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**SCHOOL TRANSPORT POLICY REVIEW PUPILS AGED 16 TO  
19 FREE HOME TO SCHOOL TRANSPORT**

**REPORT OF DIRECTOR STRATEGIC PLANNING HIGHWAYS  
TRAFFIC & TRANSPORTATION**

**AGENDA ITEM:13**

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**PORTFOLIO: EDUCATION & SKILLS (COUNCILLOR JULIA MAGILL)**

***Appendix B to this report is not for publication under Schedule 12A Part 4 paragraphs 16 and 21 of the Local Government Act 1972 (as amended) in that it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and the public interest in maintaining the exemption outweighs the public interest in disclosing the information***

**Reason for this Report**

1. To enable the Cabinet to consider a recommendation to hold public consultation on the phased withdrawal of the Councils Free Home to School Transport for post 16 pupils/students aged 16-19 (Passport to Travel Scheme) as a result of the significant shortfall in funding for the Scheme from the commencement of the 2016/2017 academic Year.

**Background**

2. The Council's duties to provide school transport for pupils are set out in the Learner Travel (Wales) Measure 2008. Under the Measure the Council has no statutory responsibility to provide free home to school transport for pupils over the statutory school leaving age, namely 16-19 year old pupils.
3. Since 1997, the Council has nevertheless continued to arrange free transport for 16-19 year old pupils provided that the pupil lives 3 or more miles from their nearest appropriate place of study and also qualifies for a specified maintenance allowance (currently being the Welsh Government's full Education Maintenance Allowance). This is referred to as the Passport to Travel Scheme
4. The full Education Maintenance Allowance ("EMA") provides pupils aged 16-19 with £30 per week, of which £10 is intended to cover transport costs. Therefore there is a risk at present that, when taken with the

funding from the Passport to Travel Scheme, such pupils are being overcompensated in respect of their travel costs.

5. The table below identifies the cost of the Passport to Travel Scheme over the last 4 financial years:

Financial Year	2011/2012	2012/2013	2013/2014	2014/2015
Cost of Passport To Travel Scheme (£)	327,725	375,971	300,746	353,000
Number of Pupils	657	1006	1013	1112
Average cost per pupil (£)	498.82	373.73	296.89	317.45

6. The cost of Cardiff's Passport to Travel Scheme ("CPTS") has in the main been funded by the Cardiff Further Education Trust Fund.
7. The Fund is a long established educational charity, the objects of which include the provision of financial and other assistance to certain pupils in Cardiff to enable them to partake in further education or vocational Training.
8. The Fund has previously contributed the majority of the cost of the discretionary transport scheme for any 16-19 year old pupils who live in Cardiff and attended a Cardiff School. In the financial year 2014/15 this amounted to the provision of £337,000, with the Council having to find £16,000.
9. The Fund has indicated that it can no longer continue to fund such levels of expenditure to cover the cost of the Passport to Travel Scheme. The current annual contribution of £227,000 will reduce to £116,000 in the 2017/2018 financial year, with a final contribution from the fund of £10,000 in the 2018/2019 financial year.

### **Transport Arrangements for Pupils/Students**

10. The majority of pupils receiving support via the CPTS currently travel to school or college using the local public passenger transport network. Post 16 pupils currently receiving support via the CPTS will, if it is withdrawn, be able to purchase one of the following:
- Cardiff Bus pass "day to go" currently costs £2.20 per day (annual cost would be £418)
  - Cardiff Bus Young Person Freedom Card £9 for 12 journeys (£285 per year).
  - Cardiff Bus Child Annual bus pass paid via direct debit £340.
  - Stage Coach return journey ticket (Varies on distance travelled)
  - Arriva Train tickets rates
11. In addition, Cardiff Bus recently revised the upper limit of Child Fares, so that Post 16 pupils now qualify to travel at a reduced child fare rate up until the age of 18

12. The numbers of Post 16 pupils in receipt of free transport using dedicated school transport contracted vehicles is relatively small. Post 16 pupils currently receiving support via the CPTS and who currently travel to school using dedicated school transport contracted vehicles would, if CPTS is withdrawn, have the opportunity to purchase seats on such vehicles where they exist at a cost currently of £300 per academic year (repayable via instalments/£30 per month over 10 months).
13. As mentioned in paragraph 4 above such pupils in receipt of free transport are already receiving Education Maintenance Allowance (“EMA”) which provides such pupils with £10 per week which is intended to cover transport costs

