

**CABINET: DYDD IAU, 16 MAI 2019 at 2.00 PM**

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Cynhelir Cyfarfod Cabinet yn Ystafell Bwyllgor 4, Neuadd y Sir Ddydd Iau 16 Mai 2019 am 2.00 pm

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**A G E N D A**

- 1 Cofnodion y cyfarfod Cabinet a gynhaliwyd ar 18 Ebrill 2019 (*Tudalennau 3 - 6*)

**Strydoedd Glân, Ailgylchu a'r Amgylchedd**

- 2 Fferm Solar Ffordd Lamby (*Tudalennau 7 - 26*)

**Tai a Chymunedau**

- 3 Strategaeth i godi 2,000 o gartrefi cyngor newydd (*Tudalennau 27 - 50*)

**Buddsoddi a Datblygu**

- 4 Cynllun Eiddo Blynnyddol (*Tudalennau 51 - 94*)

- 5 Cynllun Adfywio Heol Dumballs (*Tudalennau 95 - 102*)

**Gofal Cymdeithasol, Iechyd a Llesiant**

- 6 Strategaeth Gomisiynu ar y Cyd ar gyfer Oedolion ag Anabledd Dysgu  
(*Tudalennau 103 - 176*)

- 7 Cymeradwyaeth i barhau i gymryd rhan yn y Cynllun Adsefydlu Pobl sy'n Agored  
i Niwed (*Tudalennau 177 - 234*)

**Cynllunio Strategol a Thrafnidiaeth**

- 8 Goleuadau Stryd LED ar Rwydwaith Priffyrdd Preswyl (*Tudalennau 235 - 260*)

- 9 Canllaw Cynllunio Atodol Dyluniad ac Arwyddion Blaen (*Tudalennau 261 - 304*)

**PAUL ORDERS**

Chief Executive

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg





**CARDIFF COUNCIL  
CYNGOR CAERDYDD**



MINUTES

**CABINET MEETING: 18 APRIL 2019**

Cabinet Members Present:	Councillor Huw Thomas (Leader) Councillor Peter Bradbury Councillor Russell Goodway Councillor Graham Hinchey Councillor Sarah Merry Councillor Michael Michael Councillor Lynda Thorne Councillor Chris Weaver Councillor Caro Wild
Observers:	Councillor Joe Boyle Councillor Keith Parry Councillor Adrian Robson
Officers:	Paul Orders, Chief Executive Sarah McGill, Corporate Director Ian Allwood, For Section 151 Officer Mark Roberts, For Monitoring Officer Joanne Watkins, Cabinet Office
Apologies:	Councillor Susan Elsmore

**108 MINUTES OF THE CABINET MEETING HELD ON 21 MARCH 2019**

That the minutes of the meeting held on 21 March 2019 be approved

**109 MUSIC ECOSYSTEM STUDY**

The Cabinet received a report containing the Sound Diplomacy *Music City Report - Informing a Music Strategy for Cardiff: Music Ecosystem Study and Strategic Recommendations*. The report was an assessment of Cardiff's music ecosystem which had taken account of Cardiff's economy, infrastructure, tourism, education and built environment. The report contained recommendations as to how to maximise Cardiff's role as a music city, with a cornerstone recommendation being to establish a music board.

**RESOLVED:** that

1. the contents of the Sound Diplomacy Music Strategy Report: Music Ecosystem Study and Strategic Recommendations (attached Appendix 1) be noted.
2. a future report be brought to Cabinet to
  - i. Provide a detailed response to the Music Ecosystem Study and Strategic Recommendations (attached at Appendix 1 to the report).
  - ii. Establish a Music Board, taking into consideration the recommendations of the Sound Diplomacy Music Strategy Report (attached Appendix 1) and including detail of the governance arrangements and the Board's Terms of Reference.

110 **CENTENARY FIELDS**

Cabinet received a report outlining proposals to dedicate Grange Gardens and Alexandra Gardens as Centenary Fields. It was reported that no formal representations or objections to the proposals to enter into a deed of dedication had been received. It was noted that there would be no restriction of access or use as a consequence of the dedication.

**RESOLVED:** that the Director of Governance and Legal, in consultation with other appropriate service area officers and Fields in Trust, be authorised to complete the dedication of the sites named in this report as Centenary Fields.

111 **NEW SCHOOL PROVISION TO SERVE PARTS OF CREIGIAU/ ST FAGANS RADYR/ MORGANSTOWN AND FAIRWATER**

A report outlining proposals to hold a public consultation on a proposal to establish a new two form entry dual stream primary school, organised as one form of entry Welsh-medium and one form of entry English-medium, but with significant use of Welsh, to serve parts of Creigiau/ St Fagans, Radyr/ Morganstown and Fairwater was considered. It was noted that the school formed part of the section 106 contribution from the Plasdwr development and was necessary to serve the additional demand from within the development.

**RESOLVED:** that officers be authorised to consult on a proposal to establish a new two form entry dual stream primary school organised as one form of entry Welsh-medium and one form of entry predominantly English-medium but with significant use of Welsh, each with 48 part-time nursery places, from September 2021

112 **RESPONSE TO THE CHILDREN & YOUNG PEOPLE'S & COMMUNITIES & ADULTS SCRUTINY COMMITTEE REPORT ENTITLED PREVENTING YOUNG PEOPLE'S INVOLVEMENT IN DRUG DEALING**

The Cabinet considered the response to the recommendations of the Scrutiny Task and Finish report entitled 'Preventing Young People's Involvement in Drug Dealing.' 12 recommendations were accepted and 6 were accepted in

principle. One recommendation, was not accepted by the Police Commissioner.

**RESOLVED:** that the response to the Scrutiny Committee report entitled “Preventing Young People’s Involvement in Drug Dealing” be agreed.

113 **RESPONSE TO THE ECONOMY & CULTURE SCRUTINY REPORT ENTITLED 'COUNCIL WORKSHOPS & INNOVATION PREMISES'**

The Cabinet considered the response to the report of the Economy & Culture Scrutiny committee entitled ‘Council Workshops & Innovation Premises’. It was proposed that all recommendations be accepted or partially accepted.

**RESOLVED:** that the response to the report of the Economy & Culture Scrutiny Committee entitled ‘Council Workshops & Innovation Premises’ (Appendix A to the report) be agreed.

114 **ECONOMIC STRATEGY**

The Cabinet received the Economic Strategy for approval. The strategy had been developed following a public consultation exercise following the publication of the Economic Strategy Green paper: More and Better Jobs. Proposals were also debated at full Council. The economic strategy set out the Council’s vision for the city’s economy and established how key development priorities would be delivered.

**RESOLVED:** that the Economic Strategy be approved.

Mae'r dudalen hon yn wag yn fwriadol

**CARDIFF COUNCIL  
CYNGOR CAERDYDD**



**CABINET MEETING: 16 MAY 2018**

**LAMBY WAY SOLAR FARM**

**CLEAN STREETS, RECYCLING & ENVIRONMENT  
(COUNCILLOR MICHAEL MICHAEL)**

**AGENDA ITEM: 2**

*The Appendix to this report is exempt from publication because it contains information of the kind described in paragraphs 14 and 21 of parts 4 and 5 of Schedule 12A of the Local Government Act 1972*

**Reason for this Report**

1. To present a detailed and costed proposal to develop a Solar Farm at the Lamby Way capped landfill site for approval, and
2. To seek approval to enter into contracts to deliver the scheme.

**Background**

3. The Council's capped landfill site at Lamby Way has for some time been considered to be a suitable location for a large scale solar farm which could:
  - provide a substantial amount of clean, renewable energy to supply the local electricity grid and connected buildings,
  - make a positive contribution to national and local renewable energy generation and carbon reduction targets,
  - provide a localised economic activity and long-term productive use for a site that would be otherwise difficult to develop, and
  - contribute to the Welsh Government ambition for the Council and all public sector organisations in Wales to be "carbon neutral" by 2030.
4. In June 2018 Cabinet considered a report containing an Outline Business Case (OBC) for a solar farm at the Lamby Way capped landfill site. Cabinet approved the OBC and authorised a series of additional work to progress the project to its Full Business Case (FBC) stage for final Cabinet consideration. This series of work was:
  - to prepare and submit a planning application for the solar farm;

- to finalise negotiations to sell part of the energy generation to a neighbouring organisation through a “private wire” connection; and
  - to commence procurement of a design and build contractor, and operation and maintenance contractor for the scheme.
5. An indicative capital sum was also identified in the Council’s 2019/20 budget to fund the scheme on an invest-to-save basis, subject to final Cabinet approval of the FBC.
  6. This report summarises the outcome of this work and presents a Final Business Case based on the detailed design and contract prices offered from the procurement process. The June 2018 Cabinet report is available as a background paper.

## **ISSUES**

### **Planning Consent**

7. A planning application for the Solar Farm was submitted in March 2019. As well as proposing a detailed design and layout for the solar farm the planning application aimed to assess how the important ecological assets, and the landfill cap and gas collection infrastructure at the site, could be protected during development. Some of the key elements of the planning application were:
  - A comprehensive series of ecological surveys and proposals identifying species of known and protected importance, and detailing methods to protect these during construction and over the lifetime of the completed solar farm;
  - A detailed and optimised Solar Farm layout and design, developed by a solar electrical engineering consultant, supplying renewable energy both to the National Grid and directly to a “private wire” customer nearby. This design takes account of the various constraints at the site including topography, ecology, drainage, landfill cap construction and landfill gas collection infrastructure. The layout also includes a surrounding security fence with comprehensive CCTV coverage to protect the asset;
  - Appraisals of the likely visual impacts of the scheme on the surroundings; and
  - A comprehensive design and access statement to support the scheme.
8. Planning Committee will consider the planning application at the committee meeting of 15<sup>th</sup> May 2019. From the report to planning committee on this matter published on the 9<sup>th</sup> May it is noted that, if permission is granted it will have a series of standard and bespoke conditions attached.

9. In particular, these conditions will be aimed at ensuring the safe construction of the solar farm in the context of the capped landfill site, and protecting and enhancing the ecological environment in the long term:
  - A construction management plan will be required in order to ensure that the landfill cap is protected. This will require that none of the equipment on the site relies on drilled or penetrative ground fixings. All solar panels will therefore need to be ground mounted using heavy ballasted, concrete sleeper type footings.
  - An ecological management plan will also be required. This will require the translocation of protected reptiles prior to construction, and the creation and maintenance of improved habitats and refugia for them to return to on the site after construction. It will also impose a very tight development window to avoid important seasons for reptile hibernation, overwintering birds and ground nesting birds. This tight development window is one of the key constraints for the solar farm and means that major construction works will need to be complete by early October 19.
10. The production of the planning application also highlighted some other associated benefits of the scheme. In particular, the technical layout and design exercise identified that the Solar Farm could realise a potential of 8.5MW to 9MW capacity which is larger than the 7.5MW capacity modelled for the OBC stage. This increase in capacity is due to an improved layout following detailed site investigations, and the ever improving efficiency of solar panel technology. The general land take therefore remains similar to that proposed at the OBC stage.
11. Another associated benefit is that the security fencing proposed around the site will allow public access to the track between the solar farm and the estuary edge of the site. In due course, this will enable the completion of the Wales Coastal Path in this area, which currently diverts inland around the Lamby Way Waste site.

### **Private Wire Offtake**

12. As discussed in the June 18 Cabinet report, the Council had extensive dialogue with an organisation based near to the solar farm site which is interested in receiving power directly generated by the solar farm through a “private wire” arrangement. (The “Private Wire” is a dedicated high voltage cable connection to be constructed between the solar farm and the customer’s site.) A Memorandum of Understanding between the Council and this organisation outlining the interest was signed at that time.
13. Following the approval of the OBC in June 18 the two parties entered into more detailed negotiation and the Council has now agreed a draft “Power Purchase Agreement” (PPA) with the customer, Dwr Cymru/Welsh Water. This PPA will be finalised, signed and sealed following Cabinet approval of the scheme.

14. The PPA fixes an energy sale price per kilowatt hour, index linked, and for a confirmed supply period of 20 years.
15. This arrangement benefits both parties. The energy sale price from the Council's perspective is significantly higher than could be achieved through direct sale to the National Grid. Similarly, the energy purchase price, from the perspective of the private wire customer, is significantly lower than tariffs they could achieve through National Grid distributed energy sales. This is made possible because the energy distributed through the private wire will not be subject to the usual pass-through charges and taxes applicable to National Grid distributed energy which now make up over 50% of total electricity tariffs.
16. As well as improving the business case for the solar farm, and reducing the operational costs for the customer, this arrangement also helps to reduce the customer's fossil fuel consumption and carbon emissions at their site. It also brings them significantly closer to their ambition of being supplied by 100% renewable power at the Rover Way Waste Water Treatment Works, which in itself is a positive carbon reduction and climate change mitigation for Cardiff as a whole.

## Procurement

17. The Public Contracts Regulations 2015 applied to the procurement of the contract. The Council utilised the open procedure. Detailed tender documentation (including (without limitation) the Specification, contract, pricing information, and the evaluation methodology) was developed for the procurement of the Design and Build "Energy Performance Contract" (EPC) of the Solar Farm.
18. The bespoke EPC contract incorporates requirements for both construction and operational power performance, and includes a series of staged performance tests to verify, certify and guarantee this performance.
19. The contract requires this performance testing and certification to be quality controlled by an independent Engineer. The contractor will also need to achieve all necessary regulatory sign-off, including in relation to electrical connection and safety.
20. The tender opportunity was widely publicised to the market through Sell to Wales and other relevant networks. The procurement process invited bidders to submit fully costed proposals for the development of the Solar Farm. It required bidders to firstly prove their competence and track record in delivering solar schemes of this nature. This part of the selection stage looked at past performance in order to assess bidders' technical and professional ability, and their financial and economic standing. Those that passed this initial test were then, in very broad summary, required to:
  - Set out a comprehensive **solar farm design** for the site, based on the detail developed for the planning application, but with opportunities for improvement if possible;



- Identify the precise **equipment** to be used and specify its expected energy generation **performance** as well as detailing its **warranty** and **maintenance costs**;
  - Set out a **guaranteed minimum generation** performance achieved by their proposal, to be embedded in the contract; and
  - Facilitate and adhere to a series of formal testing periods to provide **proof of performance** and general regulatory compliance.
21. Bids were evaluated by taking these elements of construction cost, operational cost and energy production performance to derive a single “*levelised cost of energy*” measure for each bid. In this way a wide range of potential designs, components and outputs from different bidders could be measured and assessed on an equal, fair and transparent basis. The evaluation also included a “reliability” score which was based on the Bidders’ various system guarantees and fault fixing deadlines.
22. Alongside these Cost and Reliability factors a range of Quality measures was also assessed. Bidders were asked to provide details on:
- **Design quality**, justifying their equipment choices and layout design;
  - Their **construction programme**, ensuring delivery within the tight construction windows required by the ecology conditions and whilst also protecting the landfill cap and complying with the planning consent;
  - Their **mobilization programme**, showing how they would address and deliver the various pre-construction requirements and conditions;
  - Their **Health and Safety plan**, both in general terms and in the context of the particular ecological, pollution, geotechnical and electrical sensitivities of the site;
  - Their proposals for the **Operation and Maintenance** of the site during its first two years of life and during which the various performance guarantees will be tested and certified; and,
  - An assessment of what **Social Value** their proposals could bring, for example in the context of education and training opportunities and local employment and supply chain support.
23. Each of these items received a weighted score based on a set and transparent evaluation methodology. These Quality scores were then added to the Cost and Reliability scores for each bid and these total bidder scores were ranked. The highest ranking bidder was then identified as the preferred contractor.
24. A total of 5 complete bids were submitted for evaluation following the open OJEU process, of which 4 were considered to be technically compliant and were then fully assessed. The preferred bidder’s proposal will deliver a solar farm of 8.99MW.

25. A second, separate procurement exercise was also undertaken for the construction of the **private wire** element of the scheme. This was a much simpler process where the Council used the South East & Mid Wales Civil Engineering and Highways Framework to access pre-qualified Civil Engineering contractors under pre-defined contractual terms and conditions. This is also a Design and Build contract with the contractor responsible for securing necessary permissions, consents and certificates for their detailed proposal and with Council quality control in place. The preferred contractor's outline price includes substantial uplifts for some of the local risks in this part of the project, including contaminated land, directional drilling, and security. This "ceiling" price is included in the costings but may decrease following further detailing and negotiation.

### **Operation and Maintenance Period**

26. The Design and Build EPC contract requires the contractor to carry out all Operation and Maintenance (O&M) activities at the Solar Farm for the first two years of operation. This is to ensure that the Solar Farm performs to its expected guaranteed standards, that its commissioning, testing and certification period is completed successfully, and that other ongoing site and planning requirements, including the ecological management plan, are met. During this initial two year period the contractor will also be required to develop a full Operation and Maintenance Handbook detailing all actions necessary to keep the solar farm compliant and safe and performing to its agreed standards.
27. This Handbook will be used to set a specification for a much longer Operate and Maintain contract which will be advertised towards the end of the Design and Build contract's 2 year compliance phase and prior to final hand-over.

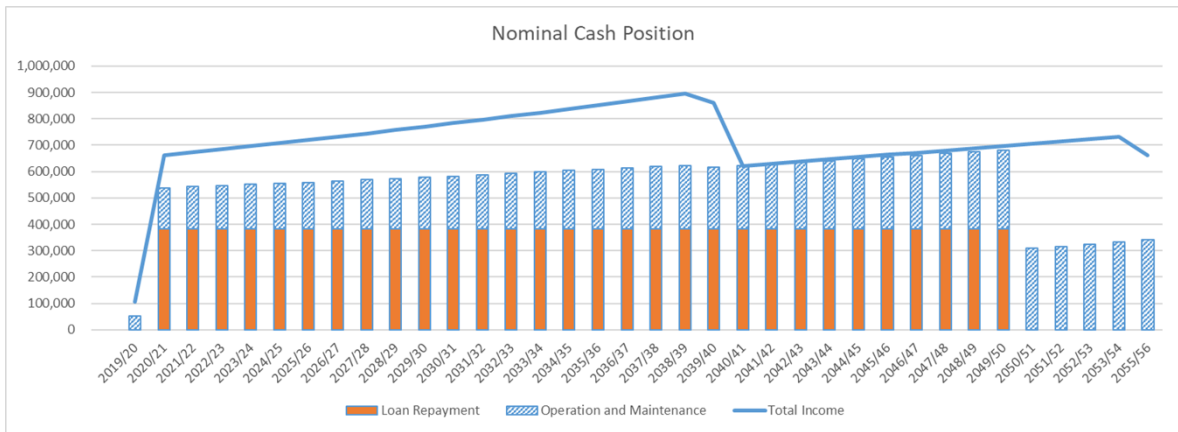
### **Full Business Case Summary**

28. The appendix to this report contains the Final Business Case for the Lamby Way Solar Farm. This uses the same methodology employed at the Outline Business Case stage but with size, cost and performance estimates now replaced with the actual, fixed and guaranteed costs and performance derived from the procurement process.
29. As noted in the June 18 cabinet Report, much of the equipment needed for the construction of the solar farm will come from Europe. As exchange rates have been fluctuating in recent months, largely due to the uncertainties around Brexit, the tender Price Schedule gave bidders the option of pricing in sterling or Euros for modules, inverters and mounting structures. Instructions were also given on converting the Euros to sterling for the purpose of evaluation. This strategy was selected in order to provide a consistent price basis for evaluation. There is a chance that exchange rates will fluctuate again between the date of this report and final contract signing. The recommendation is written 'subject to' the caveat that the contract will not be concluded if any such fluctuation adversely affects the business case.

30. The proposal depends on 5MW of the generating capacity being supplied through the private wire, with residual capacity supplied to the national grid through the connection at the site.
31. The business case looks at the total development costs and total income capacity of the scheme across a 35 year lifespan. This is a reasonable economic life-time assumption for solar schemes provided that routine maintenance and planned component upgrade (costs for which are included in the scheme’s model and contract) occurs across this period.
32. The period for the “Invest to Save” capital financing loan would be 30 years. The only estimated cost that remains in this model is that associated to the longer term Operation and Maintenance costs beyond the initial 2 year compliance phase. The costs that have been included, however, are thought to be well researched and cautious and are now also informed by the actual costs shown for these elements in the initial 2 years of O&M. Finance colleagues have assisted in reviewing the business case
33. The table below gives headline costs and benefits of the procured scheme for the 8.9MW proposal, compared to the estimates reported in the Outline Business case which assumed a 7.5MW scheme. The costs shown are “nominal” which includes for the effects of inflation.

<b>Business Case Summary</b>	Outline Business Case ( June 18)	Full Business Case (May 19)
<b>Total Costs</b> (Including initial development costs, Operation and Maintenance, and Loan interest over 30 years)	£14.9m	£16.3m
<b>Total Income</b> (Private wire (20 years) + Direct grid sale (residual for 20 years, 100% for remaining life))	<b>£21.2m</b>	<b>£25.8m</b>

34. The graph below summarises the nominal cash position (i.e. including projected inflation) over the anticipated lifetime of the project. It shows that income clearly covers the cost of loan repayment, operation and maintenance with some additional headroom. The dip in income towards the latter years of the model reflects the end of the 20 year private wire arrangement. There would clearly be scope to renegotiate and extend this at the appropriate time though this opportunity is not modelled here.



### Project Programme

35. The preferred contractor has set out a detailed project delivery timetable with a range of key performance deadlines and a performance testing schedule. This timetable and its various compliance requirements will be embedded into the contract.
36. A very broad summary of this timetable is shown in the table below.

Programme Summary	
Commence procurement of contractors	April 19
Appoint contractors (subject to Cabinet approval)	May 19
Sign Power Purchase Agreement with Welsh Water	May 19
Ecological site preparation and reptile translocation	May - July 19
D&B contract mobilization phase (equipment purchase & delivery, pre commencement conditions etc)	May - July 19
D&B construction period	July – Oct 19
Private wire construction period	July – Nov 19
Initial connection and commissioning	Nov 19
O&M, testing, certification and performance	Nov 19 – Nov 21
Final Certification	Nov 21
Long term O&M contract	.....From Nov 21

### Conclusion and Recommendations

37. The detailed proposals now produced for an 8.9MW Lamby Way Solar Farm Scheme include a detailed and achievable design performance and a construction programme that ensures that the important ecological assets at the site are protected. The Design and Build EPC contract has been drafted to contain a series of guaranteed performance measures to ensure that the solar farm operates as expected and to protect the Council’s investment. The subsequent procurement exercise has delivered an affordable invest-to-save proposition for delivery of the Lamby Way Solar Farm which contains prudent assumptions.

38. Once complete, the scheme will generate clean, renewable energy over a 35 year period, providing an environmental and economic benefit on a site that would be otherwise difficult to develop.
39. The solar farm's average annual generation will be roughly equivalent to the energy consumed by 2,900 average homes. It will offset 2,972 tonnes of CO2 emissions p/a and help the city's key waste water treatment works to reach its goal of being supplied by 100% renewable power. It will also mark a significant and short term action in respect of the Climate Emergency recently declared at national and local level.
40. Subject to the granting of Planning Consent for the scheme at the 15<sup>th</sup> May Planning Committee, it is recommended that Cabinet approve the FBC described in this report and delegate authority to the Director of Planning, Transport and Environment to sign and authorise the Design & Build EPC, Private Wire contract, and Power Purchase Agreements required to deliver the Solar Farm.
41. In the event that Planning Consent is not granted, it is recommended that the project be reviewed in light of any reasons for refusal and, where feasible, restructured to address any concerns with the intention of re-submitting for approval and implementation at a later date in 2020, supported by a new procurement process.

#### **Local Member consultation**

42. Local members have been briefed on the scheme. They were generally supportive but highlighted the need to consider the local impacts and opportunities arising from the proposal as it progressed through the Planning process. In particular they were keen to maximise the potential for protecting and enhancing local biodiversity and amenity value in the area.

#### **Reason for Recommendations**

43. To approve the final price and invest-to-save capital sum based on the outcome of the formal procurement process (subject to any adverse Foreign Exchange Rate fluctuations) and subject to the granting of planning consent to provide authority to proceed with the scheme

#### **Financial Implications**

44. The Solar Farm is a long term invest to save facility project which is projected to be self-financing as well as delivering long term financial benefits to the Council in addition to the significant carbon reduction benefits highlighted in the report.
45. The programme for the Solar Farm is heavily influenced by ecological factors and is very tight. The risk remains that any slippage in the appointment of the contractor, for example in contract signature, or delays in the contractor completing the work may cause a delay in the site becoming operational. As a result of the ecological restrictions it may not be possible to return to site for a period of 6-9 months with the corresponding loss of income that this would involve.

46. The financial evaluation has been undertaken in Sterling but it is recognised that a significant amount of the equipment for the Solar Farm will be purchased in euros. A fixed exchange rate of £1:€1.15 was used to convert the bidders euro costs to sterling. Actual foreign exchange rates will not be fixed until contract signature so this element of the contract cost may change up until this point.
47. The Solar Farm is a long term project with an operational life expected to be in excess of 30 years. The starting price for electricity exported to the grid and its indexation assumptions are considered to be prudent but the impact of price volatility for this commodity will be a risk for this project. Compared to the OBC this risk is mitigated to a degree by the additional generation of electricity in moving from a 7.5Mw to a c9Mw solar farm arising from the improved design and the on-going improvements in panel efficiency compared to the position reported in the OBC.
48. Final tender returns are still to be confirmed for the Private Wire Contractor and although the Technical Advisors consider that the provision in the FBC is reasonable the risk remains that the actual contract sum may exceed this provision.
49. As a consequence of the increased electricity generation of the Solar Farm compared with the OBC the quantum of expenditure in the FBC also exceeds the costs identified in the OBC, and included in the Councils 2019/20 Capital Programme. The mitigation to the additional expenditure is it is exceeded by the additional income generated through the enhanced size of the solar farm.

**Legal Implications (including Equality Impact Assessment where appropriate)**

50. External legal advice was provided on the procurement, and terms and conditions of the Design and Build “Energy Performance Contract” (EPC). The external advisers comment as follows:

- *Procurement*

*The procurement process undertaken by the Council, in order to procure the contract for the design and build (and operation and maintenance) of the Solar Farm at Lamby Way, has been conducted in compliance with the Public Contracts Regulations 2015.*

*The Council utilised the open procedure. The processes and procedures described within the project documentation reflect the requirements placed on the Council when utilising the open procedure.*

*In terms of the treatment of and communication with bidders and in drafting the procurement documentation, the Council has complied with the principles of procurement (acting transparently, equal treatment of bidders, not discriminating or distorting competition, and acting in a proportionate manner). The principles of*

*procurement are defined in regulation 18 of the Public Contracts Regulations 2015.*

*When conducting an open procedure, the procurement regulations allow for clarification of tenders - dialogue and negotiation with bidders is not permitted when using this procedure. The Council has complied with this requirement. Further, all clarification questions received from bidders have been responded to in the manner provided for within the Invitation to Tender, which further ensures legal compliance.*

*The selection and contract award criteria applied to the tender submissions in order to identify the proposed successful tenderer, was prepared in accordance with the provisions of the Public Contracts Regulations 2015. The selection and contract award criteria have been properly and appropriately applied to all tender submissions received in response to the Council's call for tenders.*

- *To date, the procurement process has been conducted in a legally compliant manner which mitigates the risk of a successful challenge for breach of the Public Contracts Regulations 2015. Terms and Conditions*

*The terms and conditions of contract are based on two bespoke forms of contract, (1) EPC and (2) O&M. The intention is for the successful contractor to enter into the EPC with an option (at the sole discretion of the Council) for the successful contractor to be appointed to provide operation and maintenance services for a two year period from completion of the works. We are instructed that this is the preferred approach as the aim is to procure a general O&M contractor to service a number of sites once the two year period has expired. Given that the EPC contains testing provisions which continue for two years after completion of the works, we are instructed that use of the same contractor to carry out the O&M services during this time represents better value for money.*

*It should be noted that both contracts contain caps on liability. The Council has been advised by its technical advisor that these caps are essential.*

### *The EPC*

*As mentioned above the EPC is a bespoke form of contract. We were instructed to proceed on the basis of a bespoke form of contract on the basis of technical advice provided to the Council that the market will respond more favourable to the proposed terms rather than using amended standard forms of contract such as JCT or NEC.*

*In general terms the EPC contains terms that are typical of a local authority entering into a contract. For example, the EPC contains the following terms:*

- *a requirement to provide a security package (performance bond or parent company guarantee will be available);*
- *site condition risk and full design responsibility, being placed on the contractor*
- *that the contractor will carry out the works with the reasonable skill and care expected of contractor carrying out a project of this nature.*
- *royalty free copyright licence in respect of all documents prepared by the contractor*
- *favourable termination provisions (including breaches / abuse of the procurement process)*
- *scope to suspend the works or terminate should the window for carry out the works imposed by the ecology conditions relating the works be breached*
- *provision of liquidated damages for delay and low performance (linked to a testing schedule).*
- *the usual Welsh Language, Freedom of Information, Wellbeing of Future Generations Act, Modern Slavery, Anti Bribery and GDPR clause*

*However, there are certain clauses which pose a risk to the Council, namely:*

- *Given the technical nature of the project, the EPC is heavily reliant on the quality of the technical / site specific information contained within the ITT and the Owners Requirements / Specification document. The Council has mitigated this risk by appointing a technical advisor to prepare and advise on these elements;*
- *The form of contract requires a sector specialist to administer the contract on behalf of the Council. The Council intends to mitigate this risk by appointing a specialist to carry out this role.*
- *Council has responsibility for procuring the elements of the works and tests which relate to the grid connection works. We are instructed that the Council will programme these elements to relate to the successful contractor's programme to mitigate the risk of delay;*
- *The payment mechanism is based on milestone payments rather than monthly valuations for work done to date. The effect of the milestones is to give the successful contractor a significant level of advanced payments. The Council has taken this approach on advice from its technical advisor that stated this payment approach was essential to ensure that it is recognisable to the market. The technical advisor also advised that the initial payment should be made within 24 hours to secure necessary equipment*



*without the benefit of an advance payment bond. The Council has taken steps to mitigate the risk of making in effect payment “for nothing” by requesting receipted invoices in return for the swift payment;*

- *There is no ability to hold a retention against payments due. Retentions are usual in construction projects, however, the Council has been advised by its technical advisor that retention payments will restrict interest from the market.*

#### *The O&M Contract*

*As above the O&M Contract is a bespoke form of contract. Given the nature of the services being provided it is typical to see a bespoke form of contract. In order to enter into the O&M Contract the Council must issue a notice to proceed in the form appended to the EPC. The effect of this document is to make entering into the O&M at the sole discretion of the Council.*

*Again the O&M contains clauses typical for a project of this size and nature (examples as above in relation to the EPC).*

*The risks with the O&M are that:*

- *it heavily relies on the requirements of the technical documents. This has been mitigated by the appointment of a technical advisor; and*
- *The liquidated damages relate to availability only. The technical advisor advised the Council that it could rely on the damages available under the EPC and as such damages relating to performance are not required.*

*Given the liquidated damages point above and the inter-relation with the EPC it should be noted that the O&M is only suitable for use in relation to this specific project with its specific requirements. The O&M is not suitable for use where a separate contractor is appointed or a longer term O&M contract is anticipated.*

51. As set out in the body of the report (paragraphs 24 and 25) the Design and Build EPC contract requires the contractor to carry out all Operation and Maintenance (O&M) activities at the Solar Farm for the first two years of operation. After this two year period a further procurement exercise will be carried out to procure a contractor to carry out the subsequent operation and maintenance of the facility. There is therefore a potential risk as regards being able to secure a future operator and the price attached to the same. Legal Services are instructed that the client service area is confident, that there is sufficient market provision to ensure a supplier and competitive price.
52. The terms of the proposed power purchase agreement are still to be finalised and subject to on going negotiation. Accordingly the recommendations seek that delegated authority be granted to the

Director to finalise the terms of this agreement and the other proposed contractual arrangements. No contract should be concluded until the terms of all relevant agreements have been agreed and until the 'call - in period' in respect of this decision has expired.

53. At the time of writing the report the related planning application has yet to be determined by the Council's planning committee. Accordingly the recommendations to this report are written in the alternative. If planning permission is not granted then the proposals set out in this report will need to be reconsidered, as provided in the second recommendation.

### **Generic advice**

54. In considering the matters set out in this report regard should be had, amongst other things, to:

- (a) The Welsh Language (Wales) Measure 2011 and the Welsh Language Standards,
- (b) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are : a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; i. Religion or belief – including lack of belief
- (c) The Social Services and Well -Being (Wales) Act 2014 and
- (d) The Well - Being of Future Generations (Wales) Act 2015

### **Well Being of Future Generations (Wales) Act 2015**

55. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.

56. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well - being goals. The well - being objectives are set out in Cardiff's Corporate Plan 2019-22:

<http://cmsprd.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202018-21.pdf>

57. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.

58. The well being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- Look to the long term
  - Focus on prevention by understanding the root causes of problems
  - Deliver an integrated approach to achieving the 7 national well-being goals
  - Work in collaboration with others to find shared sustainable solutions
  - Involve people from all sections of the community in the decisions which affect them
59. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

### **HR Implications**

60. There are no HR implications for this report.

### **RECOMMENDATIONS**

Subject to:

- i) the granting of Planning Consent for the scheme at the 15<sup>th</sup> May Planning Committee; and
- ii) the contract price, at the date of the proposed contractual conclusion, remaining within the assumptions as set out in the FBC

it is recommended that Cabinet approve the FBC described in this report and delegate authority to the Director of Planning, Transport and Environment to finalise and conclude the Design & Build EPC, Private Wire contract, and Power Purchase Agreements required to deliver the Solar Farm and to deal with all ancillary matters relating to the scheme.

In the event that Planning Consent for the scheme is not granted at the 15<sup>th</sup> May Planning Committee, it is recommended that the project be reviewed in light of any reasons for refusal and, where feasible, restructured to address any concerns with the intention of re-submitting for approval and implementation at a later date in 2020.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>ANDREW GREGORY</b>
	Director of Planning, Transport & Environment 12 April 2019

Yn rhinwedd paragraff (au) 14, 21 Rhan (nau) 4 a 5 o Atodlen 12A  
o Ddeddf Llywodraeth Leol 1972.

Mynediad Cyfyngedig i'r Ddogfen

Mae'r dudalen hon yn wag yn fwriadol

**CARDIFF COUNCIL  
CYNGOR CAERDYDD**



**CABINET MEETING: 16 MAY 2019**

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**A STRATEGY TO DELIVER 2,000 NEW COUNCIL HOMES.**

**HOUSING & COMMUNITIES (COUNCILLOR LYNDA THORNE)**

**AGENDA ITEM: 3**

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*Appendix 4 is not for publication as it contains exempt information of the description contained in paragraphs 14 and 21 of Schedule 12A of the Local Government Act 1972*

**Reason for this Report**

1. To give Cabinet an overview of the strategy being adopted to ensure the Council delivers 1,000 new council homes by May 2022 and 2,000 new council homes in the longer term.
2. To set out the standards & requirements for the new build programme and adopt a 'Cardiff Design Standard' which all schemes should adhere to.
3. To identify the development sites included in the additional build programme and to appropriate those sites for planning purposes.
4. To seek authority to proceed with the next phase of the Cardiff Living Programme (formally the Housing Partnership Programme) within updated financial parameters, delegating authority to The Corporate Director for People & Communities to conclude appointment of the next phase.

**Background**

5. Through Capital Ambition the Council has set a target of building at least 1,000 new council homes by May 2022 and to have a development programme capable of delivering 2,000 new council homes in the longer term. These new build targets have been set in direct response to the increasing demand we face for affordable housing in our city.
6. The housing need is increasing year on year and there are currently around 8,000 people on the waiting list. The most recent Local Housing Market Assessment indicated that 2,024 new affordable homes are required each year to meet the current demand. However, on average over the last 5 years the social housing sector has delivered around 250

new homes each year. This represents a significant gap between demand and supply.

7. The council's programme can also directly target accessibility issues and downsizing by delivering larger family homes, specialist properties or adapted properties that are not currently being delivered in volume through more traditional delivery routes.
8. The council's aspiration to build new homes in volume and at pace directly complements the Welsh Governments target of delivering 20,000 new affordable homes throughout Wales over this term of Government.
9. Cardiff's new homes strategy represents the largest council housing build programme in Wales. It represents a Capital investment of around £280 million over the programme and will deliver over 2,000 new council homes across a range of development sites.

### **Progress to date**

10. In order to meet the targets set the council must adopt a strategy that has a number of delivery routes, making best use of our own resources and also working with our developing RSL partners and the wider development sector where necessary. There are simply not the internal resources and team capacity to deliver the numbers of new homes without support. **Appendix 1** sets out the identified delivery routes and gives an update on progress to date. This includes;
  - Cardiff Living (existing partnership with Wates Residential)
  - Additional build programme
  - Open market buy-backs
  - Developer package deals/ RSL JV's
  - Conversion of council buildings
  - Meanwhile use of land
11. Many of the routes identified above are progressing.
  - Phase 1 of The Cardiff Living programme is nearing completion with 1 scheme complete, 6 on site and a further 3 due to start on site before the end of this calendar year. Phase 2/3 sites have been worked up, 3 of which have planning consent in place. Cardiff Living achieved 20 completions by end 31<sup>st</sup> March 2019 with a further 151 council homes being built on site.
  - 37 open market buy-backs were completed by 31<sup>st</sup> March 2019 and we are targeting a further 60 buy-backs by 31<sup>st</sup> March 2020.
  - The conversion of Thornhill Road from a former Children's home into 8 accessible flats for older people was completed in 2018/19.
  - There is currently 1 package deal (with Cadwyn Housing Association) on site which will deliver 30 new council flats at Courtney Road in Splott, with a further package deal subject to Planning.



- There are 2 schemes to convert shipping containers into homes for homeless families underway. One scheme will deliver 13 new flats at Bute Street and another will deliver 8 flats in the grounds of Greenfarm Hostel. Both schemes will complete by the end of this summer.
  - The first scheme being delivered through the additional build programme has been tendered and a contractor appointment will be in place before the end of May 2019. This scheme will deliver 16 new council homes in Caerau.
12. In summary, by the 31<sup>st</sup> March 2019 the new build programme had delivered; 65 new homes (completed), a further 203 currently being built on site, 16 at procurement stage, 225 new homes with planning consent approved, 104 in for planning and a further 1512 new homes in the pipeline.
  13. The Council has been awarded 4 Welsh Government Innovative Housing Grants to date, providing funding towards the 2 shipping container schemes, the Passivhaus scheme being delivered at Highfields and the modular scheme being delivered at Croft's Street, both through the Cardiff Living Programme.

## Issues

### Housing Need & Financial viability

14. Through the new build strategy the council can decide to develop schemes that target specific needs. The council can deliver new homes in volume that would otherwise not come forward through more traditional routes. The strategy seeks to deliver new homes to tackle homelessness, deliver increased numbers of 3 and 4 bed family homes, deliver more homes that are energy efficient, are more accessible (in particular ground floor flats) providing increased storage, improved circulation space and reduce the need to provide future adaptations.
15. Throughout the development programme there is a real focus on delivering new older person housing, providing accessible & flexible homes to a 'care ready' standard (detailed in **Appendix 2**). This standard reduces the need for future adaptations and allows residents to live independently in their own home for as long as possible while also complying with Housing our Ageing Population: Positive Ideas standards (HAPPI), having regard to dementia friendly features and complying with RNIB Housing Sight standards. These schemes will also offer a range of communal facilities for residents and the wider community to help tackle social isolation and deliver a range of services for older people and, where appropriate, encourage older residents to down-size, freeing up larger family homes.
16. The new build strategy also focuses on collaboration with Health & Social Care. Where appropriate delivering schemes meeting a specific need

that can also deliver significant savings to Health & Social Care budgets. For example, delivering a range of properties suitable for Children's Services to deliver care and, where appropriate, bringing out of county placements back into county.

17. Delivering the range of properties detailed above does have an impact on financial viability which needs to be considered when determining if a scheme can be delivered. Delivering more accessible properties with a larger footprint above Welsh Government DQR standards will be more costly to build. However, in the long-term this can reduce the adaptations budget and could reduce the need to move tenants into an adapted property in the future, whilst in some circumstances potentially reducing the need for a package of care.
18. The range of new homes being built must be considered across the entire programme with more costly schemes that push the parameters of financial viability being balanced by those schemes that are more financially viable.
19. This financial modelling will be controlled by the Development Assurance Board which meets quarterly and which is responsible for reviewing the overall programme, considering what is being delivered and setting the financial parameters for the programme. Representatives from legal Services, Commissioning & Procurement, Finance and Housing & Communities sit on the Board which is chaired by the Corporate Director for People & Communities.
20. The Development Team uses the SDS ProVal and Sequel viability tools to model financial viability for each scheme and to monitor the entire programme. This is a sector recognised viability tool into which the council's own financial parameters are input- such as rent levels, maintenance & management costs, borrowing rates and development costs. The Development Board has set parameters to work within and each scheme is required to pay for itself within a 40-year payback period. Some specialist schemes can work outside of this if approved by the Development Board.
21. The Development programme delivering 2,000 new homes is modelled within the 30-year HRA Business Plan submitted to Welsh Government to ensure the programme is affordable within the wider Capital Programme. This programme includes expenditure on existing stock to maintain the WHQS standards which also remains a key priority.
22. There are range of income sources earmarked for the build programme including S106 financial contributions, Welsh Government Innovative Housing Grant, Welsh Government Affordable housing Grant and but is primarily to be paid for by additional borrowing

## **Standards**

23. The new build strategy has a focus on building affordable, high quality, sustainable & energy efficient homes no matter what tenure. This has

been proven through the delivery of new homes within the Cardiff Living Programme, and this drive for quality and place-making should also be the focus throughout all of the delivery routes.

24. A Cardiff Standard was adopted for the Cardiff Living Programme and an updated **Cardiff Design Standard** is currently being written to cover all council new build schemes.
25. The Cardiff Design Standard will have to be adhered to by all consultants & developers building for the council and will require the following;
  - A high level of energy efficiency in all homes and tenures to help tackle fuel poverty through a Fabric First approach.
  - A high quality of design and architectural standard across all tenures.
  - A high standard of urban design and place making – helping to regenerate existing estates where possible.
  - Creating sustainable communities that are well connected and inclusive of the estates in which they are built.
  - High-quality build standards across all tenures adopting DQR as a minimum standard for the affordable housing units.
26. The programme of development will continually consider new forms of development such as off-site, modular or Pods which will achieve high standards and increased energy efficiency but will also help to deliver new homes more quickly.
27. As with delivering for specific housing need, building to an increased standard will impact on financial viability and the additional costs of higher standards or new forms of construction will have to be assessed by the Development Team and ultimately be approved by the Development Board before a scheme is taken forward.
28. However, the wider benefits of building to a higher standard must be recognised. Building to a higher energy efficiency standard can help to reduce fuel poverty amongst our tenants. Achieving a better build quality can reduce defects and future maintenance programmes and lessons learnt from current development will be factored into future proposals.

### **Development sites**

29. Wherever possible the programme will build new council homes on council owned land. Appropriating suitable sites from the General Fund into the HRA. This provides a market value for the General Fund but also ensures appropriate sites are offered for council house building ahead of being marketed to the wider development sector.
30. The current list of development sites (included within the 'Additional Build' programme), are detailed in **Appendix 3**, including those site proposed to be appropriated. All of these sites have been discussed with relevant Ward Councillors, although public consultation will have only taken place if a scheme has been submitted for Planning.

31. In order for these sites to be developed for housing purposes notwithstanding interference with any easement or other right attached to the land approval is sought for these sites to be appropriated (pursuant to Section 122 of the Local Government Act 1972) for "Planning Purposes" so that Section 203 of the Housing and Planning Act 2016 applies with the relevant land not being needed for its current purpose during development. Delegation is sought for the Corporate Director People & Communities to appropriate sites.
32. Before appropriating any site which includes public open space the Council is required to publish notice of its intention to do so on two consecutive weeks in a newspaper circulating in the area and to consider any objections which may be made to the appropriation. Delegation is sought for the Corporate Director, People & Communities to publish notices and deal with any responses.
33. In some circumstances the schemes will deliver a range of tenures including social rent, Assisted Home Ownership and private sale. By virtue of Section 233 of the Planning Act the council is empowered to dispose of land held for planning purposes for development of open market housing. Any income and profit from private sale and AHO will be ring-fenced for the new build programme and will be used to offset the costs of building council homes. Delegation is being sought to the Corporate Director for People & Communities to approve each disposal as necessary.

#### **Cardiff Living – existing Partnership with Wates Residential.**

34. Phase 1 of The Cardiff Living programme has been a real success. All 10 sites in this phase have achieved planning consent, 1 scheme has been completed, a further 6 are on site and the remaining 3 will commence on site before the end of this year. The Cardiff Living Programme is delivering in volume and at pace and has set high standards across all tenures for quality of build, energy efficiency, improving the standards in the private sector and has delivered new homes for sale for local markets where new build for sale would not normally be delivered.
35. There has been a wide range of community benefits delivered to date, which has seen a significant investment in the SME sector and within our local communities.
36. There have been cost increases across Phase 1 due to agreed indices uplifts covering development costs and land values (permitted as set out in the existing Development Agreement) and due to previously unknown ground conditions. Due to the fact no ground condition surveys were available during the tender period due to the associated cost and timescales each Bidder was instructed to assume good ground conditions requiring standard foundations. However, every site across Phase 1 had poor ground, many sites with contamination issues and other previously unknown factors such as inadequate drainage (not able to soak-away), unknown utilities requiring diversion, planning issues and archaeological requirements.

37. Since tender submission there have also been changes in Building Regulations (sprinklers) and Planning requirements (SUDS), all of which have added cost to the original tender sum.
38. In compliance with the Development Agreement, each site within Phase 1 has an updated financial submission (known as a Stage 2 draw-down) which updates the tendered sum for that site and which is reviewed and approved before Wates can draw the site down for development. The updated development costs are benchmarked against known market costs and against Welsh Government ACG's.
39. In compliance with the existing Development Agreement, Wates have re-submitted the inter phase financial appraisals for the phase 2 and 3 sites and are seeking approval to roll onto these next phases of development. The Development Agreement covers all the sites identified for the 3 phases of development for Cardiff Living and before rolling onto phases 2 & 3 Wates are required to re-submit appraisals for these sites which are to be evaluated.
40. The updated costs for delivering the phase 2 & 3 sites are detailed in **Appendix 4** along with the updated list of phase 2 & 3 sites and the total number of new council homes to be delivered across these sites. These updated costs have regard to ground conditions across the phase 2/3 sites and for updated planning requirements. The updated Cardiff Living costs have been included within the 2019/20 HRA Business Plan to ensure all of the other development routes set out in the New Build Strategy can be delivered within the overall financial parameters.
41. The phase 2 & 3 re-submission also includes updated proposals for delivering Community Benefits across the Cardiff Living programme and will be used to update the KPI's set out in the Development Agreement.
42. Some sites originally ring-fenced for development with the Cardiff Living Programme are no longer viable having been deemed undevelopable due to reasons such as previously unknown ground conditions, previously unknown utilities or changes to planning requirements. These are detailed in appendix 4 along with sites to be added into the phase 2 & 3 programme.
43. The inter phase financial appraisals must be evaluated against the Cardiff Living criteria (as set out during the procurement stage) by the Housing Development Team and the Council's appointed advisers for the Cardiff Living Programme (BRE, GVA & Strongs) and a report submitted to the Cardiff Living Programme Board to recommend rolling onto the next phases of development or not. The updated appraisal must be assessed against the original appraisal and the Stage 2 draw-down costs approved through Phase 1 to ensure the scheme offers value for money and is affordable for the council. Furthermore, the council must ensure that the original criteria around energy standards, place making and community benefits continue to be delivered.

## **Scrutiny Consideration**

44. The Community & Adult Scrutiny Committee considered this report on 1 May 2019. The letter from the Chair is attached at Appendix 5.

## **Reason for Recommendations**

45. To ensure that the Council's new build housing development programme can be delivered within the set parameters.

## **Financial Implications**

46. As identified in the Council's capital strategy approved by Council in February 2019/20 as part of the budget, increasing the supply of Council owned dwellings is a key part of Capital Ambition. The Housing Capital Programme approved in 2019/20 and the 30 year HRA business plan identifies a significant level of investment in new build council housing over the medium term. This includes significantly increased cost assumptions for the Cardiff Living project and estimated costs for various projects identified in this report. All expenditure incurred in new build programme should be in accordance with guidance as to what and what cannot be charged to the HRA. It should be of benefit to rent payers.
47. Whilst grants and contributions will be utilised where approved, expenditure is primarily paid for by additional borrowing in the Housing Revenue Account with any costs of servicing borrowing to be met by the rent payer. This level of investment is possible following the planned removal of the Housing debt cap introduced in 2015/16. Formal confirmation of removal of the Cap is awaited from Welsh Government.
48. The impact of all expenditure in the HRA capital programme must continue to be prudent, sustainable and affordable in the long term. Accordingly, the impact of additional borrowing on the HRA revenue budget must be closely monitored to ensure the committed costs of interest and prudent debt repayment remain affordable in the long term in light of other revenue budget pressures and the capital investment programme. This will need to include an ongoing review of revenue costs such as employees as well as repairs and revenue maintenance to ensure these are controlled within budgeted and acceptable levels.
49. New dwellings will be let at the Council's Social Housing Rent level. The investment in new dwellings must be affordable having consideration of the asset management and investment requirements of the existing dwellings stock in order to maintain Welsh Housing Quality Standards. It is essential that the investment requirements for existing stock are also clearly identified, understood in the long term and reviewed annually as part of the business planning process.
50. The HRA business plan approved by Cabinet in 2019/20 highlighted a number of risks to the achievement of the business plan priorities, some of which the Council will need to work closely with Welsh Government to

resolve. This includes, the level of Major Repair Allowance Grant, revenue budget pressures, unforeseen cost increases in projects etc.

51. A key risk remains the uncertainty and control of future rent policy, which is only confirmed for one year, whereas the levels of investment proposed in this report and requirement to produce a thirty year business plan is a significantly long term commitment. Financial resilience will need to be strengthened and monitored closely within the HRA, to mitigate against some of these unforeseen risks including ensuring an acceptable balance of general reserves, a prudent approach to viability and strong cost control and assurance mechanisms for all expenditure. Should there be a significant change in these variables then the investment programme and priorities will need to be reviewed.
52. The report highlights that quality of new dwellings is a key priority. This has additional development cost implications and impacts on land value. Any schemes should only be undertaken in line with the detailed capital programme approved and scheme viability assessments prepared at key stages and compared to agreed parameters. Proposals should be approved by the Governance Board to provide assurance of schemes proposed, costs and post project evaluation in line with project management principles. Where schemes are approved to proceed which do not meet agreed viability parameters, the rationale for doing so should be clearly documented.
53. Where land acquisitions are proposed, the costs of this and associated development will need to be managed with the approved capital programme. The report identifies sites which are proposed to be appropriated from the General Fund to the Housing Revenue Account. Valuation advice is essential to ensure that such an approach delivers a market value to the general fund in line with other options that could be considered to demonstrate best value for sites. There are key sites with an assumed value that are planned for appropriation in 2019/20, and these must be progressed in conjunction with estates and education as soon as possible to ensure no adverse financial implications

### **Legal Implications**

54. The Council needs to ensure value for money from both its works procurements and its disposals of land. Hence decisions made pursuant to the proposed delegations will need to take account of advice from external Valuers and cost consultants.
55. The decision about these recommendations has to be made in the context of the Council's public sector equality duties. The Council also has to satisfy its public sector duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Protected characteristics are: age, gender reassignment, sex, race - including ethnic or national origin, colour or nationality, disability,

pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief - including lack of belief. If the recommendations in the report are accepted and when any alternative options are considered, the Council will have to consider further the equalities implication and an Equality Impact Assessment may need to be completed.

56. The Wellbeing of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible. In discharging its duties under the Act, the Council has set and published wellbeing objectives designed to maximise its contribution to achieving the national wellbeing goals. The wellbeing objectives are set out in Cardiff's Corporate Plan 2018-21: <http://cmsprd.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202018-21.pdf>.
57. When exercising its functions, the Council is required to take all reasonable steps to meet its wellbeing objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the wellbeing objectives and must be satisfied that all reasonable steps have been taken to meet those objectives. The wellbeing duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- Look to the long term
  - Focus on prevention by understanding the root causes of problems
  - Deliver an integrated approach to achieving the 7 national well-being goals . Work in collaboration with others to find shared sustainable solutions
  - Involve people from all sections of the community in the decisions which affect them

The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below: <http://www.wales.gov/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

58. The council has to be mindful of the Welsh Language (wales) measure 2011 and the Welsh language Standards when making any policy decisions and consider the impact upon the Welsh language, the report and Equality Impact Assessment deals with all these obligations. The Council has to consider the Well-being of Future Generations (Wales)



Act 2015 and how this strategy may improve the social, economic, environmental and cultural well-being of Wales.

