

# Pecyn Dogfennau



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

**DYDD MERCHER, 3 CHWEFROR 2016**

**AT: HOLL AELODAU'R CYNGOR SIR**

**YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R CYNGOR SIR A GYNHELIR YN SIAMBR, NEUADD Y SIR, CAERFYRDDIN AM 10.00 AM, DYDD MERCHER, 10FED CHWEFROR, 2016 ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM**

**PRIF WEITHREDWR**



**AILGYLCHWCH OS GWELWCH YN DDA**

<b>Swyddog Democrataidd:</b>	<b>Martin S. Davies</b>
<b>Ffôn (llinell uniongyrchol):</b>	<b>01267 224059</b>
<b>Ffacs:</b>	<b>(01267) 224911</b>
<b>E-bost:</b>	<b>MSDavies@sirgar.gov.uk</b>
<b>Cyf:</b>	<b>AD016-001</b>

# AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB
2. DATGANIADAU O FUDDIANNAU PERSONOL.
3. CYHOEDDIADAU'R CADEIRYDD.
4. LLOFNODI YN GOFNOD CYWIR COFNODION CYFARFOD Y CYNGOR A GYNHALIWYD AR Y 13EG IONAWR 2015. 5 - 20
5. YSTYRIED Y RHUDDION O GYNNIG CANLYNOL:-
  - 5.1 RHYBUDD O GYNNIG A GYFLWYNWYD GAN Y CYNGHORYDD G.B. THOMAS

'Mae nifer cynyddol o ffermydd gwartheg yn Sir Gaerfyrddin o dan gyfyngiadau bTB oherwydd cynnydd mewn twbercwlosis buchol. Yng ngoleuni methiant llwyr y rhaglen frechu annigonol ac anwyddonol bresennol, mae'r Cyngor hwn yn galw ar Lywodraeth Cymru i gefnogi a gweithredu rhaglen difa moch daear ym mhob ardal lle mae cynnydd sylweddol mewn TB buchol.'
6. CWESTIYNAU GAN AELODAU (NID OEDD DIM WEDI DOD I LAW).
7. CWESTIYNAU GAN Y CYHOEDD (NID OEDD DIM WEDI DOD I LAW).
8. CYFLWYNIAD GAN DWR CYMRU - GLAWLIF.
9. YSTYRIED ARGYMHELLION Y BWRDD GWEITHREDOL O RAN Y MATERION CANLYNOL:-
  - 9.1 ADOLYGIAD O DDATGANIAD Y POLISI TRWYDDEDU (DEDDF TRWYDDEDU 2013). 21 - 124
  - 9.2 ADOLYGIAD O'R POLISI HAPCHWARAE. 125 - 180
  - 9.3 ADOLYGU FFIOEDD A BENNIR YN LLEOL YN ADAIN IECHYD YR AMGYLCHEDD A THRWYDDEDU. 181 - 192
  - 9.4 CYNLLUN CYDRADDOLDEB STRATEGOL CYNGOR SIR CAERFYRDDIN (DRAFFT) 2016-2020. 193 - 258
  - 9.5 Y RHAGLEN MODERNEIDDIO ADDYSG Y BWRIAD I GAU YSGOL FABANOD A MEITHRIN COPPERWORKS AC YSGOL GYNRADD MAESLLYN A SEFYDLU YSGOL GYNRADD NEWYDD. 259 - 268
  - 9.6 SWYDDFA ARCHWILIO CYMRU - ADRODDIAD YR ASESIAID CORFFORAETHOL 2015. 269 - 308

10. DERBYN ADRODDIAD CYFARFOD Y BWRDD GWEITHREDOL A GYNHALIWYD AR Y 4YDD IONAWR, 2016. 309 - 318

11. COFNODION I'W NODI:-

11.1 PWYLLGOR CRAFFU ADDYSG A PHLANT A GYNHALIWYD AR Y 17EG RHAGFYR, 2015;

11.2 PWYLLGOR ARCHWILIO A GYNHALIWYD AR Y 18FED RHAGFYR;

11.3 PWYLLGOR TRWYDDEDU A GYNHALIWYD AR YR 15FED IONAWR, 2015.

11.4 PWYLLGOR CRAFFU POLIS AC ADNODDAU A GYNHALIWYD AR Y 6ED IONAWR 2016;

11.5 PWYLLGOR CYNLLUNIO A GYNHALIWYD AR Y 7FED IONAWR, 2016;

11.6 PWYLLGOR CRAFFU DIOGELU'R CYHOEDD A'R AMGYLCHEDD A GYNHALIWYD AR YR 11EG IONAWR 2016;

11.7 PWYLLGOR CRAFFU CYMUNEDAU A GYNHALIWYD AR Y 15FED IONAWR, 2016;

11.8 PWYLLGOR CYNLLUNIO A GYNHALIWYD AR Y 19EG IONAWR, 2016;

11.9 PWYLLGOR CRAFFU GOFAL CYMDEITHASOL AC IECHYD A GYNHALIWYD AR Y 20FED IONAWR, 2016;

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**COFNODION ER GWYBODAETH YN YNIG:-**

Mae'r dudalen hon yn wag yn fwriadol

**WEDNESDAY, 13<sup>TH</sup> JANUARY, 2016**

**PRESENT:** Councillor P. Hughes-Griffiths [Chair]

**Councillors:**

S.M. Allen	D.J.R. Bartlett	S.M. Caiach	C.A. Campbell
J.M. Charles	A.P. Cooper	D.M. Cundy	A. Davies
G. Davies	J.A. Davies	S.L. Davies	T. Davies
W.R.A. Davies	T.T. Defis	T. Devichand	E. Dole
J.S. Edmunds	P.M. Edwards	D.C. Evans	H.A.L. Evans
L.D. Evans	W.J.W. Evans	W.T. Evans	M. Gravell
A.D. Harries	C.P. Higgins	W.G. Hopkins	J.K. Howell
P.M. Hughes	I.J. Jackson	A. James	J.D. James
D.M. Jenkins	J.P. Jenkins	A.W. Jones	G.O. Jones
H.I. Jones	T.J. Jones	W.J. Lemon	A. Lenny
M.J.A. Lewis	D.J.R. Llewellyn	K. Madge	A.G. Morgan
E. Morgan	J. Owen	P.A. Palmer	D. Price
D.W.H. Richards	B.A.L. Roberts	H.B. Shepardson	A.D.T. Speake
L.M. Stephens	T. Theophilus	E.G. Thomas	G. Thomas
G.B. Thomas	J. Thomas	K.P. Thomas	M.K. Thomas
R. Thomas	S.E. Thomas	W.G. Thomas	J. Tremlett
D.E. Williams	J. Williams	J.E. Williams	J.S. Williams

**Also Present:**

Mr M. James	-	Chief Executive
Mr C. Moore	-	Director of Corporate Services
Mr J. Morgan	-	Director of Communities
Ms R. Mullen	-	Director of Environment
Mr R. Sully	-	Director of Education & Children
Mr P. Thomas	-	Assistant Chief Executive
Ms W. Walters	-	Assistant Chief Executive
Ms L. Rees Jones	-	Head of Administration & Law
Mr I. Llewellyn	-	Forward Planning Manager
Ms D. Williams	-	Press Manager
Mrs M. Evans Thomas	-	Democratic Services Officer

**Chamber, County Hall, Carmarthen : 10.00 a.m. - 1.10 p.m.**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors T. Bowen, D.B. Davies, P.E.M. Jones and S. Matthews.

**2. DECLARATIONS OF PERSONAL INTERESTS**

<b>Councillor</b>	<b>Minute Number</b>	<b>Nature of Interest</b>
S.M. Allen	7 – Public Questions	Member of Whitland Town Council
A.P. Cooper	10 – Community Infrastructure Levy	Member of Llandybie Community Council
D.M. Cundy	7 – Public Questions	Member of Llanelli Rural Council who are involved in asset transfer
A. Davies	10 – Community Infrastructure Levy	Member of Llandybie Community Council
G. Davies	7.1 – 7.5 – Public Questions	Member of Cwarter Bach Community Council who are discussing asset transfers
S.L. Davies	7.1 to 7.5 – Public Questions	Secretary of Dafen Welfare Committee
T. Davies	7 – Public Questions	Chair of Gorslas Community Council
W.R.A. Davies	7 – Public Questions	Member of Llandybie Community Council
T. Devichand	7.1 to 7.5 – Public Questions	Chair of Dafen Welfare Committee
E. Dole	5 – Presentation of Petition	Member of Llannon Community Council who are involved with asset transfers
E. Dole	7.1 to 7.5 – Public Questions	Member of Llannon Community Council who are involved with asset transfers
J.S. Edmunds	7 – Public Questions	Member of Llanelli Town Council
D.C. Evans	7 – Public Questions	Member of Ammanford Town Council who are in negotiations regarding asset transfer
D. Harries	7.1 to 7.5 – Public Questions	President of Ammanford Football Club
C.P. Higgins	10 – Community Infrastructure Levy	Member of Llanedi Community Council
P.M. Hughes	7 – Public Questions	Member of St. Clears Town Council
I.J. Jackson	7 – Public Questions	Member of Llandovery Town Council who are involved with asset transfer
A. James	7 – Public Questions	Member of Llangadog Community Council who are undertaking asset transfers
J.D. James	7.1 to 7.5 – Public Questions	President of Burry Port Bowls Club and Member of Burry Port

		Rugby Club who are involved in asset transfer
D.M. Jenkins	7.1 to 7.4 - Public Questions	Member of Cwmamman Town Council who are involved with asset transfers
A.W. Jones	7 – Public Questions	Member of Llandybie Community Council who are discussing asset transfers
A.W. Jones	10 – Community Infrastructure Levy	Member of Llandybie Community Council
G.O. Jones	7 – Public Questions	Secretary of a Football Club in the county
T.J. Jones	7 – Public Questions	Member of Llanelli Rural Council
W.J. Lemon	7 – Public Questions	Member of Llanelli Town Council who are in discussions regarding asset transfer
K. Madge	7 – Public Questions	Member of Cwmamman Town Council who are discussing asset transfers
K. Madge	11 – CSSIW Annual Report and Evaluation of Performance for 2014/15	His daughter works in social services
A.G. Morgan	7 – Public Questions	Member of Llanelli Rural Council who are actively involved in asset transfers
J. Owen	7 – Public Questions	Member of Llanelli Town Council who are in discussions regarding asset transfer
A.D.T. Speake	9 – Council Tax Reduction Scheme 2016/17	In receipt of a war pension
E.G. Thomas	7 – Public Questions	Member of Llandeilo Town Council and Chairman of Llandeilo & District Sports Association who are involved in asset transfer
G.B. Thomas	7 – Public Questions	Member of Llanedi Community Council who are in the process of asset transfer
J. Thomas	7.1 to 7.5 – Public Questions	Chair of Carmarthen Football Club
M.K. Thomas	7 – Public Questions	Member of Llannon Community Council who are discussing asset transfers
S.E. Thomas	7 – Public Questions	Member of Llandybie Community Council

W.G. Thomas	7 – Public Questions	Deputy Leader of Llanelli Town Council and is involved in discussions on asset transfers
J. Williams	7 – Public Questions	Member of Llanelli Town Council who are discussing asset transfers
J.S. Williams	7 – Public Questions	Member of Pontyberem Community Council who are in the process of asset transfer

### 3. CHAIR'S ANNOUNCEMENTS

#### Presentation

The Chair welcomed to the meeting the Lord Lieutenant of Dyfed, the Hon. Robin Lewis, and his wife, Mrs Judith Lewis. The Lord Lieutenant would be retiring from his post in February having held the office since 2006. The Chair referred to his numerous achievements throughout a long and distinguished career. The Chair thanked the Lord Lieutenant for his service to Carmarthenshire over the past ten years. He extended his best wishes for a happy and healthy retirement and offered a gift as a token of the Council's appreciation. The Lord Lieutenant thanked the Chair for his kind words and for the gift, which he would treasure.

#### Announcements

- On 13<sup>th</sup> December children from Nantgaredig Primary School, Ysgol Teilo Sant, Llandeilo and Llandeilo Primary School took part in the annual BBC Christmas Concert in St. David's Hall, Cardiff. Also taking part in the concert were schools from Powys and Rhondda Cynon Taf, together with BBC choristers and celebrities;
- Congratulations were extended to Mr Bruce McLernon, former Director of Social Care & Housing, who was awarded an OBE in the New Year's Honours for services to social care and local government;
- Having received an MBE, congratulations were extended to Mrs Rosalie Mary James from Llandeilo for services to agriculture in Wales and Mrs Erika Walker from Ammanford for voluntary services to the community and social enterprises in Ammanford;
- Congratulations were extended to Ms Wendy Angharad Churchouse, Arrhythmia Nurse in Morryston Hospital, who is from Carmarthenshire and has been awarded the British Empire Medal for services to cardiac patients in South West Wales;
- Best wishes were extended to Councillor Daff Davies who was currently in hospital;
- The Chair referred to several members who had been in hospital recently and welcomed them back to the Chamber;



- Congratulations were extended to the Leader on the birth of his grandson over the Christmas period;
- The Chair referred with sadness to the death of Mr Jeff Connell and extended his sympathy to Mr Connell's family;
- The Chair thanked staff and Councillors for kindly sponsoring him to do the Walrus Dip on Boxing Day. The total raised to date for Tenovus Cancer and Llyfrau Llafar was around £800.

#### 4. COUNCIL MINUTES

**RESOLVED that the minutes of the meeting of the Council held on the 9<sup>th</sup> December, 2015 be signed as a correct record.**

#### 5. PRESENTATION OF PETITION - KEEP PARC HOWARD PUBLIC

[NOTE: Councillor E. Dole had earlier declared an interest in this item.]

The Chair invited Councillor Jan Williams to present the 5,303 signature petition in the following terms, together with supporting remarks:-

“We the undersigned call on Carmarthenshire County Council to keep Parc Howard in public ownership.”

**RESOLVED that the petition be received and referred to the Executive Board for consideration.**

#### 6. QUESTIONS BY MEMBERS

##### 6.1. QUESTION BY COUNCILLOR TEGWEN DEVICHAND TO COUNCILLOR LINDA EVANS, EXECUTIVE BOARD MEMBER FOR HOUSING

“I have had a number of complaints from tenants and residents regarding the infestation of rats in their properties. Although continuing baiting has been carried out rats are still invading a number of homes. They are destroying the personal effects of the residents and tenants and also chewing electric wires etc. One lady told me that she was afraid to get out of bed in the night to use the bathroom in case she was attacked by one of these vermin. The rats seem to be coming up into the properties from outside drains. I have been informed that this is happening more since the water board stopped baiting their drains. Can the Executive Board Member contact the water board any other agency on a way forward to overcome this problem.”

##### **Response by Councillor Linda Evans, Executive Board Member for Housing:**

“May I start by thanking Councillor Devichand for raising this important health and welfare issue. I would also like to clarify that this area also forms part of Councillor Jim Jones' portfolio in his role as Executive Board Member for Public Protection. We have discussed the question and issues raised and agreed that I would present this joint response as the question was addressed to myself. However, I

would like to take this opportunity to confirm that we both take the comments made in this question seriously.

Turning to the specific issues raised in the question, I would like to confirm that in the past year the Housing and Public Protection Division has received a total of 255 service requests regarding rats, of which 77 were in respect of Council owned dwellings.

Once service requests are received, and in line with our statutory duties, officers investigate the source of the infestation. They provide advice regarding pest proofing, removal of nests, baiting and removal. In extreme circumstances, our involvement may extend to commencing enforcement action. This has occurred 27 times in the past year.

Our investigations include the identification of the source of the problem. This may include drainage surveys involving specialised cameras. Should the evidence suggest the source is from drainage under the control of Dwr Cymru/Welsh Water we would share our findings with them. It would then be their responsibility to utilise the most effective solution to the problem, which may include baiting. We work closely with them and continue to monitor the situation until the issue is resolved.

Having regard to the issues raised regarding problems in your area, we can confirm that officers are available to commence their investigations upon confirmation of the properties involved. We would be happy to pass these particulars on. Officers will then be able to investigate the source of the problem and take the relevant action (in conjunction with relevant partners) to ensure eradication of the problem.

Both Councillor Jones and I thank you again for raising your concerns and we confirm that we will write to Dwr Cymru/Welsh Water and other relevant agencies to enquire what policies they are currently following in relation to baiting. We will make the response available to all members.”

**Councillor Devichand asked the following supplementary question:**

‘Will the Council consider bringing back the Pest Control Service in-house?’

**Response by Councillor Jim Jones, Executive Board Member for Environmental and Public Protection:**

“I have asked the manager of the department to give me a full update and once I have the answers I will respond to my Shadow Member, Councillor Penny Edwards and yourself.”

**7. PUBLIC QUESTIONS**

[NOTE: Councillors S.M. Allen, D.M. Cundy, G. Davies, S.L. Davies, T. Davies, W.R.A. Davies, T. Devichand, E. Dole, J.S. Edmunds, D.C. Evans, D. Harries, P. M. Hughes, I.J. Jackson, A. James, J.D. James, D.M. Jenkins, A.W. Jones, G.O. Jones, T.J. Jones, W.J. Lemon, K. Madge, A.G. Morgan, J. Owen, E.G. Thomas, G.B. Thomas, J. Thomas, M.K. Thomas, S.E. Thomas, W.G. Thomas, J. Williams and J.S. Williams had earlier declared an interest in this item.]

**7.1. QUESTION BY MR MIKE BASSETT, SECRETARY OF  
CARMARTHENSHIRE UNIFIED SPORTS COMMITTEE, TO  
COUNCILLOR DAVID JENKINS, EXECUTIVE BOARD MEMBER FOR  
RESOURCES**

**Mr Mike Bassett, Secretary of Carmarthenshire Unified Sports Committee,  
asked the following question:-**

“Shouldn’t the Llanelli area, which contributes 43% of the county’s council tax, be entitled to its parks, playgrounds and playing fields which contribute so much to the health and well being of its residents?”

**Response by Councillor David Jenkins, Executive Board Member for  
Resources:-**

“I would in the first instance query the fact quoted where you state that the Llanelli area contributes 43% of the County Council’s tax. I have conducted investigations with officers and I have established that Llanelli Town residents contribute 12% of the council tax and Llanelli Rural 11% towards council tax making a combined total of 23%. The Council’s policy, put in place by the previous administration, which the present administration is happy to follow, is to promote local management of all parks and playgrounds and has been applied across the whole of the county, not just in Llanelli, to ensure that all areas of the county are treated equally, with each area bearing the cost of providing these facilities within their own area. In many parts of the county Community Councils and local sporting clubs have been managing local parks and playing facilities in their areas for many years. In fact, 41 out of 72 Community Councils are in that situation i.e. 50% of them are running their own assets at present. Since the policy was initiated, a vast majority of Town and Community Councils, who were previously not managing their local parks and playing fields, have responded positively to County Council calls for assets to be managed locally, with another 35% (25) taking an interest in asset transfer. That leaves a very small number of Town and Community Councils who have not to date expressed an interest in the asset transfer process, that is 6 (8%). The closing date for expressions of interest is 31<sup>st</sup> March this year. The long lead-in time for the County Council’s proposals has allowed Community and Town Councils, sporting organisations and other community groups to make preparations for taking over the facilities. The Maintenance and Improvement Grants offered by the County Council has also enabled future maintenance costs to be deferred for some years. It is also worth noting that Community Councils, Sporting Clubs and other community groups can apply for grants to help set up and maintain the facilities they manage, such grants not being available to the County Council. As stated previously, the closing date for declarations of interest is 31<sup>st</sup> March this year, with asset transfers to be completed by 31<sup>st</sup> March, 2018, at which time the Authority will consider the future of the facilities remaining within County Council control. On a local, parochial note, I am a member of Cwmamman Town Council as is Councillor Kevin Madge and we are actively involved and we are very close to asset transferring not only parks but the public conveniences and also the Community Education Centre with two sporting organisations, namely Amman United R.F.C. and Cwmamman Town A.F.C. also running their own sporting facilities.”

**7.2. QUESTION BY MR KEVIN FRANCIS, CHAIRMAN, BURRY PORT JUNIORS A.F.C., TO COUNCILLOR DAVID JENKINS, EXECUTIVE BOARD MEMBER FOR RESOURCES**

**Mr Kevin Francis, Chairman of Burry Port Juniors A.F.C, asked the following question:-**

“If town/rural/community councils are unable to take on an area listed for asset transfer, do the county council have a shortlist of third parties interested in taking over these assets, bearing in mind that Carmarthenshire County Council were unable to run them at a profit? If so could you please name them?”

**Response by Councillor David Jenkins, Executive Board Member for Resources:-**

“No, there are no third parties shortlisted. In the main, Sports Clubs, Town and Community Councils and other community organisations have stepped forward to manage the facilities.”

**Mr Francis asked the following supplementary question:-**

“If no third party comes forward and no Town Council takes over certain areas, are you going to close our parks and playgrounds where we have worked tirelessly for 18 months to secure a long term, affordable, sustainable, future for our clubs? What are you going to do with them? Are you going to stop maintaining them?”

**Response by Councillor David Jenkins, Executive Board Member for Resources:-**

“In a way, I have answered your question in my comments to Mr Bassett earlier. We are involved in the process at the moment and the process is that requests for asset transfers are to be finalised by 31<sup>st</sup> March this year and the transfer completed by 31<sup>st</sup> March, 2018, at which time the Authority will consider the future of the facilities remaining within County Council control. That decision will be made at that time and date. In the meantime, Local Authorities, Sports Clubs and community groups have the potential to take over these clubs and run it themselves as we are doing in Cwmamman Town.”

**7.3. QUESTION BY MR PHILLIP WILLIAMS, EVANS & WILLIAMS AFC, TO COUNCILLOR DAVID JENKINS, EXECUTIVE BOARD MEMBER FOR RESOURCES**

**Mr Phillip Williams, Evans & Williams A.F.C., asked the following question:-**

“If the areas containing the sports pitches are asset transferred would the deal that has been brokered with officers of CCC still remain? i.e. Will a provision be made for any land that is transferred to a third party under asset transfer be only used for sport and recreational purposes and that a similar covenant cover the sale of such land if that were to be considered. Would existing terms and conditions already agreed be honoured and renewed with realistic rates etc. in line with inflation?”

**Response by Councillor David Jenkins, Executive Board Member for Resources:-**

“As all asset transfers are transferred on long lease agreements and there will be covenants within the agreements that clearly state that the use of assets transferred must be used for recreational purposes, these covenants would also be imposed on any sub-lessees of the assets in question. Any terms and conditions originally stipulated within the original contract would be honoured and any changes would be the subject of all contracting parties being in agreement of any proposed changes.”

**Mr Williams asked the following supplementary question:-**

“While these areas are still on the asset transfer list it is causing extreme distress particularly within the bowling fraternity, who don't see a future for their sport. If Penywaer playing fields are lost, they are lost forever. Do you not feel that the situation is detrimental to the development of all sports as they rely on these areas?”

**Response by Councillor David Jenkins, Executive Board Member for Resources:-**

“I will re-iterate that the management of these playgrounds and sporting fields can be transferred to Community Councils, sporting organisations etc. It is in their hands. At the end of the day, on 31<sup>st</sup> March, 2018, when it comes back to the Authority, we will consider the position at that time.”

**7.4. QUESTION BY MR PHIL JONES, SENIOR REGISTRATION SECRETARY CAFL, TO COUNCILLOR DAVID JENKINS, EXECUTIVE BOARD MEMBER FOR RESOURCES**

**Mr Phil Jones, Senior Registration Secretary CAFL, asked the following question:-**

“Why are the parks, playgrounds and playing fields of the Llanelli area being threatened with closure or third party ownership, whilst areas who contribute significantly less financially to CCC coffers are receiving massive annual subsidies e.g. Laugharne Boat House £69,000, Pendine Outward Bound Centre £207,000, St. Clears Leisure Centre £128,000 and St. Clears Craft Centre £76,000.”

**Response by Councillor David Jenkins, Executive Board Member for Resources:-**

“The Council's policy is to seek local management arrangements for all parks and playgrounds and this has been applied across the whole of the county, not just in Llanelli. In many parts of the county local clubs and Community or Town Councils have been managing these facilities for years. The vast majority of Town and Community Councils, who were previously not managing their local parks and playing fields, have responded positively to the County Council's call for the assets to be managed locally. This policy was determined back in 2013 initially by the previous administration but we are happy to follow this policy because we are trying to create a level playing field across the county. Why should people who

are already managing their playgrounds be subsidising people who are not managing their playgrounds.

With reference to the other facilities you have listed, these along with other non-statutory items, are also subject to the same budget pressures as parks and playgrounds. You seem to have trawled through the 2015/16 budget digest and you have been quite selective in what you have picked. You have highlighted that St. Clears Leisure Centre receives a subsidy of £128,000 but on the same page you will see that Llanelli Leisure Centre receives a subsidy of £586,000 but you have chosen not to mention this item. From the Outdoor Education Section of the digest, you mention that the Pendine Outward Bound Centre receives a subsidy; from the Cultural and Heritage section of the digest you have chosen to mention that the Laugharne Boat House receives a subsidy of £69,000 and St. Clears Craft Centre receives a subsidy of £128,000. The very next entry in this section is Y Ffwrnes which receives a subsidy of £393,000 but you have chosen not to mention this item. You have chosen not to mention the Millennium Coastal Park which receives a subsidy of £1,058,000, Burry Port Harbour which receives a subsidy of £338,000, the Discovery Centre which receives a subsidy of £69,000. All these facilities have been in place for several years, when times were better. We are facing financial hardship at the moment and the reality of the situation is that we are looking for every penny. Who knows, perhaps in the future we may have to look at these areas as well. All the above facilities make a contribution towards the attractiveness of Carmarthenshire for its residents as a place to live, work and play and also help attract visiting tourists. The Boat House is internationally famous and a nationally important leisure/cultural facility. Each part of the county has different facilities and all parts of the county benefit from the tourists that are attracted to these facilities. The extract you made is from the leisure section of the budget digest whereas in the asset transfer section parks receive a subsidy of £481,000 and the grounds maintenance service receive a subsidy of £1.5m subsidy and those two items form part of the property services section of the budget. No County Councillor involved in the decision making process is happy at having to make cuts in any service provided by the Authority but in the face of an ever reducing budget coming to us via Cardiff and Westminster, difficult decisions are having to be made. The Authority has a legal responsibility to provide those statutory services imposed on it by Cardiff and Westminster governments. Therefore and unfortunately, cuts tend to be made in those non-statutory services that the Authority provides. We as an Authority think our policy in respect of promoting local management of all parks and playgrounds is a means of retaining these facilities within the county with the management of them being delivered in a different way.”

**Mr Jones asked the following supplementary question:-**

“Could you explain why these pitches are still on the asset transfer list and I include football, rugby, cricket and bowls, when we have done all we can as far as payment reduction for CCC which resulted in a cut from £288,457 to £22,500. That is how much CUFC local sports governing bodies have saved Carmarthenshire County Council.”

**Response by Councillor David Jenkins, Executive Board Member for Resources:-**

“I appreciate what you are saying. If you, as a constituted body, can take over these playgrounds and run them, you can still enter a Service Level Agreement with County Council staff where the expertise is there in terms of the ability to do this work. It is just providing the same service but being managed by a different organisation in a slightly different way. The last thing I want is to close down all playgrounds and sporting activities in the county as it is not in the best interests of the county but this is where we are at the moment. The policy is in place and we are following it at the moment. On 31<sup>st</sup> March, 2018, the decisions will be made as to what is the final outcome.”

**7.5. QUESTION BY MR WAYNE ERASMUS, CHAIRMAN OF HENDY COMMUNITY AND PARK COMMITTEE, TO COUNCILLOR EMLYN DOLE, LEADER OF THE COUNCIL**

**Mr Wayne Erasmus, Chairman of Hendy Community an Park Committee, asked the following question:-**

“When Councillor Emlyn Dole stepped in to help in the fight against the unaffordable pitch fees, he stated that these fees would put an end to participation in sport across the county. He claimed that these proposals were ill conceived and ill thought out. He was of the opinion that it was a rushed through policy developed in the midst of the twilight zone. In light of Councillor David Jenkins’ comments to the press that we simply cannot afford to maintain these areas, would he not agree that the closure of the parks in which these sports pitches are situated should demand the same response?”

**Response by Councillor Emlyn Dole, Leader of the Council:-**

“No, I do not agree.”

**Mr Erasmus asked the following supplementary question:-**

“Will you form an executive body of all the parties and involve all the organisations to keep the parks open?”

**Response by Councillor Emlyn Dole, Leader of the Council:-**

“Can I remind Mr Erasmus of his question. He asked me do I agree and I do not agree so I have answered the question. As to his second question, which does not really connect to the first, as far as I understand he is the Chairman of Hendy Community and Park Committee, my question in response to him is to ask if it is a properly constituted organisation because the negotiations around asset transfer are with properly constituted organisations that may or may not wish to take up the offer of asset transfer. Can I just say that when we took over leadership we inherited policies, one was to do with fees for sports pitches and one was asset transfer. On the sports pitches, I did not disagree with the policy, what I said was that it was being rushed through. I also said in the Notice of Motion could we have a year in which we could hold a meaningful discussion around that. During that year I sat as an observer in those negotiations and worked very closely with Mr Kevin Francis, whom I have a very deep respect and admiration for as well, for the work that he’s done during that year to move that discussion forward, along with our officers, and to progress that discussion in the way that he has. That is to be commended. That respect and admiration is there and will continue for his

commitment to that cause. In response to that policy, I asked for a meaningful discussion and a year's grace to facilitate that meaningful discussion. I did not oppose it. The policy around asset transfer was a different policy. I did not oppose that policy either. The administration was saying that, in light of the austerity programme coming down from London through Cardiff and the efficiencies we are being asked to make year on year, we have to look at transferring assets and putting them in the hands of the community. In a sense it is the true spirit of devolution, it is moving community assets closer to the people. It is asking interested parties to look at those assets realistically and to ask themselves are you willing to take those on because of the budget constraints year on year on this Council. Llannon Community Council made that decision two years ago. So the reason I said no to your original question is because in Llannon we have been responding to this policy for two years, since it was set by the previous administration, who said that we had to look at asset transfer as a community. You either do that, they told us, or you lose your parks. So the discussion in a properly constituted body at that time, in Llannon Community Council, and we have had that discussion with my colleague, Councillor Kim Thomas, is are we going to take these assets over and run them for the people of our community or are we going to let them disappear? Our response to that over the past two years was to look at that in the context of the precept that we set in order to be in a position to be able to take over those assets in a realistic way and to improve the third world type of set up that there is in Tumble Park and Crosshands Park at the moment. Our intention, as a Community Council, is to take over that asset and improve it and give our community the asset they deserve. We've addressed that in the precept that we've set. We are addressing it in the context of taking over that asset and running it and improving it for the people who live in the Llannon ward. You ask me do I respond in the same way to community asset transfer as I do to sports pitch fees - no I don't. In sports pitch fees terms I asked for a meaningful discussion and we have moved that forward. In the context of asset transfer, what we did and what many Community Councils have done across the county and across the Authority is to look realistically at this and ask if we are going to take these on and ensure their future for the people that we represent and most of them have signed up to that and we are waiting for the others to follow. I would ask you to be wary of people who might use assets which belong to the people and belong to the community in a political sense because there are people out there who will make political mischief around assets that belong to the people. Also beware of some elements of the local media who make things up and that has happened in the context of asset transfer. I have been misquoted time after time in the context of Parc Howard and asset transfer and that is unfortunate because it moves the debate and the meaningful conversation from where it needs to be to somewhere else and creates something that is not there. When I was accosted on the steps earlier I was presented with a venomous scenario and this is not a venomous scenario, this is for the people of Carmarthenshire and this is to ensure that the assets that they own stay in their ownership in a way that works for them as local communities."

## 8. PRESENTATION - TIDAL LAGOON SWANSEA BAY

The Chair welcomed to the meeting Mr Ioan Jenkins, Development Director with Tidal Lagoon Power, who had been invited to give the Council a presentation on the development of a Tidal Lagoon in Swansea Bay.



Wales has the second highest tidal range in the world and it was proposed to take full advantage of that power by creating a tidal lagoon. This would involve the construction of 16 turbines on the sea bed which would generate electricity for around 14 hours a day. The energy produced would be predictable and consistent.

The ambition was to build 6 Tidal Lagoons in the UK, 4 of which would be in Wales, providing Wales with the opportunity to become a global leader in the production of energy. The six lagoons will generate approximately 8-10% of the UK's energy for the next 120 years and more.

The Tidal Lagoon in Swansea Bay will produce enough tidal energy to generate power for over 100,000 homes. The £650m investment will offer long term jobs, a sporting and recreation arena, a maricultural farm, together with associated education programmes at primary, secondary and university level. It was also proposed to include a Visitor Centre where visitors can learn about tidal power and the creation of the lagoon. The lagoon setting would also provide a unique setting for international, national and local sports events and training.

Details were provided of the economic opportunities for businesses in Wales during the construction phase and in the longer term.

The presentation was followed by a question and answer session, following which the Chair thanked Mr Jenkins for a most informative presentation.

## **9. COUNCIL TAX REDUCTION SCHEME 2016/17**

[NOTE: Councillor A.D.T. Speake had earlier declared an interest in this item.]

Council was reminded that in 2012 the Welsh Government introduced regulations to bring in a single all-Wales Council Tax Reduction Scheme for 2013/14, replacing the former UK-wide Council Tax Benefit Scheme. As the scheme for 2013/14 contained a "sunset-clause" it was necessary for the Welsh Government to introduce a further scheme for 2014/15 and subsequent years.

Despite being an all-Wales scheme, individual Councils are required to formally adopt a Council Tax Reduction Scheme by 31<sup>st</sup> January each year.

### **UNANIMOUSLY RESOLVED**

- 9.1 that the standard all-Wales Council Tax Reduction scheme provided for under the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme)(Wales) (Amendment) Regulations 2014 be adopted for 2016/17;**
- 9.2 to implement the annual up-rating figures (used in entitlement calculations) and other minor technical amendments included in the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme)(Wales)(Amendment) Regulations 2016 that are due to come into force on 20<sup>th</sup> January, 2016;**

**9.3 that Council continues to exercise its discretion with regard to the limited discretionary elements of the prescribed scheme, as outlined in the report.**

**10. EXECUTIVE BOARD RECOMMENDATION - COMMUNITY INFRASTRUCTURE LEVY**

[NOTE: Councillors A.P. Cooper, A. Davies, C.P. Higgins and A.W. Jones had earlier declared an interest in this item.]

Council was informed that the Executive Board had, at its meeting held on the 30<sup>th</sup> November, 2015 (Minute 7 refers), considered the Community Infrastructure Levy (CIL) and had made two recommendations, as detailed in the report of the Head of Planning, for consideration by Council.

Reference was made to need to ensure that the CIL was fair and did not penalise small/family/rural businesses and the importance therefore of such businesses participating in the consultation process.

Concern was expressed that 85% of any money received would be used for other areas like Pembrokeshire, Ceredigion or Swansea Bay. The Chief Executive explained that as it would be Carmarthenshire's CIL the money cannot go anywhere else.

**RESOLVED that the following recommendations of the Executive Board be adopted:-**

**10.1.1 "To progress a Community Infrastructure Levy (CIL) for Carmarthenshire;**

**10.1.2 To authorise the production of a Preliminary Draft Charging Schedule, which will identify the amount of CIL sought from each qualifying development, and to conduct a formal consultation on its content along with the associated evidence base."**

**11. EXECUTIVE BOARD RECOMMENDATION - CSSIW ANNUAL REPORT AND EVALUATION OF PERFORMANCE FOR 2014/15**

[NOTE: Councillor K. Madge had earlier declared an interest in this item.]

Council was informed that the Executive Board had, at its meeting held on the 30<sup>th</sup> November, 2015 (Minute 10 refers), considered the CSSIW Annual Review and Evaluation of Performance for 2014/15 and had made a recommendation, as detailed in the report of the Director of Community Services, for consideration by Council.

**UNANIMOUSLY RESOLVED that the following recommendation of the Executive Board be adopted:-**

**“To receive the Annual Review and Evaluation of Performance 2014/15 of the Local Authority’s Social Services undertaken by the Care and Social Services Inspectorate Wales.”**

**12. EXECUTIVE BOARD RECOMMENDATION - WELSH LANGUAGE SKILLS STRATEGY**

Council was informed that the Executive Board had, at its meeting held on the 30<sup>th</sup> November, 2015 (Minute 14 refers), considered the Welsh Language Skills Strategy and had made a recommendations, as detailed in the report of Assistant Chief Executive (People Management and Performance), for consideration by Council.

**RESOLVED that the following recommendation of the Executive Board be adopted:-**

**“That the Welsh Language Skills Strategy and ALTE framework be adopted.”**

**13. DURATION OF MEETING**

At 1.00 p.m., during consideration of the above item, Council’s attention was drawn to Corporate Procedure Rule 9.1 “Duration of Meeting” and CPR 23.1 “Suspension” and as the meeting had been underway for three hours, it was accordingly

**RESOLVED to suspend the Council Procedure Rules to enable the remaining business on the Agenda to be considered.**

**14. EXECUTIVE BOARD RECOMMENDATION - AGEING WELL IN WALES - LOCAL AGEING WELL PLANS**

Council was informed that the Executive Board had, at its meeting held on the 30<sup>th</sup> November, 2015 (Minute 15 refers), considered the Ageing Well in Wales Local Ageing Well Plans and had made a recommendation, as detailed in the report of the Assistant Chief Executive (Regeneration & Policy), for consideration by Council.

**UNANIMOUSLY RESOLVED that the following recommendation of the Executive Board be adopted:-**

**“That the Ageing Well Plan for Carmarthenshire County Council be endorsed.”**

**15. EXECUTIVE BOARD - 30TH NOVEMBER, 2015**

**UNANIMOUSLY RESOLVED that the report of the above meeting be received.**

**16. MEMBERSHIP OF COMMITTEES**

**UNANIMOUSLY RESOLVED that the following amendments to committee membership be approved in accordance with Council Procedure Rule 2(2)(m):-**

**Councillor B.A.L. Roberts to replace Councillor P.M. Edwards on the Social Care & Health Scrutiny Committee;**

**Councillor P.M. Edwards to replace Councillor K.P. Thomas on the Environmental & Public Protection Scrutiny Committee;**

**Councillor D.J.R. Bartlett to replace Councillor J. Williams on the Policy & Resources Scrutiny Committee;**

**Councillor R. Thomas to replace Councillor D.M. Cundy on the Policy & Resources Scrutiny Committee.**

\_\_\_\_\_  
**CHAIR**

\_\_\_\_\_  
**DATE**

**CYNGOR SIR  
10FED CHWEFROR, 2016**

**ADOLYGIAD O DDATGANIAD Y POLISI TRWYDDEDU  
(Deddf Trwyddedu 2003)**

**ARGYMHELLION Y BWRDD GWEITHREDOL:**

Atodir crynodeb o'r ymatebion i'r ymgynghoriad.

Argymhellir:-

- Bod Datganiad diwygiedig y Polisi Trwyddedu yn cael ei gymeradwyo.
- Bod y Polisi Effaith Gronnol presennol yn cael ei gadw ar gyfer Heol yr Orsaf, Llanelli fel y nodir yn Adran 10 o'r polisi a atodwyd.
- Bod rhagor o dystiolaeth yn cael ei chasglu mewn perthynas â'r posibilrwydd o fabwysiadu Polisi Effaith Gronnol ar gyfer Heol Awst, Caerfyrddin yn sgil yr ymatebion i'r ymgynghoriad.

**Y Rhesymau:**

- Mae'r ddogfen Polisi Trwyddedu ddiwygiedig amgaeedig yn adlewyrchu canlyniadau'r ymgynghoriad a'r broses adolygu.
- Mae tystiolaeth ddigonol wedi'i darparu i gyfiawnhau cadw Polisi Effaith Gronnol mewn perthynas â Heol yr Orsaf, Llanelli.
- Mae'r ymatebion i'r ymgynghoriad yn cyfiawnhau llunio cynigion penodol ar gyfer mabwysiadu Polisi Effaith Gronnol mewn perthynas â Heol Awst, Caerfyrddin ac ymgymryd ag ymarfer ymgynghori pellach i ystyried yn benodol a ddylid mabwysiadu polisi effaith gronnol o'r fath.

Angen ymgynghori â'r Pwyllgor Craffu perthnasol: OES - Diogelu'r Cyhoedd a'r Amgylchedd 11<sup>eg</sup> Rhagfyr 2015

Penderfynodd y Pwyllgor Craffu:

- Derbyn yr adroddiad
- Bod Datganiad diwygiedig y Polisi Trwyddedu yn cael ei hystyried i'w gymeradwyo gan y Bwrdd Gweithredol.
- Bod y Polisi Effaith Gronnol presennol yn cael ei gadw ar gyfer Heol yr Orsaf, Llanelli fel y nodir yn Adran 10 o'r polisi a atodwyd.
- Bod rhagor o dystiolaeth yn cael ei chasglu mewn perthynas â'r posibilrwydd o fabwysiadu Polisi Effaith Gronnol ar gyfer Heol Awst, Caerfyrddin yn sgil yr ymatebion i'r ymarfer ymgynghori.

Angen i'r Bwrdd Gweithredol wneud penderfyniad OES – 4<sup>ydd</sup> Ionawr 2016

Angen i'r Cyngor wneud penderfyniad OES – 10<sup>fed</sup> Chwefror, 2016

**YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Y Cyng. Jim Jones**

Y Gyfarwyddiaeth: Yr Adran  
Cymunedau

Enw Pennaeth y Gwasanaeth:  
Robin Staines

Awdur yr Adroddiad: Emyr Jones

Swyddi:

Pennaeth Tai a Diogelu'r  
Cyhoedd

Pen-swyddog Trwyddedu

Rhif Ffôn: 01267 228960  
[rstaines@sirgar.gov.uk](mailto:rstaines@sirgar.gov.uk)

Rhif Ffôn: 01267 228717  
[eorjones@sirgar.gov.uk](mailto:eorjones@sirgar.gov.uk)

# EXECUTIVE SUMMARY COUNTY COUNCIL 10<sup>TH</sup> FEBRUARY, 2016

## REVIEW OF STATEMENT OF LICENSING POLICY

The current Licensing Policy was adopted by the authority in January 2011 and the Cumulative Impact Policy (CIP) in respect of Station Road, Llanelli in 2012. Legislation currently requires the Licensing Policy to be reviewed at least every five years to ensure that it reflects feedback from the local community that the statutory objectives are being met.

Since the current Licensing Policy was last reviewed, there have been a large number of amendments to the Licensing Act 2003. The authority's licensing section, in conjunction with the council's legal department have reviewed the policy document in light of these amendments, revised government guidance and recent case law. These statutory changes have been incorporated into the attached Policy document. The authority also hosted a collaboration meeting to discuss the review to local licensing policies with representatives of the local health board, Pembrokeshire and Ceredigion licensing authorities.

The key changes to the legislation include :-

- Making the local health board and the licensing section responsible authorities.
- Removing the test of vicinity for persons wishing to make representations.
- Deregulation of some types of entertainment under certain circumstances.
- Revisions to mandatory licence conditions.

As part of the review, the authority is required to undertake a consultation exercise aimed at responsible authorities, local residents, businesses, existing licence holders and their representatives, to ensure that their views can be formally considered by the Authority. The responsible authorities include, The Licensing Authority, Dyfed Powys Police, Mid and West Wales Fire and Rescue Service, Trading Standards, Environmental Health (Public Health Section), Planning Authority, Health and Safety Authority, Children Services, Local Health Board.

The consultation began on the 7<sup>th</sup> of July and finished on the 13<sup>th</sup> of September 2015.

Approximately two thousand individuals and organisations, including licence holders and their representatives, town and community councils, members of parliament, assembly members, county councillors, council departments and responsible authorities received consultation documents.

On this occasion the survey was undertaken using the iLocal consultation facility on the Council's web site. This enabled the majority of consultees to be contacted via e-mail, thus reducing the cost whilst increasing the accessibility of the consultation. A total of 89 responses were received.

The following is a brief summary of the key consultation responses :-

### **Responsible Authority Responses.**

#### **Dyfed Powys Police**

- Noticeable increase in alcohol related crime and disorder as well as anti social behaviour in Lammas Street, Carmarthen, linked to the late night economy. Cumulative Impact Policy should be adopted for the street.
- Station Road , Llanelli continues to be an area identified with the highest number of alcohol related crime and disorder as well as alcohol related anti social behaviour in Carmarthenshire. The existing cumulative impact policy should be retained for the street.

#### **Hywel Dda University Health Board.**

- Support for the adoption of a Cumulative Impact Policy where there is evidence that an area is saturated with licensed premises and alcohol related problems.
- The Policy should be amended to include specific reference to the use of new psychoactive substances.

#### **Public Health Services**

- Applications for premises licences should be accompanied by a risk assessment detailing how the applicant intends to promote the licensing objectives or a statement indicating why an assessment is not needed.
- The usefulness of multi agency meetings to respond to problem premises.

### **Other Consultation Responses**

- Ann Street, Llanelli and Nott square Carmarthen highlighted as Hot Spots of alcohol related crime and disorder.
- Strong support for the retention of the existing Hot Spot areas listed within the Policy.
- Strong support for the retention of the existing cumulative impact policy for Station Road Llanelli.
- Consideration should be given to adopting a Cumulative Impact Policy for all or part of Carmarthen town centre.
- Support for the policy to encourage events and businesses which do not undermine the licensing objectives.
- Slight overall support for maintaining the current policy not to limit permitted hours in certain parts of the County.

A revised licensing policy document, incorporating amendments to reflect the relevant consultation responses is attached. Once approved by full council the revised Statement of Licensing Policy will come into effect when it is then published.

**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 and Public Protection

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

## 1. Policy, Crime & Disorder and Equalities

The proposed amendments to the Licensing Policy promote the prevention of crime and disorder. The Policy complies with the Authority's duty under section 17 of the Crime and Disorder Act.

An Equalities impact assessment has been undertaken and no negative impacts have been identified.

## 2. Legal

Legal services are satisfied that the proposed amendments comply with the Licensing Act 2003 and the statutory guidance issued by the Secretary of State. It will be necessary to undertake a further period of public consultation in respect of the proposed Cumulative Impact Policy for Lammas Street in order to comply with the authority's legal duty to consult on that specific proposal.



# CONSULTATIONS

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

Signed: Robin Staines

Head of Housing and Public Protection

## 1. Scrutiny Committee

The Environmental and Public Protection Scrutiny Committee was consulted on 11<sup>th</sup> December, 2015.

## 2. Local Member(s)

Local Members were consulted through correspondence.

## 3. Community / Town Council

Town and Community Councils were consulted through correspondence.

## 4. Relevant Partners

Relevant partners were consulted through correspondence and consultation meetings.

## 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 DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Consultation Responses	Review of Licensing Policy 2015	3, Spilman Street, Carmarthen
Home Office Guidance	Review of Licensing Policy 2015	3, Spilman Street, Carmarthen

Mae'r dudalen hon yn wag yn fwriadol

# CARMARTHENSHIRE COUNTY COUNCIL



## Licensing Policy CONSULTATION REPORT

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# **CARMARTHENSHIRE COUNTY COUNCIL**

## **Licensing Policy CONSULTATION**

### **INTRODUCTION & CONTEXT**

On a periodic basis – at least once every five years – the local authority is legally required to review its Licensing Policy under the Licensing Act 2003 to ensure fitness for purpose. Consultation is an intrinsic part of this process: the policy must be responsive to local needs, it should take under advisement comments from myriad stakeholders and seek evidence that will help evaluate progress against its statutory objectives.

To this end, a ten week consultation (July 7<sup>th</sup> to September 13<sup>th</sup> 2015) was held to garner views from a wide range of organisations and individuals with an interest in licensing matters.

This report, incorporating the results of the public consultation and the authority's response in summary form, will go to both the Licensing Committee and Environmental & Public Protection Scrutiny Committee mid-November and then to the Executive Board for a decision before the month ends.

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This report:

- 1) Outlines the approach and consultation methods deployed;
  - 2) Summarises results and key findings;
  - 3) Considers free-text responses from residents, license holders, organisations and town and community councils in a summary matrix table;
  - 4) Provides a short summary
- 

### **1) OUTLINE OF APPROACH AND CONSULTATION METHODS**

A mixed-methods approach to ascertaining views on Carmarthenshire's Licensing Policy was employed to gather quantitative and qualitative data for analytical and evaluative purposes. Specifically, the consultation focused on (i) identifying locations where alcohol-related problems (including ASB, littering and noise pollution) were perceived to be a serious issue and (ii) the effectiveness of the existing Cumulative Impact Policy and hot spot areas. Participants were also asked how the Policy could be used to further support the hospitality and leisure industry in Carmarthenshire.

In accordance with the Licensing Act 2003, a number of statutory consultees were engaged throughout the consultation. This included:

- the chief officer of police
- the fire authority
- persons/bodies representative of local premises licence holders
- persons/bodies representative of local club premises certificate holders
- persons/bodies representative of local personal licences
- persons/bodies representative of businesses and residents in the area

More generally, the following mechanisms and consultation channels were utilised:

### **Publicity**

The consultation was publicised through the Council's press office, through means including: press releases; article in Carmarthenshire News; information on the Council's website; online consultation portal (hosted on iLocal) and through social media feeds.

### **Carmarthenshire Citizens' Panel & 50+ Forum**

Carmarthenshire's Citizens' Panel (a representative group comprising c. 600 members) – and 50+ Forum (2400 members aged 50 plus) are a useful barometer of public opinion and are regularly consulted on Council services. Information was disseminated electronically to members on email: c. 230 Citizens' Panel and c. 550 50+ members.

### **Workshop**

The September 3<sup>rd</sup> licensing committee was used as an opportunity to run a short workshop session with members. Facilitated by Emyr Jones, members were issued paper copies of the survey and taken through each question in turn.

### **Survey**

Surveys are a cost-effective method for finding out stakeholders' views and can be administered in a variety of different ways. An electronic and paper survey was thus selected as the principal method for gathering data. The survey contained a number of fixed-response (closed) and free-response (open) questions. Furthermore, the survey encouraged respondents to upload/attach evidence to support their submission.

The on-line survey was made available through Carmarthenshire County Council's iLocal consultation portal. In addition to listed statutory consultees, links to the survey were circulated to members of the Citizens Panel, 50+ Forum, Equality Carmarthenshire and Youth Council; county councillors and town and community councils, license holders, licensing solicitors, MPs, AMs and the Police and Crime Commissioner. Taken as a whole, consultation invites were sent to over 1900 individuals and organisations (excluding Carmarthenshire News recipients).

The consultation exercise resulted in **89 submissions**, covering a wide section of the community. Over a third of responses received were from members of the public. Of the 88 respondents who answered the demographic question, 33 (38%) responses were from individual members of the public,<sup>1</sup> 17 (19%) from a body/person representing the public and 15 (17%) were a premises licence holder. A full breakdown is tabulated overleaf. Considering all responses, 22% of responses were received from premises/households in SA15, 13% in both SA14 and SA18, 10% in SA31 and SA33, 9% in SA17 and 7% in SA32, reflecting the clustering of premises in Carmarthenshire's three main population centres: Ammanford,

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<sup>1</sup> The demographic profile of respondents is as follows. Ethnicity: all respondents described themselves white. Age:, 6% were under 25, 28% were 35-44, 28% 45-54, 12% 55-64, 25% 65-74, (age cohorts with no responses are not listed). Gender: 47% female, 50% male, 3% preferring not to say (PNTS). Disability: 6% yes, 94% no. Religion or belief: 56% held a religion or belief, 38% did not and 6% PNTS. Sexual orientation: 87% heterosexual, 1% lesbian, gay or bisexual, with 10% PNTS.

Carmarthen and Llanelli. Other postcodes either had fewer than 5% of responses or did not attract a response.

<b>Are you responding as a...</b>	
<b>Premises licence holder</b>	15 (17%)
<b>Personal licence holder</b>	10 (11%)
<b>Club premises certificate holder</b>	5 (6%)
<b>Member of the Public</b>	33 (38%)
<b>Local business</b>	-
<b>Body representing licence holders / clubs</b>	-
<b>Body/ Person representing members of the Public (e.g. County councillors; Town &amp; Community Council)</b>	17 (19%)
<b>Other Organisation or Group</b>	8 (9%)

Proper weight has been given to the views of all those consulted and, in particular, 'due regard' given to free text (literal) responses.

### **Other**

Carmarthenshire's Licensing department also met with the Licensing Action Group, Ceredigion and Pembrokeshire Councils and Local Health Board.

## **2) KEY QUANTITATIVE FINDINGS FROM THE SURVEY**

In order to illustrate the key findings of the survey, this section will be structured by considering each quantitative survey question in turn. Mention will be made of the views of different categories of respondent, to enable comparisons to be made. This process is known as the disaggregation of survey data: examining trends by age, gender and other demographic variables to enrich the consultation. In section 3, comments from the consultation will be considered separately in a matrix table, whether these have arisen through survey submission, or letter or email submissions.

**About the Average Index Score (AIS)**

Sometimes known as a 'weighted average', the AIS is a way of distilling the 'balance and strength of opinion' down into one number. Useful for questions with options to 'strongly agree', 'disagree', etc., the technique is used throughout the report.

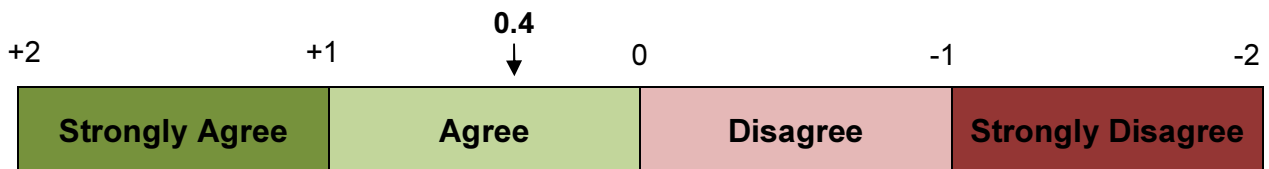
**Example**

10 people are asked whether they 'strongly agree', 'agree', 'have no opinion', 'disagree' or 'strongly disagree' that Wales will win the six nations.

Results...

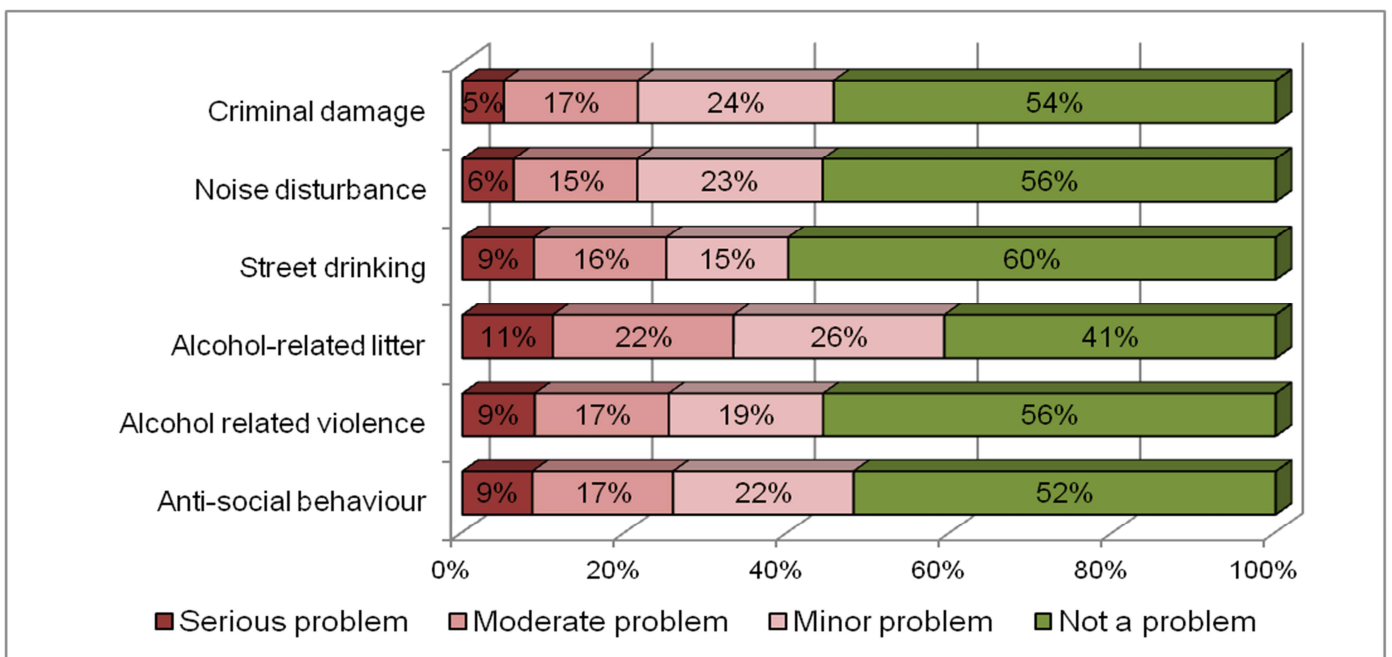
- 3 strongly agree (each response worth 2, so=**6**)
- 3 agree (each response worth 1, so=**3**)
- 1 no opinion (each response worth 0, so=**0**)
- 1 disagree (each response worth -1, so=**-1**)
- 2 strongly disagree (each response worth -2, so=**-4**)

The AIS is calculated by adding all the numbers in bold: So,  $6+3+0-1-4=4$ ; Then dividing by the number of responses (10 in this case). The average index score is:  $4 \div 10 = \mathbf{0.4}$



Following a series of demographic profiling questions, respondents were given a list of common alcohol-related issues and asked to indicate the extent to which they were a problem in their area using a likert scale, with 'serious problem' and 'not a problem' as scale anchors. As depicted below, over half of all respondents do not deem the listed alcohol-related issues a problem. Alcohol-related litter is one exception to the rule, 59% of respondents consider this a problem to varying degrees (11% serious; 22% moderate; 19% minor).

**To what extent are the following alcohol-related issues a problem in your local area?**

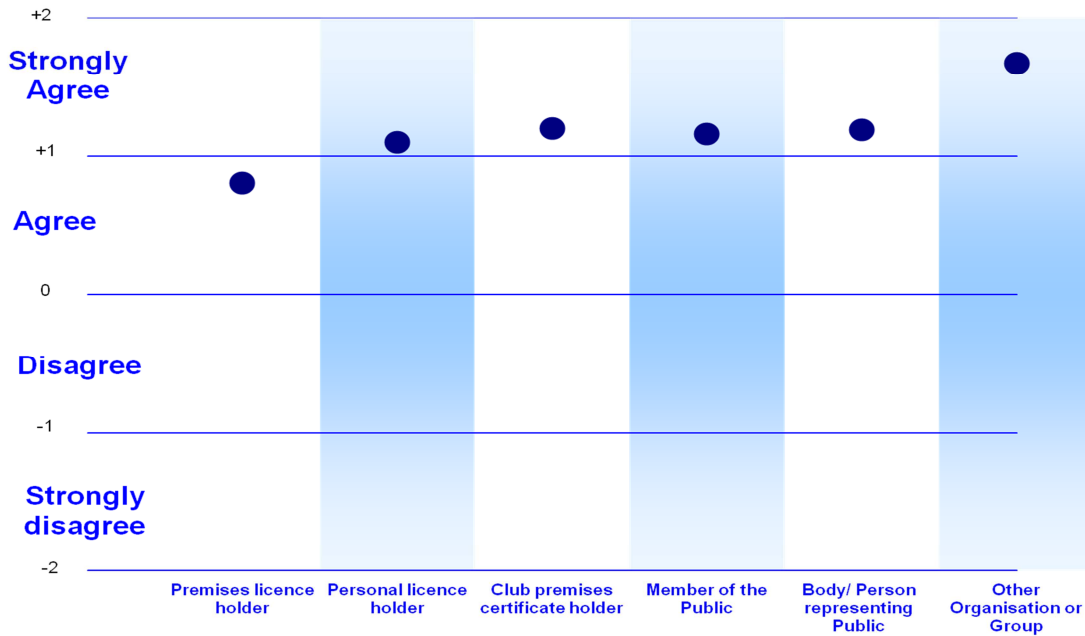




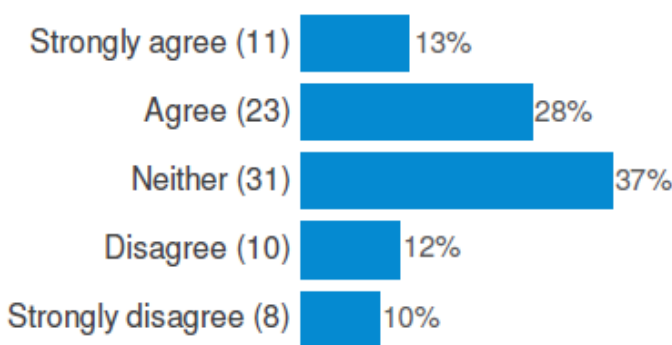


result, with a score in the range of 1–2 indicting strong agreement. An AIS graph by category of respondent is plotted below.

**To what extent do you agree or disagree that the Cumulative Impact Policy should continue?**



Four in ten respondents (42%; 30 individuals) felt the Cumulative Impact Policy should be applied to other streets in the County, 58% thought an extension was not warranted. Only 13 respondents (fewer than 50%) specified a location. The following streets were put forward for consideration, listed in order of frequency: Lammas St (x4 respondents); Ann Street, Llanelli (x2); Notts Square, Carmarthen (x2); King Street, Carmarthen (x1); wider Carmarthen town centre (x1); Wind Street, Ammanford (x1) and Llanelli Town Hall square (x1). This is fully considered in the summary matrix table (section 3).



Next, respondents were asked to what extent they agreed or disagreed with a statement about **permitted hours for licensed premises**. There is slight agreement towards maintaining the status quo: 51% agreed (13% strongly agree; 28% agree) that the Licensing Policy should not limit permitted hours for licensed premises.

The table below shows the overall AIS, and that for selected categories, in order to better understand the result. A range of +2 (strongly agree) to -2 (strongly disagree) is used. It is evident that license holders were more likely to agree that the policy should not limit permitted hours. With a lower AIS, members of the public, and in particular females were less likely to agree. Specifically, the female AIS of of -0.12



### 3) ANALYSIS OF COMMENTS – SUMMARY MATRIX TABLE

The report now considers comments expressed in the survey's free-text questions. Note is made of the respondents ID number (to provide a traceable record), comment(s) received, the Council's response and, where appropriate, changes to the licensing policy as a result of the consultation. Respondents that have not submitted a reply are omitted from the table.

RESPONDENT	COMMENTS	APPRAISAL	RESPONSE	CHANGES
Respondent 1	Question 13 Serious problem with street drinking at Ann Street, Llanelli. Lasts all day from 7.30am until late evening. Problems with litter as a result.	Noted	The Licensing Act does not regulate the consumption of alcohol away from licensed premises. This will be taken into account when reviewing the policy.	Ann Street added as a Hot Spot area in the policy.
	Question 15 (reasons for strongly disagreeing with continuation of the CIP in Station Road, Llanelli) Since the Council 'cracked down' in Station Road, all the trouble has moved to Ann St, Llanelli.	Noted	This will be taken into account in determining whether or not to continue the CIP in Station Road.	CIP retained as overwhelming evidence in favour of it.
	Questions 17-19 The CIP should be applied to Ann St, Bigyn Hill field and Penyfan Park because of problems of street drinking, urination etc.	Noted	It is unlikely that the CIP can be extended to these locations. The issues identified seem more properly dealt with by a DPPO	Ann Street added as a Hot Spot area in the policy.
	Question 20 There should be a blanket ban	Licensing Act does not control the consumption of	Not a matter for the Licensing Policy.	No change.