## Issues

14. The Fund will no longer be able to offer the same level of financial contribution towards the expenditure required for the CPTS beyond 2015/16. The Council has no other available funds to continue the CPTS and therefore the Council will either have to withdraw the support provided or divert funding from other services and/or programmes to continue providing support.
15. In order to address these financial pressures, changes to the Council’s existing Home to School Transport policy have to be considered.
16. The Policy consultation must be concluded by the end of July 2015 to enable the new Policy to be published before 1 October 2015, with the aim of reducing expenditure in this area from the 2017/2018 Academic Year. The Council will have to fund substantially 16 – 19 non statutory school transport for the 2016/2017 academic year.
17. The estimated annual costs of continuing to offer free transport for Post 16Pupils/students in accordance with the CPTS is between £360,000 and £440,000.
18. The estimated cost to the Council for phasing in the withdrawal of free transport for qualifying pupils/students aged 16 to 19 would be £137,000 in 2016/17, £76,500 in 2017/18 and £109,500 in 2018/19 (as indicated by the table below). From 2019/2020 the Council would be liable for all the costs of the scheme.

Estimated Total Cost Per Financial year <b>2016/17</b>	Estimated Total Cost Per Financial year <b>2017/18</b>	Estimate Total Cost Per Financial year <b>2018/19</b>
£364,000	£192,500	£119,500
£227,000 will be funded from the trust fund. £20k will be funded from the Councils budget £117,000 will need to be found from Council funds	£116,000 will be funded from the trust fund £20k will be funded from the Councils budget £56,500 will need to be found from Council funds	£10,000 will be funded from the trust fund £20k will be funded from the Councils budget £89,500 will need to be found from Council funds

19. Other implications include:
- Withdrawal of funding could have an impact on the Council's commitment to provision of education opportunities for all children and will also potentially impact on Youth engagement.
  - Consequential attendance implications at some schools/colleges.
  - Possible increase in network congestion as a result of increase in "school run traffic".
  - Cost implications for some families may lead to fewer pupils being able to continue to afford to carry on attending school or college after statutory school leaving age.
  - Impact on Further Education providers
20. The Council has established a Post 16 Strategy Group with the major providers and stakeholders within Cardiff to develop strategies to address further education issues, particularly in the context of recent changes in available funding mechanisms.
21. Transport for pupils aged 16 to 19 will be one of the key issues that the Post 16 Strategy Group will consider as part of their discussions, with the intention of assuring a consistent approach for all providers and stakeholders. However that does not negate the need for the Council to consider changes to the scheme in advance of the outcome being known of any such deliberation particularly in the context of the time constraints referred to above.

### **Reason for Recommendations**

22. There is insufficient time to implement such changes in Cardiff's Home to School Transport Policy for the academic year commencing in September 2015. New policies incorporating those changes will however be published on the Council's web site and made available to the public by 1 October 2015 to enable changes to be implemented for the academic year commencing in September 2016.
23. The Council's budget is under extreme pressures and the loss of funding available for the CPTS means that the Council has to consider withdrawing it in order to protect other services.
24. It is appropriate that the Council consider phased withdrawal of funding of Free Home to School Transport via the Council's Passport to Travel Scheme for post 16 pupils/students aged 16-19 with effect from the 2016/2017 Academic Year. Funding would continue for all pupils/students who started 6th Form or college courses prior to the 2016/2017 Academic Year, providing they continue to qualify for the full EMA allowance, until the end of the academic year that they turn 19.
25. It is proposed that alongside the consultation, officers will undertake further investigations of alternative funding streams/mechanisms which may be available to continue providing free or subsidised transport for this group of Post 16 pupils/students (including further discussions with the Post 16 Strategy Group). When this matter is brought back before

Cabinet to make a determination as to whether to withdraw the Passport to Travel Scheme (either as currently being proposed or as may have been amended) it will be the intention to report to Cabinet on the feedback from the consultation and the outcome of those further investigations and discussions.