### **HR Implications**

59. A new team structure has been approved to bring in the additional resources required to deliver the development programme. Recruitment is currently underway.

### **RECOMMENDATIONS**

The Cabinet is recommend to:

1. note the progress made to date on the Council's new build housing programme and to note the strategy's approach to housing mix, place making & standards and to adopt a 'Cardiff Design Standard' for the programme.
2. confirm the sites that will deliver new council homes through the additional build programme - identified in Appendix 3, and to approve the appropriation of these sites to "planning purposes" (under Part IX of the Town & Country Planning Act 1990), due to land not being required for its present purpose during the development period and following completed construction works to appropriate the Council housing back into the Housing Revenue Account.
3. approve the continuation of the Cardiff Living programme onto the next phases of development within the updated financial parameters set out in Appendix 4, subject to a satisfactory review of the Phase 2 & 3 inter phase financial appraisals.
4. delegate authority to the Corporate Director for People & Communities to conclude the appointment of Wates for Phase 2 & 3 of the Cardiff Living programme subject to the approval of the Phase 2 & 3 inter phase financial appraisals & to instruct the Director for Legal Services to make amendments to the Cardiff Living Development Agreement as necessary.
5. approve the updated list of sites ring-fenced for the Cardiff Living programme & to delegate authority to the Corporate Director for People & Communities to add or omit sites as necessary.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>Sarah McGill</b> Corporate Director People & Communities
	10 May 2019

*The following appendices are attached:*

Appendix 1: Progress to date against targets & indicative completions schedule

Appendix 2: Care Ready standard

Appendix 3: Schedule of development sites held in 'additional build' programme

Appendix 4: Updated costs & details of sites for Cardiff Living Programme  
(Confidential)

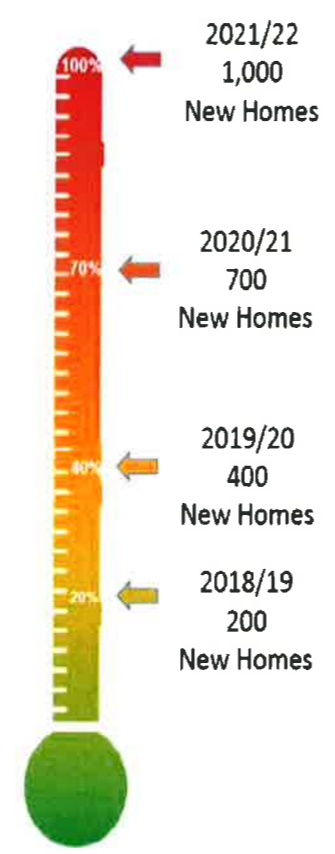
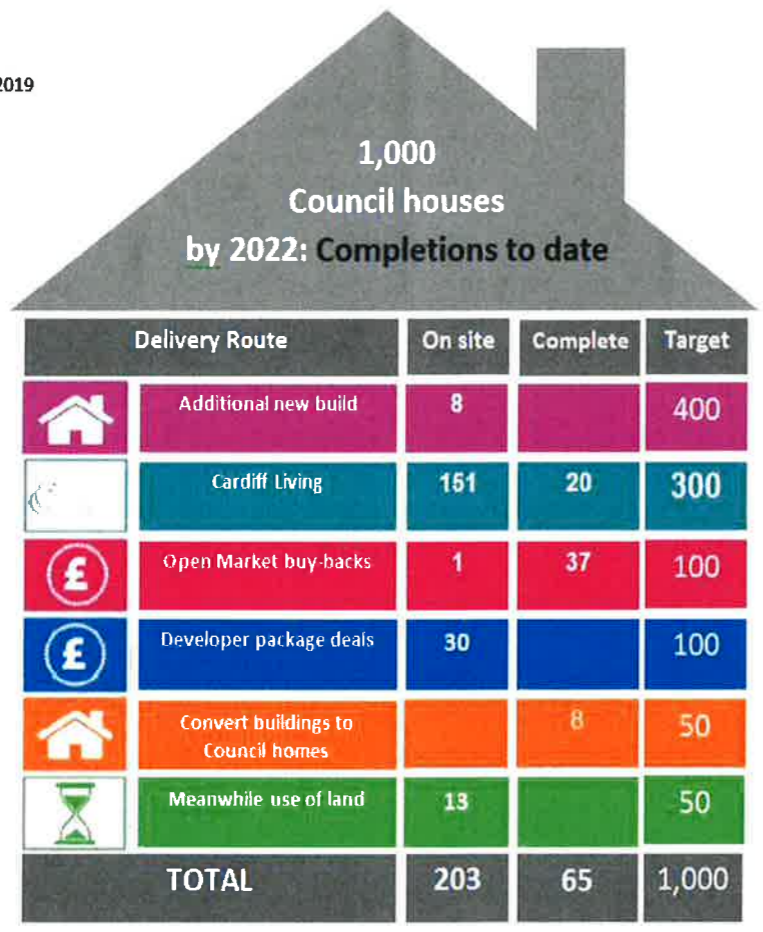
Appendix 5: Letter from Chair of Communities & Adult Services Scrutiny  
Committee

Capital Ambition Update TTD (Council Homes)								
Deliver 2,000 new Council homes, 1,000 by May 2022								
Scheme	Target Number (within 5 years)	Pipeline	In Planning	Planning approved	At Procurement stage (out to tender)	On site	complete (total to date)	Totals
Other new Build	400	1216	41	97	16	8		1378
Cardiff Living	300	284	14	128		151	20	597
Buying Property from the market	100					1	37	38
Package Deals	100	10	49			30		89
Converting buildings	50						8	8
Meanwhile use of land	50					13		13
<b>Total</b>	<b>1000</b>	<b>1510</b>	<b>104</b>	<b>225</b>	<b>16</b>	<b>203</b>	<b>65</b>	<b>2123</b>

Commentary
12 sites in pipeline, Maelfa ILU in planning, 2 sites with planning, Greenfarm is on site, 16 units at Caldicot Road are with Procurement.
6 On site: B&C, W, LD, WH, TN & S&W. 1 Complete= TTM. 3 with planning yet to start B LR & H, 3 Phase 2 sites have planning= Llanrumney (28), Rumney (65) & Howardian (9). Croft St in for planning
(1 offer accepted & with Legal)
1 site in scope (YPH), Walters building in planning, 30 units at Courtney Road -now on site
8 complete units at 150 John Kane Court
PDSA (13) On site

LAST UPDATED: MARCH 2019

March 2019



**NEW BUILD INDICATIVE HANDOVERS**

YEAR	Category	Total:	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
Cardiff Living	Newbuild DQR Standard	589			20	143	59	90	74	120	54	29		
Buy-backs	Buyback former RTB	169		7	30	60	20	22	10	10	10	0	0	0
Caldicot Road	Newbuild DQR standard	16				16								
St Mellons Comm. Centre	Newbuild DQR standard	82						82						
Ely Containers	Newbuild Innovative Design	8				8								
PDSA containers	Newbuild Innovative Design	13				13								
St Mellons, Wakefield Place	Newbuild DQR standard	15					15							
Maelfa Phase 2 ILU	Newbuild DQR standard	41						41						
Maelfa Phase 3 St. Teilos	Newbuild DQR standard	55					55							
Courtney Road	Newbuild DQR standard	30				30								
Walters Buildings	Newbuild DQR standard	49						49						
Citadel	Newbuild Other	10				10								
Channel View	Newbuild DQR standard	250									250			
Michaelstone	Newbuild DQR standard	250						75	50	75	50			
Dumballs Road	Newbuild DQR standard	450							50	100	100	100	100	
Llanrumney Post Office site	Newbuild DQR standard	16					16							
Llangranog RD	Newbuild DQR standard	45						45						
Iorworth Jones	Newbuild DQR standard	30					30							
Moorland Rd	Newbuild DQR standard	12								12				
Llanrumney (Parracombe)	Newbuild DQR standard	40								40				
Canton Comm Centre	Newbuild DQR standard	35						35						
Various Garage sites	Newbuild Innovative Design	25					10	10	5					
New Farm GT	Newbuild Other	8				8								
John Kane Court (Thornhill Rd)	Newbuild DQR standard	8			8									

year on year total	2246	0	7	58	288	205	449	241	305	464	129	100	0
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2246

Cumulative totals			7	65	353	558	1007	1248	1553	2017	2146	2246	
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Updated April 2019

Tudalen 40

**‘Care ready’ Options for older person housing schemes–  
Cardiff Standard.**

**Design principles and aims:**

- To provide a ‘home for life’ which enables a resident to live independently.
- To provide a flexible home, able to adapt around a person’s changing needs reducing the requirement for future adaptations.
- To be domestic in style
- To be future proofed to enable care staff to operate from the building
- To provide flexible, accessible communal space in order that services for older people (both within the building and within the wider community) can be run from the building.
- Ensure good practice is adopted having regard for RNIB standards & HAPPI
- Ensure that all flats meet the same standards

<b>Specification Issue</b>	<b>Detail</b>	<b>Comments</b>
<b>Unit Types/Mix</b>	<ul style="list-style-type: none"> <li>• 1 &amp; 2 bed fully accessible Flats</li> </ul>	Majority of units to be 1 bed but some 2 beds. 90% 1 beds and 10% 2 beds
<b>Unit Specification</b> <b>All wheelchair accessible .</b> <b>Extra Care DQR standards</b> <b>Min 1 bed = 50sqm</b> <b>2 bed = 65sqm</b>	<ul style="list-style-type: none"> <li>• Accessible ensuite bathrooms with space for double handed support for shower</li> <li>• Enable a future tracking system from bedroom to bathroom.</li> <li>• Washing Machine space in kitchen</li> <li>• Dishwasher space in kitchen</li> <li>• RNIB Code</li> <li>• Extra wide door widths required (900mm clear opening)</li> <li>• Increased storage space</li> <li>• Open plan living/dining</li> </ul>	<b>Mobility impairments:</b> We should assume that residents will use wheelchairs, walking frame, sticks and the building should be designed to accommodate this. Floors should be level with no steps and flush at junctions including door thresholds, shower trays and changes to floor finish.  Whilst individual kitchens will not be specifically adapted for wheelchair users, they should be designed to easily accommodate future adaptations.
<b>External space</b>	<ul style="list-style-type: none"> <li>• Individual balconies/patio</li> </ul>	

	areas for ground floor flats with direct access from flat	
<b>Communal Spaces All wheelchair accessible</b>	<ul style="list-style-type: none"> <li>• Open &amp; light entrance area with small seating area for residents to use.</li> <li>• Dementia Friendly Lounge (day room) with public access &amp; direct access to garden space.</li> <li>• If required an additional day room focused more towards resident use.</li> <li>• Roof gardens will be considered</li> <li>• 2 x Activity Rooms. Could be one large room subdivided for flexibility). 1 needs to incorporate IT provision.</li> <li>• Accessible Toilets in public areas</li> <li>• Power assisted doors (including main entrance).</li> </ul>	<p>The entrance should be clear and welcoming and the building layout should be simple to understand for way finding.</p> <p>It should be obvious what spaces are public and which are private. Access to residential areas should controlled by key fob access.</p> <p>Communal facilities should be centrally located close to the entrance.</p> <p>Reduce the length of corridors, reducing travel distances and design in way-finding, dementia friendly features. External views are desirable &amp; maximise the amount of natural daylight into these spaces.</p>
<b>Lifts/stairs</b>	<ul style="list-style-type: none"> <li>• 2 separate lifts. (1 for large motorised wheelchair).</li> <li>• 2 stairwells</li> </ul>	
<b>Guest Bedroom</b>	<ul style="list-style-type: none"> <li>• Bedroom, en-suite &amp; small kitchen area</li> </ul>	
<b>Kitchen facilities</b>	<ul style="list-style-type: none"> <li>• Small kitchen area linked to one of the day rooms. Should be suitable for a lunch club to</li> </ul>	

	operate.	
<b>Scooter Store /charging facilities</b>	<ul style="list-style-type: none"> <li>For 40% of residents</li> </ul>	
<b>Bin Storage</b>	<ul style="list-style-type: none"> <li>Internal with Accessible (power assisted) Doors</li> <li>Or external</li> </ul>	
<b>Health Suite</b>	<ul style="list-style-type: none"> <li>Room suitable for a day surgery, incorporating sink, desk space &amp; bed.</li> </ul>	
<b>Laundry</b>	<ul style="list-style-type: none"> <li>for future care staff but also open to residents – small facility say 2 washing machines &amp; 2 drying machines.</li> </ul>	Industrial washers and driers
<b>Care provision Potential for the future</b>	<ul style="list-style-type: none"> <li>Small staff room with kitchen facilities – maybe linked with communal kitchen.</li> </ul>	18m2 – space for 2 desks, storage & table
<b>Staff Offices</b>	<ul style="list-style-type: none"> <li>Managers office located at the main entrance – could double up as future staff area for care staff.</li> <li>Cleaners storage area (with sluice sink).</li> </ul>	15m2 – views to main entrance, space for desk/computer table & storage.
<b>Tenure</b>	Social Rented	
<b>Alarm System</b>	Yes - (linked to ARC) Video controlled door entry system & key fob access to residential areas whilst allowing public access to	

	communal facilities (day rooms & meetings rooms).	
<b>Parking</b>	Yes	Private courtyard for most parking /fobbed and gated ideally



# HRA ADDITIONAL BUILD PROGRAMME

Apr-19

Site Address	Status	Current ownership	Planning	Number of properties	Comments
<b>Section 1: Confirmed sites</b>					
Greenfarm Hostel Shipping containers	On Site (units being built)	HRA	Full planning & on site	8	Ward Councillors aware - scheme on site May 2019
PDSA Bute Street	On site	GF	full planning	13	Ward Councillor aware - scheme on site May 2019
Caldicot Road	Out to tender	HRA	Full planning	16	Ward Councillors aware - scheme out to tender
Land at St. Mellons - Community centre AREA 1	Outline Planning approved.	GF	Outline PP	82	Land already identified for housing development and receipts ring-fenced for HUB development
Land at St. Mellons - Former LTE AREA 2	Outline Planning approved.	GF	Outline PP	15	Land already identified for housing development and receipts ring-fenced for HUB development
Maelfa Phase 2 - IL units	In for Planning	GF		41	Identified on Maelfa regeneration plan for future development
Maelfa Phase 3 - St. Teilos & Family centre site	Pipeline	GF	None	55	Early stages design work undertaken. Schools & Estates involved & meeting has taken place with school governors

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<b>Section 2: Package deals</b>					
Cadwyn package deal at Courtney Road	On site	Private	full planning	30	Covered under separate Cabinet report
Cadwyn Package Deal - Walters Buildings, Butetown	In for Planning	Private	In for planning	49	Covered under separate Cabinet report
YP Hostel - Package Deal	Pipeline	Private	None	10	Ward Councillors aware - currently undertaking site investigation work

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<b>Section 3: Sites being considered</b>					
Channel View High-rise & wider estate	Pipeline	HRA		250	Ward Councillors aware, public consultation undertaken
Michaelston College site	Pipeline	GF		250	Ward Councillors Aware - site previously earmarked for disposal under 21st century schools programme
Iorworth Jones centre, Llanishen	Pipeline	Private		30	Ward Councillors aware - site has been purchased from Cardiff & Vale Health Board
Dumballs Road	Pipeline	Private	outline planning	450	Ward Councillor Aware - subject to a separate Cabinet report
Llanrumney Post Office	Pipeline	Post Office		16	Ward Councillors informed as part of the purchase of the site
Land at Paracombe Close & Torrington Road	Pipeline	GF		40	Consultation to take place
Community Centre Moorland Rd	Pipeline	GF		12	Consultation to take place
New Farm Gypsy Traveller site	Pipeline	Private		8	Consultation to take place
Various Garage Sites (5)	Pipeline	HRA	informal planning	25	Consultation to take place

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**Cardiff Living - Sites to be removed (updated April 2019)**

Sites to be removed	Numbers at ISFT	Reason/comments	Ownership
Llanrumney Housing Office,	5	Former housing office demolished. Existing Sewer prevents development	HRA
Highmead Road, Ely	4	Narrow access prevents any large development & would not be able to get access road adopted. Further Planning constraints prevent development	HRA
Rutland Street, Grangetown	2	Development no longer required. Site will remain as adopted highway & parking bays	Adopted Highway
Fishguard Road, Llanishen	8	Site constraints, utilities & new planning rules restrict development. No longer feasible. Shopping parade & garage site GF managed.	Small areas of HRA & shops in GF ownership
Templeton Avenue, Llanishen	4	Small garage site with very narrow access (3.6m) - adopted access will not be possible. Private drive access difficult and needs discussion with Highways Overlooked on all sides – under new planning regs development will be restricted. Unknown adopted drainage crossing the entrance	HRA
Menai Way, Trowbridge	4	Small garage site with very narrow access - 3.4m. Adopted access will be impossible. Private drive access difficult Overlooked on all sides. Awkward L-shaped site	HRA
Land adjoining 178 – Trowbridge Green	3	A small green area of open space. Unviable for development	HRA
Tarwick Drive, Trowbridge	10	Former flats demolished and area left as open space. Changes in planning law make development of this site very difficult.	HRA
Penally Road, Caerau	5	Small garage site with very narrow access (3.15m) - adopted access will be impossible. Private drive access difficult and needs discussion with Highways New school under construction with access immediately opposite Overlooked on all sides.	HRA
Heol Danyrodyn garage site, Pentyrch	4	Small garage site with very narrow and steep access - adopted access will not be approved Private drive access difficult and needs discussion with Highways Overlooked on two sides. Adjoining property has been extended increasing the problem Drainage could be a major issue as site is quite a bit lower than the road.	HRA
Crumlin Drive, St Mellons	45	Actually 2 sites either side of Crumlin Drive Site is likely to be undevelopable due to being crossed by major drainage infrastructure. There is a sewage works immediately to the North of the site and there are 2Nr 450 dia sewers running the length of the site towards the works, plus the main outfall from the sewage works (1350mm dia!) running down the middle of the site. We have been advised this is likely to be 10 to 15m deep, meaning the easement would wipe out most of the site. Grass area currently maintained by Parks under SLA.	HRA
Mynachdy Centre, Gabalfa	59	Education are reviewing the use of the site – alternative sites now being considered.	Education land
Letterston Road/Caer Castell Place, Rumney	2	Levels and utilities make this small area of land undevelopable and this is no longer part of the Rumney Development	HRA

**Cardiff Living – Sites to be included**

Site to be included	Total Units	Reason/Comments	Ownership
Michaelston College, Caerau	70	To replace Mynachdy and to make up numbers lost above	Education
Plasmawr Road, Fairwater	9	Additional site – modular site	HRA
Thornhill Road, Lisvane	8	Additional site – modular site and to make up numbers lost above and to make up numbers lost above	HRA
Willowbrook 6 & 7 St Mellons	110	Additional site to make up numbers lost above	HRA

**Cardiff Living – Updated List of sites**

Site	Total units	Numbers	Status
<b>PHASE 1</b>			
Ty To Maen, Old St Mellons	8		2 Completed
Llanrumney Depot	31		31 On site
Braunton /Clevedon	106		40 On site
Willowbrook West, St Mellons	192		58 On site
Walker House, Llanishen	16		4 On site
Snowdon and Wilson Road, Ely	20		20 On site
Ty Newydd, Caerau	16		16 On site
Briardene, Gabalfa	39		9 Planning approved
Highfields, Heath	42		10 Planning approved
Llandudno, Rumney	16		5 Planning approved
	<b>486</b>		<b>195</b>
<b>PHASE 2 &amp; 3</b>			
Rumney High School, Rumney	214		65 Planning approved
Llanrumney High, Llanrumney	98		28 Planning approved
Howardian, Penylan	43		9 Planning approved
Caldicot Road, Caerau	75		23 Feasibility stage
Cherrydale Road, Ely	8		8 Feasibility stage
Ely Housing Office	8		8 Feasibility stage
Croft Street, Roath	9		14 Pre Planning
Star Centre, Splott	50		50 Feasibility stage
Cae Glas, Rumney	24		5 Feasibility stage
Brookfield, St Mellons	28		28 Feasibility Stage
Trowbridge Childrens Centre	14		14 Feasibility stage
Ty Glas Avenue, Llanishen	8		8 Feasibility stage
Ty Mawr, Penylan	4		0 Feasibility stage
Frank Road, Ely	4		4 Feasibility stage
Gorse Place, Fairwater	6		6 Feasibility stage
Michaelston College, Ely	70		50 Feasibility stage
Willowbrook 6/7	110		22 Feasibility stage
Plasmawr Rd (Fairwater RFC)	9		9 Feasibility stage
Thornhill Rd	8		8 Feasibility stage
Area 11, Trowbridge	115		43 Feasibility Stage
	<b>905</b>		<b>402</b>
<b>Total Numbers</b>	<b>1391</b>		<b>597</b>

Yn rhinwedd paragraff (au) 14, 21 Rhan (nau) 4 a 5 o Atodlen 12A  
o Ddeddf Llywodraeth Leol 1972.

Mynediad Cyfyngedig i'r Ddogfen

Mae'r dudalen hon yn wag yn fwriadol

My Ref: Scrutiny/Correspondence/Cllr McGarry  
7 May 2019



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Councillor Lynda Thorne  
Cabinet Member Housing & Communities  
County Hall  
Cardiff  
CF10 4UW

Dear Lynda,

### **COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE – 1 MAY 2019 – COUNCIL HOUSE BUILDING STRATEGY**

As Chair of the Community & Adult Services Scrutiny Committee, I wish to thank you and officers for attending Committee and providing Members with an opportunity to review the Council House Building Strategy prior to its consideration by Cabinet on 16 May. Members of the Committee have requested that I feedback the following comments and observations to you:

Overall Members shared your enthusiasm for such an ambitious strategy which, if implemented within the planned timeframe, will provide a significant impact for the residents of Cardiff. Members were content to hear that the Cardiff Design Standard had been included in the Cabinet Report in response to Committees concerns following the briefing they received on 3 April. However Members noted that the Design Standard does require updating and would request this comes to Committee once the changes have been fully drafted.

Members raised concerns surrounding the possible constraints funding could have on the deliverance of this scheme. However were encouraged by the comments about the Welsh Government's acknowledgment of restraint and the possible challenges this could entail.

Members also raised concerns surrounding planning and queried the current schedule of planning submissions. Members were content to hear that additional Appendices would be included in the Cabinet Report which would detail the pipeline for delivery. As offered, Members would appreciate this information being circulated to Committee Members. When highlighting the possible detrimental impact planning delays could hold on the scheme, Members were content to be informed that these risks could be mitigated through the production of more modular builds.

#### **GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI**

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog. Byddwn yn cyfathrebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

#### **WORKING FOR CARDIFF, WORKING FOR YOU**

The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.

Thank you again to you and officers for attending. I do not require a response to this letter, but have tasked CASSC's Scrutiny Officer to work with officers in facilitating the circulation of the Appendices referenced within this letter.

Yours,

A handwritten signature in black ink, appearing to read 'M. McGarry', with a long, sweeping horizontal stroke extending to the right.

**COUNTY COUNCILLOR MARY M<sup>C</sup>GARRY**

**Chairperson - Community & Adult Services Scrutiny Committee**

Cc: Sarah McGill, Corporate Director  
David Jaques, Housing Development Manager  
Cabinet Office



**CARDIFF COUNCIL  
CYNGOR CAERDYDD**

**CABINET MEETING: 16 MAY 2019**



**ANNUAL PROPERTY PLAN 2019/20**

**INVESTMENT & DEVELOPMENT (COUNCILLOR RUSSELL  
GOODWAY)**

**AGENDA ITEM: 4**

**Reason for this Report**

1. To enable Cabinet approve the 2019/20 Annual Property Plan (APP).

**Background**

2. The Council has previously adopted a five year Corporate Property Strategy (2015-2020) which sets out a framework within which all Council property related issues need to be addressed. The Strategy, entitled "*Fewer but Better Buildings*, established a series of targets over the five year period designed to deliver the core objectives of modernisation, rationalisation and collaboration.
3. The APP is an annual document which serves as the implementation plan for the Strategy (see Appendix 1). The annual targets within the APP contribute towards the five year targets established within the Property Strategy and sets out objectives for the operational estate. The APP provides an update on priority property projects, reinforces overarching principles for the strategy of the estate, outlines what is planned for the year ahead, and provides explicit targets relating to the reduction in the size and cost of the estate.
4. The Council's estate is vast with operating property running cost representing the second largest call on the Council's budget after staff costs. The ongoing changes to the way in which the Council delivers its services is inextricably linked to its operational property estate and therefore offers an on-going opportunity for review.

**Issues**

5. Land and Property management is a key strategic activity which aligns service strategies with the property estate. It ensures optimisation of property assets in a way which best supports the organisation's business goals and objectives. The requirement for effective land and property management is based on treating property as a corporate resource which forms the basis of the associated Corporate Landlord programme. The importance of a corporate approach is due to the significant costs and

value of the Council estate and its role in assisting with the delivery of effective Council services.

6. The Corporate Landlord model presented to Cabinet in 2018 aligns with the objectives of the Corporate Property Strategy and Annual Property Plan. It also covers the wider issues relating to the management of the estate including maintenance and statutory compliance. The targets set out in the APP relate to strategic management of the estate including reducing the maintenance backlog, reducing running costs, creating a more efficient estate and generating capital receipts.
7. The proposed APP programme for 2019/20 is as follows:

(indicative red line site plans are provided in Appendix 2)

**Table 1. Annual Property Plan - programme 2019/20**

<b>DISPOSALS</b>			
<b>Property</b>	<b>Ward</b>	<b>Intent</b>	<b>Proposal</b>
Former Michaelston College	Ely	APPROPRIATION	HRA Housing
Former STAR Leisure Centre	Splott	APPROPRIATION	HRA Housing
Former St Mellons Enterprise Centre	Trowbridge	APPROPRIATION	HRA Housing
Former Llanrumney High School Site	Llanrumney	APPROPRIATION	HRA Housing
Former Llanedeyrn Family Centre & Land	Pentwyn	APPROPRIATION	HRA Housing
Former Rumney High School (site for retail)	Rumney	SELL	Commercial Development
Former Waungron HWRC	Llandaff	SELL	Housing Development
Former Llanrumney Play Centre & Land	Llanrumney	SELL	Redevelopment
Land adjacent to 96 Heol yr Odyn	Caerau	SELL	Development
Land adjacent to Aldi, Treseder Way	Caerau	SELL	Commercial Development
Land at Sanatorium Road	Canton	SELL	Housing Development
Land at Flaxland Avenue, adjacent to A48	Gabalfa	SELL	Redevelopment
Land adjacent to Vision Court, Pentwyn Road	Pentwyn	SELL	Commercial Redevelopment
8 Library Street	Canton	SELL	Housing Development

<b>LEASE RELINQUISHMENTS</b>			
<b>Property</b>	<b>Ward</b>	<b>Intent</b>	<b>Proposal</b>
Grangetown Buzz Caffi	Grangetown	RELINQUISH	Terminate Lease
Occupational Health Office, 6 Cefn Coed	N/A (Nantgarw)	RELINQUISH	Terminate Lease

<b>NON OPERATIONAL ESTATE</b>			
<b>Property</b>	<b>Ward</b>	<b>Intent</b>	<b>Proposal</b>
Former Roath Library	Adamsdown	LEASE	Rubicon Dance
Former Trelai Bowls Pavilion	Caerau	LEASE	Ely & Caerau Sports Trust
Former Mynachdy Institute	Gabalfa	LEASE	Tenant to be determined
Ton yr Ywen Changing Rooms	Heath	LEASE	St. Joe's AFC & RFC
Former Llandaff PC's at Old Bishops Palace	Llandaff	LEASE	Llandaff 50+ group
Former Lydstep Changing Rooms	Llandaff North	LEASE	Cardiff Draconians AFC
Land at Railway Street	Splott	LEASE	Green City Events



INVESTMENT ESTATE OPPORTUNITIES			
Property	Ward	Intent	Proposal
Norwegian Church	Butetown	LEASE	Commercial Tenant
New Theatre	Cathays	LEASE	Commercial Tenant
Former Museum Avenue Public Convenience	Cathays	LEASE	Commercial Tenant
Former Ninian Park Caretakers House	Grangetown	LEASE	Commercial Tenant
Former Llandaff Fields Pavilion	Riverside	LEASE	Commercial Tenant

OTHER			
Property	Ward	Intent	Proposal
Wedal Road Parks Depot	Cathays	VACATE	Vacate property

### Capital Receipts

8. The Council's 2019/20 Budget Statement includes a requirement to generate over £40 million of additional capital receipts over the period 2018/19 – 2022/23 to support delivery of the Band B schools programme and the agreed capital programme. The APP sets out the strategy to deliver the required £40m of capital receipts.
9. As part of this, the Council has undertaken a review of all of its land holdings to identify potential opportunities for disposal. All of the opportunities identified to date require further consideration and due diligence, including discussions with local Members. It is proposed to work up detailed proposals for each opportunity and on a case by case basis and to present opportunities in the form of a Cabinet report for Cabinet to consider.
10. All of the opportunities identified to date require further consideration and due diligence, and local members will be kept informed. In the first instance it is proposed to work up proposals to identify any specific parcels of land that may be suitable for disposal as part of a business case to release investment to improve facilities. In all circumstances detailed proposals will be brought back to Cabinet for full consideration before proceeding.

### Non-Operational Estate

11. In the Corporate Land and Property Management Plan 2018/19 the Strategic Estates Department committed to undertake a review of the non-operational estate to gain a better understanding of the assets within the portfolio and their performance. A detailed review of each asset has now taken place and a number of key themes have been identified.
  - Backlog maintenance with no allocated budget to address
  - Health & Safety compliance concerns
  - Reactive estate management
  - Inconsistent tenure arrangements in particular within retail parades
  - Status, strength and presence of tenants

A strategy has been drafted to address the key issues for future management and a recommendation for each asset has been categorised to Retain, Remodel or Release.

### Retail Parades

12. The non-operational estate contains 21 retail parades distributed across the city of varying type, quality, condition and with varying tenancy arrangements in place. Most of the parades are in a poor condition with a significant maintenance backlog and are management intensive. Given that there is limited capital to re-invest in these assets they represent a liability to the Council and have an overall detrimental effect on the quality and value of the Council's estate.
13. As such, it is proposed to dispose of 14 of the parades which are in the most need of investment (listed in table 3 below) over the next two years. In advance of bringing each parade to the market it is proposed to undertake a detailed review of the asset to tidy-up all existing leases, and where appropriate to terminate leases and/or renew or extend leases to ensure each parade is in the best commercial shape to maximise the capital receipt.

**Table 2. Retail Parades**

RETAIL PARADE DISPOSALS			
Property	Ward	Intent	Proposal
Bishopston Rd Retail Parade	Caerau	SELL	Investment Opportunity
Heol Trenewydd Retail Parade	Caerau	SELL	Investment Opportunity
Grand Avenue Retail Parade	Ely	SELL	Investment Opportunity
Wilson Rd Retail Parade	Ely	SELL	Investment Opportunity
82 Pwllmelin Rd	Fairwater	SELL	Investment Opportunity
Chestnut Rd Retail Parade	Fairwater	SELL	Investment Opportunity
Plasmawr Rd Retail Parade	Fairwater	SELL	Investment Opportunity
Gabalfa Avenue Retail Parade (No's 49-59)	Llandaff North	SELL	Investment Opportunity
Gabalfa Avenue Retail Parade (No's 85-93)	Llandaff North	SELL	Investment Opportunity
Llangranog Rd Retail Parade	Llanishen	SELL	Investment Opportunity
Fishguard Rd Retail Parade	Llanishen	SELL	Investment Opportunity
Burnham Avenue Retail Parade	Llanrumney	SELL	Investment Opportunity
Cae Glas Retail Parade	Rumney	SELL	Investment Opportunity
Harris Avenue Retail Parade	Rumney	SELL	Investment Opportunity

### Investment Estate

14. The Council manages a portfolio of investment properties let on commercial terms to third parties for the purpose of maximising rental income and improving the yield of the estate. The 2019/20 APP details a list of operational assets that have been reviewed through the asset management process and have been deemed surplus to Council requirements. Some of these assets are not suitable for freehold disposal due to their location but do represent good opportunities to be leased on commercial terms, mitigating running cost and maintenance liabilities and offering regeneration opportunities. Following due process it is proposed

that these assets be appropriated from the operational estate into the investment estate.

#### Governance

15. The implementation of the APP will be overseen by the Asset Management Board (AMB), with all opportunities presented for consideration by the Cabinet Member for Investment & Development. This will enable a strategic and corporate oversight across the Council administration's objectives.
16. In addition to the internal Council review of the estate, opportunities to work closer with public sector partners will also be considered via quarterly meetings of relevant officers. Any initiatives generated by this activity will also be presented for the Cabinet Member for Investment & Development to consider.

#### **Local Member consultation**

17. Member engagement will take place through the implementation of the plan.

#### **Reasons for Recommendations**

18. To enable Cabinet to approve the 2019/20 Annual Property Plan.

#### **Financial Implications**

19. Robust long term asset management planning is a key element of the Council's Capital Strategy. This report highlights some of the property initiatives proposed as part of the Council's Annual Property Plan. These initiatives potentially have a range of differing financial implications which will need to be considered in conjunction with Finance, as the strategy is implemented. These could include, risk of timing and value of disposal, options appraisal for sites, liabilities on transfer of properties, valuation for accounting purposes, VAT and ongoing holding costs of property. The financial implications of such initiatives will be reported as part of the governance arrangements identified in the report.
20. Where other property proposals are being considered which are not included in this report, these will need to be in accordance with the budgetary framework and be the subject of robust financial and property business cases.
21. Properties identified for disposal should be done so promptly in order to minimise revenue costs associated with holding onto surplus property. Where properties such as the retail parades are identified for disposal, the loss of rental income on the budget will need to be considered as part of the budget process.
22. Resources to finance the General Fund Capital Programme between 2019/20 and 2023/24 include a non earmarked capital receipt target (net of fees eligible to be retained for disposal costs) of £35.5 million. This report proposes sites in 2019/20 that would be disposed of towards

meeting the target. Regular monitoring of this target will need to be reported as part of updates to Cabinet and Asset Management Board, to avoid the risk of additional borrowing or review of schemes proposed as part of the Capital Programme.

23. The Annual Property Plan includes land to be appropriated for Housing Revenue Account Housing purposes during 2019/20 as a disposal target for 2019/20. Consideration will need to be given to determining a valuation for key sites at an early stage so these can be undertaken in 2019/20 to ensure no adverse financial implications, for example in respect to the School Organisation Plan financial model.

### **Legal Implications**

24. The Council has an obligation to ensure value for money in its management, acquisition and disposal of land and property as public assets.
25. The decision about these recommendations has to be made in the context of the Council's public sector equality duties. The Council also has to satisfy its public sector duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Protected characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief. If the recommendations in the report are accepted and when any alternative options are considered, the Council will have to consider further the equalities implication and an Equality Impact Assessment may need to be completed.
26. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.  
In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well being goals. The well being objectives are set out in Cardiff's Corporate Plan 2018-21: <http://cmsprd.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202018-21.pdf> When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives. The well being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure

that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:

- Look to the long term
- Focus on prevention by understanding the root causes of problems
- Deliver an integrated approach to achieving the 7 national well-being goals
- Work in collaboration with others to find shared sustainable solutions
- Involve people from all sections of the community in the decisions which affect them

The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

27. The Council has to be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact upon the Welsh language, the report and Equality Impact Assessment deals with all these obligations. The Council has to consider the Well-being of Future Generations (Wales) Act 2015 and how this strategy may improve the social, economic, environmental and cultural well-being of Wales.

**RECOMMENDATION**

Cabinet is recommended to:

- 1) Approve the 2019/20 Annual Property Plan attached at Appendix 1.
- 2) Note the disposal programme set out in Table 1 of this report.
- 3) Delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Investment and Development to deal with all aspects of the review of retail parades proposed for disposal as set out in Table 2 of this report.
- 4) Delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Investment and Development to develop detailed proposals relating to opportunities for the disposal of land and to return to Cabinet for authority to proceed.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>NEIL HANRATTY</b> <b>Director of Economic Development</b>
	10 May 2019

*The following appendices are attached:*

Appendix 1: Annual Property Plan 2019/20

Appendix 2: Site plans





# ANNUAL PROPERTY PLAN

2019/20

DRAFT

Economic Development - Strategic Estates Department

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# EXECUTIVE SUMMARY

## PROPERTY STRATEGY

- The Property Strategy 2015-20 established a series of property targets to be achieved by 2020.
- Progress on the targets is reported through the Annual Property Plan - APP, (previously known as the Corporate Land and Property Management Plan) detailing property disposals, relinquishments and leases.
- It is anticipated that all of the Property Strategy targets will be exceeded by March 2020.

### Key themes of the Property Strategy are:

- **Modernisation** - To develop a more modern portfolio of assets which supports and assists delivery of front line services, costs less to run and is not in need of costly repair
- **Collaboration** - To work closely with Public Sector and Community partners to identify opportunities for property and service collaboration
- **Rationalisation** - Disposal or relinquishment of assets is the principal means of delivering Capital Receipts and achieving the APP targets relating to GIA, Maintenance Backlog and Running Cost reduction

### Ongoing APP work streams contributing to the Strategy include:

1. **£40M Disposal Programme 2018/19 to 2022/23** - deliver additional capital receipts following comprehensive review of all land and property assets
2. **Schools Organisational Programme** - Implementation of Band A and Band B programmes
3. **Implementation of Corporate Landlord** - Improved knowledge of estate via condition surveys, utilisation analysis and service area plans. This will facilitate a Professional, Commercial and Proactive approach to estate management
4. **Non-operational Estate** - Relinquishment of non-operational Assets in collaboration with local and other third party groups

### New work streams introduced in 2019/20:

- a) **Depot Review** - Disposal and relinquishment of surplus depot buildings, investment in retained depots - delivering a rationalised and more efficient services

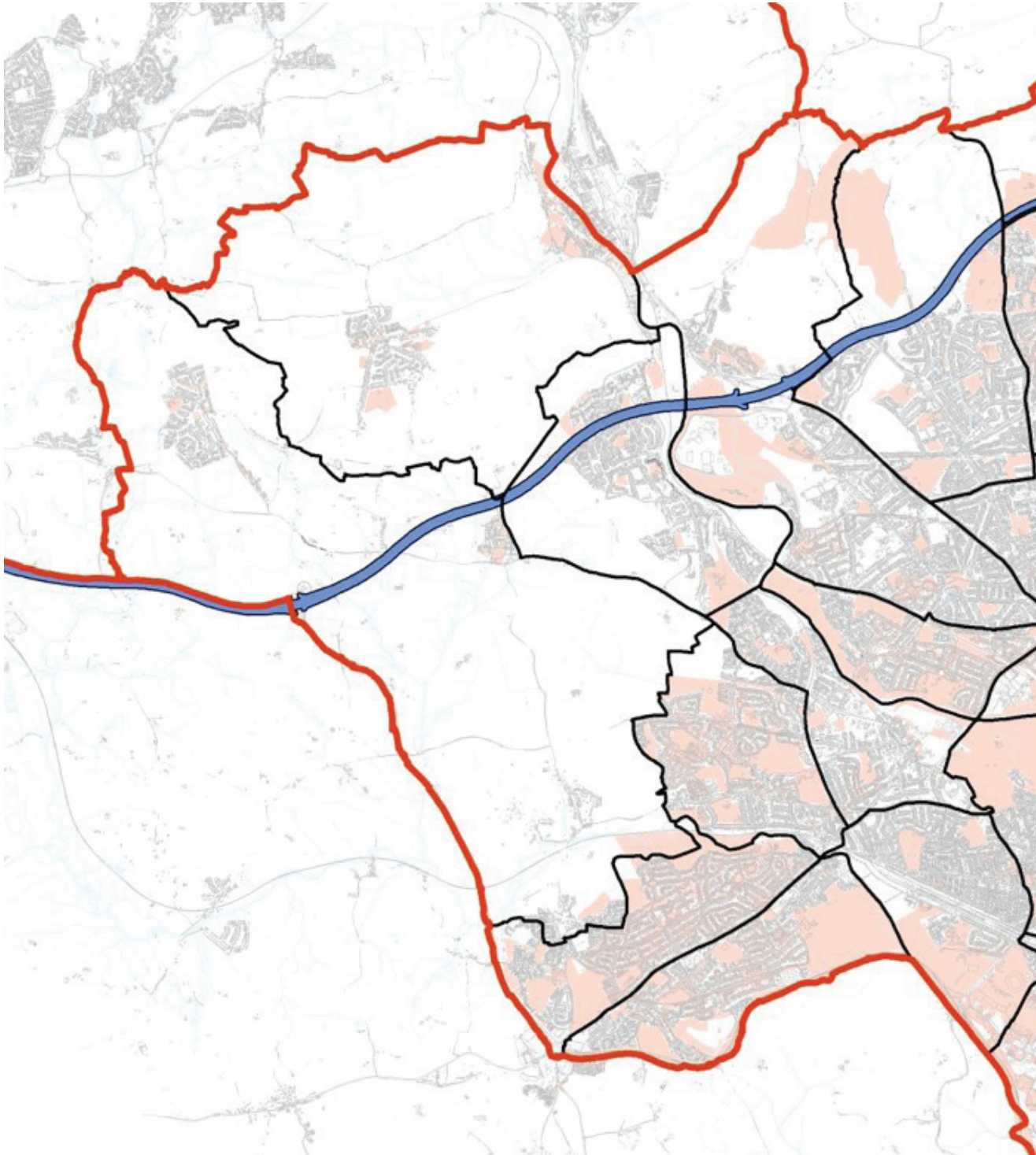
## THE ANNUAL PROPERTY PLAN PROGRAMME 2019/20 TARGETS

The Annual Property Plan for 2019/20 consists of 18 disposals 2 lease relinquishments, 9 non-operational leases and 6 investment leases.

The targets for the financial year are shown below:

	GIA Sqft	Condition Backlog	Gross Total Running Cost	Total Capital Receipt
APP target	200,000	£4,000,000	£600,000	£15,000,000
APP target %	3	3.8	1.7	n/a

# ESTATE SUMMARY



**Value of estate** - £1.2 billion

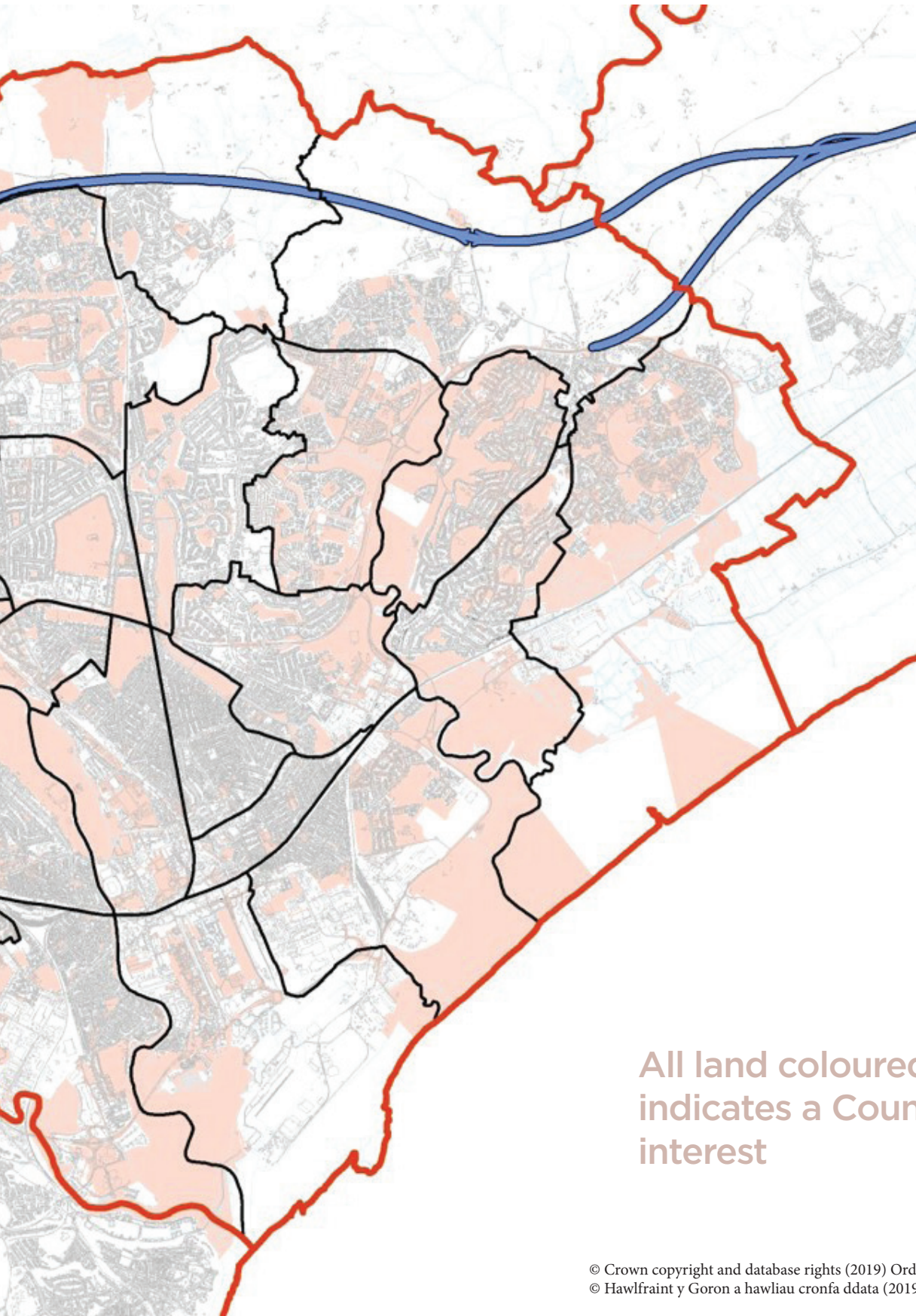
**Gross Internal Area** - 726,093 sqm / 7,815,675 sqft

**Land Area** - 10,042 acres / 4,064 hectares

**Running cost** - circa £37m pa

**Projected maintenance backlog as per 2019** - circa £250m+





All land coloured pink indicates a Council interest

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## ESTATE SUMMARY - PORTFOLIOS

Cardiff Council property estate is managed within the four portfolios listed below:

	Used/managed for Council Services		Let to Third Party	
	Operational Estate	Land	Non-Operational Estate	Investment Estate
<b>Type</b>	Service Occupied Property Assets	Service Occupied and Managed Land		
<b>Example</b>	Offices, Schools, Depots, Libraries etc	Parks, Highways, SED & Misc	Retail Parades Community Leases	Multi-let properties, Ground Leases
<b>Size</b>	Circa 400 properties / sites  Over 1,500 buildings	Over 10,000 acres	Circa 232 leased assets.  Approx 50/50 split Retail & Community Leases	Circa 200 properties
<b>Strategy</b>	Corporate Property Strategy 2015/20  Annual APP	Progressing Land review to feed £40m Disposal target	Draft strategy for inclusion in new Corporate Property Strategy 2020/25	Investment Estate Strategy 2016/21
<b>Next Steps</b>	New Corporate Property Strategy 2020/25	Complete land review and work with services to understand future requirement	Complete new strategy  Implement proactive estate management	Continue to improve performance of portfolio (Rental/Yield)

Cardiff Council's property estate is divided into operational assets and leased assets.

**Operational property** is used to deliver or support the delivery of Council services. Examples include buildings such as schools, libraries and offices. Land examples include parks and highway verge etc.

**Leased property** is owned by Cardiff Council and let to third parties. Investment examples will include properties let on commercial terms for revenue such as retail and light industry land. Non-operational examples will include community assets such as scout huts, community centres and local sports facilities.

**Investment property** - The Council manages a portfolio of investment properties let on commercial terms to third parties for the purpose of maximising rental income and improving the yield of the estate. The 2019/20 APP details a list of operational assets that have been reviewed through the asset management process and have been decaded surplus to Council requirements. Some of these assets are not suitable for freehold disposal due to their location but do represent good opportunities to be leased on commercial terms, mitigating running cost and maintenance liabilities and offering regeneration opportunities. Following due process it is proposed that these assets be appropriated from the operational estate into the investment estate.





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# INTRODUCTION



**WHAT** - The Annual Property Plan (APP) is an annual report that sets out the property programme for the forthcoming year; provides an in year update; and summarises key property related programmes. The APP primarily applies to the operational estate which comprises land and property used to deliver or support Council services.

**WHY** - The Property Strategy 2015-20 established property targets to be achieved by 2020. The APP reports progress on these targets and establishes a programme for the coming year.

**WHO** - The APP is delivered by the Strategic Estates Department (SED) within the Economic Development Directorate.

**HOW** - SED lead on the implementation of the APP under the guidance of the Asset Management Board and the Cabinet Member for Economic Development.

The four key APP targets are;

- **Floor Space reduction:** reduce the size (Gross Internal Area GIA) of the estate;
- **Revenue reduction:** to reduce the annual running cost of the estate
- **Maintenance reduction:** decrease the maintenance backlog of the estate
- **Capital Receipts:** deliver capital receipts via disposal

These targets are established best practice in accordance with CIPFA (Chartered Institute of Public Finance and Accountancy), RICS (Royal Institution of Chartered Surveyors), The Welsh Audit Office and Welsh Government.

The Council's property estate is reviewed throughout the year and assessed in line with changing Service Area requirements to help support informed decision making over the short, medium and long-term.

The annual APP schedule of agreed property transactions will be subject to regular change due to a range of factors throughout the year.

The Council's established asset management process is designed to continually review and challenge the estate in order to provide a better, more efficient operational portfolio that aligns with the Council's vision and changing service needs.

The APP is an annual document designed to deliver the aims and objectives of the Property Strategy 2015-20.

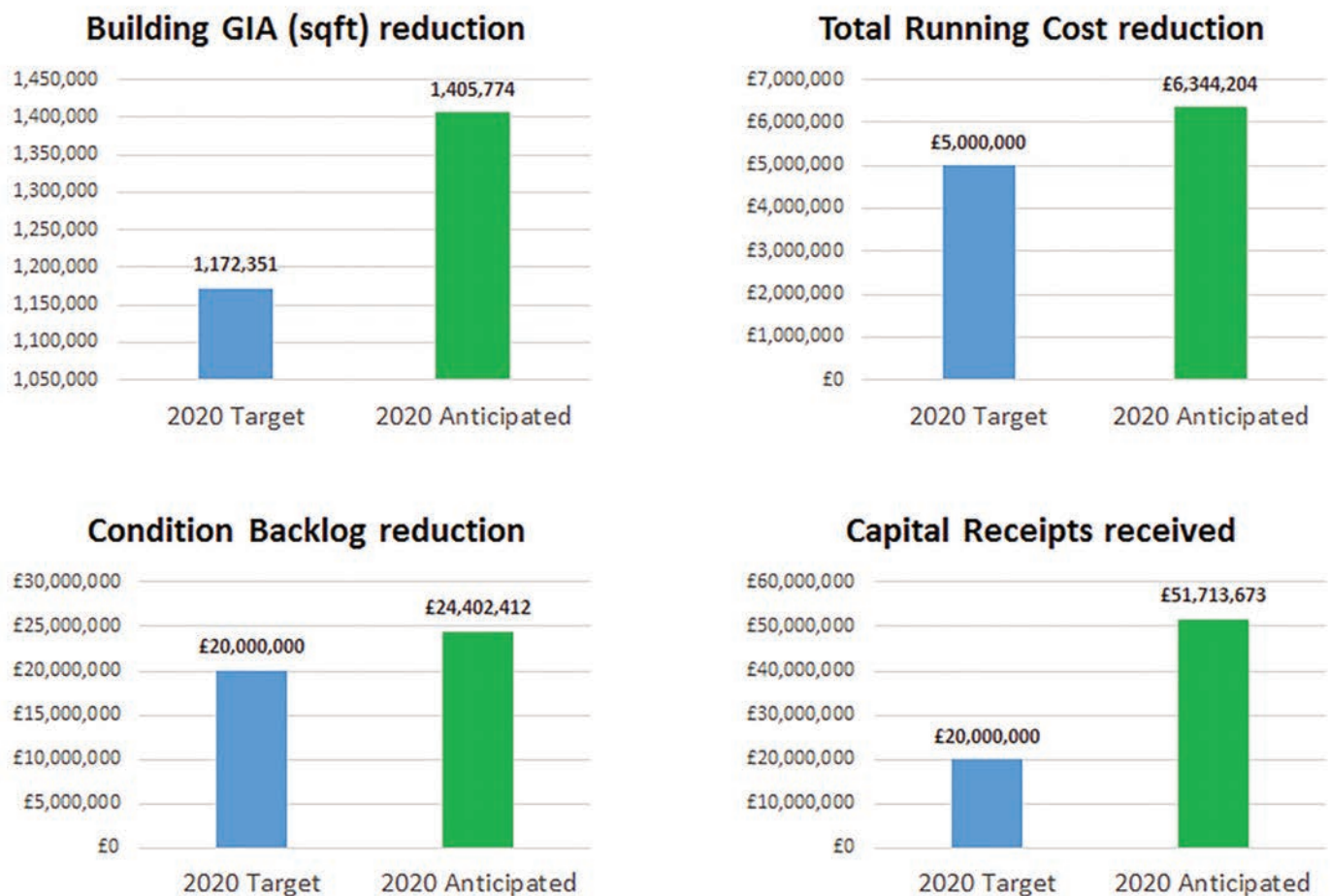
# PROPERTY STRATEGY UPDATE

## PROPERTY STRATEGY 2015-20 TARGETS

The Property Strategy 2015-20 agreed targets to be achieved by 2020 relating to reduction of Gross Internal Area, reduction of Annual Running costs, reduction in Maintenance Backlog and achievement of Capital Receipts.

