Provisions means that externalisation of this funding became inevitable. It is clear that the Council

has taken the opportunity to progress this at a time when external borrowing rates are at an all-time low. Thus, following the removal of the HM Treasury imposed 1% premium on borrowing in November 2020, this strategy of averaging in external debt was undertaken in 2021/22.

It should be noted that all general fund debt has now been fully externalised and as such all interest rate risk has been removed in the medium and long term

- 2.16. It remains the case that each year the Council sets aside a significant amount of money (c £11.5m 2020/21) called the Minimum Revenue Provision (MRP) towards the repayment of debt. This provision is in line with the Council's existing MRP Policy, which was revised in 2018/19. This effective repayment will have to be taken into account when evaluating overall borrowing levels and the ability to service any additional borrowing requirement.
- 2.17. The additional capital investment identified above will attract significant grant funding (especially 21st Century Schools and Swansea City Region Deal), however the programme will still require a material unsupported borrowing to enable completion alongside the use of capital receipts as they are realised. Furthermore some schemes have the potential to provide additional revenue streams of property income, or, subject to agreement, in due course, with Welsh Government, retained elements of non-domestic rates or possibly tax increment financing as further powers devolve to Welsh Government and then on to local government.
- 2.18. Notwithstanding this scale of ambition, each major scheme will, as always, be considered on the overall merits of each business case, both in capital cost, and revenue income streams where appropriate. Unsupported borrowing will be undertaken on a phased basis within the overall envelope for affordability.

### **3. Detailed Spending and Resources Forecast 2023/24 to 2025/26**

- 3.1. The Capital Budget report forecasts capital spending and resources in the period covered by the MTFP.
- 3.2. In terms of the Revenue Budget, and in the context of financial planning over the period of the MTFP, the overriding issue is likely to be the need to make significant ongoing savings in Service Expenditure in order to meet known and anticipated spending pressures.
- 3.3. The following table represents the expected funding requirements (based on current policies and decisions) for the period of the MTFP – **these are pressures and must be read in conjunction with the funding plans and indicative solutions set out in 5.4:**

**Projected Spending Pressures/Funding Deficiency 2023/24 – 2025/26**

	Note	2023/24	2024/25	2025/26
		£'000	£'000	£'000
Future cost of pay awards	1			
- Non Teachers		4,900	10,000	14,100
- Teachers (Local top up required)		4,000	7,800	11,200
National Living Wage – pay bill	2	400	800	1,200
National Living Wage – contracts		1,300	2,800	5,000
Increase in Pension Costs	3	1,300	2,800	4,200
Cumulative contract inflation	4	1,497	3,877	4,957
Energy Price Inflation	4	2,000	2,000	2,000
Capital charges	5	1,000	2,000	3,000
Use of reserves to smooth capital charges impact	6	-1,000	-1,000	-1,500
Contingency	7	96	231	13
Demographic and Service pressures	8	3,000	6,000	9,000
Mid and West Wales Fire authority Levy ( <b>independently decided by the Fire Authority</b> )	9	400	900	1,400
Council Tax Support Scheme	10	1,250	2,650	4,050
Rebase ICT Cloud costs	11	500	1,000	1,500
Social Care extra money for Adults Services	12	2,500	5,000	7,500
Agreed Service Pressures	13	1,925	2,140	2,428
<b>Total known pressures / investment into services</b>		<b>25,068</b>	<b>48,998</b>	<b>70,048</b>
Total Savings Requirement	14	-4,511	-11,541	-16,691
<b>Net Funding Requirement</b>		<b>20,557</b>	<b>37,457</b>	<b>53,357</b>
Aggregate External Finance Increase @ 3.5%, 2.4%, 2%	15	13,500	23,100	31,300
Council Tax Assumption at 5% (see Section 4)	16	7,057	14,357	22,057
<b>Total Resource Investment</b>		<b>20,557</b>	<b>37,457</b>	<b>53,357</b>

Alternative scenarios at differing levels of Welsh Government Support – if AEF turns out to be higher or lower than the planning assumption

<b>Additional Money Available for Investment if 9.3% AEF (i.e. continues at current year increase)</b>		<b>22,500</b>	<b>52,000</b>	<b>87,000</b>
<b>OR</b>				
<b>Additional Savings needed if 0% AEF</b>		<b>-13,500</b>	<b>-23,100</b>	<b>-31,300</b>

Notes:

1. *The pay award figures represent a forecast increase of 2.5% for all staff, reducing to 2% over the life of the MTFP, following the UK Spending Review and removal of the public sector pay freeze.*
  2. *Assumed increases due to implementation of National Living Wage - will affect contract prices and lower end of own pay scale.*
  3. *The latest forecast from the triennial revaluation of the local government pension scheme effective from 1<sup>st</sup> April 2020 indicated a 0% increase per annum. This has been updated to an expected 1.5% increase from 2023/24 when the next revaluation takes effect.*
  4. *Reflects the assumed minimum cumulative effect of contract inflation, and from 2023/24 the impact of increased energy prices.*
  5. *The additional estimated borrowing costs arising from the new and regional capital programme together with the residual impact on borrowing from reviewing the MRP policy in 2018.*
  6. *Cabinet have prudently built up earmarked reserves to reduce the impact of increased capital charges in respect of new schemes, and targeted use of these reserves is now being built into the MTFP.*
  7. *A small sum to be added to the contingency to allow for changes to (for example) the estimates on levies.*
  8. *Assumed Demographic and Service pressures mainly around Schools and Adult and Children's Services.*
  9. *Estimated Fire Authority Levy increase.*
  10. *Reflects the assumed cost of Council Tax Support Scheme costs based on Council Tax increases as a planning assumption only at this stage.*
  11. *To rebase permanently some demand led pressures in Corporate Services predominantly around ICT cloud provision.*
  12. *Following the introduction of the new Social Care Levy (currently reflected as an increase to National Insurance rates) additional funding for social care has been allocated.*
  13. *The future year impact of service specific pressures agreed as part of the 2022/23 budget report*
  14. *The future year impact of service specific savings agreed as part of the suite of 2022/23 budget reports.*
  15. *Reflects the Welsh Government provisional guideline assumptions for 2023/24 and future years, namely a 3.5% increase in 2023/24, and a 2.4% increase in 2024/25. With 2% estimated for 2025/26.*
  16. *Reflects the Council Tax assumption of 5% as detailed in Section 4.*
- 3.4. As stated, this forecast contains limited provision for increases in net service costs, in particular there is no provision for :-
- Any increase in costs arising from decisions on Government taxation – most significantly increases arising from landfill tax costs.
  - Corporate costs in excess of budget provision in respect of issues relating to higher than assumed employee costs (higher than 2.5% (2023/24) and 2.0% (future years) pay awards), or bigger movements in minimum statutory wage.
  - Any one off costs arising from changes to service delivery across the Council, including transformational change.

- Any general inflation provision relating to non-contractual issues.
  - Any increased costs or reductions in income arising from ongoing changes to welfare reform, in particular the full introduction of Universal Credit during the lifetime of the MTFP.
  - Any budget changes arising from further regionalisation of any services.
  - Any increases in Capital financing charges beyond those allowed for which is dependent on the Council achieving a level of capital receipts as detailed within the Capital budget submitted for approval elsewhere on this agenda and is wholly dependent on decisions around potential externalising of internal borrowing.
  - Future funding decisions in respect of protection for Social Services or Delegated Schools' budgets which may be specified by the Welsh Government in future budget settlements.
  - Any potential downward movement in service specific grants, some of which we have experienced at short notice in the past.
  - Any ongoing increase on non-funded schemes including the Teachers' Pension Scheme at a future date.
- 3.5. The Welsh Government has proposed legislative changes around Local Government and Elections (Local Government and Elections (Wales) Act 2021). There are likely to be financial implications arising from this, however until more detail and implementation timescales are known this can only remain a risk for future consideration.
4. **Strategy to Address Future Savings Requirements: Swansea – Achieving Better Together**
- 4.1. The scale of the financial, demographic and sustainability challenge requires the Council to continue to adopt a radically different approach to previous years. An approach that focused on:
- *The core future purpose of the Council*
  - *The transformation of services and the model of delivery*
  - *Greater collaboration with other councils and local organisations, community groups and residents*
  - *And, above all, sustainable solutions with prevention at its heart.*
- This ambition was set out in *Sustainable Swansea – fit for the future*, our long-term plan for change, underpinned by our Innovation Programme.
- 4.2. The Sustainable Swansea Strategy was agreed by Cabinet and reported to Council in October 2013. The Delivery Programme was approved by Cabinet on 29 July 2014 and was subject to further review and refresh at Cabinet on 16<sup>th</sup> July 2015.
- 4.3. A major refresh undertaken in 2020 recognised that it has successfully delivered the bulk of £70m worth of savings asks, and enabled the Council to maintain services, performance levels and protect jobs during a period of austerity. However, there are now new challenges and opportunities arising

from the new Local Government and Elections (Wales) Act as well as a changing national political landscape and economic uncertainty including COVID-19 and post-Brexit risks.

- 4.4. Thus, in October 2020 Cabinet approved the new Swansea - Achieving Better Together Transformation Strategy and Programme Framework to strengthen the changes needed due to current circumstances. The new programme builds on and strengthens the Sustainable Swansea approach, and the strategic aims of Swansea – Achieving Better Together will now focus on:
- The core purpose of the Council
  - Transforming services to be effective and efficient
  - Greater collaboration with other Councils, organisations, community groups and residents, with a focus on regionalisation
  - Balancing the budget for current and future years
  - Greater and more meaningful engagements with our residents and community
  - To meet aspirations and targets within the Medium Term Financial Plan

#### **Our Service Priorities for 2022/23 and the MTFP Period**

- 4.5. Although the Council is currently focused on a plan to save an additional £21m over the period of the MTFP (since revised as per the January 2021 Budget Proposals report to Cabinet), it is vital to continue to retain Member and management focus on the significant proportion of our budget that remains. Our gross budget is over £780m (excluding Housing Services (HRA)) and we spend just over £1.8m a day on services to residents.
- 4.6. The Council has clear and strong long term ambitions for Swansea and the proposals for savings must be seen in the context of the following:
- The Council's top 6 priorities and future plans for services to help deliver the well-being of future generations
  - The strategic aims of Swansea – Achieving Better Together – which embrace all we do
  - The application of the budget principles – which guides decision making
  - The ongoing and sustained real terms reduction in external funding and the need to meet known budget pressures.
  - All set within the context of the current COVID-19 pandemic.
- 4.7. The Council's overall aim is to protect frontline delivery of services as far as possible. However, whilst many things are important, not everything can be a priority. It is important, therefore - particularly in the current climate of significantly reduced resources - to set out clearly our expectations on all services and relative priorities for funding in the context of the budget reductions that we face.
- 4.8. This requirement is illustrated sharply by the “gearing” effect of savings on services. In other words, if our current savings requirement (excluding schools) over three years was applied, for example, just to Place Services, the budgets for this area would have to be reduced by over a third.

Consequently, other areas such as Education and Social Care also need to face some relative real terms level of reduction over the next 3 years, given the relative size of their budgets.

- 4.9. A statement of budget priorities and policy statements that flow from this is set out in **Appendix A**. This statement follows an assessment of services in relation to the following criteria:
- **Invest:** Services where the Council will increase levels of investment
  - **Maintain:** services where the Council will broadly maintain current level of spend in the medium term
  - **Remodel:** those services where the Council will reduce the current level of spend over the medium term.

Regardless of relative funding levels, there is also an absolute requirement that **all services** must transform and strive for maximum efficiency.

#### **Potential Funding 2023/24 to 2025/26**

- 4.10. The Revenue Budget report detailed elsewhere on this agenda identifies possible savings for the 2022/23 financial year. Some of these proposals will generate further savings in future years and so will contribute to the future years' savings requirement.
- 4.11. In addition, there are a number of service specific savings proposals that are being considered – it should be noted that these have not yet gone out to consultation, but will do so at the appropriate time.
- 4.12. These are detailed in Appendix B, but are shown in summary below:

	<b>2023/24 £'000</b>	<b>2024/25 £'000</b>	<b>2025/26 £'000</b>
<b>Future Year Impact of current (2022/23) proposals:</b>			
Corporate Services	1	5	8
Finance and CTRS	210	210	210
Education	756	957	1,197
Social Services	150	470	670
Place	1,032	1,032	1,032
	<b>2,149</b>	<b>2,674</b>	<b>3,117</b>
<b>Future Proposals to be Considered:</b>			
Corporate Services	600	725	795
Finance and CTRS	0	0	0
Education	200	200	200
Social Services	250	2,238	3,998
Place	1,312	1,884	2,441
	<b>2,362</b>	<b>5,047</b>	<b>7,434</b>
<b>Sub-total of Service Specific Savings (as per Appendix B)</b>	<b>4,511</b>	<b>7,721</b>	<b>10,551</b>
Schools*	0	3,820	6,140
<b>Total Savings</b>	<b>4,511</b>	<b>11,541</b>	<b>16,691</b>



\*Schools savings and pressures fall entirely to the delegated budgets and are shown separately as these are decisions for schools to take

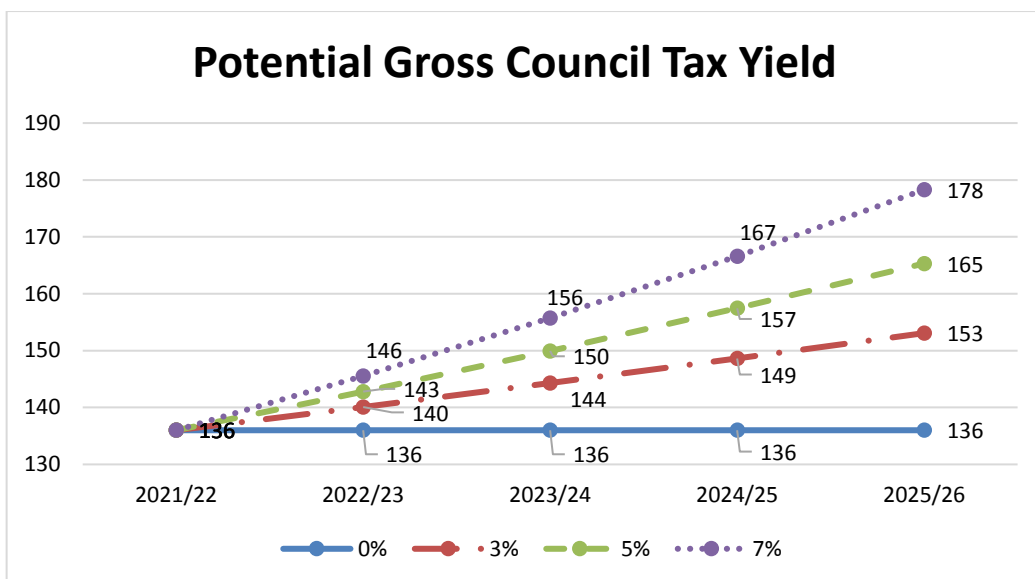
- 4.13. In addition to savings proposals, Council Tax levels must be considered as part of the MTFP. Budgeted gross council tax yield for Swansea for 2021/22 is £136,219,000, which we have rounded to £136 million. This remains the gross yield on Council Tax and it must be borne in mind that any Council Tax increases results in a corresponding increase in the local cost of the Council Tax Support Scheme, (which has been taken account of in the spending pressures above). To remain prudent and err on the side of caution, only a minimal growth in Council Tax Base has been assumed.
- 4.14. Policy decisions on the level of Council Tax will of course remain a matter for full Council to determine on an annual basis and it is always relatively challenging to set out a published range of Council Tax options years in advance. Therefore, what follows can only be an indicative assumption to give a plausible range of planning scenarios, to aid the overall understanding of the financial plan.

It should be noted that lower tax increases in earlier years will (all other things being equal) result in higher increases in later years, and as the outlook is for lower settlements in future, persistent, high inflation and an immediate cost of living crisis, the timing of any rises must be weighted and due regard given to the Well Being of Future Generations Act.

The following stylised planning assumptions are made:

- As in the past, there is no formal published upper limit to annual Council Tax increases but Welsh Government reserve powers and hints of action effectively placed a top end cap at 5% per annum. However since 2018/19 it has been clear that there is no cap and the Welsh Government have not taken any action against Councils that have set increases higher than this. As such, this in effect places no upper limit for planning assumptions, but for modelling purposes an upper limit of 7% is included.
- Given the sheer scale of spending reductions needed to set a future balanced budget it is considered equally implausible (albeit theoretically not impossible) that Council Tax levels will be cut. This provides a lower limit of 0% per annum;
- As middle ground options 3% and 5% are also modelled.
- It should be noted that the Welsh Government Standard Spending Assessment calculations included 3.5% for 2022/23 and 5.1% for 2021/22.
- The stylised assumption included for planning purposes is 5%.

The chart below demonstrates the different levels of Council Tax that could be expected under the different scenarios:



## 5. Summary of the Medium Term Financial Plan and Swansea – Achieving Better Together Strategy

5.1. The summary anticipated savings requirement over the period of the Medium Term Financial Plan is shown below and is extracted from the table shown at paragraph 3.3 of this report.

	<u>2022/23</u> <u>£'000</u>	<u>2023/24</u> <u>£'000</u>	<u>2024/25</u> <u>£'000</u>
<b><i>Cumulative Savings Requirement</i></b>	<b>4,511</b>	<b>11,541</b>	<b>16,691</b>

5.2. The assumptions surrounding the compilation of these figures are given in detail within the table at paragraph 3.3 above and, in particular, are heavily dependent on the assumption of an ongoing increase in AEF for each of the three years covered by the MTFP.

Clearly there is the risk of significant volatility in future years arising from:

- The cumulative effect of any variation in these assumptions in early years
- The uncertainty around assumptions surrounding the latter years.

5.3. Notwithstanding that position, in addressing the ongoing budget deficit, the Council has a number of actions that it can take in terms of achieving a balanced budget. These include:

- Realisation of future years' budget savings arising out of previously agreed savings and 2022/23 consultation proposals
- Additional Directorate/Service Area targeted savings as detailed in paragraph 4.12 of this report
- Potential rises in Council Tax levels, as estimated in paragraph 4.14

- 5.4. Bringing these items together, and assuming a balanced position for 2022/23, the following indicative position is envisaged:

	<u>2023/24</u> <u>£'000</u>	<u>2024/25</u> <u>£'000</u>	<u>2025/26</u> <u>£'000</u>
<b><i>Cumulative savings requirement</i></b>	<b>4,511</b>	<b>11,541</b>	<b>16,691</b>
<b><i>Future year impact of current service savings proposals</i></b>	<b>-2,149</b>	<b>-2,674</b>	<b>-3,117</b>
<b><i>Future year proposals to be considered</i></b>	<b>-2,362</b>	<b>-5,047</b>	<b>-7,434</b>
<b><i>Schools savings</i></b>	<b>0</b>	<b>-3,820</b>	<b>-6,140</b>
<b><i>Remaining Gap at 3.5%/2.4%/2% AEF</i></b>	<b>0</b>	<b>0</b>	<b>0</b>
<b><i>Surplus at 9.3% AEF – which would be available to re-invest, reduce savings and/or lower council tax assumptions</i></b>	<b>22,500</b>	<b>52,000</b>	<b>87,000</b>

- 5.5. In terms of addressing the overall budget, there are further options available to the Council that are not yet firm enough to be able to be included in the table above, but nevertheless are being worked through and considered for future inclusion.
- 5.6. These options include reviewing services and funding provided to schools and potentially higher or lower than 5% increases to Council Tax. To some extent decisions around these proposals will also be reliant on the annual settlements received from the Welsh Government.
- 5.7. The Council will use the overarching Swansea – Achieving Better Together Strategy when considering all options.

## **6. Medium Term Financial Planning for Schools**

- 6.1. The purpose of this section is to highlight the estimated effect of specific spending pressures and potential specific grant reductions on Schools' budgets in the light of funding assumptions detailed elsewhere in this report.
- 6.2. More specifically the Detailed Budget report to Council in respect of the 2022/23 Revenue Budget outlines the specific budget proposals for that year.
- 6.3. It is important to note that, given the size of the potential budget deficit facing the Council over the period of the MTFP, it is envisaged that Schools will be required to make some contribution to savings targets during this period. However, the Council will continue to prioritise education funding and spending pressures and take into account the extent to which these can be met on annual resources available and competing spending needs. It should be noted that at present there is a contribution from Schools built into the

budget forecast, however to some extent although this is a planning necessary intention of the Council if settlements prove low, whether this will happen in practice will be entirely reliant on future settlements from the Welsh Government and are likely to be reduced or removed if settlements prove higher than the central planning assumption for AEF.

- 6.4. It is essential that we continue to engage with Schools on a strategic review of provision as simply cutting budgets in real terms without otherwise doing so will simply not work.

## **7. Risks and Issues Implicit within the MTFP**

- 7.1. As stated throughout this report the financial risks facing the Council include:
- Whilst we have certainty for three years from the Welsh Government for indicative settlements, the increases are front loaded and thus remain volatile, leading to much harder temporal choices over council tax levels between years.
  - Assumptions around the core funding support from the Welsh Government being incorrect, particularly if overstated.
  - Ongoing reductions in specific grants that require equivalent reductions in expenditure, often at short notice, which are both uncertain and unpredictable in terms of timing.
  - Delay or non-delivery of key savings strands which are essential to meet the projected service reductions identified in this report.
  - Significant further changes to Central Government fiscal policy with regard to the Public Sector.
  - The introduction of new legislation and statutory requirements that impose additional burdens on the Council.
  - The ongoing practical impact of legislation such as the Wellbeing of Future Generations (Wales) Act 2015.
  - The ongoing (and unknown) impact of the COVID-19 pandemic.
- 7.2. The table at paragraph 3.3 of this report outlining the potential budget shortfalls over the period of the MTFP contains a significant number of assumptions around future cost pressures, particularly with respect to pay awards, which may have a significant cumulative effect if not settled at the levels indicated. This has the potential to change significantly the projected deficit towards the end of the planning period.
- 7.3. The assumptions contained within the plan specifically assume:
- The Council will deliver a balanced revenue outturn in respect of the current and future financial years and, to that extent, no deficits are identified that would require additional funding in future years.
  - The Capital programme is constrained to the extent that the maximum additional debt charges that are incurred (which should be considered temporary until capital receipts are achieved) do not exceed the sums included in the MTFP. In particular that any additional borrowing requirements in respect of aspirational capital development will be met from additional income generation from such schemes or a combination

of funding from the public and private sector that evidences financial sustainability.

- The Council continues to achieve its ambitious savings targets.
- 7.4. It is assumed that there will be substantive change to the structure of service delivery, including additional regionalisation of services. It is however far too early to financially quantify and describe those changes so they are explicitly excluded at present.
- 8. Use of Reserves**
- 8.1. The purpose of this section is to highlight the current planned use of General Reserves to support the 2022/23 Revenue Budget and to outline the relationships between known risks and earmarked reserves and its effect on planning assumptions. An analysis of the current position is given in paragraphs 8.3 to 8.8 below.
- 8.2. Conclusions and recommendations in respect of reserves usage are given in paragraph 8.9 below.
- 8.3. The current 2021/22 Revenue Budget was set with no planned use of General Reserves.
- 8.4. In terms of planning assumptions there is no assumption of ongoing use of or availability of General Reserves in 2022/23 or beyond.
- 8.5. Whilst the Council maintains a number of specific reserves they are not factored into planning assumptions because they are either ring-fenced under statute or scheme of delegation (e.g. Schools' delegated reserves), or they are earmarked to meet known liabilities. (The exceptions to this are the already agreed use of the Capital Equalisation Reserve for targeted capital investment and the use of the Economic Recovery Fund for targeted COVID recovery plans).
- 8.6. In October 2021 Council received and approved a report which re-allocated earmarked reserves based on known changes to the risk profile of the Council and it is anticipated that a similar report will be taken on an annual basis.
- 8.7. Allowing this consideration outside of the annual budget process, and after previous year outturn is known, will give elected Members better opportunity to reflect on the level of General and earmarked reserves in line with the guidance detailed in paragraph 8.10 below.
- 8.8. In addition, various sections highlighted throughout this report refer to significant ongoing risk around current activities.
- 8.9. It remains the position that until these significant risks are fully mitigated then any additional planned use of earmarked reserves to support general revenue budget deficits would be inappropriate.

- 8.10. On 12<sup>th</sup> January 2016 the Welsh Government issued guidance to Local Authority Members on matters to be taken into consideration when scrutinising the level of Local Authority Reserves held at any point in time. This has been circulated to all Members and any recommendation relating to the holding or release of reserves will be undertaken with reference to the principles underpinning best practice as issued by the Chartered Institute of Public Finance and Accountancy and this guidance.

## **9. Legal and Equalities Implications**

### **Legal Implications**

- 9.1. There are no legal implications arising from this report.

### **Integrated Assessment Implications**

- 9.2. The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 9.3. The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 9.4. Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language
- 9.5. The budget reductions implicit in the 2021/22 approved budget were subject to the corporate and appropriate Equality Impact Assessment process, which was considered as part of the overall budget process.

- 9.6. Where additional budget savings requirements are identified as part of the 2022/23 and MTFP budget processes they will be subject to the integrated impact assessment process (including relevant consultation and engagement) as part of the budget considerations for those financial years.

**Background Papers:** None

**Appendices:**

Appendix A - Statement of Budget Principles and Service Budget Priorities

Appendix B - Savings Proposals

**Statement of Budget Principles and Service Budget priorities**

**GENERAL PRINCIPLES FOR ALL SERVICES**

1. A number of principles apply to all the Council's services, regardless of the assessment of relative priorities. These are set out below.

**Budget Principles**

2. The Council has adopted a number of Budget Principles that underpin the budget strategy:

<i>Everything is included</i>	<i>Increased income</i>
<i>Engagement</i>	<i>Different models of delivery</i>
<i>We will have less money</i>	<i>Supporting those at risk</i>
<i>Demonstrating efficiency</i>	<i>Evidence base</i>
<i>Cutting Red Tape</i>	<i>Sustainable outcomes/prevention</i>
<i>Full cost recovery</i>	<i>Personal Responsibility</i>

All Services must apply and be consistent with these Budget Principles.

All Services are also required to address these Principles as part of business planning and developing savings proposals.

**Service Transformation and Efficiency**

3. There are expectations upon all Services in relation to transformation and efficiency, which must be met regardless of relative priority for funding:

<b>Transformation</b>	<p>All service must transform through a fundamental review of purpose, however services are commissioned, to:</p> <ul style="list-style-type: none"> <li>• deliver better outcomes</li> <li>• develop a sustainable delivery model, fit for the future</li> <li>• reduce costs and secure value for money</li> </ul>
<b>Efficiency</b>	<p>All services must continue to strive for efficiency, in particular:</p> <ul style="list-style-type: none"> <li>• reduce management and other overheads</li> <li>• maximise opportunities for increasing income from charges, trading and external sources</li> </ul>



	<ul style="list-style-type: none"> <li>• reduce the cost of purchasing supplies and services</li> <li>• work with others to achieve better outcomes</li> <li>• look for opportunities for residents or community groups to take or share responsibility for services</li> </ul>
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#### 4. STATEMENT OF BUDGET PRIORITIES: SCHOOLS AND EDUCATION

Education is continuing to deliver a consistent and coherent budget strategy across delegated and non-delegated budgets.

Budget proposals offer significant additional funding to schools. This is more than sufficient to meet anticipated pay inflation and other cost pressures (such as Service Level Agreements and Free School Meal increases), wider pressures relating to mainstream Additional Learning Needs, and additional costs in respect of some specific SLAs as a result of external factors. The proposals also target additional funding through the funding formula to support wider reviews.

Whilst recognising the relative priority given to Education (and Social Services), further significant savings cannot be made in future years without reductions in real terms in the Schools Delegated Budget.

Moreover, further significant cuts in the remaining non-delegated education budgets will have a direct impact on areas of pupil specific support and further reduce the support that can be provided to schools from the department against a context of increasing demands and expectations.

At the same time, greater focus is being given to the regional delivery of services, with a fundamental review of those services being delivered through the new regional partnership in the coming years.

A continuing move towards a fundamentally different relationship between schools and the local authority is required, reflecting the challenges and opportunities presented by the national changes in curriculum and support for additional learning needs. By its very nature, this is a long-term strategy. The future model for Education provision includes:

- Radically changing the way support for pupils is provided – more flexible earlier intervention and support, as local as possible
- A consistent approach to support the needs of all pupils through a continuum of support
- Integrating and aligning services with Social Services and other agencies such as Health
- Working more closely with communities, recognising the role of schools at the heart of their communities, seeking to minimise transport costs and, wherever feasible, co-locate other services on school sites to aid sustainability (where revenue and capital funding streams are at least sufficient to cover the costs involved).

We will deliver this through:

- Coherent revenue and capital strategies
- Optimising the level of delegation of funding and responsibilities to schools to allow the greatest flexibility in the use of the available resources
- Supporting earlier intervention and support for pupils:
  - Implementing the changes that underpin the ALN Act
  - Providing increasingly targeted specialist support, reflecting the findings of the independent behaviour review
  - Building further capacity in mainstream educational provision and in County specialist provision
  - Empowering & facilitating more collaborative school to school support
  - Ensuring delivery of Out of County places for specialist provision are commissioned jointly with other services to seek to maximise economies of scale.
- Delivery of further significant financial savings through a continuing coherent 'one education budget' strategy:
  - Retaining an absolute core level of statutory and regulatory provision at the centre
  - Ensuring a full recovery of the costs of any support provided to schools above this level and providing the minimum level of Council funding required to fully access the remaining available specific grants

Ceasing financial contributions to support the few remaining areas of discretionary educational provision.

## **5. STATEMENT OF BUDGET PRIORITIES: SOCIAL SERVICES**

The Social Services Directorate has faced significant challenges over recent years, however has achieved all of the existing Medium Term Financial Plan (MTFP) target savings commitments to date and maintained a high level of delivery.

COVID 19 has had an impact on the way we deliver services for children and families and an even more significant impact on our population of adults requiring care and support and their families and carers. The pandemic has also highlighted the crucial role community based early help and prevention and tackling poverty services play in supporting the most vulnerable members of our communities.

Over the past 18 months the whole directorate has become even more focussed on ensuring a joined up, strengths and assets based approach to working with and in communities with targeted support for the most vulnerable.

Future pressures on Social Care funding is expected, with increasing demand and service costs, and the challenge ahead to transform services to become more sustainable and meet future need and demand in the most effective and efficient way as we continue into recovery.

The proposed settlement should assist in meeting the additional pressures such as increased costs of externally commissioned care in line with inflation and a commitment to achieving the Real Living Wage, as well as embarking on a transformation and investment in some front line services positively impacting those needing care and support and our communities.

The main areas of priority are:

- Doing what matters to make things better for children, young people, and families
- Maintain the current Safe LAC Reduction Strategy for children and young people
- Continue our investment in preventative services to reduce the number of looked after children and achieve the planned savings and service improvements
- Taking into account changes necessary to mitigate the impact that COVID-19 has had on the well-being of vulnerable children, families and staff.
- Continue to work across with regional colleagues to ensure clear and seamless pathways for those needing care and support
- Further develop the agreed optimum model for adults, by embedding the following;
  - Better prevention and early help
  - A new approach to assessment
  - Improved cost effectiveness
  - Working together better
  - Keeping people safe
- Further embed tackling poverty services and prevention approaches across the Directorate and wider Council
- Continue to ensure we maximise the use of the various grant income streams available to delivery priorities

We will ensure we maintain a focus for the coming year on prioritising improvements to services that best support individuals, families and carers in recovering from the huge impact that COVID-19 has had on all their lives.

The next phase of recovery into 2022/23 will have a heavy focus upon financial efficacy; the transformation programmes will support the Medium Term Financial plan savings targets for Social Services. We will monitor progress as part of governance arrangements in monthly Social Services Performance and Financial Monitoring meetings.

## **6. STATEMENT OF BUDGET PRIORITIES: PLACE SERVICES**

For the Place Directorate 21/22 has been a challenging year as a result of ongoing pressures arising out of COVID-19 which has resulted in increased demands on the Directorate and an impact on reduced income streams some of which will continue through into 21/22. However, the proposed settlement will assist in underwriting the income loss allowing continued investment in many of its front line “place based” services positively impacting on the

environment and communities the Council serves. The main areas of priority are:

- Prioritisation of key corporate objectives including the regeneration of the City Centre, delivery of the city deal and its biodiversity and climate emergency objectives.
- The opening and first year of operation of the new Digital arena, delivery of the Kingsway digital village project and facilitation of the Phase 2 city centre development with our strategic development partners
- Deliver on a range of actions arising out of the Council's recovery plan with particular focus on the economic recovery, facilitating private sector investment and tourism
- Maximise commercial opportunities and income generation for services and assets to offset income losses
- Seek opportunities for community involvement in the delivery of services and community enablement
- Invest where necessary to maintain vital services including front line delivery of environmental services
- Work within the affordability of the housing revenue account to increase the speed of delivery of the more council homes and commence the delivery of the Welsh Housing Quality Standard 2 decarbonisation programme.
- Maximise the opportunities brought by modernising terms and condition across the council
- Adequately resource the significant council wide capital programme including highways, infrastructure and new schools and responds to the current recruitment challenges to aid delivery
- Seek to deliver on the Councils' homelessness strategy and housing first model
- Seek to maximise the success of grant bids maximising the beneficial use of council resources
- Grow the capacity to support local businesses and suppliers through the circular economy principles and maximise the support available for inward investment
- Working regionally with colleagues to progress delivery of the Regional Economic Delivery Plan.

## **7. STATEMENT OF BUDGET PRIORITIES: CORPORATE SERVICES**

The Corporate Services Directorate will continue to deliver high quality and cost effective core services, supporting frontline service delivery and achieve better outcomes for our residents, customers and Visitors.

The Corporate Services directorate supports the political and managerial leadership of the council to set the strategic direction and enable the organisation to deliver it, responding to external challenges including financial pressures and changes in the operating environment.

To be able deliver the above our focus must be to:

- Manage demand for central support services by supporting the workforce to have the right skills for the future, particularly managers
- Focus on the Priorities within the functions of the corporate centre such as governance, core HR advice and customer services
- Look for opportunities for collaboration and co-production models with other organisations and partners, in order to maintain support services as efficiently as possible
- Radically change our approach to customer contact and engagement, to channel shift to digital channels where appropriate and reduce costs where possible
- Consolidate and reduce the cost of all common support functions across the Council, such as ICT and business support
- Maintain overall investment in ICT and Digital First, on a business case basis, to support the transformation agenda, including on-line self-service, agile and mobile working and direct service innovation.
- To continue to evolve the services as the operating environment changes to ensure we can be agile and responsive to change.
- To support the development of the councils workforce and ensure we can respond to the regionalisation agenda and maximise the opportunities it presents.

## **8. STATEMENT OF BUDGET PRIORITIES: FINANCE**

The newly created Finance Directorate will deliver high quality and cost effective core services, supporting frontline service delivery and achieve better outcomes for our residents, customers and visitors, as well as leading on the General Power of Competence (GPOC) and commercialism agendas.

The Finance Directorate supports the political and managerial leadership of the council to set the strategic direction and enable the organisation to deliver it, responding to external challenges especially financial pressures and changes in the operating environment.

To be able deliver the above our focus must be to:

- Strategically manage the revenue and capital finances of the whole Council having due regard to the medium and longer term and the Wellbeing of Future Generations as well as the immediate and forthcoming budget cycles.
- Manage demand for financial support services by supporting the workforce to have the right skills for the future, particularly managers
- Focus on the priorities within the functions of the corporate financial centre such as financial control, financial advice, control of Council Tax and benefits, and commercial capability.
- Look for opportunities for collaboration and co-production models with other organisations and partners, in order to maintain support services as efficiently as possible

To continue to evolve the services as the operating environment changes to ensure we can be agile and responsive to change

**Part 1 – Savings Proposals**

Director	Head of Service	Savings Proposal	Savings 2023/24 £'000	Savings 2024/25 £'000	Savings 2025/26 £'000
<b>Future Impact of 2022/23 Savings Proposals</b>					
Corporate Services	Director	Non-staff spend savings due to different ways of working	1	5	8
Education	Non-Delegated	Further reductions in regional improvement service, consistent with funding settlements	16	16	16
Education	Non-Delegated	ALN - more costly out of County provision (recoupment) further mitigated by enhanced in County provision	92	92	92
Education	Non-Delegated	ALN Post 16 Transport - tighter scrutiny of costs / review of assessment / processes to better promote independent travel (unless savings are taken corporately and base budget reduced)	25	25	25
Education	Non-Delegated	Home to School Transport - savings identified as part of wider focused scrutiny of nature and spread of educational provision (unless savings are taken corporately and base budget reduced)	100	100	100
Education	Non-Delegated	ALN Transport - review of spread and nature of STF provision / review of assessment / processes to better promote independent travel and integrate provision with Social Services (unless savings are taken corporately and base budget reduced)	100	100	100
Education	Non-Delegated	Catering and Cleaning services - Continuing work towards full cost recovery through SLAs where schools are receiving additional funding to reflect such cost pressures	100	100	100
Education	Non-Delegated	ALN - more costly out of County provision mitigated by further enhanced in County provision (so impact dependent on resourcing to deliver enhanced provision)	140	341	511
Education	Non-Delegated	Review of EOTAS spending to better target resources following full implementation of new model of provision	120	120	190
Education	Non-Delegated	Wider review of Directorate staffing to refocus resources and enhance cost recovery from other funding streams	63	63	63
Finance and CTRS	Deputy Chief Finance Officer	Review of Finance management structure once Senior Management Review concluded - 1 net post ER/VR during 22/23	25	25	25

Director	Head of Service	Savings Proposal	Savings 2023/24 £'000	Savings 2024/25 £'000	Savings 2025/26 £'000
Finance and CTRS	CTRS	Increase CTRS saving by continued careful management	185	185	185
Place	Waste, Cleansing and Parks	Increase graffiti charges by 200% over 4 years to ensure full cost recovery	10	10	10
Place	Housing and Public Protection	Introduce paid for advice and approval service for businesses across Food Safety and Trading Standards functions	22	22	22
Place	Highways and Transportation	Increase in car park income resulting from tariff increases linked to city centre regeneration	250	250	250
Place	Various	"Income earning" services to self-fund pay increase costs from increased fee charges on full cost recovery. Assuming all charge increases passed on	750	750	750
Social Services	Adult Services	Reduction in costs for external residential care by changing the business model and how we are funding voids in the system	20	90	140
Social Services	Adult Services	Realise saving in efficiencies through the Supported Living Framework and benefits of being located together (2.5% rather than 5% stated in contractual arrangements in light of COVID-19)	10	80	130
Social Services	Child and Family Services	Supported accommodation and floating support efficiency savings following review and recommissioning exercise	50	100	150
Social Services	Adult Services	Work though Complex Needs high cost placements and establish a collaborative approach with Health for funding these packages of care (aligning with C&F) to achieve Reduction in high cost packages of care due to more efficient and effective working with health in terms of new guidance around CHC cases	20	100	150
Social Services	Child and Family Services	Work though Complex Needs high cost placements and establish a criteria and equitable formula for funding these placements with Health (Aligning with Adults)	50	100	100
<b>Total of Future Impact of 2022/23 Savings Proposals</b>			<b>2,149</b>	<b>2,674</b>	<b>3,117</b>
<b><u>New Proposals from 2023/24</u></b>					
Corporate Services	Director	Savings as linked to reshaping of services and future demand based on the changes to other services/Directorates	350	450	500
Corporate Services	Director	Additional savings to be identified including terms and conditions	100	100	100
Corporate Services	Director	Additional savings proposals drawn from future proposals and "in extremist list"	150	175	195

Director	Head of Service	Savings Proposal	Savings 2023/24 £'000	Savings 2024/25 £'000	Savings 2025/26 £'000
Education	Non-Delegated	Construction of new Available Walking Routes to Schools - Education Budget. Improvements to routes allows withdrawal of school bus services for children who live within the statutory distance of their catchment school, but are unable to walk or cycle because of an 'unavailable walking route'.	140	140	140
Education	Non-Delegated	Further review of demand and service pressures with need for still tighter mitigation actions to replace the savings targets within the existing MTFP which are undeliverable to the timescale required	60	60	60
Place	Cultural Services	Reduce Library Service 'footprint' through providing accommodation and shared services via SitC - work needed to assess costs to other services versus reduced costs to the Library service	400	400	400
Place	Director	Additional savings proposals drawn from future proposals and "extremis list"	0	572	1,129
Place	Director	Additional savings to be identified including Terms and conditions	762	762	762
Place	Waste, Cleansing and Parks	Develop the most cost effective way of collection and disposal of plastics	150	150	150
Social Services	Adult Services	Prevention and redesign activities to deliver additional medium term savings linked to future reduced demand for care and support (may require drawdown of centrally held inflation contingency funds)	0	1,001	2,341
Social Services	Adult Services	Savings from implementing WCCIS	0	50	50
Social Services	Adult Services	Transformational co-produced future model for Day Services, based on lessons learned through COVID-19	0	150	200
Social Services	Adult Services	Replacing core costs of non-statutory teams with Grant money which may become available through local or regional opportunities	0	150	200
Social Services	Child and Family Services	Prevention and redesign activities to deliver additional medium term savings linked to future reduced demand for care and support (may require drawdown of centrally held inflation contingency funds)	0	549	869



Director	Head of Service	Savings Proposal	Savings 2023/24 £'000	Savings 2024/25 £'000	Savings 2025/26 £'000
Social Services	Poverty & Prevention	Prevention and redesign activities to deliver additional medium term savings linked to future reduced demand for care and support (may require drawdown of centrally held inflation contingency funds)	0	88	88
Social Services	Poverty & Prevention	Replacing core costs of non-statutory teams with Grant money which may become available through a range of local or regional opportunities	250	250	250
<b>Total of New Proposals from 2023/24</b>			<b>2,362</b>	<b>5,047</b>	<b>7,434</b>
<b>Total of ALL Service Specific Savings Proposals (Excluding Schools)</b>			<b>4,511</b>	<b>7,721</b>	<b>10,551</b>

## **Part 2 – Service Pressures and Investment**

Director	Head of Service	Description	2023/24 £'000	2024/25 £'000	2025/26 £'000
Corporate Services	Legal and Democratic Services	Increase to Councillors costs due to IRPW Report	15	30	48
Corporate Services	Legal and Democratic Services	Election System	0	50	50
Social Services	Poverty and Prevention	Various Poverty and Prevention Services pressures including loss of income (grants), staff costs, inflationary contract costs and ongoing additional COVID-19 costs	0	0	50
Social Services	Adults	Various Adult Services pressures including loss of income (grants), staff costs, inflationary contract costs and ongoing additional COVID-19 costs	50	100	150
Social Services	Child & Family	Various Child and Family Services pressures including loss of income (grants), staff costs, inflationary contract costs and ongoing additional COVID-19 costs	100	200	300
Education	Non-Delegated	Unbudgeted and uncontrollable ER/VR and ongoing pension costs - beyond base budget assumptions re service pressures	600	600	600
Education	Non-Delegated	ALN Act Implications	600	600	600
Education	Non-Delegated	ALN - out of county placements and pupil support - beyond base assumptions re service pressures	200	200	200
Education	Non-Delegated	ALN (including Post 16) Transport cost pressures in excess of planning assumptions	360	360	430
<b>Grand Total</b>			<b>1,925</b>	<b>2,140</b>	<b>2,428</b>

# Agenda Item 9.



## Report of the Section 151 Officer

Cabinet – 17 February 2022

### Revenue Budget 2022/23

<b>Purpose:</b>	This report sets out the current position with regard to the Revenue Budget for 2022/23 for consideration by Cabinet.
<b>Policy framework:</b>	Medium Term Financial Plan and Budget Strategy
<b>Consultation:</b>	Cabinet Members, Legal, Access to Services & Corporate Management Team
<b>Recommendations:</b>	<p>It is recommended that:</p> <ol style="list-style-type: none"><li>1) Cabinet considers the outcome of the formal consultation exercise, and agrees any changes to the Budget Proposals in Appendix D, together with the position regarding delegated budgets as set out in Sections 4.15 and 4.17 of this report.</li><li>2) Cabinet note the current Total Funding Requirement identified in Section 4.6 of this report and, in line with the potential actions identified in Sections 9 and 10 of this report, agree a course of action to achieve a balanced Revenue Budget for 2022/23. In addition to a review of current savings proposals Cabinet will need to:<ul style="list-style-type: none"><li>- Review and approve the Reserve transfers recommended in this report</li><li>- Agree a level of Council Tax for 2022/23 to be recommended to Council</li></ul></li><li>3) Subject to these changes, Cabinet recommends to Council for approval:<ol style="list-style-type: none"><li>a) A Revenue Budget for 2022/23;</li><li>b) A Budget Requirement and Council Tax levy for 2022/23.</li></ol></li></ol>
<b>Report Author:</b>	Ben Smith
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

## 1. Introduction and Background

### 1.1. This report details:

- Financial monitoring 2021/22
- The Local Government Finance Settlement 2022/23
- Budget Forecast 2022/23
- Specific Savings Proposals
- Outcome of Budget Consultation
- Staffing Implications
- Reserves and Contingency Fund requirements
- The Budget Requirement and Council Tax 2022/23
- Summary of funding proposals
- Risks and uncertainties

### 1.2. The financial assessment in relation to 2023/24 – 2025/26 is contained in the ***Medium Term Financial Plan 2023/24 – 2025/26*** elsewhere on this agenda.

### 1.3. This report builds upon and needs to be read in conjunction with :

- The budget strategy agreed by Council on 22<sup>nd</sup> October 2013 – ***‘Sustainable Swansea: Fit for the Future’***.
- The report to Cabinet on 29<sup>th</sup> July 2014 – ***‘Sustainable Swansea: Fit for the Future: Delivery Programme’***.
- The update report on ***Sustainable Swansea – Fit for the Future*** as approved by Cabinet on 16<sup>th</sup> July 2015.
- The report to Cabinet on 15<sup>th</sup> October 2020 – ***‘From Recovery to Transformation’*** detailing the “Swansea – Achieving Better Together, Transformation Strategy & Programme Framework 2022 – 2026”
- The report to Cabinet on 20<sup>th</sup> January 2022 – ***Budget Proposals 2022/23 – 2025/26*** setting out the Council’s proposals for consultation.

### 1.4. The report sets out the latest budget estimates and invites Cabinet to consider any comments and feedback received as a result of the budget consultation. Cabinet are asked to consider any changes to the draft Budget proposals and proposed Council Tax level, prior to recommending the budget to Council. The report also includes an Integrated Impact Assessment statement so that Cabinet can be aware of the key issues before finalising budget proposals.

### 1.5. **Similarly, 2021/22 marked the first full year of required full compliance with the CIPFA Financial Management Code.** The new code is the first from the Institute in 15 years, and brings together many areas of local government good financial management into one place. It is based on a set of standards and principles, including organisational leadership, transparency, assurance and sustainability. Its aim is to place financial management at the heart of policy and decision making in local government. The Section 151 Officer will comply personally with the Code, as professionally obligated to do so, and has raised awareness with the wider political and managerial leadership of the Council of its significance and the obligations on all to ensure sound financial management. The code was taken into consideration during the recent Senior Management Review and the resulting restructure ensures compliance with the code.

### 1.6. **Whilst rightly emphasising what is proposed being removed in savings for transparency, at just under £5 million, it must equally be borne in**

**mind that approximately £40 million is being added. Net service budgets are increasing substantially, and the overall revenue budget by a net £35 million.**

## **2. Financial Monitoring 2021/22**

- 2.1. Cabinet will see a report for consideration elsewhere on this agenda on the estimated Revenue Outturn for 2021/22. It is projected that the Council will outturn at an underlying directorate overspend position of £9.4m, which is an improved position compared to the forecast overspend at quarter 2.
- 2.2. The overspend is primarily in respect of the impact of COVID-19, aside from this the service position is an underspend of £4.0m, again improved from the second quarter position. Much of the COVID-19 related overspend is expected to be funded through grants from the Welsh Government, however there will be an element that isn't covered as it will be deemed a local decision.
- 2.3. In addition there is likely to be a shortfall on Council Tax collection, forecast at £2m. This could add to the forecast service overspend of £9.4m. Negotiations with Welsh Government continue over reimbursement of these losses and whilst some significant recompense will be achieved (85% average reimbursement nationally has been offered), the distribution by authority is not yet assured at this stage.
- 2.4. The contingency fund will be used to fund a list of approved items, leaving a balance of £12.9m to offset service overspending on COVID-19 items. In addition to this, non-service items such as the inflation provision will be released to mitigate the overspend.
- 2.5. If the COVID-19 losses are covered by the Welsh Government in line with that currently forecast then there is likely to be an overall underspend for the Council in the region of at least £12m, though it is likely to go higher. Although shown as an effective underspend it is more accurately a lower than expected draw from one off contingency sums and members will have the opportunity to consider in due course how to respond to that indicative figure.
- 2.6. One new proposal for these increasingly likely growing underspends is to create a new, centralised Place Directorate revenue reserve for targeted operational work in ward areas to supplement member initiatives from their own ward improvement budgets. It is hoped that sufficient sums will be available at outturn to establish a £2.5m reserve to allow spend of approximately £500,000 per annum for a period of 5 years. This will be considered and created as part of the outturn report to Cabinet in due course.
- 2.7. Any underspends on capital charges (at least a further £6 million) will be transferred to the capital equalisation reserve, a strategy previously agreed by Council.

## **3. The Local Government Finance Settlement 2022/23**

- 3.1. The Minister for Housing and Local Government announced the provisional Revenue and Capital Settlement for 2022/23 on 21<sup>st</sup> December 2021 and the final settlement will be announced on 2<sup>nd</sup> March 2022.
- 3.2. At the time of writing this report the Welsh Government had not announced the final settlement, however the Minister for Finance and Local Government stated in the provisional settlement that there was no intention to make significant changes to either the methodology or the data underpinning the settlement. **As such any changes should only be minor and capable of being smoothed out by adjustments to the Contingency Fund.** Any other changes such as any new responsibilities transferred into the Revenue Support Grant will simply be passported to Services as usual. **If any more material announcements are made over elements regarding taxation policy (business rates, council tax, VAT, employers taxes etc.) or expectations for, or funding for helping with council tax levels, or indeed overall funding support to councils, this may need to be revisited at Council, which will be operationally and procedurally difficult given likely March timings of both Welsh Government and UK Government final budgets.**
- 3.3. For the purposes of this report there is assumed to be no change to the provisional settlement figure.
- 3.4. In respect of Schools and Social Services, although the provisional settlement does make it clear that the cost pressures in social care and schools are definitively recognised by the Welsh Government, there is no formal protection or funding guarantee within the settlement so any decision over funding is a local one to be made by Cabinet and ultimately by Council, having any due regard to any budget consultation responses received.
- 3.5. In revising the Medium Term Financial Plan and setting the Budget for 2022/23, it is essential that the Council adheres to the objectives in *Swansea – Achieving Better Together, Transformation Strategy & Programme Framework 2022 – 2026*. The Council made clear through *Sustainable Swansea* that the need to transform services, reduce or divert demand through prevention and to look for alternative models of delivery, including community action, is required for our future sustainability and to improve outcomes for citizens and this needs to be reinforced and strengthened under the new Transformation and Programme Framework.
- 3.6. **The longer term financial pressures and level of risk that we face and will continue to face make the need to implement these changes ever more urgent. The increase in Aggregate External Finance for next year should be seen as an opportunity to maintain investment in the Council’s priorities and preventative action in particular, and embracing wider scale transformational change, as part of the recovery plan, not to slow down the pace of change or the level of required savings in the medium term.**
- 3.7. It should be noted that, as highlighted in the Budget Proposals report to Cabinet in January, the provisional allocation for capital was reduced by £2.04m for 2022/23. Although it remains possible that the Welsh Government will announce further capital grants at the time of writing this report no details have been announced. Therefore, to maintain the level of the core capital

commitments it is proposed that the Capital Equalisation Reserve is used temporarily to fund the £2.04m shortfall in Welsh Government funding.

#### 4. Budget Forecast 2022/23

##### **Overview**

- 4.1. The budget proposals for 2022/23 as submitted for consultation on 20<sup>th</sup> January 2022 highlighted pressures of £40.044m, resulting in a savings requirement of £4.758m once the provisional increase on Welsh Government Aggregate External Finance (AEF) of £33.943m was taken into account, together with estimated Council Tax rises of £1.343m.
- 4.2. The announcement of the final settlement will mean that the overall funding deficit forecast for 2022/23 will inevitably, but hopefully marginally, change.
- 4.3. In addition, the opportunity has arisen to review all aspects of the budget pressures and risks so far identified with a view to updating the forecast using the latest up to date assumptions.
- 4.4. The options for funding the deficit that is identified remain as:
- Savings on current service net expenditure (through a combination of expenditure reduction and additional income generation)
  - Increases in Council Tax levels (but weighing need for tax revenue sustainability with affordability for residents)
  - Use of Reserves and Balances more generally(not advised, but this explicitly does not include the already agreed full use of the materially large Economic Recovery Fund over 2 years to stabilise budgets and adjust and respond to Covid in the shorter term ).

##### **Forecast Funding Requirement 2022/23**

- 4.5. The revised funding requirement previously identified in paragraph 4.1 above can now be updated and summarised in Table 1(a) below.
- 4.6. The items highlighted in **bold italic** in the table have changed since the budget proposals report in January 2021. These are discussed later in the report, but have resulted in no change to the Net Funding Requirement.

**Table 1(a) – Projected Pressures 2022/23**

	<b>Budget 2022/23 £'000</b>
Future cost of pay awards	
- LG Staff	5,800
- Teachers	3,800
National Living Wage – pay bill	400
National Living Wage – contracts	700
National Insurance Increase	3,500
Increase in Pension Costs	0
<b><i>Cumulative contract inflation</i></b>	<b>5,022</b>

Energy Price Inflation	0
Capital charges	1,000
Remove 2021/22 use of Capital Equalisation Reserve	3,000
<b>Contribution to core capital programme to maintain existing spend</b>	<b>2,040</b>
<b>Temporary use of Capital Equalisation Reserve</b>	<b>-2,040</b>
Contingency	103
One-off funding for COVID-19	-7,000
Rebase ICT Cloud costs	500
Reinstate temporary Use of Insurance Reserve	700
Increase in Insurance Premiums	200
Demographic & Service pressures	3,000
Mid and West Wales Fire Authority Levy ( <b>independently decided by the Fire Authority</b> )	600
<b>Corporate Joint Committee – New Levy</b>	<b>200</b>
Council Tax Support Scheme	550
MTFP Service pressures accepted	2,250
<b>New service pressures accepted</b>	<b>2,722</b>
Passed through AEF to Services	497
Social Care extra money for Adult Services	2,500
Additional funding for Social Care	6,000
Additional funding for Schools	4,000
<b>Total Funding Requirement</b>	<b>40,044</b>
Savings Requirement	-4,758
<b>Net Funding Requirement</b>	<b>35,286</b>
Aggregate External Finance increase	33,943
Council Tax increase (including tax base changes)	1,343
<b>Total Resource Investment</b>	<b>35,286</b>

### ***Inflation***

- 4.7. The 2021/22 Revenue Budget provided a corporate provision of £4.25m for general inflation (£3.25m) and the cost of the Apprenticeship Levy (£1m). It is expected that the full £1m will be required for the Apprenticeship Levy, the remainder of the provision will be used retained to contribute to the service overspend, if necessary.

Given current UK inflationary levels and forecasts to come through the year there is a strong case for increasing the corporate (General) provision for inflation in 2022/23. Mainly to cover the increase of costs associated with contracts, a further £1.37m will be currently provided in the corporate provision. This may need to be weighed with the impact upon, and affordability of, council tax levels and the amounts that may be able to be further set aside at year end outturn to mitigate temporarily some of those immediate inflationary pressures. It is the case, however, that the Council is nonetheless likely to experience significant ongoing cost pressures in specific areas as detailed in Table 1 (b) below and these have already been provided for as follows.

**Table 1 (b) – Potential Service Inflationary and Cost Pressures**

	<b>£'000</b>
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Increased central inflation provision	1,372
Increased contract costs due to rise in National Minimum Wage levels (already in services)	700
Increased inflationary costs in Schools	1,000
Increased contract costs in Social Services	2,000
Increased contract costs in Place	850

4.8. In the November 2015 Autumn Statement, the Chancellor first announced significant increases in the National Minimum wage. Whilst the actual increases will vary year to year there will be continued pressures. The rise anticipated for 2022/23 could affect direct employee costs. There is some uncertainty around the impact as the 2021/22 pay award hasn't been settled yet, however the latest estimate has been included above. It will impact directly on wage costs of external contractors particularly in respect of contracted services within Social Services. It should also be noted that the local government finance settlement this year places an expectation on local government to move to become a living wage employer in own right and with targeted parts of contracted social care in the first instance. The pay policy will be considered at Council in March and those likely policy decisions on minimum pay levels, relative to general inflationary pay increases provided for, are already fully afforded within the overall budget envelope proposed. For the avoidance of doubt the pay policy proposals and decision to come will not likely need to be otherwise constrained by the budgetary position provided for.

Irrespective of increases in minimum wage, there is likely to be pressure from contracted areas in both Social Services and Transport Services for elements of cost increases. These will need to be funded from the inflation provision allocated to both services as the need arises.

4.9. In his Spending Review presented to Parliament in November 2021, the Chancellor of the Exchequer announced a stop to the freeze on public sector pay. Whilst the Chancellor doesn't control local government pay, this announcement will inform pay rises to some extent. Since the proposals report in January there has been no update on the 2021/22 pay award and therefore no further change to the 2022/23 estimated increase.

4.10. The Apprenticeship Levy is still held centrally on the general provision for inflation line as it is currently a cost that is in effect a corporate tax. This makes the total central provision for inflation just over £5.6m, although £1m of this is already fully committed for that levy. The provision has been increased this year because of the current economic uncertainty surrounding inflationary levels.

4.11. As detailed below, it is assumed that any provision for increases in School pay budgets will be met directly from Schools' delegated budgets.

### ***Schools Prioritisation***

4.12. It remains the case that the forward financial plans for the Council will continue to show year on year savings requirements which are likely to be significant and sustained. Given the scale of savings required, it is inevitable



that it will be impossible to exempt schools' budgets fully from longer term real terms cuts.

- 4.13. Budget movements can be viewed in two ways:
- Cash increases or reductions in levels of funding provided to Schools
  - Real terms changes in Schools funding, taking into account known spending needs.
- 4.14. For 2022/23 there continues to be no Ministerial funding commitment to schools, although the provisional settlement does make it clear that the cost pressures in schools are specifically recognised by the Welsh Government and were a material factor in the overall settlement. It is intended to provide funding for various service pressures as a local priority for Cabinet.
- 4.15. The net result of these proposals is an increase in the underlying base budget cash settlement to Schools of some £11.742m (7%) for 2022/23, (including anticipated Pupil Development Grant and Post 16 funding changes which come separately from Welsh Government), which is only slightly less favourable than the 9.6% increase in this Council's funding from Welsh Government. It must be remembered that once council tax levels are set by Council the overall council funding envelope will be a weighted average of the two increases and likely materially lower than the headline grant increase alone.
- 4.16. This year the headline figures across Wales in respect of Pupil Development Grant has increased and the Post-16 funding has remained the same, so an improved position. However the Regional Consortia School Improvement Grant has decreased, which may have an effect on Swansea Schools when allocated.
- 4.17. Table 1 (c) below sets out the effective impact of the core funding increase against expected funding pressures for Schools.

**Table 1 (c) – Impact on Schools Delegated Budgets**

Item	£'000
<b><i>Cash position</i></b>	
<b>Gross core delegated base budget 2021/22</b>	<b>167,304</b>
Increase for Pay Award - all staff (3%)	3,800
Increased National Insurance Levy (1.25%)	1,500
Increased demographics and other cost pressures	4,600
General Inflation	1,000
Increased budget delegation	842
<b>Core delegated base budget 2022/23</b>	<b>179,046</b>
	+7.0%

The above cash increase more than fully covers known pressures for Schools and further supports the enhancement of mainstream provision within schools as part of the existing education budget strategy.

There are no further delegated funding changes expected for 2022/23 and so the total school cost centre budgets set out in Appendix H have increased by £11.742m for 2022/23 or 7.0% in respect of schools core funding.

It remains the case, however, that substantial elements of Schools Funding (c£17m) are now being delivered via specific Grant (Pupil Development Grant and Regional Consortia School Improvement Grant) which results in a substantial annual risk to overall School's funding which is not in the control of this Council.

### ***Social Care Protection***

- 4.18. Similarly to Schools, the Welsh Government overall Revenue Settlement for 2022/23 no longer includes a protection or prioritisation of funding for social care. Although the settlement does make it clear that Social Care pressures are recognised in the settlement.

Overall the cash budget proposed for social services (including poverty & prevention) increases by around 12.4% or £15.9m.

### ***Capital Financing Charges***

- 4.19. There is a base line increase of £1.0m compared to the 2021/22 approved budget reflecting both additional unsupported borrowing (for existing and new capital schemes) and the effect of the MRP review carried out in 2018/19.

- 4.20. As at 1<sup>st</sup> April 2015, and to date, a significant element of the Capital Financing requirement has been met by the allocation of internal funds (internal borrowing). This is highly dependent on cash-flows of the Council and it is now the case that the overall borrowing envelope debt is now fully externalised, which will feed through into significantly higher base capital financing costs in 2022/23.

- 4.21. Regardless, we continue to enjoy historically low rates of interest on borrowing, and it should be noted that the 1% premium imposed on PWLB borrowing was removed in November 2020 with stringent guidance outlining what PWLB can and cannot be used for. The most economically / operationally advantageous form of borrowing shall be determined by the Section 151 Officer, and could include the following:

- Local authorities
- Financial institutions
- Municipal Bonds Agency

Furthermore the authority has a potential range of ambitious and challenging investment plans and opportunities in the shape of 21<sup>st</sup> Century Schools Band B programme, the City Region Deal, City Centre redevelopment, and new housing plans, which are set out in the report on Capital elsewhere on this agenda.

- 4.22. Whilst the initial costs have been built into annual budgets to date, and forecast general fund capital borrowing requirements have been externalised with PWLB borrowing already there is a longer term requirement to anticipate additional capital financing costs because elements of the Band B schools programme will not be funded by traditional capital borrowing but through the

Mutual Investment Model (revenue funding). The authority continues to materially benefit from the substantial increases in current and medium term specific capital grant funding from the Welsh Government and as a direct result of the change to MRP policy which was approved by Council in December 2018 and continued appropriate use of the Capital Equalisation Reserve to smooth future costs and have due regard to the Wellbeing of Future Generations. .

### ***Fire Authority Levy and Port Health Authority Levy***

- 4.23. Since the 20<sup>th</sup> January 2022 Cabinet report we have been notified of the overall increase in the Fire Authority Levy. This figure reflects an overall average 3.95% increase in the levy. We will need to await the final notification, which will include changes expected due to the relative allocation across each levied Authority, before finalising the budget, however no significant changes are expected at this stage.
- 4.24. There has been a minor decrease in the Swansea Bay Port Health Authority Levy, the levy for 2022/23 has been set at £87,399 for Swansea.
- 4.25. From 2022/23 there will be a new Corporate Joint Committee levy. A budgetary provision of £0.200m has been made, based on their final budget, which has been apportioned based on population. This is a decrease of £0.050m from the estimate included in the budget proposals report to Cabinet.

### ***Council Tax Reduction Scheme***

- 4.26. The Authority received a baseline adjustment to its Revenue Support Grant of £18.883m for 2014/15 which has been notionally included as part of all future settlements. The effect of this is that any future increases in Council tax levels would have to be discounted by any potential increases in Council Tax Support costs. Where appropriate the yield will also have to take account of any increase in Council Tax Support Costs arising from increases in the Council Tax applied by the South Wales Police Commissioner.

The effects of funding additional Council tax support have been taken into account when calculating the funding in respect of the overall budget shortfall highlighted in Table 1(a) in paragraph 4.6 of this report. This has been set at £0.55m for 2022/23 building on the larger increase provided last year to take account of the estimated impact of the COVID-19 pandemic.

### ***Discretionary Rate Relief***

- 4.27. The Authority is responsible for funding an element of any discretionary rate relief awarded to local businesses. No increase to this budget has been anticipated for 2022/23.

### ***Service Pressures and Additional Investment***

- 4.28. It can be seen from Table 1(a) above that there is a continued investment in pressures identified and approved as part of the budget process last year. In addition to this there have been a number of new pressures and new investment opportunities identified as part of this year's budget process. The funding of these items has been possible partly through a better than

expected settlement from the Welsh Government and partly through efficiencies (savings) made elsewhere within the Authority. These are listed in part 2 of Appendix D.

## 5. Specific Savings Proposals: Update

- 5.1. As a strategy for determining its budget proposals, the Authority has, since 2013, used the principles embedded within ‘*Sustainable Swansea: Fit for the Future*’ as a means of setting Council priorities, transforming services and addressing current and future deficits.

Details of that strategy, including the budget principles that the Authority has adopted together with a description of the key elements that underpin the service savings proposals, was presented and approved by Council on 22 October 2013 and subsequently reviewed by Cabinet on 16<sup>th</sup> July 2015.

On 15<sup>th</sup> October 2020 Cabinet approved the new “From Recovery to Transformation” report detailing the “Swansea – Achieving Better Together, Transformation Strategy & Programme Framework 2022 – 2026”. This has been the second year that this strategy has informed and shaped the budget process, ensuring the budget assists the strategic aims and outcomes of the framework. It is essential that the recovery programme and its associated delivery and governance is now delivered rapidly to ensure savings plan in train and expected to be needed in the future are more fully assured.

- 5.2. The strategy as adopted underpinned the decision taken at the Council’s Cabinet on 20<sup>th</sup> January 2022 to recommend specific savings proposals totalling £4.758m in 2022/23 for consultation. Cabinet now needs to consider whether or not to make any changes to these proposals in light of the outcome of the consultation.
- 5.3. Since the January report the overall savings requirement has remained the same, as detailed in Table 1 (a) above and paragraphs 4.7 to 4.28 above, still totalling some £4.758m. Consequently no changes to the service specific savings have been made, as summarised below. These are detailed in Appendix D (Part 1).

**Table 2 – Summary of Savings Proposals**

<b>Savings</b>	<b>2022/23 £'000</b>
Service specific savings as at 20 <sup>th</sup> January 2022	4,758
<b>Sub-total (as detailed in Appendix D)</b>	<b>4,758</b>
Schools*	0
<b>Total</b>	<b>4,758</b>

\*Schools savings and pressures fall entirely to the delegated budgets and are shown separately as these are decisions for schools to take

- 5.4. Details around the currently assumed proposals for Council Tax levels are shown in Section 9 of this report.

5.5. Details around use of the Council's Reserves, contingency and inflation provisions are shown in Section 8 of this report.

## 6. Outcome of Budget Consultation Process

### Budget Consultation Results

- 6.1. The annual budget consultation will run from 21<sup>st</sup> January 2022 to 11<sup>th</sup> February 2022. As such the consultation was ongoing at the time of writing this report. An interim summary of the consultation results is attached at Appendix E, which will be updated for Council on 3<sup>rd</sup> March.
- 6.2. The IIA process has been running continually through the budget process. The IIA report is attached as Appendix F. Cabinet will be kept updated on any potential issues that may arise as part of the budget implementation process.
- 6.3. Cabinet and Council will need to consider the response to consultation and the IIA report and demonstrate how we are taking account of the feedback.
- 6.4. Finally, Cabinet is asked to note that, as part of the budget consultation process:
- An account of the consultation responses will be placed on the Council's website

### Changes Proposed to the Budget in this Report

- 6.5. As a result of the latest updates to forecasts, Cabinet is able to consider an increased level of service investment and will now need to consider further whether it is minded to make any further recommendations to Council on its final proposals for the 2022/23 budget. The following items have been added to the proposals since the January report and are accommodated within the existing funding:

Director	Head of Service	Description	2022/23 £'000
Corporate Services	Legal and Democratic Services	Members ICT costs – Inflationary increase to allowance to reflect Democratic Services Committee and Council determinations	5
Social Services	Poverty and Prevention	Support for implementing the recommendations and actions flowing from the Mayhill Inquiry	100
Place	Corporate Property Services	Boundary Changes - 3 additional Councillors – increased ward budgets to maintain spending power per ward	30
Place	Corporate Property Services	Further increase in Member Ward budgets from £10k to £15k per annum each	375
Place	Waste, Cleansing and Parks	Additional multi use bin provision to especially accommodate and tackle dog waste	100
Place	Directorate/Capital programme	Temporary funding for continued spend on core capital programmes	2,040

## 7. Staffing Implications

### **Background**

- 7.1. The Cabinet Report of 20<sup>th</sup> January 2022 set out the latest estimate (**work on this is continuing and the number is likely to change**) of the impact of the current proposals on total staffing numbers for 2022/23, these have been updated in **Table 3** (shown as Full Time Equivalents (FTEs))

**Table 3 – Potential Impact of Savings Proposals on FTEs 2022/23**

<b>Potential Headcount Reduction (likely vacant posts or volunteers for ER/VR)</b>	<b>Headcount Number</b>
Finance	2
Corporate Services	0
Place	0
Education (excluding schools)	2
Social Services	0
<b>Total</b>	<b>4</b>
<b>Indicative schools figure</b>	<b>FTEs</b>
Schools	0

### **The 4 posts do not pose compulsory redundancy risks.**

- 7.2. The Council will remain committed to continue to work closely with Trade Unions to minimise the number of compulsory redundancies in the future.
- 7.3. Trade Unions will be consulted on budgetary proposals.
- 7.4. In the event of changes to employee numbers, a S188 Letter may be issued and consultation with Trade Unions on individual proposals will continue throughout the process.
- 7.5. It should be noted that consultation will be undertaken on a rolling basis outside the normal budget cycle, as the outcomes from commissioning and other reviews are presented to Cabinet. Consequently, in some Service Areas, it was not possible at the time of the formal meetings with the Trade Unions to give details of the precise impact on staff and the figures quoted were, therefore, overall estimates. Future meetings with Trade Unions will be used to provide more detail when this becomes available as future options are agreed.
- 7.6. A reduction in posts in 2022/23 may still be unavoidable, given that the Council spends around 40% of its overall budget on employees (significantly more in some Service Areas) and the national pay awards for 2 years remain unknown whilst inflation is also relatively high and will have to be funded from the Council's own resources.

- 7.7. As achieved and evidenced in previous years, and continuing the Council's current policy, every effort will be made to minimise compulsory redundancies. Management action includes:
- *Tight management of vacancies so that we manage the deletion of posts via natural wastage over time*
  - *The use of fixed term appointments where a post needs to be covered*
  - *Stopping the use of agency staff unless a clear business case can be made*
  - *Redeployment and retraining wherever possible*
  - *Further encouragement of staff to consider ER/VR options, including bumped redundancies*
  - *Encouraging staff to work flexibly e.g. reduce hours or job share*
  - *Flexible retirement*
- 7.8. The groups of staff likely to be most at risk (no options can be ruled out at this stage) are those affected by service savings in Finance and Education.

### **Issues**

- 7.9. Consultation will take place with the Trade Unions as required and any issues raised will be considered.

Based on current information it is anticipated that there will be some changes to the staffing figures as a result of:

- ERVR applications
- Not filling vacant posts
- Flexible Working requests, i.e. reduced hours
- Flexible Retirement
- Redeployment
- Bumped redundancies

These figures will be updated on an ongoing basis.

- 7.10. HR & OD are constantly working with redeployees to secure them alternative positions. Employees at risk, i.e. those who have not been served notice, can also be considered for redeployment.

In addition, all posts are placed on the list of posts for employees at risk in the first instance. Director and CMT approval is required in order for the posts to be advertised either on the Vacancy Bulletin or externally.

