Dear Councillor

You are invited to attend a meeting of the CABINET to be held in The Council Chamber, Civic Centre, Pontypool NP4 6YB on Tuesday 14 June 2011 at 10.30am to consider the business set out in the attached agenda.

Please note, this meeting of the Cabinet will be run digitally – i.e. there will be no papers at the meeting (except for press and public copies).

Yours sincerely

Liz Monk
LEAD OFFICER, CABINET SUPPORT

On behalf of Alison Ward CBE, Chief Executive

EXECUTIVE MEMBERS
Councillor Bob Wellington (Chair)
Councillor Lewis Jones (Vice Chair)
Councillor Mary Barnett
Councillor Cynthia Beynon MBE
Councillor Gwyneira Clark
Councillor Richard Clark
Councillor John Cunningham MBE KSG
Councillor Brian Mawby
Councillor Marlene Thomas

ALSO INVITED TO ATTEND
Officers
Peter Durkin, Deputy Chief Executive
Liz Monk, Lead Officer Cabinet Support
Alison Ward CBE, Chief Executive
Lynda Willis, Chief Legal Officer and Monitoring Officer

Assistant Chief Executives
All Chief Officers

ALL THESE DOCUMENTS ARE AVAILABLE IN LARGER PRINT UPON REQUEST
Additional requirements
Please do not hesitate to contact Democratic Services on the number or email address below if you wish to attend a meeting and you would like us to take into account any special requirements you may have.

Induction loops for hearing aid users operate in Committee Rooms 1, 2 and 3 and the Conference Room. An infra-red system for use with headsets operates in the Cabinet Committee Room and the Council Chamber, (where we also use microphones). Please contact us if you require a headset.

Agendas and copies of reports can be provided in large print, on audio cassette and, where print deadlines permit, in Braille. Please contact us for further details.

All Committee Rooms are accessible by wheelchair. Please contact us before the meeting and we can ensure that the room is arranged appropriately.

Cyfieithiadau Cymraeg: Os hoffech dderbyn copi o’r agenda hwn neu unrhyw adroddiad penodol yn Gymraeg (neu unrhyw iaith gymunedol arall), cysylltwch â ni ar y rhif ffôn neu gyfeiriad e-bost isod.

Welsh Translations: If you would like a copy of this agenda or a particular report in Welsh (or any other community language), please contact us on the telephone number or email below.

Telephone: 01495 742162
Email: liz.monk@torfaen.gov.uk
# CABINET

**10.30am on Tuesday 14 June 2011**  
The Council Chamber, Civic Centre, Pontypool NP4 6YB

## AGENDA

<table>
<thead>
<tr>
<th>Page No</th>
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<tr>
<td>None</td>
<td>Leader</td>
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<td>None</td>
<td>Liz Monk</td>
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<td>1-10</td>
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<td>11-12</td>
<td>Alison Ward</td>
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<td>13-24</td>
<td>Nigel Aurelius</td>
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<td>Christina Harrhy</td>
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1. **Attendance**  
   Attendance register to be signed

2. **Apologies for absence**  
   Apologies should be given in advance of the meeting to Liz Monk on tel: 01495 742162 or by email to liz.monk@torfaen.gov.uk

3. **Declarations of Interest**  
   To receive declarations of interests in respect of items on this agenda, which should be **declared verbally and written** in the declarations of interest list

4. **Minutes – 10 May 2011**  
   To be confirmed as a correct record

5. **Update on actions from the above meeting**  
   Update attached

6. **Our Financial Results 2010-11**  
   To provide Cabinet with the key financial results of the Authority for 2010/11

7. **De-Commissioning of Street Lights across the County Borough**  
   To seek approval to implement further improvements to the provision of street lighting across the County Borough

8. **Waste Management Strategy**  
   To seek approval of the revised Waste Management Strategy whilst recognising indicative costs and future levels of increased funding required to implement the Strategy, together with anticipated costs, including potential fines, of not seeking improvements

9. **Annual Council Reporting Framework to Assess Effectiveness in Meeting Social Care Needs**  
   To set out the professional view of the statutory Director of Social Services regarding the effectiveness of the Council in meeting social care needs.

10. **Housing Renewals Policy & Strategy 2011**  
    To seek approval of the Housing Renewal Policy & Strategy April 2011.

11. **Direct Payments Support Service – Award of Contract**  
    To inform Cabinet of the outcome of the tender process and to seek approval to award the contract to the highest scoring tender submission.
12. **Appointments to Joint Committees, Partnership Bodies and Sub-Committees of Cabinet**

   To seek appointments to joint committees and partnership bodies where such appointments fall within the responsibility of the Cabinet.

