

COUNCIL SUMMONS

You are hereby summoned to attend an Extraordinary Meeting of the COUNCIL OF THE CITY AND COUNTY OF SWANSEA to be held in the Council Chamber, Guildhall, Swansea on Thursday, 10 March 2016 at 5.00 pm.

The following business is proposed to be transacted:

1. **Apologies for Absence.**
2. **Disclosures of Personal and Prejudicial Interests.**
3. **Public Questions.**
Questions must relate to matters on the open part of the Agenda of the meeting and will be dealt within a 10 minute period.
4. **Public Presentation - Down to Earth Project.**
5. **Pay Policy 2016/2017.** 1 - 21
6. **Statutory Resolution - Resolutions to be made in accordance with the Regulations in the Setting of Council Tax 2016/2017.** 22 - 30
7. **Council Tax Premiums in Wales.** 31 - 45
8. **Admission Arrangements 2017/2018.** 46 - 90
9. **Planning Policy Context for the Appraisal of Planning Applications for Onshore Unconventional Oil and Gas Exploration and Development.** 91 - 104
10. **Membership of Committees.** 105 - 106
11. **Exclusion of the Public.** 107 - 110
12. **Judicial Review – Jewish Human Rights Watch.**



Patrick Arran
Head of Legal and Democratic Services
Civic Centre,
Swansea

To All Members of Council

Tuesday, 1 March 2016

Report of the Chief Executive

Extraordinary Council – 10 March 2015

PAY POLICY 2016/2017

Purpose:	To seek Council approval of the Pay Policy for 2016/17
Policy Framework:	None
Reason for Decision:	To comply with the Localism Act 2011.
Consultation:	Human Resources, Legal, Finance and Access to Services.
Recommendation:	That Council approve the Policy for adoption.
Report Author:	Steve Rees
Finance Officer:	Mike Hawes
Legal Officer:	Patrick Arran
Access to Services Officer:	Sherrill Hopkins

1. INTRODUCTION

- 1.1 The Localism Act 2011 required the Authority to prepare a Pay Policy Statement which articulates its Policy towards a range of issues relating to the pay of its workforce, particularly senior staff and the lowest paid employees.
- 1.2 This Authority's Pay Policy was approved at Council on March 2012 and subsequently reviewed each year.
- 1.3 The statement must be;
 - a) Prepared each year
 - b) Approved by full Council each year by 31st March.
 - c) Published on relevant Authorities' websites

3. PAY POLICY STATEMENT 2016/2017

- 3.1 A copy of the revised Pay Policy Statement is attached at Appendix A.

3.2 The main changes are as follows:-

- a) Reference to new National Living Wage from 1st April 2016 (see Paragraph 4.6)
- b) Review of the Pay Relativities within the Authority (see Paragraph 8)
- c) Reference to the Independent Remuneration Panel (see Paragraph 9)

4. FINANCIAL IMPLICATIONS

4.1 The costs arising from the Council's Pay Policy Statement are reflected in the 2016/2017 Budget.

5. LEGAL IMPLICATIONS

5.1 All of the Legal implications have been set out in the Policy.

6. EQUALITIES AND ENGAGEMENT IMPLICATIONS

6.1 Equalities and engagement considerations have been made in accordance with the Authority's Equality Impact Assessment process. .

Appendix: Draft Pay Policy Statement 2016/2017

Background Papers: None



PAY POLICY 2016-2017

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1. INTRODUCTION AND PURPOSE

- 1.1 Under Section 112 of the Local Government Act 1972 the Council has ‘the power to appoint officers on such reasonable terms and conditions as the Authority thinks fit’. This Pay Policy statement sets out the Council’s approach to Pay Policy in accordance with the requirements of 38 (1) of the Localism Act 2011 which requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement for each financial year, detailing:
- a) The Authority’s Policies towards all aspects and elements of the remuneration of Chief Officers
 - b) Their approach to the publication of and access to information relating to all aspects of the remuneration of Chief Officers
 - c) The Authority’s Policies towards the remuneration of its lowest paid employees (including the definition adopted and reasons for it)
 - d) The relationship between the remuneration of its Chief Officers and other employees.
- 1.2 Local Authorities are large complex organisations with multi-million pound budgets. They have a very wide range of functions and provide and/or commission a wide range of essential services. The general approach to remuneration levels may therefore differ from one group of employees to another to reflect specific circumstances at a local, Welsh or UK national level. It will also need to be flexible when required to address a variety of changing circumstances whether foreseeable or not.
- 1.3 The global economic crisis and the reduction in budgets during the current Comprehensive Spending Review (CSR) period has necessitated councils going through unprecedented and painful cuts in jobs and services in response. This process has avoided some of the potential financial difficulties for councils but has been essentially reactive, and will require ongoing strategic review going forward.
- 1.4 As required by legislation, full Council approved the Pay Policy in 2012 and this policy statement came into immediate effect. The Policy is subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time and this was last undertaken in March 2014.

2. LEGISLATIVE FRAMEWORK

- 2.1 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the
- a) Equality Act 2010
 - b) Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000
 - c) Agency Workers Regulations 2010 and where relevant, the
 - d) Transfer of Undertakings (Protection of Earnings) Regulations

3. SCOPE OF THE PAY POLICY

- 3.1 The Localism Act 2011 required Authorities to develop and make public their Pay Policy on all aspects of Chief Officer Remuneration (including on ceasing to hold office), and that pertaining to the 'lowest paid' in the Authority, explaining their Policy on the relationship between remuneration for Chief Officers and other groups. However, in the interests of transparency and accountability the Council has chosen to take a broader approach and produce a Policy covering all employee groups with the exception of School Teachers (as the remuneration for this latter group is set by the Secretary of State and therefore not in Local Authority control).
- 3.2 Nothing within the provisions of the Localism Act 2011 detract from the Council's autonomy in making decisions on pay that are appropriate to local circumstances and which deliver value for money for local tax payers. However, this Policy will be complied with in setting remuneration levels for all groups within its scope.

4. BROAD PRINCIPLES OF OUR PAY STRATEGY

4.1 Transparency, accountability and value for money

- 4.1.1 The Council is committed to an open and transparent approach to pay policy which will enable the tax payer to access, understand and assess information on remuneration levels across all groups of council employees. To this end the following are provided as Appendices to this policy:-
- i) City & County of Swansea Employee Pay Scales, Local Government Services Employees (Annex A)
 - ii) City & County of Swansea Chief Officer Pay Scales (Annex B)
 - iii) National Pay Grades - Soulbury (Annex C)
 - iv) JNC Chief Officer Terms and Conditions (available upon request from Human Resources)
 - v) JNC Chief Officer Employment Rules (as per Council Constitution) (<http://www.swansea.gov.uk/index.cfm?articleid=1758?Lang=eng>)
 - iii) Policy on Redundancy and Severance Payments (including additional pension payments) <http://staffnet/index.cfm?articleid=36477>

4.2 Development of Pay and Reward Strategy

- 4.2.1 The primary aim of a reward strategy is to attract, retain and motivate suitably skilled staff so that the Authority can perform at its best. The biggest challenge for the Council in the current circumstances is to maximise productivity and efficiency within current resources. Pay Policy then is a matter of striking a sometimes difficult balance between setting remuneration levels at appropriate levels to facilitate a sufficient supply of appropriately skilled individuals to fill the Authority's very wide range of posts, and ensuring that the burden on the taxpayer does not become greater than can be fully and objectively justified.
- 4.2.2 In this context it does need to be recognised that at the more senior grades in particular remuneration levels need to enable the attraction of a suitably wide pool of talent (which will ideally include people from the private as well as public sector and from outside as well as within Wales), and the retention of suitably skilled and qualified individuals once in post. It must be recognised that the Council will often be seeking to recruit in competition with other good public and private sector employers.
- 4.2.3 In addition, the Council is the major employer in the area. As such we must have regard to our role in improving the economic well-being of the people of the City & County. The availability of good quality employment on reasonable terms and conditions and fair rates of pay has a beneficial impact on the quality of life in the community as well as on the local economy. The Council also has a role in setting a benchmark example on pay and conditions to other employers in the area for the same reasons.
- 4.2.4 In designing, developing and reviewing its Pay and Reward Strategy, the Council will seek to balance these factors appropriately to maximise outcomes for the organisation and the community it serves, while managing pay costs appropriately and maintaining sufficient flexibility to meet future needs. This Pay Policy will be reviewed on an annual basis in line with our strategy for pay and approved annually by the Full Council.

4.3 NJC Pay Structure

- 4.3.1 The Council uses the nationally negotiated pay spine as the basis for its grading structure. This determines the salaries of the larger majority of the non-teaching workforce, together with the use of other nationally defined rates where relevant.
- 4.4.2 The current pay rates for the period 1st January 2015 and until 31st March 2016 are attached at **Annex A**. The National Pay Award for 2016/17 is yet to be agreed.
- 4.3.3 Since the introduction of the Living Wage, see Paragraph 4.5, spinal column points 6 to 10 are only utilised to calculate pay for hours worked over 37 per week.

- 4.3.4 All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council Policy.
- 4.3.5 New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate.
- 4.3.6 All future pay nationally negotiated pay increases for NJC staff will follow the same process as for Chief Officers; see Paragraph 5.5.1 below. The Authority will therefore pay future pay rises as and when determined in accordance with contractual requirements.

4.4 National Pay Grades - Soulbury Committee

- 4.4.1 The Soulbury Committee has its own pay scales and includes the following groups of staff:-
- Educational Inspectors and Advisers
 - Educational Psychologists
 - Youth and Community Service Officers
- 4.4.3 In addition to the annual pay increase, the Soulbury Committee determines the national salary framework. On other conditions of service issues, the Soulbury agreement ensures that Soulbury officers have conditions which are not less favourable than other local government staff employed in the authority they work in.
- 4.4.4 All future pay nationally negotiated pay increases for Soulbury staff will follow the same process as for Chief Officers; see Paragraph 5.5.1 below. The Authority will therefore pay future pay rises as and when determined in accordance with contractual requirements.
- 4.4.5 The current pay rates for this group of staff for the period 1st March 2015 and until 31st August 2016 are attached at **Annex C**. The National Pay Award for 2016/17 is yet to be agreed.

4.5 Job Evaluation

- 4.5.1 Job evaluation is a systematic way of determining the value/worth of a job in relation to other jobs within an organisation. It aims to make a systematic comparison between jobs to assess their relative worth for the purpose of establishing a rational pay structure and pay equity between jobs.
- 4.5.2 The Council implemented Single Status for all staff in terms of Pay & Grading and Terms & Conditions on 1st April 2014. The concept of equality was central to this work and our Equality Impact Assessment (EIA) process has been utilised throughout. It has already informed the Council's negotiating position in relation to a number of Terms and Conditions. The Council engaged Northgate to assist us to carry out an EIA in respect of our new pay model.

4.6 Living Wage/National Living Wage

- 4.6.1 The Council implemented the Living Wage for employees in April 2013.
- 4.6.2 Whilst the Council is not an 'Accredited Living Wage Employer' a commitment was made to review this on an annual basis. As a result, the 2.2% Pay Award in January 2015 was applied to Swansea's Living Wage taking the annual salary to £14,689, i.e. £7.61 per hour.
- 4.6.3 It should be noted that Living Wage enhancements only apply to normal working hours (up to 37 hours) and are not applied to premium payments, such as overtime, weekend working. An example would be where an employee is on Grade 1 (Living Wage), they would receive £7.61 for all basic hours up to 37 hours per week. However, if they work overtime, they will be paid at the appropriate enhanced rate on spinal column point 6. An employee on Grade 2 would be paid at the appropriate enhanced rate on spinal column point 10.
- 4.6.4 From April 2016, the new National Living Wage (NLW) is being introduced and will only apply to those who are aged 25 and over. The NLW will be £7.20 per hour and therefore, this Authority's minimum hourly rate of £7.61 per hour is above this rate. In addition, the national pay award for 2016/17, when agreed, will be applied to this hourly rate.

4.7 Market Supplements

- 4.7.1 Job evaluation has enabled the Council to set appropriate remuneration levels based on internal job size relativities within the council. However, from time to time it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity.
- 4.7.2 The Council has a Market Supplement Policy to ensure that the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector. It is the Council's policy that any such additional payments be kept to a minimum and be reviewed on a regular basis so that they can be withdrawn where no longer considered necessary.

4.8 Honoraria Payments

- 4.8.1 There may be occasions when an employee is asked to carry out additional duties to those of their substantive post for a period of time. In such circumstances an additional payment may be made in line with the Council's policy on Payment of Honoraria.

4.9 Pay and Performance

- 4.9.1 The Council expects high levels of performance from all employees and has an Annual Appraisal Scheme in place to monitor, evaluate and manage performance on an ongoing basis.

4.9.2 For Chief Officers, the annual increment (if not already at top of scale) is only awarded once the Annual Appraisal has been deemed as satisfactory.

5. CHIEF OFFICER REMUNERATION

5.1 Definitions of Chief Officer & Pay Levels

5.1.1 For the purposes of this statement, 'Chief Officers' are as defined within S43 of the Localism Act. The posts falling within the statutory definition of S43 of the Localism Act are set out below: (details of the salary of each are included at Appendix C).

- a) Chief Executive
- b) Corporate Directors
- c) Chief Officers
- d) Heads of Service

5.1.2 No bonus or performance related pay mechanism is applicable to Chief Officers' pay; although the annual increment (if not already at top of scale) is only awarded once the Annual Appraisal has been deemed as satisfactory. The Chief Executive is on a spot salary, with no incremental progression.

5.1.3 In respect of the nationally agreed JNC Pay Award for the Chief Executive's salary, half is afforded automatically with the other half subject to the performance rating at the Annual Performance Appraisal. It should be noted that there has been no JNC national Pay Award since 2008 and that the current Chief Executive has been appointed on a spot salary of £140,000 p.a. with no incremental progression.

5.2 Chief Officer Job Evaluation

5.2.1 Director and Head of Service level posts were job evaluated in 2009 using the GLEA Job Evaluation Scheme for Chief Officers in Local Government (1993).

5.3 Recruitment of Chief Officers

5.3.1 The Council's Policy and Procedures with regard to recruitment of Chief Officers is contained within the Officer Employment Procedure Rules as set out in Part 4 of the Constitution. The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.

5.3.2 There is a requirement under the Welsh Government Regulations that all vacant posts with a salary of over £100,000 are publicly advertised. The only exception to this new rule is where the appointment is for 12 months or less. It is also possible to divide up the duties from one deleted Chief Officer posts between other existing postholders.

5.3.3 Where the Council remains unable to recruit Chief Officers under a contract of service, or there is a need for interim support to provide cover for a vacant substantive Chief Officer post, the Council will, where necessary, consider and utilise engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the Council is able

to demonstrate the maximum value for money benefits from competition in securing the relevant service. The Council does not currently have any Chief Officers engaged under such arrangements.

5.4 Additions to Salary of Chief Officers

- 5.4.1. The Council does not apply any bonuses or performance related pay to its Chief Officers. However, the annual increment (if not already at top of scale) is only awarded once the annual appraisal has been deemed as satisfactory.
- 5.4.2 The Council does pay all reasonable travel and subsistence expenses on production of receipts and in accordance with JNC conditions and other local conditions.
- 5.4.3. The cost of membership of one professional body is met by the Authority if it is deemed an essential requirement of the post.
- 5.4.4. The Chief Executive's salary and Job Description include his role as Returning Officer for Local Government Elections. All other Elections and referenda are not included and are covered by the JNC Terms and Conditions of Employment.

5.5 Pay Increases - Chief Officers

- 5.5.1 The Council employs Chief Officers under JNC terms and conditions which are incorporated in their contracts. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award of same is determined on this basis. Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined in accordance with current contractual requirements.
- 5.5.2 The current Pay Scale for this group of staff is attached at **Annex D**.

5.6 Payments on Termination

- 5.6.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers (and all other employees), prior to reaching normal retirement age, is set out within its Early Retirement & Redundancy Policy in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. This is in respect of a redundancy payment being based on actual weekly earnings (Regulation 5) and when an enhanced redundancy payment of up to 45 weeks pay would be granted (Regulation 6). Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007 do not apply as the Authority does not increase the total membership of active members (Regulation 12) or award additional pension (Regulation 13).

- 5.6.2 Any other payments falling outside the provisions or the relevant periods of contractual notice shall be subject to a formal decision made by the Chief Executive and Leader of the Council or relevant Elected Members, Committee or Panel of Elected Members with delegated authority to approve such payments.
- 5.6.3 The Authority will comply with the Welsh Government's guidance that full Council should be given the opportunity to vote before large severance packages beyond a particular threshold are approved for staff leaving the organisation. The guidance states *that "as with salaries on appointment, the Welsh Ministers consider £100,000 is the right level for that threshold to be set. Members must be made aware of any statutory or contractual entitlements due to the employee and the consequences of a non-approval by Council, in which failure to fulfill the statutory or contractual obligations may enable the employee to claim damages for breach of contract"*.
- 5.6.4. When calculating the value of a severance package, the following payments should include the following items:-
- a) salary paid in lieu
 - b) lump sum redundancy/severance payment
 - c) cost to the Authority of the strain on the pension fund arising from providing early access to an unreduced pension

6. TEACHERS' PAY POLICY

- 6.1.1 The Teachers Pay Policy provides a framework for making decisions on Teachers' pay. It has been developed to comply with the requirements of the School Teachers' Pay and Conditions Document (STPCD) and has been the subject of consultation with ASCL, ATL, NAHT, NASUWT, NUT AND UCAC.
- 6.1.2 A Policy is provided to all schools each year within the Authority with a recommendation that the Governing Body adopt it.

7. PUBLICATION

- 7.1 Upon approval by the full Council, this statement will be published on the Council's Website. In addition, for posts where the full time equivalent salary is at least £60,000, as required under the Accounts and Audit (Wales) (Amendment) Regulations 2010, the Councils Annual Statement of Accounts will include a note setting out the total amount of:
- a) salary, fees or allowances paid to or receivable by the person in the current and previous year;
 - b) any bonuses so paid or receivable by the person in the current and previous year;
 - c) any sums payable by way of expenses allowance that are chargeable to UK income tax;
 - d) any compensation for loss of employment and any other payments connected with termination;
 - e) any benefits received that do not fall within the above

8. PAY RELATIVITIES WITHIN THE AUTHORITY

- 8.1 The lowest paid persons employed under a Contract of Employment with the Council are employed on full time [37 hours] equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure. As at 1st January 2015, this is £14,689 per annum, i.e. Swansea's Living Wage rate. The Council employs Apprentices [and other such Trainees] who are not included within the definition of 'lowest paid employees' as they are not employed under Contracts of Employment.
- 8.2 The relationship between the rate of pay for the lowest paid and Chief Officers is determined by the processes used for determining pay and grading structures as set out earlier in this Policy Statement.
- 8.3 The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton Report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the Authority's workforce.
- 8.4 The current pay levels within the Council define the multiple between the lowest paid (full time equivalent) employee and the Chief Executive as 1.10 and between the lowest paid employee and average Chief Officer as 1:5.
- 8.5 The multiple between the median (average) full time equivalent earnings and the Chief Executive is 1:5 and between the median (average) full time equivalent earnings and average Chief Officer is 1:3.
- 8.6 As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmark information as appropriate.

9 INDEPENDENT REMUNERATION PANEL

- 9.1 This is in respect of the salary of the Head of Paid Service/Chief Executive whereby Authorities will pay due regard to any recommendation received from the IRP when performing its functions under Section 38 or 30 of the Localism Act 2011.
- 9.2 To date, no referral has been made to the Independent Remuneration Panel.

10. ACCOUNTABILITY AND DECISION MAKING

- 10.1 In accordance with the Constitution of the Council, the Cabinet is responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council.

11. RE-EMPLOYMENT

- 11.1 No Chief Officer who was previously made redundant or granted early retirement from the Council will be later re-employed or re-engaged either as an employee (Contract of Service), as a Consultant (Contract for Service) or through an external contractor commissioned to work on behalf of the Council.
- 11.2 The Authority will inform Chief Officers on appointment who are in receipt of a pension under the LGPS from a previous employer that they must inform their Pension Fund Provider of their re-employment in Local Government. The appropriate abatement rules can then be applied.

12. REVIEWING THE POLICY

- 1.21 This Policy outlines the current position in respect of pay and reward within the Council and it will be reviewed over the next year to ensure that it meets the principles of fairness, equality, accountability and value for money for citizens of Swansea. The Policy will be reviewed annually and reported to Council.

NATIONAL JOINT COUNCIL PAY AWARD

PAY SCALES : 1ST JANUARY 2015

GRADE	SCP	SALARY	HOURLY RATE	GRADE	SCP	SALARY	HOURLY RATE
	6	£13,614	£7.06	8	32	£27,924	£14.47
	10	£14,338	£7.43	8	33	£28,746	£14.90
1	LW	£14,689	£7.61	8	34	£29,558	£15.32
2	11	£15,207	£7.88	8	35	£30,178	£15.64
3	12	£15,523	£8.05	9	36	£30,978	£16.06
3	13	£15,941	£8.26	9	37	£31,846	£16.51
4	13	£15,941	£8.26	9	38	£32,778	£16.99
4	14	£16,231	£8.41	9	39	£33,857	£17.55
4	15	£16,572	£8.59	9	40	£34,746	£18.01
4	16	£16,969	£8.80	10	41	£35,662	£18.48
5	17	£17,372	£9.00	10	42	£36,571	£18.96
5	18	£17,714	£9.18	10	43	£37,483	£19.43
5	19	£18,376	£9.52	10	44	£38,405	£19.91
5	20	£19,048	£9.87	10	45	£39,267	£20.35
6	21	£19,742	£10.23	11	46	£40,217	£20.85
6	22	£20,253	£10.50	11	47	£41,140	£21.32
6	23	£20,849	£10.81	11	48	£42,053	£21.80
6	24	£21,530	£11.16	11	49	£42,957	£22.27
6	25	£22,212	£11.51	11	50	£43,892	£22.75
7	26	£22,937	£11.89	12	51	£44,812	£23.23
7	27	£23,698	£12.28	12	52	£45,741	£23.71
7	28	£24,472	£12.68	12	53	£46,694	£24.20
7	29	£25,440	£13.19	12	54	£47,667	£24.71
7	30	£26,293	£13.63	12	55	£48,660	£25.22
8	31	£27,123	£14.06				

These spinal column points are used to calculate overtime payments for staff who are on Grade 1 (Living Wage) or Grade 2, i.e.

- Grade 1 (Living Wage) premium payments to be paid on scp 6
- Grade 2 premium payments to be paid on scp 10

NON-CONSOLIDATED PAYMENTS PAID IN DECEMBER 2014

SCP	Dec-14	Apr-15	TOTAL PAYMENT MADE IN DECEMBER 2014
11	£100	0	£100
12	£100	0	£100
13	£100	0	£100
14	£100	0	£100
15	£100	0	£100
16	£100	0	£100
17	£100	0	£100
18	£100	0	£100
19	£100	0	£100
20	£100	0	£100
21	£100	0	£100
22	£100	0	£100
23	£100	0	£100
24	£100	0	£100
25	£100	0	£100
26	£100	£3	£103
27	£100	£7	£107
28	£100	£10	£110
29	£100	£14	£114
30	£100	£18	£118
31	£100	£22	£122
32	£100	£26	£126
33	£100	£29	£129
34	£100	£33	£133
35	£100	£36	£136
36	£100	£39	£139
37	£100	£43	£143
38	£100	£47	£147
39	£100	£52	£152
40	£100	£56	£156
41	£100	£60	£160
42	£100	£65	£165
43	£100	£69	£169
44	£100	£73	£173
45	£100	£77	£177
46	£100	£81	£181
47	£100	£85	£185
48	£100	£89	£189
49	£100	£93	£193

NATIONAL PAY GRADES – SOULBURY**PAY AWARD PENDING**

EDUCATIONAL PSYCHOLOGISTS - SCALE A	
SPINE POINT	Pay – with effect from 01.03.2015
1.	£35,027
2.	£36,805
3.	£38,583
4.	£40,360
5.	£42,137
6.	£43,914
7.	£45,588
8.	£47,261
9.	£48,829
10.	£50,398
11.	£51,861

Notes:

1. Pay scales to consist of 6 consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.
2. Extension to scale to accommodate structured professional assessment points.