These targets have been met through annual property programmes detailing properties to be sold, relinquished and leased.

As shown below, it is projected that all four Property Strategy targets will be exceeded at the conclusion of financial year 2019/20.



	<b>Building GIA (sqft) reduction</b>	<b>Condition Backlog reduction</b>	<b>Total Running Cost reduction</b>	<b>Capital Receipts received</b>
<b>Strategy April 2020 target</b>	<b>1,172,351</b>	<b>£20,000,000</b>	<b>£5,000,000</b>	<b>£20,000,000</b>
<b>%</b>	<b>15</b>	<b>n/a</b>	<b>14</b>	<b>n/a</b>
<b>Anticipated by April 2020</b>	<b>1,409,485</b>	<b>£23,750,590</b>	<b>£6,384,655</b>	<b>£48,258,673</b>
<b>%</b>	<b>18</b>	<b>n/a</b>	<b>18</b>	<b>n/a</b>

It is anticipated all property strategy targets will be exceeded by March 2020.

## PROPERTY STRATEGY 2020-25

Cardiff Council will establish a new strategy to cover the period 2020-25, to be published in April 2020.

The new strategy will build on the principals established over the last five years and will focus on the operational estate, land and the non-operational estate. The principals of Corporate Landlord will be central to the new strategy and new information relating to property condition, use, and the running cost of the estate will underpin decision making. This will be delivered through well-established governance, business processes, service area engagement and new property targets to be achieved by 2020.



# 2018/19 UPDATE





**2018/19 PROGRAMME**

The tables below show the property programme and end of year result for financial year 2018/19

<b>DISPOSALS</b>			
Property	Ward	Status	Outcome
Former Howard Gardens Pavilion and Green	Adamsdown	SOLD	Residential Development
Former Wedal Road HWRC	Cathays	SOLD	Local Health Board
Bronllwyn Garages	Pentyrch	SOLD	Residential Development
Land at Church Road	Pontprenau	SOLD	Overage
Former St Mellons Youth/Community Centre	Trowbridge	APPROPRIATION	HRA Housing
Former Rumney High School (Site for housing)	Rumney	APPROPRIATION	HRA Housing
Former Howardian Centre	Penylan	APPROPRIATION	HRA Housing
Land at Ferry Road	Grangetown	SOLD	Overage
200 Fairwater Road	Fairwater	SOLD	Local Health Board

<b>LEASE RELINQUISHMENTS</b>			
Property	Ward	Status	Outcome
Friary Centre, City Centre	Cathays	RELINQUISHED	Lease Terminated

<b>NON OPERATIONAL ESTATE</b>			
Property	Ward	Status	Outcome
Grange Gardens Pavilion	Grangetown	LEASED	Cardiff University
Ely Play Centre	Ely	LICENCED	Ely Garden Villages

<b>OTHER</b>			
Property	Ward	Status	Outcome
Adamsdown Play Centre	Adamsdown	VACATED	Residential Development

The table below shows the end of financial year position for 2018/19.

	GIA Sqft	Condition Backlog	Total Running Cost	Total Capital Receipt
<b>2018/19 Achieved</b>	<b>235,108</b>	<b>£4,811,127</b>	<b>£864,918</b>	<b>£15,220,558</b>
<b>2018/19 Achieved %</b>	3.0	4.6	2.4	n/a

The Annual Property Plan is a dynamic process and subject to change throughout the year. A variety of factors will influence the timescales and progress of property projects such as market forces, changing operational requirements and external factors / decisions, sometimes outside of the Council's control. Transactional delays and revised project timescales may result in affected properties being moved from the 2018/19 programme to 2019/20. The proposed property targets will still be met, however, they will be realised at a later date than first anticipated.







## 2019/20 PROGRAMME

<b>DISPOSALS</b>			
<b>Property</b>	<b>Ward</b>	<b>Intent</b>	<b>Proposal</b>
Former Michaelston College site	Ely	APPROPRIATION	HRA Housing
Former STAR Leisure Centre	Splott	APPROPRIATION	HRA Housing
Former St Mellons Enterprise Centre	Trowbridge	APPROPRIATION	HRA Housing
Former Llanrumney High School Site	Llanrumney	APPROPRIATION	HRA Housing
Former Llanedeyrn Family Centre & Land	Pentwyn	APPROPRIATION	HRA Housing
Former Rumney High School (Site for retail)	Rumney	SELL	Commercial Development
Former Waungron HWRC	Llandaff	SELL	Housing Development
Former Llanrumney Play Centre & Land	Llanrumney	SELL	Redevelopment
Land adjacent to 96 Heol yr Odyn	Caerau	SELL	Development
Land adjacent to Aldi, Treseder Way	Caerau	SELL	Commercial Development
Land at Sanatorium Road	Canton	SELL	Housing Development
Land at Flaxland Avenue, Adjacent to A48	Gabalfa	SELL	Redevelopment
Land adjacent to Vision Court, Pentwyn Road	Pentwyn	SELL	Commercial Development
8 Library Street	Canton	SELL	Housing Development

<b>LEASE RELINQUISHMENTS</b>			
<b>Property</b>	<b>Ward</b>	<b>Intent</b>	<b>Proposal</b>
Grangetown Buzz Caffi	Grangetown	RELINQUISH	Terminate Lease
Occupational Health Office, 6 Cefn Coed	N/A (Nantgarw)	RELINQUISH	Terminate Lease

<b>NON OPERATIONAL ESTATE</b>			
<b>Property</b>	<b>Ward</b>	<b>Intent</b>	<b>Proposal</b>
Former Roath Library	Adamsdown	LEASE	Rubicon Dance
Former Trelai Bowls Pavilion	Caerau	LEASE	Ely & Caerau Sports Trust
Former Mynachdy Institute	Gabalfa	LEASE	Tenant to be determined
Ton yr Ywen Changing Rooms	Heath	LEASE	St. Joe's AFC & RFC
Former Llandaff PC's at Old Bishops Palace	Llandaff	LEASE	Llandaff 50+ Group
Former Lydstep Changing Rooms	Llandaff North	LEASE	Cardiff Draconians AFC
Land at Railway Street	Splott	LEASE	Green City Events



# 2019/20 PROGRAMME



The 2019/20 APP details a list of operational assets that have been reviewed through the asset management process and have been decaled surplus to Council requirements. Some of these assets are not suitable for freehold disposal due to their location but do represent good opportunities to be leased on commercial terms, mitigating running cost and maintenance liabilities and offering regeneration opportunities. Following due process it is proposed that these assets be appropriated from the operational estate into the investment estate.

<b>INVESTMENT ESTATE OPPORTUNITIES</b>			
<b>Property</b>	<b>Ward</b>	<b>Intent</b>	<b>Proposal</b>
<b>Norwegian Church</b>	Butetown	LEASE	Commercial Tenant
<b>New Theatre</b>	Cathays	LEASE	Commercial Tenant
<b>Former Museum Avenue Public Conveniences</b>	Cathays	LEASE	Commercial Tenant
<b>Former Ninian Park Caretakers House</b>	Grangetown	LEASE	Commercial Tenant
<b>Former Llandaff Fields Bowls Pavilion</b>	Riverside	LEASE	Commercial Tenant
<b>OTHER</b>			
<b>Property</b>	<b>Ward</b>	<b>Intent</b>	<b>Proposal</b>
<b>Wedal Road Parks Depot</b>	Cathays	VACATE	VACATE

<b>RETAIL PARADE DISPOSALS</b>			
<b>Property</b>	<b>Ward</b>	<b>Intent</b>	<b>Proposal</b>
<b>Bishopston Rd Retail Parade</b>	Caerau	SELL	Investment Opportunity
<b>Heol Trenewydd Retail Parade</b>	Caerau	SELL	Investment Opportunity
<b>Grand Avenue Retail Parade</b>	Ely	SELL	Investment Opportunity
<b>Wilson Rd Retail Parade</b>	Ely	SELL	Investment Opportunity
<b>82 Pwllmelin Rd</b>	Fairwater	SELL	Investment Opportunity
<b>Chestnut Rd Retail Parade</b>	Fairwater	SELL	Investment Opportunity
<b>Plasmawr Rd Retail Parade</b>	Fairwater	SELL	Investment Opportunity
<b>Gabalfa Avenue Retail Parade (No's 49-59)</b>	Llandaff North	SELL	Investment Opportunity
<b>Gabalfa Avenue Retail Parade (No's 85-93)</b>	Llandaff North	SELL	Investment Opportunity
<b>Llangranog Rd Retail Parade</b>	Llanishen	SELL	Investment Opportunity
<b>Fishguard Rd Retail Parade</b>	Llanishen	SELL	Investment Opportunity
<b>Burnham Avenue Retail Parade</b>	Llanrumney	SELL	Investment Opportunity
<b>Cae Glas Retail Parade</b>	Rumney	SELL	Investment Opportunity
<b>Harris Avenue Retail Parade</b>	Rumney	SELL	Investment Opportunity

The table below shows the APP targets for 2019/20

	<b>GIA Sqft</b>	<b>Condition Backlog</b>	<b>Total Running Cost</b>	<b>Total Capital Receipt</b>
<b>2019/20 target</b>	<b>200,000</b>	<b>£4,000,000</b>	<b>£600,000</b>	<b>£15,000,000</b>
<b>2019/20 Projection %</b>	3	3.8	1.7	n/a





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# £40M DISPOSAL PROGRAMME 2018-2023

SOURCE	ANTICIPATED RECEIPT	STATUS
Corporate Land and Property Management Plan – 2018/19	£5.8m	Programme agreed by Cabinet. Completion March 2019
Annual Property Plan – 2019/20	£3m	To be confirmed/ published in APP 2019/20
Schools - SOP Band B	£15m	To be profiled/ published in future APPs from 2019/20
Asset Review – Non-Operational Estate	£3m	To be confirmed/published in APP 2019/20
Asset Review – Land	£6m	To be profiled/ published in future APPs from 2019/20
Annual Property Plans 2020/21 to 2022/23	£7.2m	To be profiled/ published in future APPs
<b>TOTAL</b>	<b>£40m</b>	

The table above shows how the £40M Capital Receipts target will be met.



### **£40M Disposal Programme 2018-2023**

The 2018/9 Corporate Land and Property Management Plan (CLPMP) reported a target to raise £40m of additional (non earmarked) capital receipts (net of fees) over a 5-year period to support the Council's capital programme. This programme requires capital receipts be delivered from the disposal of land and buildings from the Council's Operational Property, Non-Operational Property and Land portfolios to support the following:-

- **£25m** capital receipts is necessary to support the expenditure on schools as part of the 21st Century Schools Band B Programme; and
- **£15m** capital receipts is required all other expenditure commitments included as part of the approved capital programme.

Strategic Estates Department (SED) is carrying out a rolling review of its assets to identify surplus property suitable for disposal within the 5 year programme:-

**Operational Buildings** – the principle of “fewer but better buildings” established in the Property Strategy 2015-20 has been implemented over the last three financial years resulting in a significant reduction in the size, running costs and maintenance backlog of the estate and delivering capital receipts. SED is working with service areas to review running costs; condition and maintenance back-log; utilisation and fit for purpose and to identify opportunities for rationalisation of operational buildings. Condition surveys and a utilisation audit have been completed over the last year to support decisions on the future of buildings.

**Schools Operational Planning (SOP)** – some of the School Band B developments will release surplus school sites, available for re-use by the Council or for disposal to generate capital receipts. SED will work with SOP to develop feasibility on the re-use of surplus assets to maximise opportunities and ensure timely release to the market.

**Non-investment/ leased Estate** – this comprises a varied portfolio of assets that do not sit within the investment estate but are leased or occupied by third parties for community or commercial use. As with the review of Operational assets, the ongoing review will identify running costs; condition and maintenance back-log; strategic reasons for retention of the assets; and provide recommendations for retention, re-modelling or releasing to the market.

**Land** – the Council has undertaken a review of all of its land holdings to identify potential opportunities for disposal. A number of opportunities have emerged to dispose of small slithers of land on the boundary of green spaces. These opportunities primarily relate to areas of land that are not currently utilised or accessed by the public. In addition, the Council may wish to dispose of small pockets of land to unlock capital investment to upgrade recreational facilities. For example, the disposal of small areas of land adjacent to existing playing fields could fund investment in proper drainage systems and new fit for purpose changing facilities enabling existing sports and recreational facilities to be much better utilised.

All of the opportunities identified to date require further consideration and due diligence, including discussions with local Members.

### **Benefits of new disposal programme**

The disposal of surplus land and buildings provides further benefits to the Council and the city as a whole. These being:

- Delivery of affordable housing
- Delivery of market housing
- Savings from releasing Council's liability of assets
- Regeneration opportunities
- Development impact on Economic Development objectives

Progress on opportunities identified within each portfolio will be reported on an annual basis through the APP.

# CORPORATE LANDLORD UPDATE



## **Corporate Landlord Programme**

In early 2017 Cardiff Council established the Corporate Landlord Programme. Its goal is “to create one cohesive operating model in the organisation leading on all non-domestic property matters”.

The key area will involve ensuring the strategic direction of the estate aligns with the management of all information relating to non-domestic assets, ensuring statutory compliance and effective management of other property managing functions. Suitable business processes, governance and resource will be implemented to achieve this.

The programme will ensure that:

- Operational buildings are safe and legally compliant in relation to health and safety
- Strategic direction of the estate is aligned with property management, maintenance and design services
- The programme is supported by suitable IT and data systems
- Service areas are aware of landlord and tenant responsibilities through effective communication and corporate understanding
- Assess and mitigate compliance risk within the operational estate
- There is a clear focus on building relationships to support stakeholders and customers. Strategic Estates Department (SED) are integral to the delivery of Corporate Landlord and will progress projects that will capture new information, facilitating a more detailed analysis of property performance to inform strategic decision making.

Specific property projects managed within SED include:

## **Property Condition Surveys**

A full programme of property condition surveys across the operational estate. This will inform strategic decision making on retention, investment, suitability and provide an up to date account of the Council’s current maintenance backlog. Phase 1 complete. Phase 2 completion scheduled for end of 2018/19.



### **Property Utilisation and Suitability Audit**

Each operational property will be analysed to record how space is used, by which teams, for what purpose etc. Opportunities to review existing use, realise efficiencies or potentially lease space for income will be identified. Completion scheduled for end 2018/19.

### **Service Property Plans**

Service Areas and SED will work together to identify the short, medium and long-term service property requirements. This will be combined with condition surveys and the utilisation audit to support strategic decision making. Anticipated commencement - 2019/20.

### **Property Management Principles**

Clear management principles will be established defining the responsibilities of building users and the central Corporate Landlord. Roll out ongoing to all Schools. Non-Schools anticipated commencement - 2019/20.

### **Real Estate IT**

New IT tool Technology Forge has been procured to better link the Council's property data and improve capacity to analyse and report on performance. This will realise efficiencies and identify new property opportunities. Implementation completion anticipated Autumn 2019/20.

Additional projects include:

#### **One Front Door**

A new 'front door/ phone number' is being created for one single point of contact for services/ occupiers to call. The first version was implemented late 2018 and this will be developed and improved over next 6 months taking into account feedback received.

#### **New Non Domestic Building Maintenance Frameworks.**

The procurement process has initiated. The new Framework arrangements are due to commence in April 2019.

#### **Pricing**

Further work will be undertaken across all Corporate Landlord functions as the implementation of the model progresses.

#### **Target Operating Model (TOM)/ Structures**

In the process of recruiting a new resource to lead on the progression of the delivery of the TOM and implement new structures/ processes needed.

The implementation of the new organisation structure for Property Services is ongoing.

#### **Compliance**

RAMIS has been implemented across the Council with bi-monthly reporting on statistics to Senior Management Team (SMT). 200 Building Managers have received training in their responsibilities and use for the RAMIS system, including schools estates staff and Head Teachers.

The Schools Handbook has been updated with Schools being consulted. The first draft was issued to Schools early in September 2018.

#### **Branding/ Communications**

Corporate Landlord Working Group & Asset Management Board take place monthly which updates key property stakeholders. The Schools Asset Commissioning Group meets on a fortnightly basis.







### Band A update

- New High School in the East - completed December 2017.
- New High School in the West - building work completed Feb 2019.
- New Primary School builds at Hamadryad, Howardian, Glan Morfa (Maltings), Gabalfa and Glan Ceubal completed 2018
- Adamsdown Primary – Identified investment works complete.
- Ninian Primary – Identified investment works complete.

### Band B update

The Band B 21st Century School Strategy commits to deliver: “Inspiring, sustainable, community focused schools in which children and young people can achieve their potential”.

The value of the programme submitted by Cardiff Council was £284 million, of which Welsh Government committed to make a significant contribution.

### Secondary Schools

- Cantonian High School - It is proposed that Cantonian High School is rebuilt and expanded to provide a new 11-18 high school, with eight forms of entry (8FE).
- Fitzalan High School - It is proposed that Fitzalan High School is rebuilt as a new 11-18 high school, with ten forms of entry (10FE).
- Willows High School - It is proposed that Willows High School is rebuilt and expanded to provide a new 11-16 high school, with eight forms of entry (8FE).
- Cathays High School - It is proposed that Cathays High School is rebuilt and expanded to provide a new 11-18 high school, with eight forms of entry (8FE).
- Cardiff High School - It is proposed that Cardiff High School is expanded and remodelled to provide an 11-18 high school, with ten forms of entry (10FE).

### Primary Schools

- St Mary the Virgin Primary School - It is proposed that St Mary the Virgin Primary School is replaced with a new school and its capacity increased by 30 places per year to a two form of entry school (2FE).
- Fairwater Primary School - It is proposed that Fairwater Primary School is enlarged and its capacity increased by 30 places per year to establish a two form of entry school (2FE).
- Ysgol Pen y Pil - It is proposed that Ysgol Pen y Pil is enlarged and its capacity increased by 30 places per year to a two form of entry school (2FE).
- Ysgol Gymraeg Nant Caerau - It is proposed that Ysgol Gymraeg Nant Caerau is enlarged and its capacity increased by 30 places per year to a two form of entry school (2FE).

### Special Schools

Four special schools have been ‘D’ rated for suitability and are in need of replacement:

- Riverbank School - For children aged 4-11 with severe and complex learning disabilities.
- Woodlands School - For pupils aged 11-19 with severe and complex learning disabilities.
- The Court School - For children aged 4-11 with emotional health and wellbeing needs also commonly referred to as ‘behaviour emotional and social needs.
- Greenhill School - For pupils aged 11-16 with emotional health and wellbeing needs.

### Next Steps

- Development and approval of business cases for Welsh Government
- Identification of property implications to support best value outcome for individual proposals
- Consideration of affordability and any prioritisation required in line with the approved band B programme and terms and conditions of Welsh Government funding





NON-

# OPERATIONAL STRATEGY





The Non-Operational Estate consists of leased Council assets that are not part of the Investment Estate. Examples include Community Centres, Scout Halls, Retail Parades, Sporting Facilities and Public House Ground Leases.

### What have we done?

The 2018/19 CLPMP committed to carry out a detailed review of the Non-Operational Estate to have a better understanding of the assets within the portfolio and its performance.

Following the review the outcome is that the portfolio comprises 232 leased assets which have been identified as:

- Commercial - 119 assets let on commercial terms
- Non-commercial - 113 let to community organisations on non-commercial terms

A detailed review of each asset has now taken place and a number of key themes have been identified

- Backlog maintenance with no allocated budget to address
- Health & Safety compliance concerns
- Reactive estate management
- Inconsistent tenure in particular within retail parades
- Position of some tenants / organisations weak

### Next Steps

In order to ensure better management of this estate a proactive approach will be taken. Key steps will be to get to know the properties and tenants better to ensure issues are addressed.

Each asset has been given a high level assessment as to how it should be treated, as described below:

**Retain** – The asset has long term strategic value, supports the Council in partnership working and disposal will contribute minimal monetary value to the disposal programme.

#### Strategy

- pro actively manage ensuring all leasehold covenants performed including statutory compliance;
- restructure leases for better performance of the asset;
- re-establish Landlord and Tenant relationship.

**Remodel** – The asset lends itself to community masterplanning as the building may be coming to end of economic life and requires investment whilst still providing a valuable and beneficial service to the community

#### Strategy

- pro actively manage ensuring all leasehold covenants performed;
- seek alternative partners to deliver fit for purpose facilities;
- work with the tenant on delivering a scheme.

**Release** – The asset is presenting significant backlog maintenance with no budget to repair, management of the asset is intensive in relation to the value.

#### Strategy

- prepare programme to include retail parades based on city wide location, maintenance backlog and value;
- undertake due diligence to include lease actions, tenant covenants and legal preparation.

### Retail Parades

The non-operational estate contains 21 retail parades distributed across the city of varying type, quality, condition and with varying tenancy arrangements in place. Most of the parades are in a poor condition with a significant maintenance backlog and are management intensive. Given that there is limited capital to re-invest in these assets they represent a liability to the Council and have an overall detrimental effect on the quality and value of the Council's estate. As such, it is proposed to dispose of 14 of the parades which are in the most need of investment over the next two years. In advance of bringing each parade to the market it is proposed to undertake a detailed review of the asset to tidy-up all existing leases, and where appropriate to terminate leases and/or renew or extend leases to ensure each parade is in the best commercial shape to maximise the capital receipt.



# DEPOTS REVIEW

## 2019/20





Cardiff Council operates over 18 depots across the city to meet various service requirements. These depots vary considerably in size, quality and location with each having been developed over time to meet the specific need of the occupying service.

As each service has developed its own depot strategy, there has been limited exploration of shared facilities or joint investments where common requirements can be fully identified.

Significant potential exists to review the function of all depots across the city and identify opportunities to share space, pursue joint investments and reshape service delivery to operate more efficiently to deliver a modern depots solution.

The objective of the depot review 2019/20 is to review the Council's existing depot requirement across all service areas (excluding Housing) and propose options to deliver a more efficient delivery model, opportunities for rationalisation, shared use of assets and potential partnership / collaborative opportunities.

## SCOPE

The depot review will include the following services:

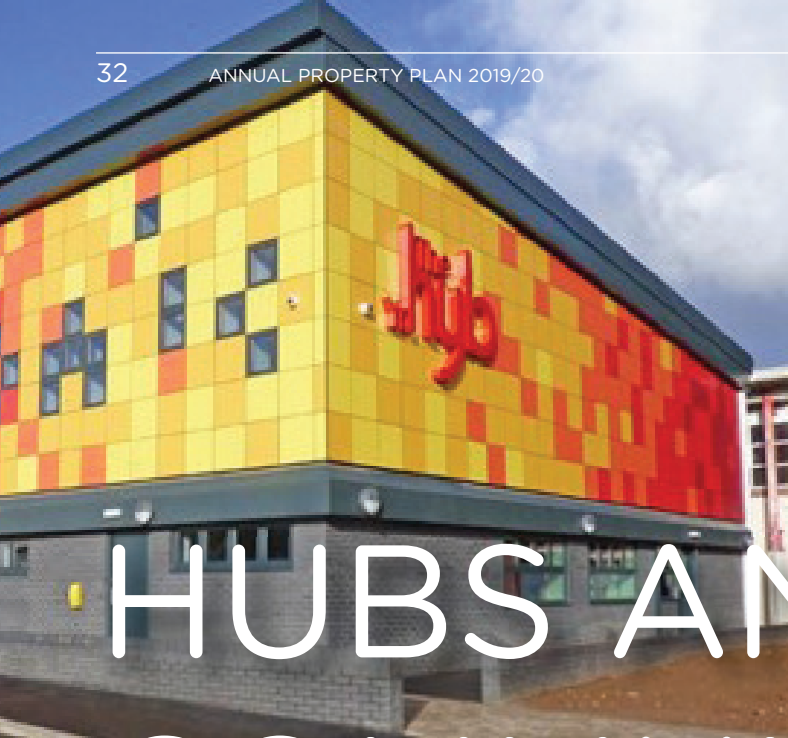
- Parks
- Bereavement
- Waste
- Highways

## OBJECTIVES

- To rationalise the number of depots in the city, disposing poor quality assets for capital receipt.
- Retain larger, newer depots for shared use and long term investment.
- Service Areas to lead operational requirement, consolidation and co-location solutions
- Reduce property revenue cost and maintenance backlog
- Mitigate Health & Safety issues
- Ensure operational service requirements are met
- Timescales – financial year 2020/21

## NEXT STEPS

- Detailed depot use and requirements review
- New depot solutions devised
- Options appraisal and assessment
- Complete project plan and business case
- Implementation



# HUBS AND COMMUNITY ASSETS





### **HUBs Programme so far**

To date, the Hubs Programme, approved by Cabinet in 2014, has delivered 12 projects across the city. These include the Central Library Advice Hub and 11 Community Hubs.

Hubs have been well received by customers, extending and joining up Council and partner services and providing comprehensive local provision based on the needs of the area. Hub investment has enabled local services to be delivered from fewer, but better community buildings, with receipts from the disposal of surplus properties being re-invested in the programme.

The St Mellons Hub, which opened in 2018, provides a full range of community services all under one roof, and has allowed the former St Mellons Enterprise and Youth Centre sites to be disposed of for new affordable housing.

Community Hubs contribute to the achievement of key corporate objectives within the theme of tackling inequalities, enabling the delivery of accessible and sustainable services in priority neighbourhoods.

### **Future Plans**

Further development of the Hub programme is focussed on Wellbeing Hubs and Youth Hubs.

The potential for converting a number of branch libraries in the north of the city into Wellbeing Hubs is being investigated. These will offer a range of advice and services particularly centred on the needs of older people to reflect the demographics of these communities. Current projects include :

- Whitchurch library
- Rhydypennau library

Opportunities for the creation of Youth Hubs - providing integrated advice, support and mentoring for young people - are also being assessed. These include :

- Butetown Pavilion
- City Centre Youth Hub.

### **Day Centre Renewal**

The Day Opportunities Strategy identified a need to create contemporary day care settings suitable for clients with high/complex needs.

- Minehead Road Day Centre was refurbished in 2017 creating a welcoming facility for day care clients.
- Grand Avenue Day has been converted and upgraded into a specialist dementia centre which opened in 2018. The layout and specification of the facility has been informed by dementia-friendly design.
- Fairwater Day Centre is also being refurbished and is due to re-open this summer.

### **Maelfa Shopping Centre Regeneration**

The Maelfa Centre is being redeveloped through a comprehensive regeneration scheme.

9 new shop units have been constructed as part of a mixed-use development in partnership with Cardiff Community Housing Association. The scheme is being delivered in phases to allow continuity of services throughout the development. It will primarily be occupied by local traders who have long-standing connections with the community. The new retail parade will be managed by Strategic Estates.

The wider regeneration scheme has also secured the rationalisation of community facilities. The former Llanedeyrn library, police station, day centre and family centre have all been demolished and a new Community Hub has been created at the Powerhouse. Plans for the addition of a health facility will create a joined-up public service hub, with the Council, Police and Health authorities delivering services from an integrated hub.





Tudalen 92











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**DUMBALLS ROAD REGENERATION SCHEME****REPORT OF INVESTMENT & DEVELOPMENT  
(COUNCILLOR RUSSELL GOODWAY)****AGENDA ITEM: 5**

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**Reason for this Report**

1. To provide Cabinet with an update on the programme for delivery of the Dumballs Road regeneration scheme which seeks to deliver a mixed use urban village with over 2000 new homes across circa 40 acres of semi-derelict brownfield city centre land.
2. To provide Cabinet with an update on the Capital Ambition commitment to deliver 450 new Council owned homes at Dumballs Road.
3. To seek delegated authority to agree 'Heads of Terms' relating to the disposal of the Council owned land at Dumballs Road to the developer.

**Background**

4. In 2017, Cardiff Council together with the development company Vastint completed the acquisition of over 30 acres of land south of Penarth Road between the River Taff and Dumballs Road. The development site known as Dumballs Road had previously suffered from urban blight due to complicated land ownership arrangements and site abnormalities, which has held back redevelopment of a prime brownfield site on the edge of the city centre for nearly three decades.
5. The first phase of acquisition completed by the Council and Vastint covered just over 30 acres of land: 8.5 acres acquired by the Council; with the remainder acquired by Vastint. Since then, Vastint has negotiated the acquisition of a further circa 7 acres, which will extend the overall development site to just short of 40 acres.
6. The site is of strategic importance to Cardiff and represents a substantial area of development land to the south of Cardiff Central railway station. The redevelopment of the site and the enhancement of the river corridor will make a significant contribution towards the Council's strategic ambition to improve the link between the city centre and Cardiff Bay.

7. The political administration's policy statement Capital Ambition sets out the following relevant priorities:
  - Work with developers to deliver over 6,500 affordable homes by 2026 through the Local Development Plan and to strengthen our approach to housing development, considering strategic investment that addresses all types of demand for housing, such as social housing, affordable housing and housing that supports extra care and independent living.
  - Work with developers to bring forward plans for the regeneration of Dumballs Road.
8. The Dumballs Road site is considered a strategic brownfield site in the Cardiff Local Development Plan, approved in 2016, and is earmarked to deliver circa 2000 of the circa 20,000 homes required to be delivered on brownfield land. Generally, planning policy seeks to deliver 20% affordable housing on brownfield land. The site has an extant planning permission that provides for 2,150 new homes, of which 269 homes were required to be affordable, taking account of significant site abnormalities. The current planning permission also includes more than 400,000 ft<sup>2</sup> of commercial space, circa 30,000 ft<sup>2</sup> of retail space and other community facilities.
9. Due to the scale of the site at circa 40 acres, and the extent of work required to prepare the site for residential development given its previous industrial use, a comprehensive approach to site remediation is required to make it affordable and deliverable. As such, Vastint is working to finalise the comprehensive acquisition of all parcels of land and for all businesses to be re-located off-site before commencing works.
10. Vastint intends to submit a new planning application, and has begun to work with the Council to prepare a new strategic masterplan for the whole of the site, including the Council's land holdings, to start to establish key masterplanning principles. In particular, the work has begun to set out the proposed housing types and densities and their distribution across the whole of the site; the key arterial routes for public transport, private vehicles, bicycles and pedestrians; and has proposed the location and quantum of green spaces, leisure, retail and other mixed uses across the site.

## **Issues**

### Affordable Housing

11. The Council has a stated ambition to deliver 450 new Council owned homes as part of the Dumballs Road scheme. Vastint's ambition is to deliver a sustainable, high quality urban village that reflects its location at the edge of the city centre. This requires the Council owned housing to be delivered as an integrated part of the development, distributed across the whole of the site, rather than being concentrated in small dense pockets on the edges of the development.

12. A proportion of the 450 Council owned units (to be confirmed as part of the planning process) will be delivered as a developer contribution. The size and type of Council owned units will be specified by the Council's Housing and Communities Department and the quality of build will be in line with Welsh Government Development Quality Requirements (DQR).
13. Vastint has expressed a wish to work with the Council to deliver a site-wide estate management strategy across all tenures to create a sustainable community for all residents. This will consider landscaping, transport, refuse, links to the river and wider community and general amenities.

#### Land Assembly and Title

14. Since the initial phase acquisition of land in December 2016, Vastint has continued to acquire land and relocate businesses off-site to conclude the full land assembly and to secure vacant possession of a comprehensive development site. Almost all such issues have been resolved by agreement. Vastint is continuing to negotiate the relocation of one remaining business to a new site in Cardiff. The Council has previously committed to using Compulsory Purchase Order (CPO) powers should the need arise. Whilst Vastint remains hopeful that an amicable agreement will be achieved. As necessary, a further report may need to be presented back to Cabinet for specific authority to utilise CPO powers.
15. As part of the above, extensive work has also been progressed to establish clean title across the whole of the site. A number of miscellaneous land title issues remain outstanding. Again, as necessary, a further report may need to be presented back to Cabinet for specific authority to utilise CPO powers to enable the developer to secure full and clean title.

#### **Delivery Programme**

16. The extended negotiations to secure clean title and to assemble the whole of the site has resulted in a delay to the initial proposed delivery programme.
17. The Council now needs to agree 'Heads of Terms' with Vastint for the disposal of the Council's land holdings to Vastint and the delivery of affordable units. As such it is proposed to return to Cabinet by no later than December 2019 for authority to dispose of the site.
18. Vastint has recently agreed a new delivery programme with the Council. It is anticipated that a new planning application will be submitted to the Local Planning Authority by spring 2020 and that new housing units will start to be delivered on-site by the summer of 2021. The outline delivery programme is as follows:
 

1) Appoint masterplan Architects	July 2019
2) Commence preparation of Planning Application	Oct 2019
3) Complete land assembly and vacant possession	Dec 2019

4) Submit Planning Application	Spring 2020
5) Secure Planning Permission	Summer 2020
6) Purchase of Council land (by Vastint)	Sept 2020*
7) Commence Remediation/Infrastructure	Autumn 2020
8) Commence construction of housing units	Summer 2021
9) Completion of first phase Council owned homes	Autumn 2022

\*Subject to Planning

### **Reasons for Recommendation**

19. To enable the Dumballs Road regeneration scheme to progress and to set out the delivery approach to secure 450 new Council owned homes.

### **Legal Implications**

20. The Council has power to sell land pursuant to section 123 of the Local Government Act 1972 for the best consideration reasonably obtainable. Advice from an external valuer will need to be produced to Cabinet as this sale is not to be exposed to the market. Legal advice on regulatory planning matters and procurement regulations plus cost consultancy advice will be required in regard to the proposed delivery of affordable housing units.

### **Financial Implications**

21. The Dumballs road site was originally acquired in December 2016 utilising funding set aside for major development projects. The disposal of the site as identified in this report would result in a capital receipt, which is to be used as part of an affordability envelope for the Indoor Arena approved as part of the 2019/20 budget process. Any disposal should therefore be undertaken as promptly as possible to avoid any ongoing holding costs for the site.
22. The Council will need to assess the VAT implications arising from this significant land transaction, particularly any potential impact on the Council's partial exemption position. This will need to be a consideration in agreeing any final Heads of Terms, with specialist advice to be sought where necessary.
23. The Council's Housing Capital Programme and 30 year business plan sets out a strategy to deliver new Council owned homes. This site is included within the programme as one of the schemes to be progressed subject to suitability and long-term affordability of the units being delivered. Any such assessment will need to be subject to a viability assessment approved by the Housing Development Assurance Board as part of the development of the Heads of Terms.



24. The report references a potential for the Council to utilise its Compulsory Purchase Order (CPO) powers should the need arise in the future, although does make it clear any such use of these powers would be subject to a future Cabinet report and approval. If the need arises the financial and budgetary implications of such a decision will be considered at the time.

## **RECOMMENDATION**

Cabinet is recommended to:

- (i) Note the new delivery programme for the Dumballs Road regeneration scheme that will secure the first phase of Council owned homes for occupation by autumn 2022.
- (ii) Delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Investment and Development, the Section 151 Officer, Corporate Director People & Communities and the Legal Officer to agree Heads of Terms for the disposal of the site marked red on the plan attached at Appendix 1 and to return to a future meeting of Cabinet for authority to proceed.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>NEIL HANRATTY DIRECTOR OF ECONOMIC DEVELOPMENT</b>
	<b>10 May 2019</b>

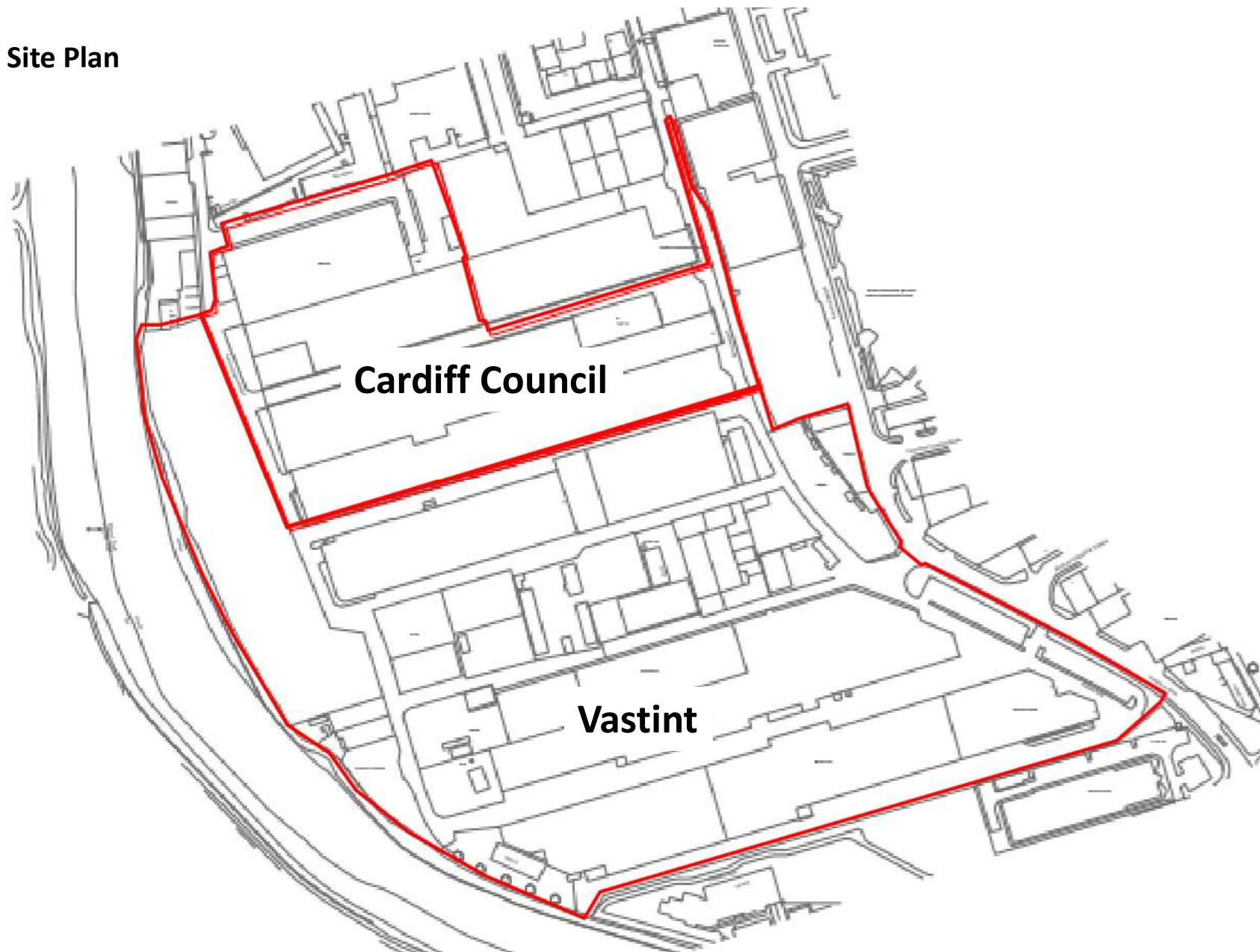
*The following appendix is attached*

Appendix 1: Site Plan

Mae'r dudalen hon yn wag yn fwriadol

**APPENDIX 1: Site Plan**

Tudalen 101



Mae'r dudalen hon yn wag yn fwriadol



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**JOINT COMMISSIONING STRATEGY FOR ADULTS WITH A  
LEARNING DISABILITY****SOCIAL CARE, HEALTH AND WELL-BEING (COUNCILLOR  
SUSAN ELSMORE)****AGENDA ITEM: 6**

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**Reason for this Report**

1. To seek Cabinet approval of the Joint Commissioning Strategy for Adults with Learning Disabilities 2019-2024.

**Background**

2. On the 21 September 2017 the Learning Disability Partnership, which reports to the Cardiff and Vale Regional Partnership Board, agreed that a Joint Commissioning Strategy for Adults with a Learning Disability would be developed across Cardiff and Vale Councils and Cardiff and Vale University Health Board (UHB). The Integrated Health and Social Care Partnership team has provided project management support to assist the project steering group, comprising of Learning Disability Operational Managers from both Cardiff and Vale of Glamorgan Councils, Cardiff Council's Strategic Commissioning Officer and Cardiff and Vale University Health Board (the UHB) Commissioning Manager to develop the strategy.
3. The Joint Commissioning Strategy for Adults with a Learning Disability (the 'Strategy') builds upon previous separate commissioning strategies covering the period from 2012-2017 in both Cardiff and the Vale of Glamorgan Councils. The development of this joint strategy would be the first learning disability specific Commissioning Strategy for the UHB.
4. A Project Outline Document (POD) was drawn up in November 2017 which, in broad terms, set out the aims and objectives of the Strategy. In summary the POD explained the intention of partner organisations to use the Strategy as a "living document" to enable assessment of progress against its stated aims, leading to practice, service and culture change.
5. In January 2018 the Institute of Public Care (IPC) was commissioned by the UHB to undertake a health needs assessment of the learning disability population across the region. This involved data collection and stakeholder interviews.

6. In addition, in March 2018 IPC facilitated an online questionnaire to collate the views of providers, carers and people who use services on the current and future provision.
7. This information enabled the project group to identify emerging priorities for engagement events co-facilitated with Cardiff and Vale People First to maximise participation and engagement and inform the strategy development.
8. Members of the Parents Federation, parents of people registered on the Disability Index, as well as providers and professionals, were further consulted via a focussed online questionnaire in relation to core themes that had arisen from the IPC information collected earlier in the year.
9. The consultation outcomes from all stakeholder groups and events were presented to the Senior Leadership Group (SLG), the officer group reporting to the Regional Partnership Board, on the 28th September 2018 with feedback informing amendments to the draft Strategy.
10. On the 7<sup>th</sup> February 2019 the draft strategy was considered by Community and Adults Services Scrutiny Committee Task and Finish Group who commented on the report and provided feedback. The committee received a final version on the 1<sup>st</sup> May 2019.

## **Issues**

11. The proposed Strategy has been developed in line with the principles outlined in the National Commissioning Board's "Commissioning Services for People with a Learning Disability; Good Practice Guidance" (Oct 2017, IPC) and in accordance with the four commissioning principles of Cardiff and Vale Regional Partnership Board:
  - What Matters to me
  - Home First
  - Sustainable and Prudent use of resources
  - Avoiding Harm, Waste and Variation.
12. The proposed strategy sets out how the three organisations together will meet the needs of adults with a learning disability within the context of Welsh legislation, national guidance, wider regional and local plans, and identified resources.
13. Across the region the aim is to build and expand on previous developments and to continue to transform services that improve the health and well-being of adults with learning disabilities and their carers. We will achieve this through planning, developing and commissioning services that empower people to meet their personal outcomes, make their own decisions and ultimately, to live full and active lives' within their own homes and communities.

14. In Cardiff and the Vale of Glamorgan, there are 1623 people with a learning disability over the age of 18 known to Community Learning Disability Teams. In Cardiff the number of people known to Adult Social Care Teams with a Learning Disability in 2016/17 was 1175. Between 2017–2025, it is predicted there will be an increase of 125 people known to services with a moderate to severe learning disability in the City.
15. We therefore need to ensure that services which we commission are delivered to the right people, at the right time, in the right way, in order to maximise people's outcomes and support them to live full and active lives.
16. The information gathered from the consultations and activities undertaken, have enabled identification of eight key priorities for adults with a learning disability and their carers. These are:
  - Information - Accessible and easy to understand
  - Choice and control - Listening to the person and carer's views
  - Right care at the right time - Early, crisis and respite support
  - Day opportunities, volunteering and work - Person centred, accessible and part of the community
  - Transition - Joined up and planned well
  - Health and wellbeing - Feeling good, having fun and a social life, being active
  - Having my own home - Being independent, with friends, near family, using technology better
  - Collaboration and co-production - Working better together.
17. The proposed strategy outlines 'what is happening now', to meet each of the eight priorities and also 'what we will do' over the next five years.
18. We have also consulted with people with a learning disability, the workforce, parents/carers and partner agencies on the draft document to ensure that the plans for the future reflect what they need.
19. A Launch is planned on June 18<sup>th</sup> 2019 as part of Learning Disability Week.

#### Scrutiny Consultation

20. On the 7<sup>th</sup> February 2019 the draft strategy was considered by Community and Adults Services Scrutiny Committee (CASSC) Task and Finish Group who commented on the report and provided feedback. The committee received a final version on the 1<sup>st</sup> May 2019. The letter from the Chair is attached at Appendix 3

#### Financial Implications

21. There are no direct financial implications for this report as it is seeking the authority to develop a strategy between Cardiff Council, the Vale of Glamorgan Council and Cardiff and Vale University Health Board. However, formal agreements, with relevant financial protocols, will need to be established where jointly funded or jointly commissioned initiatives

are being considered. If there are direct financial implications resulting from decisions that come from the strategy then these will be included in future cabinet reports

#### Legal Implications

22. The recommendation in the report is to seek approval of the Joint Commissioning Strategy for Adults with Learning Disabilities (“the Strategy”) 2019 – 2024.
23. Legal Services has not been involved in the preparation of the Strategy. The Cabinet will need to be satisfied that the Strategy addresses all material factors, including legislative and government guidance (including Welsh Government guidance), that the same have been taken into account, that there has been adequate consultation with all those who may be affected by the Strategy and that their views have been taken into account. Legal Services are instructed by the Directorate that all these factors have been taken into account when preparing the strategy and are addressed in the report.

#### Generic advice

24. In considering the matters set out in this report regard should be had, amongst other things, to:
  - (a) The Welsh Language (Wales) Measure 2011 and the Welsh Language Standards,
  - (b) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are : a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; i. Religion or belief – including lack of belief
25. The report identifies that an Equality Impact Assessment has been carried out and is appended at Appendix 2. The purpose of the Equality Impact Assessment is to ensure that the Council has understood the potential impacts of the proposal in terms of equality so that it can ensure that it is making proportionate and rational decisions having due regard to its public sector equality duty. The decision maker must have due regards to the Equality Impact Assessment in making its decision.
  - (a) The Social Services and Well -Being (Wales) Act 2014 and
  - (b) The Well - Being of Future Generations (Wales) Act 2015



## **Well Being of Future Generations (Wales) Act 2015**

26. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.

27. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well - being goals. The well - being objectives are set out in Cardiff's Corporate Plan 2018-21:

<http://cmsprd.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202018-21.pdf>

28. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.

29. The well being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:

- Look to the long term
- Focus on prevention by understanding the root causes of problems
- Deliver an integrated approach to achieving the 7 national well-being goals
- Work in collaboration with others to find shared sustainable solutions
- Involve people from all sections of the community in the decisions which affect them

30. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below:

<http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

## **Social Services and Well-being (Wales) Act 2014**

31. The Social Services and Well-being (Wales) Act 2014 sets out a definition of well-being for people who need care and support and the

Welsh Government has produced a National Well-being Statement which describes the well-being outcomes that people who need care and support, and carers who need support, can expect to achieve. The decision maker must be satisfied that the approach of the Strategy supports people with learning disabilities to experience these outcomes. The National Well-being statement is accessible using the link below:

<https://gweddill.gov.wales/topics/health/publications/socialcare/strategies/statement/?lang=en>

## HR Implications

32. There are no immediate HR implications as a result of this report.

## RECOMMENDATIONS

The Cabinet is recommended to:-

- 1 approve the Joint Commissioning Strategy for Adults with Learning Disabilities ('Strategy') 2019 – 2024, subject to recommendation 2 and 3,
- 2 note the Strategy is a joint commissioning strategy, that it is necessary for the Strategy to also be approved by the Vale of Glamorgan Council and Cardiff and Vale University Health Board and that this matter will be reported back to Cabinet should the Strategy not be approved by either party and
- 3 delegate authority to the Director of Social Services in consultation with the Cabinet Member (Social Care, Health and Well-Being), the Council's Section 151 Officer and the Council's Monitoring Officer, to agree amendments to the Strategy (provided the amendments are not substantive in nature) should either the Vale of Glamorgan Council or Cardiff and Vale University Health Board request amendments as part of their respective approval processes.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>CLAIRE MARCHANT</b> <b>Director of Social Services</b>
	10 May 2019

*The following appendices are attached:*

Appendix 1 - Joint Commissioning Strategy for Adults with a Learning Disability 2019-2024.

Appendix 2- Equality Impact Assessment.

Appendix 3 - Community and Adults Services Scrutiny Committee letter dated 07 May 2019



Cardiff Council, Vale of Glamorgan Council  
and Cardiff and Vale University Health Board

# Joint Commissioning Strategy for Adults with Learning Disabilities 2019-2024

*"Promoting Independence  
and Improving Lives"*



Tudalen 309



Bwrdd Iechyd Prifysgol  
Caerdydd a'r Fro  
Cardiff and Vale  
University Health Board





## Acknowledgment

We would like to thank everyone who has helped to produce the first joint Learning Disability Commissioning Strategy for people living in Cardiff and the Vale of Glamorgan. Without everyone's hard work and support this would not have been possible.

Special thanks to Cardiff and the Vale People First groups, 3rd Sector partners, the Learning Disability Partnership Board, Cardiff Third Sector Council, Glamorgan Voluntary Services and the Cardiff and Vale Integrated Health and Social Care Partnership.



# Foreword

**We are pleased to present our first joint health and social care commissioning strategy for adults with learning disabilities.**

The Strategy demonstrates our commitment to listen to people with learning disabilities and their families and carers, in order to understand what matters to them, and to put in place health and social care support services to deliver the outcomes that people want.

As partner organisations working together, we are committed to developing services that provide people with a learning disability the choice and control to support them to live their lives in the way they want. We will continue to develop our services, focussing on the strengths of the people we work with, and the services that support people to connect with their communities. By *“promoting independence and improving lives”*, we will support people to live the lives they choose, with access to high quality, flexible health and social care and support when they need it.

By listening to people with a learning disability, and their families and carers, we know we need to work with other services such as housing, education and the third sector, to develop services that provide early intervention, prevent crisis, and are community focussed.

Cardiff and the Vale of Glamorgan Councils and Cardiff and Vale University Health Board will work together to achieve the vision set out in our Commissioning Strategy by jointly developing and delivering services and making best use of shared resources. We will do this in partnership with people with learning disabilities who are the experts in their own lives.

*“Promoting Independence  
and Improving Lives”*



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Councillor Susan Elsmore  
Cardiff Council Cabinet  
Member for Social Care, Health  
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# Introduction

## Joint Health and Social Care Commissioning Strategy for Adults with a Learning Disability in Cardiff and the Vale

Cardiff Council, Vale of Glamorgan Council and Cardiff and Vale University Health Board are pleased to present our first integrated commissioning strategy for adult learning disability services for the people living in Cardiff and the Vale of Glamorgan.

We have worked together with people with a learning disability, their families, carers and the third and independent sector to produce a clear direction for the planning and delivery of adult learning disability services across the region over the next five years.

This strategy describes our shared vision, the core principles that we believe are fundamental to service design and delivery, and the key issues that need to be addressed in the forthcoming years in order to deliver effective, safe and good quality services. This includes ensuring there is sufficient capacity and an appropriate range of provision to meet local need.

## Purpose - Why have a Strategy?

The purpose of our strategy is to describe how Cardiff and Vale of Glamorgan Councils and Cardiff and Vale University Health Board will work together to respond to the needs and aspirations of our adults with a learning disability within the context of national legislation and guidance, wider local plans and available resources. At a local level, our strategy will inform what services each of the three organisations will individually or jointly commission over the next five years.