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<tr>
<th>162-164</th>
<th>Alison Ward</th>
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13. **Date of next meeting (for information)**

   The next ordinary meeting of the Cabinet is scheduled for Tuesday 12 July 2011 at 10.30am in the Council Chamber, Civic Centre, Pontypool.

| None | Liz Monk |
MEETING OF THE CABINET OF TORFAEN COUNTY BOROUGH COUNCIL
held on Tuesday 10 May 2011 at 10.30am to 11.58am
in The Council Chamber, Civic Centre, Pontypool

NB the agenda for and the reports presented to this meeting are available to view at:

MINUTES

1. Attendance: Councillor Bob Wellington (Leader) (in the Chair)

Executive Members (with portfolios): Councillors:

Mary Barnett - Children and Young People
Cynthia Beynon MBE – Equalities and Community Safety
Gwyneira Clark – Planning, Public Protection and Housing
John Cunningham MBE, KSG – Neighbourhood Services
Lewis Jones – Deputy Leader
Brian Mawby - Health, Social Care and Well-being
Marlene Thomas - Resources

Officers:

Nigel Aurelius –Assistant Chief Executive (Resources)
David Congreve – Assistant Chief Executive (Communities)
Ian Cutler – Head of Adult Services
Farooq Dastgir – Director Technology Led Transformation
Peter Durkin – Deputy Chief Executive
Richard Edmunds – Head of Strategic Services
Christina Harrhy – Chief Officer Neighbourhood Services
Bill Hill – Chief Officer Employment Regeneration
Liz Monk – Lead Officer, Cabinet Support
Mark Provis – Chief Education Officer
Kim Pugh – Head of Public Protection
Alison Ward CBE – Chief Executive
Lynda Willis - Chief Legal Officer & Monitoring Officer

Also attending:

Steve Bendell – Licensing Team Leader
Bob Crimp – Head of Corporate Risk and Emergency Management
Janine Franklin – Project Manager, Efficiency and Innovation
Jessica Marsh – Business Manager
Benjamin Rooke (Digital Cabinet Support)

4 Members of the press and public (G)

G = in the public gallery
2. APOLOGIES FOR ABSENCE

2.1 Apologies were received from Councillor Richard Clark.

3. DECLARATIONS OF INTEREST

3.1 The Leader welcomed everyone to the meeting, especially the members of the Older Persons Forums. He then reminded Members of the need to declare interests orally and also to write them in the register circulating at the meeting.

3.2 The Chief Legal Officer & Monitoring Officer gave advice to Members with regard to their declaration of interests that may have been applicable to the items on the agenda.

3.3 Councillor Marlene Thomas declared a personal interest in agenda item 6 (An Integrated Digital Public Education Service System for Wales: Phase 1 – Key Stage 4 Transformation of Digital Learning) as she was a Governor of Croesyceiliog School; she remained in the meeting and voted as this was not a prejudicial interest.

3.4 Councillor Gwyneira Clark declared a personal and prejudicial interest in agenda item 11 (Review of the Decision to Increase Fees for Private Hire and Hackney Carriage Licences for 2011/12) as her son owned and operated a taxi in Cwmbran. She withdrew from the meeting for this item.

4. MINUTES – CABINET

4.1 AGREED – that the minutes of the Cabinet meeting held on 29 March 2011 be confirmed as a correct record and signed by the Chair.

5. UPDATES ON ACTIONS AGREED AT THE ABOVE MEETINGS

5.1 The updates were noted

6. AN INTEGRATED DIGITAL PUBLIC EDUCATION SERVICE SYSTEM FOR WALES: PHASE 1 – KEY STAGE 4 TRANSFORMATION OF DIGITAL LEARNING

6.1 The Cabinet considered a report of the Chief Education Officer updating Members on the progress of the project developed by Officers from Torfaen, Monmouthshire and Newport Councils.

6.2 The Chief Education Officer outlined the report commenting particularly that:
   - The Programme Board met for the first time on 28 April;
   - The project was currently running three months ahead of schedule;
   - The project investment had now been approved by the Wales
Chief Information Officer;

- The draft full project plan “An Integrated Digital Public Service System for Education in Wales” was being developed with partners; and
- The release of a further £6 million funding from the Welsh Assembly Government (WAG) in March 2011 had accelerated the rate of investment in the Programme and had resulted in a radical revision of the timeline for the Project Plan as summarised in paragraph 5.6 of the report.

6.3 The Executive Member for Children and Young People anticipated that the Programme would be rolled out throughout Wales in the near future and would not only improve attainment levels but also have a marked effect on attendance records.

