

Pecyn Dogfennau



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

DYDD LLUN, 19 MEHEFIN 2017

AT: HOLL AELODAU'R Y BWRDD GWEITHREDOL

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R Y
BWRDD GWEITHREDOL A GYNHELIR YN **SIAMBR, NEUADD Y SIR** AM
10.00 AM, DYDD LLUN, 26AIN MEHEFIN, 2017 ER MWYN CYFLAWNI'R
MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

Swydddog Democrataidd:	Martin S. Davies
Ffôn (llinell uniongyrchol):	01267 224059
E-bost:	MSDavies@sirgar.gov.uk
Cyf:	AD016-001

Y BWRDD GWEITHREDOL

AELODAETH - 10 AELOD

Cynghorydd	Portffolio
Cynghorydd Emlyn Dole	Arweinydd Arweinyddiaeth a Strategaeth Gorfforaethol; Cadeirydd y Bwrdd Gweithredol; Cynrychioli'r Cyngor ar CLILC; Datblygu Economaidd; Yn cynrychioli'r Cyngor ar Ranbarth Dinas Bae Abertawe; Cydweithio; Marchnata a'r Cyfryngau; Penodi Aelodau o'r Bwrdd Gweithredol; Penderfynu ar bortffolios ABG; Cyswllt â'r Prif Weithredwr; Bwrdd Gwasanaethau Cyhoeddus
Cynghorydd Mair Stephens	Dirprwy Arweinydd Rheolwr Busnes y Cyngor; Adnoddau Dynol; Rheoli Perfformiad; Archwilio Cymru; Hyfforddiant; T.G.Ch.; T.I.C. Cynllunio strategol
Cynghorydd David Jenkins	Adnoddau Cyllid a'r Gyllideb; Effeithlonrwydd Corfforaethol; Rheoli Eiddo / Asedau; Caffael; Budd-daliadau Tai; Refeniw; Gwasanaethau Statudol (Crwneriaid, Cofrestryddion, Etholiadol, Arglwydd Rhaglaw); Hyrwyddwr y Lluoedd Arfog; Canolfannau Cyswllt a Chanolfannau Gwasanaethau Cwsmeriaid
Cynghorydd Cefin Campbell	Cymunedau a Materion Gwledig Materion Gwledig ac Ymgysylltu â'r Gymuned; Diogelwch Cymunedol; Yr Heddlu; Deddf Gwrthderfysgaeth a Diogelwch 2015 Trechu Tlodi; Llesiant Cenedlaethau'r Dyfodol; Cyswllt y Trydydd Sector
Cynghorydd Hazel Evans	Amgylchedd Sbwriel; Clanhau Strydoedd; Gwasanaethau Trafnidiaeth; Cynnal a Chadw Tiroedd; Gwasanaethau Adeiladu; Gwasanaethau Arlwy; gofalu; Clanhau Adeiladau; Cynlluniau Argyfwng; Llifogydd
Cynghorydd Linda Evans	Tai Tai - Cyhoeddus; Tai - Preifat; Cydraddoldeb; Heneiddio'n dda
Cynghorydd Peter Hughes Griffiths	Diwylliant, Chwaraeon a Thwristiaeth Llysgennad Cynghorau Tref a Chymuned; Datblygu'r Iaith Gymraeg; Theatrau; Chwaraeon; Canolfannau Hamdden; Amgueddfeydd; Llyfrgelloedd; Parciau Gwledig; Twristiaeth.
Cynghorydd Glynog Davies	Addysg a Phlant Ysgolion; Gwasanaethau Plant; Anghenion Addysgol Arbennig; Diogelu; Cartrefi Seibiant; Gwasanaeth Gwella Ysgolion Integredig Rhanbarthol; Dysgu Oedolion yn y Gymuned; Gwasanaethau Ieuencid; Aelod arweiniol dros Blant a Phobl Ifanc; Llysgennad Ieuencid
Cynghorydd Philip Hughes	Diogelu'r Cyhoedd Safonau Masnach; Iechyd yr Amgylchedd. Gorfodaeth Amgylcheddol; Gorfodaeth Cynllunio; Gwastraff Didrwydded; Gwasanaethau Parcio; Bio amrywiaeth
Cynghorydd Jane Tremlett	Gofal Cymdeithasol ac Iechyd Gwasanaethau Cymdeithasol i Oedolion; Gofal Preswyl; Gofal Cartref; Anableddau Dysgu; Iechyd meddwl; Cyswllt / Cydweithio / Integreiddio â'r GIG; Pencampwr Gofalwyr; Llysgennad Anabledd; Pencampwr Gofal Dementia

AGENDA

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Mae'r dudalen hon yn wag yn fwriadol

Dydd Mawrth, 2 Mai 2017

YN BRESENNOL: Y Cynghorydd E. Dole (Cadeirydd)

Y Cynghorwyr:

L.D. Evans, M. Gravell, D.M. Jenkins, G.O. Jones, L.M. Stephens, J. Tremlett,
H.A.L. Evans a T.J. Jones

Yr oedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:

M. James, Prif Weithredwr
J. Morgan, Cyfarwyddwr y Gwasanaethau Cymunedau
C. Moore, Cyfarwyddwr Gwasanaethau Corfforaethol
R. Mullen, Cyfarwyddwr yr Amgylchedd
G. Morgans, Cyfarwyddwr Addysg a Phlant Dros Dro
P.R. Thomas, Prif Weithredwr Cynorthwyol (Rheoli Pobl a Pherfformiad)
W. Walters, Prif Weithredwr Cynorthwyol (Adfywio a Pholisi)
L.R. Jones, Pennaeth Gweinyddiaeth a'r Gyfraith
J. Fearn, Pennaeth Eiddo Corfforaethol
D. Hockenhull, Rheolwr y y Cyfryngau a Marchnata
N. Daniel, Pennaeth Gwasanaeth TGCh
K. Thomas, Swyddog Gwasanaethau Democrataidd

Siambr, Neuadd y Sir - 10.00am - 10.35 am

1. YMDDIHEURIADAU AM ABSENOLDEB

Cafwyd ymddiheuriad am absenoldeb oddi wrth y Cynghorydd P.A Palmer.

2. DATGAN BUDDIANNAU PERSONOL.

Ni chafwyd dim datganiadau o fuddiant personol.

3. LLOFNODI FEL COFNOD CYWIR COFNODION CYFARFOD Y BWRDD GWEITHREDOL A GYNHALWYD AR Y

3.1. 27AIN MAWRTH 2017

Tynnwyd sylw'r Bwrdd Gweithredol at gofnod 13 o'r cofnodion uchod ynghylch mabwysiadu fersiwn ddiwygiedig o'r Polisi Iechyd a Diogelwch Corfforaethol. Nododd, gan fod y newidiadau arfaethedig i'r polisi yn rhai bychain ac nad oeddent yn effeithio ar y polisi sylfaenol, fod y cofnodion wedi cael eu cymeradwyo gan yr Aelod o'r Bwrdd Gweithredol dros Adnoddau Dynol, Arbedion Effeithlonrwydd a Chydweithio, mewn cyfarfod a gynhaliwyd ar 13 Ebrill 2017.

PENDERFYNWYD YN UNFRYDOL, yn amodol ar yr uchod, lofnodi cofnodion cyfarfod y Bwrdd Gweithredol a gynhaliwyd ar 27 Mawrth 2017 gan eu bod yn gofnod cywir.

3.2. 10FED EBRILL 2017

PENDERFYNWYD YN UNFRYDOL lofnodi cofnodion cyfarfod y Bwrdd Gweithredol a gynhaliwyd ar 10 Ebrill 2017 gan eu bod yn gofnod cywir.

4. CWESTIYNAU Â RHYBYDD GAN AELODAU

Dyweddodd y Cadeirydd nad oedd dim cwestiynau â rhybudd wedi cael eu cyflwyno gan yr Aelodau.

5. CWESTIYNAU A RHYBYDD GAN Y CYHOEDD

Dywedodd y Cadeirydd nad oedd dim cwestiynau â rhybudd wedi dod i law gan y cyhoedd.

6. ADRODDIAD MONITRO CYLLIDEB REFENIW Y CYNGOR

Bu'r Bwrdd Gweithredol yn ystyried Adroddiad Monitro'r Gyllideb Refeniw a oedd yn rhoi'r wybodaeth ddiweddaraf am y sefyllfa gyllidebol fel yr oedd ar 28 Chwefror 2017, mewn perthynas â blwyddyn ariannol 2016/17.

Yn gyffredinol, roedd yr adroddiad yn rhagweld y byddai gorwariant o £126k ar gyllideb refeniw net yr Awdurdod ac y byddai gorwariant o £1,716k gan yr adrannau. Rhagwelid tanwariant o £436k yn y Cyfrif Refeniw Tai.

PENDERFYNWYD YN UNFRYDOL

6.1 derbyn yr adroddiad monitro ynghylch y gyllideb;

6.2 bod y Prif Swyddogion a'r Penaethiaid Gwasanaeth yn adolygu eu sefyllfaoedd cyllidebol yn feirniadol ac yn cymryd camau priodol i ddarparu eu gwasanaethau yn unol â'r cyllidebau a ddyrannwyd iddynt.

7. DIWEDDARU RHAGLEN GYFALAF 2016-17

Bu'r Bwrdd Gweithredol yn ystyried adroddiad oedd yn rhoi diweddariad ynghylch gwariant y Rhaglen Gyfalaf mewn perthynas â chyllideb 2016/17, fel yr oedd ar 28 Chwefror 2017. Ar sail y gyllideb o £67.178m a ragwelid, nodwyd bod amrywiad o £23.807m a oedd i'w briodoli i lithriad y prosiectau rhwng y blynnyddoedd ariannol yn hytrach nag unrhyw newidiadau yn y gost.

PENDERFYNWYD YN UNFRYDOL dderbyn yr adroddiad diweddaru ynghylch y rhaglen gyfalaf.

8. FERSIWN DIWYGIEDIG O'R POLISI GWEITHIO YSTWYTH

Bu i'r Bwrdd Gweithredol ystyried adroddiad ar y newidiadau arfaethedig i Bolisi Gweithio Ystwyth y Cyngor gyda'r nod o wneud yn fawr o'r cyfleoedd ar gyfer gweithio ystwyth i ategu ei amcanion strategol drwy'r canlynol:

- Moderneiddio'r gwasanaethau a ddarperir:- defnyddio technoleg newydd i ddarparu gwasanaethau, darparu posibilïadau ar gyfer symleiddio prosesau a bod yn agosach at y cwsmeriaid;
- Recriwtio a Chadw:- Arferion gwaith gwahanol i helpu i recriwtio a chadw gweithwyr a werthfawrogi;
- Strategaeth Swyddfeydd:- Byddai gweithio ystwyth yn helpu i leihau'r anghenion o ran swyddfeydd ac i ddefnyddio adeiladau'n fwy effeithiol;
- Agenda gweithio hyblyg:- byddai gweithio ystwyth yn ategu'r agenda ehangach o ran cael cydbwysedd rhwng bywyd a gwaith, gan roi bod i weithlu mwy cynhwysol;
- Amgylcheddol:- gall gweithio ystwyth olygu bod llai o deithiau car, bod llai o dagfeydd yn ystod yr oriau brig, a bod llai o lygredd yn cael ei greu.

PENDERFYNWYD YN UNFRYDOL gymeradwyo'r fersiwn ddiwygiedig o'r Polisi Gweithio Ystwyth.

9. STRATEGAETH TRAWSNEWID DIGIDOL 2017 - 2020

Bu'r Bwrdd Gweithredol yn ystyried adroddiad ynghylch mabwysiadu Strategaeth Trawsnewid Digidol 2017-20 sy'n disgrifio blaenoriaethau a dyheadau strategol y Cyngor o ran y maes digidol ac yn rhoi braslun o gynllun y Cyngor i wireddu ei weledigaeth ar gyfer Sir Gaerfyrddin Ddigidol. Mae hyn yng ngoleuni potensial technoleg ddigidol i drawsnewid y Sir a bywydau'r trigolion ac i greu arbedion hirdymor i'r Cyngor ar yr un pryd.

Rhoddwyd gwybod i'r Bwrdd fod y Pwyllgor Craffu - Polisi ac Adnoddau, yn ei gyfarfod ar 28 Ebrill 2017, wedi cymeradwyo'r Strategaeth yn amodol ar newidiadau, sef, cynnwys cyfeiriadau at aelodau etholedig a'r modd y byddai'r strategaeth o fudd mawr i'w gwaith a'u ffyrdd o ymwneud â'r gymuned.

PENDERFYNWYD YN UNFRYDOL gymeradwyo Strategaeth Trawsnewid Digidol 2017-2020 yn amodol ar gynnwys cyfeiriad at aelodau etholedig.

10. RHYBYDDION O GYNNIG A GYFEIRIWDYD GAN Y CYNGOR AR Y 22AIN CHWEFOR 2017:-

10.1. RHYBUDD O GYNNIG A GYFLWYNWYD GAN Y CYNGHORYDD PETER HUGHES GRIFFITHS

Cafodd y Bwrdd Gweithredol y Rhybudd o Gynnig canlynol a gyflwynwyd gan y Cyngorydd P. Hughes-Griffiths, a oedd wedi cael ei gyfeirio i'w ystyried gan y Cyngor yn ei gyfarfod ar 22 Chwefror 2017:-

"Mae gwir angen rhoi sylw arbennig ac uniongyrchol i'n hardaloedd gwledig yn Sir Gaerfyrddin. Felly, bod y Cyngor hwn yn sefydlu GWEITHGOR CEFN GWLAD a fyddai'n cynnwys aelodau o'r tri Grŵp sydd ar y Cyngor. Byddai'r Gweithgor (o ddilyn patrwm y Gweithgor Iaith) yn medru ymchwilio i sefyllfa ein hardaloedd gwledig yn Sir Gaerfyrddin trwy gasglu gwybodaeth, ymchwilio a gwahodd a derbyn tystiolaeth, cyn cyflwyno maes o law strategaethau, polisïau a chynllun gweithredu ger bron y Cyngor llawn."

Gan fod yr etholiadau llywodraeth leol ar ddod, roedd y Bwrdd Gweithredol o'r farn y byddai'n synhwyrol i'r weinyddiaeth newydd roi ystyriaeth i sefydlu'r Gweithgor Cefn Gwlad a awgrymir.

PENDERFYNWYD YN UNFRYDOL ohirio trafod sefydlu Gweithgor Cefn Gwlad er mwyn i'r weinyddiaeth newydd ystyried y mater ar ôl yr etholiadau llywodraeth leol sydd ar ddod.

10.2. RHYBUDD O GYNNIG A GYFLWYNWYD GAN Y CYNGHORYDD ALUN LENNY

Cafodd y Bwrdd Gweithredol y Rhybudd o Gynnig canlynol a gyflwynwyd gan y Cyngorydd A. Lenny, a oedd wedi cael ei gyfeirio i'w ystyried gan y Cyngor yn ei gyfarfod ar 22 Chwefror 2017:-

"Mae'r Cyngor hwn yn cydnabod yr emynydd William Williams, Pantycelyn, Sir Gaerfyrddin, fel un o'r Cymry mwyaf a fu erioed ac yn ymrwymo i gynnal achlysur arbennig i ddathlu trichanmlwyddiant ei eni er mwyn cydnabod ei gyfraniad anferth

i emynyddiaeth ar raddfa ryngwladol a'i effaith ar fywyd ein cenedl, yn ogystal â hyrwyddo gwybodaeth am ei fywyd a'i waith mewn pob cyhoeddusrwydd addas a phosibl gan y cyngor yn ystod gweddill y flwyddyn."

Nododd y Bwrdd Gweithredol fod amryw o ddigwyddiadau wedi'u cynnal eisoes drwy'r sir i ddatlu trichanmlwyddiant geni William Williams ar 11 Chwefror 1717, a bod y Cyngor wedi cael cais am gymorth grant ar gyfer digwyddiad a gynhelir yn Llanymddyfri yn y dyfodol agos i ddatlu ei fywyd, ei waith a'i ddylanwad ar hanes Cymru. Nodwyd hefyd nad oedd y Cyngor yn ymwneud yn uniongyrchol â'r dathliadau ond mai'r bwriad oedd y byddai pob cymuned leol yn nodi'r trichanmlwyddiant mewn ffyrdd oedd yn gweddu orau i'w gofynion unigol, ac y byddai'r Cyngor yn rhoi ystyriaeth i unrhyw geisiadau ychwanegol a ddaw i law am gymorth ariannol ar gyfer digwyddiadau a gynhelir yn ardal Llanymddyfri.

PENDERFYNWYD YN UNFRYDOL nodi'r mater.

11. HARBWR PORTH TYWYN - PRYDLES RNLI

Bu i'r Bwrdd Gweithredol ystyried adroddiad ynghylch yr amodau arfaethedig y byddai'r Awdurdod yn cytuno arnynt gyda Sefydliad Cenedlaethol Brenhinol y Badau Achub ar gyfer rhoi prydles o 125 mlynedd, am rent hedyn pupur o £1.00 y flwyddyn, ar ddarn o dir sy'n eiddo i'r Cyngor yn Harbwr Porth Tywyn at ddibenion adeiladu gorsaf bad achub newydd. Nodwyd, o dan amodau'r cytundeb, y byddai'r orsaf bad achub bresennol yn cael ei hildio i'r Awdurdod er mwyn ei defnyddio fel swyddfa'r harbwr.

PENDERFYNWYD YN UNFRYDOL gymeradwyo'r brydles arfaethedig ar dir yn Harbwr Porth Tywyn i Sefydliad Cenedlaethol Brenhinol y Badau Achub ar sail yr amodau a nodir yn yr adroddiad.

13. GORCHYMYN I'R CYHOEDD ADAEL Y CYFARFOD

PENDERFYNWYD YN UNFRYDOL, yn unol â Deddf Llywodraeth Leol 1972, fel y'i newidiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007, orchymyn i'r cyhoedd adael y cyfarfod tra oedd yr eitemau canlynol yn cael eu hystyried, gan fod yr adroddiadau'n cynnwys gwybodaeth eithriedig fel y'i diffiniwyd ym mharagraff 14 o Ran 4 o Atodlen 12A i'r Ddeddf.

14. Y DATBLYGIADAU O RAN HARBWR PORTH TYWYN

Yn sgil gweithredu'r prawf budd y cyhoedd **PENDERFYNWYD YN UNFRYDOL**, yn unol â'r Ddeddf y cyfeiriwyd ati yng Nghofnod 13 uchod, ystyried y mater hwn yn breifat gan orchymyn i'r cyhoedd adael y cyfarfod, gan y byddai'r drafodaeth yn datgelu gwybodaeth eithriedig ynghylch materion ariannol neu faterion busnes unrhyw unigolyn penodol (gan gynnwys yr Awdurdod oedd yn meddu ar y wybodaeth honno).

Bu i'r Bwrdd Gweithredol ystyried adroddiad manwl ynghylch cynigion ar gyfer rhedeg Harbwr Porth Tywyn yn y dyfodol.

PENDERFYNWYD YN UNFRYDOL gymeradwyo'r adroddiad a bod y Cyngor yn rhan o gytundeb cyfyngol, na fydd yn para'n hwy na chwe mis, i drafod opsiwn posibl o ran partneriaeth reoli ar gyfer Harbwr Porth Tywyn.

15. **CYD-FENTER CROSS HANDS - CYTUNDEB ATODOL ARFAETHEDIG**
Yn sgil gweithredu'r prawf budd y cyhoedd **PENDERFYNWYD YN UNFRYDOL**, yn unol â'r Ddeddf y cyfeiriwyd ati yng Nghofnod 13 uchod, ystyried y mater hwn yn breifat gan orchymyn i'r cyhoedd adael y cyfarfod, gan y byddai'r drafodaeth yn datgelu gwybodaeth eithriedig ynghylch materion ariannol neu faterion busnes unrhyw unigolyn penodol (gan gynnwys yr Awdurdod oedd yn meddu ar y wybodaeth honno).

Bu i'r Bwrdd Gweithredol ystyried adroddiad manwl ynghylch cynigion bod yr Awdurdod yn cychwyn cytundeb atodol gyda Llywodraeth Cymru mewn perthynas â Chyd-fenter Cross Hands.

PENDERFYNWYD YN UNFRYDOL bod yr Awdurdod yn llunio cytundeb atodol i Gytundeb Cyd-fenter Cross Hands rhwng y Cyngor a Llywodraeth Cymru, dyddiedig 13 Medi 2005, fel y nodwyd yn Atodiad 1 o'r Adroddiad hwn.

16. **GORLLEWIN CAERFYRDDIN**
Yn sgil gweithredu'r prawf budd y cyhoedd **PENDERFYNWYD YN UNFRYDOL**, yn unol â'r Ddeddf y cyfeiriwyd ati yng Nghofnod 13 uchod, ystyried y mater hwn yn breifat gan orchymyn i'r cyhoedd adael y cyfarfod, gan y byddai'r drafodaeth yn datgelu gwybodaeth eithriedig ynghylch materion ariannol neu faterion busnes unrhyw unigolyn penodol (gan gynnwys yr Awdurdod oedd yn meddu ar y wybodaeth honno).

Bu i'r Bwrdd Gweithredol ystyried adroddiad manwl ynghylch trafodaethau eiddo mewn perthynas â Datblygiad Gorllewin Caerfyrddin.

PENDERFYNWYD YN UNFRYDOL gymeradwyo'r trafodaethau arfaethedig, y manylwyd arnynt yn yr adroddiad.

CADEIRYDD

DYDDIAD

Mae'r dudalen hon yn wag yn fwriadol

Y BWRDD GWEITHREDOL

26 MEHEFIN, 2017

POLISI GORFODI CORFFORAETHOL

YR ARGYMHELLION / PENDERFYNIADAU ALLWEDDOL SYDD EU HANGEN:

1.1 Diweddarau'r testun yn Safon y Gwasanaeth sy'n amgaeedig mewn perthynas â'r rhan 'Apwyntiadau' i'r canlynol:

Mae ein holl Ganolfannau Gwasanaethau Cwsmeriaid yn gweithredu system apwyntiadau. Y nod yw gwella'r profiad i'r cwsmer a gwella'r ddarpariaeth gwasanaeth. Bellach gallwch archebu apwyntiad yn unrhyw un o'n Canolfannau Gwasanaethau Cwsmeriaid yn Rhydaman, Caerfyrddin a Llanelli ar ddyddiad ac amser sy'n gyfleus i chi.

Os ydych yn dymuno gwneud apwyntiad neu drafod unrhyw fater sy'n ymwneud â'r Cyngor, ffoniwch ein Canolfan Gyswilt - 01267 234567. Gallwch archebu a rheoli eich apwyntiadau ar-lein.

1.2 Dechrau proses ymgynghori â rhanddeiliaid priodol am gyfnod o 6 wythnos

1.3 Rhoi ystyriaeth i'r sylwadau a wnaed yn ystod y broses ymgynghori, gyda golwg ar fabwysiadu'r Polisi Gorfodi Corfforaethol.