	<p>on drinking in open spaces</p> <p>Questions 23-26 Ann St, Bigyn Hill field and Penyfan Park should be added as hot spot areas</p> <p>Questions 31&amp; 32 Remove bench at Ann St and install a (CCTV) camera to tackle problems that have moved from Station Road.</p>	<p>alcohol away from licensed premises.</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>These are not matters falling within the scope of the Licensing policy.</p>	<p>Ann Street added as a Hot Spot area in the policy</p> <p>No change</p>
Respondent 2	<p>Questions 10-13 People drinking on the bench from 7.30am throughout the day at Green Ann street/Arthur street Llanelli</p> <p>Question 23 Station Road Llanelli should continue as a hot spot as it is not safe at night.</p>	<p>Noted</p> <p>Noted</p>	<p>However the Licensing Act does not regulate alcohol consumption away from licensed premises.</p> <p>This will be taken into account when reviewing the policy.</p>	<p>Ann Street added as a Hot Spot area in the policy</p> <p>No change.</p>
Respondent 4	<p>Questions 14-19 A CIP should be imposed in King street, Nott square and Lammas street Carmarthen</p>	<p>Noted</p>	<p>This will be considered in light of other relevant evidence when reviewing the policy.</p>	<p>No change at this stage further public consultation</p>

	<p>Questions 20-22 Disagreeing with the lack of a limit on permitted hours. Permitted hours should be appropriate for the type of area a premises is in. Opening hours should be subject to public consultation.</p>	Noted	Licence applications are dealt with on their individual merits and already subject of a period of public consultation.	recommended  No change
	<p>Questions 23-28 Nott Square Carmarthen should be added as a hot spot as it is surrounded by licensed premises and crowds pass through it.</p>	Noted	This will be taken into account when reviewing the policy.	Nott Square added as a Hot Spot in the policy
	<p>Questions 29 and 30 Well run festivals should be encouraged out of town so they are easier to police and transport is easier to organise and supervise</p>	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives.
	<p>Questions 31 &amp; 32 Do not ignore the advice of the police and records of alcohol related incidents and complaints of noise/behaviour</p>	Noted	The licensing committee is already obliged to attach weight to the views of the Police and Public Health Services.	No change

Respondent 5	<p>Questions 10-13 Serious problems in Ann St, Llanelli with people treating the area like an open air pub/toilet.</p>	Noted	This will be taken into account when reviewing the policy	Ann Street added as a Hot Spot area in the policy
	<p>Questions 14-19 The CIP should be applied to 'any street' as it is intimidating seeing groups of people drunk/fighting.</p>	Noted	A CIP can only apply where there is already an accumulation of licensed premises and does not tackle the consumption of alcohol off the premises.	No change at this stage
	<p>Questions 23-28 Ann St, Bigyn Hill field and Penyfan Park have should be identified as hot spot areas as problems have moved there since the clampdown on Station Road.</p>	Noted	This will be taken into account when reviewing the policy.	Ann Street added as a Hot Spot area in the policy
	<p>Question 32 The lack of enforcement is a problem</p>	Noted	This is not a matter than can be dealt with by the Licensing Policy	No change
Respondent 7	<p>Questions 14 &amp; 15 Strongly agrees with the continuation of the CIP in Station Road, Llanelli as it is a useful</p>	Noted	This will be taken in to account when reviewing the Policy.	CIP retained as overwhelming

	<p>tool to tackle ASB and other alcohol related problems in a known hot spot area.</p> <p>Questions 29 &amp; 30 Festivals should be encouraged in Pembrey Country Park &amp; any open expansive field.</p>	Noted	This will be taken into account when reviewing the policy	<p>evidence in favour of it.</p> <p>Policy to encourage activities that do not undermine the licensing objectives.</p>
Respondent 8	<p>Questions 14 &amp; 15 Agreeing that the current CIP in Station Road should remain because if enough independent complaints are received the licence conditions clearly need to be looked at.</p> <p>Questions 20-22 When disagreeing with policy of not limiting permitted hours stated that limiting licensing hours may reduce the volume of problems and that premises causing licensing issues should be penalised</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into count when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy.</p>	<p>CIP retained as overwhelming evidence in favour of it.</p> <p>No change.</p>



	<p>Questions 29 &amp; 30 Community events run by respectable organisations and individuals should be encouraged at alternative venues such as village halls and community areas.</p>	Noted	Recent deregulation by the government already does this.	Policy to encourage activities that do not undermine the licensing objectives.
Respondent 9	<p>Questions 29 &amp; 30 Whether businesses, activities or events should be encouraged depends upon individual circumstances.</p>	Noted	This will be taken into account when reviewing the policy.	Policy to encourage activities that do not undermine the licensing objectives
Respondent 10	<p>Questions 10-13 There are problems in New Road Ammanford with people walking home from town in the early hours screaming and dropping litter</p> <p>Questions 16-19 The CIP should be extended to cover Wind St Ammanford because of the number of premises there</p> <p>Questions 20 &amp; 21</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy.</p>	<p>No change</p> <p>No change at this stage.</p>

	<p>Issues of permitted hours should be dealt with on a case by case basis</p> <p>Questions 29 &amp; 30 Local family events should be encouraged</p> <p>Question 31 &amp; 32 All premises to include working CCTV to a set specification</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy.</p> <p>Statutory guidance provides that the blanket imposition of CCTV requirements on all premises is inappropriate. However where CCTV is required to deal with issues of crime and disorder Dyfed Powys Police already provides a specification for such systems.</p>	<p>No change</p> <p>Policy to encourage activities that do not undermine the licensing objectives</p> <p>No change.</p>
Respondent 11	<p>Questions 29 &amp; 30 Festivals, restaurants and community events should be encouraged but with a serious review on alcohol use in such events. This is particularly in communities where there is a lack of social activity.</p>	<p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p>	<p>Policy to encourage activities that do not undermine the licensing objectives</p>
Respondent 13	<p>Questions 25-28</p>			

	<p>Nott Square and Jackson Lane Carmarthen should be added as a hot spot areas</p> <p>Questions 29 &amp; 30 Music venues, higher end eateries and drinking establishments aimed at low ABV consumption could be encouraged. King Street Carmarthen might be suitable for these types of premises</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy.</p>	<p>Nott Square added as a Hot Spot.</p> <p>Policy to encourage activities that do not undermine the licensing objectives</p>
Respondent 14	<p>Questions 20 &amp; 21 In agreeing to current lack of a limit on permitted hours stated that limiting hours leads to lots of people moving locations at the same time. Allowing venues to choose suits premises and their staff</p> <p>Question 23 In stating that Island Place, Murray Street, Station Road and Stepney street should not be hotspot areas said that that this 'should be a requirement of all licences not certain ones'</p> <p>Questions 29 &amp; 30</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account</p>	<p>No change</p> <p>Island place removed following redevelopment</p> <p>Policy to</p>

	Festivals and restaurants should be encouraged near to the town centre bus station and between bus and train station to provide transport links	Noted	when reviewing the policy.	encourage activities that do not undermine the licensing objectives
Respondent 15	Questions 14 & 15 Agrees with the continuation of the CIP in Station road as it is a nightmare there	Noted	This will be taken into account when reviewing the policy.	CIP retained as overwhelming evidence in favour of it.
Respondent 19	Questions 10-3 Alcohol related problems in Station Road, Llanelli. Pub next door holding music events where music caused a nuisance	Noted	The policy already addresses issues of public nuisance. This is really an enforcement issue	No change
	Questions 14 & 15 Young people at pub next door causing trouble	Noted	This will be taken into account when reviewing the policy	No change
Respondent 21	Questions 16-19 Sure other streets that would require a CIP if residents demand it.	Noted	As the respondent does not identify any streets in particular it is difficult to attach any weight to this response.	No change
	Questions 20-22 Premises should have a strict time limit on serving alcohol.	Noted	Most premises licences have a time limit for selling alcohol already.	No change

	<p>Ideally supermarkets and convenience stores should not sell alcohol and 24 hour licensing would be abolished.</p> <p>Questions 29-30 Supermarkets selling cheap alcohol should be encouraged</p> <p>Questions 31-32 Alcohol abuse is a major concern.</p>	<p>It is possible the respondent has not understood the question as the answer contradicts other responses given by the respondent</p> <p>Noted</p>	<p>No change to policy necessary</p> <p>No change to the policy necessary</p>	<p>No change</p> <p>No change</p>
Respondent 22	<p>Questions 10 &amp; 11 Serious problems of ASB, violence, litter and street drinking in Wind Street, Ammanford</p> <p>Questions 29 &amp; 30 Festivals should be encouraged</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy.</p>	<p>No change</p> <p>Policy to encourage activities that do not undermine the licensing</p>

	Questions 31 & 32 The problem of people entering licensed premises when they are already 'under influence'	Noted	No change necessary. It is already a criminal offence to serve alcohol to someone who is drunk.	objectives No change
Respondent 23	Questions 10-13 Minor problem of ASB in Chapel Street, Pont tyweli	Noted	This will be taken into account when reviewing the policy	No change
Respondent 24	Questions 14 & 15 CIP in Station Road should remain as it has a reputation for alcohol related disturbance	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
Respondent 27	Questions 14 & 15 CIP in Station Road should remain as it was obvious from the evidence submitted that there was a need for one.	Noted	This will be taken into account when reviewing the policy.	CIP retained as overwhelming evidence in favour of it.
	Questions 20-22 Permitted hours should be limited to exercise more control	Noted	This will be taken into account when reviewing the policy.	No change
Respondent 28	Questions 24-28 Inner city areas throughout the County should be identified in the policy as 'hot spot' areas	Noted	This will be taken into account when reviewing the policy.	No change
Respondent 29	Questions 10-13 Minor problems of ASB involving local youths in Whitland	Noted	This will be taken into account when reviewing the policy	No change

	<p>Questions 14 &amp; 15 Evidence provided by residents must be heeded</p>	Noted	No action necessary	No change
	<p>Questions 20 &amp; 21 Permitted hours should not be limited as it provides an opportunity to structure their hours to their needs.</p>	Noted	This will be taken into account when reviewing the policy	No change
Respondent 30	<p>Questions 14 &amp; 15 In opposing retention of CIP in Station Road, felt that so long as alcohol was available there would be problems and that the number of premises is irrelevant</p> <p>Questions 20-22 In disagreeing with the current lack of a limit on permitted hours stated that when licences were limited problems were over at a reasonable time. Returning to the old licensing hours would allow drinkers to be managed better</p> <p>Question 23 The current list of streets identified as hot spot areas should be removed as premises should be managed better or</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>CIP retained as overwhelming evidence in favour of it.</p> <p>No change</p> <p>No change</p>

	have their licences revoked			
Respondent 32	Questions 10-13 Serious problems of ASB in Ann Street, Llanelli.	Noted	This will be taken into account when reviewing the policy	Ann Street added as a Hot Spot.
Respondent 34	Questions 10-13 Problems in Lammas Street, Carmarthen	Noted	This will be taken into account when reviewing licence	No change at this stage further public consultation recommended
	Questions 14 & 15 Assumes the CIP in Station Road only applies to pubs/nightclubs	Noted	The current policy applies to all premises that sell alcohol plus premises selling hot food and drink after 11pm	CIP retained as overwhelming evidence in favour of it.
	Questions 20—21 In agreeing with current policy on limiting permitted hours stated 'Opening with limited makes for irresponsibility'	Respondent may have misunderstood question as reasons do not correspond with response.	This will be taken into account when reviewing the policy	No change
	Questions 31 & 32 More CCTV cameras, large foot police presence, more activity from licence officers checking licences being adhered to.	Noted	Matters of town centre CCTV and policing are outside the scope of the policy. Licensing Officers already regularly check premises for compliance.	No change
Respondent 35	Questions 20 & 21 In agreeing with current lack of a	Noted	This will be taken into account	No change



	<p>limit on permitted hours stated that people should be given a choice</p> <p>Questions 29 &amp; 30 All business should be encouraged. Festivals would be great in the right area. A greater variety of restaurants is needed. Llanelli town centre needs to be boosted with quality coffee shops etc.</p> <p>Questions 31 &amp; 32 Since the Council took over licensing the system has become costly and cumbersome</p>	<p>Noted</p> <p>Noted</p>	<p>when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy</p> <p>Both licensing fees and the licensing process are prescribed by central government and the Council has no control over these issues.</p>	<p>Policy to encourage activities that do not undermine the licensing objectives</p> <p>No change</p>
Respondent 36	<p>Questions 14 &amp; 15 In supporting the retention of the CIP in Station Road stated that had firsthand experience of emergency services regularly being called to deal with alcohol related issues</p> <p>Questions 20-22 In strongly disagreeing with lack of limit on permitted hours stated that there should be annual good behaviour reviews</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy.</p>	<p>CIP retained as overwhelming evidence in favour of it.</p> <p>No change</p>

	<p>Questions 29 &amp; 30 Festivals should be encouraged wherever suitable</p>	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
	<p>Questions 30 &amp; 31 Previous convictions especially for drugs and alcohol or violence</p>	Noted	This will be taken into account when reviewing the policy	No change
Respondent 37	<p>Question 20 &amp; 21 In agreeing with current lack of limit on permitted hours stated that since it has been in force there has been no impact on the area.</p> <p>Question 23 No need to designate Island Place as a hot spot as area transformed. No longer needed</p> <p>Questions 29 &amp; 30 Should encourage restaurants and bars in town centres</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>The respondent may have misunderstood the question as no such limit has been in force since 2005</p> <p>This will be taken into account when reviewing the licence</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>Island Place has been removed as a Hot Spot</p> <p>Policy to encourage activities that do not undermine the licensing objectives</p>

Respondent 38	<p>Questions 14 &amp; 15 In strongly agreeing that the CIP in Station Road should remain stated that the situation cannot be allowed to get worse.</p>	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	<p>Questions 20 &amp; 21 In agreeing to the lack of a limited on permitted hours stated that reasonableness needs to prevail</p>	Noted	This will be taken into account when reviewing the policy	No change
Respondent 40	<p>Questions 10-13 Moderate problem of alcohol related litter in Llanddarog Road</p>	Noted	This will be taken into account when reviewing the policy	No change
	<p>Questions 14 &amp; 15 In agreeing with the retention of the CIP in Station Road stated that it appeared to be working well</p>	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	<p>Questions 16-19 The CIP should be extended to Lammas Street, Carmarthen due to the problems caused by the high volume of premises there.</p>	Noted	This will be taken into account when reviewing the policy	No change at this stage further public consultation recommended
	<p>Questions 20 &amp; 21 In agreeing with the current lack of a limit on permitted hours</p>	Noted	This will be taken in to account	

	stated that these should continue to be dealt with on a case by case basis.		when reviewing the policy	No change
Respondent 41	Questions 14 & 15 In strongly agreeing with the continuation of the CIP stated that young people in the area are vulnerable to ASB and crime	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
Respondent 42	Questions 10-13 Minor problems with stag Groups attending local hostel in Llangain	Noted	This will be taken into account when reviewing the policy	No change
Respondent 45	Questions 14 & 15 In strongly agreeing with the retention of the CIP stated that there was a massive block of licensed premises close together  Questions 29 & 30 Should possibly encourage a festival in Llanelli Town Centre once a year to boost the economy	Noted  Noted	This will be taken into account when reviewing the policy  This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.  Policy to encourage activities that do not undermine the licensing objectives

Respondent 46	Questions 20-22 In disagreeing with current lack of limit on permitted hours stated there should be time restrictions on licences	Noted	This will be taken into account when reviewing the policy	No change
Respondent 47	Questions 20-22 In strongly disagreeing with the lack of a limit on permitted hours stated that pubs in residential streets should close at 11pm	Noted	This will be taken into account when reviewing the policy	No change
Respondent 49	Questions 14 & 15 In strongly agreeing with the continuation of the CIP stated that this was to ensure respect for people living in the area	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 17-19 CIPs should be imposed in any area where people complain regularly	Noted	This will be taken into account when reviewing the policy	No change
	Questions 20 & 21 In disagreeing with the lack of limits on permitted hours stated that in problem areas limiting hours could provide a solution	Noted	This will be taken into account when reviewing the policy	No change
Respondent 51	Questions 14 & 15 In strongly agreeing with retaining the CIP stated that if alcohol is the main reason for	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in

	problems it is a good reason to refuse new applications			favour of it.
Respondent 52	Questions 14 & 15 In strongly agreeing with the retention of the CIP stated that it helps and supports residents	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 16-19 CIPs should be introduced in any areas where there are issues as the public should have that protection/support	Noted	This will be taken into account when reviewing the policy	No change
	Question 29 Festivals should be encouraged	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 53	Questions 10-13 Moderate problems in St Mary's lane Carmarthen from glass and food waste being deposited	Noted	This will be taken into account when reviewing the policy	No change
	Questions 20-22 lack of limit on permitted hours encourages greater drinking and that midnight is enough for non-	Noted	This will be taken into account when reviewing the policy	No change

	nightclubs			
Respondent 54	Questions 10-13 Moderate problems in Lammas Street, Carmarthen	Noted	This will be taken into account when reviewing the policy	No change at this stage further public consultation recommended
	Questions 14 & 15 Constant litter, drugs and disturbances in Station Road area	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 16-19 CIP should be imposed in Lammas Street, Carmarthen as does not feel safe between 5pm and 5am	Noted	This will be taken in to account when reviewing the policy	No change at this stage further public consultation recommended
	Questions 25-28 Blue Street Carmarthen should be added as a hot spot area due to drunkenness at the bus station	Noted	This will be taken into account when reviewing the policy	No change
	Questions 29 & 30 Late night take aways and late night alcohol sales should be encouraged in the streets previously named	Noted	The respondent may have misunderstood the question as the response contradicts previous replies by the same person	No change

Respondent 55	<p>Questions 14 &amp; 15 CIP should remain as residents have a right to a life free of ASB</p> <p>Questions 20 &amp; 21 Premises should be allowed to operate so long as standards are maintained</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>CIP retained as overwhelming evidence in favour of it.</p> <p>No change.</p>
Respondent 56	<p>Questions 10-13 Problems in Llwynhendy Road, Llanelli from alcohol fuelled arguments, fighting in street and alcohol litter</p>	<p>Noted</p>	<p>This will be taken into account when reviewing the policy</p>	<p>No change</p>
Respondent 57	<p>Questions 14 &amp; 15 CIP should continue to prevent continued issues</p> <p>Questions 16-19 CIP should be extended to Cowell Street and the 'middle of town' as it is frightening with drunk and drugged people</p> <p>Questions 25-28 Cowell street and town centre should be added as hot spot</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>CIP retained as overwhelming evidence in favour of it.</p> <p>No change</p> <p>No change</p>



	areas for same reasons as above			
Respondent 58	Questions 16-16 CIP should be imposed where residents make complaints similar to those in Station Road	Noted	This will be taken into account when reviewing the policy	No change
	Questions 20-21 Agrees with current approach on permitted hours as premises need flexibility	Noted	This will be taken into account when reviewing the policy	No change
	Question 29 The policy should encourage small local festivals and events	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 59	Questions 14 & 15 CIP should remain if problems persist	Noted	This will be taken in to account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 20 - 22 Disagrees with current approach on permitted hours as does not see why premises need to be	Noted. However issues of need are not a relevant consideration under	No change required to the policy	No change

	open all night. Reasonable closing times should be agreed taking into account local residents views.	the Licensing Act. Similarly, local residents are able to comment on applications for Premises Licence and have those views considered		
	Questions 30 & 31 Festivals should be encouraged if properly run on existing sites where previous events have resulted in limited or no objection  ns	Noted	This will be taken into account when reviewing the policy.	Policy to encourage activities that do not undermine the licensing objectives
Respondent 60	Question 15 The CIP in Station Road does not cover the whole street  Question 21 Having too many places with late/same hours will cause ASB due to premises competing with each other. 3am is late enough. Once one premise goes later others will want to follow.  Questions 29 & 30	Noted  Noted	This will be taken into account when reviewing the policy  This will be taken in to account when reviewing the policy	No change  No change

	<p>Encourage late night takeaways to locate in 1 area from Station Road to Church street Llanelli to make policing easier.</p> <p>Questions 31 &amp; 32 Premises Licence summary should be compressed to 1 sheet</p>	<p>Noted</p> <p>Noted. However the form of the summary is prescribed by regulation and beyond the control of the Council.</p>	<p>This will be taken into account when reviewing the policy</p> <p>No change required to the policy</p>	<p>No change</p> <p>No change</p>
Respondent 61	<p>Questions 10-13 Problems of underage drinking in King Street, Carmarthen</p> <p>Questions 20 &amp; 21 Agrees with current approach on permitted hours as unless the hours cause a severe problem they should not be limited</p> <p>Questions 29 &amp; 30 Should encourage promotions in Carmarthen Town Centre to help revitalise the area</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy.</p>	<p>No change</p> <p>No change</p> <p>Policy to encourage activities that do not undermine the licensing objectives</p>

	<p>Question 31 A level playing field should be applied to all premises</p>	<p>Noted. The authority treats all applications in accordance with the requirements of the Licensing Act and Guidance.</p>	<p>No change required to the policy.</p>	<p>No change</p>
Respondent 62	<p>Questions 14 &amp; 15 If problems are already evident adding to them would be a mistake. Licence reviews should also be considered</p> <p>Questions 20 &amp; 21 In strongly agreeing with current approach on permitted hours, stated that if there was viable demand then should be allowed to operate.</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>No change</p>
Respondent 63	<p>Questions 14 &amp; 15 Residents views are very important</p> <p>Questions 29 &amp; 30 Should encourage restaurants and festivals to attract tourists</p>	<p>Noted</p> <p>Noted</p>	<p>No change to the policy required</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>Policy to encourage activities that do not undermine the licensing objectives</p>

	Questions 31 & 32 Policy should encourage business growth and employment	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 64	Questions 14 & 15 If there is evidence of problems then action to deter must be taken	Noted	This will be taken into account when reviewing the policy	No change
	Questions 20 & 21 Pubs should be allowed to set their own restrictions without need for LA to impose anything	Noted	This will be taken into account when reviewing the policy	No change
Respondent 65	Questions 14 & 15 There is already too many premises in Station Road already.	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 17-19 CIP should be extended to Pencader as already sufficient premises.	Noted	This will be taken into account when reviewing the policy	No change
	Question 32	Noted	Public Health is not a licensing	No change

	Does takeaway food lead to obesity.		objective	
Respondent 66	Questions 14 & 15 More than enough licensed premises in this location.	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 16 – 19 CIP should be extended to Town Hall Square , Llanelli.	Noted	This will be taken into account when reviewing the policy	No change
	Questions 20 – 21 Restrictions should be put on permitted hours to reduce alcohol related ASB.	Noted	This will be taken into account when reviewing the policy	No change
	Questions 23- 28 Station Road and Stepney Road , Burry Port should be added as Hot Spot areas	Noted	This will be taken into account when reviewing the policy	No change
	Questions 29- 30 Policy should encourage bars and restaurants selling alcohol.	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 67	Questions 10-13 Station Road Llanelli is often	Noted	This will be taken into account	CIP retained as

	<p>intimidating due to street drinkers and fighting.</p> <p>Questions 17-19 A CIP should be imposed anywhere that has similar problems to Station Road, Llanelli</p> <p>Questions 20-22 Pubs in high density residential areas should have their hours limited. There should be more consultation with local residents.</p> <p>Questions 29 &amp; 30 Late night takeaways should only be allowed away from main roads and if they have their own parking areas. The problems caused in Murray street, Llanelli should be avoided</p>	<p>Noted</p> <p>Noted, although local residents have an opportunity to comment on all licence applications</p> <p>Noted, although the Licensing Policy only controls take aways if they operate after 11pm</p>	<p>when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>overwhelming evidence in favour of it.</p> <p>No change</p> <p>No change</p> <p>No change</p>
Respondent 68	<p>Questions 20-22 Permitted hours should be limited to midnight as late night drinking harms health</p> <p>Questions 29 &amp; 30 Family festivals should be encouraged for example on Carmarthen showground</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>Policy to encourage activities that</p>

				do not undermine the licensing objectives
Respondent 69	Questions 14 & 15 CIP continues to be necessary due to the many alcohol related incidents in the area.	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 20 & 21 This is a difficult policy to balance.	Agreed	No change required to policy	No change
Respondent 72	Questions 14 & 15 CIP should continue in order to minimise late night ASB etc	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 16-19 A CIP should be imposed wherever there is evidence of late night ASB	Noted	This will be taken into account when reviewing the policy	No change
	Questions 20 & 21 Congestion of revellers may compound any problematical areas	Noted	This will be taken into account when reviewing the policy	No change



	<p>Questions 25-28 Llandybie tennis courts should be added as a hot spot area due to police intelligence.</p>	Noted	This will be taken into account when reviewing the policy	No change
Respondent 73	<p>Questions 14 &amp; 15 Any increase in licensed premises will inevitably result in noise or anti-social related problems</p> <p>Questions 17-19 CIP should be imposed in any area where there are already a number of licensed premises in proximity to homes</p> <p>Question 32 The Respondent also made the following additional points by reference to paragraphs in the current policy; Para 4.1 – applicable requirements under other relevant legislation should be taken into account during the application process to ensure consistency Para 4.2 – the model pool of conditions needs to be reviewed and revised where necessary Para 5.4 – All applications</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p> <p>All these comments will all be taken into account when reviewing the policy</p>	<p>CIP retained as overwhelming evidence in favour of it</p> <p>No change</p> <p>Changes have been made to the policy where appropriate to reflect these comments.</p>

	<p>should be accompanied by a risk assessment, or a statement saying why one is not needed</p> <p>Para 7.7 – delete requirement for copies of annual test certificates to be sent to LA. Instead encourage licence holders to keep such records for at least 12 months</p> <p>Para 8 – needs to reflect the Live Music Act 2012. Licensing Group Meetings should continue to take place as they are very useful.</p> <p>Para 8.13 – The Public Nuisance guidance note needs to be reviewed and made available online.</p> <p>Para 13.7 – Responsible Authorities need to discuss what powers are available to tackle premises/events that cause significant problems</p> <p>Para 15 – Amendments needed to reflect changes to rules on Temporary Event notices</p> <p>Para 16 – All TENs should be</p>			
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	<p>accompanied by an adequate Event Management Plan</p> <p>Safety Advisory Group(SAG) The respondent also made several comments regarding the SAG process and recommended a Memorandum of Understanding be drawn up by the various partners in that process</p>	Noted, although this falls outside the scope of the policy	No change needed to the policy	No change
Respondent 74	<p>Questions 14 &amp; 15 Research suggests that outlet density increases alcohol related health harms. (detailed supplementary evidence submitted in support of this assertion)</p> <p>Questions 20 &amp; 21 The likely impact of limiting permitted hours is unclear</p> <p>Questions 29 &amp; 30 The policy should encourage the diversification of licensed premises in town centres to</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>CIP retained as overwhelming evidence in favour of it</p> <p>No change</p> <p>Policy to encourage activities that</p>

	<p>support wider regeneration initiatives and a move away from vertical drinking establishments</p> <p>Question 32 The respondent made the following further detailed submissions by reference to specific parts of the current policy;</p> <p>The policy should set out the role of the responsible authorities</p> <p>Section 2.1 – The policy needs to be updated to reflect changes in the demography of the County since 2001</p> <p>Section 6.8 – The policy should reflect the most recent strategies on substance misuse in Wales</p> <p>Sections 8.12 &amp; 8.14 Need to distinguish between the Council and UHB Public Health Teams</p> <p>Section 10 Support continuation of the CIP in Llanelli (statistical evidence</p>	<p>Noted</p>	<p>All these comments will be taken into account when reviewing the policy</p>	<p>do not undermine the licensing objectives</p> <p>Changes have been made to the policy where appropriate to reflect these comments</p>
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	<p>provided)</p> <p>The respondent also made the following general points;</p> <p>The policy makes no reference to Alcohol Harm and its impact</p> <p>NICE guidance on alcohol misuse disorders recommends using local crime and related trauma data to map the extent of alcohol related problems</p> <p>Ensuring sufficient resources are available for enforcement</p> <p>Partnership working with other authorities to tackle underage sales</p> <p>Use of test purchasing</p> <p>Data was also provided regarding alcohol consumption in Carmarthenshire</p> <p>The policy should be amended to include specific reference to the use of new psychoactive substances</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted. This is already done</p> <p>Noted. This is already done</p> <p>Noted</p> <p>Noted</p>	<p>These comments will be taken into account when reviewing the policy This will be taken into account when reviewing the policy</p> <p>No change required to policy</p> <p>No change required to policy</p> <p>No change required to policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>Policy has been changed to address this</p>
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Respondent 75	<p>Questions 14 &amp; 15 The CIP in Station Road, Llanelli should remain as there continue to be high levels of alcohol related crime &amp; ASB in that area (statistical evidence supplied in support of this assertion)</p> <p>Questions 17-19 A CIP should be imposed in Lammas street, Carmarthen as it is now a centre for alcohol related ASB (statistical evidence supplied in support of this request)</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>CIP retained as overwhelming evidence in favour of it</p> <p>No change at this stage further public consultation recommended</p>
Respondent 80	<p>Questions 20 &amp; 21 Limiting permitted hours in some areas could reduce crime and ASB</p>	<p>Noted</p>	<p>This will be taken into account when reviewing the policy</p>	<p>No change</p>
Respondent 83	<p>Questions 10-13 Problems in village park Pontyberem</p> <p>Questions 20 &amp; 21 It should be left to individual premises to decide opening hours</p> <p>Questions 30 &amp; 31</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>No change</p> <p>Policy to</p>

	The policy should encourage festivals, local shows, rugby and sports celebrations	Noted	This will be taken into account when reviewing the policy	encourage activities that do not undermine the licensing objectives
Respondent 84	Questions 10-13 Problems in Lammas Street and Nott Square, Carmarthen	Noted	This will be taken into account when reviewing the policy	Nott Square added as a hot spot.
	Questions 17-19 CIP should be imposed in Lammas Street and Nott square	Noted	This will be taken into account when reviewing the policy	No change at this stage further public consultation recommended
	Questions 29 & 30 Should encourage restaurants in areas where no problems	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 85	Questions 10-13 Problems with people urinating in the street late at night	Noted	This will be taken into account when reviewing the policy	No change

	<p>Questions 20 &amp; 21 Current approach allows for staggered closing which reduces problems associated with closing time</p>	Noted	This will be taken into account when reviewing the policy	No change
	<p>Questions 25-26 The Bus station at Eastgate Llanelli should be added as a hotspot area</p>	Noted	This will be taken into account when reviewing the policy	Further consultation recommended in order to accurately define the hot spot area
	<p>Questions 29 &amp; 30 Should encourage greater use of festival fields in Llanelli for events to help promote the town</p>	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 86	<p>Questions 29 &amp; 30 Should encourage festivals and restaurants</p>	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives



Respondent 87	<p>Question 13 Problems exist in Carmarthen Town. Police statistics are unlikely to provide a full picture. Other sources of community intelligence should be used when dealing with applications</p> <p>Questions 17-19 Supports the introduction of a CIP in Carmarthen Town Centre</p> <p>Questions 20 &amp; 21 Strongly opposes the lack of a limit on permitted hours due to the impact later hours has on those living nearby</p> <p>Question 23 The hotspot areas in Carmarthen currently identified</p>	<p>Noted. All Councillors and many Town &amp; Community Councils are notified of applications and given an opportunity to make representations. Local residents also have this opportunity</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>No change required to policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>No change at this stage further public consultation recommended</p> <p>No change</p> <p>No change</p>
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	<p>in the policy should remain</p> <p>Questions 29 &amp; 30 The policy should encourage appropriate social and cultural events that promote the town.</p>	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 88	<p>Questions 31 &amp; 32 Statistical data on ambulance calls</p>	Noted	This will be taken into account when reviewing the policy	No change
Respondent 89	<p>Questions 31 &amp; 32 DPPO and alcohol related crime data</p>	Noted	This will be taken into account when reviewing the policy	No change

#### **4) SUMMARY – KEY CHANGES TO THE LICENSING POLICY**

1. The policy has been updated to reflect changes to the legislation and statutory guidance, including for example the removal of the vicinity test and the relaxation of the licensing of live music.
2. Ann Street, Llanelli and Nott Square, Carmarthen have been added as new Hot Spot areas ( several other streets which have been identified as locations of alcohol related ASB have not been added due to the lack of corroborating evidence. However these locations will be highlighted to the Licensing Action Group for consideration)
3. CIP retained for Station Road , Llanelli despite a reduction in the amount of alcohol related ASB and crime as Station Road continues to experience a disproportionately high incidence of alcohol related ASB and crime compared to the rest of Llanelli due to the number of licensed premises at that location.
4. Paragraph encouraging licensable activities which do not undermine the licensing objectives and which are consistent with the Council's regeneration strategies added. (In addition, although not part of the policy, the licensing section is proactively working with Leisure Services to facilitate the use of council property by event organisers.)
5. The policy has been amended to include specific reference to the use of new psychoactive substances.
6. The policy has been amended to reflect the most recent strategies on substance misuse in Wales.
7. The policy has been updated to reflect changes in the demography of the County since 2001

# Licensing Act 2003 - Review of Licensing Policy

## Part 1 - About You

- 1 Are you responding as a...
- Premises licence holder
  - Personal licence holder
  - Club premises certificate holder
  - Member of the Public
  - Local business
  - Body representing licence holders / clubs
  - Body/ Person representing members of the Public (e.g. County councillors; Town & Community Council)
  - Other Organisation or Group
- 2 If responding as an organisation/business/body, please write its name here
- 
- 3 Following 'SA', please specify the two numbers of your postcode
- 
- 4 What is your age group?
- Under 16
  - 16 - 24
  - 25 - 34
  - 35 - 44
  - 45 - 54
  - 55 - 64
  - 65 - 74
  - 75 - 84
  - 85+
- 5 What is your gender?
- Female
  - Male
  - Prefer not to say
- 6 What is your ethnic group?
- White
  - Mixed / multiple ethnic groups
  - Asian / Asian British
  - Black / African / Caribbean / Black British
  - Other ethnic group
  - Prefer not to say

7 The Equality Act 2010 states that a person has a disability for the purposes of this Act if he/she has or has had 'a *physical or mental impairment which has had a substantial and long term adverse effect on his/her ability to carry out normal day to day activities*'.

Long term has been defined as meaning having lasted 12 months or is likely to last at least 12 months

Do you consider yourself to be disabled?

- Yes
- No
- Prefer not to say

8 Do you hold a religion or belief?

- Yes
- No
- Prefer not to say

9 What is your sexual orientation?

- Heterosexual
- Bisexual
- Lesbian
- Gay
- Prefer not to say

## Part 2

10 To what extent are the following alcohol-related issues a problem in your local area?

	Serious problem	Moderate problem	Minor problem	Not a problem
Anti-social behaviour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alcohol related violence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alcohol-related litter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Street drinking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Noise disturbance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Criminal damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

11 Street

12 Town / Village

13 Nature of problem

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## Cumulative Impact Policy

Currently the Council's licensing policy identifies a specific section of Station Road, Llanelli in which there is a presumption that additional licences or variations of existing licences for the sale of alcohol, late night refreshment and regulated entertainment will not be granted.

The policy was adopted as a result of clear evidence from residents and other organisations that the licensed premises in that area were a source of late night noise, alcohol related anti social behaviour and crime and disorder. The policy allows for exemptions to be made in certain circumstances.

(Please refer to section 10 of the current Licensing Policy for a full explanation of the policy)

14 To what extent do you agree or disagree that this policy should continue?

- Strongly agree
- Agree
- Neither
- Disagree
- Strongly disagree

15 Please provide your reasons

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16 Should this policy be applied to any other streets in the County?

- Yes
- No

If yes, please tell us where

17 Street

18 Town / Village

---

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19 Please outline why, giving your reasons below

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20 At present the Licensing Policy does not limit permitted hours for licensed premises.

To what extent do you agree or disagree that this approach should continue?

- Strongly agree
- Agree

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- Neither
- Disagree
- Strongly disagree

21 Please provide your reasons

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22 If you 'disagree' or 'strongly disagree', what changes should be made and why?

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At present the Licensing Policy identifies **certain areas as hot spots** of alcohol related crime and disorder. The hot spot areas have been identified by Dyfed Powys Police and are intended to highlight areas within the county where applicants and existing licence holders are strongly advised to have appropriate measures in place to prevent crime and disorder on these streets.

(Please refer to section 6.12 of the Licensing Policy for further information).

23 Should the below hot spot areas remain?

	Yes	No	Don't know / no opinion		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				Llanelli - Station Road	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ammanford - Quay Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Llanelli - Stepney Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ammanford - Wind Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carmarthen - Coracle Way	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carmarthen - Lammas Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carmarthen - Water Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carmarthen - Priory Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carmarthen - Queen Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carmarthen - King Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Llanelli - Island Place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Llanelli - Murray Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

25 Should any others be added

- Yes
- No

If yes, please tell us where

26 Street

---

27 Town / Village

---

28 Please outline why, giving your reasons below

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29 Are there any types of business, activities or events that should be encouraged by the policy? e.g. Festivals, restaurants, late night takeaways or bars.

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30 If so, where do you believe they should be located and why. Please also outline your reasons below.

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31 Is there anything else that you want us to take into account when reviewing the Licensing Policy? .

- Yes
- No

32 Please outline the matter, giving reasons below.

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33 If you would like to attach a document to your survey response, please note below

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### Part 3 - Your Details (optional)

34 Name:

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35 Address:

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36 Tel No:

---

37 Fax:

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38 E-mail:

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39 Under certain circumstances, we may wish to contact you to follow-up on your response, either to ask for additional comment or to reply to the points you have raised.

Do you consent to CCC using your details in this way?

- Yes - I am happy to be contacted
- No - I do not wish to be contacted

### Data Protection Act 1998

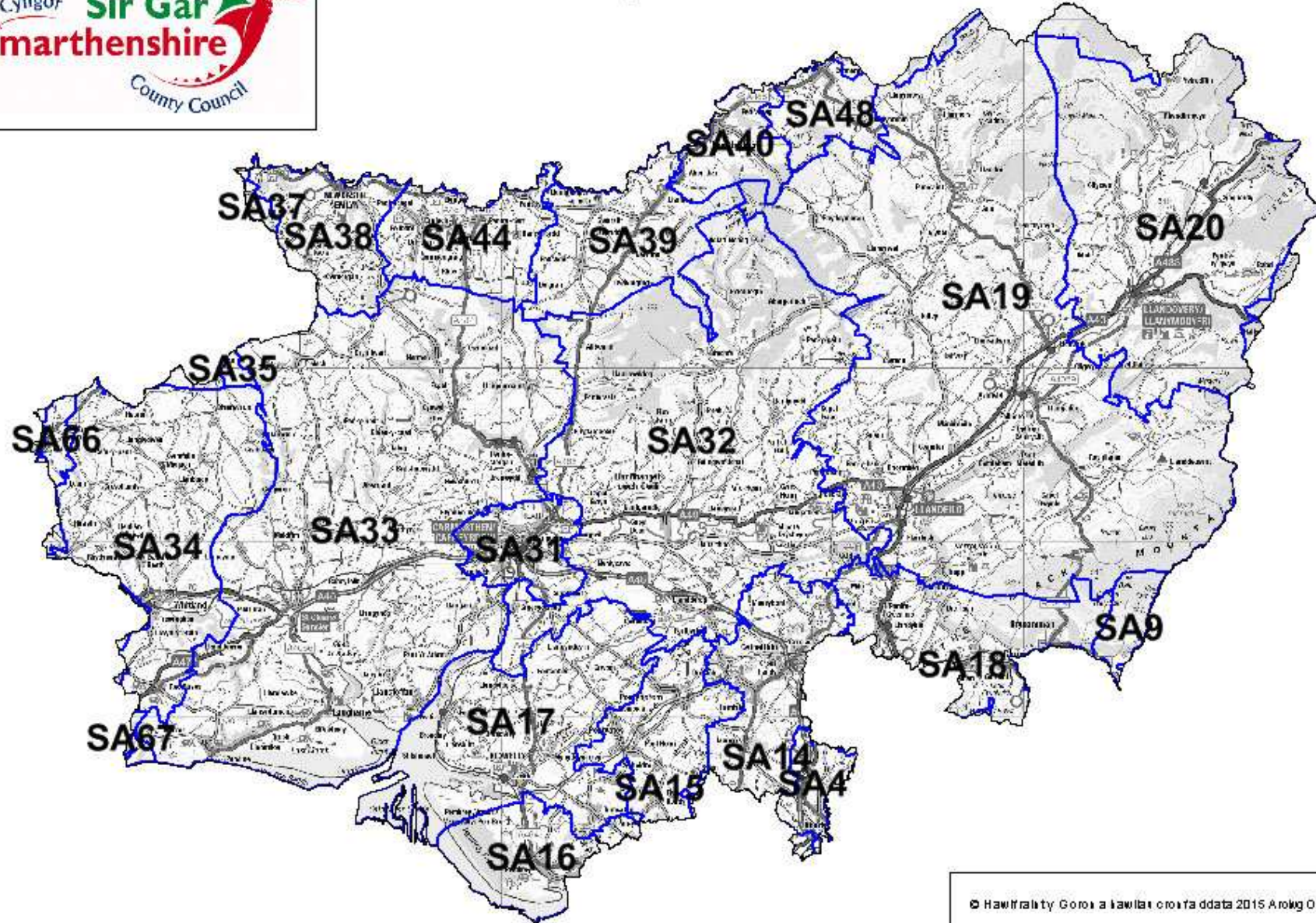
The information contained in this form will be held and processed by Carmarthenshire County Council in accordance with the Data Protection Act 1998.

Your personal details will not be made public in any Council report.

**Thank you for your response**



### APPENDIX 2 - Map of Carmarthenshire Postcode Districts



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# Licensing Policy Statement

## The Licensing Act 2003



February 2016

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LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

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**LICENSING ACT 2003**

**STATEMENT OF LICENSING POLICY**

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# LICENSING ACT 2003

## STATEMENT OF LICENSING POLICY

### 1. INTRODUCTION

1.1 This policy has been developed in accordance with the Licensing Act 2003 ('the Act'), regulations made under that Act, and guidance issued by the Home Office. This policy should be considered in conjunction with these documents.

1.2 The Licensing Authority will carry out its duties under the Act with a view to promoting the four Licensing Objectives. These are:

- a) **The prevention of crime and disorder**
- b) **Public safety**
- c) **The prevention of public nuisance**
- d) **The protection of children from harm**

The Licensing Authority believes that these objectives are of equal importance.

See sections 5-9 below for further details.

1.3 This policy has been formulated as a result of a wide ranging consultation exercise involving (but not limited to): -

- a) The Police
- b) The Fire Service
- c) Other Responsible Authorities
- d) Licence Holders and their representatives
- e) Holders of club premises certificates and their representatives
- f) Local businesses and their representatives
- g) Local residents and their representatives

Due consideration has been given to all those who have responded.

1.4 This policy relates to all those licensable activities identified as falling within the provisions of the Act, namely:

- a) Retail sale of alcohol (including via the Internet or Mail Order)
- b) Supply of alcohol to members of registered clubs
- c) The supply of hot food and/or drink from any premises between 11pm and 5am (late night refreshments)
- d) Provision of '*regulated entertainment*' (as defined by schedule 1, part 1, paragraph 2 of the Act) to the public, club members or with a view to profit. This includes: -
  - i) A performance of a play
  - ii) An exhibition of a film
  - iii) An indoor sporting event

## LICENSING ACT 2003

### STATEMENT OF LICENSING POLICY

- iv) Boxing or wrestling entertainment
- v) A performance of live music
- vi) Any playing of recorded music
- vii) A performance of dance

1.5 The Act contains a number of exceptions and exemptions, which have been amended and increased in recent years by, the Live Music Act, Deregulation Act and other legislative orders. It is not intended to set out these changes in detail in this policy, but they are explained in the guidance issued by the Home Office under section 182 of the Act. They should be carefully considered by any person considering providing entertainment. For further advice, applicants are advised to contact the Licensing Section.

#### 1.6 Types of Authorisations

There are four types of authorisations:

- a) **Premises Licence** - a licence granted in respect of any premises, which authorises them to be used for one or more licensable activities.
- b) **Personal Licence** - a licence granted by the Licensing Authority to an individual which authorises them to supply alcohol (or authorise the supply of alcohol) in accordance with a premises licence.
- c) **Club Premises Certificate** - a certificate granted in respect of premises occupied and used for the purposes of a club.
- d) **Temporary Event Notice** - where it is proposed to use premises for one or more licensable activity during a period not exceeding 168 hours.

1.7 It is recognised that the licensing process can only seek to address those measures within the control of the licensee, and in the vicinity of licensed premises. The licensing process is not a mechanism for the general control of anti-social behaviour by individuals once they are away from licensed premises and beyond the direct control of the licence holder. However where it can be established that a licensed premises is linked to anti-social behaviour or any other activity which undermines the licensing objectives, the matters may be pursued under the licensing process. The Licensing Authority will therefore continue to work in partnership with neighbouring authorities, the police, fire service, the NHS, the licensed trade, local businesses and local people towards the promotion of these four objectives.

1.8 It is intended that this policy statement will remain in existence for a period of up to five years from the 10<sup>th</sup> of February 2016. However the policy will be kept under constant review during this period, and where necessary, changes made, subject to the statutory consultation requirements being met.

1.9 As part of the above the Licensing Authority will consider the impact of licensing on regulated entertainment and particularly live music and dancing.

# LICENSING ACT 2003

## STATEMENT OF LICENSING POLICY

### 2 BACKGROUND

- 2.1 Carmarthenshire is the third largest county in Wales in demographic terms, with a population in 2013 of 184,681 of whom 11.6% were between the ages of 15 and 24, and 22.1% were between the ages of 25 and 44. It is these two age groups, who are currently most likely to make use of, and be employed within, the night time economy. However, 22% of the population is of pensionable age and therefore it is an aim of this policy to make the night time economy accessible to everyone, not just the young.
- 2.2 As a primarily rural area, Carmarthenshire has a strong agricultural base with a 'necklace' of key market towns providing the needs of communities in those rural areas. South East Carmarthenshire is the most densely populated part of the county, and is characterised by close knit former industrial communities. These contrasting types of environment present very different opportunities and challenges to those involved in the night time economy.
- 2.3 The night time economy within the county is extremely diverse, ranging from night clubs in the town centres to traditional local pubs, pub/restaurants, small village halls and community halls. These smaller venues have an important role to play in preserving and promoting the rich cultural and linguistic heritage of the county. On the 1<sup>st</sup> of April 2015 the Authority had 878 premises with Premises Licences, 82 with Club Premises Certificates and 2221 individual Personal Licence Holders.
- 2.4 Whilst the night time economy undoubtedly has benefits in terms of jobs, wealth creation, tourism and the promotion of cultural diversity, there are also obvious disadvantages. Alcohol related public nuisance, and crime and disorder are found not just in the larger town centres, but also in the smaller rural communities.

### 3 FUNDAMENTAL PRINCIPLES

- 3.1 Each application received under the provisions of the Act will be dealt with upon its own merits. However the Licensing Authority's discretion will not be engaged unless representations are received.
- 3.2 Nothing in this policy will undermine the right of a person to apply for a variety of permissions under the Act.
- 3.3 Absolute weight will be given to all relevant representations received by the council in respect of any application or request made under the Act. However representations, which are frivolous, vexatious or repetitious, will not be considered.
- 3.4 The Licensing Authority will not operate a quota of any kind, which would predetermine any application.



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- 3.5 The Licensing Authority does not currently impose general limitations on trading hours in particular areas.
- 3.6 In carrying out its functions under the Act, the Licensing Authority will have due regard to all relevant legislation.

#### 4 CONDITIONS OF LICENCE

- 4.1 In order to avoid duplication with other statutory regimes as far as possible, the Licensing Authority, where representations are received, will not attach conditions of licence unless they are considered appropriate for the promotion of the licensing objectives. Conditions will generally be considered inappropriate if issues are already adequately covered by other legislation.
- 4.2 The Licensing Authority cannot impose standard conditions of licence across the board.
- 4.3 In 2010 the Licensing Act 2003 (Mandatory Licensing Conditions) order set out five new mandatory licence conditions. In 2014 those conditions were replaced by five new conditions introduced by an amendment order .

The new mandatory licence conditions relate to:-

- 1) Prohibition of irresponsible drinks promotions.
- 2) Provision of free tap water for customers
- 3) Requiring the adoption and use of an Age Verification Policy
- 4) Giving customers the choice of small measures
- 5) Banning the sale of alcohol below the cost of duty plus VAT.

The five conditions apply to all premises licences and club premises certificates which authorise the sale of alcohol for consumption on the premises.

Mandatory condition 3 is the only one which applies to premises which authorise off sales of alcohol only.

In certain circumstances conditions attached to licences will not take effect due to the operation of the Live Music Act, Deregulation Act and other legislative orders. For further advice contact the licensing section.

Licence holders are encouraged to contact the Licensing Section to discuss any proposed drinks promotion prior to their commencement. Further detailed guidance along with a new page outlining the conditions have been sent to each licence holder. Further copies of this advice is available from the Licensing Section.

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- 4.4 For advice regarding any pools of model conditions which may be available please contact the licensing section.

#### 5 THE LICENSING OBJECTIVES – GENERAL COMMENTS

- 5.1 Applicants for new premises licences and those seeking variation of existing licences/permissions are advised to demonstrate how they intend to promote the four licensing objectives.
- 5.2 In order to do this applicants are advised to carry out a comprehensive and detailed assessment which should cover, amongst other things:
- a) The scope and nature of the licensable activities to be carried out.
  - b) The duration of such activities.
  - c) The nature and location of the premises in which the activities are to take place (this may include reference to beer gardens, smoking shelters or any other open areas forming part of the premises, or used by the premises for the carrying on of licensable activities and/or consumption of alcohol).
  - d) The nature and location of other premises in the vicinity and their occupants.
  - e) The skills and knowledge levels of persons engaged in carrying out those activities.
- 5.3 The Licensing Authority advises that such an assessment should identify issues which could lead to the licensing objectives being undermined.
- 5.4 The Licensing Authority advises that such an assessment, and its conclusions, be incorporated within, or be annexed to, the operating schedule, which forms part of the application. Where an applicant chooses not to submit a risk assessment they are advised instead to provide a statement explaining why in their opinion one is not needed.
- 5.5 The Licensing Authority advises that the operating schedule sets out in detail the control measures the applicant intends to put in place to deal with the risks identified in the assessment.
- 5.6 Applicants are reminded that, where representations are made in relation to an application, the Licensing Authority has the power to place conditions upon the licence where it considers it appropriate to do so to promote the licensing objectives.

The Licensing Authority believes that the effective management of licensed premises by suitability experienced and trained staff is essential for the promotion of the four licensing objectives.

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### Designated Premises Supervisors

- 5.7 Applicants are reminded that where they wish the premises licence to include the sale or supply of alcohol that they need to appoint a Designated Premises Supervisor (DPS), who must hold a personal licence. The Licensing Authority strongly recommends to all applicants that the Designated Premises Supervisor (DPS) be the person who has day-to-day control of the premises.
- 5.8 The Licensing Authority recognises that where a large organisation such as a pub or supermarket chain has a number of premises from which it intends to sell/supply alcohol, that organisation may wish a more senior member of staff such as an Area Manager to act as Designated Premises Supervisor (DPS) for more than one premises. In those circumstances, the Licensing Authority strongly advises applicants to clearly set out in their operating schedules on how the DPS will ensure that the licensing objectives are to be promoted at the premises in question. The Licensing Authority recommends that this includes:
- a) The frequency of visits by the DPS to the premises.
  - b) The maintenance of proper records at the premises relating to the Licensing Objectives and their inspection by the DPS.
  - c) The identification of the person or persons responsible for the day-to-day management of the premises.
  - d) The proper training of staff at the premises, having regard to their individual roles and the nature of the licensable activities carried on at the premises.
- 5.9 Adult Entertainment  
Following the amendment of the Local Government (Miscellaneous Provisions) Act 1982 to introduce a new category of establishment called Sexual Entertainment Venues, applicants and existing licence holders who are providing adult entertainment such as Lap Dancing, Pole Dancing or Table Dancing are advised to contact the Authority to check whether they require a separate Sexual Entertainment Venue licence for the premises. Further guidance regarding the provision of adult entertainment is available from the Licensing Section.
- 5.10 When preparing their Operating Schedules, applicants are advised to have regard to the guidance issued under Section 182 of the Licensing Act 2003 and any other guidance referred to therein.

## 6 THE PREVENTION OF CRIME AND DISORDER

- 6.1 In order for applicants to properly address this objective, the Licensing Authority advises that the operating schedule where appropriate includes (amongst other things) reference to the following:

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- a) The use of CCTV cameras, both inside and outside the premises. It is recommended that such cameras, where installed, meet the standard set out in the Operational Requirements Guidance document issued by the Carmarthenshire Division of the Dyfed Powys Police and that images are retained for thirty one days. Where cameras are installed, applicants are advised to provide a declaration that Police and Licensing Officers can have immediate access to the images at any time during the opening hours of the premises.
- b) The CCTV system shall be recording whenever the premises is open for licensable activities and at least one hour before opening time and one hour beyond the closing time.
- c) That a competent person capable of producing a copy of CCTV footage upon request of any investigating agency is available at the premises.
- d) The CCTV system be installed and maintained to the satisfaction of the Dyfed Powys Police and local Community Safety Officer.
- e) The Premises Licence holder shall ensure that the CCTV system is kept in a good working order.
- f) The licensee or another appropriate person must randomly examine any available recordings in an attempt to satisfy themselves that all relevant policies are being adhered to and act accordingly where there is any suspicion that staff are not following policy, such as requesting identification or questioning potential 'proxy sales'.
- g) The installation of a security system for the whole of the premises, including the stock area of an approved standard.
- h) Procedures for risk assessing promotions (e.g. drinks promotions) and special events with potential to cause crime and disorder. Plans to minimise the risks identified.
- i) Means to prevent the use and supply of illegal drugs.
- j) Training of staff, including the obtaining of qualifications to a national standard. Applicants are advised to keep written records of all staff training.
- k) The use of security staff, including the number to be deployed, methods of operation, training and qualifications. Applicants are reminded of the requirements of the Securities Industry Act. Applicants will be expected to maintain a register, detailing the security staff on duty at any one time and allow the Police and Licensing Officers access to that register at any time during the opening hours of the premises.
- l) That where Door Supervisors are employed it be in the ratio of two door supervisors for the first one hundred persons and one per hundred thereafter. If applicants wish to employ a different ratio, it is recommended they explain why.
- m) In the case of nightclubs and venues used for live entertainment and concerts, the use of metal detectors and/or other search facilities and procedures.
- n) Door supervisors whenever on duty must wear high visibility style clothing both indoors and outdoors. The type of clothing to be used indoors must be clearly visible and readily identifiable in premises where the lighting may be dim, so that they are recognisable to members of the public, police officers and licensing officers. Whenever on duty door supervisors must complete a register of the time they start and finish duty, the register must contain the contact details of the individual door supervisor.

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- o) Certain premises , particularly those with access restrictions for under 18's are advised to consider arranging for trading standards officers to deliver the free training regarding age verification, detailed in paragraph 9.10, for key staff such as door supervisors.
- 6.2 Applicants are strongly advised to state clearly in their operating schedules the measures to be taken to prevent customers removing glasses and/or open bottles/cans of alcohol from the premises.
- 6.3 All applicants are advised for the purposes of the prevention of crime and disorder that they include within the operating schedule, a capacity limit for the premises and the control measures to ensure it is enforced.
- 6.4 Applicants are advised to outline measures to be taken to supervise customers within any outside location at the premises either a beer garden or street café, in respect of the consumption of alcohol or smoking.
- 6.5 Applicants are advised that where they are planning to place tables and chairs on the highway or on private land, to indicate how they intend to control patrons at those locations and when they intend to remove those tables and chairs. Applicants are advised to contact the Street Scene section for advice regarding relevant permits under the Highways Act 1980.
- 6.6 It is recommended that Licensees support the Dyfed Powys Police in any initiatives to prevent crime and disorder such as passive drugs dogs, Itemiser drug scanning machine or any other relevant resource tool.
- 6.7 Licensees are encouraged to actively participate in an appropriate Pub Watch, LVA, Club Watch, Club Radio, Behave or be Banned, Best Bar None, and Home Watch Scheme or any other similar scheme. Applicants are advised to indicate whether or not they are willing to participate and also whether they are willing to contribute financially to the cost of such schemes.
- 6.8 Licensees are encouraged to promote and take part in any local or national initiatives, strategies or campaigns such as the 'Safer Clubbing Guide' and have regard to the Working Together to Reduce Harm – The Substance Misuse Strategy For Wales 2008 – 2018( Welsh Government 2008)
- 6.9 Applicants are advised where age restrictions on access apply, to put in place measures to control such activities, including staff training and the adoption of schemes such as "Challenge 25"
- 6.10 Licensees are reminded of their statutory duties to display certain licence documents and notices, Proper access to the licence and the display of the summary documents are vital elements of both the premises management and enforcement regimes. The Dyfed Powys Police and the Licensing Authority are of the view that in order to comply with these requirements, the premises summary document needs to be displayed in full public view, at a convenient height, not obscured and in such a way that each page of the document can easily be read by any person at the premises.

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Police and Licensing Officers will expect the responsible person at the premises to be able to produce the licence without delay.

- 6.11 Applicants requiring further information regarding the above or local crime prevention strategies should contact the Police at the address given in Appendix B.
- 6.12 The Dyfed Powys Police have identified the following areas within the County as hot spots of alcohol related crime and disorder. Applicants and existing Licence holders are strongly advised to pay special attention to measures aimed at preventing Crime and Disorder at premises located on these streets and in the vicinity.

#### Llanelli

**Murray Street, Station Road, Stepney Street, Ann Street.**

#### Carmarthen

**Coracle Way, Lammas Street, Water Street, Priory Street, Queen Street, King Street. Nott Square**

#### Ammanford

**Quay Street, Wind Street.**

## 7 PUBLIC SAFETY

- 7.1 Applicants are reminded that the safety of staff and patrons on licensed premises is the responsibility of the licensee.

### 7.2 New Psychoactive Substances

A recent trend has been the use and availability of New Psychoactive Substances(NPS), so called ' legal highs'. The authority recognises that legislation is sometimes slow to change to deal with such substances and that both the Police and local authority have powers under other legislation to tackle premises supplying substances that could be considered as legal highs. The Licensing Authority expects licence holders and qualifying clubs to actively discourage and prevent the use or supply of such substances in licensed premises.

- 7.3 All applicants are strongly advised to include within their operating schedule details of the maximum numbers of persons to be allowed in the premises at any time, how that figure was reached, and the control measures to ensure it is enforced.

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- 7.4 Applicants are reminded that such maximum numbers should be calculated to ensure that premises can be safely evacuated in the event of any emergency, not just in the event of fire (which is the subject of separate legislation). The proposed maximum numbers and control measures should therefore also provide for other types of emergency (e.g. violent disorder, flooding, bomb threats etc).
- 7.5 All applicants are strongly advised to assess as to when the use of alternatives to glass, such as plastic bottles, plastic glasses and/or toughened glasses may be appropriate. The Licensing Authority believes that this is of particular relevance not just to high volume premises such as nightclubs and large town centre pubs, but also to other premises during peak periods such as bank holidays, other special occasions and external beer gardens and street cafes. Failure to properly address this issue could result in representations being submitted by the responsible authorities.
- 7.6 Applicants are advised to set out how they intend to make adequate first aid provisions for staff and customers.
- 7.7 The Licence Holder are advised to ensure that there is in force an appropriate public Liability Insurance Policy relating to his/her use of the premises for licensable activities. A copy of which should be on display at the principal point of entry and be produced to a Police Officer or an officer of the Licensing Authority on request.
- 7.8 Applicants are reminded electrical safety is of paramount importance. Applicants should be aware of the importance of ensuring that the electrical installations of a venue are maintained in safe correct working order, and are periodically checked to ensure they remain in such a condition.

Applicants are advised that the electrical installation in the premises should be in accordance with the requirements contained in the Institution of Electrical Engineers Regulations for the Electrical Equipment of Buildings (IEE Wiring Regulations – issued as BS 7671:2001-amd 2002: Requirements of electrical installations). The Local Authority also advises that the electrical installation of the premises should be inspected and tested annually by a qualified electrical engineer. Applicants are encouraged to keep a record of such certificates for a period of twelve months.

- 7.9 Applicants are reminded that in circumstances where temporary structures (e.g. stages, marquees, seating etc) and/or temporary installations (e.g. generators, heaters) are used, it is the applicants responsibility to ensure that they are suitable for their intended use and they are erected/installed correctly. Applicants are encouraged to ensure only competent people install/erect temporary structure(s) and installations, and the applicant is strongly advised to obtain completion / conformity certificates from the persons responsible for erecting or installing the structure. In addition, applicants are encouraged to keep a record of such certificates for a period of 12 months following obtaining the certificate.

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- 7.10 The use of LPG is not uncommon, in particular, at outdoor events. In circumstances where LPG is intended to be used and stored, applicants are urged to familiarise themselves with the requirements of the LPG Association code of practices and follow such codes.
- 7.11 Applicants and existing licence holders are reminded of the need to comply with the requirements of The Regulatory Reform (Fire Safety) Order 2005. Advice regarding Fire safety can be obtained from the Mid and West Wales Fire Brigade, contact details for their Fire Safety department appear in Appendix B.
- 7.12 The Licensing Authority recommends that applicants contact the Fire Brigade, Health and Safety Executive and or Carmarthenshire County Council Commercial Services as appropriate for further information and guidance on these issues. (See Appendix B for relevant contact details).

## 8 THE PREVENTION OF PUBLIC NUISANCE

- 8.1 Applicants are reminded that licensed premises do not exist in isolation and that their operation contains an inherent risk of public nuisance.
- 8.2 Applicants are advised, as part of the assessment referred to in paragraph 5.2, to identify potential instances of public nuisance, arising from the operation of the premises and the measures to be implemented to control them.
- 8.3 Inaudibility - The simple presence of noise at a complainant's premises would not itself be sufficient to determine the matter as being a Public Nuisance or statutory noise nuisance as defined by the Section 79 of the Environmental Protection Act 1990. In determining the existence of a public nuisance or statutory noise nuisance a number of factors must be taken into consideration such as time, duration, frequency and loudness of the noise.
- 8.4 Applicants are reminded that their responsibilities in this respect are not limited to activities taking place within the premises during opening hours. Applicants are advised to have regard to (amongst other things) the manner in which their premises are prepared for opening (e.g. cleaning and deliveries), the management of patrons entering and leaving the premises and the manner in which the premises is closed down, including the way in which glass bottles are disposed of.

Applicants are also advised to consider:-

- a) Displaying Neighbour courtesy notices to be displayed at the premises.
  - b) Adopting a Dispersal Policy for the premises in respect of any person leaving the premises after midnight.
- 8.5 Applicants are reminded that public nuisance is not limited in scope to noise nuisance. Regard should therefore be had to (amongst other things) issues of light pollution, odour pollution, vibration etc.



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- 8.6 As a result of the introduction of The Health Act 2006 and subsequently The Smoke-free Premises etc. (Wales) Regulations 2007, a large number of premises have erected external shelters and smoking areas, a number of which use street furnishings. Applicants should consider carefully the layout and locations of such external areas and are advised that such furnishings be situated in locations so as not to cause obstruction to the public.
- 8.7 Prior to erecting smoking structures applicants are reminded to consider whether their structure may conflict with relevant planning/building control permission for the premises. If the applicant is unsure whether this is the case or where they are aware of such a conflict, then they should contact the relevant Section of the Authority to resolve this matter.
- 8.8 Applicants are advised to consider how noise arising from the use of external smoking shelters/smoking areas is controlled. Applicants are advised to locate such areas away from residential properties if possible. It is also advised that applicants consider restricting the access to such areas and the activities undertaken within the areas e.g. alcohol not to be used in the external areas beyond a particular time and carefully manage access to and use of such areas.
- 8.9 Applicants are advised not to provide entertainment such as music and televisions in the external smoking areas. Not only can the noise from the entertainment cause disturbance, but external entertainment encourages people to stay outside for prolonged periods of time and this itself can give rise to noise and disturbance
- 8.10 Advertising by means of fly posting is increasing and can have a detrimental effect on the surroundings. Applicants who use such methods of advertisement are recommended to have procedures in place to ensure that the advertisements are removed as soon as possible. Applicants are reminded that fly posting may give rise to criminal liability, both for those who fly post and the business that is being advertised.
- 8.11 Applicants are advised to consider how customers using the smoking areas dispose of their used cigarettes. Applicants are encouraged to provide receptacles for the used cigarettes and also to have systems in place to ensure the area is kept free from litter.
- 8.12 The Public Health Team has encountered a number of cases where trade waste is not being effectively managed by Licensed Premises. The result of which can give rise to Public Health problems such as rodent infestations, flies and odours. Situations have also arisen where premises (especially food premises) have been depositing their waste oil into the foul drainage system that resulted in blocked drainage system. Applicants are therefore reminded of their obligation to comply with legislation in relation to these issues.

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- 8.13 Carmarthenshire County Council Public Health Services has produced further detailed guidance to assist applicants to address the public nuisance licensing objective. The Licensing Authority advise applicants to have regard to this guidance when producing operating schedules.
- 8.14 The Public Health Team has a duty to investigate nuisance complaints and therefore should be the first point of contact in cases where individuals are experiencing problems of nuisance from licensed premises.

### 9 THE PROTECTION OF CHILDREN FROM HARM

- 9.1 The Licensing Authority will not seek to require that access to any premises is given to children at all times. Under normal circumstances this will be left to the discretion of the licensee. Generally the Licensing Authority will not seek to limit access of children to any premises unless it is necessary for the prevention of harm to them. Applicants are reminded that their general responsibilities towards staff and customers are increased where such staff/customers are children.
- 9.2 Applicants are advised to include within their operating schedules a clear statement as to when children will be employed at the premises and/or when they will be allowed on the premises as customers or performers in regulated entertainment. Applicants are reminded of the existence of local by laws governing the employment of children, and are advised to contact Education and Children Services in relation to this issue.
- 9.3 The range of alternatives which may be considered for limiting the access of children include:
- a) Limitations on the hours when children may be present.
  - b) Limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place.
  - c) Limitations on the parts of premises to which children might be given access.
  - d) Age limitations (below 18).
  - e) Requirements for accompanying adults.
  - f) Full exclusion of people under 18 from premises when licensable activities are taking place.
- 9.4 Where applicants intend to allow children to enter their premises they are advised to establish and enforce clear codes of conduct to be observed at all times when children are present. The Licensing Authority suggests such codes to be incorporated within or annexed to operating schedules and to include reference to (amongst other things):
- a) The prohibition of foul and abusive language
  - b) The prohibition of threatening behaviour
  - c) The prohibition of entertainment of an adult or sexual nature
  - d) The prohibition of entertainment of a violent nature

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- e) The prohibition of gambling (other than small numbers of AWP machines).
- 9.5 Applicants are advised to clearly state which parts of the premises children are allowed to enter, the circumstances in which this can take place and the control measures to ensure this is enforced. Applicants should seek advice from the Licensing Authority and Children's Services on a case by case basis.
- 9.6 Applicants are advised to include within their operating schedule a declaration that children of school age will not be allowed into their premises during school hours.
- 9.7 Applicants whose premises are used to provide services specifically to children and/or family groups are advised to adopt the following measures:
- a) Security checks on all staff, including temporary staff.
  - b) Training for key staff in relation to child protection and safety issues.
  - c) The adoption of fixed time deadlines after which children of a certain age will generally be expected to leave the premises. The Licensing Authority recommends that on a day preceding a school day this should be 8pm for children up to and including primary school age, and 10pm for secondary school children.
  - d) Procedures to ensure that unaccompanied children have the means to travel home safely.
- 9.8 In respect of licensed premises that hire their function rooms for private events, they adopt a system where all bookings are checked and details of the event or functions are verified as being bona fide. Such details to be recorded to include name of person who took the booking, contact details of person make the booking and what steps were taken to confirm that the event or function was not for persons under 18 years of age. This is to prevent the possibility of licensing offences being committed by the premises or those attending the function, such as an under 18's party, school proms or similar events where the majority of those attending will be under 18.
- 9.9 Applicants whose premises are to be used for Parties or events aimed primarily at 18 year olds and under are advised that the following arrangements are prudent to protect children from harm.
- Bookings for such events should only be taken from an adult. A requirement of an accompanying adult to supervise should be considered.
  - A Designated Premises Supervisor should be present whenever the premises is in use for such events
  - Specific arrangements need to be made by the premises to ensure that children and young people are able to get home safely. For example having a freephone available for booking local taxis.
  - Specific arrangements need to be made to ensure that children and young people that turn up at the premises and are denied access due to

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intoxication get home safely to the care of a parent or carer or responsible adult.

- Fixed time deadlines at which such parties will generally be expected to leave the premises.
- 9.10 Consideration should be given to the age of bar staff serving at these events and the potential impact that peer pressure could have on the likelihood of alcohol being served to underage persons. Arrangements should include the supervision and training of these staff to deal with peer pressure.
- 9.11 Applicants are reminded of research carried out on behalf of the Department of Children & Families by Newcastle University, which concluded that children who misuse alcohol are likely to suffer harm to their physical and mental health, educational development and personal safety.
- 9.12 Applicants whose premises are to be used for the sale and/or supply of alcohol are advised to set out in their operating schedules the steps that will be taken to prevent the sale and/or supply of alcohol to persons under age. This may include (but not necessarily be limited to):
- a) The Implementation of a “Challenge 25” policy to ensure that all staff will insist on appropriate ID if they believe that a purchaser may be 25 or under – “No ID – No Sale”.
  - b) The provision of notices / posters to be clearly displayed in store, near the point of sale areas, to emphasise to customers that they will be challenged if they look 25 or under. It is recommended that similar posters relating to the sale of age related products to be clearly displayed near the products themselves.
  - c) What forms of proof of age will be accepted at the premises e.g. Photo-card driving licence, passport, Validate card or any PASS accredited proof of age card.
  - d) A requirement that all new employees to undergo induction training in relation to the sale of age restricted products, immediately on commencing employment, and a written record and details be kept of such training.
  - e) A requirement that all relevant staff undertake refresher training in relation to the sale of age restricted products at least once every 6 months.
  - f) That such training include information on the acceptable forms of ID, and in particular the “Validate” proof of age card, promoted within Carmarthenshire. Sample “Validate” ID cards, should be made available, for staff, to assist confidence in their understanding of information contained on such cards.
  - g) A Requirement that a “Refusals Log” be maintained, kept at the till area, and entries completed every time a sale is refused. These “refusals” should be examined and analysed by an appropriate person within the organisation, at regular intervals, and any potential concerns addressed immediately. Any such actions should be recorded, signed and dated.
  - h) Where a person under is 18 is employed, a signed record should be made by the relevant “supervisor” in charge of that person, prior to them commencing duty on each day.

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- i) The Premises Licence Holder should have installed a CCTV system that covers the checkout area. The licensee or another appropriate person should randomly examine any available CCTV recordings, in an attempt to satisfy themselves that all relevant policies are being adhered to, and act accordingly where there is any suspicion that staff, are not following policy, such as not requesting ID, or questioning potential “proxy sales”.
- j) The preparation of a written policy in relation to the sale of age restricted products, a copy of which to be provided to all staff. Such a policy should be annually reviewed and if relevant, updated to reflect changes in the law, and / or guidance issued by relevant bodies.
- k) Where an EPOS system is in use, a till prompt is automatically generated to alert staff that an alcoholic product has been scanned, and that staff need to acknowledge this, before such a sale can continue.
- l) Arranging for the DPS to be in full time employment at the premises, with an active “hands on” role in, and responsibility for, overseeing staff. The DPS should have successfully completed, and provide evidence of such, a nationally accredited “personal licence” course.
- m) Ensuring that all documents referred to above, are kept at the premises and made available on request, at all times to Police, Trading Standards or Licensing Officers. Applicants are advised that where such a requirement is made a condition of licence, a failure to produce could be interpreted as documents “not being available”, which could be a breach of licensing conditions.

9.13 The Trading Standards Services Section offer free training for premises staff in relation to the sale of alcohol and other age restricted products. Licence holders wishing to take advantage of this service must make arrangements well in advance by contacting the Trading Standards Section using the contact details contained in Appendix B.

9.14 Applicants should have regard to such advice and guidance as may be issued from time to time by the Police and the Carmarthenshire County Council’s own Trading Standards Officers.

9.15 Applicants are reminded that the advice to keep training records set out in paragraph 6.1 in this policy is equally applicable in this context.

9.16 The Licensing Authority recognises that the Department for Education and Children of Carmarthenshire Council is the competent body to advise on matters relating to the protection of children from harm. The address to which applicants should forward copies of their application is contained in Appendix E.

9.17 The Licensing Authority strongly advises applicants to make a commitment in their operating schedules to follow the Portman Group code of practice on the naming, packaging and promotion of alcoholic drinks. Failure to do so may be regarded as intelligence of irresponsible drinks promotions under section 19 (2) of this policy.

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#### 10 CUMULATIVE IMPACT

- 10.1 The Licensing Authority has received sufficient evidence to show that a Cumulative Impact Policy continues to be required in relation to the lower end of Station Road, Llanelli, between its junction with Queen Victoria Road south to the railway crossing as shown on the plan attached at appendix F. However, in accordance with paragraph 1.7 this matter will be kept under constant review.

This Policy applies to any property which has a boundary on the relevant portion of Station Road.

- 10.2 Where relevant representations are received, it is the Licensing Authority's policy to refuse applications in respect of the lower end of Station Road, Llanelli, between its junction with Queen Victoria Road south to the railway crossing as shown on the plan attached at appendix F for;

- (a) New Premises Licences
- (b) The variation of such licences that are considered likely to add to the existing cumulative impact.

The policy is intended to be strictly applied and will only be overridden in genuinely exceptional circumstances

Exceptions are unlikely to be made on the grounds that the premises are, or will be, well managed

Exceptions should be directed at the reasons underlying the policy.

An exception might arise where an application proposes;

- (a) To effect a real reduction in capacity
- (b) To replace vertical drinking with seated consumption and waiter service.
- (c) To transfer an operation from one premises to another, where the size and location of the second premises is likely to cause less detrimental Impact and will promote the licensing objectives.
- (d) The substitution of existing licensable activity at a premises with licensable activities which would have less impact on the area and would be more likely to further the licensing objectives.

Variation applications which are likely to be considered to add to the existing cumulative impact include;

- (a) An increase in the capacity of the premises
- (b) An extension in the hours of operation of the premises
- (c) Introducing opportunities to consume alcohol other than ancillary to table meals
- (d) Introducing opportunities to take food away from the premises
- (e) Introducing dance floors or similar facilities

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- (f) Any other change to the way the premises operate which is likely to have an impact on the promotion of the licensing objectives.
- (g) The varying of an existing licence condition attached to a premises licence, which is likely to have an impact on the promotion of the licensing objectives.

The Licensing Authority acknowledges that it has departed from the Secretary of State's guidance by including premises which sell alcohol for consumption off the premises within the scope of this policy. However the Licensing Authority believes that this departure is justified due to the evidence of price competitive behaviour linked to street drinking, underage drinking, proxy sales and pre-loading associated with the concentration of such premises in Station Road, Llanelli.

The Licensing Authority acknowledges that this policy goes further than that set out within the Secretary of State's Guidance. However the Licensing Authority believes this is justified on the grounds set out below.

The reasons for adopting this policy are as follows;

1. The portion of Station Road, Llanelli, between its junction with Queen Victoria Road south to the railway crossing as shown on the plan attached at appendix F contains a total of 23 licensed premises, including pubs, nightclubs, off licences and late night take away outlets.
  - a) During the period 01/01/13 to 31/07/15 the following incidents occurred in Station Road –
    - 101 incidents of alcohol related ASB
    - 84 Incidents including alcohol related public safety concerns
    - 233 alcohol related crimes.
  - b) Station Road accounted for 57% of alcohol related anti social behaviour and 67% of alcohol related crime recorded in the hot spot areas in Llanelli identified in the policy.
2. The Road is in close proximity to a large number of residential streets. There is clear evidence that these streets are subject to alcohol related crime and disorder by persons who have purchased alcohol in Station Road.
3. Station Road is the location for a number of licensed premises. There is clear evidence linking these premises to late night noise and anti social behaviour in Station Road and the surrounding residential streets.
4. Evidence has been received that late night food outlets attract passing custom from people leaving the town centre, leading to a greater concentration of people than would otherwise be the case, before dispersing through nearby residential streets.
5. There have been licence applications relating to premises in Station Road which have highlighted issues of alcohol related anti-social behaviour and crime and disorder.
6. The evidence to support the above is contained in the Policy review file and on the individual premises files held by the Licensing Section.