### **Consultation Period and Notice Periods**

- 7.11. In the event of organisational change that impacts on employees, the formal consultation period will last for a minimum of 30 days; although formal consultation meetings with staff and Trade Unions will continue as and when necessary.

Assuming that Council approves the budget, it will be after this date that the workforce implications of the budget can be implemented.

After any redundancy selection process has been completed, displaced staff will then be served with their contractual notice which could range from a 4

week period up to 12 weeks, which depends on the employee's length of service. As indicated above there is no expectation at this stage that the budget in itself should cause any compulsory redundancies.

## **8. Reserves and Contingency Fund Requirement**

### ***Background***

- 8.1. It is a requirement of the Local Government Finance Act 1992 that authorities have regard to the level of reserves when calculating their Budget Requirement. Whilst there is no prescribed statutory minimum level of reserves, account should be taken of the strategic, operational and financial risks facing the Council.
- 8.2. In assessing the adequacy of reserves account needs to be taken of the following general factors:
- treatment of inflation and interest rates
  - level and timing of capital receipts
  - treatment of demand led pressures
  - expected performance against challenging budget requirements
  - treatment of planned efficiency savings / productivity gains
  - financial risks inherent in major capital developments and funding
  - the availability of reserves, government grants and other funds
  - general financial climate to which the authority is subject
- 8.3. The Section 151 Officer continues, as set out below, to view General Reserves as already being at the absolute minimum safe level. Furthermore as the revenue budget continues to grow, the relative value and thus acceptability to the Section 151 Officer of the already low absolute level of General Reserves diminishes further, albeit mitigated to some extent by the growth in temporary earmarked reserves. Any consideration on use of reserves to fund the 2022/23 Revenue Budget is dependent on the level of confidence in predicting 2021/22 Revenue Outturn and the overall draw from those reserves. At present it remains the case therefore that there should ordinarily be no planned use of general reserves for any future budgets and indeed an expectation of the Section 151 Officer that longer term, General Reserves will need to be bolstered to maintain their relative value when compared to the overall growth in budgets and risks and uncertainties faced.

Setting the level of reserves is just one of several related decisions in the formulation of the Medium Term Financial Strategy i.e. it is more than a short term decision.

- 8.4. In considering reserve levels Members should have specific regard to:-
- The report of the Section 151 Officer to Council on 7<sup>th</sup> October 2021 'Review of Revenue Reserves'
  - The guidance issued by Welsh Government and circulated to all Members advising on methods that might be employed when reviewing the overall reserves of the Council.

### ***General Reserves***

- 8.5. The General Reserve amounted to £10.000m at 1st April 2021.



- 8.6. The Revenue Budget for 2021/22 approved by Council on 4<sup>th</sup> March 2021 assumed no transfer from General Reserves and there is no movement in the General Reserve currently expected during 2021/22, although any final determination on the use of reserves will depend on the outturn position for 2021/22.
- 8.7. In the opinion of the S151 Officer the level of the General Reserve is currently at the very minimum recommended level and as such there is no assumed transfer from the reserve to support the 2022/23 budget.

Therefore the level of General Fund balances estimated at 31<sup>st</sup> March 2023 would be £10.000m.

**Longer term the Section 151 Officer expects there to be a need to increase General Reserves to maintain their relative and proportionate value as revenue budgets and risks and uncertainties grow significantly.**

### ***Contingency Fund***

- 8.8. The 3<sup>rd</sup> quarter financial monitoring report details several forecast uses of the Contingency Fund in 2021/22. At this time, it is anticipated that the original £3.621m 2021/22 budgeted contribution, plus the additional £10.000m carried forward from 2020/21, will be expended and/or used to fund the Council's final outturn position. Given the overall position as forecast in the 3<sup>rd</sup> quarter budget monitoring report for 2021/22 considered elsewhere on this agenda, the forecast Fund balance as at 31<sup>st</sup> March 2022 is subject to final confirmation on outturn, but the recommended option is to retain £4.5m for future use in future years.
- 8.9. In assessing the value of the Contingency Fund requirement in 2022/23, the following potential requirements are relevant:
- The risks and issues detailed in Section 11 below.
  - The need to provide a substantial potential source of finance for repeated potential overspending in services given past performance, bearing in mind the Council has now likely exhausted all other Earmarked Reserves.
  - The continuing uncertainty for Public Finances as set out in the Cabinet report on 20<sup>th</sup> January and summarised in the MTFP report elsewhere on the agenda.
  - The expectation that any emerging additional inflationary pressures beyond the large already budgeted items (National Living Wage, pay awards) will be a call on the fund in year.
- 8.10. Bearing the above in mind, together with the proposals in respect of funding current year service pressures within the 2022/23 base budget, and the reduced risk of repeating overspending from 2021/22, it is now recommended that the contribution to the base budget Contingency Fund in respect of 2022/23 is marginally increased by £0.103m to £3.724m depending upon any further budget decisions Cabinet is also minded to recommend. Again this is considered the absolute minimum range necessary to be maintained in light of the likely risks and issues facing this Council.

- 8.11. It should however be noted that the grants awarded during 2021/22 in respect of COVID-19 have either not been announced yet or have been reduced dramatically in 2022/23. Should the effects of the pandemic continue into 2022/23 this will be a huge risk. The scale is such that of those grants confirmed there is a drop from nearly £900m available in 2021/22 to just £105m in 2022/23 at an all Wales level for local government. The budget advice of the Section 151 Officer is given with the explicit statement of that fundamental uncertainty risk.
- 8.12. Past experience has shown that whilst it is extant Council policy that any reduction in specific grant should be met from an equal reduction in service expenditure, there is often a lag between loss of grant and reduction in costs/change in service levels.

It is also clear that in respect of some specific grants any reduction in associated expenditure may have a detrimental effect in meeting service targets with a consequential increase in future financial penalties.

There are no remaining reserves specifically to protect against grant losses so any reductions will fall firstly to the Service department to manage or if significant will have to be considered for funding from the Contingency Fund.

### ***Earmarked Reserves***

- 8.13. The Council retains earmarked reserves for specific purposes. The reasons for holding these reserves are documented and are subject to ongoing review and scrutiny. The forecast transfers to and from reserves are summarised in Appendix C. There are material draws, as planned, from the time limited Economic Recovery Fund
- 8.14. As detailed in paragraph 3.7 above, it is proposed that the gap in the Welsh Government capital funding allocation is temporarily replaced with funding from the Capital Equalisation Reserve. This is on a temporary, one-off basis and may not be drawn upon should the Welsh Government announce further increases and/or top-up grants.
- 8.15. On 7<sup>th</sup> October 2021 Council received and approved a report detailing a formal review and re-allocation of Earmarked Revenue Reserves.
- 8.16. From the usual list of specific grants announced by the Welsh Government for 2022/23 it appears that where there are reductions to grants these are not significant so it is unlikely that there will be a significant impact on Swansea.
- 8.17. As mentioned in paragraph 2.6 above it is intended to create a new revenue reserve at outturn, subject to funds being available. This reserve will fund targeted work in ward areas, and will be available for 5 years.

### ***Review of Insurance Fund***

- 8.18. A review was completed of the sums set aside to provide for future claims which are not known or only partly known at this time. Such claims can be very significant and can relate to past periods going back many years.

- 8.19. In the light of that assessment £700k was released for the three years starting with 2017/18 and was already reflected in the budget proposals previously considered by Cabinet. This was extended as part of the budget processes for 2018/19 and 2019/20, so will now end in 2022/23.

### ***Adequacy of Reserves***

- 8.20. Whilst the proposed use of Earmarked Reserves in 2022/23 funds one off and some recurring expenditure, taking into account the level of General and Earmarked Reserves which would be available should there be an overriding financial requirement, and the arrangements in place to monitor and manage financial risk in 2022/23 and future years, I am satisfied that the proposed management of reserves in 2022/23 will result in a forecast level of General Reserves, Earmarked Reserves and Provisions which may be considered adequate, subject to the potential financial implications of the risks described in Section 11 below and the final budget proposals recommended by Cabinet to Council.
- 8.21. Given the considerable risks and uncertainties facing the Council in 2022/23 and future years, it remains my advice as the officer designated with responsibility for the overall finances of the Council that the above represents reasonable prudent financial management having due regard to service pressures and funding constraints. Nevertheless, increasingly the risks associated with the budget, especially any non-deliverability in practice of planned savings remains very pronounced. This is especially important when viewed in the context of draws from General Reserves in 2017/18 and Earmarked Reserves in 2018/19, which cannot be repeated. Put simply and bluntly both those routes are now all but fully exhausted going forward and Council will have to consider some or all of the following in future years:
- Service reductions
  - Reductions in future capital aspirations
  - Further council tax increases each year
  - Some short term draws from the earmarked reserves set up to manage budgets through to 2025/26, but with an explicitly acceptance and understanding that these are one off mitigations only to enable longer term adjustment to the highly likely tighter public sector funding environment

## **9. Budget Requirement and Council Tax 2022/23**

- 9.1. The Council's recommended requirement is set out in Appendix A. The City and County of Swansea Requirement of £524.147m will be financed partly by Revenue Support Grant of £297.418m and National Non-Domestic Rates of £89.167m.

Based on the report to Cabinet on 20<sup>th</sup> January 2022, and in line with assumptions contained in the Welsh Government's spending assessment for Swansea, a Council Tax rise of 2.0% will generate a sum of £1.343m including assumptions on council tax premiums. This is a band 'D' charge of £1,477.35.

This remains provisional pending the final local government finance settlement which is due on 2<sup>nd</sup> March and it is envisaged that as long as there are no material changes at final settlement that this can be contained within

the margins of error in the assumptions and estimates already used in this report and accommodated by adjusting contingency. Council will be advised of the final settlement figure before making a final determination on budget and Council Tax and any implications it may have to take into account.

- 9.2. Including Community Councils, the total requirement, after taking account of proposals in respect of reserve transfers and currently assumed savings, is £525.844m.
- 9.3. The above proposals are based on an indicative Council Tax rise which is within the range of planning assumptions of the Medium Term Financial Plan.

## 10. Summary of Funding 2022/23

- 10.1. The implications of Sections 4, 5, 6, 7 and 8 above, together with the assumed 2.0% rise in Council Tax identified in Section 9 above, results in a forecast additional funding of £40.044m in 2022/23 as detailed in Table 4:

**Table 4 – Budget Proposals 2022/23**

	£'000
Savings identified per Section 5.3 above	4,758
Net effect of Council tax base increase and proposed charges	1,343
Aggregate External Finance increase	33,943
<b>Overall resourcing</b>	<b>40,044</b>

- 10.2. Cabinet is asked to consider whether, as a result of the consultation exercise, it wishes to make any further changes to the budget savings proposals for 2022/23 and, if so, any other consequential changes that may need to be addressed. The wholly expected and fully built in increase in AEF should be seen as an opportunity to maintain targeted investment in to the Council's priorities and preventative action in particular, not to slow down the pace of change or the level of required savings.

## 11. Assessment of Risks and Uncertainties

- 11.1. As in previous years, there are a number of potential costs which have been considered in the context of the budget proposals. In particular :-

### ***(a) Implications of Specific 2021/22 Overspends***

The 3<sup>rd</sup> quarter financial monitoring report, discussed elsewhere on this agenda, highlights a number of service overspends, albeit predominantly driven by the COVID-19 response. It is anticipated that remedial action already in place will serve to mitigate the overspends identified. Where this is not the case, then adjustment via the Contingency Fund will have to be made for any items that are seen to re-occur.

### ***(b) Unavoidable Spending Requirements***

All services will need to meet a range of additional / new pressures in 2022/23. These include the implications of new legislation; demographic changes; final completion of the single status appeals process; and other

requirements including heightened inflationary risks in pay and prices in all areas. Whilst reasonable provision has been made for these costs, there is a risk that some items will result in overspends. In particular it has previously been the case that the cost of pay protection arising out of single status implementation can be funded centrally, going forward any and all costs that arise as a result of the appeals process will have to be met from within specific existing Directorate budgets.

### **(c) Savings**

It is essential in terms of the financial challenges facing the Council beyond 2022/23 that further savings proposals are continuously developed as part of the transition from the *Sustainable Swansea* to the *Achieving Better Together* programme and **implemented over and above those proposed within this budget to provide some future headroom**. This will be a continuation of plans already underway and specifically include existing and the next waves of reviews which **must be rapidly turning recovery plans and assumptions into delivered reality, otherwise service savings will fail to be delivered and net spending pressure return to service budgets for which immediate corrective action will be required**.

The 2022/23 budget includes savings targets which must be fully achieved. **It is a fundamental requirement of the Council's financial procedure rules that Responsible Officers are required to manage expenditure within approved budgets of the Council and to that extent it is essential, should specific proposed budget savings be delayed or postponed, that alternative savings are fully achieved in year to meet approved Directorate Budgets**.

Given the nature and scale of the savings challenge during 2022/23, and more importantly further beyond, there will be continued and enhanced monitoring and tracking of progress in achieving budget savings which will be reported to Corporate Management Team, Reshaping Board, Recovery Board and Cabinet.

As noted above, further proposals will be brought to Cabinet during the year as necessary.

### **(d) Inflation**

Where there have been specific announcements around minimum wage increases an estimate has been included around the potential additional costs that may fall to the Council from external contractors. In addition £3.850m has been provided for potential inflationary increases in areas where there is a significant element of contracted out services. Headline inflation is at the highest it has been for 30 years and remains a grave cause for concern for all, including the Council.

### **(e) Care Home Fees**

Budget provision has been made for the 2022 contract settlement with care home providers. However, it is likely that fees will need to be further monitored given that the Council has to undertake an annual review of

payments to care home providers which must be robust and evidenced – see specific provision for inflation above.

***(f) Specific Grants***

In the event that the level of specific grants awarded for 2022/23 is less than that for 2021/22, it is essential that Directorates take action to manage such reductions within the proposed spending limits – i.e. there is no ongoing corporate provision for meeting such shortfalls. There is a clear expectation that expenditure will be cut to match the level of grant.

It is, however, acknowledged based on past experience that where specific grants are reduced there may be a time lag between reduction in funding and the Council's ability to reduce costs. It is equally clear that in some areas currently funded by specific grant the Council will, for operational or service reasons, wish to maintain expenditure. Any future bids for funding to cover loss of specific grants will have to be made against the already pressured contingency fund.

***(g) Equal Pay Back Payments***

The bulk of equal pay claims both in number and value have now been fully settled. However, legislation is such that further claims cannot be precluded although the introduction of the compliant pay and grading structure from 1<sup>st</sup> April 2014 will significantly lessen risk in this area over time.

***(h) Implementation of Single Status***

Whilst the Council implemented a compliant pay and grading structure from 1<sup>st</sup> April 2014, there has been a significant number of appeals against grades awarded. Where these appeals have been successful, it will lead to additional costs over and above the grade initially allocated including incremental costs over a period of up to five years, of which 2018/19 represented the last year and effectively this risk has now dropped out from 2019/20.

***(i) Council Tax Reduction Scheme***

Provision has been made for the estimated costs which are now linked directly to any proposed increases in Council Tax Levels.

***(j) COVID-19 and COVID-19 Grants***

There is a real risk that the impact of the COVID-19 pandemic will continue into 2022/23 and beyond, at a level higher than that anticipated. There is also a risk that the ongoing effects of the pandemic could continue to affect national and indeed global finances.

The Welsh Government has reduced dramatically the grant funding available for the impact of COVID-19 in 2022/23 compared to that available in 2021/22. This is a significant financial risk as things are unlikely to return to normality that rapidly in practice.

### **(k) Capital Financing Charges**

There is a risk that the funding ask (in respect especially of additional unsupported borrowing) highlighted in the Capital Budget report elsewhere on the agenda will result in additional charges over and above the agreed budget provision.

The report on the Capital Programme for 2021/22 – 2026/27 elsewhere on this agenda highlights specific actions that need to be taken to mitigate against future increases in revenue costs linked to increases in unsupported borrowing and further externalisation of current debt. The risks of course are heavily mitigated by having externalised all anticipated medium term traditional capital borrowing requirements for the General Fund.

In additional mitigation, there was a report to Council on 20<sup>th</sup> December 2018 in respect of the formal review of the Minimum Revenue Provision. This has the benefit of reducing capital financing charges in the short to medium term, albeit at the expense of increases in the medium to longer term, before once again reducing in the very long term. These shorter-term savings have been built into the budget for 2022/23 and beyond but appropriate use of the Capital Equalisation Reserve smooths future cost pressures. .

The low interest rate and bond yield environment has resulted in historically low interest rates available from the PWLB in the past few years, which the Authority has taken advantage of in funding its capital financing requirement. Although the PWLB have removed the 1% penalty premium on new local authority borrowing (subject to certain criteria), consideration will also need to be given to sourcing funding at cheaper rates from the following:

- Local authorities
- Financial institutions
- Municipal Bonds Agency

The degree which any of these options proves cheaper than PWLB Certainty Rate is still evolving at the time of writing but the Section 151 Officer is delegated to identify the most economically advantageous funding option.

11.2. Whilst reasonable assumptions have been made in relation to each of the above risks it is impossible to be certain that adequate funding will be available for every item. This re-enforces the need to have adequate reserves and balances available to meet any unexpected costs or shortfalls.

11.3. The above risks are both substantial and potentially significant in value. Therefore during 2022/23 specific actions are being put in place which will involve:-

- Monthly monitoring of specific savings targets against an agreed implementation timetable in order to identify any slippage and appropriate and equivalent compensating budget savings.
- Ensuring compliance with the Council's Financial Procedure Rules, which require Responsible Officers to manage budgets within the limits set by Council.
- The impact of any changes to specific grant funding streams.

## 12. Integrated Impact Assessment Implications

- 12.1. The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 12.2. The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 12.3. Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 12.4. We know from previous years that, due to the scale of budget reductions, those with protected characteristics are likely to be affected. In assessing the impact of the budget proposals, we continue to attempt to ensure that any effect is not disproportionate and that we continue to focus on mitigation wherever possible. In this context the following should be noted:
- Where IIAs show potential significant impact with no possible mitigation, these proposals will be referred for further consideration
  - for those IIAs where potential significant impact has been identified and mitigation has been possible, the associated action plans will be monitored and reviewed
  - the outcomes of engagement will inform IIAs
  - this is an ongoing process and as noted this statement and many IIAs will remain open for varying periods of time
  - there is a focus on the council doing things differently in order to further deliver services that are flexible, citizen-centred, meet individual needs and are sustainable for the future
- 12.5. The council continues to deliver a wide range of services for all the citizens of Swansea. Many of these are of particular benefit to the areas covered by our IIA process, e.g. the protected characteristics defined within the Equality Act 2010.



12.6. As highlighted earlier in Appendix F, the council is committed to protecting the vital frontline services that matter most to the people of Swansea, tackling poverty and looking after the most vulnerable in our communities. The council will continue to do everything it can to meet this challenging commitment given the financial constraints it faces. However, services may be provided in a different way in line with 'Swansea – Achieving Better Together'.

### **13. The Medium Term Financial Plan (MTFP) 2023/24 – 2025/26**

13.1. Many of the issues identified in this report have implications for future years. The MTFP report elsewhere on the agenda includes an assessment of likely shortfalls in future years and outline proposals for achieving savings.

### **14. Legal Implications**

14.1. The Authority is under a duty to make arrangements for the proper administration of its financial affairs. Failure to do so will be a breach of that duty.

**Background Papers:** None

#### **Appendices:**

Appendix 'A' Revenue Budget Summary 2022/23

Appendix 'B' Net Directorate Budget Proposals

Appendix 'C' Earmarked Reserves

Appendix 'D' Specific Savings Proposals and Service Investment

Appendix 'E' Summary of Consultation Responses

Appendix 'F' Integrated Impact Assessment Statement

Appendix 'G' Response of the Schools' Budget Forum

Appendix 'H' Directorate Budgets

	<b>APPENDIX A</b>	
<b>REVENUE BUDGET SUMMARY 2022/23</b>		
<b><i>DIRECTORATE</i></b>	<b>ORIGINAL BUDGET 2021/22 £'000</b>	<b>ORIGINAL BUDGET 2022/23 £'000</b>
CORPORATE SERVICES	21,537	24,787
FINANCE (Including COUNCIL TAX REDUCTION SCHEME)	32,754	33,070
SOCIAL SERVICES (Including POVERTY AND PREVENTION)	128,694	144,711
EDUCATION	21,127	22,994
EDUCATION - DELEGATED TO SCHOOLS PLACE	167,304 64,469	179,046 74,801
<b><i>NET DIRECTORATE EXPENDITURE</i></b>	<b>435,885</b>	<b>479,409</b>
SPECIFIC PROVISION FOR INFLATION / APPRENTICESHIP LEVY	4,250	5,622
<b><i>OTHER ITEMS</i></b>		
<b>LEVIES</b>		
SWANSEA BAY PORT HEALTH AUTHORITY	88	88
CORPORATE JOINT COMMITTEE	0	200
<b>CONTRIBUTIONS</b>		
MID & WEST WALES COMBINED FIRE AUTHORITY	14,120	14,720
<b><i>CAPITAL FINANCING CHARGES</i></b>		
PRINCIPAL REPAYMENTS	16,368	16,868
NET INTEREST CHARGES	20,010	20,510
<b><i>NET REVENUE EXPENDITURE</i></b>	<b>490,721</b>	<b>537,417</b>
<b><i>MOVEMENT IN RESERVES</i></b>		
GENERAL RESERVES	0	0
EARMARKED RESERVES	-2,278	-13,688
<b><i>TOTAL BUDGET REQUIREMENT</i></b>	<b>488,443</b>	<b>523,729</b>
DISCRETIONARY RATE RELIEF	418	418
<b><i>TOTAL CITY AND COUNTY OF SWANSEA REQUIREMENT</i></b>	<b>488,861</b>	<b>524,147</b>
COMMUNITY COUNCIL PRECEPTS	1,641	1,697
<b><i>TOTAL REQUIREMENT</i></b>	<b>490,502</b>	<b>525,844</b>
<b><i>FINANCING OF TOTAL REQUIREMENT</i></b>		
REVENUE SUPPORT GRANT	269,725	297,418
NATIONAL NON-DOMESTIC RATES	82,917	89,167
COUNCIL TAX - CITY AND COUNTY OF SWANSEA	136,219	137,562
COUNCIL TAX - COMMUNITY COUNCILS	1,641	1,697
<b><i>TOTAL FINANCING</i></b>	<b>490,502</b>	<b>525,844</b>
<b><i>COUNCIL TAX BASE for the City and County of Swansea</i></b>	<b>94,051</b>	<b>93,114</b>
<b><i>COUNCIL TAX AT BAND 'D' (£) for the City and County of Swansea</i></b>	<b>1,448.35</b>	<b>1,477.35</b>
<b><i>GENERAL RESERVES</i></b>		
AT 1 APRIL	9,352	10,000
AT 31 MARCH	9,352	10,000

REVENUE BUDGET 2022/23								
NET DIRECTORATE BUDGET PROPOSALS								
	Corporate Services	Finance (Including Council Tax Reduction Scheme)	Social Services (Including Poverty and Prevention)	Education	Education - Delegated to Schools	Place	To be allocated	Total
	£000	£000	£000	£000	£000	£000	£000	£000
<b>Original estimate 2021/22</b>	<b>29,378</b>	<b>24,913</b>	<b>128,694</b>	<b>21,127</b>	<b>167,304</b>	<b>64,469</b>	<b>0</b>	<b>435,885</b>
Directorate Transfers	-7,841	7,841	0	0	0	0	0	<b>0</b>
<b>Original estimates following transfers</b>	<b>21,537</b>	<b>32,754</b>	<b>128,694</b>	<b>21,127</b>	<b>167,304</b>	<b>64,469</b>	<b>0</b>	<b>435,885</b>
Transfer to (+) / from (-) reserves 2021/22	-1,784	0	-200	35	0	-250	0	<b>-2,199</b>
<b>Original estimate 2021/22 excluding reserves</b>	<b>19,753</b>	<b>32,754</b>	<b>128,494</b>	<b>21,162</b>	<b>167,304</b>	<b>64,219</b>	<b>0</b>	<b>433,686</b>
Transfers for specific items 2021/22	0	0	0	0	0	0	0	0
Baseline adjustments 2021/22	191	-194	37	-41	0	7	0	0
<b>Adjusted service budgets 2021/22</b>	<b>19,944</b>	<b>32,560</b>	<b>128,531</b>	<b>21,121</b>	<b>167,304</b>	<b>64,226</b>	<b>0</b>	<b>433,686</b>
Baseline adjustments 2022/23	-5	0	345	-762	842	77	0	497
Spending Needs	1,323	950	13,875	2,964	5,600	-5,640	0	19,072
Pay inflation provision (including NI increase)	725	375	2,900	900	5,300	3,300	0	13,500
Savings:								
Specific proposals	-403	-815	-1,140	-1,184	0	-1,216	0	-4,758
<b>Original estimate 2022/23 excluding reserves</b>	<b>21,584</b>	<b>33,070</b>	<b>144,511</b>	<b>23,039</b>	<b>179,046</b>	<b>60,747</b>	<b>0</b>	<b>461,997</b>
Transfer to (-) / from (+) reserves 2022/23	3,203	0	200	-45	0	14,054	0	<b>17,412</b>
<b>Net Directorate budgets 2022/23</b>	<b>24,787</b>	<b>33,070</b>	<b>144,711</b>	<b>22,994</b>	<b>179,046</b>	<b>74,801</b>	<b>0</b>	<b>479,409</b>

## REVENUE BUDGET 2022/23

### EARMARKED RESERVES

	Balance 31/03/21 £000	2021/22 £000	Balance 31/03/22 £000	2022/23 £000	Balance 31/03/23 £000
<b>DIRECTORATE RESERVES</b>					
Equalisation reserves	-17,634	8,034	-9,600	4,540	-5,060
Commuted sums	-7,044	60	-6,984	60	-6,924
Repair & renewal funds	-2,092	-155	-2,247	-210	-2,457
Profit share	-1,575	-66	-1,641	-66	-1,707
Recovery Fund	-20,000	6,855	-13,145	6,487	-6,658
Service reserves	-24,678	-7,246	-31,924	6,401	-25,523
<b>TOTAL DIRECTORATE RESERVES</b>	<b>-73,023</b>	<b>7,482</b>	<b>-65,541</b>	<b>17,212</b>	<b>-48,329</b>
<b>CORPORATE RESERVES</b>					
Contingency Fund	-10,000	-3,279	-13,279	-3,724	-17,003
Insurance	-16,989	1,060	-15,929	0	-15,929
Job Evaluation earmarked	0	0	0	0	0
Transformation/Efficiency	-3,015	127	-2,888	200	-2,688
<b>TOTAL CORPORATE RESERVES</b>	<b>-30,004</b>	<b>-2,092</b>	<b>-32,096</b>	<b>-3,524</b>	<b>-35,620</b>
<b>UNUSABLE/TECHNICAL RESERVES</b>	<b>-3,262</b>	<b>800</b>	<b>-2,462</b>	<b>0</b>	<b>-2,462</b>
<b>SCHOOLS DELEGATED RESERVES*</b>	<b>-20,780</b>	<b>0</b>	<b>-20,780</b>	<b>0</b>	<b>-20,780</b>
<b>TOTAL RESERVES</b>	<b>-127,069</b>	<b>6,190</b>	<b>-120,879</b>	<b>13,688</b>	<b>-107,191</b>

\* There is no updated information available for schools for 2021/22 or 2022/23.

**APPENDIX D**

**Part 1 – Savings Proposals**

<b>Director</b>	<b>Head of Service</b>	<b>Savings Proposal</b>	<b>Savings 2022/23 £'000</b>
Corporate Services	Comms and Marketing	Comms & Marketing various cross budget savings	85
Corporate Services	Digital and Customer Services	Development Fund replaced by use of reserves	250
Corporate Services	Director	Staff reward scheme (salary sacrifice)	3
Corporate Services	Director	Services recovering full cost recovery from regional, joint working or externally funded projects	30
Corporate Services	Director	Non-staff spend savings due to different ways of working	35
		<b>Corporate Services</b>	<b>403</b>
Education	Non-Delegated	Further reductions in regional improvement service, consistent with funding settlements	10
Education	Non-Delegated	ALN - more costly out of County provision mitigated by further enhanced in County provision (so impact dependent on resourcing to deliver enhanced provision)	150
Education	Non-Delegated	Home to School Transport - savings identified as part of wider focused scrutiny of nature and spread of educational provision (unless savings are taken corporately and base budget reduced)	100
Education	Non-Delegated	ALN Transport - review of spread and nature of STF provision / review of assessment / processes to better promote independent travel and integrate provision with Social Services (unless savings are taken corporately and base budget reduced)	100
Education	Non-Delegated	Catering and Cleaning services - Continuing work towards full cost recovery through SLAs where schools are receiving additional funding to reflect such cost pressures	100
Education	Non-Delegated	Review of EOTAS spending to better target resources following full implementation of new model of provision	180
Education	Non-Delegated	ALN - more costly out of County provision (recoupment) further mitigated by enhanced in County provision	24
Education	Non-Delegated	Review of Directorate Leadership - net of additional corporate funding re Senior Management Review	172
Education	Non-Delegated	Wider review of Directorate staffing to refocus resources and enhance cost recovery from other funding streams	205
Education	Non-Delegated	Containment of cost of management of absence post within catering and cleaning budgets	43

Director	Head of Service	Savings Proposal	Savings 2022/23 £'000
Education	Non-Delegated	ALN Post 16 Transport - tighter scrutiny of costs / review of assessment / processes to better promote independent travel (unless savings are taken corporately and base budget reduced)	76
Education	Non-Delegated	Efficiency savings to offset budget transfer to corporate centre re printing charges	24
		<b>Education</b>	<b>1,184</b>
Finance and CTRS	Commercial Services	Commercial Services (Income from HRA contribution and other sources)	16
Finance and CTRS	Commercial Services	Commercial Services (Income from HRA contribution and other sources)	15
Finance and CTRS	CTRS	CTRS - Carefully managed use of CTRS budget	400
Finance and CTRS	CTRS	Increase CTRS saving by continued careful management	165
Finance and CTRS	Deputy Chief Finance Officer	Review of Finance management structure once Senior Management Review concluded - 1 net post ER/VR during 22/23	25
Finance and CTRS	Director	Reduce historic pension costs to reflect actual costs - no direct staffing impact	50
Finance and CTRS	Director	CMT restructure whilst broadly cost neutral for finance places the S151 Officer at risk of redundancy This is shown as a negative cost (i.e a slight pressure) to reflect the post at risk	-1
Finance and CTRS	Director	Finance - give up £100k of the £250k extra to shore up Finance (effectively not fill 3 posts)	100
Finance and CTRS	Revenues & Benefits	AI and automation/ robots across council e.g., revenues and benefits	45
		<b>Finance and CTRS</b>	<b>815</b>
Place	Corporate Property Services	Additional income generated from the relating of released space in the Civic as a result of the agile programme	50
Place	Corporate Property Services	Additional income via existing investment properties and new property acquisitions	50
Place	Corporate Property Services	Additional Income from further commercial lettings (offset against St David's)	150
Place	Director	Savings temporarily on hold due to COVID (savings funded by additional COVID funding for one year)	-1,000
Place	Highways and Transportation	Partial removal of school crossing patrols where suitable safe measures exist. (Also need to implement previous proposal)	25
Place	Highways and Transportation	Increase in car park income resulting from tariff increases linked to city centre regeneration	500

Director	Head of Service	Savings Proposal	Savings 2022/23 £'000
Place	Housing and Public Protection	Above inflation (5%) increase to fees and charges and increased income generation activity across Bereavement Services, Registration Services, Building Control, Trading Standards, Food & Safety, HMO licensing and Housing Renewals. Main risk in Burials and Registrations is terms of remaining competitive with direct local authority neighbours	156
Place	Housing and Public Protection	Introduce paid for advice and approval service for businesses across Food Safety and Trading Standards functions	15
Place	Housing and Public Protection	Proceeds of Crime (POCA) income to be reinvested in core Trading Standards Service	10
Place	Various	"Income earning" services to self-fund pay increase costs from increased fee charges on full cost recovery. Assuming all charge increases passed on	1,250
Place	Waste, Cleansing and Parks	Increase graffiti charges by 200% over 4 years to ensure full cost recovery	10
		<b>Place</b>	<b>1,216</b>
Social Services	Adult Services	Realise saving in efficiencies through the Supported Living Framework and benefits of being located together (2.5% rather than 5% stated in contractual arrangements in light of COVID-19)	70
Social Services	Adult Services	Work through Complex Needs high cost placements and establish a collaborative approach with Health for funding these packages of care (aligning with C&F) to achieve Reduction in high cost packages of care due to more efficient and effective working with health in terms of new guidance around CHC cases	200
Social Services	Adult Services	Reduction in costs for external residential care by changing the business model and how we are funding voids in the system	60
Social Services	Adult Services	Non-staffing spend savings due to different ways of working	50
Social Services	Child and Family Services	Continue to reduce residential placements (There is a risk around this proposal which has been exacerbated by COVID-19, as cases coming through the systems are more complex, and there are limited placement options for adolescents, which is a growing area of demand)	200
Social Services	Child and Family Services	Work through Complex Needs high cost placements and establish a criteria and equitable formula for funding these placements with Health (Aligning with Adults)	200
Social Services	Child and Family Services	Supported accommodation and floating support efficiency savings following review and recommissioning exercise	150

Director	Head of Service	Savings Proposal	Savings 2022/23 £'000
Social Services	Child and Family Services	External therapies efficiency savings following review and creating an internal offer through upskilling staff	70
Social Services	Child and Family Services	Non-staffing spend savings due to different ways of working	50
Social Services	Child and Family Services	Replacing core costs of non-statutory teams with Grant money which may become available through local or regional opportunities	60
Social Services	Poverty & Prevention	Non-staffing spend savings due to different ways of working	30
		<b>Social Services</b>	<b>1,140</b>
		<b>Grand Total</b>	<b>4,758</b>

## Part 2 – Service Pressures and Investment

Director	Head of Service	Description	2022/23 £'000
Corporate Services	Legal and Democratic Services	Increase to Councillors costs due to IRPW Report	15
Corporate Services	Legal and Democratic Services	Remove one-off funding for Local Elections	-300
Corporate Services	Digital and Customer Services	Net revenue cost of ERP Oracle Cloud (ultimately to be offset by staffing reductions)	330
Corporate Services	Legal and Democratic Services	Additional posts (Cabinet and Members Support)	95
Corporate Services	Comms and Marketing	Additional posts (Corporate Planning, Performance and Policy Team)	109
Corporate Services	Legal and Democratic Services	Further IRPW (draft) recommendations	250
Corporate Services	Legal and Democratic Services	Boundary Changes 3 additional Councillors	50
Corporate Services	Comms and Marketing	Performance Management System	37
Corporate Services	Senior Management Review	Senior Management Review	80
Corporate Services	Chief Executive	Pension Costs (Chief Executive)	40
Corporate Services	Legal and Democratic Services	Increased Coroner's costs (as determined by the Coroner)	43
Corporate Services	HR and the Service Centre	Evaluation and alignment of Unison posts	69



Director	Head of Service	Description	2022/23 £'000
<b>Corporate Services</b>	<b>Legal and Democratic Services</b>	<b>Members ICT Inflationary Allowance</b>	<b>5</b>
Finance	Commercial Services	Strengthen commercial activity expand resources for GPOC, strengthen procurement per Head of Service	155
Finance	Deputy Chief Finance Officer	Start accountancy trainee/apprenticeship scheme posts x 3 new - future proofing	100
Finance	Revenues and Benefits	Expand work on council tax and NDR reform - build management capacity by 1 post	55
Finance	Deputy Chief Finance Officer	Expand Audit Fraud Team	90
Social Services	Poverty and Prevention	Armed Forces Veterans Fund	25
<b>Social Services</b>	<b>Poverty and Prevention</b>	<b>Support for implementing the recommendations and actions flowing from the Mayhill Inquiry</b>	<b>100</b>
Social Services	Adults	Various Adult Services pressures including loss of income (grants), staff costs, inflationary contract costs and ongoing additional COVID-19 costs	50
Social Services	Senior Management Review	Senior Management Review	20
Social Services	Child & Family	Various Child and Family Services pressures including loss of income (grants), staff costs, inflationary contract costs and ongoing additional COVID-19 costs	680
Education	Non-Delegated	Unbudgeted and uncontrollable ER/VR and ongoing pension costs - beyond base budget assumptions re service pressures	600
Education	Non-Delegated	ALN Act Implications	800
Education	Non-Delegated	ALN - out of county placements and pupil support - beyond base assumptions re service pressures	200
Education	Senior Management Review	Senior Management Review	100
Education	Non-Delegated	ALN (including Post 16) Transport cost pressures in excess of planning assumptions	222
Education	Non-Delegated	Budget transfer to corporate centre re printing charges	24
Education	Non-Delegated	Increasing entitlement to Free School Meals (transitionally protected)	335
Education	Non-Delegated	Additional post within HR to support management of absence within catering and cleaning and deliver longer term benefits following successful temporary assignment - as part of wider corporate strategy	43
Education	Non-Delegated	Additional post within Performance Team to take on the essential statutory duty re Educational Visits transferred from Social Services	40
Place	Highways and Transportation	TRF19 Partial removal of school crossing patrols where suitable safe measures exist	25
Place	Cultural Services	Remove temporary funding for the City's 50th Anniversary celebrations and other events	-150

Director	Head of Service	Description	2022/23 £'000
Place	Corporate Property Services	Viking Way	130
<i>Place</i>	<i>Corporate Property Services</i>	<i>Boundary Changes 3 additional Councillors - Place budgets</i>	<i>30</i>
<i>Place</i>	<i>Corporate Property Services</i>	<i>Increase in Member Ward budgets</i>	<i>375</i>
<i>Place</i>	<i>Waste, Cleansing and Parks</i>	<i>Bin provision to accommodate dog waste</i>	<i>100</i>
		<b>Grand Total</b>	<b>4,972</b>

Changes to the budget proposal report are shown in ***Bold Italic***

## Interim Budget Consultation Results 2022

### 1. Budget Consultation

Consultation on the specific budget proposals ran from 21<sup>st</sup> January 2022 to 11<sup>th</sup> February 2022. A survey was produced detailing the council's budget proposals, giving people the opportunity to provide their feedback. In total 79 people took part in the general budget consultation survey. **(Please note the survey is still ongoing at the time of writing this report and results are interim as of 7<sup>th</sup> February)**

The consultation was available online at [www.swansea.gov.uk/budgetsurvey](http://www.swansea.gov.uk/budgetsurvey)

107 visits to our Budget Consultation webpages. The link on Staffnet went straight to the main budget page.

#### Communication and Social Media (up to 7<sup>th</sup> February)

The consultation was promoted across Swansea within the press and social media. This resulted in:

- One press releases resulting in two media mentions
- Four social media mentions, reaching 5.8k on social media and 4.8k via the council's online weekly newsletter.

#### Budget Consultation Summary Results (full results Appendix 1)

The survey provided the opportunity for people to have their say on:

- Future funding of services
- Proposed spend 2022/23
- Future Spend
- Budget Report

#### Future funding of services

**51%** Would you be prepared to pay more for some services rather than lose them?

**83%** Would you prefer for the Council to deliver services in a different way rather than lose them?

#### Proposed Spend

**77%** Agree that Social Services and Education should remain the Council's priority in terms of future spend?

#### Future Spend

Respondents were asked: **If there was money available, in which areas would you like to see the Council invest in?**

Areas which were selected the most are outlined below:

**64%** Care for Older People and Disabled Adults

**50%** Tackling Poverty

**49%** Street/Road Repairs

**47%** Housing and Homelessness

**44%** Parks & Green Spaces

**42%** Keeping Children Safe

**41%** Children's Play / Youth Services

## Budget Report

Due to the nature of this year's budget there were no specific budget proposals which required public consultation at this time. Comments on the overall budget report were sorted, to date 24 comments have been received.

Text comments provided in the survey have been presented in full to Cabinet members for consideration.

### Appendix 1

Are you ...			
42 (53.2%)	A member of the public	3 (3.8%)	A third sector organisation/partner organisation (please specify)
34 (43.0%)	A council employee	0 (0.0%)	A private sector organisation/partner organisation (please specify)
0 (0.0%)	An elected member		
6 (100.0%)			

## Future funding of services

Due to the size of the budget challenge facing the Council in the coming years, we may not be able to provide the same number or level of services in the future.

We want your views on how we can provide services in the future:

### Would you prefer to be prepared to pay more for some services rather than lose them?

39 (50.6%) Yes  
38 (49.4%) No

### If yes, please state in the box below which services you would be prepared to pay towards in the future:

35 (100.0%)

### Would you prefer for the Council to deliver services in a different way rather than lose them?

62 (82.7%) Yes  
13 (17.3%) No

### If yes, please state in the box below how would you like services delivered differently in the future.

46 (100.0%)

### Proposed Spend 2022/23:

### Do you agree or disagree that Social Services and Education should remain the Council's priority in terms of future spend?

33 (45.2%) Strongly Agree  
23 (31.5%) Tend to Agree  
11 (15.1%) Tend to Disagree  
6 (8.2%) Strongly Disagree

**If you disagree, please tell us why?**

19 (100.0%)

**Future Spend:**

**If there was money available, in which areas would you like to see the Council invest in?**

50 (64.1%)	Care for Older People and Disabled Adults	30 (38.5%)	Council Housing
5 (6.4%)	Keeping people informed about the Council	10 (12.8%)	Improvements to Council buildings
14 (17.9%)	Engaging and consulting people on things the council does	37 (47.4%)	Housing & Homelessness
16 (20.5%)	Promoting and supporting Equality and Diversity	39 (50.0%)	Tackling Poverty
6 (7.7%)	Improving the Council's website	24 (30.8%)	Libraries
4 (5.1%)	Promoting and supporting Welsh Language	29 (37.2%)	Community Centres
11 (14.1%)	Making the Council more commercial	32 (41.0%)	Children's Play / Youth Services
33 (42.3%)	Keeping Children Safe	13 (16.7%)	Developing Swansea City Centre
28 (35.9%)	School improvements	26 (33.3%)	Refuse Collection
22 (28.2%)	Additional Learning needs	30 (38.5%)	Recycling services
28 (35.9%)	Education services	29 (37.2%)	Street cleaning
17 (21.8%)	Adult learning	34 (43.6%)	Parks & Green Spaces
38 (48.7%)	Street/Road Repairs	26 (33.3%)	Sports, Leisure & Cultural Facilities
16 (20.5%)	Traffic Management	22 (28.2%)	Transport services/ Bus station
17 (21.8%)	Car Parking	12 (15.4%)	Other (write in)
21 (100.0%)			

**Budget**

**If you have any comments about the budget proposals or anything else contained in the budget Cabinet report please write in here:**

24 (100.0%)

**Welsh Language Impact:**

**Do you have any concerns or evidence to suggest that the Council is treating/using the Welsh language less favourably than English in relation to its proposed budget for 2022/23?**

45 (100.0%)

**If yes, please give details and state how the budget suggested will affect opportunities to use the Welsh language in your view?**

6 (100.0%)

**What changes could be made in order to have a more positive effect on the Welsh language?**

19 (100.0%)

## About You: Finding out who has taken part

You don't have to answer these questions, but we need to ask them to understand if our survey has reached the right people and to understand how different groups feel allowing us to address this if we can.

In accordance with Data Protection law, any information requested on the following questions is held in the strictest confidence for data analysis purposes only. For further information about how Swansea Council uses your personal data, please see our corporate privacy notice on our website [www.swansea.gov.uk/privacynotice](http://www.swansea.gov.uk/privacynotice)

### Are you...?

33 (44.0%)	Male
39 (52.0%)	Female
3 (4.0%)	Other (write in)
2 (100.0%)	

### Is your gender the same as that which you were assigned at birth?

67 (91.8%)	Yes
1 (1.4%)	No
5 (6.8%)	Prefer not to say

### How old are you ...

1 (1.4%)	Under 16	14 (18.9%)	56 - 65
1 (1.4%)	16 - 25	8 (10.8%)	66 - 75
5 (6.8%)	26 - 35	1 (1.4%)	76 - 85
13 (17.6%)	36 - 45	0 (0.0%)	Over 85
23 (31.1%)	46 - 55	8 (10.8%)	Prefer not to say

### Would you describe yourself as...

Please mark all that apply

41 (55.4%)	British	0 (0.0%)	Other British (please write in at end)
38 (51.4%)	Welsh	1 (1.4%)	Non British (please write in at end)
3 (4.1%)	English	0 (0.0%)	Gypsy/traveller
2 (2.7%)	Irish	1 (1.4%)	Refugee/Asylum Seeker (please write in current/last nationality at end)
0 (0.0%)	Scottish	4 (5.4%)	Prefer not to say

Write in here

0 (0.0%)

### To what 'ethnic' group do you consider

61 (84.7%)	<b>White</b> - British	0 (0.0%)	<b>Asian or Asian British</b> - Bangladeshi
3 (4.2%)	Any other <b>White</b> background (please write in at end)	0 (0.0%)	Any other <b>Asian</b> background (please write in at end)
0 (0.0%)	<b>Mixed</b> - White & Black Caribbean	0 (0.0%)	<b>Black or Black British</b> - Caribbean
0 (0.0%)	<b>Mixed</b> - White & Black African	0 (0.0%)	<b>Black or Black British</b> - African
1 (1.4%)	<b>Mixed</b> - White & Asian	0 (0.0%)	Any other <b>Black</b> background (please write in at end)
0 (0.0%)	Any other <b>Mixed</b> background (please write in at end)	0 (0.0%)	<b>Arab</b>
0 (0.0%)	<b>Asian or Asian British</b> - Indian	0 (0.0%)	Other ethnic group ( please write in at end)
0 (0.0%)	<b>Asian or Asian British</b> - Pakistani	7 (9.7%)	Prefer not to say

Write in here

3 (100.0%)

### What is your religion, even if you are not currently practicing?

Please mark one box or write in

26 (36.1%)	No religion	0 (0.0%)	Muslim
29 (40.3%)	Christian (including Church of England, Catholic, Protestant, and all other Christian denominations)	0 (0.0%)	Sikh
2 (2.8%)	Buddhist	4 (5.6%)	Other
0 (0.0%)	Hindu	11 (15.3%)	Prefer not to say
0 (0.0%)	Jewish		
<i>Any other religion or philosophical belief (please write in)</i>			
1 (100.0%)			

### What is your sexual orientation

3 (4.2%)	Bisexual
1 (1.4%)	Gay/ Lesbian
54 (76.1%)	Heterosexual
11 (15.5%)	Prefer not to say
2 (2.8%)	Other

*Please write in*

2 (100.0%)

### Can you understand, speak, read or write Welsh?

Please mark all that apply

8 (10.7%)	Understand spoken Welsh	6 (8.0%)	Write Welsh
9 (12.0%)	Speak Welsh	14 (18.7%)	Learning Welsh
6 (8.0%)	Read Welsh	50 (66.7%)	None of these

### Which languages do you use from day to day?

Please mark all that apply

73 (98.6%)	English
4 (5.4%)	Welsh
2 (2.7%)	Other (write in)

*Please write in*

3 (100.0%)

### Do you have any long-standing illness, disability or infirmity?

By long-standing we mean anything that has troubled you over a period of time or that is likely to affect you over time.

This could also be defined Under the Disability Discrimination Act 1995 as: "Having a physical or mental impairment which has a substantial and long term adverse effect on your ability to carry out normal day to day activities."

31 (43.1%)	Yes
41 (56.9%)	No

### Does this illness or disability limit your activities in any way?

23 (36.5%)	Yes
40 (63.5%)	No

**Thank you for your participation**

**Integrated Impact Assessment (IIA) Statement for Swansea Council's Budget  
2022/23**

**1. Introduction**

This statement provides an overall view of the budget IIA process for the Council, along with any specific relevant details for 2022/23.

The budget is set for the council's operation which covers a wide range of services delivered to the citizens of Swansea. This includes both providing and commissioning of services from other organisations and agencies.

We, like other local authorities, will be facing a reduction in budgets every year for the foreseeable future. We also need to manage increased expectation and demand for services and financial pressures in a number of areas across the Council.

The council has faced unprecedented financial pressures over the last few years due to government budget reductions, increased demand for services and extra costs such as teachers' pay and pensions. We think our funding from Welsh Government, whilst substantially positive this year, will not increase our immediate real terms spending power, nor is it likely to increase significantly in future years. This means we will continue to have less to spend in real terms at a time when demand for services like social care is rising. The result of this is a need to find savings of £4.8m next year and roughly £21m savings over the next four years.

Change is already taking place and over the last few years the council has cut costs by being more efficient and more effective in what we do. But this is not enough to meet the scale of cuts and ensure council services are sustainable and fit for the future. Clearly, the sheer amount of savings required means that difficult decisions and potential impacts are inevitable. However, we continue to focus on mitigating any adverse impacts via our IIA process as well as officer expertise.

During 2020, the authority updated and replaced the 'Sustainable Swansea - Fit for the Future' strategy with the new 'Swansea – Achieving Better Together' transformation strategy and programme framework as a means of setting Council priorities, transforming services and addressing current and future deficits.

The council agreed a set of budget principles to help guide the debate and provide an approach driven by council policy.

There are four key issues:

- Improving efficiency
- New models of delivery
- Prevention
- Future service provision

In terms of equality, the council is committed to protecting the vital frontline services that matter most to the people of Swansea, tackling poverty and looking after the most



vulnerable in our communities. This will continue, although services may be delivered in different ways in future.

## **2. The Integrated Impact Assessment (IIA) process**

The council has had an EIA process in place for a number of years which was reviewed last year and replaced with Integrated Impact Assessments (IIA). The process covers:

- The nine protected characteristics covered by the Equality Act 2010
- The Public Sector Equality Duty for Wales
- Well-being of Future Generations Act (Wales) 2015
- Consultation and engagement
- Poverty and social exclusion
- Welsh language
- United Nations Convention on the Rights of the Child (UNCRC)
- Carers
- Community cohesion
- Human rights principles.

In order to apply the IIA process, officers follow these steps:

- An initial screening exercise (to identify whether a full IIA report is necessary)
- Completion of a full IIA report (where required)
- Quality assurance and feedback
- Sign off at Head of Service level
- Publication on the Council's website alongside the relevant report
- Review.

Officers have access to dedicated departmental support from members of the Access to Services Team who co-ordinate the quality assurance of IIAs whilst also offering advice and guidance.

The process does not change for specific budget proposals.

## **3. Assessing impact**

Due to both the nature of the proposals being considered and the regulatory framework around IIAs, many now take a number of months to reach a conclusion. The budget planning process operates over a 3-year period, with many proposals being considered, designed and altered prior to implementation over this time period.

Officers are always advised to undertake the initial screening as early as they can, with (if required) a full IIA report then opened as soon as possible. This is then completed as proposals are worked through and means that we are now working on budget IIAs throughout the year.

As a result, the assessment of impact is not a one-off exercise – it is a continuing process.

To ensure an ongoing rigorous process, the following elements are of note:

- Where officers have concerns and/or queries, meetings are held with the Access to Services Team to look at both the proposal and the IIA
- IIA reports are often added to over a period of time, e.g. following consultation and engagement activities, following changes to the detail of proposals
- Quality assurance is carried out by officers with expertise in the areas of equality, Welsh language, poverty and the UNCRC
- Where a proposal has potential adverse impacts, officers utilise the IIA process to focus on mitigation
- Where a proposal has potential adverse impacts that cannot be mitigated, the IIA is referred to senior managers for attention and consideration.

In addition, with a number of both commissioning and other reviews underway across the organisation, the total or overall impact of the proposed budget is difficult to fully assess at any point of implementation, particularly with the IIA process being a continuing feature as proposals are further developed.

Therefore, we will continue to publish each IIA report with the relevant corporate report at: <http://democracy.swansea.gov.uk/ieDocHome.aspx?bcr=1&LLL=0?Lang=eng>

#### **4. Consultation and engagement**

Whilst there is a specific regulation around engagement (contained within the Public Sector Equality Duty for Wales), our ‘Swansea – Achieving Better Together’ strategy contains a substantial emphasis on consultation and engagement too.

Corporate budget consultation takes place on the proposed budget as a whole, and when needed, a wide variety of specific proposals. Others specific proposals are consulted on using service-specific groups and/or activities if required.

Corporately, the consultation results are reported separately via the budget reports themselves.

#### **5. Local information**

The Council delivers services to all the citizens of the City & County of Swansea. The overall population profile from the latest population estimates (2020) and 2011 Census is as follows:

- Within an overall population of **246,600**, the gender split of the **City & County of Swansea** is **50.2% Female** (123,900 people) and **49.8% Male** (122,700 people).
- Children and young people **aged 0-25 years** represent **31.8%** of the population, or **78,500** people.
- **Over 50s** represent **38.3%** of the population (94,500 people), of which around **49,000** are over 65 (19.9% of the total population).
- In 2011, **6.0%** of the total population of Swansea (**14,300** people) came from an ethnic minority background. In terms of religion, **8,530** people (**3.6%** of the population) belonged to non-Christian faiths with 34% (81,219 people) having no religion.
- **23.3% (55,718 people)** had a long term health problem or disability including 17.4% of people of working age (26,988 people). **6.9%** of those aged 16-74 (**12,146 people**) were economically inactive due to long term sickness or disability.
- There were **26,332** Welsh speakers in Swansea in 2011, or **11.4%** of the population aged 3+. **44,659** people (19.3%) had one or more skills in Welsh.

Further information about Swansea's population can be found at [www.swansea.gov.uk/keyfacts](http://www.swansea.gov.uk/keyfacts)

Officers consider the particular service users or groups affected when applying the IIA process.

## 6. Staffing

The Cabinet report in February 2022 referred to 4 posts at risk throughout the Authority, not including any impact in schools. Heads of Service have been provided with the same advice as in previous years that where an application is made for early retirement/voluntary redundancy consideration should be given as to whether there is any potential adverse impact and to follow the IIA process.

## 7. Publication Arrangements

All IIA reports will be published as they are finalised. As mentioned earlier in this statement, due to the nature of many of the proposals this is likely to take time as assessment of impact continues to be undertaken as proposals are further developed.

## 8. Conclusion

We know from previous years that, due to the scale of budget reductions, those with protected characteristics are likely to be affected. In assessing the impact of the budget proposals, we continue to attempt to ensure that any effect is not disproportionate and that we continue to focus on mitigation wherever possible. In this context the following should be noted:

- where IIAs show potential significant impact with no possible mitigation, these proposals will be referred for further consideration

- for those IIAs where potential significant impact has been identified and mitigation has been possible, the associated action plans will be monitored and reviewed
- the outcomes of engagement will inform IIAs
- this is an ongoing process and as noted this statement and many IIAs will remain open for varying periods of time
- there is a focus on the council doing things differently in order to further deliver services that are flexible, citizen-centred, meet individual needs and are sustainable for the future.

The council continues to deliver a wide range of services for all the citizens of Swansea. Many of these are of particular benefit to the areas covered by our IIA process, e.g. the protected characteristics defined within the Equality Act 2010.

As highlighted earlier in this statement, the council is committed to protecting the vital frontline services that matter most to the people of Swansea, tackling poverty and looking after the most vulnerable in our communities. The council will continue to do everything it can to meet this challenging commitment given the financial constraints it faces. However, services may be provided in a different way in line with 'Swansea – Achieving Better Together'.

**Response of the Schools Budget Forum**

None received at time of publication.

## Revenue Budget 2022/2023

**Corporate Services**

	<b>ORIGINAL BUDGET 2021/2022 £</b>	<b>ORIGINAL BUDGET 2022/2023 £</b>
<b>Corporate Services Directorate</b>		
Deputy Chief Executive	194,800	150,000
	<b>194,800</b>	<b>150,000</b>
<b>Chief Legal Officer</b>		
Coroners	731,600	789,600
Democratic Services	2,923,100	3,075,000
Information Governance Unit	173,700	182,200
Legal Services	2,296,400	2,431,500
Overview and Scrutiny Unit	211,500	222,700
Welsh Translation Unit	312,100	325,600
	<b>6,648,400</b>	<b>7,026,600</b>
<b>Head of Digital &amp; Customer Services</b>		
Customer Services	939,500	987,800
Digital Services	8,142,300	9,537,900
	<b>9,081,800</b>	<b>10,525,700</b>
<b>Head of Communications &amp; Marketing</b>		
Access to Services	112,600	111,300
Human Rights	50,000	44,200
Communications	477,300	457,000
Community Integration Team	104,300	216,735
Corporate Marketing	281,000	278,700
Corporate Mgt Team Support	350,900	420,400
Design and Print	4,500	216,700
Health and Safety	1,048,900	1,129,200
Strategic Delivery Unit	454,700	766,465
	<b>2,884,200</b>	<b>3,640,700</b>
<b>Head of HR &amp; Service Centre</b>		
Human Resources & Organisational Development	591,700	1,113,500
Service Centre	2,136,300	2,330,500
	<b>2,728,000</b>	<b>3,444,000</b>
<b>Total Corporate Services</b>	<b>21,537,200</b>	<b>24,787,000</b>

## Revenue Budget 2022/2023

### Finance

	<b>ORIGINAL BUDGET 2021/2022 £</b>	<b>ORIGINAL BUDGET 2022/2023 £</b>
<b>Deputy Section 151 Officer</b>		
Audit	596,100	724,600
Finance DMT	933,500	505,400
Financial Services	1,323,800	1,367,600
Pensions	12,500	46,800
Treasury and Technical	613,200	642,700
	<b>3,479,100</b>	<b>3,287,100</b>
<b>Head of Revenue &amp; Benefits</b>		
Revenues	751,000	861,500
Benefits	3,063,100	3,364,400
Council Tax Reduction Scheme	24,913,000	24,853,000
	<b>28,727,100</b>	<b>29,078,900</b>
<b>Head of Commercial Services</b>		
Commercial Team & Procurement	547,600	704,000
	<b>547,600</b>	<b>704,000</b>
<b>Total Finance</b>	<b>32,753,800</b>	<b>33,070,000</b>

# Revenue Budget 2022/2023

## Social Services

	ORIGINAL BUDGET 2021/2022 £	ORIGINAL BUDGET 2022/2023 £
<b>Child and Family Services</b>		
Adolescent and Young People's Services	2,708,500	2,298,500
Adoption Services	2,052,150	2,126,900
Care & Support Services	6,676,100	6,969,100
Central Services	4,512,200	7,565,200
Commissioning and Care Services	5,242,700	6,378,300
Commissioning and Care Services (Fostering)	7,628,500	7,685,400
Commissioning and Care Services (Independent Placements)	11,372,950	10,629,000
Early Help and Single Point of Contact	753,400	985,200
Family Support Services	1,621,700	1,752,300
	<b>42,568,200</b>	<b>46,389,900</b>
<b>Head of Adult Services</b>		
Community Services -Commissioned Domiciliary Care	8,803,400	10,103,000
Mental Health and Learning Disability	18,697,500	23,028,700
Prevention and Wellbeing	6,110,600	7,029,200
Regional Services, Central Administration & Grants	949,850	471,550
Safeguarding	1,267,950	1,050,300
Service Provision	12,245,400	13,927,550
	<b>48,074,700</b>	<b>55,610,300</b>
<b>Head of Integrated Services</b>		
Community Services	13,872,200	14,607,200
Community Services -Commissioned Residential Care	17,510,850	19,846,450
Regional Services, Central Administration & Grants	-1,030,700	91,850
	<b>30,352,350</b>	<b>34,545,500</b>
<b>Poverty &amp; Prevention</b>		
Commissioned Services	3,745,900	3,968,600
Tackling Poverty Service	714,200	788,400
	<b>4,460,100</b>	<b>4,757,000</b>
<b>Whole Directorate Services</b>		
Regional Services, Central Administration & Grants	3,238,650	3,408,300
	<b>3,238,650</b>	<b>3,408,300</b>
<b>Total Social Services</b>	<b>128,694,000</b>	<b>144,711,000</b>



## Revenue Budget 2022/2023

### Education

	ORIGINAL BUDGET 2021/2022 £	ORIGINAL BUDGET 2022/2023 £
<b>Delegated Schools</b>		
School Cost Centres	167,304,000	179,045,900
	<b>167,304,000</b>	<b>179,045,900</b>
<b>Director of Education</b>		
Mgt & Admin Effectiveness	145,400	159,000
Schools At Risk	109,100	109,000
	<b>254,500</b>	<b>268,000</b>
<b>Head of Achievement &amp; Partnership Service</b>		
Education Improvement Service	1,043,700	974,500
Management Systems Unit	310,500	542,500
Welsh Service	0	0
	<b>1,354,200</b>	<b>1,517,000</b>
<b>Head of Vulnerable Learner Service</b>		
Additional Learning Needs and Inclusion Team	0	0
Behaviour, Learning Support & EOTAS	6,236,300	6,097,300
Cleaning Services	135,800	225,400
Ethnic Minority Achievement Unit	0	0
Miscellaneous Grants	103,800	215,400
Psychology Service	664,400	698,300
Recoupment/Out of County	885,000	761,000
School And Governor Unit	342,700	411,900
School Meals	968,400	1,177,600
SEN Statementing & Support	5,312,100	5,944,700
STF Additional Hours	1,041,900	1,090,700
Swansea Music Service	0	0
Transport	8,370,200	8,613,100
Welfare Service	518,200	507,500
	<b>24,578,800</b>	<b>25,742,900</b>

## Revenue Budget 2022/2023

### Education

	ORIGINAL BUDGET 2021/2022 £	ORIGINAL BUDGET 2022/2023 £
<b>Head of Education Planning &amp; Resources</b>		
Additional School Support	78,200	78,100
Broadband & Cloud Technology	284,900	274,900
Capital Planning & Delivery Unit	344,800	346,700
Continuing Education & Pensions	402,300	418,700
Education Improvement Grant for Schools	714,000	714,000
Empty Properties	16,000	17,900
Funding & Information Unit	99,600	200,000
Health & Safety	84,500	84,500
Learning Portal Team	38,500	40,400
Management & Admin-Planning & Resources	105,000	101,300
Non Delegated - Pensions, Insurance & Public Duties	6,387,775	6,669,475
Post 16 Funding	-5,279,500	-5,279,500
Pupil Deprivation Grant	-8,462,375	-8,462,375
Stakeholder Engagement Unit	125,800	262,100
	<b>-5,060,500</b>	<b>-4,533,800</b>
 <b>Total Education</b>	 <b>188,431,000</b>	 <b>202,040,000</b>

# Revenue Budget 2022/2023

## Place

	ORIGINAL BUDGET 2021/2022 £	ORIGINAL BUDGET 2022/2023 £
<b>Head of Corporate Building</b>		
Property Preventative Maintenance	2,901,200	2,861,800
Building Services Trading	1,174,700	1,539,300
	<b>4,075,900</b>	<b>4,401,100</b>
<b>Head of Corporate Property</b>		
Facilities Management	1,944,101	2,025,685
Strategic Estates Properties	391,000	752,023
	<b>2,335,101</b>	<b>2,777,708</b>
<b>Head of Highways &amp; Transportation</b>		
Car Parking and Enforcement	-3,186,800	-3,054,700
Transportation	5,106,400	5,197,400
Traffic Management	1,206,800	1,252,900
Central Transport	-849,200	-619,600
Engineering	650,900	610,175
Highways	7,460,800	8,922,425
Swansea Marina	-195,860	-171,960
Directorate and Other Costs	-120,500	-361,800
	<b>10,072,540</b>	<b>11,774,840</b>
<b>Head of Waste Cleansing &amp; Parks</b>		
Household Waste Recycling Centres	1,511,134	1,563,434
Parks	5,350,696	4,619,926
Recycling and Residual Waste Collection	10,554,051	11,789,121
Trade Refuse	-469,855	-424,155
Neighbourhood Working	5,298,404	6,752,464
Directorate and Other Costs	687,270	729,000
	<b>22,931,700</b>	<b>25,029,790</b>
<b>Place Directorate</b>		
Place Directorate	1,099,800	4,309,628
Arena	200,000	-326,500
Temporary COVID Impacts	6,000,000	6,000,000
Workstreams	-828,200	-828,200
	<b>6,471,600</b>	<b>9,154,928</b>

# Revenue Budget 2022/2023

## Place

	ORIGINAL BUDGET 2021/2022 £	ORIGINAL BUDGET 2022/2023 £
<b>Head of Cultural Services</b>		
Archives	223,350	215,350
Arts	2,177,999	2,393,910
Community Buildings	282,200	355,100
Development and Outreach	259,400	283,400
Libraries	3,059,400	3,162,600
Sport and Recreation	2,831,760	2,997,526
Tourism, Marketing & Events	1,609,900	1,985,600
Directorate and Other Costs	568,400	439,743
	<b>11,012,409</b>	<b>11,833,229</b>
<b>Head of Planning &amp; City Regeneration</b>		
Business Support	353,619	618,419
Property Development	1,279,598	1,256,398
City Centre Management & Indoor Market	-375,500	-39,600
European & External Funding Team	0	1,705,000
Major Projects, Design and Conservation	120,700	132,500
Planning Control	463,000	542,031
Planning Policy and Environment	997,600	1,109,864
Directorate and Other Costs	393,383	152,483
	<b>3,232,400</b>	<b>5,477,095</b>
<b>Head of Housing &amp; Public Health</b>		
Building Regulations	131,150	153,200
Burials and Cremations	-1,110,400	-1,180,553
Food Safety	662,700	682,300
Licensing	-41,500	-16,400
Pollution	630,000	644,600
Public Health	757,600	856,600
Registrars	-79,400	-76,150
Trading Standards	593,600	602,700
Housing Grants to the Independent Sector	40,500	40,500
Housing Renewals and Adaptations	46,500	84,300
Housing Strategy, Advice and Support	1,892,500	1,799,813
Other Housing Services	511,000	527,500
Directorate and Other Costs	303,100	233,900
	<b>4,337,350</b>	<b>4,352,310</b>
<b>Total Place</b>	<b>64,469,000</b>	<b>74,801,000</b>

# Agenda Item 10.



## Report of the Section 151 Officer

Cabinet – 17 February 2022

### Capital Budget & Programme 2021/22- 2026/27

<b>Purpose:</b>	This report proposes a revised capital budget for 2021/22 and a capital budget for 2022/23 - 2026/27
<b>Policy Framework:</b>	Sustainable Swansea – Fit for the Future
<b>Consultation:</b>	Cabinet Members, Corporate Management Team (CMT), Legal, Finance and Access to Services
<b>Recommendation(s):</b>	It is recommended that:  1) The revised capital budget for 2021/22 and a capital budget for 2022/23 – 2026/27 as detailed in appendices A, B C, D, E, F and G is approved.
<b>Report Author:</b>	Ben Smith
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

##### 1.1 This report details:

- Revised capital expenditure and financing proposals for 2021/22
- Capital expenditure and financing proposals for 2022/23 – 2026/27

##### 1.2 Capital spending and funding proposals in relation to the Housing Revenue Account (HRA) are detailed in a separate report to be considered.

##### 1.3 The capital budget proposals are detailed in appendices to this report as follows:

Appendix A Total General Fund Capital Budget Expenditure 2021/22 - 2026/27

Appendix B Total General Fund Financing 2021/22 - 2026/27

Appendix C General Fund Capital Budget Expenditure (excluding C21st School programme and Swansea Central City Deal Schemes) 2021/22 - 2026/27

Appendix D C21st Schools Programme Band A Capital Expenditure and

Budget 2012/13 – 2021/22

Appendix E C21st Schools Programme Band B Capital Expenditure and Budget 2017/18 – 2026/27

Appendix F Swansea Central City Deal Capital Expenditure and Budget 2018/19 – 2022/23

Appendix G Material changes to the original 2021/22 budget

1.4 Appendix A, C, D, E and F outline a comprehensive programme of capital investment including:

- A significant continuing programme of IT investment across the Council
- The continued investment in Swansea Schools through the Band B phase of the 21<sup>st</sup> Century Schools Programme, with a number of builds on-site during 2021-22
- Swansea Bay City Deal schemes, the construction and near completion of Phase 1 the Arena and commencement of construction of Phase 2 Digital Village
- A significant programme of capital expenditure to assist the City's economic recovery from the Covid 19 pandemic

1.5 The additional capital investment identified above will attract significant grant funding (21<sup>st</sup> Century Schools and Swansea Bay City Deal), however the programme will still require material unsupported borrowing to enable completion alongside the use of capital receipts as they are realised. Furthermore some schemes have the potential to provide additional revenue streams of property income, or, subject to agreement, in due course, with Welsh Government, retained elements of non-domestic rates or possibly tax increment financing as further powers devolve to Welsh Government and then on to local government.

1.6 Notwithstanding this scale of ambition, each major scheme will, as is always the case, be considered on the overall merits of each business case, both in capital cost, and revenue income streams where appropriate, and unsupported borrowing will be undertaken on a phased basis within the overall medium/long term envelope of affordability.

Furthermore it has to be recognised that the scale of funding proposed to be injected by this Council, leverages in significant additional sums:

- £98m of Welsh Government funding for Band B schools
- a City Deal, worth, across the region, around £1.3 billion.

The Council continues to face significant challenges maintaining business as usual alongside delivering an already ambitious capital programme whilst managing the impacts of the Covid 19 pandemic. The Council continues to play a significant role in delivering Welsh Government schemes to support local businesses during the pandemic by delivering emergency Covid grant payments to local businesses.

1.7 Band B of the Welsh Government's 21st Century Schools and Colleges programme represent the largest single component of capital investment incorporated within the proposed capital programme. The numerous schemes comprise new school builds and significant asset improvements for both English and Welsh medium Schools throughout Swansea.

1.8 The Swansea City & Waterfront Digital District project is one of nine projects comprising the wider City Deal. It has been developed by the Council, in partnership with University of Wales Trinity Saint David (UWTSD). The core aim of the project is to create a strong and vibrant digital city that will be the

economic engine of the wider city region. There are 3 main components: an Innovation Matrix and Innovation Precinct project (led by UWTSO); a Digital Village, which includes 100,000 sq. ft. of flexible and affordable office accommodation for tech businesses (led by the Council); and a Digital Square and Arena which will deliver a 3,500 capacity Digital Arena and associated developments (also led by the Council). A 5 case business model has been approved by UK and WG, it sets out the project in great detail, including the benefits, costs, and income derived. After an FPR7 report to cabinet the Digital Square construction has been on site for 24 months and has a further 2 months to go subject to the impact of covid-19. The Arena operator is contracted under an agreement for lease. With regard to Digital Village, a contractor has been procured and funding authorised through an FPR7 report and construction has started on site.

The Council through the Shaping Swansea procurement process, has appointed Urban Splash as a long term development partner. The partner and the Council will then progress the 7 sites as set out in the procurement process.

Cabinet through an FPR7 report approved the capital funding to reimagine Castle Square to create a step change in the quality of its public realm. An increased level of green space with up to 4 new commercial units will create a new destination which will make it more active, distinctive and vibrant in line with other regeneration investment which is taking place in the City centre.

## **2. Capital Budget 2021/22-2026/27**

2.1 Total General Fund Expenditure in the current year is forecast to be £159.479m (see Appendix A) an increase of £54.965m (see Appendix G) compared with the original estimate of £104.514m excluding waste provision.

This increase is due to the following:

- The addition of grant funded and non-grant funded schemes after Council approved the capital budget in March 2021, together with increases in the cost of schemes following detailed design and planning.
- Reprofiled forecast Cashflow of Swansea Central City Deal Arena scheme
- The net balance of schemes reprofiled from 2020/21 into 2021/22 and schemes reprofiled from 2021/22 into 2022/23.

2.2 The proposed capital programme 2021/22 – 2026/27 and associated financing is set out below in 2.3 for The General Fund Programme, 2.4 for The 21<sup>st</sup> Century Schools Programme and 2.5 for the Swansea Central City Deal Programme

### **2.3 The General Fund Programme and Financing 2021/22 -2026/27**

2.3.1 The General Fund programme in summary together with detailed schemes is in Appendix C. The attached proposals exclude the Housing Revenue Account capital budget which is detailed in a separate report.