## Our vision for Cardiff and the Vale - Promoting Independence and Improving Lives

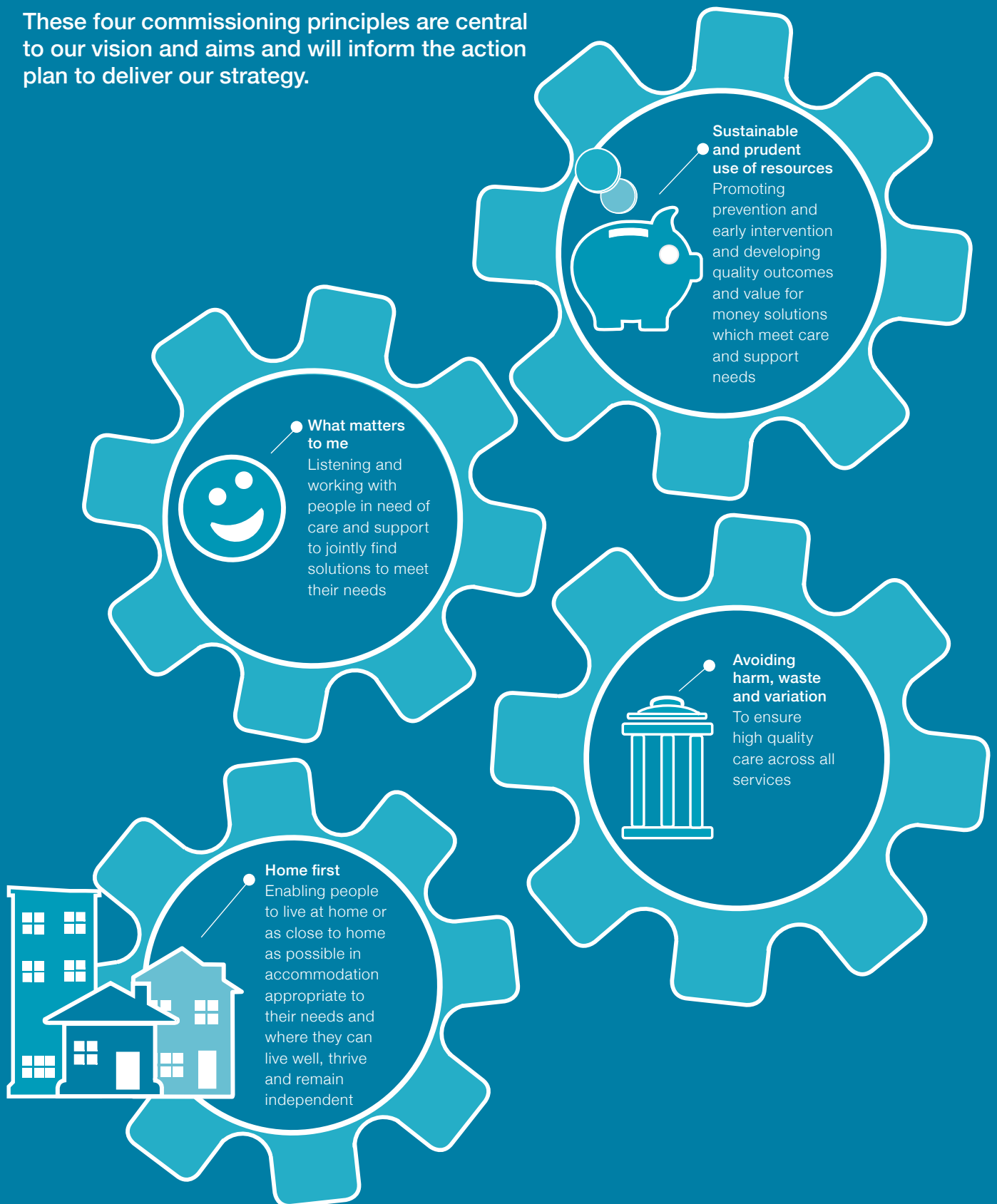
Our vision is that people with learning disabilities have a good quality of life and are supported to live the lives they want to lead; living locally where they “feel good and well”, where they are valued and included in their communities and have equal access to appropriate support that ensures independence, choice and control.

## Aim - What do we want our Strategy to do?

Our aim is to build and expand on our previous successes and continue to transform services that improve the health and well-being of adults with learning disabilities and their carers.

Cardiff and the Vale Integrated Health and Social Care Regional Partnership Board have adopted four commissioning principles:

These four commissioning principles are central to our vision and aims and will inform the action plan to deliver our strategy.



# 1 Welsh Context - The Law

The two main pieces of legislation that are reflected in this strategy are the Social Services and Well-being (Wales) Act 2014 and the Well-being of Future Generations (Wales) Act 2015:

## The Social Services and Well-being (Wales) Act 2014

The Act imposes duties on local authorities, health boards and Welsh Ministers that require them to work to promote the well-being of those who need care and support, or carers who need support.

The Social Services and Well-being (Wales) Act outlines key duties to ensure:

- People have control over what support they need, making decisions about their care and support as an equal partner
- New proportionate assessment focuses on the individual
- Carers have an equal right to assessment for support to those who they care for
- Easy access to information and advice is available to all
- Powers to safeguard people are stronger
- A preventative approach to meeting care and support needs is practised
- Local authorities and health boards come together in new statutory partnerships to drive integration, innovation and service change

The principles of the Act are:

- To support people who have care and support needs to achieve well-being
- People are at the heart of the new system by giving them an equal say in the support they receive
- Partnership and co-operation drive service delivery
- Services will promote the prevention of escalating need and the right help is available at the right time

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

The Act places a duty on Public bodies (including health and social services) to make sure that when making their decisions they take into account the impact they could have on people living their lives in Wales in the future.

The Act requires them to:

- work together better
- involve people reflecting the diversity of our communities
- look to the long term as well as focusing on now
- take action to try and stop problems getting worse - or even stop them happening in the first place







# 2 Cardiff and Vale Context

Cardiff Council, Vale of Glamorgan Council and Cardiff and Vale University Health Board work together formally under the Learning Disability Regional Partnership Board to jointly oversee the development and delivery of integrated health and social care services, to ensure they align with local need.

## How have we developed this Strategy?

It has been very important to us to ensure that people who use services and those who support them tell us what matters to them and what they feel would make a difference to their lives. To capture this information, a range of engagement activities have taken place:

- Between February 2016 and January 2017 we conducted a Population Needs Assessment which took place with citizens across Cardiff and the Vale including the views of people with a learning disability.
- In February 2018 the Institute of Public Care conducted 23 one hour interviews with people working within a range of learning disability services across Cardiff and the Vale, including staff working in education, the NHS, social services, the third sector and community groups.
- We analysed the responses from people using services and their families/carers who contributed to two online surveys.
- Two accessible engagement events were held by Vale People First for people with a learning disability.
- Cardiff People First collated information they gathered from members on improving local services.
- We have considered responses from individuals and their families following the 2017 review of complex day services across Cardiff and the Vale Councils.
- We established a dedicated email feedback address for citizens to tell us what they think about services for people with complex needs.
- In November 2018, we attended a feedback event led by Cardiff and the Vale People First groups, during which they presented the views of people with a learning disability and support providers on the draft Strategy.







# 3

## What's Important to People with Learning Disabilities and their Carers?

From the information gathered from the consultations and activities undertaken with young people, adults with a learning disability and their carers, eight priority areas have been identified;









# 4 Needs and Demand

## What do we know about people with a learning disability living in Cardiff and the Vale of Glamorgan?

Many people with learning disabilities will not require social care services or specialist health services. Like the rest of the population on a day to day basis, people with learning disabilities will come into contact with universal community services. Supporting people with learning disabilities to lead healthy, meaningful lives, preventing the need for more intensive, specialist services requires universal community services to be accessible with reasonable adjustments made to facilitate this. In Cardiff and the Vale of Glamorgan, there are 1,623 people with a learning disability over the age of 18 known to our Community Learning Disability Teams.

During January - March 2018, with the assistance of the Institute of Public Care, we reviewed our 'current position', in terms of the needs of the adult learning disability population, existing service provision and national legislation and guidance. This included an examination of:

- Estimated figures on the current and future size of the number of adults with learning disabilities in Cardiff and the Vale
- The number of people supported in council and health commissioned services
- The resources currently used to deliver learning disability services, which include both money and staff
- A map of the range of current service provision and its location

### In addition to the above activities we have:

- Analysed national, regional and local information
- Analysed budget and staff resources – current and future
- Analysed current services
- Drawn upon the skills and knowledge of members of the Learning Disability Partnership Group to assist us in reviewing plans

Together, these findings have shaped this strategy and helped to determine the eight key priorities outlined on page 7.





**As of March 2017, in Cardiff:**

- 7,081 people aged 18 and over in Cardiff are estimated to have a learning disability.
- 1,175 people with a learning disability received support from Learning Disability Services. This is 78% of people with a moderate or severe learning disability in the city.
- The number of people known to services is predicted to increase by 125 between 2017 – 2025.
- There are a higher number of men, (59.7%, 701).
- 17% of the Cardiff population are from non-white backgrounds (Stats Wales).
- 84.6% of people with learning disabilities reported their ethnicity as White British (943). This was followed by White – Other Background (3.1%, 35) and Pakistani (2.3%, 26) (CC records).

**As of March 2017 in the Vale of Glamorgan:**

- 2,400 people aged 18 and above are estimated to have a learning disability.
- 448 people received support from the Learning Disability Services.
- This is 90% of people with a moderate or severe learning disability in the county.
- This population is predicted to remain stable between 2017-2025.
- There are a higher number of men (55.4%).
- 2.5% of the County's population were from non-white backgrounds (Stats Wales).
- 391 (95.8%) of those who stated, reported their ethnicity as White British. This was followed by White – Other Background (2.7%, 11) and White – Irish (0.5%, 2) (VOG records)

Both counties will see an increase in people aged 65 and above. Whilst this increase is only 37 in number and represents just 30% of the total increase in numbers, these individuals may be expected to require greater support as they get older including social care and /or specialist health services.

The last census, 2011, identified that over 15% of people living in Cardiff and the Vale identified as being able to communicate in Welsh. In March 2017, council data identified very few adults with learning disabilities as Welsh speaking with only 13 (1.1%) in Cardiff. This may increase over time as more children attend Welsh Speaking schools.

**What do we know about the needs of parent carers of people with a learning disability?**

In 2017 Carers Wales published 'The State of Caring Report' aimed at capturing the day to day experience of unpaid carers in Wales. The report draws upon the experience of 400 unpaid carers across Wales identifying 1 in 10 Welsh people as unpaid carers and estimating the value of the care and support provided at £8.1 billion.



Within Cardiff and the Vale the 2011 census recorded 50,580 people identifying themselves as carers representing a 12% rise from the previous census 10 years earlier. The findings of Cardiff and Vale of Glamorgan 'Population Needs Assessment', undertaken during 2016-2017, resonate with the Carers Wales report and the feedback received from carers of adults with a learning disability undertaken as part of the consultation and engagement for this strategy during 2017/18. Carers have told us they need:

- Information and advice that is accurate and timely
- To be valued
- Respite
- Consistency of support
- Support at times of crisis

### **What do we know about the health and wellbeing needs of adults with learning disabilities?**

We know that people with learning disabilities are at increased risk of experiencing poorer health and well-being than the general population. We also know that people with a learning disability experience unequal access to health services, unequal provision of health service and unequal treatment within mainstream health services. The fact that people with a learning disability are living longer and with more complex health needs, means that there will be increasing demands upon health and social care services in the future.

### **This is what we know in relation to adults with a learning disability:**

- 40% will experience moderate to severe hearing loss, but are less likely than the general population to have their hearing problem diagnosed or managed
- 25-40% will experience mental health issues with a risk that their mental health needs may not be identified due to assumptions that symptoms and behaviours are caused by their learning disability
- Over 20% aged 65 years and above will have dementia compared to 6% in the general population. People with Down's Syndrome are particularly at risk, and can develop dementia 30-40 years earlier than the general population with rates of 40% at age 50
- 15-30% of people with moderate and severe learning disabilities will have epilepsy
- 10-15% of adults will display behaviours that challenge
- 10% are likely to be blind or partially sighted (10 times more than in the general population)

For the health and well-being of adults with a learning disability to be promoted, they need to ensure that they are registered at their local GP practice as having a learning disability in order to have an annual health check. This will promote their health and well-being, and has the potential to prevent crises

# 5 Current Provision

## What do we know about people with learning disabilities receiving social care services?

A review of Cardiff and the Vale of Glamorgan adult social care learning disability services during 2016/17 told us that:

### Cardiff

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- 62% of adults with learning disabilities were living at home with family members
- There were 111 supported accommodation properties, with three provider agencies and the council supporting 343 people with a learning disability
- 84 adults with a learning disability lived in out of county residential provision.
- 11% of adults received direct payments
- Between 2018/19 and 2020/21, an average of 19 people will transition from children to adult learning disability services every year

### Vale

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- 40% of adults with learning disabilities known to the Council were living at home with family members
- There were 27 supported accommodation properties with three provider agencies supporting 77 people
- 38 adults with a learning disability lived in out of county residential provision
- 10% of adults receiving direct payments
- Between 2018/19 and 2020/21, an average of 9 people will transition from children to adult learning disability services every year.

Council services for adults with learning disabilities and their families/carers are provided through three Community Learning Disability Teams : Two for Cardiff (East and West) and one for the Vale of Glamorgan. The teams are made up of a range of local authority professionals and provide access to information, advice and support. Staff work alongside people with learning disabilities and those important to them to assess needs, agree outcomes and develop care plans. People are supported to access a wide range of assistance included integrated community facilities, volunteering, employment, domiciliary care, day opportunities, respite care, supported living and residential care. Local authority staff work closely with learning disability health staff to offer multidisciplinary support when required.







## What do we know about people with learning disabilities currently receiving health care?

In Cardiff and the Vale of Glamorgan, adults with learning disabilities access generic NHS services available to the general population, and sometimes may also access NHS specialist learning disability services specific to their needs.

Generic health services include: GP and other primary care services, general specialist healthcare, including general hospital based care and treatments, and emergency care. A review of our generic NHS services during 2016/17 has shown that:

### In October 2017

- 901 adults with learning disabilities had a health check via a GP (792 from Cardiff and 109 from Vale of Glamorgan). At 31 March 2017 there were a total of 1,999 people on the adult learning disability register, this is likely to be a gross underestimate of the number of adults with a learning disability. Even given this figure, only 45.4% had a health check during 2016/17, who were on the register.
- 81 adults were admitted to hospital (76 from Cardiff and 5 from Vale of Glamorgan)
- A total of 1,396 days were spent in hospital (39% in surgical services, 30% in specialist services and 29% in medicine services)
- A total of 776 general outpatient appointments were attended (769 by Cardiff residents and 7 residing in the Vale of Glamorgan)
- There were 214 different attendances to accident and emergency (210 by Cardiff residents and 4 from the Vale of Glamorgan)

For those that need them, there is a range of specialist NHS adult learning disability services available to Cardiff and Vale of Glamorgan residents. These services are provided by Swansea Bay University Health Board through Community Learning Disability Teams, Specialist Residential Services, Assessment and Treatment Units, and Behaviour Support Teams.

## Specialist Community Learning Disability Teams

Specialist NHS community services for adults with learning disabilities and their families/ carers are provided through three Community Learning Disability Teams : Two for Cardiff (East and West) and one for the Vale of Glamorgan. The teams are made up of a range of NHS professionals, and provide a single point of access to specialist NHS Learning Disability services such as Specialist Behavioural Services, Specialist Residential Units and Acute Admissions Units.

### In October 2017:

- 980 people were supported by our community teams (753 in Cardiff and 227 in the Vale of Glamorgan)
- 245 people had a learning disability and additional needs (179 in Cardiff and 66 in the Vale of Glamorgan)
- The most common areas of additional need were: epilepsy (25%), mental illness (24%), behaviours that challenge (22%) and autistic spectrum disorder (11%)

- 33 people were receiving support for behaviours that challenge (28 from Cardiff and 5 from the Vale of Glamorgan) Swansea Bay University Health Board areas.

In 2016/17, 725 referrals were received by the community teams (513 for Cardiff and 212 for the Vale of Glamorgan). During this year, 178 adults were discharged from the service.

## Specialist Residential Services

Specialist Residential Services (SRS) are small, nurse led units for people whose needs cannot be supported through social care. The units are registered as hospitals and people placed in the units have input into their treatment and support by a psychiatrist and psychologist. There are a total of 43 beds geographically located across the three Swansea Bay University Health Board areas.

### In October 2017:

- Over two thirds (68.3%) of people in SRS were aged between 41-60 years
- All but 3 of the 41 patients were reported to exhibit behaviours that challenge
- The average length of stay across all units was 10 years and 7 months

## Assessment and Treatment Units

Assessment and Treatment Units provide inpatient assessment and treatment for adults with learning disabilities whose behaviours present exceptional challenges or have complex mental health needs.

There are a total of 23 beds geographically located across the health areas of ABMU (7), Cwm Taf (8) and Cardiff and Vale (8)

### In October 2017:

- Just under half of people who were in the units were aged 21-30 years
- All individuals had at least two additional needs, with many reported as having three or four
- Challenging behaviour was noted in all but one patient and autism in 10 of the 13
- The average length of stay was 184 days

## Continuing NHS Healthcare Funding

Continuing Healthcare (CHC) funding is used by Cardiff and Vale University Health Board to purchase packages of care, or residential and nursing home placements where an individual's primary need has been assessed as health-based. Packages of care can be provided in any setting and is part of the continuum of care and support for people with complex needs. It is also recognised that at times a person's needs are such that a jointly funded package of care is most appropriate. Across Cardiff and the Vale a number of people with complex health and social care needs receive joint funding.

# 6 Finance

The table below provides an overview of the total amount of money spent on some key adult learning disability services across the region by organisation in financial year 2017/18.

## Total Spend on Core Adult Learning Disability Services by Organisation

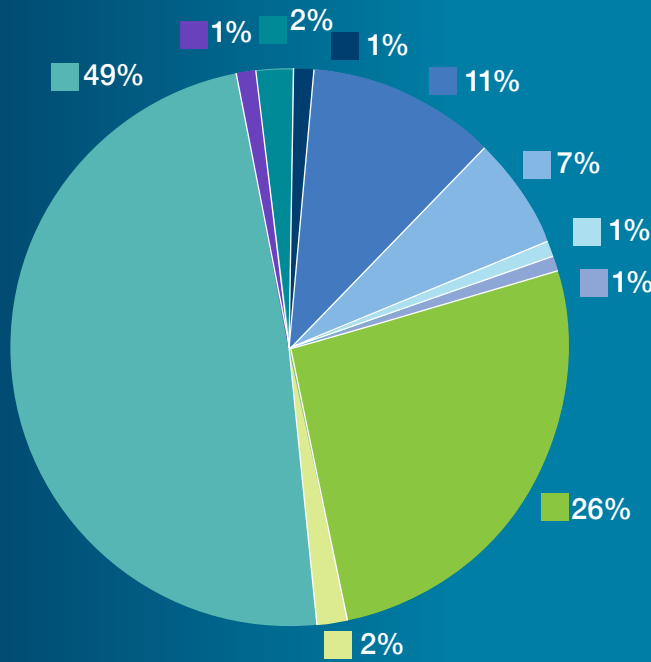
Organisation	Funded Services	Financial Year	Total Amount	Average Spend <small>per person</small>
<b>Cardiff and Vale University Health Board</b>	• Specialist Learning Disability Community Teams	2017/18	£2,295,114	£2,341.95
	• Inpatient assessment and treatment*	2017/18	£693,107	----
	• Specialist residential care (inpatient)*	2017/18	£1,644,994	----
	• Continuing Health Care funded placements	2017/18	£15,805,520	----
<b>Cardiff Council</b>	• Adult social services	2017/18	£36,231,444	£30,646.00
<b>Vale of Glamorgan Council</b>	• Adult social services		£11,918,152	£26,603.00

\* This figure is not confirmed due to budgets currently being allocated across Health Board areas

Further breakdowns of how this money was spent on commissioned services within each of the organisations can be seen in **Figures 1 to 3**

With less money to meet demographic pressures it is clear that we have to do things differently. Over the next five years we will have to be more innovative and creative about how we commission services, utilising the skills and knowledge of people with a learning disability, their carers, the 3rd and private sector.



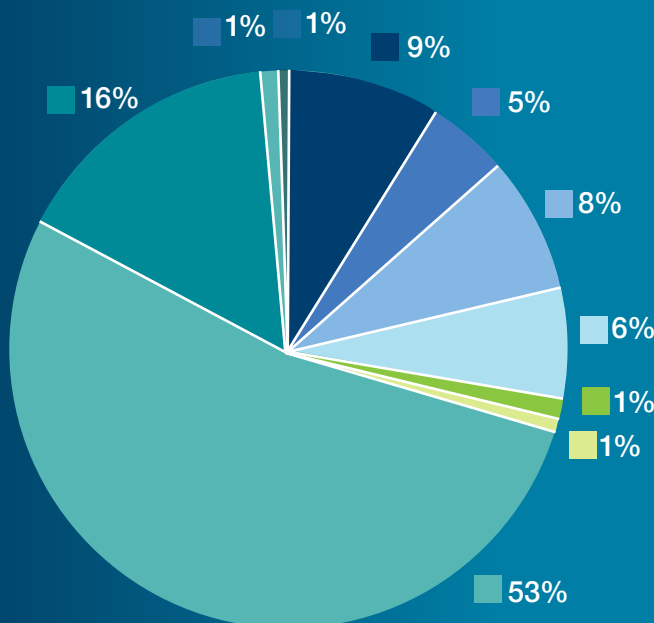
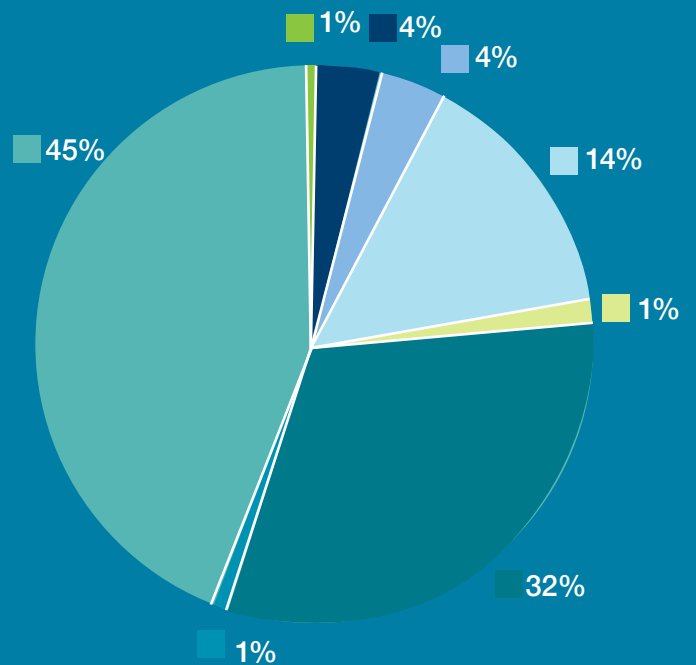


**Fig 1: Cardiff Council Adult Learning Disability Services Expenditure 2017/18**

- Adult placement scheme
- Day provision
- Domiciliary care
- Emergency accommodation service
- Nursing home placements
- Residential placements
- Respite
- Supported living
- Transition

**Fig 2: Vale of Glamorgan Council Adult Learning Disability Services Expenditure 2017/18**

- Adult placement scheme
- Day provision
- Direct payments
- Domiciliary care
- Nursing home placements
- Residential placements
- Respite
- Supported housing



**Fig 3: Cardiff and Vale University Health Board Adult Learning Disability CHC Expenditure 2016/17**

- Community/home based care
- Care day service support
- Independent hospital/specialist facility
- Locked rehabilitation
- Nursing care home
- One-to-One
- Residential care home
- Specialist NHS facility

# 7 Quality and Performance Monitoring

Having identified the financial challenges across the region for health and social care, it is important that we continue to strive for the highest quality of service provision for people in the most cost effective way: ensuring commissioning contracts are clear in regards to what and how services are to be provided. Over the next five years we want to work with people receiving services and their carers, to ensure that they are being provided with good quality services that support them to achieve their outcomes.

We will put in place quality assurance measures in line with Health and Care Standards (2015), and the Social Service and Well-being (Wales) Act 2014.







# 8 Key Messages

**There are a number of factors that will inform our strategic direction:**

## Demography

The number of people with a learning disability is increasing. People with a learning disability are living longer and we are expecting to see an increase in the number of adults with profound and multiple needs transitioning from children's into adult services over forthcoming years.

## What people have told us

People identified clearly what their priorities are and have told us that they wish to be involved in choosing their services and support. We have used what they have told us in setting our priorities for learning disability services in Cardiff and the Vale.

## Financial resources

The financial climate facing the public sector is difficult and unlikely to improve in the foreseeable future. In all of our commissioning arrangements, value for money, quality and sustainability will be taken into account.

## Service provision

Currently many Cardiff and Vale residents live in provision which is out of county and a long way from family and friends. To enable those placed away from home to return where appropriate and to offer people improved local options when considering where to live, requires all three organisations to improve their infrastructure to support people to live locally. There is also a need to modernise our NHS service model to prevent lengthy stays in a hospital setting.

# 9

## Implementation

# How we will deliver our strategy?

To achieve our vision and provide services based on what matters to people, we will work together with all of our stakeholders to develop detailed action plans for each of our priority areas. The plans will include actions to improve support throughout people's lives. To achieve our vision, we need to co-produce services with people with learning disabilities and their carers, and also work closely with staff in the NHS and local authorities, to make sure that reasonable adjustments are made for people with a learning disability to access general public services.

Our action plans will be jointly implemented, and our progress will be monitored through our joint learning disabilities partnership structures. The Learning Disabilities Partnership Group will act as our expert reference group in the development and implementation of our action plans.

We will strive to ensure to ensure the highest quality of provision for the best value for money to ensure choice within our allocated resources.

# 10 Our Priorities - Promoting Independence & Improving Lives

Our commissioning priorities for the next 5 years are based on what people have told us matters to them.

## Health and Feeling Good:

People have told us that they want to be able to socialise with their friends and have fun. They have also told us they want a range of support from befriending and peer support through to support with meeting complex health care needs.



### The change we want to see:

- More people with learning disabilities accessing an annual health check
- Health inequalities reduced
- People with a learning disability engaging more in positive lifestyle behaviours such as healthy eating and mental wellbeing interventions
- More people with a learning disability accessing leisure, social and cultural opportunities in their communities
- More people with learning disabilities supported to make and maintain friendships

### This is what we are doing now:

- We support people to access health appointments when they cannot get there without assistance.
- We fund and support people to access social and friendship groups provided by the third sector and we encourage people to form their own groups
- We support people to have shared support with their friends where appropriate.
- ABMU Health Board facilitates specialist relationship groups for those who require support.

### This is what we will do:

- Develop more varied social groups to encourage friendships and peer support; 'Gig Buddies' for example. Develop the use of Direct Payments to enable shared and group support. *(Projected forecast 2019-2021)*
- Recruit a Learning Disability Liaison Nurse to work with staff on the wards in the University Hospital of Wales to ensure they are able to care for people with a learning disability appropriately through making "reasonable adjustments". The liaison nurse will also ensure that adequate systems are in place to communicate with people/parents/carers and providers. *(Projected forecast 2019)*
- Work in collaboration to embed "social prescribing" throughout our NHS system-learning from the experience of our local authorities. Social prescribing will mean that we will sign post people with a learning disability to a range of non-clinical wellbeing support, enabling them to access leisure, sport and culture opportunities. *(Projected forecast 2019-2021)*
- Improve the uptake and quality of the annual health checks and health related screening offered to people with a learning disability by their GP. *(Projected forecast 2019-2021)*





## Information – Accessible and easy to understand:

People have said they want to know what services are available and that they want to be involved in making choices about the opportunities available to them. They can only do this if information is easy to access and available to them in a format they can understand.



### The change we want to see

- More people with learning disabilities and their families/carers have access to good, consistent and accessible information about services and opportunities available to them.

### This is what we are doing now:

- Developing a resource of accessible leaflets and letters for all community staff to use with the people they are working with to aid understanding.
- Cardiff and the Vale councils have purchased Dewis Cymru, a web-based resource, to provide information that can help people think about what matters to them and learn about local facilities and services.
- Support Planners are able to assist individuals to learn about, and try, local opportunities when developing a care package.

### This is what we will do:

- Work with our Speech and Language Therapists to produce information that is as accessible as possible. *(Projected forecast 2019/20)*
- Work with Dewis Cymru to develop the website to include accessible information and encourage and promote its use. *(Projected forecast 2020/24)*
- Work with our partners to use social media and technology to assist with information sharing. *(Projected forecast 2019/2024)*
- To use our colleagues in the Learning Disability Partnership Group to be 'critical friends'. *(Projected forecast 2019-2024)*

## Choice and Control – Consultation and Inclusion

People have told us they want to be listened to, communicated with, kept informed, have real choices and be involved in decisions about their care and support. People have told us that at times when they need help to make decision they would like an advocate to be available and not have to wait.



### The change we want to see

- People with a learning disability who require a care and support plan, will always be involved in its development and will have their outcomes clearly articulated..
- More people with learning disabilities will have access to advocacy support.
- More carers/parents of people with a learning disability will have access to support when they need it.
- More people with a learning disability and carers of people with a learning disability, will be involved in commissioning activities, and in making decisions which shape services.
- More people with a learning disability will be using direct payments.



### **This is what we are doing now:**

- Supporting staff to complete outcome focused assessments with individuals and their families or important others.
- Support Planner service works with individuals to understand wishes and choices when developing care packages.
- Provision of the Advocacy Gateway to enable people to receive the most appropriate form of advocacy support and advice to meet their need.
- Person centred support plans in place in all internal and commissioned services
- Promotion of use of direct payments.
- Extension of 'Your Choice' domiciliary care project within the Vale to people with a learning disability.
- Dedicated carers officers to support parents/carers of people with a learning disability.

### **This is what we will do:**

- Talk to people using services more. *(Projected forecast 2019-2024)*
- Talk to carers more. *(Projected forecast 2019-2024)*
- Continue to develop outcome focussed /strength based practice amongst all staff and stakeholders. *(Projected forecast 2019-2024)*
- Include people receiving services in contract monitoring and review meetings. *(Projected forecast 2019-2024)*
- Continue to promote the use of direct payments looking to more creative use of this to enable a Personal Assistant to support friendship groups/social groups. *(Projected forecast 2019-2024)*
- Continue to work with partner agencies to develop use of assistive technology. *(Projected forecast 2019-2024)*

## The Right Support at the Right Time

The need to have information, advice and if necessary, assistance at the time it is required to prevent the need for more support later on.

Carers have said that at times of crisis they require access to support immediately as well as access to regular respite opportunities.



### **The change we want to see**

- Fewer people will fall between the gaps in services.
- Fewer people will be admitted to specialist learning disability hospital assessment beds, and when they do, they will be discharged earlier.
- More carers will be able to access specialist learning disabilities support and advice when they need it.

### **This is what we are doing now:**

- Specialist social work teams (Emergency Duty Team) are in place to respond to urgent need 24 hours a day.
- We support people to access a range of respite services.
- Increased use of Adult Placement respite and complex needs respite in the Vale
- Cardiff Council is reviewing its respite services.
- Local Third Sector organisations such as People First offer a range of self-advocacy and peer support groups.



- Reviewing our specialist NHS service model to ensure that intensive support is available in the community at times of crisis to prevent people being admitted to hospital, and to ensure that people are able to be discharged from hospital with the right support, as soon as they are ready

**This is what we will do:**

- Development of further social groups to encourage friendships and peer support. *(Projected forecast 2019-2021)*
- Encourage peer support amongst carers facing similar concerns. *(Projected forecast 2019-2021)*
- Include people receiving services in contract monitoring and review meetings. *(Projected forecast 2019-2021)*
- Begin implementing our plans to modernise our specialist NHS Learning Disabilities service provision, to ensure that the right support and treatment is available, at the time people need it. *(Projected forecast 2019-2024)*
- We will focus on strengthening our community services to better assist people in times of crisis, prevent unnecessary hospital admission, and work to support people to remain in their own homes. *(Projected forecast 2019-2024)*
- We will work with, and support our residential and nursing home providers across the region to ensure that their staff have the right skills and knowledge to be able to better care for people with a learning disability who also have a mental health diagnosis, including dementia. *(Projected forecast 2019-2024)*

## Work, Volunteering & Day Opportunities

People have told us they want a variety of different opportunities available to them and to have choice and flexibility. Families and carers have told us that having a building base where people with a learning disability can go during the day is important for some people; particularly those with high levels of health and care needs. People have told us that it is difficult to know where to look for available opportunities.

People have commented on how positive volunteering has been for their confidence and independence and how they would like more opportunities to volunteer in a range of different areas. In addition, people have said they want more assistance in getting 'work ready' and more opportunities for paid employment



**The change we want to see:**

- More people with a learning disability, including those with more profound disabilities, will be involved in their local community.
- More people with learning disabilities will be in voluntary and paid work.
- There will be more choice of meaningful activities available to people with a learning disability.

**This is what we are doing now:**

- We have developed day services for people with complex needs and we also commission other building based opportunities.
- Cardiff Council has expanded its complex needs day services to meet local need. The service has also been refurbished to improve facilities and enhance the environment for people using it.

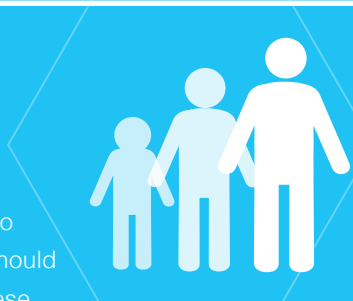
- Vale of Glamorgan Council continue to meet the needs of people with a learning disability and complex physical health problems in their day service provision.
- Cardiff Council introduced a Support Planning service in 2016 which has also been introduced in the Vale of Glamorgan. This service provides people with increased support to identify what they want to do in terms of vocational and leisure activities and has resulted in a greater uptake of mainstream services. We have worked to develop a wide range of voluntary opportunities and encourage people to join local community groups.
- Development of DEWIS Cymru.

**This is what we will do:**

- Further develop the support planner role in the Vale of Glamorgan. *(Projected forecast 2019-2021)*
- Further develop complex need provision across Cardiff and the Vale with a specific emphasis on the transition age group. *(Projected forecast 2019-2024)*
- Work with Third Sector organisations to increase the opportunities available to people for day opportunities, voluntary and paid work. *(Projected forecast 2019-2024)*
- Develop greater links with supported employment agencies to ensure opportunities for paid employment are available to people with a learning disability. *(Projected forecast 2019-2021)*
- Ensure our contracts for day opportunities are focused on improving outcomes for people using the service and are flexible to allow for creativity and innovation. We will assist people to find out about local community groups and activities available in their areas, and support them to get involved. *(Projected forecast 2019-2021)*
- Work with our third sector partners to facilitate friendships and relationships for people with learning disabilities and promote positive risk taking. *(Projected forecast 2019-2021)*

## The Transition from Child to Adult Services

People have told us that the transition from children's to adult services in health, social care and education is not working. People feel fearful and scared about the future and they don't feel supported by services. Where transition from children to adult services has worked well, we don't appear to be sharing this good practice to ensure this happens consistently. People feel that discussions about their future should start earlier in schools and youth clubs and that they should be fully involved in these.



**The change we want to see:**

- A regional Transition Protocol
  - Young people and their carers feel involved and supported through the transition process.
  - Identified transition keyworkers.
  - Education, health and social services working together with the young person to produce clear individual outcome focused plans.

**This is what we are doing now:**

- Increasing dedicated transition social work posts.
- Increasing Support Planners to enable support to those transitioning from children to adult services.
- Developing a joint transition protocol across the region.
- Working with education colleagues to plan for the introduction of the Additional Learning Needs and Education Tribunal legislation in 2020.
- Working to develop improved local options for young people leaving school.

**This is what we will do:**

- Continue to listen and learn from what worked what didn't work and using forums such as the Learning Disability Partnership Group/ Parents Federation and Cardiff and Vale People First to assist. *(Projected forecast 2019-2024)*
- Improve the information available to young people and their families regarding what to expect from the transition process and local opportunities. *(Projected forecast 2020- 2021)*
- Launch the Regional Transition Protocol. *(Projected forecast 2019-2020)*
- Aim to be in contact with all known individuals undergoing transition at age 16. *(Projected forecast 2019-2024)*
- Develop improved data collection methods to plan for young people earlier. *(Projected forecast 2019-2021)*
- Commission Training on the implications of the Additional Learning Needs Act. *(Projected forecast 2019-2020)*
- Develop complex needs day provision specifically for young people coming through transition. *(Projected forecast 2020- 2023)*

## Having my own home:

People have told us that they want to be supported to live as independently as possible and to be able to live near friends and family.



**The change we want to see:**

- Fewer people will be in out of area residential care homes.
- Fewer people will be placed in long term hospital beds.
- More people with a learning disability will have choice and control over where they live and how they are supported.
- More people with learning disabilities will use technology safely to help them live as independently as possible.

**This is what we are doing now:**

- Working with housing departments and housing providers to scope out future demand and need.
- Preparing for the re-tender of supported accommodation in Cardiff and in the Vale.
- Exploring more core and cluster accommodation.
- Expanding the Adult Placement Service within Cardiff and the Vale.
- Developing new accommodation and working to close houses that are no longer fit for purpose.

**This is what we will do:**

- Further develop the Adult Placement Service to promote friends living together. *(Projected forecast 2019-2024)*
- Expand the Adult Placement Service within Cardiff and the Vale. *(Projected forecast 2020-2024)*
- Work together to develop accommodation and support that will enable people who are living out of county or in long term hospital beds to return to their own communities where appropriate. *(Projected forecast 2019-2024)*
- Enable people to have their own tenancy wherever possible when they move away from their families. *(Projected forecast 2019-2024)*



- Encourage and promote the use of new technologies to help people to live as independently as possible. *(Projected forecast 2019-2024)*
- Development/reconfiguration of community step-down facilities to enable move-on for people in NHS and independent hospital beds and to prevent young people being placed out of county. *(Projected forecast 2019-2024)*

## Collaboration and Co-Production

People have said professionals need to work together and that all professionals need to work collaboratively with the people they support. Professionals need to take a strengths based approach, using people's personal knowledge of what they can do and the strengths they have in order to achieve their own goals.



### The change we want to see

- More care and support plans will be outcome focused, based on an individual's strengths and abilities and co-produced with the person.
- More people with a learning disability are fully involved in developing their care or support plans.
- A reduction in the number of people who have multiple care and support plans- people will have one plan, wherever possible.
- More care and support plans will include goals that have been identified by the individual.

### This is what we are doing now:

- Rolling out the 'Your Choice' policy in the Vale of Glamorgan
- Using the Learning Disability Partnership Group as the vehicle for information sharing to a range of other agencies, people using services and carers.
- Promoting a change in culture across both councils to ensure we understand people's strengths and networks and focus on people's identified outcomes.
- We listen to the views of citizens via surveys, compliments and complaints letters.

### This is what we will do:

- Cardiff and Vale Councils will introduce strengths based practice training for staff. *(Projected forecast 2019-2022)*
- Talk to people and talk more often. *(Projected forecast 2019-2024)*
- Keep people informed in a more consistent way through better use of the Learning Disability Partnership Group. *(Projected forecast 2019-2024)*
- Use the Learning Disability Partnership Group more pro-actively for discussion and debate about current and future needs. *(Projected forecast 2019-2020)*
- Use the Learning Disability Partnership group as the forum for the development and on-going monitoring of the implementation plans for the eight priority areas. *(Projected forecast 2019- 2024)*
- Expansion of 'Your Choice' for people with learning disabilities in the Vale. *(Projected forecast 2019-2021)*
- Explore the potential to integrate health and social care management structure. *(Projected forecast 2023-2024)*
- Co-locate our NHS and Social Service Learning Disability Team in Cardiff. *(Projected forecast 2019-2021)*

# 10 Next Steps

Our next task is to produce detailed action plans for the future based on the eight key priorities identified. The Learning Disability Partnership Group will develop and monitor the plans.

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## How will we know when we have achieved our priorities?

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Each action plan will be reported on at the regular Learning Disability Partnership Group meetings to monitor progress. Each year we will consult with people with learning disabilities to discuss whether we have achieved our aims. Ultimately we will know we have achieved our priorities when people tell us that the quality of their lives has improved.

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# Appendices

## Appendix 1: Links to Relevant Legislation, Guidance Documents and Regional Plans Reviewed

- Welsh Government (2007) Statement of Policy and Practices for Adults with a Learning Disability  
<https://gwedhill.gov.wales/topics/health/publications/socialcare/guidance1/disability/?lang=en>
- Carers Strategies (Wales) Measure 2010  
<https://gwedhill.gov.wales/topics/health/publications/socialcare/guidance1/carers/?lang=en>
- Equality Act 2010  
<https://www.gov.uk/guidance/equality-act-2010-guidance>
- NHS Wales (2011) All Wales Prioritisation Framework  
[http://www2.nphs.wales.nhs.uk:8080/HealthTopicLeads.nsf/85c50756737f79ac80256f2700534ea3/c997185d64441b3980257bb80049f48d/\\$FILE/Prioritisation%20Framework\\_Final%2021-12-11.pdf](http://www2.nphs.wales.nhs.uk:8080/HealthTopicLeads.nsf/85c50756737f79ac80256f2700534ea3/c997185d64441b3980257bb80049f48d/$FILE/Prioritisation%20Framework_Final%2021-12-11.pdf)
- The Scottish Government (2012) Strengthening the Commitment: The Report of the UK Modernising Learning Disabilities Nursing Review  
<https://www2.gov.scot/Publications/2012/04/6465/downloads>
- Welsh Government (2012) More Than Just Words – Strategic Framework for the Welsh Language in Health, Social Services and Social Care  
<https://gwedhill.gov.wales/topics/health/publications/health/guidance/words/?lang=en>
- All Wales Challenging Behaviour Community of Practice (2013) Transforming Care in Wales for People with Learning Disability and Challenging Behaviour
- Public Health Wales (2014) Achieving Prudent Healthcare in Wales  
<http://www.1000livesplus.wales.nhs.uk/prudent-healthcare>
- Social Services Improvement Agency (2014) Transforming Learning Disabilities Services in Wales  
<https://socialcare.wales/research-and-data/research-on-care-finder/transforming-learning-disability-services-in-wales>
- The Social Services and Well-being (Wales) Act 2014  
<https://socialcare.wales/hub/sswbact>
- Well-being of Future Generations (Wales) Act 2015  
<http://futuregenerations.wales/about-us/future-generations-act/>
- Welsh Government (2015) Health and Care Standards  
[http://www.wales.nhs.uk/sitesplus/documents/1064/24729\\_Health%20Standards%20Framework\\_2015\\_E1.pdf](http://www.wales.nhs.uk/sitesplus/documents/1064/24729_Health%20Standards%20Framework_2015_E1.pdf)
- Nurse Staffing Act (Wales) Act 2016  
<https://www.legislation.gov.uk/anaw/2016/5/section/1>
- Regulation and Inspection of Social Care (Wales) Act 2016  
<http://www.legislation.gov.uk/anaw/2016/2/contents/enacted>
- Cardiff and Vale University Health Board (2017) Shaping Our Future Well-being 2017-2025  
<http://www.cardiffandvaleuhb.wales.nhs.uk/sitesplus/documents/1143/10%20-%20UHB%20Shaping%20Our%20Future%20Wellbeing%20Strategy%20Final.pdf>
- Public Health (Wales) Act 2017  
<http://www.legislation.gov.uk/anaw/2017/2/contents/enacted>
- Welsh Government (2017) Prosperity for All: The National Strategy  
<https://gov.wales/prosperity-all-national-strategy>
- Additional Learning Needs and Education Tribunal (Wales) Act 2018  
<http://www.legislation.gov.uk/anaw/2018/2/contents/enacted>
- Cardiff and Vale of Glamorgan Integrated Health and Social Care Partnership Area Plan for Care and Support Needs 2018-2023  
<http://www.cvihs.co.uk/about/what-we-do/cardiff-vale-glamorgan-area-plan/>
- Cardiff and Vale University Health Board (2017) Cardiff and Vale Integrated Medium Term Plan 2017/18  
<http://www.cardiffandvaleuhb.wales.nhs.uk/cav-imtp>
- A Healthier Wales: Our Plan for Health and Social Care (July 2018)  
<https://www.basw.co.uk/system/files/resources/180608healthier-wales-mainen.pdf>
- Cardiff and The Vale University Health Board (2015-2025) Shaping our Future Wellbeing Strategy  
[www.cardiffandvaleuhb.wales.nhs.uk/sfw-strategy-2015-2025](http://www.cardiffandvaleuhb.wales.nhs.uk/sfw-strategy-2015-2025)
- Cardiff Council (2018) Cardiff's Well-being Plan  
<https://www.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Local-Wellbeing-Assessment/Draft-Local-Well-being-Plan/Pages/default.aspx>
- Vale of Glamorgan Council (2018) Vale of Glamorgan Public Services Board Well-being Plan 2018-2023: Our Vale – Our Future  
<https://www.valepsb.wales/en/Our-Plan.aspx>
- Welsh Government (2018) The Parliamentary Review of Health and Social Care in Wales  
<https://gov.wales/sites/default/files/publications/2017-07/170714-review-interim-report-en.pdf>
- Welsh Government (June 2018) Learning Disability Improving Lives Programme  
<http://allwalespeople1st.co.uk/wp-content/uploads/2018/06/Improving-Lives-Programme-Report-June-18.pdf>



Cardiff Council, Vale of Glamorgan Council and  
Cardiff and Vale University Health Board



GIG  
CYMRU  
NHS  
Bwrdd Iechyd Prifysgol  
Caerdydd a'r Fro  
Cardiff and Vale  
University Health Board



## Equality & Health Impact Assessment for

Cardiff and the Vale Learning Disabilities Commissioning Strategy

**Please read the Guidance Notes in Appendix 1 prior to commencing this Assessment**

**Please note:**

- The completed Equality & Health Impact Assessment (EHIA) must be
  - Included as an appendix with the cover report when the strategy, policy, plan, procedure and/or service change is submitted for approval
  - Published on the UHB intranet and internet pages as part of the consultation (if applicable) and once agreed.
- Formal consultation must be undertaken, as required<sup>1</sup>
- Appendices 1-3 must be deleted prior to submission for approval

Please answer all questions:-

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<b>1.</b>	For service change, provide the title of the Project Outline Document or Business Case and Reference Number	Development of a joint Cardiff and the Vale Learning Disabilities Commissioning Strategy
<b>2.</b>	Name of Clinical Board / Corporate Directorate and title of lead member of staff, including contact details	Lance Carver – Chair of the Cardiff and Vale Learning Disabilities Regional Partnership Board
<b>3.</b>	Objectives of strategy/ policy/ plan/ procedure/ service	The purpose of our strategy is to describe how Cardiff and Vale of Glamorgan Councils and Cardiff and the Vale University Health Board will work together to respond to the needs and aspirations of our adult learning disability population within the context of national legislation and guidance, wider local plans and available resources. At a local level, our strategy will inform what services each of the three organisations will individually or jointly commission over the next five years.

<sup>1</sup>[http://nww.cardiffandvale.wales.nhs.uk/portal/page?\\_pageid=253,73860407,253\\_73860411&\\_dad=portal&\\_schema=PORTAL](http://nww.cardiffandvale.wales.nhs.uk/portal/page?_pageid=253,73860407,253_73860411&_dad=portal&_schema=PORTAL)

4.	<p>Evidence and background information considered. For example</p> <ul style="list-style-type: none"> <li>• population data</li> <li>• staff and service users data, as applicable</li> <li>• needs assessment</li> <li>• engagement and involvement findings</li> <li>• research</li> <li>• good practice guidelines</li> <li>• participant knowledge</li> <li>• list of stakeholders and how stakeholders have engaged in the development stages</li> <li>• comments from those involved in the designing and development stages</li> </ul> <p>Population pyramids are available from Public Health Wales Observatory<sup>2</sup> and the UHB's 'Shaping Our Future Wellbeing' Strategy provides an overview of health need<sup>3</sup>.</p>	<p>Evidence and background information from various sources was considered including:</p> <p>The Cardiff and Vale Population Needs Assessment 2017  Analysis of interviews with range of professionals working in education, the NHS, social services, the third sector and community groups conducted by the Institute for Public Care, February 2018  Analysis of two online survey responses from people using services and their families/carers  Vale People First held two accessible engagement events for people with a learning disability  Cardiff People First collated information they gathered from members on improving local services  We have considered responses from individuals and their families following the 2017 review of complex day services across Cardiff and the Vale.  We established a dedicated email feedback address for citizens to tell us what they think about services for people with a learning disability  During January- March 2018, with the assistance of the Institute of Public Care, we reviewed our 'current position', in terms of the needs of the adult learning disability population, existing service provision and national legislation and guidance. This included an examination of:</p> <ul style="list-style-type: none"> <li>• Estimated figures on the current and future size of the number of adults with learning disabilities in Cardiff and the Vale</li> <li>• The number of people supported in Local Authority and health commissioned services</li> <li>• The resources currently used to deliver learning disability services, which include both money and staff</li> <li>• A map of the range of current service provision and its location</li> </ul> <p>In addition to the above activities we have:</p> <ul style="list-style-type: none"> <li>• Analysed national, regional and local information.</li> </ul>
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<sup>2</sup> <http://nww2.nphs.wales.nhs.uk:8080/PubHObservatoryProjDocs.nsf>

<sup>3</sup> <http://www.cardiffandvaleuhb.wales.nhs.uk/the-challenges-we-face>



		<ul style="list-style-type: none"> <li>• Analysed budget and staff resources – current and future</li> <li>• Analysed current services.</li> <li>• Drawn upon the skills and knowledge of members of the Learning Disability Partnership Group to assist us in reviewing plans.</li> </ul>
5.	Who will be affected by the strategy/ policy/ plan/ procedure/ service	<p>The strategy will affect adults with a learning disability who live in Cardiff and the Vale or are provided services by Cardiff and the Vale.</p> <p>The strategy will also affect parents/carers, service providers and community facilities who may be accessed by individuals with a learning disability.</p> <p>The strategy will affect staff who work with individuals with learning disabilities and their parents/carers.</p>

**6. EQIA / How will the strategy, policy, plan, procedure and/or service impact on people?**

Questions in this section relate to the impact on people on the basis of their 'protected characteristics'. Specific alignment with the 7 goals of the Well-being of Future Generations (Wales) Act 2015 is included against the relevant sections.

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How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate. Make reference to where the mitigation is included in the document, as appropriate
<p><b>6.1 Age</b> For most purposes, the main categories are:</p> <ul style="list-style-type: none"> <li>• under 18;</li> <li>• between 18 and 65; and</li> <li>• over 65</li> </ul>	<p>Potential positive impacts.</p> <p>The strategy will take account of the needs of individuals with learning disabilities from 18 onwards to ensure appropriate services can be provided. The strategy will also impact on those in transition between Children and Adult Services aged 16 – 18. Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs and outcomes.</p> <p>In accordance with Local Authority and UHB policies, we are committed to providing equal</p>	<p>No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.</p>	

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate. Make reference to where the mitigation is included in the document, as appropriate
	access to services for all people according to their needs. To ensure equality of opportunity and outcome, assessments will identify any specific needs/outcomes that an individual has in respect of their age.		
<p><b>6.2 Persons with a disability as defined in the Equality Act 2010</b></p> <p>Those with physical impairments, learning disability, sensory loss or impairment, mental health conditions, long-term medical conditions such as diabetes</p>	<p>Potential positive impacts.</p> <p>The strategy is proposed to ensure services can meet the needs of those with a learning disability and any co-occurring difficulties or health needs. Services will be developed in consultation with stakeholders considering aspirations, needs and outcomes.</p> <p>In accordance with Local Authority and UHB policies, we are committed to providing equal</p>	<p>No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.</p>	



How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate. Make reference to where the mitigation is included in the document, as appropriate
	access to services for all people according to their needs. To ensure equality of opportunity and outcome, assessments will identify any specific needs/outcomes that an individual has in respect of their disability.		
<p><b>6.3 People of different genders:</b> Consider men, women, people undergoing gender reassignment</p> <p><b>NB</b> Gender-reassignment is anyone who proposes to, starts, is going through or who has completed a process to change his or her gender with or without going through any medical procedures. Sometimes referred to as Trans or Transgender</p>	<p>Potential positive impacts.</p> <p>Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs and outcomes.</p> <p>In accordance with Local Authority and UHB policies, we are committed to providing equal access to services for all people according to their needs. To ensure equality of opportunity and outcome, assessments will identify any specific</p>	No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.	

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate. Make reference to where the mitigation is included in the document, as appropriate
	needs/outcomes that an individual has in respect of their gender identity.		
<b>6.4 People who are married or who have a civil partner.</b>	This is a protected characteristic only applies to employment/ staffing issues. It does not apply to service provision. There is no evidence to suggest that be any positive or negative impacts on this protected characteristic at this moment in time.		
<b>6.5 Women who are expecting a baby, who are on a break from work after having a baby, or who are breastfeeding.</b> They are protected for 26 weeks after having a baby whether or not they are on maternity leave.	Potential positive impacts.  In accordance with Local Authority and UHB policies, we are committed to providing equal access to services for all people according to their needs. To ensure equality of opportunity and outcome, assessments will identify any specific needs/outcomes that an individual has in respect of	No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.	