## LICENSING ACT 2003

### STATEMENT OF LICENSING POLICY

7. The evidence from the consultation shows that residents are continuing to be affected by alcohol related crime and disorder, however this is primarily between it's junction with Queen Victoria Road south to the railway crossing, as shown on the plan attached at appendix F.

#### 11 LICENSING HOURS

- 11.1 The Licensing Authority recognises that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people tend to leave licensed premises at the same time. Longer licensing hours may therefore be an important factor in reducing friction at late night food outlets, taxi ranks and other sources of transport in areas where there have already been incidents of disorder and disturbance.
- 11.2 However, the Licensing Authority recognises that in certain cases, the presumed benefits of longer licensing hours may be outweighed by the disadvantages of increased public nuisance, crime and disorder. This may be particularly the case in rural or residential areas. The Licensing Authority advises applicants to address this possibility when preparing their operating schedules in accordance with section 5 of this policy.
- 11.3 As far as the Licensing Authority's overall approach to licensing hours is concerned, it has not introduced any form of zoning at present.
- 11.4 Instead, regard will be given to the individual characteristics of the premises concerned and the area in which it is located. It is recognised that pubs, nightclubs, restaurants, hotels, theatres, members clubs and community venues all contribute to the night time economy but with contrasting styles and characteristics. Proper regard will be had to those differences and the impact they are likely to have on the local community.
- 11.5 Premises licensed to sell alcohol will generally be permitted to do so during the normal hours they intend to open for business
- 11.6 Where representations are received, the Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. For example, when issuing a licence, stricter controls may be imposed in the case of premises which are situated in the vicinity of residential accommodation.
- 11.7 Applicants for new licences, or those seeking variation of their existing licences and permissions, are advised to set out in detail in their operating schedules the control measures which they intend to adopt to address the licensing objectives.
- 11.8 Applicants are strongly recommended to include provision for drinking up time in their operating schedules.



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#### 12. FILMS

- 12.1 In the case of premises which are used for film exhibitions, conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Licensing Authority itself.

In recent years, the Act has been amended to exempt some types of film entertainment provided at certain locations from the requirement to be licensed between the hours of 8am and 11pm. Persons considering providing film entertainment are advised to contact the licensing section for detailed guidance regarding these exemptions.

#### 13. INTEGRATING STRATEGIES AND THE AVOIDANCE OF DUPLICATION

- 13.1 The Policy is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operatives.
- 13.2 The Licensing Authority will endeavour to secure proper integration with local crime prevention, substance misuse action plans and strategies, planning, transport, tourism, cultural and health, social care and well-being strategies.
- 13.3 Where any protocols agreed with the police identify a particular need to disperse people from any areas swiftly and safely to avoid concentrations which could lead to disorder and/or nuisance, the Licensing Authority will aim to inform those responsible for providing local transportation so that arrangements can be made to reduce the potential for problems to occur.
- 13.4 The licensing authority will seek to encourage licensable activities which do not undermine the licensing objectives and which are consistent with the economic regeneration strategies and objectives of the authority, particularly those of the Llanelli town centre task force.
- 13.5 The Licensing Authority recognises that licensing applications should not be seen as a re-run of the planning application process and that there should be a clear separation of the planning and licensing regimes to avoid duplication and inefficiency. Therefore, the Licensing Authority will not insist that a premises has the benefit of appropriate planning consent before considering an application, although applicants are reminded that the local planning authority, as a relevant authority, has the power to object to the granting of a licence and/or request the imposition of conditions upon any licence granted. Applicants are also reminded that the fact that planning consent may permit them to operate until a particular hour does not mean that they will necessarily be granted a licence on the same terms as different statutory criteria is applied under the planning and licensing regimes.
- 13.6 The Licensing Authority recognises that, apart from the licensing function, there are a number of other means available for addressing issues of

## LICENSING ACT 2003

### STATEMENT OF LICENSING POLICY

disorder and nuisance that can occur away from licensed premises, including:

- a) Planning Controls.
- b) Positive measures to create a safe and clean town centre environment in partnership with (amongst others) local businesses, transport operators and other departments of the Local Authority.
- c) The provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols.
- d) Powers of Local Authorities to designate parts of the Local Authority area as places where alcohol may not be consumed publicly.
- e) Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices.
- f) The prosecution of any personal licence holder or member of staff at such premises, selling alcohol to people who are drunk.
- g) The confiscation of alcohol from adults and children in designated areas.
- h) Police powers to close down instantly for up to 24 hours any licensed premises or temporary events on the grounds of disorder, or the likelihood of disorder or noise from the premises causing a nuisance.
- i) The powers of the police, other relevant authority or a local resident or business to seek a review of the licence or certificate in question.
- j) The powers of Public Health Services to issue abatement notices under Section 80 of the Environmental Protection Act 1990 to prevent statutory nuisance.

13.7 The Licensing Authority will continue to address issues of this type through the Carmarthenshire Community Safety Partnership.

#### **14. LIVE MUSIC, DANCING AND THEATRE**

14.1 In recent years, the Act has been amended by the Live Music Act, Deregulation Act and other legislative orders, which have exempted some types of entertainment provided at certain locations from the requirement to be licensed between the hours of 8am and 11pm. It should be noted that exempt entertainment is still subject to the powers under the Environmental Protection Act 1990 and that live music provided at licensed premises under The Live Music Act must still promote the licensing objectives and could still be subject to a licence review. Persons considering providing entertainment are advised to contact the licensing section for detailed guidance regarding these exemptions.

14.2 When determining applications for live and/or community based events the Licensing Authority will take into account the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole, and in particular the need to support and promote the linguistic and cultural heritage of Carmarthenshire.

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- 14.3 If representations are made concerning the potential for disturbance in a particular neighbourhood as a result of such activities, such representations will be balanced against the wider benefits to the community of such events taking place.
- 14.4 When attaching conditions to licences granted for such events, the Licensing Authority recognises the need to avoid measures that might deter live music, dancing or theatre by the imposition of substantial indirect costs.
- 14.5 The Licensing Authority acknowledges the advice previously received from the DCMS in this context that the views of vocal minorities should not be allowed to predominate over the general interests of the community.
- 14.6 Only conditions strictly appropriate for the promotion of the licensing objectives will be attached to licences for activities of this nature.

### 15. SMALL SCALE TEMPORARY EVENTS

- 15.1 The Act provides for certain occasions when small-scale events (for no more than 499 people at any one time and lasting for no more than 168 hours) do not need a premises licence providing that advance notice is given to the Police, Environmental Health and the Licensing Authority. Only the Police or Environmental Health can object to such a Temporary Event Notice if they believe the event is likely to undermine any of the licensing objectives.

#### **Standard Temporary Event Notices**

- 15.2 Persons wishing to hold such events under the authority of a standard temporary event notice (TEN) must give a **minimum of 10 clear working days** notice to the Police, Environmental Health and the Licensing Authority. The addresses to which such notices must be sent can be found in Appendix C to this policy.

#### **Late Temporary Event Notices**

- 15.3 A late temporary event notice can be submitted up to **five clear working days prior to the start** of an event and must be served in the same way as set out above for standard TENs. However if one of the authorities objects to a late TEN, the Notice will not be valid and the event will not be able to go ahead.
- 15.4 The Licensing Authority recommends that responsible event organisers give far greater notice of events however, to ensure that potential problems can be identified and resolved well in advance. Ideally the Licensing Authority would like to receive three months notice of such 'small' temporary events, although it is recognised that this may not be practicable in some cases.
- 15.5 Those submitting Temporary Event Notices are therefore strongly recommended to contact licensing officers early in the planning of such events to obtain further guidance regarding the process.

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- 15.6 Those submitting Temporary Event Notices are advised to consider the advice about organising events for 18 year olds and under which can be found at paragraph 9.9 and the impact of alcohol consumption on young people which can be found at 9.10
- 15.7 Organisers of Temporary Events are strongly advised to refer to the good practice advice contained in other sections of this policy document. In particular :-
- Section 6 The Prevention of Crime and Disorder,
  - Section 7 Public Safety
  - Section 8 The Prevention of Public Nuisance and
  - Section 9 The Protection of Children From Harm

Organisers are also strongly advised to consult the Authorities listed in Annex B for advice regarding their obligations under other separate legislation.

## 16 LARGER OCCASIONAL EVENTS

- 16.1 Organisers of larger Occasional events involving 500 or more people will be required to submit applications for premises licences. The Licensing Authority again strongly recommends that event organisers contact licensing officers early in the planning stages of the event. Ideally the Licensing Authority would like to receive 12 months notice of any such event, although it is again recognised this may not be practicable in some cases.
- 16.2 The Following table is included as a suggested minimum period of time prior to an event for submitting a complete application, following consultations with the responsible authorities.

<b>Maximum number of attendees at any time</b>	<b>Minimum notice period</b>
500 - 999	Not less than 2 months
1000 - 2999	Not less than 3 months
3000 - 4999	Not less than 4 months
5000 - 19999	Not less than 5 months
20000 – 49999	Not less than 6 months
50000 +	Not less than 7 months

- 16.3 Organisers of all occasional events, irrespective of their size and duration, are reminded that failure to consult with the Licensing Authority and Responsible Authorities well in advance of the event taking place increases the risk of objections to the event, and the subsequent cancellation of the event itself.
- 16.4 Organisers of occasional events are advised to prepare an Event Management Plan setting out details of all aspects of the arrangements for the event. Organisers are advised to contact the licensing section for advice and guidance regarding the preparation of such management plans.

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- 16.5 The Licensing Authority will establish a multi-agency advisory group, consisting of the emergency services and other council services such as Highways and Public Health, to advise and co-ordinate planning for public events in the County, irrespective of their size and duration.
- 16.6 Organisers of occasional events are advised to consider the advice about events aimed at 18 year olds and under that can be found at 9.9 and the impact of alcohol consumption on young people which can be found at 9.10.

#### **17. THE LICENSING PROCESS**

- 17.1 The powers of the Licensing Authority under the Act will be carried out either by the Licensing Committee, by a sub-committee of that committee, or by one or more officers of the council in accordance with the scheme of delegation, which is prescribed from time to time by regulations and guidance under the Act. See Appendix A.
- 17.2 In general terms however, the Licensing Committee will have a largely supervisory role, contested applications will be dealt with by sub-committees, and uncontested applications by officers. See Appendix A.
- 17.3 Applicants are strongly encouraged to consult the Licensing Authority, responsible authorities, local businesses and residents whilst preparing their applications. The Licensing Authority firmly believes that this will assist applicants in identifying potential problems so that they can be addressed before they occur, and allay the fears of such businesses and residents as to the impact of the new licensing regime.
- 17.4 Applicants are strongly encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their operating schedules.
- 17.5 There is a presumption that a Sub Committee will not undertake site visits. A site visit will only be arranged where a valid representation is received and in the opinion of the licensing officer the sub committee may benefit from such a visit when determining the application. Officers will consult the chairman of the relevant Sub Committee prior to arranging a site visit.

If when dealing with applications where a site visit has not been arranged, the sub committee subsequently feels that a site visit is necessary in order to determine the application, the hearing may be deferred to allow this to take place.

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#### 17.6 Minor Variations

The Licensing Act 2003 has been amended by the insertion of Section 41A to 41C relating to minor variations. This allows for certain small variations to be processed through a simplified 'minor variations' process.

Minor variations will generally fall into four categories:

- Minor variations to the structure or layout of the premises
- Small adjustments to licensing hours
- The removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions
- The addition of certain licensable activities

Applicants are advised to contact the Licensing Section to discuss their proposed application prior to submitting a formal application.

#### 17.7 Community Premises

The Licensing Act 2003 has been amended to allow certain community premises which have, or are applying for, a premises licence that authorises alcohol sales to be exempted from the need to have a designated premises supervisor.

Such an application may only be submitted where the licence holder is the management committee, who would then be responsible for the supervision and authorisation of all alcohol sales made.

Community premises are defined as church or chapel halls, village or community halls or similar buildings.

Applicants are advised to discuss their proposals with the Licensing Section prior to submitting a formal application.

#### Making Representations

17.8 Persons considering making representations in relation to an application may wish to contact the licensing section for further information regarding the application and for guidance regarding the process of making representations.

17.9 The Authority advises individuals wishing to make representations against submitting a petition, as it is often difficult to verify that all the signatories meet the criteria contained in the legislation for relevant representations. In line with advice from LACORS, where lengthy petitions are submitted in relation to licence applications, a lead contact should be given and the Authority will then only correspond directly with that individual. Information regarding the application will be made available upon reasonable request to other signatories of the petition.

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- 17.10 In the interests of Local Authority cost and efficiency, where large numbers of representations are received regarding an application, copies of all the representations may not be distributed to all persons. The relevant documents will however be made available for inspection.
- 17.11 Any persons who have submitted representations are strongly advised to attend the hearing arranged to determine the application, as the committee may have to attach less weight to their representation if they are not present to answer questions regarding matters raised.
- 17.12 Where a person does not agree for their personal information being disclosed to an applicant, they are advised that this may result in less weight being attached to their representations.
- 17.13 Where a person has a genuine and well founded fear of intimidation and may be deterred from making a representation, they are advised to consider contacting the relevant Responsible Authority to discuss their concerns regarding the application.
- 17.14 Any person may make relevant representations in respect of licence applications.
- 17.15 Persons who make representations are expected to set out in detail the problems complained of and how they affect them.

### 18. LICENCE REVIEWS

- 18.1 At any stage following the grant of a premises licence, any person or responsible authority may ask the Licensing Authority to review the licence because of problems arising at the premises in connection with any of the four licensing objectives. In addition, a review of the licence will normally follow any action by the police to close down premises for up to twenty-four hours on grounds of disorder or public nuisance.
- 18.2 Any person who wishes to apply to review a licence or certificate are reminded that such an application cannot be made on a confidential basis. It is a requirement of the Act that the identity of the person or organisation making the application be disclosed in order for the request to be valid.
- 18.3 Where the application for a review originates with a person other than a responsible authority the Licensing Authority will first consider whether the request made is irrelevant, vexatious, frivolous or repetitious. This decision will be made by officers of the Licensing Authority in conjunction with the Chair or Vice Chair of the Licensing Committee.
- 18.4 Nothing in this policy shall be taken to prevent any individual making separate applications for the review of different licences, or more than one application for the review of the same licence where such requests are based on different complaints or evidence.

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18.5 Following receipt of an application for review or where the closure procedures referred to in paragraph 18.1 above apply, the Licensing Authority will arrange a hearing, which will be conducted in accordance with the prescribed regulations.

#### 19. DISPUTE RESOLUTION

19.1 In the first instance, individuals or groups with concerns about particular premises are encouraged to raise their concerns directly with the applicant or licensee concerned.

19.2 Where the following have occurred the Licensing Authority will offer to arrange for mediation between the parties concerned to try to address, clarify and resolve the issues in dispute:

- a) A valid representation regarding a licence application
- b) A valid request for the review of a licence
- c) A valid complaint about licensed premises.

19.3 This offer will not override the right of any party to ask that the Licensing Committee (through its sub-committees) consider their representation, request or objection, nor the right of any applicant or licensee to refuse to take part in the mediation process.

#### 20. ENFORCEMENT

20.1 The Licensing Authority has established protocols with the police and other enforcing authorities. These protocols will provide for the targeting of unlicensed premises, problem premises and high-risk premises, but with a lighter touch being applied to those premises which are shown to be well managed and maintained.

The authority has established a Licensing Action Group to provide a forum for representatives of the responsible authorities to meet regularly to focus coordinated action in respect of clubs or premises which are a source of complaint or concerns.

20.2 In establishing whether premises are high risk, regard will be had to the following:

- a) Intelligence relating to disorder and/or nuisance at, or in the vicinity of the premises.
- b) Intelligence relating to the sale/consumption of alcoholic drinks at, or in the vicinity of the premises by persons under age.
- c) Intelligence relating to drug taking and/or dealing at, or in the vicinity of the premises.
- d) Intelligence relating to irresponsible drinks promotions at the premises.
- e) Intelligence relating to binge drinking at the premises.



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- f) Whether the premises can be categorised at any time as high volume or high-density vertical drinking establishments.

20.3 In general, action will only be taken in accordance with set enforcement principles and in line with the Licensing Authority's own enforcement policy. To this end, the key principles of consistency, transparency and proportionality will be maintained.

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**Appendix A**

**DELEGATION OF FUNCTIONS**

<b>Matter to be dealt with</b>	<b>Full Committee</b>	<b>Sub Committee</b>	<b>Officers</b>
Application for personal licence		If a Police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary Designated Premises Supervisor		If a Police objection	All other cases
Request to be removed as Designated Premises Supervisor			All cases
Application for transfer of premises licence		If a Police objection	All other cases
Applications for interim authorities		If a Police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a representation or review application is irrelevant, frivolous, vexatious etc.			All cases (In consultation with the Chair or Vice Chair of Licensing)
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a Police objection to a temporary event notice		All cases	
Adjourning a sub committee where all parties consent			In consultation with sub-committee chairperson

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#### Appendix B

#### CONTACT DETAILS

##### Licensing Authority

Licensing Section  
Public Protection Division  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LE

Tel No. 01267 234567  
e-mail : [PublicProtection@Carmarthenshire.gov.uk](mailto:PublicProtection@Carmarthenshire.gov.uk)  
Fax No. 01267 229141

Licensing Officer  
Dyfed Powys Police  
Police Station  
Waunlanyrafon  
Llanelli  
Carmarthenshire  
SA15 3AD

Tel No. 101 Ext 26464  
e-mail: [Mike.Price@Dyfed-Powys.pnn.police.uk](mailto:Mike.Price@Dyfed-Powys.pnn.police.uk)

#### The relevant Planning Authority for your premises:-

##### Either

Head of Planning  
Carmarthenshire County Council  
8 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LQ

Tel No. 01267 224663 / 01267 224882 / 01267 224118  
e-mail: [Planning@Carmarthenshire.gov.uk](mailto:Planning@Carmarthenshire.gov.uk)  
Fax No. 01267 237612

##### Or

#### **Brecon Beacons National Park, for premises within its administrative area**

Enforcement Officer  
Brecon Beacons National Park Authority  
Plas Y Ffynnon

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Cambrian Way  
Brecon  
Powys  
LD3 7HP

Tel No: 01874 620431  
Email: [planning.enquiries@breconbeacons.org](mailto:planning.enquiries@breconbeacons.org)  
Fax: 01874 622524

Public Health Services Manager (for Public Nuisance issues)  
C/O Public Protection Division  
Carmarthenshire County Council  
Ammanford Town Hall  
Iscennen Road  
Ammanford  
SA18 3BE

Tel No. 01267 234567  
e-mail: [PublicProtection@Carmarthenshire.gov.uk](mailto:PublicProtection@Carmarthenshire.gov.uk)  
Fax No. 01267 221616

Trading Standards Manager  
Public Protection Division  
Carmarthenshire County Council  
Ty Elwyn  
Llanelli  
Carmarthenshire  
SA15 3AP

Tel No. 01267 234567  
e-mail: [PublicProtection@Carmarthenshire.gov.uk](mailto:PublicProtection@Carmarthenshire.gov.uk)  
Fax No. 01554 742115

County Commander  
Mid and West Wales Fire and Rescue Services  
Carmarthenshire County Command HQ  
Lime Grove Avenue  
Carmarthen  
Carmarthenshire  
SA31 1SP

Tel No. 0870 6060699  
e-mail: [Mail@Mawwfire.gov.uk](mailto:Mail@Mawwfire.gov.uk)  
Fax: 01267 222382

Department for Education and Children  
Carmarthenshire County Council  
Building 2  
St. Davids Park  
Jobs Well Road  
Carmarthen

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SA31 3HB

Tel No. 01267 246544  
e-mail. [SocialCare@Carmarthenshire.gov.uk](mailto:SocialCare@Carmarthenshire.gov.uk)  
Fax: 01267 246746

#### **The relevant Health and safety authority for your premises**

##### **Either**

Public Health Services Manager (for Public Safety Issues)  
Public Protection Division  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
SA31 1LE

Tel No. 01267 234567  
e-mail: [PublicProtection@Carmarthenshire.gov.uk](mailto:PublicProtection@Carmarthenshire.gov.uk)  
Fax No. 01267 221616

##### **Or**

Health and Safety Executive  
Services Division  
Ty Myrddin  
Old Station Road  
Carmarthen  
Carmarthenshire  
SA31 1LP

Tel No. 01267 244230  
Fax No 01267 223267

Applicants for licences in respect of vessels should contact the Licensing Authority for additional information.

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**Appendix C**

**ADDRESSES FOR SERVICE OF TEMPORARY EVENT NOTICES**

Licensing Section  
Public Protection Division  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LE

Public Health Services Manager  
C/O Public Protection Division  
Carmarthenshire County Council  
Ammanford Town Hall  
Iscennen Road  
Ammanford  
SA18 3BE

Licensing Officer  
Dyfed Powys Police  
Police Station  
Waunlanyrafon  
Llanelli  
Carmarthenshire  
SA15 3AD

Tel No. 101 Ext 26464  
e-mail: [Mike.Price@Dyfed-Powys.pnn.police.uk](mailto:Mike.Price@Dyfed-Powys.pnn.police.uk)

Envelopes should be marked 'URGENT TEMPORARY EVENTS NOTICE'

**Appendix D**

**ADDRESS FOR SERVICE OF APPLICATIONS ON THE LICENSING AUTHORITY**

The Licensing Section  
Public Protection Division  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LE

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**Appendix E**

**ADDRESSES FOR SERVICE OF RESPONSIBLE AUTHORITIES**

**Licensing Authority**

Licensing Section  
Public Protection Division  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LE

Licensing Officer  
Dyfed Powys Police  
Police Station  
Waunlanyrafon  
Llanelli  
Carmarthenshire  
SA15 3AD

**The Relevant planning Authority**

**Either ,**

Head of Planning  
Carmarthenshire County Council  
8 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LQ

**Or**

**Brecon Beacons National Park, for premises within its administrative area**

Enforcement Officer  
Brecon Beacons National Park Authority  
Plas Y Ffynnon  
Cambrian Way  
Brecon  
Powys  
LD3 7HP

Tel No: 01874 620431  
Email: [planning.enquiries@breconbeacons.org](mailto:planning.enquiries@breconbeacons.org)  
Fax: 01874 622524

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Public Health Services Manager (for Public Nuisance issues)  
C/O Public Protection Division  
Carmarthenshire County Council  
Ammanford Town Hall  
Iscennen Road  
Ammanford  
SA18 3BE

Trading Standards Manager  
Public Protection Division  
Carmarthenshire County Council  
Ty Elwyn  
Llanelli  
Carmarthenshire  
SA15 3AP

County Commander  
Mid and West Wales Fire and Rescue Services  
Carmarthenshire County Command HQ  
Lime Grove Avenue  
Carmarthen  
Carmarthenshire  
SA31 1SP

Department for Education and Children  
Carmarthenshire County Council  
Building 2  
St. Davids Park  
Jobs Well Road  
Carmarthen  
SA31 3HB

**The relevant Health and safety authority for your premises,**

**Either**

Public Health Services Manager (for Public Safety issues)  
Public Protection Division  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
SA31 1LE

**Or**

Health and Safety Executive  
Services Division  
Ty Myrddin

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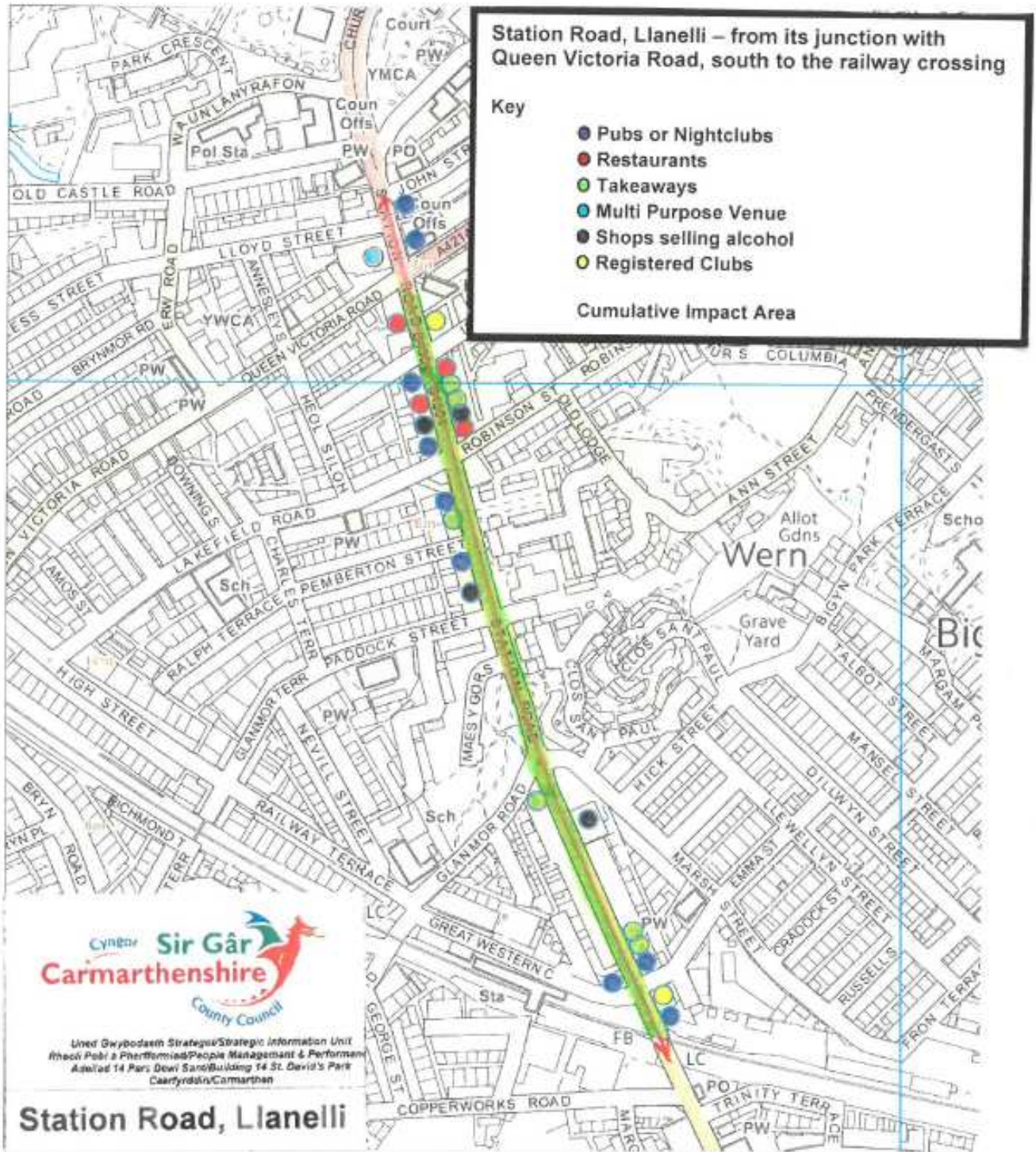
### **STATEMENT OF LICENSING POLICY**

Old Station Road  
Carmarthen  
Carmarthenshire  
SA31 1LP

Applicants for licences in respect of vessels should contact the Licensing Authority for additional information.

STATEMENT OF LICENSING POLICY

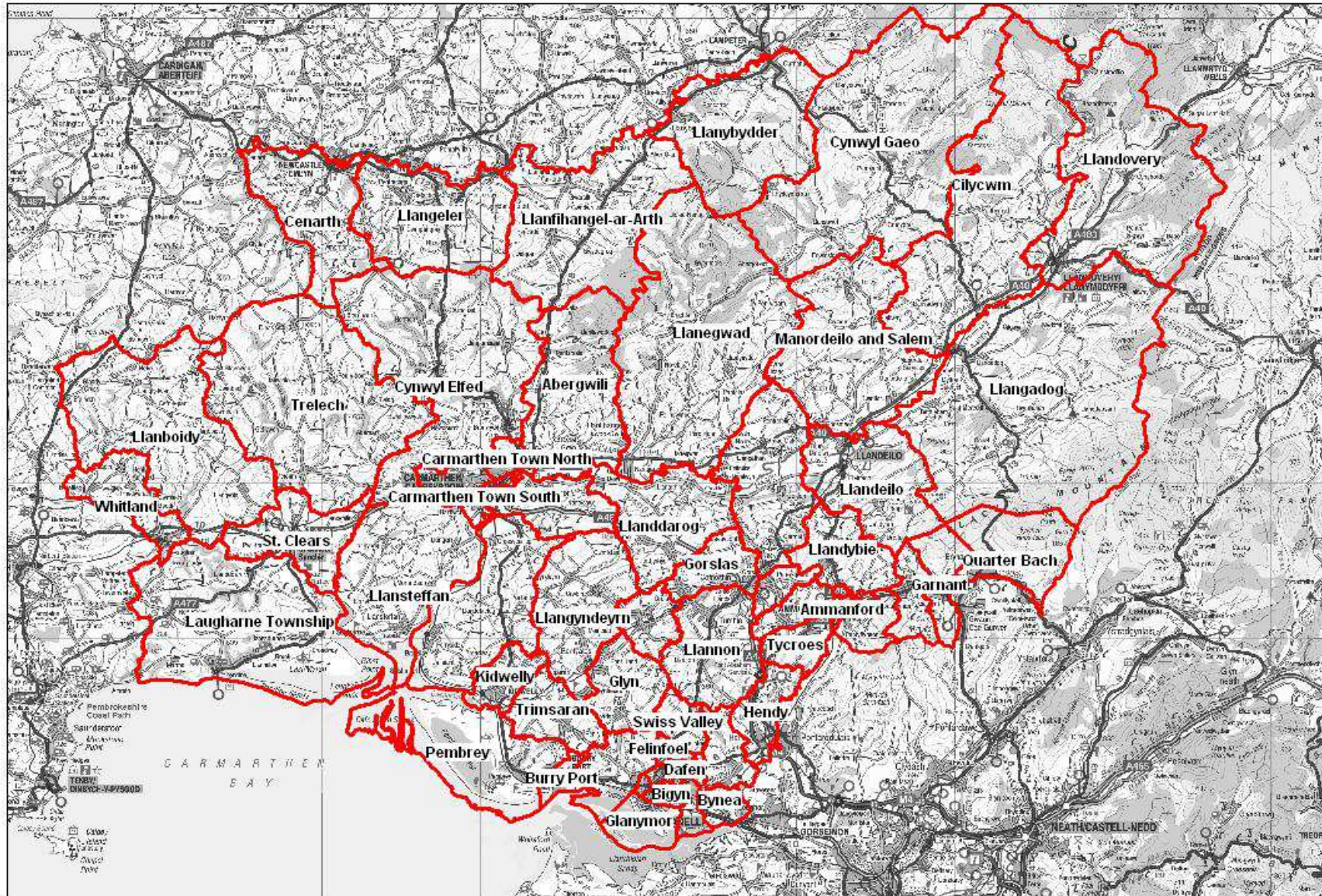
Appendix F



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Appendix G



Tudalen 123

Mae'r dudalen hon yn wag yn fwriadol

## CYNGOR SIR

10FED CHWEFROR, 2016

**Y PWNC:  
ADOLYGIAD O'R POLISI HAPCHWARAE**

**ARGYMHELLIAD Y BWRDD GWEITHREDOL:**

Atodir crynodeb o'r ymatebion i'r ymgynghoriad.

Argymhellir:-

- Bod y Polisi Hapchwarae diwygiedig, gan gymryd i ystyriaeth ganllawiau'r Comisiwn Hapchwarae wedi'u diweddarau, yn cael ei gymeradwyo.

**Y Rhesymau:**

- Mae'r Polisi Hapchwarae diwygiedig amgaeedig yn adlewyrchu canlyniadau'r ymgynghoriad a'r broses adolygu ac yn cydymffurfio â deddfwriaeth a chyfarwyddyd perthnasol.

**Angen ymgynghori â'r Pwyllgor Craffu perthnasol:** OES - Diogelu'r Cyhoedd a'r Amgylchedd 11<sup>eg</sup> Rhagfyr 2015

**Argymhellion / Sylwadau'r Pwyllgor Craffu:**

- Penderfynwyd y Pwyllgor i argymhell i'r Bwrdd Gweithredol bod y Polisi Hapchwarae diwygiedig yn cael ei gymeradwyo.

Angen i'r Bwrdd Gweithredol wneud penderfyniad OES – 4<sup>ydd</sup> Ionawr 2016

Angen i'r Cyngor wneud penderfyniad OES – 10<sup>fed</sup> Chwefror, 2016

**YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-****Y Cyng. Jim Jones (Y Portffolio Diogelu'r Cyhoedd a'r Amgylchedd)**

Y Gyfarwyddiaeth: Yr Adran Cymunedau

Enw Pennaeth y Gwasanaeth: Robin Staines

Awdur yr Adroddiad:

Emyr Jones

Swyddi:

Pennaeth Tai a Diogelu'r Cyhoedd

Pen-swyddog Trwyddedu

Rhif Ffôn: 01267 228960  
[rstaines@sirgar.gov.uk](mailto:rstaines@sirgar.gov.uk)

Rhif Ffôn: 01267 228717  
[eorjones@sirgar.gov.uk](mailto:eorjones@sirgar.gov.uk)

# EXECUTIVE SUMMARY

## COUNTY COUNCIL

DATE: 10<sup>TH</sup> FEBRUARY, 2016

### REVIEW OF GAMBLING POLICY

The current Gambling Policy was adopted by the authority in December 2012 and came into effect on the 31<sup>st</sup> of January 2013. The legislation requires it to be reviewed at least every three years to ensure that it reflects feedback from the local community that the statutory objectives are being met.

The authority's licensing section in conjunction with the council's legal department have reviewed the policy document in light of revisions to Gambling Commission guidance. The authority has liaised closely with the Gambling Commission to ensure that the revised document embraces the changes being introduced by the commission, which included hosting a collaboration meeting with representatives of the Gambling Commission, Pembrokeshire and Ceredigion licensing authorities.

The key changes to the legislation and guidance include :-

- Revisions to Licence Conditions and codes of practice, including the introduction of premises specific risk assessments from April 2016.
- Developing a more local focus for gambling policies, including the option of developing a local area profile.

As part of the review, the authority is required to undertake a consultation exercise aimed at the chief officer of Police, representatives of gambling businesses and persons representing the interests of residents and businesses in the area, in order for their views to be formally considered by the authority.

The consultation began on the 7<sup>th</sup> of July and finished on the 13<sup>th</sup> of September 2015.

Approximately two thousand individuals and organisations, including licence holders and their representatives, town and community councils, members of parliament, assembly members, county councillors, council departments and responsible authorities received consultation documents. The responsible authorities include, The Licensing Authority, Dyfed Powys Police, Mid and West Wales Fire and Rescue Service, Gambling Commission, Environmental Health (Pollution Section), Planning Authority, HMRC, Children Services.

On this occasion the survey was undertaken using the iLocal consultation facility on the Council's web site. This enabled the majority of consultees to be contacted via e-mail, thus reducing the cost whilst increasing the accessibility of the consultation.

A total of 44 responses were received.

The key issues raised as a result of the consultation exercise and review were:-

- No areas of the county were identified as suffering with gambling related problems.
- There is evidence of a link between gambling and financial exploitation.

A revised gambling policy document, incorporating amendments to reflect the relevant consultation responses is attached. Once approved by full council the revised Gambling Policy will come into effect four weeks after being published on the authority's web site in accordance with the regulations.

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 and Public Protection

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

## 1. Policy, Crime & Disorder and Equalities

The proposed amendments to the Gambling Policy promote the prevention of crime and disorder. The Policy complies with the Authority's duty under section 17 of the Crime and Disorder Act.

An Equalities impact assessment has been undertaken and no negative impacts have been identified.

## 2. Legal

Legal services are satisfied that the proposed amendments comply with the Gambling Act 2005 and the statutory guidance issued by the Gambling Commission.



# CONSULTATIONS

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

Signed: Robin Staines

Head of Housing and Public Protection

## 1.Scrutiny Committee

The Environmental and Public Protection Scrutiny Committee was consulted on 11<sup>th</sup> December, 2015.

## 2.Local Member(s)

Local Members were consulted through correspondence.

## 3.Community / Town Council

Town and Community Councils were consulted through correspondence.

## 4.Relevant Partners

Relevant partners were consulted through correspondence and consultation meetings.

## 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 DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Consultation Responses	Review of Gambling Policy 2015	3, Spilman Street, Carmarthen
Gambling Commission Guidance	Review of Gambling Policy 2015	3, Spilman Street, Carmarthen

Mae'r dudalen hon yn wag yn fwriadol

# CARMARTHENSHIRE COUNTY COUNCIL



## Gambling Policy CONSULTATION REPORT

## Contents

### Page

3	Introduction and context
3	Outline of approach and consultation methods
6	Key quantitative findings from the survey
10	Analysis of general comments from the survey (matrix table)
13	Summary – key changes to the gambling policy
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14	<i>Appendix 1 – Gambling Policy survey</i>
18	<i>Appendix 2 – Map of Carmarthenshire’s postcode districts</i>

# **CARMARTHENSHIRE COUNTY COUNCIL**

## **Gambling Policy CONSULTATION**

### **INTRODUCTION & CONTEXT**

On a periodic basis – at least once every three years – the local authority is legally required to review its Gambling Policy under the Gambling Act 2005 to ensure fitness for purpose. Consultation is an intrinsic part of this process: the policy must be responsive to local needs, it should take under advisement comments from myriad stakeholders and seek evidence that will help evaluate progress against its statutory objectives.

To this end, a ten week consultation (July 7<sup>th</sup> to September 13<sup>th</sup> 2015) was held to garner views from a wide range of organisations and individuals with an interest in licensing matters. The consultation was the first opportunity that local residents, businesses, existing licence holders and their representatives have had to formally comment on the Policy since 2012.

This report, incorporating the results of the public consultation and the authority's response in summary form, will go to both the Licensing Committee and Environmental & Public Protection Scrutiny Committee mid-November and then to the Executive Board for a decision before the month ends.

---

This report:

- 1) Outlines the approach and consultation methods deployed;
  - 2) Summarises results and key findings;
  - 3) Considers free-text responses from residents, license holders, organisations and town and community councils in a summary matrix table;
  - 4) Provides a short summary
- 

### **1) OUTLINE OF APPROACH AND CONSULTATION METHODS**

A mixed-methods approach to ascertaining views on Carmarthenshire's Gambling Policy was employed to gather quantitative and qualitative data for analytical and evaluative purposes. Specifically, the consultation focused on identifying locations where gambling and gambling-related problems were perceived to be a serious issue.

In accordance with the Gambling Act 2005, a number of statutory consultees were engaged throughout the consultation. This included:

- the fire authority
- the police service
- the Gambling Commission
- Planning
- Environmental Health
- Child Protection

- HMRC

The gambling consultation was jointly publicised with the licensing policy. Awareness was raised through use of the following consultation channels:

### **Publicity**

The consultation was publicised through the Council's press office, through means including: press releases; article in Carmarthenshire News; information on the Council's website; online consultation portal (hosted on iLocal) and through social media feeds.

### **Carmarthenshire Citizens' Panel & 50+ Forum**

Carmarthenshire's Citizens' Panel (a representative group comprising c. 600 members) – and 50+ Forum (2400 members aged 50 plus) are a useful barometer of public opinion and are regularly consulted on Council services. Information was disseminated electronically to members on email: c. 230 Citizens' Panel and c. 550 50+ members.

### **Survey**

Surveys are a cost-effective method for finding out stakeholders' views and can be administered in a variety of different ways. An electronic and paper survey was thus selected as the principal method for gathering data. The survey contained a number of fixed-response (closed) and free-response (open) questions. Furthermore, the survey encouraged respondents to upload/attach evidence to support their submission.

The on-line survey was made available through Carmarthenshire County Council's iLocal consultation portal. In addition to listed statutory consultees, links to the survey were circulated to members of the Citizens Panel, 50+ Forum, Equality Carmarthenshire and Youth Council; county councillors and town and community councils, license holders, licensing solicitors, MPs, AMs and the Police and Crime Commissioner. Taken as a whole, consultation invites were sent to over 1900 individuals and organisations (excluding Carmarthenshire News recipients).

The consultation exercise resulted in **44 submissions**, covering a wide section of the community. Half of the responses received were from members of the public,<sup>1</sup> 14 (32%) from a body/person representing the public, 4 (9%) were a premises licence holder, 2 (5%) were club premises licence holders and 2 (5%) were other organisations/groups. A full breakdown is tabulated overleaf. Considering all responses, 24% of responses were received from premises/households in SA14, 18% in SA32, 15% in both SA15 and SA18, 12% in both SA17 and SA33 and 3% in both SA19 and SA34. No other postcode attracted a response.

---

<sup>1</sup> The demographic profile of respondents is as follows. Ethnicity: all respondents described themselves white. Age: 5% were under 25, 5% were 25-34; 27% were 35-44, 14% 45-54, 36% 55-64, 14% 65-74, (age cohorts with no responses are not listed). Gender: 50% female, 50% male. Disability: 5% yes, 86% no, 9% preferring not to say (PNTS). Religion or belief: 48% held a religion or belief, 48% did not and 5% PNTS. Sexual orientation: 91% heterosexual, with 9% PNTS.

<b>Are you responding as a...</b>	
<b>Premises licence holder</b>	4 (9%)
<b>Personal licence holder</b>	-
<b>Club premises certificate holder</b>	2 (5%)
<b>Member of the Public</b>	22 (50%)
<b>Local business</b>	-
<b>Body representing licence holders / clubs</b>	-
<b>Body/ Person representing members of the Public (e.g. County councillors; Town &amp; Community Council)</b>	14 (32%)
<b>Other Organisation or Group</b>	2 (5%)

Proper weight has been given to the views of all those consulted and, in particular, 'due regard' given to free text (literal) responses.

### **Other**

Carmarthenshire's Licensing department also convened a meeting with Ceredigion and Pembrokeshire Councils and the Gambling Commission.

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## 2) KEY QUANTITATIVE FINDINGS FROM THE SURVEY

The section will be structured by considering each quantitative survey question in turn. Mention will be made of the views of different categories of respondent, to enable comparisons to be made. This process is known as the disaggregation of survey data: examining trends by age, gender and other demographic variables to enrich the consultation. In section 3, comments from the consultation will be considered separately in a matrix table, whether these have arisen through survey submission, or letter or email submissions.

### About the **Average Index Score (AIS)**

Sometimes known as a 'weighted average', the AIS is a way of distilling the 'balance and strength of opinion' down into one number. Useful for questions with options to 'strongly agree', 'disagree', etc., the technique is used throughout the report.

#### **Example**

10 people are asked whether they 'strongly agree', 'agree', 'have no opinion', 'disagree' or 'strongly disagree' that Wales will win the six nations.

Results...

3 strongly agree (each response worth 2, so=**6**)

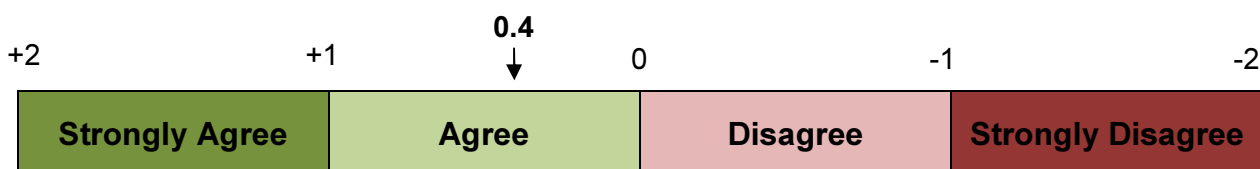
3 agree (each response worth 1, so=**3**)

1 no opinion (each response worth 0, so=**0**)

1 disagree (each response worth -1, so=**-1**)

2 strongly disagree (each response worth -2, so=**-4**)

The AIS is calculated by adding all the numbers in bold: So,  $6+3+0-1-4=4$ ; Then dividing by the number of responses (10 in this case). The average index score is:  $4 \div 10 = \mathbf{0.4}$

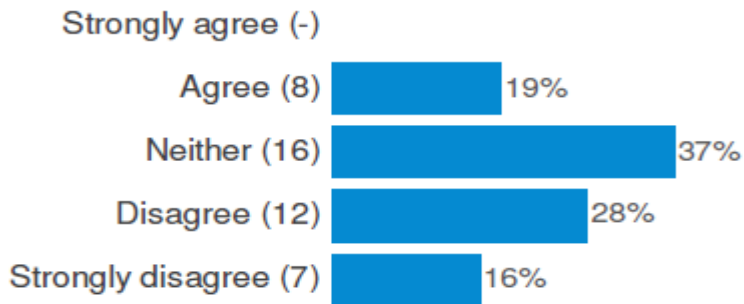


Following a series of demographic profiling questions, respondents were asked to indicate the extent to which they agreed or disagreed with a series of statements about gambling – designed to elicit information on the prevalence of gambling-related problems across Carmarthenshire. A likert scale was used, with 'strongly agree' and 'strongly disagree' as response anchors.

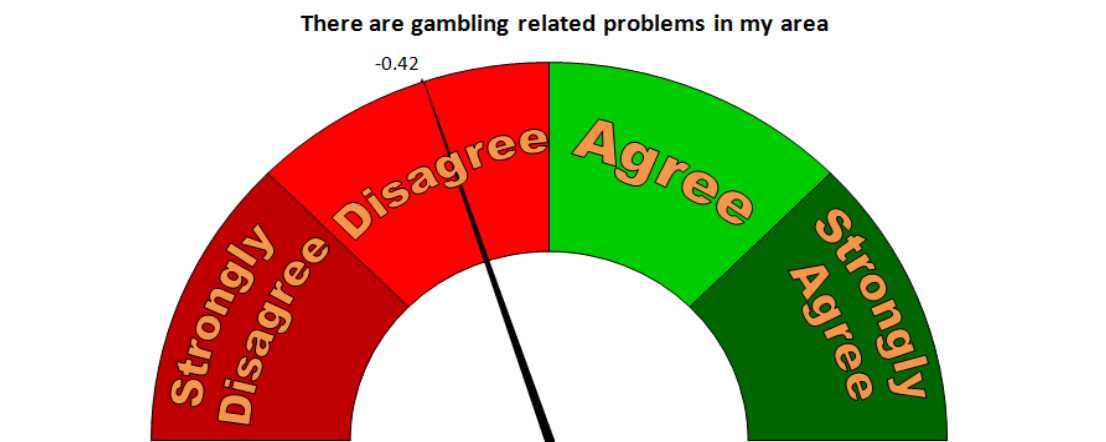
Firstly, 42% of respondents disagreed (16% disagree; 28% strongly disagree) that there were **gambling-related problems in their area**. 'Neither' was the largest response category, attracting 37% of responses. This may suggest that respondents do not feel they have sufficient knowledge/information or local intelligence to make an informed judgment, thus preferring to remain neutral. Less than one fifth (19%) of respondents agreed with the statement. Of those who agreed gambling-related problems were an issue in their area, the following streets/towns were cited: Llanelli (x2 respondents); Carmarthen (x1); Ammanford (x1) and a belief that the problem is county wide (Carmarthenshire x1).



### 1. There are gambling-related problems in my area

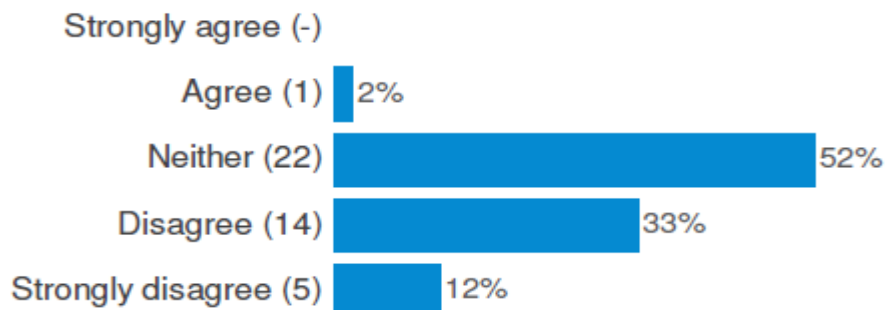


That the majority do not consider gambling-related problems to be an issue in their area is borne out by a negative Average Index Score (AIS) of **-0.42** (plotted below).

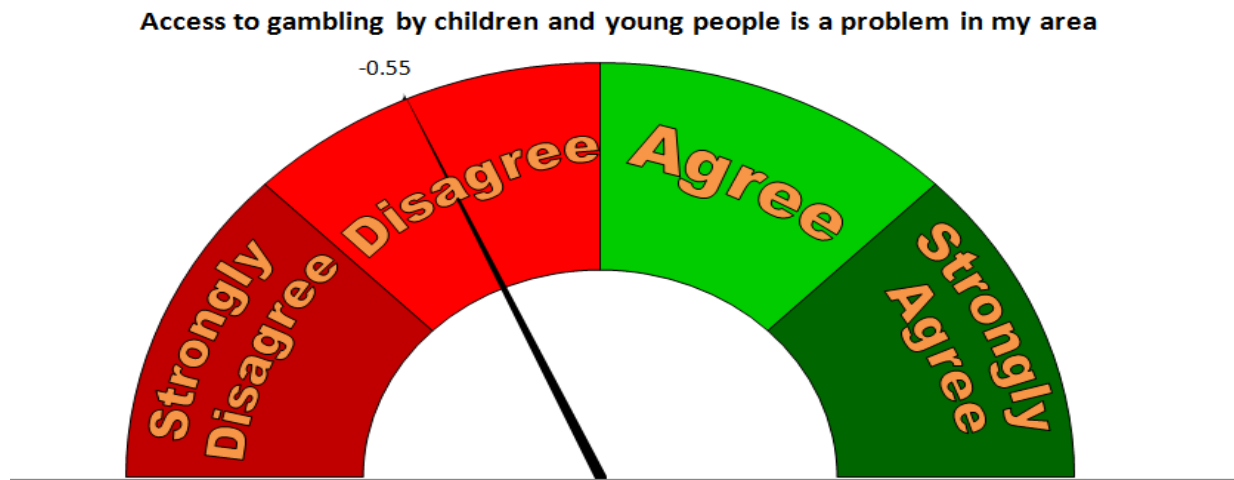


Next, 45% of respondents disagreed that **access to gambling by children and young people was a problem in their area**. As with the preceding question, 'neither' attracted the most responses (52%). Only one respondent (2%) agreed.

### 2. Access to gambling by children and young people is a problem in my area

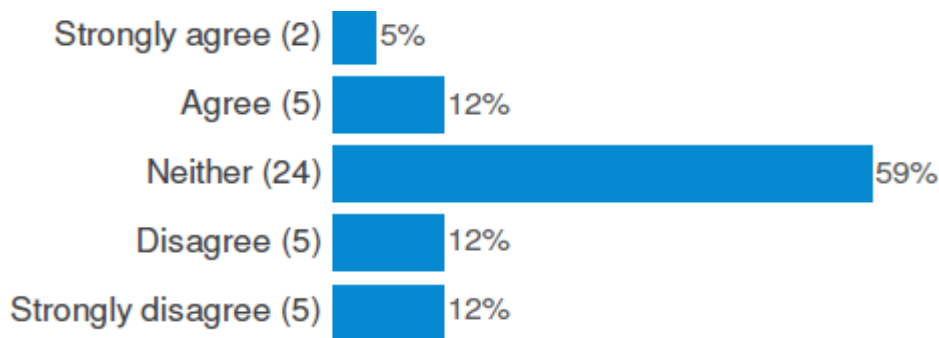


An Average Index Score of -0.55 confirms this result, with a score in the 0 – -1 range indicating disagreement.



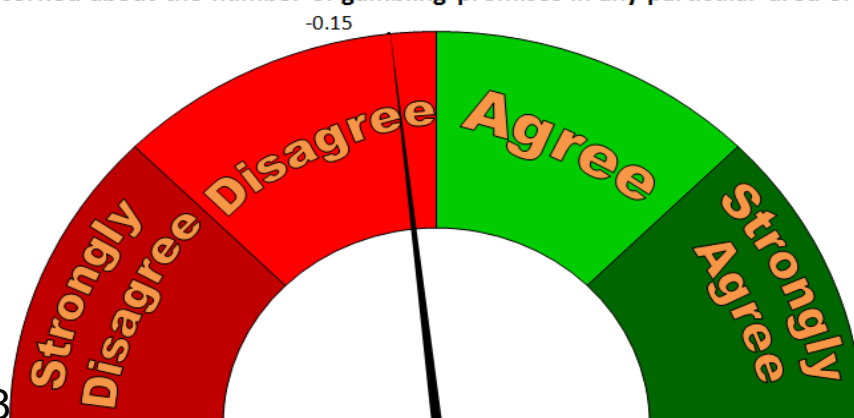
Lastly, around six in ten (59%) respondents neither agreed or disagreed that they were **concerned about the number of gambling premises in any particular area of the County**. Again, this suggests most respondents are neutral/undecided on the matter or have insufficient knowledge or experience to form strong feelings. Around a quarter (24%) disagreed (12% strongly disagree; 12% disagree), with 17% agreeing (5% strongly agree; 12% agree).

**3. I am concerned about the number of gambling premises in any particular area of the County**



An Average Index Score of -0.15 suggests, overall, slight disagreement. Values closer to a '0' value are indicative of a fairly neutral response.

**I am concerned about the number of gambling premises in any particular area of the County**



The AIS for selected demographic categories, and that of particular postcodes, has been tabulated below for each of the three statements.<sup>2</sup> The table draws upon a process known as ‘exception reporting’ to shade values that are critical; in this case positive values indicating agreement with the statements. Of particular note, the positive AIS for male respondents (0.09) denotes slight concern about the number of gambling premises in the County.

+2	+1	0	-1	-2
<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	

	SA14	SA15	SA17	SA18	SA32	SA33	M	F
<b><i>There are gambling-related problems in my area</i></b>	-0.13	-0.8	-1	-0.6	-0.17	-0.5	0	-0.8
<b><i>Access to gambling by children and young people is a problem in my area</i></b>	-0.5	-1	-0.75	-0.8	-0.17	-0.33	-0.36	-0.8
<b><i>I am concerned about the number of gambling premises in any particular area of the County</i></b>	-0.13	-0.25	-0.5	-0.6	-0.2	-0.25	0.09	-0.27

Bringing the analysis of quantitative data to a close, 98% of respondents said they were not aware of any problems that have occurred as a result of gambling premises being located in close proximity to sensitive buildings such as schools, sixth form colleges and children’s play areas. Similarly, 93% of respondents were unaware of any premises where problems have occurred as a result of gaming machines being made available to the public. Although a general comment was made about the proliferation of gaming machines, information on locality was not provided.

<sup>2</sup> Please note that in some instances, the sample sizes of each postcode are relatively small – distorting the results. Categories (postcodes, age, gender) which have received fewer than 4 responses are omitted from the table. . A map showing the postcode areas of Carmarthenshire is appended to this report (appendix 2).

### 3) ANALYSIS OF COMMENTS – SUMMARY MATRIX TABLE

The report now considers comments expressed in the survey's free-text questions. Note is made of the respondents ID number (to provide a traceable record), comment(s) received, the Council's response and, where appropriate, changes to the gambling policy as a result of the consultation. Respondents that have not submitted a reply are omitted from the table.

RESPONDENT	COMMENTS	APPRAISAL	RESPONSE	CHANGES
Respondent 1	Question 3 Concerned about the number of premises in Llanelli	Noted	To be taken into account when reviewing the policy	No Change
Respondent 3	Question 3 Gambling can lead to financial problems and physical abuse for the gambler's family. Arcades are breeding grounds for future addicts. Care needed to balance establishments and limit numbers of machines.	Noted	To be taken into account when reviewing the policy	Change to Appendix A and new paragraph regarding Financial Exploitation Safeguarding Scheme (FESS).
Respondent 4	Question 3 Councillors should spend time reviewing this issue. Their job is to protect the vulnerable and they should send a clear message to gambling businesses that exploitation will not be tolerated	Noted	To be taken into account when reviewing the policy	Change to Appendix A and FESS.
Respondent 14	Question 3 Concerned about the number of gambling premises in Stepney	Noted	To be taken into account when reviewing the	FESS.

	Street/Station Road, Llanelli. Gambling encourages people to waste money		policy	
Respondent 17	Question 3 The main problem is the ease of access to online gambling and the high profile advertising	Noted. However the policy is unable to deal with issues of online gambling	No change required to policy	No Change
Respondent 22	Question 3 The introduction of online gambling has seen a dramatic increase in the numbers of people with a gambling problem. Gambling adverts on television should be banned.	Noted. However online gambling is not a matter that can be dealt with by the policy	No change required to the policy	FESS
Respondent 28	Question 3 Poverty due to an increase in gambling. Betting shop windows advertisements encourages betting. Should be forced to also say how often people win.	Noted	To be taken into account when reviewing the policy	FESS
Respondent 34	Question 3 Evidence of a link between problem gambling and vulnerability to financial exploitation. Gambling premises should promote the Financial Exploitation Safeguarding Scheme (FESS) as a means of protecting the vulnerable from problem gambling	Noted	To be taken into account when reviewing the policy	FESS

Respondent 35	Question 1 Gambling related problems in Llanelli. Increase in number of betting shops in Llanelli a concern. Should limit the number of betting shops in socially deprived areas of the town.	Noted	To be taken into account when reviewing the policy	Cannot limit numbers.
Respondent 37	Question 3 Some bookmakers have so many Gambling machines that they look more like arcades	Noted	To be taken into account when reviewing the policy	No Change as dealt with by legislation and guidance.
Respondent 44	Question 3 Detailed representations submitted on the following points; <ol style="list-style-type: none"> <li>1. Generally supports current policy</li> <li>2. Would be happy to provide risk assessments should the policy be amended to require this</li> <li>3. Such assessments should assess specific local risks and the control measures to address them.</li> <li>4. No evidence of betting shops close to places frequented by children actually causing harm</li> </ol>	Noted	To be taken into account when reviewing the policy	Risk assessment paragraph.

#### **4) SUMMARY – KEY CHANGES TO THE GAMBLING POLICY**

1. Updated demography and plan of County inserted
2. Glossary of terms inserted
3. Details of Responsible Authorities revised and updated
4. Guidance to applicants inserted on matters to consider when preparing applications
5. Updated advice inserted on the protection of children and vulnerable persons from gambling harm, including reference to the Financial Exploitation Safeguarding Scheme.
6. Inserted new section on Risk Assessments.
7. Scheme of Delegation amended to give elected members a greater role in determining gaming machine permit applications.

# Gambling Act 2005 - Review of Gambling Policy

## Part 1 - About You

- 1 Are you responding as a...
- Premises licence holder
  - Personal licence holder
  - Club premises certificate holder
  - Member of the Public
  - Local business
  - Body representing licence holders / clubs
  - Body/ Person representing members of the Public (e.g. County councillors; Town & Community Council)
  - Other Organisation or Group

- 2 If responding as an organisation/business/body, please write its name here
- 

- 3 Following 'SA', please specify the two numbers of your postcode
- 

- 4 What is your age group?

- |                                   |                                  |
|-----------------------------------|----------------------------------|
| <input type="checkbox"/> Under 16 | <input type="checkbox"/> 55 - 64 |
| <input type="checkbox"/> 16 - 24  | <input type="checkbox"/> 65 - 74 |
| <input type="checkbox"/> 25 - 34  | <input type="checkbox"/> 75 - 84 |
| <input type="checkbox"/> 35 - 44  | <input type="checkbox"/> 85+     |
| <input type="checkbox"/> 45 - 54  |                                  |

- 5 What is your gender?

- Female  Male  Prefer not to say

- 6 What is your ethnic group?

- |   |  |
|---|--|
| <input type="checkbox"/> White                          | <input type="checkbox"/> Black / African / Caribbean / Black British |
| <input type="checkbox"/> Mixed / multiple ethnic groups | <input type="checkbox"/> Other ethnic group                          |
| <input type="checkbox"/> Asian / Asian British          | <input type="checkbox"/> Prefer not to say                           |

- 7 The Equality Act 2010 states that a person has a disability for the purposes of this Act if he/she has or has had '*a physical or mental impairment which has had a substantial and long term adverse effect on his/her ability to carry out normal day to day activities*'.

Long term has been defined as meaning having lasted 12 months or is likely to last at least 12 months

Do you consider yourself to be disabled?

- Yes  No  Prefer not to say

- 8 Do you hold a religion or belief?

- Yes  No  Prefer not to say



9 What is your sexual orientation?

- Heterosexual
- Bisexual
- Lesbian
- Gay
- Prefer not to say

## Part 2

To what extent would you agree or disagree with the following statements:

**1. There are gambling related problems in my area**

- Strongly agree    Agree    Neither    Disagree    Strongly disagree

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

---

---

---

**2. Access to gambling by children and young people is a problem in my area**

- Strongly agree    Agree    Neither    Disagree    Strongly disagree

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

---

---

---

**3. I am concerned about the number of gambling premises in any particular area of the County**

- Strongly agree    Agree    Neither    Disagree    Strongly disagree

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

---

---

---

Are you aware of any problems that have occurred as a result of gambling premises being located in close proximity to sensitive buildings e.g. schools, sixth form colleges, children's play areas etc?

- Yes
- No

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

---

---

---

Are you aware of any premises where problems have occurred as a result of gaming machines being made available to the public?

- Yes
- No

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

---

Town / Village

---

Nature of problem

---

---

---

Is there anything else that you want us to take into account when reviewing the Gambling Policy?

---

---

---

If you would like to attach a document to your survey response, please note below

---

---

---

### Part 3 - Your Details (optional)

Name:

---

---

Address:

---

---

---

Tel No:

---

Fax:

---

E-mail:

---

---

Under certain circumstances, we may wish to contact you to follow-up on your response, either to ask for additional comment or to reply to the points you have raised.

Do you consent to CCC using your details in this way?

- Yes - I am happy to be contacted  
 No - I do not wish to be contacted

### Data Protection Act 1998

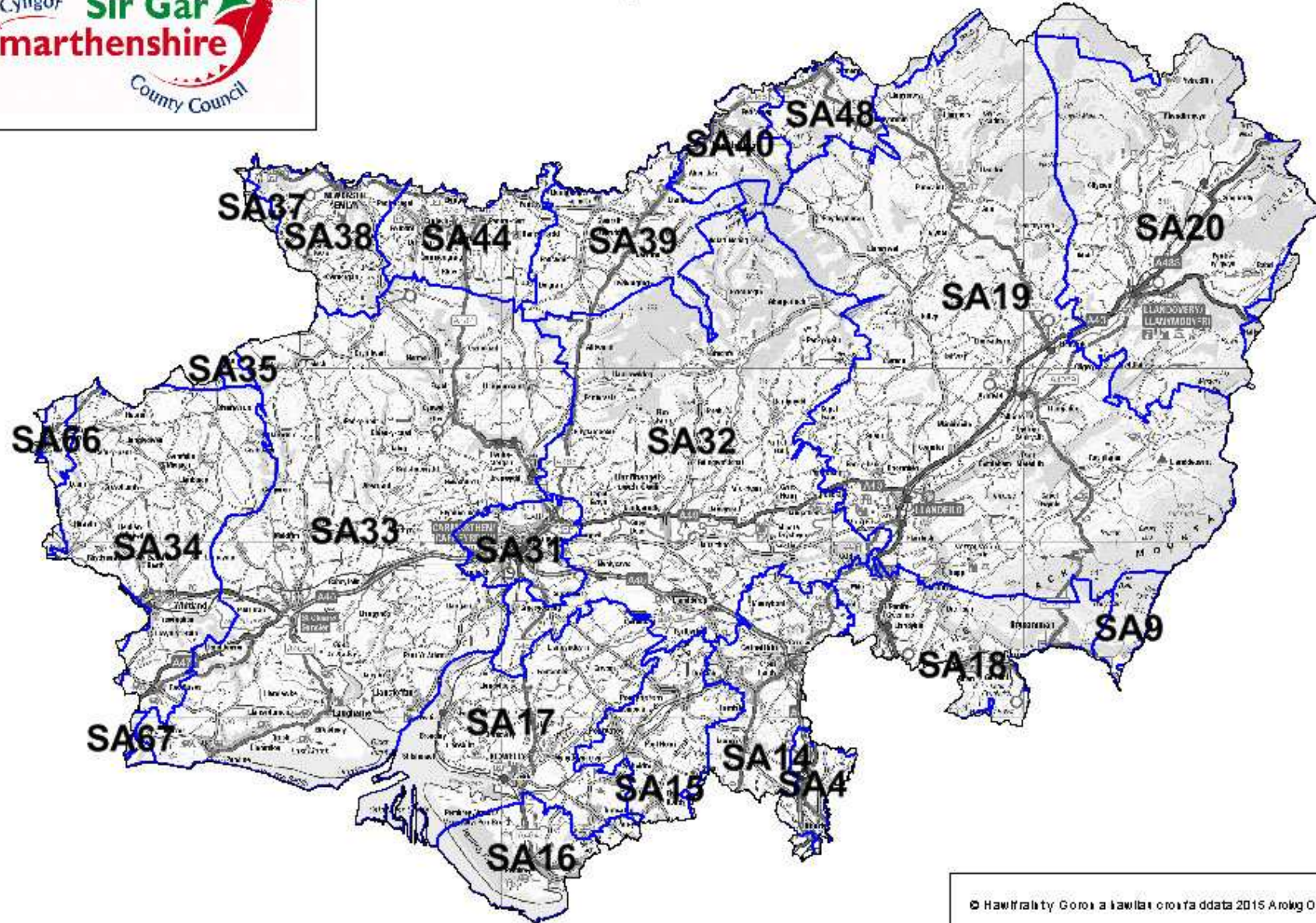
The information contained in this form will be held and processed by Carmarthenshire County Council in accordance with the Data Protection Act 1998.

Your personal details will not be made public in any Council report.

**Thank you for your response**



### APPENDIX 2 - Map of Carmarthenshire Postcode Districts



© Hawifrality Gorn a hawifral crofTa ddata 2015 Arowk Odiaw 1000230  
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# **Gambling Policy Gambling Act 2005**

# STATEMENT OF GAMBLING POLICY

## Gambling Act 2005

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# PART A

## Statement of Gambling Policy

### 1. The Licensing Objectives

- 1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;**
  - **Ensuring that gambling is conducted in a fair and open way;**
  - **Protecting children and other vulnerable persons from being harmed or exploited by gambling.**
- 1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.
- 1.3 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:
- **in accordance with any relevant code of practice issued by the Gambling Commission;**
  - **in accordance with any relevant guidance issued by the Gambling Commission;**
  - **reasonably consistent with the licensing objectives and**
  - **in accordance with the authority’s statement of Gambling policy.**

### 2. Introduction

- 2.1 Carmarthenshire is the third largest county in Wales in geographic terms, with a population in 2013 of 184 681. As a primarily rural area, Carmarthenshire has a strong agricultural base with a ‘necklace’ of key market towns providing for the needs of communities in those rural areas. South East Carmarthenshire is the most densely populated part of the county, and is characterised by close knit former industrial communities. A plan of the county showing individual wards is attached as Appendix C.
- 2.2 Currently there are 26 Gambling Premises in the County, consisting of 15 Betting Premises, 3 Bingo Premises, 4 Adult Gaming Centres, 3 Family Entertainment Centre and 1 Track Betting Licence.
- 2.3 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles, which they proposed to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed periodically and any amended parts re-consulted upon. The statement must be then re-published. This document is Carmarthenshire County Council’s statement of principles in accordance with the Act.
- 2.4 This policy has been formulated as a result of a consultation exercise involving (but not limited to):-
- a) The Police

- b) Gambling Commission
- c) Other Responsible Authorities
- d) Licence Holders and their representatives
- e) Permit Holders and their representatives
- f) Local Gambling businesses and their representatives
- g) Local residents and their representatives

Due consideration has been given to all those who have responded.

- 2.5 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- 2.6 It is noted that applicants for premises licences need to obtain operating licences from the gambling commission and have responsibilities to the Commission as a result.

### 3. Declaration

- 3.1 In producing this policy document, Carmarthenshire County Council declares that it has had regard to the licensing objectives of the Gambling Act 2005 and the guidance issued by the Gambling Commission.

### 3.2 Glossary of Terms

Within this Statement of Policy, the following words and terms are defined as stated:

Licensing Objectives:	As defined in section 1.1 above
Council:	Carmarthenshire County Council (hereinafter referred to as “the Council”)
County	The area of Carmarthenshire administered by Carmarthenshire County Council referred to in the map attached (see Appendix C)
Licences:	As defined in section 1.4 below
Applications:	Applications for licences and permits as defined in section 1.4 below
Licensing Authority	A Licensing Authority within the meaning of Section 2 of the Gambling Act 2005 (hereinafter referred to as “the Authority”)
Notifications:	Means notification of Temporary and Occasional Use Notices
Act:	The Gambling Act 2005
Regulations:	Regulations made under the Gambling Act 2005
Premises:	Any place
Code of Practice:	Means any relevant code of practice under section 24 of the Gambling Act 2005



Mandatory Condition:	Means a specified condition provided by regulations to be attached to a licence
Default Condition:	Means a specified condition provided by regulations to be attached to a licence, unless excluded by Carmarthenshire County Council

#### 4. Responsible Authorities

The following are responsible authorities in relation to premises licences under the Act :-

1. The Licensing Authority in whose area the premises are wholly or partly situated ("Carmarthenshire County Council");
2. The Gambling Commission;
3. Chief Constable of Heddlu Dyfed-Powys Police;
4. Mid and West Wales Fire and Rescue Service
5. Head of Planning, Carmarthenshire County Council
6. Public Health Services Manager, Public Protection Carmarthenshire County Council.
7. Department for Education and Children, Carmarthenshire County Council.
8. HM Revenue and Customs.
9. In relation to a vessel, a navigation authority, Environment Agency, British Waterways Board and Secretary of State
10. Any other person prescribed in regulations by the Secretary of State

4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

4.2 The principles are:

- a) the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- b) the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

4.3 For these reasons, this authority designates the Department for Education and Children , Carmarthenshire County Council for this purpose.