### **Legal Implications**

26. Appendix B to this report contains legal advice which is exempt from publication pursuant to the provision of paragraph 16 of Part 4 of Schedule 12A to the Local Government Act 1972.
27. The recommendations in this report have been framed having regard to the legal implications set out below and those contained in Appendix B.
28. If an Authority is considering changing its school transport policy, the Welsh Government recommends that, as a matter of fairness and good practice, there should be consultation with the schools, parents of pupils and any other relevant parties likely to be affected, before a decision is taken.
29. Consultation should also take place with pupils, where appropriate, so that they have a chance to contribute. Local Authorities could ask School Councils or their youth forum for views. The methods of obtaining pupils' views should be as inclusive as possible and their input should be sought in a way appropriate to their age. Those consulting pupils should ensure that they give a clear picture of how their views will be taken into account and that later feedback is provided on decisions.
30. Consultation gives rise to the legitimate expectation that the outcome of the consultation will be considered in terms of determining the way forward. Therefore consultation is required to be undertaken:
  - when the proposals are at a formative stage (with no decision having been made);
  - on the basis that the consultation feedback will be properly considered and could change the proposals;
  - with the provision of sufficient information and time to facilitate expression of views by consultees and consideration of those views prior to making any decision on the proposals;
31. The Council has to satisfy its 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..
32. 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.
33. As such any decision as to any change in the CPTS has to be made in the context of the Council's equality act public sector duties.
34. The report identifies that an initial Equality Impact Assessment has been carried out and is appended at Appendix A. 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.
35. The decision maker must have due regard to the Equality Impact Assessment in making its decision.
36. If the recommendations are accepted then consultation responses from representative bodies should also be obtained to assist in finalising the Equality Impact Assessment which will then need to be reviewed prior to making any final decision.
37. The decision maker must also have regard to certain other matters when making its decision as outlined in the Statutory Screening tool. The decision maker is therefore referred to the Screening Tool attached at Appendix A.

### **Financial Implications**

38. There is no budgetary provision within the Directorate's position for the cost of Free Home to School Transport for post 16 pupils' students. The amount in respect of 2015/16 will be covered primarily by two sources of income namely, the Cardiff Further Education Trust Fund £227,000 and from additional Council funds £148,000.
39. The use of reserves is not considered appropriate for any on-going costs that stretch over a period of years as those reserves will either run out or diminish over time.
40. In respect of 2016/17, the report gives options where costs will continue to be incurred. In the event of any of these options being chosen the funding source for the ongoing commitment needs to be established. This will need to be considered as part of the 2016/17 Budgetary process and included in the medium term financial plan of the Council to be provided.

### **Statutory Screening Implications**

41. The proposed changes to the policy will impact all pupils equally across

Cardiff regardless of their sex, religion, or language. Although students from families on low incomes who will be impacted by the withdrawal of the Councils funding for this scheme, since 2004 families have benefitted from also receiving funding from Welsh Government and therefore there is a current risk of overfunding of transport for those pupils.:-

### Consequences

42. Failure to decide upon and implement a solution to the funding shortfall for the CPTS (which may include a change to the Council's Home to School Transport Policy to undertake a phased withdrawal of the CPTS), will have serious budgetary implications for 2016/17 (in the region of £360,000 to £440,000). These costs are likely to increase each year thereafter.

### **RECOMMENDATIONS**

Cabinet is recommended to

- 1) approve that consultation be undertaken on the proposal for the phased withdrawal of funding of Free Home to School Transport via the Councils Passport to Travel Scheme for post 16 pupils/students aged 16-19 with effect from the 2016/2017 Academic Year. Funding would continue for all pupils who started 6th Form or college courses prior to the 2016/2017 Academic Year providing they continue to qualify for the full EMA allowance, until the end of the academic year that they turn 19;
- 2) note the further investigations which are intended to be undertaken alongside the consultation and the intention that the Director of Strategic Planning Highways Traffic & Transportation will return to Cabinet with a further report setting out the feedback from the consultation and the results of those investigations to enable the Cabinet to make a decision as to the approach which it wishes to adopt to address the future funding gap in the Cardiff Passport to Travel Scheme.

### **ANDREW GREGORY**

Director

13 March 2015

*The following Appendices are attached*

Appendix A EIA Screening Tool

Appendix B Exempt Advice

## Cardiff Council

### Statutory Screening Tool Guidance

If you are developing a strategy, policy or activity that is likely to impact people, communities or land use in any way then there are a number of statutory requirements that apply. Failure to comply with these requirements, or demonstrate due regard, can expose the Council to legal challenge or other forms of reproach.

For instance, this will apply to strategies (i.e. Housing Strategy or Disabled Play Strategy), policies (i.e. Procurement Policy) or activity (i.e. developing new play area).

Completing the Statutory Screening Tool will ensure that all Cardiff Council strategies, policies and activities comply with relevant statutory obligations and responsibilities. Where a more detailed consideration of an issue is required, the Screening Tool will identify if there is a need for a full impact assessment, as relevant.