Y RHESYMAU:

Daeth Côd y Rheoleiddwyr i rym statudol ar 6 Ebrill 2014 dan [Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006](#) ac mae'n darparu fframwaith clir a hyblyg, sy'n seiliedig ar egwyddorion, ynghylch sut y dylai rheoleiddwyr ymgysylltu â'r rheiny y maent yn eu rheoleiddio.

Nodir y rheoleiddwyr a'r swyddogaethau rheoleiddiol y mae Côd y Rheoleiddwyr yn berthnasol iddynt yng [Ngorchymyn Diwygio Deddfwriaethol a Rheoleiddiol \(Swyddogaethau Rheoleiddiol\) 2007](#), fel y'i diwygiwyd yn [2009](#), [2010](#) a [2014](#). Mae'n rhaid i awdurdodau lleol roi ystyriaeth iddo wrth ddatblygu polisiau a gweithdrefnau sy'n llywio eu gweithgareddau rheoleiddiol.

Angen ymgynghori â'r Pwyllgor Craffu perthnasol: NAC OES

Angen i'r Bwrdd Gweithredol wneud penderfyniad OES – 26 Mehefin, 2017

Angen i'r Cyngor wneud penderfyniad NAC OES

Yr Aelod o'r Bwrdd Gweithredol sy'n Gyfrifol am y Portffolio:

Y Cyng. Phillip Hughes (Deiliad y Portffolio Diogelu'r Cyhoedd)

Y Gyfarwyddiaeth Cymunedau Enw Pennaeth y Gwasanaeth: Robin Staines Awdur yr Adroddiad: Sue Watts	Swyddi: Pennaeth Tai, Diogelu'r Cyhoedd a Gwasanaethau Darparwr Rheolwr Iechyd yr Amgylchedd a Thrwyddedu	Rhifau ffôn: Cyfeiriadau E-bost: 01267 228960 RStaines@sirgar.gov.uk 01267 228929 sewatts@sirgar.gov.uk
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EXECUTIVE SUMMARY
EXECUTIVE BOARD
26TH JUNE, 2017

CORPORATE ENFORCEMENT POLICY

Background

Carmarthenshire County Council (the Council) is committed to protecting the community from harm and enforcement is one of the tools used by this Authority to fulfil this commitment. The Council believes that 'prevention is better than cure' and that through actively working with businesses, individuals and the community, by providing advice and assistance with regards compliance, we can reduce the need for enforcement action. There are, however, occasions where enforcement is the only option. Where enforcement action is needed, the council will take a consistent, fair and proportionate approach so as not to place too onerous a burden on local businesses, organisations, customers and the public.

Regulatory services within the Local Authority must have consideration to Section 6 of the Regulators' Code. This sets out Government's expectation that local authorities will ensure 'good regulation' and that their approach to their regulatory activities is transparent. The provisions also include an expectation that local authorities will publish a clear set of service standards, setting out what those they regulate should expect from them. This includes their enforcement policy, explaining how they respond to non-compliance.

This policy applies to the following specified regulatory areas:

- Environmental Health
- Trading Standards
- Licensing
- Animal Welfare,
- Private Sector Housing,
- Public Sector Housing,
- Planning,
- Building Regulation,
- Waste Regulation,
- Highways,
- School attendance
- Benefit Regulation

and any other area that may become applicable by statute.

The Service Standards and the Enforcement Policy have been collated as a result of corporate consultation within the relevant Departments. Approval is sought to consult widely by means of the corporate website.

DETAILED REPORT ATTACHED ?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Robin Staines

Head of Housing, Public Protection and Provider Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	YES	NONE	NONE

1. Policy, Crime & Disorder and Equalities

Section 6 of the Regulators' Code which sets out Government's expectation that local authorities will ensure 'good regulation' and that their approach to their regulatory activities is transparent. This includes the provision of an Enforcement Policy to outline that the council will take a consistent, fair and proportionate approach so as not to place too onerous a burden on local businesses, organisations, customers and the public.

2. Legal

Section 6 of the Regulators' Code which sets out Government's expectation that local authorities will ensure 'good regulation' and that their approach to their regulatory activities is transparent. This includes the provision of an Enforcement Policy to outline that the council will take a consistent, fair and proportionate approach so as not to place too onerous a burden on local businesses, organisations, customers and the public.

4. Risk Management Issues

Failure to adopting and implementing the Enforcement Policy could result in successful challenges during enforcement.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Robin Staines

Head of Housing, Public Protection and Provider Services

1. Scrutiny Committee N/A

2. Local Member(s) N/A

3. Community / Town Council N/A

4. Relevant Partners N/A

5. Staff Side Representatives and other Organisations N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE LISTED BELOW.

Title of Document	File Ref No.	Locations that the papers are available for public inspection
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The Legislative and Regulatory Reform (Regulatory Functions) Order 2006		http://www.legislation.gov.uk/ukpga/2006/51/contents
The Legislative and Regulatory Reform (Regulatory Functions) Order 2007 (as amended in 2009, 2010 and 2014)		http://www.legislation.gov.uk/uksi/2007/3544/contents/made http://www.legislation.gov.uk/uksi/2009/2981/contents/made http://www.legislation.gov.uk/uksi/2010/3028/contents/made http://www.legislation.gov.uk/uksi/2014/860/contents/made
Regulator's Code		https://www.gov.uk/government/publications/regulators-code
The Code for Crown Prosecutors		http://www.cps.gov.uk/publications/code_for_crown_prosecutors/

CARMARTHENSHIRE COUNTY COUNCIL

GENERAL ENFORCEMENT POLICY

CARMARTHENSHIRE GENERAL ENFORCEMENT POLICY

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CARMARTHENSIRE GENERAL ENFORCEMENT POLICY

1.0 Introduction

1.1 Carmarthenshire County Council is committed to protecting the community from harm and enforcement is one of the tools used by this Authority to fulfil this commitment. This Policy is intended to establish a uniform approach to enforcement. Carmarthenshire County Council (the Council) believes that 'prevention is better than cure' and that through actively working with businesses, individuals and the community, by providing advice and assistance with regards compliance, we can reduce the need for enforcement action.

1.2 Where enforcement action is needed, the Council will take a consistent, fair and proportionate approach so as not to place too onerous a burden on local businesses, organisations, customers and the public.

1.3 In the interest of the prevention and detection of crime/protection of public safety, the Council will exchange information with its agency partners and between Council Services, in compliance with relevant legislation.

1.4 A copy of this policy is available at:

<http://www.carmarthenshire.gov.wales/>

1.5 This policy applies to the following specified regulatory areas:

- Environmental Health
- Trading Standards
- Licensing
- Animal Welfare,
- Private Sector Housing,
- Public Sector Housing,
- Planning,
- Building Regulation,
- Waste Regulation,
- Highways,
- School attendance
- Benefit Regulation

and any other area that may become applicable by statute

2.0 Carmarthenshire's approach to compliance and enforcement

2.1 Principles of Good Regulation

2.1.1 The Legislative and Regulatory Reform Act 2006, Part 2, requires Carmarthenshire County Council to have regard to the Principles of Good Regulation when exercising a specified regulatory function as set out in The Legislative and Regulatory Reform (Regulatory Functions) Order 2007

2.1.2 We will exercise our regulatory activities in a way which is:

- (i) Proportionate – our activities will reflect the level of risk to the public and enforcement action taken will relate to the seriousness of the offence,
- (ii) Accountable – our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures,
- (iii) Consistent – our advice to those we regulate will be robust and reliable and we will respect advice provided by others. Where circumstances are similar, we will endeavour to act in similar ways to other local authorities,
- (iv) Transparent – we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return, and
- (v) Targeted – we will focus our resources on higher risk enterprises and activities, reflecting local need and national priorities.

2.2 Regulators' Code

2.3.1 Carmarthenshire County Council has had regard to the [Regulators' Code](#) in the preparation of this policy. In certain instances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

2.3 Human Rights Act 1998

2.3.1 Carmarthenshire County Council is a public authority for the purposes of the Human Rights Act 1998. We therefore apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms. This Policy and all associated enforcement decisions take account of the provisions of the Human Rights Act 1998. In particular, due regard is had to the right to a fair trial and the right to respect for private and family life, home and correspondence.

2.4 Data Protection Act 1998

2.4.1 Where there is a need for Carmarthenshire County Council to share enforcement information with other agencies, we will follow the provisions of the Data Protection Act 1988.

2.5 The Code for Crown Prosecutors

2.5.1 When deciding whether to prosecute Carmarthenshire County Council has regard to the provisions of [The Code for Crown Prosecutors](#) as issued by the Director of Public Prosecutions.

2.5.2 The Code for Crown Prosecutors is a public document that sets out the general principles to follow when decisions are made in respect of prosecuting cases. The Code sets out two tests that must be satisfied, commonly referred to as the 'Evidential Test' and the 'Public Interest Test':

- a. Evidential Test - is there enough evidence against the defendant?

When deciding whether there is enough evidence to prosecute, Carmarthenshire County Council will consider what evidence can be used in court and is reliable. We

must be satisfied there is enough evidence to provide a "realistic prospect of conviction" against each alleged offender.

- b. Public Interest Test - is it in the public interest for the case to be brought to court?

Carmarthenshire County Council will balance factors for and against prosecution carefully and fairly, considering each case on its merits.

2.6 Regulatory Enforcement and Sanctions Act 2008 ('the RES Act')

2.6.1 The Regulatory Enforcement and Sanctions Act 2008, as amended, established the Primary Authority scheme. We will comply with the requirements of the Act when we are considering taking enforcement action against any business or organisation that has a primary authority, and will have regard to guidance issued by the Secretary of State in relation to Primary Authority.

3.0 Advice and guidance

3.1 Carmarthenshire County Council, where appropriate, will provide information, advice and guidance to make it easier for businesses/individuals to understand and meet their legal obligations and we will provide it in clear, concise and accessible language. Further information may be found on the Council's website;

<http://www.carmarthenshire.gov.wales/home>

3.2 All investigations will be carried out under the following legislation and any other applicable legislation; they will also be conducted in accordance with any associated guidance or codes of practice, in so far as they relate to Carmarthenshire County Council:

- the Police and Criminal Evidence Act 1984
- the Criminal Procedure and Investigations Act 1996
- the Regulation of Investigatory Powers Act 2000
- the Criminal Justice and Police Act 2001
- the Human Rights Act 1998

- the Equality Act 2010

3.3 These Acts and associated guidance control how evidence is collected and used and give a range of protections to citizens and potential defendants.

3.4 Our authorised officers will also comply with the requirements of the particular legislation under which they are acting, and with any associated guidance or codes of practice.

3.5 Powers of entry

Where applicable enforcement officers may exercise their rights of powers of entry under relevant legislation or obtain a warrant of entry from the Justices.

4.0 Enforcement action

4.1 Advice/warning letter

4.1.1 Where it is deemed appropriate by Carmarthenshire County Council, officers may provide compliance advice, guidance and support as a first response to a breach of

legislation. Advice is provided, sometimes in the form of a warning letter, to assist individuals and businesses in rectifying breaches as quickly and efficiently as possible, avoiding the need for further enforcement action. A warning letter will set out what should be done to rectify the breach and to prevent re-occurrence. If a similar breach is identified in the future, this letter will be persuasive in considering the most appropriate enforcement action to take on that occasion. Such a letter cannot be cited in court as a previous conviction but it may be presented in evidence.

4.2 Voluntary undertakings

4.2.1 In certain circumstances, Carmarthenshire County Council may accept voluntary undertakings that breaches will be rectified and/or recurrences prevented. Failure to honour voluntary undertakings are taken very seriously and enforcement action is likely to result from such a failure

4.3 Statutory and Legal Notices

4.3.1 Statutory notices and other legal notices include, but are not limited to: 'Stop Notices', 'Prohibition Notices', 'Remedial Action Notices', 'Emergency Prohibition Notices', 'Abatement Notices' and 'Improvement Notices'. Such notices are legally binding. Failure to comply with a statutory notice in some circumstances can be a criminal offence and may lead to prosecution and/or, where appropriate, the carrying out of work in default.

4.3.2 A statutory or legal notice will, where applicable, clearly set out what actions must be taken and the timescales within which they must be taken as well as the consequences of non-compliance and any appeals procedure.

4.4 Financial penalties

4.4.1 Carmarthenshire County Council have powers to issue Fixed Penalty Notices in respect to some breaches of legislation. A fixed penalty notice is not a criminal fine and does not appear on an individual's criminal record. If a fixed penalty is not paid Carmarthenshire County Council may commence criminal proceedings or take other enforcement action in respect of the breach. In some circumstances, in particular where breaches are serious or recurrent, it may be that prosecution is more appropriate than the issue of a fixed penalty notice.

4.5 Refusal/suspension/revocation of licences

4.5.1 Carmarthenshire County Council processes and issues a number of licences, authorisations, approvals and permits. During the processing of applications, previous breaches, enforcement action and intelligence will be considered. Most licences include conditions which require the licence holder to operate the businesses in a manner that protects public safety for example. Certain legislation sets out specific licensing objectives which must be upheld. Where breaches of these conditions are found, this may lead to further enforcement action and/or a review of the licence/approval which may result in warning, suspension, amendment or revocation.

4.6 Detention/ seizure /Forfeiture proceedings

4.6.1 Where the legislation permits, Carmarthenshire County Council has the power to detain/ seize/forfeit items.

4.7 Injunctive Actions, Enforcement Orders etc.

4.7.1 In some circumstances Carmarthenshire County Council may seek a direction from the court (in the form of an order or an injunction) that a breach is rectified and/or prevented from recurring. The court may also direct that specified activities be suspended until the breach has been rectified and/or safeguards have been put in place to prevent future breaches.

4.7.2 Failure to comply with a court order constitutes contempt of court, a serious offence which may lead to imprisonment.

4.7.3 In some circumstances, Carmarthenshire County Council is required to seek enforcement orders after issuing certain enforcement notices. This will provide the court with an opportunity to confirm the restrictions imposed by the notice. Otherwise, Carmarthenshire County Council will usually only seek a court order if it has serious concerns about compliance with voluntary undertakings or a notice.

4.8 Simple cautions

4.8.1 Carmarthenshire County Council has the power to issue simple cautions (previously known as 'formal cautions') as an alternative to prosecution if it is deemed appropriate in the circumstances. This can only be considered where a business/person admits an offence and consents to the simple caution. Where a simple caution is offered and declined, Carmarthenshire County Council is likely to consider prosecution.

4.8.2 A simple caution will appear on the offender's criminal record. It is likely to influence how Carmarthenshire County Council and others deal with any similar breaches in the future, and may be cited in court if the offender is subsequently prosecuted for a similar offence. If a simple caution is issued to an individual (rather than a corporation) it may have consequences if that individual seeks certain types of employment.

4.8.3 Simple cautions will be used in accordance with Home Office Circular 016/2008 and other relevant guidance.

4.9 Prosecutions

4.9.1 In addition to specific powers to prosecute under certain legislation, s.222 of the Local Government Act 1972 allows Carmarthenshire County Council the power to prosecute any criminal offence where they consider it expedient for the promotion or protection of the interests of the inhabitants of their area.

4.9.2 When deciding whether to prosecute, Carmarthenshire County Council has regard to the provisions of [The Code for Crown Prosecutors](#) as issued by the Director of Public Prosecutions.

4.9.3 Prosecution will only be considered where Carmarthenshire County Council is satisfied that it has sufficient evidence to provide a realistic prospect of conviction against the defendant(s).

4.9.4 Before deciding that prosecution is appropriate, Carmarthenshire County Council will have due regard to the public interest test as set out in the Code for Crown Prosecutors

<http://www.cps.gov.uk/publications/codeforcrownprosecutors/index.html>

4.9.5 A successful prosecution will result in a criminal record. The court has a range of sentencing powers which includes a financial penalty, community based penalty, imprisonment and other powers as contained in specific legislation. The court may order the forfeiture and disposal of non-compliant goods and/or the confiscation of any criminal benefit which have resulted from the breach. Prosecution may also lead, in some circumstances, to the disqualification of individuals from acting as company directors.

4.10 Fixed Monetary Penalties

4.10.1 Carmarthenshire County Council has powers under certain legislation to impose Fixed Monetary Penalties, which are capped at a relatively low level and are not intended to be used for more serious cases of non-compliance. Fixed Monetary Penalties are not criminal fines and do not appear on an individual's criminal record. Fixed Monetary Penalties cannot be used in conjunction with any other sanction.

4.11 Discretionary Requirements

4.11.1 Carmarthenshire County Council has powers under certain legislation to impose Variable Monetary Penalties and Non-Monetary Discretionary Requirements.

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

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

4.11.3 Carmarthenshire County Council may use Variable Monetary Penalties and Non-Monetary Discretionary Requirements in combination.

4.12 Proceeds of Crime

4.12.1 Where applicable Carmarthenshire County Council may make an application under the Proceeds of Crime Act 2002 for the restraint/confiscation of assets.

5.0 Working in partnership

5.1 If an offender commits offences in a number of Local Authority areas it may be more appropriate for one Council to take a prosecution for all offences, including ones that took place outside of its area.

5.2 Where an offender commits offences across different Local Authority areas, consideration will be given to the provisions in s.101 of the Local Government Act 1972, which allows for one Local Authority to instigate a prosecution on another's behalf.

5.3 Carmarthenshire County Council will work closely with our partners including other local Authorities and other Agencies. As such, we will exchange information on enforcement activities with our partner organisations and we will do so in accordance with any established methods of information sharing and legal requirements. A decision may be made for a case to be passed to a third party for further action.

6.0 Review

We will review this enforcement Policy annually or where there are any significant changes for example to legislation.

Mae'r dudalen hon yn wag yn fwriadol

CARMARTHENSHIRE COUNTY COUNCIL SERVICE STANDARDS

What you can expect from Regulatory Services in Carmarthenshire County Council.

This document explains what you can expect of Regulatory Services in Carmarthenshire County Council. Whether you run a business, are an employee or a member of the public, we are committed to providing you with an efficient, courteous and helpful service. This document tells you how we aim to do this and what standards we will meet.

Areas we regulate

We deliver Regulatory Services in a number of areas namely;
Environmental Health
Trading Standards
Licensing
Animal Welfare,
Private Sector Housing,
Public Sector Housing,
Planning,
Building Regulation,
Waste Regulation,
Highways,
Education,
Benefit Regulation

How we deliver our services

The Regulatory Services within Carmarthenshire County Council make a fundamental contribution to the maintenance and improvement of public health, quality of life and wellbeing. Our aims are to:

- Protect the public, businesses and the environment from harm;
- Support the local economy to grow and prosper;
- Make Carmarthenshire a better place in which to live, work and do business.

Carmarthenshire County Council will determine our activities by assessing the needs of local people and our business community, and considering the risks that require addressing.

Carmarthenshire County Council operates under the Principles of the National Intelligence Model (NIM). The aim is to prioritise work and improve regulatory outcome, with proportionate response without imposing unnecessary burdens on business. Carmarthenshire County Council believes that 'prevention is better than cure' and that, through actively working with businesses and the community providing advice and assistance with compliance, we can reduce the need for enforcement action.

All our activities are carried out in a way that supports those we regulate to comply and grow:

- We ensure that information, guidance and advice is available to help you to meet legal requirements.

- We carry out inspections and other activities to check compliance with legal requirements, and we target these checks where we believe they are most needed.
- We deal proportionately with breaches of the law as set out in our Enforcement Policy, including taking firm enforcement action when necessary. In adopting our Enforcement Policy we have had due regard to the Regulators Code published by the Better Regulation Delivery Office.

Working with you

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

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

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

Inspections and other compliance visits

We monitor and support compliance in a number of different ways including through inspections, sampling visits, test purchases, advisory visits and complaint investigations. These visits will always be based on an assessment of risk.

When we visit you our officers may/will, where appropriate:

- Explain the reason and purpose of the visit
- Carry their identification card, and present it on request when visiting your premises
- Exercise discretion in front of your customers and staff
- Have regard to your approach to compliance, and use this information to inform future interactions with you
- Provide information, guidance and advice to support you in meeting your statutory obligations, if required
- Provide a written record of the visit where appropriate.

Responding to non-compliance

Where any failure to meet legal obligations is identified, Carmarthenshire County Council will respond proportionately, taking account of the circumstances, in line with our Enforcement Policy [[add link](#)].

Where we require you to take action to remedy any failings we may/will where appropriate:

- Explain the nature of the non-compliance
- Discuss what is required to achieve compliance, taking into account your circumstances

- Clearly explain any advice, actions required or decisions that we have taken
- Agree timescales that are acceptable to both you and us, in relation to any actions required
- Explain what will happen next
- Keep in touch with you, where required, until the matter is resolved

How to contact us

E-mail: direct@cararthenshire.gov.uk

Text 07892 345678

*Tel: 01267 234567

We are open Monday – Friday, 08:45 – 18:00. Our quieter times are generally between 4.30pm and 6.00pm.

*Calls may be recorded as part of our commitment to training, audit and quality assurance.

In person:

We aim for our three Customer Service Centres in Ammanford, Carmarthen and Llanelli to be easily accessible to customers, and to provide facilities for people with impaired hearing, private interview rooms, comfortable waiting areas and access to a language interpretation service.

Please note that all Customer Service Centres are closed on the first Wednesday morning of each month until 1.00pm for training and team briefing purposes.

Appointments

We are currently trialling an Appointment System within our Customer Service Centres. The aim is to improve the customer experience and that you can be seen at a time which is convenient to you and improve service delivery.

If you wish to make an appointment or to discuss any Council matter then please telephone our Contact Centre on 01267 234567.

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

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

Personal data will be managed in accordance with Carmarthenshire's County Council's Data Protection Policy.

<http://www.carmarthenshire.gov.wales/home/council-democracy/data-protection/>

Having your say

Appeals

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

Compliments and complaints

We recognise that everyone has a right to make a complaint and we can learn valuable lessons from them. Your complaint may well improve things for everyone.

We would like to know when you have been impressed or pleased with our service. We can use these examples to thank our staff who gave the good service, and share best practice amongst our staff.

How to make a complaint or compliment

You can make a complaint or compliment in a number of ways. You can:

- [Complete our online form;](#)

<http://www.carmarthenshire.gov.wales/home/council-democracy/contact-us/complaints-compliments/#.WMkBFk1ijlU>
- [Download our Customer Complaints & Compliments Procedure \(.pdf\)](#)
- E-mail: complaints@carmarthenshire.gov.uk | compliments@carmarthenshire.gov.uk
- Fax: 01267 224636
- Textphone: 01267 228659
- Visit any of our [Customer Service Centres](#)
- Write a letter to: Complaints and Compliments Team, Chief Executive's Department, Carmarthenshire County Council, County Hall, Carmarthen SA31 1JP

If you have any special requirements to assist you to make a complaint or compliment please contact 01267 234567

Carmarthenshire County Council

Assessing Impact

The Equality Act 2010

The Equality Act 2010 (the Act) brings together and replaces the previous anti-discrimination laws with a single Act. It simplifies and strengthens the law, removes inconsistencies and makes it easier for people to understand and comply with it. The majority of the Act came into force on 1 October 2010.