4.4 The contact details of all the Responsible Authorities under the Gambling Act 2005 are contained in Appendix B of this Policy document and are also available via the Council's website at: [www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)

## 5. Interested parties

5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

“For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)”.

5.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Gambling Commission’s Guidance for local authorities at 8.9 and 8.17. It will also consider the Gambling Commission’s Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- Interested parties can be persons who are democratically elected such as councillors and MP’s. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, community councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate/relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the **Licensing Section, Department for Communities, 3 Spilman Street, Carmarthen, SA31 1LE.**

5.3 Any community or County Councillors who are approached to represent interested persons should ensure that they comply with the Code of Conduct and seek dispensation from the Standards Committee if appropriate.

## 6. Exchange of Information

6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act

with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 of the Act.

- 6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

## **7. Enforcement**

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 This licensing authority's principles are that it will be guided by the Gambling Commission's Guidance for local authorities, and will endeavour to be:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
  - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
  - Consistent: rules and standards must be joined up and implemented fairly;
  - Transparent: regulators should be open, and keep regulations simple and user friendly; and
  - Targeted: regulation should be focused on the problem, and minimise side effects.
- 7.3 As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions, which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission
- 7.5 This licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.
- 7.6 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the Licensing Section, 3 Spilman Street, Carmarthen, Carmarthenshire, SA31 1LE. Our risk methodology will also be available upon request.

## **8. Licensing Authority functions**

8.1 Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences; for Bingo premises, Betting premises, Tracks, Adult Gaming Centres and Family Entertainment Centres.
- Issue Provisional Statements;
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres;
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Register small society lotteries below prescribed thresholds;
- Issue Prize Gaming Permits;
- Receive and Endorse Temporary Use Notices;
- Receive Occasional Use Notices;
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange');
- Maintain registers of the permits and licences that are issued under these functions.

8.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

## **PART B PREMISES LICENCES – CONSIDERATION OF APPLICATIONS**

### **9. General Principles**

9.1 Premises licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

9.2 All applicants for Premises Licences will be required to set out how they will have regard to the licensing objectives, as specified in section 1.1 above, and what measures they intend to employ to ensure compliance with them.

#### **9.3 Decision-making**

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission ;

- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

9.4 It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that unmet demand is not a criterion for a licensing authority.

This licensing authority also notes Gambling Commission guidance on ensuring that betting is the primary activity of a licensed premises. Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. Operators will need to demonstrate that betting will continue to be the primary activity of the premises when seeking variations to licenses.

In making this determination, this licensing authority will have regard to the six indicators of betting as a primary gambling activity.

- The offer of established core products (including live event pictures and bet range)
- The provision of information of products and events
- The promotion of gambling opportunities and products
- The actual use made of betting facilities
- The size of premises
- The delivery of betting facilities

9.5 **Definition of "premises"** – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, we will pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

9.6 The Gambling Commission states in S7.6 of the fifth edition of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing authority. S7.7 The Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises. If a premises is located within a wider venue, a licensing authority should request a plan of the venue on which the premises should be identified as a separate unit"

9.7 This licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also

preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.

- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

9.8 The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

9.9 **The Gambling Commission’s relevant access provisions for each premises type are reproduced below:**

7.23:

#### **Casinos**

- The principal access entrance to the premises must be from a street (as defined at 7.21 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

#### **Adult Gaming Centre**

- No customer must be able to access the premises directly from any other licensed gambling premises

#### **Betting Shops**

- Access must be from a street (as per para 7.20 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

#### **Tracks**

- No customer should be able to access the premises directly from:
  - a casino
  - an adult gaming centre

#### **Bingo Premises**

- No customer must be able to access the premise directly from:
  - a casino
  - an adult gaming centre

- a betting premises, other than a track

### **Family Entertainment Centre**

- No customer must be able to access the premises directly from:
  - a casino
  - an adult gaming centre
  - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

#### **9.10 Premises "ready for gambling"**

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

9.11 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

9.12 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

9.13 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

9.14 More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.58-7.65 of the Guidance.

9.15 **Location** - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. This does not preclude any applications being made and each application will be decided on its merits.

9.16

When determining an application to grant a Premises Licence or review a Premises Licence, regard will be taken regarding the proximity of the premises to schools, vulnerable adult centres or residential areas where there is an evidential link between the proximity of such premises and the gambling premises. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be decided on its merits and will depend to a large extent on the type of gambling that it is proposed will be offered on

the premises. Therefore, if an Applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.

#### 9.17 **Duplication with other regulatory regimes**

When determining an application, the Authority shall not take into account matters not relevant under the Act such as the likelihood of the applicant obtaining planning permission or building control approval.

An applicant can apply for a “provisional statement” if the building is not complete or if he does not yet have a right to occupy it. Such an application is, however, a separate and distinct process to the granting of planning permission or building control approval.

9.18 This licensing authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a premises is likely to be awarded planning permission or building regulations approval or comply with any existing permission or approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions, which are not able to be met by licensees due to planning restrictions, should such a situation arise.

9.19 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

9.20 **Licensing objectives** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission’s Guidance to local authorities and some comments are made below.

#### 1. **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime –**

This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime.

The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective.

Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

When preparing licence applications, applicants are advised to consider the following:-



1. The design and layout of the premises;
2. Location in so far as the location relates to the licensing objectives
3. The training given to staff in crime prevention measures appropriate to those premises;
4. Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
5. Where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
6. The likelihood of any violence, public order or policing problem if the licence is granted.
7. In relation to the prevention of disorder, the Authority has the ability (under S169 of the Act) to impose licence conditions.
8. The staffs awareness of the Money Laundering Regulations and the provision of a clear procedure for reporting any suspicious activity to senior management

## **2. Ensuring that gambling is conducted in a fair and open way –**

This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below – page 16).

## **3. Protecting children and other vulnerable persons from being harmed or exploited by gambling –**

This licensing authority has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling. The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas within the same premises, staff training and design and layout of the premises.

This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

### **Children and vulnerable persons**

#### **Children**

The Gambling Act and guidance issued by the commission make detailed provision for the protection of children from gambling harm. Licence holders should familiarise themselves with these provisions.

#### **Test Purchasing**

The Authority supports the stance of the Gambling Commission in promoting operators to test the integrity of their age verification policies and procedures to prevent children from accessing gambling facilities. Each premises will be expected to inform their Primary Authority (where there are such agreements in place with specific operators) in writing of the approach they have adopted and share the results of such tests with the Authority annually with a view to working with the Authority to enhance robustness of procedures preventing children using gambling facilities.

### **Vulnerable Persons**

As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case by case basis.

The Authority expects all gambling premises to make available information regarding the Financial Exploitation Safeguarding Scheme (FESS) .Given the evidence of a link between gambling and financial exploitation. Further information regarding the scheme can be obtained from the Licensing Section.

### **Conditions**

9.21 - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

9.22 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

9.23 This licensing authority will also consider specific measures, which may be required for buildings that are subject to multiple premises licences.

9.24 Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

9.25 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- that all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- that only adults are admitted to the area where these machines are located;
- that access to the area where the machines are located is supervised;
- that the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- that at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

9.26 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact

upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

9.27 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

9.28 **Door Supervisors** - The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirement for different types of premises vary (as per the Guidance, Part 33).

9.29 However, where an applicant chooses not to engage SIA registered door supervisors this Licensing Authority will expect the applicant to describe in their application how they intend to: -

- a) Carry out Criminal Record checks (CRB) on each individual
- b) Provide details of their criminal convictions criteria
- c) Explain the proposed method of identifying these individuals when working in the capacity of door supervisors.
  
- d) Indicate the ratio of male and female operatives
- e) Provide details of the appropriate training for the role
- f) Provide a work register showing the duty time and date (same applies to SIA registered).

9.30 **Closed Circuit Television Systems** - This Licensing Authority recognises the value of CCTV systems in preventing crime and disorder. Applicants are advised to follow the guidance available from the Dyfed Powys Police regarding the standards and specifications of any proposed system to ensure that it is appropriate for the premises.

## 10. Adult Gaming Centres

10.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

10.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes;
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

## **11. (Licensed) Family Entertainment Centres:**

11.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

11.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets/helpline numbers for organisations such as GamCare;
- Measures/training for staff on how to deal with suspected truant school children on the premises.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11.3 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

- 12.1 There are currently no casinos operating within the county.
- 12.2 There is no resolution to prohibit casinos in the county at present. However the Council reserves the right to review this situation and may, at some time in the future, resolve not to permit casinos.
- 12.3 Should the Council choose to make such a resolution, this will be a resolution of Full Council following considered debate, and the reasons for making the resolution will be given. There is no right of appeal against this resolution.

### **13. Bingo premises**

- 13.1 This licensing authority notes that the Gambling Commission's Guidance states:

18.5 Licensing authorities need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. An operator may choose to vary their licence to exclude a previously licensed area of that premises, and then apply for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area. Essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, licensing authorities need to consider whether bingo can be played at each of those new premises.

- 13.2 This authority also notes the Guidance at paragraph 18.9 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.
- 13.3 Paragraph 18.7 further states that children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

### **14. Betting premises**

- 14.1 **Betting machines** - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. This Licensing Authority expects applicants to demonstrate suitable measures to ensure children do not have access to such machines.
- 14.2 The Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the Authority a single named point of contact, who shall be a senior individual, and whom the Authority will contact first should any compliance queries or issues arise.

## 15. Tracks

15.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

15.2 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities.

15.3 It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

15.4 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes;
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

15.5 **Gaming machines** - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

15.6 **Betting machines** - This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

15.7 **Condition on rules being displayed** - The Gambling Commission has advised in its Guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."

15.8 This Licensing Authority will expect applicants to demonstrate how they will comply with this guide as part of their application.

### 15.9 Applications and plans

The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, para 20.43).

15.10 **Plans** – Applicants will be expected to provide a plan of the premises in a scale of 1:100 unless the Authority has agreed in writing to the applicant to accept a plan in an alternative scale. The plan should show:

- The entire boundary of the premises, and all buildings and structures within the premises.
- The location of the points of access to and egress from the premises.
- The areas to be used for gambling activities whether permanent or temporary.
- Any areas where access by children is restricted/prohibited.
- Location of any warning or information notices.
- Location of any public conveniences.
- Location of any gambling areas at the premises covered by separate licences or permits.
- The plan may include a legend through which the above matters may be identified.

15.11 This Licensing Authority is of the view that, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

15.12 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information so that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities, para 20.46).

## 16. Travelling Fairs

16.1 It will fall to this licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

16.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

16.3 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

## 17. Provisional Statements

17.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

17.2 S.204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

17.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

17.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

17.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

17.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

## 18. Reviews:



- 18.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;
- in accordance with any relevant Code of Practice issued by the Gambling Commission;
  - in accordance with any relevant guidance issued by the Gambling Commission;
  - reasonably consistent with the licensing objectives; and
  - in accordance with the authority's statement of principles.
- 18.2 The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- 18.3 The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 18.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.
- 18.5 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 18.6 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-
- (a) add, remove or amend a licence condition imposed by the licensing authority;
  - (b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
  - (c) suspend the premises licence for a period not exceeding three months; and
  - (d) revoke the premises licence.
- 18.7 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.
- 18.8 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 18.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- the licence holder
  - the applicant for review (if any)
  - the Commission
  - any person who made representations
  - the chief officer of police or chief constable; and
  - Her Majesty's Commissioners for Revenue and Customs

## 19. Risk Assessments

19.1 Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence. The Licence Conditions and Code of Practice issued by the Gambling Commission ( The code ) requires all operators of; Adult Gaming Centres (AGC's), Bingo Premises, Family Entertainment Centres (FEC's), Betting shops and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.

19.2 Operators are required by the code from 6<sup>th</sup> April 2016 to make the risk assessment available to licensing authorities when an application is submitted either for new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the Authority's inspection regime and may be requested when officers are investigating complaints.

19.3 The code requires the Authority to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this Authority expects the following matters to be considered by operators when making their risk assessment.

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may reflect benefit payments and paydays.
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall,
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

19.4 The Authority expects the following matters to be considered by Operators when making their risk assessment.

Matters relating to children and young persons, including;

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.
- Any premises where children congregate including bus stops, cafés, shops, and any other place where children are attracted,
- Areas that are prone to issues of youths participating in anti social behaviour, including such activities as graffiti/tagging, underage drinking, etc.
- Recorded incidents of attempted underage gambling

19.5 Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.

- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, places of worship, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

19.6 This list is not exhaustive and other relevant factors not in this list that are identified must be taken into consideration.

## **PART C**

### **Permits/Temporary & Occasional Use Notice**

#### **20. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits – Schedule 10 paragraph 7).**

20.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238 of the act).

20.2 An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and the Chief Officer of Police has been consulted on the application. This Licensing Authority will expect applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

20.3 It should be noted that a licensing authority cannot attach conditions to this type of permit.

20.4 **Statement of Principles** - This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

20.5 The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, appropriate measures / vetting of staff/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

20.6 Applicants are advised to contact the relevant Responsible Authorities for further guidance.

## 21.(Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1)).

21.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority and pay the prescribed fee.

21.2 The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

21.3 **Permit: 3 or more machines** If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives under the 2005 Act, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant”.

This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

21.4 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

21.5 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

21.6 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

21.7 The Local Authority may consult the Police prior to determining any such applications.

## **22.Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3)).**

22.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

22.2 **Statement of Principles** - Applicants should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.
- Clear policies that outline the steps to be taken to protect children from harm.

22.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance (Gambling Act 2005, Schedule 14 paragraph 8(3)).

22.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

## **23.Club Gaming and Club Machines Permits**

23.1 Members Clubs and Miners’ welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit . The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.

Members Clubs and Miner’s welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

23.2 This licensing authority notes that the Gambling Commission’s Guidance states:

25.46 The LA has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. In doing so it will take account a number of matters as outlined in sections 25.45-25.47 of the Gambling Commission’s Guidance. These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members.

The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

23.3 The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police".

23.4 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced". The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

23.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

## **24. Temporary Use Notices**

24.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

24.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

24.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

24.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the licensing authority will look at, amongst other things, the ownership/occupation and control of the premises.

24.5 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

## **25. Occasional Use Notices**

25.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice. This licensing authority will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

## **26. Small Society Lotteries**

26.1 This licensing authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries

26.2 Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact this licensing authority on 01267 228717 for further advice.

## DELEGATION OF FUNCTIONS

<b>Matter to be dealt with</b>	<b>Full Council</b>	<b>Sub Committee</b>	<b>Officers</b>
Final approval of three year Licensing policy	X		
Policy not to permit casinos	X		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a review of a premises / club licence		X	
Application for club gaming/ Club machine permits		Where objections have been made and not withdrawn	Where no objections made or where objections have been withdrawn
Cancellation of club gaming/ Club machine permits		X	
Applications for other permits		Where objections have been made and not withdrawn	Where no objections made or where objections have been withdrawn
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	
Fee setting (when appropriate)	Executive Member Board Decision Meeting		
Decision of whether a representation is irrelevant, frivolous or vexatious			X In consultation with Licensing Committee Chairperson



## GAMBLING ACT 2005

### GAMBLING POLICY

## Appendix B

### Contact Details

#### Licensing Authority

Licensing Section  
Public Protection Division  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LE

Tel No. 01267 234567  
e-mail : [PublicProtection@Carmarthenshire.gov.uk](mailto:PublicProtection@Carmarthenshire.gov.uk)  
Fax No. 01267 229141

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP

Tel No. 0121 230 6666  
e-mail: [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)  
Fax No. 0121 230 6720

HMRC  
The National Registration Unit  
Betting and Gaming  
Portcullis House  
21 India Street  
Glasgow  
G2 4PZ

Tel No. 03000 516023  
e-mail [nrubetting&gaming@hmrc.gsi.gov.uk](mailto:nrubetting&gaming@hmrc.gsi.gov.uk)  
Fax No. 03000 516249

#### The Relevant planning Authority

Either ,

Head of Planning  
Carmarthenshire County Council  
8 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LQ

Tel No. 01267 224663 / 01267 224882 / 01267 224118  
e-mail: [Planning@Carmarthenshire.gov.uk](mailto:Planning@Carmarthenshire.gov.uk)  
Fax No. 01267 237612

**Or**

Brecon Beacons National Park, for premises within its administrative area

Enforcement Officer  
Brecon Beacons National Park Authority  
Plas Y Ffynnon  
Cambrian Way  
Brecon  
Powys  
LD3 7HP

Tel No: 01874 620431  
Email: [planning.enquiries@breconbeacons.org](mailto:planning.enquiries@breconbeacons.org)  
Fax: 01874 622524

Public Health Services Manager  
Public Protection Division  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LE

Tel No. 01267 234567  
e-mail: [PublicProtection@Carmarthenshire.gov.uk](mailto:PublicProtection@Carmarthenshire.gov.uk)  
Fax No. 01267 221616

Licensing Officer  
Dyfed Powys Police  
Police Station  
Waunlanyrafon  
Llanelli  
Carmarthenshire  
SA15 3AD

Tel No. 101 Ext 26464  
e-mail: [Mike.Price@Dyfed-Powys.pnn.police.uk](mailto:Mike.Price@Dyfed-Powys.pnn.police.uk)

County Commander  
Mid and West Wales Fire and Rescue Services  
Carmarthenshire Command HQ  
Lime Grove Avenue  
Carmarthen  
Carmarthenshire  
SA31 1SP

Tel No. 0870 6060699  
e-mail : [Mail@Mawwfire.gov.uk](mailto:Mail@Mawwfire.gov.uk)

Fax: 01267 222382

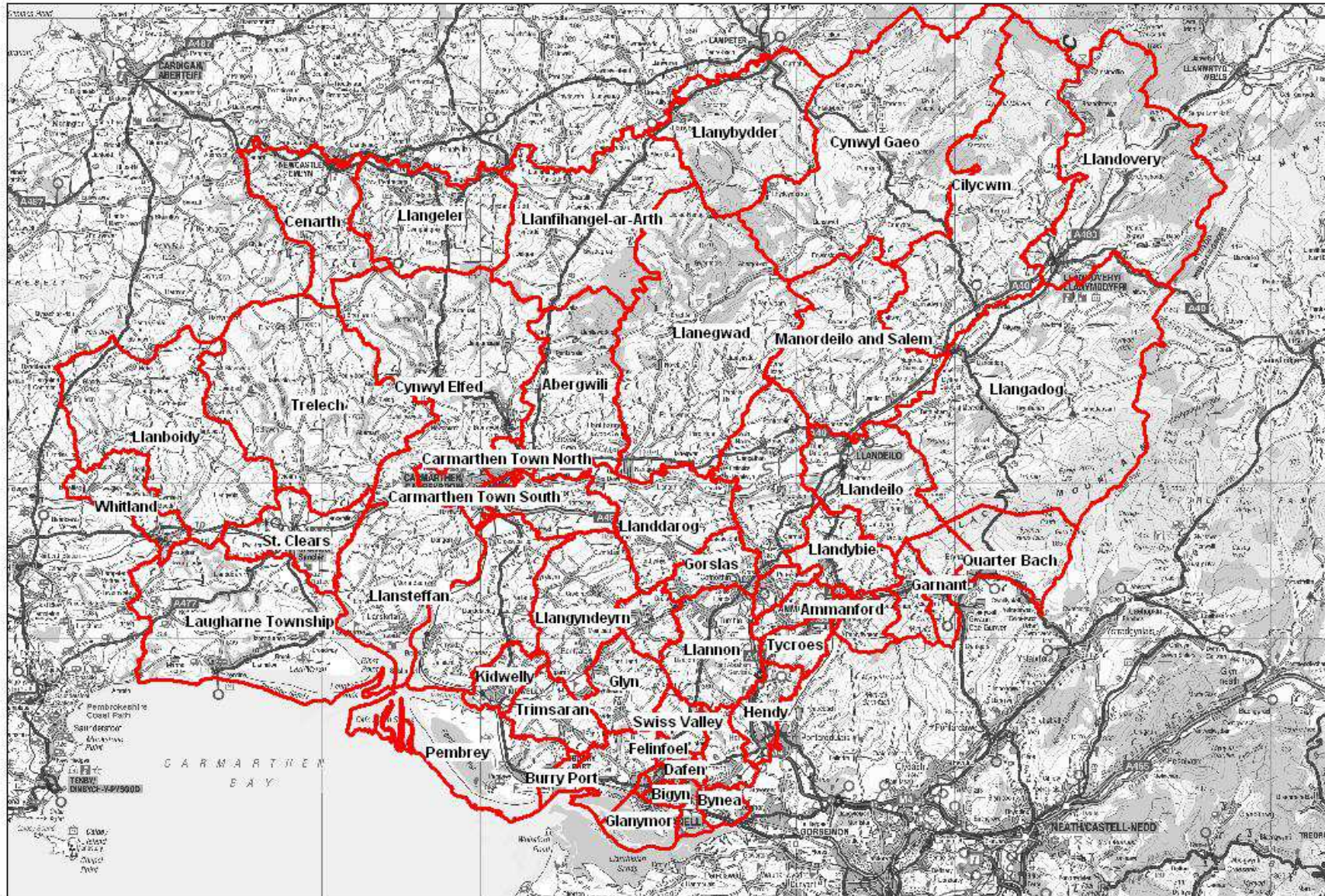
Head of Children Services  
Department for Education and Children  
Carmarthenshire County Council  
Parc Dewi Sant  
Carmarthen  
Carmarthenshire  
SA31 3HB

Tel No. 01267 246549

e-mail. [Childrensocialcare@Carmarthenshire.gov.uk](mailto:Childrensocialcare@Carmarthenshire.gov.uk)

Fax: 01267 246746

**Applicants for licences in respect of vessels should contact the Licensing Authority for additional information.**



**CYNGOR SIR**  
**10FED CHWEFROR, 2016**

**ADOLYGU FFIÖEDD A BENNIR YN LLEOL YN ADAIN IECHYD YR  
AMGYLCHEDD A THRWYDDEDU**

**ARGYMHELLION Y BWRDD GWEITHREDOL:**

- 1.1. Hysbysebu'r ffioedd arfaethedig ar gyfer cerbydau hacnai/hurio preifat, fel y manylir yn Atodiad 1 i'r adroddiad, am gyfnod o 28 diwrnod fel sy'n ofynnol gan Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976 er mwyn i bobl gyflwyno gwrthwynebiadau ac os nad oes gwrthwynebiadau bydd y ffioedd yn cael eu gweithredu o 1af Ebrill, 2016;
- 1.2. Hysbysebu'r ffioedd mewn perthynas â Sefydliadau Rhyw, Tatwio a Thyllu'r Croen, Diogelwch mewn Meysydd Chwarae, Ailsgorio Hylendid Bwyd a Thrwyddedau Cychwyr a Chychod Pleser, fel y manylir yn Atodiad 1 i'r adroddiad, am gyfnod o 28 diwrnod a bod y ffioedd diwygiedig yn cael eu gweithredu o 1<sup>af</sup> Ebrill, 2016.

**Y RHESYMAU:**

- Cael barn rhanddeiliaid ynghylch y ffioedd arfaethedig.
- Sicrhau tryloywder ac arferion da wrth bennu ffioedd.

**Ymgynghorwyd â'r Pwyllgor Craffu perthnasol DO - Diogelu'r Cyhoedd a'r Amgylchedd  
- 11<sup>eg</sup> Rhagfyr 2015**

**Argymhellion / Sylwadau'r Pwyllgor Craffu:**

Penderfynodd y Pwyllgor argymhell i'r Bwrdd Gweithredol:

- Derbyn yr adroddiad
- Bod y ffioedd arfaethedig ar gyfer cerbydau hacnai/hurio preifat yn Atodiad 1 yn cael eu hysbysebu am gyfnod o 28 diwrnod fel sy'n ofynnol gan Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976 er mwyn i bobl gyflwyno gwrthwynebiadau. Os na fydd unrhyw wrthwynebiadau, bydd y ffioedd yn cael eu cyflwyno o 1 Ebrill, 2016.
- Hysbysebu gweddill y ffioedd yn Atodiad 1 am gyfnod o 28 diwrnod a chyflwyno'r ffioedd diwygiedig o 1 Ebrill, 2016.

Angen i'r Bwrdd Gweithredol wneud penderfyniad OES – 4<sup>yd</sup> Ionawr 2016

Angen i'r Cyngor wneud penderfyniad OES – 10<sup>fed</sup> Chwefror, 2016

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

Y Cyng. J. Jones (Y Portffolio Diogelu'r Cyhoedd a'r Amgylchedd)

<p><b>Y Gyfarwyddiaeth: Cymunedau</b> <b>Enw Pennaeth y Gwasanaeth:</b> <b>Robin Staines</b> <b>Awdur yr Adroddiad:</b> <b>Sue Watts</b></p>	<p><b>Swyddi:</b> <b>Pennaeth Tai a Diogelu'r Cyhoedd</b>  <b>Rheolwr Iechyd yr Amgylchedd a Thrwyddedu</b></p>	<p><b>Rhifau ffôn:</b> <b>01267 228960</b> <b>Rstaines@sirgar.gov.uk</b> <b>01267 228929</b> <b>sewatts@sirgar.gov.uk</b></p>
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# EXECUTIVE SUMMARY

## COUNTY COUNCIL

### 10<sup>TH</sup> FEBRUARY, 2016

#### REVIEW OF LOCALLY SET FEES IN ENVIRONMENTAL HEALTH AND LICENSING SECTION

#### BACKGROUND

The common principles of setting locally set fees has been recently scrutinised in a high court case (Hemmings v Westminster). The outcome of the case has clarified the type of costs that councils can recover through locally set licence fees. This includes the administration, issuing and, where applicable, enforcement of licences. Fee setting must be transparent, must not exceed the cost of the procedure and be open to scrutiny.

As a result of this clarity of costs that may be included in fee setting, 'tool kits' have been devised by the Welsh Licensing Expert Panel which allows for a consistency of approach for Local Authorities when deciding their charges. They allow for Authorities to ensure that all relevant costs are considered during the calculation.

Appendix 1 sets out the proposed fee structure for Environmental Health and Licensing fees.

The proposed charges are the result of a recent review of fees. Previously, only minimal index linked increases have been adopted. During the review, it was identified that;

- Some fees will remain unchanged;
- Some fees will be increased;
- Some fees will decrease and
- Fees will now be set where they were not in place previously.

The following gives some background to the findings of the review:

#### Hackney Carriage and Private Hire Licensing

The section currently licence drivers, operators and vehicles annually. However, from 1<sup>st</sup> October 2015, the Deregulation Act 2015 legislation provides for licences to be issued every 3 years rather than annually for drivers and every 5 years for operators. There is also a provision in the legislation that annual licences can be issued in 'exceptional circumstances'. As a result, the review has calculated fees for annual and 3/5 year licences. The Trade have been notified that the section is allowing the applicant to choose whether an annual or 3/5 year licence is more suitable for them.

Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 requires Local Authorities to publicise proposed fees for vehicle and operator licences in a local newspaper giving 28 days for persons to submit objections. Where there are no objections, the advertised fees would take immediate effect. However, where there are objections to the proposed fees for either vehicle or operator licences, the objection to the proposed fee will be brought back to Council for consideration. The remaining fees will take effect at the end of the 28 day period.

Currently, we have issued 576 Dual Drivers Licences, 355 Hackney Carriage Licences, 97 Private Hire Vehicle Licences and 36 Private Hire Operators Licences.

### **Sex establishments**

There has been a significant reduction in these fees. The relevant fees toolkit has been utilised to calculate the proposed fees. Members are minded that the case law referred to above was in regard to excessive fees for sex establishments and many other authorities have been challenged as a result.

Currently, there are no establishments in the County that required this type of licence.

### **Private Water supplies**

The current fees are the suggested maximum charges set by Welsh Government. During the first 5 years of implementation, Welsh Government paid the charges for the risk assessments. From this year, the Welsh Government are no longer contributing towards these fees. The relevant fees toolkit has been utilised to calculate the proposed fees which has resulted in some fees (for example the risk assessment) to be reduced. In light of the fact that Welsh Government made a contribution towards the risk assessments to date, there should be no challenge from previous charges.

### **Tattooing and skin piercing**

This is an initial, on-off registration/licensing fee. The relevant fees toolkit has been utilised to calculate the proposed fees. The Public Health Bill will be establishing a more robust enforcement process for tattooing and skin treatments as this is a very progressive industry. There may be prescribed fees with the introduction of said legislation, however, the proposed fees attached are reflective of current cost recovery.

Currently, we have 85 licensed premises and 144 persons registered in the County.

### **Safety at Sports Grounds**

The legislations states that Local Authorities may charge for administrating a sports ground safety certificate. We have not charged for this service to date, however, the relevant fees toolkit has been utilised to calculate the proposed fee.

There are currently 3 sports grounds that have a safety certificate.

### **Food Hygiene rescore**

The relevant fees toolkit has been utilised to calculate the proposed fee and it is found that the charge reflects the officer's time to carry out the visit. It must be highlighted that officers will carry out revisits (at no charge) should there be a concern regarding food hygiene and will endeavour to work with businesses to ensure that the businesses attain a minimum rating of 3. This charge is for a service that is available should the businesses require an official inspection to change the rating score for the public.

Carmarthenshire currently has 1482 premises with a Mandatory food hygiene score. In Carmarthenshire, the ratings reflect this improvement with 64% of food businesses having a rating of 5 and 97% having a rating of 3, 4 or 5. There are 37 premises scoring 1 or 2, all of whom have been subject to multiple visits by enforcement officers and enforcement action where appropriate in securing broadly compliant standards. Carmarthenshire currently has no businesses with a '0' rating.

This year we have received 11 applications for rescore revisits.

## **Stray Dogs**

The changes in the fees are reflective of the charges from the dog pound. Having spoken to neighbouring Authorities, the 'first day' charge is slightly higher than the proposed fee which is actually deterring owners from recovering their dogs.

## **Housing Act Notice fees**

Currently the policy is to charge a flat fee rate of £400 for the service of statutory notices under the Housing Act 2004. The fee does not reflect the time taken by officers to take the necessary action, is sometimes disproportionate to the actual costs. A more appropriate way of charging for statutory notices would be to calculate the cost of the 'actual time taken' by the officers to take the enforcement action as well as including any other additional costs such as mileage, specialist reports, re-housing. This has been calculated for Housing and Public Protection officers.

The average hourly rate for both Housing and Public Protection officers has been calculated at £75 per hour. We propose, that when serving statutory notices under the Housing Act 2004, to charge an hourly rate of £75 per hour.

## **Mobile Home Site licensing**

This legislation was introduced in October 2014 with 12 months lead in period. Officers are currently liaising with the site owners (11 in the county) to ensure that the site management fulfils criteria required by legislation. The relevant fees toolkit has been utilised to calculate the proposed fee and it is found that the charge reflects the officer's time to carry out the visit.

We have received 6 applications to date.

## **Selective and House in Multiple Occupation (HMO)**

Selective licensing is a discretionary scheme for Local Authorities to adopt to target private rented properties in low demand or where there is significant problems relating to anti social behaviour. Carmarthenshire in March 2014 declared the Tyisha ward as a selective licensing area. There are approximately 400 private rented properties (25% of the overall housing stock in the ward). We currently have 175 selective licenses.

The Authority is aware that there are approximately 500 HMO'S within the County. The Authority has a mandatory duty to license the higher risk HMO's. These would include, for example, bedsits and shared accommodation where there are over 5 or more people over 3 or more stories of which there are 35 all of which are licensed.

The relevant fees toolkit has been utilised to calculate the proposed fee and it is found that the charge reflects the officer's time to carry out the visit.

## **Grant Agency fees**

The fees are reflective of the cost to the local authority in administering such services and there is no need to vary them at this stage. They will be reviewed at regular intervals throughout the lifetime of the schemes.



## Empty Properties / Houses into Homes

The fee structure has been set by the Welsh Government, as Houses into Homes is a National scheme. The wording specific to the Land Registry charges has been altered, for the purposes of clarity, as the maximum loan available to an individual Applicant is £150,000.

DETAILED REPORT ATTACHED ?

NO – *Appendix 1 Attached*

## 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 and Public Protection**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

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

Signed: **Robin Staines**

**Head of Housing and Public Protection**

## **1.Scrutiny Committee**

The Environmental & Public Protection Scrutiny Committee was consulted on 11<sup>th</sup> December, 2015.

## **1.Local Member(s)**

Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 requires Local Authorities to publicise proposed fees in a local newspaper giving 28 days for persons to submit objections.

## **2.Community / Town Council**

Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 requires Local Authorities to publicise proposed fees in a local newspaper giving 28 days for persons to submit objections.

## **3.Relevant Partners**

N/A

## **4.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**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
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## Appendix 1

### Environmental Health and Licensing proposed locally set fees 2016 – 2017.

#### 1.1 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

##### Vehicles

	<b>Current fee</b>	<b>Proposed fee</b>
<b>Hackney Carriage Vehicle Renewal</b> (inclusive of initial test, one retest and licence plate without MOT)	£121.45	£130.00
<b>Private Hire Vehicle Renewal</b> (inclusive of initial test, one retest and licence plate without MOT)	£121.45	£135.00
<b>Hackney Carriage Vehicles Renewal</b> (inclusive of initial test, one retest and licence plate and MOT)	£133.75	£142.00
<b>Private Hire Vehicles Renewal</b> (inclusive of initial test, one retest and licence plate and MOT)	£133.75	£147.00
<b>Hackney Carriage New Application</b> (inclusive of initial test, one retest and licence plate, door stickers and roof sign without MOT)	£141.45	£146.00
<b>Hackney Carriage New Application</b> (inclusive of initial test, one retest and licence plate, door stickers and roof sign with MOT)	£153.75	£158.00
<b>Private Hire Vehicles New Application</b> (inclusive of initial test, one retest and licence plate, door stickers without MOT)	£138.35	£148.00
<b>Private Hire Vehicles New Application</b> (inclusive of initial test, one retest and licence plate, door stickers and MOT)	£150.65	£160.00
<b>Retest</b> If vehicle retest fails, each subsequent retest	£25.65	£ 26.00
<b>Replacement Plate</b>	£8.85	£ 10.00
<b>Replacement Door Sticker</b>	£8.85	£ 9.00
<b>Meter test</b>	£13.20	£ 14.00
<b>Replacement roof sign sticker</b>	£1.55	£ 2.00
<b>Replacement drivers badge</b>	£5.50	£ 7.00
<b>Replacement licence</b>	£10.50	£ 11.00
<b>Vehicle Transfer</b>	£23.05	£ 24.00

##### Operators

<b>Private Hire Operators Licence New application (1yr)</b>	£133.25	£145.00
<b>Private Hire Operators Licence New application (5yr)</b>	N/A	£639.00

<b>Private Hire Operators</b> Licence Renewal (1yr)	£133.25	£ 138.00
<b>Private Hire Operators</b> Licence Renewal (5yr)	N/A	£ 631.00

### Drivers

<b>Dual Driver Licence</b> Renewal (1 yr)	£33.00	£ 38.00
<b>Dual Driver Licence</b> Renewal (3 yr)	N/A	£ 101.00
<b>Dual Driver Licence</b> New application (1 yr)	£33.00	£ 75.00
<b>Dual Driver Licence</b> New application (3 yr)	N/A	£ 137.00
<b>Disclosure Barring Service</b>	£44.00	£ 44.00
<b>Knowledge test</b> (per test)	N/A	£ 19.00

<b>Boat man licence</b>	£ 60.00	£ 60.00
<b>Pleasure craft</b>	£500.00	£ 120.00

### 1.2 STREET TRADING

Street trading in markets managed by the Council and where stallholders provide their own stalls	3m x 3m pitch	£15.00 / day	£15.00 / day
	6m x 3m pitch	£30.00 / day	£30.00 / day
Street trading in markets managed by the County Council and where stalls are provided by the Council in Licensed Streets		£46.00 / day	£46.00 / day
Street trading in specialist or themed markets operated or managed privately in Licensed Streets		£25.00 / day	£25.00 / day
Street trading in laybys in Licensed Streets No advance payments available	Town Centre Zones	£25.00/day	£25.00/day
Street trading in laybys in Licensed Streets 3 month advance payments available	Rural 3mx3m Rural 6mx6m	£15.00/day £30.00/day	£15.00/day £30.00/day
Street trading in laybys in Licensed Streets Annual advance payment	Rural 3mx3m Rural 6mx6m	£1,000 £2,000	£1,000.00 £2,000.00

### 1.3 SEX ESTABLISHMENTS

	<b>Current fee</b>	<b>Proposed fee</b>
<b>Sex establishment new</b>	£5000	£975.00
<b>Sex establishment renewal</b>	£3500	£750.00
<b>Sex establishment transfer</b>	£800	£180.00
<b>Sex establishment replacement of licence</b>	N/A	£ 21.00

### 1.4 PRIVATE WATER SUPPLIES

	<b>Current fees</b>	<b>Proposed fee</b>
<b>Risk assessment</b> (each assessment)	£500.00	£120.00
<b>Sampling</b> (each visit)	£100.00	£100.00*
<b>Investigation</b> (each supply)	£100.00	£100.00
<b>Granting an authorisation for temporary exemption from certain limits on impurities</b>	£100.00	£100.00
<b>Analysing a sample</b> taken under Regulation 10 for single domestic supplies	£ 25.00	£ 25.00
<b>Analysing a sample taken during check</b> monitoring of large and small supplies	£100.00	Up to £100.00
<b>Analysing a sample taken during audit</b> monitoring of large and small supplies	£500.00	Up to £500.00

\* plus analysis costs

### 1.5 TATTOOING, SKIN PIERCING AND COLOURING

	<b>Current fee</b>	<b>Proposed fee</b>
<b>Premises Registration Fee</b>	£140.00	£140.00
<b>Personal Registration Fee</b>	£ 55.00	£ 55.00

### 1.6 SAFETY AT SPORTS GROUNDS

	<b>Current fee</b>	<b>Proposed fee</b>
<b>Safety certificate new and review</b>	£00.00	£930.00

### 1.7 FOOD HYGIENE RESCORE REQUEST

	<b>Current fee</b>	<b>Proposed fee</b>
<b>Food hygiene rating rescore request</b>	£150.00	£150.00

### 1.8 STRAY DOGS

	<b>Current fee</b>	<b>Proposed fee</b>
<b>For the first day or part day</b>	£ 60.00	£ 80.00
<b>Additional £ per day thereafter</b>	£15.00	£15.00

### 1.9 SCRAP METAL DEALERS

	<b>Current fee</b>	<b>Proposed fee</b>
<b>Site Licence – New</b>	£380.00	£380.00
<b>Site Licence – Renewal</b>	£320.00	£320.00
<b>Site Licence – Variation</b>	£ 60.00	£ 60.00
<b>Collectors Licence – New</b>	£260.00	£260.00
<b>Collectors Licence – Renewal</b>	£260.00	£260.00
<b>Collectors Licence – Variation</b>	£ 60.00	£ 60.00

### 1.10 HOUSING ACT 2004 NOTICE FEES

	<b>Current fee</b>	<b>Proposed fee</b>
<b>Enforcement fee</b>	£400.00	Hourly fee of £75

### 1.11 MOBILE HOME SITE LICENSING: 5 YEAR LICENSING PERIOD

<b>Cost break down</b>	<b>Set Up Cost(£)</b>	<b>Administration Cost of Licence(£)</b>	<b>Cost per pitch (£)</b>	<b>Total(£)</b>
<b>Property Type</b>				
Initial Licence (Year 1)	300.29	80.09	9.73	<b>Calculated</b>
Re- licence (Year 5)	-	80.09	9.73	<b>Calculated</b>

#### **Example**

A site that has 50 pitches will have to pay:  
300.29 + 80.09 + (9.73 x 50) = £866.88 for the initial licence  
and  
80.09 + (9.73 x 50) = £566.59 for a re- licence.

### 1.12 HOUSE IN MULTIPLE OCCUPATION/SELECTIVE LICENSING SCHEME FEES

<b>Cost Break Down</b> <b>Property Type</b>	<b>Set Up Cost(£)</b>	<b>Administration Cost of Licence(£)</b>	<b>Compliance Checks (£)</b>	<b>Other Costs(£)</b>	<b>Total(£)</b>
<b>Single Let</b>	75.26	145.53	50.47		<b>240</b>
<b>2 Flats</b>	75.26	145.53	62.64	76.57	<b>360</b>
<b>3 Flats</b>	75.26	145.53	166.97	92.24	<b>480</b>
<b>4 Flats</b>	75.26	145.53	246.96	132.25	<b>600</b>
<b>5 Flats</b>	75.26	145.53	344.30	154.91	<b>720</b>
<b>6+ Flats</b>	75.26	145.53	441.46	177.56	<b>840</b>
<b>3 Person (Shared)</b>	75.26	145.53	86.98	72.23	<b>380</b>
<b>4-6 Persons (Shared)</b>	75.26	145.53	198.29	100.92	<b>520</b>
<b>7-10 Persons (Shared)</b>	75.26	145.53	295.63	143.58	<b>660</b>
<b>11+ Persons (Shared)</b>	75.26	145.53	392.97	186.23	<b>800</b>

### 1.13 GRANT AGENCY FEES

Where we administer and act as agents for grants/ home improvement loans we charge 10% of the overall value of the scheme.

### 1.14 EMPTY PROPERTIES/ HOUSES INTO HOMES

<b>Value of Property For Security</b>	<b>Proposed wording change; Loan Value</b>	<b>Land Registry Charge Per Title For Security Of Loan</b>	<b>Administration Fee</b>	
If over £ 150,000	If £150,000	£ 70.00	<b>Loan Amount Fee</b>	<b>Admin</b>
If under £150,000	If £149,999 or under	£ 50.00	£0-£50,000 £295.00	£395.00
			£50,001 - £100,000	£495.00
			£100,001-£150,000	

Mae'r dudalen hon yn wag yn fwriadol



**COUNTY COUNCIL  
10FED CHWEFROR 2016**

**Cynllun Cydraddoldeb Strategol Cyngor Sir Gâr (drafft) 2016-2020**

**ARGYMHELLIAD Y BWRDD GWEITHREDOL:**

Cymeradwyo Cynllun Cydraddoldeb Strategol Cyngor Sir Caerfyrddin 2016-2020 ar gyfer ei weithredu o Ebrill 2016.

**Y Rhesymau:**

Mae'r Ddeddf Cydraddoldeb 2010 yn cyfuno deddfwriaethau gan gryfhau a mireinio'r Gyfraith gan ei gwneud hi'n haws i bobl ddeall a chydymffurfio. Daeth y mwyafrif o'r Ddeddf i rym ar 1 Hydref 2010.

Yng Nghymru, mae Dyletswyddau Penodol wedi eu gosod ar gyfer cyrff cyhoeddus, ac mae datblygu Cynllun Cydraddoldeb Strategol yn un o'r rheini. Law yn llaw â hyn, mae'r dyletswydd i Asesu Effaith ein gwaith ar ddinasyddion ein sir, ac yn benodol o ran effaith ar y nodweddion a ddiogelir.

Mae gofyn i'r Cyngor baratoi Amcanion Strategol fel rhan o'r Cynllun ac mae'r Amcanion yma yn deillio o ymgynghori gyda grwpiau penodol ar draws y sir a'r gymuned ehangach. Mae'r Amcanion wedi ei seilio ar ddata, ystadegau ac adborth gan ein cwsmeriaid.

**Y BWRDD GWEITHREDOL / CYNGOR / PWYLLGOR:**

Argymhellion / Sylwadau'r Pwyllgor Craffu:

Argymhellwyd gan y Pwyllgor Craffu Adnoddau a Pholisi ar Dachwedd y 25ain

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. Linda Evans

**Cyfarwyddiaeth**

**Enw Pennaeth y Gwasanaeth:**

**Wendy Walters**

**Awdur yr Adroddiad:**

**Kevin Pett**

**Swyddi:**

**Prif Weithredwr Cynorthwyol  
(Adfywio a Pholisi)**

**Swyddog Polisi, Ymgynghori a  
Chyfranogiad**

**Rhifau Ffôn. 01267 224112  
01267 224676**

**Cyfeiriadau E-bost:**

[WSWalters@sirgar.gov.uk](mailto:WSWalters@sirgar.gov.uk)  
[KPett@sirgar.gov.uk](mailto:KPett@sirgar.gov.uk)

**EXECUTIVE SUMMARY  
COUNTY COUNCIL  
10<sup>TH</sup> FEBRUARY 2016**

**SUBJECT  
(Draft) Strategic Equality Plan**

**BRIEF SUMMARY OF PURPOSE OF REPORT**

The Equality Act 2010 includes a new public sector equality duty, replacing the separate duties on race, disability and gender equality.

The new general duty covers the following protected characteristics:

- Age
- Gender reassignment
- Sex
- Race – including ethnic or national origin, colour or nationality
- Religion and belief – including lack of belief
- Disability
- Pregnancy and maternity
- Sexual Orientation

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 is compatible with the requirements of the Well-being of Future Generations Act, with 'equality' and 'cohesion' featuring strongly as two of the seven well-being goals.

Public bodies are required to have due regard to:

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

The (draft) Carmarthenshire County Council Strategic Equality Plan 2016-2020 has been prepared to outline how the Council will meet its duties under the Equality Act 2010 and the Specific Duties for Wales. We are required to publish our second Plan before the 2<sup>nd</sup> of April 2016.

Based on the information available and initial feedback from the consultation (as noted below) this draft strategy includes six key objectives that the Council will work towards achieving based on its role as an employer, as a provider of services and as a community leader. The draft objectives are as follows:

The Council as an employer

- Attract and retain the very best workforce.
- Work to improve employment monitoring data held by the Local Authority and ensure pay differentials are identified and acted upon.

The Council as a provider of services

- Continue work to remove the barriers to accessing Council services and give due regard to all groups when making decisions.
- Help maximise the potential of people, through the education system and by supporting the growth of the local economy.

The Council as a community leader

- Support cohesive communities by promoting community and civic engagement.
- We will encourage healthy lifestyles and promote the importance of well-being.

As noted above, significant consultation was undertaken between 17 August – 9 October 2015 as part of a regional approach to identify priorities and objectives for future delivery. The consultation process involved a purpose-designed survey and was overseen by a project group of organisations from across mid and West Wales. The consultation was undertaken jointly by Carmarthenshire, Pembrokeshire, Ceredigion and Powys County Councils, Pembrokeshire National Park, Hywel Dda University Health Board, Powys Teaching Health Board, Dyfed Powys Police, Mid and West Wales Fire and Rescue Service and Wales Ambulance Trust. 774 responses have been received (569 of those are Carmarthenshire specific). In addition, specific engagement events have also taken place across the four county areas. A detailed report on the feedback received has been prepared and the information gained will be used to develop action plans for each of the participating organisations for implementation from April 2016.

**DETAILED REPORT ATTACHED?**

**YES:  
Draft SEP  
Consultation report (summary version)**

## 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: **Wendy Walters, Assistant Chief Executive (Regeneration & Policy)**

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	People Management and Performance	Physical Assets
Yes	Yes	None	None	None	None	None

### **Policy and Crime & Disorder:**

The development of a Strategic Equality Plan is a statutory duty.

### **Legal:**

There are legal obligations to non-compliance with the Equality Act 2010.

## CONSULTATIONS

I confirm that the appropriate consultations have taken place.

Signed: **Wendy Walters, Assistant Chief Executive (Regeneration & Policy)**

### **1. Scrutiny Committee**

Policy & Resources Scrutiny Committee to be consulted on 25 November 2015

### **2. Local Member(s)**

Included as part of the public consultation undertaken from 17 August – 9 October 2015.

### **3. Community / Town Council**

Included as part of the public consultation undertaken from 17 August – 9 October 2015.

### **4. Relevant Partners**

A variety of organisations and individuals have been consulted with to collect data and opinions

### **5. Staff Side Representatives and other Organisations**

Included as part of the public consultation undertaken from 17 August – 9 October 2015.

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

<b>Title of Document</b>	<b>File Ref No.</b>	<b>Locations that the papers are available for public inspection</b>
Equality and Human Rights Commission Guidance for the Public Sector in Wales		<a href="http://www.equalityhumanrights.com/wales/publications/guidance-on-the-equality-duty-for-the-welsh-public-sector/">http://www.equalityhumanrights.com/wales/publications/guidance-on-the-equality-duty-for-the-welsh-public-sector/</a>

Mae'r dudalen hon yn wag yn fwriadol

# **STRATEGIC EQUALITY PLAN 2016-20**

## **MULTI-AGENCY CONSULTATION**

### **SUMMARY REPORT**

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Parc Cenedlaethol  
Arfordir Penfro  
Pembrokeshire Coast  
National Park





# STRATEGIC EQUALITY PLAN 2016-20

## MULTI-AGENCY CONSULTATION

### 1) INTRODUCTION: CONTEXT AND METHOD

Strategic Equality Plans (SEPs) are important documents that set out how public bodies will consider the needs of groups with 'protected characteristics', as outlined in the Equality Act 2010.<sup>1</sup> This is intended to ensure that all individuals receive just and equitable treatment in respect of service delivery and strategy/policy formulation. SEPs generally contain a set of equality objectives, together with an action plan, which aim to promote equality and fairness.

Consultation is an intrinsic part of developing a new Strategic Equality Plan, and, as such, public opinion was sought to buttress and strengthen the Plan.

Key organisations operating within Dyfed Powys worked collaboratively to deliver a joint consultation exercise.<sup>2</sup> A mixed methods approach was employed to elicit the views and experiences of stakeholders across Dyfed Powys (comprising Carmarthenshire, Ceredigion, Pembrokeshire and Powys). It was agreed to produce one master survey (and sister versions) and hold local stakeholder events in each of the four regions. This approach increased the robustness of collected data and facilitated comparability of results.

The consultation mechanisms are considered in further detail:

#### **Master survey**

Surveys are a well-established research method that provides breadth and depth of opinion at reasonable costs. In developing the survey, local agencies were keen to find out whether people's experiences of their services differed owing to their demographic characteristics. Recognising that equality is paramount across an exhaustive list of services, the survey focused on ten broad domains – health; education; housing; access to transport; crime and access to justice; influencing decisions which affect them; social, leisure and countryside access; access to care and support; employment and getting along together in a community.

Respondents were asked whether people with different characteristics generally have better or worse experiences of a prescribed list of services in comparison to the population as a whole. A likert scale was utilised to establish whether twelve different demographic groups have 'much better', 'better', 'the same', 'worse' or 'much worse'

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<sup>1</sup> These characteristics are: Age; Disability; Gender re-assignment; Marriage and civil partnership; Pregnancy and maternity; Race; Religion or belief (including non-belief); Sex and Sexual orientation

<sup>2</sup> Dyfed Powys Police; Hywel Dda University Health Board; Mid and West Wales University Health Board; Welsh Ambulance Service; Carmarthenshire County Council; Ceredigion County Council; Pembrokeshire County Council; Powys County Council and Pembrokeshire Coast National Park

experiences of a particular service.<sup>3</sup> This was useful in recording attitudinal data (how respondents perceive other groups to be treated) and actualities (what those of particular ethnicities, age etc. thought of their own experiences). The latter is possible through filtering/disaggregating responses.

Emphasis was given to identifying respondents' demographic characteristics (age, gender, ethnicity etc.) in order that the views of different groups be reflected in the report.

In addition, the master consultation survey was published in Welsh, English and Polish, reflecting the demographic composition of the four counties. An instruction sheet also accompanied the survey, so as to offer an accessible, easy read version. Finally, a younger people's version was also developed.

774 responses were received.

### **Stakeholder events**

To meaningfully engage in dialogue with a wide range of stakeholders face-to-face, stakeholder events were arranged in each of the four counties. Local authorities assumed responsibility for the events, and worked in partnership with local groups to coordinate and deliver SEP engagement sessions.

The sessions made use of participatory techniques such as 'speed debating' – offering up a number of topics for a timed group discussion – and 'car parking stations' – where attendees were encouraged to post comments on a notice board. Five key themes were deliberated during the speed dating process: *wellbeing* (health, leisure, care and support); *opportunities* (education and employment); *cohesive communities* (crime and access to justice; communities); *having your say* (influencing decisions) and *where we live* (transport and housing). For each theme, participants were asked to consider: what is working well; what is not working well and future plans. The results were fed into a stakeholder event report, generated for each county.<sup>4</sup>

### **Publicity**

All partner agencies undertook promotional activities, publicising the consultation by means of press releases; positioning of information online via websites / consultation portals; social media feeds; internal emails to staff and/or use of intranet; display of SEP 'postcards' in libraries, customer service centres, GP surgeries and libraries; information to town and community councils; and, via networks specific to each organisation. The above gives a flavour of the steps that were taken to ensure the consultation was very widely publicised.

In addition to the above, the following consultation channels were used:

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<sup>3</sup>An example question: *We are interested to find out if you think people with different characteristics have different experiences of services. Thinking about health, do you consider people in the following groups generally have better or worse experiences, in comparison to the population as a whole?*

<sup>4</sup> Available upon request from each local authority

**Carmarthenshire** – Promotion through Equality Carmarthenshire (an umbrella group comprising myriad equality groups/organisations). Furthermore, the consultation survey formed part of the September 2015 mailout to Citizens' Panel (c. 600) and 50+ Forum (c. 2400) members.

**Ceredigion** – Consultation tabled at meetings of the Ceredigion Disability Forum; Ceredigion Voice for Equality; 50+ Forum; Children's & Young People's Partnership and Ceredigion Carers Alliance

**Dyfed Powys Police** – Consultation shared with Independent Advisory Group members

**Hywel Dda** – Disseminated to GPs, Pharmacies and Siarad Iechyd/Talking Health members

**Pembrokeshire** – Information sent to members of Pembrokeshire Voices for Equality

**Powys** – Awareness raising via Powys Disability; Women's Equality Network; Older People's forum; PAVO; Cartefi Cymru and Powys Carers.

### **Analysis & Reporting**

This report draws heavily on a weighted average technique, referred to throughout as the Average Index Score (AIS). Qualitative data has been analysed by, first, coding responses on the basis of emerging themes; then, offering a synopsis of pertinent codes/themes. Analysis and reporting of results was undertaken by members of the Corporate Policy team at Carmarthenshire County Council<sup>5</sup>

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<sup>5</sup> Kevin Pett, Lesley Rees, Richard Reynolds & Vincent Harries

**About Average Index Score (AIS).** Sometimes known as a 'weighted average', the AIS is a way of distilling the 'balance and strength of opinion' down into one number. Useful for questions with options to 'strongly agree', 'disagree', etc., the technique is used throughout the report. Values range from 2 (*everyone* strongly agrees) to minus 2 (*everyone* strongly disagrees).

**Example**

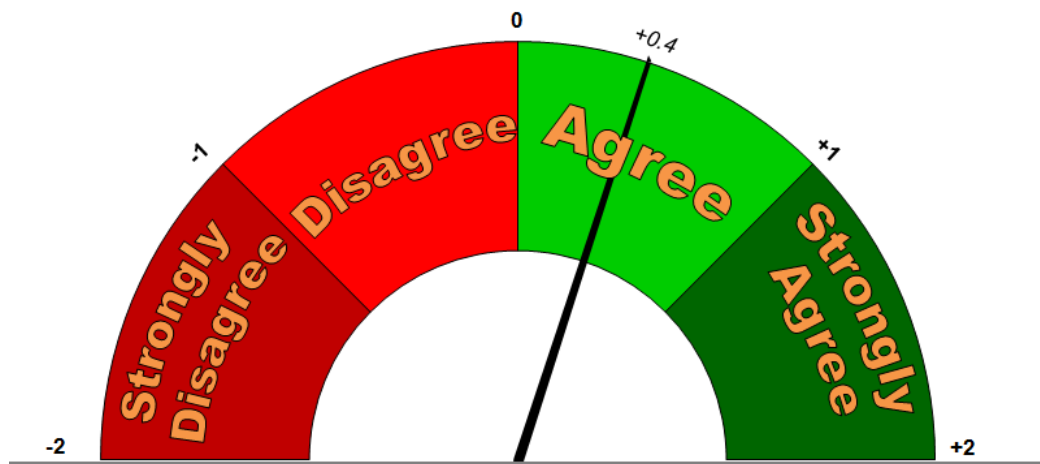
10 people are asked whether they 'strongly agree', 'agree', 'have no opinion', 'disagree' or 'strongly disagree' that Wales will win the six nations.

Results...

- 3 strongly agree (each response worth 2, so=**6**)
- 3 agree (each response worth 1, so=**3**)
- 1 no opinion (each response worth 0, so=**0**)
- 1 disagree (each response worth -1, so= **-1**)
- 2 strongly disagree (each response worth -2, so=**-4**)

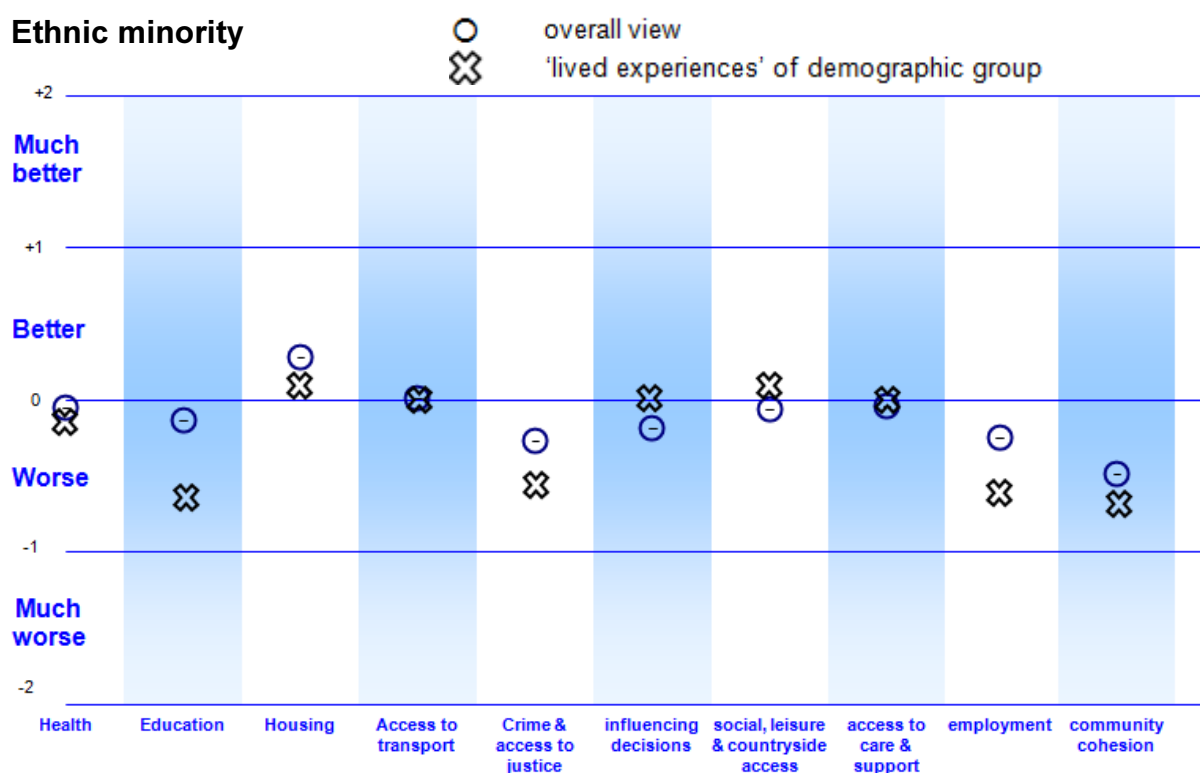
The AIS is calculated by adding all the numbers in bold: so,  $6+3+0-1-4=4$ ;

Then dividing by the number of responses (10 in this case). The average index score is:  $4 \div 10 = \underline{\underline{0.4}}$  (shown graphically below)



## 2) DEMOGRAPHIC PROFILES

This section brings together key population statistics<sup>6</sup> for a number of demographic groups with the respondent profile of the survey, looking at figures for each of the four counties in order to show how representative the results are of the population as a whole.<sup>7</sup> These statistics are presented alongside the overall AIS results for each demographic characteristic - depicted in graphical format. Showing the result in this way allows organisations with a specific interest (for example, in disability) to examine how individual groups (e.g., disabled people) fare across each of the 10 domains. In chapter 3, the results are presented by individual domains – not characteristics – together with more detailed (disaggregated) information.

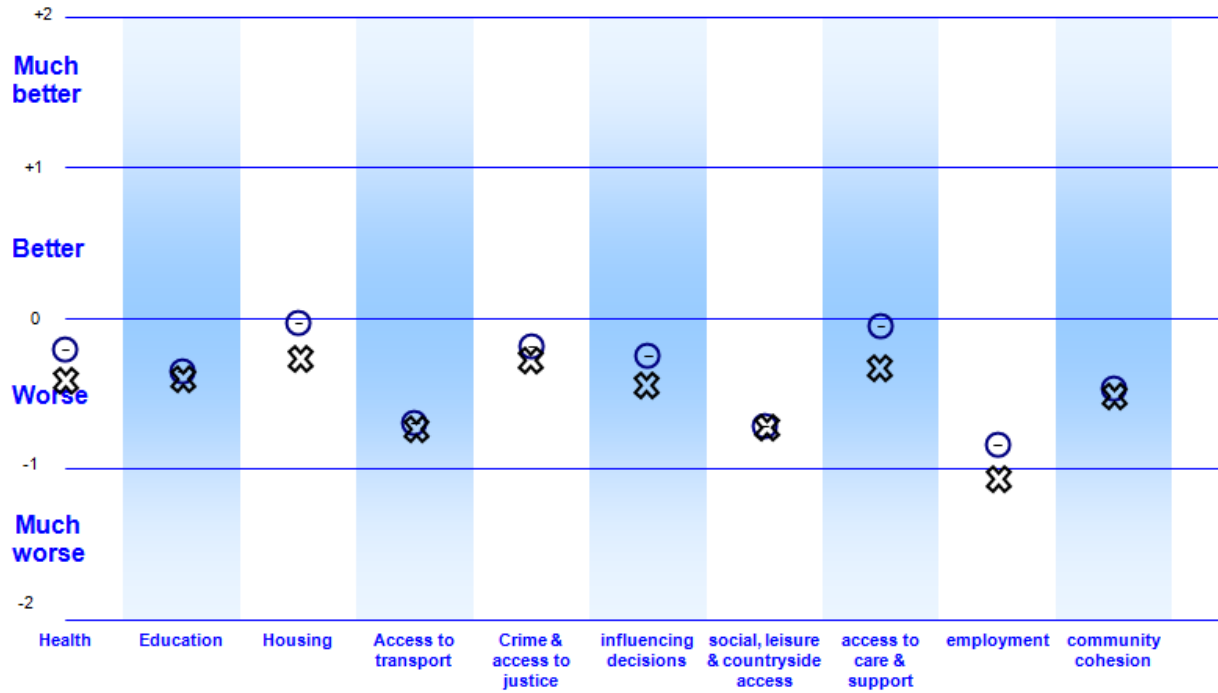


	Overall (survey)	Carms (survey)	Carms actual	Ceredigion (survey)	Ceredigion actual	Pembs (survey)	Pembs actual	Powys (survey)	Powys actual
<b>White</b>	96%	98.1%	98%	94.3%	97%	84.6%	98%	93.4%	98%
<b>BME</b>	1.7%	0.4%	2%	1.9%	3%	9.5%	2%	3.2%	2%

<sup>6</sup> Statistics are drawn from the 2011 Census, CACI Paycheck data (income) and 2015 mid-year population estimates. N/A denotes information is not available.

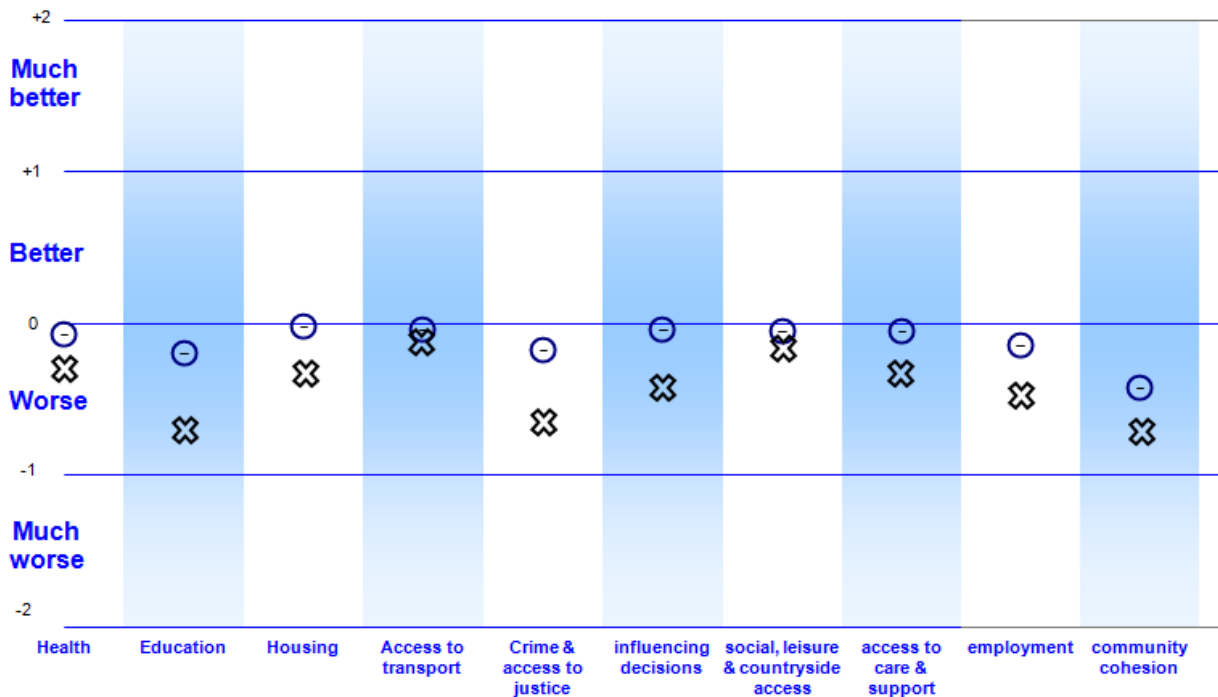
<sup>7</sup> For a more detailed breakdown of the respondent profile, please see appendix xxx. 95% (734) of respondents completed the survey as an 'individual'. The demographic profile of these respondents is as follows. **Ethnicity:** 96% described as white, 2% other ethnicities and 2% preferring not to say (PNTS). **Age:** 2% were under 25, 6% were 25-34, 12% 35-44, 18% 45-54, 22% 55-64, 26% 65-74, 11% 75-84, with 2% aged 85+ (2% PNTS). **Gender:** 61% female, 38% male, 1% PNTS. **Relationship status:** the largest categories were: married 57%, single 12%, widowed 12% and divorced. **Disability:** 22% yes, 76% no, with 2% PNTS. **Religion or belief:** 57% held a religion or belief (Christian was the largest response category), 35% did not and 8% PNTS. **Sexual orientation:** 87% heterosexual, 6% lesbian, gay or bisexual, with 7% PNTS. **Income:** 9% had a household income of <£10,000; 13% £10,000-£14,999; 11% £15,000-£19,999; 12% £20,000-£24,999; 10% £25,000-£29,999; 7% £30,000-£34,999 and 28% £35,000, with 10% PNTS. 18% of respondents identified themselves as a **carer**.