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The main statutory requirements that strategies, policies or activities must reflect include:

- **Equality Act 2010 - [Equality Impact Assessment](#)**
- **Welsh Government's [Sustainable Development Bill](#)**
- **Welsh Government's Statutory Guidance - [Shared Purpose Shared Delivery](#)**
- **[United Nations Convention on the Rights of the Child](#)**
- **[United Nations Principles for Older Persons](#)**
- **[Welsh Language Measure 2011](#)**
- **[Health Impact Assessment](#)**
- **[Habitats Regulations Assessment](#)**
- **[Strategic Environmental Assessment](#)**

This Statutory Screening Tool allows us to meet all the requirements of all these pieces of legislation as part of an integrated screening method that usually taken no longer than an hour.

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The Screening Tool can be completed as a self assessment or as part of a facilitated session, should further support be needed. For further information or if you require a facilitated session please contact the Policy, Partnerships and Citizen Focus Team on 02920 72685 e-mail: [nwood@cardiff.gov.uk](mailto:nwood@cardiff.gov.uk). Please note:

- **The completed Screening Tool must be submitted as an appendix with the Cabinet report.**
- **The completed screening tool will be published on the intranet.**



## Statutory Screening Tool

<b>Name of Policy:</b> Home to School Transport Policy	<b>Date of Screening:</b> 26 February 2015
<b>Service Area/Section:</b> Strategic Planning, Highways, Traffic & Transportation	<b>Lead Officer:</b> Stephen Gerrard
<b>Attendees:</b> Self Assessment	

<b>What are the objectives of the Policy/Strategy/Project/Procedure/Service/Function</b>	<b>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.]</b>
<p>Cardiff Council's Home to School Transport policy sets out the criteria that pupils and students living within Cardiff need to satisfy in-order to receive free home to school transport.</p>	<p>The Council's Home to School Transport policy complies with the Councils requirements as set out in the Welsh Leaner Travel Measure 2008, to assess the transport needs for learners aged 5 to 19.</p> <p>In line with the Welsh Leaner Travel Measure 2008 the Council does not have a statutory duty to provide transport for pupils aged 16 to 19 who are over statutory school leaving age.</p> <p>Prior to 1997 Cardiff Council provided free transport to all pupils aged 16 to 19 who lived more than 3 miles walking distance from their nearest place of study.</p> <p>However since 1997 free home to school transport has only been provided to pupils aged 16 to 19 who live 3 or more miles walking distance from their nearest place of study and are also in receipt of the full Education Maintenance Allowance (EMA) from Welsh Government.</p> <p>Since September 1997 pupils/students age 16 to 19 have to apply each year to establish whether or not they qualified for free transport in line with the Councils Passport to travel Scheme.</p>

## Part 1: Impact on outcomes and due regard to Sustainable Development

Please use the following scale when considering what contribution the activity makes:		
<b>+</b>	Positive	Positive contribution to the outcome
<b>-</b>	Negative	Negative contribution to the outcome
<b>ntrl</b>	Neutral	Neutral contribution to the outcome
<b>Uncertain</b>	Not Sure	Uncertain if any contribution is made to the outcome

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
<b>1.1</b>	<p><b>People in Cardiff are healthy;</b> Consider the potential impact on</p> <ul style="list-style-type: none"> <li>the promotion of good health, prevention of damaging behaviour, promote healthy eating/active lifestyles etc,</li> <li>vulnerable citizens and areas of multiple deprivation</li> <li>Addressing instances of inequality in health</li> </ul>		✓	✓		<p>The majority of pupils/students already use public transport to access the schools and colleges that they attend. Part of the Education Maintenance Allowance (EMA) that the pupils/students receive from Welsh Government is intended to be used to cover transport costs.</p>
<b>1.2</b>	<p><b>People in Cardiff have a clean, attractive and sustainable environment;</b> Consider the potential impact on</p> <ul style="list-style-type: none"> <li>the causes and consequences of Climate Change and creating a carbon lite city</li> <li>encouraging walking, cycling, and use of public transport and improving access to countryside and open space</li> <li>reducing environmental pollution (land, air, noise and water)</li> <li>reducing consumption and encouraging waste reduction, reuse, recycling and recovery</li> <li>encouraging biodiversity</li> </ul>			✓		<p>The majority of pupils/students already use public transport to access the schools and colleges that they attend.</p> <p>The majority of pupils/students already use public transport to access the schools and colleges that they attend.</p>
<b>1.3</b>	<p><b>People in Cardiff are safe and feel safe;</b> Consider the potential impact on</p> <ul style="list-style-type: none"> <li>reducing crime, fear of crime and increasing safety of individuals</li> <li>addressing anti-social behaviour</li> <li>protecting vulnerable adults and children in Cardiff from</li> </ul>			✓		
Issue Status: 02		Date: 23/08/11	Process Owner: D. Owen	Authorisation: R. Jones	Page 3 of 8	