6.4 The Chief Education Officer reminded Members that although the system would go live in January 2012 the evidence suggested that it could be the summer of 2013 before the full benefits would be seen.

6.5 The Leader congratulated Officers on the progress to date and was pleased that Torfaen was once again leading the way in Wales.

6.6 AGREED – for the reasons set out in the report that Cabinet agreed to:

- note that the project investment has now been approved by the Wales Chief Information Officer, Gwyn Thomas, thus ensuring consistency with the Design Authority’s national data strategy;
- note the progress made in developing the Programme to date;
- note the current project milestones and project plan;
- agree the planned expenditure from 1 April 2011, totalling £5,091,389;
- note the Monmouthshire contribution of £960k has been spent;
- note the Torfaen contribution of £1.32m has been committed; and
- note the Newport contribution of £1.92m is anticipated over the lifespan of the Programme.

7. AGREEMENT FOR THE SETTING UP AND OPERATION OF A SHARED RESOURCE SERVICE

7.1 The Cabinet considered a report of the Deputy Chief Executive updating Cabinet on the development of an agreement for the setting up and operation of a Shared Resource Service (SRS) between Gwent Police Authority (GPA), Monmouthshire County Council (MCC) and Torfaen County Borough Council (TCBC).

7.2 The Deputy Chief Executive outlined the report, commenting particularly that:
• To aid clarity on arrangements for the appointment of this Authority’s representatives on the Board and on arrangements for the agreement of new members of the SRS two additional recommendations had been added to the report;
• A short term collaborative agreement had previously been agreed by Cabinet on 15 June 2010 whilst a longer term governance solution was explored;
• The proposed agreement provides the basis for a ten year minimum relationship based on a shared responsibility module;
• The proposed agreement was legally binding and sought to effectively manage the risks associated with the SRS enterprise in its entirety;
• The minutes of Board meetings (subject to commercial sensitivity) would be available on the Council’s website; and
• The Deputy Chief Executive would report back to Cabinet on progress after a period of six months and on a six monthly basis thereafter or as required.

7.3 Members commented and/or questioned (in summary):
• Concerns were expressed that Members would not have access to the minutes;
• Would all minutes be open to the public? and
• Members requested that the minutes of the Local Service Board were also published to the Council’s web site;

7.4 The Deputy Chief Executive responded (in summary);
• The minutes and agenda from previous meetings were available and arrangements would be made for them to be published to the Council’s website; and
• All minutes were public records except where HR issues were concerned or in cases of commercial sensitivity.

7.5 The Leader congratulated and thanked all Officers involved in the setting up and operation of the Shared Resource Service.

7.6 AGREED – for the reasons set out in the report, Cabinet agreed to:
1. The Setting up and Operation of a Shared Resource Service (SRS) substantially in the form set out in the Appendix to the report.

2. Delegate authority to the Deputy Chief Executive, in consultation with the Leader of the Council, to finalise the Agreement with existing partners and maintain its currency thereafter.

3. That Torfaen’s representative/s on the Shared Resource Service Board will be appointed and replaced by the Cabinet.
4. That Cabinet approval will be required to add members to the Shared Resource Service.

8. SHARED RESOURCE SERVICE - BUSINESS CASE FOR SETTING UP A TRADING COMPANY

8.1 The Cabinet considered a report of the Deputy Chief Executive setting out the rationale and detail for Torfaen County Borough Council (TCBC) and Monmouthshire County Council (MCC) to act jointly in setting up a trading company, to be known as Shared Resource Service Business Solutions (SRS BS)

8.2 The Deputy Chief Executive outlined the report in detail commenting particularly that:

- In order to ensure broad debate of the proposal to set up a Trading Company it was intended that Cabinet should recommend this action to Council on 17 May;
- Following the decision to cancel the Council meeting on 17 May and having regard to the fact that full Council approval was not required to establish the Trading Company, it was necessary to amend the report by the deletion of the words, “and recommends to Council (in respect of 3.1.1 and 3.2.2”) in the preamble to the recommendations. The new Trading Company needed to commence business as soon as possible in order to maximise business opportunities, so waiting until the next available Council meeting was not a practical proposition;
- It was therefore now proposed that the Business Case for the setting up of a Trading Company would be the subject of the Member Seminar on 16 May; and
- To ensure absolute clarity on arrangements for the appointment of this Council’s representatives on the Board two additional recommendations had been added to the report;

8.3 The Chief Executive stated that the future potential of the Company was vast. She had recently met with the Gwent Police Authority who were very disappointed they were prevented from being part of the new Company by current legislative restrictions, although it was hoped that a forthcoming meeting with the Home Office might provide a solution.