The Act includes a new public sector equality duty (the 'general duty'), replacing the separate duties on race, disability and gender equality. This came into force on 5 April 2011.

What is the general duty?

The aim of the general duty is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities. The duty ensures that equality considerations are built into the design of policies and the delivery of services and that they are kept under review. This will achieve better outcomes for all.

The duties are legal obligations. Failure to meet the duties may result in authorities being exposed to legal challenge.

Under equality legislation, public authorities have legal duties to pay 'due regard' to the need to eliminate discrimination and promote equality with regard to race, disability and gender, including gender reassignment, as well as to promote good race relations. The Equality Act 2010 introduces a new public sector duty which extends this coverage to age, sexual orientation, pregnancy and maternity, and religion or belief. The law requires that this duty to pay 'due regard' be demonstrated in the decision making process. It is also important to note that public authorities subject to the equality duties are also likely to be subject to the obligations under the Human Rights Act and it is therefore wise also to consider the potential impact that decisions could have on human rights as part of the same process.

Carmarthenshire's approach to Equality Impact

In order to ensure that the council is considering the potential equality impact of its proposed policies and practices, and in order to evidence that we have done so, every proposal will be required to be supported by the attached Equality Impact Assessment. Where this assessment identifies a significant impact then more detail may be required.

Reporting on assessments

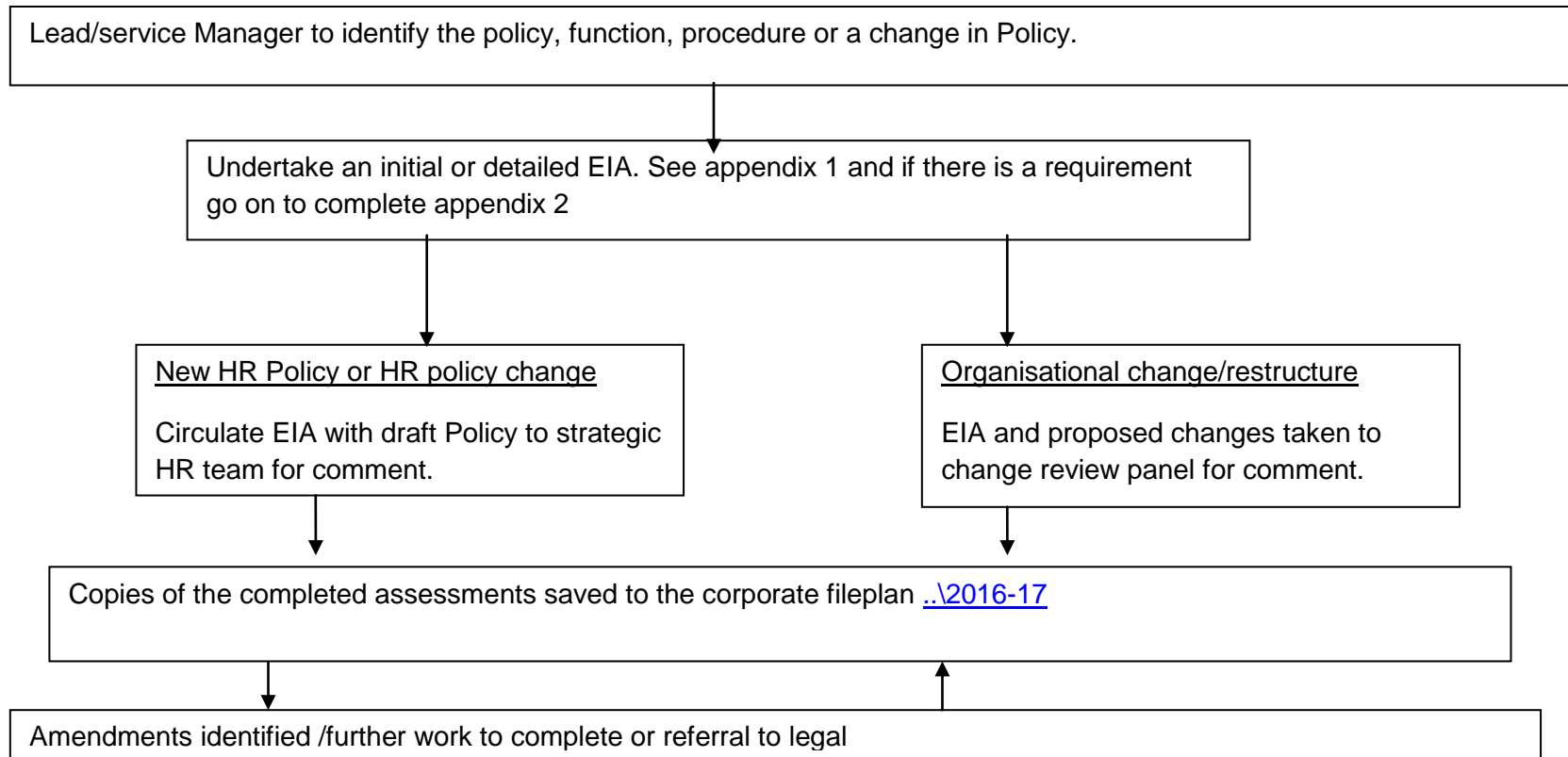
Where it is clear from the assessment that the likely impact on the authority's ability to meet the general duty is substantial, then it must publish a report.

Initial and Detailed Equality Impact Assessments

The initial EIA (appendix 1) is a simple and quick method of assessing the effect of a policy, function, procedure, decision including financial cuts on one or more of the protected characteristics.

The Service Manager responsible for the relevant new or revised policies, functions, procedures and financial decisions must undertake, at least, an initial EIA and where relevant a detailed Equality Impact Assessment (appendix 2); EIA must be attached as background paper with reports to Executive and Scrutiny .

Equality impact assessment – Process to follow where HR implications have been identified



Initial Equalities Impact Assessment Template

Appendix 1

Department: Community Services	Completed by (lead): Sue E Watts	Date of initial assessment: 4/4/17 January 2017 Revision Dates:
Area to be assessed: (i.e. name of policy, function, procedure, practice or a financial decision)	Corporate Enforcement Policy	
Is this existing or new function/policy, procedure, practice or decision?	Existing function	
What evidence has been used to inform the assessment and policy? (please list only)		
<p>The Review is being guided The Regulators' Code which came into statutory effect on 6 April 2014 under the Legislative and Regulatory Reform Act 2006 and provides a clear, flexible and principles-based framework for how regulators should engage with those they regulate.</p> <p>The regulators and regulatory functions to which the Regulators' Code applies are specified in the Legislative and Regulatory Reform (Regulatory Functions) Order 2007, as amended in 2009, 2010 and 2014. The Local Authority, as a regulator, must have regard to it when developing policies and procedures that guide their regulatory activities.</p>		

1. Describe the aims, objectives or purpose of the proposed function/policy, practice, procedure or decision and who is intended to benefit.	<p>To review the current enforcement procedures and policies within the Local Authority and consolidate them into a consistent approach by means of a corporate Enforcement Policy to reflect the requirements of the Regulators Code.</p> <p>This is intended to make clear the Local Authority's approach to delivery of regulatory services to businesses and individuals.</p> <p>This is the initial Draft and the assessment will be updated as we move through the democratic process and in light of consultation feedback.</p>
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The Public Sector Equality Duty requires the Council to have “due regard” to the need to:- (1) eliminate unlawful discrimination, harassment and victimisation; (2) advance equality of opportunity between different groups; and (3) foster good relations between different groups (see guidance notes)		2. What is the level of impact on each group/ protected characteristics in terms of the three aims of the duty? Please indicate high (H) medium (M), low (L), no effect (N) for each.	3. Identify the risk or positive effect that could result for each of the group/protected characteristics?		4. If there is a disproportionately negative impact what mitigating factors have you considered?
			Risks	Positive effects	
Protected Characteristics	Age	L	No evidence to suggest other than low risk	The Review will identify graduated steps in enforcement ensuring fairness, transparency and consistency of approach.	
	Disability	L	No evidence to suggest other than low risk	The Review will identify graduated steps in enforcement ensuring fairness, transparency and consistency of	

Panel 34				approach.	
	Gender reassignment	L	No evidence to suggest other than low risk	The Review will identify graduated steps in enforcement ensuring fairness, transparency and consistency of approach.	
	Race	L	No evidence to suggest other than low risk	The Review will identify graduated steps in enforcement ensuring fairness, transparency and consistency of approach.	
	Religion/Belief	L	No evidence to suggest other than low risk	The Review will identify graduated steps in enforcement ensuring fairness, transparency and consistency of approach.	
	Pregnancy and maternity	L	No evidence to suggest other than low risk	The Review will identify graduated steps in enforcement ensuring fairness, transparency	

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	Sexual Orientation	L	No evidence to suggest other than low risk	The Review will identify graduated steps in enforcement ensuring fairness, transparency and consistency of approach.	
	Sex	L	No evidence to suggest other than low risk	The Review will identify graduated steps in enforcement ensuring fairness, transparency and consistency of approach.	
	Welsh language	L	Provision must continue to ensure language need is catered to (particularly dementia)	The Review will explicitly consider the needs of users, including those arising through language need	
	Any other area				

5. Has there been any consultation/engagement with the appropriate protected characteristics?	There will be a specific consultation period (6 weeks) and that we will promote the consultation with productive groups.	
6. What action(s) will you take to reduce any disproportionately negative impact, if any? This EIA has been developed at the formative stages for the Review, and the issues that have been highlighted will be considered as the Review develops. In this way, disproportionate negative impacts can be addressed if they arise and corrective action taken.		
7. Procurement Following collation of evidence for this assessment, are there any procurement implications to the activity, proposal, service. Please take the findings of this assessment into your procurement plan. Contact the corporate procurement unit for further advice.		
8. Human resources Following collation of evidence for this assessment, are there any Human resource implications to the activity, proposal or service?		
9. Based on the information in sections 2 and 6, should this function/policy/procedure/practice or a decision proceed to Detailed Impact Assessment? (recommended if one or more H under section 2)	YES <input type="checkbox"/>	NO X <input checked="" type="checkbox"/>
Approved by: Head of Service	Sue E Watts	Date: April 2017

Detailed Equalities Impact Assessment Template

Appendix 2

Department:	Please see initial impact assessment
Completed by (lead):	
Date of Detailed assessment:	
Area to be assessed: (<i>Policy, function, procedure, practice or a financial decision</i>)	Please see initial impact assessment
Is this existing or new function/policy/Procedure/ practice	Please see initial impact assessment

1. Describe the aims, objectives or purpose of the function/policy, practice or procedure and who is intended to benefit.	Please see initial impact assessment
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2. Please list any existing documents, evidence, research which have been used to inform the Detailed equality impact assessment. (This must include relevant data used in this assessment)				
3. Has any consultation, involvement been undertaken with the protected characteristics to inform this assessment? (please provide details, who and how consulted)				
4. What is the actual/likely impact?				
5. What actions are proposed to address the impact? (<i>The actions needs to be specific, measurable and outcome based</i>)	What are we going to do	Who will be responsible	When will it be completed	How will we know we have achieved our objective

6. How will actions be monitored?				
Approved by: Head of Service		Date:		

Thank you for completing this assessment.

For further information regarding Assessing Impact, please contact the -

Policy & Partnership Team

Chief Executive's Department

01267 22(4676)

equalities@carmarthenshire.gov.uk

Mae'r dudalen hon yn wag yn fwiadol

Y BWRDD GWEITHREDOL
26 MEHEFIN, 2017

PENODI SWYDDOG PRIODOL

YR ARGYMHELLION / PENDERFYNIADAU ALLWEDDOL SYDD EU HANGEN:

- Bod yr Awdurdod yn penodi'r ymgynghorwyr canlynol o'r awdurdod iechyd yn Swyddogion Priodol at ddibenion deddfwriaeth Diogelu Iechyd.

MRS HEATHER LEWIS	YMGYNHORYDD DIOGELU IECHYD
MR SION LINGARD	YMGYNHORYDD DIOGELU IECHYD
DR CHRISTOPHER JOHNSON	YMGYNHORYDD DIOGELU IECHYD
DR RHIANWEN STIFF	YMGYNHORYDD RHEOLI CLEFYDAU HEINTUS
DR BRENDAN MASON	YMGYNHORYDD RHEOLI CLEFYDAU HEINTUS
DR GWEN LOWE	YMGYNHORYDD RHEOLI CLEFYDAU HEINTUS
DR GRAHAM BROWN	YMGYNHORYDD RHEOLI CLEFYDAU HEINTUS
DR MEIRION EVANS	EPIDEMIOLEGYDD YMGYNGHOROL
DR CHRISTOPHER WILLIAMS	EPIDEMIOLEGYDD YMGYNGHOROL
DR GIRI SHAKAR	YMGYNHORYDD PROFFESIYNOL ARWEINIOL AR GYFER DIOGELU IECHYD

- Daw'r penodiadau i rym ar unwaith a byddant yn parhau hyd nes:
 - bydd y Cyngor yn diddymu'r penodiad, neu
 - bydd y swyddog yn rhoi 3 mis o rybudd ysgrifenedig eich bod yn ymddiswyddo i'r Cyngor, neu
 - bydd y swyddog yn dod â'i gyflogaeth gyda'r awdurdod iechyd i ben

Y RHESYMAU:

Mae'n ofynnol i'r Cyngor benodi Swyddogion 'Priodol' o'r Awdurdod Iechyd (Iechyd Cyhoeddus Cymru) at ddibenion Deddf Iechyd y Cyhoedd (Rheoli Clefydau) (fel y'i diwygiwyd gan Ddeddf Iechyd a Gofal Cymdeithasol 2008) a Rheoliadau a wnaed yn unol â Deddf 1984.

Angen ymgynghori â'r Pwyllgor Craffu perthnasol : NAC OES

Angen i'r Bwrdd Gweithredol wneud penderfyniad OES – 26 Mehefin, 2017
Angen i'r Cyngor wneud penderfyniad OES – 19 Gorffennaf, 2017

Yr Aelod o'r Bwrdd Gweithredol sy'n Gyfrifol am y Portffolio:
Y Cyng. Phillip Huges (Deiliad y Portffolio Diogelu'r Cyhoedd)

Y Gyfarwyddiaeth Cymunedau Enw Pennaeth y Gwasanaeth: Robin Staines Awdur yr Adroddiad: Sue Watts	Swyddi: Pennaeth Tai, Diogelu'r Cyhoedd a Gwasanaethau Darparwr Rheolwr Iechyd yr Amgylchedd a Thrwyddedu	Rhifau ffôn: Cyfeiriadau E-bost: 01267 228960 RStaines@sirgar.gov.uk 01267 228929 sewatts@sirgar.gov.uk
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EXECUTIVE SUMMARY
EXECUTIVE BOARD
26TH JUNE, 2017

APPOINTMENT OF PROPER OFFICER

Background

Individuals taking care of their own health is not always enough to protect the health of the population in general.

Consequently, legislation has long provided that local authorities may take certain actions or make certain requirements, to protect overall public health.

This legislation is included in the Public Health (Control of Disease) Act 1984 ('the 1984 Act') which was updated by the Health and Social Care Act 2008. The amended 1984 Act came into force on 26 July 2010.

Health Protection Regulations

Under the amended 1984 Act, Welsh Ministers have powers to make regulations to enable public bodies to respond to public health threats.

Following a consultation exercise between November 2009 and January 2010, Welsh Ministers made three sets of regulations which came into force on 26 July 2010.

The regulations are:

- The Health Protection (Notification) (Wales) Regulations 2010: These Regulations include a revised list of diseases that doctors must report to the local authority. The regulations also include new provisions for cases that may have been caused by contamination with chemicals or radiation.
- The Health Protection (Part 2A Orders) (Wales) Regulations 2010: These Regulations provide details on the evidence required before a Justice of the Peace (JP) can make an order on a person to protect public health. The Regulations also set out safeguards for people affected by an order
- The Health Protection (Local Authority Powers) (Wales) Regulations 2010: These Regulations update local authorities powers and duties relating to their health protection role.

Proper Officer

The Council is required to appoint 'Proper' Officers from the Health Authority (Public Health Wales) for the purposes of Public Health (Control of Disease) Act (as amended by the Health and Social Care Act 2008) and Regulations made under the 1984 Act.

In light of the fact that there have been recent appointments by Public Health Wales, the list of Proper Officers requires reviewing. The following is the current list of Consultants that requires appointments by the Council;

MRS HEATHER LEWIS	CONSULTANT IN HEALTH PROTECTION
MR SION LINGARD	CONSULTANT IN HEALTH PROTECTION
DR CHRISTOPHER JOHNSON	CONSULTANT IN HEALTH PROTECTION
DR RHIANWEN STIFF	CONSULTANT IN COMMUNICABLE DISEASE CONTROL
DR BRENDAN MASON	CONSULTANT IN COMMUNICABLE DISEASE CONTROL
DR GWEN LOWE	CONSULTANT IN COMMUNICABLE DISEASE CONTROL
DR GRAHAM BROWN	CONSULTANT IN COMMUNICABLE DISEASE CONTROL
DR MEIRION EVANS	CONSULTANT EPIDEMIOLOGIST
DR CHRISTOPHER WILLIAMS	CONSULTANT EPIDEMIOLOGIST
DR GIRI SHAKAR	PROFESSIONAL LEAD CONSULTANT FOR HEALTH PROTECTION

The appointments will take effect from *immediate effect* and will continue until;

- the Council revokes the appointment or
- the officer provides the Council with 3 months written notice of your resignation or
- the officer ceases employment with the health authority

These are honorary appointments and accordingly, no fees are payable by the Council in connection.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Robin Staines

Head of Housing, Public Protection and Provider Services

Policy, Crime & Disorder and Equalities NONE	Legal NONE	Finance NONE	ICT NONE	Risk Management Issues NONE	Staffing Implications NONE	Physical Assets NONE
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CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Robin Staines

Head of Housing, Public Protection and Provider Services

1. Scrutiny Committee N/A
2. Local Member(s) N/A
3. Community / Town Council N/A
4. Relevant Partners N/A
5. Staff Side Representatives and other Organisations N/A

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THERE ARE NONE

Mae'r dudalen hon yn wag yn fwriadol

Y Bwrdd Gweithredol 26AIN Mehefin 2017

ADRODDIAD MONITRO CYLLIDEB REFENIW Y CYNGOR		
<p>Yr Argymhellion / Penderfyniadau Allweddol Sydd Eu Hangen: Sicrhau bod y bwrdd yn derbyn yr adroddiad Monitro Cyllideb.</p>		
<p>Y Rhesymau: I ddatgan i'r Bwrdd Gweithredol sefyllfa y gyllideb ar ddiwedd y flwyddyn 2016/17.</p>		
Ymgynghorwyd â'r pwyllgor craffu perthnasol AMHERTHNASOL		
Angen i'r Bwrdd Gweithredol wneud penderfyniad OES Angen i'r Cyngor wneud penderfyniad NAC OES		
<p>YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-</p> <p>Cyng. David Jenkins</p>		
Y Gyfarwyddiaeth: Gwasanaethau Corfforaethol Enw Pennaeth y Gwasanaeth: Owen Bowen Awdur yr Adroddiad: Owen Bowen	Swyddi: Pennaeth Gwasanaethau Ariannol	Rhif ffôn: 01267 224886 Cyfeiriadau E-bost: Obowen@sirgar.gov.uk

EXECUTIVE SUMMARY

Executive Board

26th June 2017

Council's Revenue Budget Monitoring Report

The year end financial position for the financial year 2016/2017 is attached.

COUNCIL FUND REVENUE ACCOUNT(Appendix A)

The final outturn figures indicate an overspend for the year at departmental level of £1,093k. This has been offset by an underspend of £5,286k on capital charges and the resultant outturn means that the Authority forecasts a transfer of £523k to its general reserves.

Chief Executive's Department

The Chief Executive Department is showing an underspend at year end of £162k. In relation to the application of Standby, part year savings have already been identified and work is ongoing with the TIC teams in relation to delivering the full efficiencies identified.

The Regeneration, Policy and Property Division is underspent by £234k at year end. There are overspends of £20k on the Parry Thomas Centre following essential R&M work and Un Sir Gar of £37k due to a shortfall in income. There is a £21k overspend on Business Support as a result of a prior year premises efficiency based upon the intended sale of the Nant Y Ci offices. This has not taken place. The Policy division is overspent by £126k due to an unfunded post and an unachievable income target. There is also an unachieved efficiency within marketing and media of £32k until an ongoing service realignment is implemented . There is an overspend on Coroners due to increased salary and storage costs of £45k. These overspends are offset by £332k of staff vacancies in the division, backdated lease income received by tourism development of £30k and an underspend of £85k in the Property division due to increased rental income from commercial properties. A decrease in the anticipated Carbon Reduction Tax liability resulted in £33k underspend for that budget. Other planned underspends on Business Services of £46k were generated to offset the known Un Sir Gar overspend.

The Admin & Law division is showing a £230k underspend despite a Local Duplicating Centre overspend of £31k due to the decrease in printing across the authority and the corresponding income generation potential being lost. The division has staff vacancies totalling £130k, a £93k saving on Democratic due to supplies & services savings and members vacancies. There is also a £22k saving on franking machine leases following a rationalisation project.

The People Management & Performance Division is underspent by £161k. This is due to £71k of vacant posts in year along with a saving on Supplies & Services costs of £92k.

Department for Education and Children

The Department for Education and Children is returning a net overspend of £1,531k at year end.

The main adverse budget variations relate to: new school based EVR and redundancy costs £867k; additional Special Educational Needs statements £376k; increasing age profile (15-25 year olds) of Looked after Children requiring more costly support for longer £314k; Special Guardianship Orders to keep children with their families and Boarded Out Allowances £200k, rurality impact on Fostering staff and client travel £65k; School Modernisation property decommissioning and cost of sales £267k (which includes £149k NNDR); Out of County residential care placements £121k; Respite Units not achieving contribution from LHB £107k and the Music Service not achieving forecasted SLA income from schools £71k.

These are partially offset by under-spends across the department in: staff vacancies, secondments and maximisation of grants -£709k; ending of a Special Educational Needs out of County placement -£118k

Corporate Services

The Corporate Services Department is underspent at year end by £249k.

Both the Financial Services and the Audit, Risk and Procurement Divisions are reflecting underspends due largely to vacant posts of £230k and £74k respectively. The finance division is underspent on supplies and services by £28k and ICT is breaking even. Corporate Services Training is also under budget by £62k.

There is a £57k saving on audit fees due to a reduction in the number of grants being audited.

There is a large underspend on Council Tax Benefits of £360k and Rent Allowances of £437k due to changes in the number of claimants and a high rate of recovery on overpayments.

There is an overspend of £998k on Misc Expenditure despite a £26k underspend on subscriptions and a £50k reduction in ongoing pre LGR pension costs. This is due to an increase in the Authority's bad debt provision, along with financial support for Llanelly House, £350k, and the 3G pitch at Richmond Park, £150k, as approved by Exec Board on 13th March.