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
	<i>harm or abuse</i>					
<b>1.4</b>	<b>Cardiff has a thriving and prosperous economy;</b> <i>Consider the potential impact on</i> <ul style="list-style-type: none"> <li><i>economic competitiveness (enterprise activity, social enterprises, average earnings, improve productivity)</i></li> <li><i>Assisting those Not in Education, Employment or Training</i></li> <li><i>attracting and retaining workers (new employment and training opportunities, increase the value of employment,)</i></li> <li><i>promoting local procurement opportunities or enhancing the capacity of local companies to compete</i></li> </ul>		<ul style="list-style-type: none"> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>✓</li> </ul>	Part of the Education Maintenance Allowance (EMA) that the pupils/students receive from Welsh Government is intended to be used to cover transport costs.
<b>1.5</b>	<b>People in Cardiff achieve their full potential;</b> <i>Consider the potential impact on</i> <ul style="list-style-type: none"> <li><i>promoting and improving access to life-long learning in Cardiff</i></li> <li><i>raising levels of skills and qualifications</i></li> <li><i>giving children the best start</i></li> <li><i>improving the understanding of sustainability</i></li> <li><i>addressing child poverty (financial poverty, access poverty, participation poverty)</i></li> <li><i>the United Nations Convention on the Rights of a Child and Principles for Older persons</i></li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>✓</li> </ul>	Cardiff & the Vale College and St David's 6 <sup>th</sup> form college currently provide free transport to all students who live 3 or more miles from their college campus, although they reclaim the costs of the transport for students who qualify to for free transport under the Councils Passport to Travel scheme.
<b>1.6</b>	<b>Cardiff is a Great Place to Live, Work and Play</b> <i>Consider the potential impact on</i> <ul style="list-style-type: none"> <li><i>promoting the cultural diversity of Cardiff</i></li> <li><i>encouraging participation and access for all to physical activity, leisure &amp; culture</i></li> <li><i>play opportunities for Children and Young People</i></li> <li><i>protecting and enhancing the landscape and historic heritage of Cardiff</i></li> <li><i>promoting the City's international links</i></li> </ul>			<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>		

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
1.7	<b>Cardiff is a fair, just and inclusive society.</b> Consider the potential impact on			✓		
	<ul style="list-style-type: none"> <li>the elimination of discrimination, harassment or victimisation for equality groups</li> </ul>			✓		
	<ul style="list-style-type: none"> <li>has the community or stakeholders been engaged in developing the strategy/policy/activity?</li> <li>how will citizen participation be encouraged (encouraging actions that consider different forms of consultation, through more in depth engagement to full participation in service development and delivery)?</li> </ul>			✓		The Welsh Learner Travel Measure specifies that the Council must consult with all interested parties before it can change its home to school transport policy. Part of this consultation will be undertaken directly with student councils from some of the schools and colleges affected.
	Will this Policy/Strategy/Project have a <b>differential impact</b> on any of the following:					Please give details/consequences of the differential impact (positive and negative), and what action(s) can you take to address any negative implications?
	<ul style="list-style-type: none"> <li><b>Age</b> (including children and young people aged 0-25 and older people over 65 in line with the United Nations Conventions)</li> </ul>			✓		
	<ul style="list-style-type: none"> <li><b>Disability</b></li> </ul>			✓		
	<ul style="list-style-type: none"> <li><b>Gender Reassignment</b></li> </ul>			✓		
	<ul style="list-style-type: none"> <li><b>Marriage &amp; Civil Partnership</b></li> </ul>			✓		
	<ul style="list-style-type: none"> <li><b>Pregnancy &amp; Maternity</b></li> </ul>			✓		
	<ul style="list-style-type: none"> <li><b>Race</b></li> <li><b>Religion/Belief</b></li> <li><b>Sex</b></li> <li><b>Sexual Orientation</b></li> <li><b>Welsh Language</b></li> </ul>			✓		
		Yes	No			
Is a Full <b>Equality Impact Assessment</b> Required?			✓			
Is a Full <b>Child Rights Impact Assessment</b> Required			✓			