8.4 Members commented and/or questioned (in summary):

- Would both Councils receive the six monthly progress reports at the same time? and
- It was hoped that legislation would change to enable the Police Authority to be part of the Trading Company at the earliest opportunity
8.5 The Deputy Chief Executive confirmed the importance of synchronising the six monthly reports so that both Councils received them at the same time.

8.8 AGREED – for the reasons set out in the report, Cabinet agreed to:

1. The approval of the Business Case (as Appendix 1 of the report).

2. The setting up of a trading company as a company limited by shares as set out in the report.

3. Delegate authority to the Deputy Chief Executive and the Leader to agree the company documentation.

4. Delegate authority to the Deputy Chief Executive (in consultation with the Leader/Executive Member for Resources) to agree what assets and resources are to be provided on a commercially costed basis to the new trading company.

5. Delegate authority to the Deputy Chief Executive to approve any non-material amendments necessary to synchronise documentation and decisions between this Council and Monmouthshire.

6. Authorise the use of £40,000 of the General Fund Balance to provide the company with the initial share capital.

7. Set up a Shared Resource Services Business Solutions (SRS BS) Board of Directors to provide direction to, and oversee the activities of the Company, as outlined in this report.

8. Require a report by the SRS BS Board on progress after a period of six months and that further reports are brought on a six monthly basis thereafter or as required.

9. Note that the Resources & Corporate Business Overview & Scrutiny Committee is the relevant committee of this Council to undertake the scrutiny role in relation to the Company once established while Monmouthshire will undertake its scrutiny role through one of its own scrutiny committees.

10. That Torfaen’s representatives on the Board of the new Trading Company will be appointed and replaced by the
9. POTENTIALLY VULNERABLE GROUPS AND PERSONS EMERGENCY PLAN

9.1 The Cabinet considered a report of the Deputy Chief Executive updating Cabinet on the arrangements for the provision of support to those in the Torfaen community who find themselves potentially vulnerable during a major emergency and to seek approval of the Potentially Vulnerable Groups and Persons Emergency Plan (PVP Plan)

9.2 The Deputy Chief Executive outlined the report, commenting particularly that:
- The severe weather last winter had highlighted a community resilience planning gap. Although the Authority and Partner Agencies had lists of clients who were known to have a particular vulnerability, there were no planned arrangements in place to identify persons/groups that under normal circumstances would not be vulnerable, but could become so, depending on the dynamic nature of the crisis or emergency;
- All the data gathered would be held on a secure database and only accessed in an emergency situation;
- Wide consultation across partner agencies and organisations, including voluntary and business communities was planned; and
- It was probable that the title of the Plan may have change so that it was distinct and not confused with any other the existing arrangements.

9.3 Members commented and/or questioned (in summary):
- Concerns were expressed that consultation had not taken part with Schools or the Education Service;
- Information from Neighbourhood Services front line staff was key and should also be included in the consultation process;
- The Post Office should also be included as delivery staff were very well placed to spot any potential danger signs;
- Ambulance staff could also hold vital information; and
- Local Ward Members were in a good position to know who in their community may be potentially vulnerable.

9.4 The Deputy Chief Executive thanked Members for their comments and confirmed that the consultation process would include as many as possible.

9.5 AGREED – for the reasons set out in the report that Cabinet Peter Durkin
agreed that the Potentially Vulnerable Groups & Persons Emergency Plan is endorsed as the Councils planned contingency arrangement to respond to the needs of those potentially vulnerable from the consequences of a major emergency in Torfaen.

10. PROGRESS REPORT ON THE CORN BIN PROJECT

10.1 The Cabinet considered a report of the Chief Officer Employment Generation updating Members on progress to date and seeking approval to proceed with a Convergence funded European Regional Development Fund (ERDF) phase of the project to complete the restoration of the building.

10.2 The Chief Officer Employment Generation outlined the report, commenting particularly that:

- The Corn Bin had been included in the North Torfaen Holistic Area Regeneration Plan adopted by Cabinet on 9 December 2008;
- £550,000 had been secured from the Heads of the Valleys Programme to stabilize the walls, make good the roof and provide a new stairwell;
- Further funding had now been secured under Convergence European Regional Development Fund Priority 5 to refurbish the building for social enterprise and training services/facilities for the local community; and
- A revised application for Round 3 of the Community Assets Transfer (CAT) Programme had now been made by Melin Homes; and
- A further report on the proposed use of the building would be brought to Cabinet once Melin were notified if their bid was successful.

10.3 The Leader expressed his concerns over the potential transfer of the building under the CAT Programme due to the legal restrictions imposed by the Welsh European Funding Office (WEFO) in relation to Convergence funding.