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate. Make reference to where the mitigation is included in the document, as appropriate
	<p>women expecting a baby or breastfeeding.</p> <p>Staff rights in this area are protected by very clear Local Authority and UHB policies.</p>		
<p><b>6.6 People of a different race, nationality, colour, culture or ethnic origin including non-English speakers, gypsies/travellers, migrant workers</b></p>	<p>Potential positive impacts.</p> <p>Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs and outcomes.</p> <p>In accordance with Local Authority and UHB policies, we are committed to providing equal access to services for all people according to their needs. To ensure equality of opportunity and outcome, assessments will identify any specific needs/outcomes that an individual has in respect of race,</p>	<p>No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.</p>	

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate. Make reference to where the mitigation is included in the document, as appropriate
	nationality, colour, culture or ethnic origin.		
<p><b>6.7 People with a religion or belief or with no religion or belief.</b> The term 'religion' includes a religious or philosophical belief</p>	<p>Potential positive impacts.</p> <p>Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs and outcomes.</p> <p>An individual's rights to practice their religion would be upheld and respected in all settings commissioned by the authorities and would be included in their care and support plans.</p>	<p>No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.</p>	
<p><b>6.8 People who are attracted to other people of:</b></p> <ul style="list-style-type: none"> <li>• the opposite sex (heterosexual);</li> <li>• the same sex (lesbian or gay);</li> </ul>	<p>Potential positive impacts.</p> <p>Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs</p>	<p>No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.</p>	



How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate. Make reference to where the mitigation is included in the document, as appropriate
<ul style="list-style-type: none"> <li>both sexes (bisexual)</li> </ul>	<p>and outcomes.</p> <p>In accordance with Local Authority and UHB policies, we are committed to providing equal access to services for all people according to their needs. To ensure equality of opportunity and outcome, assessments will identify any specific needs/outcomes that an individual has in respect of their sexuality.</p>		
<p><b>6.9 People who communicate using the Welsh language in terms of correspondence, information leaflets, or service plans and design</b></p> <p>Well-being Goal – A Wales of vibrant culture and thriving Welsh language</p>	<p>Potential positive impacts.</p> <p>Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs and outcomes</p> <p>In accordance with Local Authority and UHB policies, we</p>	<p>No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.</p>	

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate. Make reference to where the mitigation is included in the document, as appropriate
	are committed to providing equal access to services for all people according to their needs. To ensure equality of opportunity and outcome, assessments will identify any specific needs/outcomes that an individual has in respect of Welsh Language and seek appropriate support.		
<p><b>6.10 People according to their income related group:</b> Consider people on low income, economically inactive, unemployed/workless, people who are unable to work due to ill-health</p>	<p>Potential positive impacts.</p> <p>Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs and outcomes.</p> <p>In accordance with Local Authority and UHB policies, we are committed to providing equal access to services for all people according to their needs. To ensure equality of opportunity</p>	No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.	

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate. Make reference to where the mitigation is included in the document, as appropriate
	and outcome, assessments will identify any specific needs/outcomes that an individual has in respect of their income group.		
<p><b>6.11 People according to where they live:</b> Consider people living in areas known to exhibit poor economic and/or health indicators, people unable to access services and facilities</p>	<p>Potentially positive impacts.</p> <p>Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs and outcomes.</p> <p>In accordance with Local Authority and UHB policies, we are committed to providing equal access to services for all people according to their needs. To ensure equality of opportunity and outcome, assessments will identify any specific needs/outcomes that an individual has in respect of their where they live.</p>	<p>No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.</p>	

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate. Make reference to where the mitigation is included in the document, as appropriate
	<p>Strategy will run alongside organisational strategies such as CVUHB's shaping our future Well-being – principle of 'home first' to provide community based services.</p> <p>Cardiff Councils Corporate Plan – hub provision at the heart of communities.</p> <p>Vale of Glamorgan Council Corporate Plan – priority to ensure an inclusive and safe Vale</p>		
<p><b>6.12 Consider any other groups and risk factors relevant to this strategy, policy, plan, procedure and/or service</b></p>			



**7. HIA / How will the strategy, policy, plan, procedure and/or service impact on the health and well-being of our population and help address inequalities in health?**

Questions in this section relate to the impact on the overall health of individual people and on the impact on our population. Specific alignment with the 7 goals of the Well-being of Future Generations (Wales) Act 2015 is included against the relevant sections.

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How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts and any particular groups affected	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate Make reference to where the mitigation is included in the document, as appropriate
<p><b>7.1 People being able to access the service offered:</b> Consider access for those living in areas of deprivation and/or those experiencing health inequalities</p> <p>Well-being Goal - A more equal Wales</p>	<p>Potential positive impacts.</p> <p>Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs and outcomes.</p> <p>In accordance with Local Authority and UHB policies, we are committed to providing equal access to services for all people according to their needs. To ensure equality of opportunity and outcome, assessments will identify any specific needs/outcomes that an individual has in respect of their location.</p>	<p>No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.</p>	

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts and any particular groups affected	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate Make reference to where the mitigation is included in the document, as appropriate
<p><b>7.2 People being able to improve /maintain healthy lifestyles:</b> Consider the impact on healthy lifestyles, including healthy eating, being active, no smoking /smoking cessation, reducing the harm caused by alcohol and /or non-prescribed drugs plus access to services that support disease prevention (e.g. immunisation and vaccination, falls prevention). Also consider impact on access to supportive services including smoking cessation services, weight management services etc</p> <p>Well-being Goal – A healthier Wales</p>	<p>Potential positive impacts. Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs and outcomes</p> <p>In accordance with Local Authority and UHB policies, we are committed to providing equal access to services for all people according to their needs. To ensure equality of opportunity and outcome, assessments will identify any specific needs/outcomes that an individual has in respect of the impact of health choices on their lifestyle and support/signpost accordingly.</p>	<p>No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.</p>	
<p><b>7.3 People in terms of their income and employment status:</b> Consider the impact on the availability and accessibility of work, paid/ unpaid employment, wage levels, job security,</p>	<p>Potential positive impacts. Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs and outcomes. In accordance with Local</p>	<p>No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.</p>	

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts and any particular groups affected	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate Make reference to where the mitigation is included in the document, as appropriate
<p>working conditions</p> <p>Well-being Goal – A prosperous Wales</p>	<p>Authority and UHB policies, we are committed to providing equal access to services for all people according to their needs. To ensure equality of opportunity and outcome, assessments will identify any specific needs/outcomes that an individual has in respect of the impact income and employment.</p>		
<p><b>7.4 People in terms of their use of the physical environment:</b> Consider the impact on the availability and accessibility of transport, healthy food, leisure activities, green spaces; of the design of the built environment on the physical and mental health of patients, staff and visitors; on air quality, exposure to pollutants; safety of neighbourhoods, exposure to crime; road safety and preventing injuries/accidents; quality and safety of play areas and open spaces</p>	<p>Potential positive Impacts. Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs and outcomes In accordance with Local Authority and UHB policies, we are committed to providing equal access to services for all people according to their needs.</p>	<p>No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.</p>	

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts and any particular groups affected	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate Make reference to where the mitigation is included in the document, as appropriate
Well-being Goal – A resilient Wales			
<p><b>7.5 People in terms of social and community influences on their health:</b> Consider the impact on family organisation and roles; social support and social networks; neighbourliness and sense of belonging; social isolation; peer pressure; community identity; cultural and spiritual ethos</p> <p>Well-being Goal – A Wales of cohesive communities</p>	<p>Potential positive impacts. Services will be designed around population needs and developed in consultation with stakeholders considering aspirations, needs and outcomes.</p> <p>In accordance with Local Authority and UHB policies, we are committed to providing equal access to services for all people according to their needs. To ensure equality of opportunity and outcome, assessments will identify any specific needs/outcomes that an individual has in respect of their wellbeing.</p>	<p>No negative impacts at this time. Impacts will be reconsidered at each stage of the implementation process.</p>	
<p><b>7.6 People in terms of macro-economic, environmental and sustainability factors:</b> Consider the impact of government policies; gross domestic product; economic development; biological</p>	<p>Positive impacts a result of the strategy being informed by the Social Services and Wellbeing (Wales) Act 2014 and the Wellbeing of Future Generations (Wales) Act 2015.</p>		



How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts and any particular groups affected	Recommendations for improvement/ mitigation	Action taken by Clinical Board / Corporate Directorate Make reference to where the mitigation is included in the document, as appropriate
diversity; climate  Well-being Goal – A globally responsible Wales			

Please answer question 8.1 following the completion of the EHIA and complete the action plan

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<p><b>8.1 Please summarise the potential positive and/or negative impacts of the strategy, policy, plan or service</b></p>	<p>Potential positive impacts for people with learning disabilities and their families/carers including those with all protected characteristics and health requirements.</p> <p>The following key priorities have been identified in consultation with people, families/carers and involved agencies.</p> <ol style="list-style-type: none"> <li>1. Information – Accessible and easy to understand. Supporting people to learn about what options are available to meet their outcomes.</li> <li>2. Choice and Control, consultation and inclusion. It will ensure people are fully consulted with and given real choices regarding options to meet outcomes.</li> <li>3. The Right Support at the Right Time. It will ensure appropriate and timely support including emergency support and access to respite. Develop an improved process for supporting people to transition from long stay hospitals into the community.</li> <li>4. Day opportunities, work and volunteering. It will ensure a range of day opportunities including volunteering and employment to support people to have more inclusive lives in their communities and remain living at home for as long as they want to.</li> <li>5. Transitions. It will ensure a multi-agency collaborative approach to supporting young people through the transition into adult services.</li> <li>6. Health and Wellbeing. Support people to live healthier lives supporting with appropriate signposting and support to meet health needs.</li> <li>7. Having my own home. It will ensure a range of accommodation to meet demand.</li> <li>8. Collaboration and Coproduction. Introduce strengths based practice.</li> </ol> <p>Negative Impacts: No specific negative impacts have been identified at this time.</p>
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Impacts will be reconsidered at each stage of the implementation process.

### Action Plan for Mitigation / Improvement and Implementation

	Action	Lead	Timescale	Action taken by Clinical Board / Corporate Directorate
8.2 What are the key actions identified as a result of completing the EHIA?	<p>Deliver the strategy priorities detailed above.</p> <p>Continue to implement organisational strategies, policies and services that promote equality for the nine protected characteristics and in terms of health.</p>	Cardiff and Vale Learning Disability Regional Partnership Board	2019 - 2023	
<p>8.3 Is a more comprehensive Equalities Impact Assessment or Health Impact Assessment required?</p> <p>This means thinking about relevance and proportionality to the Equality Act and asking: is the impact significant enough that a more formal and full consultation is required?</p>	<p>This is not required as no negative impacts have been identified. Also extensive engagement and consultation is ongoing with stakeholders. Impacts will be reconsidered at each stage of the implementation process.</p>			

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	Action	Lead	Timescale	Action taken by Clinical Board / Corporate Directorate
<p><b>8.4 What are the next steps?</b></p> <p>Some suggestions:-</p> <ul style="list-style-type: none"> <li>• Decide whether the strategy, policy, plan, procedure and/or service proposal: <ul style="list-style-type: none"> <li>○ continues unchanged as there are no significant negative impacts</li> <li>○ adjusts to account for the negative impacts</li> <li>○ continues despite potential for adverse impact or missed opportunities to advance equality (set out the justifications for doing so) stops.</li> </ul> </li> <li>• Have your strategy, policy, plan, procedure and/or service proposal approved</li> <li>• Publish your report of this impact assessment</li> <li>• Monitor and review</li> </ul>	<p>Ongoing consultation with stakeholders</p> <p>Strategy to be considered by Scrutiny in Vale of Glamorgan Council</p> <p>Review of Draft Plan</p> <p>Strategy to be considered by Scrutiny task and finish group in Cardiff Council</p> <p>Review of Draft Plan</p> <p>Strategy to be considered by Cabinet</p> <p>Final Version</p> <p>Translation into Welsh/accessible format</p> <p>Publish/Launch</p>		<p>Oct – Dec 2018</p> <p>4 Dec 2018</p> <p>7 Dec 2018</p> <p>Jan 2019</p> <p>Jan – April 2019</p> <p>April 2019</p> <p>April/May 2019</p> <p>June 18 19</p>	



## Appendix 1

### Equality & Health Impact Assessment

#### Developing strategies, policies, plans and services that reflect our Mission of 'Caring for People, Keeping People Well'

##### Guidance

The University Health Board's (the UHB's) Strategy 'Shaping Our Future Wellbeing' (2015-2025) outlines how we will meet the health and care needs of our population, working with key partner organisations to deliver services that reflect the UHB's values. Our population has varied and diverse needs with some of our communities and population groups requiring additional consideration and support. With this in mind, when developing or reviewing any strategies, policies, plans, procedures or services it will be required that the following issues are explicitly included and addressed from the outset:-

- Equitable access to services
- Service delivery that addresses health inequalities
- Sustainability and how the UHB is meeting the requirements of the Well-being of Future Generations (Wales) Act (2015)<sup>4</sup>

This explicit consideration of the above will apply to strategies (e.g. Shaping Our Future Strategy, Estates Strategy), policies (e.g. catering policies, procurement policies), plans (e.g. Clinical Board operational plans, Diabetes Delivery Plan), procedures (for example Varicella Zoster - chickenpox/shingles - Infection Control Procedure) and services /activity (e.g. developing new clinical services, setting up a weight management service).

Considering and completing the Equality & Health Impact Assessment (EHIA) in parallel with development stages will ensure that all UHB strategies, policies, plans, procedures or services comply with relevant statutory obligations and responsibilities and at the same time takes forward the UHB's Vision, 'a person's chance of leading a healthy life is the same wherever they live and whoever they are'. This process should be proportionate but still provide helpful and robust information to support decision making. Where a more detailed consideration of an issue is required, the EHIA will identify if there is a need for a full impact assessment.

Some key statutory/mandatory requirements that strategies, policies, plans, procedures and services must reflect include:

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<sup>4</sup> <http://thewaleswewant.co.uk/about/well-being-future-generations-wales-act-2015>

- All Wales Standards for Communication and Information for People with Sensory Loss (2014)<sup>5</sup>
- Equality Act 2010<sup>6</sup>
- Well-being of Future Generations (Wales) Act 2015<sup>7</sup>
- Social Services and Well-being (Wales) Act 2015<sup>8</sup>
- Health Impact Assessment (non statutory but good practice)<sup>9</sup>
- The Human Rights Act 1998<sup>10</sup>
- United Nations Convention on the Rights of the Child 1989<sup>11</sup>
- United Nations Convention on Rights of Persons with Disabilities 2009<sup>12</sup>
- United Nations Principles for Older Persons 1991<sup>13</sup>
- Welsh Health Circular (2015) NHS Wales Infrastructure Investment Guidance<sup>14</sup>
- Welsh Government Health & Care Standards 2015<sup>15</sup>
- Welsh Language (Wales) Measure 2011<sup>16</sup>

This EHIA allows us to meet the requirements of the above as part of an integrated impact assessment method that brings together Equality Impact Assessment (EQIA) and Health Impact Assessment (HIA). A number of statutory /mandatory requirements will need to be included and failure to comply with these requirements, or demonstrate due regard, can expose the UHB to legal challenge or other forms of reproach. This means showing due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

**EQIAs** assess whether a proposed policy, procedure, service change or plan will affect people differently on the basis of their 'protected characteristics' (i.e. their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion, sex or sexual orientation) and if it will affect their human rights. It also takes account of caring responsibilities and Welsh Language issues. They provide a systematic way of ensuring that legal obligations are met and are a practical means of examining new and existing policies and practices to determine what impact they may have on equality for those affected by the outcomes.

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<sup>5</sup> <http://gov.wales/topics/health/publications/health/guidance/standards/?lang=en>

<sup>6</sup> <https://www.gov.uk/guidance/equality-act-2010-guidance>

<sup>7</sup> <http://gov.wales/topics/people-and-communities/people/future-generations-act/?lang=en>

<sup>8</sup> <http://gov.wales/topics/health/socialcare/act/?lang=en>

<sup>9</sup> <http://www.wales.nhs.uk/sites3/page.cfm?orgid=522&pid=63782>

<sup>10</sup> <https://www.equalityhumanrights.com/en/human-rights/human-rights-act>

<sup>11</sup> <http://www.unicef.org.uk/UNICEFs-Work/UN-Convention>

<sup>12</sup> <http://www.un.org/disabilities/convention/conventionfull.shtml>

<sup>13</sup> <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OlderPersons.aspx>

<sup>14</sup> <http://www.wales.nhs.uk/sites3/Documents/254/WHC-2015-012%20-%20English%20Version.pdf>

<sup>15</sup> <http://gov.wales/topics/health/publications/health/guidance/care-standards/?lang=en>

<sup>16</sup> <http://www.legislation.gov.uk/mwa/2011/1/contents/enacted>

**HIAs** assess the potential impact of any change or amendment to a policy, service, plan, procedure or programme on the health of the population and on the distribution of those effects within the population, particularly within vulnerable groups. HIAs help identify how people may be affected differently on the basis of where they live and potential impacts on health inequalities and health equity. HIA increases understanding of potential health impacts on those living in the most deprived communities, improves service delivery to ensure that those with the greatest health needs receive a larger proportion of attention and highlights gaps and barriers in services.

The **EHIA** brings together both impact assessments in to a single tool and helps to assess the impact of the strategy, policy, plan, procedure and/or service. Using the EHIA from the outset and during development stages will help identify those most affected by the proposed revisions or changes and inform plans for engagement and co-production. Engaging with those most affected and co-producing any changes or revisions will result in a set of recommendations to mitigate negative, and enhance positive impacts. Throughout the assessment, 'health' is not restricted to medical conditions but includes the wide range of influences on people's well-being including, but not limited to, experience of discrimination, access to transport, education, housing quality and employment.

Throughout the development of the strategy, policy, plan, procedure or service, in addition to the questions in the EHIA, you are required to remember our values of *care, trust, respect, personal responsibility, integrity and kindness* and to take the Human Rights Act 1998 into account. All NHS organisations have a duty to act compatibly with and to respect, protect and fulfil the rights set out in the Human Rights Act. Further detail on the Act is available in Appendix 2.

**Completion of the EHIA should be an iterative process and commenced as soon as you begin to develop a strategy, policy, plan, procedure and/or service proposal and used again as the work progresses to keep informing you of those most affected and to inform mitigating actions. It should be led by the individual responsible for the strategy, policy, plan, procedure and/or service and be completed with relevant others or as part of a facilitated session. Some useful tips are included in Appendix 3.**

For further information or if you require support to facilitate a session, please contact Susan Toner, Principal Health Promotion Specialist ([susan.toner@wales.nh.uk](mailto:susan.toner@wales.nh.uk)) or Keithley Wilkinson, Equality Manager ([Keithley.wilkinson@wales.nhs.uk](mailto:Keithley.wilkinson@wales.nhs.uk))

Based on

- Cardiff Local Authority (2013) Statutory Screening Tool Guidance
- NHS Scotland (2011) Health Inequalities Impact Assessment: An approach to fair and effective policy making. Guidance, tools and templates<sup>17</sup>
- Wales Health Impact Assessment Support Unit (2012) Health Impact Assessment: A Practical Guide<sup>18</sup>

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<sup>17</sup> <http://www.healthscotland.com/uploads/documents/5563-HIIA%20-%20An%20approach%20to%20fair%20and%20effective%20policy%20making.pdf> (accessed 4 January 2016)

<sup>18</sup> <http://www.wales.nhs.uk/sites3/page.cfm?orgid=522&pid=63782> (accessed on 4 January 2016)



## Appendix 2 – The Human Rights Act 1998<sup>19</sup>

The Act sets out our human rights in a series of ‘Articles’. Each Article deals with a different right. These are all taken from the European Convention on Human Rights and are commonly known as ‘the Convention Rights’:

1. Article 2 Right to life. NHS examples: the protection and promotion of the safety and welfare of patients and staff
2. Article 3 Freedom from torture and inhuman or degrading treatment. NHS examples: issues of dignity and privacy, the protection and promotion of the safety and welfare of patients and staff, the treatment of vulnerable groups or groups that may experience social exclusion, for example, gypsies and travelers, issues of patient restraint and control
3. Article 4 Freedom from slavery and forced labour
4. Article 5 Right to liberty and security. NHS examples: issues of patient choice, control, empowerment and independence, issues of patient restraint and control
5. Article 6 Right to a fair trial
6. Article 7 No punishment without law
7. Article 8 Respect for your private and family life, home and correspondence. NHS examples: issues of dignity and privacy, the protection and promotion of the safety and welfare of patients and staff, the treatment of vulnerable groups or groups that may experience social exclusion, for example, gypsies and travelers, the right of a patient or employee to enjoy their family and/or private life
8. Article 9 Freedom of thought, belief and religion. NHS examples: the protection and promotion of the safety and welfare of patients and staff, the treatment of vulnerable groups or groups that may experience social exclusion, for example, gypsies and travelers
9. Article 10 Freedom of expression. NHS examples: the right to hold and express opinions and to receive and impart information and ideas to others, procedures around whistle-blowing when informing on improper practices of employers where it is a protected disclosure
10. Article 11 Freedom of assembly and association
11. Article 12 Right to marry and start a family
12. Article 14 Protection from discrimination in respect of these rights and freedoms. NHS examples: refusal of medical treatment to an older person solely because of their age, patients presented with health options without the use of an interpreter to meet need, discrimination against UHB staff on the basis of their caring responsibilities at home
13. Protocol 1, Article 1 Right to peaceful enjoyment of your property
14. Protocol 1, Article 2 Right to education
15. Protocol 1, Article 3 Right to participate in free elections
16. Protocol 13, Article 1 Abolition of the death penalty

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<sup>19</sup> <https://www.equalityhumanrights.com/en/human-rights/human-rights-act>

## Appendix 3

### Tips

- Be clear about the policy or decision's rationale, objectives, delivery method and stakeholders.
- Work through the Toolkit early in the design and development stages and make use of it as the work progresses to inform you of those most affected and inform mitigating actions
- Allow adequate time to complete the Equality Health Impact Assessment
- Identify what data you already have and what are the gaps.
- Engage with stakeholders and those most affected early. View them as active partners rather than passive recipients of your services.
- Remember to consider the impact of your decisions on your staff as well as the public.
- Record which organisations and protected characteristic groups you engaged with, when you engaged with them and how you did so (for example, workshop, public meeting, written submission).
- Produce a summary table describing the issues affecting each protected group and what the potential mitigations are.
- Report on positive impacts as well as negative ones.
- Remember what the Equality Act says – how can this policy or decision help foster good relations between different groups?
- Do it with other people! Talk to colleagues, bounce ideas, seek views and opinions.

Mae'r dudalen hon yn wag yn fwriadol

My Ref: Scrutiny/Correspondence/Cllr McGarry  
7 May 2019



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Councillor Susan Elsmore  
Cabinet Member Social Care, Health & Well-being  
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CF10 4UW

Dear Susan,

**COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE – 1 MAY 2019 –  
JOINT COMMISSIONING STRATEGY FOR ADULTS WITH A LEARNING  
DISABILITY (CARDIFF COUNCIL'S INPUT)**

As Chair of the Community & Adult Services Scrutiny Committee, I wish to thank you and officers for attending Committee and providing Members with an opportunity to consider the Joint Commissioning Strategy for Adults with a Learning Disability 2019-2024, prior to its consideration by Cabinet on the 16 May. I would also like to take the opportunity to thank the representatives copied into this letter from Cardiff People First and Cardiff and Vale Parents Federation for their role in helping to facilitate a well-rounded discussion within Committee.

Members of the Committee have requested that I feedback the following comments and observations to you:

Members noted that the co-production and partnership working undertaken within this work is a refreshing approach which has resulted in the creation of a meaningful, well set out Strategy. Members were reassured to hear from the witnesses present at Committee that they were content with their level of involvement in formulating the Strategy and the level of inclusion of their priorities. However, Members wish to take this opportunity to reiterate that the priority of involving key stakeholders must be continued throughout the development of this Strategy.

Members also raised the importance of implementation and monitoring, highlighting that the success and impact of the Strategy will likely be determined by its execution. Within the meeting, the importance of timely information for the individual with a learning disability and their support system was also raised. It was highlighted that access to the right information at the right time is a vital tool towards strengthening the Strategy's ethos of choice, whilst also providing an individual with the confidence and ability to have a greater role in developing their Care Plan. It was also noted that different methods of presenting the information to adults with a learning disability, with a possible increased focus on verbal communication, would be a valued approach by adults with a learning disability and their support system.

With regard to the Action Plans scheduled to be developed this year, and due to the importance of implementation, monitoring and continued co-production captured within this letter, Members wish to request that the Action Plans come back to

**GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI**

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog. Byddwn yn cyfathrebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

**WORKING FOR CARDIFF, WORKING FOR YOU**

The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.

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Committee once developed. I have tasked the Principal Scrutiny Officer to work with officers in facilitating this request.

In terms of locality and service provision, Members would appreciate further clarification on when residents currently in out of county provisions will return to local provisions 'where appropriate' (page 21 of the Strategy). Members appreciated the comments that findings have shown the majority of individuals want robust local provisions and understand that a lack of local provision can be a limiting factor on choice. Members also noted the comments that appropriate pathways will be determined following an assessment and agreement of a Care Plan. However Members would appreciate clarity on who decides what pathway is 'appropriate' and if the co-production of Care Plans will be put in place. Members wish to reiterate that the ethos of choice, which is a central priority of the Strategy, is upheld within all areas of provision.

One of the key priorities specified in the strategy was providing 'the right support at the right time'. This is captured within the strategy as encompassing early support, crisis support, specialist support and respite support. In line with this, the expenditure information within the Strategy (page 18), details that around 2% of Cardiff's expenditure goes towards respite services. Members felt the response, that respite services fall into other areas of provision, wasn't clear and would appreciate further information on the current spend on respite. They ask if the spend on respite will be increased in line with the Strategy's priority areas and for a breakdown of how many of the 62% of Adults with learning disabilities living at home currently have access to respite services.

Thank you once again to you and your officers for attending Committee. To confirm, I require a response to the following:

- Clarity on who will decide what pathway is 'appropriate' in terms of provision.
- If the co-production of Care Plans is feasible and if so how this will be implemented.
- Details on the current spend on respite services.
- A breakdown of how many of the 62% of individuals living at home receive respite services.
- Information on Cardiff Council's review on respite services detailed within the document.

Yours,



**COUNTY COUNCILLOR MARY M<sup>C</sup>GARRY**

**Chairperson - Community & Adult Services Scrutiny Committee**

Cc: Claire Marchant, Director of Social Services.

Emma Mulinder, Operational Manager Learning Disabilities

Denise Moriarty, Strategic Lead Planning Officer

Cardiff People First

Cardiff & Vale Parents Federation

Cabinet Office.



**CARDIFF COUNCIL  
CYNGOR CAERDYDD****CABINET MEETING: 16 MAY 2019**

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**APPROVAL FOR THE CONTINUED PARTICIPATION IN THE  
VULNERABLE PERSONS RESETTLEMENT SCHEME****SOCIAL CARE, HEALTH AND WELL-BEING (COUNCILLOR  
SUSAN ELSMORE)****AGENDA ITEM: 7**

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**Reason for this Report**

1. To provide Cabinet with an update on the local and regional delivery of the Vulnerable Persons Resettlement Scheme (VPRS) and to recommend that Cardiff Council agrees to continue its regional participation in the Home Office programme, in partnership with the Vale of Glamorgan Council.
2. To secure support to facilitate the appointment of a single Provider to deliver support to vulnerable refugees resettled through the VPRS across the region.
3. To note that the multi-agency leadership group, initially established to oversee the implementation of the programme across the region, continues to provide strategic governance and oversight. The group comprises and is attended by Members and Officers of Cardiff Council, the Vale of Glamorgan Council, Cardiff University Health Board and Third Sector and Faith group representatives.
4. Delegate authority to the Corporate Director of People & Communities, in consultation with the Cabinet Member for Social Care, Health & Well-being, s.151 officer and Director of law and Governance to generally deal with all aspects of the procurement process and to progress and finalise arrangements for the delivery of the VPRS in Cardiff and the Vale of Glamorgan including but not limited to the collaboration agreement with the Vale of Glamorgan and agreement with the Service provider.

**Background**

5. In January 2014 the UK Government made a commitment to resettle Syrian refugees in the UK, who'd been displaced to neighbouring countries as result of civil war. In September 2015, the UK Government announced a significant expansion of this commitment with the formation of the Vulnerable Persons Resettlement Scheme (VPRS), which operates in partnership with the United Nations High Commissioner for Refugees (UNHCR). The primary purpose of the VPRS is to identify and resettle



20,000 of the most vulnerable refugees from Turkey, Iraq, Jordan, Lebanon and Egypt, by March 2020. On 3rd July 2017, the Home Secretary announced that eligibility for the VPRS would be extended to all refugees fleeing the conflict in Syria, regardless of their nationality.

6. The UK Government sought the voluntary participation of all Local Authorities, and put in place grant funding to support the cost of arrivals in the first year, in terms of orientation, health and education.
7. On 17 September 2015, Cabinet approved recommendations to pursue a regional approach to managing the project, under the guidance of the regional multi-agency Leadership Group, in partnership with the Vale of Glamorgan Council (Cabinet Decision No. CAB/15/33, Minute No. 40 refers). Cabinet further approved the delegation of authority to the Corporate Director People and Communities, in consultation with the Cabinet Member for Health, Housing and Wellbeing, to progress the detail of the Authorities involvement in the scheme.
8. The report was referred to Council to seek full Council support for the implementation of the scheme. On 24 September 2015, Council approved the Cabinet report (Item 11) recommendations in full.
9. Based on an assessment of local resources, including the capacity of primary/secondary health care, and the availability of school places and affordable accommodation, the Authorities jointly pledged to resettle up to sixty refugees per year for the lifespan of the programme. The pledge included accommodation arrangements for six families (adults and dependants) in Cardiff, and four in the Vale of Glamorgan, to be secured in the private rented sector, in order to negate the impact on social housing.
10. A Collaboration Agreement between Cardiff Council and the Vale of Glamorgan Council was signed on 17th May 2016 for an initial twelve month term.
11. Following a competitive tender, a Contract was awarded to Taff Housing Association to provide support services across the region, for up to three years. The Support Contract dovetailed with the Collaboration Agreement.
12. On a cost-share basis, a Regional Resettlement Co-ordinator was appointed by the Vale of Glamorgan Council in April 2016, to implement and coordinate the operational delivery of the programme. Key responsibilities included the monitoring of the Integration and Support Services Provider, and to ensure full compliance with the statement of outcomes set out in the Funding Instructions 2019-20.
13. In March 2017, the Corporate Director of People and Communities, in consultation with the Cabinet Member, approved recommendations to participate in the VPRS for a second term and to extend all Agreements pursuant to the delivery of the scheme.

14. In May 2018, the Corporate Director of People and Communities, in consultation with the Cabinet Member, approved the extension of both Agreements for a third (and final) term, which are due to expire on 16th May 2019.
15. Since May 2016, the Authority has provided accommodation and support to sixteen families resettled in Cardiff under the VPRS. Despite their traumatic experiences, through the coordinated responses from key stakeholders, including Health, Housing and Education, all have begun to rebuild their lives in safety. The long term focus remains on supporting the families to live independently of support; to integrate into their new communities; and to realise their aspirations.
16. In July 2016, the Community Sponsorship Scheme was launched, which enables community groups (sponsors) to become directly involved in refugee resettlement. The Home Office intends to resettle one hundred and twenty families under this scheme. Cardiff Council has consented to the approval of one Community Sponsorship application to date, and is working with other interested groups to further their resettlement plans.
17. Under the current arrangements, Cardiff Council claims and receives the grant funding on behalf of both Authorities, and arrangements are in place to ensure the relevant funding is transferred to the Vale of Glamorgan Council at the end of each Financial Year.
18. In accordance with the Local Authority Funding Instructions 2019-20, the first 12 months of a refugee's resettlement costs, excluding economic integration, are fully funded by Central Government from the Official Development Assistance budget.
19. The Authority is able to claim a tariff per person, according to the unit costs shown in Figure 1 below

Unit Costs for Syrian Resettlement Programme				
	Adult	Children 5 to 18	Children 3 to 4	Children under 3
Local Authority Costs	8,250	8,520	8,520	8,520
Education	0	4,500	2,250	0

Figure 1

20. The appropriate level of funding is transferred to schools who accept refugee children from the relevant age groups. Schools are responsible for recording expenditure for activities such as language support.
21. Funding is available for five years, however, the amount diminishes for each additional year of stay, on the assumption the most significant costs are incurred in the first year. Year 2 to 5 unit costs are:

13-24 Months (Year 2)	25-36 Months (Year 3)	37-48 Months (Year 4)	49-60 Months (Year 5)
£5,000	£3,700	£2,300	£1,000

22. The Local Authority may also claim £850 per capita, to support access to formal language training (ESOL) for adults only, appropriate to needs and ability. There are no prescribed activities for which the funding may be used, and Authorities may pool the funding to so as to maximise its ability to effectively identify individuals' language training requirements and be responsive to these needs through the most appropriate delivery arrangements and range of providers within a local area.
23. On a cost share basis, Cardiff Council delivers the following programmes to all adult refugees in the region. It is anticipated the Programmes will continue for 2019-20.
- Refugee Employment Support Programme
  - Informal Conversational English classes
24. On a cost share basis, Cardiff Council provides financial administration support to the Programme, through the Corporate Grants Officer. It is anticipated the support will continue for 2019-20.
25. It is expected that the Grant funding will be sufficient to meet the costs associated with resettlement for the duration of the Programme.

## Issues

26. In the context of high demand for social housing and growing homelessness, both Authorities elected to use private rented accommodation only, for the purposes of this scheme, to mitigate the long term impact on housing in the region. Each year, it has proven more challenging to identify sufficient units of suitable, affordable accommodation in a housing market characterised by high demand and high rent expectations.
27. Both the Collaboration Agreement and the Support Services Contract expire on 16th May 2019. Both were issued for an initial twelve month period, extendable by agreement for two additional twelve month terms. Therefore, the maximum duration of both contracts is three years, which does not mirror the full lifespan of the Home Office Programme. In simple

terms, both regional contracts are outlived by the terms and conditions of the Grant Funding, so the Council's responsibilities to provide accommodation and support (for resettled Syrian refugees) will continue after the current arrangements have ended.

28. The Integration and Support Services Contract and Collaboration Agreement with the Vale ends on 16th May 2019, so a Direct Award to the incumbent Provider and the Vale, for up to four months, has been approved to enable support and collaboration agreement to continue, pending the commissioning and procurement of a new Service Contract, and to ensure a smooth transition in the event the Contract is awarded to a new Provider.

### **Scrutiny Consideration**

29. The Community and Adult Services Scrutiny Committee considered this report on 1 May 2019. The letter from the Chair is attached at Appendix 2.

### **Reason for Recommendations**

30. The political situation in Syria remains extremely unstable and the safety of its citizens is still of grave concern. According to the Department for International Development (source Syria UNHCR), in March 2019, 400,000 people are estimated to have been killed since the conflict began. 5.6 million Syrian refugees are still living in neighbouring countries, and a further 6.2 million people have been internally displaced
31. Despite the coordinated efforts of partner organisations both in Syria and across the crisis region, access (for both internally displaced people and refugees) to suitable accommodation, healthcare, sanitation, and education is extremely challenging.
32. According to data published by the Home Office in February 2019, 14,945 refugees (including dependants) were resettled in the UK by the end of December 2018 under the VPRS. 959 refugees had been resettled by Welsh Authorities. Although numbers have been bolstered by Community Sponsorship, the Home Office still requires Local Authority assistance to meet its target of 20,000 refugees by March 2020
33. The proposed continuation of the regional arrangements (with the Vale of Glamorgan Council) ensures the economic benefits of providing services in both Local Authority areas, on a cost-share basis, are maximised. This approach ensures that services are more sustainable over the lifespan of the programme and makes better use of the Grant funding available. In the context of continued pressure on Local Government budgets, this is an opportunity to continue to deliver high quality, sustainable services to the community, regardless of where they live.
34. A Collaborative Agreement will need to be executed to enable the Local Authorities to participate on a regional basis beyond 16th May 2019. In order to meet the needs of refugees who arrive up to March 2020, it is suggested that a new back-to-back Agreement of up to six years would be



appropriate to ensure the continuation of all existing operational and administrative structures, to deliver joint-funded services and to comply in full with the terms of the grant funding.

### **Financial Implications**

35. External Grant is receivable in relation to the resettlement scheme. Any such expenditure should be in accordance with the terms and conditions of the grant and be planned in accordance with the timescales for eligibility of grant to ensure all costs are recoverable.

### **Legal Implications**

36. It is understood that Cardiff will procure a service provider to deliver the VPRS on behalf of Cardiff and the Vale and the two Councils will enter into a collaboration agreement to work together to deliver the VPRS in their respective administrative areas.
37. Detailed legal advice should be obtained throughout the procurement process with regard to i) the drafting of all the relevant procurement documentation (including the draft terms and conditions of contract) and ii) the procurement process and generally with regards the proposed collaboration agreement with the Vale of Glamorgan.
38. It is noted that the proposal is subject to grant funding. Accordingly, the Service Area will need to be satisfied that the Council can comply with any grant conditions attached to the funding and that in commissioning the services it complies with such conditions.
39. Further legal implications will be set out in the delegated report to the Corporate Director.

### **Equality Duty.**

40. The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties) – the Public Sector Equality Duties (PSED). These duties require the Council to have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of ‘protected characteristics’. The ‘Protected characteristics’ are: • Age • Gender reassignment • Sex • Race – including ethnic or national origin, colour or nationality • Disability • Pregnancy and maternity • Marriage and civil partnership • Sexual orientation • Religion or belief – including lack of belief.
41. As noted in the report, consideration has been given to the requirements to carry out Equality Impact Assessments (‘EIA’) and an EIA is in the background papers to the report so that the decision maker may understand the potential impacts of the proposals in terms of equality. This assists the decision maker to ensure that it is making proportionate and rational decisions having due regard to the public sector equality duty.

42. Where a decision is likely to result in a detrimental impact on any group sharing a Protected Characteristic, consideration must be given to possible ways to mitigate the harm. If the harm cannot be avoided, the decision maker must balance the detrimental impact against the strength of the legitimate public need to pursue the recommended approach. The decision maker must be satisfied that having regard to all the relevant circumstances and the PSED, the proposals can be justified, and that all reasonable efforts have been made to mitigate the harm.
43. It is noted that Equality Impact Assessments (which include consideration of views and information obtained through consultation) is in the background papers to this report. The decision maker must consider and have due regard to the Equality Impact Assessment prior to making the decisions recommended in the report.

### **Well Being of Future Generations (Wales) Act 2015 - Standard legal imps**

44. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
45. In discharging its duties under the Act, the Council has set and published well-being objectives designed to maximise its contribution to achieving the national well-being goals. The well-being objectives are set out in Cardiff's Corporate Plan 2019-22. When exercising its functions, the Council is required to take all reasonable steps to meet its well-being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well-being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
46. The well-being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
  - Look to the long term
  - Focus on prevention by understanding the root causes of problems
  - Deliver an integrated approach to achieving the 7 national well-being goals
  - Work in collaboration with others to find shared sustainable solutions
  - Involve people from all sections of the community in the decisions which affect them

47. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

### General

48. The decision maker should be satisfied that the proposal is in accordance within the financial and budgetary policy and represents value for money for the council.
49. The decision maker should also have regard to, when making its decision, to the Council's wider obligations under the Social Services and Wellbeing (Wales) Act 2014, the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.

### HR Implications

50. A Regional Resettlement Co-ordinator was appointed by the Vale of Glamorgan Council to implement and deliver the Programme, on a cost-share basis with Cardiff Council. This role is integral to the continued administration of the regional programme and it is expected that the role, including the cost-share arrangements, will be extended in line with the operational requirements of the Programme, subject to the availability of the Home Office Grant Funding.
51. Cardiff Council will conduct a competitive tender exercise to procure a Support Provider to provide integration and orientation support on behalf of both Local Authorities. If the incumbent provider is unsuccessful, TUPE regulations will apply.

## **RECOMMENDATIONS**

Cabinet is recommended to

1. Agree in principle to continue to participate in the active resettlement of refugees from Syria until March 2020, in line with the lifespan of the current VPRS programme, and to provide necessary services to support integration for up to five years post-arrival.
2. Agree in principle to enter into a Collaborative Agreement with the Vale of Glamorgan Council for up to six years, to deliver the programme on a regional basis and delegate final approval to the Corporate Director in line with recommendation 4.
3. Authorise a competitive tender to appoint an Integration and Support Services Provider, to provide resettlement support to Syrian refugees

across the region for up to six years, in compliance with the terms and conditions of the VPRS grant funding and delegate the approval of the evaluation criteria and documentation (as well as all aspects of the procurement) to the Corporate Director in line with recommendation 4.

4. Delegate authority to the Corporate Director of People & Communities, in consultation with the Cabinet Member for Social Care, Health & Well-being, s.151 officer and Director of law and Governance to generally deal with all aspects of the procurement process and to progress and finalise arrangements for the delivery of the VPRS in Cardiff and the Vale of Glamorgan including but not limited to the collaboration agreement with the Vale of Glamorgan and agreement with the Service provider.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>SARAH MCGILL</b> <b>Corporate Director People &amp; Communities</b>
	10 May 2019

*The following appendix is attached:*

- Appendix 1 - Local Authority Funding Instructions 2019-20
- Appendix 2 – Letter from Chair of Community & Adult Services Scrutiny Committee

*The following background papers have been taken into account*

- Scheme To Support The Resettlement Of Syrian And Afghan Individuals And Families In The UK Cabinet report 17 September 2015
- Equality Impact Assessment
- Council 24 September 2015 – Cabinet Proposal. Agenda Item 11.
- Department for International Development – Syria Crisis Report Summary, March 2019.
- Community Sponsorship Guidance for Local Authorities



Mae'r dudalen hon yn wag yn fwriadol



Home Office



Ministry of Housing,  
Communities &  
Local Government

# **Funding Instruction for local authorities in the support of the United Kingdom's Resettlement Schemes**

## **Financial Year 2019 - 2020**

### **Resettlement Programme**

A joint unit between the Home Office and the Ministry for  
Housing, Communities and Local Government

**Lunar House  
Croydon  
CR9 2BY**

Date of issue: 31 March 2019



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# TERMS AND CONDITIONS OF FUNDING

## 1. DEFINITIONS

- 1.1. An “**Adult**” for the purpose of the English language provision means a Refugee who is 19-years of age or older, or who turns 19 within the first twelve (12) Months of arrival in the UK.
- 1.2. An “**Annex**” means the annexes attached to this Funding Instruction.
- 1.3. The “**Authority**” means the Secretary of State for the Home Department acting through the Resettlement Scheme on behalf of the Crown.
- 1.4. A “**Community Sponsor**” (or “**Sponsor**”) means a group or organisation which:
  - 1.4.1. exists and works for the benefit of the community rather than private shareholders, and
  - 1.4.2. is registered as either a charity (or from 2013 as a charitable incorporated organisation), or a community interest company, or is an individual or body falling within Section 10(2)(a) of the Charities Act 2011, and
  - 1.4.3. which has been approved by the Authority to support Refugees brought to the UK through the Scheme.
- 1.5. A “**Clause**” means the clauses in this Funding Instruction;
- 1.6. The “**Community Sponsorship Scheme**” means the scheme developed by the Authority to enable community groups (Sponsors) to support Refugees brought to the UK through the Scheme.
- 1.7. “**Critical Success Factors**” means the indicators required to assess the success of the Funding against its intended outcome.
- 1.8. “**Data Protection Legislation**” means (i) the General Data Protection Regulations (“GDPR”) 2016/679 including the Law Enforcement Directive, (ii) the Data Protection Act 2018 (“DPA 2018”) to the extent that it relates to the processing of Personal Data and privacy, and (iii) all applicable Law about the processing of Personal Data and privacy;
- 1.9. The “**Data Sharing Protocol**” (or the “**DSP**”) means the set of principles detailed in Annex C which govern the processes and practicalities of information sharing between the Authority and the Recipient, and which the Recipient agrees to abide by and comply with.
- 1.10. “**Day**” means any calendar day Monday through Sunday (inclusive).
- 1.11. “**Delivery Partner**” means any Third-Party whether an organisation or an individual working with the Recipient, whether remunerated or not, in the delivery of this Funding Instruction for the provision of the Purpose.
- 1.12. “**Eligible Expenditure**” means expenditure incurred by the Recipient in accordance with and/or in order to achieve the Purpose or as otherwise agreed between the Parties.

- 1.13. “**ESOL**”<sup>1</sup> means a formal ‘English for Speakers of Other Languages’, or other equivalent formal language skill support.
- 1.14. “**Exceptional Costs**” means additional expenses incurred by a Recipient in supporting a Refugee for which the Authority has a budget and may, on a case-by-case basis, agree to reimburse.
- 1.15. A “**File Share Area**” (or the “**FSA**”) means the designated area within MOVEit from where a Recipient can access files that the Authority has made available to share.
- 1.16. “**Formal Language Training**”<sup>2</sup> means the provision of ESOL, or employment sector specific, courses that where possible should lead to Refugees attaining accredited qualifications from a provider regulated by an appropriate national body (i.e. OFQAL, SQA or Qualifications Wales) and whose key characteristics are that:
- 1.16.1. Their delivery is led by qualified tutors, and
  - 1.16.2. They are appropriate to individual Refugee’s abilities as identified following a diagnostic assessment led by a qualified ESOL tutor, and
  - 1.16.3. They follow agreed curricula<sup>3</sup>.
  - 1.16.4. They can also enable progression, helping Refugees to access a course leading to an accredited qualification. This is non-regulated provision offered by providers at pre-entry level, for which there are no qualifications, but the curriculum as mentioned above does cover pre-entry level material.
- 1.17. The “**Funding Instruction**” (or the “**Instruction**”) means this document which describes the conditions under which a Recipient may claim Funding.
- 1.18. “**Funding**” means the Authority’s financial contributions towards a Recipient’s Eligible Expenditure incurred supporting Refugees for up to sixty (60) Months following their arrival in the UK and in accordance with the terms and outcomes of this Instruction.
- 1.19. “**Informal Language Training**”<sup>4</sup> means language training provision that does not have any or all of the characteristics described in 1.12 for example, it can take place in any location, may or may not have a pre-set curriculum and will usually be provided in a structured or semi-structured way, delivered by a range of people including volunteers. It can include confidence building, active citizenship and a whole host of leisure or community activities.
- 1.20. “**Information Acts**” means the Data Protection Legislation, Freedom of information Act 2000 (“FOIA”) and the Environmental Information Regulations 2000 (“EIR”) in force.
- 1.21. “**Law**” means any applicable law, statute, bye-law, regulation, order, regulatory policy, guidance or industry code, judgement of a relevant court of

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<sup>1</sup> Please also refer to the Guidance on Commissioning ESOL for further information

<sup>2</sup> Please also refer to the Guidance on Commissioning ESOL for further information

<sup>3</sup> Please also refer to [the Excellence Gateway](#) for further information on the ESOL national curriculum and Skills for Life Curriculum

<sup>4</sup> Please also refer to the Guidance on Commissioning ESOL for further information

law, or directives or requirements of any regulatory body, delegated or subordinate legislation;

- 1.22. The “**Local Administrator**” means a senior member of the Recipient’s staff who will act as the single point of contact for authorising access to the Recipient’s designated FSA within MOVEit.
- 1.23. A “**Month**” means a calendar month.
- 1.24. “**MOVEit**” means the Authority’s online two-way file-sharing service that allows the sharing of Official and Official-Sensitive (IL2) data with other government departments, non-departmental public bodies and external organisations, in a completely secure environment. Files including PDFs, all types of Office documents, images and Winzip of up to 2GB in size may be shared.
- 1.25. An “**Overpayment**” means Funding paid by the Authority to the Recipient in excess of the amount actually due.
- 1.26. The “**Scheme**” means any one of the UK government’s humanitarian relief programmes supporting Refugees where it has been determined that resettlement is in their best interests – principally (but not limited to) the Vulnerable Persons Resettlement Scheme (VPRS) whose purpose is to resettle 20,000 Refugees to the UK, who fled the conflict in Syria from Turkey, Iraq, Lebanon, Jordan, and Egypt; and, the Vulnerable Children’s Resettlement Scheme (VCRS) whose purpose is to resettle up to 3,000 Refugees, specifically children at risk and their families, from Turkey, Iraq, Lebanon, Jordan, and Egypt.
- 1.27. A “**Recipient**” means a participating local or regional authority to which the Authority has agreed to provide Funding under this Instruction as a contribution towards eligible expenditure incurred supporting Refugees.
- 1.28. A “**Refugee**” means an eligible person who, regardless of their nationality, has:
- 1.28.1. been accepted as being vulnerable by the Authority following referral by the UN High Commissioner for Refugees (*UNHCR*), and
  - 1.28.2. arrived in the UK having been admitted to the Scheme, and
  - 1.28.3. has been resettled in England, Scotland or Wales.
- 1.29. The “**Resettlement Scheme**” means the joint unit comprising staff from Home Office and Ministry of Housing, Communities and Local Government (MHCLG), whose objective is to deliver the Scheme.
- 1.30. “**Schedule**” means the Schedules attached to this Funding Instruction.
- 1.31. “**Staff**” means any person employed or engaged by a Recipient and acting in connection with the operation of this Instruction including the Recipient’s servants, agents, suppliers, volunteers and sub-contractors, any consultants and professional advisers (and their respective servants, agents, suppliers and Sub-contractors) used in the performance of its obligations under the Instruction.
- 1.32. A “**Working Day**” means any day Monday to Friday (inclusive) excluding any recognised UK public holidays.



## 2. THIS INSTRUCTION

- 2.1. This Instruction consists of thirteen (13) Articles, one (1) Schedule, and six (6) Annexes and replaces any funding instructions previously issued by the Authority providing financial contributions towards Recipients' costs incurred supporting Refugees.
- 2.2. This Instruction provides Funding enabling a Recipient to support Refugees:
  - 2.2.1. during the first twelve (12) Months following arrival in the UK, including Educational costs (YEAR 1) – Schedule 1, Part 1,
  - 2.2.2. during the subsequent forty-eight (48) Months (YEARS 2 – 5) – Schedule 1, Part 2,
  - 2.2.3. on the Community Sponsorship Scheme – Schedule 1, Part 3,
  - 2.2.4. improve their English language skills in order to assist with integration and improve employability – Schedule 1, Part 4, and
  - 2.2.5. with childcare needs to attend Formal Language Training – Schedule 1, Part 5.

## 3. SCOPE

- 3.1. The Scheme currently comprises two humanitarian resettlement schemes:
  - 3.1.1. On 7 September 2015, the then Prime Minister announced that the scheme would be expanded to resettle 20,000 Syrians in need of protection by 2020. On 3 July 2017, the Home Secretary announced that eligibility for the VPRS would be extended to all those refugees fleeing the conflict in Syria, regardless of their nationality.
  - 3.1.2. On 21 April 2016, the Vulnerable Children's Resettlement Scheme (VCRS) was announced. VCRS has been specifically tailored to resettle vulnerable and refugee children at risk and their families from the Middle East and North Africa (MENA) region. VCRS does not solely target unaccompanied children, but also extends to all 'Children at Risk' as defined by the UNHCR<sup>5</sup>. It is open to all 'at risk' groups and nationalities within the MENA region. Unaccompanied children resettled under VCRS will (unless in exceptional circumstances) be treated in the same way as Unaccompanied Asylum Seeking Children (UASCs) for funding purposes, and local authorities who accept unaccompanied children under the Scheme will be reimbursed in accordance with the relevant year's UASC Funding Instruction not this Instruction.
- 3.2. To further support these commitments, the Community Sponsorship Scheme has been developed enabling Sponsors to provide comprehensive wrap-around support to Refugees for a period of two (2) years, instead of the Recipient.
- 3.3. The Scheme's primary purpose is to resettle Refugees in a way that:

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<sup>5</sup> See Annex B

- 3.3.1. Secures national security and public protection, and
- 3.3.2. Has the wellbeing of the vulnerable persons and the welcoming communities at the centre of decision making, and
- 3.3.3. Delivers value for money for the UK tax payer
- 3.4. The Scheme is run in partnership with the United Nations High Commission for Refugees (the 'UNHCR'). It demonstrates the UK's support for the UNHCR's global effort to relieve the humanitarian crisis through the provision of resettlement opportunities for some of the most vulnerable people into communities within the UK, by 2020, who:
  - 3.4.1. have registered with the UNHCR in Turkey, Iraq, Lebanon, Jordan, Egypt, and
  - 3.4.2. the UNHCR consider meet one of their resettlement submission categories<sup>6</sup>.
- 3.5. The Authority is responsible for identifying Refugees eligible for resettlement to the UK in liaison with the UNHCR.
- 3.6. The Recipient has made commitments to support the Scheme, and the Authority has agreed to provide Funding to the Recipient as a contribution to supporting Refugees for up to five (5) years after first arrival in the UK, as further described in this Instruction.
- 3.7. Unless specifically stated otherwise, any Funding will be in respect of a Recipient's costs in fulfilment of its statutory duties and anything otherwise agreed with the Authority.
- 3.8. The Recipient shall be free to determine how best to utilise the Funding but for monitoring and Scheme evaluation purposes must be able to demonstrate that the Funding has been committed in supporting Refugees and furthering the aims of the Schem.