SENIOR & PRINCIPAL EDUCATIONAL PSYCHOLOGISTS - SCALE B	
SPINE POINT	Pay – with effect from 01.03.2015
1.	£43,914
2.	£45,588
3.	£47,261*
4.	£48,829
5.	£50,398
6.	£51,861
7.	£52,462
8.	£53,584
9.	£54,696
10.	£55,828
11.	£56,937
12.	£58,068
13.	£59,219
14.	£60,330**
15.	£61,495**
16.	£62,649**
17.	£63,810**
18.	£64,970**

Notes:

1. Pay scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.
2. * Normal minimum point for the Principal Educational Psychologist undertaking the full range of duties at this level.
3. ** Extension to range to accommodate discretionary scale points and structured professional assessments
4. Principals are paid on a 4 point scale 8 - 14 (this includes 3 spa points)

TRAINEE EDUCATIONAL PSYCHOLOGISTS	
SPINE POINT	Pay – with effect from 01.03.2015
1	£22,503
2	£24,151
3	£25,796
4	£27,444
5	£29,090
6	£30,737

ASSISTANT EDUCATIONAL PSYCHOLOGISTS	
SPINE POINT	Pay – with effect from 01.03.2015
1	£27,662
2	£28,792
3	£29,922
4	£31,045

YOUNG PEOPLE'S / COMMUNITY SERVICE MANAGERS	
SPINE POINT	Pay – with effect from 01.03.2015
1	£34,637
2	£35,770
3	£36,903
4	£38,059*
5	£39,234
6	£40,380
7	£41,553**
8	£42,885
9	£43,620
10	£44,754
11	£45,883
12	£47,013
13	£48,135
14	£49,269
15	£50,404
16	£51,542
17	£52,686
18	£53,822
19	£54,952
20	£56,107***
21	£57,284***
22	£58,487****
23	£59,715****
24	£60,969***

Notes:

The minimum Youth and Community Service Officers' scale is 4 points. Other salary scales to consist of not more than four consecutive points based on duties and responsibilities attaching to posts and the need to recruit retain and motivate staff.

* normal minimum point for senior youth and community officers undertaking the full range of duties at this level

** normal minimum point for principal youth and community service officer undertaking the full range of duties at this level

*** extension to range to accommodate discretionary scale points and structured professional assessments.

EDUCATIONAL IMPROVEMENT PROFESSIONALS (EIPs)	
SPINE POINT	Pay – with effect from 01.09.2009
1	£33,396
2	£34,592
3	£35,721
4	£36,865
5	£38,003
6	£39,142
7	£40,338
8	£41,487*
9	£42,828
10	£44,023
11	£45,203
12	£46,346
13	£47,640**
14	£48,792
15	£50,066
16	£51,219
17	£52,373
18	£53,507
19	£54,676
20	£55,280***
21	£56,441
22	£57,452
23	£58,566
24	£59,564
25	£60,633
26	£61,674
27	£62,740
28	£63,819
29	£64,902
30	£65,983
31	£67,054
32	£68,143
33	£69,232
34	£70,347
35	£71,458
36	£72,603
37	£73,728
38	£74,866
39	£75,988
40	£77,109
41	£78,237
42	£79,362
43	£80,488
44	£81,619
45	£82,747
46	£83,876
47	£85,010
48	£86,134****
49	£87,262****
50	£88,391

Notes:

Salary scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit and motivate staff.

- * normal minimum point for EIP undertaking the full range of duties at this level
- ** normal minimum point for senior EIP undertaking the full range of duties at this level
- *** normal minimum point for leading EIP undertaking the full range of duties at this level
- **** extension to range to accommodate structured professional assessments.

EXECUTIVE MANAGEMENT TEAM**PAY SCALES - 1ST JANUARY 2015**

CHIEF EXECUTIVE'S PAY SCALE								
£140,000 fixed point								
DIRECTORS' PAY SCALES £96,900 to £110,000								
Point 1	Point 2	Point 3	Point 4	Point 5	Point 6	Point 7		
£96,900	£99,450	£100,000	£102,500	£105,000	£107,500	£110,000		
CHIEF OFFICERS Chief Social Services Officer & Chief Education Officer- £91,800 to £100,000 Chief Operating Officer - £81,600 to £91,800								
Point 1	Point 2	Point 3	Point 4	Point 5	Point 6	Point 7	Point 8	Point 9
£81,600	£84,150	£86,700	£89,250	£91,800	£94,350	£96,900	£99,450	£100,000
HEADS OF SERVICE BAND 1 - £66,300 to £81,600								
Point 1	Point 2	Point 3	Point 4	Point 5	Point 6	Point 7		
£66,300	£68,850	£71,400	£73,950	£76,500	£79,050	£81,600		
HEADS OF SERVICE BAND 2 - £56,100 to £71,400								
Point 1	Point 2	Point 3	Point 4	Point 5	Point 6	Point 7		
£56,100	£58,650	£61,200	£63,750	£66,300	£68,850	£71,400		
HEADS OF SERVICE BAND 3 - £51,00 to £61,200								
Point 1	Point 2	Point 3	Point 4	Point 5				
£51,000	£53,550	£56,100	£58,650	£61,200				

Agenda Item 6.

Report of the Section 151 Officer

Extraordinary Council - 10 March 2016

STATUTORY RESOLUTION – RESOLUTIONS TO BE MADE IN ACCORDANCE WITH THE REGULATIONS IN THE SETTING OF THE COUNCIL TAX 2016/2017

Due to the late final local government settlement this year (final figures will be confirmed in the Welsh Assembly on 9th March 2016) this resolution is drafted on the basis of the most up to date information published by Welsh Government (released online 25th February 2016). Any further updates will be circulated in writing as soon as practically possible, and if necessary will be further updated verbally by the S151 Officer at the Council meeting on 10th March 2016.

- (1) **THAT** the Council notes and adopts the statutory resolutions set out below.
- (2) **THAT** it be noted that at its meeting on 26th November 2015 the Council calculated the following amounts for the year 2016/2017 in accordance with Regulations made under Section 33(5) of the Local Government Finance Act 1992 (as amended) -
- a) 89,151 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) (Wales) Regulations 1995, as amended, as its Council Tax base for the year.

b) Parts of the Council's Area –

Bishopston	1,975
Clydach	2,576
Gorseinon	3,108
Gowerton	1,960
Grovesend	404
Ilston	312
Killay	2,067
Llangennith, Llanmadoc & Cheriton	496
Llangyfelach	949
Llanrhidian Higher	1,587
Llanrhidian Lower	334
Llwchwr	3,395
Mawr	742
Mumbles	9,594
Penllergaer	1,355
Pennard	1,454
Penrice	425
Pontarddulais	2,255
Pontlliw & Tircoed	1,034
Port Eynon	416
Reynoldston	281
Rhossilli	189
Three Crosses	711
Upper Killay	565

being the amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amounts of its Council Tax base for dwellings in those parts of its area to which special items relate.

(3) **THAT** the following amounts be now calculated by the Council for the year 2016/2017 in accordance with Section 32 to 36 of the Local Government Finance Act 1992 -

- (a) £678,342,841 being the aggregate of the amounts which the Council estimates for the items set out in Sections 32(2)(a) to (d) of the Act.
- (b) £265,150,853 being the aggregate of the amounts which the Council estimates for the items set out in Sections 32(3)(a), 32(3)(c) and 32(3a) of the Act.
- (c) £413,191,988 being the amount by which the aggregate at (3)(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
- (d) £307,391,774 being the aggregate of the sums which the Council estimates will be payable for the year into its Council Fund in respect of redistributed non-domestic rates, and revenue support grant less discretionary Non Domestic Rate relief.
- (e) £1,186.75 being the amount at (3)(c) above less the amount at (3)(d) above, all divided by the amount at (2)(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.
- (f) £967,410 being the aggregate amount of all special items referred to in Section 34(1) of the Act.
- (g) £1,175.90 being the amount at (3)(e) above less the result given by dividing the amount at (3)(f) above by the amount at (2)(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate.

(h) Parts of the Council's Area -

Bishopston	1,196.15
Clydach	1,212.61
Gorseinon	1,202.75
Gowerton	1,193.28
Grovesend & Waungron	1,188.28
Ilston	1,185.85
Killay	1,185.09
Llangennith, Llanmadoc & Cheriton	1,190.52
Llangyfelach	1,195.92
Llanrhidian Higher	1,224.75
Llanrhidian Lower	1,187.88
Llwchwr	1,199.90
Mawr	1,239.24
Mumbles	1,195.13
Penllergaer	1,190.66
Pennard	1,211.66
Penrice	1,199.43
Pontarddulais	1,213.15
Pontlliw & Tircoed	1,209.45
Port Eynon	1,189.12
Reynoldston	1,211.49
Rhossili	1,193.36
Three Crosses	1,218.14
Upper Killay	1,207.76

being the amounts given by adding to the amount at (3)(g) above the amounts of the special items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at (2)(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(I) Parts of the Council's Area -

	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £	Band I £
Bishopston	797.43	930.34	1,063.24	1,196.15	1,461.96	1,727.77	1,993.58	2,392.30	2,791.01
Clydach	808.40	943.14	1,077.87	1,212.61	1,482.08	1,751.55	2,021.01	2,425.22	2,829.42
Gorseinon	801.83	935.47	1,069.11	1,202.75	1,470.03	1,737.30	2,004.58	2,405.50	2,806.41
Gowerton	795.52	928.11	1,060.69	1,193.28	1,458.45	1,723.62	1,988.80	2,386.56	2,784.31
Grovesend & Waungron	792.18	924.22	1,056.24	1,188.28	1,452.34	1,716.40	1,980.46	2,376.56	2,772.65
Ilston	790.56	922.33	1,054.08	1,185.85	1,449.37	1,712.89	1,976.41	2,371.70	2,766.98
Killay	790.06	921.74	1,053.41	1,185.09	1,448.44	1,711.79	1,975.15	2,370.18	2,765.20
Llangennith, Llanmadoc & Cheriton	793.68	925.96	1,058.24	1,190.52	1,455.08	1,719.64	1,984.20	2,381.04	2,777.87
Llangyfelach	797.28	930.16	1,063.04	1,195.92	1,461.68	1,727.44	1,993.20	2,391.84	2,790.47
Llanrhidian Higher	816.50	952.58	1,088.66	1,224.75	1,496.92	1,769.08	2,041.25	2,449.50	2,857.74
Llanrhidian Lower	791.92	923.91	1,055.89	1,187.88	1,451.85	1,715.82	1,979.80	2,375.76	2,771.71
Llwchwr	799.93	933.26	1,066.57	1,199.90	1,466.54	1,733.19	1,999.83	2,399.80	2,799.76
Mawr	826.16	963.85	1,101.54	1,239.24	1,514.63	1,790.01	2,065.40	2,478.48	2,891.55
Mumbles	796.75	929.55	1,062.33	1,195.13	1,460.71	1,726.30	1,991.88	2,390.26	2,788.63
Penllergaer	793.77	926.07	1,058.36	1,190.66	1,455.25	1,719.84	1,984.43	2,381.32	2,778.20
Pennard	807.77	942.40	1,077.03	1,211.66	1,480.92	1,750.17	2,019.43	2,423.32	2,827.20
Penrice	799.62	932.89	1,066.16	1,199.43	1,465.97	1,732.51	1,999.05	2,398.86	2,798.66
Pontarddulais	808.76	943.56	1,078.35	1,213.15	1,482.74	1,752.33	2,021.91	2,426.30	2,830.68
Pontlliw & Tircoed	806.30	940.68	1,075.06	1,209.45	1,478.22	1,746.98	2,015.75	2,418.90	2,822.04
Port Eynon	792.74	924.87	1,056.99	1,189.12	1,453.37	1,717.62	1,981.86	2,378.24	2,774.61
Reynoldston	807.66	942.27	1,076.88	1,211.49	1,480.71	1,749.93	2,019.15	2,422.98	2,826.80
Rhossili	795.57	928.17	1,060.76	1,193.36	1,458.55	1,723.74	1,988.93	2,386.72	2,784.50
Three Crosses	812.09	947.44	1,082.79	1,218.14	1,488.84	1,759.53	2,030.23	2,436.28	2,842.32
Upper Killay	805.17	939.37	1,073.56	1,207.76	1,476.15	1,744.54	2,012.93	2,415.52	2,818.10
All other parts of the Council area	783.93	914.59	1,045.24	1,175.90	1,437.21	1,698.52	1,959.83	2,351.80	2,743.77

being the amounts given by multiplying the amounts at (3)(g) and (3)(h) above by the number which, in the population set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of the categories of dwellings listed in the different valuation bands.

- (4) **THAT** it be noted that for the year 2016/2017 the Police and Crime Commissioner for South Wales have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwelling shown below -

	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £	Band I £
The Police and Crime Commissioner for South Wales	138.57	161.66	184.76	207.85	254.04	300.23	346.42	415.70	484.99

- (5) **THAT** having calculated the aggregate in each case of the amounts at (3)(I) and (4) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2016/17 for each of the categories of dwelling shown below –

	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £	Band I £
<i>Bishopston</i>	936.00	1,092.00	1,248.00	1,404.00	1,716.00	2,028.00	2,340.00	2,808.00	3,276.00
<i>Clydach</i>	946.97	1,104.80	1,262.63	1,420.46	1,736.12	2,051.78	2,367.43	2,840.92	3,314.41
<i>Gorseinon</i>	940.40	1,097.13	1,253.87	1,410.60	1,724.07	2,037.53	2,351.00	2,821.20	3,291.40
<i>Gowerton</i>	934.09	1,089.77	1,245.45	1,401.13	1,712.49	2,023.85	2,335.22	2,802.26	3,269.30
<i>Grovesend & Waugron</i>	930.75	1,085.88	1,241.00	1,396.13	1,706.38	2,016.63	2,326.88	2,792.26	3,257.64
<i>Ilston</i>	929.13	1,083.99	1,238.84	1,393.70	1,703.41	2,013.12	2,322.83	2,787.40	3,251.97
<i>Killay</i>	928.63	1,083.40	1,238.17	1,392.94	1,702.48	2,012.02	2,321.57	2,785.88	3,250.19
<i>Llangennith, Llanmadoc & Cheriton</i>	932.25	1,087.62	1,243.00	1,398.37	1,709.12	2,019.87	2,330.62	2,796.74	3,262.86
<i>Llangyfelach</i>	935.85	1,091.82	1,247.80	1,403.77	1,715.72	2,027.67	2,339.62	2,807.54	3,275.46
<i>Llanrhidian Higher</i>	955.07	1,114.24	1,273.42	1,432.60	1,750.96	2,069.31	2,387.67	2,865.20	3,342.73
<i>Llanrhidian Lower</i>	930.49	1,085.57	1,240.65	1,395.73	1,705.89	2,016.05	2,326.22	2,791.46	3,256.70
<i>Llwchwr</i>	938.50	1,094.92	1,251.33	1,407.75	1,720.58	2,033.42	2,346.25	2,815.50	3,284.75
<i>Mawr</i>	964.73	1,125.51	1,286.30	1,447.09	1,768.67	2,090.24	2,411.82	2,894.18	3,376.54
<i>Mumbles</i>	935.32	1,091.21	1,247.09	1,402.98	1,714.75	2,026.53	2,338.30	2,805.96	3,273.62
<i>Penllergaer</i>	932.34	1,087.73	1,243.12	1,398.51	1,709.29	2,020.07	2,330.85	2,797.02	3,263.19
<i>Pennard</i>	946.34	1,104.06	1,261.79	1,419.51	1,734.96	2,050.40	2,365.85	2,839.02	3,312.19
<i>Penrice</i>	938.19	1,094.55	1,250.92	1,407.28	1,720.01	2,032.74	2,345.47	2,814.56	3,283.65
<i>Pontarddulais</i>	947.33	1,105.22	1,263.11	1,421.00	1,736.78	2,052.56	2,368.33	2,842.00	3,315.67
<i>Pontlliw & Tircoed</i>	944.87	1,102.34	1,259.82	1,417.30	1,732.26	2,047.21	2,362.17	2,834.60	3,307.03
<i>Port Eynon</i>	931.31	1,086.53	1,241.75	1,396.97	1,707.41	2,017.85	2,328.28	2,793.94	3,259.60
<i>Reynoldston</i>	946.23	1,103.93	1,261.64	1,419.34	1,734.75	2,050.16	2,365.57	2,838.68	3,311.79
<i>Rhossili</i>	934.14	1,089.83	1,245.52	1,401.21	1,712.59	2,023.97	2,335.35	2,802.42	3,269.49
<i>Three Crosses</i>	950.66	1,109.10	1,267.55	1,425.99	1,742.88	2,059.76	2,376.65	2,851.98	3,327.31
<i>Upper Killay</i>	943.74	1,101.03	1,258.32	1,415.61	1,730.19	2,044.77	2,359.35	2,831.22	3,303.09
All other parts of the Council area	992.50	1,076.25	1,230.00	1,383.75	1,691.25	1,998.75	2,306.25	2,767.50	3,228.76

Explanatory memorandum – changes since Council 25th February 2016

Council approved the revenue budget for 2016-17 on 25th February 2016, being only in possession at the time of the draft local government finance settlement. The final local government finance settlement is to be confirmed on 9th March 2016, and these figures, which are currently expected, at date of publication, to represent an overall increase in funding of £12,578, are already reflected in this Council Tax resolution at 3(d). In line with the budget approved by Council on 25th February, and in particular recommendation c), this change in funding of £12,578 has been neutralised by an equal change in earmarked reserves, by way of contribution to reserves, which also increases, and is already reflected in, the amounts set out in 3(a), and consequently 3(c). The increase in spending in 3(c) matches the increase in resources in 3(d). There is consequentially no overall change in the Council Tax set out in resolution 3(g) from that already approved at Council on 25th February 2016.

For the avoidance of doubt, Appendices A, B and C of the 25th February Council report are restated, and follow, for the consequential changes of £12,578.

	<i>Appendix 'A'</i>	
REVENUE BUDGET SUMMARY 2016/17		
<u>DIRECTORATE</u>		
	BUDGET	BUDGET
	2015/16	2016/17
	£000	£000
CORPORATE SERVICES	44,380	42,951
PEOPLE - POVERTY AND PREVENTION	4,780	5,101
PEOPLE - SOCIAL SERVICES	104,701	103,510
PEOPLE - EDUCATION	156,301	159,097
PLACE	52,691	50,999
ADDITIONAL SAVINGS STRANDS - TO BE ALLOCATED	-3,000	-2,000
<i>NET DIRECTORATE EXPENDITURE</i>	359,853	359,658
SPECIFIC PROVISION FOR CONTRACT INFLATION	0	3,000
<i>OTHER ITEMS</i>		
LEVIES		
SWANSEA BAY PORT HEALTH AUTHORITY	94	93
CONTRIBUTIONS		
MID & WEST WALES COMBINED FIRE AUTHORITY	11,773	11,912
<i>CAPITAL FINANCING CHARGES</i>		
PRINCIPAL REPAYMENTS	14,541	14,916
NET INTEREST CHARGES	14,357	14,732
<i>NET REVENUE EXPENDITURE</i>	400,618	404,311
<i>MOVEMENT IN RESERVES</i>		
GENERAL RESERVES	-1,200	0
EARMARKED RESERVES	8,648	7,914
<i>TOTAL BUDGET REQUIREMENT</i>	408,066	412,225
DISCRETIONARY RATE RELIEF	375	375
<i>TOTAL CITY AND COUNTY OF SWANSEA REQUIREMENT</i>	408,441	412,600
COMMUNITY COUNCIL PRECEPTS	910	967
<i>TOTAL REQUIREMENT</i>	409,351	413,567
<i>FINANCING OF TOTAL REQUIREMENT</i>		
REVENUE SUPPORT GRANT	237,542	234,543
NATIONAL NON-DOMESTIC RATES	70,092	73,224
COUNCIL TAX - CITY AND COUNTY OF SWANSEA	100,807	104,833
COUNCIL TAX - COMMUNITY COUNCILS	910	967
<i>TOTAL FINANCING</i>	409,351	413,567
<i>COUNCIL TAX BASE for the City and County of Swansea</i>	89,066	89,151
<i>COUNCIL TAX AT BAND 'D' (£) for the City and County of Swansea</i>	1,131.82	1,175.90
GENERAL RESERVES		
AT 1 APRIL	12,360	11,160
AT 31 MARCH	11,160	11,160

REVENUE BUDGET 2016/17
NET DIRECTORATE BUDGET PROPOSALS

	Corporate Services	People - Poverty and Prevention	People - Social Services	People - Education	Place	To be allocated	Total
	£000	£000	£000	£000	£000	£000	£000
Original estimate 2015/16	44,380	4,780	104,701	156,301	52,691	-3,000	359,853
Directorate Transfers	0	0	0	0	0	0	0
Original estimates following transfers	44,380	4,780	104,701	156,301	52,691	-3,000	359,853
Transfer to (+) / from (-) reserves 2015/16	-319	-22	-331	-75	705	0	-42
Original estimate 2015/16 excluding reserves	44,061	4,758	104,370	156,226	53,396	-3,000	359,811
Transfers for specific grants 2015/16	2,342	0	0	0	0	0	2,342
Baseline adjustments 2015/16	1,056	1	-1,068	36	-25	0	0
Adjusted service budgets 2015/16	47,459	4,759	103,302	156,262	53,371	-3,000	362,153
Spending Needs	900	450	3,800	3,850	2,500		11,500
Pay inflation provision	257	85	453	235	670	0	1,700
Savings:							
Specific consultation proposals	-3,803	-198	-933	-1,052	-3,681	0	-9,667
Net 100 days money proposals	0	0	0	-10	180	0	170
Sustainable Swansea workstreams	-5,037	-257	-3,362	-630	-4,961	0	-14,247
OVERLAP - specific proposals which contribute to Sustainable Swansea	2,621	83	0	414	3,145	1,000	7,263
Original estimate 2016/17 excluding reserves	42,397	4,922	103,260	159,069	51,224	-2,000	358,872
Transfer to (-) / from (+) reserves 2016/17	554	179	250	28	-225	0	786
Net Directorate budgets 2016/17	42,951	5,101	103,510	159,097	50,999	-2,000	359,658

APPENDIX B

REVENUE BUDGET 2016/17

EARMARKED RESERVES

	Balance 31/03/15 £000	2015/16 £000	Balance 31/03/16 £000	2016/17 £000	Balance 31/03/17 £000
DIRECTORATE RESERVES					
Equalisation reserves	-649	0	-649	0	-649
Commuted sums	-4,945	-54	-4,999	-21	-5,020
Repair & renewal funds	-3,686	-300	-3,986	-356	-4,342
Profit share	-1,027	-66	-1,093	-66	-1,159
Service reserves	-3,871	1,074	-2,797	451	-2,346
TOTAL DIRECTORATE RESERVES	-14,178	654	-13,524	8	-13,516
CORPORATE RESERVES					
Contingency Fund	0	0	0	-5,400	-5,400
Insurance	-14,775	0	-14,775	0	-14,775
Job Evaluation earmarked	0	-363	-363	0	-363
Transformation/Efficiency	-10,376	-1,767	-12,143	-2,566	-14,709
TOTAL CORPORATE RESERVES	-25,151	-2,130	-27,281	-7,966	-35,247
UNUSABLE/TECHNICAL RESERVES	-1,465	44	-1,421	45	-1,376
SCHOOLS DELEGATED RESERVES*	-9,754	3,247	-6,507	-1	-6,508
TOTAL RESERVES	-50,548	1,815	-48,733	-7,914	-56,647