10.4 Members commented and/or questioned (in summary):

- The Corn Bin was a building of historic importance and a once restored would be valuable asset to the community in the long term;
- Concerns were expressed over the revenue implications to support future activities if the building was not transferred as a community asset to another party;
- In the past, Coleg Gwent had contravened regulations governing the use of Convergence funding which had resulted in legal action being taken by WEFO to recover the grant; and
- Concerns were expressed over the future of the building if the CAT did not proceed.
10.5 During the debate Members agreed to amend the last recommendation to reflect their deliberations.

10.6 AGREED – for the reasons set out in the report, Cabinet agreed to:

a) the Council’s proceeding with the Convergence funded ERDF phase of the project to complete the restoration of the building.

b) receive a further report on the proposed uses of the building once it is clear whether or not the project is to be supported under the Community Assets Transfer (CAT) Programme and in doing so reports on the financial risks of the project.

11. REVIEW OF THE DECISION TO INCREASE FEES FOR PRIVATE HIRE AND HACKNEY CARRIAGE LICENCES FOR 2011/12

11.1 Councillor Gwyneira Clark declared a personal and prejudicial interest as her son owned and operated a taxi in Cwmbran. She withdrew from the meeting for this item.

11.2 The Cabinet considered a report of the Chief Officer Planning and Public Protection reviewing his decision to increase fees in consultation with the Executive member for Planning, Public Protection and Housing on 15 February 2011.

11.3 The Head of Public Protection outlined the report, commenting particularly that:

- In 2009 the fees were reviewed to as far as possible achieve full cost recovery from the fees levied;
- The proposed increase for this year was between 5% and 5.5% but still did not reach the calculated full cost recovery as shown in paragraph 5.3 of the report; and
- There had been considerable objections from the trade and all comments had been considered but the proposed increase was in line with the Council’s budget process for 2011/12

11.4 Members commented and/or questioned (in summary):

- A request was made for comparative figures from neighbouring authorities;
- A full breakdown of expenditure was also requested; and
- Local traders were suffering from the downturn in the economy and any increases would inevitably be passed onto the customers;

11.5 AGREED – (by the seven Members voting) Cabinet deferred a decision requesting more accurate information on actual departmental costs and also comparative fees charged by neighbouring authorities.

Kim Pugh
12. DELIVERING MAJOR CONSTRUCTION AND REFURBISHMENT PROJECTS - APPROVAL OF PROCUREMENT ARRANGEMENTS

12.1 The Cabinet considered a report of the Chief Officer Neighbourhood Services informing Cabinet of the outcome of a collaborative tendering exercise to deliver a framework agreement for major construction projects across South East Wales.

12.2 The Chief Officer Neighbourhood Services outlined the report, commenting particularly that:
- Cabinet had previously agreed on 30 November 2010 to adopt the existing all Wales framework agreement for professional services to support the delivery of major construction projects;
- The proposed framework gave greater opportunities for local construction firms as they would now be able to tender directly for works below a £1.5m threshold; and
- There would be a competitive tendering process between Contractors within each of the five Framework Agreements.

12.3 Members welcomed the increased tendering opportunities for local construction firms.

12.4 AGREED – for the reasons set out in the report, Cabinet agreed to:

I. Note the outcome of a collaborative tendering exercise including all South East Wales Authorities to deliver a framework agreement for major construction projects;

II. Note the greater opportunities for local construction firms to tender directly for works below a £1.5m threshold (this compares to a threshold of £0.5m under the current arrangements)

III. The adoption of these arrangements for service delivery in Torfaen.

13. Date of next meeting (for information)

13.1 The next ordinary meeting of the Cabinet was scheduled for Tuesday 14 June 2011 at 10.30am in the Council Chamber, Civic Centre, Pontypool