2.3.2 The Capital Budget report considered by Council on 4th March 2021 outlined an unsupported borrowing requirement in the five year forward programme of £180.724m

2.3.3 The updated total Capital programme which includes C21st Schools and Swansea Central City Deal Phase1 Arena highlights a 5 year

forward expenditure programme plus 2021-22 of £410.615m (Appendix A) identifying an unsupported borrowing requirement of £136.520m (Appendix B). The capital planning envelope for unsupported borrowing requires significant revenue funding to service the finance and this is set out in both the reports on the revenue budget and the medium term financial plan.

2.3.4 Phased, considered affordable borrowing, within the overall planning envelope has developed over recent years and, in the case of the funding, from the City Deal, across the next 11 years. Some Major schemes within the General Fund Capital Programme which are partially or fully financed by borrowing are as follows:

- Swansea Central Arena phased development £110.72m for construction phase
- Digital Village offices
- Community hub development
- Castle Square Regeneration
- Palace Theatre development £7m total scheme value
- Swansea Vale new car park facility £3.1m (borrowing will be financed by future rental income)
- Capital contingency of £20m to assist the City's economic recovery from the Covid 19 pandemic

2.3.5 Although there is significant accompanying grant funding and City Deal funding for the first two schemes above, there is substantial unsupported borrowing requirement to underwrite these schemes. The detailed financing for the City Deal schemes is shown in Appendix B.

## 2.4 Schools Programme and Financing 2021/22 -2026/27

2.4.1 Band A of the Welsh Government's 21st Century Schools and Colleges Programme has drawn to a close, and Band B officially commenced on the 1 April 2019 .

2.4.2 Band A was funded by a 50% contribution from the Welsh Government and a 50% contribution from the council towards a total of £51.507m (plus £150k Challenge Cymru funding).

2.4.3 Welsh Government approved the Council's Strategic Outline Programme (SOP) for Band B in December 2017; the funding for Band B of the 21st Century Schools and Colleges Programme is being provided through £600m capital and £500m revenue funding for the whole of Wales. The grant intervention rate for capital projects is 65%, except special schools and PRUs which is 75%, and voluntary aided schools which is 85%.

2.4.4 The approval in principle of the SOP for Band B does not commit the council to the funding contributions until the final approval of any capital allocation from the Welsh Government which is subject to the submission of further detailed business cases in respect of each specific project, and specific approvals in accordance with Financial Procedure Rules.

2.4.5 The Band B programme envelope is £149.5m (if the potential aided sector scheme is excluded, this amounts to £141.3m). Of this total, £124m is being sought from traditional capital funding, requiring



(after allowance for realisable capital and other receipts) a net local funding requirement of £34.5m from unsupported borrowing. The remaining £25.19m (or £16.975m if the potential aided sector scheme is excluded) is expected to be delivered through the MIM, which would require no local capital funding contribution but incur an annual charge once the accommodation and facilities are completed. An equivalent local share of the capital cost for the MIM scheme excluding the voluntary aided sector would be £3.225m although the 19% local contribution would apply to the annual revenue charge.

- 2.4.6 The early projects in Band B have made good progress despite the challenges posed by the pandemic. Particular issues continue to include matters such as the capacity of contractors to maintain progress of schemes to timescales with the impact on the availability of staff, and the impact on the procurement and supply chains involved for materials. Resourcing of projects both internally and externally is also impacting timescales.

The first project, a new build for Education Other Than At School (EOTAS) at Cockett is now completed and occupied by pupils.

The extension, remodelling and refurbishment of Bishopston Comprehensive School started on site in June 2020 and several phases have now been completed and occupied by pupils. The project is due to be fully completed in autumn 2022.

- 2.4.7 The new builds for YGG Tan y lan and YGG Tirdeunaw also started on site in 2020. YGG Tirdeunaw is now completed and the school is in occupation. YGG Tan y lan will open to pupils in January 2022. The extension and remodelling project at YG Gwyr also started on site in the summer of 2020, the new block is completed and open to pupils and the second phase of the project is due to be completed in early Spring 2022.

- 2.4.8 Good progress has been made with the feasibility and design development for YGG Bryntawe to provide additional capacity and address condition and suitability issues at Gowerton secondary school.

- 2.4.9 The planning for the next phase of the programme is now in progress so that the final phases of Band B can be brought forward.

There remain three possible MIM schemes included in the programme since the switch of the special school to capital on the advice of Welsh Government that it was no longer suitable for MIM funding.

## 2.5 Swansea Central City Deal Programme and Financing

- 2.5.1 The Swansea Central City Deal Phase 1 Arena scheme construction phase was approved at Cabinet on 21 November 2019 at a cost of £134.837m, subsequently increased for additional elements to £135.267m (Appendix F). The detailed outstanding financing for this scheme is shown in Appendix B and spend will be funded from a combination of City Deal grant, WG grants, capital receipts and predominantly unsupported borrowing.

2.5.2 A contractor has been procured and construction commenced on the Swansea Central City Deal Phase 2 Digital Village scheme. The current approved financing for this scheme at a total of £41.592m is shown in Appendix F which is funded from a combination of City Deal grant, unsupported borrowing and contributions.

## 2.6 Financing the Capital Programme

2.6.1 The financing for the General Fund capital programme identified in 2.3, 2.4 and 2.5 is detailed in Appendix B and requires unsupported borrowing of £136.52m towards forecast expenditure of £410.615m (Appendix A).

2.6.2 It should be noted that efforts to increase and maximize grants, contributions and capital receipts in order to minimize borrowing requirements are pursued throughout the year. Included within the programme are a number of schemes which are self-financing. Indeed there is a clear strategy for the Council to maximize external investment in any proposals and to seek to target its own investment into areas which offer a return commensurate with or greater than financing costs in order to minimise the Revenue impact of any additional borrowing requirements. In the absence of such a strategy then it has to be realised that any capital expenditure that leads to an overall net increase in borrowing costs brings with it the potential to impact on an already challenging revenue budget scenario going forward.

2.6.3 It is recognized that a forecast capital financing requirement of £136.52m remains significant. The revenue implications of this are identified in the revenue budget and medium term financial plan on this agenda. The above programme is affordable and sustainable throughout the lifetime of the medium term financial plan subject to the risks highlighted below.

2.6.4 It should be noted that the Council makes an annual budget provision to repay debt through what is known as the Minimum Revenue Provision (MRP). The MRP policy was revised and approved by Council on Dec 20<sup>th</sup> 2018, mitigating the impact of revenue provision in the earlier years, aligning the repayment of the debt with the lifetime of the asset. It was recognised there would be short term 'savings' which would reverse in later years, therefore the establishments of the capital equalization reserve was approved by Council to mitigate and forward plan for the same. Advantage was taken of the low interest rate and volatility in the market to externalise some of its borrowing requirement in 2018/19, by borrowing £90m, although the overall strategy is to mitigate the impact of interest charges by utilising internal resources to meet Cashflow demands but opportunities to take advantage of long term value shall be taken when deemed appropriate. Notwithstanding this and noting the risks to the upside to long term interest rates and the significant capital financing identified by this report, it was determined that in line with good Treasury Management practice and being mindful of interest rate movements and cashflow requirements, that during the financial year 2021/22, a further £120m of PWLB borrowing was undertaken. This borrowing was taken in 3 separate tranches at an average of 1.94 % during the year. (This is the cheapest borrowing ever undertaken by this Council). It should be noted that the decision to

defer this funding from 2018/19 to 2021/22 was explicit, whilst the PWLB premium was in place and consultation to changes was ongoing. This deferral has therefore avoided the 1% premium imposed on PWLB borrowing during that time.

- 2.6.5 Noting the programmed profile of grant payments in respect of The Swansea Bay City Deal Financing, it has been determined prudent to utilise the already established Capital Equalisation Reserve, with which to mitigate and smooth the timing differences between funding and capital spend during the early years of the programme.

### **3. Future Schemes**

- 3.1 The Capital programme as outlined in this report reflects known planned expenditure and financing as at the date of the report.
- 3.2 Future discretionary projects and schemes shall only be incorporated if they are self-financing or the associated financing costs can be supported from the revenue budget affordably and sustainably.

### **4. Risks**

- 4.1 There are significant risks which may require a future revision of the attached six year capital budget. In particular:
- urgent capital maintenance requirements
  - unforeseen costs e.g. failure of retaining walls
  - failing to achieve the General Fund capital receipts target
  - failing to deliver revenue budget savings as identified in the Revenue Budget Report
  - capital financing charges arising from additional unsupported borrowing which cannot be met from existing revenue budgets.
  - additional costs arising from any other additions to the Capital programme
  - increased borrowing costs

Mitigation in respect of the latter four risks will be achieved by continual review and consideration of individual business cases for the larger schemes.

### **5. Legal Implications**

- 5.1 The Authority is under a duty to make arrangements for the proper administration of its financial affairs. Failure to do so will be a breach of that duty.

### **6. Prudential Code**

- 6.1 Under the Local Government Act 2003 and subsequent regulations, a local authority is required to comply with the CIPFA Prudential Code for Capital Finance in Local Authorities when setting its budget and must determine and keep under review how much it can afford to borrow.
- 6.2 A further report on the agenda will detail what is required under the requirement of the Code and set out in detail Prudential Borrowing Indicators for 2021/22 and subsequent years.

## **7. Integrated Assessment Implications**

7.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage.
- Consider opportunities for people to use the Welsh language.
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to their own needs.

7.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

7.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

7.4 An integrated impact assessment screening has been undertaken and it concludes that there are no equality impact implications arising from this report. All future programs and schemes covered within this report will be subject to their own Integrated Impact Assessment process.

**Background Papers:** None

### **Appendices:**

Appendix A Total General Fund Capital Budget Expenditure 2021/22 - 2026/27

Appendix B Total General Fund Financing 2021/22 - 2026/27

Appendix C General Fund Capital Budget Expenditure (excluding C21st School programme and Swansea Central City Deal Schemes) 2021/22 - 2026/27

Appendix D C21st Schools Programme Band A Capital Expenditure and Budget 2012/13 – 2021/22

Appendix E C21st Schools Programme Band B Capital Expenditure and Budget 2017/18 – 2026/27

Appendix F Swansea Central City Deal Capital Expenditure and Budget 2018/19 – 2022/23

Appendix G Material changes to the original 2021/22 budget

Appendix H - IIA

**Total General Fund Capital Budget Expenditure 2021/22 - 2026/27**

**Appendix A**

		<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>Total</b>
		<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Total General Fund (Excluding C21st School and Swansea Central City Deal schemes)	App C	86,769	50,822	20,612	15,987	12,762	12,762	199,714
C21st Schools Band A	App D	276						276
C21st Schools Band B	App E	19,153	5,155	12,578	51,320	29,133	5,888	123,227
City Deal Swansea Central Phase 1 Arena	App F	46,399	1,504					47,903
City Deal Swansea Central Phase 2 Digital Village	App F	7,332	25,944	6,219				39,495
<b>Total General Fund (including Schools and City Deal schemes)</b>		<b>159,929</b>	<b>83,425</b>	<b>39,409</b>	<b>67,307</b>	<b>41,895</b>	<b>18,650</b>	<b>410,615</b>
Less waste provision								
<b>Total General Fund (including Schools and City Deal schemes)</b>		<b>159,929</b>	<b>83,425</b>	<b>39,409</b>	<b>67,307</b>	<b>41,895</b>	<b>18,650</b>	<b>410,615</b>
Less waste provision		-450						
Total General fund excluding waste provision		159,479						

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Total
<b>GF Financing (Excluding C21st Schools and Swansea Central City Deal)</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<b>Supported Borrowing</b>							
Welsh Government Supported Borrowing	6,372	6,347	6,372	6,372	6,372	6,372	38,207
<b>Grants and Contributions</b>							
Welsh Government General Capital Grant	6,390	4,375	6,390	6,390	6,390	6,390	36,325
Welsh Government specific grants	24,550	5,603	48				30,201
European grants	500	500					1,000
Other Grants	5,030	800	38				5,868
Contributions	1,620	341	194				2,155
<b>Capital Receipts</b>							<b>0</b>
Earmarked Capital receipts	1,605	396	1,425	295			3,721
General Capital receipts	6,691	3,590	5,425	4,003			19,709
<b>Revenue and Reserve Contributions (including provision for waste schemes)</b>	<b>5,838</b>	<b>5,184</b>	<b>1,036</b>	<b>2,706</b>			<b>14,764</b>
<b>Financing excluding unsupported borrowing</b>	<b>58,596</b>	<b>27,136</b>	<b>20,928</b>	<b>19,766</b>	<b>12,762</b>	<b>12,762</b>	<b>151,950</b>
<b>Unsupported borrowing requirement</b>	<b>28,173</b>	<b>23,686</b>	<b>-316</b>	<b>-3,779</b>	<b>0</b>	<b>0</b>	<b>47,764</b>
<b>GF Financing (Excluding C21st Schools and City Deal)</b>	<b>86,769</b>	<b>50,822</b>	<b>20,612</b>	<b>15,987</b>	<b>12,762</b>	<b>12,762</b>	<b>199,714</b>

**C21st School Band A Financing**

21st Century Programme Schemes - grant							0
Unsupported borrowing requirement	276						276
<b>C21st School Band A Financing</b>	<b>276</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>276</b>

**C21st School Band B Financing**

WG Traditional capital grant funding	10,655	68	5,727	31,040	11,722	4,416	63,628
WG Welsh Medium grant	783	770	639	84			2,276
WG Mutual Investment Model financing (including VA school)				7,184	13,548		20,732
CCS Mutual Investment Model financing		94	94	4,269			4,457
S106 and other Contributions	158	275	1,007	2,262	293		3,995
Unsupported borrowing requirement	7,558	3,948	5,111	6,481	3,569	1,472	28,139
<b>C21st School Band B Financing</b>	<b>19,154</b>	<b>5,155</b>	<b>12,578</b>	<b>51,320</b>	<b>29,132</b>	<b>5,888</b>	<b>123,227</b>

**Swansea Central City Deal Schemes Financing**

**Swansea Central Phase 1 Arena Financing**

Capital receipts	4,900						4,900
City Deal funding (note City Deal funding will be annual for 15 years)	11,814						11,814
Grants (ERDF)	1,000						1,000
Unsupported borrowing requirement	28,685	1,504					30,189
<b>Swansea Central Phase 1 Arena Financing</b>	<b>46,399</b>	<b>1,504</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>47,903</b>

**Swansea Central Phase 2 Digital Village**

City Deal funding (note City Deal funding will be annual for 15 years)		13,700					13,700
Contribution		100					100
Unsupported borrowing requirement	7,332	12,144	6,219				25,695
<b>Swansea Central Digital Arena Financing</b>	<b>7,332</b>	<b>25,944</b>	<b>6,219</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>39,495</b>

**Swansea Central City Deal Schemes Financing**

	<b>53,731</b>	<b>27,448</b>	<b>6,219</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>87,398</b>
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<b>Total General Fund Financing</b>	<b>159,930</b>	<b>83,425</b>	<b>39,409</b>	<b>67,307</b>	<b>41,894</b>	<b>18,650</b>	<b>410,615</b>
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**Total General Fund Unsupported Borrowing Requirement**

General Fund Unsupported borrowing requirement	28,173	23,686	-316	-3,779	0	0	47,764
C21st School unsupported borrowing requirement Band A	276	0	0	0	0	0	276
C21st School unsupported borrowing requirement Band B	7,558	4,042	5,205	10,750	3,569	1,472	32,596
Swansea Central City Deal schemes unsupported borrowing	36,017	13,648	6,219	0	0	0	55,884
<b>Total GF unsupported borrowing requirement including C21st Schools and Swansea Central City Deal schemes</b>	<b>72,024</b>	<b>41,376</b>	<b>11,108</b>	<b>6,971</b>	<b>3,569</b>	<b>1,472</b>	<b>136,520</b>

**General Fund Capital Budget Expenditure (excluding C21st School programme and Swansea Central City Deal Schemes) 2021/22 - 2026/27**

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Total
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Directorate</b>							
Resources (see schemes below)	5,354	4,168					9,522
Education (see schemes below)	3,871						3,871
Social Services (see schemes below)	750	1,500					2,250
Place (see schemes below)	76,794	45,154	20,612	15,987	12,762	12,762	184,071
<b>Total Expenditure</b>	<b>86,769</b>	<b>50,822</b>	<b>20,612</b>	<b>15,987</b>	<b>12,762</b>	<b>12,762</b>	<b>199,714</b>
<b>Director of Resources</b>							
<b>Digital &amp; Transformation</b>							
Hwb in schools Infrastructure	108						108
Digital Business Strategy	225						225
Agile IT - mobile phones	721						721
Agile IT - accessories	60	200					260
Mobile IT - laptops	700	2,218					2,918
ERP System Upgrade	194						194
ICT equipment staff reimbursement scheme	356						356
Digital democracy	210						210
WIFI in commercial areas	300						300
Network switches for Guildhall	280						280
Other IT schemes	94						94
Capital creditors for 2020-21 paid in 2021-22	79						79
<b>Financial Services</b>							
Corporate Contingency	1,952	1,750					3,702
Civica upgrade	75						75
<b>Total for Director of Resources</b>	<b>5,354</b>	<b>4,168</b>					<b>9,522</b>
<b>Director of Education (excluding 21st Century schools programme)</b>							
Primary and secondary school schemes (not within C21st programme)	462						462
Flying Start schemes	648						648
Parklands Primary extension	380						380
Sketty Primary remodelling	156						156
Arfryn improvement works	172						172
Reducing Infant Class sizes	613						613
Capital creditors for 2020-21 paid in 2021-22	1,440						1,440
<b>Total for Director of Education</b>	<b>3,871</b>						<b>3,871</b>
<b>Director of Social Services</b>							
Capital to support social services for children		1,500					1,500
Residential home for young people	79						79
Nant-y-felin conversion	103						103
Intermediate Care Fund schemes	360						360
Borfa activity centre	130						130
Other Social Services Schemes	78						78
<b>Total for Director of Social Services</b>	<b>750</b>	<b>1,500</b>					<b>2,250</b>
<b>Director of Place</b>							
<b>Highways &amp; Transportation</b>							
Active Travel schemes	3,977						3,977
Safe Routes in Communities	641						641
Road Safety/Traffic grant Schemes	219						219
Local Transport Fund schemes	4,737						4,737
Traffic network schemes	147						147
Structural maintenance roads, including carriageway resurfacing, footways and lighting	5,183						5,183
Highways annual allocation		3,468	3,468	3,468	3,468	3,468	17,340
Seawall repairs Mumbles	1,553	1,000					2,553

**General Fund Capital Budget Expenditure (excluding C21st School programme and Swansea Central City Deal Schemes) 2021/22 - 2026/27**

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Total
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
programme	1,356	726					2,082
Electric Refuse collection vehicles	415						415
Integrated Transport Unit vehicles		792					792
Electric Vehicle Charging stations	566						566
Lower Tawe Riverside West SUP	139	200	123				462
Slip Bridge Refurbishment			139				139
Pont-y-Lon Bridge		656					656
Bascule Bridge	400	237					637
Other Bridges & retaining Walls	546						546
Drainage and flood alleviation grant schemes	1,042						1,042
Morfa Culvert	500						500
Coastal Defence works	134						134
Marina barrage schemes	96						96
Bailing plant and recycling centre roads	175						175
St Helen's Road upgrade	300						300
Graig road emergency repairs	423						423
Other highways schemes	272	180					452
<b>Waste Management and Parks</b>							
Tir John works	449	260	1,036	2,706			4,451
Facility to collect and recycle electrical waste	139						139
Green recovery	218						218
Wood Re-use & Recycling Centre	332						332
Playground upgrades	157						157
Other waste schemes	42						42
<b>Culture,Sport,Leisure &amp; Tourism</b>							
Leisure Centre improvements (Freedom Leisure schemes)	385						385
3G Pitch Cefn Hengoed Comprehensive School	407	4,125	62				4,594
3G Pitch Bryntawe	115	235					350
3G Pitch renewal Phoenix Centre	100	200					300
Ashleigh Road Hockey pitch resurface	215						215
Library Service	45						45
Oystermouth Castle repairs	113						113
Glynn Vivian Art Gallery			75				75
Dylan Thomas Exhibition relocation	93						93
Grand Theatre foyer COVID works	67						67
Other Culture, Sport, Leisure & Tourism schemes	193						193
<b>Economic Regeneration &amp; Planning (Excluding Swansea Central City Deal schemes)</b>							
Kingsway Urban Parkway (including Barclays renovation)	1,364	900	296				2,560
Wind Street improvements	2,108	181					2,289
Skyline	87						87
Hafod/Morfa Copper Powerhouse	3,811						3,811
Community Hub development	3,875	5,262					9,137
Swansea Vale infrastructure/studies	70	429	1,459	295			2,253
Palace Theatre Redevelopment	1,906	3,847					5,753
Castle Square redevelopment	636	5,406	4,660	224			10,926
Re-purposing Swansea	500						500
Grant	113						113
TRI programme - Sustainable Living Grant	318						318
TRI programme - Strategic	817						817
Valleys Task force Covid recovery schemes	226						226
Economic Stimulus	690	1,691					2,381
Local Nature Partnership schemes	395						395
Swansea Market Improvements	331						331
Other regeneration schemes	139						139
<b>Housing GF</b>							
DFG's -1996 Act	4,500						4,500
Housing GF annual allocation		5,200	5,200	5,200	5,200	5,200	26,000
Sandfields Renewal Area	212	100					312
Property Appreciation Loans	500	449					949



**General Fund Capital Budget Expenditure (excluding C21st School programme and Swansea Central City Deal Schemes) 2021/22 - 2026/27**

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Total
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Grant For Nominations		46					46
Comfort Safety & Security Grants (CSS)	45						45
Mini Adaptation Grants (MAG)	600						600
Valleys Task Force Empty Properties Scheme	295						295
Western Valleys Empty Properties Scheme	625						625
Warm Homes Fund	470						470
Homelessness empty property grant	121						121
<b>Corporate Building</b>							
Bay Studios hospital	192						192
Capital Maintenance allocated including Schools additional capital maintenance	8,782						8,782
Social Services premises backlog maintenance	1,309						1,309
Capital Maintenance unallocated		3,094	3,094	3,094	3,094	3,094	15,470
Civic Centre Relocation			1,000	1,000	1,000	1,000	4,000
<b>Corporate Property</b>							
Accommodation Strategy (agile working)	59	1,110					1,169
Depot Review (including Pipehouse Wharf Replacement)	961						961
Property Portfolio (the funding for this will be repaid by future rental income)	820						820
Energy Efficiency schemes funded by WG Salix loan	682						682
Swansea Vale new car park facility		3,100					3,100
Tir John Solar Panel Farm	100	2,260					2,360
Capital Community Schemes for Play	887						887
Capital Community Schemes for Highways	888						888
Other Corporate Property schemes	84						84
Place Capital creditors for 2020-21 paid in 2021-22	11,385						11,385
<b>Total for Director of Place</b>	<b>76,794</b>	<b>45,154</b>	<b>20,612</b>	<b>15,987</b>	<b>12,762</b>	<b>12,762</b>	<b>184,071</b>
Totals	86,769	50,822	20,612	15,987	12,762	12,762	199,714

C21st Schools Programme Capital Expenditure and Budget 2012/13 - 2021/22

Appendix D

	to 2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	Total
<b>Band A</b>	<b>Actual spend</b>	<b>Actual spend</b>	<b>Actual spend</b>	<b>Actual spend</b>	<b>Actual spend</b>	<b>Actual spend</b>	<b>Actual spend</b>	<b>Actual spend</b>	<b>Actual spend</b>	<b>Forecast spend</b>	
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<b>Expenditure</b>											
Morrison Comprehensive Refurbishment	5,445	11,916	4,271	128	2	164					21,926
21st Century Schools Programme (Band A)											
Phase 1											
Burlais Primary new school build	17	453	5,941	1,266	94	185	10				7,966
Gowerton Primary new school build	16	446	2,193	3,833	136	2			5		6,631
YGG Lon Las rebuild and remodel		66	108	2,672	6,202	357	130	277		12	9,824
Glyncollen and Newton Primary improvements		393	1,007								1,400
Phase 2											0
Pentrehafod remodelling				52	3,704	6,951	3,418	539	281		14,945
Gorseinon Primary new school build			51	332	11	30	6	3,887	2,163	264	6,744
Pentre'r Graig Primary improvements			97	1,117	1,429	21					2,664
YG Gwyr improvements			50	109	766	246	6				1,177
<b>Total Expenditure</b>	<b>5,478</b>	<b>13,274</b>	<b>13,718</b>	<b>9,509</b>	<b>12,344</b>	<b>7,956</b>	<b>3,570</b>	<b>4,703</b>	<b>2,449</b>	<b>276</b>	<b>73,277</b>

C21st Schools Programme Capital Expenditure and Budget 2017/18 - 2026/27

Appendix E

Band B	Progress	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Total	
		Actual spend £'000	Actual spend £'000	Actual spend £'000	Actual spend £'000	Forecast spend £'000	Forecast spend £'000	Forecast spend £'000	Forecast spend £'000	Forecast spend £'000	Forecast spend £'000	Forecast spend £'000	£'000
<b>Expenditure</b>													
21st Century Schools Programme (Band B)													
Education other than at School new premises	Capital	Complete	155	607	3,777	4,919	306					9,764	
YGG Tan-y-Lan	Capital	Completion due Jan 22	2	177	219	4,601	4,653	248				9,900	
YG Gwyr	Capital	On site		112	187	3,622	2,611	186				6,718	
YG Bryntawe	Capital	RIBA stage two design stage			14	73	80	179	5,727	4,955		11,028	
YGG Tirdeunaw	Capital	Completed Nov 21		165	141	5,172	5,890	183				11,551	
Bishopston Comprehensive School	Capital	On site	35	100	448	5,834	5,297	2,239	64			14,017	
Gowerton Comprehensive School	Capital and MIM	Concept design stage			15	10	100	200	925	8,935	8,759	18,944	
Olchfa Comprehensive School	Capital and MIM	Pending					50	70	714	6,844	237	7,915	
Lougher / Kingsbridge new build welsh primary	Capital	Pending						275	3,690	5,761	400	10,126	
Special Schools	Capital	Pending					100	725	725	13,066	14,901	5,888	35,405
English Medium Primary Scheme 2	MIM	Pending							8,200	284		8,484	
St Joseph's Cathedral School	MIM (VA)	Pending						94	94	3,475	4,552	8,215	
Welsh Medium schemes (Bryn-y-mor/Login Fach)	Capital	Concept design stage				5	66	756	639	84	0	1,550	
<b>Total Expenditure</b>			<b>192</b>	<b>1,161</b>	<b>4,801</b>	<b>24,236</b>	<b>19,153</b>	<b>5,155</b>	<b>12,578</b>	<b>51,320</b>	<b>29,133</b>	<b>5,888</b>	<b>153,617</b>

Swansea Central City Deal Programme Capital Expenditure and Budget 2019/20 - 2023/24

Appendix F

	spend to 2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	Total
	Actual spend £'000	Actual spend £'000	Actual spend £'000	Forecast spend £'000	Forecast spend £'000	Forecast spend £'000	£'000
<b>Swansea Central Phase 1 Arena Expenditure</b>							
RIBA stage 4, enabling works and fees	9,413	9,499					18,912
Construction including main contract and internal staff		11,290	57,162	46,399	1,504		116,355
<b>Total Expenditure</b>	<b>9,413</b>	<b>20,789</b>	<b>57,162</b>	<b>46,399</b>	<b>1,504</b>	<b>0</b>	<b>135,267</b>

**Funding**

<b>WEFO grant funding</b>				1,000			1,000
<b>City Deal financing</b>				11,814			11,814
<b>Capital receipt</b>				4,900			4,900
<b>Borrowing</b>				28,685	1,504		30,189
<b>Total funding</b>				<b>46,399</b>	<b>1,504</b>	<b>0</b>	<b>47,903</b>

	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Swansea Central Phase 2 Digital Village (71-72 Kingsway) Expenditure</b>							
Design & Planning	343	903	851	1,098		75	3,270
Construction including main contract and internal staff				6,234	25,944	6,144	38,322
<b>Total Expenditure</b>	<b>343</b>	<b>903</b>	<b>851</b>	<b>7,332</b>	<b>25,944</b>	<b>6,219</b>	<b>41,592</b>

**Funding**

<b>City Deal financing</b>					13,700		13,700
<b>Borrowing</b>				7,332	12,144	6,219	25,695
<b>S106</b>					100		100
<b>Total funding</b>				<b>7,332</b>	<b>25,944</b>	<b>6,219</b>	<b>39,495</b>

Scheme	Source of Funding	2021/22 Change £'000
<b>Director of Finance</b>		
Civica EDMS W3 Upgrade	Revenue	75
<b>Director of Education</b>		
Flying Start Capital Grant 21/22	Grant	611
Parklands Primary Single Storey Extension	Revenue	380
Dylan Thomas 3G Pitch	Revenue	85
<b>Director of Place</b>		
<b>Highways &amp; Transportation</b>		
Bascule Bridge Refurbishment	Grant	330
WG Highways Refurbishment Grant 21/22	Grant	1,192
Local Transport Fund - Baldwins Bridge Interchange land acquisitions	Grant	1,409
Local Transport Fund 21/22	Grant	2,214
Ultra Low Emissions Vehicle Transport Fund 21/22	Grant	566
Road Safety 21/22	Grant	219
Safer Routes In Communities 21/22	Grant	283
Active Travel Fund 21/22	Grant	3,975
Small Scale Flood Risk Mgmt Schemes-5 Sites	Grant	87
Highways & Transportation Vehicle Replacement Prog 21/22	Revenue	740
Purchase of Electric Refuse Vehicle	Grant/Revenue/Reserves	415
Purchase of Multihog Road Maintenance Machine	Revenue	150
Purchase of 2 Electric Compact Road Sweepers	Revenue	370
Resurfacing Work Townhill/Mayhill	Revenue	360
Morfa Rd Bus Enhancements and Tawe Riverside Shared Use Link	Contribution S106	149
<b>Waste Management</b>		
Upgrade Play Facilities at Golden Grove Park	Contribution S106/Revenue	54
Construction of Playground at Weig Fawr Farm, Cockett	Revenue	73
<b>Culture &amp; Tourism</b>		
Resurface Hockey Pitch at Ashleigh Rd	Contribution /Revenue	170
Grand Theatre Foyer - Covid related works	Revenue	25
Amphitheatre Access & H & S	Revenue	18
Special Event Site Electric Compliance	Revenue	40
3G Pitch at Phoenix Centre	Revenue	100
Oystermouth Castle Structural Works	Revenue	113
<b>Economic Regeneration &amp; Planning</b>		
Castle Square Regeneration	Borrowing	715
Kingsway Offices Design & Planning	Borrowing/Grant	7,021
Kingsway Urban Parkway - renovation (barclays building)	Borrowing/Grant	608
Kingsway Infrastructure	Contribution S106/Borrowing	658
Hafod/Morfa Copper works Regen Phase 2	Grant	27
Weighbridge Building Restoration	Borrowing	433
Infrastructure Works, Woodfield St, Morrision	Grant	100
Penllergare Wood-New Community Broadleaved Woodland	Grant	121
Swansea Nature Network and City Nature	Grant	274
<b>Housing &amp; Public Protection</b>		
Homelessness Empty Property Grant	Grant	121
<b>Corporate Building</b>		
All Weather Surface Facility at Pontarddulais Comprehensive School	Borrowing/Revenue	209
Pavilion Refurbish @ Parc William Loughor	Revenue	80
Bay Studios Nightingale Hospital (COVID 19)	Contribution SBUHB	192
Reprofiled Spending - All Services	Various	30,203
<b>TOTAL MATERIAL CHANGES</b>		<b>54,965</b>

Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area: Finance & Delivery

Directorate: Resources

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- X Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

**Capital Budget 21/22 and programme 2022/23- 26/27**

The report outlines a comprehensive programme of capital investment including:

- A significant continuing programme of IT investment across the Council
- The continued investment in Swansea Schools through the Band B phase of the 21<sup>st</sup> Century Schools Programme, with a number of builds on-site during 2021-22
- Swansea Bay City Deal schemes, the construction and near completion of Phase 1 the Arena and commencement of construction of Phase 2 Digital Village
- A significant programme of capital expenditure to assist the City’s economic recovery from the Covid 19 pandemic

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement**

Engagement not required for the overall capital budget. Engagement and consultation is undertaken for individual capital schemes

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
 Yes  x      No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
 Yes  x      No
- c) Does the initiative apply each of the five ways of working?  
 Yes  x      No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
 Yes  x      No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk  
 x

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes X

No

If yes, please provide details below

The capital budget is informed/developed by the Service depts. that consume capital expenditure

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

**The capital budget covers many areas. Each project will be subject to an IIA in its own right and any cumulative impacts identified at this point**

**Outcome of Screening**

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

Capital finance is constrained by the amount of available resources, the budgetary process allocates that budget appropriately. There are no implications arising from this report. All future programs and schemes covered within this report will be subject to their own Integrated Impact Assessment screening.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

X Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name:</b> Jayne James
<b>Job title:</b> Strategic Finance Manager Capital
<b>Date:</b> 20.01.22
<b>Approval by Head of Service:</b>
<b>Name:</b> Ben Smith
<b>Position:</b> Chief Finance Officer (S151 Officer)
<b>Date:</b> 21.01.22

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)



# Agenda Item 11.



## Report of the Section 151 Officer

Cabinet – 17 February 2022

### Housing Revenue Account (HRA) Revenue Budget 2022/23

<b>Purpose:</b>	This report proposes a Revenue Budget for 22/23 and a rent increase for properties within the HRA
<b>Policy Framework:</b>	None.
<b>Consultation:</b>	Cabinet Members, Finance, & Legal
<b>Recommendation(s):</b>	It is recommended that the following budget proposals be recommended to Council for approval:  1) Rents to be increased in line with the Welsh Government policy as detailed in section 3;  2) Fees, charges and allowances are approved as outlined in section 4;  3) The revenue budget proposals as detailed in section 4.
<b>Report Authors:</b>	Mark Wade / Ben Smith
<b>Finance Officer:</b>	Aimee Dyer
<b>Legal Officer:</b>	Adrian Jeremiah
<b>Access to Services Officer:</b>	Catherine Window

#### 1. Introduction

1.1 The setting of the revenue budget has to take account of the following issues and factors:-

- the requirement to maintain the Welsh Housing Quality Standard (WHQS);
- the funding requirements of the More Homes Programme;
- future income and expenditure trends;
- The Welsh Governments rents policy;
- the affordability of rent increases;

- cost efficiencies and value for money
- 1.2 The proposals in this report are based on the objective of maximising the resources available for investment in the housing stock to meet Council priorities including maintaining the Welsh Housing Quality Standard (WHQS), to reduce carbon emissions and to build affordable housing in line with the More Homes Programme. These investment priorities have been carefully balanced against consideration of affordability of rents and other service charges for tenants.

## **2. Projected Revenue Outturn 2021/22**

- 2.1 The economic impact of the Covid pandemic on rent collection rates is being closely monitored. During the first half of the year, collection rates have not been significantly affected. Revenue repairs expenditure has increased as a result of the back log of repairs from 2020/21 caused by the pandemic and an overspend of £1m in 21/22 is forecast. Spend in this area will continue to be closely monitored.
- 2.2 In addition, an increase in the number of disrepair insurance claims has led to a forecast overspend of £170k. This is offset by a forecast underspend on employees costs of £180k as a result of higher than expected vacancies. Covid has also had an ongoing impact on the delivery of the HRA Capital Programme and some slippage is forecast. This will mean a reduction in the amount of borrowing required to fund this year's Programme and a reduction in financing costs.

## **3. Rent Income**

- 3.1 In December 2019 the Minister for Housing and Local Government set out the policy for the five year period from April 2020. The policy sets a maximum annual increase in rental income of Consumer Price Index plus 1%. Within the policy there is a clause which allows the Welsh Government to set a lower increase should CPI exceed 3%.
- 3.2 An intrinsic part of the new five year policy is that all social landlords will be expected to ensure that rents and service charges remain affordable for current and future tenants and carry out an assessment of cost efficiencies and value for money.
- 3.3 The proposed rent increase has taken into account the affordability of rents for tenants. The following factors have been examined;
- Based on the latest published Welsh Government data, Our current average weekly rent compares favourably with other Welsh social landlords ranking 29<sup>th</sup> highest out of 49.
  - The current average rent is significantly lower than the average private sector. The latest available figure for the average private sector rent in Swansea is £130.78 per week.

- A significant number of tenants are in receipt of Housing Benefit or Universal Credit. These benefits will be increased to cover the proposed rent increase.
  - The latest tenants survey carried out in October 2021 found that 64.8% of tenants were either very satisfied or satisfied that their rent provided value for money. 24.4% were neither satisfied or dissatisfied and 10.9% were either dissatisfied or very dissatisfied.
- 3.4 As CPI exceeded 3% in September 2021, the Welsh Government have decided that the maximum rent increase allowed for 2022/23 would be 3.1%. This would equate to an average increase of £3.09 per week and an average weekly rent of £102.72 (based on 50 weeks).

#### **4. Revenue Budget Proposals 2022/23**

##### *4.1 Overview*

- 4.1.1 In line with the requirements of the Welsh Government's Rents Policy, budgets have been examined and where possible savings have been identified.
- 4.1.2 The main budget increases from 2021/22 are an increase in revenue repairs costs of £1.32m as a result of the inflationary pressures set out in 4.2. An increase in the Revenue Contribution to Capital of £863k. An increase in Employee costs of £481k to fund forecast pay increases for 21/22 and 22/23 and an increase in employers NI contributions. Increases in Utility budgets of £257k as a result of a forecast significant increase in costs and an increase in Insurance costs of £200k largely as a result of an increase in the budget for Disrepair claims. In addition, a budget of £60k has been set aside towards the costs of implementing the new Renting Homes Regulations.
- 4.1.3 The main budget savings are a reduction in the provision for Bad Debts of £816k as a result of higher than forecast rent collection rates. In addition, Housing Management costs are regularly reviewed. A recent restructure of the senior management team within the Housing Service has seen the removal of 2 senior management posts and the recommendations of the Housing Commissioning Review have been implemented and 3 District Housing Offices have been closed. This has meant to a reduction in Housing Management costs of £156k.
- 4.1.4 The main changes to funding/income are an increase in rent income of £2.13m arising from the proposed rent increase and £32k from increases in other charges including charges for furnished tenancies and some sheltered service charges. In addition there is an additional £88k in grant funding for support services to sheltered tenants. There is a reduction of £25k in investment income due to lower balances and interest rates and £18k in commission income as a result of the ending of the Tenants Contents Insurance scheme.

4.1.5 The main changes from the 2021/22 budget are shown in the following table:-

Item	£000
Increase in Revenue Repairs	1,319
Increase in Revenue Contribution to Capital	863
Increase in employee costs	481
Increase in utilities and insurance costs	457
Addition of budget for Renting Homes	60
Increase in Finance Costs	45
Reduction in Transfer To Reserves	-46
Reduction in other Housing Management Costs	-156
Reduction in the Provision for Bad Debts	-816
Additional income including 3.1% rent increase and increases in other charges	-2,207

4.1.6 Income is expected to exceed expenditure next year by £28.3m. This amount will be used to contribute towards the capital programme of £58.1m in 2022/23 in order to maintain prudent levels of borrowing whilst meeting the investment priorities which are needed to maintain the WHQS and for the More Homes Programme.

#### 4.2 *Inflation*

There are significant inflationary pressures on the HRA budget for 2022/2023. No provision was included in the 2021/22 budget for a pay increase. It is now likely that an increase of 1.75% or above will be implemented. For 2022/23 a further budgeted increase of 3% has been included. In addition, the budget for employers National Insurance contributions has been increased. Revenue Repairs budgets have also been increased as a result of high building industry inflation particularly relating to the cost of materials. Other budgets, such as utility costs have also been amended to reflect a significant increase in prices.

#### 4.3 *Capital Financing Charges*

Capital financing charges will increase in 2022/23 as a result of the additional borrowing required to fund the Capital Programme.

#### 4.4 *Fees, Charges and Allowances*

General fees, charges and allowances are to be increased in line with the agreed rent increase of 3.1%.

#### 4.5 *Contributions to the Capital Programme*

The additional income enables a contribution of £28.3m to the capital programme.

## **5. Risks and Uncertainties**

- 5.1 The main risks and uncertainties for next year are the ongoing impact of the Covid pandemic and economic uncertainties particularly regarding levels of rental income and the rising costs due to inflation. The impact of the Renting Homes (Wales) Act 2016 is also unknown at this time.

## **6. Reserves**

- 6.1 The HRA predicted balance at the start of the year will be £5.593m. This is considered to be in line with the minimum level of reserves which is considered prudent and therefore reserves will not be used to finance capital expenditure in 2022/23. The reserves position is detailed in Table B.

## **7. Integrated Assessment Implications**

- 7.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 7.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 7.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 7.4 An IIA screening form has been completed and reviewed. The agreed outcome was that a full IIA report is not required at this time. Proposals for

changing levels of funding in specific areas have been subject to a screening process. Service managers have considered the implications of proposed budgetary decisions and believe that the proposed budget protects the most vulnerable and will not disproportionately impact on protected groups. Tenants will need to be notified of the proposed increase in accordance with the provisions of section 102 of the Housing Act 1985.

## **8. Legal Implications**

- 8.1 Tenants will need to be notified of the proposed increase in accordance with the provisions of section 102 of the Housing Act 1985. Section 102 b) states that variation of the Rent shall be carried out in accordance with the provisions of the Tenancy Agreement. Section 2.6 of the Council's Tenancy Agreement states that Tenants must be given 4 weeks notice before any Rent change.

**Background Papers:** None

### **Appendices:**

- Appendix 1 - Table A: Summarised HRA 2021/22 to 2022/23
  - Table B: Movement in Balances 2021/22 to 2022/23
- Appendix 2 – Integrated Impact Assessment Screening Form

## Appendix 1

**Table A: Summarised HRA 2021/22 to 2022/23**

Classification	Budget 2021/22	Budget 2022/23
	£'000	£'000
<u>Expenditure</u>		
Management and Maintenance	32,059	33,404
Capital Charges	10,399	10,444
Revenue Funding for capital schemes	27,457	28,320
Increase in Balances	48	2
<b>Total Expenditure</b>	<b>69,963</b>	<b>72,170</b>
<u>Income</u>		
Rents and other income	69,617	71,824
Affordable Housing Grant	346	346
<b>Total Income</b>	<b>69,963</b>	<b>72,170</b>

**Table B: Movement in Balances 2021/22 to 2022/23**

Description	£000's
Actual balance at 1 <sup>st</sup> April 2021	-6,244
Budgeted increase 21/22	-48
<b>Budgeted balance 31<sup>st</sup> March 2022</b>	<b>-6,292</b>
Forecast change 2021/22	699
<b>Forecast balance 31<sup>st</sup> March 2022</b>	<b>-5,593</b>
Budgeted change 2022/23	-2
<b>Forecast balance 31<sup>st</sup> March 2023</b>	<b>-5,595</b>

## Integrated Impact Assessment Screening Form – Appendix 2

Please ensure that you refer to the Screening Form Guidance while completing this form.

### Which service area and directorate are you from?

Service Area: Housing and Public Health

Directorate: Place

### Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

### (b) Please name and fully describe initiative here:

This report proposes a Revenue Budget for 2022/23 and a rent increase in line with Welsh Government rent policy for properties within the HRA. The proposed rent increase has taken into account the affordability of rents for tenants. The following factors have been examined;

- The current average weekly rent compares favourably with other Welsh social landlords ranking 29<sup>th</sup> out of 49.
- The current average rent is significantly lower than the average private sector. The average private sector rent in Swansea is £130.78 per week.
- A significant number of tenants are in receipt of Housing Benefit or Universal Credit. These benefits will be increased to cover the proposed rent increase so tenants in receipt of these benefits will not be worse off.
- The latest tenants survey carried out in October 2021 found that 64.8% of tenants were either very satisfied or satisfied that their rent provided value for money. 24.4% were neither satisfied or dissatisfied and 10.9% were either dissatisfied or very dissatisfied.



**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

further	High Impact		Medium Impact		Low Impact		Needs investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement**

The setting of the revenue budget has to take account of the following issues and factors:-

- the requirement to maintain the Welsh Housing Quality Standard (WHQS);
- the funding requirements of the More Homes Programme;
- future income and expenditure trends;
- increases in rent in line with the Welsh Government rent policy;
- the effect on tenants of rent increases.
- cost efficiencies and value for money

The proposals in this report are based on the objective of maximising the resources available for investment in the housing stock to maintain the WHQS and to build affordable housing in line with the More Homes Programme. Tenants will need to be notified of the proposed increase in accordance with the provisions of section 102 of the Housing Act 1985.

Section 102 b) states that variation of the Rent shall be carried out in accordance with the provisions of the Tenancy Agreement. Section 2.6 of the Council's Tenancy Agreement states that Tenants must be given 4 weeks notice before any rent change.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?  
Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- c) Does the initiative apply each of the five ways of working?  
Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

---

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

---

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes

No

If yes, please provide details below

Building Services, Legal, Finance

---

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the*

same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

A significant number of Housing tenants will not be impacted by the proposed rent increase as they are in receipt of Housing Benefit or Universal Credit. These benefits will be increased to cover the proposed rent increase so tenants in receipt of these benefits will not be worse off.

### Outcome of Screening

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
  - **Summary of involvement (Q3)**
  - **WFG considerations (Q4)**
  - **Any risks identified (Q5)**
  - **Cumulative impact (Q7)**

An IIA screening form has been completed and reviewed. The agreed outcome was that a full IIA report is not required at this time. Proposals for changing levels of funding in specific areas have been subject to a screening process. Service managers have considered the implications of proposed budgetary decisions and believe that the proposed budget protects the most vulnerable and will not disproportionately impact on protected groups. Tenants will need to be notified of the proposed increase in accordance with the provisions of section 102 of the Housing Act 1985.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name:</b> Paul Lilley
<b>Job title:</b> Housing Finance and IT Manager
<b>Date:</b> 26/01/22
<b>Approval by Head of Service:</b>
<b>Name:</b> Mark Wade
<b>Position:</b> Head of Housing and Public Health
<b>Date:</b> 26/01/22

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 12.



## Report of the Section 151 Officer & the Director of Place

Cabinet – 17 February 2022

### Housing Revenue Account – Capital Budget & Programme 2021/22 – 2025/26

<b>Purpose:</b>	This report proposes a revised capital budget for 2021/22 and a capital budget for 2022/23 – 2025/26
<b>Policy Framework:</b>	None
<b>Consultation:</b>	Cabinet Member, Legal, Finance & Access to Services
<b>Recommendation(s):</b>	It is recommended that:  <ol style="list-style-type: none"><li>1) The transfers between schemes and the revised budgets for schemes in 2021/22 are approved.</li><li>2) The budget proposals for 2022/23 – 2025/26 are approved.</li><li>3) That, where individual schemes in Appendix B are programmed over the 4 year period described in this report, then these are committed and approved and that their financial implications for funding over 4 years are approved.</li></ol>
<b>Report Authors:</b>	Ben Smith / Mark Wade
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1.0 Introduction

1.1 This report details:

- Revised Housing Revenue Account (HRA) capital expenditure and financing proposals in 2021/22
- HRA Capital expenditure and financing proposals in 2022/23 – 2025/26

1.2 The budget proposals are further detailed in the appendices to this report as follows:

- Appendix A: Summary of the revised budget for 2021/22 and a budget for 2022/23 – 2025/26
- Appendix B: Detailed breakdown of the revised budget for 2021/22 and a budget for 2022/23 – 2025/26
- Appendix C: Welsh Housing Quality Standard (WHQS) and More Homes scheme descriptions

## **2.0 Capital Budget**

2.1 The revised programme for the current year is £47.42m i.e. an original budget of £59.1m plus carry-forward from 2020/21 of £2.53m, additional More Homes Schemes of £2.1m less slippage into 2022/23 of £15.49m and other budget adjustments of £0.82m.

2.2 Slippage from 2021/22 into 2022/23 has occurred for a number of reasons. The impact of the Covid 19 pandemic continues to affect sickness levels and normal work procedures. Contractor outputs remain well below pre-pandemic levels. Contractor capacity in the region and shortage of skilled labour has also restricted programme delivery across a number of work streams. This has been further compounded by shortages of core building materials and long lead in delivery periods within the supply chain. Programme delays have occurred securing scarce renewable energy design specialists to design, specify and integrate into a number of wind and weatherproofing schemes.

2.3 The revised More Homes programme for 2021/22 includes schemes brought forward from future years and others added to the original programme. This is in part due to Welsh Government (WG) issuing new guidance to local authorities in June 2020 setting out a requirement to produce “Phase 2 Transition Plans” to protect the homeless from the potential effects of the covid pandemic by providing emergency and long-term self-contained accommodation. In October 2020, Cabinet approved a report which outlined the successful bid for Phase 2 funding and Intermediate Care Fund (ICF) grant funding to acquire units of adapted accommodation. Additional financial provision has been made within the More Homes budget to allow for acquisition of sites from the Council’s General Fund to the Housing Revenue Account to develop suitable stock and the purchase of additional homes from the open market to help meet demand for more one bedroom social housing properties in Swansea.

2.4 The proposed four year capital programme and the priorities of the various schemes have been developed in line with the HRA Business Plan. They are designed to maintain the Welsh Housing Quality Standard as well as increase the supply of council housing. The investment set out in 2022/23 will ensure remaining 2021/22 commitments will be met and new 2022/23 work-streams have been developed to ensure they are deliverable. Transfers and changes to the 2021/22 budget are set out in appendix B.

### **3.0 Welsh Housing Quality Standard (WHQS)**

- 3.1 The 4 year capital investment programme will ensure the Council moves to WHQS Maintenance phase in 2022, having completed its Compliance phase to reach the Standard, in accordance with Welsh Government guidance. The WHQS guidance permits what are termed ‘acceptable fails’, which apply to building components considered to be non-compliant but where the Council is unable to undertake major repairs or improvements required to meet compliance due to the following four reasons: i.) Cost of remedy; ii.) Resident choice; iii.) Physical constraint; and iv.) Timing of remedy. When classing components as acceptable fail, properties will continue to be maintained and managed through the Council’s responsive and routine repairs services to ensure tenants remain safe and secure in their homes.
- 3.2 Schemes detailed in Appendix C will result in homes maintaining compliance across the following key components of the Welsh Housing Quality Standard:

#### In a Good State of Repair

Dwellings must be structurally stable; free from damp and disrepair with key building components being in good condition.

#### Safe and Secure

Dwellings should be free from risks that could cause serious harm and should be secure in key areas of the home. Heating and electrical systems checks to be up to date and safe; doors and windows to provide good levels of security and fire safety measures to be well designed and in good condition.

#### Adequately Heated, Fuel Efficient and Well Insulated

Dwellings must be capable of being heated adequately by ensuring heating systems are fuel efficient and properties well insulated.

#### Contain Up to Date Kitchens and Bathrooms

Kitchen and bathroom facilities are to be relatively modern and in good condition; sufficient to meet the needs of the household and well laid out to prevent accidents.

#### Located in Attractive and Safe Environments

Homes should be located in environments that residents can relate to and in which they are proud to live. Improvements will be required to ensure areas within the curtilage of properties are safe and communal areas and the wider shared environment are safe and attractive.

#### Suit the Specific Requirements of the Household

The requirement is for homes to meet the needs of their occupants ensuring necessary facilities such as kitchens and bathrooms are sufficient and where required, adaptations are undertaken for persons with disabilities.

### **4.0 Decarbonisation and Energy Efficiency**

- 4.1 The Welsh Government will be introducing new standards for social housing and revising requirements within the WHQS. It is expected carbon emissions

will need to be reduced and higher energy efficiency targets will be set in order to bring these into line with the Welsh Government's Decarbonisation agenda. The Better Homes, Better Wales, Better World report sets out a number of recommendations and has an overall objective to reduce carbon emissions in social housing by 95% by 2030. The findings of the report have been accepted in principle by the Housing Minister.

- 4.2 Revised guidance setting out additional decarbonisation duties are expected to be implemented by Welsh Government in April 2023. In the period leading up to formal adoption, there's an expectation that social housing providers will start integrating renewable technologies as a part of planned repair, maintenance and improvement capital programmes. The selection of properties to benefit from solar panels and battery storage will be based on property condition and our planned next phases of enveloping properties to upgrade aging fabric and improve thermal performance.
- 4.3 The proposed refurbishment programme, improved designs and specifications will deliver higher thermal performance and it is proposed that wind and weatherproofing schemes commencing from 2022 will integrate solar (photovoltaic) panels and battery storage into all future new projects. The strategic objective will mean homes will be warmer, cheaper to run for tenants and reduce carbon dioxide emissions which accords with future WG statutory decarbonisation requirements.
- 4.4 The introduction of solar panels and battery storage to planned schemes will on average require £7m of investment each year across the 4 years. This investment is affordable within the HRA business plan. This investment will contribute towards reducing carbon emissions and create a platform for future measures but will not deliver carbon zero properties.
- 4.5 The investment required to achieve a fully decarbonised housing stock is estimated to be £750 million in a time frame thought to be 10 years. Implementing these required statutory changes at this stage is a sensible and pragmatic decision noting that associated works are already in progress on these schemes. However, funding a full programme will only be achievable through additional material funding from Welsh or Central Government, and in the absence of the same, if the decarbonisation objectives are to be met, the current budgeted programme shall need to be reduced accordingly within the envelope of the business planned capital budget. These current proposals will allow the council to begin to develop and grow its knowledge and experience, build skills internally and support local supply chains.

## **5.0 More Homes**

- 5.1 The More Homes Strategy for providing new Council housing has been endorsed by Council. Indicative expenditure of £74.3m over 4 years up to 2025/26 for taking forward the strategy has been included in the programme. Cabinet has approved a target of 1,000 new council homes from 2021-2031, and this 4 year programme will enable the acquisition and construction of around 460 new council homes. This will also include the acquisition of properties and land to develop for council and affordable housing. Delivery

will be aided through partnerships which will increase capacity and pace in the programme.

## **6.0 Financing of HRA Capital Budget 2021/22-2025/26**

6.1 The attached capital budget proposals will be funded through a combination of Welsh Government (WG) contribution via its Major Repair Allowance (MRA) grant, revenue contributions from the HRA, borrowing and grants to support decarbonisation retrofit works to existing stock and new build. Details are set out in Appendix A.

6.2 The funding of the attached capital budget proposals requires additional borrowing of £125.2m for the period between 2022/23 and 2025/26. Total forecast of outstanding HRA borrowing at 31 March 2026 is £270.3m.

## **7.0 Risks**

7.1 The risks to the 4 year programme are similar to those set out in the HRA Revenue report. In particular, the level of Major Repair Allowance grant, levels of Social Housing Grant (SHG) available to support new build, future rent increases (which are determined by WG) and the effect of Welfare Reform on levels of rental income which support capital funding.

## **8.0 Integrated Assessment Implications**

8.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage.
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

8.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.



- 8.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 8.4 An IIA Screening Form has been completed and a full IIA report is not required. Delivering and maintaining the Welsh Housing Quality Standard for the Council's housing and creating new affordable homes is an example of the 5 Ways of Working promoted by the Wellbeing of Future Generations (Wales) Act 2015 and will contribute towards the 7 well-being goals. The planned programme of repairs set out in this report is about early intervention which will secure social housing for the long term and will benefit future generations. The investment will continue to repair homes and work towards reducing carbon emissions, increasing efficiency and creating affordable homes. Schemes will be subject to consultation with those individuals affected via the Council's Major Works Agreement and all schemes needing planning consent will be subject to normal planning procedures and the council's IIA process. Any individual requirement will be taken into account during the scheme liaison process.
- 8.5 Repairing and maintaining existing council housing will secure social housing for the long term, making them healthier and more efficient places to live. New build social housing will stimulate local economic growth, addressing issues such as poverty, inequality, jobs and skills which directly contributes to the council's obligations to act in a sustainable way pursuant to the WFGA.

## **9.0 Legal Implications**

- 9.1 The Authority is under a duty to make arrangements for the proper administration of its financial affairs. Failure to do so will be a breach of that duty.

## **10.0 Financial Implications**

- 10.1 Expenditure is ring fenced to the HRA and will be fully funded by MRA grant from Welsh Government, revenue contributions from the Housing Revenue Account, HRA borrowing, Social Housing Grant (SHG). There are no financial implications for the Council General Fund.
- 10.2 Additional borrowing of £125.2m will be required to fund the WHQS and new build programmes from 2022/23 to and including 2025/26.
- 10.3 Contained within programme of improvements are work streams that will contribute towards reducing occupancy related carbon emission as part of the decarbonisation agenda. The scale of these proposed improvements will be small relative to the overall requirement to fully decarbonise the housing stock and are affordable within the current HRA business plan. The investment required to completely decarbonise the Council's housing stock however, is assessed as unaffordable within the HRA's business plan and will

require additional investment and support from Welsh Government to achieve this aim.

### **Background Papers**

None.

### **Appendices**

Appendix A: Summary of the revised budget for 2021/22 and a budget for 2022/23 – 2025/26.

Appendix B: A detailed breakdown of the revised budget for 2021/22 and a budget for 2022/23 – 2025/26.

Appendix C: Scheme descriptions.

Appendix D: IIA

Summary of HRA Capital Budget and Programme 2021/22 to 2025/26							
Scheme	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	Total
	Original	Revised	Original	Original	Original	Original	
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
<b>Good State of Repair</b>							
Wind & Weatherproofing	16,919	6,265	18,761	24,247	29,595	30,819	<b>109,687</b>
System Built Properties & Highrise Blocks	2,560	948	2,266	5,725	9,355	5,405	<b>23,699</b>
Roofing	1,351	1,220	1,703	1,010	1,010	1,010	<b>5,953</b>
Windows, Doors & General Repairs	1,033	670	1,126	460	250	250	<b>2,756</b>
<b>Safe and Secure</b>							
Fire Safety	2,508	1,486	3,038	1,300	1,100	1,100	<b>8,024</b>
Electrical Improvements	2,050	1,807	1,974	1,716	1,709	955	<b>8,161</b>
Passenger Lifts	1,000	350	861	760	700		<b>2,671</b>
<b>Adequately Heated, Fuel Efficient &amp; Well Insulated</b>							
Heating Systems	1,050	945	850	900	950	1,200	<b>4,845</b>
Energy Efficiency & Grant Support	380		420	270	200	160	<b>1,050</b>
<b>Contain Up to Date Kitchens and Bathrooms</b>							
Kitchens & Bathrooms	5,000	9,103	1,647	1,500	1,000	1,000	<b>14,250</b>
<b>Located in Attractive and Safe Environments</b>							
Environment - Within the Curtilage	11,950	6,230	8,718	1,230	1,030	1,130	<b>18,338</b>
Estate Based Environment	1,652	1,550	2,025	2,300	2,500	3,500	<b>11,875</b>
<b>Meeting Requirements of the Household</b>							
Adaptations	3,280	2,600	2,750	2,750	2,750	2,750	<b>13,600</b>
<b>More Homes</b>							
New Build & Acquisitions	9,168	14,250	12,013	22,216	21,875	18,175	<b>88,529</b>
<b>Total</b>	<b>59,901</b>	<b>47,424</b>	<b>58,152</b>	<b>66,384</b>	<b>74,024</b>	<b>67,454</b>	<b>313,438</b>

## Appendix A cont.

<b>Financed By:</b>	<b>2021/22 Revised</b>	<b>2022/23 Original</b>	<b>2023/24 Original</b>	<b>2024/25 Original</b>	<b>2025/26 Original</b>	<b>Total</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Major Repair Allowance (MRA)	9,220	9,220	9,220	9,220	9,220	46,100
RCCO	27,684	28,320	23,673	20,304	17,134	117,115
Borrowing	7,600	16,009	30,191	41,200	37,800	132,800
Innovative Housing Grant	406					406
Phase 2 Transitional Funding	145					145
Intermediate Care Fund (ICF) Grant	633					633
Social Housing Grant (SHG)	1,736	3,300	3,300	3,300	3,300	14,936
Land and Building Development Fund (LBDF)		1,303				1,303
<b>Total</b>	<b>47,424</b>	<b>58,152</b>	<b>66,384</b>	<b>74,024</b>	<b>67,454</b>	<b>313,438</b>

HRA CAPITAL PROGRAMME	2021/22 to 2025/26						
	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	Total
	Original	Revised	Original	Original	Original	Original	Original
Scheme / Project	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Good State of Repair</b>							
Wind & Weatherproofing, Blaenymaes		18					<b>18</b>
Wind & Weatherproofing, Fforesthall	1,300	921	2,751	1,600	1,735	1,856	<b>8,863</b>
Wind & Weatherproofing, Garden City			600	1,585	2,473		<b>4,658</b>
Wind & Weatherproofing, Talycoppa	200	150					<b>150</b>
Wind & Weatherproofing, Birchgrove Road				350	2,400	2,400	<b>5,150</b>
Wind & Weatherproofing, Pentrechwyth	1,468	544	1,670	901			<b>3,115</b>
Wind & Weatherproofing, St Thomas Flats						995	<b>995</b>
Wind & Weatherproofing, Trallwn Road Area			1,210	769			<b>1,979</b>
Wind & Weatherproofing, William Morris Gardens						1,509	<b>1,509</b>
Wind & Weatherproofing, Gorseinon				2,379	2,505	2,492	<b>7,376</b>
Wind & Weatherproofing, Gowerton						2,660	<b>2,660</b>
Wind & Weatherproofing, Loughor					1,446	1,367	<b>2,813</b>
Wind & Weatherproofing, Penyrheol	1,307	31	800	1,898	2,131	1,191	<b>6,051</b>
Wind & Weatherproofing, Pontardulais					1,920	1,892	<b>3,812</b>
Wind & Weatherproofing, Waunarlwydd			360	1,223	1,223	1,253	<b>4,059</b>
Wind & Weatherproofing, Clase, Longview & Penrhiw Rd	643	707	819				<b>1,526</b>
Wind & Weatherproofing, Clydach Tanycoed	2,100	1,397	2,900				<b>4,297</b>
Wind & Weatherproofing, Clydach Woodside Rd Area			50	1,690	2,036		<b>3,776</b>
Wind & Weatherproofing, Clydach Tyle Teg Area						1,768	<b>1,768</b>
Wind & Weatherproofing, Gwernfadog & Llanllienwen Rd			450	1,374	1,985		<b>3,809</b>
Wind & Weatherproofing, Garnswllt	850	25	910	460			<b>1,395</b>
Wind & Weatherproofing, Morryston Area			780	1,613			<b>2,393</b>
Wind & Weatherproofing, Trewyddfa Common Area						1,669	<b>1,669</b>

HRA CAPITAL PROGRAMME	2021/22 to 2025/26						
	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	Total
	Original	Revised	Original	Original	Original	Original	Original
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Good State of Repair continued.</b>							
Wind & Weatherproofing, Llwynceithin & Maes Glas Flats		250	250				<b>500</b>
Wind & Weatherproofing, Penlan & Gendros				660	1,859	2,494	<b>5,012</b>
Wind & Weatherproofing, Sketty	2,079	21	866	2,571	2,051	1,591	<b>7,100</b>
Wind & Weatherproofing, Three Crosses						1,382	<b>1,382</b>
Wind & Weatherproofing, Jones, Evans & Wilkes Row	1,461	1,013	503				<b>1,516</b>
Wind & Weatherproofing, Cwm Road Area						1,069	<b>1,069</b>
Wind & Weatherproofing, Brondeg				1,560	1,349		<b>2,909</b>
Wind & Weatherproofing, Landore	1,169	519	1,143	802			<b>2,464</b>
Wind & Weatherproofing, Mayhill & Townhill	2,116	164	1,614	1,566	2,339	2,155	<b>7,838</b>
Wind & Weatherproofing, West Cross	200	357					<b>357</b>
Wind & Weatherproofing, West Cross - Warwick Place		2					<b>2</b>
Wind & Weatherproofing, West Cross - Boarspit	1,976	45	1,050	1,211	2,108	1,078	<b>5,493</b>
Wind & Weatherproofing, Various Locations	50	100	35	35	35		<b>205</b>
Airey & Traditional Built Properties, Felindre	950	20	959				<b>979</b>
Resiform & Traditional Built Properties, Craig Cefn Parc	150	30	520				<b>550</b>
Wimpey No Fines (WNFs) Properties, Waunarwydd	90	25					<b>25</b>
Wimpey No Fines (WNFs) Properties, Heol Emrys & Tudno Place	150	5	5	5	5	3	<b>23</b>
Easiform Properties, Winch Wen	18	18					<b>18</b>
Easiform & Traditional Properties, Sketty		4					<b>4</b>
Easiform & Wimpey No Fines Properties, Clase		20					<b>20</b>
Highrise Flats, Dyfatty - Croft Street	1,162	600	747	5,700	8,550	4,200	<b>19,797</b>
Highrise Flats, Dyfatty - GJS		51	30	20	800	1,200	<b>2,101</b>
Highrise Flats, Clyne & Jeffreys Court	40	175	5				<b>180</b>
Chimney Repairs	1,100	823	1,600	1,000	1,000	1,000	<b>5,423</b>
Pitched Roof – Various	50	30	10	10	10	10	<b>70</b>

HRA CAPITAL PROGRAMME	2021/22 to 2025/26						
	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	Total
	Original	Revised	Original	Original	Original	Original	Original
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Good State of Repair continued.</b>							
Pitched Roof - Port Tennant Road Flats		4					4
Pitched Roof - Maes Yr Efail	20	19					19
Glass Canopy - Pantgwyn, Sketty	8	0					0
Flat Roof Renewal - Various	150	20	66				86
Flat Roof & Window Renewal, Rheidol Court	23	325	27				352
Balcony Repairs	100	55	390				445
Window & Door Renewal	75		98	10	10	10	128
Fire Door Improvement	450	300	208	150	20	20	698
Structural Repairs	250	250	200	200	200	200	1,050
Drainage Repairs & Improvements	35	15	30	50	20	20	135
Repairs & Regeneration to District Housing Offices - Various	121	50	200	50			300
Design & Scheme Preparation	2						0
<b>Safe and Secure</b>							
Fire Safety - General	500	86	700	250	100	100	1,236
Fire Safety - Highrise		25					25
Smoke & Carbon Monoxide Detectors	1,338	1,000	1,438	1,000	1,000	1,000	5,438
Sprinkler System - Highrise & Sheltered	100	64					64
Sprinkler System - Griffith John Street	570	270	900	50			1,220
Sprinkler System - Jeffreys Court		4					4
Sprinkler System - Clyne Court		31					31
Sprinkler System - Matthew Street		6					6
Electrical Rewiring	1,150	881	1,459	1,200	1,200	950	5,690
Electrical Rewiring Contract 2		16					16
Electrical Rewiring Contingency	20		5	5	5	5	20

HRA CAPITAL PROGRAMME	2021/22 to 2025/26						
	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	Total
	Original	Revised	Original	Original	Original	Original	Original
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Scheme / Project							
<b>Safe and Secure continued</b>							
Electrical Rewiring & Emergency Lighting Communal Blocks	600	630	200	50	50		930
Electrical Rewiring Sub Mains to Highrise Blocks	20	20	20	10			50
Warden Call & Tynetec System	160	158	210	386	374		1,128
Communal Aerials	100	102	50	65	80		297
CCTV			30				30
Passenger Lift Renewal & Improvements - Various	1,000	350	861	760	700		2,671
<b>Energy Efficiency and Adequately Heated</b>							
Ventilation Programme - Various						200	200
Boiler / Heating Replacement	900	900	850	900	950	950	4,550
Heating Distribution Systems	100	30				50	80
Heating Upgrades / Fuel Conversions	50	15					15
Loft Insulation	80		20	20	50	10	100
Energy Efficiency & Energy Grant Support	300		300	200	100	100	700
Energy Efficiency - Insulation, Heat & Ventilation			100	50	50	50	250
<b>Kitchens and Bathrooms</b>							
Kitchens & Bathrooms - Various	2,500		1,500	1,500	1,000	1,000	5,000
Kitchens & Bathrooms - Asbestos Management		20					20
Kitchens & Bathrooms 20/21 Contractor 1	800						0
Kitchens & Bathrooms 20/21 Contractor 2	400						0
Kitchens & Bathrooms 20/21 Contractor 3	400						0
Kitchens & Bathrooms 20/21 Contractor 4	400						0
Kitchens & Bathrooms 20/21 Building Services	500						0
Kitchens & Bathrooms 21/22 Contractor 1		2,952	50				3,002
Kitchens & Bathrooms 21/22 Contractor 2		2,259	55				2,314



HRA CAPITAL PROGRAMME	2021/22 to 2025/26						
	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	Total
	Original	Revised	Original	Original	Original	Original	Original
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Kitchens and Bathrooms continued</b>							
Kitchens & Bathrooms 21/22 Contractor 3		1,314	22				1,336
Kitchens & Bathrooms 21/22 Contractor 4		1,344	20				1,364
Kitchens & Bathrooms 21/22 Building Services		1,214					1,214
<b>Located in Safe Attractive Environment</b>							
<b>Environment - Within the Curtilage</b>							
External Facilities - General			500	1,000	800	800	3,100
External Facilities - Gorseinon		36					36
External Facilities 17/18 - Penlan	54	33					33
External Facilities 18/19 - Arennig Road Area	38						0
External Facilities 19/20 - St Thomas	37	173					173
External Facilities 19/20 - Bonymaen	35	40					40
External Facilities 19/20 - Birchgrove	18	20					20
External Facilities 19/20 - Trallwn	25	25					25
External Facilities 19/20 - Winch Wen	996	333	40				373
External Facilities 19/20 - Llanllienwen	800	790	155				945
External Facilities - Caemawr	128	350	13				363
External Facilities - Clase	860	620	400				1,020
External Facilities 20/21 - Brondeg/City Centre	350	200	350				550
External Facilities 20/21 - Samuel Cres, Gendros	412	700	35				735
External Facilities 20/21 - Heather Crescent, Sketty	140	99	20				119
External Facilities 20/21 - Oaktree Avenue, Sketty	238	313	250				563
External Facilities 20/21 - Landore/Trewyddfa	204	484	320				804
External Facilities 20/21 - Chestnut Avenue, West Cross	870		870				870
External Facilities 20/21 - Glenside, Portmead	900	252	550				802
External Facilities 20/21 - Sheltered Complexes		450	100				550

HRA CAPITAL PROGRAMME	2021/22 to 2025/26						
	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	Total
	Original	Revised	Original	Original	Original	Original	Original
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Environment - Within the Curtilage continued</b>							
External Facilities 21/22 - Clase	350	300	50				350
External Facilities 21/22 - Gowerton	370	100	300				400
External Facilities 21/22 - Landore	100						0
External Facilities 21/22 - Portmead Avenue Area	1,060	260	650				910
External Facilities 21/22 - Fforesthall	1,020	320	700				1,020
External Facilities 21/22 - Loughor	915	300	700				1,000
External Facilities 21/22 - Caergynydd Road	600		1,000				1,000
External Facilities 21/22 - Gower	900		1,000				1,000
Meter Boxes	30		15	30	30	30	105
Voice Entry Systems	500	32	700	200	200	300	1,432
<b>Environment - Estate Based</b>							
General Environmental Schemes	1,577	1,550	1,750	1,500	1,500	1,500	7,800
Environment Estate Based	75		275	800	1,000	2,000	4,075
<b>Meeting the Needs of the Household</b>							
Adaptations Internal	2,400	1,600	2,000	2,000	2,000	2,000	9,600
Adaptations External	880	1,000	750	750	750	750	4,000
<b>More Homes</b>							
More Homes - Pilot - Parc Y Helig		125					125
More Homes - Pilot - Colliers Way		323					323
More Homes - Creswell Road	1,000	200	800	1,350			2,350
More Homes - Other		175	175	175	175	175	875
More Homes - Acquisitions	1,000	2,250	2,000	2,000	2,000	2,000	10,250
More Homes - Hillview & Beaconsview	2,785	6,059	100				6,159
More Homes - Purchase 70-72 Alexandra Rd, Gorseinon	225	225					225

HRA CAPITAL PROGRAMME	2021/22 to 2025/26						
	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	Total
	Original	Revised	Original	Original	Original	Original	Original
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>More Homes continued</b>							
More Homes - Conversion 70-72 Alexandra Rd, Gorseinon	150	100	270				370
More Homes - The Circle West Cross	993	500	1,620				2,120
More Homes - Purchase & Conversion Bryn House	800	763					763
More Homes - Heol Dynys New Build	500	250	500	4,441			5,191
More Homes - Spark Centre Conversion	360	100	507				607
More Homes - 4 Ground Floor Flats and Bungalows		830	150				980
More Homes - Acquisition Phase 2 Funding		150					150
More Homes - Acquisition General Fund Land	700	1,150	1,525	1,500	1,000	1,000	6,175
More Homes - Heol Emrys & Tudno Place Regeneration	400	350	550	1,800	4,000	5,000	11,700
More Homes - Ty Fforest	255	255	109				364
More Homes - Brondeg House		445	77		2,000	2,000	4,522
More Homes - Scurlage				1,000	1,500	1,000	3,500
More Homes - Brokesby Road - 4 sites			730	1,000	2,000	5,000	8,730
More Homes - Milford Way Partnership Scheme A			500	500	1,000		2,000
More Homes - Milford Way Partnership Scheme B			500	1,000	1,500		3,000
More Homes - Gwynfaen Farm				1,600			1,600
More Homes - Skomer & Westdale			150	850	2,000	2,000	5,000
More Homes - Garden Village				1,000	1,700		2,700
More Homes - DHO Conversion			500	1,000			1,500
More Homes - Tan y Coed Road			150	1,000	1,000		2,150
More Homes - Heol Gwyrosydd			150	1,000	1,000		2,150
More Homes - Penrhos Place			150	1,000	1,000		2,150
More Homes - Gorseinon Business Park			500				500
More Homes - Gower Road			300				300
<b>Total</b>	<b>59,901</b>	<b>47,424</b>	<b>58,152</b>	<b>66,384</b>	<b>74,024</b>	<b>67,454</b>	<b>313,438</b>

## HRA 4 Year Capital Programme

### WHQS and Scheme Descriptions

#### Welsh Housing Quality Standard (WHQS)

The WHQS is a legal requirement and a strategic target for the council; it contains key standards that social landlords across Wales are expected to meet. Compliance with the WHQS is measured via condition surveys which gauge compliance based on the condition and suitability of a wide range of building components. Within the WHQS, landlords are permitted to apply 'acceptable fails' where building components are considered to be non-compliant. The four classifications of acceptable fails are: i.) Cost of remedy; ii.) Resident choice; iii.) Physical constraint; and iv.) Timing of remedy. Whilst properties may contain an acceptable fail they will continue to be maintained and managed through the Council's repairs services to ensure tenants remain safe and secure in their homes.