* No updated information available - balances held by individual schools

Report of the Section 151 Officer

Extraordinary Council – 10 March 2016

COUNCIL TAX PREMIUMS IN WALES

Purpose:	<ol style="list-style-type: none">1. To provide information and to consider the new discretionary powers to charge higher amounts of Council Tax on certain properties provided for by the Housing (Wales) Act 2014.2. To consider charging higher amounts (premiums) for second homes from 2017/18 as set out in section 5.
Policy Framework:	None.
Reason for Decision:	Legislative requirement
Consultation:	Legal, Finance, and Access to Services.
Recommendation(s):	It is recommended that: <ol style="list-style-type: none">1) The details of the new discretionary powers relating to Council Tax premiums outlined in this report are noted.2) The outcome of the consultation exercise undertaken by the Council is noted.3) In accordance with S139 Housing (Wales) Act 2014 that the Council exercises its discretion on whether to charge premiums of up to 100% of the standard rate of Council Tax, for dwellings occupied periodically, commonly referred to as “second homes” under Section 12B of the Local Government Finance Act 1992 from 1 April 2017 and if so, to determine the percentage of the premium to be applied, of no more than 100% of the standard charge payable.4) That the new discretionary powers relating to long term empty properties will be considered during 2016/17 once further guidance is received from Welsh Government in relation to the exceptions and impact to Council Tax base calculation.
Report Author:	Rose McCreesh
Finance Officer:	Mike Hawes
Legal Officer:	Tracey Meredith
Access to Services Officer:	Phil Couch

1.0 Background

- 1.1 From 1 April 2017, local authorities in Wales will be able to decide and charge higher amounts (a premium) of up to 100% on top of the standard rate of council tax on second homes and long-term empty homes in their areas. The legislative changes were made by the Housing (Wales) Act 2014 and the powers given to local authorities are discretionary. Whether to charge a premium on second homes or long term empty homes (or both) is, therefore a decision to be made by each local authority.
- 1.2 The Act also gives Welsh Ministers powers to make regulations setting out exceptions to the premiums that are set out in the Council Tax (Exceptions from Higher Amount Regulations) 2015. (See section 2 below). Welsh Government (WG) has also issued guidance on implementing the premiums to ensure a fair and consistent implementation of the premiums and their exceptions across Wales.
- 1.3 At present this authority has determined under the Council Tax (Prescribed Classes of Dwellings) (Wales) Regulations 1998, that second homes (those that are furnished and no one's sole or main residence) are subject to a full council tax charge.
- 1.4 In relation to the premiums that apply to second homes from 1 April 2017, a second home is defined as a dwelling which is not a person's sole or main home and is substantially furnished. These dwellings are referred to in the Local Government Finance Act 1992 ("the 1992 Act") as inserted by the Housing (Wales) Act 2014, as dwellings occupied periodically and commonly referred to as "second homes".
- 1.5 In order for a premium to apply to dwellings occupied periodically, a billing authority must make its first determination at least one year before the beginning of the financial year to which the premium relates. This means that in order to charge a premium from 1 April 2017 for second homes, a billing authority must make a determination before 1 April 2016 and must be made by full Council.
- 1.6 In order for a premium to apply to long-term empty dwellings (unoccupied and unfurnished dwellings) from 1 April 2017, unlike for second homes as set out in 1.5 above, the determination to apply a premium, does not have to be made by the billing authority before 1 April 2016 and therefore further consideration and consultation, if required, can be undertaken during 2016/17 and a further report will be prepared at the appropriate time.

2.0 Exceptions to the Council Tax Premiums on Second Homes and Long Term Empty Properties.

- 2.1 A premium is not charged on a dwelling that falls within an exception. The Council Tax (Exceptions to Higher Amounts) (Wales) Regulations 2015, sets out the following exceptions:-

Classes of Dwellings	Definition	Application
Class 1	Dwellings being marketed for sale – time limited for one year.	Second Homes and Long-Term Empty Properties
Class 2	Dwellings being marketed for let – time limited for 1 year	
Class 3	Annexes forming part of, or being treated as part of the main dwelling	
Class 4	Dwellings which would be someone's sole or main residence if they were not residing in armed forces accommodation	
Class 5	Occupied caravan pitches and boat moorings	Second Homes
Class 6	Seasonal homes where year-round occupation is prohibited	
Class 7	Job-related dwellings	

2.2 Further guidance has been provided by WG for each exception class, but following concerns raised by local authorities on the expected administrative difficulties when dealing with exceptions and the potential avenues for abuse, Welsh Ministers intend to issue additional guidance in the application of the exceptions for:

- Dwellings being marketed for sale;
- Dwellings being marketed for let; and
- Job-related dwellings

3.0 Current Information relating to Second Homes

3.1 As explained in 1.3 above, second homes are liable for a full council tax charge and not eligible for a discount. It is currently estimated that there are about 1800 properties that fall into the second home category within the Swansea area. Of these 1800 properties, around 1250 have been in this category for over 12 months, 1000 for over 24 months and 850 for over 36 months.

3.2 At present there are 111,467 domestic properties in Swansea. The table below shows the number of second homes, detailing periods of time

spent within each category and the percentage in relation to the total number of properties in Swansea.

<12months	%	12months+	%	24months+	%	36months+	%	Total	%
550	0.5	250	0.2	150	0.1	850	0.8	1800	1.6

3.3 When reviewing the distribution of second homes throughout Swansea, as expected 66% of second homes are based in the Gower, Swansea West and the Marina areas with the remaining properties being more evenly spread throughout the council area.

4.0 Welsh Government Aims

4.1 The guidance issued by Welsh Government on the implementation of Council Tax premiums states the discretion given to local authorities to charge a premium is intended as a tool to:

- Bring long term empty homes back into use to provide safe, secure and affordable homes: and
- Support local authorities in increasing the supply of affordable housing and enhancing the sustainability of local communities.

4.2 When considering whether or not to charge a premium, regard should be given to these aims and also by taking certain factors into account. For example the circumstances of the area, numbers and distribution of second homes within an area, demand for affordable homes and effects on tourism and local economies.

5.0 Charging Higher Amounts of Council Tax for Dwellings Occupied Periodically (Second Homes)

5.1 At present approximately 1800 properties, currently recorded as second homes for council tax purposes are charged 100% council tax (i.e. the standard charge payable for a second home in Swansea), with an annual yield of approximately £2.3m. The new discretion allowing authorities to charge a higher amount, will allow the standard amount to be increased by a percentage of no more than 100%, thereby potentially doubling the current charge. In exercising this discretion each authority can determine and specify the percentage rate of the higher amount to be charged, for example the higher amount options that could be considered could range from charging 0%, 25%, 50%, 75%, and 100% on top of the standard rate of Council Tax.

- 5.2 It is likely however that any proposals to charge a premium will see the number of second homes potentially liable for the higher amount, reduce considerably due to the following factors:-
- A substantial number of properties will be for sale or rent and therefore excepted.
 - Some properties may be genuine holiday lets and could transfer from council tax to the non-domestic rating list (providing that the property is available for a minimum period of 140 days per year and let for a minimum of 70 days).
 - Increased charges may lead to avoidance measures and may be difficult to administer.
- 5.3 If the Council decides to adopt this premium in full (i.e. by specifying a percentage of 100%) from 1 April 2017 it would significantly increase the amount payable by owners of second homes subject to the premiums that did not fall into an exception class. For example the owner of a band G second home could see an increase in the council tax charge (2015/16 charge) from £2,219.47 to £4,438.94.

6.0 Consultation

- 6.1 A consultation exercise was undertaken in relation to the second homes premium, over the period 26 January 2016 to 22 February 2016. A letter outlining a proposal to introduce a Council Tax premium on second homes in Swansea, together with a consultation response document was sent to 1740 council taxpayers where Council Tax records indicate the property is currently classified as a second home. An on-line survey form was placed on the Council's website and consultation forms were also available from the Contact Centre, District Housing Offices and libraries. Information was also sent to various third sector organisations.
- 6.2 A total of 414 responses were received. As expected the vast majority of responses were received in paper format from current second homes owners. One response was received from a commercial holiday letting agency which deals with second home owners, who let their second homes as holiday accommodation.
- 6.3 A more detailed summary of the responses received is attached at Appendix 1.

7.0 Financial Implications

- 7.1 Local authorities will be able to retain any additional funds generated by implementing the premiums as advised in the recent WG guidance issued to local authorities.
- 7.2 The current amount of council tax charged for approximately 1800 second homes is £2.3m. The amount of additional revenue which could be generated from a premium is difficult to accurately predict due to the

uncertainty on whether properties would fall into an exception class from 1 April 2017. However the last census data revealed that there were 1100 second homes declared which indicates “true” second homes. Taking an estimated 1100 second homes into account and an estimated average charge of £1,278 (by dividing the 1800 second homes currently on the council tax system into the current £2.3m yield), the table below shows the additional revenue that could be generated from a higher amount over a range of percentages on a conservative estimate of 1100 second homes.

Estimated Additional Revenues that could be generated from Premiums					
Estimated Second Homes (i.e. not falling into an exception class) = 1,100					
Estimated Average charge = £1,278					
Current Revenue for 1,100 Properties	Current Revenue for 1,100 properties + 0% Premium	Current Revenue for 1,100 properties + 25% Premium	Current Revenue for 1,100 properties + 50% Premium	Current Revenue for 1,100 properties + 75% Premium	Current Revenue for 1,100 properties + 100% Premium
£1,405,800	£1,405,800	£1,757,250	£2,108,700	£2,460,150	£2,811,600
Estimated Difference in Additional Revenues					
	0%	25%	50%	75%	100%
N/A	Nil	£351,450	£702,900	£1,054,350	£1,405,800

7.3 It should be noted that WG is encouraging authorities to use any additional revenue generated to help meet local housing needs in line with the policy intentions.

7.4 Some additional staff resource will probably be required to adequately check the validity of claims from second home owners claiming their property falls into an exception class to ensure revenue collection is maximised and abuse curtailed.

8.0 Legal Implications

8.1 There are no further legal implications to those set out in the report.

9.0 Equality and Engagement Implications

9.1 As stated in section 6 above, a consultation exercise has been undertaken and all second home owners, as indicated on council tax records, were sent a survey response document and a letter.

9.2 The proposal has been screened and does not require an equality impact assessment.

- 9.3 It should be noted that in terms of equality, the proposal is based on the classification of a property as a second home and not the owner or a person. Neither does it affect properties occupied as the taxpayer's sole or main residence. There is insufficient data available to accurately identify whether a group of people will be adversely affected, although it is expected a significant percentage of second homes will be owned by older people. A premium cannot be charged on a property that falls into an exception class and if a decision is made to charge premiums on second homes, further information will be sought from owners and other sources during 2016/17 to ensure exceptions are identified correctly.

Background Papers:

WG Guidance on the Implementation of the council Tax Premiums on long Term Empty homes and Second Homes in Wales

<http://gov.wales/docs/dsjlg/publications/localgov/160122-guidance-implementation-of-council-tax-premiums-en.pdf>

Appendices: Appendix 1 – Summary of Consultation Responses

APPENDIX 1

Proposal to Introduce a Council Tax Premium for Second Homes in Swansea.

Summary of Consultation Responses Received.

Question 1.

Overall, to what extent do you agree or disagree with the introduction of a Council Tax premium for second homes in Swansea?

Total Responses Received	414
Strongly Agree	45 (10.9%)
Agree	17 (4.1%)
Neither	17 (4.1%)
Disagree	41 (9.9%)
Strongly disagree	294 (71.0%)

Question 2.

Please indicate at what level you think it would be most appropriate to set a Council Tax premium for second homes in Swansea.

Total Responses Received	412
Nil	341 (82.8%)
25%	24 (5.8%)
50%	12 (2.9%)
75%	2 (0.5%)
100%	16 (3.9%)
Other	17 (4.1%)

42 comments received in respect of this question reflect the following sentiments:

- Most comments said it should be nil.
- Second home owners should receive a discount not be charged a premium because they make use of less services.
- It should be based on individual circumstances.
- It should be 10% to 15% initially to monitor the effect.
- Keep premium to a minimum/ have a small premium
- 25% premium will have a smaller effect
- Apply in stages over a number of years to gauge effect

Question 3.

What, if any, impact do you think that the introduction of a Council tax premium for second homes in Swansea will have for tourism in Swansea?

Total Responses Received	407
Positive	14 (3.4%)
Neutral	78 (19.2%)
Negative	315 (77.4%)

275 comments were received in relation to the negative impact on tourism. The following types of comments on how the impact could be lessened were received which typically reflect the general sentiments.

- Do not introduce a premium/ don't increase the Council Tax
- There should be no additional charge to encourage people to own or let.
- Drop the scheme to avoid damage.
- People with second homes should be given a discount on existing Council Tax charge.
- Reduce the size of the premium or not impose at all.
- Set low premium if applied/keep premium as low as possible/minimise premium.
- Not much could be done to lower the impact.

Question 4.

What, if any, impact do you think that the introduction of a Council tax premium for second homes in Swansea will have on the supply of private rented accommodation?

Total Responses Received	396
Increase overall	49 (12.4%)
No impact	219 (55.3%)
Reduce overall	128 (32.3%)

207 comments were received in relation to possible impacts on the supply of private rented accommodation. The following types of comments were received which typically reflect the general sentiments:-

- We'd just sell up and move from Swansea.
- We wouldn't rent out, we would just sell.
- Second home owners will either pay up or sell.

- People who love the Gower won't sell so there will be no increase in the supply of private rented accommodation.
- On these types of properties the rent would be high and not affordable for private renting.
- Our property would be in the unaffordable bracket for most people. Most flats in our block are let out to wealthy foreign students.
- Not always suitable for permanent living, not always in the right area for families, locations of second homes are too remote.
- There are more benefit claimants in private rented accommodation who don't pay council tax so the Council will lose income.

Question 5.

What, if any, impact do you think that the introduction of a Council tax premium for second homes would have on house prices in Swansea?

Total Responses Received	392
Increase overall	39 (9.9%)
No impact	215 (54.8%)
Reduce overall	138 (35.2%)

215 comments were received in relation to possible impacts on house prices. The following types of comments were received which typically reflect a range of the general sentiments:-

- Market prices would reduce/house prices would fall.
- If second homes are sold, an increased supply of properties would reduce house prices.
- There would be a glut of properties flooding the market and house prices will drop across Swansea
- It will lower house prices in the Gower.
- It will reduce prices slightly.
- There will be a short-term decrease as second home owners will want to sell/let will create a short-term turbulence in house prices.
- There will be a transient drop in prices.
- There will be a drop in demand for premium properties.
- There will be no impact/negligible
- Uncertain.
- Not enough second homes to make a difference to property prices.

Question 6.

What, if any, impact do you think that the introduction of a Council tax premium for second homes would have on the supply of affordable housing in Swansea?

Total Responses Received	389
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Positive	21 (5.4%)
Neutral	260 (66.8%)
Negative	108 (27.8%)

Comments were invited for those who indicated a negative impact and 163 comments were received in total. The following types of comments on how the impact could be lessened typically reflect the general sentiments.

- Most second homes are not affordable as they are more expensive properties/premium properties.
- There would be no effect as second homes are not affordable.
- Second homes are rarely affordable due to their nature, location usually in the Marina, South West Swansea and rural Gower.
- A first time buyer could not afford to buy second homes, too far from employment centres.
- There is no affordable housing in Swansea West and the Gower.
- Holiday homes are not in affordable areas
- A lot of second homes are in excess of average house prices so unaffordable.
- Second homes are in a different property market and not affordable housing.
- Depends on the size of the property- smaller properties maybe affordable but larger ones unaffordable.
- Impact could be lessened if extra money raised was used to build affordable housing.

Question 7.

What, if any, impact do you think that the introduction of a Council tax premium for second homes will have for the Welsh Language in Swansea?

Total Responses Received	390
Positive	7 (1.8%)
Neutral	323 (82.8%)
Negative	60 (15.4%)

114 additional comments were received. The following types of comments on how the impact could be lessened typically reflect the general sentiments.

- There would be absolutely no impact.
- No effect/irrelevant.
- Swansea is primarily English speaking anyway so no impact.
- There is no connection between taxation and language.
- Few people speak Welsh in the Gower.
- Many second home owners are Welsh living elsewhere- their second home is their main link to Welsh culture and language.
- Some second homes owners speak Welsh and forcing them to sell would reduce numbers.

Question 8.

Please use this space to make any other comments or suggestions you have

300 comments were received in total which have been grouped into the following types or categories as follows:-

- a) Effect on Tourism and the Local Economy.
- b) Second homes used for personal use only or former family homes.
- c) Local services are used less by second home owners
- d) Student accommodation and University developments
- e) Use of premium to increase income.
- f) Further comments in relation to affordable housing.
- g) Further comments on the level the Council Tax premium should be set.

a) Effect on Tourism and the Local Economy

A very substantial number of comments and concerns were received on the likely negative impact to tourism and the local economy if the premium on second homes is introduced. Most of the comments and concerns reflect the following sentiments:-

- Many second homes are let out as holiday lets which contribute substantially to the local economy and tourism.
- The three largest holiday cottage agencies in the area have in the region of 350 cottages for rental, which it is claimed demonstrates this sector contributes heavily to all aspects of the economy.
- Second homes used as holiday lets are heavily linked to tourism in Swansea.
- There are concerns that a premium imposed in Swansea could divert the holiday let business elsewhere to other councils' areas.
- If second home owners sell, this will reduce the availability of holiday lets, thereby reducing the number of visitors to Swansea.
- The additional premium will be added to rental costs on holiday lets making them more expensive to tourists, who may visit other holiday locations instead.
- There will be a negative impact to tourism - visitors using holiday lets invest in local businesses such as pubs, activity centres, shops, and restaurants.

- Second home owners will sell up in Swansea and buy second home elsewhere for holiday letting purposes, taking their trade with them.
- Could lead to significant loss of trade and income to local businesses if holiday let businesses are affected.
- A reduction in holiday homes availability will reduce tourism and income to the city overall.

b) Second homes used for personal use only or former family homes.

A significant number of comments and concerns were raised by second home owners who used their second home for personal use only, for example to support elderly relatives, are former family homes or they intend moving back permanently on retirement. Most of the comments and concerns reflect the following sentiments:-

- Concerns received from individuals or families who have bought properties as a base to regularly visit and support elderly or sick relatives.
- It penalises people who never rent out their properties, who have retained family homes to maintain links with Swansea and their families - regularly visiting to support elderly relatives.
- It's unfair on people who have moved elsewhere to obtain better wages and retained their former home to maintain contact with family and friends and have plans to move back permanently when retired.
- Those who have bought a second home for their own use only, a premium would make it unaffordable and have to sell.
- My second home has been bought as my retirement holiday home and not used for holiday lets. The premium would be unaffordable.
- My family has retained our former family home left by my parents and use frequently to visit other family members.
- It discriminates against elderly people who have bought second home for personal use in retirement and /or for investment purposes.

c) Local services are used less by second home owners

A significant number of comments were made relating to second home owners making less use of local services compared to permanent residents. Most of the comments reflect the following sentiments:-

- Second home owners should receive a discount on their council tax and not be charged a premium as they make less use of council services compared to permanent residents.
- Permanent residents receive more council services therefore costs are higher than those used by second home owners.
- Second home owners by definition are less demanding on council resources than first homes and yet taxed the same currently.

d) Student Accommodation and University Developments

Several comments in relation to student lets and university developments were made. Most of the comments reflect the following sentiments:-

- The university developments are having a profound effect on the availability of affordable housing not second homes.
- The Council should be tackling student lets not second homes, where properties are not well maintained.
- Student accommodation is not cared for or invested in, in the same way residents or holiday let owners take care of their homes.
- Students do not pay any council tax.

e) Use of premium to increase income.

Several comments or questions were made in relation to premiums only being proposed to raise extra income for the Council. Most of the comments reflect the following sentiments:-

- This proposal is being used to increase income for the Council and second homes are an easy target.
- Is the prime aim fund raising?
- We feel that the Council Tax premium is being used as a means of increasing income for the Council and second home owners are an easy target and considered fair game.
- If the Council's real reason is to increase income at the expense of a group it assumes can afford to pay double, then it will proceed.

f) Further comments in relation to affordable housing. The majority of comments reflect the following sentiments:-

- An increase in tax will not be used for/or generate affordable housing.
- Imposing a premium will only have a small impact on affordable housing.
- Second homes are in the more affluent areas of Swansea and are not affordable.
- Second homes are primarily in Mumbles, Gower and the Marina and therefore not low cost and affordable or just affordable to middle and higher income families.

Additional Response

The Council's Cultural Services has raised concerns that the proposal could potentially impact negatively on tourism, as costs could be higher within the hospitality and accommodation sector, in particular self-catering/holiday lets.

Agenda Item 8.

Report of the Cabinet Member for Education

Extraordinary Council – 10 March 2016

ADMISSION ARRANGEMENTS 2017/2018

Purpose:	To determine the Admission Arrangements for maintained schools for the academic year 2017/2018.
Policy Framework:	The Admission Arrangements to Schools Policy.
Reason for Decision:	There is a duty on the local authority (LA) to determine its admission arrangements annually.
Consultation:	Education; Legal; Finance; all Headteachers and Governing Bodies including Voluntary Aided schools; neighbouring admission authorities; the Admissions Forum.
Recommendation(s): that	
1)	The proposed Admission Arrangements for 2017/2018 for Nursery as set out in Appendix A are approved.
2)	The proposed Admission Arrangements for 2017/2018 for Reception as set out in Appendix B are approved.
3)	The proposed Admission Arrangements for 2017/2018 for Year 7 as set out in Appendix B are approved.
4)	The proposed Admission Arrangements/Criteria for Entry for 2017/2018 for Sixth Forms set in Appendix B are approved.
5)	The proposed Admission Arrangements for 2017/2018 for In Year Transfers as set out in Appendix B are approved.
6)	The Schedule of Events at Appendix C is approved.
7)	The Admission Numbers for primary and secondary schools are noted, as set out in Appendix D.
Report Author:	Melissa Taylor / Claire Abraham
Finance Officer:	Ben Smith
Legal Officer:	Stephanie Williams
Access to Services Officer:	Sherill Hopkins

1.0 Introduction

- 1.1 By virtue of Section 89 of the School Standards & Framework Act (1998) the Authority is responsible for determining the admission arrangements for County maintained schools. In accordance with the Education (Determinations of Admission Arrangements) (Wales) Regulations 2006 the Council has a duty to review the Admissions to Schools Policy and to consult Governing Bodies of voluntary aided schools on their admission arrangements.
- 1.2 The Welsh Government in July 2013 issued the School Admissions Code and the School Admission Appeals Code in December 2013. The School Admissions Code applies to arrangements made for the 2017/2018 academic year and covers admissions to primary and secondary schools.
- 1.3 Copies of the proposed Admission Arrangements for Nursery Classes are attached at Appendix A.
- 1.4 Copies of the proposed Admission Arrangements for Primary and Secondary Schools are attached at Appendix B.
- 1.5 Copies of the proposed Admission Arrangements for Secondary Schools are attached at Appendix B
- 1.6 Copies of the proposed Admission Arrangements and criteria for entry for Sixth Forms are attached at Appendix B.
- 1.7 Copies of the proposed Admission Arrangements for In Year Transfers attached at Appendix B.
- 1.8 The proposed Schedule of Events for the admission process is shown at Appendix C.
- 1.9 The Admission Numbers (ANs) for Primary and Secondary schools are shown at Appendix D.