Chair

NB Councillors who left the meeting briefly (e.g. for a comfort break) during an officer presentation or a debate are not listed in the minutes above as having left and returned. Councillors are only listed as having left/returned if they were absent from the Chamber when a decision was taken.
<table>
<thead>
<tr>
<th>Date</th>
<th>Minute para</th>
<th>Action to be taken</th>
<th>By whom and when if time scale decided</th>
<th>Action taken?</th>
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<tbody>
<tr>
<td>1.3.2011</td>
<td>4.5</td>
<td>To receive a further report on An Integrated Digital Public Education Service System For Wales: Phase 1 – Key Stage 4 Transformation Of Digital Learning on project milestones and the full expenditure profile once the contract from the Welsh Assembly Government has been received.</td>
<td>Mark Provis</td>
<td>#Report on agenda for 10.5.2011</td>
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<tr>
<td>29.3.2011</td>
<td>9.6</td>
<td>Cabinet agreed to approve the grant of a drainage easement over Council land adjacent to St Francis Church, Talywain subject to the terms contained in the report.</td>
<td>Pauline James</td>
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<tr>
<td>10.5.2011</td>
<td>3.0</td>
<td>Declarations of Interests by various Members</td>
<td>Liz Monk</td>
<td>#records updated 12.5.11</td>
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<tr>
<td>10.5.2011</td>
<td>7.2</td>
<td>The Deputy Chief Executive would report back to Cabinet on progress of the setting up and operation of the Shared Resource Service after a period of six months and on a six monthly basis thereafter or as required.</td>
<td>Peter Durkin</td>
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<td>10.5.2011</td>
<td>7.3</td>
<td>Members requested that the minutes of the Local Service Board were published to the Council’s web site</td>
<td>Steve J Williams</td>
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<td>10.5.2011</td>
<td>7.4</td>
<td>The minutes and agenda from previous meetings of the Shared Resource Service were available and arrangements would be made for them to be published to the Council’s website</td>
<td>Janine Franklin</td>
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Liz Monk, Lead Officer Cabinet Support
12 May 2011
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AGENDA ITEM NO. 6

CABINET
14 JUNE 2011

OUR FINANCIAL RESULTS 2010/11

Report Submitted by: Nigel Aurelius, Assistant Chief Executive (Resources)
Report Written by: Nigel Aurelius, Assistant Chief Executive (Resources) and David Lilly, Head of Financial Services

1. Area Affected

1.1 County Borough Wide.

2. Purpose of Report

2.1 The purpose of this report is to provide the key financial results of the Authority for 2010/11. In doing so the report will bring out the:-

(i) Financial environment and financial risks facing the Council;
(ii) Financial standing of the Authority particularly in respect of its balances and reserves.
(iii) Position in respect of the individual services of the Authority together with the overall position.

3. Recommendation(s)

3.1 It is recommended that the following be noted:-

(i) The Authority’s financial standing within the context of the financial risks facing the Council.
(ii) The position in respect of the individual service areas.
(iii) The position in respect of the 2010/11 capital programme.
(iv) The position in respect of Income Collection and Recovery.
(v) That the Council will consider these financial results for 2010/11 at its meeting of 28th June 2011;
(vi) That the full audited Statement of Accounts will be presented to the September 2011 Council.

3.2 It is recommended that the following be approved:-

(i) The contributions to specific reserves and provisions outlined in the table in paragraph 5.4,
(ii) The contribution to the General Fund Balance of £872,000 as set out in paragraphs 5.2 and 6.1;
(iii) The contribution from the General Fund Balance of £103,000 as set out in paragraph 6.1; and
(iv) That a further report be received in July 2011 on the proposed use of service specific reserves.
4. Background, financial environment and risks

4.1 The primary aim of this report is to detail for Cabinet the financial results of the Authority for 2010/11 and in doing so comment on the overall financial standing/position of the Council. As ever the report will attempt to position our results within the context of the national financial environment and the financial risks that are facing the Council.

These results act as a pre-cursor to Council approving the annual Statement of Accounts for 2010/11. This latter document however is highly technical in nature and governed by prescribed accounting statutes and practice which do not make it easy for the reader. This report therefore details our results in a format that mirrors our organisational design and in a manner that attempts to engage the reader. The audited Statement of Accounts will be presented to Council in September 2011 in accordance with required timescales but Council of the 28th June 2011 will also receive a report on the financial results for 2010/11.

4.2 The past few years have seen a steady improvement in the overall financial health of the Council as measured by its general balances but at a time when the financial risks facing the public sector continue to grow. The General Fund balance has increased, the majority of services have held ‘service specific reserves’ and the Council has been able to create a number of ‘corporate reserves’. Despite the improvement in recent years the financial risks facing the public sector continue to grow and are significant. Therefore this report will also consider a reserves policy to take us forward in that environment.

4.3 The financial environment for the public sector continues to be difficult. The current budget (2011/12) was prepared with a year on year cash reduction in resources for the first time. As a result all services have demanding savings targets to achieve, and while we are confident of our processes to achieve them there will undoubtedly be a pressure on the current budget monitoring.

More years of difficult funding settlements are ahead as a result of the UK Government's deficit reduction policies. The demands for our services however continue to rise. Also, there are a number of Assembly initiatives and reviews that will change the landscape of service provision – and will do so within a context of reducing resources and therefore a desire to ‘take cost out’. There is likely to be a quickening pace to this reform.