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
1.8	<p><b>The Council delivers positive outcomes for the city and its citizens through strong partnerships</b></p> <p><i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <li><i>strengthening partnerships with business and voluntary sectors</i></li> <li><i>the collaboration agenda and the potential for shared services, cross-boundary working and efficiency savings</i></li> </ul>			<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>		

**SUMMARY OF APPRAISAL (highlight positive and negative effects of the policy / plan / project being assessed, demonstrating how it contributes to the economic, social and environmental sustainability of the city):**

The proposed changes to the policy will impact all pupils equally across the city regardless of the sex, religion, or language. Although students from families on low incomes may well be impacted by the withdrawal of the Councils funding for this scheme, since 2004 these families have benefited from receiving funding from Welsh Government and therefore have been double funded.

**WHAT ACTIONS HAVE BEEN IDENTIFIED OR CHANGES BEEN MADE TO THE POLICY / PLAN / PROJECT AS A RESULT OF THIS APPRAISAL:**

The only actions from this appraisal is that it has confirmed that the withdrawal of this policy will affect all groups equally.

## Part 2: Strategic Environmental Assessment Screening

		Yes	No
2.1	Does the plan or programme set the framework for future development consent?		✓
2.2	Is the plan or programme likely to have significant, positive or negative, environmental effects?		✓

Is a Full Strategic Environmental Assessment Screening Needed?	Yes	No
<ul style="list-style-type: none"> <li>▪ If yes has been ticked to both questions 2.1 and 2.2 then the answer is yes</li> <li>▪ If a full SEA Screening is required then please contact the Sustainable Development Unit to arrange (details below)</li> </ul>		✓
		✓

If you have any doubt on your answers to the above questions regarding SEA then please consult with the Sustainable Development Unit on 2087 3228  
[sustainabledevelopment@cardiff.gov.uk](mailto:sustainabledevelopment@cardiff.gov.uk)

## Part 3: Habitat Regulation Assessment (HRA)

		Yes	No	Unsure
3.1	Will the plan, project or programme results in an activity which is known to affect a European site, such as the Severn Estuary or the Cardiff Beech Woods?		✓	
3.2	Will the plan, project or programme which steers development towards an area that includes a European site, such as the Severn Estuary or the Cardiff Beech Woods or may indirectly affect a European site?		✓	
3.3	Is a full HRA needed?		✓	

Details of the strategy will be sent to the County Ecologist on completion of the process to determine if a Habitat Regulation Assessment is needed. For further information please phone 2087 3215 or email [biodiversity@cardiff.gov.uk](mailto:biodiversity@cardiff.gov.uk)

## Appendix 1 – Statutory Requirements

It is possible that the Impact Screening Tool will identify the need to undertake specific statutory assessments:

- **Equality Impact Assessment:** *This assessment is required by the Equality Act 2010 and Welsh Government’s Equality Regulations 2011.*
- **Sustainable Development Bill:** *The Bill, when it comes into effect, will require sustainable development (SD) to be a central organising principle for the organisation. This means that there is a duty to consider SD in the strategic decision making processes.*
- **Shared Purpose Shared Delivery-** *The Welsh Government requires local authorities to produce a single integrated plan to meet statutory requirements under a range of legislation. Cardiff Council must therefore demonstrate its contribution towards Cardiff’s own integrated plan; “What Matters”.*
- **United Nations Convention on the Rights of the Child:** *The Children Act 2004 guidance for Wales requires local authorities and their partners to have regard to the United Nations Convention on the Rights of a Child.*
- **United Nations Principles for Older Persons:** *The principles require a consideration of independence, participation, care, self-fulfillment and dignity.*
- **The Welsh Language Measure 2011:** *The measure sets out official status for the Welsh language, a Welsh language Commissioner, and the freedom to speak Welsh.*
- **Health Impact Assessment:** *(HIA) considers policies, programmes or projects for their potential effects on the health of a population*
- **Strategic Environmental Impact Assessment:** *A Strategic Environmental Assessment (SEA) is an European Directive for plans, programmes and policies with land use implications and significant environmental effects.*
- **Habitats Regulations Assessment:** *The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 provides a requirement to undertake Habitats Regulations Assessment (HRA) of land use plans.*