Department for Communities

The Department for Communities is forecasting an underspend of £65k for the year.

Older people/ PD is forecasting an underspend of £1,124k - this reflects the excellent work that has been undertaken to put in budgetary controls and effectively manage demand through improved assessment and preventative practice.

Residential and domiciliary care is broadly within budget, although because of recruitment challenges in this sector we have relied on the independent sector to deliver packages the in house service has been unable to deliver. The net reduction in this area is -£487k. Recruitment difficulties in social work and OT posts has led to a -£242k underspend. Plans are in place to address this.

A full Day service review is underway but implementation has been slower than expected and this has led to slower than anticipated reductions in spend with an overspend of £41k.

The Careline service has achieved higher than forecast income by -£249k and an additional -£369k has been received from the Intermediate Care Fund for intermediate care beds. Direct Payments have increased by more than budgeted by £182k.

The Learning Disability / Mental Health Division and Support Services has a projected overspend of £787k. This is due to increased Direct Payments packages of £245k, placement costs of £701k, a reduction in grant receivable for Workchoice £75k, and the review of grant payments to the voluntary sector which has slippage in 2016-2017 of £90k. These are offset by staff vacancies -£324k.

The overall position for the Housing Services and Public Protection shows an overspend of £98k made up of an underspend on Public Protection of £102k which is primarily from savings on supplies and services of -£57k across the service area and additional Trading Standards income of -£45k. This offsets the £200k overspend of Council Fund Housing which is a result of non-utilisation of reserve funding for Supporting People +£83k, and a Housing Benefit income target not met by +£117k relating to temporary accommodation / homeless activities.

The Leisure Services Division is forecasting an overspend of £174k mainly due to underachievement of income £80k and delay in implementing mobile library services £47k and additional premises costs £47k.

Environment

The department's outturn is a £38k overspend which will be met out of departmental reserves.

The Highways and Transport division produced a £147k underspend for the year due mainly to the vacant posts in the Rights of Way section (-£99k) and tender and service efficiencies in Passenger Transport (-£67k).

The Property Division had an overall underspend of £286k. This was predominantly due to a £261k saving on Administrative buildings' costs as a result of early delivery of 17/18 efficiency savings. The £135k overspend on Building Maintenance due to the reduction in work undertaken by Building Maintenance for the HRA was offset by underspends on Industrial Premises, County Farms and Livestock markets due to increased occupancy and rental income.

The Waste and Environmental Services divisional outturn was a £345k overspend at year end. The main variance was a £229k overspend on Grounds which included provision for all asset transfers completed during the financial year. This will produce efficiencies in the next year or two. Cleansing's overspend was £133k at year-end - a proposed efficiency has not been met due to sustained demands on the service and there was also a £51k overspend on green waste due to the purchase of wheelie bins prior to start of the service in 2017. These were offset by a £66k underspend on closed landfill sites due to the sustained success of the leachate plant.

The Business Support & Performance division was overspent by £135k mainly due to the admin

review not being implemented to date so the proposed efficiencies have yet to be realised along with temporary additional pay costs to support implementation of the business support review.

The Planning Division was £9k underspent at year-end due mainly to staff vacancies.

Capital Charges

£2.9m of the underspend is due to the change in the repayment of the Council's borrowing from a 4% reducing balance basis to a 'straight line' repayment basis of 2.5% approved by Council on 26th April 2017.

£2.3m is due to reduced borrowing/interest savings.

HOUSING REVENUE ACCOUNT (Appendix B)

The HRA is returning a £2k underspent.

Repairs and maintenance is £699k over budget, primarily due to an increase in jobs carried out on previous year (responsive and voids up 10%)

There has also been an additional direct revenue contribution of £376k to fund the capital programme for major void works.

Supervision and Management costs are forecasted to be underspent by -£166k primarily due to lower staffing costs -£202k through vacancies ,premises costs -£160k and travelling expenses - £2k offset by increased spend on supplies and services £308k and reduction in departmental and central recharges £83k.

There is a forecasted underspend on Capital Financing costs -£110k due to opening debt being slightly lower than forecasted therefore giving rise to principal and interest payments being slightly lower than originally estimated.

Reduction in the provision required for debt write-offs , based on arrears levels and age debt analysis at year end -£455k

Small reduction in income from forecast HRA balances,insurance and other income £15k

Rental income is forecasted to be -£278k higher due to lower level of Void loss. There is an increase in Service charge income of -£109k.

Lists of the main variances are attached to this report.

DETAILED REPORT ATTACHED ?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Owen Bowen

Head of Financial Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	YES	NONE	NONE	NONE	NONE

1. Finance

Council Fund

The final outturn figures indicate an overspend for the year at departmental level of £1,093 which has been offset by an underspend of £5,286k on Capital Charges of which £2.9m relates to the change in the Minimum Revenue Policy adopted by Council on 26th April 2017. The resultant outturn has meant that the Authority transferred £523k to its general reserves for the 2016/2017 financial year compared to a budgeted contribution of £65k

HRA

The HRA is forecasting that it will be £2k under its approved budget.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Owen Bowen

Head of Financial Services

1. Scrutiny Committee – Not applicable
2. Local Member(s) – Not applicable
3. Community / Town Council – Not applicable
4. Relevant Partners – Not applicable
5. Staff Side Representatives and other Organisations – Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
2016/17 Budget		Corporate Services Department, County Hall, Carmarthen

REPORT OF THE DIRECTOR OF CORPORATE SERVICES

PRELIMINARY EXECUTIVE BOARD - 12th JUNE 2017

COUNCIL'S BUDGET MONITORING REPORT 2016/17 - Actual

Head of Service & Designation	Author & Designation	Telephone No	Directorate
O Bowen, Head of Financial Services	O Bowen, Head of Financial Services	01267 224886	Corporate Services

Table 1

Actual for year to 31st March 2017

Department	Working Budget				Actual				Variance for Year £'000	Feb 17 Forecasted Variance reported previous period £'000
	Controllable	Controllable	Net Non	Total	Controllable	Controllable	Net Non	Total		
	Expenditure £'000	Income £'000	Controllable £'000	Net £'000	Expenditure £'000	Income £'000	Controllable £'000	Net £'000		
Chief Executive	19,417	-7,664	-1,698	10,055	21,153	-9,561	-1,698	9,893	-162	76
Education & Children	177,362	-39,607	25,223	162,977	204,447	-65,161	25,222	164,508	1,531	1,672
Corporate Services	82,153	-51,554	-9,074	21,525	86,277	-55,928	-9,074	21,276	-249	-66
Communities	126,324	-47,294	14,984	94,014	130,717	-51,753	14,984	93,949	-65	10
Environment	117,965	-79,113	11,034	49,886	123,004	-84,114	11,034	49,925	38	25
Departmental Expenditure	523,221	-225,232	40,468	338,457	565,598	-266,517	40,469	339,550	1,093	1,716
Capital Charges/Interest				-11,517				-16,803	-5,286	-1,800
Pension Reserve Adjustment				-3,618				-3,618	0	0
Accumulated Leave				-1,406				-1,406	0	0
Levies and Contributions:										
Brecon Beacons National Park				138				138	0	0
Mid & West Wales Fire & Rescue Authority				9,172				9,172	0	0
Net Expenditure				331,226				327,033	-4,193	-84
Contribution to/from Balances				-65				523	588	0
Transfer from Balances/Earmarked Reserves				-200				-200	0	0
Transfer to Major Development Fund				0				3,405	3,405	0
Transfers to/from Departmental Reserves										
- Chief Executive				0				81	81	202
- Corporate Services				0				125	125	33
- Communities				0				32	32	0
- Environment				0				-38	-38	-25
Net Budget				330,961				330,961	-0	126

Chief Executive Department
Budget Monitoring - Actual

Division	Working Budget				Actual				Variance for Year £'000	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Chief Executive	-170	0	-318	-489	299	-6	-318	-26	463	481
People Management & Performance	3,662	-1,058	-2,259	345	3,953	-1,510	-2,259	184	-161	-114
Admin and Law	4,183	-787	1,263	4,659	4,075	-909	1,263	4,428	-230	-160
Customer Focus and Policy	4,212	-1,032	-2,263	917	4,289	-1,238	-2,263	789	-128	-38
Statutory Services	761	-2	155	914	1,194	-435	155	914	-0	-24
Property	1,202	-1,422	321	102	1,843	-2,147	321	17	-85	-108
Wellness	0	0	0	0	74	-74	0	0	0	0
Regeneration	5,567	-3,363	1,403	3,607	5,426	-3,243	1,403	3,587	-21	40
GRAND TOTAL	19,417	-7,664	-1,698	10,055	21,153	-9,561	-1,698	9,893	-162	76

Chief Executive Department - Budget Monitoring Actual

Main Variances

Division	Working Budget		Actual		Variance for Year £'000	Notes	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Chief Executive							
Chief Executive-Chief Officer	334	0	299	-6	-42	Vacant Post	-0
Corporate Savings Target	-505	0	0	0	505	Part year savings have already been identified in relation to the application of Standby, and work is ongoing with the TIC teams in relation to delivering the full efficiencies identified.	481
People Management & Performance							
SCWDP	657	-417	654	-426	-11	Savings on supplies & services	-4
Business Support	197	-1	159	-1	-38	Savings on Supplies & Services	-31
Personnel Management	901	-199	919	-248	-32	Vacant Posts - realignment in progress	-34
Fitness For Work	601	-343	640	-406	-24	Vacant posts and savings on supplies and services	-42
Corporate Learning & Development	537	-13	550	-45	-20	Savings on Supplies & Services	-14
Admin HR	388	0	380	-8	-15	Realignment in progress	0
DBS Checks	114	0	98	-6	-22	Low volume of checks in year	-0
Admin and Law							
Democratic	1,663	0	1,570	-0	-93	Vacant member positions during year and reductions in supplies and services	-48
Corporate Serv-Democratic	485	0	409	-7	-82	Part year vacant posts	-76
Corporate Serv-Administration	187	-0	195	-35	-27	Maternity leave and reduced spend on supplies and services	-25
Corporate Serv-Legal	1,607	-458	1,579	-452	-21	Part year vacant posts	-10
Local Duplicating Centre	16	-53	3	-9	31	Income generation potential curtailed following introduction of printer rationalisation programme and directive to reduce printing in general	31
Central Mailing	40	0	18	0	-22	Saving on leasing costs as transferred centrally	-20
Regeneration, Policy & Property							
Customer Focus and Policy							
Welsh Language	169	0	154	0	-14	Reduced spend on supplies and services	-15
Communications	16	0	2	0	-14	Reduced spend on supplies and services	-12
Press	93	-7	212	-93	32	Efficiency yet to be realised. On going service realignment	28
Corporate Serv-Translation	493	-15	383	-40	-135	Vacant posts	-130
Customer Services	57	-6	46	-7	-12	Part year vacant posts	-12
Carbon Reduction Programme	0	0	-33	0	-33	Reduced liability for the year	0
Performance Management	557	-19	537	-30	-31	Vacant post	-19

Chief Executive Department - Budget Monitoring Actual

Main Variances

Division	Working Budget		Actual		Variance for Year £'000	Notes	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Chief Executive-Policy	513	-63	587	-10	126	Income target not achievable and unfunded post	124
Contact Centre	561	-59	510	-59	-51	Part year vacant posts	-32
Statutory Services							
Registration Of Electors	152	-2	160	-37	-27	Additional cost of individual electoral registration	-3
Coroners	279	0	324	0	45	Additional storage costs and anticipated increase in Coroners salary	12
Electoral Services - Staff	261	0	253	-22	-30	Vacant post	-33
Property							
Property	613	-235	542	-193	-28	Part year vacant post and additional income generated	-56
Industrial Premises - JV's	48	-125	757	-864	-30	Higher occupancy than anticipated	-1
Commercial Property - Chief Executives	27	-465	28	-494	-28	Additional rental income from a property recently aquired	-59
Regeneration							
Marketing Tourism Development	391	-21	381	-40	-30	Underspend mainly due to backdated lease income reflected from company occupying space in former Llandeilo Tourist Information Centre.	-16
Visitor Information	74	-9	82	-4	13	Overspend mainly due to 1 member of staff being employed without a budget.	9
						Additional maintenance work needed at the centre, including replacement of doors - no revenue budget allocated.	25
Parry Thomas Centre	0	0	20	0	20	Mainly due to staff vacancies.	-48
Physical Regeneration	451	0	405	0	-45	Increased staffing costs	11
Regen Core & Policy Performance	0	0	12	0	12	Efficiency saving identified for 14/15 in relation to premises costs at Nant Y Ci, with the intention of selling the property. However, property hasn't been sold so ongoing overspend shown as a result.	19
						Mainly due to projected non-achievement of income target.	59
Regeneration Business Support Unit	380	-107	389	-96	21	Reduction in expenditure to offset overspend within Un Sir Gar above.	-42
UN Sir Gar	167	-128	209	-132	37		
Business Services	307	0	266	-5	-46		
Other Variances					-1		55
Grand Total					-162		76

Department for Education & Children
Budget Monitoring - Actual

Division	Working Budget				Actual				Variance for Year £'000	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Director & Strategic Management	682	0	-118	564	720	-58	-118	544	-20	-21
Education Services Division	118,372	-2,319	20,158	136,210	144,530	-27,349	20,158	137,338	1,128	985
Strategic Development	9,094	-7,193	1,278	3,179	9,278	-7,476	1,278	3,080	-99	-139
School Improvement	15,578	-13,280	627	2,925	15,586	-13,376	627	2,837	-88	-41
Learner Programmes	10,999	-10,125	561	1,434	10,661	-9,742	561	1,480	46	11
Children's Services	22,637	-6,690	2,718	18,665	23,671	-7,160	2,718	19,229	564	876
GRAND TOTAL	177,362	-39,607	25,223	162,977	204,447	-65,161	25,222	164,508	1,531	1,672

Department for Education & Children - Budget Monitoring - Actual

Main Variances

Division	Working Budget		Forecasted		Variance for Year £'000	Notes	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Education Services Division							
School Expenditure not currently delegated	169	0	474	-348	-43	Reduced SLA charge from WJEC -£5k, fewer occasions arising where legal advice was required -£22k, and general supplies & services savings -£16k.	-38
School Redundancy & EVR	1,612	0	2,479	0	867	Budget utilised on existing commitments. Current year school redundancies agreed in excess of £800k. A cross-departmental team has drawn together different strands of work with the aim of reducing costs.	923
School Modernisation	332	-250	644	-294	267	Short term transport for pupils from closed schools £43k, property decommissioning and cost of sales £224k (which includes £149k NNDR).	248
Special Educational Needs	3,115	-1,536	3,161	-1,501	82	Termination of Out of County placement and reduction in tri-partite funding -£118k. Additional statementing yr 6 transition £376k. Inclusion manager and ALN specialist teacher vacancies -£195k whilst structure is reviewed. Additional premises and transport costs for dyslexia and autistic units £19k.	-37
Education Other Than At School (EOTAS)	1,990	-386	2,059	-388	67	Increased demand for home tuition.	-6
Educational Psychology	1,052	-148	981	-165	-89	Vacant post -£55k which is efficiency 2017/18. Additional recharge income -£19k, reduction in supplies & services -£15k.	-81
Strategic Development							
School Meals & Primary Free Breakfast Services	7,826	-6,876	8,003	-7,079	-26	Increased income in some schools following the introduction of new winter menu.	-72
Information & Improvement	438	-35	475	-117	-45	Part year vacant post, 2 employees not at the top of grade and maternity leave.	-46
School Improvement							
National Model for School Improvement	1,435	-345	1,517	-479	-52	Part year vacancies following delays in recruitments to Challenge Advisor posts	-19

**Department for Education & Children - Budget Monitoring - Actual
Main Variances**

Division	Working Budget		Forecasted		Variance for Year £'000	Notes	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Learner Programmes							
Music Services for Schools	1,327	-1,316	1,358	-1,276	71	A number of schools late in agreeing SLA's and reducing their requirement. Various strategies are being developed to ensure the long term sustainability of this service.	62
Adult & Community Learning	441	-438	449	-416	30	Reduction in participants resulting in reduced franchise income	-1
Children's Services							
Commissioning and Social Work	6,076	-19	6,148	-146	-55	Secondment and part year vacancies. Previous reports included a contingency for a possible high court hearing.	62
Corporate Parenting & Leaving Care	975	-246	1,403	-359	314	Increasing age profile of Looked After Children (LAC) resulting in more costly support for longer - impact of When I'm Ready & Social Care Well Being Act on 15 to 25 year olds. More of these young people are in university, with one attending Wellbeck College costing £42k. Additional LAC placement costs at Rhydygors £20k. Service is set to receive growth budget of £100k in 2017-18.	331
Fostering Services & Support	3,571	0	3,819	-25	224	The taxi's budget faces ongoing pressure £66k due to the high number of placement moves, some away from school areas. The Fostering Support Team have additional running costs including increased transport costs due to carers being in rural areas, boarding out payments and residence orders (currently set at the minimum rate allowed by Welsh Government) £200k. Included in this figure there are costs for an extension that will enable a child to stay in their own home. This is offset by a part year vacancy in the Fostering Recruitment Team -£42k.	317
Adoption Services	499	-55	609	-134	31	Additional staff resource to reduce the number of placements needing to be purchased at greater cost, which reduces budget pressure in other areas. The service is currently negotiating an agreement with 3 other Local authorities, which includes cost sharing.	24
Out of County Placements (CS)	722	-53	809	-19	121	The service has increased use of more expensive independent fostering agencies due to a lack of in house foster placements. Two placements are funded in external residential care due to their complex needs as they cannot be cared for in foster care as they require 24 hour support.	146
Out of Hours Service	261	-64	297	-64	36	Referrals fluctuate depending on activity. New service delivery being implemented 2017/18	48
Other Variances					-268		-189
Grand Total					1,531		1,672

Corporate Services Department
Budget Monitoring - Actual

Division	Working Budget				Actual				Variance for Year £'000	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Financial Services	7,635	-3,435	-3,248	951	7,591	-3,629	-3,248	714	-237	-300
Audit Risk & Procurement	1,070	-28	-1,003	40	1,089	-119	-1,003	-32	-72	-78
ICT	4,498	-807	-3,807	-116	5,047	-1,356	-3,807	-116	-0	-0
Performance & Development	178	0	-253	-75	105	-4	-253	-152	-77	-52
Other Services	68,771	-47,284	-762	20,724	72,444	-50,821	-762	20,861	137	364
GRAND TOTAL	82,153	-51,554	-9,074	21,525	86,277	-55,928	-9,074	21,276	-249	-66

Corporate Services Department - Budget Monitoring - Actual

Main Variances

Division	Working Budget		Forecasted		Variance for Year £'000	Notes	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Financial Services							
Chief Officer	329	-42	313	-42	-16	Reduction in supplies and services	-20
Accountancy	1,770	-340	1,746	-473	-157	Vacant posts	-128
Housing Benefits Admin	1,302	-781	1,300	-839	-59	Vacant posts	-47
Benefits Fraud	51	0	39	0	-12	Reduction in supplies and services	-12
Payroll	546	-320	540	-325	-13	Vacant posts and reduction in supplies and services	-47
Audit Risk & Procurement							
Procurement	337	-5	439	-87	19	Re- alignment in progress	-0
Audit	601	-20	528	-21	-74	Vacant post and maternity leave	-69
Risk Management	131	-2	123	-10	-17	Income from Commission and reduced supplies and services	-9
Performance & Development							
Business Support Unit	90	0	75	0	-15	Part year vacant post	-0
Corporate Services Training	88	0	30	-4	-62	Reduction in staff training undertaken	-52
Other Services							
Audit Fees	364	-84	307	-84	-57	Reduction in grant audit fees	-47
Council Tax Benefits	15,108	0	14,748	0	-360	Reduction in number of claimants	0
Rent Allowances	47,077	-47,090	49,731	-50,182	-437	Reduction in claims and increased recovery of overpayments	-3
						Contribution to Llanelly House £350k and 3G Richmond Pitch, £150k. Increased Bad Debt Provision requirement £575k offset by reduction in subscriptions of £26k and ongoing pre LGR pension costs of £50k	431
Miscellaneous Services	6,160	-110	7,605	-556	998		
Other Variances					14		-63
Grand Total					-249		-66

Department for Communities

Budget Monitoring - Actual

Division	Working Budget				Actual				Variance for Year £'000	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Adult Services										
Older People	51,440	-18,064	4,307	37,682	51,331	-18,730	4,307	36,908	-774	-18
Physical Disabilities	5,875	-870	124	5,129	5,976	-1,320	124	4,779	-349	-225
Learning Disabilities	30,717	-8,479	1,436	23,673	31,534	-8,734	1,437	24,237	564	288
Mental Health	8,765	-3,283	237	5,719	8,881	-3,106	237	6,012	293	57
Support	3,382	-286	959	4,055	5,627	-2,601	958	3,984	-70	-267
Public Protection & CF Housing										
Public Protection	3,116	-654	674	3,136	3,050	-689	674	3,034	-102	-32
Council Fund Housing	9,319	-8,728	1,770	2,361	9,758	-8,968	1,770	2,561	200	32
Leisure & Recreation										
Leisure & Recreation	13,710	-6,928	5,479	12,260	14,560	-7,605	5,479	12,433	173	176
GRAND TOTAL	126,324	-47,294	14,984	94,014	130,717	-51,753	14,984	93,949	-65	10

Department for Communities - Budget Monitoring - Actual
Main Variances

Division	Working Budget		Forecasted		Variance for Year £'000	Notes	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Adult Services							
Older People							
Older People - Commissioning	2,852	-10	2,845	-126	-123	Staff vacancies	-129
Older People - LA Homes	6,897	-3,193	6,934	-3,598	-369	Additional ICF funding £400k re transitional flexi beds	-283
Older People - Private/ Vol Homes	18,564	-10,128	18,698	-9,980	283	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows downward trend overall, however the efficiency target will be met slower than anticipated whilst being largely offset by other savings.	1,149
Older People - Extra Care	703	0	853	0	150	Lower than anticipated saving from contract renegotiations	155
Older People - LA Home Care	5,406	-291	5,148	-293	-260	Staff vacancies - recruitment issues being addressed.	-316
Older People - Direct Payments	614	0	871	-106	152	Direct Payments increasing across all client group linked to promoting independence	70
Older People - Grants	239	0	219	0	-21	Reduced grant payment to Hafan Gobaith	-33
Older People - Ssmms	1,168	-228	989	-180	-131	Staff vacancies and reduced spend on supplies & services	-191
Older People - Careline	1,042	-1,165	1,278	-1,660	-259	Additional income, partly offset by overspend on salaries and maintenance costs	-90
Older People - Enablement	2,405	-800	2,042	-663	-227	Staff vacancies - recruitment issues being addressed.	-534
Older People - Day Services	1,163	-64	1,213	-73	41	Full review of Day Services is underway but implementation has been slower than expected and this has led to slower than anticipated reductions in spend	190
Physical Disabilities							
Phys Dis - Commissioning & OT Services	599	-79	495	-81	-105	Staff vacancies - recruitment issues being addressed.	-104
Phys Dis - Private/Vol Homes	531	-69	520	-81	-23	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows downward trend overall.	-45
Phys Dis - Group Homes/Supported Living	1,358	-116	1,182	-180	-241	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows downward trend overall	-30
Phys Dis - Direct Payments	1,831	0	2,216	-354	30	Direct Payments increasing across all client group linked to promoting independence	-31
Learning Disabilities							
Learn Dis - Employment & Training	2,366	-897	2,271	-700	102	Reduction in Department for Work and Pensions grant for Workchoice programme due to changes in terms and conditions of funding.	75