#### Good State of Repair

##### Wind and Weatherproofing

Wind and Weatherproofing includes the repair and upgrade of the external fabric and energy efficiency of individual homes. The purpose is to maintain structural integrity, improve weather protection and significantly increase the thermal and energy efficiency. The energy efficiency measures will be to reduce occupancy related carbon dioxide emissions and contribute towards the decarbonisation agenda.

The specification of work will improve thermal values and the scope of work will include renewing roofs, weatherboards and rainwater goods, wall tie renewal, application of external wall insulation, window renewal, porches and canopies where necessary, new front and back doors where required, balcony railings, balcony floors and doors, repairs to paths, steps, and handrails, fencing and drying facilities within the curtilage of the home. In some instances, improvements to fire safety will be undertaken.

Schemes commencing from financial year 2022/23 will include as part of the specification renewable technologies including solar panels (photovoltaic panels generating electricity) and battery storage systems. For some locations which are off-mains gas, refurbishment may include solar hot water panels, air source heat pumps, or ground source heat pumps, ventilation systems, mechanical heat recovery systems or any emerging technology or system that provides low or carbon neutral benefits to homes. Where opportunities arise, the Council will participate in grant assisted energy efficiency schemes and officers will follow relevant financial procedure rules relating to grants.

Including renewable technologies into wind and weatherproofing schemes will reduce household costs and occupancy related carbon emissions and provide the opportunity to develop and increase skills and knowledge to design and deliver renewable energy systems in future.

To assist with delivery and monitoring performance of the energy efficiency measures, the Council may engage a partner such as an academic body. Partnership may include direct

contribution of some renewable equipment, post occupancy monitoring, as well as public acknowledgement of grant based contributions, promotion and academic reporting.

These contracts will operate over the period of this four year programme. Schemes may be packaged together to assist with delivery and may be subject to planning permission requirements; where this applies, officers will submit planning applications as necessary.

### **Airey and Traditional Constructed Properties, Felindre**

Airey properties are of a concrete panel type construction and were built in the early 1950s. Externally, work will include providing new roof coverings and rainwater goods, repairs to the structure, wall finishes replaced with a new system or with traditional building materials depending on the most effective solution. New windows, front and back doors, repairs to paths, steps, handrails, fencing and drying facilities within the curtilage of the home where necessary. Internally, work will include kitchens and bathrooms and electric wiring as part of the refurbishment and in some instances, improvements to fire safety may be undertaken also. The repair scheme will secure the long term structural integrity of the properties, improve weather protection, provide new kitchens and bathrooms and increase the thermal and energy efficiency of the dwellings.

Due to location, these properties are not connected to the mains gas grid and depending on costs, the scheme may subject innovative whole house system of refurbishment that draws together a number of different measures that results in very high efficiency and very low occupancy related carbon dioxide emissions. Investment may support energy grants where available as well as monitoring.

To assist with delivery and monitoring performance of the energy efficiency measures, the Council may engage a partner such as an academic body. Partnership may include direct contribution of some renewable equipment, post occupancy monitoring, as well as public acknowledgement of grant based contributions, promotion and academic reporting.

This scheme will operate beyond a single financial period. This contract may be subject to planning permission requirements and officers will submit planning applications as necessary.

### **Resiform and Traditional Properties**

Resiform properties are of a timber frame and fiberglass panel type construction and were built in the 1970s. Work will include renewing roofs and rainwater goods, repairs to the structure, application of external wall insulation and where required new thermally efficient windows and front and back doors, repairs to paths, steps, handrails, fencing and facilities within the curtilage of the home where necessary. In some instances, improvements to fire safety may be undertaken also. The repair scheme will secure the long term structural integrity of the properties, improve weather protection and increase the thermal and energy efficiency of the dwellings. Selected properties may include a suite of renewable technologies to create Homes as Power Stations (HAPS) which aims to greatly improve the energy efficiency of homes, reduce energy costs for tenants and inform future approaches to reducing carbon emissions and address the Welsh Government's decarbonisation agenda. The scheme may be supported by grant funding. To assist with delivery and monitoring performance of the energy efficiency measures, the Council may engage a partner such as an academic body. Partnership may include direct contribution of some renewable equipment, post occupancy monitoring, as well as public

acknowledgement of grant based contributions, promotion and academic reporting. This scheme may be subject to planning permission requirements and officers will submit planning applications as necessary.

### **Wimpey No Fines Houses**

Wimpey No Fines are properties built with solid concrete walls and the repair scheme will address structural cracking where present and will include application of insulated render to improve thermal efficiency and weather protection, roof covering, window renewal where required and door renewal. Where required, thermally efficient windows as well as repairs to paths, steps, handrails, fencing and drying facilities within the curtilage of each home will be undertaken. Schemes may be subject to planning permission requirements and officers will submit planning applications as necessary.

### **Wimpey No Fines Properties – Heol Emrys and Tudno Place**

A regeneration project has been commissioned to address some of the issues affecting the Wimpey No Fines properties in Heol Emrys and Tudno Place, An overarching masterplan is in the process of being developed which will set out a range of options and a programme of works to enable delivery of the agreed plan. It is likely that the plan will include a mix of refurbishment, new build and possible selective demolitions as part of regeneration works to improve the existing properties, increase the number of homes and enhance the area. Schemes will be subject to planning permission requirements and officers will submit planning applications as necessary.

### **Easiform Properties**

Easiform properties are typically a poured concrete construction built in the 1950s and 1960s. The scheme will secure the long term structural integrity of the properties, improve the weather protection and safety and particularly improve the thermal efficiency of the properties. The scope of work will include roof repairs, wall repairs and insulation, window renewal as required, improvements to balconies where present and minor upgrades to fire safety. The scheme will include upgrades to communal entrance systems, repairs to paths, steps, and handrails, fencing and drying facilities within the curtilage of each home. Schemes may be subject to planning permission requirements and officers will submit planning applications as necessary.

### **Refurbishment of Highrise and Surrounding Low-rise Flats**

The Council's high rise blocks were all built in the early 1960s and now require repairs to ensure their continued use over the long term. The schemes will focus on the remaining blocks in Dyfatty, specifically Croft Street and Griffith John Street and the scope of the work will be significant and varied in order to deliver key aims which include protecting the structures; improving their weather resistance, thermal and energy efficiency and fire safety. The flats will also receive improvements to communal areas within the blocks, internal facilities for individual homes as well as wider environment to ensure they are safe and attractive places to live. Investment will go towards the design, research and preparation of the scheme and the repair and improvements to the high and low rise blocks.

For individual flats, the schemes will provide new kitchens and bathrooms including associated work and improved kitchen layout. Electrical rewiring will be renewed where required, improvements to heating systems, integrated television reception systems and cabling for internet access, new door entry systems and upgrades to fire safety which will include the installation of sprinklers through individual flats, improved fire detection and

warning, fire stopping and improved fire separation. Work inside homes may require additional repairs and renewal of decorative and floor finishes depending on the level of disruption within homes.

Communal areas will have improved drainage and repairs and upgrades to any incoming or outgoing ducts and pipe work as well as service shafts. The blocks will receive new passenger lift cars and equipment including firefighting lifts where appropriate, new communal lighting and electrical installations including communal integrated TV and internet cabling and where required upgrade to the incoming electrical sub mains supply. Communal areas will also be covered by a new sprinkler system and upgrades to CCTV to ensure all areas are monitored. Where required improvements to fire safety, decoration and floor finishes may be included.

Externally, the work will include a new roof and roof insulation, structural repairs, insulation and cladding systems, rainwater and foul water drainage and dispersal equipment, improvements to the communal walkways and upgrades to the balcony rails, balcony drainage and flooring, new balcony doors, repairs to balcony slabs, new thermally efficient windows, upgrades to fire protection, improved CCTV systems where required, improved entrances, renewal of the communal electrical wiring and lighting, and improvements to the decoration.

The highrise schemes will treat the immediate Housing owned areas in the surrounding areas with the aim to provide a safe and attractive environment for residents and visitors. To achieve this, the scheme will seek, amongst other works, to improve paths and circulation routes, improve security and safety which may include fencing and walls and improved lighting and CCTV coverage. Also work will include repairs to free standing and retaining walls, parking and areas of hard and soft landscaping, likely removal of garages and creation of additional resident parking.

The project will also create new accommodation by converting empty storage areas and commercial premises into HRA owned dwellings providing a mixture of general needs HRA accommodation where possible convert immediately surrounding hard environments into gardens or green buffer zones to improve the quality of accommodation. To create more ground floor area for accommodation and a plant room, the Town Centre District Housing Office will be relocated to vacant retail accommodation on High Street.

As part of the improvements to the wider area, the HRA may seek to acquire or appropriate properties or parcels of land in order to contribute more towards improvements to the High Street area. In such cases, officers will undertake appropriation and acquisition activities in line with the Council's constitution and corporate financial rules.

The project is expected to take over four years to complete and will run across the full-time scale of this reporting period. Schemes will be subject to planning permission requirements and officers will submit planning applications as required.

### **Chimney Repairs**

The scheme will involve repairing, rebuilding or taking away chimneys if no longer required as well as any associated works to heating systems. The work will prevent damp, minimise repairs for the response repair service and will be an ongoing scheme over the four year reporting period.

### **Pitched Roof Renewal**

Pitched and flat roof renewal includes repairing the roof structure and chimneys, increasing insulation levels and replacing the roof covering to ensure long term weather protection. Contracts are expected to run over the period of this four year programme.

### **Flat Roof Renewal**

The scheme will include the renewal of the main and store roofs and will include improved insulation. Work will also include any minor repairs and upgrades to fire safety in these areas.

### **Balcony Repairs**

Balconies will be repaired and improved to ensure they remain in good condition and safe to use. Repairs will include new balcony rails and enclosures (where present), repairs to the balcony slabs, supports and structures, drainage and floor surface.

### **Window and Door Renewal**

Replacement of windows and doors which are at the end of their useful life or require upgrading; the new units will improve thermal efficiency and security. Where required, some windows will be replaced to provide a means of escape. Where necessary, fire doors will be renewed in flats and to storage or communal areas to ensure they provide suitable fire protection.

### **Structural Repairs**

Structural Repairs will treat free standing or retaining structures where there is failure or disrepair, subsidence, heave or movement cases, and other structural elements belonging to HRA assets that are considered to be in need. Where necessary, the budget will meet the cost for demolition of properties or structures including any buy back of properties as required.

### **Drainage and Drainage Protection**

Where new drainage is required, existing drainage is in disrepair or in need of upgrading, servicing or there is a need to address changes in demand, the scheme will look to maintain or improve sites and may include amongst other items: activities assisting in the design and evaluation of systems, new systems, alternative or new layouts, expansion of current systems or works to support or protect systems and arrangements. In scope will be formal storm and foul water drainage systems, swales, rain gardens, attenuation systems, gullies, watercourses, rivers, streams, ditches and culverts and areas of water run-off, pooling or ponding.

### **Repairs to HRA Offices and Operational Assets – Various**

The investment is allocated to carry out repairs, alterations, refurbishment or renewal to HRA offices and / or HRA operational assets where required. The scope of work may include the conversion of existing facilities into accommodation or vice versa depending on service requirements, demolition of redundant offices or structures in connection, the repair and upgrade or the extension or creation of new assets to assist with the management and maintenance of the HRA housing stock. The work will include various items relating to the design, fees, structure, fabric, electrical, mechanical, drainage, incoming services and elements within the curtilage. If works are subject to planning permission requirements, officers will submit planning applications as required.



## **Design and Scheme Preparation**

Investment will meet the cost of early design and preparation of schemes contained within this report.

## **Safe and Secure**

### **Fire Safety and Risk Reduction – Various Locations**

A range of fire safety and general risk reduction measures will be undertaken to homes, land and HRA assets. Work will be varied but may include the provision of up-to-date fire safety signage and other fire safety communication, upgrading fire stopping materials, minor changes to layout and access routes, specialist intrusive investigations and testing in relation to improvement work, safety improvements within homes and communal areas including communal kitchens, fire barriers, upgrades to firefighting equipment and material and improvements to fire warning systems.

### **Smoke Alarms and Carbon Monoxide Detectors**

Hard wired smoke alarms, heat detectors and carbon monoxide detectors in homes are renewed to ensure uninterrupted service. Investment will also be used for works in connection with remote monitoring and activation and dis-repair monitoring. The project will be ongoing and will run over the period of this four year programme.

### **Fire Safety Sprinkler Systems – Highrise and Sheltered Complexes**

The scheme will install a sprinkler system to individual flats and communal areas of highrise blocks and older person sheltered complexes. Investment will be to all works in connection with delivering this work. The aim is to improve the fire safety for residents.

### **Electrical Rewiring – Various Locations**

Homes with electrical installations that are approximately 30 years will be rewired as part of a planned scheme. Investment will meet the cost of the installation and works in connection as well as disruptions costs. The project will be a long term contract and will run over the period of this four year programme.

### **Electrical Rewiring Contingency – Various Locations**

Properties will be rewired where an electrical inspection has identified that this is necessary.

### **Electrical Wiring and Emergency systems**

The electrical systems in communal areas will be rewired and improved where the existing installations are required by the relevant regulation, where an electrical inspection has identified that this is required or where it is required as part of a service provided by the Council. The scope of the work will include the provision of new electrical wiring, emergency lighting, new communal aerial facilities, lightning conductors, fire alarms, Automatic Opening Vents (AOVs), IT systems and cabling, warning or helpline systems, CCTV, electrical mains and sub mains supply (where in housing ownership) and communal fire alarm systems as required. This contract will operate over the period of this report.

### **Warden Call and Alarm Systems**

Investment is required to upgrade and improve tenant and warden call systems to alarm receiving centres to ensure continued uninterrupted provision for older and or infirm

tenants. Work will include all relevant materials, installation activities and subscriptions to ensure tenants have access to a call system that contributes towards or facilitates support and help in older person accommodation.

### **Communal Aerials and TV Systems**

The scheme is to repair, renew and upgrade existing communal aerial systems and install new where appropriate in housing accommodation. The majority of work will take place in older person sheltered accommodation and blocks of flats. The work will include upgrading and renewing aerial and satellite systems.

### **CCTV**

Investment will be to provide new where strictly required and renew and upgrade existing CCTV systems to ensure they meet the needs of the Housing Service. The installation and renewal will follow the required protocols for the installation and use of CCTV systems.

### **Passenger Lift Repair, Improvement and Provision – Various Locations**

The Housing Service has responsibility for passenger lifts within its blocks of flats and sheltered accommodation. The investment is to meet the cost of assessment, design and repair, improvement, alteration or renewal to passenger lifts and lift shafts, and associated work where there are defects (or at the end of their useful life) to ensure continued safe and long-term provision. The scope of work will include new lift cars, work to electronics, lift shaft repairs and upgrade, provision of fire-fighting lift where appropriate and the creation of new lift provision. Where there is sufficient requirement, new provision may be included at selected sites.

## **Adequately Heated**

### **Ventilation Programme - Various**

Investment will be to improve ventilation arrangements to improve air quality, and the energy efficiency within homes to ensure they are healthy and efficient places to live.

### **Boiler Replacement – Various Locations**

Heating systems will be renewed or upgraded as part of a long term programme aimed at improving efficiency and reliability. The scope of the work will include renewal to both individual and communal heating systems, upgrades to existing systems and fuel switching where required – this may include renewable energy systems where appropriate. This contract is ongoing and will run over the period of this four year programme.

### **Heating Distribution Systems – Various Locations**

Investment will be used for the repair and improvement of heating distribution systems as well as any work in connection including gas or fuel supplies in HRA ownership or any drainage or discharging points. Work will typically include repairs, improvements and renewal of central heating pipe work, radiators, valves and thermostatic valves, insulation measures, room thermostats, electrical supply, safety valves and cut-off systems and communal heating systems. The work may also involve reconfiguring and rerouting pipe work and any works in connection. The aim is to ensure heating systems are efficient, effective, safe and reliable for tenants.

### **Heating Upgrades – Various Locations**

The scheme is designed to provide fuel switching to council homes e.g. coal to gas, storage heaters to gas or the installation of renewable heating system etc. as well as provide minor improvements to heating systems including time clocks and room thermostats.

### **Loft Insulation**

The scheme will improve loft, roof and ceiling insulation levels in council homes with the aim of improving thermal efficiency. This contract will operate over the period of this four year programme. The scheme will also seek to access and support grant funding where available.

### **Energy Efficiency Measures and Energy Grant Support – Various**

This investment is to meet the costs directly and/or support grants for carrying out design and feasibility studies as well as the delivery of measures that improve thermal and energy efficiency and/or Carbon Emissions in council homes. Work may include design and monitoring activities, engaging in academic studies into energy efficiency, the installation or the renewal of solar photovoltaics, solar hot water, battery storage, air source or ground source heat pump, mechanical vent heat recovering systems, communal heating systems, insulation measures including wall insulation or other emerging energy saving technology / applications. The aim is to support projects that will develop knowledge and understanding, make homes more energy efficient, reduce energy costs for tenants, reduce carbon emissions and inform future approaches. The work will be ongoing and is expected to run over the period of this four year programme. Where opportunities arise, the Council will participate in grant assisted energy efficiency schemes and officers will follow relevant financial procedure rules relating to grants. Schemes or activities which are subject to planning permission requirements, officers will submit planning applications as necessary.

## **Kitchen and Bathroom Renewal**

### **Kitchen and Bathroom Renewal**

The investment will be to improve the internal living facilities, making these more safe and useable. Work may include, depending on requirements, alterations or replacement to electrical wiring, replacement central heating systems, incoming water supply, drainage arrangements, renewing food preparation surfaces, storage and cooking areas, kitchen layout alterations, flooring, decorative finishes including tiling and where required the renewal of sanitary facilities. Where required, the scheme will include general improvements to the home to enable kitchens and bathrooms to be improved, for example damp treatment, floor slab repairs/renewal or structural alteration to improve space and circulation within the home. The scheme will also include alterations and adaptations to kitchen and bathrooms where the occupants are identified as requiring these due to age, illness or disability. Contracts will operate over the period of this four year programme.

### **Kitchen and Bathroom Asbestos Management**

Investment is to meet costs of managing asbestos in relation to works to kitchen and bathroom renewal. The purpose is to ensure tenants remain safe in their homes and the Council meets its statutory obligations.

## **Located in Safe/Attractive Environments**

### **Environment - Within the Curtilage**

#### **External and Communal Facilities (Including Fencing/Walls/Hardstanding & Paths)**

The scheme will undertake repairs to the external facilities within the curtilage of individual homes and communal areas of blocks of flats to ensure they are reasonably safe and practicable areas. Garden areas can vary considerably from property to property and therefore the work will be tailored to the needs of individual homes, but will broadly include minor repairs or partial replacement of fencing and boundary walls, walls within the curtilage, repairs to structural paths, steps, handrails, drying facilities, clearance and or planting where necessary or lighting to communal areas. Where some facilities are no longer viable, these may be removed. The project will be ongoing and will run over the period of this four year programme.

### **Meter Boxes**

The scheme will replace and upgrade gas and electric meter boxes to improve safety and the appearance. The project will be ongoing and will run over the period of this four year programme.

### **Voice Entry Systems**

The scheme will renew or upgrade existing or provide new communal entrance doors in blocks of flats with voice entry systems. Investment will also ensure communal areas are protected and improve the safety and security for tenants and residents.

## **Environment**

### **General Environmental Improvement Schemes**

The scheme is to improve areas belonging to the Housing Revenue Account element of the Housing Service which are outside the curtilage of individuals' homes. The schemes will be based on consultation exercises with stakeholders as well as repairs and improvements necessary for the Housing Service to discharge its duties as asset holder.

### **Area Enhancement – Estate Based**

Investment will be used to address the environment of areas where there are specific needs and challenges to ensure these are suitable for future use. Where schemes or activities are subject to planning permission requirements, officers will submit planning applications as necessary. The project will be ongoing and will run over the period of this report.

## **Meeting Requirements of the Household**

### **Adaptations**

This funding is for alterations and improvements to council homes for tenants with medical conditions or disabilities. This scheme is ongoing and will operate over the period of this four year programme.

### **More Homes**

The investment will be to support the creation of Council homes for social rent and increase the supply of affordable housing in Swansea. The investment will be primarily used to construct new homes on HRA land but also to acquire houses, flats, bungalows,

property, buildings and land, and undertake any necessary clearance and preparation or other preparatory work associated with actions set out in the agreed 'More Council Homes Strategy'. Officers will undertake appropriation and acquisition activities in line with the Council's constitution and financial procedure rules. Activities to deliver the More Council Homes Strategy will include seeking and utilising grant assistance wherever available. As well as direct delivery to build new homes, the Council will also seek options to procure a development partner or a range of partners to deliver larger mixed tenure HRA sites, as well as exploring opportunities to work with local RSLs on delivery partnerships. The schemes will operate over the period of this four year programme. Schemes will be subject to planning permission requirements and officers will submit planning applications as required.

Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area: Housing and Public Health

Directorate: Place

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

The report to Council details the revised Housing Revenue Account (HRA) capital expenditure and financing proposals in 2021/22, and the HRA Capital expenditure and financing proposals in 2022/23 to 2025/26. The investment will be allocated to long standing repair and maintenance programmes to the existing council housing stock to ensure it remains operational and meets requirements for social housing such as the Welsh Housing Quality Standard. The report also sets out programmes to increase council house provision.

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement**

Consultation will be carried out to all householders affected by the schemes proposed in the report via the Council’s Major Works Agreement, and any individual needs will be accounted for as part of the scheme. Statutory Consultation via the Planning Process will be carried out for any schemes requiring planning consent.

The Housing Service has ongoing working practices with other service areas within the Council and will be working closely with these to develop, design and deliver the capital investment programme over the next 4 years.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
 Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
 Yes  No
- c) Does the initiative apply each of the five ways of working?  
 Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
 Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes       No      If yes, please provide details below

The programme of repairs and new build properties will have an impact on the following Council services: Building Services, Procurement, Legal, Finance, Highways and Drainage,

Corporate Property, Building Control, Social Services and Planning will all be involved in the schemes.

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

The planned investment and programme of repairs and maintenance to council housing and the creation of new housing set out in the report to Council will result in improved housing standards by increasing the number of homes with modern facilities, providing bespoke repairs and aids to those with medical or specific needs, increasing thermal efficiency to ensure homes are healthy, providing renewable technologies to individual homes to reduce carbon emission, and make homes cheaper to run (and protecting tenants from current pressures of fuel increases). The programmes are supported by the Beyond Bricks and Mortar Team with many contracts providing training and employment opportunities to those who are long term unemployed or hard to reach. The Beyond Bricks and Mortar team work with agencies who target those who may otherwise experience economic inactivity. Overall the programme will secure housing for future generations.

**Outcome of Screening**

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

Major investment into the Council's social housing stock and increasing its supply results in healthier, more thermally efficient and economical to run homes and supports and improves localities, communities and the wider environment. Investment and targeted employment contributes towards the local economy. The proposals set out in the report to Cabinet and Council will have a low impact with no mitigation required.

The schemes, when rolled out, will engage with those tenants who are affected as part of the major works agreement and ensure their needs are recognised and adjustments made where required. Public consultation will be undertaken to those schemes requiring planning permission via the planning process.

The proposal supports the Wellbeing of Future Generations (Wales) Act 2015 and will make a significant contribution to the 7 well-being goals. The decarbonisation element of the refurbishment programme will develop skills and employment opportunities, build local supply and safeguard current building industry related employment. Local communities with higher than average welsh speakers are scheduled for improved housing standards, the local environment and ensure these are affordable stable communities. Within the new build programme there will be collaborative working between the public and private sector in a sustainable way resulting in a long term partnership with the objectives of developing homes within the city for the benefit of future generations



Overall, repairing the existing housing stock as well as increasing the supply of affordable housing will assist in the regeneration of areas, and stimulating economic growth, addressing issues such as poverty, inequality, jobs and skills which directly contributes to the council's obligations to act in a sustainable way pursuant to the WFGA. There are no risks to the Council as set out in the legal section of the report.

(NB: This summary paragraph should be used in the relevant section of corporate report)

- Full IIA to be completed
- Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name: Dave Bratley</b>
<b>Job title: Housing Asset Manager</b>
<b>Date: 24<sup>th</sup> Jan 2022</b>
<b>Approval by Head of Service:</b>
<b>Name: Mark Wade</b>
<b>Position: Head of Housing and Public Protection</b>
<b>Date: Jan 2022</b>

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 13.



## Report of the Cabinet Member for Adult Social Care & Community Health Services

Cabinet – 17 February 2022

### Annual Review of Charges (Social Services) 2021/22

<b>Purpose:</b>	This report is the latest annual review of social services charges, improvements undertaken in year and a proposed list of charges to apply in 2022/23
<b>Policy Framework:</b>	Swansea Council's charging (social services) policy
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that Cabinet:  1) Accepts the findings of the annual review of charges report  2) Agrees an inflationary increase of 3% to be applied to all social services charges to come into effect on 1st April 2022  3) Approves the list of social services charges to apply from 1st April 2022, for the year 2022/23 for publication
<b>Report Author:</b>	Simon Jones
<b>Finance Officer:</b>	Chris Davies
<b>Legal Officer:</b>	Caroline Isaac
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Background

- 1.1 Swansea Council's Charging (social services) sets out the arrangements for charging citizens for costs incurred when providing care and support services. The List of Charges, appended to the policy, details what services are chargeable and the level of charge for the year ahead.

- 1.2 Swansea's Charging policy aims to ensure that charging, where it occurs, is consistent fair, transparent and applied equally; that the charges are set out and published in a way that can be clearly understood. The policy also ensures individuals who are asked to pay a charge will only be required to pay what they can afford; this is ensured through the offer of a financial assessment.
- 1.3 Social Services and Well-being (Wales) Act 2014 (The Act) came into effect in April 2016 setting out the statutory requirements placed on each Local Authority, to publish their discretionary charges for social services.
- 1.4 In working a sustainable approach to social care, Welsh Local Authorities have some discretion in how charges for residential and non-residential and community-based social services can be applied. Under the Social Services and Well-being (Wales) Act 2014, a local authority can only charge:
  - up to the cost of providing the service
  - what the person can afford to pay for an assessed for service

## 2. **Annual Review of Charges**

- 2.1. Swansea Council's fifth annual review of charges is a reflection on how current charges are working, taking into account the following:
  - Statutory considerations- any changes to national policy
  - How Current charging policy is working in practice
  - Improvements made this year. Changes planned
  - Opportunities for any new charges
  - What people are telling us
  - How Swansea's list of charges compares to other Welsh Local Authorities
  - Integrated Impact assessment
- 2.2 The Director of Social Services presents this report as the annual review of charges (social services), under Part 5 of the Social Services and Well-being (Wales) Act. The main report of the Annual review of charges -social services 2021/22 is appended to this report (**Appendix A.**).
- 2.3 The full report considers the impacts of Covid, in particular on citizens and families, alongside the demand for and charging for care and support within the pandemic; how a context of growing demand and rising costs within social care is impacting on the levels of income generated in the period. This report also provides Cabinet with an opportunity to consider the annual review, the charging policy, and to agree on the list of charges for social services to apply in 2022/23.

## 3. **General Issues**

- 3.1 **Income in year** – Welsh Government provided a loss of income scheme for the 2020/21 financial year, and this has continued for the first half of 2021/22 as a Social Care Recovery grant. This has provided the Council

with a level of protection from loss of income specifically attributable to the pandemic. It is clear the pandemic will continue to impact on income generating from clients and partner organisations in 2022/23, with safe distancing requiring necessary reductions in service capacity, and in some cases service closures. The current context makes it hard to predict what social services related income is achievable in 2022/23.

**3.2 Inflation** It is expected that inflation next year will be above 4% for a time, though the impact on households, as food, heating, travel costs are increasing, may be felt more deeply. The costs of providing social care services are subject to general inflationary pressures, as well as sector specific in terms of the living wage, training and professional development and market forces.

**3.3 Poverty** Whether any changes to social services charging adds to the debt burden carers is an important consideration when looking at imposing charges for the care and support received by our most vulnerable citizens, and in support of their carers.

#### **4. Integrated Impact Assessment**

**4.1.1** The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs

**4.1.2** The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

**4.1.3** Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

- 4.2 An IIA Screening Form has been completed with the agreed outcome that a full IIA report is not required. Please refer to the IIA screening form in Appendix 3 of main report.
- 4.3 The IIA screening found that the reviews proposals have a largely neutral impact on the Protected Characteristics as identified under the Equality Act 2010, and those experiencing socio-economic disadvantage. Any negative impact on Swansea citizens and carers is mitigated by a legal framework for charging as set out in the Social Services and Wellbeing (Wales) Act 2015 and its supporting Regulations, which help to ensure that only those with the means are charged for non-residential care.
- 4.5 The annual review and IIA process takes into account the United Nation Convention on the Rights of the Child (UNCRC) which Council has embedded into the Authority's Policy Framework.
- 4.6 The current policy complies with the Welsh Language Standards and provides for opportunities for people to use the Welsh language and for treating the Welsh language, no less favourably than English.

## **5. Legal Implications**

- 5.1 The legal framework for setting charges for social services is set out in the full Report.
- 5.2 A local authority must publish information about its charging arrangements and general fee levels for statutory and discretionary care and support services.
- 5.3 Local authorities are empowered (but not obliged) to charge for the care and support they provide or arrange to be provided to meet a person's needs. The charge can only relate to the cost that the local authority incurs in meeting the needs to which the charge applies.
- 5.4 The charge imposed must be no more than is 'reasonably practicable for the person to pay'. The Care and Support (Charging) (Wales) Regulations 2015 and Part 4 and 5 Code of Practice (Charging and Financial Assessment) set out the provisions relevant to charging and financial assessment.
- 5.5 The regulations stipulate that the maximum charge for non-residential care and support is currently £100.00 per week. The capital limit for the purposes of residential care is presently £50,000 and the capital limit for the purposes of non-residential care charges is £24,000. These limits may change for the next financial year as the Welsh Government sets the level of the maximum charge and capital limit each year.

5.6 The Care and Support (Financial Assessment) (Wales) regulations 2015 makes provision about the way in which a local authority must carry out a reasonable financial assessment of a person's financial resources.

5.7 There are no additional legal implications.

## **6. Financial Implications**

6.1 Charging policy (social services) applies the corporate principle of full cost recovery. In reality, charges can only recover some or all of the costs of services from citizens, as there is a national framework of caps and thresholds set. Any decision to, or not to, charge for services, or to subsidise the costs of services should be based on detailed cost and demand analysis, encouraging fair access, and this annual review helps to support this process.

6.2 Income generation can reduce the costs of services to Council taxpayers or to provide care and support to more people in need. Overall, this work contributes towards Swansea Council's Corporate Plan strategic objective to safeguard our most vulnerable citizens.

6.3 Finance Officers have been fully involved in the work of the Social Services Finance & Charging group and the review process. The proposals set out by the review report support the Council's Medium Term Financial Plan objectives and assumes that any additional general fund income generated through the changes to charges proposed within this report will help to meet additional cost pressures within the service.

6.4 There are no additional financial implications.

### **Background papers:**

None

### **Appendices:**

*Appendix A. Annual review of charges (social services) 2021/22 (main report)*



## Annual Review of Swansea Council's Charging Policy (Social Services)

2021/22

Summary report on work carried out on behalf of the Council  
by the Social Services Finance and Charging Policy Working Group

December 2021 v3 1

### 1. Introduction

1.1 **Annual Review report**- sets out the finding and recommendation arising from Swansea Council's fifth annual review of social services charges to inform council policy and a new list of charges, **due to come into effect from 1st April 2022**. This report builds on work undertaken in previous years to keep Swansea's charging fair and equal, and in line with the rest of Wales. The review also evaluates how charges are working in Swansea, by considering changes in the statutory context, issues in applying council policy, what people are telling us, how current arrangements are working and whether there are equalities impacts linked to any proposed changes.

1.2 **Review Terms of reference** - the annual review is part of a programme of work undertaken during the year by the Social Services Finance and Charging group. The remit for this review is:

- To consider the level of inflationary uplift and minimum charging levels that should be applied to non- residential care charges in the 2022/23
- To consider whether any changes are needed to Council Policy
- To identify any next steps for year ahead

### 1.3 Social Services Finance & Charging Group

The Social Services Finance and Charging group is chaired by the Director of Social services, and a remit that covers how the Council's social services manages financial process and income generation, in work with partners and citizens. This group aims to ensure there is effective governance at executive level of social services charges as set out within the current policy, and within decisions on any changes to policy and the list of charges. This group provides strategic leadership operational oversight and, through this annual review process, monitors the impact of the new Charging Policy on citizens and carers, as well as on developing the resources available to the Council.

1.4 **Swansea’s Model for Annual Review of Social Services Charges** (see fig. 1 below) is based on Audit Wales best practice for reviewing charging, to help ensure that Swansea’s charging policy continues to be based on strong principles of fairness and equality, to support Council’s approach to achieve full cost recovery and transparency in how it is being implemented. Also, under the Wellbeing of Future Generations (Wales) Act 2016, public policy has to incorporate “Five Ways of working”:

- Long term
- Collaborative
- Preventative
- Integrated
- Involvement

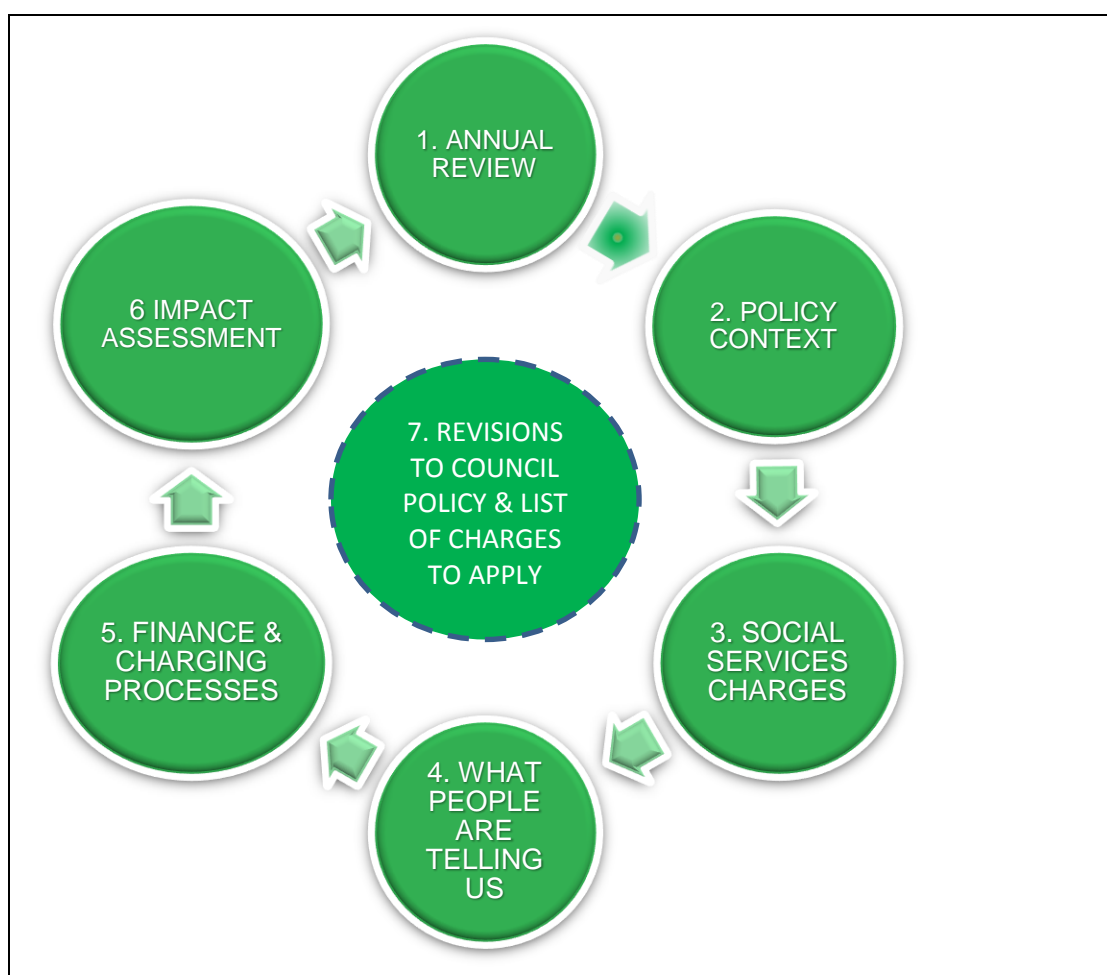


Figure 1 Swansea model for annual review of social services charging

1.5 **Integrated Impact Assessment** -his review also uses the integrated impact assessment with this approach, to ensure that the list of charges as proposed by the Social Services Finance and Charging group, chaired by David Howes, Corporate Director of Social Services, take into account the broader range of impacts on the people we serve, including groups with protected characteristics.



1.6 **Proposed List of Charges** - This Annual report of the Social Services Finance and Charging Group is proposing a new List of Charges to come into effect in 2022/23 (see **Appendix 1**), and which are to become appended to the Swansea Council's Charging Policy (Social Services).

## 2. Policy Context

2.1 **Social Services and Well-being (Wales) Act 2014** ('the Act'), determines that a local authority can only charge individuals:

- Up to the cost of providing the service
- What the person can afford to pay for an assessed for service

2.2 **Statutory requirements.** Under section 59 of the Act, there are recently (amended) Care and Support (Charging) (Wales) Regulations 2015 [2], version 5 of the Part 4 and 5 Code of Practice (Charging and Financial Assessment, updated April 2020). These all determine that Welsh Local Authorities must publish their own interpretation of the relevant Social Services and Well-being (Wales) Act Code of Practice, how any discretionary powers conferred by the Welsh Government will be exercised in the year ahead and a list of charges to apply.

2.3 **Local Authority Discretionary powers-** Where a council decides to charge for the care a person receives, it must do so in accordance with the regulations and codes of practice, as above. The national policy framework requires Councils to show to citizens how they intend to apply discretionary powers on charges for social services as conferred by Welsh Councils retain considerable discretion on which services are charged for and the level of charge.

2.4 **Statutory limits and thresholds.** The Act also states that any charges for social care cannot be set at a level higher than the cost of providing the service. That charges can only relate to the 'cost that the local authority incurs in meeting the assessed, eligible needs for managed care and support, to which the charges may apply (section 59-2).

**Current amendments** under the Act, applying from April 2020, are:

### **Non-residential care**

You may have to pay up to a maximum of £100 a week if:

you have a high level of disposable income

you have savings and investments over £24,000, not including the value of your home

In deciding charges for non-residential care, local authorities must allow you to keep a set amount to help you meet your daily living costs.

### **Residential care**

If you have capital over £50,000 you may have to pay the full cost of your residential care.

If your capital is at or below this limit, the local authority will help pay for your residential care.

How much you pay towards this care will be calculated from your eligible income, such as pensions or welfare benefits.

Local authorities must ensure you are left with at least £32.00 a week to spend on personal items.

Note: Any changes to allowances that may apply in 2022/23, are not yet confirmed by Welsh Government, here is link to current guidance: <https://gov.wales/charging-social-care>

## 2.5 Recent changes in UK

On 8 September 2021, the UK Government announced a new funding plan for health and social care in England. “Build Back Better” that sets out plans for a ring-fenced UK-wide Health and Social Care Levy (“the Levy”). The plans were passed by the House of Commons on 7 September 2021. The new Levy will be introduced in April 2022, initially collected as an increase of 1.25% in National Insurance Contributions (NICs). Dividend tax rates will also increase by 1.25%.

The Prime Minister also announced a guaranteed level of assets individuals will be able to keep in England if these proposed changes come into play of £20,000. The charging system we have in Wales is different (see above) – with the thresholds for capital and incomes already set at a higher level.

## 2.6 Recent changes in Wales

Health and Social Care are devolved in Wales, so how the Welsh Government intends to change the existing arrangements, or makes use of any additional funding, remains uncertain.

Welsh Government’s White Paper, Rebalancing care and support (February 2021), set out a series of proposals to “reduce complexity, increase sustainability, and strengthen integration”. It proposed focussing on three areas for improvement:

- refocussing the fundamentals of the care market,
- reorientation of commissioning practices; and
- evolution of integration mechanisms.

Also, the Welsh Government’s Programme for Government 2021-26, published in June 2021, committed to pursuing “a sustainable UK solution so that care is free for all at the point of need and/or consult on a potential Wales-only solution to meet our long-term care needs”.

The Welsh Government has decided to reconvene the Inter-Ministerial Group on paying for social care to consider the next steps for Wales. The outcome of the UK Government’s Spending Review 2021 should provide more information about the funding available to the Welsh Government, to deliver their plans for Social Care.

## 2.7 Legal Challenges

Local authority decisions about a person’s entitlements to care and support, and how much they should contribute financially have significant equality and human

rights implications. The national framework and local policy can affect the rights of older and disabled people and carers in exercising voice, control, and maintain dignity in their daily lives, to maintain relationships with carers, and families, to live and work independently and to participate in their communities. Swansea Council are starting to receive more questions, queries and challenges to how we apply national policy, and how the Council exercise its discretionary powers.

Following a small number of queries from parent- carers, the Finance and Charging group has taken the learning from a UK national test case (Norfolk), and undertaken an internal review, referring to specialist legal advice, to ensure the Authority's charging regime is not being applied in a discriminatory way. Officers are confident the Authority is fully compliant, and fair in the way we are applying discretionary powers.

**People Policy Development Committee** - It has highlighted that the Council could do further work around full transparency, in particular the mechanics of how financial assessments are carried out. It is intended that Adult Services and the Social Care Inform and Finance team are to work with the People Policy Development Committee on co-producing Financial Assessment Guidance (for Social Services Charges) The People PDC's work programme indicates this work is due to commence in Dec. 2021.

### **3. Social Services Charges**

**3.1 Current policy** - all charges relating to social care are covered by Swansea Council's Charging Policy (Social Services) – version 6: [Charging-Policy-Social-Services](#)

**3.2 Key Principles** Swansea Council aims to be clear, fair and transparent in what we charge for, and we do this by publishing an annual schedule/ list of charges, as set out in a Swansea Council Charging Policy. There are some 'fairness' issues in applying this national charging policy, which in effect imposes a charging ceiling, which can mean everyone may be charged the same regardless of wealth or amount of service received, over a certain amount. The financial assessment is carried out, to means test this approach, though still this will clearly have greatest impact on those people with less income.

**3.3 Discretionary considerations.** By exercising their discretionary powers in charging for services to meet needs, generally Councils have been expected to act within a general requirement of 'reasonableness'. Citizens are protected by nationally determined capital limits, weekly charging caps and personal income allowances, which are set by Welsh Government every year by ministerial statement. In most circumstances, the council must also offer a financial assessment to citizens to ensure any charge made for care and support is reasonable compared to the person's financial means. Although charges are

applied under a single policy framework, there are still some differences between calculating a charge for non-residential care (a maximum weekly charge may apply, and a capital threshold limit may apply) and calculating a charge for residential care (capital threshold may apply).

**3.4 Swansea Council’s financial strategy** is to work within the principle of full cost recovery, and we are continually working to improve our understand the costs of delivering services to the public, and the factors which cause variations in costs over a period of time, such as occupancy rates, staffing costs and inflationary pressures. Through the work of the Finance and Charging group, the most recently available ‘unit costs’, across the accepted categories of social services, are used as the basis for current charges, and to reflect full cost recovery.

**3.5 Opportunities for New Charges** -as Swansea Council’s Charging Policy (social services) makes clear, the Welsh Government’s current charging framework allows for discretion in charging for Care and Support services. In exercising this discretion, the Council must consider carefully whether any additional care and support services should to be added to the list of charges; whether within the community-based category, or by applying a flat rate, and the cost/ benefits of doing so. The following table summarises new services areas considered during the year, and the current position of the Social Services Finance & Charging group.

<b>Council service subject to discretion</b>	<b>Action proposed:</b>
Supporting People services -	Charging could be considered as part of themed Commissioning work if/when undertaken
Commissioning support – partners including administration cost	This has been explored as option by Commercial team, and is seen as not cost effective to implement at this time, particularly when providers are struggling
Carers support services	Unpaid carers provide vital and necessary care and support to family and friends. They have key role in a sustainable model of social care. This is not being considered at this time.
Deferred Payments- administration	Demand for service is seen as limited, there is limited capacity available to set up a new service and cost/ benefits case yet to be made
Self-funders - administration	As above
Local Area Coordination	This is corporate strategic, community focused approach to well-being and prevention, jointly funded with other organisations and not being considered at this time.
Occupational Therapy –provision of equipment & assistance	Currently delivered in partnership with Health, extensive consideration/ consultation would be needed for charging to apply any charge for a specialist assessment.
Employment related services	To be considered as part of themed corporate Commissioning work
Other- Preventative	Preventative services are not subject to the maximum weekly charge and a flat rate charge is not being considered at this stage
Services to Children, Young People & Families	Not being considered at this time

3.6 **Benchmarking** - this annual review of charges has also looked at the 2021/22 charging schedules of some other Welsh Local Authorities and there are examples of Welsh Council's discretionary approaches to social services charging summarised at the end of the table in **Appendix 2**.

#### 4. What people are telling us

4.1 **Public consultation**- there has been no formal public consultation undertaken this year.

#### 4.2 Complaints/ Compliments

The following tables show the complaints received last year relating to social services charging, in previous years (including April 2021 to end Nov. 2021).

There are no formal complaints about Swansea Council's Charging policy.

From the Corporate Complaints guidance document:

A complaint is not:

- an initial request for a service.
- a formal review or appeal against a decision or determination, the procedure for which is set out in legislation or regulations.
- a means to seek change to legislation or a "properly made" policy decision; or
- a means for lobbying groups/organisations to seek to promote a cause

At this stage in the year, the table shows a similar number of complaints at Stage One and Stage Two, relating specifically to financial matters, such as financial assessment, direct payments and decisions.

<b>Complaints received by Corporate Complaints Team relating specifically to social services charging by year</b>			
<b>Outcome/ Year</b>	<b>2019/20</b>	<b>2020/21</b>	<b>Year to date</b>
Stage One - Justified	-	7	3
Stage One -Partially Justified	-	2	-
Stage One - Not Justified/	1	1	2
Stage One - Local Resolution /Other	3	1	1
Stage One - Not Pursued/ Informal	-	-	-
Stage Two - Partially Justified	-	1	1
Stage Two - Not Pursued/ On-going	-	1	1
<b>Totals</b>	Stage 1 = 4 15, in total relating to Financial Issues	Stage 1 = 11 Stage 2 = 2	Stage 1 = 6 Stage 2 = 2

Table 1. No. of complaints

During April to Nov. 2021, social services/ financial related complaints - reasons given / comments	Outcome for citizen in year to date
Complainant's father had to move from a care home to one that could meet his religious /dietary needs.	Swansea agreed to pay shortfall in care home costs
Citizen wanted payment backdated for direct payments, without evidencing expenditure	Found to be not justified
Dispute over the date charging would start though there was evidence shows that family were made aware of start date	Found to be not justified
Complaint that there appears to have been no conversation of retrospective charging for the amount	Amount due/ debt written off
Public query re neighbour's maximum assessed charge	Complaint found to be not eligible
Direct payments - delay in providing pay slips for carers to support financial assessment	Justified
Unhappy with charges levied, client disagrees with matters relating to disability related expenses	On-going
disagreement with over property held in trust for mum being part of financial assessment	Ombudsman- not justified

Table 21. Reasons/comment for social services financial related complaints in 2021-22 (to date) with outcomes

Adult Services also received a high number of compliments in 2021/22 many of which came from carers or relatives praising the professional support provided, and the help given to access a range of services.

### 4.3 Public Ombudsman

The Public Ombudsman cannot assess an individual's ability to pay for the cost of their care and support services, they sometimes receive complaints about related matters, which are summarised in a quarterly casebook (most recent case book April to June 2020). <https://www.ombudsman.wales/case-books/>

There has been just one local complaint passed to the public ombudsman, relating to a disagreement over property held in trust for a relative, being considered as part of financial assessment.

## 5. Finance & Charging Processes

### 5.1 Social Care Income and Finance Team

The Social Care Finance Team is part of the Revenues and benefits Service within the Financial Services Department and is responsible for:

- Undertaking financial assessments of clients' contributions towards the cost of their care
- Collection of those client contributions
- Scrutiny of claims for re-imburement from care providers
- Payments to care providers for residential and non-residential care

- Payments of Fostering and Adoption allowances including the means test that determines the allowance paid to an adopting parent
- Payment of Special Guardianship Allowances
- Payment of Direct Payments

This important section currently deals with expenditure on behalf of Social Services of approximately £50 million per year and last year generated £14 million of income to the Council. Overall, the Revenues and Benefits service manages transactions of approximately £300m a year. Staff have generously been working overtime over the last 18 months, so to avoid any significant work delays impacting on citizens, providers and partners. The SCIF team continues to provide a high standard of service on behalf of the Council's social services.

In 2020/21 the SCIF team carried out **6830** financial assessments of social care clients (9109 financial assessments in 2019/20)

Of this number, there were:

- **2477** assessments of new clients
- **4353** reviews of existing clients

In response to Covid, there has been considerable additional work carried out by the SCIF team in relation to:

- a) **Residential Care:** As a result of the covid responses between the Council and Health, the SCIF team dealt with a variety of different placements as a result of new pathways aimed at rapid discharge to help Health in releasing beds. New placement types were set up at short notice to facilitate easier reporting for Social Services. To ease pressures on residential care providers and allow them to focus on the covid crisis, payments for new residents were changed from net to gross. This means that the providers would not have to collect client contribution for new residents thereby reducing their administrative burdens. Gross payments have provided the residential social care sector with additional stability needed during this uncertain period. Many residents are moving through the cycle of community-based services and into residential / nursing care so are more used to receiving invoices from the Council towards the cost of their care. This innovative process has worked well, and the Social Services Finance & Charging groups has agreed to the arrangement at this time.
- b) **Domiciliary Care:** The section worked closely with Commissioning to put into place block payments for residential providers during the first lockdown. Following the RAG status of all Packages Of Care (POCs) by Adult Services, a number were amended or cancelled, following collaboration between the council, provider and families. To stabilise the market during uncertain times, block payments were arranged which guaranteed payments to providers at a time when they were in a critical position. The SCIF team also been involved in other commissioning changes including the calculation and issuing of invoice templates at short notice due to a mid-year uplift in provider rates and are

shortly due to redo this exercise following a further change to commissioning practices for payment of short calls.

- c) **Direct Payments:** Work has taken place in the area of Direct Payments to ensure that there is robust systems for managing and reviewing how individuals are using funds to achieve their agreed outcomes, and where there is outstanding funds, these are recovered to the Council. Our small Direct Payments section have processed 582 care worker payments, and then paid out £429,500 for eligible personal assistants under the Welsh Government scheme.

## 5.2 Financial Assessment

During the first lockdown as an emergency response, a substantial number of provisional financial assessments were carried out using data held by the Council's benefit system. This was in recognition of the fact that citizens were unable to access the support that they required due to lockdown, reduced family support and the closure of public buildings. For those citizens where income was not known, they were advised that assessments would be conducted as soon as possibly but at a later date as an easement due to the pandemic. They were made aware that backdated invoices would be issued when citizens could access support following the ease of restrictions. This could have posed a substantial risk to the Council's income stream, but it was felt to be an appropriate measure at the time.

Subsequent pro-active action by the team to ensure financial assessments were carried out as soon as possible has since mitigated that risk.

Our Social Care Income and Finance team also responded quickly following the introduction of the £20 Universal Credit uplift. to ensure that affected citizens' financial assessment were changed as quickly as possible as the uplift resulted in a reduction to the contribution they were required to pay towards the cost of their services. Following the removal of the £20 uplift in October this year, whilst this should have resulted in an increase to a citizen's contribution due to a reduction in income and their corresponding allowances, the Council have decided to continue with the increased allowance until April 2022 whilst reducing the citizen's income to its correct level. This allows affected citizens time to adjust their finances and also acts as a form of transitional protection.

## 5.3 Income Generation - Table showing Income Generated by year

Service Category	2018/19	2019/20	2020/21	Difference to last year
Community Alarms	(487,686.01)	(450,380.46)	(395,850.45)	54,530.01
Day Services	(433,814.04)	(559,804.47)	(241,029.93)	318,774.54
Direct Payments	(886,156.62)	(1,371,828.11)	(1,341,393.14)	30,434.97
Domiciliary Care	(2,790,266.64)	(2,803,475.86)	(2,823,829.58)	(20,353.72)
Other/Administration	(392,489.57)	(545,833.20)	(378,393.61)	167,439.59
Residential Care	(11,579,594.43)	(12,845,876.02)	(11,628,620.06)	1,217,255.96
<b>Grand Total</b>	<b>(16,570,007.31)</b>	<b>(18,577,198.12)</b>	<b>(16,809,116.77)</b>	<b>1,768,081.35</b>

Table 3. Adult Services Yearly Analysis of income/ income related to charging by type - figures based on information within the Council's financial ledger



### **Main Points from previous table:**

- Income generated from Adult Social Care continues to be impacted by the pandemic, as the Council's, adult community-based and residential care services have modified their offer in response to the emergency situation.
- The table shows a £1.8m fall in the amount of income generated in 2020/21 to Swansea Council, which related to adult social care, as compared to 2019/20.
- This included £1.2m relating to residential care
- Income from day service charges has fallen significantly by £319k,
- £30k income from direct payment recovery is largely derived from the recovery of excess balances on individual accounts

Welsh Government provided a loss of income scheme for the 2020/21 financial year, and this has continued for the first half of 2021/22 as a Social Care Recovery grant. This has provided the Council with a level of protection from loss of income specifically attributable to the pandemic. It is clear the pandemic will continue to impact on income generating from clients and partner organisations in 2022/23, with safe distancing requiring necessary reductions in service capacity, and in some cases service closures.

5.4 Income projections for 2021/22, in Swansea, we can estimate the net loss of income within Adult Services to be in the order of **£1.46m**. Social Service Performance and Financial Monitoring meeting will continue monitor the situation monthly within the budget reporting, and action taken accordingly. It is not possible to reliably predict income generation for 2022/23 with any confidence, due to the number of variables to consider.

### **5.5 Debt Recovery / Invoicing**

Considerable work has been undertaken through the year to reduce outstanding debt in social services. At the start of the pandemic Debt Recovery across the whole authority was suspended. Residential care debt less than 90 days old, at March 2020, was reported as £445k. This figure increased to £645k in January 2021. By April 2021, by which time debt recovery processes had recommenced, the debt position had decreased to its best ever position, even before the pandemic had started, at £325k. Currently residential care debt between 30 to 90 days old, stands at **£371k**. However, the vast majority of this relates to a very small number of cases which are currently pending settlement.

Although debts over 90 days old have increased during this time period from £2m to **£3m**, this is partly attributed to the delays in probate being granted and subsequent delays in executors being able to settle estates. Also, due to the impact of high complexity in settling a small number of high value cases.

Alongside the work above, it is vital that we are consistent in our work with partners, in ensuring that invoices for services or work we provide on their behalf are raised in a timely, reliable and realistic way. We aim to notify partners also of

any changes to social care fees and charges, based on the work on Finance & Charging group, reflecting the actual costs of the commissioned services, which in turn, are based on accurate figures for service usage, and estimates of all the costs are applied.

Effective joint working between SCIFT, Corporate Commercial and Procurement teams and the Social Services Finance officers continues to ensure that all our processes are working effectively.

## 5.7 Grant Schemes

From October 2020, the Revenues and Benefits section (which includes Social Care Income & Finance) have been administering the Self Isolation Payments scheme on behalf of Welsh Government. Staff from Benefits and SCIF have been diverted to dealing with the grant scheme which has resulted in higher workloads across the section. To date, staff across the section have received more than 13,500 applications and dealt with over 8000 e-mails from citizens with a range of different queries for the scheme.

From 13 December 2021, the Revenues and Benefits section has also been tasked with administering the Winter Fuel Support Scheme on behalf of Welsh Government in addition to the Self Isolation Payments scheme. This scheme will see eligible households receiving a grant of £100 towards their fuel costs. Again, staff from across the section including SCIF will be assisting in processing these grants. It is estimated that 30,000 households within the City and County of Swansea will be eligible to receive this grant over the 2-month eligibility period.

## 5.8 Other process Improvements made during year

Work has continued on strengthening links between social work practitioners and the Social Care Finance Team, to make sure that any changes in care and support plans triggers a new or revised financial assessment and fair charging. This work aims to make sure that Charging policy is fairly applied to all people receiving social services in Swansea, and that there are no individuals in receipt of services without a financial assessment or subject to charging.

The Council has also commenced rolling out a 'provider portal' which care providers can use to provide details of the care they have supplied which ensures payments are made to them rapidly. The portal also supports early scrutiny of payment requests to ensure they are within the required parameters. Work will continue to roll this out to all providers in the city of the coming year.

## 5.7 Improvements planned for year ahead

**WCCIS** - The introduction of the Wales Community Care Information System (WCCIS) to Swansea Council is not just a system implementation, but an opportunity to improve and reshape our culture and practice to better meet the needs of the people we work with.

One of the major overhauls of business process has been around service provisions, the details of which were held across a number of different systems, with no easy means of collating what service people are receiving and when.

As well as a more outcomes focused social work assessment and case management review, WCCIS now includes information related how people are receiving a range of services, including:

- Internal Home Care
- Domiciliary Care
- Day Care
- Direct Payments
- Residential and Nursing Care

Swansea's WCCIS system went live in April 2021, supported by skilled business support to ensure that decisions are being made with the most accurate up to date information possible, and early signs are promising. We are review our business processes that link the care and support plans to how we calculate the costs and charges to apply, to financially assess and where necessary to invoice citizens. We are developing interfaces between Swansea's CCIS and Abacus systems to streamline a new end to end process, that puts the citizen firmly at the centre and involves closer working between social workers and business support.

## **6. Integrated Impact Assessment**

6.1 The current economic situation, as the world continues to respond to the pandemic, remains one of uncertainty, stories of personal and family struggle and public facing agencies responding quickly to each set of circumstances as they arise. This period, with the additional challenges of changes to furlough scheme, universal credit, inflation rises, specifically food, energy and fuel prices, is having a devastating impact on some individuals, families, communities and businesses. Government support for jobs and businesses during the pandemic, and the costs of Brexit, will have had a significant impact on public sector borrowing. Although the additional investment in Health and Social Care is to be funded by increases in national insurance, there will be a need to restore national debt to more sustainable levels over time, and this has the potential to affect spending on public services. The financial outlook for all public services in Wales is likely to be extremely challenging over the next decade.

A more detailed analysis is set out in the Council's Medium Term Financial Plan.

6.2 Deprivation is an important consideration when looking at imposing charges on the care and support of our most vulnerable citizens and in support of their carers. The Wales Index of Multiple Deprivation (WIMD) is updated every 4 to 5 years. The most recent index was published in 2019, **17 (11.5%)** of Swansea's 148 LSOAs are in the most deprived 10 per cent in Wales (similar to the overall proportion in 2014). Swansea also has 8 Lower-layer Super Output Areas (LSOAs) in what is termed Deep-Rooted Deprivation; those that have remained within the top 50 most deprived – roughly equal to the top 2.6% – small areas in Wales for the last five publications of WIMD ranks. The current economic situation is likely to have greatest impact in these areas.

6.3 Overall the financial outlook coupled with high demand for social care and and population changes mean that the Council continues to apply the Welsh Government's framework for local authority social services charging to ensuring the continued sustainability of our services. Swansea's corporate financial policy on setting charges still sets out an expectation on all services to aim for Full Cost recovery where possible, and to operate within the key principles set out in the Sustainable Swansea programme, and through objectives in the Corporate Plan 2020-22.

## **7. Revisions to Council Charging Policy and the List of Charges to apply in 2022/23**

### **7.1 Swansea Council Charging Policy (Social Services)**

The policy and this annual review process, as reflected in this report, aims to ensure that charging, where it occurs, is consistent, fair and clearly understood. Individuals when asked to pay a charge will only be required to pay what they can afford.

The current policy takes into account the principles set out in the charging and financial assessment framework introduced by the Act, and the relevant codes of practice.

Public Information and advice about charging is available on the council website, and leaflet, taking account of individual communication needs, on request. Swansea Council are committed to giving people a stronger voice and real control over the care and support they need, to achieve their own well-being outcomes

#### **Recommendations:**

- Social Services Finance and Charging group to ensure up to date public information is available on the new corporate website
- Working with People PDC, to consider approaches to coproduction in the future development of Charging – social services policy and guidance

7.2 **Changes within the List of Charges** as published prior to the start of the financial year should reflect the many inflationary pressures impacting on the social care sector.

The costs of providing social care services are subject to inflationary pressures. Significant changes have been made in previous years to ensure that Swansea's charging policy is consistent with most other local authorities in Wales, and that this policy is applied with fairness and equity.

The report UK government spending review is underway, has made proposals about the future funding of social care services to meet demand pressures, but Welsh councils are unlikely to be fully funded to meet increasing costs of recruiting and retaining a professional social care workforce, and pay scales reflecting the current Living Wage. It is expected that inflation next year will be at least above 4%

**for a time**, though the impact on households, as food, heating, travel costs are increasing, may be felt more deeply.

### **Recommendation:**

- The proposal as made by the Social Services Finance & Charging group is to increase all charges by **3%** to apply to all set out in the List of Charges to apply in 2022/23.

## **8. Conclusions**

In summary Swansea Council's annual review of social services has taken into account the following

- Policy Annual review approach
- Social Services charging framework
- What people are telling us
- Continuous process improvements
- Integrated Impact
- Comparisons with some other Welsh LAs
- Any revisions needed

Within the current context, it is not deemed necessary or appropriate to consult upon making any changes to the current charging policy.

## **9. Recommendations**

Cabinet is asked to accept the findings of the annual review of changes, and that there are no new service charges to apply in 2022/23.

- To agree that an inflationary increase of **3%** to be applied to all social services charges to come into effect on 1<sup>st</sup> April 2022.
- Cabinet to approve the list of social services charges to apply from 1st April 2022, for the year 2022/23.
- The new List of charges 2022/23 (Appendix 1), once agreed, is appended to the Council's Charging (social services) policy.

## Appendix 1 Swansea Council List of Charges (to apply in 2022/23) v2

These are the amount clients will be charged for social care services, subject to any limits on the maximum charge specified by Welsh Government.

### 1. Residential Care and Support Services (Local Authority)

Council's in-house residential care service delivers a high-quality service for individuals with complex needs, and also offer placements for residential reablement and respite care.

The charges shown below are for the council-run care homes only and are only indicative of the average weekly costs of care and support, as some individuals may have additional needs to be identified and charged accordingly.

All charges for residential care are means tested. Residents may only be required to pay a contribution towards the total weekly cost. In certain circumstances, residents may be required to pay the full cost of residential care.

#### a) Long Term Residential Care (Local Authority)

Charges for Services by category of care	Weekly charges in 2021/22	Weekly charges in 2022/23	% Increase/ Comment
<b>Residential Care</b>			
<b>/ Council run only</b>			
Elderly Care	£624.90	£643.65	3%
Dementia Care	£624.90	£643.65	3%
Mental Health	£1,637.46	£1,686.58	3%
Learning Disabilities	£1,637.46	£1,686.58	3%
Younger Adults	£1,637.46	£1,686.58	3%

As part of a planned response to the current crisis, Adult Services are currently offering nursing placements within In-House Services.

Charges for Services by category of care	Weekly charges in 2021/22	Weekly charges in 2022/23	% Increase/ Comment
<b>Nursing care/ Council run only</b>			
Adults	£653	£672.59	3%

The charge (fee) is set at a rate in line with external nursing placement

<b>b) Short Term Residential Care (Local Authority)</b>			
<b>Charges for Services by category of care</b>	<b>Weekly charges in 2021/22</b>	<b>Weekly charges in 2022/23</b>	<b>% Increase/ Comment</b>
All adults short term residential, up to 8 weeks (known as Respite care, residential reablement (from week 6 and up to week 8) or temporary short-term emergency or planned placement)	£100	TBC by Welsh Government	To reflect Max. weekly charge set by Welsh Government

## **2. Non-residential, community-based care and support Services**

- Domiciliary Care – is care in the client’s home provided by a private sector provider
  - Home Care – is care in the client’s home provided by the Local Authority
- All charges are means tested up to the maximum standard charge as outlined below

<b>Charges for Services per category of care</b>	<b>Weekly charges in 2021/22</b>	<b>Weekly charges in 2022/23</b>	<b>% Increase/ Comment</b>
<b>All adults Non-residential, community-based care and support Services</b>			
Domiciliary Care or Home Care, including respite at home, supported living	£19.32 per hour	£19.90 per hour	3%
Older Persons Day Services	£44.86 per day	£46.21 per day	3%
Day Services Younger Adults /Special Needs Day Services	£56.10/day	£57.78/day	3%

### 3. Flat rate charges for other services provided by Swansea Council

These social care charges for Council run services are discretionary, and are **not** subject to a means test, or a maximum weekly charge.

Charges for Services per category of care	Weekly charges in 2020/21	Weekly charges in 2022/23	% Increase/ Comment
<b>Adult social care charges for Council run services</b>			
Community Alarms (Lifelines)	£150.80 exclusive VAT (four quarterly instalments of £37.70)  £180.96 inclusive VAT (four quarterly instalments of £45.24)	TBA	May be subject to change  <a href="https://www.swansea.gov.uk/communityalarms">https://www.swansea.gov.uk/communityalarms</a>
Meals (within community-based, day services)	£3.93	£4.05	3%
Court of Protection Deputyship	Court of Protection Deputyship charges as set in law by the Ministry of Justice	Court of Protection Deputyship charges as set in law by the Ministry of Justice	
Pre-Deputy support charge	£5 per week	£5 per week	No change proposed



## **APPENDIX 2: COMPARISON WITH OTHER WELSH LOCAL AUTHORITIES**

- a) Table showing latest available information about how Swansea's social services charges compare to selected other Welsh Local Authorities. This year due to Covid, information has been collated and updated following a web search for the following service areas:

<b>Local Authority</b>	<b>Home Care (subject to weekly charge)</b>	<b>Day Care (subject to weekly charge)</b>	<b>Direct Payments</b>	<b>Residential Care Long Term /Temp Elderly/ week</b>	<b>Residential Care Short Term/ Respite (</b>	<b>Telecare/ Lifeline (per week)</b>	<b>Other (per day)</b>
Swansea (2021/22) <u>Updated</u>	£19.32 per hour	£44.86/ day-older people £56.10/ day-adults	Variable	£624.90- older people £1,637.46- learning disability £653 Nursing	£100 (Max weekly charge applies)	45.24 per quarter	Meal £3.93
NPT <u>Updated</u>	£16 per hour subject to 2% increase	£30 per attendance	Value of direct payment	£572.37 (standard res. Care) £767 (Pobl charges to new residents) subject to 2% increase	£100 (Max weekly charge applies)	£2.70 (T/c) £3.95 (LL) £5.70 (LL-Extra) subject to 2% increase	Meal £4.60
Bridgend <u>Updated</u>	£19.72	£35.17 / day £53.23/ day	Variable	Remodelling	£100 (Max weekly charge applies)	£6.17/ week (one person in household)	Meal - £5.66 Tea/snacks £1.69

<b>Local Authority</b> <b>Social Services Charges in</b> <b>2021/22</b>	<b>Home</b> <b>Care</b> <b>(subject to</b> <b>weekly</b> <b>charge)</b>	<b>Day Care</b> <b>(subject to</b> <b>weekly</b> <b>charge)</b>	<b>Direct</b> <b>Payments</b>	<b>Residential Care</b> <b>Long Term /Temp</b> <b>Elderly/ week</b>	<b>Residential</b> <b>Care</b> <b>Short Term/</b> <b>Respite (</b>	<b>Telecare/</b> <b>Lifeline</b> <b>(per week)</b>	<b>Other</b> <b>(per day)</b>
Carmarthenshire  <b><u>Updated</u></b>	£16.85 per hour (community support)	£16.50 per session	PA rates  £12.40 per hour/£98.60 per night	N/a	£100  (Max weekly charge applies)	£3.22 per week	Meal £5.00
Powys  <b><u>Updated</u></b>	£20.50 per hour	£15.00 per day	£11.41 per hour PA rate  £14.47 per Hour agency rate	Residential £659  Dementia care £669  Nursing £660	£100  (Max weekly charge applies)		Meal £7.50
<b>Pembs</b>  <b><u>Updated</u></b>	£18.27/ hour	Day Opportunities £43.45	£12.69	Residential £658.71	£100 (Max weekly charge applies)	£2.24- with Disablement Exemption Certificate  £2.69 -without Disablement Exemption Certificate	Meal- TBC
<b><u>RCT</u></b>  <b><u>Updated</u></b>	£17.00/ hour	£17 per visit	<b>£10.00 per hour</b>	Determined on individual basis	£100  (Max weekly charge applies)	Tier 3  £5.88 per week	Minimum weekly charge = £2.50 per week

## APPENDIX 3. INTEGRATED IMPACT ASSESSMENT SCREENING FORM

Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area: Adult Services

Directorate: Social Services

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

**Annual Review of Swansea Council's charging (social services) policy 2021/22, and list of charges to apply in 2022/23.**

This the fifth annual review of social services charging was carried out on behalf of the Social Services Finance and Charging group, chaired by the Director of Social Services.