2.0 Admission Limits

Primary

- 2.1 The capacity of each primary school including its nursery classes has been calculated using the Welsh Government formula and from this an Admission Number (AN) has been set. The Admission Numbers for primary schools are shown in Appendix D.

All schools must admit up to their AN in the year of entry i.e. Reception in primary schools. In the year of entry, and in all other year groups, a child will be refused a place by the LA once the AN is reached.

- 2.2 The School Standards and Framework Act 1998, The School Admissions (Infant Class Sizes) (Wales) Regulations 2013, restricts infant class sizes to a maximum

of 30 i.e. Reception, Year 1 and Year 2. Welsh Government has also introduced a recommended limit of 30 for Key Stage 2 class sizes.

Secondary

- 2.3 The Admission Numbers (ANs) shown at Appendix D are the limits for each year group.
- 2.4 Schools must not exceed their AN in the year of entry i.e. Year 7 for secondary admissions or in any other year group.

Primary and Secondary

- 2.5 Even if parents living within the catchment area of a school apply for a place before the parental deadline, there is no guarantee of a catchment place if the AN has been reached.

In Year Transfers

- 2.6 Availability of places is determined by reference to the school's admission number. A child will be refused a place once the admission number has been reached. Admission Numbers (ANs) shown at Appendix D are the limits for each year group. Schools must not exceed their AN in the year of entry i.e. Reception for primary admissions and Year 7 for secondary admissions, or in any other year group.

Sixth Forms

- 2.7 Criteria for entry and admission arrangements for Sixth Forms, including admission limits, are outlined in Appendix B.

For schools with a Sixth Form, Admission Numbers will be the same for Years 12 and 13 as they are for Years 7 to 11.

3.0 Admissions Criteria

- 3.1 The Education (Admission of Looked After Children) (Wales) Regulations 2009 places a duty on admission authorities in Wales to admit children looked after by a local authority in Wales where an application for admission is made, even if the AN has been reached. Should an admission authority wish to refuse an admission application for a looked after child then they must refer the matter to the Welsh Ministers within 7 days of receiving the application for decision. The decision of the Welsh Ministers is binding. Previously looked after children (looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after), are also included in this criteria under the Welsh Government's School Admissions Code.
- 3.2 Pupils with a statement of Special Educational Needs do need to be included and accounted for when places are allocated and schools are informed of this.

3.3 Oversubscription

Where more applications are received for a particular school than there are places available, places will be awarded using the oversubscription criteria set out in the Admission Arrangements (see Appendix B).

3.4 Results of the Consultation

Response 1

Response 1 was from a Chair of Governors who commented that:

“1. The document does not discuss the specific needs of Welsh-medium education, where the demand very often exceeds provision. The systems for English-medium education are not always suitable for Welsh-medium education in light of the overcapacity.”

“2. Admission to the nursery class: In a number of schools, the demand for a nursery place has exceeded provision. When refused a place in a Welsh-medium nursery class, parents, due to circumstances, opt for an English-medium school. Children seldom transfer to Welsh-medium education from nursery when they reach 5 years of age. This puts Welsh-medium education at a disadvantage. The document should include guidance on how to provide a Welsh-medium nursery class for all those who desire it.”

“3. Admission to primary schools: The demand for Welsh-medium education regularly exceeds provision in a number of schools. Once again this document is suitable for English-language education, but not for Welsh-medium education. Where a pupil is refused a place in English-medium education, there will usually be another school available to that pupil nearby. With Welsh-medium education, it's common for all schools within reasonable distance of a child's home to be full. If a pupil is refused due to one school being full, he cannot be transferred, according to the system in the document, to another school which is full. Welsh-medium schools need direction to enable them admit all children in the catchment area without having to go through the appeal process, where neighbouring schools are all full.”

“The solution to the admission difficulties experienced at Welsh-medium schools is to provide more Welsh-medium schools. This is needed urgently in the Kingsbridge – Gorseinon – Gowerton area.”

LA Response:

1. The local authority is aware of the current situation regarding demand for Welsh medium places at Swansea Welsh medium schools and is working towards increasing school places accordingly. As you are aware, the current financial situation is having serious impact upon the level and timeframe of support the local authority is able to devote to address these concerns.
2. Admission to nursery - You have indicated that demand for nursery classes exceeds provision and the impact this may have upon parental choice in relation to Welsh medium education options. Nursery places are for part time provision only in keeping with Welsh Government requirements and on this basis many schools – both English and Welsh medium, offer morning and afternoon sessions. The authority is not aware that any Swansea school is therefore in a position of having to refuse a nursery class place for a child.

The local authority does state that 'It may not always be possible for children to be admitted to a nursery class within the catchment area for their home address. If this is the case, an alternative place will be made available.' This statement applies equally to English medium and Welsh medium nursery school places.

3. Admission to primary school - You state that the demand for Welsh Medium education exceeds provision in a number of schools. The local authority is aware of this difficulty and is working to ensure that the longer term planning for Welsh medium places is increased in line with demand. As indicated above, current financial constraints are having an impact and have delayed the planned approach of the local authority to secure additional provision.

The local authority will offer an alternative place at a Welsh medium school if a place is unavailable at the school of choice. The only exception to this policy is where parents/carers have indicated on the application form that the second choice school is an English medium school. There are occasions when a pupil cannot be admitted to the school of choice, however, an alternative Welsh medium place is offered along with an opportunity to meet with an Independent Appeal Panel to hear the case. This situation also applies to applications for English medium school places. Where any child is refused a place at a Welsh medium school of choice they are always offered an alternative place at another Swansea Welsh medium school. No pupil is refused a Welsh medium place at a Swansea school.

Response 2

Response 2 was from a, headteacher who commented that:

"In the past, the checking and agreeing of these admission arrangements has very much been a cursory exercise. However, as a school we have experienced significant problems this year because of the sheer number of pupils who have made in-year admission applications and the attendance/behaviour problems the majority of these pupils bring with them. This is the third year running where we have seen a significant increase in in-year applications for admission, although the current term has been the worst. A small number of schools suffer from an unreasonable number of these in-year transfers annually."

"There is a problem with the following section for in-year transfers:

Parents/carer's can apply for a place at the catchment school or express a preference for a placement at an alternative school. Requests will be granted unless to do so would:

- prejudice the provision of efficient education or the efficient use of resources, and
- for voluntary aided schools, be incompatible with the admission arrangement agreed between the Governing Body and the LA."

"It also states later:

Requests for admission will be granted provided there are places available. Where admission requests exceed the number of places available, as determined by the published admission number, applications will be allocated by applying the LA's oversubscription criteria."

“There has to be some other criteria than space, or a process that requires both the original school and the receiving school to look carefully at what is in the best interests of the pupil, prior to a move taking place. This is what is supposed to happen with a ‘managed move’ but the reality is that this system doesn’t work in many cases because the parents simply apply to join another school and, if there is space, there is no mechanism for careful consideration of what will work. If a pupil has significant attendance and/or behaviour problems that have been a major contributory factor to the parents applying to move schools (i.e. simply to passport the problems elsewhere rather than face them and deal with them), then a school should be able to at the very least delay if not refuse that admission. The phrase ‘efficient education’, used in the criteria above, should incorporate the impact a pupil has, not simply the fact that they are one extra body in a classroom.”

LA Response:

The local authority is required to administer admission applications in accordance with the Welsh Government School Admissions Code (Statutory Code document number: 005/2013, issued July 2013). Where an application is received and the school has not reached the Admission Number for the relevant year group the local authority is required to offer the school place. Whilst the local authority fully appreciates the difficulties this can have on school organisation, it does not have any reason in legislation to refuse the place. Therefore, the local authority must offer the school place.

The local authority will work with headteachers where there appears to be a pattern emerging of pupil moves from one school to another or others. Some schools, that are not over their total capacity and where they have not reached the admission number in certain year groups, will frequently find themselves in situations where pupil moves are being sought. The Welsh Government School Admissions Code does not make exception for these pupils and there is expectation that the local authority will award places that are available.

The authority is working with headteachers to establish improved practice with the aim of reducing the number of in-year transfers in order to support schools that have surplus capacity and room in a year group where the local authority is required to allocate a place following receipt of an application.

3.5 Admission Forum

Following due consideration the Forum agreed that their recommendation would be that the Admission Arrangements 2017/2018 be approved in their current format.

4.0 Equality and Engagement Implications

A full Equality Impact Assessment (EIA) Report was completed for Admission Arrangements in 2014, with no adverse impacts identified. The EIA has been reviewed for the 2017/2018 arrangements, with no further changes required.

5.0 Financial Implications

Whilst there are no immediate financial implications arising from this report, acceptance of this policy could result in additional expenditure at a future time. Acceptance of the policy does not mean that additional resources will be made available and it should be assumed that future spending needs will need to be contained within existing budget provision and have full and due regard to the budget principles set out in 'Sustainable Swansea – Fit for the Future' and the likely levels of future budgets having due regard to the budget and medium term financial plan.

6.0 Legal Implications

Section 89 of the School Standards and Framework Act 1998 and Regulation 4 of the Education (Determination of Admission Arrangements) (Wales) Regulations 2006 require Admission Authorities to consult and determine school admission arrangements annually. The Regulations set requirements for consultation and determinations of admission arrangements. The Welsh Government has issued a guidance circular 'Measuring the Capacity of Schools in Wales', which sets out methodology for Local Authorities to follow when determining their admission arrangements. There is also a requirement to consider the guidelines contained in the Welsh Government School Admissions Code.

Background Papers:

Education (Determination of Admission Arrangements) (Wales) Regulations 2006
Welsh Government (WG) guidance document 'Measuring the Capacity of Schools in Wales'.

School Admissions Code, School Admission Appeals Code. WG July 2013 and December 2013.

EIA Screening Form

EIA Report

Appendices:

Appendix A - Admission Arrangements 2017/2018 Nursery

Appendix B – Admission Arrangements 2017/2018 Reception

Appendix B – Admission Arrangements 2017/2018 Year 7

Appendix B – Admission Arrangements/Criteria for Entry 2017/2018 Sixth Forms.

Appendix B - Admission Arrangements for 2017/2018 for In Year Transfers

Appendix C - Schedule of Events

Appendix D – Admission Numbers for Primary and Secondary Schools

**ADMISSION ARRANGEMENTS 2017/2018
(Nursery classes based at Local Authority schools)**

The Local Authority, the LA, is the admitting authority for all community schools in the area.

Admission to nursery classes

Parents/carer's who require a place in a nursery class will be required to submit an admission application in writing.

Parents/carer's can either apply in writing for a place at the catchment school or express a preference for a placement at an alternative school. Requests for places will be granted unless to do so would prejudice the provision of efficient education or the efficient use of resources.

There is **no right of appeal** following the refusal of an application for a place in a nursery class.

The number of nursery places available may differ to the admission number for the rest of the year groups within a school (Reception – Year 6)

(a) Oversubscription Criteria – nursery classes in Community Schools

If more applications have been received for any school than there are places available, the following order of priority will apply:

1. Children who are in the care of a Local Authority (LA) i.e. Looked After Children (LAC), or previously looked after*.
2. Children who live within the school's defined catchment area. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.
3. Children who have a brother or sister of statutory school age attending the school at the date of their admission***. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.
4. Other children for whom a place has been requested for whom criteria 1 to 3 above do not apply. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.

*Previously looked after children: looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after.

** The measurements will be taken from outside the entrance to the property (house or flat) to the nearest official school entrance. The Local authority GIS computer programme is used when undertaking the measurement.

*** A brother or sister will be defined as a natural or legally adopted child of either parent living at the same address. In any circumstances in which there is one place available and the next eligible children are twins/triplets then the LA will admit both/all children.

Note that schools have a duty to admit children with a Statement of Special Educational Needs who have been placed in a school by the LA and these pupils are counted towards the number admitted up to the admission number unless they are placed in a Special Teaching Facility with planned places.

Requests for admission to voluntary aided schools will be determined by reference to admission criteria set by the governing body. The governing bodies of voluntary aided schools are responsible for determining their own admission arrangements.

(b) Admission Procedures – nursery places in Community Schools

Parents/carer's can apply for a place for their child at the catchment school or state a preference for an alternative placement using the admission application.

Requests for admission will be granted provided there are places available. Where admission requests exceed the number of places available, places will be allocated in accordance with the LA's oversubscription criteria.

Children attending the nursery class of a school will not have an automatic right of admission to full time education at the same school. Parents/carer's will need to apply for a place along with other applicants at the appropriate time.

Admissions will not be determined on the basis of selection criteria involving the sitting of tests, viewing of school reports, or interviewing pupils with or without parents/carer's for the purpose of assessing ability or aptitude.

Waiting Lists

For all admissions, where parents/carer's are refused a place for their child/children they are automatically placed on the waiting list. Pupils names will remain on the waiting list for the whole academic year and will only be removed if a parent/carer confirms in writing that they no longer wish their child/rens' name to remain on the waiting list. If a place becomes available it will be allocated by the LA in accordance with the oversubscription criteria.

The LA will be under no duty to comply with preference expressed otherwise than in accordance with its arrangements.

NB: The oversubscription criteria does not apply to pupils for whom the LA holds a Statement of Special Educational Needs although the rights of parents/carer's to be involved in the placement of their child are protected in law. The LA in consultation with parents/carer's and schools will determine the school at which education is to be provided. The LA reserves the right to name a school which is not the catchment area school.

Note: During this period the Local authority (LA) may undertake a consultation to propose changes to a number of catchment areas.

ADMISSION ARRANGEMENTS 2017/2018 (Reception)

The Local authority, the LA, is the admitting authority for all community schools in the area.

Each child about to commence full time education will be invited to apply for a place at a school maintained by the LA.

Parents/carer's can apply on line for a place at the catchment school or express a preference for a placement at an alternative school. Requests for a place will be granted unless to do so would:

- prejudice the provision of efficient education or the efficient use of resources, and
- for voluntary aided schools, be incompatible with the admission arrangement agreed between the Governing Body and the LA.

Those parents who apply on time for a place at any school will be given priority over those who have not.

(a) Admission Limits – Community Schools

All schools must admit up to their admission number in the year of entry (ie. Reception in Primary schools). In the year of entry a child will be refused a place once the admission number has been reached. Parents/carer's who are refused a place at the school must be given right of appeal.

The admission number applies to all year groups (except nursery).

(b) Oversubscription Criteria – Community Schools

If more applications have been received for any school than there are places available, the following order of priority will apply:

1. Children who are in the care of a Local Authority i.e. Looked After Children (LAC), or are previously looked after*.
2. Children who live within the school's defined catchment area. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.
3. Children who have a brother or sister of statutory school age attending the school at the date of their admission.*** If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.
4. Other children for whom a place has been requested for whom criteria 1 to 4 above do not apply. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**

*Previously looked after children: looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after.

**The measurements will be taken from outside the entrance to the property (house or flat) to the nearest official school entrance. The Local authority GIS computer programme is used when undertaking the measurement.

***A brother or sister will be defined as a natural or legally adopted child of either parent living at the same address. In any circumstances in which there is one place available and the next eligible children are twins/triplets then the LA will admit both/all children.

The LA **will not** provide transport or make any contribution towards transport costs for children admitted from outside the school's defined catchment area. However, if the catchment area school is full in the year group, transport will be provided to the nearest school with room if that school is more than 2 miles from the home address.

Children who have a statement of Special Educational Needs

The oversubscription criteria does not apply to pupils for whom the LA holds a statement of special educational needs although the rights of parents to be involved in the placement of their child are protected in law. The LA in consultation with Parents/carer's and schools will determine the school at which education is to be provided. The LA reserves the right to name a school which is not the catchment area school.

Schools have a duty to admit children with a Statement of Special Educational Needs who have been placed in a school by the LA and these pupils are counted towards the number admitted up to the Admission Number unless they are placed in a Special Teaching Facility with planned places.

Voluntary Aided Schools

Requests for admission to voluntary aided schools will be determined by reference to admission criteria set by the Governing Body. (The Governing Bodies of Voluntary Aided Schools are responsible for determining their own admission arrangements).

(c) Admission Procedures – Community Schools

Parents/carer's will be asked to apply on line for a place for their child at the catchment school or to state a preference for an alternative placement using the admission application.

Requests for admission will be granted provided there are places available. Where admission requests exceed the number of places available, as determined by the published admission number, applications will be allocated by applying the LA's oversubscription criteria.

Children attending the nursery class of a school will not have an automatic right of admission to full time education at the same school. Parents/carer's will need to apply for a place along with other applicants.

Although the LA permits pupils to start Reception full time at the start of the academic year in which they become five, the law does not require a child to start school until the start of term following the child's fifth birthday. Therefore, if the parent of a Reception age child wishes to defer entry until later in the school year a place must be allocated to this child and this place is not available to be offered to another child. Entry cannot however be deferred beyond the beginning of the term after the child's fifth birthday nor beyond the academic year for which the original application was accepted.

Requests for admission to Reception submitted on or before the administrative closing date, **17th February, 2017** will be processed collectively and places allocated according to the above oversubscription criteria. In this respect, no advantage shall be gained from the early submission of an admission request. Requests submitted after the closing date will be processed in date order once all on time applications have been dealt with.

Admissions will not be determined on the basis of selection criteria involving the sitting of tests, viewing of school reports, or interviewing pupils with or without parents/carer's for the purpose of assessing ability or aptitude. Parents/carer's who have applied by the **17th February 2017** will be advised whether they have been allocated a place by the **18th April 2017**.

Right of Appeal

Parents/carer's will be informed, in writing, as to whether their application has been successful. Where their application has been refused parents/carer's will be informed in writing that they have right of appeal to an Independent Appeal Panel. If they exercise that right, the appeal must be forwarded to the School and Governor Team at the Civic Centre by **16th May 2017**. The appeal will be considered by an Independent Appeal Panel of 3 or 5 people comprising lay members, and persons with experience in education.

Please note:

Because of the statutory class size maximum of 30, there are very restricted circumstances in which an appeal for a place in an Infant class (Reception, Year 1 and Year 2) can be successful.

Waiting Lists

For all admissions, where parents/carer's are refused a place for their child/children they are automatically placed on the waiting list and an opportunity to meet with an Independent Appeal Panel is offered. Pupils names will remain on the waiting list for the whole academic year and will only be removed if they are successful at appeal or if a parent confirms in writing that they no longer wish their child/ren's name to remain on the waiting list. If a place becomes available it will be allocated in by the LA in accordance with the oversubscription criteria.

The LA will be under no duty to comply with preference expressed otherwise than in accordance with its arrangements.

Note: During this period the Local authority LA may undertake a consultation to propose changes to a number of catchment areas.

ADMISSION ARRANGEMENTS 2017/2018 (Year 7)

The Local authority, the LA, is the admitting authority for all community schools in the area.

Each child about to transfer from primary to secondary education will be invited to apply for a place at a school maintained by the LA.

Parents/carer's can apply on line for a place at the catchment school or express a preference for a placement at an alternative school. Requests for a place will be granted unless to do so would:

- prejudice the provision of efficient education or the efficient use of resources, and
- for voluntary aided schools, be incompatible with the admission arrangement agreed between the Governing Body and the LA.

Those parents who apply on time for a place at any school will be given priority over those who have not.

(a) Admission Limits – Community Schools

Availability of places is determined by reference to the school's admission number. Schools must admit up to the admission number in the year of entry (ie Year 7 in secondary school) and must not exceed this number. Parents/carer's who are refused a place at the school must be given right of appeal.

The admission number applies to all year groups.

(b) Oversubscription Criteria – Community Schools

If more applications have been received for any school than there are places available, the following order of priority will apply:

1. Children who are in the care of a Local Authority i.e. Looked After Children (LAC) or previously looked after.
2. Children who live within the school's defined catchment area. If there are more applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.
3. Children who have a brother or sister of statutory school age attending the school at the date of their admission***. If there are more applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.
4. Children attending a designated partner primary school but who live outside the catchment area of that school. If there are more

applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.

5. Other children for whom criteria 1 to 4 above do not apply. If there are more applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.

*Previously looked after children: looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after.

**The measurement will be taken from outside the entrance to the property (house or flat) to the nearest official school entrance. The Local authority GIS computer programme is used when undertaking the measurement.

*** A brother or a sister will be defined as a natural or legally adopted child of either parent living at the same address. In any circumstances in which there is one place available and the next eligible children for that place are twins/triplets, the LA will admit both/all children.

The LA **will not** provide transport or make any contribution towards transport costs for children admitted from outside the school's defined catchment area. However, if the catchment area is full in the year group, transport will be provided to the nearest school with room if that school is more than 3 miles walking distance from the home address.

Children who have a statement of Special Educational Needs

The oversubscription criteria does not apply to pupils for whom the LA holds a statement of special educational needs although the rights of parents/carer's to be involved in the placement of their child are protected in law. The LA in consultation with parents/carer's and schools will determine the school at which education is to be provided. The LA reserves the right to name a school which is not the catchment area school.

Schools have a duty to admit children with a Statement of Special Educational Needs who have been placed in a school by the LA and these pupils are counted towards the number admitted up to the admission number unless they are placed in a Special Teaching Facility with planned places.

Voluntary Aided Schools

Requests for admission to voluntary aided schools will be determined by reference to admission criteria set by the Governing Body. (The Governing Bodies of Voluntary Aided Schools are responsible for determining their own admission arrangements).

(c) Admission Procedures – Community Schools

Parents/carer's will be asked to apply on line for a place for their child at the catchment school or to state a preference for an alternative placement using the admission application.

Requests for admission will be granted provided there are places available as determined by the published admission number.

Where admission requests exceed the number of places available, places will be allocated by applying the LA's oversubscription criteria.

Applications for admission to the relevant age group (i.e. the age group at which children are normally admitted to the school) submitted on or before the administrative closing date, **25th November 2016** will be processed collectively. In this respect, no advantage shall be gained from the early submission of an admission request. Requests submitted after the closing date will be processed in date order once all on time applications have been dealt with.

Admissions will not be determined on the basis of selection criteria involving the sitting of tests, viewing of school reports, or interviewing pupils with or without parents/carer's for the purpose of assessing ability or aptitude.

The LA will be under no duty to comply with preference expressed otherwise than in accordance with its arrangements. Parents/carer's who have applied by the **25th November 2016** will be advised whether they have been allocated a place on the **1st March 2017**.

Right of Appeal

Parents/carer's will be informed, in writing, as to whether their application has been successful. Where their application has been refused parents will be informed in writing that they have right of appeal to an Independent Appeal Panel. If they exercise that right, the appeal must be forwarded to the School and Governor Team at Civic Centre by **31st March 2017**. The appeal will be considered by an Independent Appeal Panel of 3 or 5 people comprising lay members, and persons with experience in education.

Waiting Lists

For all admissions, where parents/carer's are refused a place for their child/children they are automatically placed on the waiting list and an opportunity to meet with an Independent Appeal Panel is offered. Pupils names will remain on the waiting list for the whole academic year and will only be removed if they are successful at appeal or if a parent confirms in writing that they no longer wish their child/ren's name to remain on the waiting list. If a place becomes available it will be allocated by the LA in accordance with the oversubscription criteria.

The LA will be under no duty to comply with preference expressed otherwise than in accordance with its arrangements.

Note: During this period the Local authority (LA) may undertake a consultation to propose changes to a number of catchment areas.

ADMISSION ARRANGEMENTS 2017/2018 (In Year Transfer)

The Local authority, the LA, is the admitting authority for all community schools in the area.

Admission to Community Schools – (Primary and Secondary)

Parents/carer's can apply for a place at the catchment school or express a preference for a placement at an alternative school. Requests will be granted unless to do so would:

- prejudice the provision of efficient education or the efficient use of resources, and
- for voluntary aided schools, be incompatible with the admission arrangement agreed between the Governing Body and the LA.