## Disabled



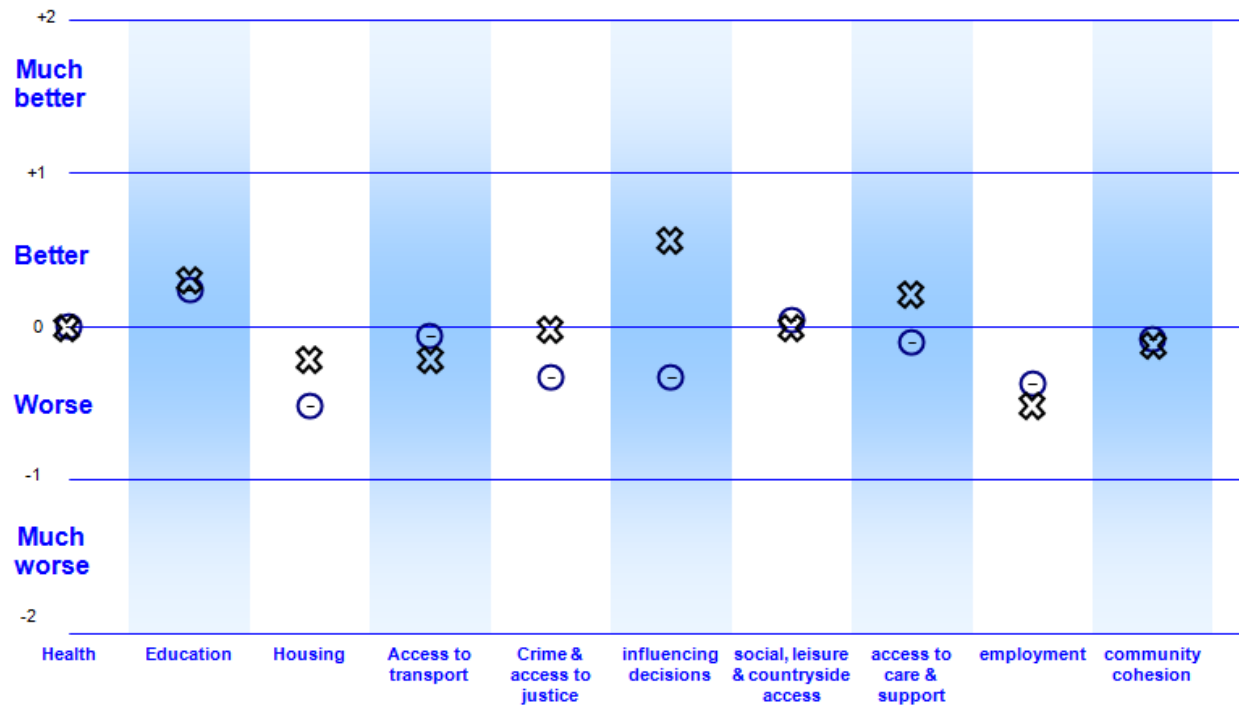
	Overall (survey)	Carms (survey)	Carms actual	Ceredigion (survey)	Ceredigion actual	Pembs (survey)	Pembs actual	Powys (survey)	Powys actual
<b>Disabled</b>	22%	22.9%	N/A	11.3%	N/A	32.7%	N/A	14.5%	N/A

## Lesbian, Gay, Bisexual (LGB)



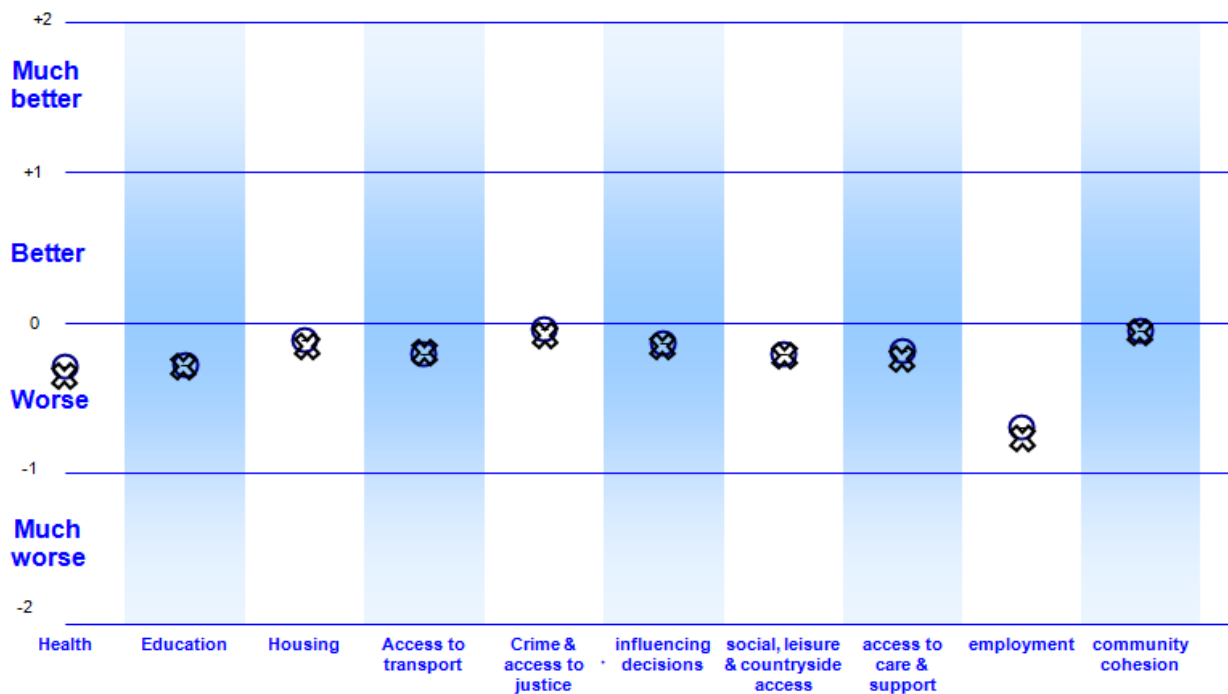
	Overall (survey)	Carms (survey)	Carms actual	Ceredigion (survey)	Ceredigion actual	Pembs (survey)	Pembs actual	Powys (survey)	Powys actual
<b>LGB</b>	6.3%	3.9%	N/A	18.9%	N/A	15.4%	N/A	4.9%	N/A

## Younger People



	Overall (survey)	Carms (survey)	Carms actual	Ceredigion (survey)	Ceredigion actual	Pembs (survey)	Pembs actual	Powys (survey)	Powys actual
<b>16-24</b>	1.5%	0.6%	12.4%	0	22.7%	11.8%	12.3%	3.3%	11.3%

## Older People



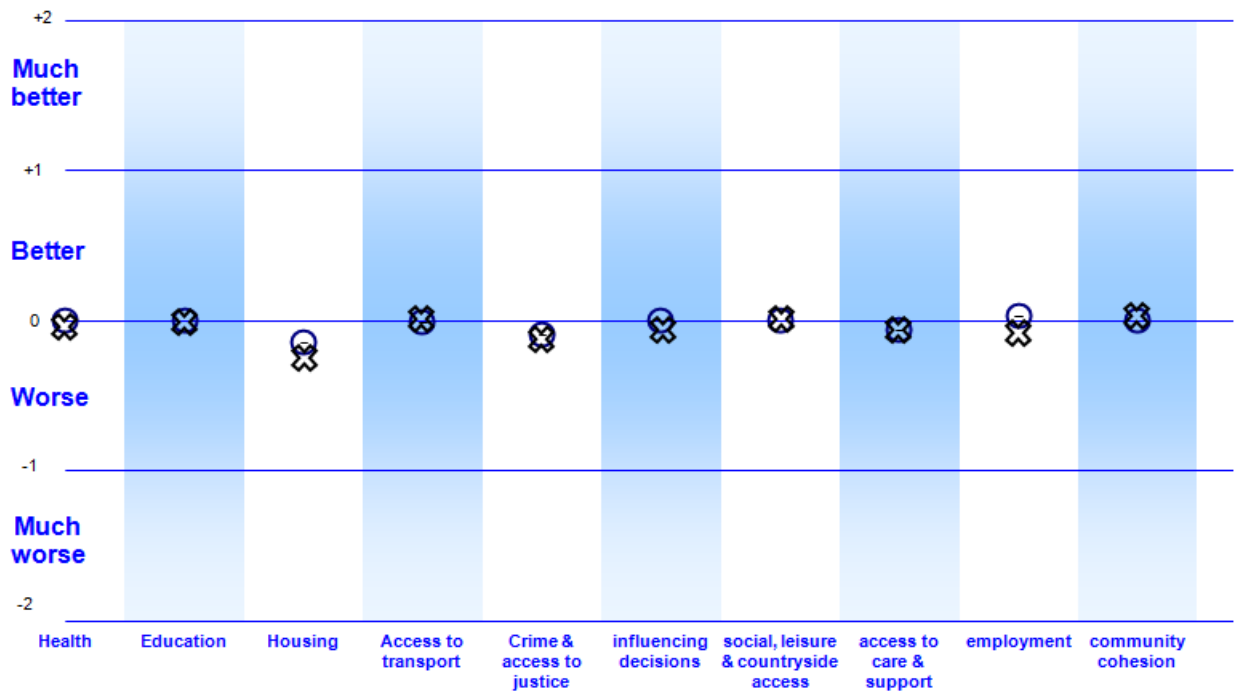
	Overall (survey)	Carms (survey)	Carms actual	Ceredigion (survey)	Ceredigion actual	Pembs (survey)	Pembs actual	Powys (survey)	Powys actual
<b>55-64</b>	21.7%	21.9%	16.4%	26.4%	15.3%	21.6%	16.6%	16.4%	17.3%
<b>65-74</b>	26.4%	33.1%	15.1%	5.7%	14.7%	7.8%	15.9%	3.3%	16.7%
<b>75-84</b>	10.8%	13.9%	8.6%	3.8%	8.3%	2%	9.3%	0	9.6%
<b>85+</b>	1.8%	2.1%	3.6%	1.9%	3.6%	2%	3.7%	0	4%

## Females



	Overall (survey)	Carms (survey)	Carms actual	Ceredigion (survey)	Ceredigion actual	Pembs (survey)	Pembs actual	Powys (survey)	Powys actual
<b>Female</b>	60.6%	61.4%	51.6%	52.8%	50%	61.5%	51.4%	63.9%	50.9%

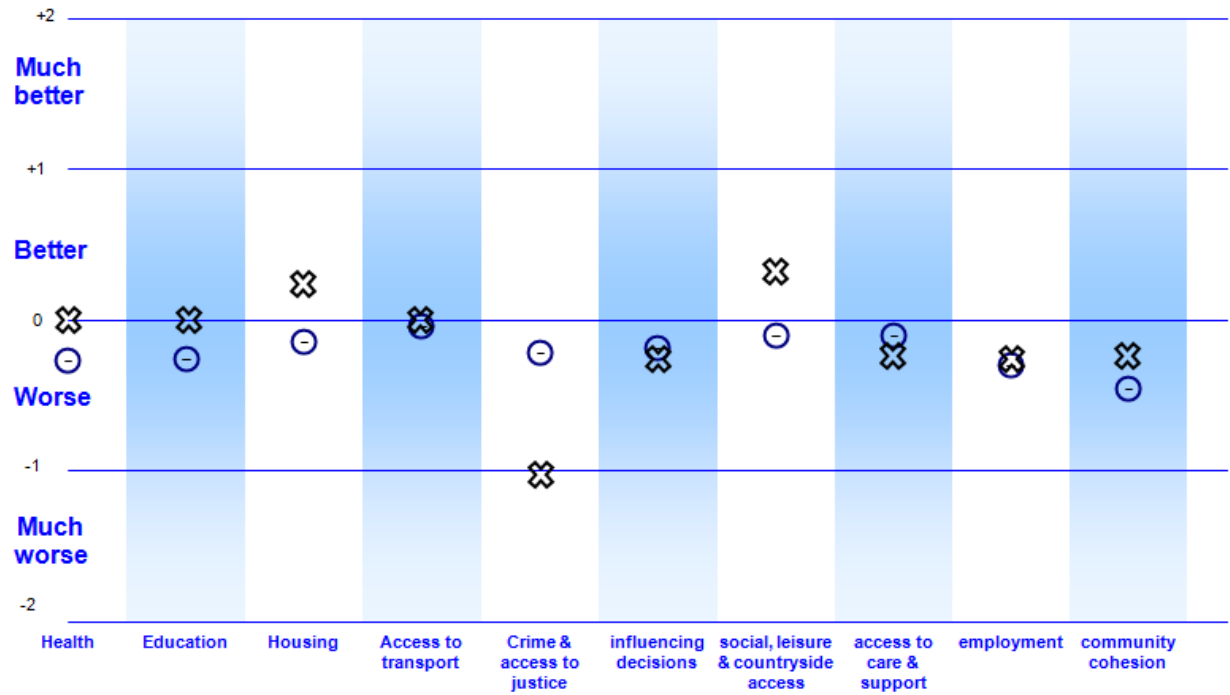
## Males



	Overall (survey)	Carms (survey)	Carms actual	Ceredigion (survey)	Ceredigion actual	Pembs (survey)	Pembs actual	Powys (survey)	Powys actual
<b>Male</b>	38.2%	38.1%	48.4%	45.3%	50%	32.7%	48.6%	32.8%	49.1%

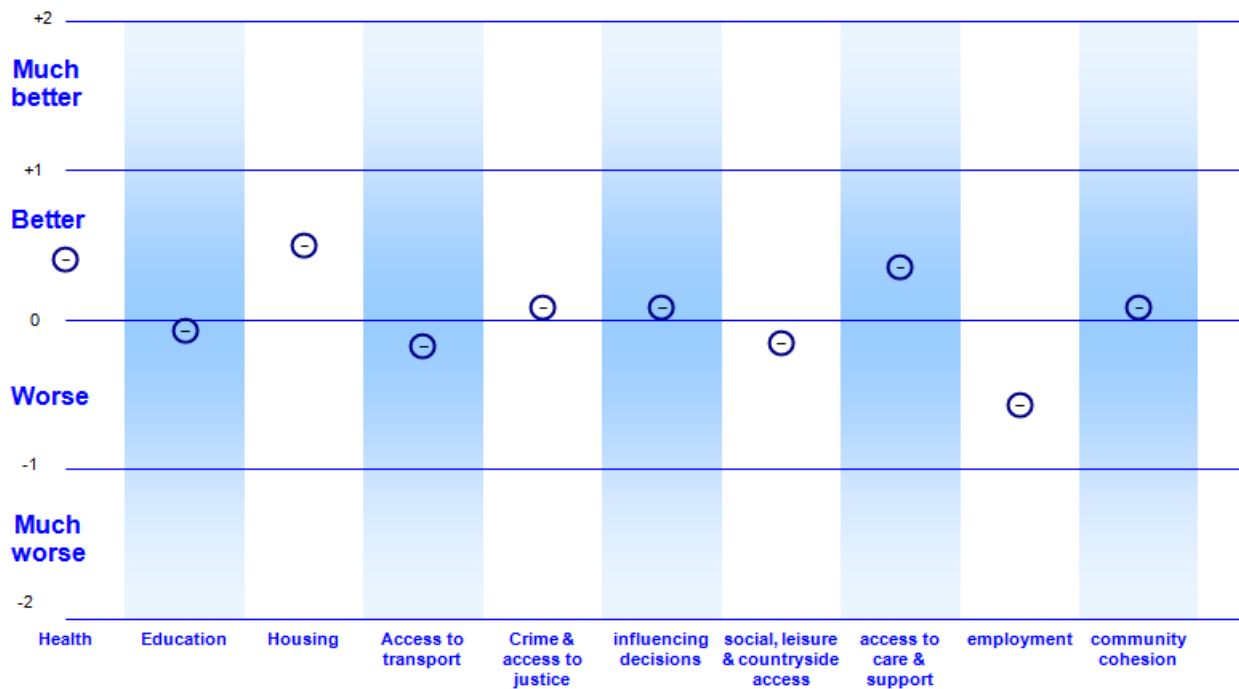


## Transgender

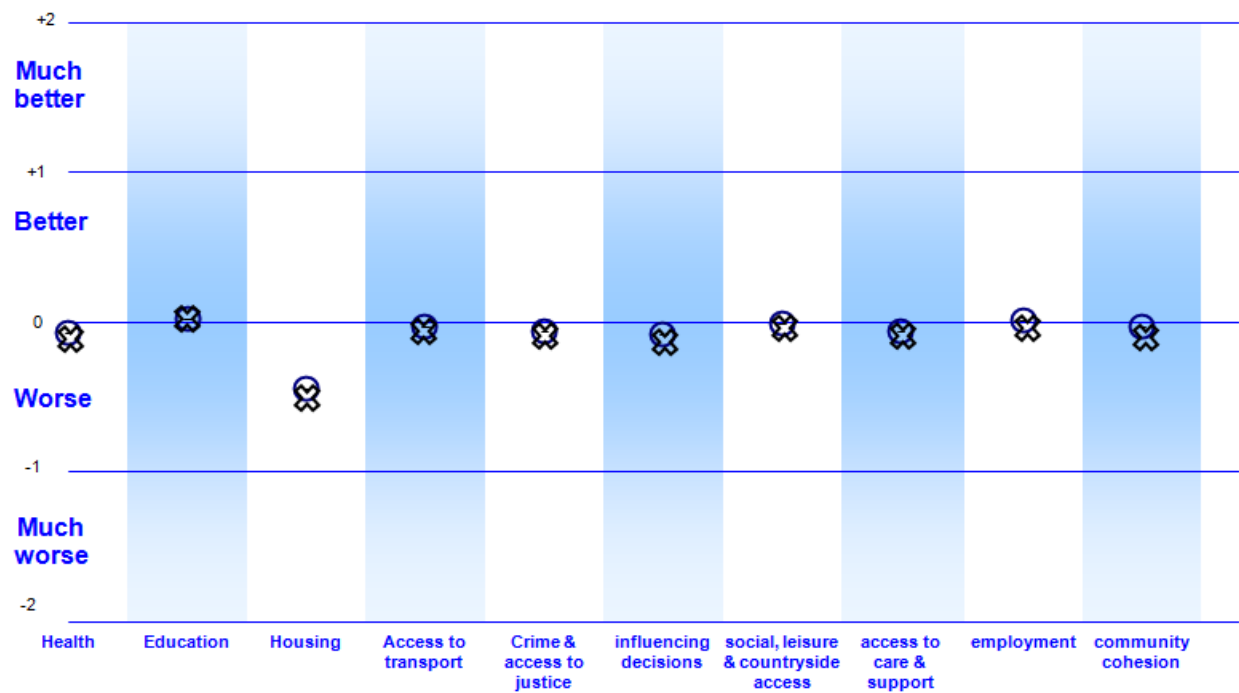


	Overall (survey)	Carms (survey)	Carms actual	Ceredigion (survey)	Ceredigion actual	Pembs (survey)	Pembs actual	Powys (survey)	Powys actual
<b>Transgender</b>	0.6%	0.4%	N/A	1.9%	N/A	2.1%	N/A	0	N/A

## Pregnant or recently given birth

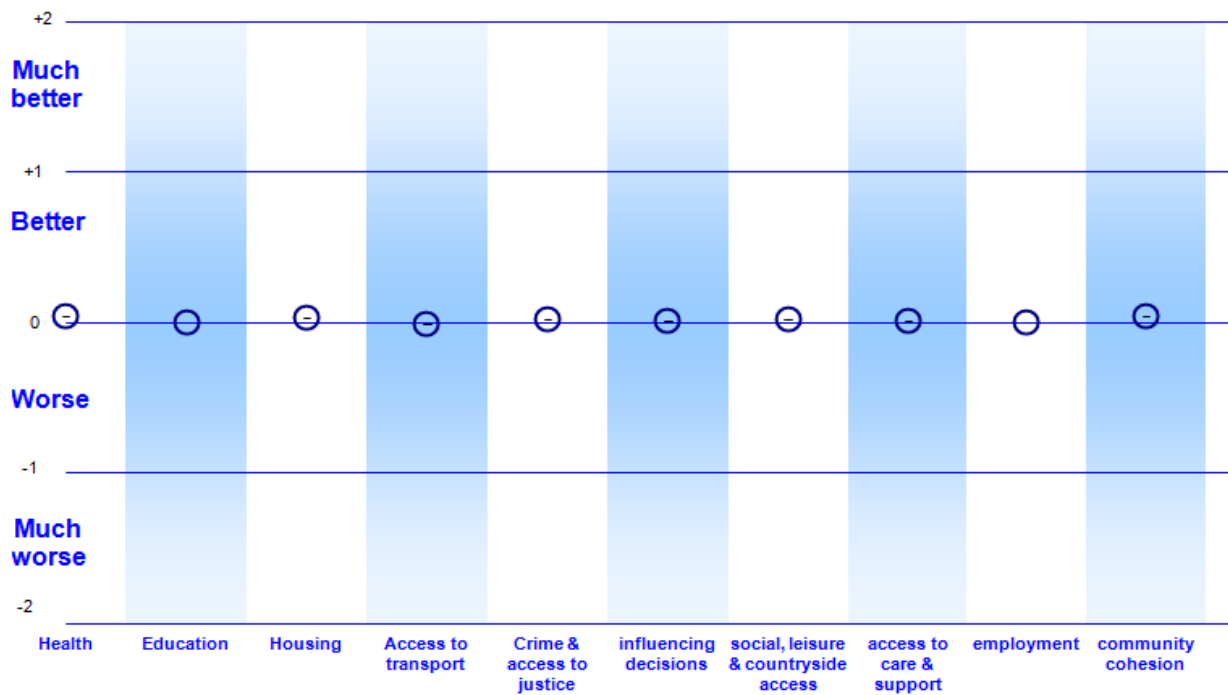


## Single



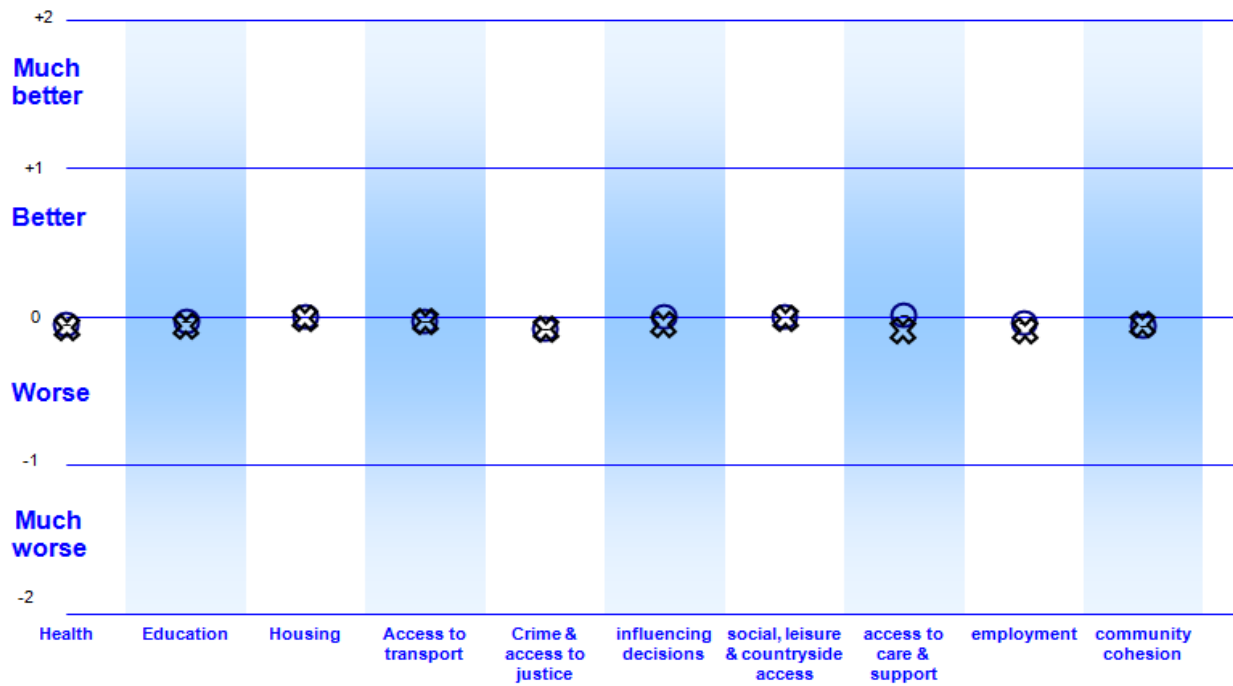
	Overall (survey)	Carms (survey)	Carms actual	Ceredigion (survey)	Ceredigion actual	Pembs (survey)	Pembs actual	Powys (survey)	Powys actual
<b>Single</b>	11.9%	11.4%	29.5%	15.7%	38.7%	12.5%	28.4%	14.8%	28.2%

## In a relationship



	Overall (survey)	Carms (survey)	Carms actual	Ceredigion (survey)	Ceredigion actual	Pembs (survey)	Pembs actual	Powys (survey)	Powys actual
<b>In relationship</b>	62.8%	60.2%	49.6%	66.7%	43%	66.8%	50.5%	75.5%	51.3%

## Hold religion or belief



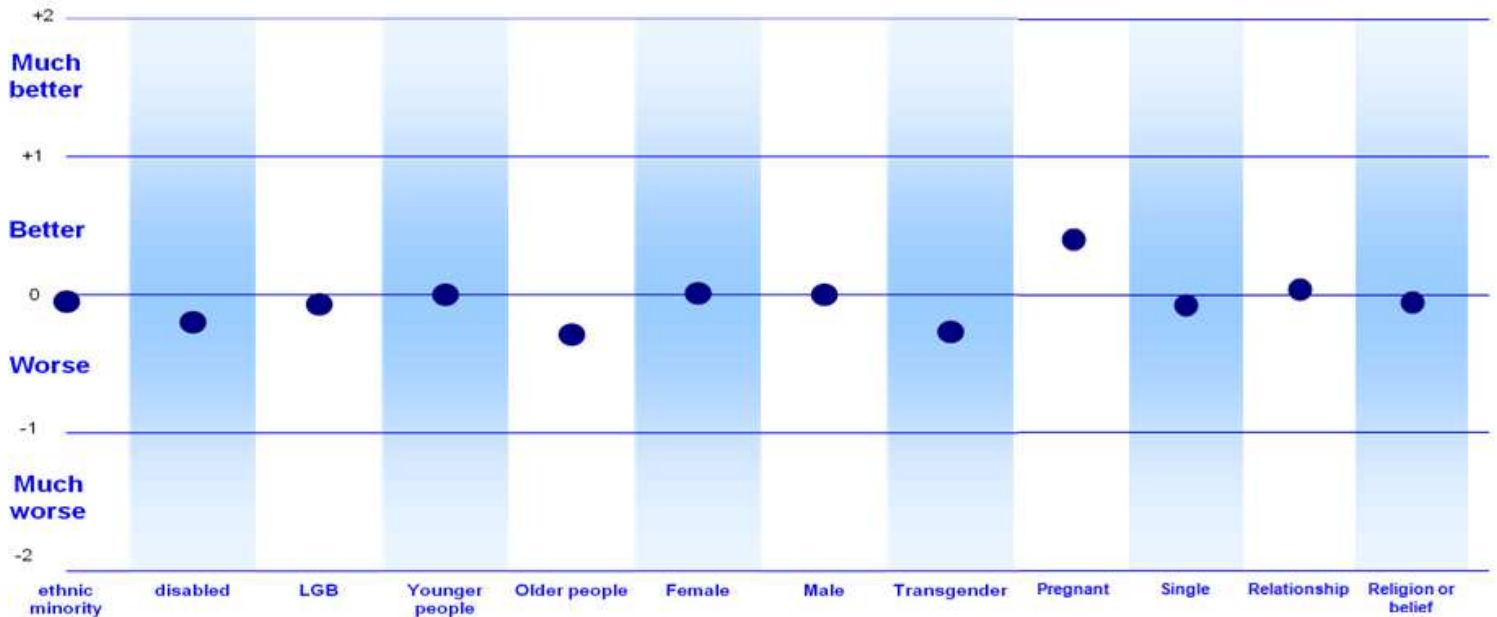
	Overall (survey)	Carms (survey)	Carms actual	Ceredigion (survey)	Ceredigion actual	Pembs (survey)	Pembs actual	Powys (survey)	Powys actual
<b>Hold religion</b>	57.1%	59.8%	71%	64.2%	69%	48%	73%	33.9%	72%

### 3) RESULTS BY DOMAIN

This section considers results for all ten domains, in turn, and a common format is used. Each domain starts with a **summary sheet**, which brings forth key points from:

- i) Analysis of quantitative data – the overall AIS results for all demographic groups are depicted in graphical form, accompanied by a short explanation and interpretation of key statistical findings/trends
- ii) Comments from survey – common threads from respondents' comments are identified, and a précis offered. This supplements the analysis of quantitative data that precedes it by highlighting possible reasons for better/worse experiences
- iii) Organisation responses – specific references are made to the opinions of organisations who participated in the survey
- iv) Feedback from stakeholder events – views expressed by stakeholders during round-table discussions are summarised

## HEALTH



- As shown, people’s experiences of health are seen to vary considerably according to their demographic characteristic
- Of all listed groups, disabled people (AIS of -0.2); older people (AIS of -0.29) and transgender people (AIS of -0.27) were perceived to have particularly worse experiences of health in comparison to the population as a whole. Examining in more detail the experiences of older people, carers put forward a well supported view that older people have notably worse experiences of health (AIS of -0.43, as seen in the disaggregated AIS table, is lower than the overall AIS for older people – as such, this is an important finding)
- Pregnant women or those recently given birth were upheld as having better experiences of health services (AIS of 0.41). This result is a notable outlier given the high positive AIS and its position in comparison to other demographic groups
- Respondents consider the experiences of other demographic groups to be fairly similar to the population as a whole (AIS scores closely clustered around neutral 0 value). Any differences are said to be marginally worse/better.

### Comments from survey:

- ❖ A number of comments made regarding access difficulties for disabled people. Also, mental health and learning disability were identified as areas where services could be improved
- ❖ It is suggested that there is a prevailing attitude that older people need to accept illness in older age; are ‘low priority’ in hospitals and that judgements are informally made amongst staff concerning the cost of treatment versus likely life expectancy
- ❖ A view that there is a lack of awareness or understanding of the physical and social aspects of being transgender. Stigmatization also perceived to be apparent.

### Organisation responses:

- Diverse Cymru – evidence suggests health inequalities for LGBT, disabled and BME groups. Poor staff understanding of religious/cultural beliefs. Holistic approach required to redress balance. Wider issues (e.g., poverty and social status) should be brought into conversation with ‘protected characteristics’
- Welsh Ambulance Service – on balance, fair treatment for all, with some groups (e.g., disabled) rightly receiving additional support to fully cater for their needs
- SWAT Pembrokeshire (Save Withybush Action Team) – reorganisation of Women’s and Children’s services in 2014 has disadvantaged Pembrokeshire residents, particularly young people and pregnant women
- Town and Community Council (Carmarthenshire) – standards of care lower for disabled and elderly

### *Key issues arising from stakeholder events*

#### Working well:

- Hywel Dda’s commitment to mental health services reform
- Access to rehabilitation officers
- Some community care projects

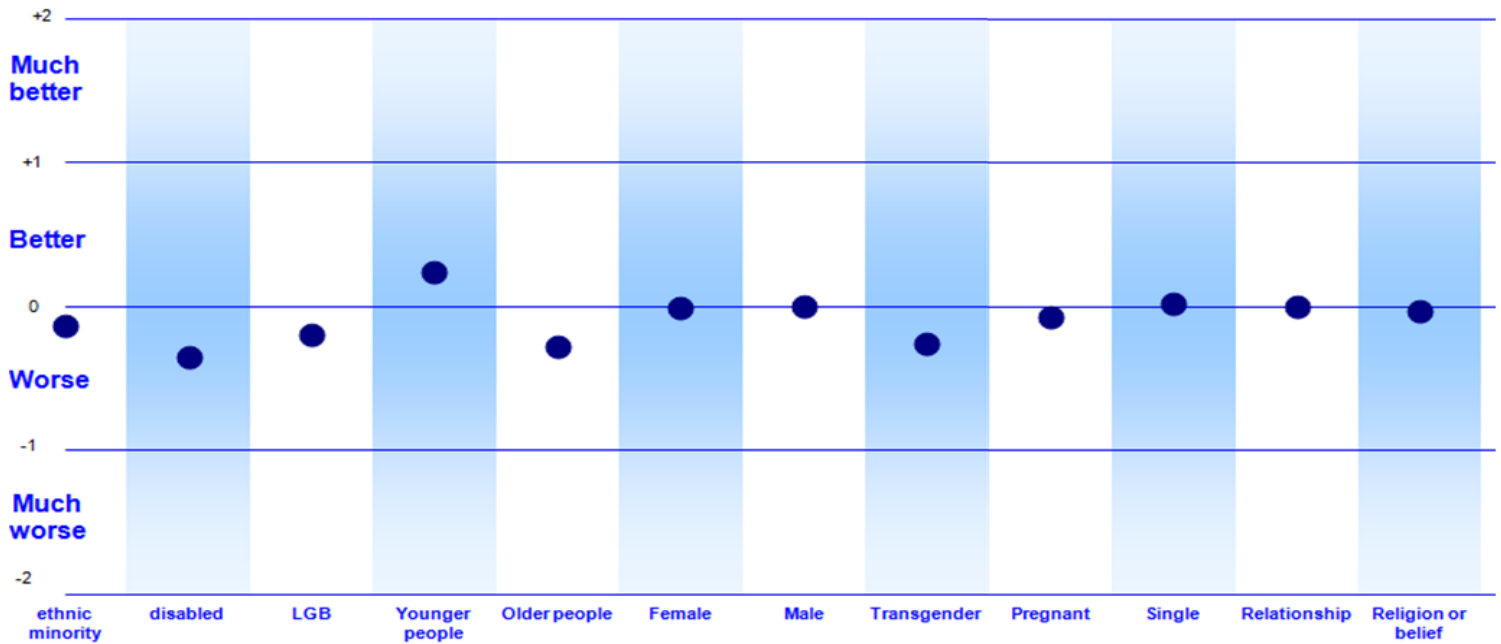
#### Not working so well:

- GP appointments and the lack of doctor awareness of medical history
- Carers rights not fully acknowledged within hospitals
- Co-ordination of care packages
- Lack of holistic approach towards mental and physical health
- Support for breastfeeding needed as doctors can be dismissive of mothers
- Counselling services not always accessible
- Public transport (especially rural) to hospital
- Services no longer available at local hospital – disproportionate impact on some groups who may lack mobility in its broadest sense

#### Future considerations:

- GP opening times to suit the needs of patients
- Time lag between assessment and provision of support
- Better understanding of the patient story in hospitals (not simply presented need)
- 24hr crisis centre for physical and mental health issues
- Sharing of good practice between GP surgeries
- Improved commitment to families and services working together for better health
- Improved awareness of communication issues for front line health staff
- Access audits for all GP surgeries

## EDUCATION



- Whilst many demographic groups are viewed as having similar experiences of education when compared to the population as a whole – males, females, single people to name but a few – in a small number of cases it was felt that the experiences of groups with particular characteristics differed from the norm
- Disabled people (AIS of -0.35); older people (-0.28) and transgender people (-0.26) attained the lowest AISs – denoting that these groups are perceived to have worse experiences of education. Similarly, BME groups were said to have slightly worse experiences (AIS of -0.13)
- Younger people are deemed to have better experiences of education in comparison to the population as a whole. An AIS of 0.24 – the highest across all groups – confirms this result

### Comments from survey:

- ❖ It was acknowledged that homophobia/transphobia is prevalent in many schools, and can result in extreme forms of bullying
- ❖ A belief that that language and cultural barriers prevent BME children from fully assimilating into their school
- ❖ General agreement that adult education has borne the brunt of cuts to further education and the adult skills budget, severely restricting the provision of suitable courses for adult learners. This was noted to have a detrimental impact on gaining employment in old age
- ❖ Other issues raised include lack of faith schools; lack of male teachers acting as a role model for young boys, and concerns about the impact of pregnancy on school / study time given the challenges of balancing family / work commitments.
- ❖ It was accepted that younger people should have better experiences in education, as the education system is – justly, in the view of many respondents – tailored towards this cohort

Organisation responses:

- Disability Sport Wales – education generally affords good experiences. Important to ensure there are sufficient support staff for pupils with Additional Learning Needs (ALN).

*Key issues arising from stakeholder events*

Working well:

- Some third sector organisations are offering good support, including the 'You Can Do It' charity.
- Some courses offered by Coleg Ceredigion have direct links to community based supported employment schemes
- Universities support for foreign students

Not working well:

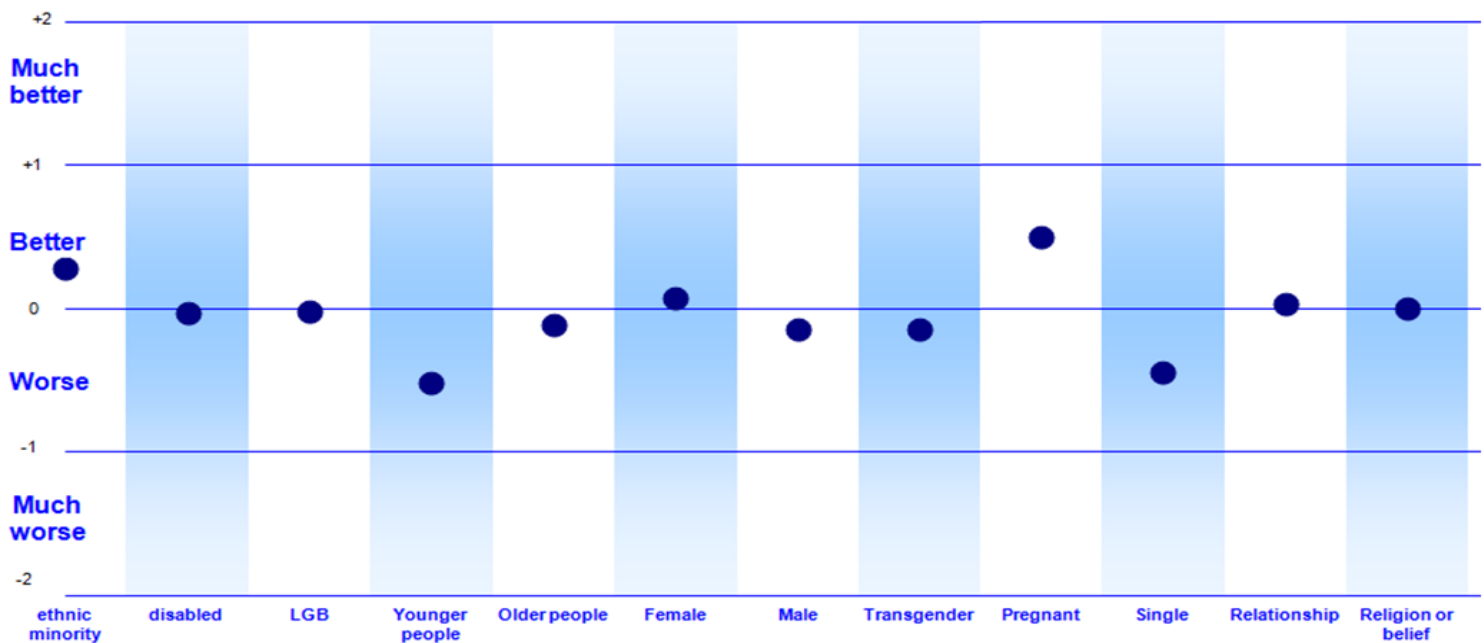
- Lack of fully accessible college campuses
- Education needs to become more person centred
- Opportunities exist though there may be a lack of awareness
- More needs to be done to ensure fairness in employment
- Older, younger and carers are disadvantaged in getting jobs
- Disabled people may find it hard to gain employment at a level suited to their qualifications (particularly deaf people); available opportunities may have restricted scope
- Prejudice against employing disabled people
- People with protected characteristics may be isolated
- Lack of opportunities encouraging young people to move out

Future considerations:

- Greater awareness for students in relation to same sex relationships and disability, (including mental health and learning disability)
- A need to build life skills as well as academic qualifications
- Transport provision is important in encouraging post-16 education
- Transition services for pupils with additional learning needs
- Development of rural schools as community hubs



## HOUSING



- Looking at the housing domain, there are considerable variances in the experiences of different demographic groups (denoted by pattern of peaks & troughs in the above chart): some are believed to better experiences, some worse, whilst several groups are perceived to have similar experiences in comparison to the population as a whole
- An AIS of 0.5 for pregnant mothers/those recently given birth confirms a strong view that this group are thought to have better experiences of housing. Ethnic groups were upheld as having slightly better experiences (AIS of 0.28). An AIS of 0.08 for females suggests a slight positive position
- A number of demographic groups are seen to have worse experiences of housing. In particular, low, negative AISs were recorded for two groups – signifying markedly worse experiences – namely, younger people (AIS of -0.51) and single people (AIS of -0.44)
- The experiences of disabled people (AIS of -0.03) , LGBs (-0.02) and those holding a religion or belief (0) are not seen to differ greatly from the population as a whole

### Comments from survey:

- ❖ A prevailing view was that pregnant mothers/those recently given birth and ethnic groups are given preferential treatment in respect of social housing, often resulting in better/quicker access. Some discussion on whether this was warranted. Many felt this was a case of 'positive discrimination', in fear of likely consequences.
- ❖ It was widely recognised that the current housing stock does not meet the needs of the younger generation, inhibiting home ownership amongst younger cohorts and giving rise to 'generation rent' – high numbers privately renting a property. Similar challenges also noted for single people, with additional comments that the 'points system' for social housing is not a fair and equitable system for single people, with their needs seen as less important
- ❖ Mention was made of the good work being undertaken to support the housing needs of disabled and older people (adapted housing; provision of bungalows), but,

against the backdrop of ageing population, it was felt more work was required. This sentiment is perhaps reflected in the neutral AIS for disabled & older people.

Organisation responses:

- Unity into the Community – housing doesn't always satisfy requirements of ethnic minority or disabled, possibly owing to overcrowding, accessibility and/or lack of cultural awareness
- Merlins Bridge Community Council (Pembrokeshire) – preferential treatment for some groups evident

*Key issues arising from stakeholder events*

Working Well:

- Rent support for disabled people and carers
- The services of Care and Repair
- Sheltered accommodation schemes for elderly and disabled people
- Hwb in Llanelli is a good source of information, including the support offered by Shelter
- Time banking and volunteering on social housing estates

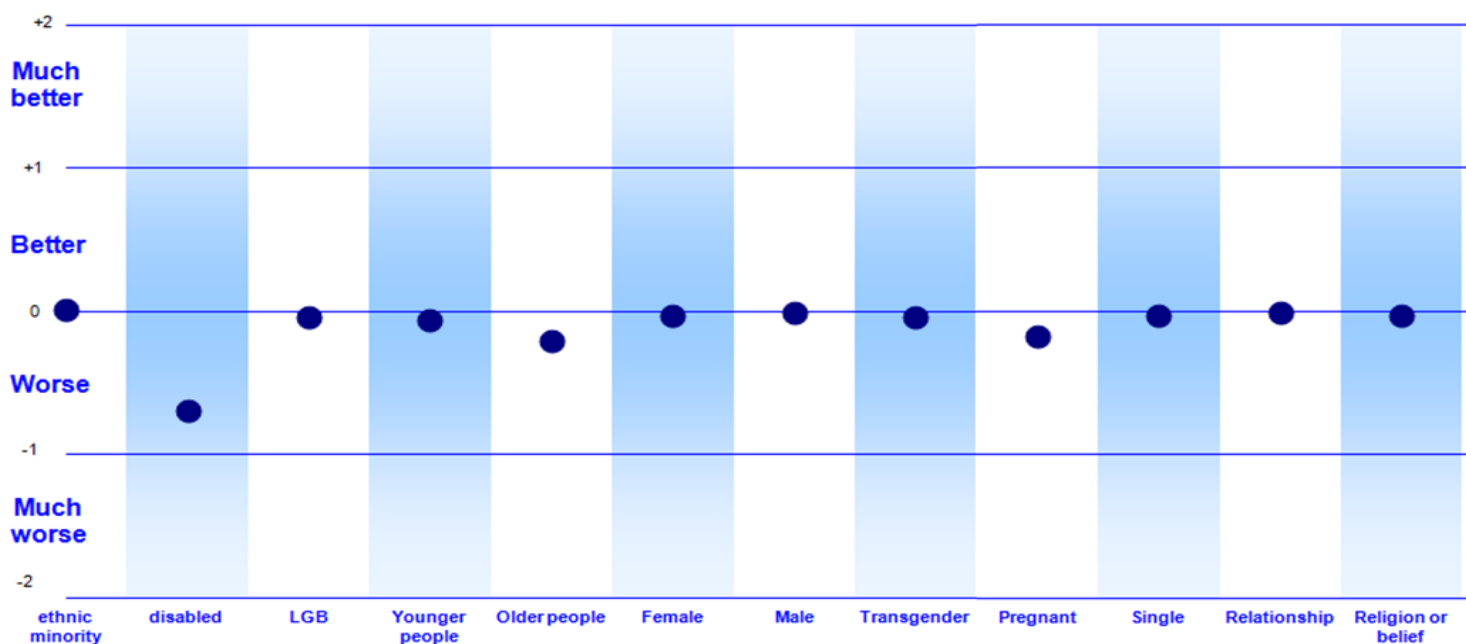
Not working well:

- Some communities (including Gurkhas in Llanelli) have barriers to purchasing affordable housing
- There is less assistance for private owners than people in social housing
- Empty housing should be brought back into use
- Home Improvement Scheme for social housing not immediate (Ceredigion)

Future considerations:

- Increase the supply of affordable housing
- Speed up the process of undertaking housing adaptations

## ACCESS TO TRANSPORT



- On balance, it was felt that most demographic groups have relatively similar experiences in respect of access to transport when compared to the population as a whole – borne out by the tight clustering of AISs around the neutral value of 0
- The AIS for disabled people (-0.69) is a significant outlier: access to transport is upheld as being particularly worse experience for disabled people. Low AISs also recorded for older people (-0.2) and pregnant mothers/those recently given birth (-0.17) – suggesting that they have slightly worse experiences. Carers held a strong view that older people have worse experiences in respect of accessing transport (AIS of -0.41 can be seen in the disaggregated AIS table for older people)
- No group was thought to have distinctly better experiences: an AIS of 0.01 for ethnic groups – the sole positive AIS – suggests a very weak perception that ethnic minorities have better experiences in respect of accessing transport

### Comments from survey:

- ❖ A wide range of comments. A general point was made on the availability of public transport, which, whilst applicable to all groups, was seen to disproportionately impact on older people, disabled people and younger people as they are likely to have a higher level of dependence on public transport. Social isolation and lack of access to employment opportunities or health services were suggested consequences of reduced public transport services, particularly in rural areas and during the evenings when bus services were perceived to be non-existent
- ❖ It was noted that that access to public transport is very difficult for disabled and older people as not all buses are adapted to ensure they are accessible and many coaches do not have the necessary facilities. Similarly, respondents acknowledged that raised platforms/steps can cause difficulties for people with prams/pushchairs
- ❖ Among the other issues raised: BME groups may encounter difficulties understanding and knowing where to obtain timetable information; costs of purchasing and maintaining a private vehicle increases younger people's reliance

on public transport; and, a view that there is no additional transport scheme to support single people, under the state retirement age, and claiming benefits (eg ESA)

Organisation responses:

- Age Cymru Powys & Community Luncheon Club (Powys) – public transport to key destinations (including Cardiff and Swansea) infrequent and unreliable. Travelling to GPs, hospitals and social occasions remains an issue for older people

#### *Key issues arising from stakeholder events*

Working well:

- Bus passes for people with a disability (and their carers), as well as discounted train fares
- Generally good service, based on equality awareness, from bus drivers
- Dial a ride service in rural areas

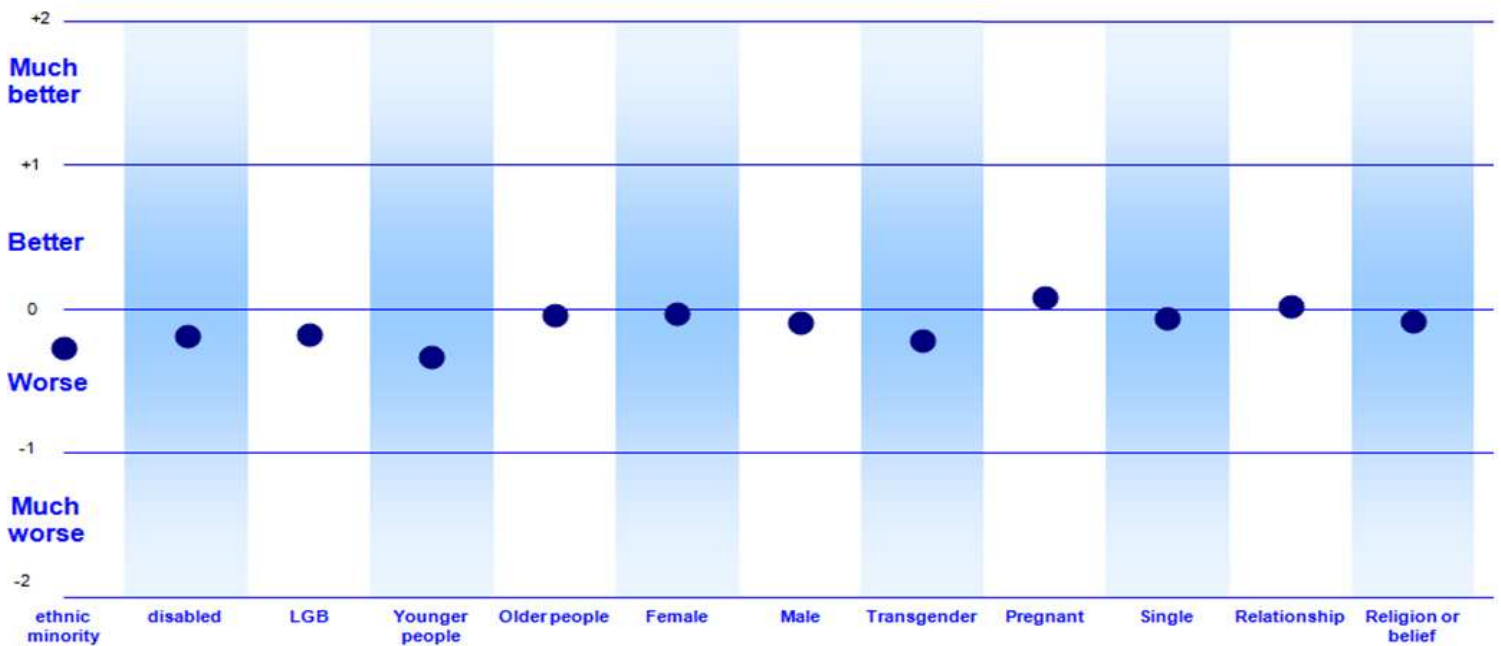
Not working so well:

- A general lack of public transport that integrates with work and health services. This is particularly so in rural areas
- Lack of visual and audio information on buses, particularly relevant to the announcement of stops
- Housing areas often lack amenities and public transport services
- Country Cars and other community transport schemes often lack volunteer drivers
- A feeling that taxi firms are applying artificially high fares for wheelchair users

Future considerations:

- The importance of ensuring assistance for disabled people at both ends of the train journey
- Improvements to accessibility would be welcomed
- Availability could be improved during evenings and in rural areas
- Audio and visual displays on buses need to be improved
- Build on the awareness of disability issues by bus drivers to ensure consistency
- Sufficient provision of disabled parking spaces (Aberystwyth town centre cited as lacking disabled spaces)

## CRIME AND ACCESS TO JUSTICE



- In comparison to the population as a whole, a number of demographic groups are thought to have slightly worse experiences of crime and access to justice
- Of all listed groups, respondents consider younger people to have the worst experiences of crime and access to justice (AIS of -0.33). Similarly low AISs were recorded for ethnic minorities (-0.27) and transgender people (-0.21)
- The experiences of older people, females, males, single people, those in relationship and those holding a religion/belief are not thought to differ greatly. The AIS for these groups confirms respondents' view that they have 'similar' experiences
- Pregnant mothers/those recently given birth are said to have marginally better experiences of crime and access to justice (AIS of 0.09)

### Comments from survey:

- ❖ It was suggested that younger people and ethnic minorities – groups which recorded the lowest AISs – were more likely to attract the attention of the police, thus leading to worse experiences. Furthermore, it was felt that they may be reluctant to access the criminal justice system (as victims) due to perceived prejudices
- ❖ BME, disabled, LBGs and transgender people were identified as high risk victims of hate crime. Some pointed to the beneficial role of police hate crime support officers, others put forward a view of a lack of action against perpetrators
- ❖ Communication was seen to be a barrier for ethnic minority (language) and disabled people (British Sign Language and those with a learning disability)
- ❖ Though the AIS for older people confirmed only a slight negative position (-0.04), respondents recognised that older people may be an easy target for criminals and,

further, may be discouraged from reporting a crime against them owing to the assumptions others have about older people

#### Organisation responses:

- Ceredigion Community Safety Partnership – evidence suggests disabled and LGBT persons are at an increased risk of hate crime. Under 25's more likely to be a victim of Violence Against the Person offences
- Town & Community Council (Carmarthenshire) – concern expressed that the reduction in availability of legal aid has had a disproportionate impact on certain groups, particularly single parents in the family court
- Unity into the Community – within Criminal Justice System there is low awareness of gypsy travellers as a protected characteristic
- Mind Aberystwyth – more needs to be done to improve relationship between police and individuals with mental ill-health

#### *Key issues arising from stakeholder events*

##### Working well:

- Police are keen to record incidents
- Police and fire services engage with communities and groups (e.g., deaf clubs). The Police Independent Advisory Committee (involving members of the protected characteristics) works effectively
- The Pegasus scheme is seen as successful; as are home fire safety audits undertaken by the Fire Service
- Victim support services are thought to work well

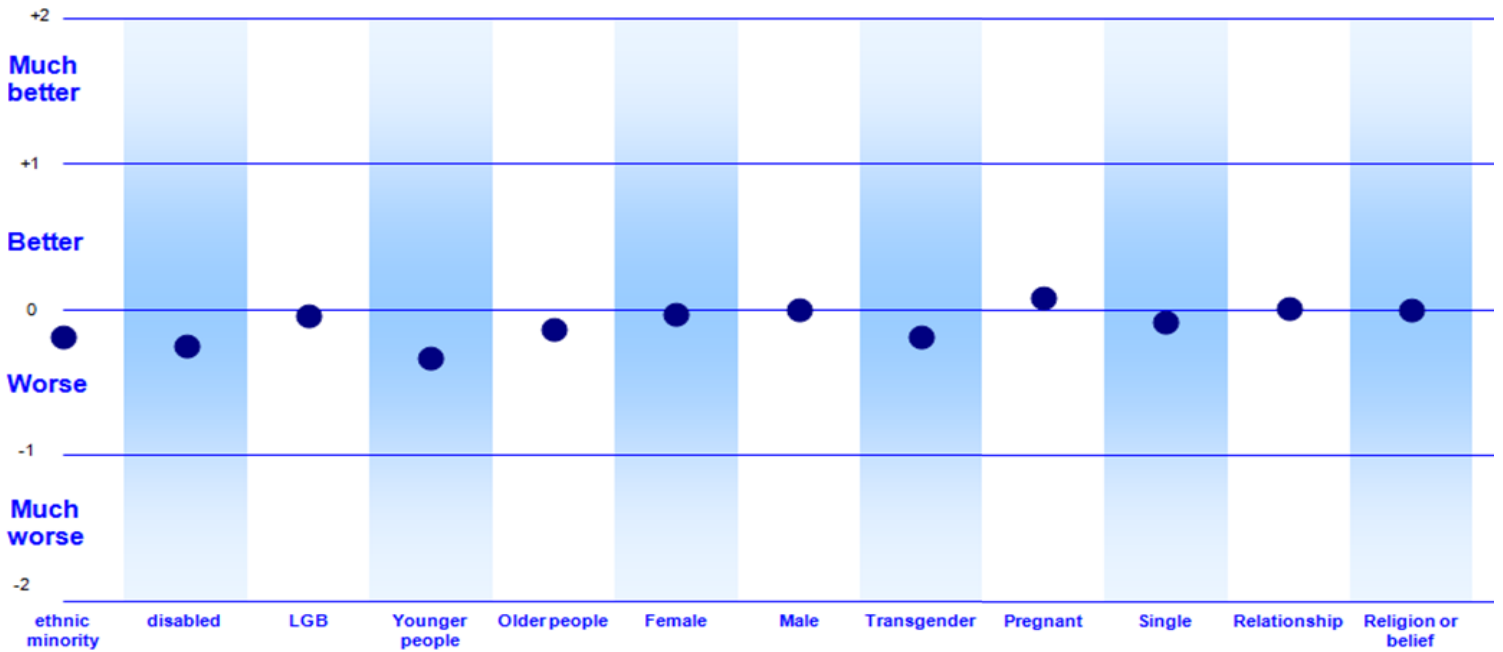
##### Not working well:

- The court system is discouraging to people seeking justice and there may be access issues due to language or disability
- Police willingness to record hate crime does not always translate into further action
- Issues relating to the withdrawal of legal aid in many instances
- Awareness of mental health issues could be improved

##### Future considerations:

- The need for early intervention to prevent criminality
- Build on good work, such as the Independent Advisory Group
- Continue to build on staff awareness of equality issues and the needs of people from different protected characteristic groups
- Greater awareness of mental health issues
- The need for a text version of the 101 non-emergency number

## INFLUENCING DECISIONS



- In many cases, people's experiences of being able to influence decisions are seen to vary according to their demographic characteristic
- The lowest recorded AIS was for younger people (-0.33), suggesting a perception that this cohort are often unable to, or face difficulty in, influencing decisions. Disabled people (-0.24), transgender and BME groups (both -0.18) are also thought to have worse experiences in comparison to the population as a whole
- The experiences of other groups – males, females and those with a religion/belief to name but a few – are deemed to be relatively similar to the population as whole. No discernible disparity on the basis of gender

### Comments from survey:

- ❖ A widely held view that groups such as younger people, transgender and BME are more likely to be marginalised and may not be afforded respect or listened to. It was also noted that these groups may lack understanding of how to influence decisions
- ❖ Comments that disabled people may be disempowered by having decisions made for them, rather than giving the person a voice through use of advocates. Similar views expressed for the 'oldest old', alongside a counter narrative that older people have greater political clout due to their propensity to vote
- ❖ Some comments made reference to a male/female divide –women having a weaker voice and white middle class men having notable influence in the decision making process – though this is not borne out in the statistical findings

Organisation responses:

- Unity into the Community – poor literacy or grasp of English language can inhibit participation in the decision making process (ethnic groups cited as an example)
- Mind Aberystwyth – no established consultation mechanisms for engaging with people with mental ill-health
- South Cefncaeau Family Centre (Ty Enfys) – younger people not afforded respect nor routinely involved in decisions that affect them

*Key issues arising from stakeholder events*

Working Well:

- All agencies are understood as keen to listen, though change can be slow
- Avenues are presented for people to have their say (events, surveys, etc)

Not working so well:

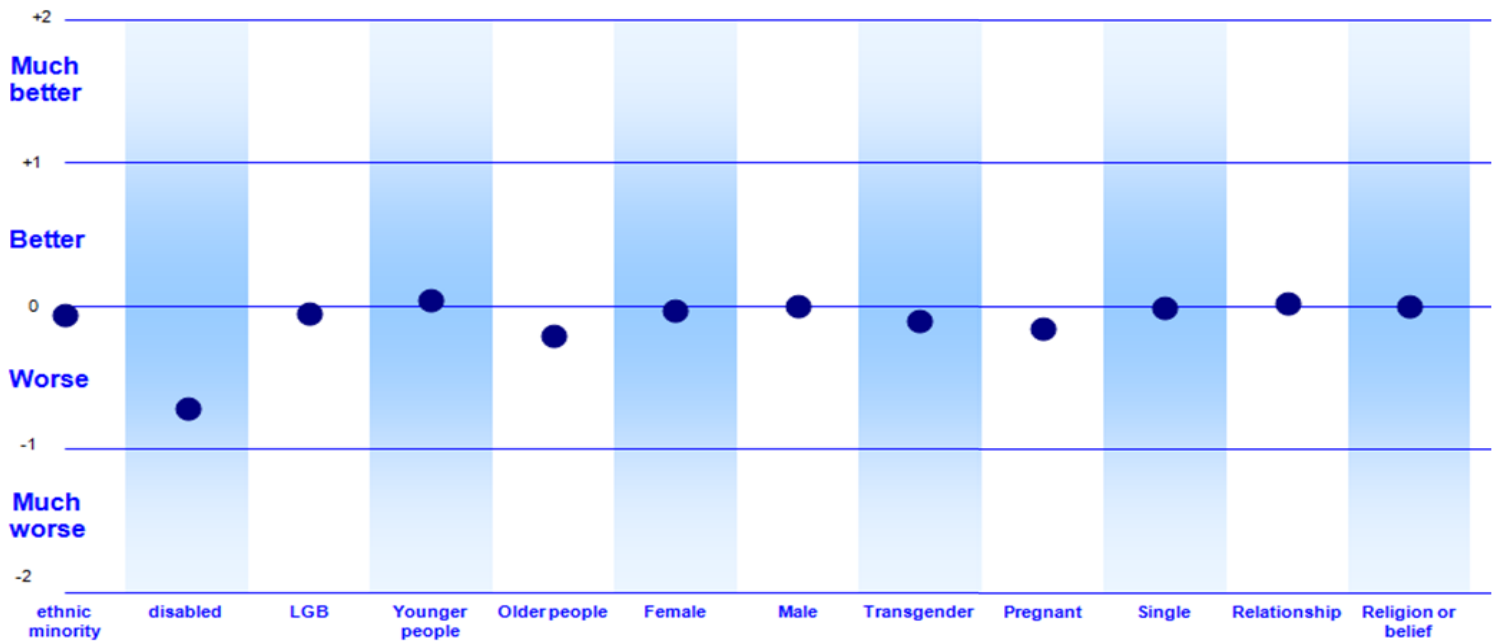
- A perception that decisions have sometimes been reached in advance of consultation. Considered a 'tick box' exercise.
- Specific examples where people have been unable to have enough influence (e.g., decision to charge Blue Badge users in car parks)
- Some views discounted because person is young or old
- Some organisations may avoid questions on occasion
- Few individuals from protected groups occupy senior positions
- Pace of change, and the lack of feedback can affect the relationship between organisations and the public
- 'clutter': too much information competing for attention (e.g., GP surgeries)

Future considerations:

- A need for people to see that their engagement has brought about positive outcomes. Feedback is considered equally important (whatever the result)
- Ensure all engagement is inclusive to all people, and that mechanisms are put in place to ensure it happens
- Decision makers need to be open to public scrutiny
- Greater diversity amongst senior managers would help ensure better understanding of the issues faced by people from protected groups



## SOCIAL, LEISURE AND COUNTRYSIDE ACCESS



- In the main, different demographic groups are thought to have broadly similar experiences in respect of social, leisure and countryside access – the majority of AISs are tightly clustered around the neutral zero value – with any perceived differences in experiences considered to be marginally worse or better
- Disabled people are one notable exception to the rule. Respondents' recognised that disabled people have significantly worse experiences of social, leisure and countryside access in comparison to the population as a whole – borne out by an AIS of -0.71
- Older people (-0.2) and pregnant mothers/those recently given birth (-0.15) were also seen to have slightly worse experiences of social, leisure and countryside access
- It was thought that no particular group had markedly better experiences; the AISs for younger people (0.04) and those in a relationship (0.02) confirm only a very slight positive position

### Comments from survey:

- ❖ Most comments pertaining to disabled access mirrored the strong, overall negative AIS for disabled people. A prevailing view was that access to open countryside can be problematic for people with mobility issues given the rugged terrain, hostile climate, travelling distances and remoteness. However, note was made of ongoing efforts to improve the rights and opportunities of disabled people, with enhancements such as metalled footpaths and better access to public buildings commended. Suggestions for further improvements also raised
- ❖ Similar sentiments for older people: limited mobility can inhibit access. The importance of older people staying involved in social activities was stressed as a means of avoiding isolation

- ❖ Restricted access also upheld as an issue for mothers with young children given the difficulties of using a pushchair and accessing changing and toilet facilities in the countryside
- ❖ Inadequate provision of single-sex activities such as swimming noted to limit take-up of leisure opportunities for BME groups, particularly women of some cultures or religions

Organisation responses:

- Disability Sport Wales – Accessible paths , transport and sport specific clubs (e.g. for wheelchair users/ visually impaired, such as Powerchair Football) are limited

*Key issues arising from stakeholder events*

Working well:

- n/a

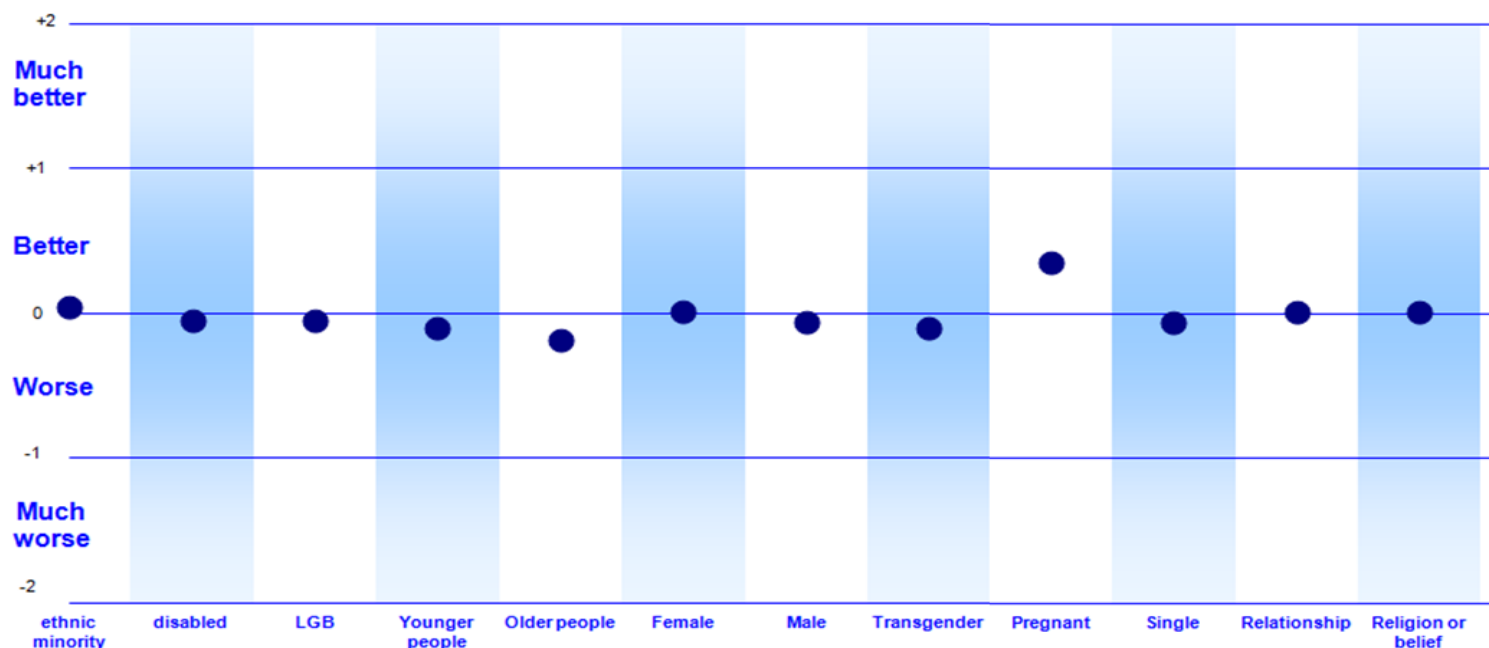
Not working well:

- Few opportunities for disabled people to socialise
- Improvements could be made to parks, open spaces and play opportunities
- Lack of affordable and accessible activities for young people. Youth clubs provide a useful function and their loss could trigger further youth disengagement
- Not enough information on social and leisure activities within talking newspapers

Future considerations:

- More social and leisure activities for disabled people
- Develop more activity that will help prevent ill health – in line with the Social Services and Wellbeing Act

## ACCESS TO CARE AND SUPPORT



- When accessing care and support, the experiences of many different demographic groups are thought to be fairly consistent with the experiences of the population as a whole – as depicted above by the congregation of AISs around the middle point (zero). See, for example, AISs for ethnic minorities, LGB, females and males to name but a few
- Of all listed groups, older people are deemed to have the worst experiences. However an AIS of -0.18 suggests that their experiences are not perceived to be markedly worse. Carers, however, thought older people had much worse experiences – as corroborated by a disaggregated AIS of -0.34
- The AIS for pregnant mothers/those recently given birth (0.36) is an important finding: this group are believed to have better experiences in respect of accessing care and support. This high AIS is an outlier and runs counter to the statistical trends observed for the ‘access to care and support’ domain

### Comments from survey:

- ❖ Widespread acknowledgment of the status quo: that health and social care resources are under extreme pressures – impacting availability and frequency of services. Waits for care packages and difficulties in securing packages stressed
- ❖ A number of comments suggesting disabled people have a worse experience of care and support and often have to suffer longer to get treatment
- ❖ A view that the experiences of males and females differ due to social tendencies: women are more likely to form mutual support networks and seek support, whereas males may be more reluctant to seek medical help
- ❖ A belief that health and social care services may not adequately cater for needs of BME, LGB and transgender people

Organisation responses:

- South Cefncaeau Family Centre (Ty Enfys) – access to equipment that facilitates independent living is variable
- Tumble Family Centre – sexuality and religion impact experiences of care and support

*Key issues arising from stakeholder events*

Working well:

- Direct Payments and Personal Independence Payments
- Talking books and newspapers

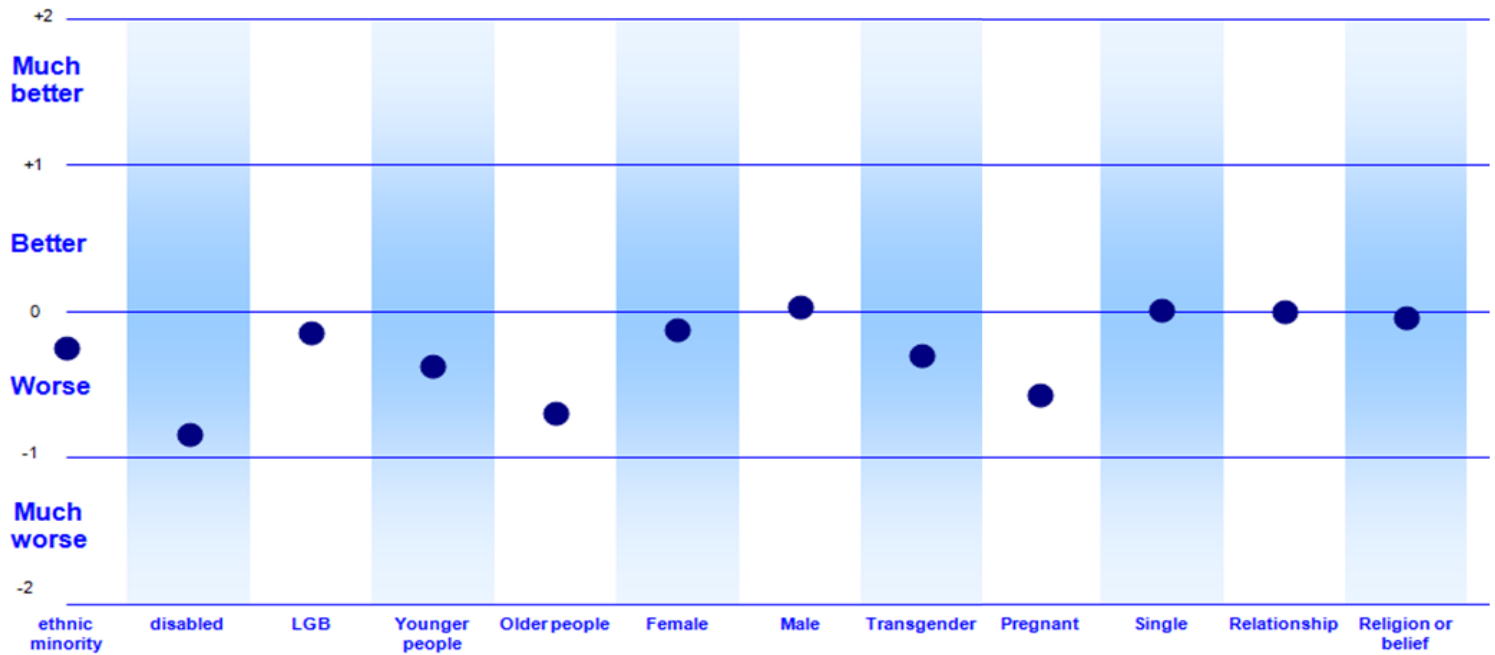
Not working so well:

- Older people are concerned about having to pay for care
- Accessing care through assessment can seem bureaucratic
- Respite opportunities are limited, but carers need breaks
- Pre-crisis support is very limited

Future considerations:

- Further publicity and development of Direct Payments as it brings benefits for individuals and employment
- More 'person-centred support
- Better integration with health

## EMPLOYMENT



- A person's demographic profile is perceived to profoundly impact their experiences of employment
- As shown, individuals with certain demographic characteristics are considered to have particularly worse experiences of employment, chiefly: those with a disability (AIS of -0.84); older people (-0.69) and pregnant mothers/those recently given birth(-0.57)
- Younger people (-0.37), transgender (-0.3) and minority ethnic groups (-0.25) were also identified as having generally worse experiences of employment in comparison to the population as a whole
- A male and female disparity is also prevalent, with AISs of 0.03 and -0.12 respectively, denoting that females have slightly worse experiences in respect of employment. Males seen to have marginally better experiences
- Single people, those in a relationship and individuals holding a religion or belief are deemed to have similar experiences to the population as a whole

### Comments from survey:

- ❖ Groups with low AISs were reported to have adverse experiences of employment, both in terms of seeking employment and in work (e.g., day-to-day experiences and promotions). General consensus that disabled people are disadvantaged in employment, often owing to misconceptions about their ability; that they will take a lot of time off work; will be a problem to accommodate and may be inclined to make a complaint of discrimination.
- ❖ Equally, a number of comments suggested that prejudice and (covert) discrimination against older workers was pervasive
- ❖ Mention was made of possible discrimination against expectant mothers, though this was largely seen to be confined to the private sector

- ❖ Other issues raised: inequitable and unjust experiences for BME groups as employers may favour visibly 'British' staff; acknowledgment that women are less likely to hold senior positions; a consensus that there is a lack of opportunities for younger people and a perception that being explicit about religious beliefs is discouraged in a work-related context

Organisation responses:

- Ceredigion Community Safety Partnership – disability can preclude individuals from certain employment opportunities

*Key issues arising from stakeholder events*

Working Well:

- n/a

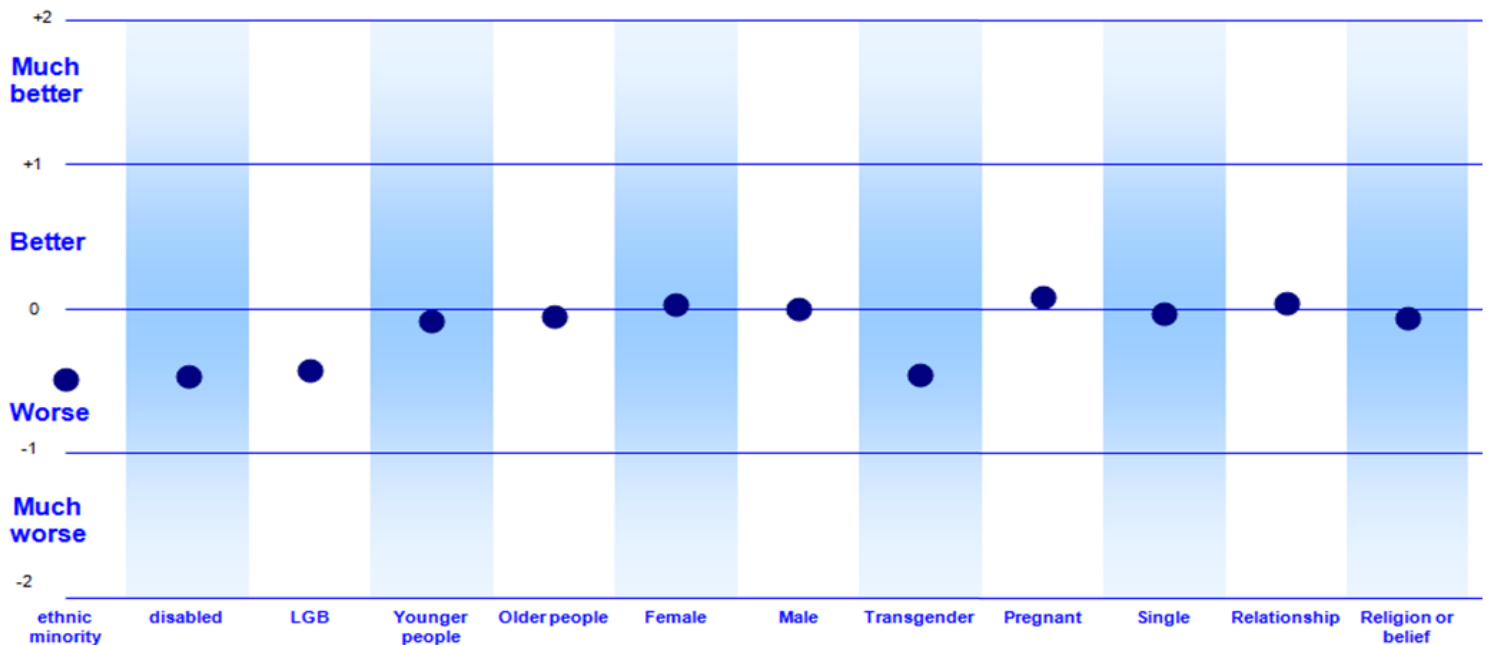
Not working well:

- More needs to be done to ensure fairness in employment
- Older, younger and carers are disadvantaged in getting jobs
- Disabled people may find it hard to gain employment at a level suited to their qualifications (particularly deaf people); available opportunities may have restricted scope
- Prejudice against employing disabled people and women of childbearing age
- People with protected characteristics may be isolated
- Lack of opportunities encouraging young people to move out
- Lack of opportunities means students lack the motivation to excel at school

Future considerations:

- More support and encouragement for disabled people in developing their careers
- Employment recruitment processes – ensure inclusive approach taken
- Working environments to focus on what people can do (not what they can't)
- Action to tackle job segregation (e.g., women as carers, men as refuse workers)

## GETTING ALONG TOGETHER IN A COMMUNITY



- Eight of the twelve demographic groups listed are upheld by respondents as having fairly similar experiences of getting along together in a community, when compared to the population as a whole. These include but are not limited to: younger people, older people, females, males and single people
- Respondents consider four demographic groups to have markedly worse experiences, with the AIS for ethnic minorities (-0.48) being the lowest recorded result. This is closely followed by disabled people (-0.46); transgender (-0.45) and LGBs (-0.42)
- The AISs for pregnant mothers/those recently given birth (0.09); those in a relationship (0.05) and females (0.03) confirm a very slight positive position (suggesting marginally better experiences). However, given their proximity/closeness to the middle point (zero), any differences may be considered negligible.