## 4. DURATION

- 4.1. This Instruction sets out the terms under which the Authority will make Funding available to the Recipient, in respect of expenditure incurred supporting Refugees brought to the UK under the Scheme during the period 1 April 2019 to 31 March 2020.
- 4.2. In keeping with established HM Treasury funding policies, the Authority will issue a fresh instruction for each financial year for which Funding is approved. This will occur whether or not any changes are made.

## 5. TRANSPARENCY, CONFIDENTIALITY, DATA PROTECTION AND DATA SHARING

- 5.1. The Recipient acknowledges that grant funded arrangements issued by government departments may be published on a public facing website and

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<sup>6</sup> See Annex B

that the Authority shall disclose payments made against this Instruction in accordance with the UK Government's commitment to efficiency, transparency and accountability.

- 5.2. The Recipient undertakes to keep confidential and not to disclose, and to procure that their staff keep confidential and do not disclose any information which they have obtained by reason of this Instruction.
- 5.3. Nothing in this Article 5 applies to information which is already in the public domain or the possession of the Recipient other than by reason of breach of this Article 5. Further, this Article 5 shall not apply to information which is required to be disclosed pursuant to any law or pursuant to an order of any court or statutory or regulatory body.
- 5.4. The Recipient shall ensure that any personal information concerning any Refugee disclosed to them in the course of delivering this Scheme is treated as confidential and should only be disclosed to a third party in accordance with the provisions of Data Protection Legislation. In the event of any doubt arising, the matter shall be referred to the Authority whose decision on the matter shall be final. In particular, the Recipient shall:
  - 5.4.1. have in place appropriate policies and procedures to recognise and maintain the Refugee's need for confidentiality; and
  - 5.4.2. ensure that without the consent of a Refugee, details of that individual Refugee are not released to any organisation not party to this Instruction.
- 5.5. The Recipient shall not use any information which they have obtained as a result of delivering the Scheme (including, without limitation, any information relating to any Refugee) in any way which is inaccurate or misleading.
- 5.6. In the event of any unauthorised disclosure, the Authority must be informed without delay. The Authority will decide on what, if any, remedial action should take place and the Recipient shall be bound by and will abide by the decision of the Authority.
- 5.7. Where a Recipient is responsible for an unauthorised disclosure in breach of this Instruction, that Recipient will be liable for any consequences of such unauthorised disclosure, including (but not confined to) any civil or criminal liability.
- 5.8. All approaches made by any person or organisation not party to this Instruction in respect of funding provided to deliver the Scheme must be referred to the Authority's press office for their advice and/ or action.
- 5.9. Prior to departure for the UK, Refugees will have signed a consent form confirming their willingness to share personal data with executive bodies and relevant delivery partners. The Authority will retain these forms and will allow inspection by the Recipient as requested.
- 5.10. The Authority also expects the Recipient to share relevant information on the delivery of the Scheme and on Refugees with its partners; before doing so, the Recipient must ensure that a formal agreement has been signed with relevant deliverers of the Scheme which flows down the terms of the Data Sharing Protocol (Annex C).

- 5.11. Where applicable, the Recipient and the Authority are required to comply with the Information Acts, any subordinate legislation made and any guidance issued by the Information Commissioner.
- 5.12. The Recipient agrees to assist and cooperate with the Authority to enable the Authority to comply with its obligations under the Information Acts whenever a request is made for information which relates to or arises out of this Instruction.
- 5.13. No information shall be disclosed if such disclosure would be in breach or is exempted from disclosure under the Information Acts.
- 5.14. The Recipient shall ensure that it, and its Staff, complies with the Authority's data sharing protocols as described in Annex C.
- 5.15. The provisions of this Article 5 shall survive the termination of this Instruction, however that occurs.

## **6. FUNDING**

### **Eligible Expenditure**

- 6.1. Monies provided must not be used for any purpose other than achieving delivery of Scheme outcomes detailed in this Instruction, nor is it permissible to vire any such funds elsewhere without prior written consent from the Authority.
- 6.2. Any funding issues resulting from a Refugee moving permanently from a participating local authority during the maximum sixty (60) Month term of the Funding are to be resolved between the Recipient and the relevant local authority.
- 6.3. No aspect of the activity funded by the Authority may be party-political in intention, use or presentation.
- 6.4. The Funding may not be used to support or promote religious activity. This will not include activity designed to improve inter faith relationships and/or working.

### **Overpayments**

- 6.5. The Authority must be notified at the earliest opportunity if a Recipient expects its Funding requirement to be lower than expected, in order to avoid Overpayments.
- 6.6. In the event that an Overpayment is made, howsoever caused, the Authority must be notified as soon as reasonably practicable. In such instances, the Authority may require immediate reimbursement of the Overpayment or may adjust subsequent payment(s) accordingly.

### **Cessation of Funding**

- 6.7. The Authority's responsibility for providing Funding under this Instruction will cease no later than the sixty (60) Month anniversary of the Refugee's arrival in the UK under the Scheme and Funding is not claimable for any support provided beyond this anniversary.
- 6.8. Payments may also cease where the Refugee:



- 6.8.1. dies,
  - 6.8.2. leaves the Recipient's area to live in another UK local authority area,
  - 6.8.3. indicates that they no longer wish to receive support under the Scheme,
  - 6.8.4. indicates that they are leaving the UK permanently,
  - 6.8.5. applies for some other Immigration status within the UK as advised by the Authority<sup>7</sup>, or
  - 6.8.6. otherwise leaves or becomes ineligible for the Scheme.
- 6.9. In the event of any such occurrence under Clause 6.8, the Recipient must notify the Authority without delay.
- 6.10. For the purposes of Clause 6.7, the sixty (60) Month period will commence on the date of the Refugee's first arrival in the UK under the Scheme and will continue unbroken until the end of that sixty (60) Month period.
- 6.11. The Authority reserves the right to cease making payments through this Instruction if it has reasonable grounds to believe that the Refugee has sought to deceive the Authority, the relevant Recipient or a partner agency in relation to their circumstances, including their inclusion on the Programme or their activities whilst so involved.

### Exceptional Costs

- 6.12. Payments may also be made in order to cover additional essential costs incurred by the Recipient above and beyond what could reasonably be regarded as normal expenditure and not available through other mainstream funding mechanisms. Funding from the Exceptional Costs budget may be used, amongst other things, to pay for:
- Property Adaptations (see Annex E)
  - Property Void Costs (see Annex F)
  - Support for children with identified educational needs
  - Social Care provision
  - Universal Credit top-up (see Schedule 1, Clause 1.6)
- 6.13. All applications will be assessed, and payments made, on a case-by-case basis:
- 6.13.1. There is no minimum or maximum amount that can be claimed.
  - 6.13.2. Exceptional Costs cannot be claimed for support provided to a Refugee that would normally be funded through the per capita health or education funding or through welfare payments,
  - 6.13.3. Before incurring Exceptional Costs, a Recipient should seek in principle agreement in writing from the Authority or risk having the claim rejected. The Authority will use its reasonable judgement when assessing mitigations for claims where this has not been possible,
  - 6.13.4. Recipients must submit evidence of Exceptional Cost expenditure incurred (e.g. copy invoices) along with the Appendix to Annex A form before claims will be accepted.

<sup>7</sup> Excepting instances where a Refugee requests a change in immigration status in accordance with the 1 July 2017 [policy announcement](#).

- 6.14. The Authority will periodically review the operation of the Exceptional Costs process and budget.

### General

- 6.15. Unauthorised spends that exceed the maximum stated Funding levels will not be reimbursed by the Authority.
- 6.16. In all instances, Funding received is to be pooled and managed across all the Refugees supported by the relevant Recipient.
- 6.17. The relevant Recipient will be the single point of contact for invoicing and payments.
- 6.18. Any payments made under this Instruction will also cover VAT or other duties paid by the Recipient to the extent that these are not otherwise recoverable by the Recipient.
- 6.19. Nothing in this Instruction shall be construed as providing or permitting the total relevant benefits to exceed the statutory limit (the 'benefit cap') prevailing at the time of payment.

## 7. DATA RECONCILIATION AND PAYMENTS

- 7.1. The Recipient shall complete applications for payment in the form set out in Annex A, which includes details of each Refugee and the financial support applied for.
- 7.2. Specific instructions for the completion of Annex A are included in the LA funding Excel workbook, which will be supplied by the Authority. The Annex A should only be submitted via the Authority's secure data transfer portal, "MoveIT DMZ", to ensure compliance with Data Protection Legislation.
- 7.3. Payments will be made within thirty (30) Days of receipt of a correctly-completed claim.
- 7.4. The Annex A submitted for payment should be received by the Authority no later than three (3) Months after the close of the period to which the application relates; late returns may result in payment being delayed. The Recipient will have the opportunity to make representations if they believe that the level of Funding received is less than that to which they are entitled under the terms of this Instruction. Any discrepancies regarding the amounts paid must be notified by the relevant Recipient to the Resettlement Funding Team within one (1) Month of the Annex A response being sent, following reconciliation against the Authority's records.
- 7.5. At the end of the period for which support is paid, final checks will be carried out to ensure that the payments already made accurately reflect the amounts to which the Recipient is entitled. Payments made as a result of applications are to be regarded as payments on account, which will be finalised when the final claim is confirmed by the Authority. The Recipient should note that the format of the claim spreadsheets **must not** be altered.
- 7.6. Where a Recipient believes that the level of Funding actually paid by the Authority is less than that to which they are entitled under the terms of this Instruction, the Recipient may make representations to the Authority's Funding Team. Any discrepancies must be notified to the Authority's Funding

Team within one (1) Month of a payment being made. Retrospective payments by the Authority for individuals not promptly included in the Annex A claim may be agreed only where exceptional circumstances can be shown.

- 7.7. Payments will be made by BACS using account details that the Recipient must supply to the Authority on headed notepaper, signed by a senior finance official. The Recipient is responsible for ensuring that the Authority has been notified of its correct bank account details and any subsequent changes. The information which the Authority requires to enable a new account or change of BACS payment details is as follows:

#### Supplier Details

1. Registered name of company
2. Trading name of company
3. Company registration number
4. Vat registration number

#### Supplier Address Details

1. Registered Address
2. Credit Control/Finance Address

#### Contact Details

1. Email address for purchase orders
2. Email address for remittance advice
3. Email address for invoice queries
4. Telephone Number for Accounts Receivable/Credit Control

#### Payment Details

1. Bank Name
2. Branch name and address
3. Company Bank Account Name
4. Bank Account Number
5. Bank Account Sort Code

- 7.8. In the event of a change in bank details, the relevant Recipient should immediately notify the Authority of the new information. Such notification must be provided in writing, in PDF format, and in accordance with the requirements of Clause 7.7.
- 7.9. The Recipient must record expenditure in their accounting records under generally-accepted accounting standards in a way that the relevant costs can be simply extracted if required. Throughout the year, the Authority's Funding team will work with the Recipient to ensure the accuracy of claims, thereby reducing the need for audits at year-end.

## 8. MONITORING & EVALUATION

- 8.1. The Recipient should itself manage and administer the quality and level of delivery relating to the support it provides to Refugees.
- 8.2. The Authority will require the Recipient to provide information and documentation regarding Refugees for monitoring and evaluation purposes.

- 8.3. This will include the provision of individual level information on Refugees for the evaluation of the Scheme. The evidence form should only be submitted via the Authority's secure data transfer portal, "MoveIT DMZ", to ensure compliance with Data Protection Legislation.
- 8.4. The Recipient shall provide information requested to monitor the outcomes from the additional ESOL funding, as set out in a template reporting form which will be provided by the Authority. At a minimum, the Recipient should ensure it provides reports detailing progress against the Critical Success Factors outlined in Schedule 1. Visits may be made from time to time by the Authority or its appointed representatives, including the National Audit Office. Whilst there is no requirement for submission of detailed costings, the Recipient must be able to provide the costs for individual cases and will, if required, be expected to justify, explain and evidence costs.
- 8.5. In all cases, to assist with monitoring and evaluation of the Scheme, the Recipient shall supply the Authority with all such financial information as is reasonably requested from time-to-time, on an open book basis.

## 9. BREACH OF FUNDING CONDITIONS

- 9.1. Where a Recipient fails to comply with **any** of the conditions set out in this Instruction, or if any of the events mentioned in Clause 9.2 occur, then the Authority may reduce, suspend, or withhold payments, or require all or any part of the relevant payments to be repaid by the Recipient. In such circumstances, the Recipient must repay any amount required under this Clause 9.1 within thirty (30) Days of receiving the demand for repayment.
- 9.2. The events referred to in Clause 9.1 are as follows:
  - 9.2.1. The Recipient purports to transfer or assign any rights, interests or obligations arising under this Agreement without the agreement in advance of the Authority, or
  - 9.2.2. Any information provided in the application for Funding (or in a claim for payment or Exceptional Costs) or in any subsequent supporting correspondence is found to be incorrect or incomplete to an extent which the Authority considers to be material, or
  - 9.2.3. The Recipient takes inadequate measures to investigate and resolve any reported irregularity.

## 10. ACTIVITIES – GENERAL

### Sub-contracting

- 10.1. When procuring works, goods or services the Recipient must ensure that it complies with its statutory obligations, for example the regulations as transposed into national Law from the EU Directives on Public Procurement (2014) i.e. the Public Contracts Regulations 2015 in England, Northern Ireland & Wales. In any event, the Recipient shall demonstrate value for money and shall act in a fair, open and non-discriminatory manner in all purchases of goods and services to support the delivery of the Scheme.



- 10.2. Where the Recipient enters into a contract (or other form of agreement) with any third party for the provision of any part of the Scheme, the Recipient shall ensure that a term is included in the contract or agreement requiring the Recipient to pay all sums due within a specified period: this shall be as defined by the terms of that contract or agreement, but shall not exceed thirty (30) Days from the date of receipt of a validated invoice.
- 10.3. The Recipient must take all reasonable steps to ensure that anyone acting on its behalf shall not bring the Authority or the Scheme into disrepute; for instance, by reason of prejudicing and/or being contrary to the interests of the Authority and/or the Scheme.

### Hours of Operation

- 10.4. The Recipient shall note that the Authority performs normal business during the hours of 09.00 to 17.00 on Working Days.
- 10.5. The Scheme shall be provided at a minimum on each Working Day. The Authority recognises that in the interests of efficiency the exact availability and timings of the various service elements will vary. It is envisaged that some out of hour's provision will be required from the Recipient.
- 10.6. All premises used to deliver the Scheme elements should meet all regulatory requirements and be suitable for the purpose.

### Complaints

- 10.7. The Recipient and/or its delivery partners shall develop, maintain and implement procedures enabling:
  - 10.7.1. Refugees to complain about the support and assistance provided by the Recipient,
  - 10.7.2. Reporting and management of 'cases of interest'<sup>8</sup>. The Authority must be advised of such incidents as soon as reasonably possible, but in any event by the end of the next Working Day.

### Staff Standards

- 10.8. At all times whilst delivering the Scheme the Recipient shall be mindful of the intent, and apply the spirit, of the UK Government's "Supplier Code of Conduct"<sup>9</sup> which outlines the standards and behaviours that the government expects of all its Delivery Partners.
- 10.9. The Recipient shall:
  - 10.9.1. ensure that the recruitment, selection and training of Staff, are consistent with the standards required for the performance of the outcomes,
  - 10.9.2. fully equip and train Staff to ensure they are able to fulfil their roles and ensure that appropriate and sufficient security provisions are made for all Staff undertaking face-to-face activities,

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<sup>8</sup> The Authority will provide guidance on 'cases of interest' upon request

<sup>9</sup> <https://www.gov.uk/government/publications/supplier-code-of-conduct>

- 10.9.3. ensure that Staff levels are appropriate at all times for the purposes of the delivering the Scheme and ensure the security and well-being of all Refugees, dependent children and its Staff,
  - 10.9.4. take all reasonable steps to ensure that they and anyone acting on their behalf shall possess all the necessary qualifications, licences, permits, skills and experiences to discharge their responsibilities effectively, safely and in conformance with all relevant law for the time being in force (so far as binding on the Recipient), and
  - 10.9.5. ensure that it has relevant organisational policies in place to deliver the activities funded by this Instruction. These shall remain current for the duration of this Instruction and be reviewed regularly by appropriately senior staff. All staff must be aware of these policies and of how to raise any concerns.
  - 10.9.6. that all applicants for employment in connection with the Scheme are obligated to declare on their application forms any previous criminal convictions subject always to the provisions of the Rehabilitation of Offenders Act 1974.
- 10.10. In addition, the Recipient shall ensure that all Staff:
- 10.10.1. employed or engaged have the right to work in the United Kingdom under applicable immigration law, and
  - 10.10.2. are suitable and of good character to provide support to Refugees. Consideration must be given to eligibility for Disclosure and Barring Service (DBS2) checks. Where such checks reveal prior criminal convictions that might reasonably be regarded as relevant to the appropriateness of the individual to have unsupervised access, particularly to children under the age of 18, or where such checks are not possible because of identification issues, the Recipient shall follow its internal policy and carry out an appropriate risk assessment before an offer of employment is made, and
  - 10.10.3. who are likely to have unsupervised access to children under the age of 18 have been instructed in accordance with the relevant national child protection guidelines e.g. for people working in England, DfE's Working Together to Safeguard Children, 2015, and Local Safeguarding Children Boards' guidance and procedures, and
  - 10.10.4. providing immigration advice should be known to the Office of the Immigration Services Commissioner (OISC) in accordance with the regulatory scheme specified under Part 5 of the Immigration & Asylum Act 1999. The Recipient shall use all reasonable endeavours to ensure that Staff do not provide immigration advice or immigration services unless they are "qualified" or "exempt" as determined and certified by OISC.
- 10.11. The Recipient shall, on request, provide the Authority with details of all Staff delivering the Scheme.
- 10.12. The Recipient shall, on request, provide the Authority with CVs and/or job descriptions for all Staff selected to work on the project.
- 10.13. The Recipient shall use all reasonable endeavours to comply with the requirements of the Computer Misuse Act 1990.

- 10.14. The Recipient shall implement the Scheme in compliance with the provisions of Data Protection Legislation.

## **11. LIABILITY**

- 11.1. The Authority accepts no liability to the Recipient or to any third party for any costs, claims, damage or losses, however they are incurred, except to the extent that they are caused by the Authority's negligence or misconduct.

## **12. DISPUTE RESOLUTION**

- 12.1. The Parties shall attempt in good faith to negotiate a settlement to any dispute between them arising out of or in connection with this Instruction.
- 12.2. The Parties may settle any dispute using a dispute resolution process which they agree.
- 12.3. If the Parties are unable to resolve a dispute in line with the requirements of Clauses 12.1 or 12.2, the dispute may, by agreement between the Parties, be referred to mediation in accordance with the Model Mediation Procedure issued by the Centre for Effective Dispute Resolution ("CEDR"), or such other mediation procedure as is agreed by the Parties. Unless otherwise agreed between the Parties, the mediator will be nominated by CEDR. To initiate the mediation the Party shall give notice in writing (the ADR Notice) to the other Party, and that latter Party will choose whether or not to accede to mediation. A copy of the ADR Notice should be sent to CEDR. The mediation will start no later than ten (10) Working Days after the date of the ADR Notice.
- 12.4. The performance of the obligations which the Recipient has under this Instruction will not cease or be delayed because a dispute has been referred to mediation under Clause 12.3 of this Instruction.

## **13. CONTACT DETAILS**

For queries relating to this Instruction or the submission of payment applications, please email the relevant Resettlement Local Authority Payments team at:

[ResettlementLAPaymentsTeam@homeoffice.gov.uk](mailto:ResettlementLAPaymentsTeam@homeoffice.gov.uk).

# SCHEDULE 1

## POST-ARRIVAL RESETTLEMENT SUPPORT

### 1. PART 1 – YEAR 1 STATEMENT OF OUTCOMES

#### Provision of accommodation:

- 1.1 The Recipient will arrange accommodation for arriving Refugees which:
  - 1.1.1 meets local authority standards, and
  - 1.1.2 will be available on their arrival, and
  - 1.1.3 is affordable and sustainable.
- 1.2 The Recipient will ensure that the accommodation is furnished appropriately. The Funding should not be used to procure luxury items: This means that Funding received should be used for food storage, cooking and washing facilities but should not include the provision of other white goods or brown goods, i.e. TV's, DVD players or any other electrical entertainment appliances. This shall not preclude the Recipient from providing Refugees with additional luxury, white or brown goods through other sources of funding.
- 1.3 The Recipient shall ensure that the Refugees are registered with utility companies and ensure that arrangements for payments are put in place (no pre-pay coin or card meter accounts)<sup>10</sup>.
- 1.4 The Recipient will provide briefings on the accommodation and health and safety issues for all new arrivals including the provision of an emergency contact point.

#### Initial Reception Arrangements

- 1.5 The Recipient will meet and greet arriving Refugees from the relevant airport and escort them to their accommodation, briefing them on how to use the amenities.
- 1.6 The Recipient will ensure that Refugees are provided with a welcome pack of groceries on their arrival – the content of this pack should take into account the culture and nationality of the Refugee(s). The Recipient will provide an initial cash allowance for each Refugee of £200 – this is to ensure they have sufficient funds to live on while their claim for benefits is being processed. Where a Refugee is resettled in an area in which Universal Credit has been implemented, the Recipient may provide an additional one-off payment of up to £100 for each Refugee, if required. This should be claimed as an Exceptional Cost.

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<sup>10</sup> It is the Authority's preference that pre-pay coin or card meter accounts should not be used as these are generally more costly for the Refugee. Recipients seeking exceptions should liaise through the Authority's relevant Local Authority Contact Team.



## Casework Support

- 1.7 The Recipient should ensure that Refugees are provided with a dedicated source of advice and support to assist with registering for mainstream benefits and services, and signposting to other advice and information giving agencies – this support includes:
  - 1.7.1 Assisting with the distribution of Biometric Residence Permits following arrival,
  - 1.7.2 Registering with local schools, or if Adults, English language and literacy classes (see paragraphs 1.21-1.28),
  - 1.7.3 Attending local Job Centre Plus appointments for benefit Assessments,
  - 1.7.4 Registering with a local GP, and other healthcare providers in line with identified medical needs,
  - 1.7.5 Advice around and referral to appropriate mental health services and to specialist services for victims of torture as appropriate,
  - 1.7.6 Providing assistance with access to employment.
- 1.8 The Recipient shall develop an overarching (or framework) support plan and bespoke support plans for each family or individual for the first twelve (12) Month period of their support to facilitate their orientation into their new home/area.
- 1.9 Throughout the period of resettlement support the Recipient shall ensure interpreting services are available. Any additional interpreting costs incurred, for example attendance at Job Centre Plus or Healthcare appointments, may be claimed as an Exceptional Cost.
- 1.10 The above outcomes will be provided through a combination of office based appointments, drop in sessions, outreach surgeries and home visits.
- 1.11 The Recipient shall collate such casework information as is agreed to enable the Authority to monitor and evaluate the effectiveness of the Scheme's delivery.

### Requirements for Refugees with special needs/assessed community care needs:

- 1.12 In order to facilitate a Recipient's need to make additional arrangements, such as property adaptations (see also Annex E), for each Refugee identified as potentially having special needs/community care needs the Authority will ensure, as far as possible, that these needs are clearly identified and communicated to the Recipient a minimum of forty-two (42) Days prior to the arrival in the UK of the each Refugee.
- 1.13 Where special needs/community care needs are identified only after arrival in the UK, the Recipient will use its best endeavours to ensure that care is provided by the appropriate mainstream services as quickly as possible.
- 1.14 Where sensitive issues (including safeguarding issues or incidents of domestic abuse, violence or criminality) are identified pre-arrival by the Authority, the Authority will notify the Recipient immediately, and not longer than one (1) Day, after its receipt of the information.

### Provision of Education for U18's:

- 1.15 The Recipient has a statutory duty for ensuring educational places are available for of children of school age.
- 1.16 To support the Recipient in achieving this obligation, the Authority will pay Funding in respect of Refugees aged between 3 and 18 years (including those brought in under the Community Sponsorship Scheme) to meet the:
  - 1.16.1 provision of education in state-funded establishments; and
  - 1.16.2 Recipient's statutory obligations regarding the assessment of Special Educational Needs & Disabilities (SEND), in respect of which the costs of the assessment will also be met on a case-by-case basis.
- 1.17 The Recipient shall be responsible for ensuring that the appropriate level of funding is paid to places of education (incl. schools, academies, free schools and Further Education colleges, as appropriate) who accept Refugees from the relevant age groups.
- 1.18 Further additional payments may also be made in order to cover necessary Exceptional Costs of social care, where compelling circumstances exist. These will be assessed and made on a case-by-case basis.

### English Language Provision for Adult Refugees

- 1.19 The purpose of language training is to ensure that each Adult Refugee is able to progress towards the level of proficiency needed to function in their everyday life, including in the workplace if they are seeking employment.
- 1.20 The Recipient shall undertake an assessment of each Adult Refugee's English language capability to determine their training needs; this assessment should take place at the earliest opportunity to ensure that where Formal Language Training is deemed appropriate the Adult Refugee can access a minimum of eight (8) hours per week within one (1) Month of arrival. The Adult Refugee should be made aware of their assessment level.
- 1.21 If Formal Language Training is deemed appropriate this should be provided to Adult Refugees until they have reached Entry Level 3 or for at least twelve (12) Months after their arrival in the UK, (whichever is the sooner).
- 1.22 In instances where Adult Refugees arrive outside term time, making immediate access to Formal Language Training difficult, alternative Informal Language Training should instead initially be provided within one (1) Month of arrival.
- 1.23 The provision of Informal Language Training is a suitable alternative in instances where a Refugee is assessed as being at pre-entry ESOL level<sup>11</sup> or finds a Formal Language Training environment a barrier to accessibility; in such instances the Recipient should encourage the Adult Refugee to access Formal Language Training in the future. This is because Informal Language Training cannot provide accredited qualifications which are often necessary for accessing employment, further study or training.
- 1.24 All Adult Refugees should be offered the opportunity of accessing conversational practice outside of their Formal Language Training.

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<sup>11</sup> Please also refer to the Guidance on Commissioning ESOL for further information

- 1.25 Where possible, Funding should be used to overcome barriers that prevent Refugees from accessing provision.
- 1.26 Funding to support Adult Refugees' language training needs can be claimed through Part 4 of this Schedule 1 and this is a single payment to be claimed within the first 12 months of arrival.

#### Funding and Claims Process:

- 1.27 The Authority agrees to provide Funding as a contribution to the Recipient's eligible expenditure delivering the outcomes described in Part 1 of this Schedule 1 (paragraphs 1.1 to 1.27, inclusive), on a standard per capita per annum rate for each Refugee as follows:

<b>UNIT COSTS<sup>12</sup></b>					
	<b>Adult Benefit Claimant</b>	<b>Other Adults</b>	<b>Children 5-18</b>	<b>Children 3-4</b>	<b>Children U-3</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Local Authority Costs	8,520	8,520	8,520	8,520	8,520
Education	0	0	4,500	2,250	0
<b>TOTALS</b>	<b>8,520</b>	<b>8,520</b>	<b>13,020</b>	<b>10,770</b>	<b>8,520</b>

- 1.28 Payments will be made based on the age of the Refugee on arrival in the UK.
- 1.29 Once these maxima have been reached, no further funding will be paid by the Authority to a Recipient save for any claims made in respect of Exceptional Costs (see Terms & Conditions, Clauses 6.12 and 6.13).
- 1.30 On the Day of a Refugee's arrival in the UK, the Recipient will be eligible to claim 40% of the total projected annual per capita amount for that person. The Recipient must make a claim on the standard claim form (Annex A).
- 1.31 The remainder will be due in two equal instalments at the end of the fourth (4<sup>th</sup>) and eighth (8<sup>th</sup>) Months following the Refugee's arrival in the UK.
- 1.32 The per capita tariff includes an element for the Recipient to cover up to fifty six (56) Days (i.e. eight weeks) of void costs. The process for claiming additional / exceptional void costs is explained in Annex F.
- 1.33 Additional funding to meet the Recipient's SEND responsibilities for any Refugee will be met by the Authority on a case-by-case basis.
- 1.34 Where compelling circumstances exist, the Recipient may request additional funding for educational purposes in respect of Refugees who are 18 years or younger and who are in full-time education. Such requests will be considered on a case-by-case basis, with the final decision on payment, duration and rate (which may be adjusted from time to time) to be set by the Authority.

<sup>12</sup> Payment values are valid only for the duration of this Funding Instruction; future years are indicative and may, from time to time, be adjusted by the Authority.

## 2. PART 2 – YEAR 2 TO 5 STATEMENT OF OUTCOMES

### Year 2 – 5 Funding

- 2.1 Year 2 – 5 Funding is intended as a contribution towards a Recipient's costs incurred supporting a Refugee's continued participation in the Scheme.
- 2.2 To maximise flexibility, it will be for the Recipient to determine the best use of Funding claimed to support Refugees on their journey towards integration and self-sufficiency. Support could include (but should not be limited to), ongoing integration into the communities into which a Refugee has been resettled; social care costs for adults and children; or, additional educational support. Funding can be used to support Refugees into employment and could be used for sector specific Formal or Informal Language Training and tailored employment support.
- 2.3 The Recipient should be able to explain how they are supporting Refugees and furthering the aims of the Scheme by documenting the type(s) of support provided.

### Funding and Claims Process

- 2.4 The Recipient may claim Funding from the first anniversary (i.e. 12-Months) following a Refugee's arrival in the UK under the Scheme, and for each subsequent year until the end of the fifth year.
- 2.5 The key principles of the Funding are that it:
- 2.5.1 provides a per Refugee annualised tariff (see table 2.6),
  - 2.5.2 is not ringfenced,
  - 2.5.3 supports programme evaluation and reporting, and
  - 2.5.4 can be pooled across all Refugees a Recipient is supporting.
- 2.6 A maximum of four (4) annual flat rate payments may be claimed by a Recipient for each Refugee supported:

UNIT COSTS <sup>13</sup>				
Timeframe	13-24 months	25-36 months	37-48 months	49-60 months
Rate	£5,000	£3,700	£2,300	£1,000

- 2.7 The Authority will only approve one claim per Refugee per annum.
- 2.8 No further Funding will be paid by the Authority to a Recipient apart from for any claims made in respect of Exceptional Costs (see Terms & Conditions, Clauses 6.12 and 6.13).
- 2.9 All claims for Year 2 – 5 Funding must be submitted during the second financial quarter (i.e. from 1 July, but in all cases by 30 September) in the same year: late returns may result in payment requests being delayed or refused. Once satisfied that a payment request has been correctly submitted, the Authority will endeavour to make payments of Funding due during the third quarter of the same financial year (i.e. from 1 October, but no later than 31 December).

<sup>13</sup> Payment values are valid only for the duration of this Funding Instruction; future years are indicative and may, from time to time, be adjusted by the Authority



2.10 Funding will be by means of a single annual payment to be claimed at the times as detailed in the following table:

<b>YEARS 2-5 FUNDING - PAYMENT PROFILE</b>				
<b>Arrivals between</b>	<b>Claim funding for</b>			
	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
22/09/15 - 30/09/15	31/12/2016	30/09/2017	30/09/2018	30/09/2019
01/10/15 - 31/12/15	31/12/2016	30/09/2018	30/09/2019	30/09/2020
01/01/16 - 30/09/16	30/09/2017	30/09/2018	30/09/2019	30/09/2020
01/10/16 - 30/09/17	30/09/2018	30/09/2019	30/09/2020	30/09/2021
01/10/17 - 30/09/18	30/09/2019	30/09/2020	30/09/2021	30/09/2022
01/10/18 - 30/09/19	30/09/2020	30/09/2021	30/09/2022	30/09/2023
01/10/19 – 31/05/20	30/09/2021	30/09/2022	30/09/2023	30/09/2024

### 3. PART 3 – COMMUNITY SPONSORSHIP STATEMENT OF OUTCOMES

- 3.1 A key aspect of the Community Sponsorship Scheme (the 'Scheme') is the requirement for each approved Sponsor to have the support of their relevant statutory authorities, including the Recipient.

#### Reimbursement for Education Costs

- 3.2 In accordance with their statutory duty, a Recipient shall be entitled to claim Funding towards educational costs incurred supporting children of school age up to the following maximum per capita rates:

UNIT COSTS (£GBP) FOR SCHEME <sup>14</sup>					
	Adult Benefit Claimant	Other Adults	Children 5-18	Children 3-4	Children U-3
<b>YEAR 1</b>					
Education	0	0	4,500	2,250	0

- 3.3 The Recipient shall be responsible for ensuring that the appropriate level of funding is paid to places of education (incl. schools, academies, free schools and Further Education colleges, as appropriate) who accept Refugees from the relevant age groups.
- 3.4 The Recipient may request additional funding for educational purposes in respect of supported Refugees who are 18 years or younger and who are in full-time education, where compelling circumstances exist. Such requests will be considered on a case-by-case basis, with the final decision on payment, duration and rate (which may be adjusted from time to time) to be set by the Authority.

#### Reimbursement for other Support Costs during Years 1 and 2

- 3.5 If, for any reason, a Sponsor is unable to fulfil its obligations in delivering the Scheme, the Recipient will be required to step-in and provide the necessary support through:
- 3.5.1 The first twelve (12) Months (Year 1), including the provision of accommodation, casework support, education (incl. Language Training), and social care, as described in Part 1 of this Schedule, and
- 3.5.2 The second twelve (12) Months (Year 2), the provision of accommodation and any other support as the Recipient deems appropriate, as described in Part 2 of this Schedule.
- 3.6 Where a Sponsor becomes unable to fulfil their contractual obligations, or otherwise support the Refugees, a Recipient may also be eligible to claim Funding for each Refugee supported up to the following maximum standard per capita rates:

<sup>14</sup> Payment values are valid only for the duration of this Instruction; future years are indicative and may, from time to time, be adjusted by the Authority.

<b>UNIT COSTS (£GBP) FOR SCHEME<sup>15</sup></b>					
	<b>Adult Benefit Claimant</b>	<b>Other Adults</b>	<b>Children 5-18</b>	<b>Children 3-4</b>	<b>Children U-3</b>
<b>YEAR 1</b>					
Resettlement Costs	8,520	8,520	8,520	8,520	8,520
<b>YEAR 2</b>					
Resettlement Costs	5,000	5,000	5,000	5,000	5,000

- 3.7 It is recognised that a Sponsor may already have fulfilled some of their obligations with respect to a Refugee's support requirements. It will, therefore, be for the Recipient to assess and determine each Refugee's needs against the outcomes described in Part 1 and Part 2 of this Schedule 1.
- 3.8 The exact value of the Funding and timing of the payment will be determined on a case by case basis depending on the circumstances of each Refugee for whom the Recipient is claiming.
- 3.9 Funding up to the maxima noted will be dependent on the length of time for which the Recipient is required to provide support for the Refugee. Typically this will be:
- 3.9.1 More than six (6) Months – full value
- 3.9.2 Less than six (6) Months – 50% of the value

#### **Funding for Years 3 to 5**

- 3.10 A Recipient will be eligible to claim for contributions to costs under the relevant time periods described in Part 2 of this Schedule 1 to be determined on a case by case basis.

<sup>15</sup> Payment values are valid only for the duration of this Instruction; future years are indicative and may, from time to time, be adjusted by the Authority.

## 4. PART 4 – ACCESS TO ESOL: STATEMENT OF OUTCOMES FOR ADDITIONAL FUNDING TO SUPPORT ENGLISH LANGUAGE PROVISION FOR ADULT REFUGEES

### Increasing Access to Language Training

- 4.1 The Funding is primarily intended to increase Adult Refugees' access to Formal Language Training appropriate to their ability and needs.
- 4.2 It can also be used to support Informal Language Training (Part 1, paragraph 1.25 of this Schedule 1).
- 4.3 Different Adult Refugees will face different barriers to participating in Formal Language Training depending on their unique circumstances. There is therefore not a singular uniform activity that this Funding should be used for. Instead, the Recipient's use should be informed by the nature of existing local provision and by each Adult Refugee's specific circumstances and requirements. Possible activities include but should not be considered limited to:
- 4.3.1 Funding for fees in order for the Adult Refugees to access mainstream Formal Language Training,
  - 4.3.2 Commissioning discrete Formal Language Training classes for Adult Refugees or funding advanced levels of ESOL for those that have a higher level of English language proficiency,
  - 4.3.3 Language training supporting access to employment or higher education,
  - 4.3.4 Commissioning classes at the level which faces the greatest pressure in the area with the agreement that some of the Adult Refugees attend – along with other students – and with the agreement that the additional capacity created allows Adult Refugees at other levels to attend mainstream classes,
  - 4.3.5 Supporting the delivery of the minimum eight (8) hours provision per week (Part 1, paragraph 1.22 of this Schedule 1),
  - 4.3.6 Funding evening and weekend classes,
  - 4.3.7 Funding online resources to complement face to face ESOL provision.
- 4.4 The Funding is prioritised for participation in ESOL provision. However, if there is a lack of available provision, up to 25% of the Funding can be spent to increase ESOL infrastructure, and therefore future participation rates, where deemed absolutely necessary. ESOL infrastructure could include, for example, training ESOL teachers, buying equipment and resources and renting classroom space. The 25% of the Funding is classed as spend on non-participation. The Recipient will be expected to report back on the split between participation and non-participation.
- 4.5 For some Adult Refugees, attending Formal Language Training will be more challenging than for others. For example, they might have caring responsibilities, a disability or find attending Formal Language Training difficult, in these instances it is important that steps are taken to address these barriers. The non-participation element of the Funding can be used to support activities that help overcome accessibility barriers.
- 4.6 The Recipient, however, should look to utilise other local or central funding sources or services, wherever possible.
- 4.7 In line with existing good practice guidance on resettlement, it is intended that this Funding be used in a way that promotes integration and the journey towards self-sufficiency.



### Critical Success Factors

- 4.8 The Authority has designed a set of indicators to assess the effectiveness of the Funding in achieving its outcome. These Critical Success Factors are:
- 4.8.1 payments received,
  - 4.8.2 split of spend on participation and spend on non-participation
- 4.9 In addition, Recipients should report on the following:
- 4.9.1 To what extent has the Funding increased local capacity to deliver ESOL? Have there been any delivery barriers which this Funding has not been able to overcome?
  - 4.9.2 To what extent has the Funding improved access to ESOL? Have there been any accessibility barriers which this funding has not been able to overcome?
- 4.10 The Recipient will be expected to report on these success measures through the annual End of Year monitoring process. Please see Guidance on Commissioning ESOL for further information.

### Funding and Claims Process

- 4.11 A per capita payment may be claimed for each Adult Refugee provided with language training by the Recipient at the following standard rate:

Unit Costs (£GBP) <sup>16</sup>	
Adult Refugee	£850

- 4.12 A Recipient may 'pool' any Funding claimed, at a local or regional level, so as to maximise its ability to effectively identify individuals' language training requirements, be responsive to these needs through the most appropriate delivery arrangements and range of providers within a local area.
- 4.13 Following a Refugee being assessed as eligible (Part 1, paragraph 1.22 of this Schedule 1) the Recipient will be able to claim.
- 4.14 The Recipient must make a claim on the standard claim form (Annex A) in order to receive payment. ESOL should be inserted in column O of the Annex and the standard tariff of £850 inserted in column P against each Refugee for whom the Funding is being claimed.
- 4.15 Claims for the £850 ESOL employability funding should be claimed at the same time as the initial tariff payment.

<sup>16</sup> Payment values are valid only for the duration of this Instruction; future years are indicative and may, from time to time, be adjusted by the Authority.

## 5. PART 5 – ACCESS TO ESOL: STATEMENT OF OUTCOMES FOR CHILDCARE SUPPORT

### Outcomes

- 5.1 The Authority recognises that Refugees face barriers to participating in Formal Language Training activity, in particular the provision of childcare.
- 5.2 Delays in starting to learn English upon arrival make it more difficult for Refugees (in particular, women with families) to integrate and become self-sufficient: Removing this barrier is a key to assisting Refugees effectively settling into their new community.
- 5.3 The Authority is making Funding available to help Recipients, whether receiving authorities and/or regional co-ordination bodies (i.e. Strategic Migration Partnerships), across the UK to address this problem.
- 5.4 Access to the Funding will require potential Recipients to submit project proposals intended to break down these barriers using the application form at Annex D.
- 5.5 Projects could provide:
- 5.5.1 traditional forms of childcare such as crèches or playgroups, or
  - 5.5.2 existing childcare providers with support to deliver English language training in addition to their existing services, or
  - 5.5.3 more innovative approaches such as providing family learning events to help adults learn English when they are unwilling or unable to leave their children.
- 5.6 Even the most motivated learners may struggle to attend every class and a flexible approach to provision supported by appropriate childcare is required.
- 5.7 Consideration should also be given to how Refugees supported by Community Sponsors may benefit from this 'Access to ESOL: Childcare Support' Funding.

### Funding and Claims

- 5.8 The Authority agrees to provide Funding as a contribution to the Recipient's eligible expenditure to overcoming childcare barriers whilst Refugees participate in ESOL training as follows:

<b>Maximum UK-wide Funding available for Access to ESOL (Childcare) projects<sup>17</sup></b>				
Access to ESOL Funding	2016-17	2017-18	2018-19	2019-20
	£600,000	£600,000	£600,000	£500,000

- 5.9 Depending on the number of proposed projects the Authority may limit the amount of funding available to each project to ensure a fair distribution of funds. Recipients whose project proposals are approved will be advised as to the amount of funding awarded and the claim process.

<sup>17</sup> Payment values are valid only for the duration of this Memorandum; future years are indicative and may, from time to time, be adjusted by the Authority

### Critical Success Factors

- 5.10 The Authority has designed a set of indicators to assess the effectiveness of the Funding in achieving its outcome. The Critical Success Factor is:
- 5.10.1 Total number of individuals accessing ESOL as a result of this funding
- 5.11 In addition, Recipients should report on the following:
- 5.11.1 To what extent has the additional funding improved access to ESOL among those with child-caring responsibilities?
- 5.11.2 Has there been any accessibility barriers related to childcare which this funding has not been able to overcome?
- 5.11.3 Any additional evidence of the benefits to those participating
- 5.12 The Recipient will be expected to report on these success measures through the annual End of Year monitoring process. We also expect case studies illustrating how it has been beneficial on an individual basis.
- 5.13 If you have any questions about this funding stream, please contact:
- Kellie McHugh (e: [Kellie.McHugh@homeoffice.gov.uk](mailto:Kellie.McHugh@homeoffice.gov.uk))

# ANNEX A – EXPENDITURE CLAIM PRO-FORMA

The following Annex A Excel spreadsheets and appendix to be provided separately.

- VPRS Annex A – Year 1 initial claim
- VPRS Annex A – Year 1 subsequent claims
- VCRS Annex A – Year 1 initial claim
- VCRS Annex A – Year 1 subsequent claims
  
- VPRS Annex A – Years 2 to 5
  
- VCRS Annex A – Years 2 to 5
  
- Appendix to VPRS Annex A for Additional Costs claimed
  
- Appendix to VCRS Annex A for Additional Costs claimed

# ANNEX B – UNHCR RESETTLEMENT SUBMISSION CATEGORIES

The Authority is responsible for identifying suitable Refugees for resettlement to the UK under the Vulnerable Persons Resettlement Scheme in liaison with the United Nations High Commission for Refugees (UNHCR) based upon the following seven resettlement submission categories<sup>18</sup>:

- Legal and or Physical Protection Needs
- Survivors of Torture and/or Violence
- Medical Needs
- Women and Girls at Risk
- Family Reunification
- Children and Adolescents at Risk\*
- Lack of Foreseeable Alternative Durable Solutions

The Vulnerable Children's Resettlement Scheme (VCRS) is only open to those referred under the resettlement submission categories of Children and Adolescents at Risk as defined by UNHCR.

## \*UNHCR's Categories of Children and Adolescents at Risk (VCRS)

- **Unaccompanied children (UAC):** are those children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so.
- **Separated children (SC):** are those separated from both parents, or from their previous legal or customary primary care-giver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.
- **Children without legal documentation:** This would include children without legal documentation to prove their legal identity, and who may be particularly vulnerable and considered for resettlement, including:
  1. children aged 0-4 year who lack evidence of their birth (no birth certificate, no birth notification passport or family booklet), and where one parent is not present (in particular, where the parent who has the right to pass nationality is not present), or
  2. children aged 12-17 who lack documentation to prove their age and who face other protection risks (child labour, child marriage, child recruitment, children detained or in conflict with the law) who are at particular risk because they lack proof of their status as children and are therefore unable to prove their right to age-specific child protections under the law.

<sup>18</sup> As defined in the UNHCR's Resettlement Handbook (<http://www.unhcr.org/46f7c0ee2.pdf>)



- **Children with specific medical needs:** Child with serious medical condition is a person below the age of 18 that requires assistance, in terms of treatment or provision of nutritional and non-food items, in the country of asylum.
- **Children with disabilities:** A child with disability is a person below the age of 18 who has physical, mental, intellectual or sensory impairments from birth, or resulting from illness, infection, injury or trauma. These may hinder full and effective participation in society on an equal basis with others.
- **Child carers:** The Child Carer category includes a person below the age of 18, who is not an unaccompanied child and who has assumed responsibility as head of household. This could include, for example, a child who still lives with his/her parents, but has taken on the role of caring for them (and possible siblings) due to the fact that the parents are ill, disabled, etc.
- **Children at risk of harmful traditional practices, including child marriage and female genital mutilation:** Person below the age of 18 years of age who is at risk of, or is a victim/ survivor of a harmful traditional practice. Every social grouping has specific traditional practices and beliefs, some of which are beneficial to all members while others are harmful to a specific group, such as women. Such harmful traditional practices include for instance, female genital mutilation, early marriage, dowry price, widow inheritance, female force feeding, witch hunting, female infanticide, son preference and its implications for the girl child. Depending on the circumstances, certain forms of male circumcision, scarring or tattooing fall also under this category.
- **Child labour:** Includes children engaged in:
  - (i) the worst forms of child labour: Person below the age of 18 who is engaged in the worst forms of child labour, which include all forms of slavery or practices similar slavery (such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict); the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children; and
  - (ii) other forms of child labour: Person below the age of 18 who is engaged in forms of child labour other than the worst forms, such as work that is likely to be hazardous or to interfere with his/her education, or to be harmful to his/her health or physical, mental, spiritual, moral or social development. UNICEF defines child labour as work that exceeds a minimum number of hours, depending on the age of a child and on the type of work. Such work is considered harmful to the child: ages 5-11: at least one hour of economic labour or 28 hours of domestic labour per week; ages 12-14: at least 14 hours of economic labour or 28 hours of domestic labour per week; ages 15-17: at least 43 hours of economic or domestic work per week.
- **Children associated with armed forces or armed groups:** are persons below the age of 18 who are or have been recruited into, or used by, an armed force or armed group in any capacity, including as fighter, cook, porter, messenger, spy, or for sexual purposes or forced marriage. It does not only refer to a child who is taking or has taken a direct part in hostilities.

- ***Children in detention and/or in conflict with the law:*** Person below the age of 18 who is, or has been, charged or convicted for an infringement of the law.
- ***Children at risk of refoulement<sup>19</sup>:*** Person below the age of 18 who is at risk of being returned to the frontiers of territories where his/her life or freedom would be threatened, or where he/she is at risk of persecution for one of more grounds of the 1951 Refugee Convention, including interception, rejection at the frontier or indirect *refoulement*.
- ***Children at risk of not attending school:*** Person below the age of 18 who is unable or unwilling to attend school or is at heightened risk of interruption or discontinuation of his/her education.
- ***Children survivors of (or at risk of) violence, abuse or exploitation, including Sexual and Gender-Based Violence (SGBV):*** Person below 18 years of age, who is at risk of physical and/or psychological violence, abuse, neglect or exploitation. The perpetrator may be any person, group or institution, including both state and non-state actors.

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<sup>19</sup> Refoulement means the expulsion of persons who have the right to be recognised as refugees.

# ANNEX C – DATA SHARING PROTOCOL (DSP)

## 1. AIMS AND OBJECTIVES OF THE DSP

- 1.1 The aim of this DSP is to provide a set of principles for information sharing.
- 1.2 This DSP sets out the rules that the Recipient must follow when handling information classified as “personal data” by Data Protection Legislation in force.<sup>1</sup>

## 2. DATA PROTECTION LEGISLATION

- 2.1 The Data Protection Legislation stipulates specific obligations upon all individuals who process personal data which must be adhered to. The Data Protection Legislation requires that all transfers of information fall within its six data protection principles. The Recipient, when processing personal data in connection with the Instruction, must comply with these principles of good practice.
- 2.2 Personal data must be processed in accordance with the following six data protection principles:
  - a) processed lawfully, fairly and in a transparent manner in relation to individuals;
  - b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
  - c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
  - d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
  - e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and

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<sup>1</sup>Data Protection Legislation in force, namely:

- a) any legislation in force from time to time in the United Kingdom which implements the European Community’s Directive 95/46/EC and Directive 2002/58/EC, including but not limited to the Data Protection Act 1988 and the Privacy and Electronic Communications (EC Directive) Regulations 2003;
- b) EU General Data Protection Regulation and Data Protection Act 2018.

f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

### 3. SECURITY

3.1 The Recipient and its Staff shall exercise care in the use of information that they acquire in the course of their official role, and to protect information which is held by them in accordance with the Data Protection Legislation. Such measures include:

- not discussing information about a Beneficiary in public; and
- not disclosing information to parties who are not authorised to have access to the shared information.

3.2 In addition to the above, the Recipient must ensure that:

- personal data received is processed solely for the purposes of discharging their obligations for supporting Beneficiaries under this Instruction,
- all personal data received is stored securely,
- only people who have a genuine need to see the data will have access to it,
- information is only retained while there is a need to keep it, and destroyed in line with government guidelines,
- all reasonable efforts have been taken to warrant that the Recipient does not commit a personal data breach
- any information losses, wrongful disclosures or personal data breaches originating from the Authority are reported to the Authority's Security team at [HOSecurity-DataIncidents@homeoffice.gov.uk](mailto:HOSecurity-DataIncidents@homeoffice.gov.uk)
- The Authorities, Security Team and Data Protection Officer will provide direction on the appropriate steps to take e.g. notification of the Information Commissioner's Office (ICO) or dissemination of any information to the Beneficiaries
- The responsibility to notify the HO is not withstanding any internal policies SMPs may have regarding reporting data breaches to the ICO.
- Security breaches and incidents can result in government information being made available to those not authorised to have it or violate confidentiality. In the worst cases, a security incident or breach can jeopardise national security or endanger the safety of the public.

3.3 Security breaches and incidents can result in government information being made available to those not authorised to have it or violate confidentiality. In the worst cases, a security incident or breach can jeopardise national security or endanger the safety of the public.

3.4 The Authority will make available further information as to what constitutes a personal data breach upon request.

3.5 As public sector bodies the Authority and the Recipient are required to process

personal data in line with Her Majesty's Government Security Policy Framework (HMG SPF) guidance issued by the Cabinet Office when handling, transferring, storing, accessing or destroying information assets.

## 4. SUBJECT ACCESS REQUESTS

4.1 The Authority and the Recipient will answer any subject access or other requests made under the Data Protection Legislation that it receives for the data where it is the Controller for that data. In cases where such a request is received, both the Authority and the Recipient shall:

- consult the other before deciding whether or not to disclose the information;
- allow the other a period of at least five (5) working days to respond to that consultation;
- not disclose any personal data that would breach the principles of the Data Protection Legislation; and
- give proper consideration to any arguments from the other as to why data should not be disclosed, and where possible reach agreement before any disclosure is made.

## 5. DATA TO BE SHARED

5.1 The Authority will share with the Recipient the following documents on a Refugee:

5.1.1 UNHCR Resettlement Referral Form (RRF)

5.1.2 Migration Health Assessment form (MHA)

5.1.3 Best Interest Assessments and Determinations

5.1.4 Pre departure Medical Screening Form (PDMS)

5.2 The above documents will contain the following personal information on a Refugee:

### **UNHCR Resettlement Registration Form (RRF)**

- biographic data for each Refugee including marital status, religion, ethnic origin, contact details in host country;
- Education, skills and employment summary;
- known relatives of the principal applicant and spouse not included in referrals submission;
- summary of the Basis of the Principal Applicant's Refugee Recognition<sup>2</sup>;
- Need for resettlement<sup>3</sup>;



- specific needs assessment<sup>4</sup>;
- the number of people within a family due to be resettled, age and gender or family members;
- the language spoken;
- ability to communicate in English; and
- any known specific cultural or social issues<sup>5</sup>.