This IIA screening covers both the Annual Review of Charges (Social Services) report which sets out any changes within Swansea Council's Charging Policy (Social Services), and the proposed List Of Charges to be applied in 2022/23.

The main change to take effect from 1st April 2022 is that all social services charges are to be increased in line with an inflationary uplift of **3%** There are no new charges proposed by this annual review.

Clearly there are some impacts arising from applying an inflationary uplift within the Council's charges (on social care) However all social service non -residential charges are set within a national legislative framework, and in compliance to regulations and code of practice as set by Welsh Governments, namely within Parts 4 and 5 of the Social Services and Well-being (Wales) Act 2014, henceforth 'the Act'.

Under the Act, citizens to whom the charges apply are protected by some important policy entitlements:

- right to be offered a financial assessment to consider whether they have the means to pay a contribution to the costs of their social care and support
- there are clear principles that a person's ability to pay should not precluding access to care and support or that the charges for care and support should not exceed the costs of provision - there are personal thresholds set by the Welsh Government: namely a maximum weekly charge to be set at £100 per week (2019/20)
- Capital and Personal income allowances are also set for people who are subject to charges in relation to residential care

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement**

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?

Yes  No

b) Does the initiative consider maximising contribution to each of the seven national well-being goals?

Yes  No

c) Does the initiative apply each of the five ways of working?

Yes  No

d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?

Yes  No

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**Q5** What is the potential risk of the initiative? (*Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...*)

High risk

Medium risk

Low risk

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**Q6** Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

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**Q7** What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

The Council's Charging policy (social services) was agreed by Council in March 2016, following a full Equalities Impact Assessment, which was carried out to consider and consult on how the policy is applied to all client groups that are able to access residential and non-residential community care services. Any impact on individual or population groups with protected characteristics is mitigated by minimum income allowances, capital thresholds and weekly charging caps which are set annually by Welsh Government. New charges to day services, and respite at home were introduced and applied this year (2018/19), and a full EIA was completed to support this change.

This year the annual review of charges carried out this year is proposing an inflationary increase to charges, to reflect increasing costs of social care, to come into effect on 1st April 2023, in line with other Council charges. It is not necessary to complete a full Integrated Impact Assessment

## Outcome of Screening

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

• **Summary of Impacts (Q2)** Impacts are positive and low on specific groups, due to the nature and purpose of the report as explained above. No overall direct negative impact has been identified, during this annual review of Charging policy. If service users are over-charged for their services, there is a risk that they or their carers may decide they can no longer attend. There is little evidence that there has been a significant number of people leaving community-based support services due to charges being applied. Swansea Council has a complaints process which allows citizens to communicate their views about the service and any unhappiness they may have about their experiences, and recourse to this channel has been considered in this report.

• **Summary of involvement (Q3)** Social Services work closely with other Engagement takes place on an individual basis, through their care and support assessment, and the financial assessment processes. Both of these person-centred, Council managed activities help to reduce any lack of fairness in how charging is being applied or between different forms of care and support which a charge may apply.

The Council's Charging policy aims to promote fairness, consistency, and transparency in how a person is made aware, via a statement of a charge, how they are financially assessed for the charges, and how a request for payment is made. This clear policy has helped to promote a more informed and clearer relationship between local authority and people who are charged for their care and support.

The Annual Review of Charges considers whether any further improvements are needed to the management of the care and support assessment and financial assessment process to support the implementation of the Council's Charging policy. This work is overseen by the Social Services Finance & Charging group, which meets monthly.

• **WFG considerations (Q4)** Well-being of Future Generation support a sustainable approach to the planning and delivery of adult social care. By applying the Welsh Government's national charging framework, and threshold with fairness and transparency, the Council is ensuring resources are available for care and support services to promote the wellbeing of individuals, carers and families in the present, and for the future.

• **Any risks identified (Q5)**

Social Services Finance and Charging group continually improves current arrangements in applying Charging policy, and takes action to apply any changes needed to current policy or processes, through its work programme.

We have to ensure that sufficient, up to date public information is made available on charging for social care in a suitable format, and in the Welsh Language, that service users can access. This information, and the List of Charges to apply, is updated following consideration of the annual review of charging report by Cabinet.

• **Cumulative impact (Q7).**

Charging for social care may add to the financial burden of individuals, families and un-paid carers. We apply a set of core principles within the Councils Charging – social services policy to ensure that individual circumstances are fully taken into account. Tackling Poverty service is now part of the Council’s Social Services directorate and their vital work in areas such as Welfare rights, Benefits training, Poverty and Prevention strategies and targeting financial advice is having a positive impact. A report on the Tackling Poverty team’s activity and performance is considered by the monthly Social Services Performance & Financial Monitoring meeting.

Also, there is considerable work being undertaken by the Council, and within the Poverty Policy Development Committee, on poverty reduction and debt management.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name: Simon Jones</b>
<b>Job title: Social Service Strategic Performance &amp; Improvement Officer</b>
<b>Date: 10<sup>th</sup> December 2021</b>
<b>Approval by Head of Service:</b>
<b>Name: David Howes</b>
<b>Position: Corporate Director of Social Services</b>
<b>Date: 10<sup>th</sup> December 2021</b>

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# Agenda Item 14.



## Report of the Cabinet Member for Climate Change & Service Transformation

Cabinet - 17 February 2022

### Tree Management Strategy

<b>Purpose:</b>	To adopt a strategy for the management of trees on/affecting land/property in Council ownership and setting out the Council's duties in relation to protected trees.
<b>Policy Framework:</b>	Town and Country Planning Act 1990 and Trees Regulations 1999; The Forestry Act 1967; The Hedgerow Regulations 1997; The Well-being of Future Generations (Wales) Act 2015; Environment (Wales) Act 2016; Future Wales - The National Plan 2021; Planning Policy Wales 2011; Technical Advice Note 10- Tree Preservation Order 1997; Swansea Corporate Plan 2018-2022; Swansea Local Development Plan 2019; Trees , Hedgerows and Woodlands Supplementary Planning Guidance 2021; Swansea Central Area – Regenerating our City for Wellbeing and Wildlife, 2021.
<b>Consultation:</b>	Access to Services, Finance, Legal, Parks, Highways, Housing, Corporate Property and Environmental Health.
<b>Recommendation(s):</b>	It is recommended that:  1) The Tree Management Strategy is agreed.  2) A mapping exercise is carried out to identify potential sites/zones for planting on Council owned land subject to future funding and maintenance availability.
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<b>Legal Officer:</b>	Jonathan Wills
<b>Access to Services Officer:</b>	Catherine Window

## **1. Introduction**

- 1.1 Preparation of this Strategy was a recommendation of the Tree Scrutiny Panel in 2017, and its production is an action of the Natural Environment Scrutiny Inquiry in 2018 and a Corporate Plan Natural Resources and Biodiversity objective.
- 1.2 The aims of this Strategy in relation to Council owned land/property are to:
- Ensure risks from and to trees are adequately managed
  - Ensure the Council meets its biodiversity duties in respect of trees
  - Conserve trees of value
  - Maintain and expand tree canopy cover
- 1.3 Adoption of this Strategy will address an identified risk on the corporate risk register in relation to trees on Council owned land.
- 1.4 The Strategy was agreed by Economy, Environment & Infrastructure PDC on 16<sup>th</sup> December 2021 and referred to Cabinet for approval.

## **2. Background and Context**

- 2.1 Trees positively contribute to the scenic character and diversity of the landscape in and around the County, and have a vital role to play in promoting sustainable communities. They are important in the creation of 'Place', provide vital habitat for dependant wildlife populations and substantial environmental and health benefits, such as attenuation of noise and improving air quality.
- 2.2 Trees are also of vital importance in addressing climate change and nature emergency through carbon sequestration and the creation of more resilient ecosystems.
- 2.3 Responsibility for the management of the Council's tree stock falls to each department/service area that has trees on its land including individual schools. This Strategy has therefore been produced to ensure a consistent approach to dealing with tree related matters across the Council and compliance with legislation relating to the protection of trees.
- 2.4 As at 2021, around 43,000 individual trees in Council ownership have been surveyed with more than 1439 woodlands and tree groups plotted and surveyed containing an estimated 100,000 additional trees. However significant areas of Council land ownership remain to be surveyed including the two biggest woodlands – Lower Swansea Valley and Clyne Country Park estimated to contain 250,000 trees between them.
- 2.5 The Council has responsibility for the management and maintenance of all these trees in addition to those trees which are protected under legislation - there are over 50,000 protected trees throughout the County – and duties and aspects of responsibility for trees that are privately owned.

- 2.6 This is not a strategy for managing all trees within the County as that is beyond the Council's remit. It only deals with those trees over which the Council has an element of control and does not seek to duplicate the provisions of other organisation's areas of control and responsibility such as Natural Resources Wales and the National Trust who own and manage extensive areas of woodland within the County. However it does contain good management practice that other land owning organisations may wish to adopt and apply if they do not already have their own strategies in place.
- 2.7 The Strategy does include some general guidance to be taken into account when considering tree planting proposals, but does not specify locations where trees may be planted. In the short term tree planting/replacement schemes need to be considered on their individual merits having regard to the particular circumstances of each proposal. Emerging work on ecosystem resilience mapping and habitat connectivity will help to identify locations where there could be potential for further tree planting as part of the preparation of the Council's forthcoming Green Infrastructure Strategy.
- 2.8 A mapping exercise is planned to be carried out during 2022 to identify potential sites/zones for planting on Council owned land subject to future funding and maintenance availability. It is the intention that this will be undertaken in a phased manner to complement existing ongoing nature recovery/green infrastructure work within parks, local nature reserves, etc, and the current enhancements to highways, housing and education land before considering wider landholdings. It should be noted that there is currently plenty of capital grant funding available for tree purchase, but limited revenue funding/resources for planting and future maintenance.
- 2.9 Any Council development proposals requiring planning permission that affect trees will need to follow policy set out in the Swansea Local Development Plan and the recently adopted Supplementary Planning Guidance (SPG): Trees, Hedgerows and Woodland. Furthermore, there is an expectation that all departments within the Council will seek to adhere to the Swansea Tree Replacement Standard set out in this SPG when undertaking projects involving tree felling that do not constitute development and are thus not enforceable by any legislation. The Tree Replacement Standard is appended to the Tree Management Strategy for reference purposes.
- 2.10 The Strategy outlines the various risks to and from trees to be taken into consideration when managing trees on Council owned land. These are risks which are equally applicable to trees on land across the County, including:
- Development
  - Disease
  - Conflicting Management
  - Lack of Resources
  - Land Disposal

- Regeneration Schemes
- Damage to Services/Infrastructure, and
- Tree Removal

2.11 The Strategy sets out various protocols for managing these risks, which includes proactive inspections, safety works, mitigation for protected species and the circumstances when lopping/felling may be necessary. It will supersede the Protected Tree Protocol adopted by Planning Committee in 2018 and clarifies how the Council will carry out its duties in respect of protected trees. It will be an essential reference document published on the Council's website for staff, councillors and members of the public to ensure a clear and consistent approach to dealing with tree management and any concerns in relation to the Council's trees.

2.12 Appended to the Strategy is background information on the benefits of trees; the legislative context; further details of current management and inspection practice; guidance on managing ash die-back; as well as a tree planting checklist ( Right Tree in the Right Place) and a consultation protocol to be followed when considering a tree planting programme or grant funded scheme.

### **3. Integrated Assessment Implications**

3.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

3.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

3.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion,

carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

- 3.2 The Tree Management Strategy will ensure that all people and communities enjoy the full financial, social/cultural, economic and environmental benefits of sound and consistent management and maintenance of Council owned trees. Some groups including children, those with underlying health issues and future generations will enjoy the greatest benefits through the Strategy's role in contributing to the retention and expansion of tree canopy coverage within the County.
- 3.3 The Strategy has been produced collaboratively by the various service areas responsible for the management of trees and brings current best practice together in a single document for the benefit of those departments and sections that have trees on their land to ensure a consistent corporate approach for dealing with tree related matters. It will help to address the risks to trees from disease, development damage, etc, and the long term challenge of increasing tree canopy cover throughout the County working with partner/funding organisations and voluntary groups. It will also assist with local measures to tackle nature and climate emergency for the benefit of future generations.
- 3.4 Its production, in accord with the 5 ways of working in the Well Being of Future Generations Act, is a specific step of the Corporate Plan Objective for Natural Resources and Biodiversity. The adoption of this document will address the corporate risk of not having a Tree Management Strategy in place and will bring the Council in line with other local authorities in this regard.
- 3.5 The Strategy will support national and local policies for the protection of trees and emerging national and local plans and strategies for expanding tree canopy coverage in recognition of the vital role trees play in addressing climate change through carbon sequestration and the creation of more resilient ecosystems, as well as their significant health and well-being benefits.

#### **4. Financial Implications**

- 4.1 There are no financial implications associated with this report which outlines existing management practices. Any changes to these practices, such as amending standards that would require undertaking additional works, would have financial implications and need further resources to be identified to be able to achieve.

#### **5. Legal Implications**

- 5.1 The Council is responsible for the management and maintenance of trees on land in its ownership and has a duty of care to ensure risks both to and from the trees are managed in the interests of public safety and the health of the trees in carrying out its biodiversity duties.

- 5.2 The Council has a statutory obligation to manage trees that are within areas of its control; these are principally the Highways Act 1980 and the Occupiers' Liability Act 1957 & 1984.
- 5.3 Adoption of this strategy will inform members of the public, Councillors, staff and other interested parties about when, why, whether and how the Council will undertake works to its trees and woodlands.

**Background Papers:** None

**Appendices:**

Appendix A - Tree Management Strategy

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# Swansea Council Tree Management Strategy 2022



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# Strategy

## 1 Purpose and Background

- 1.1 Trees positively contribute to the scenic character and diversity of the landscape in and around towns and cities, and have a vital role to play in promoting sustainable communities. They are important in the creation of 'Place', provide vital habitat for dependant wildlife populations and substantial environmental and health benefits, such as attenuation of noise, flooding and improving air quality.
- 1.2 Trees are also of vital importance in addressing Climate and Nature Emergencies through carbon sequestration and the creation of more resilient ecosystems.
- 1.3 Trees help protect buildings from the elements, provide shade and assist in energy conservation. They also enhance the setting of new development, its character, sense of maturity and overall quality, thus helping with the saleability and profitability of properties. Their positive effect on the environment also helps to attract businesses and visitors to an area, thereby boosting the economy. Further details of the financial, economic,

social/cultural and environmental benefits of trees are outlined in Appendix A4.

- 1.4 In this context the Tree Management Strategy sets out Swansea Council's **protocols** for the management of trees on land in Council ownership, as well as how protected trees and trees in private ownership affecting Council land will be dealt with.
- 1.5 It seeks to ensure that the Council manages the trees it looks after well and has regard to the benefits of and risks to trees. A separate Green Infrastructure Strategy will include an assessment of the potential for tree planting County-wide and include long term objectives to drive up tree numbers and canopy cover as well as to plant more native and diverse species to improve connectivity and protect trees for future generations.
- 1.6 Preparation of this Strategy was a recommendation of the Tree Scrutiny Panel in 2017, and its production is an action of the Natural Environment Scrutiny Inquiry in 2018 and a Corporate Plan Biodiversity objective (2018-2022).
- 1.7 The aims of this Strategy in relation to Council owned land are to:
- Ensure risks from and to trees are adequately managed

- Ensure the Council meets its biodiversity duties in respect of trees
- Conserve trees of value
- Maintain and expand tree canopy cover

1.8 Responsibility for the management of the Council's tree stock falls to each department/ service area that has trees on its land. Management/inspection is carried out by the Tree Services Unit for those service areas where there is corporate responsibility for assets such as Highways, Estates, Leisure, etc, however departments with devolved budgets such as Education and Housing arrange for ongoing tree assessments by the Tree Services Unit. This Strategy has therefore been produced to ensure a consistent approach to dealing with tree related matters across the Council and compliance with legislation relating to the protection of trees.

1.9 The City and County of Swansea's (the County's) trees provide an enormous asset and make it one of the greenest urban areas in Wales. Beyond the urban centres, trees form an important part of the diverse landscape character and biodiversity of the County. Approximately 18.8% of the County is covered by tree canopy compared to a national average of 16.8% (based on Natural Resources Wales figures). Throughout the towns, villages and streets of the County trees form important local landmarks and

landscape features and add greatly to the setting of important buildings.

1.10 The Council has significant land holdings with substantial areas of trees, hedgerows and woodlands controlled by a range of service areas and departments including Parks, Education, Social Services, Housing, Nature Conservation and Highways. The Council also owns several woodlands managed by others.  
<https://www.swansea.gov.uk/parksatoz> .

1.11 As at 2021, around 43,000 individual trees in Council ownership had been surveyed with more than 1439 woodlands and tree groupings plotted and surveyed containing an estimated 100k additional trees. However, significant areas of Council land ownership still remain to be surveyed, including our two biggest woodlands - Clyne Country Park and Lower Swansea Valley estimated to contain 250k trees between them.

1.12.1 Generally trees in Council ownership are not protected, this does not mean however that these trees are unworthy of protection. The Council has responsibility for the management and maintenance of these trees in addition to its role in regulating works to or agreeing the removal of those trees which are protected under legislation - there are over 50,000 protected trees throughout the County - and duties and aspects of responsibility for trees that are privately owned.

1.13 The national and local legislative context for the protection of trees is set out in Appendix A3. This Strategy is not a material consideration in the determination of planning applications – there is separate Local Development Plan Policy and Supplementary Planning Guidance (Trees Hedgerows and Woodlands) that covers how trees are dealt with through the planning system:  
<https://www.swansea.gov.uk/treespg>

1.14 The Strategy highlights the Swansea Tree Replacement Standard as defined in the Trees, Hedgerows and Woodlands Supplementary Planning Guidance (see Annex A7). This Standard sets out the methodology for calculating the number of replacement trees required to be re-provided if proposed to be removed by a development that requires planning permission. It will therefore apply to all Council development schemes that require a planning application to be made. Whilst the Standard is not enforceable when considering proposals that do not require planning permission, as a responsible landowner the Council will use the standard to inform decisions with regard to replacement of trees felled as a result of any of its proposals.

1.15 Any Council scheme affecting trees regardless of whether or not it requires planning permission should take into consideration national and local policy principles when making decisions about tree stock, namely that:

- Proposals that would adversely affect significant trees should be avoided in the first instance
- A Tree Survey (BS 5837:2012) should be carried out to assess the impact of a proposal on trees within and/or adjoining the site
- Where a proposal affecting trees cannot be avoided, Category A and B trees should be retained and integrated into the design and layout of the scheme, unless exceptional circumstances justify the removal of a particular tree
- Replacement trees should include large growing and long-lived species (where appropriate), and where replacement is on site it should be chosen as part of the design of the proposal
- Mitigation should reflect the impact of loss of canopy cover, and not simply the number of tree stems lost

1.16 The Strategy provides general guidance on tree planting but does not specify locations where trees may be planted. Tree planting schemes need to be considered on their individual merits having regard to the particular circumstances of each proposal.

1.17 Emerging work on ecosystem resilience mapping and habitat connectivity will help to identify specific locations where there could be potential for further tree planting as part of, or in support of, the preparation of a separate forthcoming County-wide Green Infrastructure Strategy. Annex A8 of this document sets out the guidelines and protocols to be followed when

considering tree planting projects at any location. Any persons interested in tree planting on Council owned land should contact Parks or the Nature Conservation Team in the first instance (Appendix A2 refers).

## 2 Risks to Trees

There are a variety of challenges facing trees, ranging from infrastructure development and land disposal to pollution, climate change and disease. The main threats are:

### 2.1 Development

2.1.1 In particular, trees on development sites and those on land allocated for development in the Swansea Local Development Plan (LDP). The continuing requirement for additional housing provision and land for development has led to significant loss of trees within the County. A tree may take a century to reach maturity, but it can be damaged or felled in a few minutes. Such damage is frequently caused unwittingly because of a failure to appreciate the vulnerability of trees, particularly the root system, and how easily they can be damaged.

2.1.2 Where trees are damaged during development of a site and subsequently decline and die, or where inappropriate or poor design leads to conflict, trees become a constant source of complaint and ultimately, any positive benefits are lost. Early erection of tree and landscape protection measures to form construction

exclusion zones before work commences on site is essential.

2.1.3 There is therefore increasing pressure to focus attention on trees and their role in providing a more pleasant and healthier environment. It is the responsibility of the Council to ensure that adequate provision is made for the preservation of trees (especially veteran trees), the planting of new trees and maintenance thereof either through the integration of trees into the design of developments, or through imposing conditions or planning obligations as part of a planning permission and /or Tree Preservation Orders (TPOs). Further information is provided in the Tree SPG.

### 2.2 Diseases

2.2.1 The main current threats present in the UK are:

- **Ash die back:** which affects approximately 20% of the tree cover within the County  
<https://www.swansea.gov.uk/tpofaqs>
- **Oak processionary moth:** affecting oaks, recently found in Cardiff (2019)
- **Bleeding canker:** affecting bark of various species including horse chestnut, lime and alder
- **Leaf miner:** affecting horse chestnut
- **Massaria disease:** affecting planes

- **Phytophthora species:** affecting oaks, larch and other species
- **Xylella Fastidiosa** : threatens pedunculate oak and wych elm, as well as plane and northern red oak

2.2.2 Other pests and diseases spreading across Europe and the World can devastate most broadleaved species.

This includes:

- **Asian Long Horned Beetle**

An outbreak in Kent was eradicated after several years of trapping and felling trees. The beetles were imported in the wood of packing cases from the Far East. Larvae of the beetle tunnel through branches leading to structural failure.

- **Ceratocystis Platani**

A canker stain of plane, present in France where it is devastating plane stocks and landmarks.



**Asian Long Horned Beetle**



**Canal Du Midi, France**

## 2.3 Conflicting Management

2.3.1 There may be occasions where trees are required to be removed to conserve other habitats. For example, Kilvey Hill, Swansea Vale, Cadle Heath Local Nature Reserve (LNR) and Llewellyn Heath have all had scrub, willow, gorse and birch removed to prevent encroachment into heath, marshy grassland and purple moor grass. Holm oak growth has also been removed from Bishops Wood LNR to conserve limestone grassland.

2.3.2 Mass tree planting of new woodland areas if not carefully sited can damage other existing priority habitats. There are increasing pressures and financial incentives to plant more trees and woodlands to meet climate change targets. Tree seedlings and saplings (whips) are frequently offered to the Council and other organisations through donations and grants but their acceptance and planting must be treated with caution.

It is important to ensure that we are planting the right trees in the right places for the right reasons and work is underway to identify suitable locations for future planting at both a local and Wales wide level

- 2.3.3 Whips are also difficult to manage unless mulched to prevent competitive weed growth until a closed canopy is achieved, i.e. there is otherwise a need to cut and trim around, costly to maintain and prone to vandalism. They are most suited for use as part of hedgerow planting/reinforcement in the creation of wildlife corridors, copses and woodlands. Larger individual trees generally pose far less risk/maintenance issues when established.

## **2.4 Lack of Resources**

- 2.4.1 Whilst at this time there is a significant amount of grant funding available to local authorities and voluntary groups to obtain whips/trees for planting, there are considerable additional costs to be accounted for, both in terms of carrying out the planting – especially in hardstanding areas (see Annex A7) - as well future maintenance, watering, etc, for which there are currently no resources or finance available. Any tree planting programmes and grant bids for trees initiated by the Council or proposed on Council owned land

must therefore include funding set aside for planting and future years' maintenance costs.

- 2.4.2 Another resource issue can be the supply of trees, with some difficulties obtaining native tree stock for planting programmes and landscaping. A community tree nursery has recently been established at Clyne Gardens that specialises in growing native trees from locally collected seeds and more projects of this nature are encouraged to increase local tree supply.

## **2.5 Disposal of Council Owned Land**

- 2.5.1 The Council is under severe financial pressures and the release of surplus land is an accepted means of assisting with shortfall and generating important capital receipt, as well as contributing to alternative Council priorities such as additional housing provision or regeneration.
- 2.5.2 Where there are trees on an identified site, appropriate due diligence takes place typically with tree and ecology surveys undertaken and disclosed as part of the disposal process. The Council have the ability to survey and protect with a Tree Preservation Order and other means as reasonably appropriate. Disposal does not fetter the Council and the disposal process provides sufficient time for the Council to introduce safeguard measures where appropriate.

2.5.3 The Council is under a statutory biodiversity duty to protect natural heritage features such as trees, in order to meet obligations under the Wales Environment Act 2016. Disposal without safeguard measures can threaten the retention of trees if land is considered, at least in theory, to be potentially worth more if areas of trees can be cleared to enable more of it to be developed. However, such valuations need to take into account the value of the ecosystem service benefits trees provide as highlighted in Appendix A4. In particular the value of the trees to the local environment and the potential 18% uplift in land value with trees on the site.

## 2.6 Regeneration Schemes

2.6.1 Established street trees have been/are being removed to enable infrastructure improvements and site specific redevelopment proposals to proceed. However in many instances these trees have not been appropriate for the location due to initial wrong choice of species, poor siting and planting method, for example, lack of root retention barrier, etc. Where regeneration schemes are carried out on Council owned land any trees that are lost should be replaced with an additional number of trees of an appropriate type and to an appropriate planting method- the Swansea Tree Replacement Standard refers.

## 2.7 Damage to Services / Infrastructure

2.7.1 Many street trees, such as those in the Uplands, Swansea, were planted in verges with no root deflectors or structured planting pits. As these trees continue to mature they conflict with kerbs, pavements and buildings and this leads to increasing pressure for them to be removed. In such circumstances replacement in situ is very costly and often too difficult to achieve because of increased levels of service provision and connections.

2.7.2 There are also occasions where public utility companies require entry to Council land under their statutory powers to undertake essential felling or other works to safeguard the integrity of their network.

## 2.8 Tree Removal on Private Land

2.8.1 Trees located on private land may be protected by a Tree Preservation Order or because the property lies within a Conservation Area, or are covered by biodiversity legislation. Planning permissions may also provide protection by imposing conditions or planning obligations relating to trees on or adjacent to a site. Owners should check with the Council's Landscape Team (Appendix A2 refers) before carrying out any work to trees on their land.



2.8.2 Many trees in Swansea are on Network Rail land. Network Rail are undertaking a programme of removing trees within falling distance of tracks which will result in millions of trees being removed throughout the UK. The Council will work with Network Rail as it fells trees across the County to ensure tree replanting initiatives offset the biodiversity loss arising.



Clearance of trees on track embankment

## Protocols

3.0 The following protocols deal with tree hazards, works to trees, tree nuisances, subsidence, woodland management, trees in private ownership affecting Council land and protected trees. The protocols are not mutually exclusive and should be considered against each other, for example, there will always be a requirement to identify protected trees and to consider the impact on protected species before commencing any work.

### 3.1 Tree Hazards

#### TH1: Proactive Tree Inspection

There will be proactive inspection of the Council's tree stock on a cyclical basis. The aim is to inspect all trees within a four year period. However, due to pressure of dealing with the effects of ash die back work to mitigate the risk posed by that will be prioritised. Inspections will be undertaken by a suitably qualified and experienced arboriculturist employed by the Council.

3.1.1 This section sets out the Council's protocols for reactive work to trees in Council ownership, and classifies tree hazards as: Urgent, Essential, Desirable and No Work Required (NWR).

3.1.2 A tree that is in immediate danger of failure, or has already failed in a busy or built up area, would likely constitute a very high risk. If a tree poses an immediate and present danger it will be made safe within 4 hours (Urgent) unless there are multiple calls ongoing. If the level of risk is lower, the tree will be made safe as soon as possible (Essential).

#### TH2: Unsafe Trees - Requiring Immediate Action (Urgent)

If a tree is in such a condition that it poses a very high risk to people or property, the Council will endeavour to attend the site as an emergency normally within 2 hours and always within 4 hours (unless weather events prevent this). If work cannot be completed, areas at risk will be cordoned off until resources are available.

3.1.3 Immediate work out of hours will be carried out by an on-call tree gang.

3.1.4 Typical signs that a tree is in such condition to warrant immediate action include:

- a) Tree is snapped or blown over
- b) Tree uprooted but held up by another tree or building
- c) A large branch has broken off or is hanging off the tree
- d) Tree or branch is blocking the road or footpath
- e) Tree or branch is blocking access to property, or
- f) Tree has fallen onto house or car

**TH3: Trees - Not Requiring Immediate Action (Essential)**

Trees that are perceived as high risk but present no immediate risk to the public will be made safe depending on the level of risk identified at the time of inspection. Tree hazards judged to be high risk will be made safe as soon as possible.

Works on trees that are not considered high risk but where essential remedial work is required will endeavour to be carried out within twelve months of inspection (Essential).

All Essential works will be judged on site based risk assessment. Work will usually be carried out within one year where possible unless unforeseen circumstances such as storms delay the work further.

3.1.5 Typical signs that a tree is a risk to people or property but the risk does not require an emergency response:

- a) Tree is dead
- b) Tree is dying - few leaves in summer or dieback in the crown
- c) Bark is loose and falling off
- d) Mushrooms or fungi growing on or near the tree
- e) Old splits and cracks in the trunk or large branches
- f) Smaller branches or twigs falling from the tree

**TH4: Trees – All Other Work (Desirable)**

Works on trees that are not considered Urgent or Essential will be classed as Desirable and go into a low risk work programme. Desirable work will only be carried out where resources and work programming allow.

3.1.6 Trees can be made safe via pruning or felling. Typically the most cost effective approach will be employed, but for certain high value trees other options will be considered to reduce risk to an acceptable level, including options to reduce the likelihood of the tree failing, or the likelihood of persons being close to the tree if it did fail.

## 3.2 Tree Works

### TW1: Protected Species

The Council will:

- Carry out inspections of trees prior to tree works for nesting birds, taking particular care during the nesting period of March – early September
- Carry out inspections of trees for bat roosts or areas of land for badger sets, likely to be disturbed by tree or woodland works and seek expert advice from relevant organisations or a Council Ecologist, and
- When felling Ash trees, where opportunities exist and it has been deemed safe to do so, the following techniques should be utilised, in order of priority. These techniques will be particularly beneficial where it is a mature tree, has features such as a hollow trunk or a rich/rare assemblage of lower plants / fungi:
  - Pollard the tree or leave a section as standing dead, or if not possible:
  - Retain the stump, hollowing it out so as to hold water
  - Retain sections of dead wood on site, particularly where there is a greater species density. If possible to attach cut branches, or sections of bark, to a nearby tree, in a similar orientation to that which it was found, this would provide greater potential for the species to establish on other trees.

- When chipping cut branches avoid depositing chippings on areas of biodiverse ground flora, especially in sensitive /designated sites and /or ancient woodland

3.2.1 Protected and priority Species are those protected under European UK and Welsh legislation, as identified in Technical Advice Note (TAN) 5 Nature Conservation and Planning (2009). The legislation includes the Habitats Directive, Birds Directive, Wildlife and Countryside Act 1981 and Environment (Wales) Act 2016. Further guidance on dealing with Ash die-back is included in Annex A6. Where tree works affecting protected species are required as part of proposals requiring planning permission, the Biodiversity Supplementary Planning guidance applies <https://www.swansea.gov.uk/biodiversityspg>

### Birds

3.2.2 Nesting birds, their nests and eggs are protected by the Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000. The Acts make it an offence to kill, injure or take any wild bird and to take, damage or destroy any nest that is either in use or being built. Furthermore, birds identified in Schedule 1 (see link below) are afforded protection from intentional or reckless disturbance while nest building, at a nest containing eggs or young, or as a

young dependent. The RSPB provides further guidance on this: <https://www.rspb.org.uk/birds-and-wildlife/advice/wildlife-and-the-law/wildlife-and-countryside-act/schedules/>

- 3.2.3 Felling work should be undertaken outside of the bird nesting season. If tree works need to be carried out within this period the Council's arboricultural services, or contractors engaged by the Council, will check trees to ensure there are no nesting birds present and take appropriate measures to prevent disturbance prior to the commencement of works. The nesting season does vary, depending on species and weather, but generally, it is considered to be from 1<sup>st</sup> March to early September
- 3.2.4 These measures may mean delaying the works until young birds have flown. If, despite best efforts, a nest is found after work has started, a buffer area around the nest will be created/cordoned off and work to the tree will be postponed until the young birds have flown.
- 3.2.5 Should it be necessary to continue working where nesting birds are found, those carrying out the work should be able to demonstrate that the work was carried out lawfully and could not reasonably have been avoided. The RSPB provides a summary of the most notable exceptions to the protection afforded by the Wildlife and Countryside Act.

## Bats

- 3.2.6 All bats, their breeding sites and resting places are protected under the Wildlife and Countryside Act (Schedule 5) and the Conservation of Habitat and Species Regulations 2017 (as amended). This legislation makes it illegal to intentionally or deliberately kill, injure or capture bats; deliberately disturb bats, whether in a roost or not; or to damage, destroy or obstruct a bat roost. Given that trees can be significant hosts to bat roosts inspections will precede works where bat roosts are suspected. This is most likely to occur in mature park or woodland trees.
- 3.2.7 If present, a licence would be needed from Natural Resources Wales (NRW) before proceeding. If works are required immediately on the grounds of public safety and there is no time to engage a licensed bat worker/consultant, then work should follow these mitigation measures:
- i) Keep written and photographic evidence of the tree's hazardous nature, and a record of the measures that were taken to avoid felling / protect bats.
  - ii) Work should be carried out as sensitively as possible, avoiding direct contact with known roosts / areas of bat potential. Where possible, and safe to do so, elevated work platforms should be used to minimise the impact.

- iii) Where it is safe to do so, section fell any limbs that have features with potential for bats, lowering them gently to the ground. Leave any lowered limbs / felled trees in a position that would allow bats to fly away at night.
- iv) Contact NRW or a licensed bat worker for further advice.

3.2.8 Where bat potential or presence is noted and works are deemed necessary, but are not required immediately on the ground of public safety, works can only be carried out between late August and early October or between March and April (dependent on presence of nesting birds, as above), and following the mitigation measures outlined.

### **Badgers**

3.2.9 Badgers are protected under the Protection of Badgers Act 1992, which makes it an offence to wilfully kill, injure or take a badger; to interfere with a sett by damaging or obstructing it; or disturb a badger when it is occupying a sett, recklessly, or with intent. Expert advice will be sought as necessary.

### **Dormice**

3.2.10 Dormice are a native conservation priority species, rare, vulnerable to extinction and given full protection under international and national legislation. It is illegal to damage or destroy its breeding site or resting place. They are typically found in deciduous woodland and

species-rich hedgerow. If suspected to be present a licence would be needed from NRW and expert advice must be sought

### **Invertebrates**

3.2.11 While the following relates specifically to the impact of Ash die back, the principles also hold true for other felled or fallen trees and branches. In the UK some 74 invertebrates are known to be either wholly or largely dependent on Ash trees. They are threatened by the loss of a substantial part of the Welsh population of trees. Of the 74 UK species, 47 have been found in Wales and 27 in Swansea. They include insects such as the Privet Hawk Moth and bark beetles, mites, bugs, thrips and some bees.

3.2.12 The impact on invertebrates will vary depending on the degree of dependence of each species on Ash. The species most likely to be severely affected are those which are either obligate (essential for survival) on Ash at some stage of their life cycle, or very strongly associated with it.

3.2.13 Although the loss of living trees is a real threat to some species, trees that are culled can still be of value to some invertebrates. Good practice is therefore for cut wood to be left in place, which will benefit many wood and fungus feeding insects, and that where possible Ash trunks are left standing rather than cut down.

## Lower plants (lichens, mosses, liverworts, etc) and fungi

3.2.14 Ash is incredibly important for a large number of these species, some of which are extremely rare. Lichens in particular, benefit from the relatively high pH of Ash bark, similar to that found on Elm. Given the significant loss of Elm as a result of Dutch Elm disease, this further loss of habitat is a concern for lichen conservation, along with other lower plants, fungi and invertebrates. Records of rare or notable lichens on Ash trees can be accessed via [Lle, the Geo-portal for Wales](#). However given that lichens are extremely under-recorded, this should not be taken as a comprehensive account of the presence of lichens. By taking a sensitive approach to necessary management works, it is possible to minimise the loss of these species.

### TW2: Tree Felling

The Council will fell trees where:

- The tree is dead, dying or diseased
- A tree has been proven to be causing subsidence/damage
- The removal of a tree would benefit surrounding trees
- It is the requirement of a management, regeneration or development plan

The Council will not fell trees:

- To save on cyclical maintenance costs
- Where a danger is only perceived due to the tree's size or location

3.2.15 Tree removal is regrettable, but necessary under certain circumstances. The decision to remove a tree is not taken lightly. Trees are usually only felled because it is the best option to reduce the risk of harm to an acceptable level (e.g. dead, dying or diseased trees). A protocol will be developed for members of the public to report suspected tree disease.

3.2.16 The certain circumstances where selective felling is necessary includes: replacement with native trees to improve resilience; for biodiversity enhancement purposes such as pond restoration; and to improve accessibility for wider health and well-being benefits.

### TW3: Pruning

The Council will undertake work to trees owned or managed by the Council to:

- Maintain a suitable clearance over the carriageway (associated with a street, road or highway) height clearance will be dependent on location
- Maintain clear lines of sight for traffic and pedestrians at junctions and access points (associated with a street, road or highway)

- Maintain clear lines of sight for traffic signals and street signage (associated with a street, road or highway)
- Ensure that street lights are not unduly blocked by the presence of trees
- Maintain a suitable height clearance over a footway associated with a street, road or highway dependent on use
- Raise trees above a Shared Use Path/Active Travel route/bridleway to an appropriate height based on risk.

Any works necessary to prevent an obstruction to the width of a footway associated with the highway due to the presence of a Council owned tree will be considered on a case-by- case basis, and the Council will:

- Maintain pollarded street trees by re-pollarding every two to five years
- Only create new pollards where there is no other viable management option

3.2.17 There is no minimum height clearance local authorities are statutorily required to maintain over a carriageway. It is noteworthy that each situation is different and clearances are cut on a risk based approach. Where branches overhang a carriageway, footway or other land owned/managed by the Council visual assessments will be made to evaluate their safety.

Complaints received will be assessed on a site by site basis. Provided overhanging branches are healthy and structurally sound there is no legal requirement for their removal. With all assessment of obstruction the use and width of the road will also be taken into consideration to avoid the removal of the large number of mature street trees that lean into or encroach at a lower level onto the edges of the carriageway.

3.2.18 There are also no minimum statutory height clearances over Public Rights of Way. Landowners are responsible for any overhanging branches, but are normally cleared by the Council to a height of 2.1m at the centres of footways and 3m on bridleways without prejudice to landowner's responsibilities. Again, it is noteworthy that each situation is different and clearances are cut on a risk based approach.

#### **TW4: Stump Grinding**

The Council will carry out stump grinding where necessary to enable trees to be planted or to remove a significant hazard.

3.2.19 Stump grinding is the practice of removing a tree stump to below ground level by mechanical means to allow for replacement planting. Within highway locations the Council will only consider grinding in tarmac areas.



Otherwise tree stumps will be left at a height so as not to leave a trip hazard.

#### **TW5: Re-cycling**

The Council will make the best use of arisings created from required tree work:

- Timber will be collected and re-used as part of the Waste Wood Re-Use Project
- Chip will be used within the Council for footpath dressing or mulch in amenity planting areas

3.2.20 When spreading chip, care must be taken not to smother existing biodiverse ground flora. The Council will not dispose of/recycle any INNS on site generated as part of any works to trees

#### **TW6: Ivy on Trees**

The Council will seek to retain an acceptable level of ivy on trees where the inspection for decay or defects is not compromised.

3.2.21 Ivy (*Hedera helix*) provides considerable value as a habitat and food source for wildlife. Unless ivy has established on young or weak trees, where it may compete for water and nutrients and restrict healthy growth, it causes little harm. However, where ivy has taken hold on mature trees, especially those close to roads and public areas, judgements must be made on its retention based on the health of the tree and the possibility of cavities or defects being hidden from view. In these situations removal of ivy may be deemed necessary for risk management purposes.

#### **TW7: Tree Roots**

The Council accepts that a reduced standard of regularity of surfacing may be acceptable in order to protect tree roots. Where the presence of roots is not acceptable, the Council will seek to explore engineering options to reduce trip hazards before root pruning or tree removal.

3.2.22 When considering tree roots, the Council will follow guidance published in *Well-managed Highway Infrastructure. A Code of Practice (2016)*. This guidance relates to trees and the highway and indicates that pavements are not required to have perfect surfaces as follows:

*“Para B.4.4.4. Although ensuring the safety of footways for users will be a priority, in some cases the presence of roadside trees may complicate the provision of footway surface regularity. The radical treatment or complete tree removal necessary to ensure surface regularity may not be possible or desirable and reduced levels of surface regularity may be a more acceptable outcome.”*

3.2.23 The roots of trees exploit the soil in various ways dependent on species and local conditions. Direct root action can deform the surfaces of footpaths, roads or other light structures. To determine whether it is a trip hazard the deformation will be assessed by the Highways Authority. Where a hazard is considered to exist and is attributable to tree roots, engineering options will be explored before root pruning or tree removal is undertaken.

3.2.24 Retention of trees in areas of regeneration will be carefully considered, as a large area of replacement surfacing may be incompatible with localised areas affected by enlarged tree roots.

3.2.25 Indirect root action is more often associated with the drying of clay subsoils during prolonged periods of dry weather and the subsequent downward movement of ground resulting in subsidence damage to buildings. However, subsidence can also be caused by leaking or collapsed drains, particularly if the subsoil under a building contains high proportions of sand, and or

inadequate foundations for the soil type or proximity of vegetation, including trees.

#### **TW8: Private Funding for Tree Works**

The Council will not accept funding from private sources for tree works where there is no clear public or health and well-being benefit.

3.2.26 Private requests received for the removal or pruning of Council owned trees where the private individual or organisation offers to make a financial contribution either wholly or in part towards the undertaking of the work will be declined if there is no evidence of health and well-being benefit or wider public benefit. Such work would be classed as ‘Trees – all other work (desirable)’ only in accordance with the provisions of Protocol TH4. If works are required sooner the Parks Section can provide an authorised list of fully qualified arborist companies for the private individual or organisation to use.

amenity, value and nuisance caused.

### 3.3 Tree Nuisances

#### **TN1: Tree Touching a Building**

If a tree that is owned or managed by the Council is touching private property (dwelling, house, boundary wall, garage etc) the Council will take action to remove the nuisance.

- 3.3.1 In many cases where a tree is touching a building the solution will be for the Council to prune the tree, but in some circumstances it may be more appropriate to fell the tree.

#### **TN2: Tree Overhanging a Property**

A tree that is owned or managed by the Council will not be pruned or felled to alleviate the nuisance of branches overhanging private property.

- 3.3.2 If overhanging branches are healthy and structurally sound there is no legal requirement for their removal. Any alleged nuisance caused by overhanging branches will be taken into consideration as part of the Council's general tree work programme. However this programme is discretionary, is subject to the availability of funding, and will be considered on a balance of

#### **TN3: Tree Roots and Drains**

The Council will not prune, fell or cut the roots of a tree in its ownership or management in order to prevent roots entering private drains that are already broken or damaged.

The Council will cut the roots of a tree stopping a public drain from working.

- 3.3.3 Tree roots typically enter drains that are already broken or damaged. Tree roots found in a drain are usually symptomatic of an underlying problem requiring repair of the broken pipe. Householders concerned about the condition of their drains are advised to contact their water and sewerage company. Householders are usually responsible for the maintenance of the drains within or on their property.

- 3.3.4 There is no legal requirement to remove trespassing roots unless it can be proven damage is being caused to property. The onus to prove that damage is occurring rests with the affected landowner who will need to obtain an engineer's report.

#### **TN4: Tree Blocking**

The Council will not prune or fell a tree in its ownership or management in order to improve natural light, TV reception, solar panel efficiency or views for private property.

- 3.3.5 Trees within an urban environment inevitably block light into adjoining property. However, there is no legal “right to light” or “right of view”, and therefore no obligation on the Council to carry out works to a tree for the purposes of improving levels of light or views for private property. Complaints about trees within high hedgerows are dealt with under separate guidance: <https://www.swansea.gov.uk/highhedges>
- 3.3.6 If TV reception is believed to be affected by trees householders should contact their satellite or TV provider to find an alternative solution to the problem, for example, relocating the aerial/dish or means to boost the signal. There is no legal requirement to prune or fell healthy trees to provide an improved satellite or TV reception and the Council will not reimburse costs associated with relocating a TV aerial or satellite dish.
- 3.3.7 Whilst the provision of renewable energy resources is encouraged by the Council, this should not be to the detriment of trees within the vicinity. Trees have an important role in maintaining and improving local

amenity, in addition to contributing to local and national targets in tackling climate change. The presence of trees must be fully appreciated when considering a suitable location for the placement of solar collectors and panels, and should not be regarded as an impediment to be removed.

- 3.3.8 Where trees have grown to interfere with existing satellite/TV reception or solar collectors/panels, pruning will only be considered after alternative solutions have demonstrably been sought, e.g. relocation of dish or aerial; there are specific individual well-being benefits, and where the work will not adversely affect the health of the tree or the amenity it provides. The private individual or organisation concerned would be expected to make a financial contribution either wholly or in part towards any pruning works in accordance with Protocol TW8 ( Private Funding Tree Works) and the works would be dealt with under Protocol (TH4 (Trees - all other desirable work.)

#### **TN5: Fall from Trees**

The Council will not prune or fell a tree in its ownership or management in order to remove or reduce leaf fall, sap, blossom, bird droppings, fruit, nuts or problems with wildlife and insects on private property.

- 3.3.9 The loss of leaves from trees in the autumn is part of the natural cycle and cannot be avoided by pruning. The Council employs teams to work during the autumn to clear fallen leaves on the highway for flood prevention and safety purposes. There is no legal requirement to clear fallen leaves from private property.
- 3.3.10 Within parks and greenspaces, paths or other areas of hard standing are regularly cleared of fallen leaves, but leaves falling on grass / shrub beds are generally left until the majority of leaves have fallen before they are removed (unless leaving them would damage the grass in which case the accumulated leaves would be removed sooner).
- 3.3.11 Honeydew is a natural and seasonal problem. It is caused by greenfly (aphids) feeding on the sap from leaves and excreting their sugary, sticky waste. This is often colonised by a mould which causes it to go black. There is little that can be done to remove the aphid which causes the problem and pruning the tree may only offer temporary relief. Any re-growth is often more likely to be colonised by greenfly, thereby potentially increasing the problem.
- 3.3.12 Some trees, such as Limes, are more prone to attack by greenfly, whilst in some years greenfly are more common especially following a mild winter. When the Council plants new trees it will consider species that are less likely to cause a honeydew problem. Where honeydew affects cars, warm soapy water will remove the substance, particularly if washed as soon as possible.
- 3.3.13 Tree blossom usually heralds the start of Spring. Blossom is a natural occurrence, which cannot be avoided by pruning.
- 3.3.14 Nesting birds are protected under the Wildlife and Countryside Act 1981 (and other related wildlife law). Bird droppings may be a nuisance, but this problem is not a sufficient reason to justify pruning or removing a tree. Warm soapy water will usually be sufficient to remove any bird droppings. Where droppings are regularly falling onto vehicles, owners are encouraged to find somewhere else to park or place a protective covering over their vehicle. The Council will always prioritise the protection of trees for the benefits they provide over the perceived threat of damage to the paintwork of cars.
- 3.3.15 Fruit trees such as apple, cherry and pear are welcomed in many locations with the added benefit of providing free food. However, if picking other than for personal consumption an application for consent for fruit picking will be required from the Council's Property Services. When considering what to plant, there are some locations where fruit trees are less desirable, for example, where soft fruit would make the pavement slippery or encourage anti-social behaviour such as fruit being thrown. Equally, where fruit trees are established but there is a significant anti-social

behaviour problem the phased removal and replacement with more suitable species will be considered. Locations are in the process of being identified across the County for new community orchards

3.3.16 Bees and other insects are attracted to tree pollen and provide essential ecosystem services. Where bees are present in a tree expert advice should be taken before considering their removal.

#### **TN6: Overhead Cables/Utility Services**

The Council will not fell any tree in its ownership or management in order to remove or reduce interference with overhead cables such as telephone wires, the responsibility to do this lies with the owner of the cables e.g. Western Power, Open Reach. There may be instances where the Council will undertake works to prune trees to reduce interference where this would be an effective measure.

3.3.17 Householders should contact their telephone service provider to identify alternative solutions to any interference problems, or their relevant utility company who would be expected to carry out any clearance work around cables to the relevant British Standard.

#### **TN7: Large Trees**

The Council will not prune or fell any tree in its ownership or management because of complaints that it is considered 'too big' or 'too tall'.

3.3.87 A tree is not dangerous just because it may be considered too big or too tall within its surroundings. Other problems would need to be present, such as those described in protocol TW1 for the Council to consider it to be dangerous.

#### **TN8: Invasive Non-Native Species**

The Council will undertake works to remove invasive non-native tree species from its land.

3.3.19 There is a particular problem with Holm Oak *Quercus Ilex* within the County. It is an Invasive Non-Native Species (INNS) that is smothering native limestone grassland and coastal heath. Mumbles Hill and Bishops Wood Local Nature Reserves have been affected, but it has spread more recently to Clyne Valley Country Park and Kilvey Hill. Other INNS that need to be removed where found include False Acacia *Robinia Pseudoacacia* as well as *Rhododendron*

*Ponticum*. The latter is more a large shrub but is very common and requires constant monitoring and control.

### **TN9: Malicious Damage, Abuse and Anti-Social Behaviour**

The Council will:

- Take acts of malicious damage to trees seriously and seek prosecution where individuals are identified
- Aim to prevent and control the abuse of woodlands through rubbish dumping, vandalism and illegal access by consultation and education, or by taking appropriate legal action
- Take measures, to reduce the amount of tree foliage in order to improve views where trees are providing shelter for individuals/groups that are causing a nuisance or pursuing criminal activities

3.3.20 Malicious damage to Council owned trees and woodlands, as well as fly-tipping are criminal offences. Where individuals are identified the trees will be valued using CAVAT (Capital Asset Value for Amenity Trees) and a bill for damages sent to the company or individual responsible with recovery of costs pursued through the Courts as necessary.

3.3.21 Works to improve views would be to assist those policing the area and where possible not at the expense of the trees.

### **3.4 Tree Planting**

#### **TPL1: Tree Planting**

The Council will:

- Seek to ensure that more trees are planted annually on land in its ownership/management than are removed, other than those lost naturally or through disease
- Replace all open space and parks trees removed during the course of site management
- Secure integration of new planting into landscape designs or Section 106 contributions to mitigate where loss of trees through development cannot be avoided.
- Ensure the costs of planting replacement trees of an appropriate number are fully covered where Council owned stock is disposed of for private development
- Plant donated trees free of charge working with volunteer groups where appropriate
- Ensure that any trees planted are of a species most suitable for the location with a mix of native species preferred wherever possible

- Target the most deprived areas when applying for/obtaining grant funding/donations for tree planting

3.4.1 The contribution that trees make to the local area and economy is widely acknowledged and additional tree planting will initially be targeted at areas with lower than average tree canopy cover such as Castle, Penderry and Gorseinon Wards, as well as in support of the roll out of the Welsh Housing Quality Standard wider environmental enhancement programme. Other locations to be targeted will be areas of high deprivation as defined in the Welsh Index of Multiple Deprivation (WIMD), which ranks Swansea Lower-layer Super Output Areas (LSOAs) according to domains such as low income, poor health outcomes and poor physical environment.

3.4.2 Annex A8 sets out a tree planting checklist and protocol (Right Tree in the Right Place for the Right Reason) to assist when responding to requests for tree planting on Council owned land. Tree planting impacts on existing habitats and should not be carried out in isolation from understanding of the resilience of the ecosystem within which planting is proposed and the opportunity to improve connections between habitats. A tree planting map is therefore in the process of being

prepared having regard to these factors and will supplement this document and the emerging County-wide Green Infrastructure Strategy during 22/23.

3.4.3 Tree species will be chosen to enhance biodiversity wherever possible. In general terms where a native species is suitable for a location it will be used. However in certain circumstances to ensure establishment and prevent undesirable problems, non-native species may be a better choice.

3.4.4 The value of existing habitats should be a major consideration when deciding locations for the creation of alternative habitats through tree planting. For example, there may be a completely different planting regime appropriate for brownfield sites compared to greenfield sites, for connecting wildlife corridors to enhance island habitats for pollinators, in the creation of Place, settings for development, screening of bad views/poor neighbour uses, transport corridors, etc

3.4.5 Where open space and park trees are removed consideration will be given to replanting in the first planting season following removal unless there are good reasons for not doing so. These may include lack of resources, soil borne disease, changes in land use, underground/overhead utility services or the surrounding tree cover which would restrict good establishment. In such circumstances an alternative



location will need to be identified and/or the planting must be undertaken as soon as possible once resources become available. Any new planting in parks should complement not conflict with play and wider wellbeing objectives

- 3.4.6 The Council welcomes suggestions for planting sites and actively encourages local residents and businesses to take an interest in tree planting and young tree establishment. Unless the proposed area for planting has been identified as one where only native species will be introduced, such as a woodland or other site managed for nature conservation, native and non-native trees may be planted as appropriate. Standard trees planted are normally 12-14 cm in girth (stem circumference measured at a point 1m from ground level), larger areas and / or understoreys are commonly planted with whips 800mm – 1.5 metres in height.
- 3.4.7 New tree planting can be used to increase biodiversity, restore or improve the local landscape character, or introduce trees of a different age class to that which already exists. They may also be planted to improve air quality, reduce noise, provide shade and shelter and reduce flooding. When planting close to dwellings consideration will also need to be given whether there is enough physical room for the new tree to grow and flourish without giving rise to potential future complaints

of excessive shading or other physical problems impacting on the dwelling. Similar considerations will also need to be given when planting trees close to other structures such as footpaths, roads, street lights and existing vegetation.

- 3.4.8 Where trees that have been implicated in subsidence damage to dwellings are removed it may not always be appropriate to plant a replacement tree of the same species. This is especially the case if the implicated tree is a large, high water demanding species and in such cases smaller species that are appropriate to the site will be considered.
- 3.4.9 To help maintain and improve continuity of tree cover the Council will undertake the planting of new trees and woodlands on land that it manages where suitable opportunities arise. Where the Council removes trees it will plant replacements when and where it is appropriate to do so having regard to the Swansea Tree Replacement Standard (Annex 7 refers) and carry out a programme of maintenance to ensure that they are given the best start possible. To address budget concerns in this regard departments/service areas are advised to contact the Nature Conservation Team to help identify locations for replanting and access available grant funding. In reaching a decision as to where it would be right to plant new or replacement

trees the Council will take into account the following considerations:

- i) Will the new/replacement tree be of public benefit?
- ii) Is there sufficient room for a new tree to grow and develop without it causing future problems?
- iii) Is there a deficit of younger trees in the area?
- iv) Was the removed tree part of a local feature? E.g. a line of trees, and,
- v) What species add to local distinctiveness and are suitable for biodiversity and the local landscape character, and are these appropriate for the site?
- vi) Are there any alternative uses proposed in respect of the land identified for planting, so as not to compromise any Council scheme or commercial use of the site?

3.4.10 One way to remember the life of a friend or loved one is through the arrangement of a longstanding tribute, a reminder that they are not forgotten and the donation of a tree is often considered on these occasions. Donating a tree may also be considered to commemorate an anniversary or an historical event. The Council Parks and Cleansing Service operate a

memorial/donated tree scheme, details of which may be found at <https://www.swansea.gov.uk/adoptatree>

3.4.11 Funding for additional tree planting needs to include and set aside provision for future maintenance costs, whilst suitable locations for planting will be sought to increase tree cover in support of the Council's forthcoming County-wide Green Infrastructure Strategy.

3.4.12 High quality tree planting will be incorporated into any City Centre or Place-making regeneration schemes with existing trees retained wherever possible. New planting should follow the 5 principles of Green Infrastructure:

- multifunctional
- adapted for climate change
- create healthy places
- support biodiversity
- provide smart and sustainable solutions

Further guidance is set out in:

<https://www.swansea.gov.uk/article/9580/Swansea-Central-Area-Regenerating-our-City-for-Wellbeing-and-Wildlife>

### 3.5 Subsidence



#### **TS1: Subsidence**

When a Council owned tree is implicated in a subsidence or heave case, tree removals will be considered on the balance of probability of the tree causing the damage.

3.5.1 This section sets out the Council's response to both subsidence claims against its own tree stock and subsidence related applications to undertake work to protected trees.

3.5.2 Subsidence is a complex interaction between the soil, building, climate and vegetation that occurs on highly shrinkable clay soils when the soil supporting all or part of a building dries out and consequently shrinks, resulting in part of a building moving downwards. Trees lose water from their leaves through transpiration that is replenished by water taken from the soil by the roots. If the tree takes more water from the soil than is replaced by rainfall, the soil will gradually dry out. Trees have a large root system and they can dry the soil to a great depth which in certain circumstances can critically extend below the level of foundations. The amount of water trees remove from the soil can vary between different species.

3.5.3 The opposite of subsidence is 'heave' which occurs when a shrinkable clay soil re-hydrates (re-wets) and begins to increase in volume exerting upward pressure. Heave can also cause damage to buildings and is just as undesirable as subsidence.

3.5.4 Whilst the Council recognises its responsibilities for the trees it manages or protects, it will expect any claim against its own trees or an application to work on a protected tree to be supported by strong evidence (timing of damage, seasonal movement, presence of roots, etc) that the tree in question has caused or is likely to contribute to (on the balance of probabilities)

damage to a building. Each case will be considered on its individual merits.

3.5.5 There will be situations where a tree makes a negligible contribution to the character or quality of the local environment. In these situations the Council will agree to its removal based only on a visual assessment of the damage.

3.5.6 Where necessary, the Council will obtain expert specialist advice to verify submitted evidence and if it demonstrates that the tree is an influencing cause, permission to remove the tree will not unreasonably be withheld.

#### **TS2: Protected Tree Subsidence**

The Council will require the standard information listed on the Tree Preservation Order (TPO) application form where a TPO tree(s) is implicated in a case of subsidence/heave, before considering removal.

3.5.7 The standard tree works application form requires the following documentation: full report from engineer or surveyor, together with one from a tree professional - to

include date and description of property damage; subsoil type and shrinkage potential; location of any roots found and their identification; history of ground and building movement through a distortion survey and/or crack monitoring over suitable period; other vegetation in the vicinity and its management since discovery of the damage.

### **3.6 Woodlands**

#### **TWM1: Woodland Management**

The Council will seek to ensure that all its woodlands, including Local Nature Reserves, Ancient Woodlands and Sites of Importance for Nature Conservation (SINCs), are sustained and enhanced on a long term basis for their public recreation use, wildlife habitat and educational potential.

3.6.1 The Council sustains a range of woodlands on its land for their conservation/biodiversity value, often with the involvement and support of local communities (including schools). Woodlands are unique and

different in character with different parameters affecting them. Whilst the production of timber is not a primary objective, thinning and coppice products may find a local market and the Council will seek to make use of these when appropriate to do so. The woodlands will be managed including any replanting and expanding tree canopy cover in line with relevant Local Nature Recovery Action Plans, site management plans, the Wales Woodland Strategy and Welsh Government's aspirations to create a National Forest in Wales.

- 3.6.2 Further details of Ancient Trees, Woodlands and Veteran Trees are set out in Appendix 3. All known areas of Ancient Woodland and SINCs are shown on the Local Development Plan Constraints and Issues Map. NRW must be consulted on any proposals that may give rise to potentially damaging operations.
- 3.6.3 The Council will continue to support, encourage and co-ordinate volunteer involvement in many aspects of woodland management under its control, including acting as Tree Wardens. However there are some essential operations that need to be carried out by trained professionals. These include the safety inspections of trees around the perimeters of woodland and adjacent to footpaths, and carrying out essential works for public safety reasons.

3.6.4 The management of woodlands for wildlife in conjunction with allowing public access presents certain challenges. Aspects which are beneficial to one are not necessarily desirable for the other. Trees will only be pruned where public presence is high or to improve the environmental benefits of the woodland.

3.6.5 Management plans for Council woodlands and Local Nature Reserves (LNRs) will be published on the Council's website as and when produced/reviewed. Successful management of a LNR requires a long term approach to habitat management and public access. This includes tree safety management, dealing with ash die back, removal of INNS, maintaining firebreaks, leaving standing and fallen deadwood as wildlife habitats and allowing natural regeneration of fallen trees. The aim is to bring at least 50% of Council owned woodland under favourable management by 2030.

3.6.6 The Council will guide and advise 'Friends of' groups and similar in relation to woodland/LNR management, including helping to identify sources of grant funding and entering management agreements as appropriate. There are sources of grant finding available to voluntary/community groups which the Council is unable to access. Currently the Welsh Government administer grants for woodland creation and woodland management through a scheme called Glastir, whilst

NRW and the National Heritage Lottery Fund also provide grants for Community Woodland schemes.

### 3.7 Trees in Private Ownership

3.7.1 All trees on privately owned land are the responsibility of the landowner or site occupier/tenant. The Council does not provide an advice service in relation to concerns about the safety of trees on privately owned land. Landowners are advised to contact a qualified arborist to arrange for an inspection and concerned members of the public should contact the landowner. Advice on appointing a suitably qualified contractor is provided in the Tree SPG  
<https://www.swansea.gov.uk/treespg?languagepref=en>

#### TPR1: Trees Falling on Highways

The Council will clear roads blocked by fallen privately owned trees and recover costs where possible.

3.7.2 The Council will clear trees blocking a highway and charge the tree owner. The clearance will not extend into the private land and arisings will be stacked next to the tree on the owner's land where site conditions allow.

3.7.3 During a serious weather event and multiple tree failures, the main arterial routes will be prioritised with other roads being prioritised as appropriate.

#### TPR2: High Risk Trees

The Council will use its powers under the provisions of the Miscellaneous Provisions Act 1976 to ensure high risk trees are mitigated.

3.7.4 The Council has discretionary powers under the Local Government (Miscellaneous Provisions) Act 1976 to deal with trees in private ownership that pose an imminent danger of damage being caused to people or property. The Council will only undertake work to make trees in private ownership safe under section 23(1) of the Act in exceptional circumstances where there is an imminent danger of failure onto Council land/property and where the owner is unknown. For the purposes of this Strategy, an imminent danger is where a tree or a substantial part of a tree is about to fail at any moment. Such situations might include one or more of the following:

- Root plate moving
- Extensive trunk decay with buckling evident

- Extensive root decay with signs of fracture
- Catastrophic root damage (e.g. half of root system removed by trenching)
- Failure of a major fork (split trunk or major limb)
- Crack or cavity in a major branch (above 150mm in diameter) with insufficient safety reserves to prevent the branch from failing

### TPR3: Risk to Highway Users

The Council will use its powers afforded to it under the provisions of the Highways Act (1980) to ensure risks to highway users are mitigated.

3.7.5 The Council will only take action under sections 23(2) and 23(3) of the Local Government (Miscellaneous Provisions) Act 1976 where it is expedient to do so by serving a notice on a landowner to carry out the required safety works. In the event that the landowner is not known or is unable or unwilling to undertake the safety works, the Council will enter the land and carry out the work itself. For the avoidance of doubt, this will only apply where there is an imminent risk to people or property. **Any concerns in relation to trees not on or affecting Council land/property are a matter to be dealt with through private action.**

3.7.6 There are no powers under the Local Government (Miscellaneous Provisions) Act 1976 for the Council to become involved with private trees that are merely causing a nuisance to a neighbouring property, for example, by causing shade, blocking views or dropping leaves, flowers or fruit etc. These situations are civil matters and will remain a private matter between the two parties.

3.7.7 If a tree in private ownership is shown to be a danger to the highway (branches obstructing or disease / decay etc within falling distance) it will be identified for work to make it reasonably safe. The land owner will be contacted and instructed to make the tree safe under Section 154 of the Highways Act 1980.

3.7.8 Where it is necessary for the Council to undertake this work then it may intervene according to the powers given in the Act if an owner of such trees fails to act in a reasonable timescale (timescales depend upon the degree of risk presented) and may recover from the tree owner the expenses reasonably incurred by it in so doing.

3.7.9 Public Rights of Way (PRoW), which include footpaths and bridleways, are also defined as highways under the provisions of the Highways Act 1980, and private landowners will be held responsible for the safety of trees adjacent to PRoW in the same manner.

3.7.10 Similar provisions also apply to hedgerows alongside highways which must be managed to ensure public safety whilst recognising the important landscape and wildlife habitats they provide. Where overgrown hedges impact on highway safety The Council will request the landowner to cut back any overhang under the provision of the Highways Act 1980.

3.7.11 Where the Council does take action to make a private tree safe it will seek to recover its reasonable costs from the landowner.

### 3.8 Protected Trees

3.8.1 National Policy and Guidance as set out in Appendix 3 provides for the protection of trees and woodlands. This Strategy supersedes the Protected Tree Protocol adopted by the Council in 2018 and sets out how the Council will carry out its duties in respect of protected trees. It is recognised that for the most part these provisions will apply to trees in private ownership as most Council owned trees are not covered by a TPO, however it does apply to Council owned trees within Conservation Areas. The duties are translated into the protocols set out below that seek to:

- Assess trees as they come under threat and protect them as and when necessary in accordance with the Council's statutory duty

- Ensure Tree Preservation Orders afford suitable protection as they are intended
- Deal with Tree Work Applications fairly and consistently
- Take enforcement action where necessary to act as a deterrent to prevent further unauthorised work

3.8.2 A Tree Preservation Order (TPO) makes it an offence to: cut down, top, lop, wilfully damage, or wilfully destroy a protected tree without the local planning authority's permission. The primary function of a TPO is to protect the amenity contribution that trees make to an area.

3.8.3 There are four types of TPO designation:

- Individual:** each tree designated individually
- Group:** specified number and species within a group of trees
- Area:** all trees specified (could be all species) growing at the time of making the order
- Woodland:** All trees (including saplings) growing in that area either before or after the order was made

3.8.4 Trees growing within a Conservation Area have similar protection to TPO trees. All trees with a trunk diameter of 75mm measured at 1.5m above ground level within Conservation Areas are protected under Section 211 of



the Town and Country Planning Act 1990 (as amended). Any proposed works to such trees require a written notification to the Council six weeks prior to beginning those works. Maps of the Conservation Areas in the City and County of Swansea can be viewed at:

<https://www.swansea.gov.uk/conservationareas>

### **TPO1: New Tree Preservation Orders**

All sites and trees will be assessed according to the following criteria:

- a) The trees are of current or future public amenity value. Generally, this will be interpreted as meaning that they are visible from a public place and add value to the streetscene or local landscape. However, evidence of strong cultural, historical, wildlife or rarity value will also be considered
- b) The loss of the trees or damage to them would have a significant impact on the local environment and its enjoyment by the public and there is a significant risk of this happening if a tree preservation order is not made, and

- c) The trees are in reasonable health and condition, have a reasonable life expectancy and are not known to be causing damage to buildings

3.8.5 Under the provisions of section 197 of the Town and Country Planning Act 1990 (as amended), the Council has a duty to protect selected trees and woodlands in the interests of amenity. As the Council is seeking to protect trees and woodlands on behalf of the public, the selected trees or woodlands should generally be of some public amenity benefit. While the primary consideration is the visual impact of trees and woodlands on their local surroundings, consideration may also be given to their ecological, historical or rarity value.

3.8.6 Other selected trees are those that are required to be planted as a part of a planning permission in mitigation of trees that are lost in the development process or in the creation of Place. A monitoring system will be developed to ensure that when landscape schemes are completed in association with a development the newly planted trees are made subject of a TPO.

3.8.7 A TPO is a legal document that makes it an offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree without permission. Anyone deliberately destroying or cutting down a protected tree can face an unlimited fine if convicted. Fines can also be imposed

under the Proceeds of Crime Act if the guilty party has gained a material benefit. The serving of a TPO does not mean that the Council becomes responsible for the trees; the duty of care continues to remain with the tree owner. Protocol TPO4 sets out the Council's approach to TPO contravention.

- 3.8.8 Whilst the Council has a duty to protect selected trees and woodlands, there is also a need to balance the landscape value of the tree(s) against the species, size, growth potential and the relationship to adjacent buildings and gardens. It is important to ensure that TPOs are not used to perpetuate significant problems arising from the proximity of large trees to buildings. Protocol TPO3 sets out the situations where the Council will consider the removal or pruning of protected trees.
- 3.8.9 The Council will take a strategic and pro-active approach towards making new TPOs, whereby those trees and woodlands that make the greatest contribution to local amenity are identified and where appropriate are protected.
- 3.8.10 Ad-hoc requests for new TPO's will be considered in the light of current Government advice as set out in '*TPO's A Guide to the Law and Best Practice*'. To ensure that Council resources are used to the best effect, the level of risk to the tree(s), for example from felling, lopping or construction damage, will remain an important factor in considering whether to make a TPO.

It is accepted that many landowners manage their trees in a responsible way and Government advice is that the use of TPOs would not be appropriate where trees and woodlands are being responsibly managed. The Council is considered to be a responsible tree owner in this respect.

- 3.8.11 Trees on potential development sites including Development Plan allocations, infill plots and pre-application sites will be considered for protection as any threat becomes apparent.
- 3.8.12 To aid the decision-making process, trees will be assessed where appropriate using the industry recognised **Tree Evaluation Method for Preservation Orders (TEMPO)**. A tree that does not meet the required standard as set out in the methodology will not be included in a preservation order unless it is part of a woodland, and being considered as part of a woodland TPO.
- 3.8.13 Following receipt of a 'Section 211 Notice of Intent' to remove or work on a qualifying tree growing in a Conservation Area the Council will normally only serve a TPO where the above criteria are met and particularly where the proposed work would have an adverse impact on the character of the Conservation Area.
- 3.8.14 The Council will not normally serve TPOs on trees that it is responsible for managing, unless the trees fulfil the above requirements and are at risk.

### TPO2: Reviewing Tree Preservation Orders

The Council will continue to review its existing Tree Preservation Orders to ensure that they reflect the current legal, public amenity and land use aspects.

3.8.15 The Council periodically reviews its old TPOs which date back to 1956. A number of these orders contain 'area' or blanket designations that apply to all qualifying trees that were present on a specific parcel of land at the time that the order was made. Any trees that have been planted or have seeded naturally since the order was made are not protected.

3.8.16 To ensure that all TPOs are appropriate, relevant, up to date (available on line) and enforceable the Council will continue to prioritise the review process by concentrating on the following types of orders that contain:

- Inadequately protected trees when compared to updated Regulations (pre 1975)
- Area designations
- Incorrect group definitions
- Developed sites
- Inaccuracies

### TPO3: Work to Protected Trees

Permission to fell a protected tree will be granted where one or more of the following apply:

- a) There is strong evidence that the tree on the balance of probabilities would, or is likely to, contribute to damage of a building, or
- b) Where the removal would be in the interests of good *silvicultural* or *arboricultural* management and would benefit the long-term development of adjacent better quality trees, or
- c) The tree has a short life expectancy due to ill-health, or
- d) The tree is at risk of causing damage to people or property where the hazard cannot be reasonably remedied by pruning of the tree

Permission to prune a protected tree will be granted where one or more of the following apply:

- i) The work will improve the structure or longevity of the tree, or
- ii) It is required to prevent damaging interference between the tree and surrounding infrastructure or buildings, or

iii) It will not affect local amenity and would not harm the long-term health of the tree

3.8.17 Whilst the Council recognises the need to conserve the present tree cover, there will be occasions where tree removal is justified. This protocol sets out the situations where tree removal may be acceptable.