(d) Admission Limits – Community Schools

Availability of places is determined by reference to the school's admission number. A child will be refused a place once the admission number has been reached. Parents/carer's who are refused a place at the school must be given right of appeal (**there is no right of appeal for nursery**).

The admission number applies to all year groups (except nursery).

(e) Oversubscription Criteria – Community Schools

If more applications have been received for any school than there are places available, the following order of priority will apply:

5. Children who are in the care of a Local Authority i.e. Looked After Children (LAC), or are previously looked after*.
6. Children who live within the school's defined catchment area. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.
7. Children who have a brother or sister of statutory school age attending the school at the date of their admission.*** If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.
8. Other children for whom a place has been requested for whom criteria 1 to 4 above do not apply. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**

*Previously looked after children: looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after.

**The measurements will be taken from outside the entrance to the property (house or flat) to the nearest official school entrance. The Local authority GIS computer programme is used when undertaking the measurement.

***A brother or sister will be defined as a natural or legally adopted child of either parent living at the same address. In any circumstances in which there is one place available and the next eligible children are twins/triplets then the LA will admit both/all children.

The LA **will not** provide transport or make any contribution towards transport costs for children admitted from outside the school's defined catchment area. However, if the catchment area school is full in the year group, transport will be provided to the nearest school with room if that school is more than 2 miles for primary or 3 miles for secondary from the home address.

Children who have a statement of Special Educational Needs

The oversubscription criteria does not apply to pupils for whom the LA holds a statement of special educational needs although the rights of parents to be involved in the placement of their child are protected in law. The LA in consultation with Parents/carer's and schools will determine the school at which education is to be provided. The LA reserves the right to name a school which is not the catchment area school.

Schools have a duty to admit children with a Statement of Special Educational Needs who have been placed in a school by the LA and these pupils are counted towards the number admitted up to the Admission Number unless they are placed in a Special Teaching Facility with planned places.

Voluntary Aided Schools

Requests for admission to voluntary aided schools will be determined by reference to admission criteria set by the Governing Body. (The Governing Bodies of Voluntary Aided Schools are responsible for determining their own admission arrangements).

(f) Admission Procedures – Community Schools

Parents/carer's will be asked to apply for a place for their child at the catchment school or to state a preference for an alternative placement using the admission application.

Requests for admission will be granted provided there are places available. Where admission requests exceed the number of places available, as determined by the published admission number, applications will be allocated by applying the LA's oversubscription criteria.

Admissions will not be determined on the basis of selection criteria involving the sitting of tests, viewing of school reports, or interviewing pupils with or without Parents/carer's for the purpose of assessing ability or aptitude.

Right of Appeal

Parents/carer's will be informed, in writing, as to whether their application has been successful. Where their application has been refused parents/carer's

will be informed in writing that they have right of appeal to an Independent Appeal Panel **(there is no right of appeal for nursery)**. If they exercise that right, the appeal must be forwarded to the School and Governor Team at the Civic Centre. The appeal will be considered by an Independent Appeal Panel of 3 or 5 people comprising lay members, and persons with experience in education.

Please note:

Because of the statutory class size maximum of 30, there are very restricted circumstances in which an appeal for a place in an Infant class (Reception, Year 1 and Year 2) can be successful.

Waiting Lists

For all admissions, where parents/carer's are refused a place for their child/children they are automatically placed on the waiting list and an opportunity to meet with an Independent Appeal Panel is offered **(there is no right of appeal for nursery)**. Pupils names will remain on the waiting list for the whole academic year and will only be removed if they are successful at appeal or if a parent confirms in writing that they no longer wish their child/ren's name to remain on the waiting list. If a place becomes available it will be allocated by the LA in accordance with the oversubscription criteria.

The LA will be under no duty to comply with preference expressed otherwise than in accordance with its arrangements.

Note: During this period the Local authority (LA) may undertake a consultation to propose changes to a number of catchment areas.

Admissions to Sixth Form Criteria for Entry

Application Closing Date

Pupils can apply for a place at a Sixth Form at a Swansea school in the Spring Term prior to them seeking a place for the following September. Closing dates for applications will be **DATE TO BE CONFIRMED BY SCHOOLS**.

Provisional Offer

Pupils will be offered a provisional place. This provisional place will be subject to achieving certain specified entry qualifications as published by each individual school. The schools should be contacted regarding their specific entry qualifications.

GCSE/Equivalent Results

When GCSE grades are published ie the third Thursday in August ordinarily, it will be necessary for individual pupils to contact the School of choice to confirm grades at GCSE or equivalent examination results.

Choice of Subjects

Pupils who have achieved satisfactory grades at GCSE or equivalent will be given a firm offer of a place in the Sixth Form at the school of choice where places are available. It must be noted, however, that it may not be possible to study all the chosen subjects at the school of choice. It may be necessary for students to link with a Sixth Form at another school to pursue some subject choices.

Students who have achieved satisfactory grades at GCSE or equivalent but are unable to study all subject choices at the school of choice can be offered an alternative choice of subjects being taught at the particular premises. Alternatively, these students can seek a place at an alternative venue ie another Swansea school sixth form or Gower College.

Pupils will not be required to sit an entrance interview.

Admission Limits – Sixth Forms

All school sixth forms can admit up to their Admission Number subject to students achieving a schools entry requirements (which are available from individual schools), in the year of entry ie Year 12 in Sixth Form. Parents and pupils who are refused a place at the school sixth form must be given the right of appeal.

Admission Arrangements

The arrangements for admission into Year 12 and 13 for maintained community schools are delegated to the establishments directly. Details on admission arrangements for Voluntary Aided schools may be obtained directly from the establishments concerned and will form part of their admissions policies.

Waiting List

If a school sixth form is over-subscribed and the school cannot meet the demand for courses a waiting list will be maintained. Applicants who have met the entry criteria (see above) but who have been refused a place due to the limit on places available

will be offered an opportunity to put their name on a waiting list. In the event that a place/s become/s available, pupil/s whose name/s are on the waiting list will be offered a place in accordance with the oversubscription criteria (see below).

Oversubscription Criteria

For pupils who achieve the specified entry qualifications, where more applications have been received for any school sixth form than there are places available, the following order of priority will apply:

1. Pupils who are looked after by a Local Authority (LAC) or are previously looked after*.
2. Pupils who live within the school's defined catchment area. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority.**
3. Pupils who have a brother or sister of statutory school age *** attending the school at the date of their admission ****. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority **
4. Pupils who attended the school in year 11 but who live outside the catchment area of that school. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority.**
5. Other pupils for whom a place has been requested for whom criteria 1 to 4 above do not apply. If there are more applications than places, the places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority.**

*Previously looked after children: looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after.

**All distances are measured electronically taking the distance from home to school by the shortest available walking route. The measurements will be taken from outside the entrance of the property (house or flat) to the nearest official school entrance.

***Statutory school age is defined as pupils who are between age 5 and 16 ie pupils in any year group between and including Reception to Year 11.

****A brother or sister will be defined as a natural or legally adopted child of either parent living at the same address. In any circumstances in which there is one place available and the next eligible pupils are twins/triplets then the LA will admit both/all pupils.

NOTE: A small number of pupils with statements of SEN may transfer to sixth forms in Swansea schools. The decision to transfer is made by the Local authority in consultation with the relevant school.

Note: *During this period the Local authority (LA) may undertake a consultation to propose changes to a number of catchment areas.*



Education Department / Adran Addysg

**SCHEDULE OF EVENTS FOR ADMISSION ARRANGEMENTS 2017/2018
PRIMARY SCHOOLS (Reception)**

7th December 2015	Issue of admission arrangements to schools for consultation.
22 nd January 2016	Return of consultation responses to LA
25 th January – 5 th February 2016	Period to resolve queries
3 rd March 2016	Report of consultation to Corporate Briefing.
17 th March 2016	Report of consultation to Cabinet.
24 th March 2016	Determination of Admission arrangements by Council
23 rd September 2016	Information for Parents made available to schools and parents/carer's on City and County of Swansea website or by hard copy (available on request)
9 th January 2017	Parents/carer's are invited to apply for a school place
9 th January – 17 th February 2017	A period of 6 weeks for parents to make their admission applications
17th February 2017	Deadline for parents/carer's to submit admission application to the School and Governor Team, Civic Centre
18 th April 2017	Local authority notifies parents/carer's of primary school place offered
EASTER HOLIDAY 10th – 21st April 2017	
16th May 2017	Date by which parents/carer's lodge appeal



Education Department / Adran Addysg

**SCHEDULE OF EVENTS FOR ADMISSION ARRANGEMENTS 2017/2018
SECONDARY SCHOOLS (Year 7)**

7 th December 2015	Issue of admission arrangements to schools for consultation.
22 nd January 2016	Return of consultation responses to LA
25 th January – 5 th February 2016	Period to resolve queries
3 rd March 2016	Report of consultation to Corporate Briefing.
17 th March 2016	Report of consultation to Cabinet.
24 th March 2016	Determination of Admission arrangements by Council.
23 rd September 2016	Information for Parents made available to schools and parents/carer's on City and County of Swansea website or by hard copy (available on request)
17 th October 2016	Parents/carer's are invited to apply for a school place.
17 th October - 25 th November 2016	A period of 6 weeks for parents to make their admission applications.
25th November 2016	Deadline for parents/carer's to submit admission application to the School and Governor Team, Civic Centre
1 st March 2017	Local authority notifies parents/carer's of secondary school place offered
HALF TERM HOLIDAY 20th – 24th February 2017	
31 st March 2017	Date by which parents/carer's lodge an appeal.



Education Department / Adran Addysg

**SCHEDULE OF EVENTS FOR ADMISSION ARRANGEMENTS 2017/2018
NURSERY CLASSES BASED AT LOCAL AUTHORITY SCHOOLS**

31 October 2016	Parents/carer's are invited to apply for a nursery place
7 April 2017	Deadline for parents/carer's to submit admission application to the School and Governor Team, Civic Centre
26 May 2017	Local authority notifies parents/carer's of nursery place offered

**CITY AND COUNTY OF SWANSEA
PRIMARY SCHOOLS**

**ADMISSION NUMBERS
2017/2018**

Birchgrove Primary	60
Bishopston Primary	38
Blaenymaes Primary	36
Brynhyfryd Primary	60
Brynmill Primary	45
Burlais Primary	75
Cadle Primary	51
Casllwchwr Primary	30
Christchurch Ch. in Wales	13
Cila Primary	16
Clase Primary	36
Clwyd Primary	37
Clydach Primary	39
Craigcefnparc Primary	15
Craigfelen Primary	24
Crwys Primary	26
Cwm Glas Primary	40
Cwmrhydyceirw Primary	60
Danygraig Primary	41
Dunvant Primary	46
Gendros Primary	43
Glais Primary	15
Glyncollen Primary	30
Gors Community	44
Gorseinon Primary	45
Gowerton Primary	45
Grange Primary	30
Gwyrosydd Primary	58
Hafod Primary	30
Hendrefoilan Primary	30
Knelston Primary	19
Llangyfelach Primary	29
Llanrhidian Primary	20
Mayals Primary	30
Morrison Primary	26
Newton Primary	30
Oystermouth Primary	30
Parkland Primary	60
Pen y Fro Primary	29
Penclawdd Primary	29
Pengelli Primary	13
Penllergaer Primary	45

Pennard Primary	30
Pentrechwyth Primary	23
Pentre'r Graig Primary	47
Penyrheol Primary	35
Plasmarl Primary	26
Pontarddulais Primary	60
Pontlliw Primary	26
Pontybrenin Primary	45
Portmead Primary	34
Sea View Community Primary	29
Sketty Primary	60
St. David's Primary	30
St. Helen's Primary	30
St. Illtyd's Primary	30
St. Joseph's Cathedral Primary	60
St. Joseph's Primary (Clydach)	30
St. Thomas' Primary	51
Talycopa Primary	28
Terrace Road Primary	44
Townhill Primary	60
Trallwn Primary	35
Tre Uchaf Primary	29
Waun Wen Primary	27
Waunarlwydd Primary	41
Whitestone Primary	27
Ynystawe Primary	24
YGG Bryniago	31
YGG Bryn-y-Mor	37
YG y Cwm	27
YGG Felindre	11
YGG Gellionnen	43
YGG Llwynderw	45
YGG Lon Las	75
YGG Pontybrenin	67
YGG Tan-y-lan&	14
YGG Tirdeunaw	59
YGG Y Login Fach	30

**CITY AND COUNTY OF SWANSEA
SECONDARY SCHOOLS**

**ADMISSION NUMBERS
2017/2018**

Birchgrove Comprehensive	163
Bishop Gore Comprehensive	237
Bishop Vaughan Comprehensive	204
Bishopston Comprehensive	218
Cefn Hengoed Comprehensive	134
Dylan Thomas Community	127
Gowerton Comprehensive	215
Morrison Comprehensive	217
Olchfa Comprehensive	279
Pentrehafod Comprehensive	200
Penyrheol Comprehensive	195
Pontarddulais Comprehensive	160
Ysgol Gyfun Bryn Tawe	205
Ysgol Gyfun Gwyr	145

TREFNIADAU DERBYN 2017/2018
(Dosbarthiadau meithrin yn ysgolion yr Awdurdod Lleol)

Yr awdurdod lleol, yr AALI, yw'r awdurdod derbyn ar gyfer holl ysgolion cymunedol yr ardal.

Derbyn i Ddosbarthiadau Meithrin

Bydd gofyn i rieni sydd am gael lle i'w plentyn mewn dosbarth meithrin gyflwyno cais ysgrifenedig am le.

Gall rhieni naill ai gwneud cais am le yn ysgol y dalgylch trwy lythyr neu fynegi dewis am le mewn ysgol arall. Caniateir ceisiadau am leoedd os na fydd gwneud hynny'n peryglu darparu addysg effeithlon neu'r defnydd effeithlon o adnoddau.

Nid oes hawl i apelio os gwrthodir lle i blentyn mewn dosbarth meithrin.

Gall nifer y lleoedd meithrin sydd ar gael fod yn wahanol i nifer derbyn gweddill y grwpiau blwyddyn mewn ysgol (Derbyn - Blwyddyn 6)

(a) Meini Prawf Gorymgeisio– dosbarthiadau meithrin mewn Ysgolion Cymunedol

Os cafwyd mwy o geisiadau mewn ysgol na'r lleoedd sydd ar gael, bydd y drefn flaenoriaeth ganlynol yn berthnasol:

1. Plant y mae'r Awdurdod Lleol yn gofalu amdanynt (ALI) h.y. Plant sy'n Derbyn Gofal (PDG), neu a oedd yn arfer derbyn gofal*.
2. Plant sy'n byw yn nalgylch penodol yr ysgol. Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf i'r ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth**.
3. Plant y mae ganddynt frawd neu chwaer o oedran ysgol statudol** sy'n mynd i'r ysgol adeg eu derbyn***. Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf i'r ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth**.
4. Plant eraill y gwnaed cais am le drostynt nad yw meini prawf 1 i 3 uchod yn berthnasol iddynt. Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf i'r ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth**.

*Plant a oedd yn arfer derbyn gofal: plant nad ydynt yn derbyn gofal bellach gan eu bod wedi cael eu mabwysiadu, wedi bod yn destun gorchymyn preswyl neu orchymyn gwarcheidwadaeth arbennig yn syth ar ôl derbyn gofal.

** Mesurir y pellter o'r tu allan i fynedfa'r eiddo (tŷ neu fflat) i fynedfa swyddogol agosaf yr ysgol. Defnyddir rhaglen gyfrifiadur GIS yr Awdurdod Lleol i fesur y pellter.

*** Diffinnir brawd neu chwaer fel plentyn naturiol neu blentyn sydd wedi'i fabwysiadu'n gyfreithlon gan y naill riant neu'r llall sy'n byw yn yr un cyfeiriad.

Mewn unrhyw sefyllfa pan fydd un lle ar gael ac mae'r plant cymwys nesaf ar gyfer y lle hwnnw'n efeilliaid/tripledi, bydd yr ALI yn derbyn y ddau/tri phlentyn.

Sylwer bod gan ysgolion ddyletswydd i dderbyn plant â Datganiad o Anghenion Addysgol Arbennig sydd wedi'u rhoi yn yr ysgol gan yr ALI a chaiff y disgyblion hyn eu cyfrif tuag at y nifer a dderbynnir hyd at y Nifer Derbyn, oni bai eu bod yn cael eu rhoi mewn Cyfleuster Addysgu Arbenigol â lleoedd cynlluniedig.

Penderfynir ar geisiadau i Ysgolion Gwirfoddol a Gynorthwyr trwy gyfeirio at y meini prawf derbyn a osodwyd gan y corff llywodraethu. Cyrff llywodraethu Ysgolion Gwirfoddol a Gynorthwyr sy'n gyfrifol am bennu eu trefniadau derbyn hwy.

(b) Gweithdrefnau Derbyn - lleoedd meithrin mewn Ysgolion Cymunedol

Gall rhieni/gwarchodwyr gyflwyno cais am le i'w plentyn yn ysgol y dalgylch neu fynegi dewis ar gyfer lle mewn ysgol arall gan ddefnyddio ffurflen cais am dderbyn.

Rhoddir lle mewn ysgol os oes lle ar gael. Lle mae'r ceisiadau derbyn yn fwy na nifer y lleoedd sydd ar gael, dyrennir y lleoedd yn ôl meini prawf gorymgeisio'r ALI.

Ni fydd hawl awtomatig gan blant sy'n mynd i ddosbarth meithrin mewn ysgol i dderbyn addysg amser llawn yn yr un ysgol. Bydd angen i rieni wneud cais am le ynghyd ag ymgeiswyr eraill ar yr adeg briodol.

Ni cheir penderfyniadau ar geisiadau ar sail meini prawf dewis sy'n cynnwys sefyll profion, gweld adroddiadau ysgol neu gyfnewid â disgyblion, gyda neu heb eu rhieni, at ddibenion asesu gallu neu addasrwydd.

Rhestrau Aros

Gyda phob cais, os gwrthodir cais rhieni/gofalwyr am le i'w plentyn mewn ysgol, caiff y plentyn ei roi ar y rhestr aros yn awtomatig. Caiff enwau disgyblion eu cadw ar y rhestr aros am y flwyddyn academaidd gyfan ac ni chânt eu dileu oni bai bod rhiant yn cadarnhau'n ysgrifenedig nad yw'n dymuno i enw ei blentyn/blant gael ei gadw ar y rhestr aros mwyach. Os daw lle ar gael, caiff ei ddyrannu gan yr ALI yn unol â'r meini prawf gorymgeisio.

Ni fydd rhaid i'r ALI gydymffurfio ag unrhyw ddewis a fynegwyd fel arall ond yn unol â'i drefniadau'n unig.

D.S.: Nid yw'r meini prawf gorymgeisio'n berthnasol i ddisgyblion y mae gan yr ALI Ddatganiad o Anghenion Addysgol Arbennig ar eu cyfer, ond mae hawliau'r rhieni i fod yn rhan o leoli eu plant wedi'u hamddiffyn gan y gyfraith. Bydd yr ALI, mewn ymgynghoriad â rhieni ac ysgolion, yn penderfynu ym mha ysgol y bydd yr addysg yn cael ei darparu. Mae'r ALI yn cadw'r hawl i enwi ysgol nad yw'n ysgol y dalgylch.

Sylwer: Yn ystod y cyfnod hwn, mae'n bosib y bydd yr Awdurdod Lleol (ALI) yn cynnal ymgynghoriad er mwyn cynnig newidiadau i nifer o ddalgylchoedd.

TREFNIADAU DERBYN 2017/2018 (Derbyn)

Yr Awdurdod Lleol, yr ALI, yw'r awdurdod derbyn ar gyfer holl ysgolion cymunedol yr ardal.

Gwahoddir pob plentyn sydd ar fin dechrau addysg amser llawn i wneud cais am le mewn ysgol a gynhelir gan yr ALI.

Gall rhieni/gofalwyr naill ai gwneud cais ar-lein am le yn ysgol y dalgylch neu fynegi dewis am le mewn ysgol arall. Caniateir ceisiadau am le os na fydd gwneud hynny yn:

- peryglu darparu addysg effeithlon neu'r defnydd effeithlon o adnoddau, ac
- ar gyfer ysgolion a gynorthwyr yn wirfoddol, bod yn anghydnaws â'r trefniadau derbyn y cytunwyd arnynt rhwng y Corff Llywodraethu a'r ALI.

Rhoddir y flaenoriaeth i'r rhieni hynny sy'n gwneud cais am le mewn unrhyw ysgol mewn pryd.

(a) Cyfyngiadau Derbyn – Ysgolion Cymunedol

Mae'n rhaid i bob ysgol dderbyn plant hyd at ei nifer derbyn ym mlwyddyn y derbyn (h.y. dosbarth Derbyn mewn ysgolion cynradd) Ym mlwyddyn y derbyn, gwrthodir lle i blentyn ar ôl cyrraedd y Rhif Derbyn. Os gwrthodir lle yn yr ysgol, mae'n rhaid rhoi hawl apelio i'r rhieni/gofalwyr hynny.

Mae'r nifer derbyn yn berthnasol i bob grŵp blwyddyn (ac eithrio'r meithrin).

(b) Meini Prawf Gorymgeisio - Ysgolion Cymunedol

Os cafwyd mwy o geisiadau mewn ysgol na'r lleoedd sydd ar gael, bydd y drefn flaenoriaeth ganlynol yn berthnasol:

1. Plant sy'n derbyn gofal gan Awdurdod Lleol h.y. Plant sy'n Derbyn Gofal (PDG), neu a oedd yn arfer derbyn gofal*.
2. Plant sy'n byw yn nalgylch penodol yr ysgol. Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf i'r ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth**.
3. Plant y mae eu brawd neu eu chwaer yn mynd i'r ysgol ar adeg eu derbyn.*** Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf at yr ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth**.
4. Plant eraill y gwnaed cais am le drostynt nad yw meini prawf 1 i 4 uchod yn berthnasol iddynt. Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf i'r ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth**.

*Plant a oedd yn arfer derbyn gofal: plant nad ydynt yn derbyn gofal bellach gan eu bod wedi cael eu mabwysiadu, wedi bod yn destun gorchymyn preswyl neu orchymyn gwarcheidwadaeth arbennig yn syth ar ôl derbyn gofal.

**Mesurir y pellter o'r tu allan i fynedfa'r eiddo (tŷ neu fflat) i fynedfa swyddogol agosaf yr ysgol. Defnyddir rhaglen gyfrifiadu'r GIS yr Awdurdod Lleol i fesur y pellter.

***Diffinnir brawd neu chwaer fel plentyn naturiol neu blentyn sydd wedi'i fabwysiadu'n gyfreithlon gan y naill riant neu'r llall sy'n byw yn yr un cyfeiriad. Mewn unrhyw sefyllfa pan fydd un lle ar gael ac mae'r plant cymwys nesaf ar gyfer y lle hwnnw'n efeilliaid/tripledi, bydd yr ALI yn derbyn y ddau/tri phlentyn.

Ni fydd yr ALI yn darparu cludiant nac yn cyfrannu at gostau cludiant ar gyfer y plant sy'n cael eu derbyn o'r tu allan i ddalgyrch penodol yr ysgol. Fodd bynnag, os yw grŵp blwyddyn ysgol y dalgyrch yn llawn, darperir cludiant i'r ysgol agosaf â lle, os yw'r ysgol yn fwy na 2 filltir o'r cartref.

Plant sydd â datganiad o Anghenion Addysgol Arbennig

Nid yw'r meini prawf gorymgeisio'n berthnasol i ddisgyblion y mae gan yr ALI Ddatganiad o Anghenion Addysgol Arbennig ar eu cyfer, ond mae hawliau'r rhieni i fod yn rhan o leoli eu plant wedi'u hamddiffyn gan y gyfraith. Bydd yr ALI, mewn ymgynghoriad â rhieni/gofalwyr ac ysgolion, yn penderfynu ym mha ysgol y caiff yr addysg ei darparu. Mae'r ALI yn cadw'r hawl i enwi ysgol nad yw'n ysgol y dalgyrch.