### **MHA Form**

- consent from Refugee to conduct a medical examination;
- consent from the Refugee to Medical Advisors to disclose any existing medical conditions to the Authority necessary for the resettlement process<sup>6</sup>.

### **Best Interest Assessments and Determinations**

- information about any particular safeguarding circumstances and an assessment of the best interests of the individuals affected<sup>7</sup>.

### **PDMS Form**

- biographic data for each refugee that requires this form;
- Medical information in relation to the refugee including medical history, updates on treatments and medication, on-going care requirements.

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<sup>2</sup>Classed as sensitive personal information under Data Protection Legislation.

<sup>3</sup>Classed as sensitive personal information under Data Protection Legislation.

<sup>4</sup>Depending on the content, this could be classed as potentially sensitive personal information under Data Protection Legislation.

<sup>5</sup>Depending on the content, this could be classed as potentially sensitive personal information under the Data Protection Legislation.

<sup>6</sup>Classed as sensitive personal information under Data Protection Legislation.

<sup>7</sup>Depending on the content, this could be classed as potentially sensitive personal information under Data Protection Legislation.

## **6. STORAGE, RETENTION AND DESTRUCTION SCHEDULE**

- 6.1 The Recipient will keep all personal information shared securely in accordance with the handling instructions associated with the information security classifications as well as its own data retention and destruction schedules.
- 6.2 Recipients will not retain the personal information for longer than is necessary for the purpose of resettlement activity as outlined in the funding instruction.
- 6.3 A regular review shall be conducted by the Recipient to assess the necessity of retaining the Refugee's personal data. Once the data is no longer relevant for those purposes it will be destroyed securely.

## **7. CENTRAL POINTS OF CONTACT FOR ISSUES, DISPUTES AND RESOLUTION**

- 7.1 The Recipient shall provide the Authority with reasonable co-operation and assistance in relation to any complaint or request made in respect of any data shared under this data sharing arrangement, including providing the Authority with any other relevant information reasonably requested by the Authority.
- 7.2 Any operational issues or disputes that arise as a result of this DSP must be directed in the first instance to the Resettlement Programme Strategic Regional leads.

## **8. STAFF RESPONSIBILITIES**

- 8.1 Staff authorised to access a Beneficiary's personal data are personally responsible for the safekeeping of any information they obtain, handle, use and disclose.
- 8.2 Staff should know how to obtain, use and share information they legitimately need to do their job.
- 8.3 Staff have an obligation to request proof of identity, or takes steps to validate the authorisation of another before disclosing any information requested under this DSP.
- 8.4 Staff should uphold the general principles of confidentiality, follow the guide-lines set out in this DSP and seek advice when necessary.
- 8.5 Staff should be aware that any violation of privacy or breach of confidentiality is unlawful and a disciplinary matter that could lead to their dismissal. Criminal proceedings might also be brought against that individual.

## **9. FREEDOM OF INFORMATION REQUESTS**

- 9.1 Both the Authority and the Recipient will answer any requests made under the Freedom of Information Act 2000 that it receives for information that it holds solely as a result of, or about, this data sharing arrangement. In such cases where such a request is received, both the Authority and the Recipient shall:

- consult the other before deciding whether or not to disclose the information;
- allow the other a period of at least five (5) working days to respond to that consultation; and
- not disclose any personal data that would breach the principles of the Data Protection legislation.

## **10. METHOD OF TRANSFER OF A BENEFICIARY'S PERSONAL DATA**

- 10.1 The Authority will use a secure process, known as MOVEit, to transfer the data which allows internal and external users to share files securely and shall provide the interaction between the parties.
- 10.2 The Recipient shall be given access to MOVEit over a web-based browser. Once this arrangement is operative, the Recipient shall, to the extent from time to time specified by the Authority, be required to use MOVEit for the purpose of its interface with the Authority under this Memorandum.
- 10.3 A list of authorised Staff should be available for inspection if requested by the Authority.

## **11. RESTRICTIONS ON USE OF THE SHARED INFORMATION**

- 11.1 All information on a Refugee that has been shared by the Authority must only be used for the purposes defined in Section 3 of this DSP, unless obliged under statute or regulation or under the instructions of a court. Therefore any further uses made of the personal data will not be lawful or covered by this DSP.
- 11.2 Restrictions may also apply to any further use of personal information, such as commercial sensitivity or prejudice to others caused by the information's release, and this should be considered when considering secondary use of personal information. In the event of any doubt arising, the matter shall be referred to the Authority whose decision – in all instances – shall be final.
- 11.3 A full record of any secondary disclosure(s) must be made if required by law or a court order on the Beneficiary's case file and must include the following information as a minimum:
- date of disclosure;
  - details of requesting organisation;
  - reason for request;
  - what type(s) of data has been requested;
  - details of authorising person;
  - means of transfer (must be by secure); and
  - justification of disclosure.
- 11.4 The restrictions on secondary disclosures as set out in paragraph 11.1 and 11.2 of this DSP apply equally to third party recipients based in the UK and third party recipients based outside the UK such as international enforcement agencies.

## 12. AUDITS

- 12.1 The Recipient agrees that it may be audited at the request of the Authority to ensure that the personal data has been stored and/or deleted appropriately, and that they have conformed to the security protocols set out in this DSP.
- 12.2 The Authority confirms that no other information would be reviewed or audited for this purpose.

# ANNEX D – ESOL CHILDCARE FUNDING BID TEMPLATE

The ESOL Childcare Funding Bid Template will be provided separately.



# ANNEX E – PROPERTY ADAPTATIONS FOR REFUGEES

Property adaptations for Refugees who have mobility issues are divided into two categories:

- a) minor adaptations which are included within the tariff rate, and
- b) major adaptations which may be paid for from the Exceptional Cases fund.

## Minor adaptations

These are works that do not need any structural changes to the property including:

- grab rails
- stair rails
- lever taps
- level access thresholds
- half steps to doors
- flashing/vibrating doorbells/smoke alarms, and
- overbath showers.

These would be paid for from the standard tariff for each Refugee.

## Major adaptations

These are works that do need structural changes to the property and can include:

Adaptation	Estimated average cost (£GBP)
level access shower facilities	£3,500
Stairlifts	£1,500 (Straight) – £5,000 (Corners)
Ramps	£500 to £1000
changing the height of kitchen work surfaces	TBC
adapting your home for wheelchair use such as widening doorways	£600 - £800 per door
ground floor bathroom/bedroom facilities	£2000 to £3000

These may be funded by the exceptional cases fund following an assessment by an occupational therapist or similarly qualified person. The maximum that can be spent on any property is £30,000 and should not include extensions.

'In principle' approval would need to be sought from the Resettlement Local Authority Payments Team in advance of any work being undertaken. Costs would be expected to be in line with average costs for each adaptation shown in the table above. The Scheme will consider reasonable reversal costs – approval would need to be sought from the Resettlement Local Authority Payments Team prior to any work.

If a grant is made available for adapting a Social or Private Rented property the landlord is required to make the property available for letting by the tenant for a period of five (5) years upon completion of the work, in line with the Disabled Facility Grant arrangements.

## ANNEX F – VOID COSTS FOR FOUR BEDROOM PROPERTIES

Local authorities are already able to use the Year One tariff (see Schedule 1, Part 1) to pay for a period of void costs. To reflect this, fifty six (56) Days void costs ('voids') are already built into the tariff to enable Recipients to secure properties before Refugee families arrive.

The Authority understands the supply challenges associated with securing four (4) bedroom properties in particular. To support Recipients to secure these properties when they become available, the Authority has agreed to fund an additional twenty-eight (28) Days voids as an Exceptional Cost outside of the tariff. This will bring the total period of voids covered up to eighty four (84) Days and align with the move to regional working and the planning of regular charter flights into each region.

### Criteria

Recipients are able to submit an Exceptional Costs claim to pay for up to an additional twenty eight (28) Days voids for four (4) bedroom properties only.

Claims can be submitted for costs accrued from 1 April 2016. They must be accompanied by evidence demonstrating excess voids were incurred over and above the tariff fifty six (56) Days, up to a maximum of an additional twenty eight (28) Days.

The Authority will also consider other voids in exceptional circumstances, such as non-arrival of a family after the property has been secured.

Recipients are asked to contact their regional contact officer to discuss if they believe exceptional circumstances apply.

Mae'r dudalen hon yn wag yn fwriadol

My Ref: Scrutiny/Correspondence/Cllr McGarry  
7 May 2019

Councillor Susan Elsmore  
Cabinet Member Social Care, Health & Well-being  
County Hall  
Cardiff  
CF10 4UW



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Dear Susan,

**COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE – 1 MAY 2019 –  
VULNERABLE PERSONS RESETTLEMENT SCHEME**

As Chair of the Community & Adult Services Scrutiny Committee, I wish to thank you and officers for attending Committee and providing Members with an opportunity to consider the Vulnerable Persons Resettlement Scheme prior to its consideration by Cabinet on 16 May. Members of the Committee have requested that I feedback the following comments and observations to you:

Overall, Members support the proposed Cabinet Report and share the objective of ensuring individuals placed within the scheme are safe and settled within cohesive communities. Members noted the upcoming tender exercise to procure a support provider and concur with yourself and officers over the importance of ensuring a smooth transition.

Members raised their concerns over possible pressures in sourcing accommodation and noted the breakdown provided by officers of the accommodation systems in place and the information provided on how suitable accommodation is sourced. Members noted that within the current climate of growing demand for housing, and the significant gap between supply and demand, the scheme will have no impact on the homeless or those within the housing allocation system.

Thank you again to you and officers for attending Committee, I do not require a response to this letter.

Yours,

**COUNTY COUNCILLOR MARY M<sup>C</sup>GARRY**

**Chairperson - Community & Adult Services Scrutiny Committee**

Cc: Sarah McGill, Corporate Director.

Tom Dodsworth, Regional Resettlement Co-ordinator.

Kate Hustler, Operational Manager.

Cabinet Office.

**GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI**

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog. Byddwn yn cyfathrebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

**WORKING FOR CARDIFF, WORKING FOR YOU**

The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.

Tudalen 233





Mae'r dudalen hon yn wag yn fwriadol

**LED STREET LIGHTING ON RESIDENTIAL HIGHWAY NETWORK**

**STRATEGIC PLANNING AND TRANSPORT (COUNCILLOR CARO WILD)**

**AGENDA ITEM: 3**

*Appendix 1 to this report is exempt from publication because it contains information of the kind described in paragraphs 14 and 21 of parts 4 and 5 of Schedule 12A of the Local Government Act 1972.*

**Reason for this Report**

1. To seek Cabinet approval to procure a contract for the delivery of LED street lighting on the residential highway network.

**Background**

2. On 16<sup>th</sup> June 2016, Cabinet approved the procurement of LED street lighting on the strategic road network. The conclusion of this scheme was to successfully implement 13,600 LED street lights across Cardiff; achieving savings relating to the Medium Term Financial Plan through energy reduction and a reduction in Council's operational CO2 emissions.
3. The aforementioned scheme has reduced energy consumption and achieved saving targets as approved by Council as part of that relevant year's budget detailed in the table below.

2015/16 £000	2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	Total £000
50	150	60	80	122	462

4. The proposal to install LED street lighting on the residential network is the final stage of the programme. By converting the remaining 23,750 residential streetlights to LED, with the exception of a very small number of ornamental lights, all highway street lighting will have been converted.
5. To support the development of a business case a pilot scheme was implemented in Radyr consisting of 1250 LED street lights being converted in a residential setting. This pilot provided a good indication of the acceptance of the change to LED street lighting by residents. Only four complaints were received within the pilot area; however, these all related to the physical installation of the lighting and were rectified as part of the works.

6. The potential negative effects of LED has been the subject of the media on a number of occasions. Therefore, prior to the introduction of LED lighting on the strategic network, a trial of LED street lighting lanterns took place and included consultation with vulnerable users, the night sky group and an individual who has legally challenged another local authority in relation to street lighting. In addition the aforementioned Radyr pilot scheme was in a residential setting and provided a good indication of the acceptance of the change to LED street lighting by residents.
7. The project capital cost is shown in Appendix 1 and will reduce energy costs by £424k per annum based 2018/19 energy prices. This energy saving will support the installation, maintenance and financing of the project which is assumed to pay back initial investment over a 15 year period from revenue savings generated.
8. The business case for the project has been reviewed at the Investment Review Board to assess the robustness of the model.
9. The internal components of the existing lighting are time limited and will require replacement in the short to medium term. Due to the efficiencies associated with LED it is now the product of choice and conversely the production of traditional lighting has reduced. There have been incidences of supply issues and cost increases with one larger manufacturer of a key component within the existing lighting systems going into administration. Although there are other manufacturers and therefore maintenance requirements can continue to be delivered, it is likely that material costs will continue to rise.
10. The introduction of new lighting with an estimated 10 year guarantee will provide surety of a long term quality asset. Should the opportunity not be taken to invest at this time, with the ability to fund the change through energy and efficiency savings, the requirement to replace the asset at a later date will remain. In addition the Council will need to identify future revenue budget to fund any future cost increases in energy prices.

**Positive Impacts:**

**Environmental**

11. By implementing the proposal to provide LED street lighting on the residential network a total of 836 tonnes of CO2 (using the 2018 UK Green House Gas conversion factors) will be saved from Council operations. This will contribute to the Councils carbon reduction target of 26% in CO2 emissions from key Council operations by 2020 (from 2005/06 baseline).

Number of Lanterns	kWh Reduction	CO2 Reduction (tonnes)
23,750	2,977,253	836

12. The Well-being of Future Generations Act came into force for local authorities in April 2016. The legislation requires us to contribute positively

to 7 national Well-being Goals and 5 Ways of Working. The 'Prosperous Wales' goal promotes a low carbon society, and climate change mitigation actions demonstrate both the 'Long-term' and 'Preventative' Ways of Working. Climate change actions also contribute positively to the 'Energy' and 'Place' strands of One Planet Cardiff.

## Financial

13. The proposed scheme will reduce ongoing maintenance and planned lifecycle renewal costs of existing lanterns, reducing both revenue and capital financial pressures. The following financial benefits can be realised as follows:

- **Cashable Revenue Budget Savings:**  
Reduction in energy cost of £424k per annum based on 2018/19 energy prices and reduced ongoing maintenance and renewal.
- **Future Cost Avoidance:**  
Energy prices have increased on average by 14% over the last 2 years, and have increased by 16% in 2019/20.  
The model in Appendix 1 assumes no further increases in energy costs to demonstrate that the investment can be repaid over a reasonable period. The investment will safeguard the Council against future additional price increases and avoid the submission of future financial pressure bids.  
Whilst the model assumes no increase in energy prices, a 2% increase in prices will generate additional savings of £132k and a 5% increase an additional £332k compared to the model over the life of the project.
- **Interest Free Loan:**  
The project is included in the Council's approved capital programme on an invest to save basis. In addition Cardiff Council has a commitment letter for an interest-free Salix loan for £4.578M. This will optimise savings via reduced interest charges. All loans and interest costs will be repaid from the energy savings arising from the implementation.
- **Reprioritisation of Street Lighting Capital Budgets:**  
The ability to reprioritise existing street lighting capital budgets for reinvestment into associated street lighting assets and highway infrastructure.

## Control

14. A Central Management System (CMS) was introduced when LED street lighting was implemented on the strategic road network. The LED street lighting on the residential road network will also have a Central Management System and will synchronise with the existing.

15. The CMS allows Officers to raise and lower lighting levels to support improving energy efficiency and therefore maximise saving potential, whilst allowing the management of any concerns relating to lighting levels.
16. The CMS will allow integration with other technology in a SMART City approach to managing city infrastructure. There is also an opportunity to share the real-time street lighting information with C2C and residents.
17. The introduction of LED technology with a Central Management System will provide improvements in the management of street lighting including reducing resident complaints and cost avoidance of future energy price increases and future replacement costs.
18. The specification for residential streets will match that of the strategic network which is a white light of 3000 kelvins. This is a warmer light colour that matches the existing white light already located in residential areas so the effect on individuals should be minimum as the apparent change will be minor. To date very few complaints have been received related to LED installation and any issues reported have been efficiently managed through minor adjustments and the CMS system.

### **Procurement Approach**

19. The project will be tendered via OJEU open procedure via 'Sell to Wales' as the South East Wales Contractor framework did not offer the scope for competition for this specialist contract. The Council will utilise the Welsh Government SQUID pre-qualification document for the purposes of the selection process.
20. The proposed procurement timetable is shown below. This is intended as a guide.

<b>Stage</b>	<b>Date(s)/time</b>
Issue of Invitation to Tender	02 <sup>nd</sup> September 2019
Closing date for the downloading of documents and for requests for information.	30 <sup>th</sup> September 2019
Final Issue of clarification responses	07 <sup>th</sup> October 2019
Closing date for submission of Tenders	17 <sup>th</sup> October 2019.
Evaluation of Tenders	01 November 2019.
Notification of result of evaluation	08 <sup>th</sup> November 2019.
Standstill period	08 <sup>th</sup> November to 22 <sup>nd</sup> November 2019.
Expected date of award of Contract	25 <sup>th</sup> November 2019.
Contract Start Date	02 <sup>nd</sup> December 2019.



21. The term of contract will be NEC Engineering and Construction Contract Option B – Priced Contract with Bill of Quantities. The proposed commencement date for the contract will be December 2019 and it is estimated the contract duration will be 18 months.

### **Local Member consultation**

22. Whilst formal Member consultation is not required an information pack and programme will be developed and circulated prior to commencement of the contract. This will contain frequently asked questions to ensure that Local Members are fully informed and are able to engage and correspond directly with constituents as required.

### **Reason for Recommendations**

23. To give authority to procure a contract for the delivery of LED street lighting on the residential highway network.
24. The LED street lighting programme supports Cardiff's Capital Ambition by improving the sustainability of the city both financially and environmentally, by reducing the operation energy requirements for lighting and associated CO2 emissions. Furthermore, the LED street lighting technology adopts Smart City approaches to managing infrastructure by the introduction of a Central Management System.

### **Financial Implications**

25. The capital programme, approved in 2019/20, includes an invest to save allocation to meet the estimated capital cost of the scheme. This was subject to a business case, which has been considered by Investment Review Board. Following receipt of the final tender costs, the business case should be updated before entering into a contract for implementation and effective processes should be put in place to manage the implementation and any variations to that contract.
26. Similar to the project to replace lighting on Strategic Routes, Salix have offered an in principal interest free loan of £4.578 million. This supports the Council in minimising any short-term interest costs as a result of undertaking the investment. Salix have also undertaken due diligence on the proposal as part of their assessment. Any loan would need to be approved by the S151 officer. Any expenditure undertaken on an invest to save basis will need to be repaid irrespective of whether the savings in energy consumption is met, with any shortfall arising in future years to be met from the Directorate revenue budget should this scenario arise.
27. The model outlined in appendix 1 shows that the investment pays for itself from a combination of reduced energy costs and maintenance of lighting revenue budgets over a 15 year period.
28. The base model assumes a net revenue surplus of £458,000 after all investment has been repaid. Any peaks or troughs in year will need to be

managed as part of in year revenue budgets or by creating a reserve to smooth out the financial implications.

29. The model assumes 2018/19 energy prices remaining constant over the period, however the historic trend in energy prices suggests the likelihood of increases in future. The report sets out the sensitivity and impact on the model of assumed future price increases. Reducing the level of energy consumption in the short term will support cost avoidance and mitigate the impact of any future energy price increases for the Council.
30. Where any vesting of equipment is required to secure a steady supply chain for installation, this should be done in consultation with legal services to ensure ownership remains in the name of the Council.

### **Legal Implications**

28. The proposed recommendation, is to seek approval to commence the tendering process to procure a Works contract to deliver LED street lighting, which can be achieved within legal constraints.
29. The overall estimated value of the contract exceeds the EU threshold for Works contracts. As such, the full ambit of the Public Contracts Regulations 2015 ("PCR 2015") apply along with the EC treaty based principles of equal treatment, non-discrimination, transparency, proportionality and mutual recognition.
30. It is understood from the body of the report that the Directorate intends to run a fully compliant procurement process following the Open procedure pursuant to Regulation 27 of the PCR 2015 and advertise a Contract Notice published via the Official Journal of the European Union (OJEU). In Open procedures, any interested economic operator may submit a tender in response to a contract notice. Accordingly all of the tender documents must be ready and available to the tenderers from the date of publication of the OJEU.
31. Detailed legal advice should be obtained throughout the procurement process with regard to i) the drafting of all the relevant procurement documentation (including the draft terms and conditions of contract) and ii) the procurement process in general.
32. It is understood the proposal is to be funded partly, through interest free Salix funding. The terms and conditions that attach to such funding should be checked to ensure that the Council can comply with the same.

### **Generic Advice**

34. In considering the matters set out in this report regard should be had, amongst other things, to:
  - (a) The Welsh Language (Wales) Measure 2011 and the Welsh Language Standards

(b) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics.

Protected characteristics are : a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; i. Religion or belief – including lack of belief.

The report identifies that an Equality Impact Assessment has been carried out and is appended at Appendix 2. The purpose of the Equality Impact Assessment is to ensure that the Council has understood the potential impacts of the proposal in terms of equality so that it can ensure that it is making proportionate and rational decisions having due regard to its public sector equality duty. The decision maker must have due regards to the Equality Impact Assessment in making its decision.

(a) The Social Services and Well -Being (Wales) Act 2014 and

(b) ) The Well - Being of Future Generations (Wales) Act 2015

#### Well Being of Future Generations (Wales) Act 2015

36. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
37. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well - being goals. The well - being objectives are set out in Cardiff's Corporate Plan 2019-22:  
  
<http://cmsprd.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202018-21.pdf>
38. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
39. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
40. The well being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to

act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:

- Look to the long term
- Focus on prevention by understanding the root causes of problems
- Deliver an integrated approach to achieving the 7 national well-being goals
- Work in collaboration with others to find shared sustainable solutions
- Involve people from all sections of the community in the decisions which affect them

41. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below:

<http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

### **HR Implications**

43. There are no current employee implications to be considered in this report.

### **RECOMMENDATIONS**

Cabinet is recommended to

1. Agree the proposed procurement process to commission a Works contract to deliver LED street lighting for the residential highway network as set out in the body of the report; and
2. delegate authority to the Director of Planning, Transport and Environment, subject to consultation with the Cabinet Member for Finance, Modernisation and Performance and the Cabinet Member Strategic Planning and Transport, to deal with all aspects of the procurement process (including approving the evaluation criteria to be used and authorising the award of the proposed contract) and all ancillary matters pertaining to the procurement.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>Andrew Gregory</b> Director of Planning, Transport & Environment
	10 May 2019

*The following appendices are attached:*

Appendix 1 – Cost benefit analysis for LED with Central Management System – 15 year repayment.

Appendix 2 – Equality Impact Assessment

*The following background papers have been taken into account*

Business Case – Highway Infrastructure Energy Programme – Residential LED Street Lighting Network (presented to investment review board on 15<sup>th</sup> February 2019)

Cabinet Report. LED Street Lighting on Strategic Highway Routes. Cabinet Meeting 16 June 2016.



Mae'r dudalen hon yn wag yn fwriadol

Yn rhinwedd paragraff (au) 14, 21 Rhan (nau) 4 a 5 o Atodlen 12A  
o Ddeddf Llywodraeth Leol 1972.

Mynediad Cyfyngedig i'r Ddogfen

Mae'r dudalen hon yn wag yn fwriadol

Equality Impact Assessment  
Corporate Assessment Template

<b>Policy/Strategy/Project/Procedure/Service/Function Title:</b> Residential Locations LED Lighting EqIA 20042019
<b>New/Existing/Updating/Amending:</b> Retrofit Lanterns in residential locations to achieve energy savings.

<b>Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function?</b>	
Name: Gary Brown	Job Title: Operational Manager - Assets, Engineering and Operations
Service Team: Operational Manager - Assets, Engineering and Operations	Service Area: SPHT&T
Assessment Date: 20/04/2019	

**1. What are the objectives of the Policy/Strategy/Project/ Procedure/ Service/Function?**

<p>Cardiff Council has the aspiration of becoming the most liveable European capital city. A key theme within this is enhancing the quality of environment, reducing carbon footprint within the context of effective budgetary control. The proposal to convert 23,750 street lights located on residential streets to LED street lighting is a positive step in achieving this objective in terms of the street environment.</p> <p>Following the successful implementation of LED lighting on the strategic highway network, which comprises the major traffic routes through the City, the improvements experienced can be further spread by introducing the same lighting strategy to the remaining streets, that being the residential network, throughout the city.</p> <p>The Well-being of Future Generations Act came into force for local authorities in April 2016. The legislation requires us to contribute positively to 7 national Well-being Goals and 5 Ways of Working. The 'Prosperous Wales' goal promotes a low carbon society, and climate change mitigation actions demonstrate both the 'Long-term' and 'Preventative' Ways of Working. Climate change actions also contribute positively to the 'Energy' and 'Place' strands of One Planet Cardiff.</p> <p>To achieve predicted energy savings and reduce CO<sup>2</sup> emissions on the higher street lighting wattages from 90Watt to 250Watt. Having considered a number of alternatives such as dimming existing assets, part night lighting etc the decision was made to investigate a roll out of LED technology.</p> <p>This will be achieved by retrofitting existing lanterns to LED equivalents. Loans to fund the capital required will be repaid from the energy savings. The capital investment required will be circa £7m and addresses approximately 23,750</p>
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**Equality Impact Assessment  
Corporate Assessment Template**

lanterns on the residential highway network. It is likely that the Works will be carried out over 18 months (30% in 19/20 and 70% in 20/21). The project is predicted to achieve 45% savings in Energy and Carbon emissions and also significantly reduce maintenance costs.

The stakeholders affected will vary depending on location and time of day, but generally includes local residents, cyclists, pedestrians, visitors to the local area, commuters, the emergency services, bus and taxi operators and other transport operators.

Management of carbon emissions also has financial benefits for the Authority due to our involvement in the Carbon Reduction Commitment (CRC) Energy Efficiency Scheme. A reduction in carbon emissions indirectly benefits the whole community by contributing towards mitigation of climate change. Our Climate Change Strategy and Environment Strategy set out our approach to reducing carbon emissions and managing the impacts of climate change.

**2. Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]**

Cardiff Council is committed to providing a sustainable environment for the residents and visitors to the city. This commitment has been historical and seeks to benefit all stakeholders. No particular protected characteristic groups experience environmental impacts in relation to changes to street lighting differentially.

LED Street lighting is a fast moving technology and there is recent evidence to suggest there are problems surrounding glare and the CCT (Core Colour Temperature) of the LEDs employed. LEDs are basically a blue light source with a phosphor coating to achieve the white light.

This is an area of concern ie. The amount of “blue rich” light not being filtered out. There is evidence to suggest that the higher most efficient colour temperatures currently being pushed by the large LED companies can effect melatonin levels in humans, effecting sleep patterns.

“Unfortunately, exposure to blue-rich light at night can lead to decreased melatonin secretion in humans. Melatonin is a hormone secreted at night by the pineal gland that helps balance the reproductive, thyroid, and adrenal hormones and regulates the body’s circadian rhythm of sleeping and waking. Lower Melatonin levels have been tenuously linked to increased risk of cancer. “(app 1,2,3)



**CARDIFF COUNCIL**

**Equality Impact Assessment  
Corporate Assessment Template**

The evidence also suggests that these “blue rich” LEDs also have an adverse impact on wildlife and the wider general environment.

There are three typical levels of LED; (app 4)

Cold White – above 4500Kelvin

Neutral White - 3500 to 4500 Kelvin

Warm White – 2700 to 3000 Kelvin

It is generally accepted that limiting the colour temperature to a “warm” 3000K CCT will remove these issues and also reduce glare to well within the current British Standard. (BS EN 13201-2:2003 – app 5, 6) Although this will reduce the energy saved over the harsher 5000K units by approx. 15%.

In order to investigate these possible issues further and select the best specification the Authority in 2016 erecting a “Test Bed” in the area behind City Hall. (App 7, 8) Eight major manufacturers were invited to offer up lanterns with an identical classification at 3000K CCT. Independent professional assessment was carried out to establish the most suitable and cost effective LED solution for the city. Further, the test bed was visited by engagement groups / focus groups in order to obtain feedback from the public, emergency services etc. (currently no complaint has been gathered)

Furthermore, 2018 / March – onwards. In order to establish specific considerations that may be related to residential locations. An LED test bed was created in the Radyr / Morganstown Ward. To date there have been no complaint or differential impacts identified or generated as a result of this LED test bed.

**3 Assess Impact on the Protected Characteristics**

**3.1 Age**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative/]** on younger/older people?

	Yes	No	N/A
Up to 18 years	X		
18 - 65 years	X		
Over 65 years	X		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

Good quality Street lighting is integral to the health of a community.  
The proposed Led project will have a positive impact on all the age groups listed above. The human eye sees white light in a different manner to the old “ orange glow” streetlights and in general;  
Provides better visual guidance

Equality Impact Assessment  
Corporate Assessment Template

Reveals obstacles more clearly  
Allows pedestrians to easier recognise hazards  
Facilitates better pedestrian orientation  
Pedestrians recognise facial features easier  
Provides a feeling of security

Studies have shown that the whiter nightscape benefits local communities -  
Reduction of street crime and the fear of street crime in residential areas.  
Lighting improvements can decrease crime by up to 30 per cent.  
Stimulating the night time economy and use of public amenities and transport.  
Development of safer routes to school.

While research on the effects of improved street lighting on crime rates is not entirely definitive, an analysis of eight different studies found that improved street lighting—either through more lights or brighter lights— reduced crime by an average of 7%.<sup>1</sup> With improved visibility, potential offenders are more exposed and less likely to commit crimes.

Enhanced lighting can signal more community investment, pride, and cohesiveness, which also can discourage crime. There are two main theories of why Improved street lighting may cause a reduction in crime. The first suggests that improved lighting leads to increased surveillance of potential offenders (both by improving visibility, surveillance cameras etc., and by increasing the number of people on the street) and hence to increased deterrence of potential offenders. The second suggests that improved lighting promotes community investment in the area and that the area is improving, leading to increased community pride, community cohesiveness, and informal social control.

Improved street lights can make a community feel safer. They allow safer operation of vehicles and bicycles at night, reduce accidents, and assist traffic flow. Better light can also promote the night time operation of businesses and increase pedestrian street use after dark, all of which leads to a more active, enhanced neighbourhood.

It is envisaged the improved lighting will have a positive impact on social cohesion e.g. attendance at community groups such as WI, scouts, church, day centres, sports clubs etc. Furthermore this improvement in lighting will support the initiatives of the UN Rights of the Child and Rights of the Disabled person among other UN conventions.

**What action(s) can you take to address the differential impact?**

At present no specific differential impact has been identified in respect of this particular protected characteristic. However this will be monitored and accounted for as may be necessary.

**CARDIFF COUNCIL**

**Equality Impact Assessment  
Corporate Assessment Template**

**3.2 Disability**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on disabled people?

	Yes	No	N/A
Hearing Impairment	x		
Physical Impairment	x		
Visual Impairment	x		
Learning Disability	x		
Long-Standing Illness or Health Condition	x		
Mental Health	x		
Substance Misuse			x
Other			x

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The impact on community safety has two core dimensions: the impact on prevented crime and the impact on fear of crime.

People with visual or mobility impairments may find the improved street lighting helpful in assisting them to navigate and avoid hazards, as such, there is a potentially positive impact on risk of falling and accessibility.

People with disabilities may feel less vulnerable to crime as a result of improved lighting, but much depends on the specific circumstances as well as other factors such as localised crime rates, policing and quality of public spaces.

There may be potential for an increase in ‘hate crime’ against people with physical or learning disabilities.

Carers may have concern at lower levels of lighting when attending a relative or service user late at night/early in the morning. So the improved lighting should help alleviate these fears.

As a specific benefit. Those who lip read or have hearing impairments have been identified through engagement as directly benefiting from improved lighting. As such these improvements will facilitate social interaction and benefit community cohesion for the hearing impaired communities.

**What action(s) can you take to address the differential impact?**

At present no specific differential impact has been identified in respect of this particular protected characteristic. However this will be monitored and accounted for as may be necessary.

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**Equality Impact Assessment  
Corporate Assessment Template**

**3.3 Gender Reassignment**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on transgender people?

	Yes	No	N/A
<b>Transgender People</b> (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex)	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The Transgender community may feel less vulnerable to “hate crime” as a result of improved lighting, but much depends on the specific circumstances as well as other factors such as crime rates, policing and quality of public spaces.

**What action(s) can you take to address the differential impact?**

At present no specific differential impact has been identified in respect of this particular protected characteristic. However this will be monitored and accounted for as may be necessary.

**3.4. Marriage and Civil Partnership**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage			x
Civil Partnership	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The vulnerability of individuals may be reduced as a result of improved lighting.

**What action(s) can you take to address the differential impact?**

At present no specific differential impact has been identified in respect of this particular protected characteristic. However this will be monitored and accounted for as may be necessary.

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**3.5 Pregnancy and Maternity**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on pregnancy and maternity?

	<b>Yes</b>	<b>No</b>	<b>N/A</b>
Pregnancy	x		
Maternity	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

In addition to the potential to feel less vulnerable to crime as a result of improved lighting, there is also a positive issue to be raised in relation to impact on travel to access maternity unit/hospital care.

**What action(s) can you take to address the differential impact?**

At present no specific differential impact has been identified in respect of this particular protected characteristic. However this will be monitored and accounted for as may be necessary.

**3.6 Race**

Will this Policy/Strategy/Project//Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	<b>Yes</b>	<b>No</b>	<b>N/A</b>
White	x		
Mixed / Multiple Ethnic Groups	x		
Asian / Asian British	x		
Black / African / Caribbean / Black British	x		
Other Ethnic Groups	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

Community safety is an important issue for all including people from minority ethnic backgrounds, with prevention of street crime and racially motivated crime being particularly relevant.



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**Equality Impact Assessment  
Corporate Assessment Template**

<b>What action(s) can you take to address the differential impact?</b>
At present no specific differential impact has been identified in respect of this particular protected characteristic. However this will be monitored and accounted for as may be necessary.

**3.7 Religion, Belief or Non-Belief**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	<b>Yes</b>	<b>No</b>	<b>N/A</b>
Buddhist	X		
Christian	X		
Hindu	X		
Humanist	X		
Jewish	X		
Muslim	X		
Sikh	X		
Other	x		

<b>Please give details/consequences of the differential impact, and provide supporting evidence, if any.</b>
People may feel less vulnerable to crime as a result of improved lighting. It is recognised that this is particularly relevant to faith communities who may be at risk of hate crime.
<b>What action(s) can you take to address the differential impact?</b>
At present no specific differential impact has been identified in respect of this particular protected characteristic. However this will be monitored and accounted for as may be necessary.

**CARDIFF COUNCIL**

**Equality Impact Assessment  
Corporate Assessment Template**

**3.8 Sex**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

	Yes	No	N/A
Men	x		
Women	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

All genders will enjoy the benefits of improved lighting as outlined in section 3.1. However, females may feel safer when in public areas during the hours of darkness.

**What action(s) can you take to address the differential impact?**

At present no specific differential impact has been identified in respect of this particular protected characteristic. However this will be monitored and accounted for as may be necessary.

**3.9 Sexual Orientation**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
Bisexual	X		
Gay Men	X		
Gay Women/Lesbians	X		
Heterosexual/Straight	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

It is likely that those who may identify within this protected characteristic may feel less vulnerable to “hate crime” as a result of improved lighting.

**What action(s) can you take to address the differential impact?**

At present no specific differential impact has been identified in respect of this particular protected characteristic. However this will be monitored and accounted for as may be necessary.

CARDIFF COUNCIL

Equality Impact Assessment  
Corporate Assessment Template

**3.10 Welsh Language**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on Welsh Language?

	Yes	No	N/A
Welsh Language	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

It is envisaged the improved lighting will have a generally positive impact on social cohesion e.g. attendance at community groups such as WI, scouts, church, day centres, sports centres, pubs and clubs etc.

This in turn should have a positive impact on the Welsh speaking community and media in relation to making all forms of evening travel easier to attend events, adult evening classes etc. effectively improved lighting will advance the opportunity to communicate in Welsh and therefore support the promotion of the Welsh language.

**What action(s) can you take to address the differential impact?**

All Cardiff Council schemes and policies comply with the regulations and order of the Welsh Language Commissioner, under new Welsh Language standards set out in the Welsh Language [Wales] Measure 2011. This

This scheme will make it easier for families to access the school and this will improve their UN rights of the child, access to differing / choice education.

## CARDIFF COUNCIL

### Equality Impact Assessment Corporate Assessment Template

#### 4. Consultation and Engagement

What arrangements have been made to consult/engage with the various Equalities Groups?

Building on previous engagement as outlined in section 2, the authority has used data gathered from engagement with a wide range of community groups generated from the “LED Test Bed” constructed in 2016 on King Edward 7<sup>th</sup> Ave and Museum Place. (This location was specifically chosen for easy pedestrian and vehicular access and is geographically central).

Furthermore, 2018 / March – In order to establish specific considerations that may be related to residential locations. An LED test bed was created in the Radyr / Morganstown Ward. To date there have been no complaint or differential impacts identified or generated as a result of this LED test bed.

Whilst formal Member consultation is not required an information pack and programme will be developed and circulated prior to commencement of the contract. This will contain frequently asked questions to ensure that Local Members are fully informed and are able to engage and correspond directly with constituents as required.

#### 5. Summary of Actions [Listed in the Sections above]

Groups	Actions
Age	Please see specific protected characteristic
Disability	Please see specific protected characteristic
Gender Reassignment	Please see specific protected characteristic
Marriage & Civil Partnership	Please see specific protected characteristic
Pregnancy & Maternity	Please see specific protected characteristic
Race	Please see specific protected characteristic
Religion/Belief	Please see specific protected characteristic
Sex	Please see specific protected characteristic
Sexual Orientation	Please see specific protected characteristic
Welsh Language	Please see specific protected characteristic
Generic Over-Arching [applicable to all the above groups]	Please see specific protected characteristic

## CARDIFF COUNCIL

### Equality Impact Assessment Corporate Assessment Template

#### 6. Further Action

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

#### 7. Authorisation

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By : Gary Brown	Date: 20/04/2019
Designation: Operations CEX Directorate > Planning, Transport & Environment / Operational Manager - Assets, Engineering and Operations	
Approved By: Operational Manager - Assets, Engineering and Operations	
Designation: Director in Operations CEX Directorate, Planning, Transport & Environment	
Service Area: Operations CEX Directorate > Planning, Transport & Environment.	

7.1 On completion of this Assessment, please ensure that the Form is posted on your Directorate's Page on CIS - *Council Wide/Management Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council.

For further information or assistance, please contact the Citizen Focus Team on 029 2087 3059 or email [citizenfocus@cardiff.gov.uk](mailto:citizenfocus@cardiff.gov.uk)



CARDIFF COUNCIL

Equality Impact Assessment  
Corporate Assessment Template

APPENDIX

1. <http://www.alternet.org/environment/led-streetlights-save-energy-could-have-some-serious-side-effects>
2. <http://www.dailymail.co.uk/news/article-2609957/Coming-street-near-lights-awake-make-people-ill.html>
3. <http://www.ledsmagazine.com/articles/2011/09/outdoor-lighting-research-suggests-strong-led-impact-in-suppressing-melatonin.html>
4. [http://www.seesmartled.com/kb/choosing\\_color\\_temperature/](http://www.seesmartled.com/kb/choosing_color_temperature/)
5. [https://www.fer.unizg.hr/\\_download/repository/en\\_13201-2\\_.pdf](https://www.fer.unizg.hr/_download/repository/en_13201-2_.pdf)



6. IEA\_4E\_SSL\_Annex\_Health\_Aspects\_Stuc
7. Test bed pdf
8. Test area details.xls
9. Presentation in EqIA LED PROJECT 2015

Mae'r dudalen hon yn wag yn fwriadol

**CARDIFF COUNCIL  
CYNGOR CAERDYDD**



**CABINET MEETING: 16 MAY 2019**

**SHOPFRONT DESIGN AND SIGNAGE SUPPLEMENTARY  
PLANNING GUIDANCE (SPG)**

**STRATEGIC PLANNING AND TRANSPORT (CLLR CARO WILD)**

**AGENDA ITEM: 9**

**Reason for this Report**

1. To advise on the outcome of consultation on the Shopfront Design and Signage draft Supplementary Planning Guidance (SPG) and recommend its approval, as amended, by the Council.

**Background**

2. The Council has a number of SPGs which are prepared to supplement the policies contained in previous adopted plans. In order to ensure conformity with the Cardiff Local Development Plan (LDP) policies (adopted 2016) a programme of SPG to support and amplify the policies in the LDP is being produced. This SPG is the sixth tranche of this programme.
3. Welsh Government guidance encourages local planning authorities to prepare SPG to provide advice on how LDP policies will be implemented. This should help those involved in the development and planning process understand the purpose and objectives of policies and assist the submission of permissible planning applications.
4. SPG must be consistent with planning legislation, Welsh Government guidance and the LDP. It should be prepared in consultation with the public and appropriate interests, and their views should be taken into account before formal Council approval. SPG may be given weight as a material consideration when making decisions on planning applications.
5. From early November to mid December 2018, consultation was undertaken on the SPG, which included the following:
  - A six week public consultation period
  - A public notice in the local press
  - Copies of the documents were made available to view in all Cardiff Libraries.
  - The consultation was advertised on the Council's website.

6. In addition to the above, Councillors were notified about the current SPG consultation and an email/letter notification was sent out to consultees on the SPG Consultation List. This list includes around 300 formal LDP consultees, businesses, interested groups or individuals who have requested to be kept informed of SPG consultations. The SPG appended to this report contains appendices outlining the specific consultation undertaken, a summary of the representations submitted and the changes made in response.

### **Shopfront Design and Signage SPG**

7. The SPG seeks to outline the Council's planning policies in terms of the design of new, and alterations to, existing shopfronts and shopfront signage within the city.
8. The authority recognises the role that well designed shopfronts can play in enhancing the character and appearance of buildings and streetscapes throughout the city. The SPG seeks to increase the provision of high quality shopfront design in the future.
9. The key points from the SPG may be considered as follows:
  - Relates to Policies KP5 (Good Quality and Sustainable Design), EN9 (Conservation of the Historic Environment) and R1-R8 (Retail) of the LDP
  - Identifies key design principles to be taken into consideration in the design of new / alterations to existing shopfronts
  - Seeks that shopfront alterations to older buildings respond to historic context
  - Promotes and encourages the use of Welsh Language and bilingual signage on shopfronts
  - Seeks the integration of community safety and security measures, in a way that does not to impact on the character and appearance of surrounding areas.
10. A wide range and variety of around 50 comments were received through the consultation process, a number of which were replicated by different consultees. These are addressed within an appendix in the SPG. Of the comments received, a number will lead to changes within the final SPG, although these are relatively minor in nature and do not alter the main thrust of the SPG.
11. Many of the comments received were generally supportive in principle of the SPGs aims. Others felt that the proposed standards were too restrictive and some relatively minor or technical points were raised and have been acted upon. A number of comments wished for further strengthening of wording, particularly with regard to Welsh language and bilingual signage.

12. In terms of Welsh language / bilingual signage, with regard to the 'six tests' associated with the use of planning conditions and particularly where the majority of shopfront signs only relate to company trading names, businesses cannot be required to provide Welsh language / bilingual signage through the planning process. As such, the SPG seeks to raise awareness and actively encourage / promote its use, so that it can be more frequently taken into consideration and, where opportunities arise, incorporated from the outset of new development proposals / planning applications.
13. In addition to the guidance provided through the SPG, for all commercial development applications and/or where signs and notices for the public are required, a recommendation will be included in the Planning Decision Notice which reminds developers of their duties under the Welsh Language (Wales) Measure 2011.
14. Overall, the proposed amended version of the SPG is considered to represent another key element of guidance, which, together with other relevant policies and SPG will provide the necessary framework for the consideration of future proposals.

#### **Wider Related Issues**

15. It should be noted that not all adverts (shopfront signs) require advertisement consent if they meet criteria relating to height, font or logo sizes and illumination. Such shopfronts benefit from 'deemed consent'. The SPG cannot therefore control such signage.
16. There are provisions that Councils can potentially seek to use to extend advert controls, which effectively restrict the scope for 'deemed consent'. However, to implement such controls, approval would be required from the Welsh Government, who would need to be satisfied of the proposed approach on the basis of evidence of adverse impact on a defined area of special importance.
17. The areas in which it may be possible and expedient to adopt these controls are considered limited, given the high threshold of eligibility criteria (demonstrating adverse impact on amenity in an area of special importance) required to support such an approach.
18. With regard to other means of controlling potentially harmful alterations to shopfronts (e.g. painting), it should be noted that Welsh Government are currently considering relaxing existing regulations to allow Local Authorities to serve Article 4 Directions (which allow a local planning authority to respond to the needs of an area by withdrawing certain 'permitted development' rights) for all types of development without seeking approval from Welsh Government.
19. It is therefore considered prudent to await the outcome of this consultation prior to seeking to implement any additional advertisement controls. In the interim, officers will assess the extent of the impact of adverts falling within



deemed consent, potential areas of special importance where controls could be introduced and which method(s) of control could be appropriate.

### **Reason for the Recommendation**

20. To comply with Welsh Government guidance on the process for preparing Supplementary Planning Guidance.

### **Legal Implications**

21. The Cardiff Local Development Plan (LDP) was adopted on 28 January 2016 and contains policies and proposals which provide the basis for deciding planning applications. The policies in the adopted Cardiff LDP have special status under section 38(6) of the Planning and Compulsory Purchase Act 2004 which means that planning decisions must be taken in accordance with it unless material considerations indicate otherwise.
22. Whilst the LDP contains policies and proposals which provide the basis for deciding planning applications supplementary planning guidance (SPG) can be used as a means of setting out more detailed guidance on the way in which those policies will be applied in particular circumstances or areas. SPG may be taken into account as a material consideration when determining planning applications.
23. In order for a SPG to be given as much weight as possible as a material consideration it must be formulated, prepared and adopted in the proper manner. As noted in the report the Shopfront Design and Signage SPG has been subject to public consultation and where appropriate amendments have been made to reflect the comments received.
24. The Council has to be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact upon the Welsh Language, the report and Equality Impact Assessment deals with all these obligations. The Council has to consider the Well Being of Future Generations (Wales) Act 2015 and how this strategy may improve the social, economic, environmental and cultural well-being of Wales.
25. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
26. In discharging its duties under the Act, the Council has set and published well-being objectives designed to maximise its contribution to achieving the national well-being goals. The well-being objectives are set out in Cardiff's Corporate Plan 2019-22 <http://cmsprd.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202018-21.pdf> When exercising its functions, the Council is required to take all reasonable steps to meet its well-being objectives. This means that the decision makers should

consider how the proposed decision will contribute towards meeting the well-being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.

27. The well-being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:

- Look to the long term
- Focus on prevention by understanding the root causes of problems
- Deliver an integrated approach to achieving the 7 national well-being goals
- Work in collaboration with others to find shared sustainable solutions
- Involve people from all sections of the community in the decisions which affect them.

The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

28. The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties) – the Public Sector Equality Duties (PSED). These duties require the Council to have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of 'protected characteristics'. The 'Protected characteristics' are: • Age • Gender reassignment • Sex • Race – including ethnic or national origin, colour or nationality • Disability • Pregnancy and maternity • Marriage and civil partnership • Sexual orientation • Religion or belief – including lack of belief.

29. The LDP was subjected to an Equalities Impact Assessment. The SPG supplements and provide guidance on the policies which were prepared within this framework.

### **Financial Implications**

30. No direct financial implications are expected to arise from the adoption of the Shopfront Design and Signage Supplementary Planning Guidance.

### **HR Implications**

31. There are no HR implications arising from this report.

## RECOMMENDATION

Cabinet is recommended to recommend that Council approve the Shopfront Design and Signage Supplementary Planning Guidance as amended and appended to this report.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>Andrew Gregory</b> Director of Planning, Transport & Environment
	10 May 2019

*The following Appendix is attached:*

Appendix A Supplementary Planning Guidance: Shopfront Design and Signage



# Shopfront Design and Signage

## Supplementary Planning Guidance



Mae'r ddogfen hon hefyd ar gael yn Gymraeg

This document is also available in Welsh



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## 1. Introduction

- 1.1 This Supplementary Planning Guidance (SPG) supplements policies in the adopted Cardiff Local Development Plan 2006-2026 (LDP) relating to high quality shopfront design and signage.
- 1.2 Welsh Government support the use of SPG to set out detailed guidance on the way in which development plan policies will be applied in particular circumstances or areas. SPG must be consistent with development plan policies and national planning policy guidance. SPG helps to ensure certain policies and proposals are better understood and applied more effectively. They do not have the same status as the adopted development plan but are a material consideration in the determination of planning applications.
- 1.3 Design policies are embedded throughout the national and local planning policy framework. Welsh Government (WG) guidance includes the following:

### Planning Policy Wales (PPW, Edition 10, December 2018)

PPW identifies that good design can protect and enhance environmental quality, help to attract business and investment, promote social inclusion and improve quality of life. At paragraph 3.4 it states that 'Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales'.

### Technical Advice Note (TAN) 12: Design

Paragraph 4.3 emphasises the importance of appraising context, identifying that 'Understanding the site and its immediate and wider context is the basis of a meaningful and sustainable design response'.

### TAN 7: Outdoor Advertisement Control

This TAN describes how outdoor advertisements may be controlled to protect amenity and public safety. It provides advice on the advertisement applications process including on the criteria for dealing with such applications, advertisement control, and the use of advertisements in areas of heritage interest such as conservation areas.

### TAN 24: The Historic Environment

Paragraphs 6.8-6.9 note that preserving the character or appearance of conservation areas is a significant consideration in the control of advertisements.

### TAN 20: Planning and the Welsh Language

Paragraphs 4.1.1-4.1.2 note that signs can be one method of promoting the distinctive culture of Wales, which is of significance to the identity of individual communities.

1.4 Cardiff Local Development Plan 2006-2026 (LDP) policies to which this SPG relates include:

- Policy KP5 (Good Quality and Sustainable Design)
- Policy EN9 (Conservation of the Historic Environment)
- Policies R1-R8 (Retail)

1.5 This guidance relates to all Class A1 (Retail), A2 (Financial and Professional Services) and A3 (Food and Drink) uses across the city. It also extends to other ground floor commercial premises with a fascia sign and / or display window within the Central Shopping Area (CSA), Central Business Area (CBA), Bay Business Area (BBA) and District / Local Centres as defined by the Cardiff Local Development Plan.

## 2. Background

- 2.1 The purpose of this SPG is to seek high quality shopfront and signage design across the city and to indicate the standards and design principles that will be sought when considering planning and advertisement consent applications.
- 2.2 Well-designed shopfronts can add significant value to Cardiff. They can enhance the character and setting of streets, buildings and public spaces, from high streets, shopping centres and Victorian arcades in the core of the City Centre, through to District and Local Centres at the heart of local communities. This in turn can have an impact on commercial success by increasing the attractiveness of shops and shopping centres to customers.



*The Hayes  
Cardiff City Centre*

- 2.3 In respect of regeneration, recognition of the role of shopfront and signage design should not be underestimated, particularly in District and Local Centres where the quality of design and visual appearance of shopfronts is a key element in building attractive and safer communities.



*District Centre Regeneration  
Loudoun Square, Butetown*

2.4 The promotion of goods and services is a competitive activity which, by its nature, can result in neighbouring shops wanting to appear more attractive, exclusive or different to adjacent premises. This can however lead to the introduction of bigger signs, larger displays, brighter lighting or unusual shopfront features which, if left unchecked, can result in visual clutter and confusion. This does not help the shopper or the retailer and can ultimately detract from the property and the character of the area in which the shop is located.

### Advertisements and Deemed Consent

- 2.5 All advertisements (shopfront signs) require consent, either from the local authority or from the legislation governing adverts [The Town and Country Planning (Control of Advertisement) Regulations 1992]. Where an advert meets all of the criteria set out in the legislation, this is referred to as ‘**deemed consent**’. For example, many traditional, non-illuminated fascia signs and hanging signs are likely to have deemed consent subject to a number of conditions and limitations such as size.
- 2.6 It is recognised however that the allowances permitted through ‘deemed consent’ can sometimes appear incompatible and at odds with their surroundings.