3.8.18 **Silvicultural management** relates to the growing and cultivation of trees as a crop. **Arboricultural management** relates to the cultivation and management of amenity trees.

3.8.19 Protected trees that are dead, dying or dangerous do not require a formal application to be made, although 5 days written notice is required except in the most urgent situations. In these situations the tree owner has to be able to show that the tree is in the condition claimed. **Where a dead, dying or dangerous tree is removed, there is a duty on the landowner to plant a replacement tree.**

3.8.20 Permission will not normally be given to remove protected trees because of leaf fall, fruit fall, bird droppings, honeydew from aphids, or interference with TV signals/solar panels. When reaching a decision, the Council will take into account public amenity value; species; size; age and condition; density of the canopy; proximity to the building; and the aspect of the property and garden in relation to the tree.

3.8.21 Pruning may sometimes be granted for other reasons, but only if it is within the tree's ability to tolerate the work without unduly impacting on its health, longevity or its value in the landscape. Factors that will be considered include public amenity value; species, size; age; and condition.

3.8.22 Ash die back caused by *Hymenoscyphus fraxineus* is expected to infect most ash trees in the landscape. Such trees falling within categories 1 and 2 of the Woodland Trusts Ash Die Back Toolkit guidance will require the usual tree works application to be made and assessed. Trees in category 3 and 4 will be considered to be dying or dangerous and will qualify to be felled under exemption. Further detail on Ash die back is set out in Annex 6 to this Strategy.

3.8.23 Where there is a requirement to plant a replacement tree it should be of a suitable size and species, with location agreed prior to removal.

#### **TPO4: Enforcement**

Where there is sufficient evidence of a contravention involving a protected tree (one subject to a Tree Preservation Order or a qualifying tree growing in a Conservation Area), provided that it is in the public interest to do so, the Council will initiate criminal prosecution proceedings.

Where prosecution is not a suitable course of action the Council will consider cautions, enforcing the planting of replacement trees and/or remedial work under planning powers.

3.8.24 This protocol explains how and when the Council will enforce against: unauthorised works carried out upon, and damage to or felling of trees that are protected by TPOs; unauthorised works carried out upon, and damage to or felling of trees that are situated within Conservation Areas; and, any breach of planning conditions relating to tree retention and protection.

3.8.25 In the case of trees protected by a TPO, the consent of the Council is generally required for any works on the trees following submission of a formal application. Any consent may be subject to conditions, and there is a right of appeal to the Planning Inspectorate <http://gov.wales/topics/planning/appeals/appeal-guidance-and-information/planning-appeals/?skip=1&lang=en> against a refusal of consent or to the terms of a condition.

3.8.26 Where trees are in a Conservation Area, six weeks' notice must be given to the Council of any proposal to carry out works on the trees. During this six week period, the Council may either raise no objection to the works or make a TPO to prevent those works being

carried out. If the Council takes no action within six weeks, the works may go ahead as notified.

3.8.27 Two offences apply to trees protected by TPOs and those within Conservation Areas:

- i) Anyone who cuts down, uproots or wilfully destroys a tree, or who lops, tops or wilfully damages it in such a way that is likely to destroy it, is liable, if convicted, to an unlimited fine. The Courts have held that it is not necessary for a tree to be obliterated for it to be "destroyed" for the purposes of the legislation. It is sufficient for the tree to have been rendered useless as an amenity.
- ii) Anyone who carries out works on a tree, which is not likely to destroy it, is also liable if convicted in the Magistrates Court to an unlimited fine.

3.8.28 In addition to directly carrying out unauthorised works on protected trees, it is an offence to cause or permit such works.

3.8.29 If it is claimed that works are exempt from the usual requirements of the legislation, it is for the defendant to prove that the exemption applies.

3.8.30 Whenever a tree has been removed in contravention of the legislation, or because it is dead, dying or dangerous, there is an automatic duty on the landowner to plant a replacement tree of a suitable size

and species at the same place as soon as reasonably possible (unless that requirement is waived by the Council). The replacement tree is then subject to the same protection as the tree that was lost.

3.8.31 If the landowner fails to comply with this requirement, the Council may serve a Tree Replacement Notice within a period of four years to ensure compliance. A Tree Replacement Notice can be appealed to the Planning Inspectorate. If the Notice is not complied with the Council may carry out the replanting works and impose a charge on the land.

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## APPENDICES

### A1: Background Documents

1. City and County of Swansea Local Development Plan, 2019 - Policy ER11  
<https://www.swansea.gov.uk/article/48659/Adopted-Local-Development-Plan-LDP>
2. The Town and Country Planning Act 1990 (as amended)  
<http://www.legislation.gov.uk/ukpga/1990/8/contents>
3. The Town and Country Planning (Trees) Regulations 1999 <http://www.legislation.gov.uk/uksi/1999/1892>
4. 'TPO's A Guide to the Law and Best Practice', 2000  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/14956/tposg\\_uide.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/14956/tposg_uide.pdf)
5. National Policy: Planning Policy Wales, Edition 11, 2021  
[https://gov.wales/sites/default/files/publications/2021-02/planning-policy-wales-edition-11\\_0.pdf](https://gov.wales/sites/default/files/publications/2021-02/planning-policy-wales-edition-11_0.pdf)
6. Planning Guidance (Wales) Technical Advice Note (Wales) 10. Tree Preservation Orders, 1997  
<http://gov.wales/topics/planning/policy/tans/tan10/?lang=en>
7. Protected Trees – Guidance on Tree Preservation Orders, 2013 <https://gov.wales/protected-trees-guidance-tree-preservation-orders>
8. Tree Evaluation Method for Preservation Orders (TEMPO), 2009 <http://www.flac.uk.com/wp-content/uploads/2014/12/TEMPO-GN.pdf>
9. City and County of Swansea – Trees, Hedgerows and Woodland Supplementary Planning Guidance, 2021  
<https://www.swansea.gov.uk/treespg>
10. City and County of Swansea – Biodiversity and Development Supplementary Planning Guidance, 2021  
<https://www.swansea.gov.uk/biodiversityspg>
11. 'Well-managed highway Infrastructure', 2016  
<http://www.ukroadsliaisongroup.org/en/codes/>
12. 'Veteran Trees: A guide to good management'. Helen Read, 2000 [www.woodlandtrust.org.uk](http://www.woodlandtrust.org.uk)

13. 'Trees in the Townscape: A Guide for Decision Makers', 2012. TDAG <https://www.tdag.org.uk/trees-in-the-townscape.html>
14. 'Trees in Hard Landscapes: A Guide for Delivery', 2014, TDAG. <http://www.tdag.org.uk>
15. Valuing Urban Trees in the Tawe Catchment 2016. Forest Research <https://www.forestresearch.gov.uk/research/i-tree-eco/i-tree-eco-projects-completed/i-tree-eco-tawe-catchment/>
16. Wildlife and Countryside Act 1981 (as amended) [www.legislation.gov.uk/ukpga/1981/69](http://www.legislation.gov.uk/ukpga/1981/69) 47. Conservation of Habitats and Species Regulations (HM Government, 2017) [www.legislation.gov.uk/uksi/2017/1012/contents/made](http://www.legislation.gov.uk/uksi/2017/1012/contents/made)
17. Trees Species selection for Green Infrastructure, (Trees and Design Action Group, 2018) <http://www.tdag.org.uk/species-selection-forgreen-infrastructure.html>
18. i-Tree Eco Tawe Catchment, 2016 <https://www.forestresearch.gov.uk/research/i-tree-eco/i-tree-eco-projects-completed/i-tree-eco-tawe-catchment/>
19. Environment (Wales) Act (Welsh Government, 2016) <https://gweddill.gov.wales/topics/environmentcountryside/e/consmanagement/natural-resources-management/environment-act/?lang=en>
20. Countryside and Rights of Way Act, 2000 <http://www.hwa.uk.com/site/wp-content/uploads/2017/09/NR.4.3C-Countryside-and-Rights-of-Way-Act-Section-6.pdf>
21. Planning Guidance (Wales) Technical Advice Note (Wales) 5 Nature Conservation and Planning, 2009 <https://gov.wales/sites/default/files/publications/2018-09/tan5-nature-conservation.pdf>
22. Forestry Act, 1967 [https://www.congreso.es/docu/docum/ddocum/dosieres/sleg/legislatura\\_10/spl\\_77/pdfs/30.pdf](https://www.congreso.es/docu/docum/ddocum/dosieres/sleg/legislatura_10/spl_77/pdfs/30.pdf)
23. Hedgerow Regulations, DEFRA, 1997 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/438652/hedgerow\\_guide\\_part\\_1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/438652/hedgerow_guide_part_1.pdf)
24. Well-being of Future Generations (Wales) Act, 2015 <https://www.futuregenerations.wales/about-us/future-generations-act/>



25. City and County of Swansea Corporate Plan, 2018-2022  
<https://archive.swansea.gov.uk/corporateimprovementplan>
26. City and County of Swansea, Central Area – Regenerating our City for Wellbeing and Wildlife, 2021  
<https://www.swansea.gov.uk/article/9580/Swansea-Central-Area-Regenerating-our-City-for-Wellbeing-and-Wildlife>
27. City and County of Swansea Welsh Index of Multiple Deprivation, 2019  
<https://www.swansea.gov.uk/article/11000/WIMD-2019>
28. Highways Act, 1980  
<https://www.legislation.gov.uk/ukpga/1980/66>
29. Occupiers Liability Act 1957 and 1984  
<https://www.legislation.gov.uk/ukpga/Eliz2/5-6/31/contents> and  
<https://www.legislation.gov.uk/ukpga/1984/3/contents>
30. Health and Safety at Work, etc Act, 1974  
<https://www.hse.gov.uk/legislation/hswa.htm>
31. The Management of Health and Safety at Work Regulations, 1999  
<https://www.legislation.gov.uk/uksi/1999/3242/contents/made>
32. Future Wales – the National Plan, 2021  
<https://gov.wales/sites/default/files/publications/2021-02/future-wales-the-national-plan-2040.pdf>
33. Woodlands for Wales, 2009  
<https://naturalresources.wales/media/2985/woodlands-for-wales-strategy.pdf>
34. Swansea Local Biodiversity Action Plan, 2005  
<https://www.swansea.gov.uk/article/9566/Swansea-Local-Biodiversity-Action-Plan>

## A2: General Contacts

Welsh Government	<a href="http://gov.wales/topics/planning/policy/?lang=en">http://gov.wales/topics/planning/policy/?lang=en</a>
The Planning Inspectorate	<a href="http://planninginspectorate.gov.wales/splash?orig=/">http://planninginspectorate.gov.wales/splash?orig=/</a>
Planning Portal Wales	<a href="https://www.planningportal.co.uk/wales_en/">https://www.planningportal.co.uk/wales_en/</a>
Natural Resources Wales	<a href="mailto:enquiries@naturalresourceswales.gov.uk">enquiries@naturalresourceswales.gov.uk</a>
Ancient Tree Forum	<a href="http://www.woodland-trust.org.uk/ancient-tree-forum">www.woodland-trust.org.uk/ancient-tree-forum</a>
Arboricultural Association	<a href="http://www.trees.org.uk">www.trees.org.uk</a>
Chartered Institute of Ecology and Environmental Management (CIEEM)	<a href="https://cieem.net">https://cieem.net</a>
Royal Forestry Society (RFS)	<a href="http://www.rfs.org.uk">www.rfs.org.uk</a>
Royal Horticultural Society (RHS)	<a href="http://www.rhs.org.uk">www.rhs.org.uk</a>

Landscape Institute	<a href="http://www.landscapeinstitute.org">http://www.landscapeinstitute.org</a>
Tree Advice Trust	<a href="http://www.treehelp.info/">http://www.treehelp.info/</a>
The Tree Council	<a href="http://www.treecouncil.org.uk">www.treecouncil.org.uk</a>
The Woodland Trust	<a href="https://www.woodlandtrust.org.uk/">https://www.woodlandtrust.org.uk/</a>
Wildlife Trust of South & West Wales	<a href="https://www.welshwildlife.org/">https://www.welshwildlife.org/</a>
Coed Cymru	<a href="https://coed.cymru/index.html">https://coed.cymru/index.html</a>
Glamorgan Gwent Archaeological Trust (GGAT)	<a href="http://www.ggat.org.uk/">http://www.ggat.org.uk/</a>
Health and Safety Executive	<a href="https://www.hse.gov.uk/">https://www.hse.gov.uk/</a>
Lle- A Geoportal for Wales	<a href="https://www.swansea.gov.uk/article/9566/Swansea-Local-Biodiversity-Action-Plan">https://www.swansea.gov.uk/article/9566/Swansea-Local-Biodiversity-Action-Plan</a>
Trees for Cities	<a href="https://www.treesforcities.org/">https://www.treesforcities.org/</a>
The Institute of Chartered Foresters,	<a href="https://www.charteredforesters.org/">https://www.charteredforesters.org/</a>
Consulting Arborist Society (CAS)	<a href="http://www.consultingarboristsociety.co.uk">www.consultingarboristsociety.co.uk</a>
British Standards Institute	<a href="http://www.bsi-global.com">www.bsi-global.com</a>
Chartered Institute for Archaeologists	<a href="https://www.archaeologists.net/codes/cifa">https://www.archaeologists.net/codes/cifa</a>

## Council Contacts

Enquiry	Department/Service	Contact
General	Swansea Council	01792 636000 <a href="mailto:contact@swansea.gov.uk">contact@swansea.gov.uk</a> <a href="http://www.swansea.gov.uk/tpo">http://www.swansea.gov.uk/tpo</a>
Trees in Parks & Open Spaces	Parks & Cleansing Home Farm	01792 280210 <a href="mailto:parks.section@swansea.gov.uk">parks.section@swansea.gov.uk</a>
TPOs, Conservation Areas, and Development	Planning and City Regeneration City and County of Swansea Council, Civic Centre, Oystermouth Road, Swansea, SA1 3SN	Tel: 01792 636000 Email: <a href="mailto:planning@swansea.gov.uk">planning@swansea.gov.uk</a> or <a href="mailto:protectedtrees@swansea.gov.uk">protectedtrees@swansea.gov.uk</a> Web: <a href="http://www.swansea.gov.uk">www.swansea.gov.uk</a>
Trees and the Public Highway or footpaths	Highways Department	<a href="https://www.swansea.gov.uk/highwayproblems">https://www.swansea.gov.uk/highwayproblems</a>
Trees affecting Council Housing Properties – report to District Housing Office	Sketty and Gower Townhill Town Centre Blaenymaes Gorseinon Morrison	01792 516810 01792 513926 01792 650486 01792 534060 01792 897700 01792 601720
Trees in Cemeteries	Bereavement Services	01792 636481 <a href="mailto:bereavementservices@swansea.gov.uk">bereavementservices@swansea.gov.uk</a>

Trees in Schools	Education Department/Facilities Management	Grounds Maintenance officer; 07880 182718 Facilities Management; 01792 636207
Trees on Public Rights of Way	Countryside Access Team	<a href="mailto:Countryside.access@swansea.gov.uk">Countryside.access@swansea.gov.uk</a>
Trees on Local Nature Reserves/Wildlife sites	Nature Conservation Team	<a href="mailto:Nature.conservation@swansea.gov.uk">Nature.conservation@swansea.gov.uk</a>

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## **A3: Legislative Context**

**National Policy:** The Council has a legal duty to consider trees under the provisions of the following legislation:

### **A3.1 Town and Country Planning Act, 1990 (as amended) Sections 197 and 198**

This relates to the preservation of trees and woodlands and ensuring that trees are fully considered when planning for new development. The Council has a duty to consider all trees in the planning process, i.e. including those which are not protected. It must ensure, whenever appropriate, that in granting planning permission for any development adequate provision is made through the imposition of conditions for the preservation or planting of trees; and to protect trees with Tree Preservation Orders (TPOs) where other threats are identified Under Section 211 of the Act. Trees in Conservation Areas are subject to similar controls as trees to which a TPO applies.

### **A3.2 The Town and Country Planning (Trees) Regulations, 1999**

Prescribes the form of TPOs and the procedure for their making, confirmation, variation and revocation. Consent of the local planning authority is required before any tree protected by the Order may be cut down, topped, lopped, uprooted, damaged or destroyed.

### **A3.3 The Forestry Act, 1967**

Requires a felling licence from Natural Resources Wales (NRW) for the felling of growing trees, subject to various exceptions including trees in gardens, churchyards, orchards or public open space, as well as trees that are diseased, under a certain diameter or volume. A licence is not required for enabling works carried out by a statutory undertaker or where planning permission has been granted for a development.

### **A3.4 The Hedgerow Regulations, 1997**

Aims to secure the retention of important countryside hedgerows by controlling their removal through a system of notification. There is a presumption in retaining and protecting important hedgerows but there are strict criteria and values that must be met including being at least thirty years old and valuable from an archaeological, historical, landscape or wildlife perspective.

### **A3.5 Well-being of Future Generations (Wales) Act, 2015**

The Strategy has been prepared with full consideration of the Council's duties to work towards Wales' seven shared wellbeing goals and to contribute to the sustainable management of natural resources in relation to the retention and

removal of trees and the expansion of tree canopy coverage. In accordance with the Act in exercising its function the Council will seek to maintain and enhance biodiversity and promote ecosystem resilience. When carrying out any works to trees the Council will fully consider the effects on wildlife, minimise any adverse impact and ensure that all works are compliant with relevant legislation.

#### **A3.6 Environment (Wales) Act, 2016**

This Act introduced legislation to help secure healthy, resilient and productive ecosystems in Wales for the future, whilst still meeting the challenges of creating jobs, housing and infrastructure. Of particular relevance are the following Parts:

- a) Part 1 Sustainable Management of Natural Resources:** Central to the Act is the need to adopt a more integrated approach to managing natural resources in order to achieve long-term sustainability. It provides a framework to ensure that managing natural resources in a sustainable manner will be a core consideration in decision making. It also sets out responsibilities for Welsh Government, Natural Resources Wales (NRW), Local Authorities and all public authorities, including a Biodiversity Duty to help reverse the decline and secure the long term resilience of biodiversity in Wales. This duty links to and is further underpinned by the Resilience Goal of the Well-being of Future Generations Act. The Biodiversity Duty requires Local Authorities *“to seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing, promote the resilience of ecosystems so far as consistent with the proper exercise of those functions”*.
- b) Part 2 Climate Change:** Provides the Welsh Ministers with powers to put in place statutory emission reduction targets, including at least an 80% reduction in emissions by 2050 and carbon budgeting to support their delivery. This sets a clear pathway for decarbonisation and provides certainty and clarity for business and investment. Consideration of tree retention and planting will help meet the requirements of this part of the Act. Swansea Council has set itself the target of being a net zero Carbon Council by 2030.

#### **A3.7 Future Wales: The National Plan 2040, 2021**

Seeks to create a National Forest by increasing woodland cover in Wales by 2000ha per annum from 2020-2040 in order to build the resilience of ecosystems and meet decarbonisation targets

#### **A3.8 National Policy: Planning Policy Wales (PPW) Edition 11, 2021**

PPW guidance in relation to trees, woodlands and hedgerows is set out below and this strategy is the local authority tree strategy referred to in paragraph 6.4.25:

- 6.4.24 *Trees, woodlands, copses and hedgerows are of great importance for biodiversity. They are important connecting habitats for resilient ecological networks and make a valuable wider contribution to landscape character, sense of place, air quality, recreation and local climate moderation. They also play a vital role in tackling climate emergency by locking up carbon, and can provide shade and shelter, a sustainable energy source and building materials. The particular role, siting and design requirements of urban trees in providing health and well-being benefits to communities, now and in the future should be promoted as part of plan making and decision taking.*
- 6.4.25 *Planning authorities should protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial and identified green infrastructure function. Planning authorities should consider the importance of native woodland and valued trees, and should have regard, where appropriate, to local authority tree strategies or SPG. Permanent removal of woodland should only be permitted where it would achieve significant and clearly defined public benefits. Where woodland or trees are removed as part of a proposed scheme, developers will be expected to provide compensatory planting.*
- 6.4.26 *Ancient woodland and semi-natural woodlands and individual ancient, veteran and heritage trees are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees and woodlands should be afforded protection from development which would result in their loss or deterioration unless there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss. In the case of a site recorded on the Ancient Woodland Inventory, authorities should consider the advice of NRW. Planning authorities should also have regard to the Ancient Tree Inventory.*
- 6.4.27 *The protection and planting of trees and hedgerows should be delivered, where appropriate, through locally specific strategies and policies, through imposing conditions when granting planning permission, and/or by making Tree Preservation Orders (TPOs). They should also be incorporated into Green Infrastructure Assessments and plans.*

#### **A3.9 Technical Advice Note (TAN) 10: Tree Preservation Orders, 1997**

TAN 10 supplements PPW and states that TPOs should be considered where provision should be made for the preservation of trees or woodlands in the interest of amenity (para 14). TPOs should be made where the removal of trees and woodlands would have a significant impact on the environment and its enjoyment by the public. TPOs cannot be made on bushes, shrubs or hedgerows (however they can be made on trees within hedgerows).

**Local Policy:** There are a number of local plans strategies and policies which should be read in conjunction with this Strategy and are signposted below. This Strategy is intended to complement not duplicate the provisions of these documents.

#### **A3.10 Delivering a Successful and Sustainable Swansea: The City and County of Swansea Corporate Plan, 2018/22**

This includes a corporate objective: '*Maintaining and enhancing Swansea's Natural Resources and Biodiversity*'. One of the steps listed to implement this objective is to: 'Develop and adopt a Council tree policy' i.e. produce this Strategy.

#### **A3.11 Swansea Local Development Plan (LDP) 2010-2025, Feb 2019**

This sets out the Council's policy in relation to the protection of trees from development, the most relevant policy and amplification of which is set out in A3.14. Its main purpose is to prevent the adverse effects of development on trees of public amenity or natural/cultural heritage value or which provide important ecosystem services.

#### **A3.12 Trees Hedgerows and Woodland Supplementary Planning Guidance (SPG), Oct 2021**

This SPG supplements the Swansea LDP and provides information on how trees, hedgerows and woodlands are dealt with through the planning system. The SPG relates to all trees, hedgerows and woodland, not just those which are protected. It provides guidance and advice on how to incorporate trees into development, how to secure the retention of trees on development sites and advice on tree and shrub planting. It also includes the Council's tree replacement standards.

#### **A3.13 Swansea Central Area: Regenerating our City for Wellbeing and Wildlife, Feb 2021**

Published jointly by Swansea Council and NRW this strategy aims to bring more nature into Swansea City Centre, work towards doubling Green Infrastructure by 2030 and also to increase tree canopy coverage within the City Centre to 20-25% by 2044. Green Infrastructure (GI) is the network of multifunctional green (and blue/water) spaces, corridors and environmental features which surround, thread through, shape and help form the County's settlements and wider countryside. GI is regarded as a single resource to be safeguarded, enhanced and managed to deliver a wide range of environmental, economic and quality of life benefits for the community. A forthcoming Swansea Green Infrastructure Strategy will provide a strategic framework for the protection, accessibility and improvement of existing open spaces and to increase the provision – including tree canopy coverage - where there is currently a deficiency. Under the provisions of an emerging Council Green Fairness Policy, which promotes the concept of Green Health, actions identified to promote green fairness in areas of high deprivation include planting of street trees and trees in open spaces where feasible as part of the provision of a high quality multifunctional GI and natural greenspace.



### A3.14 Swansea Local Development Plan Tree Policy

#### ER 11: TREES, HEDGEROW AND DEVELOPMENT

Development that would adversely affect trees, woodlands and hedgerows of public amenity, or natural/cultural heritage value, or that provide important ecosystem services will not normally be permitted. Ancient Woodland, Ancient Woodland Sites, Ancient and Veteran Trees merit specific protection and development will not normally be permitted that would result in:

- i. Fragmentation or loss of Ancient Woodland;
- ii. The loss of an Ancient or Veteran Tree;
- iii. Ground damage, loss of understorey or ground disturbance to an area of Ancient Woodland or Ancient or Veteran Tree's root protection area;
- iv. A reduction in the area of other semi natural habitats adjoining Ancient Woodland;
- v. Significant alteration to the land use adjoining the Ancient Woodland;
- vi. An increase in the likely exposure of Ancient Woodland, Ancient or Veteran Tree to air, water or light pollution from the surrounding area;
- vii. Alteration of the hydrology in a way that might impact on Ancient Woodland, Ancient or Veteran Trees;
- viii. Destruction of important connecting habitats relating to Ancient Woodland;
- ix. Destruction of Plantations on Ancient Woodland Sites (PAWS); and/or
- x. Development in close proximity to Ancient Woodland and Ancient and Veteran Trees

Where the Council considers it necessary, planning applications for development proposals on sites containing, or adjacent to, trees will be required to provide: a tree survey; an arboricultural impact assessment; an arboricultural method statement; and/or tree protection plan. Where trees are to be replaced a scheme for tree replacement must be agreed prior to the commencement of development, including details of planting and aftercare.

The amplification in support of the policy states:

*2.9.67 National Planning Policy and Guidance provides for the protection of trees and woodlands. Throughout the County it is estimated that over 50,000 trees are protected by individual/group orders, area orders or woodland orders. This is in addition to trees in Conservation Areas whilst hedgerows are protected by separate legislation.*

- 2.9.68 *In recognition of the importance of trees to the County, the Plan seeks to ensure that suitable trees, whether they are protected by legislation or not, are retained and protected on any development site. Further information relating to the protection of trees on development sites is provided in SPG. NRW i-tree Eco assessment provides useful information on the ecosystem services provided by trees. Where appropriate, planning conditions or Tree Preservation Orders will be used to protect important trees and woodlands. The Council will pursue appropriate enforcement action against unauthorised works to protected trees.*
- 2.9.69 *The circumstances in which further information in support of a planning application will be required are outlined in the policy. These documents must be in accordance with the current British Standard BS5837 and have regard to the long term impact of the proposed development on the trees as they grow and wherever possible seek to avoid future conflict, such as that caused by over-hanging branches, shading and dominance.*
- 2.9.70 *Planning Permission will normally only be granted where the trees on the site are fully protected in the long term, or appropriate replacement trees will be planted when the removal of a tree or trees is unavoidable. The removal of trees would only be acceptable where there is no other alternative location for the development; and the need for and benefits from the development, outweighs the importance of the tree or trees.*
- 2.9.71. *Replacement trees will be planted in accordance with British Standard BS8545. Tree Preservation Orders (TPOs) will normally be placed on the replacement trees.*
- 2.9.72 *Planning Conditions, Article 4 Directions and/or Planning Obligations will be used to secure any necessary mitigation/compensation/enhancement measures in relation to trees and development proposals.*
- 2.9.73 *New tree or mitigation planting will be designed to achieve maturity and to ensure that there is an ongoing contribution to amenity with negligible negative impacts. New landscape schemes will follow the principles set out in “Trees in the Townscape: A Guide for Decision Makers and be delivered using guidance in “Trees in Hard Landscapes: A Guide for Delivery”.*

- 2.9.74 Ancient Woodland is defined as land that has had a continuous woodland cover since accurate maps were first produced. It is a valuable and irreplaceable resource having been present in the landscape over some time Ancient Woodland is rich in wildlife and more likely to support protected and priority species and to contain special features of importance for biodiversity. It is also more likely to contain features of historical and archaeological importance. Their rarity and importance means that these areas should be protected. Direct loss of ancient woodland must be avoided. A minimum buffer of 15 metres should be provided between Ancient Woodland and most forms of development. This is necessary to provide essential root and understorey protection (as required in BS5837:2012) and to protect the important Ancient Woodland habitat from indirect damage, such as trampling, fly-tipping, encroachment of invasive features and vegetation clearance resulting from the new development. Ideally, the buffer should be planted with woodland edge species or left as natural grass to increase or maintain ecological connectivity and create a transitional habitat i.e. an ecotone providing resilience for this sensitive and highly valued habitat. Where possible opportunities should be taken to restore plantations on Ancient Woodland sites to native tree cover. Plantations on ancient woodlands (PAWS) are sites believed to have been continuously wooded for over 400 years, but currently have a canopy cover of at least 50% non-native conifer tree species. Critically, such areas support Ancient Woodland soil systems and have the potential to be restored to an Ancient Woodland habitat.*
- 2.9.75 All areas of Ancient Woodland known at the time of the Plan's preparation are shown on the Constraints Map. However this is only a provisional list and all development sites that support woodland will need to be assessed for Ancient Woodland status. NRW will be consulted on any proposals that may give rise to potentially damaging operations.*
- 2.9.76 An Ancient Tree is one that has passed beyond maturity and is old or aged. A Veteran Tree may not be old but because of its environment or life experiences has developed the valuable features of an Ancient Tree. Ancient and Veteran Trees are of prime importance because of their rarity and function within an ecosystem. Individual Ancient and Veteran Trees often have local or national significance, due to their age, size or condition. They are also of importance to sustain a range of nationally and internationally protected species. In order to provide the necessary protection a buffer of 15x the diameter of the stem of Ancient and Veteran Trees when measuring at 1.5m from ground level will be required for most forms of development, as endorsed by the Arboricultural Association*
- 2.9.77 There is currently no comprehensive inventory of Ancient and Veteran Trees within Wales. The required tree survey in support of development proposals will detail whether a site contains or is adjacent to any trees which could be considered to be Ancient or Veteran.*

## A4 Benefits of Trees

Swansea is one of the greenest cities in Wales, as identified through the i-Tree Eco, Tawe Catchment Study Area (2016). However, it was found to have a low proportion of large trees compared to previous studies conducted in the UK, and would benefit from more medium and large sized trees. The study revealed more trees could be planted, as there is up to 24% of urban space available within the catchment area to plant trees or shrubs.

### A4.1 Financial

A4.1.1 The 530,000 trees in the Tawe Catchment Study Area alone are estimated to be worth £1.72 million per annum to the local economy. Trees in the Tawe catchment:

- Intercept an estimated 252 million litres of water every year, equivalent to an estimated £333,900 in sewerage charges avoided
- Remove an estimated 136 tonnes of airborne pollutants each year, worth more than £715,500 in damage costs
- Remove an estimated 3,000 tonnes of carbon from the atmosphere each year (this amount of carbon is estimated to be worth £671,000), and store an estimated 102,000 tonnes of carbon estimated to be worth £23.1 million
- Have a replacement value of £234 million
- Have an asset value of £816 million - an evaluation based on public amenity

### A4.2 Economic

A4.2.1 Trees bring substantial economic benefits to an area, with studies showing that they:

- Increase property values by 5-18%, and this growth increases proportionately with the tree growth <sup>1 2 3 4</sup>
- Make development sites more valuable when they are set within mature landscapes <sup>3</sup>
- Create a positive perception of 'place' for potential property buyers, be it home owners or commercial investors
- Improve the health and well-being of local populations within urban areas, reducing healthcare costs <sup>6</sup>
- Contribute to retail areas performing better - people are more productive, with job satisfaction increased. Customers are prepared to pay more for parking and goods (9-12% for some products) in landscaped shopping areas
- Improve the environmental performance of buildings by reducing heating and cooling costs, thereby cutting bills
- Provide a potential long-term renewable energy resource <sup>7</sup>
- Provide a cost-effective and sustainable alternative to 'grey' infrastructure provision in tackling storm-water run-off

- Reduce, through shading, the degradation of tarmac surfacing and frequency of replacement
- Reduce green space maintenance costs
- Add to tourism and recreational revenue
- Can enhance the prospect of securing planning permission if existing trees are protected and the new tree-planting design is imaginative

### A4.3 Social/ Cultural

A4.3.1 Trees also have significant social and cultural benefits as they:

- Create a sense of place and local identity
- Provide focal points and landmarks
- Can increase pride and social cohesion in the local area <sup>8 9 10</sup>
- Have a positive impact on crime reduction <sup>11 12</sup>
- Promote spiritual well-being, due to their stature, strength, and endurance, e.g. putting people in touch with nature and reducing depression and anxiety
- Provide a source of recreation, entertainment and quiet enjoyment, offering opportunities to unwind and de-stress, and provide families with a pleasant environment within which to spend quality time together
- Have a positive impact on people's physical and mental health, e.g. less skin cancer and improve patient recovery times. Studies show that children living in areas with more street trees have lower prevalence of asthma
- Encourage exercise that can counteract heart disease and Type 2 diabetes
- Offer a rich outdoor learning classroom for all, especially when part of a natural wooded environment.
- Help children concentrate at school where they can be seen from the classroom
- Give a link to heritage

### A4.4 Environmental

A4.4.1 Trees deliver considerable environment benefits as they:

- Remove carbon dioxide to create a carbon sink, i.e. help tackle climate change by trapping carbon<sup>3 5</sup>
- Transpire, reflect sunlight and provide shade, in combination to reduce the 'urban heat-island effect' making streets and buildings cooler in summer <sup>13</sup>
- Remove dust and particulates from the air <sup>14 15 16</sup>

- Reduce traffic noise by absorbing/deflecting sound
- Reduce wind speeds
- Provide food and shelter for wildlife thus helping to increase biodiversity<sup>17 18 19 20 21 22 23 24</sup>
- Create new habitat links across towns and to the countryside, and strengthen existing wildlife corridors
- Create attractive greener landscapes/hide eyesores
- Reduce the effects of flash flooding by slowing the rate at which rainfall reaches the ground<sup>25</sup>
- Help to improve soil quality when planted on despoiled and degraded ground
- Create organic matter on the soil surface from their leaf litter and, with their roots increasing soil permeability that results in:
  - Reduced surface water run-off from storms (every 5% increase in tree cover reduces run off by 2%)
  - Reduced rainwater soil erosion and sedimentation of streams
  - Increased ground water re-entry that is otherwise significantly reduced by paving
  - Lesser amounts of chemicals transported to streams
  - Reduced wind erosion of soil

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## Annex: Background Information

### A5: Working Practices

This annex provides amplification to the protocols included in the strategy and current working practices.

#### A5.1 Duty of Care

- i) If a tree falls or causes injury or damage its owner could be held liable if they omitted to take sufficient care of the tree. Trees are a potential liability and Swansea Council as a responsible landowner, has a duty of care under Health and Safety Executive (HSE) Regulations to ensure that all of the trees on its land are kept in an acceptable condition and do not put persons and property at unreasonable risk.
- ii) The Occupiers Liability Act 1957 and 1984 puts on occupiers of land a duty of care to all visitors and/or trespassers. The Act requires the Council as a landowner and occupier to take reasonable care to maintain its land in such a condition that it does not harm any person or damage any property.
- iii) Under the provisions of the Health & Safety at Work Act, 1974 and the Management of Health and Safety at Work Regulations, 1999 failure to comply with this legislation could lead to the HSE taking criminal action against the Council. Section 3 of the Act places a duty on the Council to take reasonable care for the health and safety of third parties. The Regulations effectively require the Council to have an adequate tree management system to ensure Health and Safety.
- iv) The need for Councils to carry out tree surveys has been established for some time. Government guidance in the form of Circulars 90/73 and 52/75 requires Local Authorities to regularly inspect trees adjacent to Highways. Additional guidance on tree risk has been published by the National Tree Safety Group, 2011: "Common sense risk management of trees - Guidance on trees and public safety in the UK for owners, managers and advisers".  
[http://www.forestry.gov.uk/PDF/FCMS024.pdf/\\$FILE/FCMS024.pdf](http://www.forestry.gov.uk/PDF/FCMS024.pdf/$FILE/FCMS024.pdf)
- v) Since October 2018, Highway Authorities have also needed to manage their tree inspection following guidance from Well-managed Highway Infrastructure, 2016 published by the UK Roads Liaison Group (UKRLG). Well-managed Highway Infrastructure sets out strategic guidance on tree inspections and training.



## **A5.2 Responsibilities**

The responsibility for health and safety lies ultimately with the Council's Chief Executive Officer. However, the site or area managers are responsible for day to day compliance with tree legislation.

## **A5.3 Management/ Inspection**

- i) A management/inspection regime enables the Council to meet its duty of care under the provisions of the Health and Safety at Work Act (HSAW) 1974, Management of Health and Safety at Work Regulations 1999 and the Occupiers Liability Act 1957 & 1984 in relation to tree risk.
- ii) There is however a potential conflict between the Council's conservation role and its obligations under the HSAW Act. Many of the Council managed sites have TPO, Conservation Area and SSSI status; they also provide habitat for several species of bat, dormouse, otter, badger, birds and rare flora such as lichens. Accordingly, tree risk assessments are undertaken following a risk benefit analysis approach whereby the ecological and aesthetic benefits of a tree are also be considered.
- iii) The management/inspection regime is carried out by the Council's Tree Services Unit. The Unit forms part of the Parks Service in-house contractor who were historically solely responsible for the tree stock within the control of the Regeneration Department's portfolio. This responsibility has been extended to cover inspection of trees adjacent to the Highway and on Highways land. Other Council departments such as Housing, Cemeteries and Schools arrange for ongoing tree risk assessments by the Tree Services Unit.
- iv) Departments responsible for land not listed above will need to arrange for suitable tree inspection to be carried out by the Tree Services Unit or Private Consultants.

## **A5.4 Tree Management System**

- i) To assist with the management of the tree stock and to meet the Council's duty of care, a tree management system has been in operation since 2012 (Ezytreev). Council owned trees are inspected for safety and information recorded on Ezytreev. This information includes details on species, age, condition, proximity to structures and any recommendations for work. The Council employs suitably qualified inspectors (ideally a minimum of QCF Level 2 qualification and LANTRA Professional Tree Inspection) experienced in arboriculture (the care and management of amenity trees) to carry out the tree inspections and any work arising from them.

- ii) Due to the volume of the Council's tree stock, interim inspections by Level 1 inspectors will be required to supplement the formal inspections by Level 2 qualified staff.
- iii) At present the assessed risk from trees is defect led (based on tree defects found during the surveys). Where trees with significant defects are being considered for retention a Quantified Tree Risk Assessment (QTRA) will be carried out to aid management proposals. A recognised risk assessment system such as QTRA allows risks to be suitably prioritised and enables trees to be retained where there is only a low risk to the public.

### **A5.5 Site Specific Assessment**

- i) It is an objective of the Strategy that each Council owned site will in due course have a site-specific assessment (Tree Risk Document) which will include where appropriate:
  - Details of responsible site manager
  - Site use / description of tree stock
  - Specified tree inspection frequency
  - Interim survey procedure (when and by whom)
  - Details of basic tree inspection training either delivered in house or externally:  
<https://www.lantra.co.uk/awards/product/lantra-awards-technical-award-basic-tree-survey-and-inspection>
  - Reporting procedure and hierarchy for observed hazards
  - Adverse weather procedure (closure, tree checking following extreme weather). Adverse weather will be considered wind speed in excess of 47mph, force nine on the Beaufort scale, strong gale.
  - Log of tree defects

### **A5.6 Survey Zones**

- i) Surveys are carried out with a mix of zones and cycles (see table below) to allow effective use of resources and to inform the frequency and type of survey to be used. The zones and cycles will be set up and reviewed by the Tree Services Unit and responsible site managers.

Target & Occupancy,	Description	Minimum Inspection Regime
Risk Zone 1. Very High Target Occupancy (Constant use)	A-roads with large trees, town centre, very large or very old trees in lower risk areas, heavily used play areas and show grounds, monitored trees	Inspected every year and reactively by Level 2.  Walk through surveys recording individual trees on Ezytreev
Risk Zone 2. High Target Occupancy (Frequent use)	A-roads with smaller trees, schools, monitored trees	Inspected every 2 years and reactively by Level 2.  Walk through surveys recording individual trees on Ezytreev
Risk Zone 3. Medium Target Occupancy (Intermittent use)	B-roads, housing land, housing gardens, social services sites, cemeteries	Inspected every 3 years and reactively by Level 2.  Walk through surveys recording individual trees on Ezytreev
Risk Zone 4. Low Target Occupancy (occasional use)	C-roads, woodlands, cycle paths, Parks, lower use play areas	Inspected every 4 years and reactively by Level 2.  Walk through surveys recording individual trees and groups on Ezytreev
Risk Zone 5. Very Low Target Occupancy (very low use)	Often rural locations such as the outmost edges of large open spaces/reclamation sites and / or with young/small trees.	No formal inspection, inspected reactively.  Negative reporting (using Ezytreev).

- ii) Individual trees or areas that are surveyed through years 2-4 can be moved up or down the inspection levels depending on the findings of the surveyor or new information that comes to light.
- iii) In the event of a catastrophic event such as the 1987 storm where large numbers of trees are windthrown or damaged they will be attended to in the following priority order:
  - a) Main arterial routes including links to hospitals, fire stations, City Centre, etc
  - b) Other A roads, town centres
  - c) Schools, other public buildings
  - d) B roads
  - e) All other roads
  - f) Parks

#### A5.7 Competence of Inspectors

There are three categories of Inspectors:

- i. **Generalist Level 1** – A lay person with no specialist tree knowledge who has received training (National Training Organization for the Land Based Industries - LANTRA Basic Tree Inspection or in house) to observe and identify potential hazards to inform risk control decision, including recommending inspection by expert (Level 2 or 3).
- ii. **Competent Level 2** - An individual 'who has sufficient training, expertise and/or qualifications to identify tree hazards, assess the levels of risk and make appropriate management recommendations'. (Minimum Level 3 Arboricultural qualification, LANTRA Professional Tree Inspection and two years' relevant experience).
- iii. **Expert Level 3** – An individual 'with the highest skills and knowledge'.

#### A5.8 Types of inspection

Type	Description	Level of Inspector
Interim	Between formal tree inspections and after extreme weather events	Level 1

Drive by	Survey from moving vehicle to note obvious defects. One side of road observed by a passenger at 15mph with only trees being the subject of the inspection.	Level 1
Walk through	Survey of all trees from ground with defective trees noted for detailed inspection	Trained level 2 Inspectors
Detailed inspections	Inspection of individual trees in response to defects noted at a previous survey	Trained level 2 Inspectors or above
Specialist inspections	Inspection using specialist equipment such as resistograph / increment borer or Picus, to add to the detailed survey	Arboriculturist with experience of using the equipment Level 3

### A5.9 Remedial work

- i) Required mitigation work for identified hazards found during base line or annual surveys will be discussed and agreed between the inspector, site manager and any other relevant site advisor (e.g. Tree Officer (Planning) / Ecologist). Any discussion will explore the tangible benefits of the tree and inform the final management decision. Where there is a high habitat/ecological benefit any possibility of moving the target (e.g. moving a path / bench) will be preferred. Where the hazard cannot be reconciled by removing the target, tree work will be prescribed with the least negative impact possible.
- ii) Mitigation work will be given the following time scales, subject to budget availability and Ezytreev recording:
  - a. Urgent : Immediate (exclusion of people from an area may be appropriate pending urgent work)
  - b. Essential: within 1 Year
  - c. Desirable: At the discretion of the site manager
  - d. No work required

### A6: Ash Die Back Guidance

A6.1 Ash dieback is a fungal disease that affects all species of ash trees (*Fraxinus*). The disease has spread west across the country and is now affecting almost all parts of Wales. It is estimated that around 90% of ash trees will be killed by ash die back. The trees become brittle over time with branches breaking away from the main body of the tree. If they are not dealt with, the trees are at risk of collapsing, presenting an immediate danger to the surrounding area.

- A6.2 Swansea Council has put a system in place to manage the risk from trees infected by the disease. A programme of ash tree inspection and removal is underway and will take a number of years to complete. There are thousands of ash trees in Swansea and the only way to remove the risk posed by badly affected trees is to fell them. The decision to fell a tree will only be taken where it is strictly necessary and a risk has been identified. The focus will be trees on public land where there is the greatest danger of hurting people or damaging property – parks, schools, roadsides, etc. At times, the level of risk may not be immediately apparent, but all officers making a decision on the health of the tree are suitably qualified to make this assessment. This does not include the removal of healthy trees, nor the removal of infected trees where there is no risk to the public. Further detail can be found on the Council's [Ash dieback webpage](#).
- A6.3 The Council has developed an ash die back action plan following guidance in the Tree Council's Ash Die Back Toolkit document. The Council's Tree Services Unit will continue with their scheduled inspections but have already inspected Schools, Cemeteries, Highways verges, Social Services property, and community centres for ash die back specifically. Ash trees have been/will be assessed and given a category in accordance with the Ash Die Back Tool Kit. All trees in category 4 will be felled as soon as possible with category 3 trees felled in the most cost effective manner. The Action Plan cross cuts all Council Departments and infected ash will be removed where required. It is acknowledged that infected ash trees (and any other trees with defects) are not necessarily always a risk to the public. Trees at risk of failure but in inaccessible or low access areas will not always be removed so that resources can be directed to where risk is greater.
- A6.4 Some ash trees show good levels of resistance to the disease and should not be considered for removal. These trees are very important for the ecological value they retain in the environment and may help repopulate the species in the future.

### **Managing Ash Die Back for Biodiversity**

- A6.5 The widespread loss of Ash trees will result in loss of habitat for many other species, including a number of invertebrates, lichens and mosses which are wholly reliant on Ash and considered to be at significant risk from its loss from the landscape. Furthermore, there are a number of vascular plants which are closely associated with ash woodland and likely to be impacted by the loss of Ash from those habitats.
- A6.6 Following the measures outlined in protocol TW1 of the Council's Tree Management Strategy will help increase the resilience of the local natural environment and help mitigate against the loss of species reliant on Ash species for their survival. Managing the long-term impact of the loss of Ash as a key woodland species will require further consideration. This should include the retention of Ash where possible (to encourage the regeneration of naturally resistant trees) and restocking with a

diverse range of native trees, appropriate to the local area, with a view to maximising opportunities for ash associated species. The Forest Research Note on [Ecological Impacts of ash dieback and mitigation methods](#) provides a detailed account of the ecological value of Ash and outlines good woodland management methods to maintain woodland biodiversity.

A6.7 Further information can be found on the [Arboricultural Association](#) website. Any assessment should include consideration of whether there is a risk to people and whether that risk can be removed by limiting access to the area, an approach taken by the [Wildlife Trust of South and West Wales](#).

### **Relevant Legislation and Permissions**

A6.8 Management of trees with Ash dieback still require that the necessary permissions are in place before work is carried out. This includes:

**a) TPOs:** To check whether trees are covered by a TPO or fall within a Conservation Area, see [Tree Preservation Orders or contact Protected Trees on Protectedtrees@swansea.gov.uk](#).

**b) Felling Licence:** To check whether a felling licence is required contact Natural Resources Wales

### **c) Biodiversity Protection**

A6.9 It should be stressed that biodiversity legislation must continue to be complied with whilst dealing with Ash dieback, and species consideration must be taken when planning felling works, particularly for protected and priority species. This will allow time for licence requirements to be met and for work to be planned for the right time of year.

A6.10 Furthermore, under Section 6 of the Environment (Wales) Act, 2016, public bodies in Wales have a statutory duty to maintain and enhance biodiversity and promote the resilience of ecosystems in the exercise of their functions. This would not prohibit the removal of Ash trees where there is a safety concern, however it does place a requirement for public bodies to adopt measures to minimise the impact on biodiversity wherever possible.

## **A7: Swansea Tree Replacement Standard**

A7.1 The following is extracted from Trees, Hedgerows and Woodlands Supplementary Planning Guidance adopted October 2021. For further details and explanations see <https://www.swansea.gov.uk/treespg>. Under legislation it is only applicable to development requiring planning permission, however other Council projects and proposals are expected to aspire to this standard as appropriate.

### ***What is the Tree Replacement Standard (TRS)?***

*A.1 The Swansea TRS supports the Council and the Applicant in the process of agreeing a Tree Replacement Scheme, to mitigate or compensate for the loss of individual and/or groups of Category A and/or B trees (as identified in a BS 5837:2012 Survey) as a result of development. This applies to both trees within and adjacent to the site.*

*A.2 The TRS does not apply to Category C or U trees; or trees of any category located within privately owned gardens.*

*A.3 TRS and Woodland: Where woodland is removed to facilitate a planning consent, the Council will have specific regard to the number of Category A or B trees identified in the BS Survey as being within the woodland area to be lost. It is important to note that application of the TRS does not substitute any requirement to undertake relevant parallel processes to establish appropriate integration, mitigation or compensation with regard to impact on the ecological, historic or archaeological value of the whole woodland proposed to be removed.*

### ***How to apply the TRS***

*A.4 Figure A.1 of the TRS provides a transparent method to calculate the number of replacement trees to be provided. The method seeks to mitigate the impact of loss of canopy cover, and not simply the number of tree stems lost.*

*A.5 The TRS will be expected, in the first instance, to demonstrate how replacement trees will be integrated into design and layout of the proposal.*

*A.6 In the exceptional circumstances where on-site provision cannot be achieved, Figures A.2 and A.3 of the TRS provide a transparent calculation of the financial contribution to be agreed, in order to secure the planting of appropriate off site replacement trees. The financial contribution will be used by the Council, to fund the planting of trees (by the Council or its contractors) to replace trees on Council owned land outside the boundary of the development site. The calculations reflect the differing costs of planting trees in open ground (Fig.A.2) and planting trees in hard standing (Fig.A.3).*



A.7 Figure A.4 gives a worked/hypothetical example of how the TRS should be applied.

A.8 Applicants will be expected to demonstrate how the TRS has been applied to their proposal by submitting information that addresses the following:

- The relevant calculations undertaken, to be completed in accordance with the method at Figure A.1. All calculations will reflect information related to the trees on or adjacent to the site provided in a BS 5837:2012 Tree Survey.
- The number, location and specification of replacement trees to be provided on-site (as per Fig A.1).
- The number of, and justification for any trees which must be provided off-site.

The proposed species of replacement trees, which should include large growing species (where appropriate), and where replacement is on site should be chosen as part of the design layout

A.9 All calculations and information relating to the TRS should be provided within the appropriate documents supporting the application. For example within the DAS, or for larger applications, within a Landscaping Scheme, or Green Infrastructure Strategy.

### **Calculating the number of replacement trees required**

A.10 Figure A.1 provides the method by which the number of replacement trees required should be calculated. This method applies to both replacement of Category A and/or B trees on and off site.

#### **Figure A.1: Tree Replacement Calculation**

<i>Trunk Diameter of Category A and/or B Trees lost to development (measured in centimetres at 1.5 meters above ground level)</i>	<i>Number of Replacement Trees to be provided</i>
<i>Less than 15cm</i>	<i>0 - 1</i>
<i>15 - 19.9cm</i>	<i>1</i>
<i>20 - 29.9cm</i>	<i>2</i>
<i>30 - 39.9cm</i>	<i>3</i>
<i>40 - 49.9cm</i>	<i>4</i>
<i>50 - 59.9cm</i>	<i>5</i>
<i>60 - 69.9cm</i>	<i>6</i>

70 - 79.9cm	7
80+cm	8

### **Replacement Tree Planting – Off-Site**

A.11 Where it has been demonstrated that replacement cannot be achieved on site, or where removal of trees adjacent the site is required to facilitate development – the Council will request a financial contribution to secure the planting of an appropriate number of trees on council owned land. The number of trees required will be calculated in accordance with Figure A.1 above.

### **Trigger for Obligations for Financial Contributions**

A.12 The obligation to provide financial contributions to off-site replacement tree planting will only be triggered:

- Where trees qualify under categories A and B of BS 5837:2012, are felled as part of ‘major development’, and replacement planting is required on public land. OR
- Where woodland is removed to facilitate a planning consent. In this instance appropriate compensatory replacement planting will be based on significant trees identified in the BS survey. NB: The effects of the loss of the woodland as a whole will expected to be considered as a separate process where mitigation for loss of biodiversity should be the primary consideration.

### **Location of Tree Planting**

A.13 All tree planting will be located on public land and undertaken by the Council in order to ensure a consistent approach and level of quality, and to reduce the likelihood of new tree stock failing to survive.

A.14 Replacement tree planting will take place either on open ground; or in areas of hard standing, such as pavements (where a tree pit will be required)

### **Calculating Level of Financial Contribution**

A.15 The number of trees calculated as required (as per Fig A.1) are multiplied by the rates of financial contribution per tree as per Fig A.2 (re trees in open ground) and/or Fig A.3 (re trees in hard standing). A worked example is provided at Fig A.4.

A.16 The contribution covers the cost of providing the tree pit (where appropriate), purchasing, planting, protecting, establishing and initially maintaining the; new tree. Where planting can take place directly into open ground, the contribution will be lower than where the planting is in areas of hard standing. This is due to the need to plant trees located in areas of hard standing in an engineered tree pit.

A.17 The figures provided at Figures A.2 and A.3 below are an estimate based upon the Council’s recent contract costs. These figures provide a starting point for the purposes of establishing site viability and may be the subject of viability negotiations where appropriate. Individual sums will be index linked using RPI from the date they are formally agreed by the relevant parties to the date of payment.

**Figure A.2: Replacement Costs for Trees in Open Ground** (no tree pit required)

Amount	Criteria
<p>For 1 Replacement Tree: £1925</p> <p>For 5+ Replacement Trees – a reduction applies of -£625</p>	<p>The “open ground” figure will apply in the following circumstances:</p> <p>a) Where development results in the loss of Category A and B, Council owned trees in open ground.</p> <p>b) Where development results in the loss of Category A and B trees on the development site, AND is unable to provide replacement tree planting on site, in numbers shown in Figure A.1.</p> <p>In both these cases the Council will provide replacement tree planting in the nearest appropriate area of open space.</p>



## A8: Tree Planting Checklist and Protocol (Right Tree in the Right Place for the Right Reason)

A8.1 Planting trees has many benefits, such as helping wildlife, providing shade, reducing pollution and noise levels as well as creating an attractive environment. The Council has staff who have the necessary knowledge and skills, and who are working to increase tree canopy in suitable locations. Anyone internal or external to the Council with sites in mind for planting should contact Parks or the Nature Conservation Team in the first instance.

A8.2 There are many considerations when finding the right place to plant trees, some are obvious whilst others are less so, as outlined below:

- **Soil:** The soil can be acidic, alkaline, compacted and/or polluted, so the tree has to be able to survive the soil it is planted in.
- **Wet or dry:** Species need to be carefully selected to suit the site condition.
- **Single species planting:** Avoid planting large numbers of the same species. If there is a disease such as ash die back then all of the trees in that location will be affected.
- **Shade or sunny:** Trees need light to grow, but some more than others. Species need to be carefully selected to suit site conditions.
- **Exposure:** Most trees will not grow on a windy open hill top and a coastal site may have too much salt in the air.
- **Habitat and species:** Other habitats and species are valuable in their own right and may be protected by legislation. So, for example, planting in heathland or where orchids grow should not be carried out. Some species/habitats are only visible at certain times of the year so their presence may not be immediately apparent.
- **No trees:** If a site currently has no trees on it, then it is possible that the ground is not suitable for planting. For example, it could be too polluted or compacted or have another use.
- **Service:** Underground and over-ground services such as cables, pipelines and pylons can restrict planting opportunities. For example, deep rooted trees cannot be planted over a gas main and trees that grow tall cannot be planted under pylons.
- **Nuisance:** People do complain about trees for many reasons, including leaves blocking gutters and being a slip hazard, blossom (e.g. cherry) sticking to cars making cleaning difficult, sap (from aphids) damaging cars and attracting wasps. People also 'worry' that a tree might fall over and cause damage. Consultation with local residents is essential before considering any planting scheme.
- **Anti-social behaviour:** This includes fruit/nuts being thrown at property, cars and people, groups congregating under a tree, fruit being taken without permission (trespass). Trees can be a source of hiding place for undesirable activities and damage/vandalism can also occur to existing trees and those newly planted (stakes and fencing as well as the trees).

- **Property Damage:** Roots can damage property if planted too close, as can falling branches and trees themselves. Trees can also 'dry' out previously wet ground leading to soil cracking and subsidence.
- **Common complaints.** Often linked to tree damage/vandalism, this includes causing too much shade, shade encouraging growth of algae, blocking views, loss of light (there is no right to light), producing pollen causing hay fever, seeds growing in gardens, bird mess, noisy roosting birds and interfering with TV signal.
- **Existing land use:** Land may be used for grazing for example and trees will reduce the area available for stock to feed. Avoid planting in locations where there is an existing deficiency in open space provision for recreational purposes.
- **Future land use:** There may be plans in place for the future of the site which would mean the trees would have to be removed at a later date e.g. planning permission for housing. Planting should only be undertaken where long-term benefits can be delivered.
- **Future management:** Until newly planted trees become established there will be ongoing maintenance costs. Funding for planting trees also needs to make provision for these costs and establish who will look after planted trees in the future, replace failed trees and keep the height to an agreed limit.
- **Access:** Many footpaths have a legal status and must be kept clear of newly planted trees. Permissive paths should also be left unplanted.
- **Ownership:** Landowners permission is needed before any tree planting can be carried out.
- **Archaeological interest:** Some sites have archaeological interest. Consultation should be undertaken with experts to ensure that archaeological interest is not impacted by planting. In Swansea the contact is the Glamorgan Gwent Archaeological Trust (GGAT).
- **Geological interest:** Sites of importance in geological terms may be adversely impacted by planting.
- **Historic interest:** Landscaped Gardens, Conservation Areas, Historic Parks and Common Land may all have restrictions on tree planting. Also need to consider whether the land a registered Village Green.
- **Connectivity:** Reconnecting fragmented habitats helps to restore biodiversity
- **Adjacent/nearby sites of importance for wildlife:** The value of some wildlife-rich sites can be impacted by tree planting even if it is not directly on that site, for example, seeds could spread and germinate on a grassland. Where there is a highly protected/designated site nearby consultation should be carried out with the experts caring for those sites to ensure that its value won't be affected by proposals.

## Swansea Council - Tree Planting Protocol and Consultation Process Flowchart

### Report Summary

Site Overview: ***Description of site and context***

Proposal: ***Outline what is the purpose of planting a tree here, what is it that are we trying to gain? For example, to help alleviate flooding / surface water run-off, improve water quality, carbon sequestration, create microclimates to deal with summer cooling, wind break etc? Consider is this the right tree in the right place? i.e. connectivity, climate change, ecosystem resilience. Is it an area of high deprivation?***

Main constraints: ***From site assessment***

Justification for planting: ***Conclusions drawn from above***

### Site Assessment

Check	Outcome	Comments
Soil - Condition/Type		
Ground - Wet/Dry		
Exposure – wind		
Exposure – sun/shade		
Other trees nearby		

Nearby trees lost to disease, age class etc		
Trees likely to cause disturbance i.e. root damage, branch overhang, block light/view, leaf litter - blockages/slip hazards, blossom/hay fever)		
Ecology of area - Priority or other habitat - Species - Constraints		
Ecological connectivity - Existing - Potential		
Nearby designated sites - SSSI - SINC		
Justification of selected tree species		
INNS in area		
Green/Blue Infrastructure - Connectivity - Nearby GI assets - Issues to be tackled with GI (AQ, NFM) - Proximity to water body (blockages, WQ etc)		
Future potential GI scheme in area		
Future land use		



Potential development area?		
Underground/Overground Services – water, gas, electric, internet		
Traffic impeding		
Site accessibility		
Landowner consent		
Heritage, Geological, Archaeological Interest. CADW consent		
WIMD – area of deprivation		
Anti-social behaviour		
Partnership collaboration		
FOG/Voluntary group		
Nearby school		
Planting method (contractors, volunteers, in-house etc.)		
Current maintenance of area		
Establishment assistance (i.e. mulching, watering etc.)		
Future maintenance & monitoring		
Grant criteria met		

### Consultation Process Flowchart

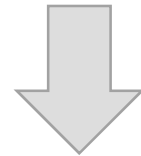
Internal Consultation: Officers



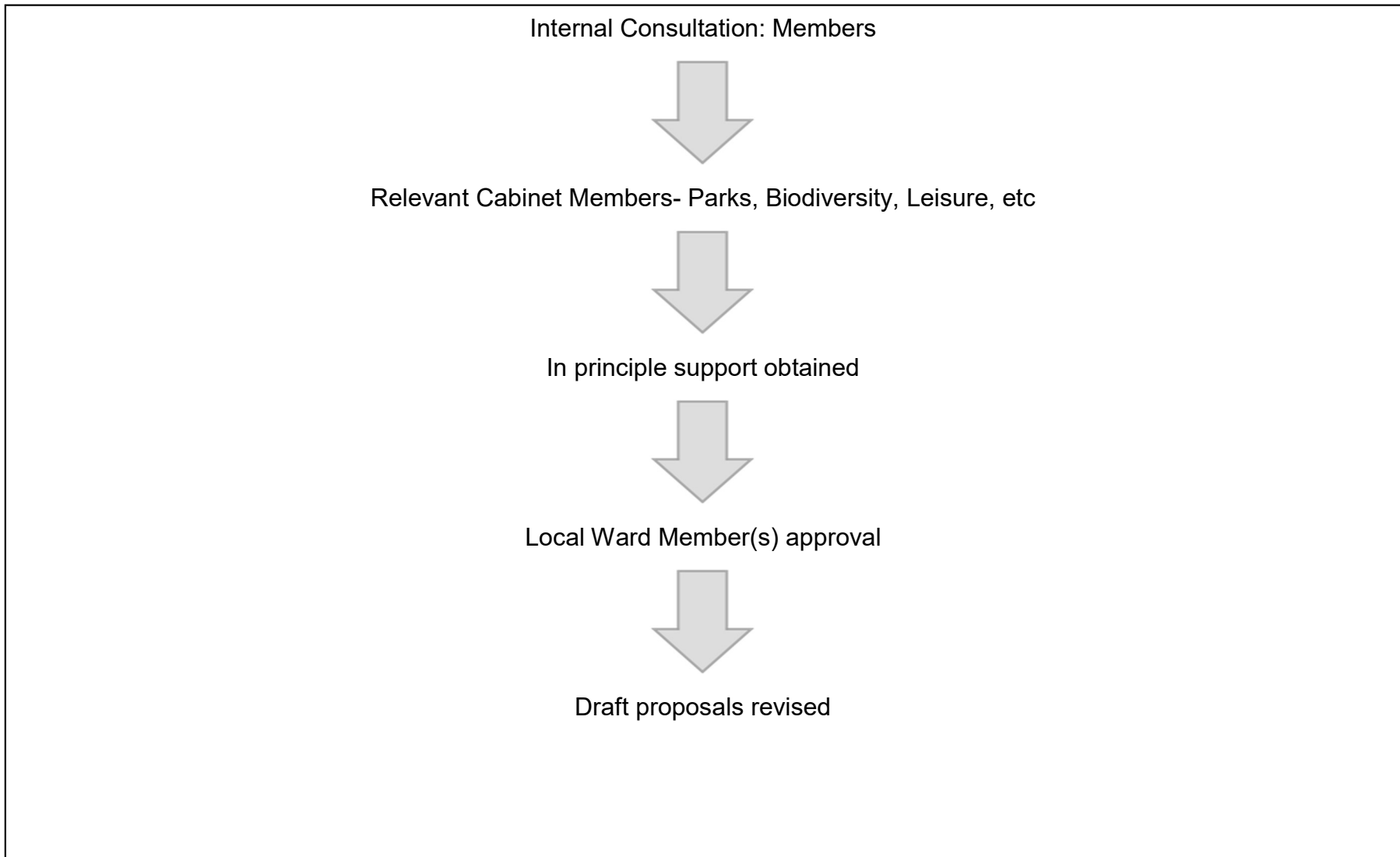
Relevant Council Service Areas: Nature Conservation, Parks, Sports and Recreation, Highways, Housing,  
Education, Landscape, etc

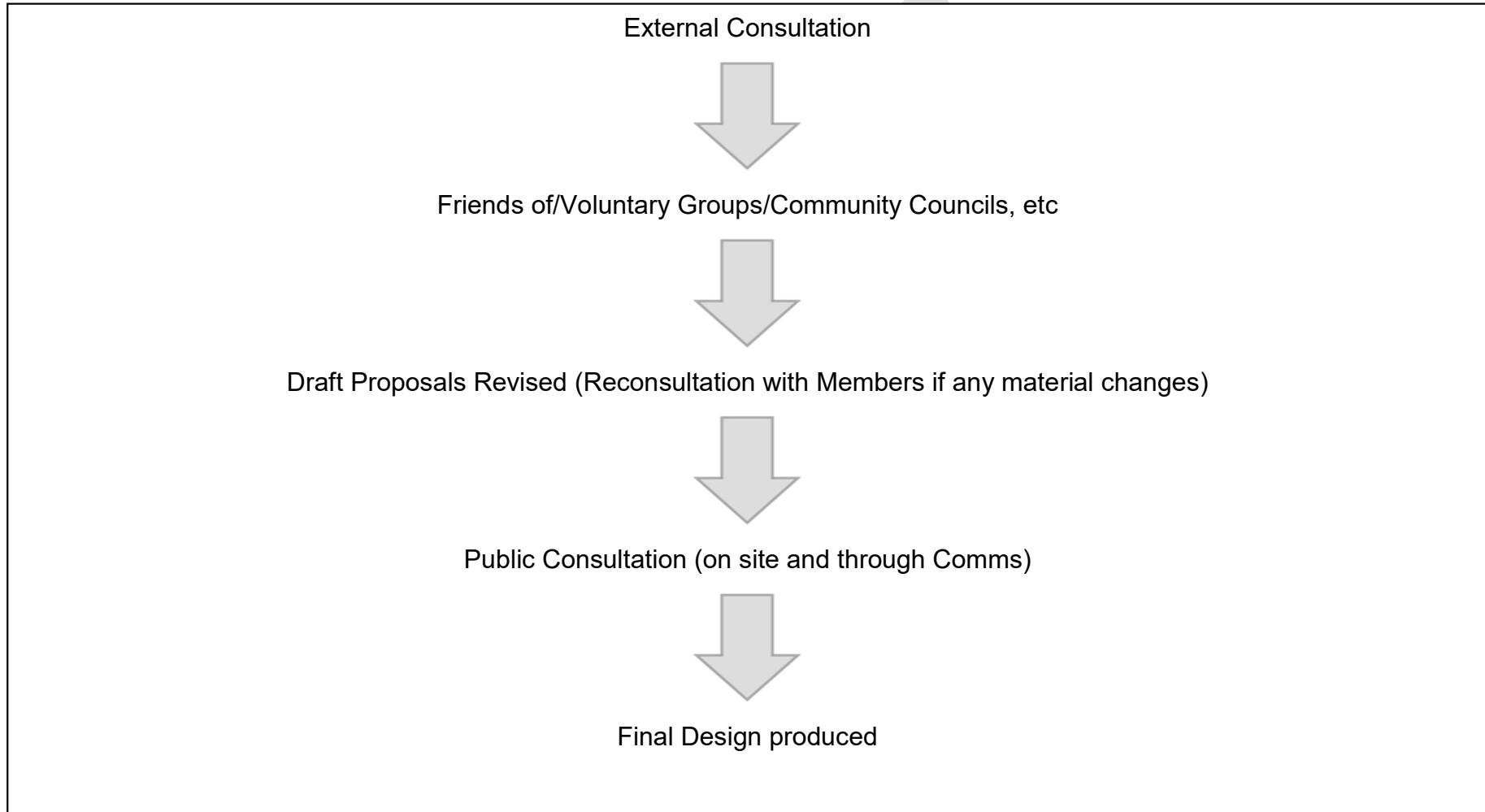


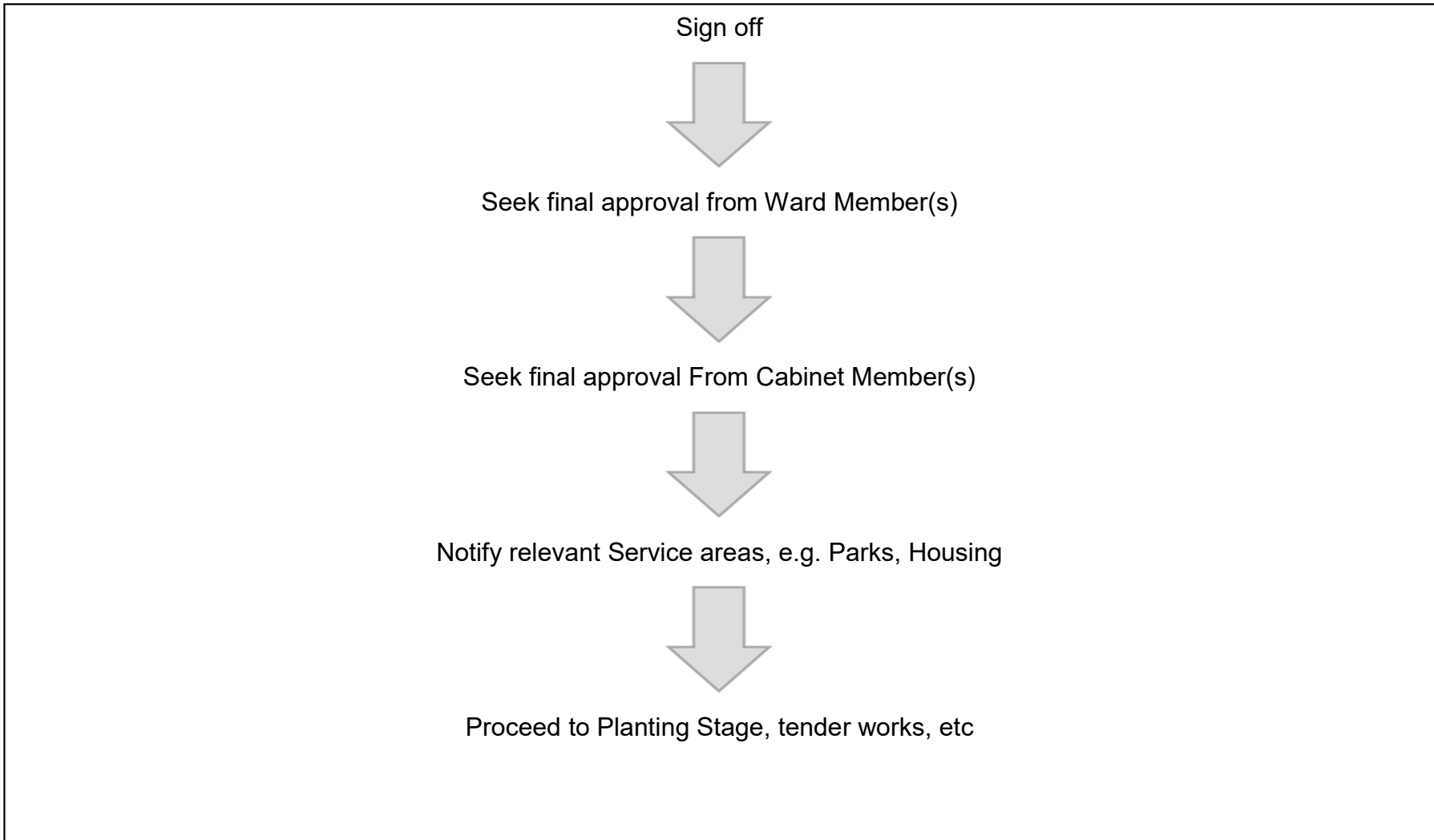
Restrictions/Constraints Identified from Site Assessment



Draft Proposals







# Integrated Impact Assessment Screening Form – Appendix B

Please ensure that you refer to the Screening Form Guidance while completing this form.