Mae gan ysgolion ddyletswydd i dderbyn plant â Datganiad o Anghenion Addysgol Arbennig sydd wedi'u rhoi mewn ysgol gan yr ALI a chaiff y disgyblion hyn eu cyfrif tuag at y nifer a dderbynnir hyd at y nifer derbyn, oni bai eu bod yn cael eu rhoi mewn Cyfleuster Addysgu Arbenigol â lleoedd cynlluniedig.

Ysgolion a gynorthwyir yn wirfoddol

Penderfynir ar geisiadau i ysgolion a gynorthwyir yn wirfoddol drwy gyfeirio at y meini prawf derbyn a osodwyd gan y Corff Llywodraethu. (Cyrrff Llywodraethu Ysgolion Gwirfoddol a Gynorthwyir sy'n gyfrifol am bennu eu trefniadau derbyn hwy).

(c) Gweithdrefnau Derbyn – Ysgolion Cymunedol

Gofynnir i rieni/ofalwyr wneud cais ar-lein am le i'w plentyn yn ysgol y dalgyrch neu fynegi dewis ar gyfer lle mewn ysgol arall gan ddefnyddio ffurflen cais am dderbyn.

Caniateir ceisiadau am le os oes lleoedd ar gael. Os yw nifer y ceisiadau derbyn yn fwy na nifer y lleoedd sydd ar gael yn ôl y nifer derbyn cyhoeddedig, caiff lleoedd eu dyrannu trwy ddilyn meini prawf gorymgeisio'r ALI.

Ni fydd hawl awtomatig gan blant sy'n mynd i ddosbarth meithrin mewn ysgol i dderbyn addysg amser llawn yn yr un ysgol. Bydd rhaid i rieni/ofalwyr wneud cais am le gyda'r ymgeiswyr eraill.

Er bod yr ALI yn caniatáu i ddisgyblion ddechrau'n amser llawn yn y dosbarth Derbyn ar ddechrau'r flwyddyn ysgol y maent yn 5 oed, nid yw'n ofynnol yn ôl

y gyfraith i blentyn ddechrau ysgol nes dechrau'r tymor sy'n dilyn pen-blwydd y plentyn yn 5 oed. Felly, os yw rhiant y plentyn am ohirio mynediad i'r dosbarth Derbyn tan yn ddiweddarach yn y flwyddyn, mae'n rhaid dyrannu lle i'r plentyn hwnnw, ac ni chynigir y lle hwn i unrhyw blentyn arall. Fodd bynnag, ni ellir gohirio mynediad ar ôl dechrau'r tymor wedi pen-blwydd y plentyn yn bum mlwydd oed, neu ar ôl i'r flwyddyn academaidd wreiddiol y derbyniwyd y cais ynddi.

Caiff ceisiadau am dderbyn plentyn mewn dosbarth Derbyn a gyflwynir ar, neu cyn y dyddiad cau gweinyddol, sef **17 Chwefror, 2017** eu prosesu gyda'i gilydd, a dyrennir y lleoedd yn unol â'r meini prawf gorymgeisio uchod. Yn hyn o beth, nid oes unrhyw fantais i gyflwyno'r cais am dderbyn yn gynnar. Caiff ceisiadau a gyflwynir ar ôl y dyddiad cau eu prosesu yn nhrefn y dyddiadau y cawsant eu derbyn unwaith yr ymdrinnir â'r holl geisiadau a gafwyd mewn pryd

Ni cheir penderfyniadau ar geisiadau ar sail meini prawf dewis sy'n cynnwys sefyll profion, gweld adroddiadau ysgol neu gyfweld â disgyblion, gyda neu heb eu rhieni, at ddibenion asesu gallu neu addasrwydd. Bydd rhieni sydd wedi cyflwyno cais erbyn **17 Chwefror 2017** yn cael gwybod a ddyrannwyd lle i'w plant erbyn **18 Ebrill 2017**.

Hawl i Apelio

Caiff rhieni/gofalwyr eu hysbysu trwy lythyr a fu eu cais yn llwyddiannus. Os gwrthodwyd eu cais, hysbysir rhieni/gofalwyr drwy lythyr bod ganddynt hawl i apelio i Banel Apêl Annibynnol. Os byddant yn dewis arfer yr hawl honno, rhaid cyflwyno'r apêl i'r Tîm Ysgolion a Llywodraethwyr yn y Ganolfan Ddinesig erbyn **16 Mai 2017**. Caiff yr apêl ei ystyried gan Banel Apêl Annibynnol sy'n cynnwys 3 i 5 person, sef pobl leyg a phobl â phrofiad o faes addysg.

Sylwer:

Oherwydd uchafswm statudol maint dosbarthiadau, sef 30, prin iawn yw'r amgylchiadau lle gall apêl am le mewn dosbarth babanod (Derbyn, Blwyddyn 1 a Blwyddyn 2) lwyddo.

Rhestrau Aros

Gyda phob cais, os gwrthodir cais rhieni/gofalwyr am le i'w plentyn mewn ysgol, caiff y plentyn ei roi ar y rhestr aros yn awtomatig a chynigir cyfle i gwrdd â Phanel Apêl Annibynnol. Cedwir enwau'r plant ar y rhestr aros am y flwyddyn academaidd gyfan a chânt eu dileu dim ond os ceir apêl lwyddiannus neu os yw rhiant yn cadarnhau'n ysgrifenedig nad yw'n dymuno i enw ei blentyn fod ar y rhestr aros bellach. Os daw lle ar gael, caiff ei ddyrannu gan yr ALI yn unol â'r meini prawf gorymgeisio.

Ni fydd rhaid i'r ALI gydymffurfio ag unrhyw ddewis a fynegwyd fel arall ond yn unol â'i drefniadau'n unig.

Sylwer: Yn ystod y cyfnod hwn, mae'n bosib y bydd yr Awdurdod Lleol (ALI) yn cynnal ymgynghoriad er mwyn cynnig newidiadau i nifer o ddalgylchoedd.

TREFNIADAU DERBYN 2017/2018 (Blwyddyn 7)

Yr Awdurdod Lleol yw'r awdurdod derbyn ar gyfer holl ysgolion cymunedol yr ardal.

Gwahoddir pob plentyn sydd ar fin trosglwyddo o addysg gynradd i addysg uwchradd i wneud cais am le mewn ysgol a gynhelir gan yr ALLI.

Gall rhieni/gofalwyr wneud cais ar-lein am le yn ysgol y dalgylch neu fynegi dewis am le i'w plentyn mewn ysgol arall. Caniateir ceisiadau am le os na fydd hynny'n:

- peryglu darparu addysg effeithlon neu'r defnydd effeithlon o adnoddau, ac
- ar gyfer ysgolion a gynorthwyr yn wirfoddol, bod yn anghydnaws â'r trefniadau derbyn y cytunwyd arnynt rhwng y Corff Llywodraethu a'r ALLI.

Rhoddir y flaenoriaeth i'r rhieni hynny sy'n cyflwyno cais am le mewn unrhyw ysgol mewn pryd.

(a) Cyfyngiadau Derbyn – Ysgolion Cymunedol

Penderfynir ar argaeledd lleoedd trwy gyfeirio at nifer derbyn yr ysgol. Mae'n rhaid i ysgolion dderbyn hyd at y nifer derbyn ym mlwyddyn y derbyn (h.y. Blwyddyn 7 mewn ysgol uwchradd) ac ni all fynd dros ben y nifer hwn. Os gwrthodir lle yn yr ysgol, mae'n rhaid rhoi hawl apelio i'r rhieni/gofalwyr hynny.

Mae'r nifer derbyn yn berthnasol i bob grŵp blwyddyn.

(b) Meini Prawf Gorymgeisio - Ysgolion Cymunedol

Os cafwyd mwy o geisiadau mewn ysgol na'r lleoedd sydd ar gael, bydd y drefn flaenoriaeth ganlynol yn berthnasol:

1. Plant y mae'r Awdurdod Lleol yn gofalu amdanynt h.y. Plant sy'n Derbyn Gofal (PDG), neu a oedd yn arfer derbyn gofal.
2. Plant sy'n byw yn nalgylch penodol yr ysgol. Os bydd mwy o geisiadau na lleoedd, caiff lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf at yr ysgol (y llwybr cerdded byrraf sydd ar gael) yn cael blaenoriaeth**.
3. Plant y mae ganddynt frawd neu chwaer o oedran ysgol statudol** sy'n mynd i'r ysgol ar adeg eu derbyn***. Os bydd mwy o geisiadau na lleoedd, caiff lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf at yr ysgol (y llwybr cerdded byrraf sydd ar gael) yn cael blaenoriaeth**.
4. Plant sy'n mynd i ysgol gynradd bartner ddynodedig ond sy'n byw y tu allan i ddalgylch yr ysgol honno. Os bydd mwy o geisiadau na lleoedd, caiff lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf at yr ysgol (y llwybr cerdded byrraf sydd ar gael) yn cael blaenoriaeth**.
5. Plant eraill nad yw meini prawf 1 i 4 yn berthnasol iddynt. Os bydd mwy o geisiadau na lleoedd, caiff lleoedd eu dyrannu yn ôl pellter, gyda'r

rhai sy'n byw agosaf at yr ysgol (y llwybr cerdded byrraf sydd ar gael) yn cael blaenoriaeth**.

*Plant a oedd yn arfer derbyn gofal: plant nad ydynt yn derbyn gofal bellach gan eu bod wedi cael eu mabwysiadu, wedi bod yn destun gorchymyn preswyl neu orchymyn gwarcheidwadaeth arbennig yn syth ar ôl derbyn gofal.

**Mesurir y pellter o'r tu allan i fynedfa'r eiddo (tŷ neu fflat) i fynedfa swyddogol agosaf yr ysgol. Defnyddir rhaglen gyfrifiadur GIS yr Awdurdod Lleol i fesur y pellter.

*** Diffinnir brawd neu chwaer fel plentyn naturiol neu blentyn sydd wedi'i fabwysiadu'n gyfreithlon gan y naill riant neu'r llall sy'n byw yn yr un cyfeiriad. Mewn unrhyw sefyllfa pan fydd un lle ar gael ac mae'r plant cymwys nesaf ar gyfer y lle hwnnw'n efeilliaid/tripledi, bydd yr ALI yn derbyn y ddau/tri phlentyn.

Ni fydd yr ALI yn darparu cludiant nac yn cyfrannu at gostau cludiant ar gyfer y plant sy'n cael eu derbyn o'r tu allan i ddalgylch penodol yr ysgol. Serch hynny, os yw grŵp blwyddyn y dalgylch yn llawn, darperir cludiant i'r ysgol agosaf sydd â lle, os yw'r ysgol honno'n fwy na phellter cerdded o 3 milltir o'r cartref.

Plant sydd â datganiad o Anghenion Addysgol Arbennig

Nid yw'r meini prawf gorymgeisio yn berthnasol i ddisgyblion y mae gan yr ALI Ddatganiad o Anghenion Addysgol Arbennig ar eu cyfer, ond mae hawliau'r rhieni i fod yn rhan o leoli eu plant wedi'u hamddiffyn gan y gyfraith. Bydd yr ALI, mewn ymgynghoriad â rhieni ac ysgolion, yn penderfynu ym mha ysgol y bydd yr addysg yn cael ei darparu. Mae'r ALI yn cadw'r hawl i enwi ysgol nad yw'n ysgol y dalgylch.

Mae gan ysgolion ddyletswydd i dderbyn plant â Datganiad o Anghenion Addysgol Arbennig sydd wedi'u rhoi mewn ysgol gan yr ALI a chaiff y disgyblion hyn eu cyfrif tuag at y nifer a dderbynnir hyd at y Nifer Derbyn, oni bai eu bod yn cael eu rhoi mewn Cyfleuster Addysgu Arbenigol â lleoedd cynlluniedig.

Ysgolion a gynorthwyir yn wirfoddol

Penderfynir ar geisiadau i ysgolion a gynorthwyir yn wirfoddol drwy gyfeirio at y meini prawf derbyn a osodwyd gan y Corff Llywodraethu. (Cyrrff Llywodraethu Ysgolion Gwirfoddol a Gynorthwyir sy'n gyfrifol am bennu eu trefniadau derbyn hwy).

(c) Gweithdrefnau Derbyn - Ysgolion Cymunedol

Gofynnir i fynegi dewis am le mewn ysgol arall drwy ddefnyddio'r ffurflen cais am dderbyn.

Rhoddir lle mewn ysgol os oes lle ar gael yn ôl y Nifer Derbyn cyhoeddedig.

Lle mae'r ceisiadau derbyn yn fwy na nifer y lleoedd sydd ar gael, dyrennir y lleoedd yn ôl meini prawf gorymgeisio'r ALI.

Bydd ceisiadau am fynediad i'r grŵp oedran perthnasol (h.y. grŵp oedran y caniateir mynediad i'r ysgol i'r plant fel arfer) a gyflwynir ar y dyddiad cau, sef **25 Tachwedd 2016**, neu cyn hynny, yn cael eu prosesu gyda'i gilydd. Yn hyn

o beth, nid oes unrhyw fantais i gyflwyno'r cais am dderbyn yn gynnar. Caiff ceisiadau a gyflwynir ar ôl y dyddiad cau eu prosesu yn nhrefn y dyddiadau y cawsant eu derbyn unwaith yr ymdrinnir â'r holl geisiadau a gafwyd mewn pryd.

Ni cheir penderfyniadau ar geisiadau ar sail meini prawf dewis sy'n cynnwys sefyll profion, gweld adroddiadau ysgol neu gyfsweld â disgyblion, gyda neu heb eu rhieni, at ddibenion asesu gallu neu addasrwydd.

Ni fydd rhaid i'r ALI gydymffurfio ag unrhyw ddewis a fynegwyd fel arall ond yn unol â'i drefniadau'n unig. Hysbysir rhieni/gofalwyr sydd wedi gwneud cais erbyn **25 Tachwedd 2016** a ddyrannwyd lle i'w plant ar **1 Mawrth 2017**.

Hawl i Apelio

Caiff rhieni/gofalwyr eu hysbysu trwy lythyr a fu eu cais yn llwyddiannus. Os gwrthodwyd eu cais, hysbysir rhieni'n ysgrifenedig fod ganddynt hawl i apelio i Banel Apêl Annibynnol. Os byddant yn arfer yr hawl honno, rhaid cyflwyno'r apêl i'r Tîm Ysgolion a Llywodraethwyr yn y Ganolfan Ddinesig erbyn **31 Mawrth 2017**. Caiff yr apêl ei hystyried gan banel apêl annibynnol sy'n cynnwys 3 i 5 person, sef pobl leyg a phobl â phrofiad o faes addysg.

Rhestrau Aros

Gyda phob cais, os gwrthodir cais rhieni/gofalwyr am le i'w plentyn mewn ysgol, caiff y plentyn ei roi ar y rhestr aros yn awtomatig, a chynigir cyfle i gwrdd â Phanel Apêl Annibynnol. Cedwir enwau'r plant ar y rhestr aros am y flwyddyn academaidd gyfan a chânt eu dileu dim ond os ceir apêl llwyddiannus neu os yw rhiant yn cadarnhau'n ysgrifenedig nad yw'n dymuno i enw ei blentyn fod ar y rhestr aros bellach. Os daw lle ar gael, caiff ei ddyrannu gan yr ALI yn unol â'r meini prawf gorymgeisio.

Ni fydd rhaid i'r ALI gydymffurfio ag unrhyw ddewis a fynegwyd fel arall ond yn unol â'i drefniadau'n unig.

Sylwer: Yn ystod y cyfnod hwn, mae'n bosib y bydd yr Awdurdod Lleol (ALI) yn cynnal ymgynghoriad er mwyn cynnig newidiadau i nifer o ddalgyfchoedd.

TREFNIADAU DERBYN 2017/2018 (Trosglwyddo yn ystod y Flwyddyn)

Yr Awdurdod Lleol, yr ALL yw'r awdurdod derbyn ar gyfer holl ysgolion cymunedol yr ardal.

Derbyn i Ysgolion Cymunedol - (Cynradd ac Uwchradd)

Gall rhieni/gofalwyr naill ai gwneud cais ar-lein am le yn ysgol y dalgylch neu fynegi dewis am le mewn ysgol arall. Caniateir ceisiadau os na fydd gwneud hynny'n:

- peryglu darparu addysg effeithlon neu'r defnydd effeithlon o adnoddau, ac
- ar gyfer ysgolion a gynorthwyr yn wirfoddol, bod yn anghydnaws â'r trefniadau derbyn y cytunwyd arnynt rhwng y Corff Llywodraethu a'r ALL.

(d) Cyfyngiadau Derbyn – Ysgolion Cymunedol

Penderfynir ar argaeledd lleoedd trwy gyfeirio at nifer derbyn yr ysgol. Gwrthodir lle i blentyn ar ôl cyrraedd y nifer derbyn. Os gwrthodir lle yn yr ysgol, mae'n rhaid rhoi hawl apelio i'r rhieni/gofalwyr hynny (**nid oes hawl i apelio ar gyfer y meithrin**).

Mae'r nifer derbyn yn berthnasol i bob grŵp blwyddyn (ac eithrio'r meithrin).

(e) Meini Prawf Gorymgeisio - Ysgolion Cymunedol

Os cafwyd mwy o geisiadau mewn ysgol na'r lleoedd sydd ar gael, bydd y drefn flaenoriaeth ganlynol yn berthnasol:

5. Plant y mae'r Awdurdod Lleol yn gofalu amdanynt h.y. Plant sy'n Derbyn Gofal (PDG), neu a oedd yn arfer derbyn gofal*.
6. Plant sy'n byw yn nalgylch penodol yr ysgol. Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf i'r ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth**.
7. Plant y mae eu brawd neu eu chwaer yn mynd i'r ysgol ar adeg eu derbyn.*** Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf at yr ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth**.
8. Plant eraill y gwnaed cais am le drostynt nad yw meini prawf 1 i 4 uchod yn berthnasol iddynt. Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf i'r ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth**.

*Plant a oedd yn arfer derbyn gofal: plant nad ydynt yn derbyn gofal bellach gan eu bod wedi cael eu mabwysiadu, wedi bod yn destun gorchymyn preswyl neu orchymyn gwarcheidwadaeth arbennig yn syth ar ôl derbyn gofal.

****Mesurir y pellter o'r tu allan i fynedfa'r eiddo (tŷ neu fflat) i fynedfa swyddogol agosaf yr ysgol. Defnyddir rhaglen gyfrifiadu'r GIS yr Awdurdod Lleol i fesur y pellter.**

*****Diffinnir brawd neu chwaer fel plentyn naturiol neu blentyn sydd wedi'i fabwysiadu'n gyfreithlon gan y naill riant neu'r llall sy'n byw yn yr un cyfeiriad. Mewn unrhyw sefyllfa pan fydd un lle ar gael ac mae'r plant cymwys nesaf ar gyfer y lle hwnnw'n efeilliaid/tripledi, bydd yr ALI yn derbyn y ddau/tri phlentyn.**

Ni fydd yr ALI yn darparu cludiant nac yn cyfrannu at gostau cludiant ar gyfer y plant sy'n cael eu derbyn o'r tu allan i ddalgyrch penodol yr ysgol. Fodd bynnag, os yw grŵp blwyddyn ysgol y dalgyrch yn llawn, darperir cludiant i'r ysgol agosaf â lle, os yw'r ysgol honno'n fwy na 2 filltir o'r cartref ar gyfer ysgol gynradd neu 3 milltir ar gyfer ysgol uwchradd.

Plant sydd â datganiad o Anghenion Addysgol Arbennig

Nid yw'r meini prawf gorymgeisio'n berthnasol i ddisgyblion y mae gan yr ALI Ddatganiad o Anghenion Addysgol Arbennig ar eu cyfer, ond mae hawliau'r rhieni i fod yn rhan o leoli eu plant wedi'u hamddiffyn gan y gyfraith. Bydd yr ALI, mewn ymgynghoriad â rhieni/gofalwyr ac ysgolion, yn penderfynu ym mha ysgol y caiff yr addysg ei darparu. Mae'r ALI yn cadw'r hawl i enwi ysgol nad yw'n ysgol y dalgyrch.

Mae gan ysgolion ddyletswydd i dderbyn plant â Datganiad o Anghenion Addysgol Arbennig sydd wedi'u rhoi mewn ysgol gan yr ALI a chaiff y disgyblion hyn eu cyfrif tuag at y nifer a dderbynnir hyd at y nifer derbyn, oni bai eu bod yn cael eu rhoi mewn Cyfleuster Addysgu Arbenigol â lleoedd cynlluniedig.

Ysgolion a Gynorthwyr yn Wirfoddol

Penderfynir ar geisiadau i ysgolion a gynorthwyr yn wirfoddol drwy gyfeirio at y meini prawf derbyn a osodwyd gan y Corff Llywodraethu. (Cyrrff Llywodraethu Ysgolion Gwirfoddol a Gynorthwyr sy'n gyfrifol am bennu eu trefniadau derbyn hwy).

(f) Gweithdrefnau Derbyn – Ysgolion Cymunedol

Gofynnir i rieni/ofalwyr wneud cais ar-lein am le i'w plentyn yn ysgol y dalgyrch neu fynegi dewis am le mewn ysgol arall drwy ddefnyddio'r ffurflen cais am dderbyn.

Rhoddir lle mewn ysgol os oes lle ar gael. Os yw nifer y ceisiadau derbyn yn fwy na nifer y lleoedd sydd ar gael yn ôl y nifer derbyn cyhoeddedig, caiff lleoedd eu dyrannu trwy ddilyn meini prawf gorymgeisio'r ALI.

Ni cheir penderfyniadau ar geisiadau ar sail meini prawf dewis sy'n cynnwys sefyll profion, gweld adroddiadau ysgol neu gyfweld â disgyblion, gyda neu heb eu rhieni, at ddibenion asesu gallu neu addasrwydd.

Hawl i Apelio

Caiff rhieni/gofalwyr eu hysbysu trwy lythyr a fu eu cais yn llwyddiannus. Os gwrthodwyd eu cais, hysbysir rhieni/gofalwyr drwy lythyr bod ganddynt hawl i apelio i Banel Apêl Annibynnol (**nid oes hawl i apelio ar gyfer y meithrin**)

Os byddant yn dewis arfer yr hawl honno, rhaid cyflwyno'r apêl i'r Tîm Ysgolion a Llywodraethwyr yn y Ganolfan Ddinesig erbyn dydd Gwener 16 Mai 2017. Caiff yr apêl ei ystyried gan Banel Apêl Annibynnol sy'n cynnwys 3 i 5 person, sef pobl leyg a phobl â phrofiad o faes addysg.

Sylwer:

Oherwydd uchafswm statudol maint dosbarthiadau, sef 30, prin iawn yw'r amgylchiadau lle gall apêl am le mewn dosbarth babanod (Derbyn, Blwyddyn 1 a Blwyddyn 2) lwyddo.

Rhestrau Aros

Gyda phob cais, os gwrthodir cais rhieni/gofalwyr am le i'w plentyn mewn ysgol, caiff y plentyn ei roi ar y rhestr aros yn awtomatig, a chynigir cyfle i gwrdd â Phanel Apêl Annibynnol) (**nid oes hawl i apelio ar gyfer y meithrin**) Cedwir enwau'r plant ar y rhestr aros am y flwyddyn academaidd gyfan a chânt eu dileu dim ond os ceir apêl lwyddiannus neu os yw rhiant yn cadarnhau'n ysgrifenedig nad yw'n dymuno i enw ei blentyn fod ar y rhestr aros bellach. Os daw lle ar gael, caiff ei ddyrannu gan yr ALI yn unol â'r meini prawf gorymgeisio.