Department for Communities - Budget Monitoring - Actual

Main Variances

Division	Working Budget		Forecasted		Variance for Year £'000	Notes	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Learn Dis - Private/Vol Homes	9,829	-3,160	10,031	-2,938	424	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows downward trend overall, however the efficiency target will be met slower than anticipated whilst being largely offset by other savings.	275
Learn Dis - Direct Payments	1,275	0	1,715	-206	233	Direct Payments increasing across all client group linked to promoting independence	231
Learn Dis - Group Homes/Supported Living	6,180	-1,010	6,333	-1,341	-177	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows downward trend overall.	22
Learn Dis - Adult Respite Care	926	-812	806	-824	-132	Staff vacancies	-131
Learn Dis - Home Care Service	141	0	253	-148	-36	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows downward trend overall.	0
Learn Dis - Day Services	2,985	-257	2,895	-279	-112	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows downward trend overall.	-87
Learn Dis - Transition Service	500	0	422	0	-79	Staff vacancies	-79
Learn Dis - Community Support	2,150	-137	2,293	-123	156	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows downward trend overall, however the efficiency target will be met slower than anticipated whilst being largely offset by other savings.	-200
Learn Dis - Grants	187	0	310	0	123	Review of grant payments is underway but implementation has been slower than expected and this has led to slower than anticipated reductions in spend	128
Learn Dis - Adult Placement/Shared Lives	2,754	-2,139	2,800	-2,126	59	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows downward trend overall	36
Mental Health							
M Health - Commissioning	839	-69	761	-69	-79	Staff vacancies - part year effect of management restructure implemented during 2016-2017	-115
M Health - Private/Vol Homes	5,873	-2,777	6,145	-2,479	569	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows downward trend overall, however the efficiency target will be met slower than anticipated whilst being largely offset by other savings.	-10
Living	590	-186	646	-276	-34	Decrease packages	248
M Health - Community Support	673	-98	625	-96	-46	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows downward trend overall.	-27
M Health - Private Home Care	93	0	55	-33	-71	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows downward trend overall.	0
M Health - Substance Misuse Team	338	-142	298	-144	-41	Staff vacancy	-30

Department for Communities - Budget Monitoring - Actual
Main Variances

Division	Working Budget		Forecasted		Variance for Year £'000	Notes	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Support							
Departmental Support	1,834	-71	1,936	-104	69	Increased spend on supplies & services	-71
Performance, Analysis & Systems	243	0	195	0	-48	Staff vacancy & maternity leave	-36
Adult Safeguarding & Commissioning Team	1,188	0	1,100	-22	-110	Staff vacancies	-150
Other Variances - Adult Services					-7		-22
Public Protection							
PP Management support	67	-7	64	-14	-10	General underspends in supplies and services to cover part of the overspend in Housing	-10
PP Business Support unit	141	0	127	0	-14	General underspends in supplies and services to cover part of the overspend in Housing	-15
Noise Control	154	0	146	-1	-10	General underspends in supplies and services to cover part of the overspend in Housing	-5
Dog Wardens	91	-11	102	-11	11	Overspend in hire of vehicles and associated running costs. Budget to be reviewed in 17-18	13
Licensing	364	-303	367	-319	-14	Overachievement of licence fee income	-13
Animal Licence Movement Scheme	155	-0	140	-0	-15	Vacant post part of the year	-14
Trading Standards Services Management	115	-47	110	-86	-45	Overachievement of income from releasing the Tenretni balance from the balance sheet to the Revenue account in 16-17	-4
Civil Law	219	-4	202	0	-12	General underspend covering the underachievement of income in Safety	-12
Safety	63	-18	61	-6	10	General underachievement of income - court fees	10
Other Variances - Public Protection					-3		20

Department for Communities - Budget Monitoring - Actual

Main Variances

Division	Working Budget		Forecasted		Variance for Year £'000	Notes	Feb 17 Forecasted Variance for Year £'000
	Expenditure	Income	Expenditure	Income			
	£'000	£'000	£'000	£'000			
Council Fund Housing							
Independent Living and Affordable Homes	176	-161	137	-40	83	Overspend in salaries due to non-utilisation of SP Development fund	-0
Home Improvement (Non HRA)	553	-285	551	-260	23	Underachievement of licence fee income due to the delay in the roll out of National Licensing	36
Penybryn Traveller Site	126	-119	113	-129	-22	Underspend in the Provision for bad debts- £11k and an overachievement in rental income -£9k.	-0
Homelessness	167	-63	97	-61	-68	Underspend mainly in Homelessness prevention payments covering part of the underachievement of income in Temporary Accommodation	-66
Temporary Accommodation	279	-185	363	-135	135	Overspend in rent and an Underachievement of Housing Benefit income due to income support issues with 16-17 years olds and higher vacancy rates over the December period in particular	66
Social Lettings Agency	751	-782	698	-686	42	Mainly premises related costs and an underachievement of rental income	-5
Other Variances - Council Fund Housing					8		0
Leisure & Recreation							
Millenium Coastal Park	319	-26	300	-42	-36	Underspend of various Premises -£12k and Supplies & Services budgets -£15k along with additional income -£9k	2
Burry Port Harbour	127	-181	172	-153	73	Shortfall in income from Mooring Fees £31k, staff costs £30k and Dredging £12k	87
Pendine Outdoor Education Centre	447	-311	546	-393	18	Increased expenditure on Sports Equipment	16
Pembrey Ski Slope	277	-226	290	-256	-17	Increased catering, ski and admission income	-34
Newcastle Emlyn Sports Centre	257	-108	233	-111	-27	Various minor underspends contribute to this total	-1
Carmarthen Leisure Centre	1,202	-1,131	1,219	-1,041	106	Increased staff costs £40k and loss of income during gym/building refurbishment at location	85
Sport & Leisure East	207	-64	164	-35	-14	Part year vacancy	-22
Amman Valley Leisure Centre	702	-543	648	-529	-39	Part year vacancies -£22k, utilities -£17k	-44
Llandovery Swimming Pool	189	-78	174	-81	-18	Utilities	-8
Sport & Leisure General	609	-50	983	-366	58	Planned overspend on Fitness Equipment	-23
Llanelli Leisure Centre	1,112	-959	1,080	-915	13	Staff costs	43
Pembrey Country Park	516	-581	583	-609	40	Premises costs	62
Carmarthen Library	395	-21	365	-30	-39	Part year vacancies -£19k, lease equipment -£10k and additional income -£10k	-9
Ammanford Library	243	-8	227	-19	-27	Part year vacancies -£15k and additional income -£12k	-8

Department for Communities - Budget Monitoring - Actual
Main Variances

Division	Working Budget		Forecasted		Variance for Year £'000	Notes	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Community Libraries	215	-7	179	-10	-38	Minor underspends in Staff and premises costs across a number of the Community Libraries	-34
Libraries General	1,008	-2	1,036	-2	28	Computer Hardware/Software £22k and write down of stock £6k	-6
Mobile Library	116	0	161	0	44	Delay in delivery of new mobile library vehicles resulting in efficiencies not being met	47
Carmarthen Museum, Abergwili.	114	-12	140	-24	14	Staff costs	8
Museums General	179	0	122	0	-57	Part year vacancies	-48
Archives General	124	-2	591	-479	-10	Various minor underspends	-8
Laugharne Boathouse	136	-95	179	-125	14	Staff costs	7
Y Ffwrnes	679	-376	685	-338	44	Income shortfall	6
Leisure Management	298	-21	338	-14	47	Legal / Tribunal Costs	43
Other Variance - Leisure & Recreation					-5		16
Grand Total					-65		10

Environment Department
Budget Monitoring - Actual

Division	Working Budget				Actual				Variance for Year £'000	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Business Support & Performance	845	0	-867	-22	1,047	-67	-867	113	135	132
Waste & Environmental Services	23,025	-7,664	1,806	17,167	23,120	-7,414	1,806	17,512	345	43
Highways & Transportation	49,344	-31,325	11,744	29,762	54,239	-36,367	11,744	29,615	-147	-151
Property	40,567	-37,520	-2,447	600	40,561	-37,801	-2,447	313	-286	64
Planning	4,185	-2,603	799	2,380	4,038	-2,465	799	2,372	-9	-64
GRAND TOTAL	117,965	-79,113	11,034	49,886	123,004	-84,114	11,034	49,925	38	25

Environment Department - Budget Monitoring -Actual

Main Variances

Division	Working Budget		Forecasted		Variance for Year £'000	Notes	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Business Support & Performance							
Departmental - Core	180	0	197	0	17	Additional staffing costs	14
Departmental - Policy	594	0	760	-54	112	Severance efficiencies not fully delivered; short-term additional pay costs to support the implementation of the Business Support review.	114
Waste & Environmental Services							
Environmental Enforcement	571	-24	584	-17	19	Increase in abandoned vehicles costs due to reduced scrap values.	20
Ammanford Cemetery	26	-7	14	-10	-15	Annual re-instatement work and income is variable	-10
Cleansing Service	1,894	-52	2,027	-52	133	Previously identified efficiencies (labour and plant) have not been met due to the sustained demands on the cleansing service.	68
Waste Services	14,221	-4,465	14,139	-4,365	18	Reduced Income due to volatility of textiles market	-1
Green Waste Collection	0	0	51	0	51	Purchase of Wheelie bins for new Green Waste Collection	74
Grounds Maintenance Service	4,295	-2,833	4,385	-2,693	229	Asset transfer commitments for leases to cover next 2 years	0
Closed Landfill Sites Nantycaws	43	0	0	0	-43	Reduced licence fee premiums from NRW and reduced operational activity that reflects the reduction in environmental risks associated with leachate control and treatment as a result of the sustained success of the new leachate treatment plant.	-45
Closed Landfill Sites Wernddu	16	0	-7	0	-23	The underspend is as a result of focusing on investigative scoping work associated with the current infrastructure at the Wern Ddu site, with the intention of undertaking more specific maintenance works during the current year.	-23
Coastal Protection	53	0	21	1	-31	The planned works to mitigate coastal erosion adjacent the Millenium Coastal Path at Black Point Burry Port will not progress until soil investigation and analysis has been undertaken and is now programmed for April/May 2017.	-32
Highways & Transportation							
Passenger Transport	4,152	-2,517	4,797	-3,184	-22	Tender and service efficiencies.	-38
School Transport	9,691	-1,073	9,601	-1,035	-52	Tender and service efficiencies.	0
Nant y Ci Park & Ride	1	0	76	-31	44	Service sustained during trial period with LHB.	46
Bridge Maintenance	873	0	843	-9	-39	Short term vacancy - post now filled (8k). Planned works for 16/17 not undertaken due to workload of Highways DLO and environmental restrictions for working in water courses.	-10
Technical Surveys	307	0	288	0	-19	Engineering Assistant vacant post	0

Environment Department - Budget Monitoring -Actual

Main Variances

Division	Working Budget		Forecasted		Variance for Year £'000	Notes	Feb 17 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Highway Maintenance	15,040	-7,197	16,200	-8,321	38	Revenue contribution to capital to cover surfacing scheme pressures	-34
Public Rights Of Way	233	-11	139	-16	-99	Staff vacancies, structure review underway	-98
Property							
Carbon Reduction Programme	265	0	236	0	-29	The underspend is part of a rolling program, which will be readjusted as next year's budget	0
Building Maintenance Operational	25,670	-27,470	24,651	-26,317	135	Under recovery of fees from service departments, to be adjusted in fee arrangements for 2017/18	240
Corporate Property	570	-78	645	-178	-24	Savings on I.T and other office costs.	-17
Pumping Stations	38	0	111	-47	26	Unforeseen electricity bills for previous years, recently invoiced by British Gas	-6
						Early delivery of efficiency savings for 2017/18 and energy savings reflecting a mild winter	-46
Administrative Buildings	3,047	-634	2,874	-722	-261	Additional income from high occupancy levels	-5
Commercial Properties	1	-163	2	-177	-14	Additional income from very high occupancy levels	-27
Industrial Premises	330	-1,260	316	-1,290	-45	Reduced entitlements and implementation of rent increases	-29
County Farms	68	-308	42	-311	-29	Increase in the variable turnover rent from livestock markets.	-33
Livestock Markets	37	-174	56	-228	-35		
Planning							
Planning Admin Account	378	-3	355	-92	-112	Reduction in expenditure to partly offset shortfall in Development Management income.	-114
Building Control - Other	204	0	174	-4	-35	Staff vacancies.	-28
						Mainly due to charging out of staff to projects as a 'direct cost' and also over-achievement of other mineral related application fee income targets.	-59
Minerals	252	-107	262	-168	-51	Mainly as a result of vacant posts.	-113
Policy-Development Planning	501	-66	458	-70	-47	Non-achievement of planning fee income target.	214
Development Management	1,471	-1,252	1,373	-945	208		
						Overspend due to consultants costs £24k re future operation of the Tywi Centre, £15k as CCC's commitment to future maintenance costs and £19k deficit on core Tywi Centre in 16/17 - less grant income available in 16/17 to fund staff costs.	57
Tywi Centre	1	0	103	-44	58	2015/16 surplus balance achieved on 'output driven' project now shown as underspend following confirmation that no clawback of grant required.	-11
Waste planning monitoring report (E)	25	-25	25	-36	-11		
Other Variances					-11		-43
Grand Total					38		25

Housing Revenue Account - Budget Monitoring - Actual

	Working Budget £'000	Actual £'000	Actual Variance for Year £'000	Notes	Feb 2017 Previous period forecasted variance for Year £'000
Expenditure					
Repairs & Maintenance					
Responsive	1,634	1,795	161	Responsive- Increased numbers of jobs on responsive works (up by 10% on 15-16) Minor Works/Servicing - Housing repairs review rollout resulting in more properties included in testing new ways of working (1800 properties now in), additional pressures on revenue expenditure cavity wall insulation extractions. Voids numbers of voids increased (up by 10% on 15-16).	115
Minor Works	2,450	3,010	560		477
Voids	2,170	2,403	233		72
Servicing	1,583	1,525	-58		-82
Drains & Sewers	235	110	-125		-148
Grounds	715	643	-72		0
Unadopted Roads	100	101	1		0
Supervision & Management					
Employee	3,805	3,604	-202	Vacant posts	-220
Premises	1,277	1,117	-160	Electric -£46k, Gas -£83k, Council Tax -£43k and small net overspend £12k.	-233
Transport	66	64	-2		-10
				Underspends on Admin, Operational & Office Equip -£37k and Compensation -£15k. Offset by overspends in Legal and Professional fees £84k, Misc expenses £130k, Projects and Activities £31k, Fees £11k, Postages £16k, Matchfunding contribution £47k, insurance premiums £13k and Photocopying £28k	116
Supplies	973	1,280	308	Underspend in Careline charges compared with budget.	62
Recharges	1,156	1,046	-110		
				This budget has been significantly increased over the last 3 years due to the expected impact of benefit reforms. These have been slower to materialise than originally anticipated.	-476
Provision for Bad Debt	678	223	-455	Reduction in MRP payment -£80k and interest in existing and buy-out debt -£20k. Plus additional discounts -£10k	-154
Capital Financing Cost	13,981	13,871	-110		0
Central Support Charges	1,521	1,548	27		
				Number of major voids continued to be high. Additional expenditure incurred to ensure efficient turnaround of empty properties. This has been partly funded by direct revenue financing of £376k	423
GRF	406	782	376		
Total Expenditure	32,750	33,120	370		-57

Housing Revenue Account - Budget Monitoring - Actual

	Working Budget £'000	Actual £'000	Actual Variance for Year £'000	Notes	Feb 2017 Previous period forecasted variance for Year £'000
Income					
Rents	-36,061	-36,339	-278	Void loss prediction of 2.41% in current budget with a void loss of 1.99%	-267
Service Charges	-659	-768	-109	Overachievement of service charge income	-80
Supporting People	-135	-135	0		0
Mortgage Interest	-3	-1	2		0
Interest on Cash Balances	-46	-48	-2		-2
Insurance	0	0	0		-13
Other Income	-735	-719	15	Underachievement of income relating to Water rate commission £40k netted off by the overachievement of other income -£25k.	-17
Total Income	-37,638	-38,011	-373		-379
Net Expenditure	-4,888	-4,890	-2		-436

HRA Reserve	£'000
Balance b/f 1/4/16	9,121
Budgeted movement in year	4,888
Variance for the year	2
Balance c/f 31/3/17	14,011

BWRDD GWEITHREDOL
26/06/2017

DIWEDDARU RHAGLEN GYFALAF 2016-17

Y Pwrpas: I adrodd y amrywiant cyllidebol yn y rhaglen gyfalaf.

YR ARGYMHELLION / PENDERFYNIADAU ALLWEDDOL SYDD EU HANGEN:

I dderbyn yr adroddiad diweddaraf ar y rhaglen gyfalaf.

Y RHESYMAU:

I ddarparu'r newyddion i'r Bwrdd Gweithredol ynglyn a sefyllfa gyllideb terfynol y rhaglen gyfalaf 2016/17, ar 31ain Mawrth 2017.

Ymgynghorwyd â'r pwyllgor craffu perthnasol: Oes

Angen i'r Bwrdd Gweithredol wneud penderfyniad OES

Angen i'r Cyngor wneud penderfyniad NAC OES

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Cyng. David Jenkins

Y Gyfarwyddiaeth:

Gwasanaethau Corfforaethol

Enw Pennaeth y Gwasanaeth:

Owen Bowen

Awdur yr Adroddiad:

Owen Bowen

Swydd:

Pennaeth Gwasanaethau Ariannol

Rhif ffôn: 01267 224886

Cyfeiriad E-bost:

OBowen@sirgar.gov.uk

EXECUTIVE SUMMARY

EXECUTIVE BOARD

26th June 2017

CAPITAL PROGRAMME 2016-17 UPDATE

This report provides members with an update on the final budgetary position of the Capital programme for 2016/17 as at the 31st March 2017.

Variances

Appendix A which is shown departmentally, shows an actual net spend of £42,071k compared with a working net budget of £69,921k giving a £27,850k variance. The variance will be slipped into future years with schemes being re-profiled, as the funding is required to ensure that the schemes are completed.

Appendix B details the main variances within each department.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **O. Bowen**

Head of Financial Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	YES	NONE	NONE	NONE	YES

Finance

The capital programme shows a net variance of £27,850m, which will be incorporated into the 2017/18 capital programme.

The variance between the £27.5m million external income budget and the projected actual income of £23.4k is explained by the fact that external grants are claimed retrospectively and will therefore be received in future years once the related expenditure is incurred.

Physical Assets

The capital programme will have an impact on the physical assets of the Authority.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: O. Bowen

Head of Financial Services

1. **Scrutiny Committee** Relevant Scrutiny Committees will be consulted.

2. **Local Member(s)** N/A

3. **Community / Town Council** N/A

4. **Relevant Partners** N/A

5. **Staff Side Representatives and other Organisations** N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
2016-17 Capital Programme		Corporate Services Dept, County Hall, Carmarthen

Mae'r dudalen hon yn wag yn fwriadol

Capital Programme 2016/17							
Capital Budget Monitoring - End of year report 16/17							
	Working Budget			Forecasted			Variance for Year £'000
DEPARTMENT	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000	
COMMUNITIES							
- Public Housing	16,565	-6,025	10,540	14,851	-6,228	8,623	-1,917
- Private Housing	3,229	-429	2,800	3,071	-929	2,142	-658
- Social Care	3,241	-645	2,596	874	-645	229	-2,367
- Leisure	3,873	-1,050	2,823	622	-55	567	-2,256
ENVIRONMENT	26,186	-3,531	22,655	21,554	-3,361	18,193	-4,462
EDUCATION & CHILDREN	25,351	-9,759	15,592	17,468	-10,517	6,951	-8,641
CORPORATE SERVICES	1,837	-99	1,738	731	-99	632	-1,106
CHIEF EXECUTIVE							
- Regeneration	17,164	-5,987	11,177	6,368	-1,634	4,734	-6,443
TOTAL	97,446	-27,525	69,921	65,539	-23,468	42,071	-27,850

Mae'r dudalen hon yn wag yn fwiadol

Capital Programme 2016/17						
Capital Budget Monitoring - End of Year Report 2016/17 - Main Variances						
	Working Budget			Forecasted		
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000
DEPARTMENT/SCHEMES						
COMMUNITIES						
- Public Housing	16,565	-6,025	10,540	14,851	-6,228	8,623
Major Repairs Allowance - MRA - Income	0	-6,025	-6,025	0	-6,170	-6,170
Fuel Switch - Gas Infrastructure	248	0	248	117	0	117
Planned M&E Works	782	0	782	701	0	701
Housing Minor Works	501	0	501	854	0	854
Rendering and External Works	1,692	0	1,692	1,502	0	1,502
Re-Roofing - Council Dwellings	917	0	917	1,305	0	1,305
Adaptations and DDA Works	1,633	0	1,633	1,779	-11	1,768
Housing Development Programme (New builds & Stock Increase Programme)	6,130	0	6,130	4,002	-47	3,955
Other Projects with Minor Variances	4,662	0	4,662	4,591	0	4,591
- Private Housing	3,229	-429	2,800	3,071	-929	2,142
Emergency Repairs Assistance	624	0	624	55	0	55
Other Projects with Minor Variances	2,605	-429	2,176	3,016	-929	2,087
- Social Care	3,241	-645	2,596	874	-645	229
Learning Disabilities Accomodation Developments	228	0	228	0	0	0
Cartref Cynnes Development Carmarthen	576	0	576	6	0	6
Y Dyffryn Development Ammanford	260	0	260	149	0	149
Extra Care - Llanelli Area	1,500	0	1,500	42	0	42
Other Projects with Minor Variances	677	-645	32	677	-645	32