This Council will look to position itself, as it always does, at the forefront in terms of innovation and change and as such maintaining our financial standing will be important – both to fund and support transformation and to weather the financial storms that we will experience.

4.4 It is important that the financial position as at the end of 2010/11 is viewed within the context laid out in paragraph 4.3 and with a firm desire to maintain our reserves for the purposes for which they have been established. They are our only financial cushion to fund change and manage emergencies – they are not there as a substitute for the difficult decisions that will be required as a result of the financial climate.
5.0 The financial standing of the Authority in respect of its balances and reserves

5.1 Reserves and provisions have received a fair degree of press commentary in the past few years. The focus of much of that has been centred upon a premise that Councils should not hold reserves or should significantly reduce them and invest in services. There has also been some commentary that they should be used more extensively for base budget expenditure, without recognising that reserve balances can only be used once and as a result only put off the inevitable. There always has to be a balance struck between maintaining reserves and investing in services and this will only heighten in the current climate. It is likely to be a factor in the forthcoming budget – in particular centred upon our base budget contribution to reserves and the cost of change. However, a very simplistic conclusion that the service investment needs of local government in the current funding climate can somehow be addressed by reducing balances is wrong and worrying. Without reserves a Council would effectively have no resilience to deal with the unexpected without destabilising current year budgets and services. The judgment around the level of reserves appropriate to local circumstances is a matter for the statutory finance officer, in our case the Assistant Chief Executive Resources to recommend to Council. These local circumstances will vary across the country dependent on various factors.

In Torfaen we have never held excessive general balances and both service specific and corporate reserves have proved a useful way of smoothing pressures over years. This policy has served the Authority well since its inception. As public funding is now in a much tougher phase the drive for efficiencies will be even greater and the need for service change/reduction more acute. Many proposals around efficiency and change involve one off costs and so our reserves policy needs to recognize that and provide some resource specifically for those purposes. It is important to recognise that our reserves are a one off funding resource and that as far as possible should not be used to underpin recurring annual spend.

5.2 The following table presents the outturn reserves position as at 31 March 2011 in contrast with prior years. It also provides an indicative assessment relating to the anticipated position as at the end of the 2011/12 financial year.

<table>
<thead>
<tr>
<th>31.03.08 (actual) £m</th>
<th>31.03.09 (actual) £m</th>
<th>31.03.10 (actual) £m</th>
<th>Balances</th>
<th>31.03.11 (actual) £m</th>
<th>31.03.12 (estimate) £m</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.06</td>
<td>4.228</td>
<td>4.096</td>
<td>General Fund (including former HRA balance now re-classified)</td>
<td>4.968</td>
<td>4.80</td>
</tr>
<tr>
<td>6.42</td>
<td>4.286</td>
<td>2.717</td>
<td>Former Housing Revenue Account (HRA)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2.24</td>
<td>3.151</td>
<td>2.317</td>
<td>Schools</td>
<td>2.658</td>
<td>2.30</td>
</tr>
<tr>
<td>Specific Reserves:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.39</td>
<td>10.28</td>
<td>10.651</td>
<td>- General</td>
<td>10.093</td>
<td>5.40</td>
</tr>
<tr>
<td>2.73</td>
<td>3.31</td>
<td>2.851</td>
<td>- Insurance</td>
<td>2.818</td>
<td>2.20</td>
</tr>
</tbody>
</table>

5.3 Key points to note in respect of the above:-

i. The General Fund balance has increased to a level of £4.968 million, primarily as a result of the former HRA balance being re-classified and being combined into the General Fund;

ii. School Balances – the overall level of balances has increased by £341,000,
iii. Service Specific Reserves – these are commented on in paragraph 5.4 below in some detail.

Insurance Resources – The overall level of insurance resources (reserve and provision) now totals some £3.647 million. The majority is within a specific reserve but an element is retained within a provision due to accounting requirements. It is considered that this level of resource is prudent and whilst it is sufficient going forward into 2011/12 it cannot be de-committed or reduced. This is especially so given that the current budget for 2011/12 included a reduction of £200,000 in annual insurance charges to assist with the current funding difficulties.

5.4 As was the case last year we now have as an Authority a relatively small number of “corporate reserves” and “service specific reserves” specifically established to provide resilience in respect of known issues. Whilst the overall level of resource in those reserves has only reduced marginally year on year the trend is downwards. Some of that reduction will be due to budgeted use but there is a major reduction in the overall level of reserves held by Social Care and Housing due the financial pressures experienced in 2010/11 which have been reported throughout the year as part of monitoring. The opportunity has been taken as part of closing the accounts this year to further rationalize the overall number of reserves and re-classify some to make their intended purpose/use more explicit.