### Comments from survey:

- ❖ In respect of BME, LGB and trans people, it was felt that the general population lack socio-cultural awareness and understanding of the issues faced by these groups. In addition, it was thought there may be less acceptance of people who are different from the community at large
- ❖ It was suggested that BME groups 'stick together' and thus may isolate themselves from others. This was seen to be uncondusive to community cohesion. Language barriers also seen to prevent BMEs from successfully integrating in their community
- ❖ A number of comments suggested it can be harder for disabled people to be part of the community, as a result of physical access, but also due to prejudice or hostility
- ❖ Turning to groups with slightly positive AISs, having young children was regarded as a good opportunity to socialise. Respondents also maintained that communities

look out for young mothers. On a similar note, it was felt that females are more likely to join groups and become entrenched in the community

Organisation responses:

- Town & Community Council (Carmarthenshire) – closure of luncheon clubs for older people reduces opportunities to socialise

*Key issues arising from stakeholder events*

Working Well:

- n/a

Not working so well:

- hate crime may be increasing
- Community venues may not be fully accessible to all
- Some people still have prejudice to particular groups and assumptions are made which can be wrong. Media coverage can worsen the issue
- young people not empowered to take risk, which affects their social development

Future considerations:

- Businesses, including banks, often have effective approaches to accessibility and engagement (mini-com, text-phone, physical access to branches, etc.). Similar approaches could benefit the public sector in some instances
- Educate the public to assist the changing of prejudicial attitudes
- More collaboration between the public and organisations (e.g., Equality Carmarthenshire)
- Encourage the development of further opportunities for different people to come together
- Encourage people in communities to take ownership of improving their place for all its residents
- Develop dementia friendly communities to help inclusion



#### 4) SUGGESTIONS AND COMMENTS

This section summarises responses to the final two questions of the survey.

Q 35 asks for comments specifically relating to each of the participating organisations. Responses for each organisation are detailed in turn. For ease of reporting, general comments made earlier in the survey are also detailed here.

In relation to Q 35, the following themes were raised about to Dyfed Powys Police (132 comments):<sup>8</sup>

- The police provide a very good service (most frequent theme)
- The need for the police to be more visible and accessible – on the beat and through police stations. The lack of local police station numbers was noted
- Police incident response very good, though follow up less so
- A perception that there are not many minority ethnic or disabled PCSOs or police officers
- Some comments on decisions taken by the Commissioner, including the decision to discontinue funding for CCTV systems
- Police may benefit from training on equality issues. An example was given of a young person with autism mistaken as having taken illicit drugs

68 comments were made about Mid and West Wales Fire and Rescue Service:

- The Fire Service provides a very good service (most frequent theme)
- Many report that the Service provide very fair treatment
- The need for greater collaboration (including third sector involvement) for better outcomes is stressed
- Home fire safety audits are seen as good practice, and there is support to expand the programme
- Comments questioning whether there is enough diversity amongst the workforce (older, and LGB people are specifically referenced)

Considering next health boards (177 comments):

- A range of comments on performance; the balance agreeing that the Health Board do a good job in difficult circumstances (most frequent theme)
- A number of comments regarding mental health services. It was suggested these were of a poor quality with a long waiting list and insufficiently tailored to user needs. It was further commented that the service was under-funded, and support organisations were used insufficiently
- Some suggestions that older people are a low priority in hospital. Reference was made to the need for older people having help eating and drinking.
- The need for awareness training, covering disability and age, to help improve customer care and respect for patients

- The closure of local health services has a disproportionate impact on those least mobile (for reasons including physical limitations, cost, or those with caring responsibilities)
- Long waiting lists disproportionately affect people who are disabled, older, or have poor mobility

164 comments were made about councils:

- As with the Health Board, a number of comments were made on the standard of service delivery, with many suggesting councils do a good job in the face of reducing budgets<sup>9</sup>
- Health and social care systems are suggested as hard to navigate, and it is often at a time when the older person is in a vulnerable position
- More support should be given to young people who are leaving care
- Housing allocation – reallocate if excess to the occupiers present requirements
- Community education – often very good, though threatened by cuts. Insufficient emphasis on the skills and employability of older people
- Rural areas are disproportionately affected by cuts to highways and public transport. The least mobile in these areas suffer the greatest impact
- The need for improved collaboration on the equality agenda to ensure equitable service provision

46 comments were made in relation to Pembrokeshire National Park:

- Many comments supporting the work undertaken by the National Park
- Comments pointing out the physical limitations of the countryside that restrict access for people with mobility difficulties
- Some remarks concerning the emphasis on maintaining the beauty of the countryside, to the detriment of people and businesses

Further education attracted 56 comments, with the following themes apparent:

- It was suggested that provision is generally during the day, meaning those who work are unable to attend
- More classes should meet the requirements of those 50 or over
- The success of students could be celebrated to a larger extent
- A range of views on the extent of Welsh language provision

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Q 36 asked how fairness could be improved, and gave an opportunity for further comments. 331 comments were received. The most frequent theme to emerge concerned the need for all organisations to ensure **fairness**. The following issues were raised under this theme:

- Services should be flexible enough to meet individual needs
- People should be treated with respect

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<sup>9</sup> A number of comments were received which are beyond the scope of this consultation exercise

- 'Positive discrimination' should be used only selectively and with clear justification. A number of comments were made that the best person for the job should be selected.

The **Culture** of organisations was also raised:

- Open to scrutiny; accessible to the public
- Need for accessible consultation
- Organisations must listen to people and users of services
- A diverse workforce, including all the protected characteristics
- The importance of following policies and procedures, which exist to ensure fair treatment

A series of comments related to **attitudes, prejudice, awareness, tolerance**:

- Staff training on equality and different needs, to ensure considerate and competent service delivery
- Educate those with ignorant attitudes; value of working with school children to establish positive attitudes at an early stage
- Nurture strengths rather than focus on what a person cannot do

**Other** issues to arise included:

- Comments for and against the promotion of the Welsh language. Some stress the need to protect the integrity of Welsh speaking communities, while for others, inclusion of non-Welsh speakers is emphasised
- It is important to recognise the multiple identities people have
- Categorising people into groups can be helpful, but not if it leads to assumptions and stereotyping
- Mental health needs greater recognition, more support services and a more balanced media image
- Socio-economic position has a great bearing on life chances. The education system must give people the best chance of succeeding
- Greater support needed for pupils with special needs
- Special encouragement to men to become teachers, particularly in primary schools
- Buildings open to the public must be accessible to all, including disabled people
- Including older people by making sure there are public toilets and seating

The following emerged as key general themes from the engagement events:

**Communication:** between organisations and between organisations and the public. This will ensure people are aware of the services available to them and know how to become involved in the work of organisations. The method of communication needs to be suited to the needs of people, particularly in relation to languages (including BSL) and alternative formats

**Accessibility:** in relation to buildings, services and information. The issue

emphasises the need to consider how inclusive public organisations are

**Staff awareness:** is key in making sure people from protected groups have positive experiences of services.

**Working together:** communities and organisations collaborating to help achieve a more cohesive community

## 5) SUMMARY

The engagement exercise has yielded very specific and detailed information in relation to each protected characteristic, and each 'domain'. Interpretation of the data has been aided through the use of surveys and events, which have produced complementary information.

A particular innovation in respect of this research has been the way in which it has been possible to get a better understanding of perceptions of the experiences of various groups, and being able to compare this against the lived reality of the groups in question. This gives the participating organisations the ability to identify instances where unhelpful stereotypes (perhaps supported in media) could usefully be countered. A good example of this is in relation to housing, where respondents in general thought BME people had better experiences, in contrast to the views of BME respondents themselves.

In summarising the results by protected characteristic, the following can be said:

Disabled people appear to have the worst overall experiences across the ten domains, though particularly in relation to access to transport, social, leisure and countryside access and employment. Furthermore, the overall result is generally close to the result from disabled people themselves, suggesting widespread understanding of the issues disabled people may face.

Males, females, single people,<sup>10</sup> those in a relationship and those holding a religion or belief are generally considered to have experiences that are no better or worse than the population as a whole.

No group appears to have better overall experiences, though younger people are considered to have better experiences of education, and pregnant women or those who have recently given birth are considered to have better experiences of health, housing, and access to care and support.

The following can be summarised in relation to the ten domains:

**Health:** older, transgender and disabled people are the groups considered to have the worst experiences. LGB people self-report worse experiences than public perceptions. Significantly, respondents with caring responsibilities thought both disabled and older people had worse experiences than the overall results suggested.

**Education:** disabled, older, transgender, LGB and BME people are considered to have the worst experiences. When considering lived reality, BME and LGB people

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<sup>10</sup>An exception is that the results show single people may have worse experiences of housing.

reported significantly worse experiences than the perception of other respondents. Comments suggest issues with prejudice, and access barriers.

**Housing:** there is a perception that BME people and those who are pregnant (or with young children) have better experiences. Younger and single people are considered to have the worst experiences. When considering self-reported experiences, those for disabled and LGB people are significantly worse, suggesting poor experiences for housing for these two groups.

**Access to transport:** disabled (in particular) and older people are thought to have poorer experiences, whereas other groups are considered to have experiences no better or worse than the population as a whole. Carers believe that older, and disabled people have worse experiences than respondents as a whole.

**Crime and access to justice:** a number of the protected characteristics are thought to have worse experiences; in particular, younger, BME and transgender people. In terms of self-reported experiences, the results for BME, disabled, LGB and transgender people are all worse than the perceptions of respondents taken as a whole.

**Influencing decisions:** younger, disabled, transgender and BME people are thought to have worse experiences of influencing decisions. Considering self-reported experiences, the position for disabled, LGB, and transgender people, is worse than the perception of respondents taken as a whole.

**Social, leisure and countryside access:** Disabled and, to a lesser extent, older people are seen to have worse experiences, while the result for most groups shows little variance from the position for the population as a whole. The prevailing theme to emerge concerned accessibility issues for disabled people.

**Access to care and support:** older people were considered to have worse experiences, with pregnant women or those with young children having better experiences. The self-reported results showed variance in some cases, with much worse experiences reported by disabled, LGB and transgender people. Carers were much more likely to think disabled and older people had worse experiences.

**Employment:** the results show a number of groups may have poorer experiences – with disabled, older, and those pregnant / with small children faring the worst. Only men and single people are thought to have experiences no better or worse than the population as a whole (all others being worse). Considering self-reported results, BME, disabled, LGB, younger people, women and transgender all have worse experiences than the perception of respondents as a whole.

**Getting along together in the community:** BME, disabled, transgender and LGB people are all thought to have worse experiences. This is also true of the self-reported results for these groups. Key themes included: unwillingness to mix and fear of difference; access issues; and communication difficulties arising from language (including competence in English and Welsh, and BSL)

Mae'r dudalen hon yn wag yn fwriadol

# Carmarthenshire County Council

## Strategic Equality Plan

2016-2020

This publication is also available in other formats.

If you need this information in another format or Language, please phone 01267 234567.



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## Introduction

Carmarthenshire County Council has developed a Strategic Equality Plan which covers all our legal duties and which reaffirms our commitment to equality and diversity. This is the second Strategic Equality Plan that the Council has prepared and published.

This strategic plan sets out the principles of our commitment to equality and diversity and outlines how we intend to fulfil our responsibilities and ensure that we follow our principles through into practice.

These commitments are outlined in terms of:

The role of the county council as an employer;

The role of the county council as a provider of services;

The role of the county council in promoting tolerance, understanding and respect within the wider community.

This Plan outlines how we will promote equality and diversity for the next four years, some of the practical steps we will be taking to put our commitments into practice and how we will monitor our performance and the effectiveness of this Strategic Plan.

Comments and suggestions as to how the council can improve and best perform as an equal opportunities organisation can be submitted at any time to the:

Policy & Partnership Team  
Carmarthenshire County Council  
County Hall  
Carmarthen  
SA31 1JP

[equalities@carmarthenshire.gov.uk](mailto:equalities@carmarthenshire.gov.uk)

## **Our Commitment to Equality and Diversity**

The authority has 8 Core Values:

1. Openness, Trust, Honesty, Integrity
2. Putting Customers First
3. Listening and Delivering on Promises
4. Working in Partnerships
5. Valuing our staff
6. Ensuring Equality of Opportunity
7. Treating people and the environment with respect
8. Improving our services

The importance of Equality of opportunity to the authority is clear within core value number six on this list, but it is also intrinsic throughout the other 7.

We are committed to treating our staff, and the people of Carmarthenshire, fairly. We will make sure that we do not discriminate against people because of their age, disability, ethnic origin, nationality, religion, belief or non belief, social class, gender, sexual orientation, gender reassignment, marital or civil partnership status, responsibility for dependents or for any other unfair reason.

We are committed to ensuring the delivery of excellent public services to everyone living, working, studying and visiting Carmarthenshire.

This Strategic Equality Plan outlines the continued commitment of Carmarthenshire County Council to creating an environment of true equality and diversity across the county.

## Legal Background

The new Equality Act came into force on 1 October 2010. The Equality Act brings together over 116 separate pieces of legislation into one single Act. Combined, they make up a new Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.

The Act simplifies, strengthens and harmonises the current legislation to provide Britain with a new discrimination law which protects individuals from unfair treatment.

A major feature of the new Act is that it introduces a Public Sector Equality Duty covering 9 protected characteristics. The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

In Carmarthenshire, there is also a particular need to have regard to the Welsh Language. Although this falls under a separate legislative framework, (Welsh Language Measure 2011), there is a considerable tie-in between the council's wider approach to equalities and diversity and the commitment the council has towards the Welsh Language – and especially the need to ensure that people can use the language of their choice (Welsh or English) when dealing with the council.

The requirements to Assess for Impact in relation to the nine characteristics identified in the Equality Act 2010, applies equally to the Welsh Language.

Further information on the Welsh language Standards can be found on the council's website or through the Welsh language Commissioner.

## **Public Sector Equality Duties**

As referred to on page 6, the Equality Act 2010 places Public Sector Duties on listed bodies in the Act.

### The General Duty

The aim of the General Duty is to ensure that public authorities and those who carry 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.

Public bodies are required to have due regard to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act
2. Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
3. Foster good relations between people who share a protected characteristic and those who do not.

### Specific duties in Wales

The Equality Act 2010 made provision for Welsh Ministers to be able to make regulations that place specific public sector equality duties on relevant Welsh public authorities listed in Part 2 of Schedule 19 of the Act.

The duties have been developed to be proportionate in design, relevant to need, transparent in approach and tailored to guide relevant Welsh public authorities towards better performance of the general duty. The ambition is to better meet the needs of the citizens of Wales relying on the services provided to them by the public sector.

The Specific Duties in Wales are set out in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and came into force on 6 April 2011.

In Wales, the specific duties state that the listed bodies will undertake and develop the following requirements:

- Objectives
- Strategic Equality Plans
- Engagement
- Assessing Impact
- Equality information
- Employment information
- Pay differences
- Staff training
- Procurement
- Annual reporting (by Public Authorities and Welsh Ministers)
- Publishing
- Review
- Accessibility

We will ensure that during the lifetime of this Plan, we will fulfil and comply with each of the Specific Duties noted above.

## About Carmarthenshire

According to the 2011 Census, the population of Carmarthenshire is 183,777 persons. This represents a numerical increase of 10,935 persons and a percentage increase of 6.3% since the last Census was undertaken in 2001. In comparison, the population of Wales increased by 5.5% over the 10 year period, while the total increase for England and Wales as a whole was slightly higher at 7.8%, confirming that Carmarthenshire's growth pattern is fairly consistent with the England and Wales average.

Carmarthenshire has a population density of 0.8 persons per hectare, which is lower than 17 of the 22 Unitary Authorities in Wales. The most densely populated settlements in Carmarthenshire are, in descending order, Tyshia, Lliedi, Bigyn and Pontamman. Carmarthenshire's International Labour Organisation (ILO) unemployment rate – which comprises individuals who are unemployed and actively seeking work – was 5.2% in the year ending September 2012, the lowest rate since 2006 and considerably lower than the Wales average of 8.4%. However, over the same trend period (2006 – 2012), the number of persons in Carmarthenshire who may be classified as 'long term unemployed' (those in receipt of Job Seekers Allowance for a duration exceeding 6 months) has risen by 66.2%, peaking in 2010 at 3,835 persons but flattening out in 2012 to 3,590 claimants, of which 34.7% (1,245 persons) are aged between 16-24.

Population change in Carmarthenshire mirrors patterns of growth observed throughout Wales as a whole for all but one age group. This anomaly is present in the 0-15 age group, where an almost two percent decrease in children aged 0 to 15 years between 2001 and 2011 in Carmarthenshire contrasts with a 1.3% increase on a national scale over the same period. Excluding a minimal increase of 9.4% in the 0-4 age group in Carmarthenshire since the last Census, the county's young population, specifically those aged between 5 and 14 years, has experienced a 7.1% reduction. In contrast, Carmarthenshire's young adult population (18-24) has risen significantly. The 2011 Census records a 20.3% increase in this age category which, for the most part, may be accredited to the developments in the higher education sector (Coleg Sir Gâr & Trinity Saint David).

The most dramatic increase was observed amongst the older age groups, in particular those aged between 60 – 74 years and 85 years and over, where increases of 24.1% and 32.4% respectively were reported. Both increases were above the Wales average of 21.2% (60 – 74 years) and 27.7% (85 years and over) and reinforce the model of an ageing population, whereby a greater number of Carmarthenshire residents are concentrated in older age groups above pensionable age.

**If we could shrink Carmarthenshire's population to a village of approximately 100 people, with all of the existing human ratios remaining the same, there would be:**

- 49 Males and 51 Females (2011 Census)
- 18 children aged under 16 (2011 Census)
- 61 people of working age (2011 Census)
- 21 people of pensionable age (2011 Census)
- 44 people able to speak Welsh (2011 Census)
- 98 people from a white background and 2 from a non-white background (2011 Census)
- 6 – 9 people would be Lesbian, Gay or Bisexual (Stonewall Cymru)
- 14 people with a limiting long term illness (2011 Census)
- 13 people would be providing unpaid care (2011 Census)
- 24 of the working age population with a disability (DWP Stats May 2013)
- 62 people who were Christian, 1 person would be of other religion and 29 would have no religion (8 would prefer not to state their religion) (2011 Census)
- 17 households would be earning less than £10,000 per year and 5 households would be earning over £80,000 per year (CACI Paycheck 2013)
- 31 people from the total population claiming key Department of Work and Pension benefits (DWP Stats May 2013)
- 18 lone parent households (2011 Census)

When we consider our County from such a compressed perspective, the need for acceptance, respect, understanding and knowledge of equality and diversity issues becomes apparent.

## The Carmarthenshire Strategic Equality Plan

The Carmarthenshire Strategic Equality Plan considers three dimensions to our responsibilities, and these are set out in more detail in the following three chapters:

**Our role as an employer:** We are the county's largest employer and have a workforce exceeding 8,000 (including school based staff). We are committed to ensuring equality within our workforce and we want to be an exemplar of good practice to other employers.

**Our role as a service provider:** We provide around 300 different services to local people, which are as diverse as providing the local education service, refuse collection, caring for vulnerable older people or children, providing leisure facilities, maintaining highways and as landlord for 9000 council homes. We wish to ensure that all of our services are provided in accordance with the commitments contained in this Strategic Equality Plan.

**Our role as a community leader:** We wish to promote tolerance and understanding and to help build a cohesive and united community within Carmarthenshire. We will promote the principles of equality and diversity as set out in this Strategic Equality Plan through our working with partners and community organizations throughout the county.

This Strategic Equality Plan outlines the continued commitment of Carmarthenshire County Council to creating an environment of true equality and diversity across the county.

The Council recognises the importance of leadership on a number of levels. A member of the Executive Board is an Equalities Champion and plays a key role in overseeing the application of the Strategic Equality Plan. Alongside this, the Councillor champions issues of Equality within the Executive Board itself.



### **Equalities and Diversity and our Improvement Plan**

The Wales Programme for Improvement guidance explicitly mentions 'reducing inequality in accessing or benefiting from services, or improving the wellbeing of disadvantaged groups'.

In order to successfully deliver our Equality Objectives, they will be an integral part of our service business plans and our Improvement Plan.

### **Engagement**

Engagement is one of the Specific Duties for Wales. The development of this Strategic Equality Plan has involved representatives from all of our stakeholders, customers, staff, elected members, community groups and partners.

From the Council's Improvement Plan, through to the Carmarthenshire Disability Coalition and to Community Cohesion projects and events, our objectives have been developed through engagement with our communities. We have used surveys, focus groups, forums and engagement meetings to set the priorities. However, we do need to know more and this will form one of the priorities of the Plan.

The Strategic Equality Plan reflects the needs of our communities and will develop as our communities change in the future. Over the next four years, the Council will develop its understanding of the needs and aspirations of its communities and the ways in which it involves communities in monitoring its performance against our objectives.

### **Setting our Equality Objectives**

Our Equality Objectives have been set following collection of evidence and feedback from our engagement work. All Equality Objectives are relevant to every Protected Characteristic.

## **Carmarthenshire County Council as an employer – promoting equality and diversity within our workforce**

### **Our Equality Objectives:**

- Attract and retain the very best workforce.
- Work to improve employment monitoring data held by the Local Authority and ensure pay differentials are identified and acted upon.

### **To promote the achievement of these objectives we will:**

- Ensure the Council attracts talent from the widest pool of potential employees.
- Continue to develop staff, in line with the Council's People Strategy.
- Undertake exercises to refresh the Council's employment monitoring data and address gaps.
- Analyse data and undertake corrective action where necessary.

Our detailed action plan will include the actions which sit under each of our strategic objectives and the timescales that we are working to.

### **Staff awareness and training**

Staff training is one of the Specific Duties for Wales and indeed, learning and development opportunities are key to the success of our Strategic Equality Plan. Linking staff knowledge and skills to our equality objectives will help to ensure that all learning and development resources are being targeted towards enabling individuals to fulfill their roles, support their local service Business Plans and meet personal responsibilities.

Equality and Diversity provision forms a core part of our Learning and Development Strategy and we will continue to develop and tailor courses in line with our Strategic objectives. Learning and Development opportunities will be available to all Elected Members and Staff.

### **Pay differences**

Addressing pay differences is one of the specific duties in Wales. In 2011 the Authority implemented job evaluation and single status.

The main features of this are:

- A single pay and grading structure
- Harmonisation of terms and conditions
- A standard working week of 37 hours
- It has been subject to an independent equality impact assessment focusing particularly on gender

The key aims are to:

- Ensure equal pay for jobs of equal value
- Modernise the Council's pay structure
- Ensure that the Council's pay and reward strategy supports flexible working and modern service delivery
- Harmonise other conditions of service, for example, overtime payments and travel allowances.

In December 2013 the Authority achieved a collective agreement with the recognised trade unions to assimilate employees on 'Red Book' terms and conditions into the new single status pay and grading structure. During 2015 the majority of employees on Youth and Community grades were also assimilated to the single status pay and grading structure.

The Authority is committed to undertake an annual pay audit and any changes to the pay structure or terms and conditions are subject to an equality impact assessment.

## **Carmarthenshire County Council as a provider of services**

### **Our Equality objectives:**

- Continue work to remove the barriers to accessing Council services and give due regard to all groups when making decisions.
- Help maximise the potential of people, through the education system and by supporting the growth of the local economy.

### **To promote the achievement of these objectives we will:**

- Respond to access concerns raised by the public.
- Recognise community concerns quickly through continued regular contact with the Carmarthenshire Disability Coalition and Equality Carmarthenshire groups.
- Continue to refine the process of undertaking equality impact assessments (EIAs).
- Mainstream actions addressing education, employment, poverty and business growth through the County's Well-being Plan.

Our detailed action plan will include the actions which sit under each of our strategic objectives and the timescales that we are working to.

### **Assessing for Impact**

The law requires that a duty to pay 'due regard' be demonstrated in the decision making process. Assessing the potential equality impact of proposed changes to policies, procedures and practices is one of the key ways in which public authorities can show 'due regard'. Assessing for Impact is one of the Specific Duties for Wales.

The Equality and Human Rights Commission recommends that public bodies assess the impact their policy and financial decisions might have on the new protected groups where relevant and proportionate, and that this is best done through the use of an Assessing for Impact tool.

Carmarthenshire County Council has embraced this approach and has developed its own template for assessing policies and service changes. In

some cases this will be augmented by a more detailed assessment and statement showing what steps have been taken to mitigate against any potentially adverse impacts to persons falling into any of the 8 protected characteristics and the Welsh language.

Assessments are required of 'policies' to embrace the full range of functions, activities (including service delivery) and decisions for which the council is responsible. This includes both current policies and new policies under development.

The Equality and Human Rights Commission suggest that an Assessment has four possible outcomes and that more than one may apply to a single policy:

**Outcome 1: No major change**

The Assessment demonstrates the policy is robust; there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken.

**Outcome 2: Adjust the policy**

The Assessment identifies potential problems or missed opportunities. Adjust the policy to remove barriers or better promote equality.

**Outcome 3: Continue the policy**

The Assessment identifies the potential for adverse impact or missed opportunities to promote equality. Clearly set out the justifications for continuing with it. The justification should be included in the EIA and must be in line with the duty to have due regard.

**Outcome 4: Stop and remove the policy**

The policy shows actual or potential unlawful discrimination. It must be stopped and removed or changed.

(Codes of practice and guidance on each of the public sector duties are available on the Equality and Human Rights Commission's website which

provides information about what constitutes unlawful discrimination ([www.equalityhumanrights.com](http://www.equalityhumanrights.com) )

### **Procurement**

Procurement is a Specific Duty for Wales. Carmarthenshire County Council contracts with external organisations in the private and third sectors for provision of works, goods or services. Equality considerations will be more relevant to some services, goods or works but we must always have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

We will give due regard at all stages of the procurement process to the need to advance equality. For example in planning the contract and advertising; in setting the evaluation criteria and preparing specifications and also in monitoring our contracts with third parties.

## **Carmarthenshire County Council as a community leader – promoting tolerance and respect within the wider community**

### **Our Equality objectives:**

- Support cohesive communities by promoting community and civic engagement.
- We will encourage healthy lifestyles and promote the importance of well-being.

### **To promote the achievement of these principles we will:**

- Mainstream actions addressing sense of community, citizenship, satisfaction with services, community safety, and engagement with leisure and culture through the County's Well-being Plan.
- Mainstream actions addressing well-being (including housing, loneliness, mental health and physical activity) through the County's Well-being Plan.

Our detailed action plan will include the actions which sit under each of our strategic objectives and the timescales that we are working to.

### **Monitoring and Reporting on the progress of this Strategic Plan**

Monitoring and reporting are Specific Duties for Wales. We will monitor how well we perform on the priorities and objectives we have developed on equality and diversity through the council's performance management framework.

We will produce an annual report outlining what we have done in the preceding year, and what actions we have planned for the coming year. Annual Reports from our first Strategic Equality Plan and our Workforce Information Reports can be found on our website.

Community groups and representatives will have an opportunity to comment on this plan and to make suggestions as to how we could do better.

The Annual Report will be presented to the Executive Board and Policy and Resources Scrutiny Committee.

The Strategic Equality Plan will be revised every 4 years.



**Thank you for taking your time to read our Strategic Equality Plan**

If you want to know more, please contact the

Policy and Partnership Team  
Carmarthenshire County Council  
County Hall  
Carmarthen

01267 224676 / 224914

[equalities@carmarthenshire.gov.uk](mailto:equalities@carmarthenshire.gov.uk)

[www.carmarthenshire.gov.wales](http://www.carmarthenshire.gov.wales)

Mae'r dudalen hon yn wag yn fwriadol

**CYNGOR SIR**  
**10FED CHWEFROR, 2016**

**Y RHAGLEN MODERNEIDDIO ADDYSG**

**Y BWRIAD I GAU YSGOL FABANOD A MEITHRIN  
COPPERWORKS AC YSGOL GYNRADD MAESLLYN A  
SEFYDLU YSGOL GYNRADD NEWYDD**

**ARGYMHELLIAD Y BWRDD GWEITHREDOL:**

- Bwrw ati â'r gynnig i gau Ysgol Fabanod a Meithrin Copperworks ac Ysgol Gynradd Maesllyn a sefydlu Ysgol Gynradd Newydd a gweithredu'r cynnig fel y manylir yn yr Hysbysiad Statudol dyddiedig 3ydd Tachwedd 2015.

**Rhesymau:**

- Cydymffurfio â'r gweithdrefnau statudol a'r cyfarwyddyd ynghylch ad-drefnu ysgolion.

**Ymgynghorwyd ar Pwellgor Craffu perthnasol Do – Ymgynghorwyd ar 21ain o Ionawr, 2016  
Y Pwyllgor Craffu – Addysg a Phlant**

**10.1** Penderfynwyd yn unfrydol gymeradwyo'r cynnig i fynd rhagddo â'i argymhelliad i gau Ysgol fabanod a Meithrin Copperworks ac Ysgol Gynradd Maesllyn a sefydlu Ysgol Newydd ac i weithredu'r cynnig fel y'i nodwyd yn yr Hysbysiad Statudol dyddiedig 3ydd Tachwedd 2015.

**Angen i'r Bwrdd Gweithredol wneud penderfyniad: OES – 1af Chwefror, 2016**

**Angen i'r Cyngor wneud penderfyniad: OES – 10fed Chwefror, 2016**

**Aelod y Bwrdd Gweithredol sy'n gyfrifol am y Portffolio:**

Cyng. Gareth Jones (Addysg a Phlant)

**Y Gyfarwyddiaeth:**

**Addysg a Gwasanaethau Plant**

**Enw Pennaeth y Gwasanaeth:**

**Gareth Morgans**

**Awdur yr Adroddiad:**

**Simon Davies**

**Swyddi:**

**Prif Swyddog Addysg**

**Rheolwr Moderneiddio  
Ysgolion**

**Rhifau ffôn:**

**01267 246450**

**Cyfeiriad e-bost:**

[EDGMorgans@sirgar.gov.uk](mailto:EDGMorgans@sirgar.gov.uk)

**01267 246471**

[SiDavies@sirgar.gov.uk](mailto:SiDavies@sirgar.gov.uk)

**EXECUTIVE SUMMARY**  
**COUNTY COUNCIL**  
**10<sup>TH</sup> FEBRUARY 2016**

**MODERNISING EDUCATION PROGRAMME**  
**PROPOSED DISCONTINUATION OF COPPERWORKS INFANT**  
**AND NURSERY SCHOOL AND LAKEFIELD PRIMARY SCHOOL**  
**ESTABLISH A NEW PRIMARY SCHOOL**

**Background**

The 21<sup>st</sup> Century Schools Programme – programme of projects 2011 was approved by Executive Board on the 12<sup>th</sup> December 2011 which included capital investment at Copperworks Infant and Nursery school and Lakefield Primary school to facilitate a new Primary school to be located on the former Draka site at Seaside Llanelli following a site selection study. A revised Modernising Education Programme (MEP) and 21<sup>st</sup> Century Band A investment programme was approved on 29<sup>th</sup> April 2013

It is an ongoing objective of the Authority to where possible create a Community Primary School to replace existing school buildings which are in a poor condition with inherent defects which includes Asbestos, Water penetration through external walls and Roofs, Historic Dry Rot problems which would be very costly to repair along with shortcomings in educational suitability and access for disabled users.

The County Council has a legal duty to look at the number and type of schools it has in Carmarthenshire and is required to make sure that they are located in the right place, have the right facilities for the future and have the right resources to deliver education and learning for pupils. Changes in the curriculum and the way in which children will be taught in the future also means that we also have to look at whether or not, it is possible or too costly, to adapt the existing buildings to meet the future needs of the pupils.

In accordance with County Council instructions in January 2015 a consultation document was produced and distributed to identified interested parties with regard to the following proposal.

**Proposal**

- to discontinue Copperworks Infant and Nursery School on 31st August, 2016
- to discontinue Lakefield Primary School on 31st August, 2016
- as from 1st September, 2016, to establish a new 3-11 Dual Stream (DS – Welsh and English) language category Community Primary School on the existing sites and buildings of the current Copperworks infant and nursery school and the current Lakefield Primary School to cater for 60 nursery places and 420 pupils aged 3 – 11 until such time the new school building is complete.

The linguistic change of category from English Medium (EM) and English with significant Welsh (EW) to Dual Stream (DS) will increase the provision of Welsh medium education in Carmarthenshire and ensures linguistic continuity from the nursery sector along the key stages to the secondary sector so that every pupil becomes fluent and confident in Welsh and English. (as detailed in the Welsh in Education Strategic Plan 2014-2017)

As part of the consultation process consultees were invited to forward their observations or any comments they wished to make in relation to the proposal to the Council.

A Consultation Report was produced and published electronically which provided details of the observations received as well as the Authority's response to the issues raised including Estyn's response to the consultation document and details of the consultation undertaken with the pupils at Copperworks Infant and Nursery and Lakefield Primary schools.

Under the requirements set out in the Code on School Organisation which came into force on 1<sup>st</sup> October 2013 a Statutory Notice has to be published within 26 weeks. Due to the time lapsing to publish a notice in relation to this proposal a time extension was requested and granted from Welsh Government.

In accordance with the County Council instructions in July 2015 a Statutory Notice (attached) was published on the 3<sup>rd</sup> November 2015 which provided objectors with a one month period in which to forward their objections in writing to the Council.

At the end of the Statutory Notice period **NO** objections were received by the Authority in respect of the proposal.

ECS Scrutiny Committee and Executive Board have the opportunity to offer comment and a recommendation to County Council whether or not to implement the proposal as laid out in the Statutory Notice.

The process outlined above would enable the proposal to be presented to County Council for determination in February 2016.

## Conclusion

Following the completion of the statutory consultation processes the conclusion remains the same. Having one new school will help keep and develop the sense of belonging, heritage and tradition that helps make up a community whilst at the same time ensuring that the pupils be afforded some of the most modern and up-to-date learning facilities in the county.

Therefore, in the long term interests of pupils in the area it is considered essential that the County Council resolves to implement the proposal to close both Copperworks Infants and Junior School and Lakefield Primary School and make alternative arrangements for the future primary education provision in a "New School" as detailed in the attached Statutory Notice.

## Recommendation

Executive Board is requested to approve to implement the proposal to discontinue Copperworks Infant and Nursery School and Lakefield Primary School and to implement the proposal as detailed in the Statutory Notice of 3<sup>rd</sup> November 2015.

### DETAILED REPORT ATTACHED ?

**YES (Copy of Statutory Notice)**

**Copies of consultation documents and consultation reports are available to view on-line –**

Consultation report:

<http://www.carmarthenshire.gov.wales/media/964988/ConsultationReportEnglish.pdf>

Consultation Document:

<http://local.carmarthenshire.gov.uk/media/34735/Consultation-Doc-Master-Copperworks-Lakefield-120215.pdf>

# 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: G. Morgans

Chief Education Officer

S. Davies

School Modernisation Manager

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>

## 1. Policy, Crime & Disorder and Equalities

Developments are consistent with the Authority's Corporate Strategy, Children and Young People's Plan and the Modernising Education Strategic Outline Programme.

## 2. Legal

Appropriate consultation will need to be initiated in accordance with the relevant statutory procedures.

## 3. Finance

Revenue implications will be catered for within the Local Management of Schools Fair Funding Scheme.

## 5. Risk Management Issues

Continuing with current inadequate provision would see current problems being perpetuated with the education of children in the area being placed at unacceptable risk and the County Council failing to meet WG target that all buildings should be of an appropriate standard.

## 6. Physical Assets

Staffing implications will be addressed in accordance with the County Council's Redeployment Policy and Procedures.

## 7. Staffing Implications

Two redundant school buildings which would be addressed in accordance with the Modernising Educational Provision Future Use/Disposal of Redundant Land and Buildings arising from the MEP programme policy and procedures.

# CONSULTATIONS

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

Signed: G. Morgans

Chief Education Officer

S. Davies

School Modernisation Manager

## 1. Scrutiny Committee

The Education and Children's Services Scrutiny Committee considered the report at its meeting on the 21<sup>st</sup> January 2016.

## 2. Local Member(s)

Local Members Cllr. Keri Thomas, Cllr. Jeffrey Owen, Cllr. Louvain Roberts and Cllr. Winston Lemon have been advised and are supportive of the proposal.

Observations were received from Cllr Louvain Roberts during the formal consultation period.

No objections were received following publication of the Statutory Notice.

## 3. Community / Town Council

Community Council has been consulted formally during the formal consultation period.

No observations were received during the formal consultation period.

No objections were received following publication of the Statutory Notice.

## 4. Relevant Partners

Not applicable.

## 5. Staff Side Representatives and other Organisations

Teaching and non-teaching staff unions have been consulted during the formal consultation stage.

No observations were received during the formal consultation period.

No objections were received following publication of the Statutory Notice.

The following interested parties have also been provided with a copy of the consultation document and Statutory Notice.

Staff (Teaching and Ancillary) Copperworks Infant and Nursery school Lakefield Primary school	Governors and Parents, Copperworks Infant and Nursery school Lakefield Primary school
Carmarthenshire Children's Partnership	Community Councillors Llanelli Town Council
Local County Councillors	Welsh Language Commissioner
Assembly Member (AM) Regional Assembly Member	National Association of Schoolmasters and Union of Women Teachers (NASUWT)
National Union of Teachers (NUT)	Association Of Teachers & Lecturers (ATL)
Undeb Cenedlaethol Athrawon Cymru (UCAC)	The Professional Association of Teachers (PAT)
National Association Of Head Teachers (NAHT)	GMB Union
UNISON	*Neighbouring Primary and Secondary schools in Carmarthenshire
Transport and General Workers' Union (T&G)	LA Special Educational Needs Division
Director of Education – All Neighbouring Authorities	ERW – Education through Regional Working
Local Service Board	Regional Transport Consortium
Local Police and Crime Commissioner	Welsh Ministers
Estyn	Diocesan Director of Education

**\*Consultation document sent to Headteacher and Chair of Governors (Maes Y Morfa CP, Bigyn CP, Old Road CP, Ysgol Gymraeg Dewi Sant, Pentip VA, Secondary Schools Ysgol Y Strade, Coedcae).**

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

<b>Title of Document</b>	<b>File Ref No.</b>	<b>Locations that the papers are available for public inspection</b>
Planning School Places - Primary Schools – The Way Forward		<a href="http://www.carmarthenshire.gov.uk">www.carmarthenshire.gov.uk</a> – the County Council Agenda 9 Pre 28/06/2004) – 11/04/2001
Modernising Education Provision Strategy and Draft Implementation Plan		<a href="http://www.carmarthenshire.gov.uk">www.carmarthenshire.gov.uk</a> – Education and Learning – Useful Links
Modernising Education Provision Timeline/ Rollout:		<a href="http://www.carmarthenshire.gov.uk">www.carmarthenshire.gov.uk</a> – Executive Board Agenda – 31/05/2005
Modernising Education Provision Update / Revised Draft Timetable		<a href="http://www.carmarthenshire.gov.uk">www.carmarthenshire.gov.uk</a> – Executive Board Agenda – 24/07/2006
Modernising Educational Provision Future Use/Disposal of Redundant Land and Buildings arising from the MEP programme		<a href="http://www.carmarthenshire.gov.uk">www.carmarthenshire.gov.uk</a> Executive Board – 31/05/05



MEP Annual Report 2013/14 and Programme 2014/15		<a href="http://www.carmarthenshire.gov.uk/">http://www.carmarthenshire.gov.uk/</a> County Council Agenda 14 <sup>th</sup> January 2015
Strategic Outline Programme 21 <sup>st</sup> Century Schools		<a href="#">Strategic Outline Programme 21st Century Schools</a>
Carmarthenshire's Welsh in Education Strategic Plan 2014-2017		<a href="http://www.carmarthenshire.gov.uk/english/welsh/pages/trafodiaith.aspx">http://www.carmarthenshire.gov.uk/english/welsh/pages/trafodiaith.aspx</a>
Copperworks Infant and Lakefield Primary Schools Consultation Report		<a href="http://www.carmarthenshire.gov.wales/media/964988/ConsultationReportEnglish.pdf">http://www.carmarthenshire.gov.wales/media/964988/ConsultationReportEnglish.pdf</a>

Mae'r dudalen hon yn wag yn fwriadol

## CYNGOR SIR CAERFYRDDIN

### Neuadd y Sir, Caerfyrddin. SA31 1JP

Hysbysir gyda hyn, yn unol ag Adrannau 41 a 43 o Ddeddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 (y Ddeddf) a'r Côt Trefniadaeth Ysgolion, fod Cyngor Sir Caerfyrddin (y Cyngor), ar ôl ymgynghori â'r personau gofynnol, yn cynnig y canlynol:

1. dod ag Ysgol Fabanod a Meithrin Copperworks, Stryd Nevill, Llanelli, SA15 2RS (a gynhelir gan y Cyngor ar hyn o bryd) i ben ar 31 Awst 2016;
2. dod ag Ysgol Gynradd Maes-llyn, Heol Maes-llyn, Llanelli, SA15 2TS (a gynhelir gan y Cyngor ar hyn o bryd) i ben ar 31 Awst 2016
3. sefydlu ysgol Gynradd Gymunedol newydd, Categori 2, â dwy ffrwd (yr "Ysgol Newydd"), sydd i'w chynnal gan y Cyngor o 1 Medi 2016 yn adeiladau presennol Ysgolion Babanod a Meithrin Copperworks ac Ysgol Gynradd Maes-llyn, ar gyfer bechgyn a merched 3-11 oed.
4. Y bwriad yw lleoli'r "Ysgol Newydd" ar safle ac mewn adeiladau newydd ar hen safle Draka, Heol Copperworks, Llanelli. Rhagwelig y bydd y gwaith adeiladu angenrheidiol wedi'i gwblhau erbyn 31ain Mawrth 2018, ac y bydd yr ysgol a'r adeiladau newydd yn darparu ar gyfer bechgyn a merched 3-11 oed.

Bu Cyngor Sir Caerfyrddin yn cynnal cyfnod ymgynghori cyn penderfynu cyhoeddi'r cynnig hwn. Mae adroddiad ymgynghori sy'n cynnwys crynodeb o'r materion a godwyd gan yr ymgynghoreion, ymatebion y cynigwyr a barn Estyn ar gael yn www.sirgar.llyw.cymru.

O 1 Medi 2016 ymlaen, yn amodol ar ddewisiadau a fynegir gan rieni, bwriedir i'r disgyblion hynny sydd ar gofrestr Ysgol Fabanod a Meithrin Copperworks a'r disgyblion hynny sydd ar gofrestr Ysgol Gynradd Maes-llyn - a'r rhai a fyddai, oni bai am y cynnig hwn, wedi disgwyl mynychu'r ysgolion hynny - gael eu haddysg yn yr "Ysgol Newydd". Dalgylchoedd presennol Ysgol Fabanod a Meithrin Copperworks ac Ysgol Gynradd Maes-llyn fydd dalgylch yr "Ysgol Newydd".

Ni fwriedir i'r trefniadau derbyn i'r "Ysgol Newydd" ddarparu ar gyfer dewis disgyblion ar sail dawn na gallu (bandio disgyblion).

Cyngor Sir Caerfyrddin fydd yr Awdurdod Derbyn ar gyfer yr "Ysgol Newydd".

Tra bydd yr "Ysgol Newydd" yn defnyddio adeiladau presennol Ysgol Fabanod a Meithrin Copperworks a safle Ysgol Gynradd Maes-llyn, 60 fydd nifer y disgyblion a dderbynnir i'r "Ysgol Newydd" pan fyddant yn 4/5 oed, ar sail amser llawn yn y flwyddyn ysgol gyntaf pryd y gweithredir y cynigion. Capasiti o 420 fydd yn yr ysgol newydd, a bydd yn darparu 60 o lefydd meithrin cyfwerth ag amser llawn.

Ar ôl adleoli'r "Ysgol Newydd" i hen safle Draka, Heol Copperworks, Llanelli, nifer derbyn y disgyblion y rhoddir lle amser llawn iddynt yn yr ysgol yn 4/5 oed fydd 60. Capasiti o 420 fydd yn yr ysgol newydd, a bydd yn darparu 60 o lefydd meithrin cyfwerth ag amser llawn.

Categori laith yr ysgol newydd arfaethedig, fel y'i diffiniwyd yn nogfen wybodaeth rhif: 023/2007 Llywodraeth Cymru, "Diffinio ysgolion yn ôl eu darpariaeth Gymraeg", fydd 'Ffrwd Ddeuol - Categori 2'. Mynediad at addysg gyfrwng Gymraeg.

Darperir cludiant i'r "Ysgol Newydd" yn unol â pholisi Cyngor Sir Caerfyrddin ynghylch cludiant o'r cartref i'r ysgol.

Bydd y trefniadau ar gyfer trosglwyddo i Ysgolion Uwchradd yn parhau heb eu newid.

Gall unrhyw un wrthwynebu'r cynigion hyn o fewn cyfnod o 28 diwrnod ar ôl dyddiad eu cyhoeddi, sef erbyn 30 Tachwedd 2015. Dylid anfon gwrthwynebiadau at Mr Robert Sully, y Cyfarwyddwr Addysg a Gwasanaethau Plant, Cyngor Sir Caerfyrddin, Adeilad 2, Parc Dewi Sant, Heol Ffynnon Job, Caerfyrddin, SA31 3HB neu drwy e-bost i DECMEP@sirgar.gov.uk.

**Llofnod: Mr Robert Sully**  
**Cyfarwyddwr Addysg a Gwasanaethau Plant**  
**Ar ran Cyngor Sir Caerfyrddin**

**Dyddiedig: 3ydd o Tachwedd 2015**

#### **NODYN ESBONIADOL**

(Nid yw'r Nodyn Esboniadol hwn yn rhan o'r Hysbysiad – yn hytrach fe'i cynigir er mwyn cynyddu eglurder)

1. Mae'r Awdurdod yn bwriadu ad-drefnu addysg gynradd yn yr ardal a chreu un ysgol gynradd gymunedol newydd, ynghyd â darpariaeth feithrin newydd, i gymryd lle'r ddwy ysgol bresennol. Lleolir yr ysgol newydd ar hen safle Draka yn Seaside, Llanelli.

Gan fod angen codi adeilad yr "Ysgol Newydd", bydd angen dal ati i ddefnyddio adeiladau presennol Ysgol Fabanod a Meithrin Copperworks ac Ysgol Gynradd Maes-llyn hyd nes y bydd adeiladau'r ysgol newydd wedi eu cwblhau, pryd y symudir y disgyblion i'r adeiladau newydd ar y safle newydd. Mae'r trefniadau arfaethedig yn cael eu crynhoi isod:-

- 31 Awst 2016 – Bydd yr ysgolion presennol, sef Ysgol Fabanod a Meithrin Copperworks ac Ysgol Gynradd Maes-llyn, yn peidio â bodoli.
- 1 Medi 2016 – Bydd ysgol newydd yn agor ar y safle, ac yn defnyddio adeiladau presennol Ysgol Fabanod a Meithrin Copperworks ac Ysgol Gynradd Maes-llyn. Yn ystod y cyfnod hwn, mater i'r Corff Llywodraethu fydd penderfynu ar drefniadaeth yr ysgol, ac ar ba un o'r ddau safle y cynhelir y dosbarthiadau, gan bennu ble bydd y disgyblion yn derbyn eu haddysg. Nhw hefyd fydd yn gyfrifol am ddatblygu Ffrwd Gymraeg newydd yn yr ysgol ar gyfer y disgyblion a dderbynnir ym mis Medi 2016. Ni fydd y ddarpariaeth yn newid yn achos y disgyblion sydd eisoes yn mynychu'r ysgol.
- Mis Ebrill 2018 – Bydd yr holl ddisgyblion yn symud i adeilad newydd yr "Ysgol Newydd" ar hen safle Draka, Heol Copperworks, Llanelli.

2. Mae nifer derbyn yr "Ysgol Newydd", sef 60 o ddisgyblion a'r 60 disgybl Cyfwerth ag Amser Llawn (CALI) ar gyfer y ddarpariaeth feithrin yn rhan o'r trefniadau pontio. Y bwriad yw sicrhau bod y trefniadau derbyn ar gyfer disgyblion yn y cyfnod hwnnw'n unol â strwythur trefniadaeth a rheolaeth yr ysgol newydd pan fydd yn symud i'w safle parhaol ym mis Ebrill 2018.

3. Mae'r polisi cyfredol ynghylch cludiant o'r cartref i'r ysgol yn cadarnhau y bydd yr Awdurdod yn darparu cymorth cludiant yn achos disgyblion sy'n bodloni pob un o'r meini prawf canlynol: -

(a) maent wedi cyrraedd oed ysgol gorfodol;

(b) maent yn mynychu'r ysgol agosaf neu'r ysgol a ddynodwyd gan yr Awdurdod Lleol; ac

(c) maent yn byw ymhellach na'r pellter cerdded statudol o'r ysgol (2 filltir yn achos plant dan 8 oed a 3 milltir yn achos plant sy'n 8 oed neu'n hŷn).

## CARMARTHENSHIRE COUNTY COUNCIL

### County Hall, Carmarthen. SA31 1JP

Notice is hereby given in accordance with Section 41 and 43 of the School Standards and Organisation (Wales) Act 2013 (the Act) and the School Organisation Code that Carmarthenshire County Council (the Council) having consulted such persons as required, propose the following:

1. to discontinue Copperworks Infant and Nursery School, Nevill Street, Llanelli, SA15 2RS (currently maintained by the Council) on 31 August 2016;
2. to discontinue Lakefield Primary School, Lakefield Road, Llanelli, SA15 2TS (currently maintained by the Council) on 31 August 2016, and
3. to establish a new dual-stream Category 2, Community Primary school (the "New School") to be maintained by the Council from 1 September 2016 in the existing buildings of the current Copperworks Infant and Nursery and Lakefield Primary Schools for boys and girls aged 3-11.
4. It is intended that the "New School" be re-located and accommodated in new buildings on the former Draka site in Copperworks Road, Llanelli. It is anticipated that the necessary construction works will be completed by 31st March 2018 and that the new school and buildings will cater for boys and girls aged 3-11.

The Council undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the proposers responses and the views of Estyn is available on www.carmarthenshire.gov.wales.

From 1 September 2016, subject to any expression of parental preference, it is proposed that those pupils registered at Copperworks Infant and Nursery School and at Lakefield Primary School and who, but for this proposal, would have expected to attend those schools will be educated at the "New School". The existing catchment areas of Copperworks Infant and Nursery School and at Lakefield Primary School will become the catchment area of the "New School".

It is not intended that admission arrangements to the "New School" will make any provision for selection of pupils by aptitude or by ability (pupil banding).

Carmarthenshire County Council will be the admission authority for the "New School".

Whilst the "New School" is situated in the existing buildings of the current Copperworks Infant and Nursery School and Lakefield Primary School site the admission number (AN) of pupils to be admitted at age of 4/5 on a full time basis in the first school year in which proposals are implemented is 60. The new school's capacity will be 420 and provide 60 full time equivalent nursery places.

Following the re-location of the "New School" to the site of the former Draka site, Copperworks Road, Llanelli, the admission number (AN) of pupils to be admitted at age of 4/5 on a full time basis will be 60. The capacity of the "New School" will be 420 and provide 60 full time equivalent nursery places.

The language category of the proposed new school, as defined by "Defining schools according to Welsh medium provision", Welsh Government Information document No: 023/2007 will be, 'Dual Stream- Category 2'. Access to welsh medium education.

Transport to the "New School" will be provided in accordance with Carmarthenshire County Council's home to school transport policy.

Transfer to Secondary School will remain as per current arrangements.

Within a period of 28 days after the date of publication of these proposals, that is to say by 30 November 2015, any person may object to these proposals. Objections should be sent to Mr Robert Sully, Director of Education and Children's Services, Carmarthenshire County Council, Building 2, St David's Park, Job's Well Road, Carmarthen, SA31 3HB or e-mail to DECMEP@carmarthenshire.gov.uk.

**Signed: Mr Robert Sully**  
**Director of Education and Children's Services**  
**For Carmarthenshire County Council**

**Dated: 3rd of November 2015**

#### **EXPLANATORY NOTE**

(This Explanatory Note does not form part of the Notice but is offered by way of clarification)

1. It is the Authority's intention to re-organise primary education in the South Llanelli area and create one new community primary school, together with nursery provision, to replace the two existing schools. The new school is to be located on the former Draka site at Seaside, Llanelli.

As there is a need to construct the "New School" building, there will be a need to retain the use of the current Copperworks Infant and Nursery School and at Lakefield Primary School buildings until such time the new school building is complete when the pupils will relocate to the newly built premises on the new site. The proposed arrangements are summarised below:-

- 31 August 2016 – The current Copperworks Infant and Nursery School and at Lakefield Primary School will cease to exist.
- 1 September 2016 – A new school will open on the site, and make use of the buildings, of the existing Copper works Infant and Nursery School and Lakefield Primary schools. During this period it will for the Governing Body to decide how the school is organised and at which of the two sites classes, and hence pupils, will be educated. They will also be responsible for the development of a new Welsh Stream at the school for the September 2016 pupil intake. Provision will not change for those pupils already attending the school.
- In April 2018 – All pupils will re-locate to the newly built "New School" premises on the former Draka site, Copperworks Road, Llanelli.

2. The admission number (AN) of 60 pupils for the "New School" and 60 Full Time Equivalent (FTE) pupils for nursery provision form part of the transitional arrangements. They are intended to ensure that the admission arrangements for pupils for that period are in line with the organisation and management structure for the new school when it relocates to its permanent site in April 2018.

3. Current home to school transport policy confirms that assistance with transport will be provided by the Authority for pupils who meet each of the following criteria: -

(a) are of compulsory school age;

(b) attend the nearest or the school designated by the Local Authority; and

(c) who reside over the statutory walking distance from the school ( 2 miles in the case of children up to 8 years of age and 3 miles for those aged 8 and over).

Mae'r dudalen hon yn wag yn fwriadol

**CYNGOR SIR  
10FED CHWEFROR, 2016**

**Swyddfa Archwilio Cymru - Adroddiad yr Asesiad Corfforaethol 2015**

**ARGYMHELLION Y BWRDD GWEITHREDOL:**

1. Cymeradwyo cynnwys Adroddiad yr Asesiad Corfforaethol 2015
2. Cynyrchu cynllun gweithredu i fynd i'r afael â'r cynigion ar gyfer gwella a wnaed yn yr Adroddiad.

**Y Rhesymau:**

Yn 2013-14 dechreuodd Swyddfa Archwilio Cymru gylch pedair blynedd o Asesiadau Corfforaethol or holl Awdurdodau yng Nghymru o dan Ddeddf Llywodraeth Leol yng Nghymru (2009). Ym mis Hydref 2015 fe gwnaed yr Asesiad Corfforaethol o Gyngor Sir Caerfyrddin.

**Ymgynghorwyd â'r pwyllgor craffu perthnasol - AMHERTHNASOL**

**Angen i'r Bwrdd Gweithredol wneud penderfyniad - YDY - Chwefror 1af 2016**  
**Angen i'r Cyngor wneud penderfyniad – YDY - Chwefror 10fed 2016**

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

<b>Y Gyfarwyddiaeth:</b> Adran Prif Weithredwr	<b>Swyddi:</b>	<b>Rhifau ffôn/ Cyfeiriadau E-bost</b>
<b>Enw Pennaeth y Gwasanaeth:</b> Wendy S Walters	<b>Prif Weithredwr Cynorthwyol</b> /Adfywio a Pholisi	01267 224112 <a href="mailto:wswalters@carmarthenshire.gov.uk">wswalters@carmarthenshire.gov.uk</a>
<b>Awdur yr Adroddiad:</b> Noelwyn Daniel	<b>Rheolwr Perfformiad a</b> <b>Gwybodaeth</b>	01267 224476 <a href="mailto:NDaniel@sirgar.gov.uk">NDaniel@sirgar.gov.uk</a>

**EXECUTIVE SUMMARY**  
**COUNTY COUNCIL**  
**10<sup>TH</sup> FEBRUARY 2016**

**SUBJECT**

**Wales Audit Office - Corporate Assessment Report 2015**

**BRIEF SUMMARY OF PURPOSE OF REPORT**

Welsh Audit Office undertook the Corporate Assessment fieldwork in Carmarthenshire County Council during October 2015. The purpose of the Corporate Assessment is to provide a position statement of an authority's capacity and capability to deliver continuous improvement.

The Authority has been highly praised by the Welsh Audit Office for having a well established vision that is driven forward by a strong collective leadership from both Executive and Corporate Management Teams. A clear framework of well-aligned plans and strategies that translate high level outcomes the Council has agreed with partners into priorities for action has also been recognised ensuring a strong ethos of continuous improvement runs through everything the Council does.

The Auditor General has concluded that: Carmarthenshire County Council, demonstrating ambition in its vision, with collective leadership and more robust and transparent governance, is delivering improved outcomes for its citizens although some out-dated approaches may limit the speed of progress. He came to this conclusion because:

- increasingly collective leadership is supporting a revised vision for Carmarthenshire and sustaining a culture of improvement;
- the Council has made good progress in establishing improved governance arrangements which are now more robust and transparent, although there are opportunities for further improvements to enable Members to be more effective in their roles;
- the Council's arrangements for managing its resources have served it well in the past, but the current approach in some areas is out-dated and not joined up, which may limit the speed of progress towards improved outcomes for citizens;
- the Council has an established and effective approach to partnership working;
- the Council's framework to manage improvement is good but lacks quality and consistent application within some departments leading to a lack of accountability
- the Council in collaboration with partners, is continuing to improve performance across its priority areas.

**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: Wendy S Walters - Assistant Chief Executive Regeneration & Policy**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>
<p><b>1. Policy, Crime &amp; Disorder and Equalities</b>                      The Corporate Assessment assesses our governance arrangements throughout the organisation. We will need to address the Proposals for Improvement made within the final published report.</p> <p>In addition to the Proposals for Improvement, the paragraphs of the report do contain some other actions that may need to be addressed or formally discounted. Therefore these actions should also be extracted and addressed.</p>						
<p><b>2. Legal</b>                      The Corporate Assessment assesses our governance arrangements throughout the organisation. We will need to address the Proposals for Improvement made within the final published report.</p>						
<p><b>3. Finance</b>                      The Corporate Assessment assesses our governance arrangements throughout the organisation. We will need to address the Proposals for Improvement made within the final published report.</p>						
<p><b>4. ICT</b>                      The Corporate Assessment assesses our governance arrangements throughout the organisation. We will need to address the Proposals for Improvement made within the final published report.</p>						
<p><b>5. Risk Management Issues</b>                      The Corporate Assessment assesses our governance arrangements throughout the organisation. We will need to address the Proposals for Improvement made within the final published report.</p>						
<p><b>6 Staffing Implications</b>                      The Corporate Assessment assesses our governance arrangements throughout the organisation. We will need to address the Proposals for Improvement made within the final published report.</p>						
<p><b>7. Physical Assets</b>                      The Corporate Assessment assesses our governance arrangements throughout the organisation. We will need to address the Proposals for Improvement made within the final published report.</p>						

# CONSULTATIONS

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

Signed: Wendy S Walters - Assistant Chief Executive /Head of Regeneration & Policy

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 DETAILED BELOW :-

Title of Document	FileRefNo.	Locations that the papers are available for public inspection





WALES AUDIT OFFICE  
SWYDDFA ARCHWILIO CYMRU

# Adroddiad Asesu Corfforaethol 2015

## Cyngor Sir Caerfyrddin

Cyhoeddwyd: Ionawr 2016

Cyfeirnod y ddogfen: 704A2015



Paratowyd yr Adroddiad Asesu Corfforaethol hwn ar ran Archwilydd Cyffredinol Cymru gan Jason Blewitt, Tim Buckle, Jeremy Evans, Alison Lewis, Gareth W Lewis, Margaret Maxwell a Geraint Norman o dan gyfarwyddyd Jane Holownia.

**Huw Vaughan Thomas**  
**Archwilydd Cyffredinol Cymru**  
**Swyddfa Archwilio Cymru**  
**24 Heol y Gadeirlan**  
**Caerdydd**  
**CF11 9LJ**

Mae'r Archwilydd Cyffredinol yn annibynnol ar y llywodraeth a chaiff ei benodi gan Ei Mawrhydi y Frenhines. Mae'r Archwilydd Cyffredinol yn ymgymryd â'i waith gan ddefnyddio staff ac adnoddau eraill a ddarperir gan Fwrdd Swyddfa Archwilio Cymru, sef bwrdd statudol a sefydlwyd at y diben hwnnw ac er mwyn monitro a chynghori'r Archwilydd Cyffredinol. Mae Swyddfa Archwilio Cymru yn atebol i'r Cynulliad Cenedlaethol.

Ar y cyd ag archwilwyr a benodir, mae'r Archwilydd Cyffredinol yn archwilio cyrff llywodraeth leol yng Nghymru, gan gynnwys awdurdodau unedol, yr heddlu, gwasanaethau prawf, awdurdodau tân ac achub, parciau cenedlaethol a chynghorau cymuned. Y mae hefyd yn cynnal astudiaethau gwerth am arian llywodraeth leol ac yn asesu cydymffurfiaeth â gofynion Mesur Llywodraeth Leol (Cymru) 2009.

Y tu hwnt i lywodraeth leol, yr Archwilydd Cyffredinol yw archwilydd allanol Llywodraeth Cymru a'r cyrff a noddir ganddi a'i chyrrff cyhoeddus cysylltiedig, Comisiwn y Cynulliad a chyrrff y Gwasanaeth Iechyd Gwladol yng Nghymru.

Mae'r Archwilydd Cyffredinol a staff Swyddfa Archwilio Cymru yn anelu i ddarparu adroddiadau cymesur ar stiwardiaeth adnoddau cyhoeddus sy'n canolbwyntio ar y cyhoedd a meithrin dealltwriaeth a hyrwyddo gwelliant wrth wneud hynny.