Ni fydd rhaid i'r ALI gydymffurfio ag unrhyw ddewis a fynegwyd fel arall ond yn unol â'i drefniadau'n unig.

Sylwer: Yn ystod y cyfnod hwn, mae'n bosib y bydd yr Awdurdod Lleol (ALI) yn cynnal ymgynghoriad er mwyn cynnig newidiadau i nifer o ddalgylchoedd.

Derbyniadau i'r Chweched Dosbarth Meini Prawf Mynediad

Dyddiad Cau ar gyfer Derbyn Ceisiadau

Gall disgyblion wneud cais am le mewn chweched dosbarth yn un o ysgolion Abertawe yn nhymor y gwanwyn ar gyfer y mis Medi canlynol. Dyma'r dyddiadau cau ar gyfer derbyn ceisiadau **DYDDIAD CAU I'W GADARNHAU GAN YSGOLION**

Cynnig Dros Dro

Cynigir lle dros dro i ddisgyblion yr ysgol. Bydd y lle dros dro hwn yn amodol ar gyflawni cymwysterau mynediad penodol fel a gyhoeddir gan bob ysgol unigol. Dylid cysylltu â'r ysgolion ynglŷn â'u cymwysterau mynediad penodol.

Canlyniadau TGAU/Cyfwerth

Pan gyhoeddir graddau TGAU, sef y trydydd dydd lau ym mis Awst fel arfer, bydd angen i ddisgyblion unigol gysylltu â'r ysgol o'i ddewis i gadarnhau graddau TGAU neu ganlyniadau arholiad cyfwerth.

Dewis o Bynciau

Bydd disgyblion sydd wedi cyflawni graddau boddhaol mewn arholiadau TGAU neu gyfwerth yn cael cynnig pendant o le yn y chweched dosbarth yn yr ysgol o'u dewis os bydd lleoedd ar gael. Fodd bynnag, dylid nodi y gallai fod yn amhosib astudio pop un o'r pynciau a ddewiswyd yn yr ysgol a ddewiswyd. Gallai fod angen i fyfyrwyr gysylltu â chweched dosbarth mewn ysgol arall i astudio rhai pynciau o'u dewis.

Mae'n bosib y bydd myfyrwyr sydd wedi cyflawni graddau boddhaol mewn arholiadau TGAU neu gyfwerth ond nid ydynt yn gallu astudio'r holl bynciau o'u dewis yn yr ysgol o'u dewis yn cael cynnig dewis arall o'r pynciau sy'n cael eu haddysgu yn y lleoliad hwnnw. Neu gall y myfyrwyr hyn geisio lle mewn lleoliad arall, h.y. chweched dosbarth mewn ysgol arall yn Abertawe neu yng Ngholeg Gŵyr.

Ni fydd gofyn i ddisgyblion gael cyfweiliad mynediad.

Terfynau Mynediad – Chweched Dosbarth

Gall pob chweched dosbarth mewn ysgol dderbyn hyd at eu Nifer Derbyn ar yr amod bod y myfyrwyr yn cyflawni gofynion mynediad yr ysgol (sydd ar gael gan bob ysgol unigol) yn y flwyddyn fynediad h.y. Blwyddyn 12 yn y chweched dosbarth. Mae'n rhaid rhoi hawl apelio i rieni a disgyblion y mae eu cais am le yn chweched dosbarth yr ysgol yn cael ei wrthod.

Trefniadau Derbyn Plant.

Rhoddir y cyfrifoldeb am y trefniadau derbyn ar gyfer blynyddoedd 12 a 13 mewn ysgolion cymunedol a gynhelir i'r sefydliadau'n uniongyrchol. Gellir gofyn am fanylion trefniadau derbyn ysgolion a gynorthwyr yn wirfoddol yn uniongyrchol gan y sefydliadau perthnasol a bydd y rhain yn rhan o'u polisiau derbyn.

Rhestr Aros

Os bydd gorysgrifio am leoedd mewn chweched dosbarth ac ni all yr ysgol fodloni'r galw am gorsiau, caiff rhestr aros ei chynnal. Bydd ymgeiswyr sydd wedi bodloni'r

meini prawf mynediad (gweler uchod) ond y mae eu cais am le wedi cael ei wrthod oherwydd prinder lle yn cael cyfle i roi eu henwau ar restr aros. Os daw lle/oedd ar gael, bydd disgyblion y mae eu henwau ar y rhestr aros yn cael cynnig lle yn unol â'r meini prawf gorymgeisio (gweler isod).

Meini Prawf Gorymgeisio

I ddisgyblion sy'n cyflawni'r cymwysterau mynediad penodol pan fo mwy o geisiadau wedi cael eu derbyn ar gyfer unrhyw chweched dosbarth na'r lleoedd sydd ar gael, caiff y drefn flaenoriaeth ganlynol ei dilyn:

1. Disgyblion y mae'r Awdurdod Lleol yn gofalu amdanynt (PDG) neu a oedd yn arfer derbyn gofal*.
2. Disgyblion sy'n byw o fewn dalgylch diffiniedig yr ysgol. Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf i'r ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth.**
3. Disgyblion y mae ganddynt frawd neu chwaer o oedran ysgol statudol** sy'n mynd i'r ysgol adeg eu derbyn ****. Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf i'r ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth **
4. Disgyblion a aeth i'r ysgol ym Blwyddyn 11 ond sy'n byw y tu allan i ddalgylch yr ysgol honno. Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf i'r ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth.**
5. Disgyblion eraill y gwnaed cais am le drostynt nad yw meini prawf 1 i 4 uchod yn berthnasol iddynt. Os bydd mwy o geisiadau na lleoedd, caiff y lleoedd eu dyrannu yn ôl pellter, gyda'r rhai sy'n byw agosaf i'r ysgol (y daith gerdded fyrraf) yn cael blaenoriaeth.**

*Plant a oedd yn arfer derbyn gofal: plant nad ydynt yn derbyn gofal bellach gan eu bod wedi cael eu mabwysiadu, wedi bod yn destun gorchymyn preswyl neu orchymyn gwarcheidwadaeth arbennig yn syth ar ôl derbyn gofal.

**Mesurir pob llwybr gan gyfrifiadur gan ystyried y pellter o'r cartref i'r ysgol ar hyd y llwybr cerdded byrraf sydd ar gael. Cymerir y mesuriadau o'r tu allan i fynedfa'r cartref (tŷ neu fflat) i fynedfa swyddogol agosaf yr ysgol.

***Diffinnir oedran ysgol statudol fel disgyblion sydd rhwng 5 ac 16 oed h.y. disgyblion mewn unrhyw grŵp blwyddyn rhwng ac yn cynnwys y dosbarth Derbyn a Blwyddyn 11.

****Diffinnir brawd neu chwaer fel plentyn naturiol neu blentyn sydd wedi'i fabwysiadu'n gyfreithlon gan y naill riant neu'r llall sy'n byw yn yr un cyfeiriad. Mewn unrhyw sefyllfa pan fydd un lle ar gael ac mae'r disgyblion cymwys nesaf ar gyfer y lle hwnnw'n efeilliaid/tripledi, bydd yr AALI yn derbyn y ddau/tri plentyn.

SYLWER: Gall nifer bach o ddisgyblion â datganiadau AAA drosglwyddo i chweched dosbarthiadau mewn ysgolion yn Abertawe. Gwneir y penderfyniad ar drosglwyddo gan yr awdurdod lleol mewn ymgynghoriad â'r ysgol berthnasol.

Sylwer: Yn ystod y cyfnod hwn, efallai bydd yr Awdurdod Lleol (ALI) yn cynnal ymgynghoriad er mwyn cynnig newidiadau i nifer o ddalgylchoedd.



Education Department / Adran Addysg

**AMSERLEN DIGWYDDIADAU AR GYFER TREFNIADAU DERBYN 2017/2018
YSGOLION CYNRADD (Derbyn)**

7 Rhagfyr 2015	Rhoi'r trefniadau derbyn i ysgolion ar gyfer ymgynghori
22 Ionawr 2016	Dychwelyd ymatebion yr ymgynghoriad i'r ALI
25 Ionawr – 5 Chwefror 2016	Cyfnod i ddatrys ymholiadau
3 Mawrth 2016	Adroddiad ar yr ymgynghori i Briffio Corfforaethol
17 Mawrth 2016	Adroddiad am yr ymgynghori i'r Cabinet
24 Mawrth 2016	Y cyngor yn pennu'r Trefniadau Derbyn
23 Medi 2016	Gwybodaeth i rieni ar gael i ysgolion a rhieni/gofalwyr ar wefan Dinas a Sir Abertawe neu ar gopi caled (ar gael ar gais)
9 Ionawr 2017	Gwahoddir rhieni/gwarcheidwaid i gyflwyno cais am le yn yr ysgol
9 Ionawr - 17 Chwefror 2017	Cyfnod o 6 wythnos i rieni gyflwyno eu ceisiadau derbyn
17 Chwefror 2017	Y dyddiad cau i rieni/ofalwyr gyflwyno cais am le i'r Tîm Ysgolion a Llywodraethwyr, y Ganolfan Ddinesig
18 Ebrill 2017	Yr awdurdod lleol yn dweud wrth rieni/ofalwyr am y lleoedd a gynigiwyd mewn ysgolion cynradd
GWYLIAU'R PASG 10 – 21 Ebrill 2017	
16 Mai 2017	Dyddiad olaf i rieni/warcheidwaid gyflwyno apêl



Education Department / Adran Addysg

**AMSERLEN DIGWYDDIADAU AR GYFER TREFNIADAU DERBYN 2017/2018
YSGOLION UWCHRADD (Blwyddyn 7)**

7 Rhagfyr 2015	Rhoi'r trefniadau derbyn i ysgolion ar gyfer ymgynghori
22 Ionawr 2016	Dychwelyd ymatebion yr ymgynghoriad i'r ALI
25 Ionawr – 5 Chwefror 2016	Cyfnod i ddatrys ymholiadau
3 Mawrth 2016	Adroddiad ar yr ymgynghori i Briffio Corfforaethol
17 Mawrth 2016	Adroddiad ar yr Ymgynghori i'r Cabinet.
24 Mawrth 2016	Y cyngor yn pennu Trefniadau Derbyn
23 Medi 2016	Gwybodaeth i rieni ar gael i ysgolion a rhieni/gofalwyr ar wefan Dinas a Sir Abertawe neu ar gopi caled (ar gael ar gais)
17 Hydref 2016	Gwahoddir rhieni i gyflwyno cais am le yn yr ysgol.
17 Hydref – 25 Tachwedd 2016	Cyfnod o 6 wythnos i rieni gyflwyno eu ceisiadau derbyn.
25 Tachwedd 2016	Y dyddiad cau i rieni/ofalwyr gyflwyno cais am le i'r Tîm Ysgolion a Llywodraethwyr, y Ganolfan Ddinesig
1 Mawrth 2017	Yr awdurdod lleol yn rhoi gwybod i rieni/ofalwyr am leoedd a gynigir mewn ysgolion uwchradd.
GWYLIAU HANNER TYMOR 20 – 24 Chwefror 2017	
31 Mawrth 2017	Dyddiad olaf i rieni/warcheidwaid gyflwyno apêl.



Education Department / Adran Addysg

AMSERLEN DIGWYDDIADAU AR GYFER TREFNIADAU DERBYN 2017/2018
Dosbarthiadau
meithrin yn ysgolion yr awdurdod lleol

31 Hydref 2016	Gwahoddir rhieni/gwarcheidwaid i gyflwyno cais am le yn yr meithrin
7 Ebrill 2017	Y dyddiad cau i rieni/ofalwyr gyflwyno cais am le i'r Tîm Ysgolion a Llywodraethwyr, y Ganolfan Ddinesig
26 Mai 2017	Yr awdurdod lleol yn dweud wrth rieni/ofalwyr am y lleoedd a gynigiwyd mewn meithrin

**DINAS A SIR ABERTAWE
YSGOLION GYNRADD**

**NIFER DERBYN
2017/2018**

Birchgrove Primary	60
Bishopston Primary	38
Blaenymaes Primary	36
Brynhyfryd Primary	60
Brynmill Primary	45
Burlais Primary	75
Cadle Primary	51
Casllwchwr Primary	30
Christchurch Ch. in Wales	13
Cila Primary	16
Clase Primary	36
Clwyd Primary	37
Clydach Primary	39
Craigcefnparc Primary	15
Craigfelen Primary	24
Crwys Primary	26
Cwm Glas Primary	40
Cwmrhydyceirw Primary	60
Danygraig Primary	41
Dunvant Primary	46
Gendros Primary	43
Glais Primary	15
Glyncollen Primary	30
Gors Community	44
Gorseinon Primary	45
Gowerton Primary	45
Grange Primary	30
Gwyrosydd Primary	58
Hafod Primary	30
Hendrefoilan Primary	30
Knelston Primary	19
Llangyfelach Primary	29
Llanrhidian Primary	20
Mayals Primary	30
Morrison Primary	26
Newton Primary	30
Oystermouth Primary	30
Parkland Primary	60
Pen y Fro Primary	29
Penclawdd Primary	29
Pengelli Primary	13
Penllergaer Primary	45

Pennard Primary	30
Pentrechwyth Primary	23
Pentre'r Graig Primary	47
Penyrheol Primary	35
Plasmarl Primary	26
Pontarddulais Primary	60
Pontlliw Primary	26
Pontybrenin Primary	45
Portmead Primary	34
Sea View Community Primary	29
Sketty Primary	60
St. David's Primary	30
St. Helen's Primary	30
St. Illtyd's Primary	30
St. Joseph's Cathedral Primary	60
St. Joseph's Primary (Clydach)	30
St. Thomas' Primary	51
Talycopa Primary	28
Terrace Road Primary	44
Townhill Primary	60
Trallwn Primary	35
Tre Uchaf Primary	29
Waun Wen Primary	27
Waunarlwydd Primary	41
Whitestone Primary	27
Ynystawe Primary	24
YGG Bryniago	31
YGG Bryn-y-Mor	37
YG y Cwm	27
YGG Felindre	11
YGG Gellionnen	43
YGG Llwynderw	45
YGG Lon Las	75
YGG Pontybrenin	67
YGG Tan-y-lan&	14
YGG Tirdeunaw	59
YGG Y Login Fach	30

**DINAS A SIR ABERTAWE
YSGOLION GYFUN**

**NIFER DERBYN
2017/2018**

Birchgrove Comprehensive	163
Bishop Gore Comprehensive	237
Bishop Vaughan Comprehensive	204
Bishopston Comprehensive	218
Cefn Hengoed Comprehensive	134
Dylan Thomas Community	127
Gowerton Comprehensive	215
Morrison Comprehensive	217
Olchfa Comprehensive	279
Pentrehafod Comprehensive	200
Penyrheol Comprehensive	195
Pontarddulais Comprehensive	160
Ysgol Gyfun Bryn Tawe	205
Ysgol Gyfun Gwyr	145

Agenda Item 9.

Report of the Cabinet Member for Enterprise, Development & Regeneration

Extraordinary Council - 10 March 2016

PLANNING POLICY CONTEXT FOR THE APPRAISAL OF PLANNING APPLICATIONS FOR ONSHORE UNCONVENTIONAL OIL AND GAS EXPLORATION AND DEVELOPMENT

Purpose: To inform Council of the planning policy context for onshore unconventional oil and gas exploration and development.

Policy Framework: Planning Policy Wales, 8th Edition, 2016. Minerals Technical Aggregate Note 1, 2004. Minerals Technical Aggregate Note 2: Coal, 2009. Policy Clarification Note CL-04-14: Clarification Letter on the national planning policies that apply for onshore unconventional gas and oil development (July 2014). The Town and Country Planning (Notification) (Unconventional Oil and Gas) (Wales) Direction February 2015 and a Ministerial Letter regarding the Welsh Government approach to shale gas applications, August 2015.

Consultation: Access to Services, Finance, Legal.

Recommendation(s): It is recommended that:

- 1) The Deposit LDP contains a minerals policy in accordance with national planning policy and which reflects the Notice of Motion of the 28th January 2016 in relation to onshore unconventional oil and gas exploration and development.
- 2) That Council writes to the Minister expressing concerns relating to potential environmental impacts of hydraulic fracturing technology and expressing support for a moratorium on the use of hydraulic fracturing techniques for the development of onshore unconventional oil and gas exploration in Wales until such time as the impacts are properly assessed and understood.

Report Author: Ruth Henderson

Finance Officer: Aimee Dyer

Legal Officer: Jonathan Wills

Access to Services Officer: Phil Couch

1. Introduction

- 1.1 Mineral working is different from other forms of development in that extraction can only take place where the mineral is found to occur. Mineral planning policies are therefore formulated with a view to striking an acceptable balance between the national, regional and local requirement to both develop and safeguard mineral resources, the protection of the natural and built environment and the quality of life for those people living and working within the County.
- 1.2 Public interest in the possible exploration and extraction of onshore oil and gas in the UK is growing. This report is intended to set out the background to onshore unconventional oil and gas development; explain the current situation within the County; outline current national and local development plan policies; and present policies which have been drafted for the forthcoming Deposit Local Development Plan (LDP).

2. Background

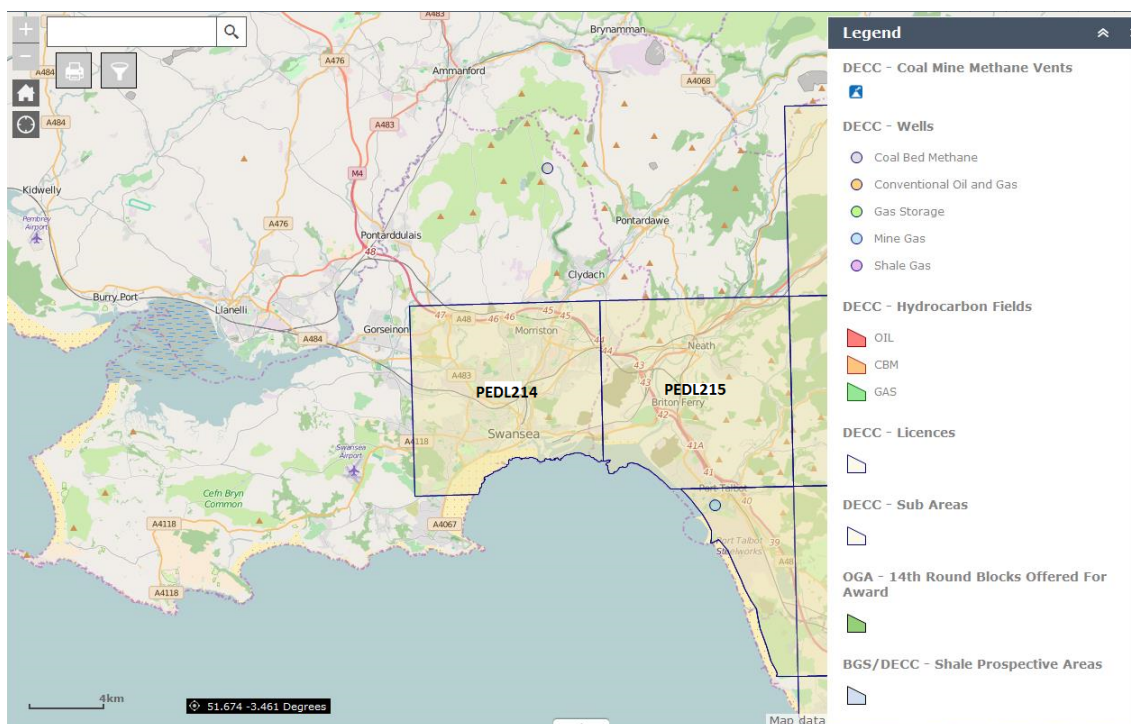
- 2.1 The term ‘unconventional gas’ refers to natural gas which is trapped in deep underground rocks that are hard to reach, such as shale rock or coal beds. ‘Conventional’ gas fields are usually situated in easier to reach layers of rock (traditionally North Sea gas is a ‘conventional’ gas). To date unconventional gas reserves have not been exploited because the cost has been too high, or the technology was not available. However recent technological advances have made it potentially economically viable to extract gas from these sources. Unconventional gas refers to:
- Shale gas
 - Coal bed methane
 - Underground coal gasification
- 2.2 The different sources of unconventional gas mean the type of gases extracted will vary. Shale gas and coal bed gas are mainly methane, like conventional natural gas. However, underground coal gasification produces a mix that can include hydrogen, carbon monoxide and methane.
- 2.3 **Shale gas** refers to gas held in fractures and pore spaces, or gas adsorbed on organic material (the remains of organisms such as plants and animals) within shale rock. It is extracted by cracking the rock using hydraulic fracturing or “fracking”. This technique uses fluid, usually water, pumped at high pressure into the rock to create narrow fractures which provide paths for the gas to flow into the production well and then to the surface. Once the fractures have been created, small particles, usually of sand, are pumped into them to keep the fractures open. The fracking water normally contains small quantities of other non-hazardous substances to improve the efficiency of the process. All substances must be approved by Natural Resources Wales.

- 2.4 **Coal bed methane** (CBM) refers to natural gas extracted from unmined coal seams. It is recovered through the drilling of a series of vertical or horizontal wells directly into the coal seam and then pumping water out to release the pressure in a process known as 'dewatering'. Reducing the pressure within the coal seams allows the methane to be released and flow to the production well and then to the surface. This process could also use "fracking" techniques in order to enhance gas recovery.
- 2.5 **Underground coal gasification** (UCG) is the process of partially combusting coal underground to produce a gas comprising of hydrogen, carbon monoxide and methane (known as 'syngas'). The UCG process typically involves drilling two wells into the coal, one for the injection of oxidants to enable combustion (water/air or water/oxygen mixtures) and another well, some distance away, to bring the gas to the surface. UCG development is regulated by the Coal Authority. It does not require a Petroleum Act Licence as methane is not 'petroleum' for the purposes of the Petroleum Act 1998.

Petroleum Exploratory and Development License (PEDL)

- 2.6 The Petroleum Act 1998 vests all rights to the nation's petroleum resources in the Crown, but the Government can grant licences that confer exclusive rights to 'search and bore for and get' petroleum (Petroleum Exploratory and Development License (PEDL)). The granting of a PEDL does not imply that planning permission would be granted for the extraction of the resource, nor does it confer any exemption from other legal/regulatory requirements such as:
- any need to gain access rights from landowners
 - health and safety regulations
- 2.7 A PEDL is not covered by Planning legislation and does not form part of the Local Development Plan (LDP). Two areas of the County are currently under license: Areas 214 and 215 (Figure 1). It is clear that these are within CBM resource areas and are not shale prospective areas. Information regarding licenses can be found on the DECC website at <https://www.gov.uk/oil-and-gas-petroleum-licensing-guidance>
- 2.8 The north and north west of the County was previously under license (PEDL Area 211) but this has been relinquished by Dart Energy due to low prospectivity. Dart Energy published a report in 2013 which provided details of their unconventional UK asset package ([http://nottfoe.gn.apc.org/P213DartUK\(CBM-Shale\)Syn.pdf](http://nottfoe.gn.apc.org/P213DartUK(CBM-Shale)Syn.pdf)). It is clear within the report that the potential resource within PEDL area 211 was CBM and the company does not list any shale gas resource potential in PEDL Area 211.

Figure 1 Map extract from the Oil and Gas Authority Onshore Oil and Gas Activity Interactive Map



Source: Oil and Gas Authority. Onshore Oil and Gas Activity Interactive Map
<https://decc-edu.maps.arcgis.com/apps/webappviewer/index.html?id=29c31fa4b00248418e545d222e57dda>

2.6 The UK Government opened the 14th Petroleum Exploratory and Development Licensing Round on the 28th July 2014. No new PEDLs were awarded in Scotland or Wales as part of the 14th Round as it is proposed that the licensing of onshore oil and gas extraction underlying Wales will be devolved to the Welsh Government.