## Which service area and directorate are you from?

Service Area: Planning and City Regeneration

Directorate: Place

### Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

### (b) Please name and fully describe initiative here:

A Tree Management Strategy report to Policy Development Committee prior to be reported on to Cabinet/Council setting out the Authority's protocols for the management of trees on land in Council ownership, as well as how protected trees and trees in private ownership affecting Council land will be dealt with. It seeks to ensure that the Council manages the trees it looks after well and has regard to the benefits of and risks to trees.

### Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Integrated Impact Assessment Screening Form – Appendix B

Pregnancy and maternity

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?  
Please provide details below – either of your activities or your reasons for not undertaking involvement**

The Strategy has been produced in collaboration with relevant Council service areas that deal with tree management, including Parks, Highways, Landscape, Nature Conservation, and Environmental Health. It brings together existing management practices in a single document. There is no associated increased resource available for tree management, therefore public consultation is not currently proposed as it would unrealistically raise expectations of additional/increased frequency of management work. However the need for consultation will be a matter for consideration by the PDC. The intention will be for the strategy to be published on the Council's webpages as a reference document.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?  
Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- c) Does the initiative apply each of the five ways of working?  
Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

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**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

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**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes  No **If yes, please provide details below**

Responsibility for the management of the Council's tree stock falls to each department (and school) that has trees on its land. This Strategy has therefore been produced to ensure a consistent approach to dealing with tree related matters across the Council and compliance with legislation relating to the protection of trees.

## Integrated Impact Assessment Screening Form – Appendix B

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

Trees play a vital role in promoting sustainable communities. They are important in the creation of 'Place', provide vital habitat for dependant wildlife populations and substantial environmental and health benefits, such as attenuation of noise and improving air quality. They are also of importance in addressing climate change through carbon sequestration and the creation of more resilient ecosystems.

Trees also have significant health and well-being benefits as they:

- Can increase pride and community cohesion in the local area
- Have a positive impact on crime reduction
- Promote spiritual well-being, due to their stature, strength, and endurance, e.g. putting people in touch with nature and reducing depression and anxiety
- Provide a source of recreation, entertainment and quiet enjoyment, offering opportunities to unwind and de-stress, and provide families with a pleasant environment within which to spend quality time together
- Have a positive impact on people's physical and mental health, - studies show that children living in areas with more street trees have lower prevalence of asthma due to their role in removing dust and particulates from the air
- Encourage exercise that can counteract heart disease and Type 2 diabetes
- Offer a rich outdoor learning classroom for all, especially when part of a natural wooded environment.
- Help children concentrate at school where they can be seen from the classroom

### Outcome of Screening

**Q8 Please describe the outcome of your screening below:**

The Tree Management Strategy will ensure that all people and communities enjoy the full financial, social/cultural, economic and environmental benefits of sound and consistent management and maintenance of Council owned trees. Some groups including children, those with underlying health issues and future generations will enjoy the greatest benefits through the Strategy's role in contributing to the retention and expansion of tree canopy coverage within the County.

The Strategy has been produced collaboratively by the various service areas responsible for the management of trees and brings current best practice together in a single document for the benefit of those departments and sections that have trees on their land to ensure a consistent corporate approach for dealing with tree related matters. It will help to address the risks to trees from disease, development damage, etc, and the long term challenge of increasing tree canopy cover throughout the county working with partner/funding organisations and voluntary groups. It will also assist with local measures to tackle nature and climate emergency for the benefit of future generations.

Its production, in accord with the 5 ways of working in the Well Being of Future Generations Act, is a specific step of the Corporate Plan Objective for Natural Resources and Biodiversity. The adoption of this document will address the corporate risk of not having a Tree Management Strategy in place and will bring the Council in line with other local authorities in this regard.

The Strategy will support national and local policies for the protection of trees and emerging national and local plans and strategies for expanding tree canopy coverage in recognition of the



## Integrated Impact Assessment Screening Form – Appendix B

vital role trees play in addressing climate change through carbon sequestration and the creation of more resilient ecosystems, as well as their significant health and well-being benefits.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name:</b> Paul Meller
<b>Job title:</b> Natural Environment Manager
<b>Date:</b> 5.11.21
<b>Approval by Head of Service:</b>
<b>Name:</b>
<b>Position:</b>
<b>Date:</b>

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 15.



## Report of the Poverty Reduction Policy Development Committee

Cabinet – 17 February 2022

### Promoting Affordable Credit Policy

<b>Purpose:</b>	To adopt a policy which embeds the promotion of affordable credit.
<b>Policy Framework:</b>	Swansea Council's Tackling Poverty Strategy; Welsh Government's Financial Inclusion Strategy; Wellbeing of Future Generations (Wales) Act 2015; Socio-Economic Duty 2021.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) The Promoting Affordable Credit Policy attached at appendix A is adopted.
<b>Report Author:</b>	Anthony Richards
<b>Finance Officer:</b>	Chris Davies
<b>Legal Officer:</b>	Aled Gruffydd
<b>Access to Services Officer:</b>	Catherine Window

#### 1. Introduction and Background

- 1.1 The Poverty Reduction Policy Development Committee (PDC) examined the issue of High Cost Lending during the Municipal Year 2018-19 and agreed to develop a Promoting Affordable Credit Policy which aims to end the targeting of High Cost Credit, prevent High Cost Lending and promote access to equitable and Affordable Credit for all residents of Swansea. The development of a Promoting Affordable Credit Policy will help to ensure that the approach is embedded in the Council's policy framework.

- 1.2 Borrowing is a necessity for many people on low incomes, simply to 'make ends meet' or as a result of 'pinch points' such as Christmas, or 'life shocks' such as bereavement. The Covid-19 pandemic has also impacted low-income households disproportionately resulting in an increase in the number of people and households using credit to pay for everyday essentials such as food, clothing and utilities. Prior to the Covid-19 pandemic, the Step Change Debt Charity estimated that 8.8 million people use high cost credit for every day household expenses. High cost credit companies often target those who might have poor credit and low financial resilience. This can lead to debt, default and insolvency, as residents might take on too much High Cost Credit. A number of residents targeted by high-cost credit providers are also sometimes vulnerable and we have a duty to ensure they are supported to make well-informed borrowing choices.
- 1.3 A draft of the Promoting Affordable Credit Policy (Appendix A) was presented to Corporate Management Team on the 4<sup>th</sup> November 2020 where it was agreed that the development of the policy could progress to public consultation prior to progressing to Cabinet and being adopted as policy.
- 1.4 The Draft Promoting Affordable Credit Policy Public Consultation launched on the 26<sup>th</sup> April 2021 and ran for a period of four weeks, closing on the 23<sup>rd</sup> May 2021. The consultation responses were considered and further action taken to engage with the Credit Union in Swansea has shaped the development of the draft policy.
- 1.5 An Integrated Impact Assessment Screening (Appendix B) has been completed and approved by Access to Services.

## **2. Next Steps**

- 2.1 The Poverty Reduction Policy Development Committee resolved that the Promoting Affordable Credit Policy be submitted to Corporate Briefing and Cabinet for approval.

## **3. Integrated Assessment Implications**

- 3.1 The Council is subject to the public sector duties relating to equality and socio-economic inequalities as prescribed by the Equality Act 2010, the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure 2011, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.

- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

3.2 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the ‘well-being goals’.

3.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

3.4 An IIA Screening has been completed and approved by Access to Services. A full IIA is not required in this instance.

#### **4. Financial Implications**

4.1 Whilst there are no direct financial implications arising from this report, it may lead to decisions being taken at a later date that may have costs attached. Any such costs will need to be managed within departmental resources at that time with due regard to the Council’s medium term financial plan.

#### **5. Legal Implications**

5.1 The Council must have due regard to the Public Sector Equality Duty under s149 of the Equality Act 2010 as well as its duties under the Equality Act (Statutory Duties) (Wales ) Regulations 2011 .

#### **Appendices:**

- |            |   |
|------------|---|
| Appendix A | Promoting Affordable Credit Policy          |
| Appendix B | Integrated Impact Assessment Screening Form |



# Promoting Affordable Credit Policy

## Contents

1. Introduction
2. Definition
3. Policy Statement
4. Action Plan and Monitoring

### 1. Introduction

Borrowing is a necessity for many residents. High cost credit companies target those who may have poor credit and low financial resilience. This can lead to over-indebtedness, default and insolvency, as residents may take on too much high cost credit. A number of residents targeted by high-cost credit providers may also be vulnerable and we have a particular duty to ensure they are supported to make well-informed borrowing choices.

The Swansea Tackling Poverty Strategy states our vision of a Swansea in which:

- Income poverty is not a barrier to doing well at school, having a healthy and vibrant life, developing skills and qualifications and having a fulfilling occupation.
- Residents maximise their income and get the most out of their money.
- Residents avoid paying the 'Poverty Premium', the extra costs people on low incomes must pay for essentials such as fuel and transport.

The Welsh Government's Financial Inclusion Strategy (2016) promotes financial inclusion for all residents in Wales. The overall aim is to provide information and advice and to ensure residents have access to appropriate and affordable financial services.

### 2. Definitions

**High Cost Lending** includes:

- High-cost short-term credit
- High-cost unsecured loans aimed at poor credit customers
- Guarantor Loans
- Door step loans / home collected cash loans
- Pay-day loans
- Logbook loans / V5 Car loan
- Pawn broking
- Rent-to-own

It can also include:

- Unregulated lenders e.g. Loan Sharks

**Affordable Credit** features include:

- Credit products with affordable repayments
- Clear cost of credit stated
- Affordability checks undertaken
- Responsible lending
- Build the financial capacity of the borrower
- Ethical, affordable and accessible credit products

### **3. Policy Statement**

Swansea Council aims to:

- 1) End the targeting of high cost credit,
- 2) Prevent high cost borrowing
- 3) Promote access to more equitable and affordable credit.

Therefore, we:

- Promote, encourage and support the take up of free and impartial debt advice, through:
  - a) general campaigns, and
  - b) a proactive offer whenever a resident discloses that they are in financial difficulty
- Commit to work with Swansea Credit Union/s.
- Promote and establish Credit Union collection points where possible.
- Promote and encourage membership of the Credit Union to new and existing council tenants
- Promote and encourage membership of the Credit Union to new and existing staff.
- Block payday loan sites on council computers and public access computers and signpost to Swansea Credit Union/s, Citizen's Advice and Money Advice Service.
- Promote the Financial Conduct Authority register of regulated lenders on the Council website (<https://register.fca.org.uk/>).
- Promote reporting of any loan shark activities to the Wales Illegal Money Lending Unit and Swansea Trading Standards.
- Provide Loan Shark Awareness training to staff and County Councillors.

### **4. Action Plan: Governance and Monitoring**

This policy will be implemented through a three year Action Plan, reviewed annually in January.

The Action Plan will set out how officers and members will ensure delivery against the commitments listed in the above policy statement. It may also include additional actions which are considered timely and relevant to this policy.

The Action Plan will be monitored via the Swansea Council Poverty Forum.

Finance and Performance Monitoring will be monitored via the Tackling Poverty Service Performance Report and copied to the Cabinet Member / presented to Scrutiny by request.

The policy will be monitored annually through the Corporate Policy Monitoring Document.

Issues will be escalated via Cabinet Member briefing sessions.

DRAFT

**Please ensure that you refer to the Screening Form Guidance while completing this form.**

**Which service area and directorate are you from?**

Service Area: Tackling Poverty Service

Directorate: Social Services

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

Adoption of a Promoting Affordable Credit Policy

Borrowing is a necessity for many people on low incomes, simply to 'make ends meet' or as a result of 'pinch points' such as Christmas, or 'life shocks' such as bereavement. The Step Change Debt Charity estimated that 8.8 million people use high cost credit for every day household expenses. High cost credit companies often target those who might have poor credit and low financial resilience. This can lead to debt, default and insolvency, as residents might take on too much High Cost Credit. A number of residents targeted by high-cost credit providers are also sometimes vulnerable and we have a duty to ensure they are supported to make well-informed borrowing choices.

High Cost Lending includes; unsecured loans aimed at poor credit customers, Guarantor loans, Door step loans / home collected cash loans Pay-day loans, Logbook loans / V5 Car loan, Pawn broking and Rent-to-own. It can also include unregulated lenders such as Loan Sharks.

There are a number of reasons why residents take on High Cost Credit. Sometimes, residents perceive that this is the only option and there is a lack of awareness of other options. High Cost Credit is often easy to access online, or at home, or in the local community and can sometimes be recommended by friends and family. The cost of the High Cost Credit products are often packaged as affordable weekly payments and sales techniques are often pressurised. People who take on High Cost Lending may lack financial capability or financial resilience.

High Cost Credit is often associated with spiralling debt, repeated borrowing, multiple loans and intimidating collection practices by lenders. High Cost Credit can have a negative impact on mental and physical health, social well-being and relationships and financial security. The impact of High Cost Credit can result in Homelessness, relationship breakdowns and other complex problems, increasing the demand for Council services.



# Integrated Impact Assessment Screening Form Appendix B

The features of Affordable Credit are ethical, affordable and accessible credit products which clearly state the cost of credit. Lenders should undertake affordability checks and lend responsibly and build the financial capacity of the borrower. Credit Unions are examples of organisations which offer a range of affordable credit products.

Although the Council have limited powers to prevent High Cost Credit and unethical lending within the confines of current legislation, the Council does have a key role in promoting the awareness of Affordable Credit and has a number of policy levers at its disposal. These include the way in which Council respond to people when they disclose that they are in financial difficulty, promoting Affordable Credit options, signposting to debt advice and preventing the promotion and facilitation of High Cost Credit in the delivery of services e.g. banning pay day loan adverts on Council owned computers at libraries for example.

The Draft Promoting Affordable Credit Policy sets out the following aims:

Swansea Council aims to:

- 1) End the targeting of high cost credit,
- 2) Prevent high cost borrowing
- 3) Promote access to more equitable and affordable credit.

Therefore, we will:

- Promote, encourage and support the take up of free and impartial debt advice, through:
  - a) general campaigns, and
  - b) a proactive offer whenever a resident discloses that they are in financial difficulty
- Commit to work with Swansea Credit Union/s.
- Promote and establish Credit Union collection points where possible.
- Promote and encourage membership of the Credit Union to new and existing council tenants
- Promote and encourage membership of the Credit Union to new and existing staff.
- Block payday loan sites on council computers and public access computers and signpost to Swansea Credit Union/s, Citizen’s Advice and Money Advice Service.
- Promote the Financial Conduct Authority register of regulated lenders on the Council website (<https://register.fca.org.uk/>).
- Promote reporting of any loan shark activities to the Wales Illegal Money Lending Unit and Swansea Trading Standards.
- Provide Loan Shark Awareness training to staff and County Councillors.

This policy makes a commitment to promoting affordable credit as an alternative to high cost borrowing. The freedom of choice remains with the individual when considering options for financial borrowing.

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement**

The Draft Promoting Affordable Credit Policy went to public consultation for a period of four weeks. The consultation was promoted via Tackling Poverty Networks and Forums including the Swansea Poverty Partnership Forum, Financial Inclusion Steering Group and Swansea Council Poverty Forum.

The consultation raised queries around the impact of the policy on Celtic Credit Union. Further discussions were held with Celtic Credit Union as a result and they felt very positively about the development and implementation of this policy, seeing it as good practice that other Local Authorities could replicate.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
 Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
 Yes  No
- c) Does the initiative apply each of the five ways of working?  
 Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
 Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes  No **If yes, please provide details below**

The implementation of the policy will provide services across Swansea Council with information to be able to raise awareness of access to affordable credit with people that they support and in the circumstance of disclosed financial difficulty. This will be met from within existing resources and will enhance the ability of holistic support for residents across Swansea.

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

This policy makes a commitment to promoting affordable credit as an alternative to high cost borrowing. The freedom of choice remains with the individual when considering options for financial borrowing.

This policy will have a positive impact particularly for those that are socio-economically disadvantaged. High interest lenders tend to target areas of deprivation.

This policy will have a positive impact on Human Rights particularly by supporting residents of Swansea to be able to make choices that can improve their financial security.

Community Cohesion will be positively impacted indirectly by this policy by promoting improved financial resilience.

This policy will have a neutral impact on all other protected characteristic groups.

## Outcome of Screening

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

## Impacts Identified

The impact across all groups have been identified as positive, particularly for those that are socio-economically disadvantaged. We also recognise that members from all groups can experience socio-economic disadvantage. The introduction of this policy supports the promotion of ethical and affordable borrowing as an alternative to high cost borrowing. Decisions about personal borrowing sits entirely with the individual. No mitigations have been identified at this stage. Any need for mitigation in the future would be addressed at the time.

## Summary of Involvement

A summary of the consultation findings are listed below:

- 80% agreed that it was easy to read with 20% strongly agreeing. 80% either agree or strongly agree that the policy is easy to understand with 20% tending to disagree. 100% agree or strongly agree that the policy is well laid out and is an appropriate length. 80% agreeing or strongly agreeing that the policy was informative with 20% tending to disagree.

- 80% tend to agree or strongly agree that the aims of the policy are appropriate, achievable and going to make a difference to the people of Swansea. 20% tending to disagree or strongly disagree with these statements.
- 80% tend to agree or strongly agree that actions outlined in the policy will achieve our aims, they are appropriate, achievable and going to make a difference to the people of Swansea. 20% tending to disagree or strongly disagree with these statements.
- 80% feel that the policy is a good idea with 20% feeling it is not.
- 100% of respondents had not spoken with a representative of Swansea Council about themselves, or someone they support, having financial difficulties.

Comments raised highlighted the need to further explore any issues that the policy might create for Celtic Credit Union.

A focus session was subsequently held with Celtic Credit Union to discuss any impact on the Credit Union. Feedback was that the policy would support the objectives of the Credit Union and the provision of affordable credit in Swansea. The development and introduction of this policy was seen as very positive and as good practice that other local authorities could consider.

### **WFG Considerations**

**Long Term** - The long-term impact of promoting affordable credit will ensure future generations and those yet to be born are not caught in the cycle of poverty and debt. Reducing the number of high cost credit lenders and promoting affordable options will enable many families to become debt free sooner.

**Prevention** - The reduction of high cost lenders and promotion of affordable credit will work to break the cycle of lending and debt within families, with families becoming debt free sooner and reducing the dependency on credit. Promoting affordable options will enable responsible lending. This will include advertising affordable options at key pinch points for families (such as Christmas) to avoid crisis points for families.

**Integration** – The Policy will help low-income households and links with Council’s overall objectives of Safeguarding People from Harm and Tackling Poverty.

**Collaboration** - Working across all Council Services and working with Celtic Credit Union

**Involvement** - This policy is about promoting ethical, accessible and affordable alternatives to high cost borrowing. Service users are not obliged or required to act on any information that is provided. They entirely hold the freedom to make their own decisions in relation to borrowing.

### **Risks**

No risks have been identified. The roll out of the policy will be met from within existing resources.

### **Cumulative**

The cumulative impact is positive across all groups and communities in particular, those experiencing socio-economic disadvantage.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

## Integrated Impact Assessment Screening Form      Appendix B

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name:</b> Anthony Richards
<b>Job title:</b> Poverty and Prevention Strategy Development Manager
<b>Date:</b> 09/12/21
<b>Approval by Head of Service:</b>
<b>Name:</b> Amy Hawkins
<b>Position:</b> Head of Adult Social Services
<b>Date:</b> 09/12/21

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)



## Report of the Cabinet Member for Climate Change & Service Transformation

Cabinet – 17 February 2022

### Optimised Retrofit Programme, Land and Building Development Fund and Integrated Care Fund Applications

**Purpose:**

- To seek retrospective approval for Land and Building Development Fund bids.
- To seek retrospective approval for an Integrated Care Fund bid.
- To commit the schemes to the capital programme in line with the Council's Financial Procedure Rules

**Policy Framework:** More Homes Strategy

**Consultation:** Access to Services, Finance, Legal.

**Recommendation(s):** It is recommended that Cabinet:

1. Approves the Land and Building Development (LBDF) funding bids set out in Section 2.
2. Approves the Integrated Care Fund (ICF) bid set out in Section 3.
3. Delegates authority to the Director of Place, the Chief Legal Officer and Chief Finance Officer to enter into any agreements necessary to ensure the delivery of the projects and to protect the Council's interests.
4. Delegates authority to the Director of Place and the Chief Finance Officer to recover all expenditure associated with the delivery of the projects from Welsh Government.
5. Any further decisions relating to the funding above will be delegated to the Director of Place and the Cabinet Member for Climate Change and Service Transformation, and schemes are detailed and approved via the annual HRA Capital Budget report

**Report Authors:** Carol Morgan/David Meyrick

**Finance Officer:** Jayne James

**Legal Officer:** Adrian Jeremiah

**Access to Services Officer:** Rhian Millar

## 1. Introduction

- 1.1 Two bids have been submitted to the Welsh Government for funding to support the Council's More Homes Strategy. Given the short timescales involved, it was not practical to inform Cabinet of the bids before the bid submission dates so this report seeks retrospective approval for the two bids.

## 2. Land and Building Development Fund (LBDF) Bid

- 2.1 The Land and Building Development Fund is a targeted capital funding programme that concentrates on freeing up public land and buildings where developments have stalled to meet the demand for social and affordable housing. The Authority wishes to utilise the fund to support its More Homes Capital Programme. The Fund can award up to 100% of the land preparatory cost for specific schemes.
- 2.2 In November 2021 bids were submitted for 3 schemes:
- Former Brondeg House site (Manselton) – involving the demolition of the property and asbestos removal from the site.
  - Land at Creswell Rd (Clase) – the scheme involves ground remodelling and demolition of the former Council property.
  - Former Gorseinon Business Park (West St) – the scheme involves the removal of asbestos cladding, demolition of buildings and removal of contaminated materials and Japanese Knotweed.

## 3. Integrated Care Fund (ICF) Application

- 3.1 The Integrated Care Fund (ICF) is allocated by the Welsh Government across Wales. The aim of the fund is to drive and enable integrated working between social services, health, housing and the third sector and independent providers to develop sustainable services.
- 3.2 The Council will acquire six units of accommodation that have had adaptations or lend themselves to be adapted so that they are suitable for tenants who are wheelchair users or have mobility issues. Offers have been accepted on properties and these are now going through the conveyancing process. The funding for the purchases needs to be spent by the end of the current financial year.
- 3.3 The acquisitions will be spread across the city to meet the needs of families and children with complex needs, adding to the very short supply of adapted accommodation. This will benefit individuals and families in unsuitable housing, enabling families to live together without the need for specialist accommodation which may not be available in the area they need to live in.

## 4. Financial Implications

### 4.1 LBDF Funding

- 4.1.1 The amount of funding is applied for each scheme is set out in the table below.

<b>Scheme</b>	<b>Amount requested</b>
<b>Former Brondeg House</b>	£320,000

<b>Land at Creswell Rd, Clase</b>	£632,122
<b>Former Gorseinon Business Park</b>	£360,000
<b>TOTAL</b>	<b>£1,312,122</b>

4.1.2 The grant is an additional subsidy for the HRA, and if the grant application is unsuccessful, the costs will be covered by the HRA as part of the scheme development costs. The schemes are in the HRA Capital programme. The funding is for spend in 2022/23.

4.1.3 The LBDF will need to be spent in 2022/23. Plans are already in place to procure contractors to undertake the work. If the funding is not granted, or is less than anticipated, the costs will be funded from the main scheme budget.

## 4.2 ICF Funding

4.2.1 The amount of funding applied for relating to this scheme is set out in the table below.

<b>Scheme name</b>	<b>Estimated Scheme cost</b>	<b>Grant Applied for (75%)</b>	<b>Estimated HRA contribution</b>
Purchase of 6 units to be adapted	£750,000	£562,000	£188,000

4.2.2 The estimated total cost of the scheme is £750,000 with the ICF contribution being £562,000. The remaining estimated sum of £188,000 would be met by the HRA. The properties will then form part of the HRA stock. These acquisitions are also part of the Council's HRA Capital Programme. The funding must be committed by the end of March 2022.

4.2.3 The ICF funding is for acquisitions of properties in 2021/22. The properties have already been identified and conveyancing is underway. The funding has been agreed at 75% of the purchase and works costs with the remainder being met from the HRA More Homes Capital Programme scheme costs.

4.2.4 As highlighted in the application form, the estimated costs were based on average unit and works costs of £125,000, and not on any particular property types or areas. The 6 properties have now been identified and the unit costs are above the initial estimates. Including works costs to ten properties the total costs could be up to £1million. It is hoped that the ICF contribution will be increased to cover the actual costs. If this is not possible, the additional HRA contribution will have to be covered from the HRA acquisitions budget.

## 5. Integrated Assessment Implications

5.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the Socio-economic Duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.



- Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 5.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the ‘well-being goals’.
- 5.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 5.4 An IIA Screening Form has been completed and a full IIA report is not required at this stage. Each site will need to be considered in detail once the development proposals are known. This will be subject to a further report.
- 5.5 Delivery of affordable homes is a good example of the 5 Ways of Working promoted by the Well-being of Future Generations (Wales) Act 2015 and will make a significant contribution to the 7 well-being goals. It is an example of collaborative working between the public and private sector in a sustainable way resulting in a long term partnership with the objectives of developing homes within the city for the benefit of future generations.
- 5.6 Increasing the supply of affordable housing, will assist in the regeneration of areas, and stimulate economic growth, addressing issues such as fuel poverty, inequality, jobs and skills which directly contributes to the council’s obligations to act in a sustainable way pursuant to the Well-being of Future Generations (Wales) Act 2015.

## **6. Legal Implications**

- 6.1 The Council will need to ensure that it complies with any terms and conditions attached to this Welsh Government grant funding. Any procurement activities in relation to the projects in this report will follow the Council’s Contract Procedure Rules.

**Background Papers:** None

### **Appendices:**

- Appendix A – Financial Implications
- Appendix B - IIA Screening form

## FINANCIAL IMPLICATIONS : SUMMARY

Portfolio: Place  
 Service : HRA  
 Scheme : Acquisition of 6 properties for HRA

<b>1. CAPITAL COSTS</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>TOTAL</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<u>Expenditure</u>					0
Scheme details e.g. acquisition of HRA properties	750				0
- fees					0
- planning					0
- build costs					0
<b>EXPENDITURE</b>	<b>750</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<u>Financing</u>					
ICF grant	562				562
HRA capital funding	188				188
<b>FINANCING</b>	<b>750</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>750</b>

<b>2. REVENUE COSTS</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>FULL YEAR</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<u>Service Controlled - Expenditure</u>					
Employees					0
Maintenance					0
Equipment					0
Administration					0
<b>NET EXPENDITURE</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Portfolio: Place

Service : HRA

Scheme : Land and Building Development Fund for Creswell Road, Brondeg House and Gorseinon Business

**1. CAPITAL COSTS**

	2021/22	2022/23	2023/24	2024/25	TOTAL
	£'000	£'000	£'000	£'000	£'000
<u>Expenditure</u>					0
Scheme details e.g.		632,122			632122
Demolition and clearance and enabling works Creswell road		320,000			320000
Demolition and clearance and enabling works Brondeg House		360000			360000
Demolition and clearance and enabling works Gorseinon Business park					0
					0
<b>EXPENDITURE</b>	<b>0</b>	<b>1,312,122</b>	<b>0</b>	<b>0</b>	<b>1,312,122</b>
<u>Financing</u>					
LBDF Grant		1,312,122			1312122
HRA capital funding	0	0	0		0
<b>FINANCING</b>	<b>0</b>	<b>1,312,122</b>	<b>0</b>	<b>0</b>	<b>1312122</b>

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**2. REVENUE COSTS**

	2021/22	2022/23	2023/24	2024/25	FULL YEAR
	£'000	£'000	£'000	£'000	£'000
<u>Service Controlled - Expenditure</u>					
Employees					0
Maintenance					0
Equipment					0
Administration					0
<b>NET EXPENDITURE</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area:

Directorate:

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

**Proposal to submit bids to the Welsh Government to improve the energy efficiency of a number of Council houses to help address the Welsh Government’s decarbonisation agenda. To submit bids to help the Authority buy properties that have been adapted for people with disabilities. To submit bids to help the Authority to clear land so that new affordable housing can be built.**

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement**

The bids and proposed work do not require public consultations and are carried out within the legal framework of the HRA manual and the Section 122(1) of the Local Government Act 1972. Any resultant planning application on the sites being cleared for development will be subject to public consultation.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

Delivery of affordable homes is a good example of the 5 Ways of Working promoted by the Wellbeing of Future Generations (Wales) Act 2015 and will make a significant contribution to the 7 well-being goals. It is an example of collaborative working between the public and private sector in a sustainable way resulting in a long term partnership with the objectives of developing homes within the city for the benefit of future generations.

Increasing the supply of affordable housing will assist in the regeneration of areas, and stimulating economic growth, addressing issues such as poverty, inequality, jobs and skills which directly contributes to the council’s obligations to act in a sustainable way pursuant to the WFGA.

Likewise, the delivery of decarbonisation measures to Council houses also embraces the 5 ways of working. The works forge partnerships with the private sector to help address fuel poverty in the long term and reduce the consumption of fossil fuels which addresses the issue of climate change for future generations.

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
 Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
 Yes  No
- c) Does the initiative apply each of the five ways of working?  
 Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
 Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**  
 Yes  No If yes, please provide details below

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

Increase the supply of good quality affordable housing in Swansea. The affordable homes will be allocated according to the Housing Allocations policy, which was subject to a full EIA.

**Outcome of Screening**

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

This proposal will have a low impact with no mitigation required. Any subsequent planning application require public consultation through the planning process. The proposal supports the Wellbeing of Future Generations (Wales) Act 2015 and will make a significant contribution to the 7 well-being goals. Several of the bids are an example of collaborative working between the public and private sector in a sustainable way resulting in a long term partnership with the objectives of developing homes within the city and making existing homes more fuel efficient for the benefit of future generations.

Increasing the supply of affordable housing will assist in the regeneration of areas, and stimulating economic growth, addressing issues such as poverty, inequality, jobs and skills which directly contributes to the council’s obligations to act in a sustainable way pursuant to the WFGA.

The decarbonisation measures will also stimulate economic growth by testing the effectiveness of new decarbonisation measures with a view to rolling out these measures across the whole housing stock. The measures will not only address fuel poverty but also demonstrate how the Authority can make a contribution to the climate change agenda.

There are no risks to the Council as set out in the legal section of the report. The proposals will increase the supply of good quality affordable housing in Swansea. The affordable homes will be allocated according to the Housing Allocations policy, which was subject to a full EIA. Likewise any of the properties benefiting from decarbonisation measures which become void in future, will be allocated according to the Housing Allocation policy.

(NB: This summary paragraph should be used in the relevant section of corporate report)

- Full IIA to be completed
- Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

<b>Screening completed by:</b>
<b>Name: Peter Williams</b>
<b>Job title: Strategy &amp; Special Projects Manager</b>
<b>Date: 13.1.22</b>
<b>Approval by Head of Service:</b>
<b>Name:</b>
<b>Position:</b>
<b>Date:</b>

# Agenda Item 17.



## Report of the Local Authority Governor Appointment Group

Cabinet – 17 February 2022

### Local Authority Governor Appointments

<b>Purpose:</b>	To approve the nominations submitted to fill Local Authority Governor vacancies in School Governing Bodies
<b>Policy Framework:</b>	Local Authority (LA) Governor Appointments Procedure (Adopted by Council on 26 October 2017)
<b>Consultation:</b>	Access to Services, Finance, Legal
<b>Recommendation(s):</b>	It is recommended that:  1) The nominations recommended by the Director of Education in conjunction with the Cabinet Member for Education Improvement, Learning and Skills be approved.
<b>Report Author:</b>	Gemma Wynne
<b>Finance Officer:</b>	Peter Keys
<b>Legal Officer:</b>	Stephen Holland
<b>Access to Services Officer:</b>	Catherine Window

#### 1.0 The nominations referred for approval

1.1 The nominations are recommended for approval as follows:

1. Parkland Primary School	Mr James Harris
2. Morryston Comprehensive School	Mr David Lloyd-Jones

#### 2.0 Financial Implications

2.1 There are no financial implications for the appointments; all costs will be met from existing budgets.

### **3.0 Legal Implications**

3.1 There are no legal implications associated with this report.

### **4.0 Integrated Assessment Implications**

4.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socioeconomic disadvantage

The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'. Our Integrated Impact Assessment process ensures that we have paid due regard to the above.

**Background papers:** None

**Appendices:** Appendix A - Integrated Impact Assessment Form



Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area: Achievement and Partnership

Directorate: Education

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

Appointing Local Authority governors to schools in Swansea

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?  
Please provide details below – either of your activities or your reasons for not undertaking involvement**

This activity does not require consultation

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- c) Does the initiative apply each of the five ways of working?  
Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes  No **If yes, please provide details below**

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**  
*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

In order for schools to run effectively they need to have effective Governing Bodies.

**Outcome of Screening****Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

We have identified high impact on children and young people because it is in school environment and Governors are appointed to those school. Race, Religion and Welsh language have been also identified as high impact because we have some religious and welsh language schools. There is no need for mitigation as impacts that have been identified are not negative impacts The panel choose Governors ,no public consultation required. In order for schools to run effectively they need to have effective Governing Bodies, this appointment supports this..

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name: Gemma Wynne</b>
<b>Job title: Governor Support Officer</b>
<b>Date: 25/10/21</b>
<b>Approval by Head of Service:</b>
<b>Name: Kate Phillips</b>
<b>Position: Head of Achievement and Partnership</b>
<b>Date: 25/10/21</b>

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 18.



## Report of the Cabinet Member for Adult Social Care and Community Health Services

Cabinet – 17 February 2022

### West Glamorgan Regional Partnership Governance Framework

<b>Purpose:</b>	To approve the adoption of a Governance Framework for the West Glamorgan Regional Partnership.
<b>Policy Framework:</b>	Partnership Arrangements (Wales) Regulations 2015 and the Terms of Reference for the West Glamorgan Regional Partnership Board
<b>Consultation:</b>	West Glamorgan Regional Partnership Board, Access to Services, Finance, Legal
<b>Recommendation(s):</b>	It is recommended that Cabinet  1) Approve the Governance Framework attached at Appendix 1 to the report.
<b>Report Author:</b>	Kelly Gillings
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Catherine Window

#### 1. Introduction

- 1.1 The West Glamorgan Regional Partnership Governance Framework has been developed to support the governance of the partnership arrangements for the West Glamorgan Regional Partnership Board.
- 1.2 This Framework strives to address many of the problems and questions that often arise in regards to the governance arrangements of the Regional Partnership Board.

## 2. Current Position

- 2.1 The Partnership Arrangements (Wales) Regulations 2015 require Swansea, Neath Port Talbot and the Health Board as the Partnership Bodies to form a Regional Partnership Board (RPB) to implement requirements of the Social Services and Wellbeing (Wales) Act 2014. The Regulations prescribe the RPB membership and its functions.
- 2.2 The West Glamorgan Regional Partnership is a collaborative Health and Social Care initiative comprising:
- Neath Port Talbot County Borough Council
  - The Council of the City and County of Swansea
  - Swansea Bay University Health Board
  - Organisations in the third and independent Sectors
  - Citizen and carer representatives.
- 2.3 The West Glamorgan Regional Partnership focuses on four key strategic areas with associated projects and work streams being delivered in the context of the Social Services and Wellbeing (Wales) Act 2014.

These are:

- **Stabilisation and Reconstruction:** Work with (and invest in) communities, third sector and volunteers in maintaining and strengthening an asset and strengths based approach to safely supporting vulnerable individuals within their communities without unnecessary recourse to critical/essential health & social care services, building upon the Our Neighbourhood Approach model - making sure there is a particular focus on support for carers.
- **Remodelling Acute Health and Community Services:** Continue remodelling (& shifting the balance of funding between) acute health and community health/ social care services, to maximise outcomes for individuals and their carers.
- **Transforming Complex Care:** Establish fit for purpose joint funding arrangements to support the provision or commissioning of integrated/ collaborative health/ social care services to support children and adults with complex needs. This is intended to:
  - Safely support regional looked after children (LAC) reduction anywhere on the continuum of need.
  - Safely support adults with complex needs to remain or return to living as independently as possible within their families or local communities within the region rather than within more institutional health or care settings.
  - Ensure seamless transition between services across all services including young people into adulthood.
  - **Transforming Mental Health Services;** Develop a continuum of support for the population who require Mental Health and Well Being Services.

- Safely support children and young people with emotional mental health and wellbeing needs to receive the support they need to live as fulfilled a life as possible with the minimum levels of intervention and receiving integrated care in a timely manner when they do.

### **3. Governance Framework**

3.1 This Governance Framework provides clarity on the remit of the Regional Partnership Board and sets out the expectations of the required governance to ensure that the Partnership Bodies discharge their duties in accordance with Partnership Arrangements (Wales) Regulations (2015).

3.2 Although this Governance Framework will be subject to regular, annual review by the Partnership Bodies, there may, exceptionally, be an occasion where it is necessary to vary or amend the Framework during the year. For example, changes to the funding model for the Regional Partnership Board will require an updating of the framework.

3.3 Cabinet is asked to consider the West Glamorgan Governance Framework in Appendix 1

3.4 Key areas to highlight are:

#### **Regional Partnership Board Terms of Reference**

The Terms of Reference for the Regional Partnership Board, which have been approved by the Statutory Bodies should be amended to align with the governance framework, the specific areas of change are highlighted in yellow in Appendix 1 - Annex A.

The terms of reference for the transformation board are available at Appendix 1 - Annex A

#### **Appointment and Tenure of Board Members**

The Chair and Vice Chair will be appointed from one of the Partnership Bodies as defined in Clause 2.1 of the Terms of Reference, through nominations from the Board and agreed by a majority vote of Partnership Bodies. It is agreed that the Chair and Vice Chair will not be drawn from the same statutory group.

The maximum tenure of appointment for the Chair and Vice Chair will be for four years, and these appointments will be reviewed on an annual basis and elections undertaken to confirm the Chair and Vice Chair or to seek new post holders if required.

The term of office of Local Authority elected members shall run until the next general election of local authority members or the dissolution of those local authorities by effect of statute.

The term of office for Stakeholder Members will be for a maximum of four years.

#### **Action required in between meetings**

There may, occasionally, be circumstances where courses of action which would normally be made by the Board need to be taken between scheduled

meetings, and it is not practicable to call a meeting of the Board. In these circumstances, the Chair and the Vice Chair supported by the West Glamorgan Regional Transformation Programme Director as appropriate, may deal with the matter on behalf of the Board - after first consulting all Members.

The West Glamorgan Regional Transformation Programme Director must ensure that any such action is formally recorded and reported to the next meeting of the Board for consideration and ratification.

### **Declaration of Interests**

It is a requirement that all Board members must declare any personal or business interests they may have which may affect, or be perceived to affect the conduct of their role as a Board member. This includes any interests that may influence or be perceived to influence their judgement in the course of conducting the Board's business. Board members must also declare any interests held by family members or persons or bodies with which they are connected.

### **Approval of Funding**

The following table provides the level of authority to approve the allocation of funding received through grants and/or Integrated Care Funds.

<b>Level</b>	<b>Approval Body</b>	<b>Maximum Financial Limit(exclusive of VAT) £000</b>
1	Regional Partnership Board	Schemes Over £1,000,000
2	Transformation Boards	Schemes up to £1,000,000
3	Programme Boards (The programmes that support the Transformation Boards)	Schemes up to £75,000
4	West Glamorgan Director of Transformation / Deputy Director	Schemes up to £25,000

The Regional Partnership Board is not a formal decision-making body and has no executive powers. Courses of action will be agreed by consensus among the full members. Partners will need to take issues agreed by the Board through their own local policy and decision-making for ratification as required.

### **Board Etiquette**

The ways in which Board members behave towards each other, and conduct Board and sub group business, are core to the way in which staff and stakeholders view Board effectiveness. .

### **General Principles**

- adhere to the [Nolan Principles of Public Life](#), and relevant Codes of Conduct of their respective authorities
- declare any potential conflicts of interest at the beginning of a meeting (or when these arise if it becomes evident part way through) and if the

interest could be prejudicial to any issues that the meeting will consider not take part in the meeting

- be respectful of, and courteous to others, recognising that all contributions have value and not use bullying behaviour or harass any person
- ensure that you have due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion
- listen actively and challenge constructively
- manage conflict objectively, explore differences fully and look for resolutions. Respect any ultimate divergence of view
- commit and demonstrate throughout to openness, transparency and candour
- not to do anything that will or may bring the Board into disrepute
- not misuse any resources that maybe provided
- keep any information marked as confidential private and not disclose to anyone outside of the Board unless consent has been obtained

The Board Etiquette is available at Appendix 1 - Annex D.

#### **4. Key Risks**

- 4.1 The introduction of the formal Governance Framework will reduce any risks in terms of understanding how the Regional Partnership Board operates and therefore ensure that courses of action taken by the Board will be in line with a governance framework which has been agreed by the Partnership Bodies.

#### **5. Recommendations**

- 5.1 Members are asked to approve The Governance Framework attached at Appendix 1.

#### **6. Integrated Assessment Implications**

- 6.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage



- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

6.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

6.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

6.2 There are no Integrated Assessments Implications associated with this report

## **7. Financial Implications**

7.1 There are no financial implications associated with this report.

## **8. Legal Implications**

8.1 The adoption of the West Glamorgan Regional Partnership Governance Framework, will support the Council to comply with its duties under the Partnership Arrangements (Wales) Regulations 2015.

**Background Papers:** None

### **Appendices:**

Appendix 1	West Glamorgan Regional Partnership Governance Framework
Appendix 2	IIA



West Glamorgan  
Regional Partnership

# Governance Framework

Draft V5.0

**Region:** West Glamorgan Regional Partnership

 01792 633 805

 [west.glamorgan@swansea.gov.uk](mailto:west.glamorgan@swansea.gov.uk)

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## 1. STATUTORY FRAMEWORK

- 1.1. Section 33 of the National Health Service (Wales) Act 2006 (“the 2006 Act”) enables local authorities and Local Health Boards to develop formal partnerships and to delegate functions from one body to the other. This legislation enables a local authority to delegate certain specified functions to the Local Health Board, or for the Local Health Board to delegate certain specified functions to the local authority. The legislation also provides for the development of integrated services, integrated commissioning and arrangements for pooled funds.
- 1.2. The 2006 Act also consolidated measures from other legislation. Previous grant arrangements made under 28A and 28BB of the National Health Service Act 1977 were consolidated into the 2006 Act as sections 194 and 34 respectively.
- 1.3. Duties and powers placed on local authorities and health boards in relation to co-operation and partnership and other partners in Wales are set out in the **Social Services and Well-being (Wales) Act 2014**. This Act establishes the legal framework for meeting people’s needs for care and support and imposes general and strategic duties on local authorities and LHBs in order to effectively plan and provide a sufficient range and level of care and support services. The **Partnership Arrangements (Wales) Regulations 2015 (2015/1989)**, made under Part 9 of the **Social Services and Well-being (Wales) Act 2014** set out the arrangements made and provides for LHBs and local authorities to pool funds for the purpose of providing specified services.

Guidance on the provisions of Part 9 can be found at

<https://gov.wales/sites/default/files/publications/2020-02/part-9-statutory-guidance-partnership-arrangements.pdf>

- 1.4. The Guidance on the establishment of partnership arrangements provides details on establishing the partnership arrangements, and this document sets out the way in which the West Glamorgan Regional Partnership Board will operate by way of a Governance Framework.
- 1.5. For the purposes of this Framework, members of the Regional Partnership Board shall collectively to be known as “the Board”.
- 1.6. This Governance Framework will, as they are applicable, also apply to meetings of any formal groups established by the Board, including any working groups.
- 1.7. The partnership bodies (as defined in 2.1) must provide sufficient resources for the partnership arrangements, in accordance with their powers under section 167 of the Social Services and Well-being (Wales) Act.

## Variation and amendment of the Governance Framework

- 1.8. Although this Governance Framework will be subject to regular, annual review by the Partnership Bodies, there may, exceptionally, be an occasion where it is necessary to vary or amend the Framework during the year. In these circumstances, the Local Authority Monitoring Officer shall advise the Board of the implications of any decision to vary or amend this Framework and such a decision may only be made if the variation or amendment is in accordance with Part 9 of the **Social Services and Well-being (Wales) Act 2014** and does not contravene a statutory provision or direction made by the Welsh Ministers

## Interpretation

- 1.9. During any Board meeting where there is doubt as to the applicability or interpretation of the Governance Framework, the Chair shall have the final say, provided that his or her decision does not conflict with rights, liabilities or duties as prescribed by law. In doing so, the Chair shall take appropriate advice from the Local Authority Monitoring Officer.
- 1.10. The terms and provisions contained within this Governance Framework aim to reflect those covered within all applicable legislation. The legislation takes precedence over this Framework when interpreting any term or provision covered by legislation.

## 2. MEMBERSHIP

2.1 The following organisations are Partnership Bodies for the purposes of the Partnership Arrangements (Wales) Regulations 2015<sup>1</sup>

2.1.1. Swansea Bay University Health Board,

2.1.2. Council of the City and County of Swansea and

2.1.3. Neath Port Talbot County Borough Council

2.2 The Partnership Bodies are required to establish a Partnership Board pursuant to the Regulations to be known as the West Glamorgan Regional Partnership Board

2.3 The membership of the Board is set out below<sup>2</sup>:

- (a) Three elected Members of each local authority
- (b) One Member of the Local Health Board
- (c) The Director of Social Services appointed under Section 144 of the Act of each local authority (or his or her nominated representative)
- (d) Three representatives of the Local Health Board
- (e) Three persons who represent the interests of third sector organisations
- (f) One person who represents the interests of care providers in the area covered by the Board
- (g) Two persons to represent people with needs for care and support in the area covered by the Board
- (h) Two persons to represent carers in the area covered by the Board
- (i) One person to represent trade unions
- (j) One person to represent registered social landlords
- (k) One senior local authority officer who has responsibility for capital investment in housing
- (l) One senior local authority officer who has responsibility for education.

Local Authority	<ul style="list-style-type: none"><li>• Three elected members of each local authority;</li><li>• The Director of Social Services appointed under Section 144 of the Act of each local authority (or his or her nominated representative)</li><li>• One senior local authority officer who has responsibility for capital investment in housing</li><li>• One senior local authority officer who has responsibility for education.</li></ul>
-----------------	---

<sup>1</sup> Regulation 1 (4) Partnership Arrangements (Wales) Regulations 2015

<sup>2</sup> Regulation 11

Local Health Board	<ul style="list-style-type: none"> <li>• One Board Member</li> <li>• Three representatives (not board members)</li> </ul>
Third Sector	<ul style="list-style-type: none"> <li>• Three representatives of the interests of third sector organisations</li> </ul>
Those with the need for carers	<ul style="list-style-type: none"> <li>• One person who represents the interests of care providers in the area covered by the Board</li> <li>• Two persons to represent people with needs for care and support in the area covered by the Board</li> <li>• Two persons to represent carers in the area covered by the Board</li> </ul>
Other	<ul style="list-style-type: none"> <li>• One person to represent trade unions</li> <li>• One person to represent registered social landlords</li> </ul>

- 2.4 **Citizen and Carer Representatives** must be actively involved and engaged in the work of the Regional Partnership Boards and should be able to demonstrate how they have engaged with citizens and carers at all levels including assessing need, strategic planning, service design and delivery.
- 2.5 **Third Sector and Care Provider representatives** must be effectively engaged and able to influence and be involved in the design and delivery of integrated services.
- 2.6 **The Chair** – The Chair is responsible for the effective operation of the Board, chairing Board meetings when present and ensuring that all Board business is conducted in accordance with this Governance Framework.
- 2.7 The Chair shall work in close harmony with the Partnership Bodies as listed in 2,1, and, supported by the Programme Director, shall ensure that key and appropriate issues are discussed by the Board in a timely manner with all the necessary information and advice being made available to the Board to inform the debate and ultimate resolutions.
- 2.8 **The Vice-Chair** – The Vice-Chair shall deputise for the Chair in their absence for any reason, and will do so until either the existing chair resumes their duties or a new chair is appointed.
- 2.9 **Stakeholder Members**, whilst not sharing corporate responsibility for the decisions of the Board, are nevertheless required to act in a corporate manner and in accordance with the requirements of this Governance Framework, at all times, as are their fellow Board members from the Partnership Bodies.

### 3. APPOINTMENT OF BOARD MEMBERS

- 3.1. The Chair and Vice Chair will be appointed from one of the Partnership Bodies as defined in 2.1, through nominations from the Board and agreed by a majority vote of the Partnership Bodies. It is agreed that the Chair and Vice Chair will not be drawn from the same statutory group.
- 3.2. The maximum tenure of appointment for the Chair and Vice Chair will be for four years, and these appointments will be reviewed on an annual basis and elections undertaken to confirm the Chair and Vice Chair or to seek new post holders if required.
- 3.3. The persons referred to in 2.3 (e) (f) above shall be selected by the regional Third Sector Health and Social Care Network. The persons referred to in 2.3 (j) above shall be selected by the regional Housing Partnership. The persons referred to in 2.3 (g) above shall be selected by the People Forum. The persons referred to in 2.3 (h) above shall be selected by the Carers Partnership Board. The persons referred to in 2.3 (i) above shall be selected through the appropriate trade unions that work within the partner organisations. All of these members will be endorsed by the Board.
- 3.4. The members of the Board may substitute at any time another person for any of the persons appointed under paragraph 2.3. The Partnership Bodies shall endorse any substitution of members appointed under paragraph 2.3 (e) to (j).
- 3.5. The persons appointed under paragraph 2.3 (a) above shall cease to be members of the Board if they cease to hold the office of elected Member.
- 3.6. The term of office of Local Authority elected members shall run until the next general election of local authority members or until their resignation or replacement by their Local Authority or the dissolution of those local authorities by effect of statute.
- 3.7. The term of office for Stakeholder Members will be for a maximum of four years.
- 3.8. If any person appointed to the Board tenders written resignation, becomes incapable of acting or fails to attend Board meetings for a period of six months that person shall cease to become a member of the Board unless they are a representative of the Partnership Body.
- 3.9. Any occasional vacancy amongst the persons named in paragraphs 2.3 (e) (f) (i) and (j) above shall be filled by decision of the Partnership Bodies. Any occasional vacancy amongst the persons named in 2.3 (g) above shall be selected by the People Forum. The persons referred to in 2.3 (h) above shall be selected by the Carers Partnership Board.
- 3.10. The Board may co-opt such other persons to be members of the Board as it thinks appropriate.<sup>3</sup> Any such co-optees would not be eligible to vote.
- 3.11. All Board members' tenure of appointment will cease in the event that they no longer meet any of the eligibility requirements, so far as they are applicable.
- 3.12. Any member must inform the Chair as soon as is reasonably practicable to do so in respect of any issue which may impact on their eligibility to hold office.

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<sup>3</sup> Regulation 11 (2)



## 4. DECLARING AND RECORDING BOARD MEMBERS'

### 4.1 Declaration of interests

It is a requirement that all Board members must declare any personal or business interests they may have which may affect, or be perceived to affect the conduct of their role as a Board member. This includes any interests that may influence or be perceived to influence their judgement in the course of conducting the Board's business.

Board members must also declare any interests held by family members or persons or bodies with which they are connected. The respective Local Authority Monitoring Officer will provide advice to the Chair and the Board on what should be considered as an 'interest', taking account of the regulatory requirements and any further guidance. If individual Board members are in any doubt about what may be considered as an interest, they should seek advice from the West Glamorgan Regional Transformation Programme Director. However, the onus regarding declaration will reside with the individual Board member.

### 4.2 Register of interests

The West Glamorgan Regional Transformation Programme Director will ensure that a Register of Interests is established and maintained as a formal record of interests declared by all Board members. The register will include details of all Directorships and other relevant and material interests which have been declared by Board members.

The register will be held by the West Glamorgan Regional Transformation Programme Director, and will be updated during the year, as appropriate, to record any new interests, or changes to the interests declared by Board members.

Members are expected to complete a Declaration of Interest form on an annual basis.

## 5. SUB GROUPS

The Board may establish sub-groups to support it in undertaking its functions.

- 5.1 Each group established by or on behalf of the Board must have its own terms of reference, which must be formally approved by the Board.
- 5.2 Any sub-group of the Board must include at least one representative of a Partnership Body who will chair the sub-group. The sub groups shall also include a representative for people with needs for care and support and a carers representative.
- 5.3 The Board must ensure that the Chairs of all sub group operating on its behalf report formally, regularly and on a timely basis to the Board on their activities. Sub Group Chairs' shall bring to the Boards specific attention any significant matters under consideration and report on the totality of its activities through the production of minutes or other written reports.

## 6. MEETINGS

- 6.1 The Board's business will be carried out openly and transparently in a manner that encourages the active engagement of its citizens, community partners and other stakeholders.
- 6.2 The Board shall meet at least four times in any financial year. Additional meetings may be held at the discretion of the Board.
- 6.3 The West Glamorgan Regional Transformation Programme Director, on behalf of the Chair, shall produce an Annual Plan of Board business. This plan will include proposals on the coverage of business activity during the year and shall also set out any standing items that will appear on every Board agenda.
- 6.4 In addition to the planned meetings agreed by the Board, the Chair may call a meeting of the Board at any time. Individual Board members may also request that the Chair call a meeting provided that at least one third of the whole number of Board members support such a request.

### Setting the agenda

- 6.5 The Chair, in consultation with the West Glamorgan Regional Transformation Programme Director and representatives of the statutory bodies will set the Agenda. In doing so, they will take account of the planned activity set in the annual cycle of Board business; any standing items agreed by the Board; any applicable items received from the Board's Sub Groups. The Chair must ensure that all relevant matters are brought before the Board on a timely basis.
- 6.6 Any Board member may request that a matter is placed on the Agenda by writing to the Chair, copied to the West Glamorgan Regional Transformation Programme Director, at least 21 calendar days before the meeting. The Chair may, at their discretion, include items on the agenda that have been requested after the 12 day notice period if this would be beneficial to the conduct of board business.

### Notifying and equipping Board members

- 6.7 Board members shall be sent an Agenda and a complete set of supporting papers at least fourteen calendar days before a formal Board meeting. This information may be provided to Board members electronically or in paper form, in an accessible format, to the address provided. Supporting papers may, exceptionally, be provided, after this time provided that the Chair is satisfied that the Board's ability to consider the issues contained within the paper would not be impaired.
- 6.8 In the event that at least half of the Board members do not receive the Agenda and papers for the meeting as set out above, the Chair must consider whether or not the Board would still be capable of fulfilling its role and meeting its responsibilities through the conduct of the meeting. Where the Chair determines that the meeting should go ahead, their decision, and the reason for it, shall be recorded in the minutes.
- 6.9 A record of the proceedings of formal Board meetings shall be drawn up as 'minutes' and circulated in draft within fourteen calendar days of the meeting. These minutes shall include a record of Board member attendance (including the Chair) together with apologies for absence, and shall be submitted for agreement at the next meeting of the Board, where any discussion shall be limited to matters of accuracy. Any agreed amendment to the

minutes must be formally recorded.

- 6.10 All Board members must respect the confidentiality of all matters considered by the Board in private session or set out in documents which are not publicly available. Disclosure of any such matters may only be made with the express permission of the Chair of the Board.

### Chairing Board Meetings

- 6.11 The Chair of the Board will preside at any meeting of the Board unless they are absent for any reason (including any temporary absence or disqualification from participation on the grounds of a conflict of interest). In these circumstances the Vice Chair shall preside.
- 6.12 The Chair must ensure that the meeting is handled in a manner that enables the Board to reach effective decisions on the matters before it. This includes ensuring that Board members' contributions are timely and relevant and move business along at an appropriate pace. The Chair has the final say on any matter relating to the conduct of Board business.

### Quorum

- 6.13 A meeting of the Board shall be quorate if it is attended by at least 1 member from each of the Partnership Bodies. If the Chair or Vice Chair is not present then those present will appoint a temporary chair for that meeting only.
- 6.14 The quorum must be maintained during a meeting to allow formal business to be conducted. Any Board member disqualified through conflict of interest from participating in the discussion on any matter and/or from voting on any resolution will no longer count towards the quorum. If this results in the quorum not being met that particular matter or resolution cannot be considered further at that meeting, and must be noted in the minutes.
- 6.15 The Chair will determine whether Board members' view or sign of support should be expressed orally, through a show of hands. Where voting on any question is conducted, a record of the vote shall be maintained. Co-opted Members may not vote in any meetings or proceedings of the Board.
- 6.16 The Board is not a formal decision-making body and has no executive powers. Courses of action will be agreed by consensus among the full members. Partners will need to take issues agreed by the Board through their own local policy and decision-making for ratification as required.
- 6.17 There may, occasionally, be circumstances where courses of action which would normally be made by the Board need to be taken between scheduled meetings, and it is not practicable to call a meeting of the Board. In these circumstances, the Chair and the Vice Chair supported by the West Glamorgan Regional Transformation Programme Director as appropriate, may deal with the matter on behalf of the Board - after first consulting all Members.
- 6.18 The West Glamorgan Regional Transformation Programme Director must ensure that any such action is formally recorded and reported to the next meeting of the Board for consideration and ratification.
- 6.19 The West Glamorgan Regional Transformation Programme Director should review all requests for chair's action in the first instance and support the chair and members in the making of a decision. This should be on the standard report template to draw out the key points to consider with any supporting information appended.

## **7. POOLED FUNDS**

- 7.1. Partnership Bodies as defined in 2.1 will retain statutory responsibility for their functions carried out under any pooled fund that this established.
- 7.2. For each Pooled Fund there should be a partnership agreement that is carefully drawn up between the partners to cover the governance arrangements, which address accountability, decision making and how the budget is to work. Comprehensive monitoring arrangements must be put in place that assures partners that their shared aims are being fulfilled.
- 7.3. The pooled budget can be hosted and managed by a statutory partner, or it can be hosted by a statutory partner and managed on their behalf by another organisation contracted to do so. The host will provide the financial administrative systems on behalf of the partners, but will not incur any additional liabilities, except those that relate to the management of the budget.

## **8. INTEGRATED CARE FUNDS AND GRANTS**

- 8.1. The statutory Regional Partnership Board (RPB) is responsible for agreeing and managing the overall strategic direction and ensuring effective governance of the use of the Integrated Care Fund and other grants and funding
- 8.2. The Transformation Boards are decision making Boards and oversee the transformation, development and delivery of identified regional services, programmes and projects.
- 8.3. A business case process, which demonstrates how it will contribute towards regional strategic objectives is utilised for making investment decisions.
- 8.4. The process for the allocation of funding for the Third Sector grant scheme, in line with the regional strategic objectives is set out in Annex C.
- 8.5. West Glamorgan Transformation Office administer all the funding, on behalf of the partners, in accordance with the various Welsh Government's guidance and grant offer letters.

## 1. Annex A – West Glamorgan Regional Partnership Board Terms of Reference

### West Glamorgan Regional Partnership Board Terms of Reference

Prepared with reference to the Welsh Government Statutory Guidance Social Services and Well-being (Wales) Act 2014 Part 9 Statutory Guidance (Partnership Arrangements)

Agreed by West Glamorgan Regional Partnership Board on:

..... October 2021

#### Status

1. The following organisations are Partnership Bodies for the purposes of the Partnership Arrangements (Wales) Regulations 2015<sup>4</sup>
  - (a) Swansea Bay University Health Board,
  - (b) Council of the City and County of Swansea and
  - (c) Neath Port Talbot County Borough Council
2. The Partnership Bodies are required to establish a Partnership Board pursuant to the Regulations to be known as the West Glamorgan Regional Partnership Board<sup>5</sup>
3. West Glamorgan Regional Partnership Board (The Board) does not have separate legal personality and references to the Board are references to members of the Board acting jointly.

#### Objectives of the Board

4. The statutory objectives of the Board are summarised in paragraphs 5, 6 and 7 below.<sup>6</sup>
5. To ensure that the Partnership Bodies work effectively together to:
  - a) respond to the population assessment carried out under Section 14 of the Social Services and Well-being (Wales) Act 2014 (the Act)<sup>7</sup> and
  - b) implement the plans for each local authority area covered by the Board which the Partnership Bodies are each required to prepare and publish under Section 14A of the Act.
6. To ensure that the Partnership Bodies provide sufficient resources for the Partnership Arrangements in accordance with their powers under Section 167 of the Act.
7. To promote the establishment of pooled funds where appropriate.
8. Aside from the establishment of pooled funds for care home accommodation functions and family support functions, decisions on the establishment and maintenance of pooled funds shall be made by the Partnership Bodies in consequence of an assessment carried out under Section 14 of the Act or any plan prepared under Section 14A of the Act.
9. In exercising its functions the Board must have regard to:

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<sup>4</sup> Regulation 1 (4) Partnership Arrangements (Wales) Regulations 2015

<sup>5</sup> Regulation 5 (2)

<sup>6</sup> Regulation 10

<sup>7</sup> Regulation 10 (a) (i)

- (a) Any guidance issued by the Welsh Government and to any outcomes specified in a statement issued under Section 8 of the Act.<sup>8</sup>
- (b) The need to obtain timely and sufficient funding from the Welsh Government
- (c) Other statutory duties of the Partnership Bodies.

## Main Functions

10. The Board has the following functions:

- (a) To provide a senior forum to
  - (i) oversee the discharge of duties under Part 9 of the Act,
  - (ii) agree regional priorities,
  - (iii) identify and respond to opportunities for collaboration and integration in the delivery of health, social care and well-being in West Glamorgan programme area,
  - (iv) oversee delivery of the Regional Programme<sup>9</sup>
  - (v) unblock obstacles to successful collaborative working
- (b) To ensure that information is shared and used effectively to improve the delivery of services, care and support, using technology and common systems to underpin this
- (c) To sign off an annual Partnership Plan and produce an Annual Report on delivery against the Partnership Plan<sup>10</sup>
- (d) To agree a recommended budget for consideration by the Partnership Bodies to support delivery of the Partnership Plan and agree to any reallocation of resources within the course of the year to support revised priorities
- (e) To ensure the Partnership Plan reflects specific duties within the Act and facilitates service transformation across the region through effective collaborative working, sharing of practice and comparative analysis
- (f) To meet accountability arrangements to the Welsh Government regarding delivery of the Partnership Plan and deployment of grant funding
- (g) To mandate regional programme and project boards to oversee activities to support delivery of the Partnership Plan, deploy resources appropriately, monitor delivery and provide reports when required to the Regional Partnership Board.
- (h) To assess each year whether the regional governance arrangements are effective in promoting collaboration and facilitating delivery of the Partnership Plan
- (i) To assist the Partnership Bodies in preparing a Population Assessment each electoral cycle, as required under section 14 of the Act and implement plans at local authority and regional level as required under section 14A of the Act
- (j) To make recommendations to the Partnership Bodies for establishment of pooled funding arrangements for functions exercised jointly in response to the Population Assessment, family support functions and for care home accommodation for adults
- (k) To approve and oversee the implementation of the plans under the **Regional Funding**
- (l) To make appropriate arrangements for service user and carer engagement in the development and delivery of the regional programme and Partnership Plan

<sup>8</sup> Section 169 (2) Social Services and Well-being –(Wales) Act 2014

<sup>9</sup> the portfolio of programmes as approved by the Regional Partnership Board from time to time.

<sup>10</sup> Section 14A Social Services and Well-being (Wales) Act 2014

- (m) The Board is not a formal decision-making body and has no executive powers. Courses of action will be agreed by consensus among the full members. Partners will need to take issues agreed by the Board through their own local policy and decision-making for ratification as required.

## Board Membership

11. The membership of the Board is set out below<sup>11</sup>:
- (a) Three elected Members of each local authority
  - (b) One Member of the Local Health Board
  - (c) The Director of Social Services appointed under Section 144 of the Act of each local authority (or his or her nominated representative)
  - (d) Three representatives of the Local Health Board
  - (e) Three persons who represent the interests of third sector organisations
  - (f) One person who represents the interests of care providers in the area covered by the Board
  - (g) Two persons to represent people with needs for care and support in the area covered by the Board
  - (h) Two persons to represent carers in the area covered by the Board
  - (i) One person to represent trade unions
  - (j) One person to represent registered social landlords
  - (k) One senior local authority officer who has responsibility for capital investment in housing
  - (l) One senior local authority officer who has responsibility for education.
12. The persons referred to in 2.3 (e) (f) and (j) above shall be selected by the regional Third Sector Health and Social Care Network. The persons referred to in 2.3 (g) above shall be selected by the People Forum. The persons referred to in 2.3 (h) above shall be selected by the Carers Partnership Board. The persons referred to in 2.3 (i) above shall be selected through the appropriate trade unions that work within the partner organisations. All of these members will be endorsed by the Board.
13. The members of the Board may substitute at any time another person for any of the persons appointed under paragraph 11. The Partnership Bodies shall approve any substitution of members appointed under paragraph 11 (e) to (j).
14. The persons appointed under paragraph (a) above shall cease to be members of the Board if they cease to hold the office of elected Member.
15. The term of office of Local Authority elected members shall run until the next general election of local authority members or until their resignation or replacement by their Local Authority or the dissolution of those local authorities by effect of statute
16. The term of office for Stakeholder Members will be for a maximum of four years
17. If any person appointed to the Board tenders written resignation, becomes incapable of acting or fails to attend Board meetings for a period of six months that person shall cease to become a member of the Board.
18. Any occasional vacancy amongst the persons named in paragraphs (e) (f) and (j) above shall be filled by decision of the regional Third Sector Health and Social Care Network. An

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<sup>11</sup> Regulation 11



occasional vacancy amongst the persons named in (g) above shall be filled by decision of the People Forum and the person named in (h) above shall be filled by decision of the Carers Partnership Board, endorsed by the Board.

19. The Board may co-opt such other persons to be members of the Board as it thinks appropriate.<sup>12</sup> Any such co-optees would not be eligible to vote.
20. The Chair and Vice Chair will be appointed from one of the Partnership Bodies as defined in 2.1, through nominations from the Board and agreed by a majority vote of Partnership Bodies. It is agreed that the Chair and Vice Chair will not be drawn from the same statutory group.
21. The maximum tenure of appointment for the Chair and Vice Chair will be for four years, and these appointments will be reviewed on an annual basis and elections undertaken to confirm the Chair and Vice Chair or to seek new postholders if required.
22. Board decisions are made by simple majority but are only effective if supported by a representative of each of the Partnership Bodies appointed under paragraphs 11.
23. (a) In the event of a disagreement between members of the Board it is the responsibility of the Chair to convene a meeting to resolve the disagreement.  
(b) In the event that a consensus cannot be reached at that meeting the Chair shall appoint an independent mediator who must not be in the employment of any of the Partnership Bodies.  
(c) All Board members must cooperate with the mediator.  
(d) The costs of mediation shall be borne in equal shares by the Partnership Bodies.

## **Quorum**

24. A meeting of the Board shall be quorate if it is attended by at least one member of each of the Partnership Bodies.

## **Meetings of the Board**

25. The Board shall meet at least four times in any financial year.
26. Additional meetings may be held at the discretion of the Board
27. The first meeting of the Board in any financial year shall adopt a work programme for the Board during the course of that financial year and shall undertake a review of the functioning of the Board in the previous financial year.

## **Sub-Groups of the Board**

28. The Board may establish sub-groups to support it in undertaking its functions.
29. Any sub-group of the Board must include at least one representative of a Partnership Body who will chair the sub-group. The sub groups shall also include a representative for people with needs for care and support and a carers representative, subject to the chair's approval

## **Administrative Support**

30. Administrative support for the Board is provided by West Glamorgan Transformation Office.

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<sup>12</sup> Regulation 11 (2)

## **Scrutiny**

31. The Board shall submit to scrutiny by overview and scrutiny committees of the local authorities which are Partnership Bodies or a joint Overview and Scrutiny Committee established by those local authorities.
32. The Overview and Scrutiny Committees can require any member of the Board to give evidence but only in respect of the exercise of functions conferred on the Board.

## **Review**

33. In order to keep up to date with changes in legislation and any other decisions of the Board that may affect the operation of the Partnership Arrangements, the Board shall review these Terms of Reference at least once a year.

## **Emergency arrangements**

34. In the event of an emergency situation arising which either impacts upon the ability of the Regional Partnership Board to meet and undertake its functions in an effective manner or which otherwise requires a modification to these Terms of Reference then the Partnership Bodies shall by agreement and utilising the powers and authority vested in each of the Partnership Bodies in accordance with their respective constitutions, make such amendments to the Terms of Reference and to any operational and governance arrangements established as part of these partnership arrangements as are necessary to enable to the RPB to respond to the emergency situation.