# Cynnwys

<b>Adroddiad cryno</b>	<b>4</b>
Cynigion ar gyfer gwella	5
Cyflwyniad	7
<b>Adroddiad manwl</b>	<b>9</b>
Gan arddangos uchelgais yn ei weledigaeth, a chyda chydarweinyddiaeth a threfniadau llywodraethu mwy cadarn a didwyll, mae Cyngor Sir Caerfyrddin yn sicrhau canlyniadau gwell i'w ddinasyddion. Fodd bynnag, mae rhai dulliau wedi dyddio, a gallent arafu'r cynnydd	9
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Mae'r Cyngor wedi gwneud cynnydd da wrth sefydlu trefniadau llywodraethu gwell sydd bellach yn fwy cadarn a thryloyw. Serch hynny, ceir cyfleoedd am welliannau pellach er mwyn galluogi'r Aelodau i gyflawni eu rolau'n fwy effeithiol	13
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# Adroddiad cryno

- 1 Yn 2013-14, dechreuodd staff Swyddfa Archwilio Cymru gylch pedair blynedd o Asesiadau Corfforaethol ar awdurdodau gwella yng Nghymru. Mae hyn yn golygu y bydd pob Cyngor yn derbyn Asesiad Corfforaethol manwl unwaith bob pedair blynedd, yn ogystal â rhaglen flynyddol o astudiaethau gwella ac archwiliadau o'r modd y mae cynghorau'n cynllunio ac yn adrodd ar welliannau. Yn y blynyddoedd rhwng yr asesiadau, byddwn yn cadw golwg ar ddatblygiadau drwy roi diweddariadau ar gynydd.
- 2 Roedd ein gwaith maes ar gyfer yr Asesiad Corfforaethol yn canolbwyntio ar y graddau y mae trefniadau'n cyfrannu at wella perfformiad gwasanaethau a'u canlyniadau i ddinasyddion. Ceisiai'r asesiad corfforaethol ateb y cwestiwn canlynol: 'A yw'r Cyngor yn gallu cyflawni ei flaenoriaethau a sicrhau canlyniadau gwell i'w ddinasyddion?'
- 3 Mae'r Archwilydd Cyffredinol wedi dod i'r casgliadau canlynol: Bod Cyngor Sir Caerfyrddin yn sicrhau canlyniadau gwell i'w ddinasyddion, gan arddangos uchelgais yn ei weledigaeth, gyda chydarweinyddiaeth a threfniadau llywodraethu mwy cadarn a didwyll. Fodd bynnag, mae rhai dulliau wedi dyddio, a gallent arafu'r cynnydd. Daethom i'r casgliad hwn am y rhesymau canlynol:
  - a i raddau cynyddol, mae cydarweinyddiaeth yn cefnogi gweledigaeth ddiwygiedig ar gyfer Sir Gaerfyrddin ac yn cynnal diwylliant o welliant;
  - b mae'r Cyngor wedi gwneud cynnydd da wrth sefydlu trefniadau llywodraethu gwell sydd bellach yn fwy cadarn a thryloyw. Serch hynny, ceir cyfleoedd am welliannau pellach er mwyn galluogi'r Aelodau i gyflawni eu rolau'n fwy effeithiol;
  - c mae trefniadau'r Cyngor ar gyfer rheoli ei adnoddau wedi gweithio'n dda yn y gorffennol, ond mae'r dull cyffredol wedi dyddio mewn rhai meysydd ac yn ddatgymalog, a gallai hyn arafu'r cynnydd tuag at sicrhau canlyniadau gwell i ddinasyddion:
    - nid oes cysylltiadau clir rhwng cynlluniau gwasanaeth a chynlluniau ariannol, nid yw arbedion unigol yn cael eu monitro'n rheolaidd, ac mae gwendidau wrth reoli grantiau'n parhau i fod yn destun pryder. Gallai hyn amharu ar allu'r Cyngor i ymateb i heriau ariannol y dyfodol;
    - mae dull y Cyngor o reoli pobl yn gweithio'n dda, ac mae'n mynd i'r afael â rhai o'r prif feysydd y mae angen eu hatgyfnerthu, fel cynlluniau strategol y gweithlu;
    - mae sawl ffactor yn amharu ar allu'r Cyngor i reoli ei sylfaen o asedau'n effeithiol ar hyn o bryd; ac
    - er iddo fod yn araf wrth ymateb i'r diffygion sylweddol yn ei drefniadau TGCh, mae'r Cyngor bellach yn cymryd camau er mwyn gwella.
- ch mae'r Cyngor wedi hen sefydlu dull effeithiol o weithio mewn partneriaeth;

- d mae gan y Cyngor fframwaith da i reoli gwelliant, ond y mae diffyg ansawdd a gweithrediad cyson y fframwaith mewn rhai adrannau'n creu diffyg atebolrwydd; ac
- dd ar y cyd â phartneriaid, mae'r Cyngor yn parhau i wella perfformiad ar draws ei feysydd â blaenoriaeth.

## Cynigion ar gyfer gwella

### Cynigion ar gyfer gwella

#### C1 Llywodraethu:

- Datblygu rhaglenni gwaith i'r dyfodol er mwyn sicrhau bod yr holl bwyllgorau priodol wedi cyhoeddi rhaglen gyfredol sy'n eiddo i Aelodau pwyllgor.
- Cyhoeddi cofrestr o benderfyniadau sydd wedi'u dirprwyo.
- Datblygu a chyflwyno hyfforddiant i helpu Aelodau i ddeall eu rolau a'u cyfrifoldebau, a gloywi'r hyfforddiant a gyflwynwyd wrth i Aelodau symud o'r naill rôl i'r llall.
- Adolygu cylch gorchwyl y Pwyllgor Archwilio er mwyn sicrhau ei fod yn cyflawni'n unol â'r disgwyliadau ar ei gyfer.

#### C2 Y Defnydd o Adnoddau - Cyllid:

- Datblygu cysylltiadau mwy eglur rhwng y cynllun ariannol tymor canolig (CATC) a chynlluniau gwella'r Cyngor, gan fanylu ar effaith cyfyngiadau ariannol ar ganlyniadau i ddinasyddion.
- Datblygu a defnyddio meincnodau a Dangosyddion Gwerth am Arian wrth bennu cyllidebau, er mwyn creu sail well wrth wneud penderfyniadau, a chreu cyfleoedd pellach i drafod a herio costau presennol, gan ganfod arbedion effeithlonrwydd pellach o bosib.
- Gwella adroddiadau ariannol drwy:
  - ddatblygu cysylltiadau cliriach rhwng perfformiad ariannol a pherfformiad gwasanaethau, gan gynnwys llunio cyd-adroddiadau ar arian a pherfformiad i'r Aelodau;
  - monitro ac adrodd ar dargedau arbed unigol er mwyn sicrhau bod meysydd lle cyflawnir yn well neu'n waelach na'r disgwyl yn cael eu nodi'n glir, fel bo modd herio'n effeithiol, cymryd camau unioni a rhannu arfer da;
  - darparu gwybodaeth ddigonol am gronfeydd wrth gefn a thrywydd archwilio clir ar gyfer penderfyniadau ynghylch y cronfeydd hynny; a
  - chysylltu â'r Aelodau er mwyn sicrhau bod gwybodaeth ariannol yn cyd-fynd â'u hanghenion.
- Atgyfnerthu trefniadau caffael drwy:
  - adolygu'r rhesymau dros beidio cydymffurfio â gweithdrefnau a chymryd camau unioni er mwyn atal hynny rhag digwydd eto;
  - llunio a chadw Cofrestr Tendrau a Chofrestr Contractau;
  - llunio a chadw rhestr o weithrediadau tendr sengl, ac adrodd yn rheolaidd arni wrth y Pwyllgor Archwilio; ac
  - adolygu'r gwahaniaethau yn nefnydd y Cyngor o contractau fframwaith er mwyn ysgogi proses fwy cyson i'r dyfodol.

## Cynigion ar gyfer gwella

### C3 Y Defnydd o Adnoddau - Pobl:

- Cwblhau a gweithredu'r strwythur diwygiedig ar gyfer yr Is-adran Rheoli Pobl a Pherfformiad (RhPPh).
- Sicrhau bod gan bob aelod o staff arfarniad unigol o berfformiad bob blwyddyn.
- Symleiddio mecanweithiau cyfathrebu oddi mewn i RhPPh, a'r rhai a ddefnyddir ar gyfer cyfathrebu â'r gweithlu ehangach ynghylch mentrau rheoli pobl.
- Adolygu'r cyfarpar a'r systemau TGCh a ddefnyddir oddi mewn i RhPPh ac ysgogi datblygiadau er mwyn cyflawni'r canlynol o leiaf:
  - cofnod personél cyfun;
  - hunanwasanaeth effeithiol;
  - trefniadau gweithio ystywyth ar gyfer swyddogion RhPPh;
  - cyfleu gofyniad busnes clir ar gyfer TGCh wrth y Grŵp Strategaeth TGCh; a
  - defnydd mwy effeithiol o'r system adrodd Insight.

### C4 Y Defnydd o Adnoddau - Asedau:

- Atgyfnerthu'r cynlluniau rheoli asedau ar lefel gwasanaeth, a gwella'r cysylltiadau rhwng y cynlluniau hyn â'r cynllun rheoli asedau corfforaethol trosfwaol.
- Rhoi adroddiadau i'r Aelodau bob chwarter ar gynnydd yn erbyn y cynllun rheoli asedau corfforaethol a'r strategaeth swyddfeydd.

### C5 Y Defnydd o Adnoddau - TGCh a Rheoli Gwybodaeth:

- Sicrhau bod ffrydiau gwaith TGCh yn datrys y diffyg cysylltiad honedig rhwng y busnes a'r gwasanaeth TGCh ac yn rhoi ystyriaeth briodol i anghenion busnes.

### C6 Cynllunio ar gyfer Gwella

- rhoi cyfarwyddyd cliriach a lefel broffesiynol o her ar bob mater rheoli perfformiad er mwyn sicrhau bod fframwaith rheoli perfformiad y Cyngor yn cael ei weithredu'n gyson a rhannu arfer da.

# Cyflwyniad

- 4 Yn 2013-14, dechreuodd staff Swyddfa Archwilio Cymru gylch pedair blynedd o Asesiadau Corfforaethol ar awdurdodau gwella yng Nghymru. Mae hyn yn golygu y bydd pob Cyngor yn derbyn Asesiad Corfforaethol manwl unwaith bob pedair blynedd, yn ogystal ag astudiaethau o raglenni blynyddol ar gyfer gwella ac archwiliadau o'r modd y mae cynghorau'n cynllunio ac yn adrodd ar welliannau. Yn y blynyddoedd rhwng yr asesiadau, byddwn yn cadw golwg ar ddatblygiadau. Yn ein gwaith asesu pellach, byddwn hefyd yn canolbwyntio ar sawl thema allweddol a ddatblygir yn seiliedig ar drafodaeth gyda phob Cyngor.
- 5 Cynhaliom ein gwaith maes ar gyfer yr Asesiad Corfforaethol yng Nghyngor Sir Caerfyrddin (y Cyngor) yn ystod mis Hydref 2015. Er nad yw'r Asesiad Corfforaethol yn anelu i roi dadansoddiad cynhwysfawr o berfformiad holl wasanaethau'r Cyngor, mae'n adrodd ar ganlyniadau'r Cyngor a'i hanes o berfformio, yn ogystal â'r trefniadau allweddol sydd eu hangen yn sail ar gyfer gwelliannau i wasanaethau a swyddogaethau.
- 6 Cwblhawyd y gwaith hwn gan staff Swyddfa Archwilio Cymru ar ran yr Archwilydd Cyffredinol. Gyda chymorth arolygiaethau Cymru, Estyn (ar gyfer addysg), Arolygiaeth Gofal a Gwasanaethau Cymdeithasol Cymru (AGGCC), a Chomisiynydd y Gymraeg, rydym wedi creu darlun o'r hyn y mae'r Cyngor yn ceisio'i gyflawni, sut y mae'n mynd ati i wneud hynny, a'r cynnydd y mae wedi'i wneud.
- 7 Ni ddylid ystyried bod y casgliad hwn yn rhoi datganiad pendant ynghylch sefyllfa'r sefydliad nac yn rhagfynegi ei lwyddiant yn y dyfodol. Yn hytrach, dylid ystyried ei fod yn rhoi barn am y graddau y mae'r trefniadau sydd ar waith ar hyn o bryd yn rhesymol gadarn, i'r graddau y gellir nodi hynny ar sail y gwaith a gyflawnwyd.
- 8 Roedd ein gwaith maes ar gyfer yr Asesiad Corfforaethol yn canolbwyntio ar y graddau y mae trefniadau'n cyfrannu at wella perfformiad gwasanaethau a'u canlyniadau i ddinasyddion. Ceisiai'r asesiad corfforaethol ateb y cwestiwn canlynol: 'A yw'r Cyngor yn gallu cyflawni ei flaenoriaethau a sicrhau canlyniadau gwell i'w ddinasyddion?'
- 9 Mae'r Asesiad Corfforaethol yn trafod y canlynol:  
  
Gweledigaeth a chyfeiriad strategol:
  - 'A yw gweledigaeth a chyfeiriad strategol y Cyngor yn cefnogi gwelliant?'Llywodraethu ac atebolrwydd:
  - 'A yw trefniadau llywodraethu ac atebolrwydd y Cyngor yn cefnogi proses gadarn ac effeithiol o wneud penderfyniadau?'Y Defnydd o Adnoddau:
  - 'A yw'r Cyngor yn rheoli ei adnoddau yn effeithiol er mwyn cyflawni'r gwelliannau a gynlluniwyd ganddo o ran perfformiad a chanlyniadau?'Cydweithio a phartneriaethau:
  - 'A yw trefniadau cydweithio a phartneriaeth y Cyngor yn gweithio'n effeithiol er mwyn gwella perfformiad a chanlyniadau?'

Rheoli gwelliant:

- 'A yw'r Cyngor yn rheoli ei raglen wella mewn modd effeithiol?'

Perfformiad a chanlyniadau:

- 'A yw'r Cyngor yn gwneud cynnydd ar gyflawni'r gwelliannau a gynlluniwyd ganddo o ran perfformiad a chanlyniadau?'

- 10 Mae'r casgliadau yn yr adroddiad hwn yn seiliedig ar y gwaith a gyflawnwyd, ac oni nodir fel arall, yn adlewyrchu'r sefyllfa wrth gwblhau'r gwaith hwnnw.
- 11 O ystyried yr ystod eang o wasanaethau a ddarperir gan y Cyngor a'r heriau y mae'n eu hwynebu, byddai'n anarferol pe na baem wedi cael hyd i bethau y gellid eu gwella. Gall yr Archwilydd Cyffredinol:
- a Wneud cynigion ar gyfer gwella - byddwn yn gwneud y cynigion hynny yn yr adroddiad hwn ac yn mynd ar drywydd yr hyn sy'n digwydd.
  - b Gwneud argymhellion ffurfiol ar gyfer gwella - os caiff argymhelliad ffurfiol ei wneud mae'n rhaid i'r Cyngor baratoi ymateb i'r argymhelliad hwnnw o fewn 30 diwrnod gwaith. Nid oes unrhyw reswm i wneud argymhellion o'r fath.
  - c Cynnal arolygiad arbennig a chyhoeddi adroddiad a gwneud argymhellion. Nid oes unrhyw reswm i gynnal arolygiad o'r fath.
  - ch Argymell y dylai Gweinidogion Llywodraeth Cymru ymyrryd mewn rhyw ffordd neu'i gilydd. Nid oes unrhyw reswm i wneud argymhelliad o'r fath.
- 12 Rydym am wybod a yw'r adroddiad hwn yn rhoi'r wybodaeth sydd ei hangen arnoch ac a yw'n hawdd ei ddeall. Cewch rannu eich safbwyntiau â ni drwy anfon e-bost atom yn [post@archwilio.cymru](mailto:post@archwilio.cymru) neu drwy ysgrifennu atom yn 24 Heol y Gadeirlan, Caerdydd, CF11 9LJ.



## Adroddiad manwl

Gan arddangos uchelgais yn ei weledigaeth, a chyda chydarweinyddiaeth a threfniadau llywodraethu mwy cadarn a didwyll, mae Cyngor Sir Caerfyrddin yn sicrhau canlyniadau gwell i'w ddinasyddion. Fodd bynnag, mae rhai dulliau wedi dyddio, a gallent arafu'r cynnydd



I raddau cynyddol, mae cydarweinyddiaeth yn cefnogi gweledigaeth ddiwygiedig ar gyfer Sir Gaerfyrddin ac yn cynnal diwylliant o welliant

### Yn ddiweddar, lansiodd y Cyngor weledigaeth ddiwygiedig, sy'n rhoi adfywio wrth wraidd popeth a wna

- 13 Mae gan y Cyngor ddealltwriaeth dda o'r cyd-destun lleol y mae'n gweithredu ynddo, sy'n seiliedig ar Gyd-asesiad Anghenion Strategol a hanes da o ymgysylltu'n effeithiol â chymunedau a rhanddeiliaid. Mae hyn yn cynnwys y Panel Dinasyddion, arolygon bodlonrwydd cwsmeriaid lleol a chenedlaethol, arolygon Fforymau Dros Hanner Cant, ymgysylltu â thenantiaid a sioeau teithiol i ymgynghori ar y gyllideb.
- 14 Dros y pedair blynedd diwethaf, mae gweledigaeth glir a sefydledig, gan gynnwys amcanion lefel uchel, wedi llywio gweithgarwch gwella'r Cyngor. Dyma'r amcanion hyn, a gymerwyd o Strategaeth Gymunedol Integredig (SGI) y Bwrdd Gwasanaethau Lleol:
- a mae pobl yn Sir Gaerfyrddin yn iachach;
  - b mae pobl yn Sir Gaerfyrddin yn gwireddu eu potensial i ddysgu;
  - c mae pobl sy'n byw ac yn gweithio yn Sir Gaerfyrddin, ac sy'n ymweld â'r Sir, yn ddiogel ac yn teimlo'n ddiogel;
  - ch mae cymunedau ac amgylchedd Sir Gaerfyrddin yn gynaliadwy; ac
  - d mae gan Sir Gaerfyrddin economi gryfach a mwy ffyniannus.
- Yn ogystal â hyn, mae'r Cyngor wedi cyhoeddi cyfres o werthoedd craidd i lywio'r modd y mae'n cyflawni ei fusnes. Ychwanegodd y Cyngor at y gyfres hon o werthoedd yn 2014 drwy bennu'r uchelgais i fod y 'Cyngor mwyaf agored a thryloyw yng Nghymru'.
- 15 Ar 9 Hydref 2015, lansiodd y Cyngor ei weledigaeth ddiwygiedig, gan osod adfywio wrth wraidd popeth a wna. Mae'r weledigaeth ddiwygiedig hon yn adeiladu ar lwyddiant y gorffennol ac yn amlinellu cyfres o chwech o brosiectau adfywio newydd ledled y sir. Drwy adeiladu ar y gorffennol, mae'r weledigaeth ddiwygiedig yn cydweddu'n dda ag amcanion lefel uchel presennol a phartneriaethau presennol, yn enwedig partneriaethau'r BGLI a Dinas-ranbarth Bae Abertawe.
- 16 Mae Aelodau'r Bwrdd gweithredol ac uwch swyddogion yn arddangos dealltwriaeth glir a thrylwyr o'r weledigaeth ddiwygiedig. Camau nesaf y Cyngor yw ymgysylltu â'r sylfaen ehangach o staff fel eu bod yn deall sut maent yn cyfrannu at yr uchelgais cyffredinol.

- 17 Yn ogystal ag adeiladu ar nodau blaenorol y Cyngor, mae'r weledigaeth yn cynnwys ymglymiad ac aliniad clir â gwaith Dinas-ranbarth Bae Abertawe a Grŵp Prifysgol Cymru y Drindod Dewi Sant. Mae'r Cyngor a Grŵp Prifysgol Cymru y Drindod Dewi Sant wedi llofnodi adduned i gydweithio. Mae'r adduned yn adlewyrchu nifer o feysydd lle ceir blaenoriaethau cyffredin:
- a datblygu cynaliadwy;
  - b atal tlodi a datblygiad economaidd a chymunedol;
  - c sgiliau a'r farchnad lafur;
  - ch menter ac arloesi; a
  - d diwylliant chwaraeon, twristiaeth a threftadaeth.
- 18 Y mae'r Cyngor a Grŵp Prifysgol Cymru y Drindod Dewi Sant yn aelodau o'r BGLI, ac ers ein hadolygiad mae'r Cyngor wedi cyfleu'r weledigaeth yn ffurfiol wrth y BGLI.

## Yn gynyddol, mae cydarweinyddiaeth yn ysgogi diwylliant o welliant parhaus

- 19 Ffurfiwyd gweinyddiaeth gyfredol y Cyngor ym mis Mai 2015, ac mae'n rhoi arweiniad a chyfarwyddyd cryf a chydlynol. Mae gan y Bwrdd Gweithredol ethos 'tîm' cryf, ac mae unigolion mwy profiadol yn mentora a chefnogi Aelodau newydd y Bwrdd Gweithredol.
- 20 Er y bydd etholiadau'n cael eu cynnal mewn dwy flynedd, mae'r weinyddiaeth newydd wedi mabwysiadu rhaglen waith bum mlynedd tymor hwy, gan bennu amserlen realistig i ysgogi newid a gwelliant.
- 21 Cafwyd newid sylweddol i'r Tîm Rheoli Corfforaethol (TRhC). Dros y 12 mis diwethaf, mae pedwar cyfarwyddwr wedi ymddeol, ac mae aelod arall o'r TRhC wedi symud i Gyngor arall: dim ond tri o aelodau'r TRhC sydd ar ôl. Mae'r Cyngor wedi achub ar y cyfle i leihau nifer y cyfarwyddwyr ac addasu eu cylchoedd gwaith, ond wedi cymryd amser i recriwtio'r 'bobl gywir i'r rolau cywir'. Ceir brwdfrydedd ac egni newydd yn y TRhC yn sgil y newidiadau.
- 22 Mae cylchoedd gwaith diwygiedig y cyfarwyddiaethau'n ysgogi gostyngiad cadarnhaol mewn seilos mewnol, gan ddod â gwasanaethau ynghyd. Enghraifft dda o hyn yw'r Gyfarwyddiaeth Cymunedau, sydd bellach yn cynnwys Gofal Sylfaenol, Cymunedol a Chymdeithasol, Iechyd Meddwl ac Anableddau Dysgu, Diogelu'r Cyhoedd a Thai a Hamdden a Chwaraeon. Mae cydleoli penaethiaid gwasanaeth hefyd yn esgor ar fanteision ychwanegol, ac yn amlygu effaith newidiadau yn un rhan o'r gyfarwyddiaeth ar y rhannau eraill.

- 23 Mae'r Bwrdd Gweithredol newydd a'r TRhC ar ei newydd wedd yn cydweithio'n dda â'i gilydd, mae perthnasoedd rhwng Aelodau a swyddogion yn adeiladol ac mae Aelodau'r Bwrdd Gweithredol yn herio swyddogion yn dda oddi mewn i ddiwylliant heb fai. Mae gweledigaeth ddiwygiedig y Cyngor yn amlwg yn eiddo i'r Bwrdd Gweithredol, ac mae Aelodau'r Bwrdd Gweithredol yn chwarae rhan weithredol wrth bennu blaenoriaethau, cynllunio busnes a nodi mannau lle gellir lleihau costau. Ceir amrywiaeth o wybodaeth i'w cefnogi yn y rôl hon, naill ai ar bapur neu drwy seminarau'r Aelodau.
- 24 Mae'r arweinyddiaeth hon, a gyflawnir fwyfwy ar y cyd, yn gysylltiedig â'r pwysau cyfredol ar gyllidebau, yn cyfrannu at ddatblygu diwylliant o newid ac arloesi ar draws y Cyngor. Mae hyn yn atgyfnerthu'r ffocws ar welliannau, ac yn creu parodrwydd i archwilio dulliau eraill o gyflenwi gwasanaethau.

Mae'r Cyngor wedi gwneud cynnydd da wrth sefydlu trefniadau llywodraethu gwell sydd bellach yn fwy cadarn a thryloyw. Serch hynny, ceir cyfleoedd am welliannau pellach er mwyn galluogi'r Aelodau i gyflawni eu rolau'n fwy effeithiol

### Mae'r Cyngor yn cynyddu tryloywder ei drefniadau llywodraethu

- 25 Un o amcanion gwella allweddol y Cyngor ar gyfer 2015-16 yw 'adolygu'r trefniadau ar gyfer llywodraethu, gwneud penderfyniadau, bod yn agored ac yn dryloyw', ac mae gan y Cyngor uchelgais cadarnhaol iawn sef bod y 'Cyngor mwyaf agored a thryloyw yng Nghymru'. Er mwyn cefnogi gwaith i gyflawni'r amcan gwella hwn, comisiynodd y Cyngor Gymdeithas Llywodraeth Leol Cymru (CLILC) i gynnal adolygiad cymheiriaid.
- 26 Yn dilyn hyn, mae'r Cyngor wedi cyflwyno sawl newid i'w drefniadau llywodraethu, gan gynnwys:
- gwe-ddarledu cyfarfodydd y Cyngor, y Bwrdd Gweithredol a'r Pwyllgor Cynllunio;
  - cyflwyno eitem sefydlog ar gyfarfodydd y Cyngor, y Bwrdd Gweithredol a'r Pwyllgor Craffu ar gyfer cwestiynau gan y cyhoedd a chynghorwyr; ac
  - adolygu ei weithdrefn galw i mewn er mwyn galluogi unrhyw dri o Aelodau'r Cyngor i alw penderfyniad a wnaed gan y Weithrediaeth i mewn.
- 27 Mae perthnasoedd cyffredinol rhwng yr Aelodau, a rhwng swyddogion a'r Aelodau yn gwella, ac fe geir perthynas waith adeiladol rhwng y Bwrdd Gweithredol a'r TRhC. Mae'r Aelodau Gweithredol hefyd yn cymryd mwy o berchnogaeth ar eu portffolios, er enghraifft, mae disgwyl iddynt bellach gyflwyno adroddiadau yng nghyfarfodydd y Bwrdd Gweithredol, ac maent wedi cymryd rhan yn y gwaith o herio cynlluniau busnes meysydd gwasanaeth oddi mewn i'w portffolios. Wrth i Aelodau'r Bwrdd Gweithredol ennill profiad, mae'r cysylltiadau rhwng blaenoriaethau deiliaid portffolio unigol a blaenoriaethau corfforaethol y Cyngor yn dod yn gliriach iddynt.
- 28 Er bod y Cyngor wedi gwneud cynnydd, ceir lle o hyd i wella tryloywder rhai agweddau ar drefniadau'r Cyngor. Er enghraifft, nid yw'r Cyngor yn cyhoeddi cofnodion penderfyniadau a gaiff eu dirprwyo i swyddogion unigol, ac mae'r Pwyllgor Archwilio a'r Pwyllgor Gwasanaethau Democrataidd yn dal heb ddatblygu rhaglenni gwaith i'r dyfodol. Mae rhaglenni gwaith i'r dyfodol pwyllgorau trosolwg a chraffu'r cyngor yn cael eu cyhoeddi ar wefan y Cyngor. Fodd bynnag, wrth eu harchwilio canfuom nad yw'r rhain wedi cael eu diweddarau ers tro, a'u bod wedi nodi'n fersiynau 'drafft' o hyd.

## Mae'r Cyngor yn atgyfnerthu ei ddull o hyfforddi a datblygu'r Aelodau, ond mae angen cyflwyno gwelliannau pellach er mwyn cynorthwyo'r Aelodau i gyflawni eu rolau penodol yn effeithiol oddi mewn i drefniadau llywodraethu'r Cyngor

- 29 Mabwysiadodd y Cyngor Strategaeth Datblygu'r Aelodau yn 2013, ac y mae wedi darparu amrywiaeth o hyfforddiant i'r Aelodau etholedig, ac mae'r hyfforddiant i Aelodau sy'n eistedd ar y Pwyllgor Cynllunio a Thrwyddedu'n orfodol. Mae'r Cyngor hefyd wedi enwebu Aelod o'r Bwrdd Gweithredol i hyrwyddo cyfleoedd hyfforddi a datblygu Aelodau etholedig. Fodd bynnag, clywsom farn gymysg ynghylch effeithiolrwydd ac argaeledd yr hyfforddiant i Aelodau etholedig hyd yma. Roedd rhai o'r Aelodau'n fodlon eu bod yn derbyn hyfforddiant ar gais, ond credai eraill y byddai'n fuddiol cael hyfforddiant ychwanegol, yn enwedig mewn perthynas â rolau penodol yr oedd yr Aelodau'n eu cyflawni o fewn y Cyngor.
- 30 Enghraifft o'r diffyg eglurder a geir ymhlith yr Aelodau ynghylch rolau yw rôl Aelodau'r Bwrdd Gweithredol yn y broses craffu. Mae'r Cyfansoddiad yn disgrifio rôl Aelodau'r Bwrdd Gweithredol ac uwch swyddogion, a'r hyn a ddisgwylir ganddynt mewn cyfarfodydd pwyllgorau craffu. Mae'r Cyngor wedi cytuno y bydd Aelodau'r Bwrdd Gweithredol yn bresennol mewn cyfarfodydd pwyllgorau craffu i gyflwyno adroddiadau a gofyn cwestiynau. Er gwaethaf hyn, yn ymarferol canfuom fod dryswch o hyd ymhlith Aelodau etholedig ynghylch rôl Aelodau'r Bwrdd Gweithredol mewn cyfarfodydd pwyllgorau craffu, a bod y rhan fwyaf o gwestiynau yn y cyfarfodydd hynny wedi cael eu cyfeirio at swyddogion hyd yma, yn hytrach nag at Aelodau'r Bwrdd Gweithredol. Nid yw Aelodau'r Bwrdd Gweithredol yn achub ar y cyfle i gamu i mewn i'r drafodaeth.
- 31 Mae Cyfansoddiad y Cyngor hefyd yn cynnwys trefniadau clir i Aelodau'r Bwrdd Gweithredol ymateb i'r argymhellion a geir gan bwyllgorau craffu, gan gynnwys gofyniad i nodi'r rhesymau dros wrthod argymhelliad. Fodd bynnag, clywsom rai pryderon nad oedd rhesymau'n cael eu rhoi bob tro wrth wrthod argymhellion.
- 32 Ceir enghreifftiau o waith craffu effeithiol, gan gynnwys gwaith y grwpiau gorchwyl a gorffen, ee, adolygiad o gartrefi gwag a arweiniodd at gyflwyno sawl argymhelliad i'r Bwrdd Gweithredol. Fodd bynnag, nid wnaeth holl bwyllgorau craffu'r Cyngor sefydlu grŵp gorchwyl a gorffen yn ystod 2014-15.

- 33 Ceir diffyg eglurder ar adegau ynghylch diben rhai o'r eitemau a ystyrir gan bwyllgorau craffu, gyda sawl adroddiad yn cael ei 'dderbyn' heb unrhyw ganlyniad clir o'r trafodaethau. Gallai'r diffyg eglurder ynghylch diben eitemau craffu a'r diffyg rhyngweithio rhwng Aelodau'r Bwrdd Gweithredol a'r pwyllgorau craffu leihau gallu'r pwyllgorau craffu i ddwyn y Weithrediaeth i gyfrif yn effeithiol. Dyma gyfle i gadeiryddion/Aelodau craffu gynyddu eu perchnogaeth ar yr agenda ac ar gynnwys a ffocws y rhaglenni gwaith i'r dyfodol.
- 34 Mae'r Cyngor wedi trefnu cyfleoedd i'r cyhoedd ymgysylltu â phwyllgorau craffu, gan fod y cyhoedd yn gallu gofyn am gael cynnwys eitemau ar agendâu'r pwyllgorau craffu, a hefyd yn cael gofyn cwestiynau mewn cyfarfodydd pwyllgorau craffu. Fodd bynnag, yr oedd rhai o'r Aelodau'n cydnabod bod cynnwys y cyhoedd yn y broses graffu yn faes y gellid ei wella.
- 35 Ceir cyfleoedd i atgyfnerthu gweithrediad Pwyllgor Archwilio'r Cyngor ac i sicrhau ei fod yn cyflawni ei gylch gwaith<sup>1</sup>, ee, drwy sicrhau bod y Pwyllgor yn derbyn copi o'r holl adroddiadau rheoleiddiol, drwy sicrhau ei fod yn ystyried adroddiadau ariannol, risg a thwyll, a thrwy gynyddu'r wybodaeth a rennir â'r pwyllgor ynghylch cofrestr risgiau'r Cyngor ac eitemau cyfyngedig.

## Cynnig ar gyfer Gwella

### C1 Llywodraethu:

- Datblygu rhaglenni gwaith i'r dyfodol er mwyn sicrhau bod yr holl bwyllgorau priodol wedi cyhoeddi rhaglen gyfredol sy'n eiddo i Aelodau pwyllgor.
- Cyhoeddi cofrestr o benderfyniadau sydd wedi'u dirprwyo.
- Datblygu a chyflwyno hyfforddiant i helpu Aelodau i ddeall eu rolau a'u cyfrifoldebau, a gloywi'r hyfforddiant a gyflwynwyd wrth i Aelodau symud o'r naill rôl i'r llall.
- Adolygu cylch gorchwyl y Pwyllgor Archwilio er mwyn sicrhau ei fod yn cyflawni'n unol â'r disgwyliadau ar ei gyfer.

Mae trefniadau'r Cyngor ar gyfer rheoli ei adnoddau wedi gweithio'n dda yn y gorffennol, ond mae'r dull cyfredol wedi dyddio mewn rhai meysydd ac yn ddatgymalog, a gallai hyn arafu'r cynnydd tuag at sicrhau canlyniadau gwell i ddinasyddion

**Nid oes cysylltiadau clir rhwng cynlluniau gwasanaeth a chynlluniau ariannol, nid yw arbedion unigol yn cael eu monitro'n rheolaidd, ac mae gwendidau wrth reoli grantiau'n parhau i fod yn destun pryder. Gallai hyn amharu ar allu'r Cyngor i ymateb i heriau ariannol y dyfodol**

- 36 Mae'r Cyngor yn ymgynghori'n helaeth ar gynigion ar gyfer arbedion cyllidebol, a gwnaed tybiaethau cynllunio cynhwysfawr a rhesymol wrth bennu'r diffyg yng nghyllideb y Cyngor ar gyfer 2015-16. Yn ogystal â hyn, mae'r Cyngor wedi defnyddio amrywiaeth o senarios a dadansoddiadau sensitifwydd i fodelu amcanestyniadau ar gyfer diffygion cyllidebol y cyfnod 2016-17 hyd 2018-19. Fodd bynnag, nid yw'r Cyngor ond yn cynnal ychydig o gymariaethau meincnodi/gwerth am arian yn gysylltiedig â gwasanaethau penodol wrth bennu'r gyllideb, datblygu ei arbedion effeithlonrwydd ac ar raddfa ehangach o ran costau ac incwm y Cyngor. Mae hyn yn cyfyngu ar y cyfle i drafod meysydd lle gellid cael costau uchel / taliadau isel. Mae'r Cyngor wedi datgan ei fod yn diweddarau ei ddull o weithredu drwy ddatblygu hyn yn rhan o'r broses o bennu'r gyllideb ar gyfer 2016-17.
- 37 Mae gan y Cyngor hanes da o ran bodloni cyllidebau blynyddol yn erbyn y camau cynlluniedig a gymeradwywyd ganddo. Mae cynlluniau a threfniadau'r Cyngor i sicrhau arbedion yn addas i'r diben ac yn cael eu rheoli'n effeithiol. Mae'r broses o bennu'r gyllideb yn enwedig yn gadarn ac amserol, ac yn cynnwys ymgysylltu da â'r Aelodau. Fodd bynnag, nid oes cysylltiadau eglur rhwng cynlluniau gwasanaeth a chynlluniau ariannol, ac nid yw'r broses o gynllunio gwasanaethau a phennu cyllidebau wedi'u halinio'n llwyr â'i gilydd. Oherwydd lefel yr arbedion sydd eu hangen dros y blynyddoedd nesaf, mae'r Cyngor yn cydnabod ei bod hi'n bwysig iddo ddiweddarau ei ddull o weithredu drwy sicrhau cysylltiadau eglur rhwng cynlluniau busnes a chynlluniau ariannol. Mae'r Cyngor hefyd yn ceisio alinio'r broses fusnes â'r broses o bennu'r gyllideb ar gyfer 2016-17.
- 38 Mae'r Cyngor yn monitro ei gyllideb bob yn ddeufis gan gyflwyno adroddiadau i'r Bwrdd Gweithredol a'r TRhC cyn eu cyflwyno gerbron y pwyllgorau craffu perthnasol. Mae'r adroddiadau'n darparu gwybodaeth ariannol gywir a digonol, ynghyd â sylwebaeth fel bo modd herio gwariant sy'n wahanol i'r gyllideb gymeradwy. Fodd bynnag, nid oes digon o dryloywder ynghylch y cynnydd wrth sicrhau arbedion cyllidebol, gan na cheir adroddiadau unigol ar gyflawni arbedion cyllidebol a'r risgiau cysylltiedig. Yn ogystal â hyn, dywedodd rhai o'r Aelodau fod yr wybodaeth am y gyllideb yn rhy gymhleth, a bod angen mwy o gefnogaeth er mwyn sicrhau eu bod yn deall yr wybodaeth ariannol yn ddigon da er mwyn gwneud penderfyniadau effeithiol.
- 39 Ni adroddir unrhyw ddangosyddion perfformiad wrth fonitro cyllidebau, ac ni chaiff adroddiadau ar berfformiad eu derbyn ochr yn ochr ag adroddiadau monitro cyllidebau ariannol, fel bo modd dadansoddi'r 'gwasanaeth cyfan'. Nid oes cysylltiadau clir wedi'u creu felly rhwng gwybodaeth ariannol a gwybodaeth am berfformiad, ee, effaith perfformiad gwasanaethau ar berfformiad ariannol ac fel arall.



- 40 Mae'r Cyngor mewn sefyllfa gref o ran cronfeydd wrth gefn 'defnyddadwy' ac wedi cynyddu'r rhain yn ystod y blynyddoedd diwethaf fel eu bod yn cynnwys oddeutu £123 miliwn ar ddiwedd 2014-15. Nid oes gan y Cyngor bolisi ar gyfer cronfeydd wrth gefn, ond mae ganddo bolisi i gadw balans Cronfa'r Cyngor oddi mewn i dri y cant o'i wariant referniw net, ac mae'n llwyddo yn hynny o beth. Caiff cronfeydd wrth gefn eu hadolygu'n flynyddol wrth bennu cyllideb flynyddol y Cyngor. Fodd bynnag, dywedodd rhai Aelodau nad oedd digon o wybodaeth am gronfeydd wrth gefn na'r penderfyniadau ynghylch y defnydd ohonynt. Fodd bynnag, ers ein hadolygiad mae aelodau o'r TRhC wedi rhoi cyflwyniad i rai o'r aelodau ar y cronfeydd wrth gefn.
- 41 Nid oes gan y Cyngor bolisi ffurfiol ar gyfer cynhyrchu incwm/codi tâl ar wahân i bolisi y bydd yr holl ffioedd a'r taliadau'n codi bob blwyddyn i gyd-fynd â chwyddiant o leiaf, oni cheir achos busnes fel arall. Mae'r Cyngor yn adolygu ei bolisi yn y maes hwn, ac argymhellwyd yn ein Hadroddiad Asesu Ariannol 2014-15 y dylid cwblhau'r gwaith er mwyn sicrhau ei fod yn parhau i fod yn berthnasol ac yn cyfrannu at y penderfyniadau a wneir i ymdrin â phwysau ar gyllid dros y blynyddoedd nesaf. Fodd bynnag, mae'r adolygiad cynhyrchu incwm/codi tâl yn dal heb ei gwblhau.

### Mae gwendidau wrth reoli grantiau'n parhau i fod yn destun pryder

- 42 Mae'r Cyngor yn rheoli llawer o gynlluniau/brosiectau y mae wedi llwyddo i ennill cyllid grant ar eu cyfer. Yn 2013-14, derbyniwyd dros £350 miliwn o gyllid grant ar gyfer oddeutu 170 o gynlluniau. Mae hi felly'n bwysig bod gan y Cyngor systemau a rheolaethau cadarn i reoli grantiau, gan gynnwys Pwyllgor Archwilio rhagweithiol sy'n dwyn swyddogion i gyfrif, er mwyn sicrhau bod arian yn cael ei wario mewn modd priodol ac effeithlon, a chydymffurfio ag amodau grant perthnasol. Canlyniadau posibl peidio gwneud hynny fyddai colli cyllid grant, neu fod y darparwyr grant yn hawlio'r cyllid hwnnw'n ôl, herio gan bartïon allan, a'r cyhoeddusrwydd gwael cysylltiedig.
- 43 Ers sawl blwyddyn, rydym wedi adrodd gwendidau ym mhrosesau rheoli grantiau'r Cyngor yn rhan o'n gwaith archwilio ariannol. Mae'r Adran Archwilio Mewnol hefyd wedi adrodd problemau tebyg yn gysylltiedig â rheoli grantiau yn ei raglen waith. Mae'r Cyngor wedi dechrau datrys y gwendidau hyn, ond mae angen iddo ymdrin â'r gwendidau sy'n weddill fel mater o flaenoriaeth.

### Ni chedwir at drefniadau caffael bob amser

- 44 Yn ystod y blynyddoedd diwethaf, rydym wedi adrodd ar nifer o wendidau wrth gaffael. Mae rhai o'r rhain yn gysylltiedig â'r materion rheoli grant a nodir uchod, ond nid yw gwendidau wrth gaffael wedi'u cyfyngu i grantiau yn unig. O'r gwaith hwn, canfuom y problemau canlynol:
- a diffyg cydymffurfio â rheolau caffael, gan gynnwys gweithrediadau tendr sengl a'r angen am gymeradwyaeth ôl-weithredol mewn rhai achosion;

- b nid chedwir unrhyw restr o weithrediadau tendr sengl nac o gymeradwyaethau ôl-weithredol ac ni adroddir ynghylch hynny wrth y Pwyllgor Archwilio;
- c nid oes unrhyw Gofrestr Tendrau i gofnodi canlyniadau tendrau, hy, pwy a gyflwynodd gais a phwy fu'n llwyddiannus, nac ychwaith unrhyw grynodedb o'r tendr gan olygu ei bod hi'n anodd dadansoddi tueddiadau a chyfraddau llwyddo – mae hyn yn groes i arfer da;
- ch nid oes unrhyw Gofrestr Contractau gyflawn i gofnodi'r holl gontractau a ddelir gan y Cyngor a manylion y contractau hynny, ee, natur, hyd y contract, dyddiad diweddu ac ati; ac
- d mae'r trefniadau ar gyfer defnyddio contractau fframwaith y Cyngor yn amrywio, gyda rhai'n defnyddio fframweithiau bach, rhai'n defnyddio contractau yn ôl y gofyn ac ati, ac mae angen eglurder ynghylch hyn.

## Cynnig ar gyfer Gwella

### C2 Y Defnydd o Adnoddau - Cyllid:

- Datblygu cysylltiadau mwy eglur rhwng y cynllun ariannol tymor canolig (CATC) a chynlluniau gwella'r Cyngor, gan fanylu ar effaith cyfyngiadau ariannol ar ganlyniadau i ddinasyddion.
- Datblygu a defnyddio meincnodau a Dangosyddion Gwerth am Arian wrth bennu cyllidebau, er mwyn creu sail well wrth wneud penderfyniadau, a chreu cyfleoedd pellach i drafod a herio costau presennol, gan ganfod arbedion effeithlonrwydd pellach o bosib.
- Gwella adroddiadau ariannol drwy:
  - datblygu cysylltiadau cliriach rhwng perfformiad ariannol a pherfformiad gwasanaethau, gan gynnwys llunio cyd-adroddiadau ar arian a pherfformiad i'r Aelodau;
  - monitro ac adrodd ar dargedau arbed unigol er mwyn sicrhau bod meysydd lle cyflawnir yn well neu'n waelach na'r disgwyl yn cael eu nodi'n glir, fel bo modd herio'n effeithiol, cymryd camau unioni a rhannu arfer da;
  - darparu gwybodaeth ddigonol am gronfeydd wrth gefn a thrywydd archwilio clir ar gyfer penderfyniadau ynghylch y cronfeydd hynny; a
  - chysylltu â'r Aelodau er mwyn sicrhau bod gwybodaeth ariannol yn cydfynd â'u hanghenion.
- Atgyfnerthu trefniadau caffael drwy:
  - adolygu'r rhesymau dros beidio cydymffurfio â gweithdrefnau a chymryd camau unioni er mwyn atal hynny rhag digwydd eto;
  - llunio a chadw Cofrestr Tendrau a Chofrestr Contractau;
  - llunio a chadw rhestr o weithrediadau tendr sengl, ac adrodd yn rheolaidd arni wrth y Pwyllgor Archwilio; ac
  - adolygu'r gwahaniaethau yn y defnydd o gontractau fframwaith y Cyngor er mwyn ysgogi proses fwy cyson.

## Mae dull y Cyngor o reoli pobl yn gweithio'n dda, ac mae'n mynd i'r afael â rhai o'r prif feysydd y mae angen eu hatgyfnerthu, fel cynlluniau strategol y gweithlu

Mae Grŵp Strategaeth Pobl y Cyngor wedi datblygu Strategaeth Pobl glir, ond nid yw hon wedi'i hymwreiddio'n effeithiol ac mae cynllun busnes yr is-adran Rheoli Pobl a Pherfformiad yn wan

- 45 Mae Grŵp Strategaeth Pobl (GSP) y Cyngor yn effeithiol ac wedi bod yn gyfrifol am ddatblygu Strategaeth Pobl newydd y Cyngor sy'n cyfleu dwy weledigaeth glir. Mae'r naill yn amlinellu sut mae'r Cyngor am reoli a thrin pobl a'r llall yn cyfleu uchelgais y Cyngor o ran sut mae'n gobeithio y bydd y gweithlu'n teimlo yn sgil hynny. Fodd bynnag, nid yw'r strategaeth wedi'i hymwreiddio yn niwylliant y sefydliad eto, gan nad oedd llawer o swyddogion yn gallu rhoi eglurhad clir o'r weledigaeth gyffredinol.
- 46 Ochr yn ochr â'r strategaeth, mae'r Cyngor wedi datblygu ystod o ddangosyddion y bydd yn eu defnyddio i asesu a yw'n gwneud cynnydd tuag at nodau'r Strategaeth Pobl. Fodd bynnag, mae sawl mesur yn rhy amwys, gan olygu ei bod yn anodd asesu uchelgais a chynnydd y Cyngor.
- 47 Mae'r cynllun busnes Rheoli Pobl a Pherfformiad (RhPPh) yn ddryslyd ac yn anodd ei ddarllen gan olygu ei bod yn anodd deall sut y bydd pum uned fusnes yr is-adran yn cydweithio, neu'n gweithio'n unigol, i gyflawni'r nodau strategol. Fel y mesurau sy'n cefnogi'r strategaeth, nid yw'r camau gweithredu sydd wedi'u cynnwys yn y cynllun yn benodol, yn fesuradwy nac wedi'u cyfyngu gan amser, gan olygu ei bod hi'n anodd dwyn rheolwyr i gyfrif. Fodd bynnag, mae'r Cyngor yn gweithio i greu cyfres o fetrigau y gellir eu defnyddio i fesur perfformiad yn well yn y dyfodol.
- 48 O bosib o ganlyniad i wendidau'r cynllun busnes RhPPh, mae'r unedau usnes Dysgu a Datblygu a Ffit i Weithio oddi mewn i'r Is-adran RhPPh wedi llunio'u strategaethau a'u cynlluniau gweithredu eu hunain. Fodd bynnag, mae'r rhain yn creu mwy o ddryswch eto.

## Mae'r Cyngor yn gweithredu mentrau'n llwyddiannus mewn sawl maes er mwyn cynyddu galluogrwydd pobl a chyflawni nodau Strategaeth Pobl y Cyngor

- 49 Mae gan y Cyngor amrywiaeth eang o bolisiau rheoli pobl sy'n hygyrch, o ansawdd da ac wedi'u hysgrifennu'n dda. Cefnogir y rhain gan ganllawiau clir i reolwyr.
- 50 Mae'r Cyngor wedi cael cryn lwyddiant wrth wella'i berfformiad o ran absenoldeb salwch. Canlyniad dull cydgysylltiedig rhwng RhPPh a'r pwyllgor craffu Polisi ac Adnoddau (PacA). Sefydlodd y pwyllgor PacA grŵp Gorchwyl a Gorffen, ac un o argymhellion y grŵp oedd sefydlu Tîm Presenoldeb dynodedig. Mae'r tîm hwn, ynghyd â chefnogaeth gadarn ac effeithiol gan F4W wedi helpu i wella lefelau salwch o 11.3 i 9.6 o ddiwrnodiau fesul swydd CALI dros y ddwy flynedd ddiwethaf.

- 51 Mae uned busnes DaD wedi cwblhau llawer o waith effeithiol er mwyn datblygu gweithlu'r Cyngor, gan gynnwys ystod o raglenni rheoli a datblygu doniau. Fodd bynnag, gallai'r Cyngor fod yn methu cyfle o beidio defnyddio'r cyfleuster Dysgu Undebau Llafur.
- 52 Yn gysylltiedig â hyn, mae'r Cyngor wedi adolygu ei broses recriwtio ar gyfer uwch benodiadau, drwy gyflwyno proses drylwyr lle caiff ymgeiswyr eu hasesu yn erbyn y fframwaith cymhwysedd arwain newydd.
- 53 Mae proses arfarnu sefydledig ar waith, ac er mwyn annog defnydd ohoni mae'r Cyngor yn dweud iddo seilio'r broses arfarnu ar drafodaethau rheolaidd o ansawdd rhwng rheolwyr llinell a'u haelodau tîm. Fodd bynnag nid oes gan yr holl staff arfarniadau, ac mae rhai rheolwyr yn dal i weithredu model arfarnu ar y cyd nad yw'n cynrychioli arfer da.
- 54 Mae presenoldeb pob uned fusnes yng nghyfarfodydd y Tîm Rheoli Adrannol (TRhA) yn dangos cefnogaeth ac ymrwymiad yr Is-adran RhPPH tuag at yr adrannau, a hefyd yn ychwanegu gwerth drwy gynnig arbenigedd, gwybodaeth am berfformiad ac elfen o her.
- 55 Mae cydleoï'r Is-adran RhPPH yn esgor ar fanteision, gan gynnwys ymdeimlad cryfach o 'dîm' a chynyddu cyfathrebu a rhyngweithio rhwng aelodau RhPPH. Mae'r Adran Gyflogres hefyd wedi cael ei chydleoï ond yn dal i gael ei rheoli gan y gwasanaeth cyllid. Mae'r Is-adran RhPPH wedi bod yn cynllunio i ad-drefnu ers dwy flynedd o leiaf. Mae'r cynlluniau ad-drefnu'n cynnwys cyflwyno un man cyswllt ar gyfer ymholiadau Cefnogaeth Cyflogres AD drwy Ddesg Gymorth. Ni cheir sicrwydd ar hyn o bryd ynghylch pryd fydd yr ymarfer ad-drefnu'n cael ei gwblhau, yn enwedig i rai ar gontractau dros dro. Mae hynny'n destun rhwystredigaeth i swyddogion, ac yn ffactor hollbwysig er mwyn sicrhau effeithlonrwydd ac effeithiolrwydd y gwasanaeth yn y dyfodol.

### Gan gydnabod yr angen i atgyfnerthu cynlluniau'r gweithlu, mae'r Cyngor wedi datblygu pecyn cymorth i gasglu gwybodaeth gyson am y gweithlu

- 56 Mae'r Cyngor wedi cydnabod na fu cynllunio'r gweithlu ymhlith ei gryfderau ers peth amser, ac wedi cynnwys risg cynllunio'r gweithlu ar y Gofrestr Risgiau Corfforaethol, yn rhannol oherwydd cylchoedd dilynol o brosesau diswyddo. O ganlyniad i hyn, mae'r Is-adran RhPPH wedi datblygu Pecyn Cymorth Cynllunio'r Gweithlu i Reolwyr. Â phroses flynyddol yn gysylltiedig â datblygu cynlluniau busnes 2016-17, bydd cynlluniau gweithlu'r gwasanaethau'n cael eu cydgasglu i greu cynllun gweithlu corfforaethol erbyn mis Gorffennaf 2016.
- 57 Mae'r Cyngor wedi cynnal tri chynllun diswyddo ac erbyn hyn ar ei bedwerydd. Mae'r pedwerydd cynllun hwn yn seiliedig ar gynllun tair blynedd yn hytrach na chynllun blwyddyn o hyd; felly mae'n cyd-fynd yn well â chynlluniau gweithlu tymor hwy.

**Mae gan y Cyngor nifer o systemau gwybodaeth i gefnogi'r Is-adran RhPPH; fodd bynnag, nid yw'r Cyngor yn sicrhau'r gwerth gorau, a gallai rhannu gwybodaeth am gyflogeion rhwng systemau achosi risg i'r Cyngor**

- 58 Mae system gyflogres AD Northgate Resoucre Link wedi bod ar waith ers un ar ddeg o flynyddoedd ac wedi cael ei diweddarau'n rheolaidd er mwyn sicrhau cydymffurfiaeth gyfreithiol a gwella swyddogaethau'r system. Fodd bynnag, nid yw'r system wedi cael ei datblygu mor effeithiol ag y gallai fod wedi bod. Er enghraifft, ni chaiff ei defnyddio ar gyfer y broses arfarnu, i gofnodi datblygiad proffesiynol parhaus, nac i reoli doniau. O ganlyniad i hyn, mae'r Cyngor yn gwario mwy o amser yn cyflawni'r tasgau hyn yn ymarferol.
- 59 Prin yw'r defnydd ymhlith cyfarwyddwyr, penaethiaid gwasanaeth a staff AD o'r system adrodd Insight. Gofynnwyd i swyddogion AD ddarparu manylebau ar gyfer adroddiadau, ond ni wnaethant gymryd rhan yn y broses hon, gan gynyddu'r canfyddiad a fynegir yn gyffredinol ei bod hi'n anodd cael adroddiadau o systemau gwybodaeth AD.
- 60 Defnyddir system rheoli dogfennau Information@Work hefyd i gadw gwybodaeth benodol yn seiliedig ar bersonél ar gyfer cyflogeion. Mae'r cofnodion yn Information@Work yn cyflenwi'r wybodaeth a gedwir yn y Cyswllt Adnodd gan olygu bod cofnodion personél yn cael eu cynnwys mewn dwy system electronig ar wahân nad ydynt wedi'u hintegreiddio. Deallir bod gan y Cyngor hefyd ffeiliau achos papur, sy'n gwario dull hen ffasiwn y RhPPH o gadw cofnodion ymhellach, ac mae hynny yn gyfunol yn achosi risg i'r Cyngor.

**Mae'r trefniadau ar gyfer cyfathrebu oddi mewn i RhPPH a chyda'r Cyngor ehangach yn gymhleth, ac nid ydynt yn effeithiol bob tro**

- 61 Er bod cyfarfodydd ar gyfer pob is-dîm, nid yw'r is-adran RhPPH yn cyfarfod yn ei chyfanrwydd. Byddai cyfarfod fel grŵp o gymorth i rannu negeseuon ar lefel strategol, gan ei bod hi'n amlwg yn ôl gwybodaeth y swyddogion ar hyn o bryd fod yr adborth hwn yn wannach na'r adborth gweithredol.
- 62 Mae'r rheolwr Cyfathrebu'n cydweithio'n agos â'r is-adran RhPPH i hyrwyddo cyfathrebu ac ymgysylltu â staff ar draws y Cyngor cyfan. Fodd bynnag, er ei bod hi'n glir bod y Cyngor yn rhoi pwys mawr ar reoli pobl yn dda i gynhyrchu gweithlu cyfranogol a deallus, y mae'n eu llethu â gormod o negeseuon, ac yn cyfleu'r negeseuon hynny drwy ormod o wahanol gyfryngau. Oherwydd hyn, gallai negeseuon allweddol gael eu colli, a gallai'r gweithlu fod yn ddall i fentrau a newidiadau ym maes rheoli pobl.

## Cynnig ar gyfer Gwella

### C3 Y Defnydd o Adnoddau - Pobl:

- Cwblhau a gweithredu'r strwythur diwygiedig ar gyfer yr Is-adran RhPPH.
- Sicrhau bod gan bob aelod o staff arfarniad unigol o berfformiad bob blwyddyn.
- Symleiddio mecanweithiau cyfathrebu oddi mewn i'r RhPPH, a'r rhai a ddefnyddir ar gyfer cyfathrebu â'r gweithlu ehangach ynghylch mentrau rheoli pobl.
- Adolygu'r cyfarpar a'r systemau TGCh a ddefnyddir oddi mewn i'r RhPPH ac ysgogi datblygiadau er mwyn cyflawni'r canlynol o leiaf:
  - cofnod personél unigol;
  - hunanwasanaeth effeithiol;
  - gweithio ystwyth ar gyfer swyddogion RhPPH;
  - cyfathrebu â Grŵp y Strategaeth TGCh ynghylch gofyniad busnes clir ar gyfer TGCh; a
  - defnydd mwy effeithiol o'r system adrodd Insight.

## Mae sawl ffactor yn amharu ar allu'r Cyngor i reoli ei sylfaen o asedau'n effeithiol ar hyn o bryd

- 63 Mae gan y Cyngor Gynllun Rheoli Asedau Corfforaethol (CRhAC) sy'n trafod y cyfnod 2013-2016. Mae'r cynllun hwn yn cael ei adolygu ar hyn o bryd i gynnwys 2016-2019 cyn ymgynghori'n ehangach arno. Mae Cynlluniau Rheoli Asedau Gwasanaethau (CRhAG) yn helpu i gyfrannu at y CRhAC ond mae ansawdd y rhain yn amrywio a'r cysylltiadau rhwng y CRhAG a'r CRhAC yn wan. Cyflwynir mân ddiweddariadau blynyddol i'r CRhAC ond ni chyflwynir adroddiadau clir am y rhain wrth yr Aelodau.
- 64 Prin yw'r wybodaeth a gedwir gan y Cyngor ynghylch cyflwr adeiladau. Pennir categori cyffredinol ar gyfer cyflwr yr ased yn y data arolwg cyflwr (sef gradd A - D), ond nid yw'r data'n rhoi amcangyfrif o'r gost o wella'r eiddo hyd at safon dderbyniol. Mae hyn yn amharu ar y gallu i wneud penderfyniadau effeithiol.
- 65 Gan gydnabod yr angen i leihau'r gofod swyddfa a ddefnyddir ganddo, mae'r Cyngor wedi llunio Strategaeth Swyddfeydd ar gyfer 2014-17. Nod y strategaeth yw lleihau nifer y swyddfeydd ar brydles ac unrhyw swyddfeydd eilaidd, gan olygu bod gan y Cyngor bortffolio llai o eiddo sydd mewn cyflwr da ac yn addas i'r diben. Mae'r Cyngor wedi sicrhau gostyngiad o fwy na 11 y cant (34,462m<sup>2</sup> i 30,522m<sup>2</sup>), yn arwynebedd llawr ei swyddfeydd rhwng 2012-13 a 2014-15, ynghyd â gostyngiadau pellach yn ystod y flwyddyn gyfredol. Drwy leihau gofod swyddfa, dywed y Cyngor ei fod wedi arbed oddeutu £225,000 mewn costau refeniw a bod hynny hefyd wedi arwain at bron i £450,000 o dderbyniadau cyfalaf. Mae'r ymarfer rhesymoli hwn hefyd yn esgor ar fanteision ychwanegol yn sgil cydleoli staff, gan helpu i effeithloni'r modd y bydd pobl yn gweithio.

- 66 Mae gan y Cyngor Bolisi Gweithio Hyblyg (a gyhoeddwyd ym mis Gorffennaf 2010), sy'n cydnabod y gall gweithio yn y modd hwn fod o gymorth i leihau anghenion y Cyngor o ran swyddfeydd. Er nad yw seilwaith TGCh wedi gallu cefnogi'r dull modern hwn o weithio mewn modd effeithiol, mae prosiect ar y gweill ar hyn o bryd i weithredu Seilwaith Bwrdd Gwaith Rhithiol. Mae peilot llwyddiannus eisoes wedi cael ei gynnal gyda'r Tîm Troseddau leuenctid sydd wedi'i leoli yn Llanelli.
- 67 Er bod marchnad eiddo wan wedi arafu'r gwerthu, bu modd i'r Cyngor ragori'n sylweddol ar ei darged ariannol ar gyfer gwaredu asedau, gan sicrhau £6.7 miliwn o dderbyniadau cyfalaf nad oeddent yn gysylltiedig â thai yn ystod 2014-15 (yn erbyn targed o £2.28 miliwn). Deilliai hyn o werthu tir yn Natblygiad Gorllewin Cross Hands. Er mwyn cynllunio'n well ar gyfer y dyfodol, mae'r Cyngor wedi llunio strategaeth bum mlynedd o hyd ar gyfer derbyniadau cyfalaf.
- 68 Mae'r Cyngor yn ystyried bod cydweithio ar asedau gyda phartneriaid eraill o'r sector cyhoeddus yn faes lle gellir cyflwyno gwelliannau pellach. Mae'r BGLI yn ystyried sefyllfaoedd lle gall partneriaid rannu strategaethau eiddo a hyrwyddo gwaith i bennu cyfleoedd i gydweithio ym maes eiddo. Y mae cyfleoedd i rannu adeiladau eisoes ymhlith y manteision sy'n gysylltiedig â hyn. Fodd bynnag, nid yw'r holl bartneriaid yn mynychu'r cyfarfodydd hyn yn rheolaidd, gan gyfyngu ar eu heffeithiolrwydd.
- 69 Mae'r Cyngor hefyd yn mynd ati i ddatblygu polisi i Drosglwyddo Asedau Cymunedol. I gefnogi'r broses hon, mae'r Cyngor wedi sefydlu Tîm Trosglwyddo Asedau sy'n cynnwys cynrychiolwyr o wahanol feysydd gwasanaeth, ac sy'n canolbwyntio ar gefnogi grwpiau cymunedol drwy'r broses o drosglwyddo asedau. Y dyddiad cau ar gyfer mynegi diddordeb ynghylch asedau chwaraeon yw mis Mawrth 2016, ac fe fynegwyd diddordeb cadarnhaol gan Gynghorau Cymuned, Cynghorau Tref a chlybiau chwaraeon. Ceir eisoes sawl enghraifft o asedau a drosglwyddwyd yn llwyddiannus, ond mae Cyngor yn dal ymhell o fodloni'r targedau arbed a nodwyd yn ei strategaeth gyllidebol.
- 70 Rhoddir sylw hefyd i asedau eraill, megis fflyd y Cyngor o gerbydau. Yn sgil y prosiect fflyd, mae cyfanswm y cerbydau wedi gostwng a rowndiau casglu ysbwriel wedi'u rhesymoli. Mae'r mentrau hyn wedi creu oddeutu £750,000 o arbedion.

## Cynnig ar gyfer Gwella

### C4 Defnydd o Adnoddau - Asedau:

- Atgyfnerthu'r cynlluniau rheoli asedau ar lefel gwasanaeth, a gwella'r cysylltiadau rhwng y cynlluniau hyn â'r cynllun rheoli asedau corfforaethol troswaol.
- Rhoi adroddiadau i'r Aelodau bob chwarter ar gynnydd yn erbyn y cynllun rheoli asedau corfforaethol a'r strategaeth rheoli swyddfeydd.

## Er iddo fod yn araf wrth ymateb i'r diffygion sylweddol yn ei drefniadau TGCh, mae'r Cyngor bellach yn cymryd camau er mwyn gwella

- 71 Gan gydnabod bod nifer o ddiffygion sylweddol yng ngwasanaeth TGCh y Cyngor, gofynnodd y Prif Weithredwr am gael cynnal adolygiad o'r modd y cyflenwir y gwasanaeth hwnnw ym mis Rhagfyr 2014. Cynhaliwyd yr adolygiad lefel uchel cychwynnol hwn gan y Pennaeth TG a Gwasanaethau Cymorth Canolog o Gyngor Sir Benfro. Canlyniad yr adolygiad oedd ffurfio partneriaeth strategol a gweithredol rhwng y ddau sefydliad. Mae'r Cyd-bennaeth TGCh bellach yn gyfrifol am lunio achos busnes o blaid neu yn erbyn ffurfio gwasanaeth TGCh cyfun. Gan gydnabod pwysigrwydd y swyddogaeth TGCh, mae trefniadau newydd y Cyngor yn cynnwys adroddiadau uniongyrchol gan y Cyd-bennaeth TGCh i'r Prif Weithredwr, sy'n drefniant priodol.
- 72 Er mwyn darparu gwybodaeth ar gyfer yr achos busnes, mae'r Cyd-bennaeth TGCh wedi sefydlu pedair ffrwd waith, sef:
- a seilwaith y gweinydd a threfniadau adfer wedi trychineb;
  - b rhwydweithiau llais a data;
  - c mynediad at wasanaethau - gan gynnwys llwyfannau bwrdd gwaith a gweithio symudol/ystwyth; a
  - ch chymwysiadau.
- 73 Mae'r ffrydiau gwaith yn gweithredu ar ffurf grwpiau gorchwyl a gorffen, ac wedi derbyn cyfarwyddyd i ystyried y canlynol:
- a cost model cyflenwi cyfredol fesul cyngor;
  - b cost y naill fodel cyflenwi gwasanaeth a'r llall o'u gweithredu ar draws y ddau gyngor; a
  - c chost model cyflenwi diwygiedig/wedi'i ail-ddylunio ar gyfer y ddau gyngor.
- Bydd canlyniadau'r ffrydiau gwaith nid yn unig yn sail ar gyfer yr achos busnes, ond hefyd yn sail ar gyfer strategaeth ddigidol ddiwygiedig.
- 74 Gan nad yw'r ffrydiau gwaith ond newydd ddechrau eu gwaith, mae'n rhy fuan i werthuso cynnydd. Fodd bynnag, mae'n hollbwysig i'r Cyngor wneud cynnydd dros y 12 mis nesaf. Yn arbennig, mae angen iddo ail-feithrin ymddiriedaeth y sefydliad mewn TGCh a chreu gwasanaeth TGCh modern a all weithredu mewn modd effeithiol ac effeithlon. Dylai'r gwasanaeth hefyd helpu i hyrwyddo newid er mwyn creu gwasanaethau sy'n canolbwyntio ar ddinasyddion, sy'n galluogi'r Cyngor i sicrhau canlyniadau o ansawdd gyda llai o adnoddau. Byddwn yn parhau i fonitro cynnydd, canlyniadau'r ffrydiau gwaith a datblygiad yr achos busnes.



## Bu trefniadau rheoli gwybodaeth y Cyngor yn llwyddiannus, ond y mae bellach yn wynebu heriau newydd wrth symud tuag at weithlu mwy symudol ac ystwyth

- 75 Comisiynwyd yr Archifau Cenedlaethol gan y Cyngor i ddarparu hyfforddiant i Berchnogion Asedau Gwybodaeth. Rhoddwyd yr hyfforddiant ym mis Mehefin 2015, ac yr oedd dros 50 o aelodau staff yn bresennol. Bwriedir cynnal dwy sesiwn arall. Mae'r Uwch Berchennog Gwybodaeth a Risg (UBGR) hefyd wedi derbyn hyfforddiant, ynghyd ag Aelodau eraill o'r tîm corfforaethol. Rhoddodd y cwrs ddarlun clir i'r swyddogion o gyfrifoldebau'r UBGR. Mae modiwl e-ddysgu hefyd ar gael o fewn y Cyngor, a ddefnyddir gan y staff i loywi eu gwybodaeth.
- 76 Mae gan y Cyngor gyfres o flaenoriaethau llywodraethu gwybodaeth cytunedig, sydd yn cydymffurfio â'r Ddeddf Diogelu Data. Caiff y trefniadau llywodraethu eu hunain eu cyflenwi drwy'r Grŵp Llywodraethu Gwybodaeth Corfforaethol a sefydlwyd yn 2012, ac a gadeirir gan yr UBGR. Mae'r Cyngor yn prosesu ystod eang o wybodaeth bersonol ac ariannol, ac mae ganddo fesurau rheoli priodol ar waith i ddarparu sicrwydd ynghylch diogelwch.
- 77 Cafwyd cynnydd o 25 y cant yn nifer y ceisiadau Deddf Rhyddid Gwybodaeth ers 2012 o fewn y Cyngor. Mae'r Cyngor wedi cynnal ei berfformiad wrth ymateb i geisiadau.
- 78 Mae'r cynllun ffeiliau corfforaethol yn parhau i gael ei ddatblygu, a gwelliannau'n cael eu cyflwyno i'r mesurau a weithredir er mwyn rheoli mynediad. Bellach, gweinyddwyr newydd sydd wedi'u lleoli mewn gwasanaethau, a chanddynt wybodaeth fanwl am eu gwasanaethau a'u staff, sydd yn gweithredu'r rheolaethau sy'n cyfyngu ar fynediad i'r rhai sydd ei angen yn unig. Gall gweinyddwyr gwasanaeth lleol hefyd reoli strwythur y cynllun ffeiliau yn eu maes, o dan y ddwy haen gyntaf, gan ddilyn y model a argymhellir yn genedlaethol. Y mae rheolaeth ar gyfrifon e-bost a chynnydd yn y defnydd o system rheoli dogfennau electronig Northgate, Information@Work, ymhlith y mentrau eraill. Wrth i'r Cyngor symud tuag at weithlu mwy symudol ac ystwyth, bydd yn wynebu'r her o sicrhau bod swyddogion yn gallu cyrchu'r wybodaeth sydd ei hangen arnynt mewn modd diogel, ble bynnag y bônt yn gweithio. O ganlyniad i hyn, mae angen iddo ystyried a all ei gynllun ffeiliau cyfredol ddiwallu ei anghenion busnes yn y dyfodol.
- 79 Mae'r Cyngor yn bwriadu cyflwyno gwelliannau pellach i'r trefniadau llywodraethu. Yn benodol, mae'r Cyngor yn cydnabod yr angen i wella'r trefniadau i reoli risgiau'n gysylltiedig â gwybodaeth, cynyddu rheolaethau diogelwch ymhellach, ymateb i Reoliadau Diogelu Data Cyffredinol newydd yr Undeb Ewropeaidd, a pharhau i reoli ei brotocolau rhannu gwybodaeth yn effeithiol.