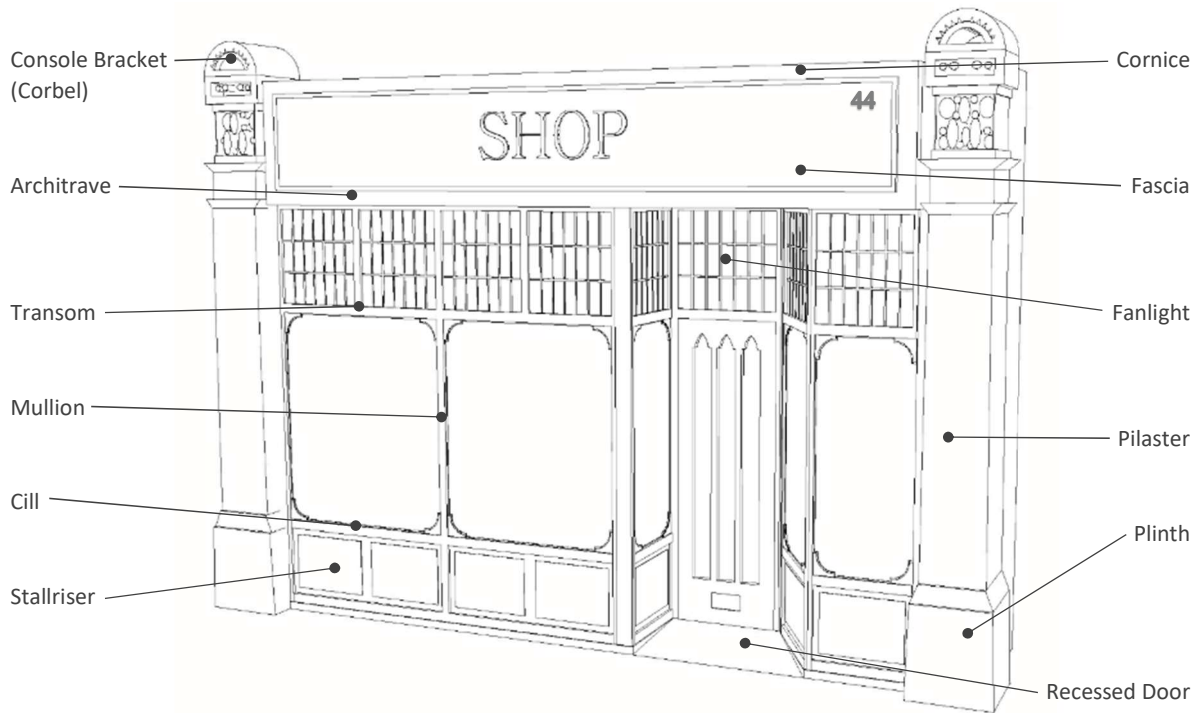
*Whilst meeting the criteria set out through ‘deemed consent’, shopfronts can sometimes appear at odds with their surroundings, particularly within Conservation Areas*

2.7 In this regard, where a business and / or building owner is designing a scheme that would fall within deemed consent, they should use the guidance set out in this SPG when considering their design proposals.

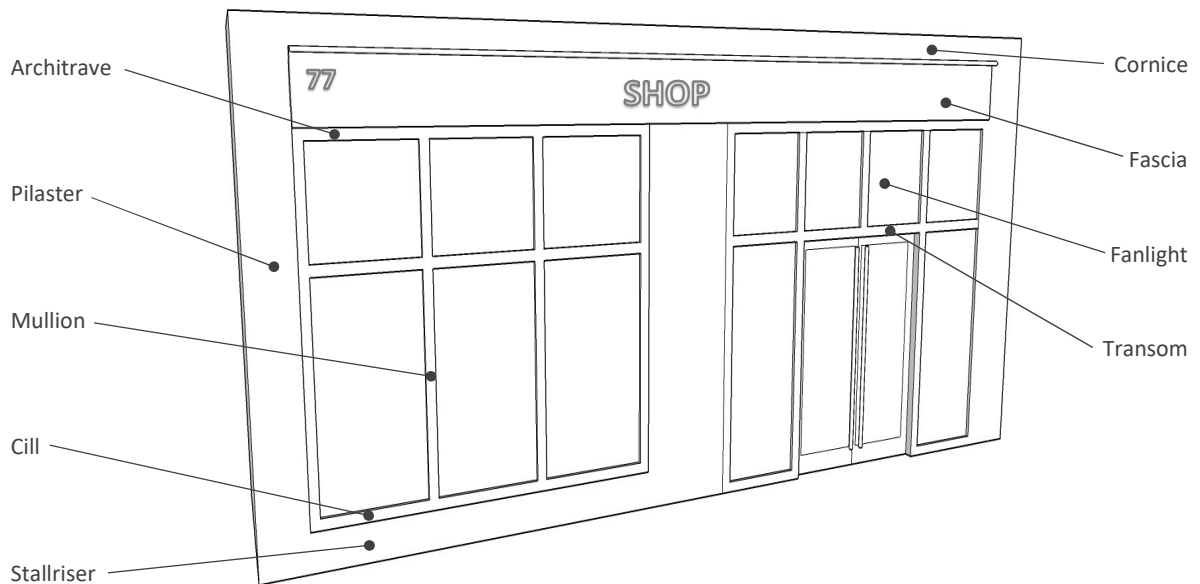


### 3. Typical Elements of a Shopfront

3.1 The basic architectural features that make up a shopfront are identified below:



*Typical Design Features of a Traditional Shopfront*



*Typical Design Features of a Contemporary Shopfront*

## Definition of Terms:

<b>Architrave:</b>	A beam that frames the top of a door or window.
<b>Canopy:</b>	A sheet of canvas or other material stretched on a frame and used to keep the sun or rain off a shop window or doorway.
<b>Cill:</b>	A horizontal beam of stone, wood or metal at the foot of a window opening or doorway.
<b>Cornice:</b>	A distinctive horizontal divide between the ground floor and upper floors of the building.
<b>Console Bracket: (Corbels)</b>	Decorative features that traditionally allowed for the fascia to be inclined towards the street. In a more modern context they simply define the ends of the fascia.
<b>Fanlight:</b>	A small window over a door or another window.
<b>Fascia:</b>	The flat or outwardly sloping section at the top of the shopfront (below the cornice) where the name (and preferably street number) of the shop is located.
<b>Mullion:</b>	These provide vertical division between expanses of glass. Mullions should line up above and below a transom level and may reflect the vertical alignment of windows on upper floors. On traditional shopfronts, the base of mullions may be shaped and tie into the architrave.
<b>Pilasters:</b>	These are the uprights to either side of the shopfront. They provide vertical framing to the windows / doors and a visual framing between properties.
<b>Plinth:</b>	The base course of a pilaster or the projecting base of a wall.
<b>Recessed Door:</b>	A door which is set back into the wall or surface to which it is fixed.
<b>Stallriser:</b>	A solid panel below the shop window at ground level. They offer a degree of security and protection against damage and provide balance and proportion in the overall design of the shopfront.
<b>Transom:</b>	A feature that divides the window horizontally, often between the door and fanlight.

## 4. Planning Permissions and Consents that may apply to Shopfronts

4.1 With regard to planning permission:

- You will need to apply for full **Planning Permission** for any alteration to your shopfront which would materially change the appearance of the property. This may include replacement shopfronts and / or the installation of replacement entrance doors, windows and external security measures: [www.planningportal.co.uk/wales\\_en/](http://www.planningportal.co.uk/wales_en/)
- Small alterations to your shopfront may not need planning permission, but the alterations must not materially change the external appearance of the property.
- If the shop is a listed building (or part of a listed building), you will need to apply for **Listed Building Consent** to carry out any internal or external alterations. This includes new signage: [www.planningportal.co.uk/info/200126/applications/60/consent\\_types/7](http://www.planningportal.co.uk/info/200126/applications/60/consent_types/7)
- If the alterations to your shopfront will include adding or changing an advertisement or sign (including lettering on a canopy or blind) then you may also need to apply for **Advertisement Consent**: [www.planningportal.co.uk/wales\\_en/info/3/common\\_projects/1/adverts\\_and\\_signs](http://www.planningportal.co.uk/wales_en/info/3/common_projects/1/adverts_and_signs)

4.2 If you decide to change the type of business carried out in your shop or convert the business to another use, you may also need planning permission for the proposed '**change of use**': [www.planningportal.co.uk/wales\\_en/info/3/common\\_projects/6/change\\_of\\_use](http://www.planningportal.co.uk/wales_en/info/3/common_projects/6/change_of_use)

4.3 You will need **Building Regulations** approval for all works which alter a shop's structure including: entrance arrangements, changes to fire escapes or alterations that affect the level of access currently provided. Building regulations approval may be required even if planning permission is not: [www.planningportal.co.uk/wales\\_en/info/4/your\\_responsibilities/48/building\\_regulations](http://www.planningportal.co.uk/wales_en/info/4/your_responsibilities/48/building_regulations)

4.4 Once necessary approvals have been obtained, the use of a reputable shop fitter and sign maker is advised to secure a high quality design using high quality materials. Future maintenance of the shopfront should be considered from the outset of a design proposal.

### Enforcement

4.5 The Council seeks full compliance with planning controls in respect of development and the display of advertisements. Undertaking development or displaying advertisements without permission (where required) may result in formal action being pursued against those who have an interest in the land. Such action could result in the issue of an Enforcement Notice and / or prosecution through the Courts.

## 5. Key Design Principles

5.1 When designing a new shopfront, or proposing an alteration to an existing premises, there are a series of key design principles to be taken into consideration (each of these elements are explored in more detail in the subsequent chapters of this SPG):

- A. Existing Streetscape:** Has the proposed design taken into account the rest of the building as well as those adjoining it? Has the design considered the overall character of the immediate environment? Is it part of a group of similar designs? How would the new shopfront fit into the street scene?
- B. Building Elevations:** Is the scale and design of the shopfront in proportion to the facade of the building? Do the upper floors and shopfront complement one another to create one harmonious building frontage? Does the shopfront span two or more buildings?
- C. Shopfrontage:** Has consideration been given to how the individual elements of a shopfront can contribute to the overall character of a building and those that surround it? For example, are the proportions of the fascia, stallriser and glazing patterns similar to surrounding buildings?
- D. Traditional Frontages:** For older buildings: do the proposals respond to the historical context of the shopfront? Are there historic elements that need to be retained and remediated? Are there any historical photos which give clues about the original design of the shopfront? (Adopted Conservation Area appraisals offer a good basis for assessing what characteristics are important).
- E. Signage:** Is the graphic design style of the signage and any proposed illumination appropriate to the rest of the shopfront, building and streetscape? Does it contain Welsh language?
- F. Canopies:** If proposed, have they been considered within the overall design of the shopfront and the building as a whole? Are they appropriate to the use of the premises?
- G. Community Safety and Security:** Do security devices obstruct any architectural features on the building or have a negative visual impact? Have internal security grilles been considered?
- H. Access:** Does the design allow easy access to all, including, for example, those in wheelchairs, the mobility / sensory impaired, people with learning difficulties and people with pushchairs or trolleys?

## 6. Design Principle A: Existing Streetscape

- 6.1 It is important to consider how shopfronts relate to the character of the street as a whole and how factors such as proportions, materials and detailing relate to and complement surrounding shops and buildings. For instance, stallrisers and fascias may vary to suit different buildings, but they should always respect group value. Bay widths are a key factor which may be shared by an entire parade of shops and pilasters should be retained or reinstated to divide elevations accordingly.
- 6.2 Special consideration should be given to shopfronts within Conservation Areas and those that form part of, or are located adjacent to a listed building.



*Consistency of bay widths and positioning of pilasters across a group frontage - Queen Street*



*Consistent application of fascias and stallrisers across a group frontage - Clifton Street*

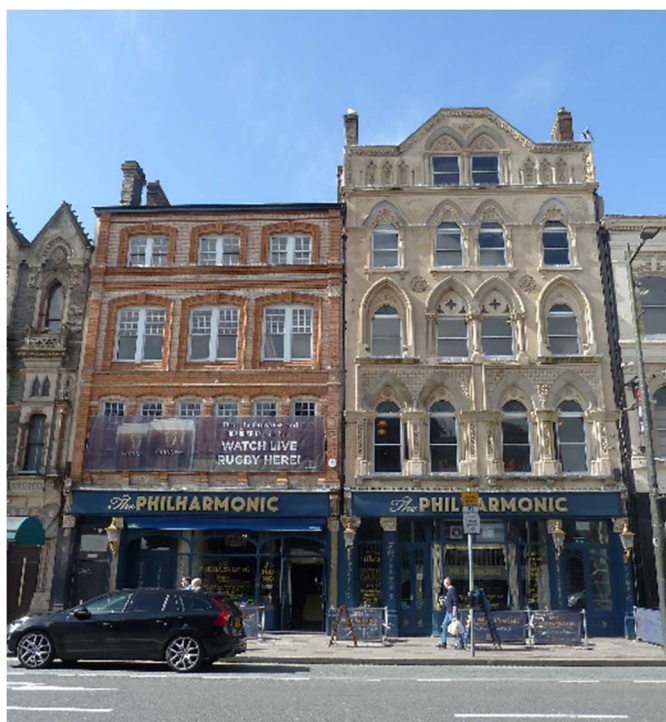


## 7. Design Principle B: Building Elevations

- 7.1 Proposals for a shopfront should respect the design of the building into which it is fitted, including its architectural character, age, scale, form and use of materials.
- 7.2 Structural divisions within the upper storeys of a building should be seen to continue through the shopfront to the ground. Proposals which ignore the separate identity of two adjoining buildings in an attempt to give the appearance of a single shopfront will be strongly resisted.
- 7.3 In order not to obscure a building's architectural features, a fascia should not extend above the top of the ground floor, or span more than one building.
- 7.4 An oversized fascia can have a heavy / dominant appearance and harm the proportions of a shopfront. They are often used to conceal suspended ceilings within the shop, but such a change in level can usually be more subtly overcome through the incorporation of transom lights with opaque glass.
- 7.5 Where a shopfront opens directly onto a footway, it is often best to include a stallriser as this can help to provide balance to the overall design of the building and provide a hard wearing surface against knocks.



*Shopfront does not acknowledge that it spans two historic buildings*



*Shopfront design has respected the historic character of the building and that the ground floor premises span two buildings*

## 8. Design Principle C: Shop Frontage

- 8.1 Shopfronts should not be designed in isolation and care should be taken to respect the design of the building into which it is fitted and its neighbours.
- 8.2 Materials should be compatible with the character of the building and the area. Traditional finishes such as painted timber, glass, render, stone and glazed tile are still the most commonly used materials for good shopfronts and feature in most better quality designs.
- 8.3 In Conservation Areas, new shopfront designs must as a minimum 'preserve' and should 'enhance' the local character. Issues of scale, access, relationship to existing townscape, height, form, frontage materials and detailing will all be considered in the assessment of a shopfront proposal.
- 8.4 New shopfront proposals should enhance architectural merit by removing any earlier ill-considered additions, such as surface cabling, redundant services, alarms and obsolete fittings.
- 8.5 Stallrisers can be an important characteristic of a group of shops and should be given consideration in the new shopfront design. They can be finished in a variety of materials and the use of hard wearing surfaces can also have maintenance advantages.
- 8.6 In some instances the use of frameless structural glazing (which precludes the use of a stallriser) may be acceptable. However, the suitability of this type of shopfront will depend on the particular characteristics of the building and area for which it is proposed.



*Mill Lane - Shopfront and signage designed around the structure of the historic frontage*



*St David's Dewi Sant – Consistent shopfront proportions along The Hayes, framed by pilasters and glazed canopies*

## 9. Design Principle D: Traditional Frontages

9.1 Traditional (Victorian and Edwardian) shopfronts, including historic arcades, contribute significantly to the character and architectural integrity of the City Centre and special regard should be given to their enhancement. The main principles are:

- To reinstate lost frontages,
- To retain and refurbish original shopfronts and architectural features,
- Where the replacement of a shopfront is deemed necessary, materials and finishes should be sympathetic to the age and character of the building. Traditional joinery details should be adhered to,
- Doorways and entrances will be expected to be retained in their original form e.g. recessed, or in plain as originally constructed,
- Externally fitted security shutters on traditional shopfronts are not considered acceptable,
- Box signs on traditional shopfronts are not considered acceptable,
- Internally illuminated projecting signs on traditional shopfronts are not considered acceptable.

9.2 Before considering a proposal to alter a traditional shopfront, an evaluation of its quality should be made. If necessary, an investigation should be undertaken in order to establish the quality of any earlier shopfront features which may remain behind later alterations.

9.3 Quality fixtures and fittings should be retained and not discarded. Canopy boxes, ventilation grilles, hanging signs and their brackets, door furniture, tiling and engraved, etched or 'brilliant' glass all contribute to the character of historic shopfronts.



*City Centre Victorian Arcades - Examples of what can be achieved by undertaking historic research and careful restoration*



## 10. Design Principle E: Signage

- 10.1 Signs should complement the character and scale of a building and its context. Too many signs on one shop can create clutter and harm the appearance of a whole street, therefore each unit should only have one fascia sign and one ancillary projecting or hanging sign per street frontage. No additional signage should be displayed on the upper storeys of a building, or on the side or rear elevations.

### Fascia Boards and Lettering



10.1.1 Fascia boards should be designed to complement the character, proportion and age of a building and the context of the shopfront.

Lettering and graphics should be moderately sized, centrally placed and not run to the edges of the fascia.

A fascia should typically be no deeper than 1/5<sup>th</sup> of the height of the shopfront.



10.1.2 Materials and lettering should be of a high quality and preferably of a matt finish.

The use of glossy acrylics / plastics and overly bright / highly reflective sheet materials are not considered acceptable on listed buildings, or in the historic setting of a conservation area.



10.1.3 For traditional buildings, the use of hand painted signage (created by an experienced sign writer, so that the sign has a professional appearance and finish) or individually applied lettering is encouraged.



10.1.4 To add legibility, the street number of the shop should be incorporated as part of the overall design.

Within the city centre, Cardiff Bay and conservation areas, fascia signs should not carry extraneous details (e.g. phone number, email address or website information).



10.1.5 New signage should not be oversized or cover an existing fascia. It should not project forward of a console bracket (Corbel), or project above / below the original fascia.



10.1.6 The standard design and corporate image of high street retailers is not always in keeping with the historical character of a Conservation Area or listed building.

In such circumstances a modification of the 'house' style would be sought.



10.1.7 On larger buildings, or in circumstances where a frontage has not historically contained a fascia board, consideration can be given to applying individual lettering directly onto the building.

The size, position and colour of the lettering will need to be appropriate to the character of the building and should complement / not disrupt existing architectural features.





10.1.8 Welsh language and bilingual signage can enhance the character of Cardiff and promote the City and its culture.

Options to display signage in both Welsh and English should be considered as part of shopfront design proposals.



10.1.9 Incorporating advertisements into a fascia can erode the simplicity of a building and make a group of buildings appear cluttered. This approach will not be supported.



10.1.10 Individual letting attached to stone is often preferable to fascia signage on traditional buildings.



10.1.11 A well designed box sign is dependent on a number of factors including size, depth and appropriate lighting technology.

The use of oversized 'deep projecting' box fascias will not be supported.

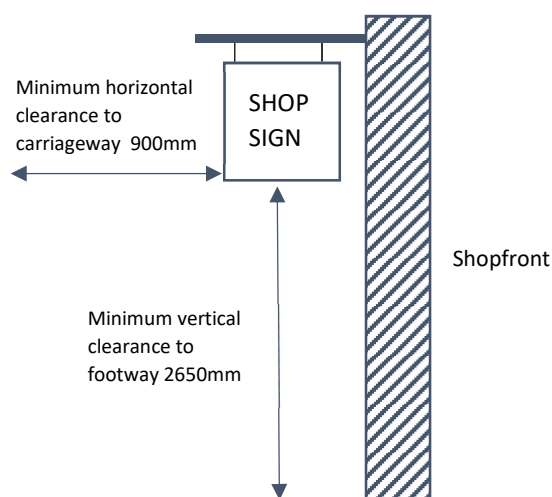
Box signs on traditional shopfronts are not considered acceptable.



10.1.12 Fascia boards should not be obscured by other design features, such as retractable canopies when they are in the 'down' position.

## Projecting / Hanging Signs

- 10.2 A proliferation of hanging or projecting signs can create visual clutter, thus undermining the purpose of advertising, particularly if signs are located at different levels. Projecting / hanging signs should be aligned with and situated at the end of the fascia. Across a group of frontage in particular, they should be located at a consistent height.
- 10.3 It is recommended that projecting signs have a minimum vertical clearance of 2650mm from the underside of the sign to the pavement. The minimum horizontal clearance between the sign and carriageway is 900mm.
- 10.4 Projecting / hanging signs are not considered acceptable above the ground floor level.
- 10.5 Projecting signs should not be overly large (i.e. should not exceed 600mm in any dimension) and should not compete with / obscure neighbouring projecting signs in respect of scale or location.
- 10.6 Proposals for internally illuminated projecting signs will not be supported on traditional shopfronts or listed buildings.



*Dimensions for hanging sign clearance*



*Projecting Signage - St Mary Street*

- 10.7 On older buildings, hanging sign brackets may be an original feature and, where of architectural merit, best efforts should be made to retain / restore them. On listed buildings this may be a requirement.

## Welsh Language / Bilingual Signage

- 10.8 The Welsh language is part of the social fabric and cultural heritage of Wales and Cardiff.
- 10.9 The ambition of the Welsh Government's Welsh Language Strategy 'Cymraeg 2050' is to see the number of people able to enjoy speaking and using Welsh reach a million by 2050, with the Welsh language forming an integral element of all aspects of everyday life.
- 10.10 Cardiff Council's vision through the 'Bilingual Cardiff Strategy' is to develop a truly bilingual capital city, and to increase the visibility of the Welsh language across Cardiff.
- 10.11 Welsh language and bilingual signage enhances the character of Cardiff and promotes the city and its culture. Its use and incorporation into shopfront signage can help to promote businesses / attract customers and will be actively encouraged and supported as part of well-designed shopfront proposals.
- 10.12 Whilst this SPG relates to shopfronts, the use of Welsh language and bilingual (Welsh & English) signs, notices and displays within shops / buildings is also actively encouraged.
- 10.13 The design of each shopfront sign will need to be considered on a case-by-case basis, however it should be noted that Welsh text must not be treated less favourably in terms of size, colour, font, prominence, position or location.
- 10.14 Further guidance on Welsh language support for existing and new businesses, including the role of the Welsh Language Commissioner and guidance on bilingual design / signage is included at Appendix 1.



*Examples of bilingual signage with Cardiff city centre*



## Signs on Doors and Windows

- 10.15 Entrances should be legible / well defined and doors should be semi-transparent to enable a clear view into and out of the premises. Wholly transparent doors should be avoided, as these may not be apparent to the partially sighted (this issue is regulated by the Building Regulations: Part N).
- 10.16 Shopfront designs should not use large expanses of stick-on vinyl images as they can restrict views of inner activities and create blank / inactive frontages within the streetscape.
- 10.17 Internal arrangements which result in the back of display units being located against windows can also impact on the character and appearance of a street and should be avoided.
- 10.18 Suspended signage positioned behind and at a distance from the glass can help to retain views into a premises and can provide a more suitable alternative to vinyl overlays.



*Stick on vinyl images restrict the ability to see into a shop and can create inactive frontages*



*Smaller suspended signage can help to retain views of activity within a premises and adds natural surveillance to streets*



## Illumination

- 10.19 In well-lit city centre locations, there should not be a need to light the fascia of a shopfront and a high quality well lit shop window display is likely to have a greater impact than illuminated signage.
- 10.20 If illumination is proposed, it should be by means of a discreet trough light (an enclosed sign lighting unit using a fluorescent or LED tube) discreetly positioned below the cornice. The extent of the lighting should be limited to the shop's name and lettering only.
- 10.21 Backlit fret-cut lettering applied to a solid background may be acceptable in individual circumstances.
- 10.22 Swan neck lamps, large spotlights and dominant fixtures which creates pools of light and areas of shade are not supported. Intermittent, flashing lighting and moving displays are not permitted.
- 10.23 Internally illuminated box signs and projecting signs are not acceptable on traditional shopfronts or listed buildings.
- 10.24 Subtle internal window lighting is encouraged to promote vitality in the street and aid security, especially at night time.



*Trough light only extends to shop name*



*Swan neck lamps can appear over dominant*

## Banners

- 10.25 Advertising banners require **advertisement consent**.
- 10.26 The use of banners can be visually obtrusive and add to visual clutter and confusion. Their use will not be permitted on listed buildings and proposals are not supported in Conservation Areas.

## 11. Design Principle F: Canopies

### Retractable fabric canopies

11.1 Retractable canopies should only be proposed in circumstances where they are in keeping with the age, character and architectural detailing of a building. The following issues will need to be taken into consideration:

- It is important that the design of any canopy respects the character of the building and that its size, proportion, position, colour and shape complements that of the shopfront,
- It should form an integral part of an overall frontage design and must not be a 'bolt-on' feature,
- It should be of a traditional design using canvas, or a similar non-reflective material,
- A canopy should always be located below and should not obscure a fascia sign,
- Canopies should retract fully into the façade of the building and should be boxed discreetly,
- Box housings that project forward of a fascia and / or pilaster will not be supported,
- There should be a minimum clearance of 2650mm above the pavement and a minimum of 1000mm between the canopy and the kerb edge,
- Consideration will need to be given to service vehicle routes in pedestrian areas,
- Listed building consent would be required where a proposal involves a listed building,
- Canopies must have no form of support from the public highway and no means of enclosure.

### Fixed fabric and 'Dutch style' canopies

11.2 Fixed fabric / non-retractable blinds are not considered appropriate as they permanently obscure a shopfront and introduce discordant materials and shapes into the street scene.

11.3 In order to maintain a simple and uncluttered street scene, blinds should have the ability to fully retract into a blind box, as such, the provision of 'Dutch style' canopies will not be supported.

### Fixed structural / glazed canopies

11.4 Proposals for fixed structural / glazed canopies will only be considered in exceptional circumstances. Particular account would need to be taken of the impact on the character of the building / surrounding area and the interface between public / private spaces and service vehicle movements.

### Insurance and Maintenance

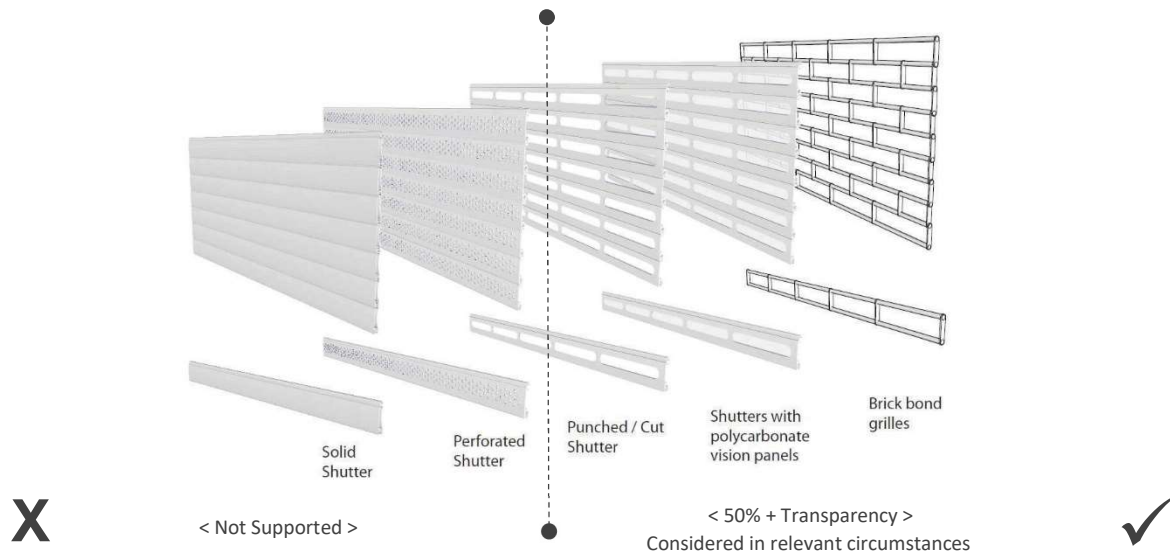
11.5 It is the business's responsibility to ensure any canopy is maintained and that insurance for the canopy is in place. The Council is reviewing the need to license canopies with terms and conditions, to ensure that businesses are appropriately managing their assets and that insurance for any potential claims are in place. This would provide assurance for members of the public and would be supported by a visual inspection of canopies by Council Officers on an annual basis.



## 12. Design Principle G: Community Safety and Security

### Security grilles and shutters

- 12.1 Shopping streets should be attractive and visually lively, even after shops have closed. Solid and perforated security shutters create a bleak, unattractive and hostile environment when premises are closed and typically encourage rather than discourage criminal activity. Consequently, the installation of any form of solid / perforated roller shutter will not be supported.



- 12.2 Within the City Centre (Principle Shopping Area / Central Business Area), Cardiff Bay (Bay Business Area), Conservation Areas and with regard to listed buildings, **external security shutters** are not considered acceptable and will not be supported\*. Where considered necessary, proposals should be for internal grilles only, using a brick bond or similarly transparent design solution.

- 12.3 **\*Recessed shop entrances:** Brick bond grilles can sometimes be used to protect recessed shop entrances. In such circumstances the box housing should be located behind the fascia and should not extend across adjoining windows. Shutter runners will need to be concealed and it will need to be ensured that a design proposal does not compromise the appearance of a shopfront and / or impact on the character of a building.

- 12.4 External shutters will only be considered in District, Local or Neighbourhood Centres in exceptional circumstances. In such circumstances, considerations should include whether:

- The shutter and shutter box is recessed so that it fits behind the shopfront fascia,
- The side runners are concealed within the pilasters (where present),
- The shutter allows at least 50% transparency and is not solid or perforated,
- The shutter's metalwork is colour coated to match the colour scheme of the shopfront.

- 12.5 **Planning permission** is required for all externally mounted security grilles / shutters. **Listed Building Consent** is usually required for proposals for both externally and internally mounted grilles / shutters.

### Shutter boxes and runners

- 12.6 In the first instance, the preferred approach is for a shutter to be located internally behind a shop window. The shutter box should be positioned out of view / above the top of the window frame.
- 12.7 If proposed externally, shutter box housing should always be located behind a fascia. Design proposals that are either located beneath and / or that project forward of a fascia will not be supported. Design proposals that result in a fascia projecting forward from a pilaster will only be considered in exceptional circumstances.



Internally positioned security shutter

### Shutter finishes

- 12.8 Shutter and shutter boxes should be finished in such a way that reflects the overall design of the shopfront via paint, powder coat or stove enamel. The finish of the shutter / box is important in maintaining the overall character of a building and streetscape, therefore uncoated shutters will not be supported.

### Other security measures

- 12.9 Laminated glass: The use of laminated / security glass can often minimise the need for other security measures and can help to reduce the risk of injury to people / damage to property. The replacement of standard glass with reinforced / laminated glass does not usually require planning permission but may require **Listed Building Consent**. Laminated glass should be considered in the city centre and areas that are considered to be crowded places.
- 12.10 CCTV cameras: Where CCTV cameras are required for security, they should not be located prominently on the front of the façade. Small 'dome' type cameras should be used rather than cameras mounted on brackets, as these are easier to conceal. The colour of the camera housing should be chosen to best suit its location and wireless technology should be used to reduce the need for wiring. Planning permission may be required for CCTV cameras and this should be checked with the Local Planning Authority prior to installation. CCTV systems should be capable of providing evidential quality imagery and systems should comply with data protection legislation.
- 12.11 Alarm boxes: Although intruder and fire alarms are necessary for many premises, their insensitive siting can be visually detrimental to a building and can damage or obscure architectural features. Alarm boxes should be located in a way that ensures that they achieve their purpose as a deterrent without being overly prominent. Wireless technology should be used wherever possible.
- 12.12 External windows and doors should comply with a recognised security standard such as (at December 2018) PAS24:2016, STS 202 or LPS 1175 SR2.

## Cash dispensers

- 12.13 Cash dispensers / ATMs should only be located on frontages where there is sufficient pavement width to ensure that queuing customers will not cause a blockage to pedestrian movements.
- 12.14 Dispensers should be located in highly active public environments, with good natural surveillance and good lighting. Facilities should be fully accessible to people with disabilities.
- 12.15 The architectural detailing of an existing shopfront, or the proportions of a new shopfront should not be compromised by an ATM. An adjustment to the standard size and positioning of ATM equipment may need to be explored, particularly in circumstances involving listed buildings.
- 12.16 ATMs require **planning permission** and **advertisement consent**.



*ATM incorporated into glazed frontage*



### 13. Design Principle H: Access

- 13.1 Easy access into shops should be available to all, including, for example, those in wheelchairs, the mobility / sensory impaired, people with learning difficulties and people with pushchairs or trolleys.
- 13.2 The Equality Act 2010 provides the legislative framework to protect the rights of individuals and advance equality of opportunity for all. It places a duty on providers of goods, services and facilities to make reasonable adjustments in order to avoid a disabled person being placed at a 'substantial disadvantage' compared with non-disabled people when accessing services and facilities.
- 13.3 It is recognised that there is no standard solution as each building and the needs of user groups will be different, but generally, shop entrances should be clearly identifiable, well lit, level and with no obstructions. Doors should be lightweight or automatic, have a minimum width of 800mm and have handles that are easy to grasp / offer support. Signs (push / pull / automatic) should be clearly posted.
- 13.4 In respect of more sensitive 'Listed' buildings, there is sometimes conflict between the need to preserve the architectural quality of an entrance and the desire to improve access. Cadw's publication, 'Overcoming the Barriers : Providing Physical Access to Historic Buildings' (2002), provides practical advice and examples for improving access to 'Listed ' or historic buildings.



*Listed Building ramp conversion*

## APPENDIX 1: WELSH LANGUAGE SUPPORT FOR EXISTING AND NEW BUSINESSES

### Welsh Language Commissioner

The Welsh Language Commissioner has a specialist team to provide support and guidance for medium to large businesses on developing Welsh language services. Based on consumer research and business feedback the team can help you maximise the business potential of using the Welsh language.

The team offer a host of free services tailored to your needs. These include:

- Advice on translation, bilingual design and effective signage,
- Proof reading service,
- Advice on recruiting and developing Welsh speaking staff,
- Advice on developing a bilingual communications and marketing strategy,
- Advice on IT applications,
- Support in putting a Welsh language policy and action plan in place.

Contact the team for more information:

- Website: [www.welshlanguagecommissioner.wales/hybu](http://www.welshlanguagecommissioner.wales/hybu)
- Telephone: 0345 603 3221
- Email: [hybu@welshlanguagecommissioner.wales](mailto:hybu@welshlanguagecommissioner.wales)
- Twitter: [@hybucymraeg](https://twitter.com/hybucymraeg)

### Welsh in Business:

Welsh in Business offers support to small businesses to develop Welsh language services.

There are twelve officers throughout the country, who can help support businesses with advice on using Welsh in business; sharing useful bilingual marketing goods; translation services; and referring to specialist services, such as Welsh language lessons for staff.

The project also shares good practice stories on social media, which can help to bring businesses to the attention of a wider audience.

Contact the team for more information:

- Website: [cymraeg.gov.wales/business/?lang=en](http://cymraeg.gov.wales/business/?lang=en)
- Email: [rhys.ruggiero@businesswelsh.wales](mailto:rhys.ruggiero@businesswelsh.wales)
- Twitter: [@Welsh4bizSouthE](https://twitter.com/Welsh4bizSouthE)
- Facebook: [Welsh4business](https://www.facebook.com/Welsh4business)

## APPENDIX 2: PORTABLE ADVERTISING (A) BOARDS AND STREET CAFÉS (TABLES AND CHAIRS) PERMITS

### Introduction

The Council as the highway authority is responsible for overseeing the safe operation of public roads and footways and has a duty to protect the rights of the public to enjoy using them. People's ability to move freely and confidently throughout public areas of Cardiff is extremely important to everyone living, working or visiting the city.

### Portable Advertising (A) Boards

Advertising signs placed on the highway are generally known as A Boards. If the area where an A Board is to be placed is part of the highway then, under the Highways Act 1980, you are required to apply to the Council for a permit.

Details of how to apply for a permit and a copy of the Council's 'Portable Advertising Boards Policy and Guidance' can be viewed/downloaded here: <https://www.cardiff.gov.uk/ENG/Business/Licences-and-permits/Roads-and-highways-licences/A-Board-Permits/Pages/default.aspx>

### Street Café (tables and chairs) Permits

Cardiff Council supports and encourages the provision of street cafés, as they can make a positive contribution by adding vitality, colour, life and interest to the street scene.

While street cafés are encouraged, it is important that they are properly administered and managed to ensure that they meet the high standards expected in Cardiff.

For this reason, you must first obtain a licence from the Council before you can place a street café on the highway.

Street café licences apply to any cafés, restaurants, public houses or other catering establishments that serve food and drink within the premises.

Details of how to apply for a street café licence and a copy of the 'Street Café Terms and Conditions' can be viewed/downloaded here: <https://www.cardiff.gov.uk/ENG/Business/Licences-and-permits/Roads-and-highways-licences/Street-cafe-licence/Pages/default.aspx>

### **APPENDIX 3: CONSULTATION ON THE DRAFT SPG**

Public consultation was undertaken between Thursday 8<sup>th</sup> November 2018 and Thursday 20<sup>th</sup> December 2018. A press notice was placed in a local newspaper on Wednesday 7<sup>th</sup> November 2018. Copies of the draft guidance were placed in all Cardiff libraries and at County Hall Reception. The draft guidance was also published on the Council's website. A letter/email notification that consultation was being undertaken on the draft guidance was sent to all Councillors, the Welsh Government, Community Councils in Cardiff and any interested persons and organisations known to have general interests in planning in Cardiff or a potential interest in this guidance.

## APPENDIX 4: SUMMARY OF CONSULTATION REPRESENTATIONS AND RESPONSES

No	Section	Representation	Response
1.	General	The alteration to or conversion of properties, or works to historic buildings may have archaeological or historic environment issues that may require mitigation. Some proposed changes may require archaeological fieldwork where a building is within an Archaeologically Sensitive Area, or where features are noted within the Historic Environment Record. Changes to historic buildings may also require historic building recording as mitigation.	Noted. This would be addressed through the planning process. No Change.
2.	General	All historic environment and archaeological work, including that undertaken to assess change in sensitive areas and which may impact the historic environment should be undertaken to the Standards and Guidance of the Chartered Institute for Archaeologists.	Noted. No change.
3.	Chapter 12	Proposed minor amendment to read: “Design principle G: <b>Community Safety</b> and Security”.	Text has been amended accordingly.
4.	Para 12.9	Proposed additional text to read: “ <b>Laminated glass should be considered in the City Centre and areas that are considered to be crowded places.</b> ”	Text has been amended accordingly.
5.	Para 12.10	Proposed additional text to read: “ <b>CCTV systems should be capable of providing evidential quality imagery and systems should comply with Data Protection legislation.</b> ”	Text has been amended accordingly.
6.	Para 12.11	Minor amendment to read: “Alarms boxes: Although <b>intruder</b> and fire alarms are necessary for many premises ...”	Text has been amended accordingly.
7.	New Paragraph (12.12)	Suggestion of a new paragraph to read: “ <b>12.12 External windows and doors should comply with a recognised security standards such as (at December 2018) PAS24:2016, STS 202 or LPS 1175 SR2.</b> ”	Text has been amended accordingly.
8.	Para 12.14	Proposed minor amendment to read: “Dispensers should be located in highly active public environments, with good natural surveillance and <b>good lighting</b> . <b>Facilities</b> should be fully accessible to people with disabilities.”	Text has been amended accordingly.
9.	General	Chapter 9, Traditional Frontages. Note with interest the proposed guidance in this section and fully approve of the guidance.	Noted. No change.
10.	Chapter 9	A photograph of the Wyndham Arcade is used, but there is not recognition in the text that this is a fine example of what can be achieved by careful restoration	Noted. A photo description has been added in Chapter 9 to recognise this example.
11.	Paragraph 10.2 and Paragraph 10.4	Suggested that it is wrong to have fixed dimensions for projecting signs for two reasons: <ol style="list-style-type: none"> <li>1. Some sites, either as a result of their location, scale, or design, may benefit from larger projecting signs. These paragraphs of the Draft SPG need to be amended to offer support for signs that are appropriate and proportionate to the host building and surrounding buildings without setting defined dimensions.</li> <li>2. There will be cases where landowners, as part of estate management strategies, may deliver a consistent and coherent package of advertisements across an estate, which may exceed the thresholds set in paragraph 10.2. The Draft SPG needs to recognise that owner-led estate management can deliver consistent and uniform signage strategies.</li> </ol>	A key objective of this SPG is to ensure consistency in shopfront design and signage, as such, the guidance on the positioning and dimensions of projecting / hanging signs is considered appropriate. Proposals for larger premises (e.g. shopping centres) and estate management strategies would be considered on their merits on a case-by-case basis. No change proposed.



12.	Paragraph 11.2 Design Principle F: Canopies	Paragraph 11.2 states that fabric and Dutch style canopies will not be supported in the CBA,BBA or CSA. No justification is provided within the Draft SPG for this far reaching restrictive approach but presumably it centres on design grounds and the perceived negative impact of such features.	Fixed fabric / non retractable blinds are not considered appropriate as they permanently obscure parts of the shopfront and introduce discordant materials and shapes into the streetscene. Blinds should fully retract into a blind box in order to maintain an uncluttered shopfront and streetscene, which excludes the use of 'dutch style' canopies. Wording amended to provide further clarity.
13.	Paragraph 12.2 Design Principle G: Security	Paragraph 12.2 states that Security shutters will not be supported in the CBA,BBA or CSA. No justification is provided within the Draft SPG for this far reaching restrictive approach but presumably it centres on design grounds and the perceived negative impact of such features.	This issue is addressed in paragraph 12.1. No change proposed.
14.	Paragraph 11.2 Design Principle F: Canopies	The Draft SPG fails to recognise the use of canopies in coastal areas can make developments more water resilient.	Issue not considered significantly different than in any other part of the city. No change proposed.
15.	General	The SPG should include details relating to portable advertising boards (A Boards) and Street Café (table and chairs) permits in the SPG. Recognise that it does not relate specifically to shopfront design, but it would be useful to make people aware of the issues surrounding their use (the need for highways consent) and the fact that there is related guidance on this topic.	Noted. Appendix 2 has been added to highlight this issue and signpost people towards the relevant guidance.
16.	10. Design principle E: Signage	The SPG fails to recognise the negative impact that brush colour schemes can have on the character of an area.	This is address in Chapter 10E. Text amended to clarify issue.
17.	10. Design principle E: Signage Fascia boards	SPG Text: The fascia sign should only state the name or trade of the premises and should not carry extraneous details (i.e. phone numbers, email address or website information). Comment: This is quite limiting for businesses and in reality, these are key pieces of information. Many of the examples shown in this SPG have such details and if they are designed appropriately they can look good.	It is considered that the need for additional information (phone numbers / web addresses) is becoming less of an issue with the increased use of smart phone technology and website search engines. Wording amended to enable the issue to be considered on a case by case basis in district / local centres.
18.	Paragraph 12.4 (Security grilles and shutters)	SPG Text: The shutter is of an open lattice design which allows at least 50% transparency. Comment: Use the same terminology as the diagram above to avoid confusion – punched out / cut shutter.	Noted. Text amended accordingly.
19.	General	This planning guidance is brilliant especially as it encourages businesses to use Welsh by providing Welsh or bilingual signage. Thank you for being so progressive as to include this.	Comment noted.
20.	Paragraph 10.7	Suggest rewording of paragraph – The Welsh language is part of the social fabric and cultural heritage of Wales and Cardiff.	Text amended accordingly.

21.	Paragraph 10.8	Suggest rewording of paragraph – Welsh Government’s ‘Welsh 2050’ ambition is to have a million Welsh speakers enjoying speaking and using the language by 2050, with Welsh forming an integral part of every aspect of daily life.	The paragraph references the Strategy document. No change proposed.
22.	Paragraph 10.9	Suggest rewording of paragraph – Cardiff Council’s ambition via the Bilingual Cardiff Strategy is to develop a bilingual city and improve the visibility of Welsh in all parts of Cardiff.	Current wording is consistent with the Bilingual Cardiff Strategy 2017-2022. No change proposed.
23.	Paragraph 10.10	Suggest rewording of paragraph – Welsh bilingual signs improve the character of Cardiff and promotes the city and its culture. Promoting and supporting the use of Welsh and including the language on shopfront signage form part of a good design and shopfront offer.	Considered that this does not change the emphasis of the paragraph. No change proposed.
24.	Paragraph 10.11	Suggest rewording of paragraph - Even though this SPG is concerned with shopfronts, the use of bilingual signs, notices and displays (Welsh and English) within the shop/building is also encouraged.	Considered that this does not change the emphasis of the paragraph. No change proposed.
25.	Paragraph 10.12	Suggest rewording of paragraph – See further guidance on Welsh assistance for businesses, including the role of the Welsh language Commissioner and further guidance on bilingual design/signage in Appendix 1.	Considered that this does not change the emphasis of the paragraph. No change proposed.
26.	Appendix 1	Proposed amendments to details contained in Appendix 1 (Welsh in Business)	Noted. Text amended accordingly.
27.	General	Thank you for designing the planning guidance and for encouraging the people of Cardiff to use more Welsh.	Comment noted.
28.	10: Design principle E: Signage	Although we agree with points 10.7 – 10.9 and acknowledge that the Council recognises the Welsh Government’s target of a million Welsh speakers and the need to include this in all aspects of life, the guidance does not strengthen the status of the Welsh language on this aspect of life.	The SPG seeks to encourage the use of Welsh and bilingual signage, which will help to increase the visibility of Welsh language across Cardiff.
29.	Paragraph 10.10	The wording used is not strong or robust enough. Suggest rather than using the words ‘encourage’ or ‘support’, the Council should state that it expects every company to ensure that Welsh signage is part of their shopfront and signage plans.	With regard to the ‘six tests’ associated with the use of planning conditions and particularly where the majority of shopfront signs only relate to company trading names, businesses cannot be required to provide Welsh language / bilingual signage through the planning process. As such, the SPG seeks to raise awareness and actively encourage / promote its use, so that it can be more frequently taken into consideration and, where opportunities arise, incorporated from the outset of new development proposals / planning applications.
30.	10: Design principle E: Signage	The Council should explain that using the Welsh language can promote businesses and attract customers. It shows that businesses welcome Welsh speakers and respects Cardiff’s efforts in terms of being a completely bilingual city.	Noted. Text amended to include reference to Welsh language helping to promote businesses.
31.	10: Design principle E: Signage	Welsh signage should be a condition of planning permission for new large companies (1000m2 or more). Welsh signage should be on display inside these companies as well as outside.	Businesses cannot be required to include Welsh language / bilingual signage through the planning process. As such, the SPG seeks to raise awareness and actively encourage / promote its use, so that it can be taken into consideration and incorporated from the outset of new development proposals / planning applications. No change proposed.

32.	10: Design principle E: Signage	The SPG should state that it expects current large companies to ensure that they have Welsh signage as soon as possible.	This issue is outside the remit of the SPG. SPGs relate to / are taken into consideration as part of new development proposals (planning applications) only. No change proposed.
33.	10: Design principle E: Signage	There is no mention on how the Welsh language should be displayed on signage. The guidance should clearly state that the Welsh language should be above and to the left of the English language.	This issue would need to be considered on a site by site basis, depending on the characteristics of the shopfront and the name / details of the premises.  Text added at Chapter 10 (Welsh language/bilingual signage) to provide further guidance.
34.	10: Design principle E: Signage	Too much emphasis on bilingual signage in this section and suggest that Welsh language signs should be used as much as possible.	Noted. Text amended to reflect both Welsh language and bilingual signage.
35.	10: Design principle E: Signage	New companies should be encouraged and supported to use names which reflect the Welsh history and tradition in the local area.	Noted. No change proposed.
36.	10: Design principle E: Signage	As well as new shops, the guidance should explain that Cardiff Council, as well as the local Welsh for Business office, is happy to help current smaller shops, and ones which are being developed, to ensure that they have Welsh Signage.	Noted. Wording amended at Chapter 10 and Appendix 1 to reference existing and new businesses.
37.	Page 10 Key Design Principles, Point E	Suggest amendment of wording to: Does it include and prioritise the Welsh language?	Emphasis is considered consistent with the other key design principles identified in this section. No change proposed.
38.	General	The Draft guidelines aren't strong enough with regards to the expectations for the use of the Welsh language. The inclusion of Welsh should be a clear priority in the guidelines.	Businesses cannot be required to include Welsh language / bilingual signage through the planning process. As such, the SPG seeks to raise awareness and actively encourage / promote its use, so that it can be taken into consideration and incorporated from the outset of new development proposals / planning applications. No change proposed.
39.	General	Welsh should be displayed inside and outside shops and trading centres in the city.	This is highlighted at paragraph 10.12. No change proposed.
40.	General	Many thanks for the recent increase in the road signs that place the Welsh form above the English, or on the left, as it should be, although there is still a lot of work to be done.	Comment noted.
41.	General	Welsh should be placed above the English on the city's emblem / logo	As part of the Welsh language commissioner's assurance report 2017-18, it was confirmed that the Council's logo does comply with the relevant Welsh language standards (standard 83). If the Council logo is rebranded in future, the Council will give consideration to the order of 'Caerdydd' and 'Cardiff'.

42.	General	<p>Place names should not be abbreviated. E.g: Pen-y-bont = Pen-y-bont ar Ogwr.</p> <p>The sign needs to be corrected: Yr Aes = Yr Ais.</p>	<p>In official documents, the Council would use Pen-y-bont ar Ogwr.</p> <p>In terms of yr Aes/Ais, the Council has used yr Aes for at least 20 years. We acknowledge that it is a matter of interpretation as to whether yr Ais/Aes should be used. We would argue that Yr Aes is now better known and used more widely than yr Ais.</p> <p>A street naming panel has recently been established that will have responsibility for naming new streets in Cardiff, ensuring that they have a historical and cultural connection. The panel will look into this matter.</p>
43.	Paragraph 10.7-10.9	<p>Congratulations to the Council on points 10.7 to 10.9 in the Guidance, and your support for the drive to achieve a million Welsh speakers by 2050.</p>	<p>Comment noted.</p>
44.	General	<p>It's important to do more than encourage businesses to put Welsh language signs on their shopfronts; Welsh language signs should be a planning permission condition – especially for large companies. This will show Welsh speakers are welcome and will give Cardiff a special image.</p>	<p>Businesses cannot be required to include Welsh language / bilingual signage through the planning process. As such, the SPG seeks to raise awareness and actively encourage / promote its use, so that it can be taken into consideration and incorporated from the outset of new development proposals / planning applications. No change proposed.</p>
45.	General	<p>I agree that well designed shopfronts add substantial value to Cardiff. They can improve the character and layout of streets, buildings and public places, from larger streets, shopping centres and Victorian arcades in the city centre, to District and Local Centres at the heart of local communities.</p>	<p>Comment noted.</p>
46.	Paragraphs 10.7-10.12	<p>I strongly agree with points 10.7-10.12 and commend the Council for including guidance for businesses to use Welsh in creating and designing signage and shopfronts. I would like to see the Council adopting policy that makes it a requirement that shopfronts and signage (apart from branded names) be bilingual.</p>	<p>Point 1: Noted Point 2: Businesses cannot be required to include Welsh language / bilingual signage through the planning process. As such, the SPG seeks to raise awareness and actively encourage / promote its use, so that it can be taken into consideration and incorporated from the outset of new development proposals / planning applications. No change proposed.</p>

47.	General	I want to live in a city where the Welsh language is commonplace throughout, thereby creating a city that not only improves Cardiff's character but strengthens our social and cultural fabric and our heritage as well as contributing towards Welsh Government's ambition to reach a million Welsh speakers by 2050.	Comment noted.
48.	General	I'd like to confirm how great it is to see the guidance encouraging businesses to use the Welsh language on shop signs etc. Using the Welsh language is an excellent way of introducing Welsh culture to visitors and to strengthen the sense of place in the city! Fantastic!	Comment noted.
49.	General	After reading the Draft Guidance, and even though Welsh is encouraged, I believe that Cardiff Council should be more robust as regards the Welsh language in the guidance. It should include Welsh as a priority in the guidance.	Noted. It is considered that the emphasis placed on Welsh language is consistent with the other key principles identified in the SPG that need to be taken into consideration as part of the design of new shopfronts. No change proposed.
50.	General	The draft guidance should remind businesses of the economic advantages of displaying Welsh signage, especially in the capital.	Noted. Text amended at Chapter 10 to identify that incorporation into shopfront signage can help to promote businesses.
51.	General	The Welsh language needs to be normalised, verbally and visually if we are to reach the target of a million Welsh speakers.	Noted. No change proposed.
52.	General	I would like to call on you to strengthen the guidelines by ensuring that the Welsh language is one of the main principles of the guidelines, in order to reflect that it is an integral part of our capital city.	Noted. It is considered that the emphasis placed on Welsh language is consistent with the other key design principles identified in the SPG at Chapter 5.1. No change proposed.