Variance for Year £'000	Comment
-1,917	
-145	Additional Grant received from Welsh Government based on budget.
-131	Delays with British Gas on installation of pipeline. It is anticipated that this will be completed during 2017/18.
-81	Opportunity taken to bring previously declined works up to CHS+, primarily when they become vacant.
353	Additional pressures identified during year including urgent roofing replacement, cavity insulation failures and major structural works.
-190	Budget being re-profiled to reflect current delivery - funding to slip to 2017-18.
388	Budget being re-profiled to reflect current delivery.
135	Increase in demand and additional large scale adaptations.
-2,175	Housing Development programme has been re-profiled to take account of Phase 1 new build starting in March 2017. We delivered significantly more than the 2016/17 target, of an additional 160 affordable homes, by delivering a wide variety of solutions. As an example, the stock increase programme has been hugely successful with £3.9m being spent to purchase 37 homes, including homes that have been adapted to meet specific needs.
-71	
-658	
-569	Delays with agreeing proposals with legal, debtors and external partners. There are a number of applications within system that would fully commit the remaining budget. It is anticipated that the slippage will be fully spent within 17/18.
-89	
-2,367	
-228	Options are being considered for the location of future learning disability provision as part of a TIC review of the service.
-570	Contingencies included in contract not fully utilised - final sum yet to be agreed - Savings identified.
-111	Contingencies included in contract not fully utilised - final sum yet to be agreed - Savings identified.
-1,458	Options/Appraisals being considered for potential scheme
0	

Capital Programme 2016/17						
Capital Budget Monitoring - End of Year Report 2016/17 - Main Variances						
	Working Budget			Forecasted		
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000
DEPARTMENT/SCHEMES						
- Leisure	3,873	-1,050	2,823	622	-55	567
Countryside Recreation & Access	676	-300	376	107	-55	52
Carmarthen Museum - Abergwili	750	0	750	38	0	38
Carmarthenshire Archives Relocation	250	0	250	48	0	48
Carmarthen Park Velodrome	286	0	286	30	0	30
Burry Port Harbour Dredging	400	0	400	55	0	55
Closed Circuit Track	500	0	500	2	0	2
Pembrey Country Park - Strategic Infrastructure Development	1,000	-750	250	292	0	292
Other Projects with Minor Variances	11	0	11	50	0	50
ENVIRONMENT	26,186	-3,531	22,655	21,554	-3,361	18,193
Coastal Protection Works	356	0	356	249	0	249
Murray Street Car Park, Llanelli	149	0	149	1	0	1
Bridge Strengthening & Replacement	360	0	360	217	0	217
Local Transport Plan Grant Projects	2,512	-2,135	377	1,458	-1,227	231
Carmarthen Western Link Road	3,577	-561	3,016	2,732	-1,202	1,530
Solar Panels Project	1,500	0	1,500	1,104	0	1,104
Pantyglyn Retaining Wall, Llanybydder (Principal Road A485)	400	0	400	17	0	17
Rural Estates Capital Schemes	300	0	300	30	0	30
Capital maintenance	3,614	0	3,614	3,469	0	3,469
Glanamman Industrial Estate Redevelopment	1,000	0	1,000	65	0	65
East Gate Development	414	0	414	172	0	172
Other Projects with Minor Variances	12,004	-835	11,169	12,040	-932	11,108

Variance for Year £'000	Comment
-2,256	
-324	Monies being retained for potential grant match funding.
-712	£250k planned match funding for 2017/18 for Tywi Gateway. Remainder planned match funding for HLF bid, scheme has re-profiled.
-202	Design development 2016/17 with construction slippage to 2017/18.
-256	Currently surface testing. Tenders Dec'16, works scheduled for Summer 2017. Fees and consultancy works only this year.
-345	Report has been presented to community scrutiny - Jan 2017 on potential dredging solutions. Works to be completed in 2017/18.
-498	Some initial fees for testing and consultancy works will be incurred this financial year. Final site selection for the facility will require political endorsement with anticipated completion in 2017/18.
42	Works to the play area in 16/17. Remaining spend on new toilet and shower block is likely to be carried out in 17/18.
39	
-4,462	
-107	Tenders received and works commenced in January 2017 with a 16 week contract period, due to complete early 2017/18.
-148	Expenditure profile being planned in accordance with whole of life care plan. Funding required for future year maintenance.
-143	Scheme delays owing to land issues - funding will be slipped to 2017/18.
-146	Scheme delays owing to land issues - Internal funding to be slipped to 2017/18 in order to fully utilise the LTF grant in 2016/17.
-1,486	Land acquisitions slipping to 2017/18.
-396	Owing to local Grid capacity constraints and structural issues. A further phase of the project is to be explored to potentially incorporate solar panels with battery storage. Funding to be slipped to 2017/18.
-383	Delay in progressing scheme because of the need to undertake advanced clearing works prior to detailed surveys. This will be slipped to 2017/18.
-270	Currently at design stage with works scheduled for 2017/18. Funding to be slipped.
-145	A number of schemes were deferred until 17-18, with one scheme being re-tendered due to a specification change.
-935	Currently at design stage with works scheduled for 2017/18. Funding to be slipped.
-242	Additional external funding secured.
-61	

Capital Programme 2016/17						
Capital Budget Monitoring - End of Year Report 2016/17 - Main Variances						
	Working Budget			Forecasted		
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000
DEPARTMENT/SCHEMES						
EDUCATION & CHILDREN	25,351	-9,759	15,592	17,468	-10,517	6,951
Education DDA Act Works	131	0	131	228	0	228
MEP External Funding Income	0	-9,474	-9,474	0	-10,214	-10,214
Ffwrnes - New Two Form Entry School	943	0	943	209	0	209
Dinefwr Project - Dyffryn Aman	323	0	323	36	0	36
Dinefwr Project - Maes Y Gwendraeth	984	0	984	869	0	869
Dinefwr Project - Ysgol Bro Dinefwr	1,256	0	1,256	501	0	501
Ysgol Pen Rhos CP School - New Two Form Entry (Formerly Seaside)	3,333	0	3,333	3,176	0	3,176
Llangadog - Major Redevelopment	2,041	0	2,041	258	0	258
Burry Port Schools Development	207	0	207	16	0	16
Ysgol Trimsaran - New School Building	3,924	0	3,924	3,087	0	3,087
Ysgol Y Strade - Phase 1	202	0	202	342	0	342
Llandeilo Primary	107	0	107	4	0	4
Ammanford Primary	99	0	99	1	0	1
Parc Y Tywyn Band A	3,526	0	3,526	1,549	0	1,549
Llanelli Vocational Village	484	0	484	1,194	0	1,194
Laugharne - Transfer Double Mobile Classroom	237	0	237	17	0	17
Rhydygors - Refurbishment/Re-configuration	200	0	200	32	0	32
Pontyberem CP - Refurbishment/Re-configuration	400	0	400	112	0	112
Carmarthen West Phase 1	70	0	70	0	0	0
Phyllis Prichard Relocation	0	0	0	95	0	95
Ysgol Coedcae - Phase 1	4,225	0	4,225	2,742	0	2,742
St John Lloyd	405	0	405	882	0	882
Ysgol Dewi Sant	223	0	223	121	0	121
Other Projects with Minor Variances	2,031	-285	1,746	1,997	-303	1,694

Variance for Year £'000	Comment
-8,641	This positive variance will be applied to future projects within the MEP programme.
97	Higher than anticipated DDA requests (Statutory function).
-740	Re-Profile of MEP funding required due to profile of Band A Schemes Works.
-734	Savings on project - final costs less than originally budgeted for.
-287	To be slipped to pay for retentions due in 2017-18.
-115	To be slipped to pay for retentions due in 2017-18.
-755	To be slipped to pay for retentions due in 2017-18.
-157	Welsh Government delay with approval of Business Case. Slip to 2017/18.
-1,783	Delay owing to change in brief for the Cwm Tywi Area. Slip to 2017/18.
-191	To be slipped to pay for retentions due in 2017-18.
-837	Works on site delayed due to tender process with contractor. Slip to 2017/18.
140	Additional roof works.
-103	Scheme delayed in programme - slippage, no impact on overall scheme cost.
-98	Scheme delayed in programme - slippage, no impact on overall scheme cost.
-1,977	Due to original projection of spend being optimistic - re-profile required.
710	Additional works funded by school.
-220	Mobile classroom no longer required - Design works ongoing for main scheme.
-168	Design costs in year lower than anticipated - no impact on overall scheme cost.
-288	Design costs in year lower than anticipated - no impact on overall scheme cost.
-70	Project not progressed as anticipated as wider development scheme is on hold.
95	New scheme introduced into MEP Programme.
-1,483	Works progressing on site, lower spend in year than anticipated, re-profile required, no impact on overall scheme cost.
477	Business Case completed and approved ahead of schedule, works have progressing well to date.
-102	Initial site selection and design works being carried out ahead of schedule.
-52	

Tudalen 82

Capital Programme 2016/17							Variance for Year £'000	Comment
Capital Budget Monitoring - End of Year Report 2016/17 - Main Variances								
	Working Budget			Forecasted				
DEPARTMENT/SCHEMES	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000		
CORPORATE SERVICES	1,837	-99	1,738	731	-99	632	-1,106	
IT Strategy Developments	1,755	0	1,755	649	0	649	-1,106	Various projects on hold pending review of collaboration opportunities.
Other Projects with Minor Variances	82	-99	-17	82	-99	-17	0	
CHIEF EXECUTIVE								
- Regeneration	17,164	-5,987	11,177	6,368	-1,634	4,734	-6,443	
Rural Enterprise Fund	2,000	-1,000	1,000	3	0	3	-997	Funds committed at stage 1, some projects commenced construction in 2016/17, majority will be in 17/18.
Transformation Commercial Property Development Fund	3,330	-1,830	1,500	1	0	1	-1,499	Fully committed at stage 1 but project delivery will be in 2017-18.
Health & Safety Remediation Works	100	0	100	4	0	4	-96	Works identified during assessments in 2016/17 will be delivered in 2017/18. The budget is required to meet associated costs.
Opportunity Street (Llanelli)	445	0	445	1,406	-1,090	316	-129	Building works will continue beyond March and into 2017/18. Funds are required to meet associated costs. All WG funding will be drawn down by the end of March with the full grant allocation being secured as per target.
Building for the Future - Llanelli Area	925	0	925	669	0	669	-256	Welsh Government application process delayed and expressions of interest scheduled to be re-invited in 17/18. Budget required for project delivery and used as match funding in relation to grant award.
Pembrey Peninsula Study	100	0	100	0	0	0	-100	Part of study completed this financial year. Further works will continue into 2017/18 with the budget required to meet associated costs.
Llanelli Regeneration Plan	100	0	100	22	0	22	-78	Works commenced in 2016/17 and continued beyond March into 2017/18. Funds required to meet associated costs.
Laugharne Carpark	220	0	220	12	0	12	-208	Further tests required following results of ground conditions report. Construction delivery now expected in 17/18.
Pendine Iconic International Visitors Destination	1,300	0	1,300	181	-171	10	-1,290	Profile to be adjusted as increased drawdown of Welsh Government Funding in 16/17. Land acquisition costs also expected in 17/18 and not 16/17 as profiled. Funding required to ensure project delivery over the next three financial years.
Ammanford Town Centre Regeneration	446	0	446	9	0	9	-437	Budget to support the Ammanford Regeneration Development Grant. Applications received in 2016/17. However project delivery will be in 2017/18 and funding paid out retrospectively. Funding therefore needs to be rolled forward into 2017/18 to meet these commitments.
Cross Hands East strategic Employment Site	528	0	528	250	0	250	-278	Final contractor payment and land compensation not being incurred in 2016/17 - funding required to be rolled forward into 17/18 to meet these obligations.
Cross Hands East Enabling Fund	850	0	850	0	0	0	-850	Linked to anticipated WG funding package (Property Development Fund). Applications have been sought and decision on Stage 1 grant allocations will now be made in June 2017. Project delivery will be in 2017/18 and future years and funds will be paid out retrospectively. Funding has therefore been rolled forward into 2017/18 and may be required to be rolled forward to future years to meet this commitment.

Capital Programme 2016/17						
Capital Budget Monitoring - End of Year Report 2016/17 - Main Variances						
	Working Budget			Forecasted		
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000
DEPARTMENT/SCHEMES						
Margaret St - Retaining Wall & Road Widening	230	0	230	63	0	63
Other Projects with Minor Variances	6,590	-3,157	3,433	3,748	-373	3,375
TOTAL	97,446	-27,525	69,921	65,539	-23,468	42,071

Mae'r dudalen hon yn wag yn fwiadol

Y BWRDD GWEITHREDOL
26 MEHEFIN, 2017

Y WYBODAETH DDIWEDDARAF AM DROSGLWYDDO ASED AU
CYMUNEDOL
PARCIAU, LLEOEDD CHWARAE A LLECYNNAU AMWYNDER

Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

1. Nodi statws presennol yr amrywiol drosglwyddiadau i Gynghorau Cymuned a sefydliadau chwaraeon.
2. Cadarnhau pa asedau ddylai symud ymlaen i'r cyfnod ymgynghori.
3. Cadarnhau'r Grant Cynnal a Chadw ar gyfer asedau lle na chwblhawyd trosglwyddiadau cyn 31 Mawrth 2017.
4. Ystyried cyflwyno cyfrifiad diwygiedig o ran talu'r Grant Cynnal a Chadw o 1 Ebrill 2017.

Y Rhesymau:

1. Rhoi'r wybodaeth ddiweddaraf ynghylch y cynnydd.
2. Cytuno ar ffordd bendant ymlaen o ran yr asedau hynny nad ydynt wedi bod yn destun Mynegiannau o Ddiddordeb.
3. Dilyn penderfyniad y Bwrdd Gweithredol ar 20 Mehefin 2016 a thynnu sylw at y Cynghorau Cymuned a Thref a fyddai'n derbyn y grant gostyngol.
4. Cymell cwblhau'r trafodaethau ynghylch trosglwyddo asedau; diogelu ymrwymiad ariannol y Cyngor Sir; ac adlewyrchu'r aelodau sydd newydd eu hethol ar y Cynghorau Tref a Chymuned.

Angen ymgynghori â'r Pwyllgor Craffu perthnasol NAC OES

Angen i'r Bwrdd Gweithredol wneud penderfyniad OES

Angen i'r Cyngor wneud penderfyniad NAC OES

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-

Y Cynghorydd David Jenkins a'r Cynghorydd Hazel Evans

Y Gyfarwyddiaeth: Yr
Amgylchedd

Enw Pennaeth y Gwasanaeth:
Jonathan Fearn

Awdur yr Adroddiad:
Stephen Morgan

Pennaeth Eiddo

Rheolwr Asedau Strategol

jfearn@sirgar.gov.uk

smmorgan@sirgar.gov.uk

EXECUTIVE SUMMARY

Executive Board

26th June 2017

COMMUNITY ASSET TRANSFER UPDATE PARKS, PLAYGROUNDS & AMENITY AREAS

Background

The Community Asset transfer of parks, playgrounds and amenity areas has been the subject of various reports to members over the last few years.

On 15th December 2014 the Executive Board unanimously resolved the following in relation to parks, playgrounds and amenity areas:

- *“That in order to encourage asset transfers, a deadline of 1st April 2016 be set for the submission of interests for the transfer and that a final transfer deadline of 31st March 2018 be set, after which time, the maintenance of facilities could potentially cease.”*
- *“That the £253,044 remaining in the Asset Transfer Fund be utilised to provide a fixed or variable amount of funding to incentivise the first organisations to take a transfer of facilities, up to a maximum ceiling of £10k per organisation.”*
- *“That all town and community councils within the County be advised of the Board’s decision and to the possibility that further cuts to the Council’s budget could potentially result in those assets not transferred not being maintained after 31st March 2018.”*

Letters were sent to all Town and Community Councils informing them of the above, along with subsequent reminders. Discussions have continued with the various Councils and also a range of sporting groups and other organisations who expressed interest in asset transfer. Interested organisations were offered a Maintenance Grant of 2x the 2013/14 maintenance cost for each asset, together with an Improvement Grant of up to £10,000 per organisation mentioned above.

A further update and report on the transfer process was provided to Executive Board on the 20th June 2016. As a result of the report the Executive Board unanimously resolved amongst other items the following matters:

- *“In order to incentivise early completion of the transfers, the Maintenance Grant which is currently 2x the annual maintenance cost is reduced to 1x the annual cost for transfers completed after 31st March 2017. After April 2018, no maintenance grant is made available.”*
- *“With regard to the assets which have not attracted an Expression of Interest (EOI)”*

... “a consultation exercise be undertaken which will seek the views of stakeholders. This may prompt expressions of interest from other groups within the relevant communities. It is proposed that any interested party is given the same incentive and timescale” ... “Upon completion of the consultation process, a report would be provided on the results, including relevant recommendations.”

- *“That, in relation to the form and timing of formal consultation on the future management of facilities not subject to an Expression of Interest for asset transfer it was agreed that this should take place in 2017 and that, in the meantime, informal discussions should continue with the 9 Town and Community Councils which had not yet submitted an Expression of Interest”*

Current Position

Discussions have continued with all organisations to promote local management of facilities and to progress transfers in accordance with the agreed procedures. The table in Appendix 1 sets out the current position in each area and identifies the following:

- A) Community Councils and sporting bodies that have completed transfers either on leases or on licences pending conclusion of the legal formalities. (Representing 26% of the assets under consideration)
- B) Assets that were the subject of an EOI within the deadline set by the Executive Board decision, but did not complete before March 31st 2017 due to legal or other issues beyond the applicant's control. (Representing 33% of the assets under consideration)
Under the present arrangements, these assets would receive 2x the annual maintenance cost as the failure to meet the previous deadline was outside the applicant's control.
- C) Assets that were the subject of EOIs but outside the timelines set by the Executive Board, with no mitigating reasons for delay. (Representing 23% of the assets under consideration)
Under the present arrangements the maintenance grant would reduce to 1x the annual maintenance cost.
- D) Assets that have received no EOI. (Representing 18% of the assets under consideration)
Under the present arrangements these would now form part of a consultation exercise with various stakeholders on the future of the various assets.

Proposed Way Forward

The following steps are proposed, for discussion:

- 1) That the premises noted under D) above are to form part of a consultation exercise with the various stakeholders on the future of the relevant assets.
- 2) In order to promote the transfer process in the final year leading up to 31st March 2018 deadline, it is proposed that **all interested parties** (assets in categories B & C above) are allowed a grant of **2x** the annual maintenance **irrespective of the reasons for any delay to**

date. It is recommended that, to reflect the concession being made, and in order to incentivise early completion of the remaining transfers, the Maintenance Grant is reduced by 1/24th per month from 1st April 2017, up to the date of transfer.

- 3) The deadline for transfers to benefit from Maintenance and Improvement Grants remains as 31st March 2018.

DETAILED REPORT ATTACHED?	YES (Appendix attached)
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Jonathan Fearn

Head of Property

Policy, Crime & Disorder and Equalities YES	Legal YES	Finance YES	ICT NONE	Risk Management Issues YES	Staffing Implications NONE	Physical Assets YES
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Policy, Crime & Disorder and Equalities

The proposals contributes to the Making Better Use of Resources Theme and is in accordance with adopted Community Asset Transfer procedures.

Where the Council receives no interest in taking a transfer of a particular recreation asset, a suitable consultation process would be required and equalities impact assessment to determine future provision. The process will also need to take on board play sufficiency matters.

Legal

The proposals will require legal input to formalise the agreements. Asset transfers, in accordance with the adopted Procedures, are undertaken on a long-leasehold basis. All assets will have been the subject of Public Open Space Notices where relevant in accordance with s123 of the Local Government Act 1972.

Finance

The proposals involve one-off maintenance grants and potential improvement contribution to bring about longer term revenue savings.

The improvement and maintenance grant payments will be fully funded by existing budgets.

Risk Management Issues

Asset transfers would normally pass insurance responsibility via the lease to the tenant, reducing the County Council's liability.

Physical Assets

Asset transfers ensure the continued use of the assets concerned for the benefit of present and future generations and would result in a reduction in the number of assets directly managed by the County Council.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Jonathan Fearn

Head of Property

1. Scrutiny Committee

Policy & Resources Scrutiny Committee was updated on 30th April 2015

2. Local Member(s)

Consulted as part of the asset transfer process and prior to any disposal

3. Community / Town Council

Various consultations / workshops and meetings held

4. Relevant Partners

Various consultations / workshops and meetings held with sporting groups and third sector bodies.