## Cynnig ar gyfer Gwella

- C5 Y Defnydd o Adnoddau - TGCh a Rheoli Gwybodaeth:
- Sicrhau bod ffrydiau gwaith TGCh yn datrys y diffyg cysylltiad honedig rhwng y gwasanaeth busnes a'r gwasanaeth TGCh ac yn rhoi ystyriaeth briodol i anghenion busnes.

## Mae'r Cyngor wedi hen sefydlu dull effeithiol o weithio mewn partneriaeth

- 80 Mae'r Cyngor wedi hen sefydlu dull effeithiol o weithio mewn partneriaeth sydd yn gwella canlyniadau i'w ddinasyddion. Mae'r bartneriaeth â Bwrdd Iechyd Prifysgol Hywel Dda (BIPHDd) yn arbennig o gryf, a chydweithio wedi cael ei 'brif-ffrydio' i'r berthynas waith rhwng y ddau sefydliad, gyda nifer o swyddi wedi'u sefydlu ar y cyd.
- 81 Mae'r Cyngor wedi nodi sawl maes lle mae angen atgyfnerthu neu symleiddio'r trefniadau i gydweithio â BIPHDd, er mwyn rhwyddhau pethau. Er enghraifft, mae gan y ddau sefydliad bolisiau gwahanol arg yfer rheoli pobl, a dull gwahanol iawn o fesur perfformiad gwasanaethau. Mae'r Cyngor a BIPHDd yn gweithio ar agweddau mwy cymhleth ar waith partneriaeth fel strategaethau cyffredin, canolfan comisiynu ar y cyd a chyllidebau cyfun. Mae'r naill a'r llall yn cydnabod bod y rhain yn hollbwysig er mwyn ysgogi mwy o integreiddio ac effeithlonni a chanlyniadau gwell i ddinasyddion.

### Mae Bwrdd Gwasanaethau Lleol Sir Gaerfyrddin wedi bod yn alluogydd effeithiol

- 82 Mae Bwrdd Gwasanaethau Lleol (BGLI) Sir Gaerfyrddin wedi cynnwys nodau clir yn ei Gynllun Integredig Sengl (CIS). Mae'r BGLI wedi gwneud defnydd effeithiol o ffrydiau gwaith (grwpiau gorchwyl a gorffen) i ystyried cyfleoedd i gydweithio ar draws y sector cyhoeddus fydd yn arwain at arbedion effeithlonrwydd a chyflenwi gwasanaethau cyhoeddus yn well. Ceir sawl enghraifft dda sy'n amlygu effeithiolrwydd gwaith partneriaeth sy'n canolbwyntio ar sicrhau canlyniadau. Nodir dwy enghraifft isod:
- a Mae Canolfan Wybodaeth Un Stop yn Llanelli yn darparu cyngor a gwybodaeth wyneb yn wyneb ar ystod o faterion, gan gynnwys 18 o wahanol sefydliadau partner. Ymhlith y gwasanaethau, ceir cyfeirio i addysg, hyfforddiant a chyflogaeth, rheolaeth ariannol a mynediad digidol am ddim. Mae cynlluniau ar waith i ehangu'r defnydd o'r ganolfan i gynnwys gwasanaethau eraill fel ymholiadau digartrefedd a thai, ac i agor canolfannau pellach yng Nghaerfyrddin a Rhydaman.
  - b Mae sefydliadau partner wedi datblygu'r sylfaen adeiladu yn Sir Gaerfyrddin i greu Adeiladu Sir Gâr Gyda'n Gilydd (ASGGG). Mae ASGGG wedi'i ffurfio o dri phrif bartner, y Cyngor, Coleg Sir Gâr a Carmarthenshire Construction Training Association Limited (CCTAL). Dechreuwyd y bartneriaeth gan CCTAL i ddechrau, ond mae'r tri sefydliad wedi cydweithio i ddatblygu capasiti medrus a galluog ar gyfer adeiladu yn yr ardal. Mae'r bartneriaeth wedi agor llwybrau i gyflogaeth ac wedi helpu'r diwydiant adeiladu i dyfu drwy'r dirwasgiad, drwy dderbyn myfyrwyr sy'n astudio yng Ngholeg Sir Gâr fel prentisiaid i gefnogi gwaith i wella stoc tai'r Cyngor.

- 83 Serch hynny, ceir enghreifftiau lle bo'r un gwasanaeth yn cael ei ddarparu gan fwy nag un partner, yn enwedig yn y trydydd sector. Mae'r Cyngor yn cydnabod hyn ac ar hyn o bryd yn mapio holl ymglymiad y trydydd sector, grantiau a ddyfernir a chomisiynau er mwyn pennu themâu allweddol, creu cysylltiadau rhwng darparwyr a lleihau gwaith sy'n cael i ail-wneud.
- 84 Cydnabu'r BGLI nad oedd ei drefniadau'n ddigon effeithiol mewn rhai meysydd. Er mwyn helpu i nodi'r meysydd hyn, y mae wedi comisiynu adolygiad manwl o'r holl bartneriaethau strategol, trefniadau cyfredol y partneriaethau a'r dulliau cyfredol o weithio. Bydd hyn o gymorth i sicrhau bod y BGLI yn parhau i fod yn addas i'r diben, ac i ychwanegu gwerth at waith yr aelodau unigol. Mae amseriad yr adolygiad hwn yn arbennig o ddefnyddiol wrth baratoi i newid y BGLI yn Fwrdd y Gwasanaethau Cyhoeddus (BGC) o dan Ddeddf Llesiant Cenedlaethau'r Dyfodol. Un o'r ffactorau a nodwyd i ddynodi llwyddiant oedd yr angen i sicrhau'r lefel gywir o bresenoldeb yn y BGLI, yr angen i'r rhai a oedd yn bresennol fod â'r lefel gywir o awdurdod i wneud penderfyniadau, a'r gallu i ymrwymo (neu beidio) eu sefydliadau i brosiectau.
- 85 Gellid gwella'r trefniadau i'r BGLI gyfathrebu'n allanol, gan wneud defnydd mwy effeithiol o'r cyfryngau cymdeithasol a chanolbwyntio mwy ar gyfathrebu â dinasyddion Sir Gaerfyrddin ynghylch bodolaeth, diben a chyflawniadau'r BGLI.
- 86 Mae'r BGLI wedi ymroi i gysylltu â chynghorau cyfagos er mwyn cydweithio. Ni chafwyd ymateb cynhyrchiol wrth gysylltu â'r cynghorau hynny i ddechrau. Fodd bynnag, mae'r Cyngor wedi sefydlu rhwydwaith cydgysylltwyr BGLI ar y cyd â Chynghorau Sir Benfro a Cheredigion er mwyn rhannu'r hyn a ddysgir, a datblygu fframwaith cyffredin ar gyfer yr Asesiad o Anghenion sydd ar ddod, sy'n ofynnol yn Neddf Llesiant Cenedlaethau'r Dyfodol.

# Mae gan y Cyngor fframwaith da i reoli gwelliant, ond y mae diffyg ansawdd a gweithrediad cyson y fframwaith mewn rhai adrannau'n creu diffyg atebolrwydd

## Mae'r gwaith o gynllunio gwelliannau wedi'i reoli'n dda, ond gellid atgyfnerthu'r cysylltiadau â chynlluniau ariannol

- 87 Mae ethos cryf o welliant parhaus yn llifo drwy bopeth a wna'r Cyngor. Cefnogir y ffocws ar welliant gan fframwaith clir o gynlluniau a strategaethau sydd wedi'u halinio'n dda. Mae'r rhain yn trosi canlyniadau lefel uchel y mae'r Cyngor wedi cytuno arnynt â phartneriaid yn flaenoriaethau i'w gweithredu. Mae'r canlyniadau hyn yn sail ar gyfer yr holl waith monitro ac adrodd ar berfformiad, ac mae pob canlyniad wedi'i godio â lliw er rhwyddineb mewn adroddiadau. Bydd gwasanaethau'n mapio eu cyfraniad at y canlyniadau hyn yn eu cynlluniau busnes, gan godi ymwybyddiaeth y staff ynglŷn â'u rhan yn y gwaith o ysgogi gwelliant.
- 88 Mae'r Cyngor yn casglu gwybodaeth o ystod eang o ffynonellau er mwyn pennu sut ac ymhle i gyfeirio ei ymdrechion i wella. Mae hyn yn cynnwys adborth gan ddinasyddion, safbwyntiau rheoleiddwyr, adolygiadau gan gymheiriaid, polisi cenedlaethol ac ystod eang o wybodaeth am berfformiad. I gyflenwi hyn, ceir dull aeddfed o hunanwerthuso sy'n datblygu i fod yn fwy cadarn, agored a thryloyw.
- 89 Mae'r adroddiad a'r cynllun gwella blynyddol (ACGB) cyfun yn creu sail gadarn ar gyfer cynllunio gwelliannau. Mae'n galluogi'r Cyngor i adolygu ei berfformiad yn y gorffennol a chynllunio ei gamau nesaf ar yr un pryd mewn un ddogfen gyhoeddus. Mae'r ACGB yn gynhwysfawr iawn, ac yn cynnwys gwybodaeth o ystod eang o ffynonellau a ddefnyddir gan y Cyngor i werthuso a herio ei gynnydd. Defnyddir yr wybodaeth hon wedyn i bennu'r hyn y mae angen i'r Cyngor ganolbwyntio arno yn y dyfodol, gan gynnwys camau a thargedau manwl. Ceir cysylltiadau eglur â chynlluniau busnes gwasanaethau, er nad yw'r cysylltiadau rhwng cynlluniau ariannol a chynlluniau gwella mor gryf.
- 90 Atgyfnerthwyd arweinyddiaeth wleidyddol yr agenda ar gyfer gwella. Mae Aelodau'r Bwrdd Gweithredol bellach yn cymryd mwy o gyfrifoldeb dros berfformiad eu portffolios, er enghraifft, drwy gyflwyno eu hadroddiadau eu hunain, drwy ateb cwestiynau am berfformiad, drwy herio cynlluniau busnes a thrwy fod yn bresennol mewn pwyllgorau craffu. Mae defnyddio grwpiau Gorchwyl a Gorffen o gymorth i ysgogi gwelliant mewn sawl maes, fel defnyddio cartrefi gwag o'r newydd a mynd i'r afael â thlodi.
- 91 Er bod y Cyngor yn dwyn penaethiaid gwasanaeth i gyfrif yn rheolaidd am berfformiad, byddai ychwanegu adolygiad trawsadrannol o berfformiad yn ychwanegu at lefel yr her ac yn galluogi'r Cyngor i gael dealltwriaeth well ynghylch sut mae gweithgarwch y un gwasanaeth yn effeithio ar wasanaethau eraill.
- 92 Mae'r Cyngor yn arddangos penderfyniad i fynd i'r afael â'r prif heriau er mwyn sicrhau'r canlyniadau gwell a ddymunir ganddo i bobl leol. Mae hyn yn wir hyd yn oed mewn amgylchiadau lle mae ffactorau sydd y tu hwnt i'w reolaeth i raddau helaeth yn cyfyngu ar ei allu i ddylanwadu; er enghraifft, drwy ddatblygu strategaeth uchelgeisiol i gynyddu'r cyflenwad o gartrefi fforddiadwy a chymryd camau pendant a chydgyssylltiedig i fynd i'r afael â thlodi'n fwy effeithiol.

93 Mae gan y Cyngor hanes da o reoli ei raglen wella'n llwyddiannus, ac mae hyn hefyd yn amlwg yn y flwyddyn gyfredol. Ar hyn o bryd, mae 93 y cant o'r 167 o gamau gwella yn yr ACGB a amserlennwyd i'w cwblhau yn ystod 2015-16 ar y trywydd iawn, ynghyd â 72 y cant o fesurau perfformiad. O edrych yn ehangach, mae 94 y cant o'r eitemau cyflawnadwy ym mlwyddyn 2 y Cytundeb Canlyniadau hefyd yn unol â'r targed.

### **Mae gan y Cyngor fframwaith da i reoli gwelliant, ond y mae diffyg ansawdd a gweithrediad cyson y fframwaith mewn rhai adrannau'n creu diffyg atebolrwydd**

- 94 Mae fframwaith cydlynol ar waith i reoli perfformiad. Defnyddir diagramau ar ffurf 'teisen briodas' haenog i ddangos hyn yn nogfennau allweddol y Cyngor. Mae'r diagram yn gosod blaenoriaethau'r Cyngor ar ffurf rhaeadr drwy hierarchaeth o gynlluniau a strategaethau, o'r canlyniadau lefel uchel y cytunwyd arnynt â phartneriaid hyd at gynlluniau ac amcanion i unigolion.
- 95 Cefnogir y fframwaith hwn gan system electronig gynhwysfawr sefydledig sy'n casglu ac adrodd gwybodaeth am berfformiad (PIMS), ac sy'n cynnig sail gadarn wrth wneud penderfyniadau. Defnyddir PIMS i gofnodi symiau helaeth o ddata perfformiad a llunio adroddiadau i Aelodau ac uwch reolwyr. Mae mesurau perfformiad a chamau gweithredu cynlluniau busnes gwasanaethau wedi'u cynnwys yn PIMS ac yn cael eu diweddarau bob chwarter. Gall pob aelod gyrchu PIMS, ac mae Aelodau'r Bwrdd Gweithredol wedi derbyn hyfforddiant llawn ar sut i'w defnyddio, er nad yw pob un ohonynt yn defnyddio'r system.
- 96 Mae gwybodaeth am berfformiad ar gael yn eang. Adroddir am berfformiad yn rheolaidd wrth y TRHC, yn chwarterol wrth y Bwrdd Gweithredol, a phob chwe mis wrth bwyllgorau craffu. Cyflwynir hefyd adolygiad blynyddol o berfformiad i'r Cyngor Llawn. Caiff gwybodaeth fanwl am berfformiad hefyd ei hadrodd yn flynyddol yn yr ACGB. Ceir crynodeb i gyd-fynd â phob adroddiad, sy'n egluro unrhyw amrywio rhwng targedau a chanlyniadau, ac yn cynnwys sylwadau ar unrhyw feysydd lle cafwyd tangyflawni.
- 97 Gan ymateb i bryderon yr Aelodau ynghylch natur gymhleth yr wybodaeth sy'n cael ei hadrodd, mae'r Cyngor newydd gyflwyno arddull dangosfwrdd syml ar gyfer adroddiadau pob portffolio, ac yn cynyddu'r defnydd o adroddiadau ar eithriadau. Mae Aelodau Gweithredol hefyd wedi derbyn dyfeisiau llechen cynnig ffordd fwy effeithiol o arddangos tueddiadau ym mherfformiad pob gwasanaeth, ond sy'n galluogi'r Aelodau i stilio am fanylion fel bo'r angen. Mae hyn yn helpu i gynyddu ymwybyddiaeth yr Aelodau o berfformiad gwasanaethau ac yn atgyfnerthu eu gallu i herio perfformiad. Fodd bynnag, waeth pa mor dda yw'r system PIMS, gall mynychder amrywiol y diweddariadau gan wasanaethau, ynghyd â rhai bylchau yn yr wybodaeth a gyflwynir, leihau effeithiolrwydd y dull hwn o herio.

- 98 Mae perthynas gynhyrchiol rhwng y Bwrdd Gweithredol a'r pwyllgorau craffu'n galluogi grwpiau Gorchwyl a Gorffen i gynnig argymhellion i'r Bwrdd Gweithredol mewn sawl maes, megis diwygio lles, defnyddio cartrefi gwag o'r newydd a mynd i'r afael â thlodi. Mae'r Cyngor yn ymwybodol bod lle i atgyfnerthu swyddogaeth pwyllgorau craffu ymhellach o ran rheoli perfformiad, ac yn gweithio i'r perwyl hwnnw.
- 99 Yn raddol, mae'r Cyngor yn lleihau ei ddibyniaeth ar ddangosyddion perfformiad, camau a gwblhawyd a mesurau cynnyrch er mwyn monitro ei gynnydd. Mae'r dull meddwl mewn systemau a ddefnyddir yn y rhaglen Trawsnewid, Arloesi a Newid yn codi ymwybyddiaeth ynghylch gwerth mesurau sy'n seiliedig ar ganlyniadau yn enwedig o ran datblygu gwasanaeth ar y lefel gywir i gwsmeriaid. Mae rhai gwasanaethau'n adolygu eu dibyniaeth ar ddangosyddion perfformiad, gan ganolbwyntio'n unig ar y rhai sydd yn fwyaf defnyddiol iddynt, tra bo eraill yn datblygu eu cyfres eu hunain o ddangosyddion, gan gyflwyno mesurau canlyniad sy'n seiliedig ar anghenion cwsmeriaid i ddisodli'r mesurau mewnbyn/allbwn traddodiadol. Mae'r Cyngor yn gwneud cynnydd da mewn rhai meysydd yn hyn o beth, er enghraifft yn y gyfarwyddiaeth Cymunedau a'r gyfarwyddiaeth Addysg. Fodd bynnag, nid oes unrhyw fecanweithiau corfforaethol effeithiol i rannu a dysgu o bocedi o arfer da wrth iddynt ddod i'r amlwg. Mae'r cyfleoedd dysgu sydd yn bodoli i'w cael ar lefel penaethiaid gwasanaeth gan amlaf, a thrwy fforymau staff gweithredol.
- 100 Mae diwylliant perfformiad yn tyfu, ond mae cyflymder y newid yn amrywio ar draws y Cyngor. Nid yw'r Cyngor yn gwneud defnydd cyson o'r data helaeth ar berfformiad y mae'n eu casglu i bennu cyfleoedd ar gyfer gwella.
- 101 Er bod templed corfforaethol ar gael, mae ansawdd cynlluniau busnes yn amrywio'n fawr; y mae ambell gynllun yn gadarn ond mae rhai eraill heb fod yn addas i'r diben, o natur ddisgrifiadol yn bennaf ac yn brin o gamau gweithredu neu ganlyniadau mesuradwy. Er bod yr uned perfformiad corfforaethol yn rhoi cefnogaeth amserol ac effeithiol i'r penaethiaid gwasanaeth a'r cyfarwyddwyr, ceir diffyg ansawdd a gweithrediad cyson mewn rhai adrannau sy'n cyfyngu ar y gallu i ddwyn gwasanaethau i gyfrif. Drwy ei TRhC newydd, mae gan y Cyngor gyfle da i atgyfnerthu'r arweiniad ar faterion perfformiad, ac i gryfhau'r cynnydd y mae'r Cyngor eisoes yn ei wneud.

## Mae trefniadau ar waith i reoli risgiau, ond ceir gwendidau sylweddol ar lefel yr Aelodau a hefyd ar lefel swyddogion

- 102 Mae fframwaith clir ar waith i reoli risgiau corfforaethol a risgiau'n gysylltiedig â phrosiectau, gydag arweiniad penodol lefel uwch o du'r Aelodau a'r swyddogion, a hyrwyddwyr risgiau ar raddfa adrannol. Mae grŵp llywio rheoli risg yn goruchwyllo risgiau, ac yn cynnwys cynrychiolaeth wleidyddol o Weithrediaeth y Cyngor. Timau unigol sy'n gyfrifol am gofrestrau risg prosiectau. Darperir cefnogaeth gan swyddogion drwy uned rheoli risg, a chanddi gyllideb a staff penodol. Fodd bynnag, ni cheir rhyw lawer o gyfranogiad gwleidyddol ehangach mewn rheoli risg, ac mae hynny'n amharu ar ddealltwriaeth ehangach o swyddogaeth hynny wrth reoli perfformiad a gwelliant.
- 103 Cedwir y gofrestr risg gorfforaethol ar y we, a gall adrannau ei chyrru er mwyn diweddarau eu cofrestrau risg eu hunain. Caiff ei diweddarau a'i hadolygu'n rheolaidd, ddwywaith y flwyddyn. Mae'r Cyngor hefyd yn cynnal adolygiad rheolaidd o'i Strategaeth Rheoli Risg. Ar hyn o bryd, mae'n datblygu ei chweched Strategaeth, gyda chymorth ymgynghorwyr, i gynnig her a safbwynt allanol. Mewn ymateb i bryderon a godwyd yn ein hadolygiad Diogelu, mae'r Cyngor hefyd yn datblygu strategaeth risg newydd ar gyfer Diogelu. Fodd bynnag, mae'r graddau y caiff cofrestrau risg adrannol eu diweddarau'n rheolaidd yn amrywio, ac ni chaiff hyn ei fonitro ar raddfa gorfforaethol.
- 104 Gwelir yn glir fod rheolaeth ar risg wedi'i hymgorffori ym mharhad busnes ac mewn gwaith cynllunio rhag argyfwng, a gall y Cyngor ddangos bod hynny'n rhan annatod o'r gwaith o ddatblygu strategaethau newydd, megis strategaeth tai fforddiadwy. Mae ystyriaeth o risgiau bellach yn rhan o'r broses benderfynu ffurfiol. Ar dempledi adroddiadau pwyllgor, mae'n ofynnol ymdrin â'r risgiau sy'n gysylltiedig â gweithredu neu beidio gweithredu cyn gwneud penderfyniad ffurfiol, er y gall trylwyredd y gweithredu amrywio.
- 105 Caiff risgiau strategol allweddol eu hadlewyrchu mewn cynlluniau busnes yn aml, yn enwedig pan geir goblygiadau'n gysylltiedig â'r gyllideb, ond cyfyngir ar y graddau y caiff rheoli risg ei gynnwys fel elfen anhepgor wrth gynllunio busnes. Nid yw rhai cynlluniau busnes yn cysylltu risgiau lefel gwasanaeth na chamau lliniaru â'u cofrestrau risg adrannol perthynol. Mae eraill yn cynnwys asesiad o risgiau, ond nid ydynt yn ystyried camau lliniaru. Un o brif wendidau'r cynlluniau busnes yw'r ffaith na roddir ystyriaeth reolaidd i risgiau sy'n gysylltiedig â rhyng-ddibyniaeth rhwng camau gweithredu (neu ddiffyg gweithredu mewn ymateb i heriau cyllidebol) y naill wasanaeth a'r llall.

106 Yn wahanol i'r rhan fwyaf o awdurdodau, ni chaiff cofrestr risgiau corfforaethol y Cyngor ei goruchwyllo gan y Pwyllgor Archwilio. Mae'r Pwyllgor Archwilio'n derbyn cofnodion y grŵp llywio rheoli risg, ond nid yw'n derbyn y gofrestr ei hun. Mae hyn yn atal y Pwyllgor Archwilio rhag cyflawni ei gylch gwaith yng nghyswllt risg, ac mae'n atal unrhyw ymwneud gwleidyddol neu gyhoeddus ehangach yn null y Cyngor o reoli risgiau. Nid yw'n glir sut mae'r trefniant hwn yn cyfrannu at y nod a osodwyd gan y Cyngor, sef bod y cyngor mwyaf agored a thryloyw yng Nghymru.

### Mae'r dull o adrodd wrth y cyhoedd am berfformiad yn agored, yn dryloyw, yn deg ac yn gytbwys

- 107 Mae'r dull o adrodd wrth y cyhoedd am berfformiad yn deg a chytbwys. Mae'r ACGB wedi'i osod allan yn glir ac yn cyflwyno darlun cynhwysfawr o'r hyn y mae'r Cyngor yn anelu i'w gyflawni, ei gynnydd a sut mae ei berfformiad yn cymharu â chynghorau eraill yng Nghymru. Caiff uchelgeisiau ehangach y Cyngor ar gyfer y gymuned a blaenoriaethau gwella eu hesbonio'n glir, ynghyd â chyfraniad partneriaid tuag at eu cyflawni. Cyflwynir pob canlyniad â blaenoriaeth a phob blaenoriaeth sy'n gysylltiedig ag amcanion gwella allweddol eu cyflwyno mewn modd cyson, gan ddisgrifio'r hyn y mae'r Cyngor wedi'i wneud, yr hyn y mae'n anelu i'w gyflawni, ynghyd â'r mesurau allweddol a ddefnyddir ganddo i fonitro cynnydd.
- 108 Mae adran a chanddi'r teitl 'A oes unrhyw un ar ei ennill?' yn helpu'r darlennydd i ddeall y gwahaniaeth y mae'r Cyngor yn ei wneud. Mae'r defnydd o astudiaethau achos, canlyniadau arolygon a'r adborth a gynhwysir gan ddefnyddwyr o gymorth i ddod â'r data'n fyw. Cynhwysir gwybodaeth am y gyllideb, ynghyd â chynnydd y Cyngor tuag at sicrhau arbedion a gwella ei drefniadau llywodraethu.
- 109 Mae cyfuno adolygiad o berfformiad y Cyngor yn y gorffennol â'r camau y mae'n bwriadu eu cymryd nesaf mewn un ddogfen yn galluogi'r darlennydd i greu darlun cytbwys o berfformiad y Cyngor. Mae'r ACGB yn fanwl a hirfaith, ond hefyd yn cynnwys crynodeb defnyddiol. Gyda'i gilydd, maent yn darparu'r holl wybodaeth y gallai fod ar y darlennydd ei hangen. Caiff yr ACGB a'r crynodeb eu cyhoeddi yn Gymraeg ac yn Saesneg, a gwneir trefniadau priodol ar gyfer cyhoeddusrwydd. Mae'n hawdd cael hyd i'r adroddiad ar wefan y Cyngor.
- 110 Dengys canlyniadau Arolwg Cenedlaethol Cymru (2015) fod 42 y cant o bobl a ymatebodd o'r farn fod y Cyngor yn dda am roi gwybod iddynt sut mae'n perfformio, gan osod Sir Gaerfyrddin yn seithfed o blith y 22 o awdurdodau lleol.
- 111 Fodd bynnag er bod gwybodaeth gan bartneriaid wedi'i chynnwys yn yr ACGB, nid yw dadansoddiad y Cyngor o effeithiolrwydd partneriaethau wedi'i ddatblygu'n llawn, sy'n golygu ei bod hi'n anodd cynnal gwerthusiad priodol ynghylch a yw'n werth mynd ar drywydd partneriaethau ai peidio.



112 Mae'r Cyngor yn ystyried sut i wella'r ACGB i'w wneud yn fwy tryloyw a hawdd ei ddilyn, heb golli gormod o fanylder. Eleni, ychwanegodd y Cyngor dabl cryno wedi'i godio â lliw er mwyn rhoi cipolwg o dueddiadau perfformio o dan 43 o ddangosyddion allweddol, yn dangos a oedd targedau wedi'u cyrraedd, y cyfeiriad cyffredinol ac unrhyw newidiadau i'r modd yr oedd y perfformiad yn cymharu â gweddill Cymru. Caiff yr ACGB ei herio gan bwyllgorau craffu ar faterion perfformiad cyn cael ei gyhoeddi, a gellid bod lle i ehangu hyn er mwyn cynnwys agweddau ar y cyflwyniad, a sicrhau bod y ddogfen yn hawdd ei deall.

### Cynnig ar gyfer Gwella

C6 Cynllunio ar gyfer Gwella:

- rhoi cyfarwyddyd cliriach a lefel broffesiynol o her ar bob mater rheoli perfformiad er mwyn sicrhau bod fframwaith rheoli perfformiad y Cyngor yn cael ei weithredu'n gyson a rhannu arfer da.

## Ar y cyd â phartneriaid, mae'r Cyngor yn parhau i wella perfformiad ar draws ei feysydd â blaenoriaeth

- 113 Mae trefniadau'r cyngor yn ei alluogi i barhau i sicrhau canlyniadau gwell i bobl leol, er gwaethaf her gynyddol sydd o'i flaen oherwydd y pwysau ar gyllidebau. Mae gwasanaethau rheng flaen wedi cael eu diogelu hyd yr eithaf, o ganlyniad i benderfyniadau cyllidebol a ffyrdd mwy effeithlon o weithio. Mae'r perfformiad cyffredinol, fel y mesurir gan y dangosyddion perfformiadu yn parhau i wella. Yn ôl dangosyddion cenedlaethol ar gyfer 2014-15, mae'r perfformiad yn 60 y cant o ddangosyddion perfformiad yn uwch na chyfartaledd Cymru, o gymharu â 51 y cant y flwyddyn gynt. Mae canran y dangosyddion perfformiad lle cafwyd y perfformiad gorau yng Nghymru wedi cynyddu'n gyson dros y pum mlynedd diwethaf i 36 y cant. Ar ben hynny, mae canlyniadau'r Panel Dinasyddion ac Arolwg Cenedlaethol Cymru'n dangos bod bodlonrwydd y cyhoedd â'r Cyngor yn gwella. Yn ôl Arolwg Cenedlaethol Cymru 2015, mae 57 y cant o breswylwyr yn fodlon â'r Cyngor a hefyd yn teimlo ei fod yn darparu gwasanaethau o ansawdd uchel. Mae hyn yn cynrychioli gwelliant o bump y cant o gymharu â'r flwyddyn gynt, ac yn ei osod yn chweched o blith 22 o gynghorau Cymru. Mae canlyniadau o'r Panel Dinasyddion yn ôl yn 2014 yn cefnogi hyn, gyda 58 y cant o bobl yn fodlon â'r Cyngor, sef cynnydd o 52 y cant yn 2012.
- 114 Mae'r canlyniadau hyn yn galonogol mewn cyfnod o gyni ariannol cynyddol lle mae'n rhaid gwneud penderfyniadau anodd ynghylch gwariant. Byddwn yn rhoi adroddiad manylach am berfformiad gwasanaethau'r Cyngor yn ein Hadroddiad Gwella Blynyddol nesaf.

# Atodiad 1 – Statws yr adroddiad hwn

O dan Fesur Llywodraeth Leol (Cymru) 2009 (y Mesur), mae'n ofynnol i'r Archwilydd Cyffredinol gynnal asesiad gwella blynyddol, a chyhoeddi adroddiad gwella blynyddol, ar gyfer pob awdurdod gwella yng Nghymru. Mae'r gofyniad hwn yn cynnwys cynghorau lleol, parciau cenedlaethol ac awdurdodau tân ac achub.

Cwblhawyd y gwaith hwn gan staff Swyddfa Archwilio Cymru ar ran yr Archwilydd Cyffredinol, er mwyn cyflawni ei ddyletswyddau o dan adran 24 y Mesur. Mae'r adroddiad hefyd yn cyflawni ei ddyletswyddau o dan adran 19 i gyflwyno adroddiad sy'n ardystio ei fod wedi cynnal asesiad gwella o dan adran 18 ac yn nodi a yw o'r farn, o ganlyniad i'w archwiliad o'r cynllun gwella o dan adran 17, fod yr awdurdod wedi cyflawni ei ddyletswyddau o ran cynllunio ar gyfer gwella o dan adran 15.

Mae gan awdurdodau gwella ddyletswydd gyffredinol i 'wneud trefniadau i sicrhau gwelliant parhaus wrth gyflawni eu swyddogaethau'. Diffinnir awdurdodau gwella fel cynghorau lleol, parciau cenedlaethol, ac awdurdodau tân ac achub.

Yr asesiad gwella blynyddol yw'r prif ddarn o waith sy'n galluogi'r Archwilydd Cyffredinol i gyflawni ei ddyletswyddau. Mae'r asesiad o welliant yn asesiad blaengar o'r tebygolrwydd y bydd awdurdod yn cydymffurfio â'i ddyletswydd i wneud trefniadau i sicrhau gwelliant parhaus. Y mae hefyd yn cynnwys asesiad ôl-weithredol i nodi a yw awdurdod wedi cyflawni'r gwelliannau a gynlluniwyd ganddo er mwyn llunio barn ar hanes yr awdurdod o ran sicrhau gwelliant. Bydd yr Archwilydd Cyffredinol yn rhoi crynodeb o'i waith archwilio ac asesu mewn Adroddiad Gwella Blynyddol a gyhoeddir ar gyfer pob awdurdod (o dan adran 24).

O dan rai amgylchiadau gall yr Archwilydd Cyffredinol hefyd gynnal arolygiadau arbennig (o dan adran 21), y bydd yn cyflwyno adroddiad arnynt i'r awdurdod a'r Gweinidogion, ac y gall eu cyhoeddi (o dan adran 22). Un o weithgareddau atodol pwysig Swyddfa Archwilio Cymru yw cydgysylltu gwaith asesu a rheoleiddio (sy'n ofynnol o dan adran 23), sy'n ystyried rhaglen waith gyffredinol pob rheoleiddiwr perthnasol mewn awdurdod gwella. Gall yr Archwilydd Cyffredinol hefyd ystyried gwybodaeth a rennir gan reoleiddwyr perthnasol (o dan adran 33) yn ei asesiadau.

Wales Audit Office  
24 Cathedral Road  
Cardiff CF11 9LJ

Tel: 029 2032 0500

Fax: 029 2032 0600

Textphone: 029 2032 0660

E-mail: [info@audit.wales](mailto:info@audit.wales)

Website: [www.audit.wales](http://www.audit.wales)

Swyddfa Archwilio Cymru

24 Heol y Gadeirlan

Caerdydd CF11 9LJ

Ffôn: 029 2032 0500

Ffacs: 029 2032 0600

Ffôn Testun: 029 2032 0660

E-bost: [post@archwilio.cymru](mailto:post@archwilio.cymru)

Gwefan: [www.archwilio.cymru](http://www.archwilio.cymru)

DYDD LLUN, 4YDD IONAWR, 2016

**YN BRESENNOL:** Y Cynghorydd E. Dole [Cadeirydd]

**Y Cynghorwyr:**

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

**Yn bresennol fel sylwedyddion:**

Y Cynghorwyr D.M. Cundy, T. Devichand a J. Williams.

**Roedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:**

Mr M. James	–	Y Prif Weithredwr
Mr C. Moore	–	Cyfarwyddwr y Gwasanaethau Corfforaethol
Mr J. Morgan	–	Cyfarwyddwr y Gwasanaethau Cymunedol
Ms R. Mullen	–	Cyfarwyddwr yr Amgylchedd
Mr R. Sully	–	Y Cyfarwyddwr Addysg a Gwasanaethau Plant
Mr P. Thomas	–	Prif Weithredwr Cynorthwyol
Ms W. Walters	–	Prif Weithredwr Cynorthwyol
Mr J Fearn	–	Pennaeth Eiddo Corfforaethol
Ms L. Rees Jones	–	Pennaeth Gweinyddiaeth a'r Gyfraith
Mrs S. Watts	–	Rheolwr Gwasanaethau Iechyd y Cyhoedd
Ms D. Williams	–	Rheolwr y Wasg
Mrs M. Thomas	–	Swyddog Gwasanaethau Democrataidd

**Y Siambr, Neuadd y Sir, Caerfyrddin : 10.00 a.m. - 11.20 a.m.**

**1. YMDDIHEURIADAU AM ABSENOLDEB**

Ni chafwyd ymddiheuriadau am absenoldeb

Cyfeiriwyd at y tywydd gwael a'r llifogydd a gafwyd mewn mannau ledled y sir, a diolchodd y Bwrdd i'r staff am eu hymdrechion yn sicrhau bod gwasanaethau'n dal i gael eu darparu ac o ran helpu'r cyhoedd mewn amgylchiadau anodd tu hwnt.

Estynnwyd llongyfarchiadau i Mr Bruce McLernon, Cyn-gyfarwyddwr y Gwasanaethau Cymdeithasol yn yr Awdurdod, ar ennill O.B.E. yn Rhestr Anrhydeddau'r Flwyddyn Newydd y Frenhines.

**2. DATGAN BUDDIANNAU PERSONOL**

Y CYNGHORYDD	RHIF Y COFNOD	Y MATH O FUDDIANT
E. Dole	5 - Trosglwyddo Asedau Cymunedol - Diweddariad	Aelod o Gyngor Cymuned Llannon sy'n ymgymryd â throsglwyddo asedau.
D.M. Jenkins	5 - Trosglwyddo Asedau Cymunedol - Diweddariad	Aelod o Gyngor Cymuned Glanaman sydd â diddordeb mewn trosglwyddo asedau.

D.M. Jenkins	13 – Darparu Dysgu Oedolion yn y Gymuned yn y Dyfodol gan yr Adran Addysg a Phlant	O ran Canolfan Addysg Gymunedol Glanamau - aelod o Gyngor Tref Glanamau sydd â diddordeb mewn cymryd cyfrifoldeb dros y cyfleuster.
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### Datganiadau gan Swyddogion

Roedd pob swyddog oedd yn bresennol yn y cyfarfod, heblaw am y Swyddog Gwasanaethau Democraataidd, wedi datgan buddiant personol yn eitem rhif 9 – Cynllun Ildio Cyflog (Car).

### 3. CWESTIYNAU GAN AELODAU

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

### 4. CWESTIYNAU GAN Y CYHOEDD

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

### 5. TROSGLWYDDO ASED AU CYMUNEDOL - DIWEDDARIAD

[SYLWER: Roedd y Cynghorwyr E. Dole a D.M. Jenkins wedi datgan buddiant yn yr eitem hon yn gynharach.]

Mewn perthynas â'r penderfyniad a wnaed gan y Bwrdd Gweithredol yn ei gyfarfod a gynhaliwyd ar 15<sup>fed</sup> Rhagfyr, 2014 (gweler cofnod 11) yn ymwneud â throsglwyddo asedau sef parciau, lleoedd chwarae a mannau amwynder, bu'r Bwrdd yn ystyried adroddiad a roddai'r diweddaraf ynghylch y cynnydd a wnaed mewn perthynas â throsglwyddo asedau cymunedol gan gynnwys manylion trosglwyddiadau sydd wedi digwydd hyd yma.

Rhodddwyd gwybod i'r Bwrdd fod trafodaethau wedi cael eu cynnal gyda'r rhan fwyaf o'r Cynghorau Tref a Chymuned a bod nodiadau atgoffa wedi'u hanfon at y 5 cyngor oedd heb ymateb hyd yma, yn ail-gadarnhau'r amserlen sef 1<sup>af</sup> Ebrill, 2016 ar gyfer cyflwyno mynegiannau o ddiddordeb a 31<sup>ain</sup> Mawrth, 2018 ar gyfer y trosglwyddo terfynol.

Er y gwnaed cynnydd sylweddol roedd y broses wedi dioddef cam yn ôl yn sgil Cynghorau Tref Llanelli a Llanymddyfri yn cadarnhau na fyddai'r naill na'r llall yn cymryd cyfrifoldeb dros unrhyw drosglwyddiadau asedau yn eu hardaloedd nhw, er bod Cyngor Tref Llanelli wedi mynegi diddordeb mewn ariannu rhai elfennau o diroedd a gwaith arall cynnal a chadw cyfleusterau.

Roedd erthyglau yn y wasg yn ddiweddar wedi ailgadarnhau'r amserlen ar gyfer cyflwyno mynegiannau o ddiddordeb a throsglwyddo terfynol, yn dilyn cyhoeddi hysbysiadau statudol yn gofyn am sylwadau gan y cyhoedd ynghylch y bwriad i drosglwyddo'r cyfleusterau hyn, fel oedd yn ofynnol o dan Adran 123 o Ddeddf Llywodraeth Leol 1972. Roedd yr erthyglau hyn hefyd yn ailadrodd, lle na ddangoswyd dim diddordeb, y byddai ymgynghori priodol yn cael ei gynnal ynghylch dyfodol yr asedau dan sylw. Yn sgil y broses hon roedd un gwrthwynebiad wedi dod i law sef yn erbyn y bwriad i drosglwyddo Parc Howard.

Roedd manylion y sefyllfa bresennol mewn perthynas â'r holl gynlluniau trosglwyddo asedau arfaethedig, copïau o'r hysbysiadau statudol a chopi o'r gwrthwynebiad wedi'u hatodi i'r adroddiad er gwybodaeth.

Gofynnodd y Cynghorydd D.M. Cundy, yn unol â Rheol Gweithdrefn Gorfforaethol 11.1, a oedd hon yn adeg ddelfrydol i adolygu'r polisi gan ei fod ef o'r farn fod yr amgylchiadau wedi newid ers y cyflwynwyd y polisi sef bod y cysylltiad buddiol rhwng iechyd ac ymarfer corff yn cael ei gydnabod nawr i'r graddau bod hamdden a chwaraeon bellach yn rhan o'r portffolio iechyd. Trwy gadw pobl yn fwy heini dros gyfnod hwy bydd hynny'n arwain at lai o gostau o ran mynd i'r ysbyty, gwasanaethau gofal cymdeithasol, therapi galwedigaethol ac ati, a fydd yn llawer iawn mwy nag unrhyw arbedion a wneir drwy leihau cymorth ariannol i'n lleoliadau chwaraeon, y gallai rhai ohonynt fod mewn perygl o gau gan na allant fforddio'r costau cynnal a chadw. Cyfeiriodd at bryderon penodol a fynegwyd gan y cyhoedd ynghylch dyfodol Parc Howard a gofynnodd a fyddai modd ei dynnu oddi ar y rhaglen trosglwyddo asedau a'i gynnwys yn y rhaglen buddsoddi, digideiddio ac adfywio diwylliannol fel yn achos amgueddfeydd eraill a'r gwasanaeth archifau, gan gofio y byddai'n rhaid buddsoddi ym Mharc Howard i sicrhau ei fod mewn cyflwr priodol i'w drosglwyddo.

Yn ateb, eglurodd yr Aelod o'r Bwrdd Gweithredol dros Adfywio a Hamdden fod yr Awdurdod wedi cyflwyno cais llwyddiannus gwerth £5 miliwn i'r Loteri am fuddsoddiad ym Mharc Howard. Yn anffodus, roedd y cais wedi methu oherwydd gwrthwynebiad gan drigolion lleol.

Rhodddwyd gwybod i'r Cynghorydd Cundy, er bod newid wedi bod yn y polisi mewn perthynas â'r cysylltiad rhwng hamdden ac iechyd, roedd yr egwyddor wedi bod yno drwy'r amser. Tynnwyd sylw at y ffaith nad oedd y rhaglen trosglwyddo asedau yn ymwneud ag arbedion yn unig, ond hefyd er mwyn sicrhau cydraddoldeb ar draws y sir yn y modd y caiff asedau eu cynnal a'u cadw.

Tynnwyd sylw at y ffaith nad oedd Cyngor Cymuned Llandyfaelog wedi'i gynnwys yn y rhestr a phwysleisiwyd ei bod yn bwysig sicrhau bod yr holl Gynghorau Tref a Chymuned yn cael eu cynnwys.

## **PENDERFYNWYD**

**5.1 nodi'r wybodaeth;**

**5.2 nodi'r gwrthwynebiad a ddaeth i law i'r bwriad i drosglwyddo'r ased sef Parc Howard a bod yr Arweinydd yn cwrdd â Chyfeillion Parc Howard i drafod cynigion ar gyfer ei gynnal a'i gadw yn y dyfodol.**

## **6. ADRODDIAD MONITRO CYLLIDEB REFENIW Y CYNGOR**

Bu'r Bwrdd Gweithredol yn ystyried yr adroddiad monitro ynghylch y gyllideb refeniw ar gyfer y cyfnod o 1<sup>af</sup> Ebrill, 2015 hyd at 31<sup>ain</sup> Hydref, 2015 a roddai'r wybodaeth ddiweddaraf am y sefyllfa gyllidebol fel yr oedd ar 31<sup>ain</sup> Hydref, 2015 mewn perthynas â 2015/16.

Yn gyffredinol, roedd yr adroddiad yn rhagweld y byddai tanwariant diwedd blwyddyn o £273k ar gyllideb refeniw net yr Awdurdod ac y byddai gorwariant o

£1,876k ar lefel adrannol.

## **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 sefyllfa oedd cyllidebol yn feirniadol ac yn cymryd camau priodol er mwyn cadw'r gwariant yn unol â'r gyllideb a ddyrannwyd.**

## **7. DIWEDDARU RHAGLEN GYFALAF 2015-16**

Bu'r Bwrdd Gweithredol yn ystyried adroddiad oedd yn rhoi diweddariad ynghylch gwariant y Rhaglen Gyfalaf yn erbyn cyllideb 2015/16, fel yr oedd ar 31<sup>ain</sup> Hydref, 2015. Roedd yr adroddiad yn cynnwys manylion am y prif amrywiannau.

**PENDERFYNWYD YN UNFRYDOL fod yr adroddiad diweddaru ynghylch y rhaglen gyfalaf yn cael ei dderbyn.**

## **8. RHAGLEN GYFALAF PUM MLYNEDD - 2016/17-2020/21**

Bu'r Bwrdd Gweithredol yn ystyried adroddiad oedd yn bwrw golwg gychwynnol ar y rhaglen gyfalaf 5 mlynedd o 2016/17 i 2020/21, a fyddai'n sail i'r broses ymgynghori ynghylch y gyllideb gyda'r aelodau a phartion perthnasol eraill. Byddai'r adborth o'r broses ymgynghori hon, ynghyd â chanlyniad y setliad terfynol, yn cyfrannu i'r adroddiad terfynol ynghylch y gyllideb a fyddai'n cael ei gyflwyno i'r aelodau i'w ystyried yn Chwefror, 2016.

Roedd yn braf gan y Bwrdd nodi lefel y buddsoddi oedd yn cael ei gwneud ar draws yr Awdurdod ar adfywio ac isadeiledd. Cyfeiriodd y Prif Weithredwr at bwysigrwydd manteisio ar ffynonellau cyllid grant yn y cyswllt hwn.

**PENDERFYNWYD YN UNFRYDOL gymeradwyo, at ddibenion ymgynghori, y rhaglen gyfalaf arfaethedig.**

## **9. CYNLLUN ILDIO CYFLOG (CAR)**

[SYLWER: Roedd pob swyddog oedd yn bresennol yn y cyfarfod, heblaw am y Swyddog Gwasanaethau Democraataidd, wedi datgan buddiant personol yn yr eitem hon ac felly nid oeddent yn bresennol yn y cyfarfod tra cafodd yr eitem ei thrafod a thra penderfynid yn ei chylch.]

Bu'r Bwrdd yn ystyried adroddiad diweddaru ynghylch gweithredu'r Cynllun Ildio Cyflog (Car) a gymeradwywyd fel rhan o adroddiad a gyflwynwyd i'r Bwrdd Gweithredol ar 15<sup>fed</sup> Mehefin, 2015 (gweler cofnod 11). Yn y cyfarfod hwnnw penderfynwyd bod y cynllun Ildio Cyflog (Car) yn cael ei gynnig i ddechrau fel cynllun peilot am flwyddyn i'r un gweithwyr a fyddai wedi bod yn gymwys ar gyfer naill ai'r cynllun Cymorth i Brynu Car neu'r cynllun Contract Hurio Car, a bod y cynllun, yn dilyn canlyniadau'r peilot, yn cael ei ailystyried er mwyn asesu a ellir ei ehangu i gynnwys yr holl weithwyr cymwys yn yr Awdurdod.

Rhoddyd gwybod i'r Bwrdd fod yr argymhelliad uchod, yn dilyn ymchwiliad a thrafodaeth bellach ag ymgynghorydd allanol ynghylch y cynllun, wedi cael ei newid a bellach y cynnig oedd bod y cynllun yn mynd yn agored i'r holl weithwyr cymwys yn yr Awdurdod.



## PENDERFYNWYD YN UNFRYDOL

**9.1 bod y Cynllun Ildio Cyflog (Car) yn cael ei gynnig i'r holl weithwyr cymwys yn yr Awdurdod;**

**9.2 bod y broses gaffael yn parhau ynghylch gweithredu'r Cynllun Ildio Cyflog (Car), gyda golwg ar ddechrau'r cynllun yn 2016.**

## **10. ADOLYGIAD O DDATGANIAD Y POLISI TRWYDDEDU (DEDDF TRWYDDEDU 2013)**

Atgoffwyd y Bwrdd fod y Polisi Trwyddedu presennol wedi cael ei fabwysiadu gan yr Awdurdod yn Ionawr 2011 a'r Polisi Effaith Gronnol mewn perthynas â Heol yr Orsaf, Llanelli yn 2012. Roedd yn ofynnol, yn ôl deddfwriaeth, i'r Polisi Trwyddedu gael ei adolygu o leiaf bob pum blynedd er mwyn sicrhau ei fod yn adlewyrchu adborth gan y gymuned leol fod yr amcanion statudol yn cael eu cyflawni.

Ers i'r Polisi Trwyddedu presennol gael ei adolygu roedd llawer o newidiadau wedi cael eu gwneud i Ddeddf Trwyddedu 2003. Roedd Adain Drwyddedu yr Awdurdod, ar y cyd ag Adain y Gyfraith, wedi adolygu'r ddogfen bolisi yng ngoleuni'r newidiadau hyn, canllawiau diwygiedig y llywodraeth a chyfraith achos ddiweddar. Roedd y newidiadau statudol hyn wedi eu cynnwys yn y ddogfen bolisi.

Fel rhan o'r adolygiad roedd yn ofynnol i'r Awdurdod gynnal ymgynghoriad â'r Awdurdodau Cyfrifol, preswylwyr a busnesau lleol, deiliaid trwydded presennol a'u cynrychiolwyr, er mwyn sicrhau y gallai'r Awdurdod roi ystyriaeth ffurfiol i'w sylwadau. Dechreuodd yr ymgynghoriad ar 7<sup>fed</sup> Gorffennaf a daeth i ben ar 13<sup>eg</sup> Medi, 2015.

Nodwyd y byddai'r polisi, os byddai'n cael ei gymeradwyo, yn dod i rym o 10<sup>fed</sup> Chwefror 2016 ymlaen.

## PENDERFYNWYD ARGYMELL I'R CYNGOR

**10.1 bod Datganiad diwygiedig y Polisi Trwyddedu yn cael ei gymeradwyo;**

**10.2 bod y Polisi Effaith Gronnol presennol yn cael ei gadw ar gyfer Heol yr Orsaf, Llanelli, fel y manylir yn Adran 10 o'r polisi;**

**10.3 bod rhagor o dystiolaeth yn cael ei chasglu mewn perthynas â'r posibilrwydd o fabwysiadu Polisi Effaith Gronnol ar gyfer Heol Awst, Caerfyrddin, yn sgil yr ymatebion i'r ymgynghoriad.**

## **11. ADOLYGIAD O'R POLISI HAPCHWARAE**

Atgoffwyd y Bwrdd fod yr Awdurdod wedi mabwysiadu'r Polisi Hapchwarae presennol ym mis Rhagfyr 2012 a'i fod wedi dod i rym ar 31<sup>ain</sup> Ionawr, 2013. Roedd yn ofynnol, yn ôl deddfwriaeth, i'r Polisi Hapchwarae gael ei adolygu o leiaf bob tair blynedd er mwyn sicrhau ei fod yn adlewyrchu adborth gan y gymuned leol fod yr amcanion statudol yn cael eu cyflawni.

Roedd Adain Drwyddedu yr Awdurdod, ar y cyd ag Adain y Gyfraith, wedi adolygu'r ddogfen bolisi yng ngoleuni'r diwygiadau i ganllawiau'r Comisiwn

Hapchwarae. Roedd y swyddogion wedi bod yn cydweithio'n agos â'r Comisiwn Hapchwarae er mwyn sicrhau bod y ddogfen ddiwygiedig yn cwmpasu'r newidiadau oedd yn cael eu cyflwyno gan y Comisiwn, a oedd yn cynnwys cynnal cyfarfod ar y cyd â chynrychiolwyr y Comisiwn Hapchwarae ac Awdurdodau Trwyddedu Sir Benfro a Cheredigion.

Fel rhan o'r adolygiad roedd yn ofynnol i'r Awdurdod gynnal ymgynghoriad â Phrif Swyddog yr Heddlu, cynrychiolwyr busnesau hapchwarae a phobl oedd yn cynrychioli buddiannau preswylwyr a busnesau yn yr ardal, er mwyn i'r Awdurdod roi ystyriaeth ffurfiol i'w sylwadau. Dechreuodd yr ymgynghoriad ar 7<sup>fed</sup> Gorffennaf a daeth i ben ar 13<sup>eg</sup> Medi, 2015.

Ers i'r adroddiad gael ei lunio, roedd y Comisiwn Hapchwarae wedi cyhoeddi fersiwn fwy diweddar o'u canllawiau a gofynnwyd a fyddai modd cymeradwyo bod canllawiau'r Comisiwn Hapchwarae wedi'u diweddarau yn cael eu cynnwys a'u croesgyfeirio yn y Polisi Hapchwarae.

**PENDERFYNWYD ARGYMELL I'R CYNGOR fod y Polisi Hapchwarae diwygiedig, gan gymryd i ystyriaeth ganllawiau'r Comisiwn Hapchwarae wedi'u diweddarau, yn cael ei gymeradwyo.**

## **12. ADOLYGU FFI OEDD A BENNIR YN LLEOL YN ADAIN IECHYD YR AMGYLCHEDD A THRWYDDEDU**

Rhoddyd gwybod i'r Pwyllgor fod yr egwyddor o bennu ffioedd yn lleol wedi bod dan sylw'n ddiweddar mewn achos yn yr Uchel Lys, a bod canlyniad yr achos hwnnw wedi cadarnhau'r mathau o gostau y gall Cyngor eu hadennill drwy bennu ffioedd yn lleol. Roedd hyn yn cynnwys gweinyddu, cyflwyno a, lle bo'n berthnasol, gorfodi trwyddedau. Rhaid pennu ffioedd mewn modd tryloyw, ni allant fod yn fwy costus na chost y weithdrefn a rhaid iddynt fod yn agored i broses graffu.

O ganlyniad i'r eglurhad hwn ynghylch y costau y gellid eu cynnwys wrth bennu ffioedd, roedd Panel Arbenigwyr Trwyddedu Cymru wedi llunio "pecynnau gwaith" gyda golwg ar sicrhau bod cysondeb o ran ymagwedd yr Awdurdodau Lleol wrth bennu eu ffioedd. Hefyd roedd hyn yn galluogi Awdurdodau Lleol i sicrhau bod yr holl gostau perthnasol yn cael sylw wrth gyfrif y swm.

Bu'r Bwrdd yn ystyried strwythur ffioedd arfaethedig ar gyfer Adain Iechyd yr Amgylchedd a Thwyddedu, ac roedd manylion y rhain wedi'u hatodi i'r adroddiad yn Atodiad 1. Nodwyd y byddai'r ffioedd, os byddent yn cael eu cymeradwyo, yn weithredol o 1<sup>af</sup> Ebrill, 2016 ymlaen.

### **PENDERFYNWYD YN UNFRYDOL**

**12.1 hysbysebu'r ffioedd mewn perthynas â Masnachu ar y Stryd, Cyflenwadau Dŵr Preifat, Cŵn Strae, Delwyr Metel Sgrap, Ffioedd Hysbysiadau Deddf Tai 2004, Trwyddedau Safleoedd Cartrefi Symudol, Ffioedd Cynllun Trwyddedu Dethol Tai Amlfeddiannaeth, Ffioedd Asiantaeth Grant a Thai Gwag/Troi Tai'n Gartrefi, fel y manylir yn Atodiad 1 i'r adroddiad, am gyfnod o 28 diwrnod a bod y ffioedd diwygiedig yn cael eu gweithredu o 1<sup>af</sup> Ebrill, 2016;**

## 12.2 ARGYMELL I'R CYNGOR

**12.2.1 hysbysebu'r ffioedd arfaethedig ar gyfer cerbydau hacnai/hurio preifat, fel y manylir yn Atodiad 1 i'r adroddiad, am gyfnod o 28 diwrnod fel sy'n ofynnol gan Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976 er mwyn i bobl gyflwyno gwrthwynebiadau ac os nad oes gwrthwynebiadau bydd y ffioedd yn cael eu gweithredu o 1<sup>af</sup> Ebrill, 2016;**

**12.2.2 hysbysebu'r ffioedd mewn perthynas â Sefydliadau Rhyw, Tatwio a Thyllu'r Croen, Diogelwch mewn Meysydd Chwarae, Ailsgorio Hylendid Bwyd a Thrwyddedau Cychwyr a Chychod Pleser, fel y manylir yn Atodiad 1 i'r adroddiad, am gyfnod o 28 diwrnod a bod y ffioedd diwygiedig yn cael eu gweithredu o 1<sup>af</sup> Ebrill, 2016.**

### 13. DARPARIAETH DYSGU I OEDOLION YN Y GYMUNED YN Y DYFODOL GAN YR ADRAN ADDYSG A PHLANT

[SYLWER: Roedd y Cyngorydd D.M. Jenkins wedi datgan buddiant yn yr eitem hon yn gynharach.]

Bu'r Bwrdd Gweithredol yn ystyried adroddiad a roddai fanylion am y sefyllfa ariannol gyfredol oedd yn wynebu Gwasanaeth Dysgu Oedolion yn y Gymuned yr Adran Addysg a Phlant. Nid oedd y gwasanaeth yn derbyn cyllid craidd gan y Cyngor ac roedd yn ddibynnol ar grantiau Llywodraeth Cymru i weithredu. Dros y flwyddyn diwethaf roedd y gwasanaeth wedi cael gostyngiad o £289k mewn grantiau gan Lywodraeth Cymru oedd yn cyllido darpariaeth cyrsiau, staff ac adeiladau cysylltiedig.

Yn ogystal â'r gostyngiad yn y cyllid grant, ym Medi 2015 penderfynodd rheolwyr Coleg Sir Gâr na fyddai'n bosibl trosglwyddo staff y gwasanaeth a'r ddarpariaeth cyrsiau o'r Cyngor Sir i strwythur y Coleg. Roedd ymarfer monitro manwl ynghylch y gyllideb wedi tynnu sylw at y ffaith fod y gwasanaeth oddeutu £147k dros y gyllideb a ddyrannwyd am ddysgu cymunedol yn y flwyddyn 2015/16. Roedd y ffactorau hyn yn golygu, oni bai bod cyllid arall o gyllidebau'r Cyngor i gynnal dysgu cymunedol yn cael ei glustnodi, na fyddai'r gwasanaeth yn gallu parhau i ddarparu'r ystod gyfredol o gyrsiau, rheoli'r ystod o adeiladau'r gwasanaeth a chyflogi'r staff cysylltiedig.

Yn absenoldeb unrhyw gyllid ychwanegol a glustnodwyd i gefnogi'r gwasanaeth, roedd y swyddogion wedi cynllunio sut y gallai'r Gwasanaeth Dysgu Oedolion yn y Gymuned weithredu gan ddefnyddio'r gyllideb fyddai ar gael yn y flwyddyn ariannol 2016/17 ac argymhellwyd gweithredu'r camau canlynol:-

1. Blaenoriaethu cyllideb y gwasanaeth Dysgu Oedolion yn y Gymuned ar gyfer darparu addysg sylfaenol i oedolion, sef cyrsiau llythrennedd, rhifedd, llythrennedd digidol, Saesneg ar gyfer siaradwyr ieithoedd eraill (gan gynnwys darpariaeth iaith i ffoaduriaid) a gweithgareddau a fyddai'n targedu'r dysgwyr anoddaf i'w cyrraedd a phobl y mae tldi'n effeithio arnynt;
2. Ailstrwythuro adain Addysg Sylfaenol i Oedolion y gwasanaeth yn 2016 er

mwyn gallu cyflwyno'r ddarpariaeth hon yn y modd mwyaf cost effeithiol sy'n bosibl;

3. Cynnal adolygiad o bolisi ffioedd y cyrsiau, gan godi ffioedd am gyrsiau SSIE, er bod cyrsiau Sgiliau Sylfaenol (llythrennedd a rhifedd) yn aros yn ddi-dâl;
4. Y gwasanaeth yn peidio â darparu dosbarthiadau eraill dysgu oedolion yn y gymuned (e.e. pynciau megis celf, crefftau, ieithoedd, cyfrifiadura a'r dyniaethau) ar ôl 31<sup>ain</sup> Mawrth, 2016 gan arwain at leihad yn nifer y staff cysylltiedig a gyflogir;
5. Y gwasanaeth yn rhoi'r gorau'n ffurfiol i'r rheolaeth a'r holl gostau cysylltiedig yn ymwneud â Chanolfan Cennen yn Rhydaman, Canolfan Addysg Gymunedol Glanamau a Chanolfan Addysg Gymunedol Felin-foel o 31<sup>ain</sup> Mawrth, 2016;
6. Y gwasanaeth yn cadw presenoldeb yn nhref Caerfyrddin, gan archwilio opsiynau ar gyfer lleoli'r ddarpariaeth drwy asesu dichonoldeb defnyddio lle yn llyfrgell Caerfyrddin, neu barhau i ddefnyddio Canolfan Addysg Caerfyrddin neu safle arall, a pharhau i ddefnyddio ystafelloedd yn llyfrgell Llanelli;
7. Y gwasanaeth Dysgu Oedolion yn y Gymuned yn cadw rôl o ran coladu gwybodaeth am gyrsiau sy'n cael eu cynnig gan sefydliadau ac unigolion eraill yn Sir Gaerfyrddin ac yn hyrwyddo'r wybodaeth hon drwy eu rhestru ar y wefan a chael swyddog cyswllt a enwir.

Tynnwyd sylw at y ffaith fod hyn yn gyfle i annog y trydydd sector i ymgymryd â rôl darparu cyrsiau anachrededig megis crefftau fel gwaith crosio a chroesbwytho yn ogystal â rhaglenni ymarfer corff.

## **PENDERFYNWYD YN UNFRYDOL**

- 13.1 derbyn yr adroddiad sy'n manylu ar yr angen i ailstrwythuro a newid pwyslais gwaith Gwasanaeth Dysgu Oedolion yn y Gymuned yr Adran Addysg a Phlant yn dilyn gostyngiad sylweddol yn y cyllid a geir gan Lywodraeth Cymru;**
- 13.2 cymeradwyo darpariaeth y Gwasanaeth Dysgu Oedolion yn y Gymuned yn y dyfodol yn unol â'r gyllideb a glustnodwyd ar gyfer y flwyddyn 2016/17, fel y manylir uchod.**
- 13.3 rhestru gwybodaeth ar Lleol-i am y cyrsiau sy'n cael eu cynnig gan sefydliadau ac unigolion yn Sir Gaerfyrddin.**

## **14. Y GYMRAEG MEWN ADDYSG**

Bu'r Bwrdd yn ystyried adroddiad a roddai ddiweddariad ynghylch y datblygiadau sy'n ymwneud â Chynllun Strategol Cymraeg mewn Addysg. Roedd yr adroddiad yn cynnwys data perfformiad mewn perthynas â'r iaith Gymraeg mewn ysgolion, yn rhoi manylion am y cynnydd o ran "Codi Caerau Sir Gâr" a deunyddiau marchnata ac yn rhoi diweddariad ynghylch datblygiadau eraill yn ymwneud â'r

Gymraeg mewn Addysg.

**PENDERFYNWYD YN UNFRYDOL dderbyn yr adroddiad.**

**15. Y RHAGLEN MODERNEIDDIO ADDYSG - CYNNIG I GAU YSGOL BABANOD LLANGENNECH AC YSGOL IAU LLANGENNECH A SEFYDLU YSGOL GYMUNEDOL GYNRADD LLANGENNECH**

Bu'r Bwrdd yn ystyried adroddiad a roddai fanylion y cynnig i gau Ysgol Babanod Llangennech ac Ysgol Gynradd Llangennech a sefydlu Ysgol Gynradd Gymunedol Llangennech. Cynigiwyd y byddai'r ysgol newydd yn ysgol categori iaith cyfrwng Cymraeg 3-11 oed ynghyd â darpariaeth feithrin.

Yn dilyn ymddeoliad pennaeth Ysgol Babanod Llangennech ar ddiwedd tymor yr haf 2013 sefydlwyd ffederasiwn llac gyda phennaeth Ysgol Iau Llangennech. Ym Medi 2014 penderfynodd Cyrff Llywodraethu y ddwy ysgol i fwrw ymlaen â llunio ffederasiwn ffurfiol o Ebrill, 2015. Roedd yr Awdurdod bellach yn dymuno bwrw ymlaen â chynnig i greu Ysgol Gynradd Gymunedol a fyddai'n cymryd lle Ysgolion Babanod ac Iau Llangennech.

**PENDERFYNWYD YN UNFRYDOL gymeradwyo'r cynnig i gau Ysgol Babanod Llangennech ac Ysgol Gynradd Llangennech a sefydlu Ysgol Gynradd Gymunedol Llangennech.**

**16. BWRIAD I WAREDU TIR AC ADEILADU A DDELIR DAN YMDDIRIED SEF CANOLFAN ADDYSG CYMUNEDOL PEN-BRE (NEUADD GOFFA PEN-BRE YN FLAENORAL) HEOL Y MYNYDD, PEN-BRE, PORTH TYWYN, SIR GAERFYRDDIN**

Hysbyswyd y Bwrdd fod Gwasanaeth Dysgu Oedolion yn y Gymuned y Cyngor wedi rheoli Canolfan Addysg Gymunedol Pen-bre ers y crëwyd yr Awdurdod Unedol yn 1996.

Mae'r Gwasanaeth DOG wedi bod yn destun toriadau parhaus i gyllidebau craidd a chyllidebau grant ers 2008 ac roedd adolygiad o'r modd y defnyddir adeiladau a gynhaliwyd yn 2011/12 wedi amlygu bod cyrsiau'r gwasanaeth DOG yn defnyddio'r adeilad yn anfynd iawn, ond bod amrywiaeth o gyrrff lleol gan gynnwys Grŵp Ysgol Feithrin Pen-bre yn defnyddio'r ganolfan.

Gan fod costau rhedeg a chynnal a chadw'r adeilad yn uchel ac yn cynnwys gofalwr llawn-amser bernid mai doeth fyddai archwilio dulliau eraill o reoli'r cyfleuster hwn mewn partneriaeth â'r gymuned leol ac yn dilyn proses ymgynghori cadarnhaodd Cyngor Tref Pen-bre a Phorth Tywyn eu bod nhw'n barod i gymryd rheolaeth dros yr adeilad.

**PENDERFYNWYD YN UNFRYDOL i drosglwyddo'r adeilad i Gyngor Tref Pen-bre a Phorth Tywyn yn unol â'r telerau a nodwyd yn yr adroddiad.**

**17. CYNLLUN CYDRADDOLDEB STRATEGOL CYNGOR SIR CAERFYRDDIN (DRAFFT) 2016-2020**

Dywedwyd wrth y Bwrdd fod Deddf Cydraddoldeb 2010 yn cynnwys dyletswydd cydraddoldeb newydd yn y sector cyhoeddus, a oedd yn cymryd lle'r dyletswyddau

ar wahân o ran cydraddoldeb hil, cydraddoldeb anabledd a chydraddoldeb rhyw.

Nod y ddyletswydd gyffredinol oedd sicrhau bod awdurdodau cyhoeddus a'r rhai oedd yn cyflawni swyddogaeth gyhoeddus yn ystyried sut y gallent gyfrannu'n gadarnhaol at gymdeithas decach drwy hyrwyddo cydraddoldeb a pherthynas dda yn eu gweithgareddau pob dydd.

Roedd y fersiwn drafft o'r Cynllun Cydraddoldeb Strategol wedi'i lunio er mwyn amlinellu sut roedd y Cyngor yn mynd i gyflawni ei ddyletswyddau o dan Ddeddf Cydraddoldeb 2010 a'r Dyletswyddau Penodol i Gymru. Roedd y strategaeth ddrafft yn cynnwys chwech o amcanion allweddol y bydd y Cyngor yn gweithio tuag at eu cyflawni, yn seiliedig ar ei rôl fel cyflogwr, darparwr gwasanaethau ac arweinydd cymunedol.

## **PENDERFYNWYD YN UNFRYDOL ARGYMELL I'R CYNGOR gymeradwyo Cynllun Cydraddoldeb Strategol Cyngor Sir Caerfyrddin 2016-2020 ar gyfer ei weithredu o Ebrill 2016.**

### **18. DEDDF TEITHIO LLESOL (CYMRU) - GOFYNION OR AWDURDODAU LLEOL**

Dywedwyd wrth y Bwrdd fod Deddf Teithio Llesol (Cymru) wedi dod yn ddyletswydd ym Medi 2014 a'i bod yn rhoi gofyniad statudol ar Awdurdodau Lleol i wella llwybrau ar gyfer cerddwyr a beicwyr yn barhaus ac i baratoi mapiau sy'n clustnodi llwybrau cyfredol a llwybrau posibl yn y dyfodol.

Trwy gysylltu safleoedd allweddol fel manau gweithio, ysbytai, ysgolion a manau siopa â llwybrau di-drafftig a lonydd beicio, nod y Ddeddf oedd annog pobl i ddibynnu llai ar eu ceir wrth wneud teithiau byr. Nod y Ddeddf oedd gwneud teithio llesol yr opsiwn mwyaf atyniadol ar gyfer teithiau byr, ar y sail y byddai galluogi mwy o bobl i deithio'n llesol yn golygu y gallai mwy o bobl fwynhau'r manteision i iechyd, helpu i leihau allyriadau nwyon tŷ gwydr, trechu tloidi ac anfantais a helpu i'r economi dyfu.

Ar hyn o bryd, roedd y Ddeddf yn canolbwyntio'n bennaf ar y rhwymedigaeth statudol i greu ac i gyhoeddi Mapiau o'r Llwybrau Presennol y mae'n rhaid eu cwblhau a'u cyflwyno i Lywodraeth Cymru erbyn 22<sup>ain</sup> Ionawr, 2016.

Nodwyd bod Trimsaran wedi cael ei adael allan o'r map a byddai'n cael ei gynnwys cyn gynted â phosibl.

## **PENDERFYNWYD YN UNFRYDOL**

**18.1 nodi gofynion Deddf Teithio Llesol (Cymru) 2013;**

**18.2 cymeradwyo'r camau a gymerwyd gan y Cyngor hyd yma ynghylch datblygu Map o'r Llwybrau Presennol ar gyfer Sir Gaerfyrddin.**

### **19. COFNODION**

**PENDERFYNWYD YN UNFRYDOL lofnodi cofnodion cyfarfod y Bwrdd Gweithredol a gynhaliwyd ar 30<sup>ain</sup> Tachwedd, 2015 yn gofnod cywir.**

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CADEIRYDD

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DYDDIAD

Mae'r dudalen hon yn wag yn fwriadol