## West Glamorgan Regional Partnership Board Membership

### PARTNERSHIP BODIES MEMBERSHIP

Name:	Partnership Body / Partner Organisation:	Role:
<b>Emma Woollett</b>	Swansea Bay University Health Board	Chair of RPB/ Chair SBU Health Board
<b>Vacant</b>	TBC	Vice Chair of RPB
<b>Cllr Mark Childs</b>	Swansea Council	Cabinet Member for Adult Social Care & Community Health Services
<b>Cllr Edward Latham</b>	Neath Port Talbot Council	Leader
<b>Cllr Peter Richards</b>	Neath Port Talbot Council	Member/Portfolio Holder – Adult Social Services & Health
<b>Cllr Alan Lockyer</b>	Neath Port Talbot Council	Member/Portfolio Holder – Children’s Social Services
<b>Cllr Rob Stewart</b>	Swansea Council	Leader
<b>Cllr Elliott King</b>	Swansea Council	Member/Portfolio Holder – Children Services
<b>Mark Hackett</b>	Swansea Bay University Health Board	Chief Executive
<b>Stephen Spill</b>	Swansea Bay University Health Board	Vice Chair
<b>Andrew Jarrett</b>	Neath Port Talbot Council	Director for Social Services, Health & Housing
<b>Dave Howes</b>	Swansea Council	Director for Social Services
<b>Siân Harrop-Griffiths</b>	Swansea Bay University Health Board	Director of Strategy

### STAKEHOLDER MEMBERS

<b>Andrew Thomas</b>	Neath Port Talbot Council	Statutory Partner Education Director of Education, Leisure & Lifelong Learning
<b>Mark Wade</b>	Swansea Council	Statutory Partner Head of Housing and Public Health
<b>Gaynor Richards</b>	NPT CVS	Third Sector Representative (CVC)
<b>Kelly Ahern</b>	Barnardos - Assistant Director for Children’s Services	Third Sector Representative (National)
<b>Gareth Thomas</b>	Swansea Counselling & Wellbeing Services	Third Sector Representative (Local)

<b>Kelvin Jones</b>	Service User/ Citizen Representative	Service User/ Citizen Representative
<b>Adele Rose-Morgan</b>	Service User/ Citizen Representative	Service User/ Citizen Representative
<b>Vacant</b>	Carer	Carers Representative
<b>Anne Newman</b>	Carer	Carers Representative
<b>Linda Whittaker</b>	Tai Tarian	Registered Social Landlord
<b>Malcolm Perret</b>	Care Forum Wales	Care providers Representative
<b>Vacant</b>		Trade Union Representative
<b>CO-OPTED MEMBERS</b>		
<b>Karen Jones</b>	Neath Port Talbot Council	Chief Executive
<b>Phil Roberts</b>	Swansea Council	Chief Executive
<b>Kelly Gillings</b>	West Glamorgan	Regional Transformation Director
<b>Nicola Trotman</b>	West Glamorgan	Regional Transformation Deputy Director
<b>IN ATTENDANCE</b>		
<b>Debbie Smith</b>	Swansea Council	Lawyer - Swansea
<b>Caritas Adere</b>	Swansea Council	Legal Executive
<b>Pam Wenger</b>	Swansea Bay University Health Board	Director of Corporate Governance

<p><b>Vision Statement</b></p>	<p>To oversee the development and delivery of the West Glamorgan Programme and a governance route for monitoring strategic key deliverables and issues.</p>
<p><b>Purpose</b></p>	<p>The primary purpose of the West Glamorgan Transformation Boards ('Boards') are to oversee the transformation, development and delivery of the transformation programme and associated services.</p> <p>The primary purpose of the Boards will be to:</p> <ul style="list-style-type: none"> <li>• Monitor progress of the programmes</li> <li>• Resolve escalating issues</li> <li>• Ensure that the programmes deliver the anticipated outcomes to the intended service user groups</li> </ul>
<p><b>Responsibilities</b></p>	<p>The Transformation Boards are responsible for:</p> <ul style="list-style-type: none"> <li>• Receiving update reports (written or verbal) from each of the programmes.</li> <li>• Resolving issues and risks brought to the attention of the Board</li> <li>• Making decisions that resolve issues and risks and progress the work streams as appropriate</li> <li>• Ensuring that each of the projects delivers the anticipated actions and outcomes</li> <li>• Reviewing governance arrangements, linking in the local, regional and national arrangements and ensuring that decision making is effective and duplication avoided</li> <li>• Ensuring that the work of the programmes is appropriately communicated with stakeholders across the region</li> <li>• Ensuring co-production principles are embedded across all programmes of work</li> <li>• Ensuring Social Value is considered and acknowledged</li> <li>• Ensuring that the programme support the Area Plan and key priority areas noted below: <ul style="list-style-type: none"> <li>• <b>Stabilisation and Reconstruction:</b> Work with (and invest in) communities, third sector and volunteers in maintaining and strengthening an asset and strengths based approach to safely supporting vulnerable individuals within their communities without unnecessary recourse to critical/essential health &amp; social care services, building upon the Our Neighbourhood Approach model - making sure there is a particular focus on support for carers.</li> <li>• <b>Remodelling Acute Health and Community Services:</b> Continue remodelling (&amp; shifting the balance of funding between) acute health and community health/ social care services, to maximise outcomes for individuals and their carers.</li> <li>• <b>Transforming Complex Care</b></li> </ul> </li> </ul>

	<p>Establish fit for purpose joint funding arrangements to support the provision or commissioning of integrated/ collaborative health/ social care services to support children and adults with complex needs. This is intended to:</p> <ul style="list-style-type: none"> <li>• Safely support regional looked after children (LAC) reduction anywhere on the continuum of need</li> <li>• Safely support adults with complex needs to remain or return to living as independently as possible within their families or local communities within the region rather than within more institutional health or care settings.</li> <li>• Ensure seamless transition between services across all services including young people into adulthood</li> <li>• <b>Transforming Mental Health Services</b> <ul style="list-style-type: none"> <li>• Develop a continuum of support for the population who require Mental Health and Well Being Services</li> <li>• Safely support children and young people with emotional mental health and wellbeing needs to receive the support they need to live as fulfilled a life as possible with the minimum levels of intervention and receiving integrated care in a timely manner when they do</li> </ul> </li> </ul>	
<b>Membership</b>	Rotating Chair Transformation Board	Dave Howes (ALL)
	Rotating Chair Transformation Board	Sian Harrop Griffiths (ALL)
	Rotating Chair Transformation Board	Andrew Jarrett (ALL)
	West Glamorgan Programme Director	Kelly Gillings (ALL)
	West Glamorgan Deputy Programme Director	Nicola Trotman (ALL)
	Service Group Director for Primary, Community Care and Therapies Service Group	Brian Owens (Board 1)
	Service Group Director for Mental Health and Learning Disabilities	Dai Roberts (Board 2)
	Service Group Nurse Director, Primary, Community Care and Therapies Service Group Representing Adults for the Health Board	Tanya Spriggs (Board 1)
	Head of Adult Services Neath Port Talbot	Angela Thomas (ALL)
	Head of Adult Services Swansea Council Integrated	Helen St John (Board 1)
	Head of Adult Services Swansea Council	Amy Hawkins (Board 2 & 3)
	Head of Children Services Swansea	Julie Davies (Board 2 & 3)
	Head of Children Services Neath Port Talbot	Keri Warren (Board 2 & 3)
	Swansea Community Voluntary Service	Amanda Carr (ALL)

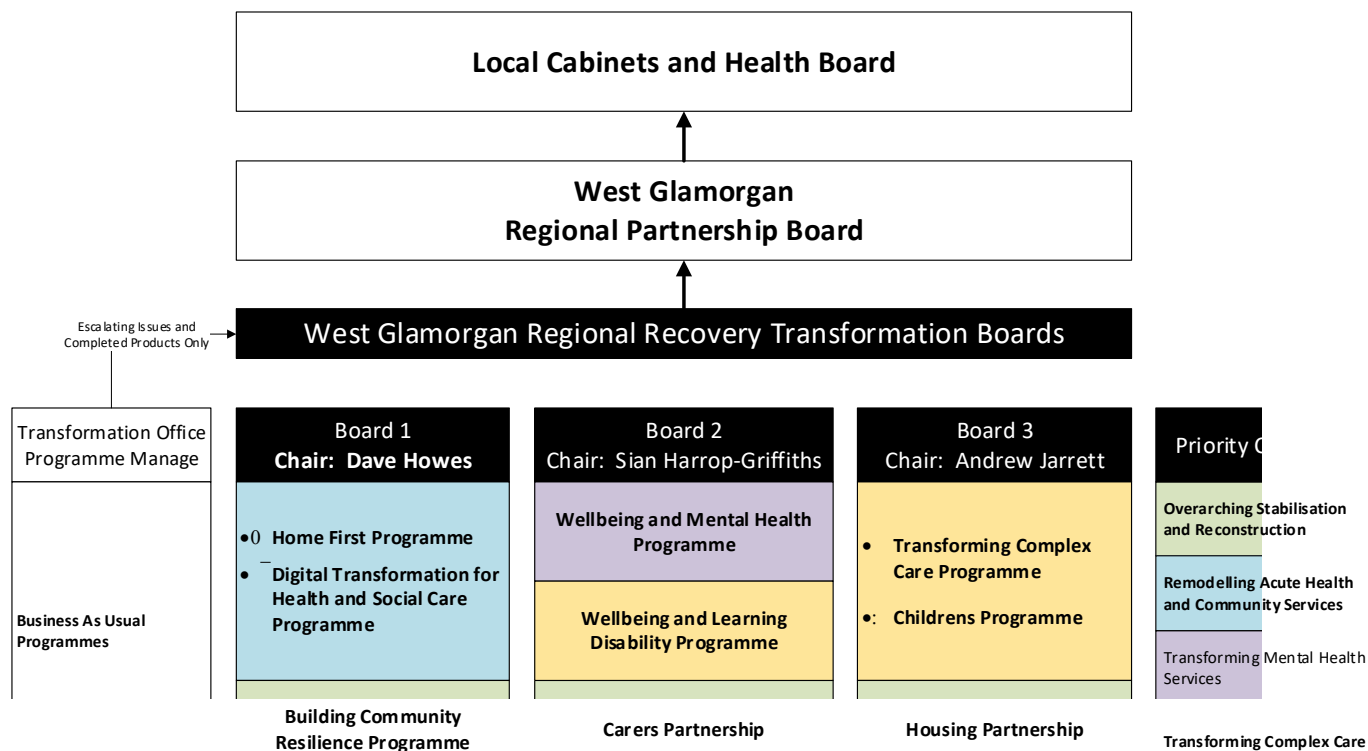
	Neath Port Talbot Community Voluntary Service	Gaynor Richards (ALL)
	Service User Representatives	Kelvin Jones (Board 1) Victoria Morgan-Beattie (Board 2 & 3) Richard Ebley (Board 2) Mark Davies (Board 3) Gerald Cole (Board 2)
	Carer Representatives	Mark Davies (Board 2) Julia Nawell (Board 2)
	Service Group Manager Children's Services Representing Children's for the Health Board	TBC
	<b>Leads for Each Workstream as required</b>	
	Assistant Director of Strategy & Partnerships, SBUHB; <i>Lead for Wellbeing and Mental Health</i>	Jo Abbott-Davies (Board 2)
	SBUHB <i>Lead for Cluster Whole Systems Approach (CWSA_</i>	Andy Griffiths (Board 1)
	Divisional Manager - Learning Disabilities, SBUHB <i>Lead for the Learning Disability Programme</i> Assistant Director of Nursing <i>Lead for Transforming Complex Care</i>	Gareth Bartley (Board 2)  Paul Stuart Davies (Board 3)
	Chief Transformation Officer <i>Lead for Digital Transformation of Health and Social Care</i>	Gareth Westlake (Interim)
	Head of Housing and Public Health <i>Lead for Housing</i>	Mark Wade (Board 3)
	Not all members will attend every meeting, attendance will vary depending on the agenda cycle Members are expected to prioritise attendance at the meeting and only in exceptional circumstances should this meeting be delegated.	
<b>Quorum</b>	The Boards quorum will be as a minimum one of the 3 rotating Chairs, one Local Authority representative, one Health representative, a third sector representative, a service user and carer representative. If the Chair is not available, then a nominated Director will chair the meeting. Any member unable to attend is required to nominate an appropriate representative with decision making authority.	
<b>Meeting Arrangements</b>	The Transformation Boards will meet during week 1, 2 and 3 of each calendar month using a bi-monthly agenda cycle The 2-hour weekly meetings will be held on Tuesdays between 11am and 1pm	

	<p>Agendas will be planned so that workstreams have an opportunity to report bi-monthly as a minimum, but the meeting will be sharp and focused to address key issues and decisions.</p> <p>All workstreams may raise exceptions at any of the boards under the substantive heading of Urgent Items, but this will be closely monitored by the Transformation Office. Urgent Items should be sent in advance to the Director and Deputy Director of West Glamorgan.</p> <p>The West Glamorgan Transformation Office will manage and support the other areas of work, which will be reported as required. It is noted that these elements of the programme should be embedded throughout the work programme, and it is the responsibility of the West Glamorgan Transformation Office to ensure that this occurs.</p> <p>These boards are designed to ensure pace, provide assurance on progress being made, and to escalate areas of delay so that the relevant board can support and “unblock” issues.</p> <p>The expectation of full report papers will be relaxed and a more presentation orientated approach will shape the meetings.</p> <p>There will be an expectation that full papers will be developed for decision making around finance and changes to scope of projects.</p> <p>All reports made to the Transformation Board should be presented by the relevant Workstream Lead.</p>
<b>Chair of the Meetings</b>	Rotating Chairs: Dave Howes, Sian Harrop-Griffiths and Andrew Jarrett.
<b>Reporting</b>	The Transformation Board will report to the Regional Partnership Board
<b>Secretariat</b>	Megan Crombie, West Glamorgan Transformation Team
<b>Review</b>	These Terms of Reference are subject to review in six months’ time.



2. Annex B – West Glamorgan Governance Structure

# West Glamorgan Governance Structure June 20



### 3. Annex C – Scheme of Delegation

Decision making remains with each organisation unless authority is delegated to the Regional Partnership Board. All decision-making across the Regional Partnership Board will therefore be taken under the Scheme of Delegation set out in the tables below.

In the context of the decision-making process, the following applies:

**Endorse** – to support decisions that have been made across the Regional Partnership Board

**Approve** – to approve decisions/documentation (in line with Statutory Duties and Functions of all Organisations across the Regional Partnership Board)

#### Schedule of Matters Delegated to the Regional Partnership Board and its members.

MATTER DELEGATED	DELEGATED TO
To approve the annual Partnership Plan	The Board
To agree a recommended budget for consideration by the Partnership Bodies to support delivery of the Partnership Plan	The Board
To approve and oversee the implementation of the plans under the Regional Funding	The Board
To endorse funding proposals following approval by the Transformation Boards	The Board
To approve the minutes of the Regional Partnership Board	The Board
To approve the terms of reference of the Transformation Boards	The Board

#### Matters Delegated to the Transformation Boards

MATTER DELEGATED	DELEGATED TO
To oversee the transformation, development and delivery of the transformation programme and associated services.	Transformation Board
To resolve, or oversee the resolution, of risks and issues escalated by the Programmes accountable to the Transformation Boards	Transformation Board
To report progress and provide assurance to the Regional Partnership Board that programme delivery is on track	Transformation Board
To approve the minutes of the Transformation Board	Transformation Board
To review the terms of reference and agree the membership of the Transformation Boards	Transformation Board

## Approval of Grants/Funding

Where a Partnership Body hosts the funding, spending approval will be taken collaboratively as outlined in this framework. The West Glamorgan Transformation Office will administer the grant, on behalf of the partners, in accordance with the Welsh Government's (WG) Integrated Fund guidance and other available regional funds

Organisations that have funding allocated must follow their own procurement policies and procedures.

The Programme Office will review annual the Integrated Care Written Agreement which will form part of this governance framework.

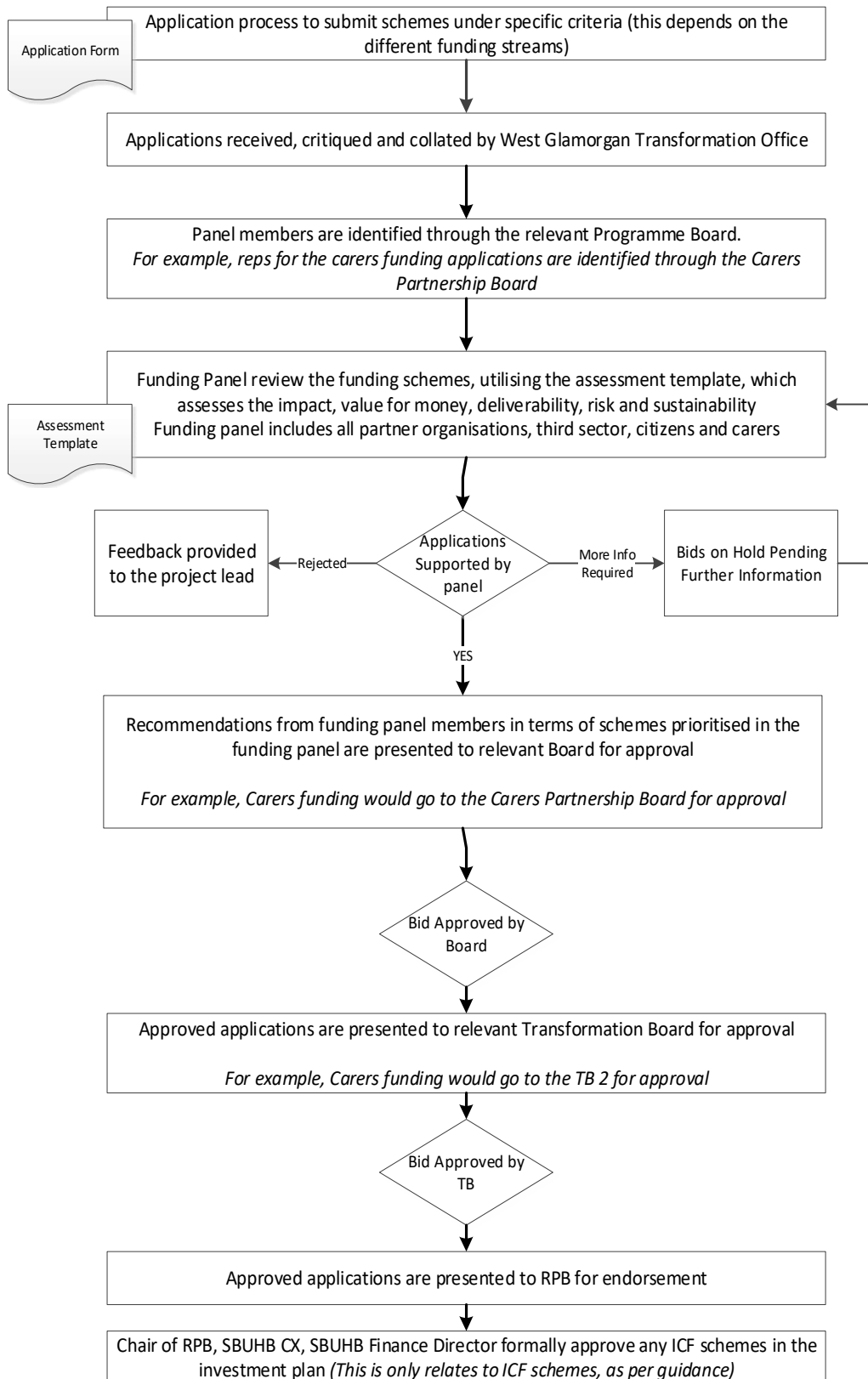
The Programme Boards, are responsible for reviewing and prioritising the funding schemes. Recommendations for the funding proposals are escalated to the relevant Transformation Board for approval.

The following table provides the level of authority to approve the allocation of funding received through grants and/or Integrated Care Funds

	<b>Approval Body</b>	<b>Maximum Financial Limit(exclusive of VAT) £000</b>
1	Regional Partnership Board	Schemes Over £1,000,000
2	Transformation Boards	Schemes up to £1,000,000
3	Programmes (The Programmes that support the Transformation Boards)	Schemes up to £75,000
4	West Glamorgan Director of Transformation / Deputy Director	Schemes up to £25,000

**Note:** A Third Sector grant scheme can have a number of 3rd sector proposals in it

# West Glamorgan Overview of Allocation of Revenue Funding Process for Third Sector Grant Scheme



## 4. ANNEX D – Board Etiquette

### Purpose

The ways in which Board members behave towards each other, and conduct Board and sub group business, are core to the way in which staff and stakeholders view Board effectiveness. This Protocol sets out the behaviours and conduct expected of all Board members and attendees, as the Board and sub groups enact their stewardship role and take the lead in promoting the Nolan Principles.

### General Principles

- adhere to the [Nolan Principles of Public Life](#), and relevant Codes of Conduct of their respective authorities
- declare any potential conflicts of interest at the beginning of a meeting (or when these arise if it becomes evident part way through) and if the interest could be prejudicial to any issues that the meeting will consider not take part in the meeting
- be respectful of, and courteous to others, recognising that all contributions have value and not use bullying behaviour or harass any person
- ensure that you have due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion
- listen actively and challenge constructively
- manage conflict objectively, explore differences fully and look for resolutions. Respect any ultimate divergence of view
- commit and demonstrate throughout to openness, transparency and candour
- not to do anything that will or may bring the Board into disrepute
- not misuse any resources that maybe provided
- keep any information marked as confidential private and not disclose to anyone outside of the Board unless consent has been obtained

### Pre Board/Committee meetings

Chair/The West Glamorgan Regional Transformation Programme Director (with support from Local Authority/Health Board Governance Leads)

- agree annual work plans for final Board approval, and meeting agendas, decision tracking arrangements and sources of assurance. Evaluate effectiveness regularly
- build in continuous review of meetings, looking back, and then forward, to plan and adjust future meetings accordingly, as a means of regular evaluation

Lead Officer (from the Partnership Body)

- ensure that the papers are prepared in a timely way and in accordance with agreed standards/template. Note that Chairs are entitled to reject papers received too late for proper preparation and scrutiny

All Members

- read all papers prior to the meeting and request any clarification/ additional information in good time, to ensure that debate on the day is as informed as possible

## **At Board/Transformation Board and other meetings**


All Members / those attending the Board

- act in accordance with the general principles set out above
- turn mobile phones to silent, focus on the agenda and discussions in hand, and refrain from undertaking other work
- turn on video cameras
- avoid repeating points made by others
- avoid raising issues that are not the business of the Board
- adopt a solution-focussed approach to decision making
- be alert throughout to the issues of diversity and inclusion
- flag up in advance with the Chair if you will need to leave the Board meeting at any point
- do not use the side bar to make comments in place of speaking, unless agreed in advance with the Chair.

## **Post-Board meetings**

All Members / those attending the Board

- engage in the agreed evaluation mechanisms, to ensure continuous learning and improvement
- ensure follow through on the actions agreed

<b>Before the Meeting</b>	
<p><b>Download the Teams App</b></p> 	<p>Do not join the livestream meeting via the web (internet Explorer). This may mean that you join the meeting as a member of the public and are not able to participate in the meeting. You will need to have the Teams app downloaded onto your laptop (not a tablet / iPad).</p> <p><a href="https://www.microsoft.com/en-gb/microsoft-365/microsoft-teams/download-app">https://www.microsoft.com/en-gb/microsoft-365/microsoft-teams/download-app</a></p>
<p><b>Check the diary appointment</b></p>	<p>Check your diary to ensure that the diary invite is there and the link works.</p> <p><b><u>Do not forward the outlook appointment or the link</u></b> – this includes forwarding to a personal email address to access the meeting from another computer / account.</p> <p>If you require additional attendees to be added to the meeting contact the Programme Office who can add them to the appointment.</p>
<p><b>Make sure you are using the right device</b></p>	<p>Please ensure that your devices are fully charged, or you are positioned close to a power supply.</p>
<p>Page 349</p> <p><b>Camera framing and surroundings</b></p>	<p><b>Switch on your camera</b></p> <p><b>Backdrop</b> - Make sure the background behind you is appropriate, and there are no whiteboards for example with any confidential information, as well as personal items such as photos that could be viewed by other participants. Use the ‘blur’ background feature if you do not want your background visible to the public.</p> <p><b>Background Noise</b> - Remember to mute your microphone when not speaking, and to turn off/mute any mobile devices, beepers, etc.</p>
<p><b>Decide on your base for the meeting</b></p>	<p>If you are planning on dialling into the meeting with a colleague(s) in the same room, please ensure that you use your own separate laptop and headphones. You should not share the same laptop.</p>
<p><b>Join the meeting early</b></p>	<p>Please join the meeting a few minutes before the official start time of the meeting to ensure that your connection is working. Ensure your camera and microphone are working, and that they are correctly positioned.</p>
<b>During the Meeting</b>	
<p><b>Introductions</b></p>	<p>The Chair will welcome all participants to the meeting.</p>
<p><b>Chat Function</b></p>	<p>The Chat function should only be used only as a means to let the Chair of the meeting and the Programme Office or if you wish to raise a question. The Board is committed to openness and transparency.</p>

	<p>You should also use the Chat Function if you are having technical difficulties or have to leave the meeting for any reason.</p> <p>The Chat can only be seen by those who are invited to the meeting.</p>
<b>Presentations.</b>	Please let the Programme Office know prior to the day of the meeting if you have a presentation so that we can ensure that it is loaded in advance.
<b>Screen Display</b>	Please leave your camera on for the duration of the meeting.



Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area:

Directorate:

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

**West Glamorgan Regional Partnership Governance Framework - Partnership Arrangements (Wales) Regulations 2015 and the Terms of Reference for the West Glamorgan Regional Partnership Board**

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?  
Please provide details below – either of your activities or your reasons for not undertaking involvement**

The West Glamorgan Governance Framework was developed with the support of all members of the Regional Partnership Board. Sessions were held with the RPB Working group along with individual sessions of various groups such as Health and Social Care Interface, Citizen and Carer Representatives and the Third Sector.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- c) Does the initiative apply each of the five ways of working?  
Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes  No If yes, please provide details below

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**  
*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

The West Glamorgan Governance Framework is the development of the cumulative good practice adopted by the RPB and an update to the Terms of Reference of the Board. There is a no impact on groups or service users. Page 352

**Outcome of Screening**

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

There are no Integrated Assessments Implications associated with this report

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name: Kelly Gillings</b>
<b>Job title: West Glamorgan Regional Director of Transformation</b>
<b>Date: 14/12/2021</b>
<b>Approval by Head of Service:</b>
<b>Name: Kelly Gillings</b>
<b>Position: West Glamorgan Regional Director of Transformation</b>
<b>Date: 14/12/2021</b>

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 19.



**Cabinet Member for Investment, Regeneration & Tourism**

**Cabinet – 17 February 2022**

## **FPR7 Report - The Welsh Government Transforming Towns - Placemaking Grant**

<b>Purpose:</b>	To comply with Financial Procedure Rule No.7 (Capital Programming and Appraisals) - to commit and authorise the addition of new schemes to the Capital Programme.
<b>Policy Framework:</b>	Swansea Bay City Region Economic Regeneration Strategy, City Centre Strategic Framework.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that Cabinet:  1) Notes the grant application as set out in this report has been approved by WG as part of the 2021/22 capital bidding round for the WG Transforming Towns Programme.  2) Approves the relevant schemes and their financial implications and authorises the schemes to be added to the capital programme.  3) Notes and approves the inter authority agreement which has been prepared to protect the Council's position as lead Authority in distributing the funding received from Welsh Government to deliver the schemes on a regional basis and delegates authority to the Head of Planning and City Regeneration in consultation with the Chief Legal Officer to enter into the agreement on behalf of the Council.
<b>Report Author:</b>	Richard Horlock
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Pamela Milford
<b>Access to Services Officer:</b>	Rhian Millar

## **1.0 Introduction**

1.1 This report presents the Welsh Governments Transforming Towns Placemaking grant programme for 2021/22 which affords Local Authorities in Wales the broadest and most flexible package of support aimed at revitalising town centres throughout Wales.

## **2.0 Background**

2.1 The Transforming Towns Placemaking programme builds on the success of the previous Targeted Regeneration Investment Programme (TRIP) which supported projects that promote economic regeneration – creating jobs, enhancing skills and employability and creating the right environment for businesses to grow and thrive – with a focus on individuals and areas most in need to ensure prosperity is spread to all parts of Wales.

2.2 The newly introduced range of support interventions available within the Transforming Towns Placemaking programme are outlined in the appended framework document (Appendix B) and this includes 11 distinct types of intervention available to support the strategic aims of the Welsh Government and region and are listed below:

Placemaking programme– to include grant support considerations for:

- Residential Units in Town Centres
- Commercial Property Improvement Grants
- Green Infrastructure
- Public Realm
- Strategic Acquisition
- Town Centre Markets
- Town Centre Meanwhile Uses
- Town Centre External Trading Support.
- Shop Frontage Enveloping Schemes
- Digital Towns
- Active Travel

2.3 Previously the authority has focussed its thematic support on the Property Enhancement Development Grant (PEDG) and Sustainable Living Grant (SLG) interventions which are also present options within the Placemaking Grant programme but also complemented with a broader suite of possible interventions.

2.4 The maximum individual award of grant within each of the intervention categories is up to £250,000.

2.5 Swansea are the regional lead for the South West Wales region 'Placemaking award' and initially received a funding award for £4.5m covering the region. There is no set indicative apportionment of funding for the regional authorities. Funding is committed on an approvals basis where local and regional endorsement is required for each scheme within the placemaking programme.

- 2.6 The original award of funding was increased in December 2021 by a further £2m by the Welsh Government resulting in the current 2021/22 grant budget ceiling provisionally set at £6.5m should this be required.
- 2.7 In January 2022 it was confirmed by Welsh Government that an initial award of grant for the South West region covering 2022/23 was for £1m. Further awards are expected with this initial award to allow continuity of scheme approval.
- 2.8 The balance of 2021/22 Placemaking grant shown as £3.47m in appendix A will be utilised by the Welsh Government to finance currently approved regional strategic projects.

### **3.0 Financial Implications**

- 3.1 Swansea Council's role as regional lead for the South West Placemaking Grant will generate a 5% local management fee together with a 3% regional management fee.
- 3.2 In the majority of cases covering the commercial and residential focused grants within the Placemaking programme, any match funding required to deliver the schemes will be met by external private sector investment and there is no requirement for the authority to make capital match funding contributions to these 3<sup>rd</sup> party schemes. Match funding will be required for any Placemaking scheme proposals that relate to Council assets.
- 3.3 Appendix A outlines the total anticipated South West regional project costs out turn for the Placemaking programme for 2021/22 along with an estimate of associated fees for supporting delivery and management. Following below this summary, the expected Placemaking out turn for Swansea is shown where it is anticipated that £740k of grant expenditure will be incurred together with £59k in associated fees.
- 3.4 The South West regional out turn for Placemaking is anticipated to be £2.8m with £165k in associated fees. The balance of the annual Placemaking budget will be allocated by the Welsh Government to finance approved strategic projects. The £6.5m Placemaking grant must be claimed against eligible expenditure by the 31<sup>st</sup> March otherwise it will be lost and not carry over to the 2022/23 Placemaking budget.
- 3.5 There will be no future revenue implications arising from the schemes. Any ongoing maintenance costs would be absorbed within existing budgets.

### 3.6 Summary of Placemaking Budget for 2021/22:

				£'000
				Budget
				6,500
LA	Profiled Cost	Fees	Fee £	Total
	£'000		£'000	£'000
Swansea	740	0.08	59	799
Carmarthenshire	1,095	0.05	55	1,150
NPT	731	0.05	37	768
Pembrokeshire	297	0.05	15	311
Total	2,863		165	3,028
Balance to Strategic Projects				3,472

## 4.0 Legal Implications

- 4.1 The Council will need to comply with the terms and conditions attached to any grant funding utilised in conjunction with the regeneration match funding budget identified in this report.
- 4.2 Any projects or grant proposals developed and subsequently delivered or administered in partnership with internal or external organisations will be managed in-line with appropriate Agreements, to ensure adherence to the terms and conditions set-out in Grant Offer Letters and to relevant City and County of Swansea policies. In the case of grant investment in private sector developments a legal charge will be placed on property or assets linked to the grant recipient as required by the grant offer terms and conditions for the necessary period and to ensure that the financial risk to the authority is mitigated.
- 4.3 Generally the terms attached to WG Grant Funded schemes are legally binding and will be formally recorded in an appropriate document/contract. Any joint bid by Regional Partners should similarly be so recorded and governance issues clarified in terms of legal responsibility and decision making.
- 4.4 An inter-authority agreement and suggested project specific agreement has been drafted by Swansea Council as lead authority for the region and agreed by regional local authority partners to ensure that appropriate indemnities and governance arrangements for the terms and conditions applicable to the Transforming Towns Placemaking Grant are in place. This agreement also encompasses the Transforming Towns 'Town Centre Business Fund' which relates to revenue funding to complement the capital funding within the Transforming Towns regeneration programme.
- 4.5 All contracts for works, goods and services necessary to deliver the strategic projects and Council led Placemaking schemes must be procured in accordance with the Council's Contract Procedure Rules and the relevant domestic regulations as appropriate. The contractual liabilities/obligations of

the Council and any appointed contractors will be covered by the individual contracts entered into.

- 4.6 All statutory consents required in proposals to utilise the regeneration match funding budget will be the responsibility of the Planning and City Regeneration Service and will be formally recorded in an appropriate document/contract.

## **5.0 Integrated Assessment Implications**

- 5.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and those who do not;
- deliver better outcomes for those people who experience socio-economic disadvantage;
- consider opportunities for people to use the Welsh language;
- treat the Welsh language no less favourably than English;
- ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

- 5.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

- 5.3 There are no specific equality implications in relation to this report. Reference is made to strategic projects where these together with council Placemaking projects will be addressed by separate reports where IIA screening has been completed and full IIA will be undertaken where needed as specified from the screening.

**Background Papers:** None

### **Appendices:**

Appendix A – Financial Implications – Placemaking Programme

Appendix B – Placemaking Framework

Appendix C – IIA screening form



**FINANCIAL IMPLICATIONS : SUMMARY****Portfolio: Investment, Regeneration & Tourism****Service : Planning & City Regeneration - Economic Development & External Funding****Scheme : WG Placemaking Grant**

<b>1. CAPITAL COSTS (REGIONAL)</b>	<b>2021/22 £'000</b>	<b>TOTAL £'000</b>
<u>Expenditure</u>		
Works	2863	2,863
Fees	165	165
Balance to fund SW strategic projects	3472	3,472
Equipment		0
Budget Code:		0
<b>EXPENDITURE</b>	<b>6,500</b>	<b>6,500</b>
<u>Financing</u>		
CCS funding		0
WG TT Placemaking grant	3,028	3,028
Balance of Placemaking grant to fund strategic projects	3,472	3,472
Other - Private match funding		0
		0
<b>FINANCING</b>	<b>6,500</b>	<b>6,500</b>

				£'000
		Budget		6,500
LA	Profiled Cost	Fees	Fee £	Total
	<b>£'000</b>		<b>£'000</b>	<b>£'000</b>
Swansea	740	0.08	59	799
Cardiff	1,095	0.05	55	1,150
NPT	731	0.05	37	768
Pembrokeshire	297	0.05	15	311
Total	2,863		165	3,028
Balance to Strategic Projects				3,472

<b>2. REVENUE COSTS</b>		<b>FULL YEAR £'000</b>
<u>Service Controlled - Expenditure</u>		
Employees		
Maintenance		
Equipment		
Administration		
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>
<b>3. CAPITAL COSTS (SWANSEA)</b>	<b>2021/22 £'000</b>	<b>TOTAL £'000</b>
<u>Expenditure</u>		
Works - Placemaking schemes	740	740
Env Improvements		
Fees	59	59
Furniture/Fittings		
Equipment		
Budget Code:		
<b>EXPENDITURE</b>	<b>799</b>	<b>799</b>
<u>Financing</u>		
CCS funding		
WG TT Placemaking grant	799	799
WEFO grant		
Other - Private match funding		
<b>FINANCING</b>	<b>799</b>	<b>799</b>

## **Transforming Towns**

### **Place Making Programme**

The Transforming Towns Place Making programme affords Local Authority partners in Wales the broadest and most flexible package of support aimed at revitalising town centres throughout Wales. It is the responsibility of regional partners to decide upon the most appropriate mix of interventions and how they are deployed effectively. This support is available in any town centre prioritised by Local Authority partners.

Given the broad nature of this new support it is not anticipated that there will be any additional interventions to those detailed in this document. However, should you require support to be allocated to different elements these would need to be approved by Welsh Government.

Intervention	Scheme Detail	Eligible Applicant	Maximum Allocation of grant
<b>Residential Units in Town Centres</b>	<p>To convert vacant floor-space on upper floors into new residential accommodation. The minimum requirement from each scheme is 1 x 1 bedroom self-contained flat. Schemes are expected to be a mix of one and two bedroom units with ratio determined by layout of building and planning consent.</p> <p>Schemes should comply to the minimum floor space as recommended in the most up to date Welsh Housing Quality Standards, currently this is:-</p> <ol style="list-style-type: none"> <li>1. 46m<sup>2</sup> per one bedroom flat</li> <li>2. 59m<sup>2</sup> per two bedroom flat</li> </ol> <p>Student accommodation, bedsits and studios are not eligible for grant funding</p> <p>Where acceptable to Local Planning Authorities potential conversion of ground floor, as well as upper floors may be considered for areas not considered to be core retail, where no alternative commercial use can be found.</p>	<p>Occupiers or property owners of properties within town centres who either:</p> <ul style="list-style-type: none"> <li>• Own the freehold, or</li> <li>• Hold a lease with a seven year minimum period remaining at the planned grant payment date and who have secured their landlord's written consent to the proposed works.</li> </ul>	Up to £250,000 per property
<b>Commercial Property Improvement Grants</b>	<p>The Property Improvement Grant is available to commercial building occupiers and owners within town centres. Its purpose is to enhance building frontages together with the upgrade of <b>vacant</b> commercial floor space to bring it back into beneficial business use.</p>	<p>Occupiers or property owners of commercial properties within the designated area who either:</p> <ul style="list-style-type: none"> <li>• Own the freehold, or</li> <li>• Hold a lease with a seven year minimum period remaining at the planned grant payment date and</li> </ul>	Up to £250,000 per property

	<p>New/ upgraded floor space must be for business use, with each scheme determined on its individual merits at the discretion of local officers, and then approved by local and regional project boards. In particular offices, independent leisure, retail, food and drink uses will be considered. Mixed-use schemes will also be considered, but private student lets, will not be considered.</p> <p>Offices or commercial premises above retail units will also be considered for support.</p> <p><b>WORKS</b></p> <p><b>External</b></p> <p>External works to the building can include work deemed necessary for the structural integrity of the property. Items might include:</p> <ul style="list-style-type: none"><li>• Shopfronts;</li><li>• Signage;</li><li>• Windows &amp; doors;</li><li>• External lighting;</li><li>• Roofs and chimneys;</li><li>• Rainwater goods (guttering and down pipes);</li><li>• Rendering, stone cleaning and repairs, re-pointing; and</li><li>• Structural works.</li></ul>	<p>who have secured their landlord's written consent to the proposed works.</p>	
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	<p><b>Internal</b> Internal works to the building can include all work, visible or structural, necessary to complete the project to Building Regulations. This might include:</p> <ul style="list-style-type: none"> <li>• Windows &amp; doors;</li> <li>• Improved accessibility;</li> <li>• Walls, ceilings, lighting;</li> <li>• Energy Efficiency measures when included as part of the overall scheme;</li> <li>• Utilities and services, including heating;</li> <li>• Welfare facilities (e.g. essential washroom and cleansing facilities only); and</li> <li>• Structural work</li> </ul> <p><b>New Build</b> New build commercial floor-space could be eligible, where a local need for this has been identified.</p>		
<p><b>Green Infrastructure</b></p>	<p>The provision of Green Infrastructure and Biodiversity projects in town centres. Specifically but not exclusively:-</p> <ul style="list-style-type: none"> <li>• Green Walls</li> <li>• Green Roofs</li> <li>• Rain Gardens</li> <li>• Greening.</li> <li>• Pocket Parks</li> </ul> <p>Other GI or general greening measures are eligible subject to approval of Welsh Government. Any intervention needs to be strategic and underpinned by a Town Centre Green Infrastructure Audit.</p>	<ul style="list-style-type: none"> <li>• Local Authorities</li> <li>• Business Improvement Districts BIDs</li> <li>• Town and Community Councils</li> <li>• Occupiers or property owners of commercial properties within the designated area who either: <ul style="list-style-type: none"> <li>○ Own the freehold, or</li> <li>○ Hold a lease with a seven year minimum period remaining at the planned grant payment date and who have secured their</li> </ul> </li> </ul>	<p>Up to £250,000 per project</p>

	This support will not contribute to ongoing maintenance costs in future financial years.	landlord's written consent to the proposed works.	
<b>Public Realm</b>	<p>The provision of small scale public realm enhancements where they are aligned with a natural clustering of regeneration activity in town centres. Where there is demonstrable social and economic impact. Specifically:-</p> <ul style="list-style-type: none"> <li>• The removal or dropping of curbs for access and egress.</li> <li>• The widening of pavement areas so as to provide outdoor seating and amenity areas.</li> <li>• Permanent planters and screening provision.</li> </ul> <p>Other measures may be eligible for support subject to approval of Welsh Government.</p>	<ul style="list-style-type: none"> <li>• Local Authorities.</li> <li>• Business Improvement Districts BIDs</li> <li>• Town and Community Councils</li> </ul>	Up to £250,000 per scheme.
<b>Strategic Acquisition</b>	<p>Small Scale acquisitions within town centres. This support should not be used to acquire properties that are subject to, or could benefit from planning enforcement measures. Specifically, this support could be utilised to:-</p> <ul style="list-style-type: none"> <li>• Acquire properties in order to complete land assembly for larger strategic proposals.</li> <li>• Acquire properties for demolition in order to deliver improved connectivity and permeability in town centres.</li> <li>• The acquisition of properties in order to provide greenspace, play facilities or enhanced public realm.</li> <li>• Demolition costs are eligible.</li> </ul>	<ul style="list-style-type: none"> <li>• Local Authorities</li> <li>• Business Improvement Districts BIDs</li> <li>• Town and Community Councils</li> <li>• Social Businesses and B – Corps</li> </ul>	Up to £250,000 per acquisition.

<b>Town Centre Markets</b>	<p>The delivery of the ‘Every Town a Market Town’ philosophy. The development and enabling of local markets for the provision of produce, craft, food and value added products. This capital only funding will deliver:-</p> <ul style="list-style-type: none"> <li>• The provision of permanent electricity supplies to enable market trading.</li> <li>• The acquisition of trading stalls, stands and platforms.</li> </ul> <p>Works must conform and be aligned with the Welsh Government best practice guide for the establishment of local markets. This work should be aligned with any post Covid – 19 Town Centre works and planning.</p>	<ul style="list-style-type: none"> <li>• Local Authorities</li> <li>• Business Improvement Districts (BIDs)</li> <li>• Town and Community Councils</li> <li>• Social Businesses and B – Corps</li> </ul>	Up to £250,000 per location.
<b>Town Centre Meanwhile Uses</b>	<p>The establishment of temporary meanwhile or pop – up uses in currently vacant premises in town centres. The support should be wholly aligned with the Welsh Government Meanwhile Uses Best Practice Guide.</p>	<ul style="list-style-type: none"> <li>• Local Authorities</li> <li>• Business Improvement Districts BIDs</li> <li>• Town and Community Councils</li> <li>• Social Businesses and B – Corps</li> </ul>	Up to £250,000 per location.
<b>Town Centre External Trading support.</b>	<p>The provision of outdoor seating, planters, coverings, servery areas and building canopies. This support is in line with the Covid – 19 response grant 2020/21.</p>	<ul style="list-style-type: none"> <li>• Local Authorities</li> <li>• Business Improvement Districts</li> <li>• Town Centre Businesses</li> <li>• BIDs</li> <li>• Town and Community Councils</li> </ul>	
<b>Shop Frontage Enveloping Schemes</b>	<p>External shop frontage enhancements whereby no internal modification or redevelopment is undertaken. Adjacent or closely situated properties need to be targeted in a given town so as to achieve a critical mass and greater impact. It is suggested that a minimum of 6 properties should sign up to this support.</p>	<ul style="list-style-type: none"> <li>• Occupiers or property owners of commercial properties within the designated area who either: <ul style="list-style-type: none"> <li>○ Own the freehold, or</li> <li>○ Hold a lease with a seven year minimum period remaining at the planned grant payment</li> </ul> </li> </ul>	Up to £250,000 per location.

		date and who have secured their landlord's written consent to the proposed works. For projects that request less than £50k in grant a legal charge is not required so a lease with five years remaining at the final grant payment date is acceptable.	
<b>Digital Towns</b>	The furthering of the 'digital towns' agenda through the provision of capital items to support Wi-Fi analytics and Lora Wan networks.	<ul style="list-style-type: none"> <li>• Local Authorities</li> <li>• Business Improvement Districts BIDs</li> <li>• Town and Community Councils.</li> </ul>	Up to £250,000 per town centre.
<b>Active Travel</b>	Provisions supporting or facilitating active travel routes in town centres where this cannot be funded through other means. Specifically the provision of bicycle storage, lockers and retrofit of show and hygiene facilities in commercial premises	<ul style="list-style-type: none"> <li>• Local Authorities</li> <li>• Business Improvement Districts BIDs</li> <li>• Town and Community Councils</li> <li>• Social Businesses and B – Corps</li> <li>• Private sector partners</li> </ul>	Up to £250,000 per application.



# Integrated Impact Assessment Screening Form – Appendix C

Please ensure that you refer to the Screening Form Guidance while completing this form.

## Which service area and directorate are you from?

Service Area: City Regeneration & Planning

Directorate: Place

### Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

### (b) Please name and fully describe initiative here:

#### Welsh Government Transforming Towns – Placemaking Programme 2021/22

The Transforming Towns Place Making programme affords Local Authority partners in Wales the broadest and most flexible package of support aimed at revitalising town centres throughout Wales. It is the responsibility of regional partners to decide upon the most appropriate mix of interventions and how they are deployed effectively. This support is available in any town centre prioritised by Local Authority partners.

A framework of 11 possible categories of intervention is listed here:

- Residential Units in Town Centres
- Commercial Property Improvement Grants
- Green Infrastructure
- Public Realm
- Strategic Acquisition
- Town Centre Markets
- Town Centre Meanwhile Uses
- Town Centre External Trading support.
- Shop Frontage Enveloping Schemes
- Digital Towns
- Active Travel

# Integrated Impact Assessment Screening Form – Appendix C

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement**

Projects receive endorsement at a local and regional level allowing scrutiny from the Regeneration Swansea partnership and from regional directors. Regeneration Swansea is a forum consisting of public, private 3<sup>rd</sup> sector and RSL representatives.

Most of the interventions with year have received planning consent and here therefore been through the required statutory and public consultations.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative: Yes embedded as part of the strategy design by Welsh Government**

- Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?  
Yes  No
- Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- Does the initiative apply each of the five ways of working?  
Yes  No
- Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

# Integrated Impact Assessment Screening Form – Appendix C

**Q5** What is the potential risk of the initiative? (*Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...*)

High risk

Medium risk

Low risk

**Q6** Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

- Legal services will be required to process legal agreements for grant awards.
- Consultation with planning in some cases to discuss acceptability of project proposals.
- Finance – will be required to approve financial claims to the Welsh Government

**Q7** What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

Collectively the suite of broad interventions available within the placemaking programme are intended to contribute positively to the implementation of the regeneration agenda, increasing investment in the City and contributing to a more vibrant City with an enhanced environment for the public.

## Outcome of Screening

**Q8** Please describe the outcome of your screening below:

- Summary of impacts identified and mitigation needed (Q2)
- Summary of involvement (Q3)
- WFG considerations (Q4)
- Any risks identified (Q5)
- Cumulative impact (Q7)

Most of the placemaking interventions for 2021/22 are awards of grant to private property owners where the grant is focussed on supporting the provision of additional residential units or enhanced commercial floorspace and facades.

The only council scheme identified in year is for the enhancements to Swansea Market. These enhancements were covered in a full IIA carried out by the City Centre management team.

Following consideration of the responses to Q2-Q7 I am of the opinion that a full IIA report is not required for the Placemaking Programme.

## Integrated Impact Assessment Screening Form – Appendix C

Due regard and consideration for IIA screening will be afforded to any new council lead proposal within this programme.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name: Richard Horlock</b>
<b>Job title: Principal External Funding Officer</b>
<b>Date: 21/01/2022</b>
<b>Approval by Head of Service:</b>
<b>Name: Phil Holmes</b>
<b>Position: Head of Planning and City Regeneration</b>
<b>Date: 27/01/2022</b>

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 20.



## Report of the Chief Finance Officer (Section 151 Officer)

Cabinet - 17 February 2022

### **Business Rates – Temporary Rate Relief Scheme (Wales) 2022/2023**

<b>Purpose:</b>	To provide information and to consider the adoption of a temporary Retail, Leisure and Hospitality Rates Relief Scheme relating to Business Rates, which has been introduced by Welsh Government for the financial year 2022/23.
<b>Policy Framework:</b>	None
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that Cabinet:  (1) Notes the details of the scheme set out in this report  (2) Adopts the rate relief scheme outlined in this report for 2022/23.
<b>Report Author:</b>	Julian Morgans
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

- 1.1 In April 2017, the Welsh Government introduced a temporary High Street Rate Relief Scheme (HSRRS) to reduce Business Rates (BR) in certain circumstances. This scheme was amended and extended in 2018/19, 2019/20 and for 2020/21. However, due to the impact of the Covid 19 pandemic, in 2020/21 and 2021/22 Welsh Government determined to supplement that scheme with a more generous Retail, Leisure and Hospitality Rates Relief Scheme (RLHRRS) to further support businesses impacted by the pandemic. The RLHRRS has now been extended for 2022/23 although with a reduction in the level of support available and a

cap on the cash value of that support.

- 1.2 Rate relief under the scheme is available for the financial year 2022/23. Welsh Government will reimburse each Local Authority in Wales for expenditure incurred, up to a defined limit, for the purpose of providing rates relief under this scheme in line with the guidance issued. This will be done via a grant under section 31 of the Local Government Act 2003 and Section 58A of the Government of Wales Act 2006. The funding is subject to local authorities formally accepting the grant offer.
- 1.3 As this is a temporary measure, it is a condition of the grant that the relief under this scheme is provided by way of discretionary rate relief under Section 47 of the Local Government Finance Act 1988. The qualifying criteria for the RLHRRS have been set by Welsh Government. The local discretionary rate relief policy currently used to grant relief to charities and other organisations does not require amendment.

## **2. The Retail, Leisure and Hospitality Rates Relief Scheme 2022/23**

- 2.1 This relief is aimed at businesses and other ratepayers in Wales in occupation of premises in the retail, leisure and hospitality sectors, for example shops, pubs and restaurants, gyms, performance venues and hotels.
- 2.2 Welsh Government has not specifically defined what it considers a 'retail, leisure or hospitality' premises and believes each Local Authority is best placed to judge which businesses should qualify in its area. However, it has provided examples and guidance as to the types of uses that it considers to be a retail, leisure or hospitality business (see Appendix 1 to this report) for this purpose. Properties that are not broadly similar in nature to those listed would not be eligible for the relief.
- 2.3 The guidance does not replace any existing non-domestic rates legislation or any other relief. RLHRR is to be applied to the net charge after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied.
- 2.4 The examples provided by Welsh Government are not intended to be an exhaustive list as it would be impossible to list all the many and varied retail, leisure and hospitality uses that exist. There will also be mixed uses of business premises. However, they are intended to be a guide for Local Authorities as to the types of uses that the Welsh Government considers eligible for this relief. Local Authorities are advised that they should determine for themselves whether particular properties not listed are broadly similar in nature to the examples provided and, if so, to consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those given as examples, should not be eligible for the relief.
- 2.5 Relief should be granted to each eligible business as a reduction to its rates bill based on occupation between 1 April 2022 and 31 March 2023. It is recognised that there may be some instances where a Local Authority is retrospectively notified of a change of occupier. In such cases, if it is clear

that the ratepayer was in occupation on or after the 1 April 2022, the Local Authority may use its discretion in awarding relief.

- 2.6 The scheme aims to provide support for businesses by offering a discount of 50% on the non-domestic rates bill due for eligible premises for the period 1 April 2022 to 31 March 2023. The scheme will apply to all eligible premises however the maximum value of the rate relief allowed under this scheme, across all properties in Wales that are occupied by the same business, cannot exceed £110,000.
- 2.7 Empty properties becoming occupied after 1 April 2022 will also qualify for this relief. Also, if there is a change in occupier part way through the financial year, after relief has already been provided to the previous occupant of the property, the new occupier will qualify for the relief if eligible. In both cases relief would be awarded to the new ratepayer on a pro-rata basis based on the remaining days of occupation to the end of the financial year.
- 2.8 Most occupied business premises with a rateable value of £6,000 or less are eligible for 100% Small Business Rate Relief (SBRR) but only on a maximum of two properties per business, in each Local Authority area. Ratepayers operating in the retail, hospitality or leisure sectors who have more than two premises with rateable values of £6,000 or less, are also eligible for RLHRR and will therefore receive a 50% reduction in their rate liability for the premises for which they cannot be granted SBRR. However, the amount of RLHRR awarded will be subject to the cap of £110,000 explained in paragraph 2.6 above.
- 2.9 The Authority has estimated that provisional funding of up to £10.6M will be required from Welsh Government to fund this relief and the necessary return has been submitted to advise of this. The Welsh Government will follow their usual process and make five instalment payments in arrears. One of the instalments will relate to administration funding. There will also be an end of year top up payment if necessary.
- 2.10 To qualify for the relief, the premises should be wholly or mainly used for the qualifying purposes. In a similar way to other reliefs, this is a test on use rather than occupation. Therefore, properties which are occupied, but not wholly or mainly used for the qualifying purpose will not qualify for the relief. For the avoidance of doubt, properties which closed temporarily due to the government's advice on Covid-19 should be treated as occupied for the purposes of this relief.
- 2.11 Any premises with a rateable value over £205,607 will not be eligible for the full amount of relief normally available as the relief awarded would be capped at £110,000. Where a ratepayer is liable to pay rates on a number of eligible properties and the total relief allowed for all but one property is close to the maximum amount of £110,000, an amount of relief of less than 50% will be allowed for the further eligible property.
- 2.12 Welsh Government has set out the types of uses that it does **not** consider to be retail, leisure or hospitality use for the purpose of this relief and which would **not** be deemed eligible for the relief. However, it will again be

for local authorities to determine if properties are similar in nature to those listed and if they would also not be eligible for relief under the scheme.

- (i) Properties used for the provision of financial, medical or professional services, post office sorting offices, children's play centres, day nurseries, kennels and catteries, casino and gambling clubs, show homes and marketing suites and employment agencies.
- (ii) Properties that are not reasonably accessible to visiting members of the public even if there is ancillary use of the property that might be considered to fall within the scheme.
- (iii) Properties that are owned, rented or managed by a Local Authority
- (iv) Unoccupied properties.

2.13 RLHRR should be applied against the net bill after all other reliefs have been applied.

### **3. Administration and Application of the Scheme**

3.1 In previous years, Welsh Government permitted local authorities to determine the application process for this relief. Swansea used a mix of automatic awards (where the Authority was satisfied the appropriate criteria had been complied with) or where necessary required potential beneficiaries of the relief to formally apply in writing.

3.2 For 2022/23, Welsh Government requires **all** potentially eligible ratepayers to formally apply for RLHRR. If an application is not made, relief cannot be awarded. As part of their application, ratepayers will be required to state which properties they seek to claim relief on. Where 50% of liability across a business's properties exceeds £110,000, businesses are required to specify which properties they would like the relief to apply to. Any attempt by a business to deliberately claim in excess of £110,000 relief will risk the withdrawal of relief granted under the scheme to that business by any local authority in Wales.

3.3 Welsh Government has confirmed that following the end of the transition period for the United Kingdom leaving the European Union on 31 December 2020, EU State Aid regulations only apply in limited circumstances. As this relief is not funded by EU residual funds, EU State Aid regulations no longer apply for this scheme. As of 1 January 2021, the UK Subsidy Regime came into force. Welsh Government has advised that it considers the scheme to be outside the scope of any international trade agreements as measures are focused locally within Wales.

### **4. Implementation of the Scheme**

4.1 Welsh Government has provided the following to authorities:

- Guidance for the RLHRRS 2022 -23
- A certificate of acceptance form to confirm the estimated number of properties that will benefit from the scheme and the estimated cost.

4.2 The most recent estimates suggest approximately 2,058 business properties will be eligible and could have relief applied to their accounts if the scheme is adopted. This will involve significant extra workload for the Business Rates Team which has been dealing with the award of Covid19



business support grants over the pandemic, particularly as all potentially eligible ratepayers are required to apply for the relief.

## **5. Financial Implications**

- 5.1 The Authority has estimated that provisional funding of up to £10.6M will be required from Welsh Government to fund this relief and the necessary certificate has been submitted to advise of this and the estimated number of eligible properties. Welsh Government will specify the amount of funding available for the scheme once the certificate of acceptance that has been submitted has been considered. Any award made in excess of the funding may have to be met by the Authority.
- 5.2 There is a small risk that the funding that has been requested from Welsh Government, based on the estimate, could be insufficient as the estimate was provided based on descriptions of properties contained in the Valuation List, which is maintained by the Valuation Office Agency and there may be instances where the description is not wholly accurate. It is not certain, but is likely, that any amount of relief applied in excess of the initial funding requested would be re-imbursed. This is because Welsh Government has recognised the funding request is only an estimate of the likely cost of the scheme and that due to timing constraints and the take-up of application form based schemes, these estimates are likely to change. Whilst there is thus some risk of an element of non-reimbursement to the authority if the actual eligibility experience differs from the estimate, it is felt on balance that it is worth that residual risk to enable local businesses to benefit from the scale of overall relief offered.

## **6. Legal Implications**

- 6.1 There are no further legal implications to those set out in the report.

## **7. Integrated Assessment Implications**

- 7.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 7.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development.

Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

- 7.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 7.4 There are no integrated assessment implications. The relief criteria have been determined by Welsh Government and the Authority must follow those when awarding relief. Adoption of the scheme and awarding rate relief will enable the Authority to provide financial support to over 2,000 eligible businesses in the Council's area.

**Background Papers:** None

**Appendices:**

Appendix 1 - Non-Domestic Rates Retail, Leisure and Hospitality Rates Relief in Wales – 2022/23 – Guidance

Appendix 2 - IIA Screening Form

<https://businesswales.gov.wales/non-domestic-rates-retail-leisure-and-hospitality-rates-relief-wales-2022-23>

# Non-Domestic Rates – Retail, Leisure and Hospitality Rates Relief in Wales – 2022-23

## Guidance

### About this guidance

This guidance is intended to support county and county borough councils (local authorities) in administering the Retail, Leisure and Hospitality Rates Relief scheme (the relief). On 20 December 2021, the Minister for Finance and Local Government announced the continuation of the relief on a temporary basis for 2022-23. This guidance applies to Wales only.

This guidance sets out the criteria which the Welsh Government will use to determine the funding for local authorities for relief provided to retail, leisure and hospitality properties. The guidance does not replace any existing non-domestic rates legislation or any other relief.

Enquiries about the scheme should be sent to: [localtaxationpolicy@gov.wales](mailto:localtaxationpolicy@gov.wales)

The relief is being offered from 1 April 2022 and will be available until 31 March 2023.

### Introduction

This relief is aimed at businesses and other ratepayers in Wales in the retail, leisure and hospitality sectors, for example shops, pubs and restaurants, gyms, performance venues and hotels.

The Welsh Government will provide grant funding to all 22 local authorities in Wales to provide the Retail, Leisure and Hospitality Rates Relief scheme to eligible businesses for 2022-23. The scheme aims to provide support for eligible occupied properties by offering a discount of 50% on non-domestic rates bills for such properties. The scheme will apply to all eligible businesses, however the relief will be subject to a cap in the amount each business can claim across Wales. The total amount of relief available is £110,000 across all properties occupied by the same business. All businesses are required to make a declaration that the amount of relief they are seeking across Wales does not exceed this cap, when applying to individual local authorities. An example declaration form is at [Annex 1](#) for local authorities to utilise when developing their own forms to publish and issue to businesses.

This document provides guidance on the operation and delivery of the scheme.

# Retail, Leisure and Hospitality Rates Relief

## How will the relief be provided?

As this is a temporary measure, we are providing the relief by reimbursing local authorities that use their discretionary relief powers under section 47 of the Local Government Finance Act 1988. It will be for individual local authorities to adopt a scheme and decide in each individual case when to grant relief under section 47. The Welsh Government will reimburse local authorities for the relief that is provided in line with this guidance via a grant under section 31 of the Local Government Act 2003 and section 58A of the Government of Wales Act 2006.

## How will the scheme be administered?

It will be for local authorities to determine how they wish to administer the scheme to maximise take-up and minimise the administrative burden for ratepayers and for local authority staff.

Local authorities are responsible for providing businesses with clear and accessible information on the details and administration of the scheme. If, for any reason, an authority is unable to provide this relief to eligible businesses from 1 April 2022, consideration should be given to notifying eligible businesses that they qualify for the relief and that their bills will be recalculated.

## Which properties will benefit from relief?

Properties that will benefit from this relief will be occupied retail, leisure and hospitality properties – such as shops, pubs and restaurants, gyms, performance venues and hotels across Wales. More detailed eligibility criteria and exceptions to the relief are set out below.

Relief should be granted to each eligible business as a reduction to its rates bill based on occupation between 1 April 2022 and 31 March 2023. It is recognised that there may be some instances where a local authority is retrospectively notified of a change of occupier. In such cases, if it is clear that the business was in occupation on or after the 1 April 2022, the local authority may use its discretion in awarding relief.

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

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

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

- Shops (such as florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off-licences, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Pharmacies
- Post offices

- Furnishing shops or display rooms (such as carpet shops, double-glazing, garage doors)
- Car or caravan showrooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale or hire)

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

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

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

- Restaurants
- Drive-through or drive-in restaurants
- Takeaways
- Sandwich shops
- Cafés
- Coffee shops
- Pubs
- Bars or Wine Bars

We consider assembly and leisure to mean the following.

**Hereditaments that are being used for the provision of sport, leisure and facilities to visiting members of the public (including for the viewing of such activities) and for the assembly of visiting members of the public**

- Sports grounds and clubs
- Sport and leisure facilities
- Gyms
- Tourist attractions
- Museums and art galleries
- Stately homes and historic houses
- Theatres
- Live Music Venues
- Cinemas
- Nightclubs

**Hereditaments that are being used for the assembly of visiting members of the public**

- Public halls
- Clubhouses, clubs and institutions
- We consider hotels, guest and boarding premises, and self-catering accommodation to mean the following.

**Hereditaments where the non-domestic part is being used for the provision of living accommodation as a business**

- Hotels, Guest and Boarding Houses,
- Holiday homes,
- Caravan parks and sites

## **Other considerations**

To qualify for the relief, the hereditament should be wholly or mainly used for the qualifying purposes. In a similar way to other reliefs, this is a test on use rather than occupation. Therefore, hereditaments that are occupied, but not wholly or mainly used for the qualifying purpose, will not qualify for the relief. For the avoidance of doubt, hereditaments which closed temporarily due to the government's advice on Covid-19 should be treated as occupied for the purposes of this relief.

The above list is not intended to be exhaustive as it would be impossible to list all the many and varied retail, leisure and hospitality uses that exist. There will also be mixed uses. However, it is intended to be a guide for local authorities as to the types of uses that the Welsh Government considers for this purpose to be eligible for relief. Local authorities should determine for themselves whether particular properties not listed are broadly similar in nature to those above and, if so, to consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those listed above should

not be eligible for the relief.

The grant of the relief is discretionary. Should local authorities decide to exercise their discretion not to apply the relief to eligible businesses, they may wish to consider taking their own legal advice upon any potential consequential legal issues which might arise from such a decision and on a case by case basis.

Businesses may view that they have been able to continue trading at a substantial level during Coronavirus restrictions and as such may be inclined to not apply for the relief.

## **Types of hereditaments that are not considered to be eligible for Retail, Leisure and Hospitality Rates Relief**

The following list sets out the types of uses that the Welsh Government does not consider to be retail, leisure or hospitality use for the purpose of this relief and which would not be deemed eligible for the relief. However, it will be for local authorities to determine if hereditaments are similar in nature to those listed and if they would not be eligible for relief under the scheme.

### **Hereditaments that are being used wholly or mainly for the provision of the following services to visiting members of the public**

- Financial services (eg banks, building societies, cash points, ATMs, bureaux de change, payday lenders, betting shops, pawnbrokers)
- Medical services (eg vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (eg solicitors, accountants, insurance agents, financial advisers, tutors)
- Post Office sorting offices
- Day nurseries
- Kennels and catteries
- Casinos and gambling clubs
- Show homes and marketing suites
- Employment agencies

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

If a hereditament is not usually reasonably accessible to visiting members of the public, it will be ineligible for relief under the scheme, even if there is ancillary use of the hereditament that might be considered to fall within the descriptions listed under *Which properties will benefit from relief?*

### **Hereditaments that are not occupied**

Properties that are not occupied on 1 April 2022 should be excluded from this relief. However, under the mandatory Empty Property Rates Relief scheme, empty properties will receive a 100% reduction in rates for the first three months (and in certain cases, six months) of being empty.

## **Hereditaments that are owned, rented or managed by a local authority**

Hereditaments owned, rented or managed by a local authority, such as visitor centres, tourist information shops and council-run coffee shops or gift shops attached to historic buildings, are exempt from this scheme.

## **How much relief will be available?**

The total amount of government funded relief available for each property under this scheme for 2022-23 is 50% of the relevant bill. This is subject to a cap of £110,000 per business across all their properties in Wales. The relief should be applied to the net bill remaining after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied (excluding those where local authorities have used their wider discretionary relief powers introduced by the Localism Act 2011, which are not funded by section 31 grants).

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

Amount of relief to be granted =  $V/2$ , where

V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs (excluding those where local authorities have used their discretionary relief powers introduced by the Localism Act 2011, which are not funded by section 31 grants).

This should be calculated ignoring any prior-year adjustments in liabilities which fall to be liable on the day.

Businesses who occupy more than one property will be entitled to Retail, Leisure and Hospitality Rates Relief for each of their eligible properties, within the cap of £110,000 per business across Wales.

A business with a single property with a remaining liability (after reliefs) greater than £220,000 can use the entire allocation of relief. No other properties owned by that business will be eligible for the scheme.

Retail, leisure and hospitality properties which are excluded from Small Business Rates Relief due to the multiple occupation rule are eligible for this relief scheme, subject to the cap being applied.

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

Empty properties becoming occupied after 1 April 2022 will qualify for this relief from the time of occupation.

If there is a change in occupier part way through the financial year, after relief has already been provided to the hereditament, the new occupier will qualify for the relief if they operate in the retail, leisure or hospitality sectors, on a pro-rata basis. This will be calculated based on the remaining days of occupation using the formula used in the section titled *How much relief will be available?*



The discount should be applied on a day-to-day basis using the formula set out above. A new hereditament created as a result of a split or merger during the financial year, or where there is a change of use, should be considered afresh for the discount on that day.

## **State Aid / Subsidy Control Regime**

Following the end of the transition period for the United Kingdom leaving the European Union on 31 December 2020, EU State Aid regulations only apply in limited circumstances. As the relief is not funded by EU residual funds, EU State Aid regulations no longer apply for this scheme. As of 1 January 2021, the UK Subsidy Regime came into force. The scheme is considered by the Welsh Government to be outside the scope of any international trade agreements as measures are focused locally within Wales.

## **Example Declaration Form**

An example declaration form is at [Annex 1](#) for local authorities to utilise when developing their own forms to publish and issue to businesses.

## Retail, Leisure and Hospitality Rates Relief Scheme 2022-23

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### RETAIL, LEISURE AND HOSPITALITY RATES RELIEF - PURPOSE OF THE RELIEF

The Retail, Leisure and Hospitality Rates Relief Scheme is available to qualifying businesses who operate in the retail, leisure, and hospitality sectors. Eligible business will receive a 50% reduction to their non-domestic rates net liability in 2022-23. The maximum cash value of the rates relief allowed, across all properties in Wales occupied by the same business, should not exceed £110,000.

Businesses are required to declare that they meet the eligibility criteria set out in this guidance document and state which properties they seek to claim relief on. Where 50% of liability across a business's properties exceeds £110,000, businesses are required to specify which properties they would like the relief to apply to. Businesses may choose which properties they seek relief for. Where the total relief allowed for other properties is close to the maximum amount of £110,000, an amount of relief of less than 50% may be allowed for a further eligible property.

Page 3 of 3  
An application form must be submitted to each local authority from which a business is seeking to claim relief for a property in that authority's area. Each form must include details of all properties for which relief is being sought throughout Wales. If an application is not made, then relief cannot be awarded.

Any attempt by a business to deliberately claim in excess of £110,000 relief will risk the withdrawal of relief granted under the scheme to that business by any local authority in Wales.. Information on relief claimed under the scheme will be shared with other local authorities and the Welsh Government, enabling any aggregate claims in excess of £110,000 to be identified and if necessary, acted upon.

The Welsh Government and [name of local authority] will not tolerate any business falsifying their records or providing false evidence to gain this discount, including claiming support above the £110,000 cap or the exemption threshold. A business who falsely applies for any relief, or provides false information or makes false representation in order to gain relief may be guilty of fraud under the Fraud Act 2006 and subject to legal action, in addition to having all Retail, Leisure and Hospitality Rates Relief removed from all of their properties for the 2022-23 scheme.

[Local authorities to insert privacy statement into their forms as data controllers – allowing data to be shared with the Welsh Government and other local authorities]

**All applicants will need to provide the following information**

**Are you making an application for Retail, Leisure and Hospitality Rates Relief in more than one local authority area?**

**If yes, please complete Parts 1 and 2**

**If no, please complete Part 1 only**

**Part 1: Applicable to all applicants in relation to properties for which Retail, Leisure and Hospitality Rates Relief is being claimed from [name of local authority]**

Business Name and Address: .....

Company Registration Number (if applicable): .....

Applicant's name: .....

Applicant's role in the business (eg owner / director / company secretary / accountant): .....

Applicant's email: .....

Applicant's telephone number: .....

**If you are applying for relief in relation to more than one business premises, please list them in order of preference to which the relief should be applied, noting that the maximum relief that can be allowed to a business in Wales is £110,000. Relief will be granted in the order in which you list the premises.**

The required details can be found on the Non-Domestic Rates bill issued to you in relation to each property you wish to claim relief for.

Address of Property	NDR (Business Rates) Account Number	Rateable Value*
[Property address]		£ [LAs may be able to auto-populate]

<p><b>Total amount of Retail, Leisure and Hospitality Rates Relief sought in [name of local authority] (not to exceed £110,000 across Wales)</b></p> <p>You may leave this field blank if Part 2 of this application is not relevant to your business, or if the maximum relief entitlement for your business across Wales will be lower than £110,000. If you are required to claim a specific amount of relief from [name of local authority], to avoid your business exceeding the £110,000 cap across Wales, you must enter it here.</p>	<p><b>£ [LAs may be able to auto-calculate a maximum, but the applicant must be able to request a lower amount, to avoid exceeding £110,000 across Wales]</b></p>
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\* To find out your rateable value, you can enter details at the Valuation Office Agency's [online checker](#).

**Part 2: Applicable only to businesses applying for relief from multiple local authorities in Wales. In such cases, a separate application should be made to each local authority.**

Properties in other local authorities in Wales, for which Retail, Leisure and Hospitality Rates Relief is being claimed for this business.

Address	Local authority
[Property address]	[Pick list could be used]

**Declaration:**

I understand that the total value of the relief claimed under the Retail, Leisure and Hospitality Rates Relief Scheme sought by [INSERT BUSINESS NAME] across the whole of Wales cannot exceed £110,000 and that deliberate attempts to claim relief over £110,000 risks all relief granted under the scheme being withdrawn. I accept responsibility for notifying my local authority of any change in circumstances, following my application for relief, which could result in the relief awarded to my business being incorrect or exceeding £110,000 across Wales (e.g. a change rateable value).

I understand that, should relief in excess of £110,000 be granted for any reason, a proportion of it will be reclaimed, in respect of one or more properties, to reduce the value of the relief awarded to £110,000 or below as appropriate. I also understand that, if relief in excess of £110,000 is granted as a result of a deliberate attempt to claim more than the maximum amount allowed, all the Retail, Leisure and Hospitality Rates Relief allowed for [INSERT BUSINESS NAME] across Wales may be removed, and the full amount of rates liability will become payable.

I acknowledge that my local authority, any other local authority in Wales and/or the Welsh Government will undertake any appropriate checks considered necessary to assess this application for rates relief, including cross checks of any information already held by the authority, any other local authority in Wales or Welsh Government. I understand the data I have provided will be shared with Welsh Government and if necessary any other local authority in Wales, for this purpose and to prevent fraud and error.

I declare that the information provided in this application is true and accurate to the best of my information, knowledge and belief, and I understand that making a false response to any of the questions in this application could be an act of fraud.

Signed [xxx]

Name [xxx]

Date [xx/xx/xxxx]

Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area: Revenues and Benefits

Directorate: Resources

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

The report provides information and requires a decision in respect of the adoption of a temporary Retail, Leisure and Hospitality Rates Relief Scheme relating to Business Rates, which has been introduced by Welsh Government for the financial year 2022/23. If adopted the scheme will support an estimated 2,000 Swansea businesses to a value of approximately £10.5m

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement**

None – the qualifying criteria for the RLHRRS has been set by Welsh Government. Relief will be awarded to all eligible ratepayers as per the criteria set out in the guidance provided.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
 Yes X                      No
  
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
 Yes X                      No
  
- c) Does the initiative apply each of the five ways of working?  
 Yes X                      No
  
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
 Yes X                      No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk <input type="checkbox"/>	Medium risk <input type="checkbox"/>	Low risk X
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**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes                      X No                      **If yes, please provide details below**

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**  
*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

The report explains the eligibility criteria and adoption of a Non-Domestic Rates relief scheme and in itself has no specific positive or negative implications for any of the groups identified above. It would be better described as ‘neutral’ as there is no particular impact on any of the protected characteristics.

**Outcome of Screening**

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

There are no integrated assessment implications. The relief criteria have been determined by Welsh Government and the Authority must follow those when awarding relief. Adoption the scheme and awarding rate relief will enable the Authority to provide financial support (we estimate) to over 2,000 eligible businesses in the Council’s area.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

**X - Do not complete IIA – please ensure you have provided the relevant information above to support this outcome**

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name:</b> Julian Morgans
<b>Job title:</b> Head of Revenues and Benefits
<b>Date:</b> 06/2/22
<b>Approval by Head of Service:</b>
<b>Name:</b> Ben Smith
<b>Position:</b> Director of Finance/Section 151 Officer
<b>Date:</b> 06/02/22

**Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)**