5. Staff Side Representatives and other Organisations Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

Title of Document	File Ref	Locations that the papers are available for public inspection
Community Asset Transfer Procedures		http://www.carmarthenshire.gov.wales/media/1109397/Community-Asset-Transfer-Procedures-2013-16.pdf
Executive Board, 15th December 2014, Item 11: TRANSFER OF PARKS, PLAYGROUNDS AND AMENITY AREAS		http://online.carmarthenshire.gov.uk/agendas/eng/EXEB20141215/index.asp
Executive Board, 4 th January 2016, Item 5: COMMUNITY ASSET TRANSFER - UPDATE		http://democracy.carmarthenshire.gov.wales/ieListDocuments.aspx?CId=131&MId=125&Ver=4
Executive Board, 20th June 2016, Item 12,: TRANSFER OF PARKS, PLAYGROUNDS, AMENITY AREAS - COMMUNITY ASSET TRANSFER UPDATE		http://democracy.carmarthenshire.gov.wales/ieListDocuments.aspx?CId=131&MId=350&Ver=4

Mae'r dudalen hon yn wag yn fwriadol

Community Asset Transfer Update - Appendix 1

A - Completed Transfers	
Organisation	Asset/s
Ammanford Town Council	Riverway MUGA / Maesycoed Playground, Pontamman
Ammanford Bowls Club	Ammanford Bowling Green and Pavilion
Betws Community Council	Betws Park
Carmarthen Town Council	Penllwyn Park / Park Hinds / Johnstown Park /Russell Terrace Ball Park
Cwmamman Town Council	Gelli Werdd Park and Playground, Glanamman
Kidwelly Town Council	Ger y Castell Playground, Kidwelly
Parc Stephens Sports Association	Part of Parc Stephens, Kidwelly - Sports Association
Castle Fields Sports Association	Castle Fields, Llandovery
Llandybie Community Council	Bancyddraenen Recreational Ground / Penybank Playground / Spien Road Playground / Llandybie Park
Llanedi Community Council	Hendy Park
Llanelli Rural Council	Dafen Park and Playground / Pwll Recreation Ground / Trallwm Playing Field / Clos y Gelli (Pemberton) Playground / Heol Llanelli Playground / Swiss Valley Playground / Bryngolau Playground, Dafen
Llangadog Community Council	Llangadog Playground
Llangunnor Community Council	Llangunnor Recreation Ground
Tumble Rugby Club	Tumble Rugby Playing Fields and Changing Rooms, Tumble Park
Pontyberem Community Council	Pontyberem Park
Trimsaran Community Council	Trimsaran Welfare Park
Trimsaran Rugby Club	Trimsaran Changing Rooms
Whitland Town Council	Bryngwenllian Playground

Community Asset Transfer Update - Appendix 1

Tudalen 92

B - EOI received but not completed due to issues beyond applicants control		
Organisation	Asset/s	Issue
Abergwili Community Council	Peniel Playground	Title issue
Carmarthen Town Council	Allt Ioan Playground / Maes y Wennol (Pentre Meurig) Playground	Outstanding works
Cwmamman Town Council	Penybont Park, Glanamman / Maesybedol Playground, Glanamman / Grenig Park, Glanamman / Parc Bryn Rhos Playground, Glanamman / Cwmamman Park / Golwg yr Amman Park, Garnant / Bishops Road Playground, Garnant / Highfield Park Play Area (Twyn), Garnant / Penyrallt, Garnant	Outstanding H&S and compliance works
Llandeilo Town Council	Parc Le Conquet, Llandeilo / Penlan Park, Llandeilo	Title and trust issues
Llandybie Community Council	Penygroes Park / Saron Park	Trust issue and outstanding works
Llanedi Community Council	Tycroes Park / Coopers Playground / Bronallt Playground / Squirrels Walk Playground	Outstanding H&S and compliance works
Llanelli Rural Council	Clos Cilsaig Playground, Dafen	Title issue
Llanelli Town Council	Parc y Dre / Crown Park / Penygaer Playing Fields / Penyfan Park / Havelock Park	Title and trust issues
Llannon Community Council	Tumble Park / Singleton Playground / Cross Hands Park / Caeglas Playground / Llannon Playground / Maesyffynnon Playground	Outstanding H&S and compliance works
Llanybydder Community Council	Rhydcymerau Playground	Boundary issue
Penygroes Community Centre	Penygroes Park Pavilion	Trust issue
Quarter Bach Community Council	Maes Elwyn Recreational Ground, Brynman / Bryn Avenue Recreation Ground / Ystradowen Recreation Ground	Outstanding H&S and compliance works
Trelech a'r Betws	Trelech Playground	
Tumble AFC	Tumble Football Fields, Tumble Park	Subject to CC completing Lease

Community Asset Transfer Update - Appendix 1

C - EOI received but not completed within time limit set		
Organisation	Asset/s	
Ammanford Town Council	Ammanford Park / Ammanford Recreation Ground / Norman Road Playground / Pantyffynnon Playground (New Road) / Carregamman Playground / Riverway Playground	
Ammanford Sports Association	Ammanford Park / Ammanford Recreation Ground / Pantyffynnon Recreational Ground	
Kidwelly Town Council	Part of Parc Stephens, Kidwelly / Ger y Gwendraeth Playground, Kidwelly / Bryn y Graig Playground, Mynyddygarreg	
Llandovery Town Council	Llandovery Playground and Skate Park / Green Lodge, Llandovery / Maesglas Playground	
Llangennech Community Council	Parc yr Hendre, Llangennech	
Pembrey and Burry Port Town Council	Burry Port Memorial Park / Burrows Park / Tyle Teg Park / Penybryn Playground / Tanybryn Playground / Cwm Eglwys Playground / Trem y Mynydd Playground / Waun Sidan Playground	
Penyfan and Llwynynwhilwg Tenants and Residents Association (PLTRA)	Portacabin and Storage Shed at Penyfan Park, Llanelli	
Burry Port Bowls	Bowling Green and Pavilion at Burry Port Memorial Park	
Burry Port Rugby	Rugby Pitch and Pavilion at Burry Port Memorial Park	
Burry Port AFC	Football Pitch and Changing Rooms at Burry Port Memorial Park	

Community Asset Transfer Update - Appendix 1

Tudalen 94

D - No EOI received	
Organisation	Asset/s
Betws Community Council	Maesquarre Playground
Kidwelly Town Council	Parc Pendre Playground, Kidwelly
Llandybie Community Council	Llandybie Recreational Ground
Llanegwad Community Council	Maesawelon Playground, Cwrt Henri
Llanelli Rural Council	Dan y Banc Playground / Maengwynne Playground
Llanelli Town Council	Penyfan Quarry / Sandy Bridge Park (part of Parc y Dre) / Nightingale Court Playground / Morfa Park / Dolau Fawr Playground / Clos yr Ysgol Playground / Land at Gelli - Onn / Land at Bigyn
Llangelor Community Council	Pentrecwrt Playground
Llangennech Community Council	Parc yr Hendre / Heol Plas Isaf Playground / Bryn Park, Llangennech
Llansteffan and Llanybri Community Council	Llansteffan Beach Playground
Pontyberem Community Council	Bancffosfelen Playground
Quarter Bach Community Council	Felinfach Playground, Ystradowen

Y BWRDD GWEITHREDOL

26ain Mehefin 2017

PANELAU YMGYNGHOROL Y BWRDD GWEITHREDOL

Pwrpas: Ystyried a oes angen cadw/sefydlu panelau ymgynghorol

Yr Argymhellion / Penderfyniadau Allweddol Sydd Eu Hangen:

Ystyried sefydlu Paneli Ymgynghorol ar gyfer y Bwrdd Gweithredol.

Y Rhesymau:

O ganlyniad i'r Etholiadau Llywodraeth Leol yn ddiweddar, gofynnir i'r Bwrdd adolygu pwrpas, swyddogaeth ac aelodaeth ei banelau ymgynghorol ac ystyried a ddylid sefydlu unrhyw banelau ymgynghorol ychwanegol ar gyfer y Bwrdd Gweithredol.

Ymgynghorwyd â'r pwyllgor craffu perthnasol Amherthnasol

Angen i'r Bwrdd Gweithredol wneud penderfyniad OES

Angen i'r Cyngor wneud penderfyniad OES

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Cllr Emlyn Dole (Arweinydd)

Y Gyfarwyddiaeth:

Enw Pennaeth y Gwasanaeth:

Linda Rees Jones

Awdur yr Adroddiad:

Gaynor Morgan

Swyddi: Pennaeth

Gweinyddiaeth a'r Gyfraith

Rheolwr Gwasanaethau

Democrataidd

Rhifau ffôn:

01267 224110

Cyfeiriadau E-bost:

LRJones@sirgar.gov.uk

EXECUTIVE BOARD

26TH JUNE 2017

EXECUTIVE BOARD ADVISORY PANELS

The previous administration established the following advisory panels to report on various issues. The Board is requested to review the purpose, functions and membership of existing advisory panels and to consider which ones it wishes to retain and any new panels that it wishes to establish.

The panels established under the previous administration are set below and their previous composition, purpose and function are set out in the attached appendix.

- Corporate Parenting and Safeguarding Panel
- School Improvement Panel
- Education Admission Forum
- Housing Advisory Panel
- Development of the Local Development Plan Panel
- Compact Liaison Panel
- Welsh Language Members Advisory Panel
- Tackling Poverty Advisory Panel
- Members Home to School Transport Appeals Panel

The former Council at its meeting held on the 22nd February 2017 also referred the following notice of motion from COUNCILLOR PETER HUGHES GRIFFITHS to the Executive Board:

“The rural areas within Carmarthenshire need special and direct attention and that this Council establishes a RURAL WORKING GROUP consisting of members from the three Groups on the Council. The Working Group (following the pattern set by the Language Working Group) would collect information, research and invite and receive evidence in relation to rural areas in Carmarthenshire, before presenting, in due course, strategies, policies and an action plan before full Council.”

The Notice of Motion was considered by the Executive Board at its meeting held on the 2nd May where it was determined that this would be a matter for the new Council to determine. The Executive Board is therefore asked to consider whether it wishes to add the Rural Working Group to its list of Advisory Panels and to consider membership thereof.

In order to avoid any delay in the appointment of members to sit on the Advisory Panels, nominations have been sought from the Leaders of the political groups and these will be circulated for approval at the meeting.

DETAILED REPORT ATTACHED ?

Advisory Panel List attached.



EICH CYNGOR arleinamdani
www.sirgar.llyw.cymru

YOUR COUNCIL doitonline
www.carmarthenshire.gov.wales

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees Jones Head of Administration & Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	YES	NONE	NONE	NONE	YES	NONE

Legal

Advisory Panels are established in accordance with the Council Constitution.

Staffing Implications

Each advisory Panel is supported by officers.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees Jones Head of Administration & Law

1. Scrutiny Committee Not applicable

2. Local Member(s) Not applicable

3. Community / Town Council Not applicable

4. Relevant Partners Not applicable

5. Staff Side Representatives and other Organisations Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Executive Board advisory Panels		Democratic Services, County Hall, Carmarthen
Advisory Panel – Terms of Reference		Corporate Parenting:- http://online.carmarthenshire.gov.uk/agendas/eng/EXEB20141117/REP10_01.HTM School Improvement :- http://online.carmarthenshire.gov.uk/agendas/eng/EXEB20141117/REP10.HTM

Mae'r dudalen hon yn wag yn fwriadol

EXECUTIVE BOARD ADVISORY PANELS – FOR CONSIDERATION

ADVISORY PANEL & DATE ESTABLISHED	EBM PORTFOLIO S	LEAD DEPT / DIRECTOR	LEAD OFFICER	PURPOSE / FUNCTION	Existing &/or Suggested Membership based on New Council Political Balance
CORPORATE PARENTING & SAFEGUARDING PANEL Established 22/07/2008 (Minute 7 refers) Membership amended 17/11/2014 (Minute 10 refers) & 30/11/2015	Education & Children	Education & Children	Head of Childrens Services	The Corporate Parenting Panel provides a level of scrutiny, monitoring, oversight and challenge as to how well the Council is doing in meeting the needs of looked after children and care leavers.	Executive Board Member for Education and Children, (Chair) plus 10 members reflecting the Council's political balance Plaid Cymru Group(5) Labour Group (3) Independent Group (2) (Note: A Corporate Director will also attend the Panel's meetings on a rotating basis.)



ADVISORY PANEL & DATE ESTABLISHED	EBM PORTFOLIO S	LEAD DEPT / DIRECTOR	LEAD OFFICER	PURPOSE / FUNCTION	Existing &/or Suggested Membership based on New Council Political Balance
SCHOOL IMPROVEMENT PANEL Exec Board 17th November 2014 (Minute 10 refers)	Education & Children's Services	Director of Education & Children	Director of Education & Children	The School Improvement Panel was established to enable the County Council to effectively discharge constitutional and statutory responsibilities for monitoring school performance, constantly striving to improve educational outcomes for our pupils	Executive Board Member for Education and Children, (Chair) plus 10 members reflecting the Council's political balance Plaid Cymru Group(5) Labour Group (3) Independent Group (2)



ADVISORY PANEL & DATE ESTABLISHED	EBM PORTFOLIO S	LEAD DEPT / DIRECTOR	LEAD OFFICER	PURPOSE / FUNCTION	Existing &/or Suggested Membership based on New Council Political Balance
EDUCATION ADMISSIONS FORUM Executive Board 17 th September 2012 (Minute 3 refers)	Education & Children	Director of Education & Children	Director of Education & Children	The Council is required under The Education Act 2002 to establish an Admission Forum which has the power to advise the Local Authority on matters connected with the determination of admission arrangements.	5 Cross Party Local Education Authority Members and 5 Permanent Substitutes * 4 year term Plaid Cymru (2) Labour (2) Independent (1) plus the following to be appointed by Executive Board Member for Education;- 1x Local Education Authority maintained Roman Catholic Schools representative; 1 x Diocesan Board Church in Wales representatives; 2 x Parent Governor representatives; 2 x Local Community representatives; 2 x Voluntary Aided Schools Governors; 3 x Head Teachers of Schools.



ADVISORY PANEL & DATE ESTABLISHED	EBM PORTFOLIO S	LEAD DEPT / DIRECTOR	LEAD OFFICER	PURPOSE / FUNCTION	Suggested Membership based on New Council Political Balance
HOUSING SERVICES ADVISORY PANEL Executive Board - 31 st October 2005 Minute 6 refers	Housing	Director of Communities	Head of Housing	To consider, evaluate and advise on all housing services management and maintenance matters that affect tenants and residents in the county.	Executive Board Member for Housing Plus Six members of the county council, chosen to reflect the 6 community network areas 1 Elected Member from each of the following areas: <i>PB:- 3:Plaid Cymru;; 2 Labour and 1 Independent</i> Aman Gwendraeth Llanelli Taf Myrddin Tywi Teifi 5 Officers 6 tenants representatives (one from each of the above areas).



ADVISORY PANEL & DATE ESTABLISHED	EBM PORTFOLIO S	LEAD DEPT / DIRECTOR	LEAD OFFICER	PURPOSE / FUNCTION	Existing &/or Suggested Membership based on New Council Political Balance
DEVELOPMENT OF THE LOCAL DEVELOPMENT PLAN Executive Board 14th May 2007 Minute 5.3 refers	Deputy Leader	Environment	Head of Planning	To take political ownership of the LDP and ensure that the LDP process is managed in accordance with the Development Agreement.	Executive Board Member (with responsibility for Strategic Planning plus 8 members Plaid Cymru Group (4) Labour Group (2) Independent Group (2) <p>The panel's composition should reflect some experience of the planning process, the political balance of the Council and the rural/urban diversity of the county. (Members appointed will all receive training in planning matters)</p>



ADVISORY PANEL & DATE ESTABLISHED	EBM PORTFOLIO S	LEAD DEPT / DIRECTOR	LEAD OFFICER	PURPOSE / FUNCTION	Existing/Suggested Membership
COMPACT LIAISON PANEL Executive Board 9th July 2007 (Minute 4 refers)	Communities and Rural Affairs	Chief Executive	Assistant Chief Executive (Regenerati on & Policy)	<p>The liaison arrangements reflect the recommendations emerging from Beyond Boundaries report advocating stronger working between NHS bodies, Local Authorities and Voluntary and Private sectors, building on work of existing partnerships and the increasing role of the 'third sector' as direct provider of services.</p> <p>To provide mechanisms for developing joint working and to promote mutual understanding of both sectors concerns and issues.</p> <p>To identify unmet needs and to work in partnership to find ways of meeting those needs, enabling a strategic approach to be undertaken in the planning and provision of services.</p>	<p>Three Carmarthenshire County Council members and one Officer.</p> <p>EBM with responsibility for the Third Sector</p> <p>Leader of the Labour Group</p> <p>Leader of the Independent Group</p> <p>plus Three LHB representatives (Two Board members and one Officer)</p> <p>Three Voluntary Sector representatives</p> <p>One CAVS officer (Exec Board 09/07/07)</p>



ADVISORY PANEL & DATE ESTABLISHED	EBM PORTFOLIO S	LEAD DEPT / DIRECTOR	LEAD OFFICER	PURPOSE / FUNCTION	Existing/Suggested Membership
WELSH LANGUAGE MEMBERS ADVISORY PANEL As amended by EBM HR on 30/04/2015	EBMs for & Culture, Sports & Tourism	Chief Executive	Assistant Chief Executive Regeneratio n & Policy	To advise the Executive Board Member with responsibility for the Welsh Language on the development and promotion of the language in the County.	Executive Board Member with responsibility for Welsh Language (Chair) plus 3 members from each political group. Plaid Cymru Group (3): Independent Group (3): Labour Group (3):



Tackling Poverty ADVISORY PANEL	EBM PORTFOLIO S	LEAD DEPT / DIRECTO R	LEAD OFFICER	PURPOSE / FUNCTION	Existing &/or Suggested Membership
TACKLING POVERTY ADVISORY PANEL - Established by EBM Communities 12/05/2016	Communities & Rural Affairs	Chief Exec	Assistant CE Regeneration and Policy	P&R Scrutiny Committee Tackling Poverty Focus Group felt that the establishment of a Tackling Poverty Advisory Panel would provide important support to the Executive Board Member with responsibility for tackling poverty. The Panel would oversee and monitor the Council's Tackling Poverty Action Plan, overarching policy and wider tackling poverty agenda.	Executive Board Member for Tackling Poverty plus 6 cross party members . 2 Plaid Cymru 2 Labour 2 Independent



AILGYLCHWCH OS GWELWCH YN DDA - PLEASE RECYCLE

ADVISORY PANEL	EBM PORTFOLIO S	LEAD DEPT / DIRECTOR	LEAD OFFICER	PURPOSE / FUNCTION	Existing Membership
MEMBERS' HOME TO SCHOOL TRANSPORT APPEALS PANEL Established by Executive Board 23 rd August 2016	Executive Board Member for Technical Services	Chief Executive & Technical Services	Linda Rees Jones/ Stephen Pilliner	To consider appeals against refusal of free school transport by the Stage 1 Officers Review Panel	Executive Board Member for Environment (previously known as Technical Services) Executive Board Member for Education & Childrens Services local member (or both members in a 2 member ward) (ie. "local" member for the appellant learner/s ward).



ADVISORY PANEL & DATE ESTABLISHED	EBM PORTFOLIO S	LEAD DEPT / DIRECTOR	LEAD OFFICER		
RURAL WORKING GROUP FOR CONSIDERATIO N	Communities and Rural Affairs	Chief Executive	Assistant Chief Executive Regeneration & Policy	FOR CONSIDERATION NOTICE OF MOTION FROM COUNCIL The rural areas within Carmarthenshire need special and direct attention and that this Council establishes a RURAL WORKING GROUP consisting of members from the three Groups on the Council. The Working Group (following the pattern set by the Language Working Group) would collect information, research and invite and receive evidence in relation to rural areas in Carmarthenshire, before presenting, in due course, strategies, policies and an action plan before full Council."	SUGGESTED MEMBERSHIP, IF ESTABLISHED Executive Board Member with responsibility for Rural Affairs plus 3 members from each political group.



Y BWRDD GWEITHREDOL

26AIN Mehefin 2017

CYNRYCHIO LAETH AR GYRFF ALLANOL

Yr Argymhellion / Penderfyniadau Allweddol Sydd Eu Hangen:

Ystyried y gynrychiolaeth gyfredol ar gyrff allanol yn dilyn Etholiadau Llywodraeth Leol 2017 ac a ddylid cyflwyno gofyniad 'adrodd yn ôl'.

Y Rhesymau:

Cytuno ar y canlynol:

- rhestr gynhwysfawr o'r gyrff allanol hynny (gan gynnwys partneriaethau) lle mae Cyngor Sir Caerfyrddin yn penodi cynrychiolydd.
- protocol ar gyfer adolygu gyrff allanol, a phenodi iddynt, gan gynnwys y trefniadau adrodd yn ôl

Ymgynghorwyd â'r pwyllgor craffu perthnasol Amherthnasol

Angen i'r Bwrdd Gweithredol wneud penderfyniad OES

Angen i'r Cyngor wneud penderfyniad OES

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-Cyng. Emlyn Dole
Yr Arweinydd

Y Gyfarwyddiaeth:

Enw Pennaeth y Gwasanaeth:

Linda Rees Jones

Awdur yr Adroddiad:

Gaynor Morgan

Swyddi:Pennaeth

Gweinyddiaeth a'r Gyfraith

**Rheolwr Gwasanaethau
Democrataidd**

Rhifau ffôn:

01267 224110

Cyfeiriadau E-bost:

LRJones@sirgar.gov.uk

EXECUTIVE BOARD

26TH JUNE 2017

OUTSIDE BODY REPRESENTATION

In view of the Local Government Elections it is pertinent to review the list of notified Outside Bodies and determine whether the Council should make/continue to make an appointment to those bodies. An initial review of the list of outside bodies had been undertaken to ascertain the current status of the existing organisations and to put forward an up-to-date list for appointment.

Appointments to serve on outside bodies are currently made by :-

- The Council where political balance rules apply, namely Dyfed Powys Police & Crime Panel, Brecon Beacons National Park Authority and Mid and West Wales Fire and Rescue Authority (nominations are submitted by the Political Group Leaders for Council's consideration)
- the Executive Board where the work of the body relates to the functions of the Executive Board
- by Members' Appointments Committee for all remaining outside bodies.

Appointments to the existing list of outside bodies have historically been made following the election of a new council, with changes made as and when terms of office expire or members resign. Nominations have normally been provided on the basis of matching the appointments with the roles of Executive Board Members, Scrutiny Chairs and Vice Chairs or members that may have some specific expertise in respect of the work of the body involved. In respect of local organisations the local member is usually appointed.

It is suggested that determination should be based on one or more of the following criteria being met:

- the proposed appointment is a statutory requirement i.e. National Park, Fire Authority etc
- the proposed appointment would be consistent with the Council's policy or strategic objectives; and/or
- the proposed appointment would add value to the Council's activities.

As part of the review the Council may also wish to agree a method for representatives to report back on the work of each outside body.

In order to avoid any delay in the appointment of members to sit on the Outside Bodies, nominations have been sought from the Leaders of the political groups and these will be circulated for approval at the meeting.

DETAILED REPORT ATTACHED?

Appendix A - Current representation on outside bodies - Appointments made by the Executive Board
Appendix B – WLGA Appointments to Outside Bodies: The Councillor's Role
Appendix C WLGA Members' Tool Kit

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Linda Rees Jones**

Head of Administration and Law

Policy, Crime & Disorder and Equalities YES	Legal YES	Finance YES	ICT NONE	Risk Management Issues YES	Staffing Implications NONE	Physical Assets NONE
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Policy

Outside bodies are external organisations and partnerships which have requested that the County Council appoint an Elected Member to them. Participation in outside bodies:

- Contributes to the County Council's strategic functions, priorities or community leadership roles.
- Supports partnership and joint working.
- Enables Members to gain and share knowledge and expertise.

Legal

Appointments are made in accordance with the Council Constitution and requirements of Section 15 of the Local Government and Housing Act 1989.

Finance

The Councillors' and Co-opted Members' Salaries and Allowances Scheme lists attendance by a Councillor at meetings of outside bodies to which the Councillor has been formally appointed or nominated by the Council as an approved duty.

Outside bodies may pay for Members' attendance at their meetings, in this case, the nominated Council representative may not claim from the Council.