Resource Potential

2.7 The British Geological Survey (BGS) published a report in 2013 (A Study of Potential Unconventional Gas Resource in Wales) identifying areas where unconventional gas resources may be found at depth in Wales together with estimates of gas-initially-in-place. The report also outlines methods of exploration and development of unconventional gas resources, potential impacts on environment and health and limitations of existing knowledge.

2.8 Given the underlying geology of the County, the BGS report concludes that there *may* be unconventional gas resources at depth. However, due to the large costs involved, not enough research has been conducted to obtain any degree of certainty in relation to the resource potential.

3. National and Local Planning Policy

- 3.1 Currently energy policy is not a devolved matter. Control on development can be exercised via Town and Country Planning legislation. The Welsh Government has adopted a precautionary approach to the development of onshore unconventional oil and gas resources in Wales. Planning policy relating to the development of gas, including unconventional gas (i.e. shale gas and CBM) is contained within Chapter 14 of Planning Policy Wales (PPW), 2016. PPW, together with Policy Clarification Note CL-04-14: Clarification Letter on the national planning policies that apply for onshore unconventional gas and oil development (July 2014), should be taken into account by local planning authorities in Wales when making decisions on applications for unconventional oil and gas proposals.
- 3.2 The Town and Country Planning (Notification) (Unconventional Oil and Gas) (Wales) Direction 2015 requires that where it is proposed to approve a planning application for unconventional oil and gas development which uses hydraulic fracturing technology then the local planning authority must first refer the planning application to Welsh Ministers to determine whether the application should be called in. The Direction clarifies that 'development' is defined as development involving the onshore exploration, appraisal or production of coal bed methane or shale oil or gas using unconventional extraction techniques, including fracturing (but does not include the making of exploratory boreholes which do not involve the carrying out of such unconventional extraction techniques). This is not a moratorium on fracking.
- 3.3 The UK and Welsh Governments produced a 'roadmap' for onshore oil and gas exploration in the UK in December 2013: Onshore Oil and Gas Exploration in the UK: Regulation and Best Practice. Separate documents were produced for Wales, England, Scotland and Ireland, due to different regulatory regimes. The document is an introduction to, and guidance on, planning and permitting. Its content should not, however, be considered as a definitive policy statement. It is intended that the guide will be revised as legislation develops; new regulations are introduced; or when best practice evolves.

Current Development Plan Policy

- 3.4 Any planning applications for the exploration or development of unconventional gas or oil within the County would currently be considered under UDP Strategic Policy SP10 which provides the overarching strategic framework for mineral exploration and development together with more detailed Minerals Policies R1 and R3 (CBM).
- 3.5 Policy R1: Development of Mineral Resources supports proposals for mineral development, subject to a number of criteria. Policy R3: Coal Bed Methane supports the exploration, appraisals and development of

the gas, subject to certain criteria. The principle of CBM extraction has long been recognised within the County, subject to environmental safeguards, and CBM policies were previously contained within the West Glamorgan Structure Plan (1996) and Swansea Minerals Local Plan (1999). Although the UDP policy specifically refers to CBM the same principles can be applied to any application for onshore gas.

- 3.6 Any development/extraction proposals would also require permits issued by Natural Resources Wales (NRW) under the Environmental Permitting Regulations, in addition to planning permission, before exploration or production could begin.

What is the current situation in Swansea?

- 3.7 A total of seven applications were received, and granted, for test drilling for CBM in 2008 and 2009 (in Pontarddulais and Mawr wards). An application was granted in 2013 for an appraisal borehole for CBM exploration at Llys Nini and a further application was granted in 2015 for the drilling of an appraisal borehole for the purpose of CBM exploration. The latter two applications were sought in order to meet the commitments of the associated PEDL Area 214.

- 3.8 The above permissions relate to CBM, not shale gas, and permit exploratory drill holes only. Any proposals relating to gas found would be subject to planning control by way of further planning applications, but none have been received to date.

What Policies will be contained within the Local Development Plan?

The LDP Preferred Strategy

- 3.9 Policy 15 of the LDP Preferred Strategy provided an overarching strategic policy relating to mineral resources, including onshore oil and gas resources.

The Deposit Plan

- 3.10 As the County contains two PEDL areas, unconventional gas and oil exploration is an issue which should be addressed via local planning policy. The LDP must be in accordance with national policy but should not replicate it. Following advice from the Welsh Government and lessons learned from other Welsh Authorities during the adoption of their LDP's, reference to onshore oil and gas exploration must be made within a general 'overarching' mineral policy within the LDP, rather than a separate policy as in the UDP.
- 3.11 Should the Council wish to present a policy within the Deposit LDP which differs from national planning guidance in relation to the exploration and development of onshore oil and gas it must be noted that this will generate objections from the Welsh Government. Any policy will in any

event be considered by the Planning Inspectorate at the LDP Examination in Public to ensure it accords with national planning policy.

- 3.12 Carmarthenshire County Council included a specific policy in relation to the exploration and development of onshore oil and gas in their Deposit LDP. Following advice from the Welsh Government this was removed at examination and reference to onshore oil and gas was included within a single mineral development policy in the adopted LDP. To date no planning applications for exploratory gas boreholes have been received by Carmarthenshire County Council.
- 3.13 Neath Port Talbot County Borough Council have a single policy within their adopted LDP outlining criteria against which mineral development proposals will be assessed. This includes proposals for the exploration and development of unconventional oil and gas. Since 2003 Neath Port Talbot Council have approved 10 planning applications for exploratory gas boreholes and refused 1. The majority of these applications have been to test for CBM gas. Most recently, an application was approved in 2015 for an exploratory gas borehole to test for CBM and shale gasses in Foel Fynyddau Forest, Pontrhydyfen.

Stance of Other Local Planning Authorities

- 3.14 A number of Welsh Local Planning Authorities have taken a position on the issue of onshore unconventional oil and gas development:
- 3.15 Denbighshire: The Council adopted a corporate position in September 2015 in relation to unconventional gas production:
“This Council has concerns over Fracking (hydraulic fracturing) and other alternative technologies for Unconventional Gas production, and would support the current Welsh Government moratorium on not proceeding with any form of development in this county or the wider region until such time as proper evidence has been accumulated on the long term effects of these new technologies and recognise the need to consider all options for energy production taking in to account the depletion of fossil fuels”.
- 3.16 Denbighshire’s LDP was adopted in June 2013 and the mineral policies do not reflect the Council’s position. Notwithstanding the adopted Council position, any planning application in relation to unconventional gas production will be considered on its merits against national policy and the adopted LDP planning policy.
- 3.17 Monmouthshire: Council resolved in Feb 2015 to support an immediate moratorium on fracking in Wales.
“This Council supports an immediate moratorium on fracking in Wales. We note that a small part of South West Monmouthshire has Petroleum Exploration and Development Licences (PEDLS) on it and the 14th licence round covers a large part of Monmouthshire. By supporting a moratorium, the Council sends a clear message that we wish to pause

which will allow the impact on our environment and homes to be properly assessed and understood.”

- 3.18 The Monmouthshire LDP was adopted in 2014 and contains policies in relation to mineral development. No specific policy is included in relation to onshore oil and gas.
- 3.19 Ceredigion: Declared itself a ‘frack-free’ local authority in January 2015. *“As a council which is leading on the use of renewable energy and energy conservation, we believe that Hydraulic Fracturing, Coal Bed Methane and Underground Coal Gasification (commonly referred to as ‘Fracking’) are incompatible with Ceredigion’s energy strategy as well as arousing considerable public concern. Having received a large petition from Ceredigion residents to this effect, we are happy to declare that we will not support fracking within the county and are therefore pleased to declare Ceredigion a Frack-free Local Authority. We hope that our commitment to a cleaner energy future will show the rest of Wales how important it is to protect our environment for future generations and to allow us to stand together with other forward thinking Local Authorities”.*
- 3.20 Ceredigion’s LDP was adopted in 2013 and does not contain reference to unconventional oil and gas within mineral policy. The Council’s frack-free declaration confusingly refers to all methods of extraction as fracking which they are not (UCG does not use hydraulic fracturing technology). This declaration has no bearing on the determination of any planning applications be received. Only national and LDP planning policy may be taken into account as material planning considerations.

4. Conclusions

- 4.1 To date, there has been no commercial interest to explore and develop shale gas within the County. However interest has been shown in CBM gas potential, with the submission and approval of a number of planning applications for exploratory boreholes, though there is uncertainty as to the actual potential resource available.
- 4.2 LDP policies must reflect national policy and current Welsh national planning policy does not prevent the exploration and extraction of onshore unconventional gas and oil resources, subject to safeguards. Any attempt to introduce a specific policy on the issue within the Deposit LDP will most likely be removed by the Planning Inspectorate. Neath Port Talbot County Borough Council’s LDP has recently been considered by a Planning Inspector and includes a mineral development policy which includes reference to onshore oil and gas exploration and development, in accordance with national planning policy. The City and County of Swansea Deposit LDP should include a policy which reflects national planning guidance.

4.3 However the Council, if it so wished, could make a statement similar to Monmouth's seeking a moratorium on the use of hydraulic fracturing technologies throughout Wales until impacts are properly assessed and understood.

4.4 The Council adopted a Notion of Motion on the 28th January 2016 to adopt a policy which would contain a presumption that as a matter of planning policy it would not support applications for the unconventional exploration or extraction of gas within the County, including test drilling. A policy (M1) has therefore been drafted for inclusion within the Deposit LDP in accordance with the Notion of Motion. Appendix A contains an extract of the minerals policy chapter, including the Introduction, Key Policy, Policy M1 and the accompanying reasoned justification.

5. Equality and Engagement Implications

5.1 There are no equality and engagement implications associated with this report.

6. Financial Implications

6.1 There are no financial implications associated with this report.

7. Legal Implications

7.1 There are no legal implications associated with this report other than reference to The Town and Country Planning (Notification) (Unconventional Oil and Gas) (Wales) Direction in clause 3.2.

Background Papers:

Welsh Government. 2016. Planning Policy Wales, edition 8.

Welsh Government. 2014. Policy Clarification Note CL-04-14: Clarification Letter on the national planning policies that apply for onshore unconventional gas and oil development.

Welsh Government. 2015. The Town and Country Planning (Notification) (Unconventional Oil and Gas) (Wales) Direction.

Welsh Government. 2015. Ministerial Letter regarding the Welsh Government approach to shale gas applications.

BGS. 2013. A Study of Potential Unconventional Gas Resource in Wales.

Howe, Harriet. 2015. Unconventional Gas: Shale Gas and Coal-bed Methane. National Assembly for Wales Research Paper.

Appendices:

Appendix A	Extract of Proposed Mineral Policies for the Deposit LDP
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Appendix A

Extract of Proposed Draft Minerals Policies for the Deposit Local Development Plan

LDP Key Issue

- The County has rich mineral resources which will need to be safeguarded from sterilisation

LDP Objectives

7. Support the safeguarding and sustainable use of natural resources where appropriate

- Promote a sustainable development strategy that prioritises the re-use of appropriate previously developed land, avoids significant adverse environmental impacts and respects environmental assets

INTRODUCTION

Mineral working is different from other forms of development in that extraction can only take place where the mineral is found to occur. The policies in this section are therefore formulated with a view to striking an acceptable balance between the national, regional and local requirement to both develop and safeguard mineral resources, the protection of the natural and built environment and the quality of life for those people living and working within the County.

Mineral resources within the context of the LDP refers to all minerals which geologically have resource potential within the County – primary aggregates (hard rock, sand and gravel), coal and onshore oil and gas resources. National mineral planning policy seeks to ensure a sustainable pattern of mineral extraction and is set out in Mineral Planning Policy Wales (MPPW) and further developed in Minerals Technical Advice Note (MTAN) 1: Aggregates and MTAN 2: Coal, together with Policy Clarification Note CL-04-14 and The Town and Country Planning (Notification) (Unconventional Oil and Gas) (Wales) Direction 2015.

The County sits on the edge of the South Wales Coalfield Basin. Opportunities for mineral development are limited to the north of the County, due to the high level of protection afforded to the Gower AONB and the extent of the built development that sterilises much of the land to the south of the M4. The only significant mineral resource physically available is coal and the Pennant Sandstone which caps the coal measures. The Pennant Sandstone has the greatest environmental capacity for extraction to the north of the M4. There is also the potential for the exploration of coal bed methane gas associated with the lower seams of the Coal Measures, as well as scattered outcrops of sand and gravel resources.

The South Wales Regional Technical Statement (RTS) provides a strategy for the future maintenance of an adequate and steady supply of construction aggregates. The RTS 1st Review recommends that, due to the lack of recent historical demand for hard rock or land won sand and gravel production within the County; the lack of suitable limestone resources that are not constrained by existing development or by the Gower AONB; and the availability of crushed rock supplies from nearby quarries

in adjoining MPAs, the Council is not required to make any future provision for land-won primary aggregates, including allocations for future workings, within the LDP. Any proposal which is forthcoming during the plan period for mineral development will be assessed against criteria-based mineral policies.

The Welsh Government has adopted a precautionary approach to the development of unconventional oil and gas resources in Wales. In support of this approach The Town and Country Planning (Notification) (Unconventional Oil and Gas) (Wales) Direction 2015 requires that where it is proposed to approve a planning application for unconventional oil and gas development which uses hydraulic fracturing technology then the local planning authority must first refer the planning application to Welsh Ministers to determine whether the application should be called in. The Direction clarifies that 'development' is defined as development involving the onshore exploration, appraisal or production of coal bed methane or shale oil or gas using unconventional extraction techniques, including fracturing (but does not include the making of exploratory boreholes which do not involve the carrying out of such unconventional extraction techniques).

Despite the existence of possible land based sand and gravel resources within the County, all the County's sand and gravel is imported from marine-dredged sources in the Bristol Channel, via wharves in Swansea and in neighbouring Neath Port Talbot and Carmarthenshire. In accordance with MPPW, the wharves and railheads in Swansea Docks, whether currently utilised or not, will be safeguarded on the Proposals Map in order to provide a range of sustainable transport options. Future development proposals will need to consider the potential impact on the landing of marine sand and gravel at Swansea Docks. The safeguarding of the wharf does not prevent its use to land other goods and does not affect permitted development rights.

Secondary aggregate is also imported (by road) from the Port Talbot steelworks, whilst recycled aggregates from construction, demolition and excavation wastes are also available within the County. The re-use and recycling of suitable materials will be further encouraged and will help continue to offset the requirements for primary aggregates.

The Council will continue to monitor the level of production, demand and imports alongside the aggregate reserves in neighbouring authorities throughout the lifetime of the LDP and revise the allocation requirements if necessary. In order to ensure the sustainable development of mineral resources the Plan ensures that society's needs for mineral's are met during the lifetime of the Plan and that aggregate and coal resources will be safeguarded to ensure they are not unnecessarily sterilised by non-mineral development in order to ensure society's future needs are met.

KEY POLICY

Key Policy X: Minerals

Provision for the sustainable development of mineral resources will be made by:

- a) Safeguarding resources of hard rock, sand and gravel, and coal, where these occur outside settlements, from permanent development to ensure that potential resources are not sterilised;
- b) Encouraging the efficient and appropriate use of minerals;
- c) Encouraging the re-use and recycling of suitable minerals as an alternative to primary won aggregates;
- d) Safeguarding the wharves in Swansea Docks for the unloading of marine dredged sand and gravel.

Detailed Policies

M1 DEVELOPMENT OF MINERAL RESOURCES

Proposals for the extraction of mineral resources will be permitted where they satisfy the following criteria:

- (i) It can be demonstrated that there is a requirement for the mineral to meet the need of society either nationally, regionally or locally, and the need cannot be met from secondary or recycled materials or existing reserves,
- (ii) The proposed end use of the mineral resource is appropriate and represents an efficient use of the resource,
- (iii) The development would not cause demonstrable harm to the amenities of local communities, in particular with regard to access, traffic generation, noise, vibration, dust, air quality and odour,
- (iv) The proposal would not result in any significant adverse impacts upon public health and wellbeing,
- (v) There is no significant adverse impact, including visual impact, on the landscape, natural heritage, cultural and historic environments,
- (vi) There would be no significant adverse impact on the quality and quantity of controlled waters,
- (vii) It can be demonstrated that no significant danger, damage or disruption would arise from subsidence or ground instability. The minerals will be transported by rail or waterways wherever feasible,
- (viii) Appropriate and progressive restoration and aftercare measures have been submitted, including post closure management of the site and the provision of other appropriate compensatory enhancements.

Within the Gower AONB mineral development will be strongly resisted.

The Council will not support the development of land based **unconventional oil or gas** operations, including the exploration, appraisal and extraction of oil and gas by **unconventional methods** (including the making of exploratory boreholes).

National Planning Guidance: Planning Policy Wales (MPPW) 2016; MTAN1: Aggregates, MTAN2: Coal

Reasoned Justification

The policy sets out criteria against which all proposals for mineral development will be assessed, including new development proposals (including borrow pits), the reworking of mineral tips for their mineral content and the development of land based **unconventional oil and gas** (i.e. coal-bed methane, shale gas and underground coal gasification).

Following the Town and Country Planning (Notification) (Unconventional Oil and Gas) (Wales) Direction 2015 the Council is required to refer any application it is minded to approve for the exploration, appraisal or commercial extraction of onshore oil or gas by unconventional methods to the Welsh Government. **Unconventional methods** refers to the use of hydraulic fracturing technology. Notwithstanding the Direction, the Council passed a Motion of Motion on the 28th January 2016 to adopt a policy of a presumption of **not supporting** proposals for exploration and development of land based unconventional oil and gas within the County, including applications for exploratory boreholes.

MTANs 1 and 2 provide clear guidance on reducing the impacts of mineral extraction, including dust, blasting, noise, visual intrusion and traffic generation as well as the restoration and aftercare of sites. When considering proposals for aggregate extraction reference should be made to the RTS.

In accordance with the recommendations contained within the RTS 1st Review, no future provision for land-won primary aggregates, including allocations for future workings have been identified within the LDP. No new mineral development will be permitted within the Gower AONB as it is not considered that the exceptional circumstances test outlined within PPW will apply with the Plan period. Proposed mineral development adjacent to, or close to, the AONB will be carefully assessed to ensure the environmental and amenity impact is acceptable. PPW sets out the criteria by which to assess proposals that are likely to affect the integrity of an internationally designated site (SPA, SAC or Ramsar Site).

The requirement for mineral resources will be viewed as being limited to that which is necessary to meet the needs of the present generation for economic growth and maintenance of standards of living. Where the end use of mineral resource is not consistent with the quality and significance of the resource it will be viewed as being misused and therefore wasteful.

In accordance with PPW, agricultural land of grades 1, 2 and 3a should only be used for mineral development if there is an overriding national (UK) need for the development and sufficient land in lower grades is either unavailable or available lower grade land has statutory environmental designations, unless clear evidence is submitted demonstrating that the land can be restored to a standard equivalent to its original Agricultural Land Classification. Any adverse effects on agriculture as a result of mineral development must be minimised as far as possible.

Proposals to develop secondary aggregate resources or recycling centres for construction, excavation and demolition waste will most usually be appropriate within construction sites, followed by B2 employment land allocations, if compatible with surrounding land uses (refer to Waste Policy XXX).

Borrow pits are temporary mineral working operations to supply particular construction projects. Borrow pits ought to be located within or close to a construction site and wherever possible the mineral should be supplied direct without using public roads.

Mineral development will not normally be acceptable within 200m of settlements identified on the Proposals Map (in the case of hard rock where blasting is necessary), 100 metres (in the case of sand and gravel and hard rock sites where blasting is not necessary) and 500m (in the case of coal).

Mineral developers should endeavour to minimise environmental disturbance. Compensatory measures will be sought from mineral developers with respect to loss of biodiversity as a result of any proposed mineral development. Where planning permission is granted for coal mining, the Council under the terms of the West Glamorgan County Council Act 1987, will attach a condition requiring the deposit of a financial bond or other means of financial security capable of securing satisfactory landscaping, restoration and aftercare requirements. In all other cases where the Council is minded to grant planning permission, the Council will, where appropriate, seek agreements to secure satisfactory restoration, aftercare and beneficial re-use through Section 106 Agreements.

Where appropriate a Health Impact Assessment will be required in support of applications for mineral development, in accordance with national planning policy (MIMPPS 01/2009, MTAN1: Aggregates and MTAN2:Coal).

Report of the Cabinet Member for Transformation and Performance

Extraordinary Council – 10 March 2016

MEMBERSHIP OF COMMITTEES

Purpose:	Council approves the nominations/amendments to the Council Bodies.
Policy Framework:	None.
Reason for Decision:	To agree nominations for Committee Membership.
Consultation:	Political Groups.
Recommendation:	It is recommended that: 1) The amendments to the Council Bodies listed in paragraph 2 be approved.
Report Author:	Gareth Borsden
Legal Officer:	Tracey Meredith
Finance Officer:	Paul Cridland
Access to Services Officer:	N/A

1. Introduction

- 1.1 Meetings of Council regularly agree and amend the membership of the various Committees/Council Bodies as reflected in the lists submitted by the Political Groups.

2. Changes to Council Body Membership

- 2.1 The political groups have indicated that they have changes to the following Council Bodies:

Planning Committee

Remove Councillor P Downing
Add Councillor P B Smith

Audit Committee

Remove Councillor D W W Thomas
Add Councillor C Thomas

LA Governor Panel

Remove Councillor P B Smith
Add Councillor V M Evans

3. Financial Implications

3.1 There are no financial implications associated with this report.

4. Legal Implications

4.1 There are no legal implications associated with this report.

Background Papers: Local Government & Housing Act 1989, the Local Government (Committees & Political Groups) Regulations 1990.

Appendices: None

Report of the Head of Legal & Democratic Services

Extraordinary Council – 10 March 2016

EXCLUSION OF THE PUBLIC

Purpose:	To consider whether the Public should be excluded from the following items of business.	
Policy Framework:	None.	
Reason for Decision:	To comply with legislation.	
Consultation:	Legal.	
Recommendation(s):	It is recommended that:	
1)	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	Item No.	Relevant Paragraphs in Schedule 12A
	12	16
Report Author:	Democratic Services	
Finance Officer:	Not Applicable	
Legal Officer:	Patrick Arran – Head of Legal & Democratic Services (Monitoring Officer)	

1. Introduction

- 1.1 Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.
- 1.2 Such a resolution is dependant on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

2. Exclusion of the Public / Public Interest Test

- 2.1 In order to comply with the above mentioned legislation, Cabinet will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the

grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

3. Financial Implications

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

4. Legal Implications

- 4.1 The legislative provisions are set out in the report.
- 4.2 Councillors must consider with regard to each item of business set out in paragraph 2 of this report the following matters:
 - 4.2.1 Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.
 - 4.2.2 If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test as set out in paragraph 2.2 of this report.
 - 4.2.3 If the information falls within paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test but must consider whether they wish to waive their privilege in relation to that item for any reason.

Background Papers: None.

Appendices: Appendix A – Public Interest Test.

Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
12	Information relating to a particular individual.
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. His view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
13	Information which is likely to reveal the identity of an individual.
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. His view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
14	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. His view on the public interest test was that:</p> <p>a) Whilst he was mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or</p> <p>b) Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.</p> <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

No.	Relevant Paragraphs in Schedule 12A
15	<p>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. His view on the public interest test was that whilst he is mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them he was satisfied that in this case disclosure of the information would prejudice the discussion in relation to labour relations to the disadvantage of the authority and inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
16	<p>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>
	<p>No public interest test.</p>
17	<p>Information which reveals that the authority proposes: (a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) To make an order or direction under any enactment.</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. His view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by the public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
18	<p>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. His view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>