Risk Management Issues

It is a matter for each outside body to ensure that suitable indemnity arrangements are in place for their representatives on all outside bodies. All outside bodies are asked to confirm that appropriate indemnity arrangements are in place.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees Jones

Head of Administration and Law

1. Scrutiny Committee Not applicable

2. Local Member(s) Not applicable

3. Community / Town Council Not Applicable

4. Relevant Partners Not applicable

5. Staff Side Representatives and other Organisations Not Applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Member Appointments Committee		http://democracy.carmarthenshire.gov.wales/ieListMeetings.aspx?Committeeld=167

EXECUTIVE BOARD APPOINTMENTS

FILE REF.	OUTSIDE BODY TO BE APPOINTED BY THE EXECUTIVE BOARD	PREVIOUSLY APPOINTED REPRESENTATIVES/SUGGESTED APPOINTMENT	RELATED DEPT. and Designated Responsible Officer (to provide direct member support)	REPORTING MECHANISM (only on an exception basis) e.g. Head of Service, Exec Board Member, Executive Board	Appointing Body & Date
Chief Executive					
AD032-198	Antur Teifi	Local Member - currently Llanybydder Ward	Wendy Walters Assistant Chief Executive (Regeneration & Policy)	Chief Executive/Deputy Leader	
AD032-177	APSE Association of Professional Service Excellence	Chair Environmental & PP Scrutiny Substitute: Vice Chair Environmental & PP Scrutiny	Paul R Thomas Assistant Chief Executive (PM&P)	Chief Executive/Deputy Leader	
AD032-197-8	Carmarthenshire Public Service Board Prosperous and Resilient Communities Thematic Group (Replaced Carmarthenshire Community Planning Partnership Environment)	Leader (formerly EBM for Regeneration & Leisure)	Wendy Walters Assistant Chief Executive (Regeneration & Policy)	Chief Executive	
AD032-206	Institute of Welsh Affairs - West Wales Branch	Leader (formerly EBM Regeneration & Leisure) Assistant Chief Executive (Regeneration & Policy)	Wendy Walters Assistant Chief Executive (Regeneration & Policy)	Chief Executive	
AD032-005	Joint Council for Wales (formerly All Wales Provincial Council)	Deputy Leader + EBM Resources	Paul R Thomas Assistant Chief Executive (People Management and Performance)	Chief Executive	
Est EB 15th June 2015	Local Pensions Board	Formerly Cllr Anthony Jones NOMINATION TO THE AUTHORITY'S S151 OFFICER WHO HAS AUTHORITY TO APPOINT	S151 Officer has authority to appoint. Director of Corporate Services	Corporate Services	
AD032-197-1	Public Service Board (previously Local Service Board)	Leader Chief Executive	Wendy Walters Assistant Chief Executive (Regeneration & Policy)/ Gwyneth Ayres	Chief Executive	
AD032-146	Welsh Local Government Association Executive Board (previously known as Co-ordinating Committee)	Leader	Mark James Chief Executive	EXECUTIVE BOARD	
AD032-146	Welsh Local Government Association Council - 4 Seats	Leader Deputy Leader EBM Resources EBM Housing	Mark James Chief Executive	EXECUTIVE BOARD	
AD032-225	Welsh Language County Strategic Forum	EBM with responsibility for the Welsh Language + One other Member by nomination	Wendy Walters Assistant Chief Executive (Regeneration & Policy)/Gwyneth Ayres	Chief Executive/EBM for Welsh Language	

FILE REF.	OUTSIDE BODY TO BE APPOINTED BY THE EXECUTIVE BOARD	PREVIOUSLY APPOINTED REPRESENTATIVES/SUGGESTED APPOINTMENT	RELATED DEPT. and Designated Responsible Officer (to provide direct member support)	REPORTING MECHANISM (only on an exception basis) e.g. Head of Service, Exec Board Member, Executive Board	Appointing Body & Date
Est EB 26th June 2017	City Deal Joint Committee	Leader	Mark James Chief Executive	Chief Executive	
Est EB 26th June 2017	Ministerial Programme Board for Wales	Leader	Mark James Chief Executive	Chief Executive	
AD032-222	The Industrial Communities Alliance	Chair of Planning Committee	Wendy Walters Assistant Chief Executive (Regeneration & Policy)	Chief Executive/Deputy Leader	
AD032 - 222-1	The Industrial Communities Alliance - Wales Region	Chair of Planning Committee & One other by nomination	Wendy Walters Assistant Chief Executive (Regeneration & Policy)	Chief Executive/Deputy Leader	
	Mynydd y Betws Wind Farm Community Benefit Fund	County Councillors representing Ammanford Electoral Ward (1); Betws Electoral Ward (1);Garnant Electoral Ward(1) Glanamman Electoral Ward (1) Llandybie Electoral Ward (2); Pontamman Electoral Ward (1);Penygroes Electoral Ward (1); Saron Electoral Ward (2) Tycroes Electoral Ward (1);Quarter Bach Electoral Ward (1) plus Electricity Supply Board representative (1);Carmarthenshire Association of Voluntary services (CAVS) representative (1) and Amman Group of Town and Community Council representative (1).	Chief Executives - Assistant Chief Executive Regeneration & Policy/Community Regeneration Manager	Assistant Chief Executive Regeneration & Policy	Executive Board 17th June 2013
	Coleg Sir Gar - Governing Body	Assistant Chief Executive - (Regeneration & Policy)	Wendy Walters - Assistant Chief Executive Regeneration & Policy	Chief Executive	
Communities					
AD032-146-01	Welsh Local Government Association - Members' Housing Network Meetings	EBM Housing	Robin Staines, Head of Housing	Director of Communities /EBM Housing	
AD032-020	Care and Repair Carmarthenshire - Board of Management	EBM Housing (Housing) Chair Community Scrutiny Committee	Colin Allen Senior Principal Officer Physical Disability & Sensory Impairment	Head of Adult Services/EBM SC&H	
Corporate Services					

FILE REF.	OUTSIDE BODY TO BE APPOINTED BY THE EXECUTIVE BOARD	PREVIOUSLY APPOINTED REPRESENTATIVES/SUGGESTED APPOINTMENT	RELATED DEPT. and Designated Responsible Officer (to provide direct member support)	REPORTING MECHANISM (only on an exception basis) e.g. Head of Service, Exec Board Member, Executive Board	Appointing Body & Date
Est EB 26th June 2017	Llanelli House	By NOMINATION - new organisation	Chris Moore Director of Corporate Services	Director of Corporate Services/EBM Resources	
AD032-089	National Botanic Gardens Wales - Board of Trustees	EBM Resources	Chris Moore Director of Corporate Services	Director of Corporate Services	
Education and Children Services					
	Regional Learning and Skills Partnership	Director of Education & CS	Education & Childrens' Services	Chief Executive	
	ERW Joint Committee	Leader or his nominee (supported by Lead CE for School Improvement	Education & Childrens' Services	Chief Executive	
Environment					
AD032-038	Consortium for Local Authorities in Wales (CLAW). 2+2 Permanent substitutes	EBM Housing & 1 other by nomination SUBS: Ch & VCh P&R Scrutiny	Jonathan Fearn Head of Property	Director of Environment/EBM Resources/EBM Environment	
AD032-207	South West Wales Local Transport Forum	EBM Environment (as voting member) Substitute: Chair Environmental & PP Scrutiny Committee	Stephen Pilliner Head of Transport & Highways	Director of Environment	
AD032 - 233	Carmarthen Bay Coastal Engineering Group	EBM Environment (previously known as Technical Services)	Ainsley Williams Head of Waste and Environmental Services	Director of Environment	
AD032-211	South West Wales Regional Waste JOINT Management Committee	EBM Environment (Voting Member) Substitute: Chair Environmental & PP Scrutiny Committee	Ainsley Williams - Head of Waste and Environmental Services	Director of Environment	
AD032-194	Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee	Chair Environmental & PP Scrutiny Committee Substitute: Vice Chair Environmental & PP Scrutiny	Stephen Pilliner Head of Transport & Highways	Director of Environment/EBM Environment	
AD032-203	South Wales Regional Aggregates Working Party	By nomination - representative of the Planning Committee	Hugh Towns Senior Development Management Officer (Minerals and Waste)	Head of Planning/EBM resp for Strategic Planning	

Mae'r dudalen hon yn wag yn fwiadol

Leaflet for Members

Appointments to Outside Bodies: The Councillor's Role

As a Councillor you may be nominated by your Council to sit on various types of outside bodies such as community organisations, housing associations and local companies.



An appointment to an outside body doesn't necessarily mean that you will be representing the council's interest there. This can lead to conflicts of interests between your role as a Councillor and your representative role on the outside body.

This leaflet and the more detailed Members' Toolkit document which accompanies it, is designed to try and help you understand your role and resolve any conflicts.

Getting started

Your Council may have adopted a policy on involvement in partnerships and outside bodies explaining the benefits that flow from the involvement. There will always be a formal resolution (whether of a committee, by a member or officer) of the appointment. You should discuss the reason for your appointment with the organisation and with the relevant officer in the Council.

Your Council may also have adopted a policy on how and when reports are to be presented on what the organisation is doing. You should ensure that you know what is expected of you in terms of reporting back. However, you should also ensure that any reports that you present to the Council do not breach any duty of confidentiality you may have to the outside body.

General Duties of a Representative on an Outside Body

Being a Council representative on an outside body does not necessarily mean that you will be representing the Council's interests on the organisation.

You will be expected to act in the interests of the outside body and exercise independent judgement in making decisions, in accordance with your duty of care to the body. You may have regard to the interests of the Council, but this should not be the overriding consideration. In some cases (e.g. if you are the director of a company or a trustee of a charity – see below) voting in the Council's interests could be a breach of your duty to the body.

Particular Duties and Responsibilities of Directors and Trustees

If you are appointed a director of a company then you must always act in the best interests of the company. The main duties of a director are:

- to act honestly and in good faith and in the best interests of the company as a whole;
- not to make a personal profit and to take proper care of the company's assets;
- to attend board meetings and follow the rules on the declaration of interests;
- to exercise reasonable skill and care (a subjective test based upon the individual's own knowledge and experience) and act with due diligence;
- to comply with statutory obligations imposed by the Companies Acts, other legislation and any procedural rules set out in the constitution.

The duties of a trustee of a charity are generally the same as for a director but in addition you must make sure the trust acts in accordance with its aims and objectives and you should make sure that you have a clear understanding of what these are (there is normally a trust deed which sets these out).

Managing Conflicts of Interest

The purposes of the outside body and what it wants to do will often coincide with your Council's interests and so conflicts may be rare. However, they may arise in some circumstances, for example, if the organisation:

- is not complying with the terms of a Council funding agreement
- wishes to appeal against a decision of the Council
- wishes to pursue activities which would conflict with Council policy.

You will need to manage the conflicts that will arise appropriately (for example by withdrawing from certain decisions or, in circumstances where the conflict may be so great, by resigning from the company or body.)

Similarly, the Council may conclude that the purpose of having a representative on the body has been fulfilled and decide to terminate the appointment. Or in some instances the Council may choose to change its representation on the outside body.

Declarations of Interest and Duties of Confidentiality

You should ensure that details of your appointment onto the outside body are included on the register of interests kept by the Monitoring Officer. The outside body may also have its own register of interest, which you should complete.

When the outside body considers issues related to your Council you should declare a personal interest. The specific rules adopted by each body will vary and you should ask for advice and guidance from the secretary of the organisation and/or the Monitoring Officer, as appropriate.

If the outside body has a code of conduct you should observe it – if it does not you should follow the Members' Code of Conduct.

When the Council considers issues relating to or affecting the outside body you must declare a personal interest in accordance with the Members' Code of Conduct. If this is your only interest, it will not be considered a prejudicial interest unless the matter relates to an approval, consent, licence, permission or registration and therefore you will be allowed to take part in the debate and vote.

Confidential information must be treated with care and if you have any doubt over the status of any information then you should keep it confidential and check with the relevant officer. You must always observe duties of confidentiality – both to the Council and the outside body. Deliberate leaking or disclosing of confidential information will be a breach of the Members' Code of Conduct.

Allowances and expenses

Your Council may have authorised attendance at meetings of outside bodies as an approved duty for members which attracts travelling and/or subsistence allowances. Alternatively, any expenses may be defrayed by the body itself, in accordance with its own rules. If the body does pay expenses, you may not claim from the Council. For further information on allowances contact the relevant officer in the Council.

Indemnity and insurance

In some instances members who represent the Council on outside bodies may carry personal liability for decisions they make and actions which they take in their representative capacity. This is most likely to arise if you have been appointed as director of a company or a trustee of a charity or you hold an office on the management board of an organisation. The outside body may have insurance to cover your liability in these cases (sometimes referred to as directors' liability insurance) and you should check with the secretary of the organisation. Alternatively, your Council may have agreed to provide an indemnity to cover any liabilities incurred by members acting in a representative capacity. The Monitoring Officer will be able to provide further information on this.

If you are unsure about your role or how to carry it out please contact the Monitoring Officer

This document is based on the document *Members' Toolkit Appointments to Outside Bodies: The Councillors' Roles – General Guidance and Potential Pitfalls and Conflicts* produced by Nottinghamshire County Council and published by ACSeS and *Members on Outside Bodies* Briefing WLGA

We are indebted to Dilys Phillips of Gwynedd Council for amendments and additions to reflect the requirements of members in Wales

Mae'r dudalen hon yn wag yn fwriadol

Members' Toolkit

Appointments to Outside Bodies: The Councillors' Roles - General Guidance & Potential Pitfalls and Conflicts



1. Introduction

Alongside their involvement in the council itself, it is possible for members to be involved in a wide range of outside bodies, including community organisations, sports and recreation clubs, housing associations and companies.

Sometimes members will be appointed to sit on these organisations by the council itself, for example to discharge council duties through formal partnerships, or as formal appointments to national or regional 'representative' roles such as on the Welsh Joint Education Committee (WJEC) or one of the National Parks Authorities in Wales. In other cases, the member may be appointed independently of any council involvement. This guidance deals only with those instances in which the councillor has been nominated or appointed onto the outside body by the Council.

Councils can gain a number of benefits from their members being involved in outside bodies:

- To provide knowledge, skills and expertise which may not otherwise be available
- To provide local accountability or democratic legitimacy through the appointment of an elected representative
- To ensure that good relationships can be maintained with the body
- To deliver a partnership project that requires the input of other organisations or community groups
- To protect the Council's investment or assets, ie, if the council has provided grant funding or provides funding for service delivery
- To lever in external funding which would not be available to the Council on its own

There are a number of types of outside bodies in which members may become involved as a representative appointed by the council. Some common examples are:

- National or regional body
- Charitable Trust
- Company limited by shares
- Company limited by guarantee
- Unincorporated association
- Industrial and provident society (mainly housing associations)

The structure of each type of organisation, the management, and the rules which govern the organisation, vary. The following table shows how each type is set up and managed:

Legal Status of the organisation	Governing Document	Management	Possible member involvement	Common types of organisation
A public authority	Constitution usually based on legislation	Authority	Member	National Parks Authority Fire & Rescue Authority
Charitable Trust	Trust Deed	Trustee meetings	Trustee	Playing field trusts
Company limited by guarantee	Memorandum and Articles	a) Board of Directors b) Meetings of members	Director	Charitable organisations, stock transfer housing companies, community associations
Company limited by shares	Memorandum and Articles	a) Board of Directors b) Meetings of shareholders	Director	Commercial organisations (e.g. joint ventures or companies providing contractual services)
Unincorporated association	Constitution	Management Committee Members meeting	Management Committee member	Community associations

Adapted from: 'Guidance regarding serving on outside bodies', Winchester City Council

Regardless of how the appointment is made, the law lays down many requirements with which members must comply. These may include duties to the council, as well as duties to the outside body and its members.

An appointment to an outside body does not, therefore, necessarily mean that you will be representing the Council's interests on that outside body. Indeed there are a number of cases, for example if you are a trustee or a company director, where you must always act in the interests of the outside body and not in the Council's interests.

This can lead to conflicts of interests between your role as a Councillor and your representative role on the outside body.

You will only be considered a representative of your Council on an outside body if you have been formally appointed or nominated by the Council to this role. You should not purport to act as Council representative on an outside body unless a formal appointment has been made.

Set out below are a number of matters that you should take into account if you act on one or more outside body.

2. Appointment and reporting back

Your appointment should be within any policy your Council has adopted for involvement in partnerships and outside bodies. This policy may explain some of the reasons why the Council may wish to appoint a representative e.g. in order to provide skills or democratic legitimacy, or to protect the Council's assets, or for other reasons.

You must ensure that your appointment has been made in accordance with the Council's Constitution. This can be done either by resolution of the Board/Cabinet or another committee or by a member or officer exercising delegated powers.

It is important that anyone who is appointed to an outside body provides information and reports periodically to the Council on what the organisation is doing. Your Council may have adopted a policy on how and when such reports are to be presented. You should ensure that the outside body provides you with sufficient information to enable you to make this report back. BUT - you are not required to disclose anything which is commercially confidential as this may be in breach of:

- the Members' Code of Conduct;
- your duties of confidentiality to the outside body (whether as director, trustee or more generally); or
- may be a breach of confidence in the general sense.

3. General Advice and Guidance to Members Appointed to Outside Bodies

- Ensure that you know the legal status of the organisation – refer to the table above and read the governing document to understand your responsibilities;
- Ensure that if you are appointed a director of a Company the relevant form (form 288) is filed at Companies' House upon your appointment and resignation;
- Make any general declarations of interest at the first meeting (see section 7 below);
- Ask if there is any personal liability insurance or indemnity in place – sometimes referred to as directors' liability insurance (see section 8 below);
- Clarify whether the organisation will pay allowances or expenses (see section 8 below);
- Ensure the board or management committee has regular financial and other reports which detail the current financial situation of the organisation and any liabilities - take an interest in the business plan;

- Discuss with relevant officers any new activities that the outside body undertakes (you may need to provide them with copy papers) and ensure that risks are properly identified in reports (consistent with local authority decision making - ensure that all relevant information is presented);
- Observe duties of confidentiality (in both directions) (see section 7 below);
- Carefully consider any conflicts of interest, declare interests, and if appropriate, leave the room for consideration of the business (see section 6 below);
- Take advice from the Monitoring Officer, the Finance Department and your lead officer contact as appropriate - not just when the organisation is likely to become insolvent, but generally. Occasionally, that advice may be to seek external advice on your position, especially if there is a conflict between the organisation and the Council;
- Manage conflict - usually issues can be balanced, but ensure that when in meetings of the body you act in the body's best interests which may not necessarily be those of the Council - if all else fails, resign. Do not just remain a director and fail to attend meetings or you may find that you are in breach of your duty to act in the best interests of that organisation (see section 6 below).
- Finally, question the need for future Council involvement! Has the organisation come of age, or has it changed direction from when the Council first became involved - what useful purpose would ongoing representation serve?

4. Particular Duties and Responsibilities of Directors and Trustees

If you are appointed a director of a company then you must act in the best interests of the company. The main duties of a director are:

- to act honestly and in good faith and in the best interests of the company as a whole;
- a duty not to make a personal profit and to take proper care of the company's assets;
- to attend board meetings and follow the rules on the declaration of interests;
- to exercise reasonable skill and care (this is a subjective test based upon the individual's own knowledge and experience and involves due diligence in the performance of his/her duties as a director); and
- to comply with statutory obligations imposed by the Companies Acts, other legislation and any procedural rules set out in the governing document.

If you are appointed as a trustee of a charity then the duties of trustees are generally the same as for a director but in addition you must make sure the trust acts in accordance with the aims and objectives of the trust and you should make sure that you have a clear understanding of what these are (there is normally a trust deed which sets these out).

5. General Duties of a Representative on an Outside Body

In carrying out your duties as a Trustee or Director of an outside body you must take decisions without being influenced by the fact that you are a councillor. Your primary duty in acting as a representative making management decisions for the outside body is to make these decisions in the interests of the organisation. Members should always ensure that their fellow directors/trustees are aware of the fact that they are councillors.

In these cases, you must act in the interests of that body and exercise independent judgement in making decisions, in accordance with your duty of care to the body. You are not there just to vote in accordance with the Council's wishes. You may have regard to the interests of the Council, but this should not be the overriding consideration. In some cases voting in the Council's interests could be a breach of a director's duty to a company.

In other cases the Council may have expressed a view or formulated a policy and would expect you to convey that view or policy to the outside body. It is acceptable for you to do this as your Council's representative provided that it does not conflict with your particular duties as director or trustee or where it is clearly not contrary to the interests of the organisation.

The overriding responsibility is to seek to avoid a situation where duty and interest conflict and therefore if you are unsure about declaring an interest, it would be wise to declare and leave the meeting during consideration of the business.

6. Managing Conflicts of Interest

In general terms the purposes of the outside body and what it wants to do often coincide with your Council's interest and so conflicts may be rare. However, there may be difficulty in some circumstances, for example if the body is not complying with the terms and conditions of a funding agreement between the Council and the body; or the organisation wishes to appeal against a planning decision made by the Council; or where the organisation has wider objects than the reason behind the Council's appointment and wishes to pursue activities which would conflict with Council policy.

You will need to manage the conflicts that will arise appropriately and in certain circumstances may feel that your only option is to resign from the company or body. Similarly, if the Council does not feel that a representative on an outside body is properly fulfilling their role and responsibilities, e.g. the person is not attending meetings or is voting in ways which may be inappropriate, then the Council could choose to change its representation on the outside body. Clearly there is a greater scope for conflicts to arise where you hold an office in the outside body, e.g. Chair, Vice-Chair, Secretary or Treasurer, than if you are a general member.

7. Declarations of Interest and Duties of Confidentiality - the Members' Code of Conduct

When outside bodies consider issues related to your Council or where you may have a personal interest in relation to the body's activities, these need to be declared in line with the rules of the outside body and the Members Code of Conduct. The specific rules adopted by each body will vary and therefore you should ask for advice and guidance from the secretary of the organisation and/or the Monitoring Officer, as appropriate.

When the Council considers issues relating to or affecting the outside body to which you have been appointed as Council representative you must declare your personal interest in the matter in accordance with the Members' Code of Conduct. If this is your only interest then it will not be considered a prejudicial interest unless the matter relates to an approval, consent, licence, permission or registration. You will also need to ensure details of your appointment are included on the Register of interests kept by the Monitoring Officer.

Confidential information must be treated with care and if you have any doubt over the status of any information then you should keep that confidential and check with the relevant officer, whether or not it is something which is already in the public domain or which may be disclosed.

The legal position is that someone who has received information in confidence is not allowed to take improper advantage of it. Deliberate leaking of confidential information will also be a breach of the Members Code of Conduct.

Where you act as a representative of the Council on an outside body, you must comply with the Code of Conduct of that body, if it has one. If it does not, you must comply with the Members' Code of Conduct unless observance of the Code would conflict with any other obligations (i.e. the duty to act in the best interests of the outside body).

Under the Code you must not:

- disclose information given to you in confidence by anyone, or information acquired which you believe is of a confidential nature, without the consent of a person authorised to give it, or unless you are required by law to do so;
- prevent another person from gaining access to information to which that person is entitled by law.

Disclosing confidential information may also contravene other parts of the Code e.g. it may be regarded as bringing the office of Councillor or the Council into disrepute; may compromise the impartiality of people who work for the Council; may improperly confer or secure an advantage or disadvantage for you or any other person.

8. Allowances, insurances and indemnities

Your Council may have authorised attendance at meetings of outside bodies as an approved duty for Members, allowing travelling and/or subsistence allowances in connection with meetings of the body. Alternatively, any expenses may be defrayed by the body itself, in accordance with its own rules. If the body does pay expenses, you may not claim from the Council. For further information on allowances contact the relevant officer in the Council

In some instances members who represent the Council on outside bodies may carry personal liability for decisions they make and actions which they take in their representative capacity. This is most likely to arise if you have been appointed as director of a company, or a trustee of a charity or onto the management board of an organisation. The outside body may have

insurance to cover your liability in these cases and you should check with the organisation. Alternatively, your Council may have agreed to provide an indemnity to cover any liabilities incurred by members acting in a representative capacity. The Monitoring Officer will be able to provide further information on this.

This document is based on the document *Members' Toolkit Appointments to Outside Bodies: The Councillors' Roles – General Guidance and Potential Pitfalls and Conflicts* produced by Nottinghamshire County Council and published by ACSes and *Members on Outside Bodies* Briefing WLGA

We are indebted to Dilys Phillips of Gwynedd Council for amendments and additions to reflect the requirements of members in Wales

Mae'r dudalen hon yn wag yn fwriadol