The following table sets out a schedule of the Authority’s service specific reserves as at the 31 March 2011 together with the 31 March 2010 position. This incorporates the service positions reported below in paragraph 6 of this report. The table sets out the contributions from reserves and the contributions to reserves. In terms of the contributions from reserves they are all either previously agreed during the year, form part of the proposals within this report covering the closure of accounts or are to address monitoring pressures reported during the year.

It is important to recognize that the table presents a snapshot at the end of March 2011 as required by the accounting year end. Therefore the table must be read in conjunction with the earlier table at 5.2 and the commentary following. In particular of the £12.9 million total specific reserves some £2.8 million equates to insurance and is therefore not available for any other use; of the remaining £10.1 million this is predicted to fall to £5.40 million as at the end of 2011/12.

As outlined above the former HRA balance has now, following the full closure of the HRA, been incorporated with the General Fund Balance. It should however be noted that £316,000 of commitments in 2011/12 exist against this resource as agreed by the Stock Transfer Financing Plan.
### Service specific reserves

<table>
<thead>
<tr>
<th>Service</th>
<th>31 March 2010</th>
<th>Transfers 2010/11 Out</th>
<th>Transfers 2010/11 In</th>
<th>31 March 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>£000s</td>
<td>£000s</td>
<td>£000s</td>
<td>£000s</td>
</tr>
<tr>
<td>Social Care &amp; Housing</td>
<td>(1,372)</td>
<td>1,114</td>
<td>0</td>
<td>(258)</td>
</tr>
<tr>
<td>Children's Social Care Reserve</td>
<td>0</td>
<td>0</td>
<td>(198)</td>
<td>(198)</td>
</tr>
<tr>
<td>Section 26A</td>
<td>(5)</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>North Torfaen Service Reconfiguration</td>
<td>(151)</td>
<td>114</td>
<td>0</td>
<td>(37)</td>
</tr>
<tr>
<td>Education</td>
<td>(2,075)</td>
<td>1,336</td>
<td>(788)</td>
<td>(1,527)</td>
</tr>
<tr>
<td>Strategic Services</td>
<td>(125)</td>
<td>37</td>
<td>(100)</td>
<td>(188)</td>
</tr>
<tr>
<td>TCBC election Reserve</td>
<td>(53)</td>
<td>0</td>
<td>(87)</td>
<td>(140)</td>
</tr>
<tr>
<td>Public Service Support Unit (PSSU)</td>
<td>(46)</td>
<td>0</td>
<td>(128)</td>
<td>(174)</td>
</tr>
<tr>
<td>SRC reserve</td>
<td>0</td>
<td>0</td>
<td>(36)</td>
<td>(36)</td>
</tr>
<tr>
<td>ICT reserve</td>
<td>(245)</td>
<td>226</td>
<td>(155)</td>
<td>(174)</td>
</tr>
<tr>
<td>Community Services</td>
<td>(119)</td>
<td>0</td>
<td>(252)</td>
<td>(371)</td>
</tr>
<tr>
<td>Neighbourhood Services</td>
<td>(135)</td>
<td>3</td>
<td>(101)</td>
<td>(233)</td>
</tr>
<tr>
<td>Section 106 Reserve</td>
<td>(234)</td>
<td>21</td>
<td>0</td>
<td>(213)</td>
</tr>
<tr>
<td>Blaenavon Regeneration Partnership</td>
<td>(13)</td>
<td>0</td>
<td>(6)</td>
<td>(19)</td>
</tr>
<tr>
<td>Pontypool Regeneration</td>
<td>(75)</td>
<td>0</td>
<td>(17)</td>
<td>(92)</td>
</tr>
<tr>
<td>Cwmbran Regeneration Partnership</td>
<td>(7)</td>
<td>5</td>
<td>0</td>
<td>(2)</td>
</tr>
<tr>
<td>Planning &amp; Public Protection</td>
<td>(168)</td>
<td>168</td>
<td>(123)</td>
<td>(123)</td>
</tr>
<tr>
<td>Resources</td>
<td>(758)</td>
<td>462</td>
<td>(334)</td>
<td>(630)</td>
</tr>
</tbody>
</table>

### Corporate Reserves

<table>
<thead>
<tr>
<th>Reserves</th>
<th>31 March 2010</th>
<th>Transfers 2010/11 Out</th>
<th>Transfers 2010/11 In</th>
<th>31 March 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>£000s</td>
<td>£000s</td>
<td>£000s</td>
<td>£000s</td>
</tr>
<tr>
<td>Insurance</td>
<td>(2,851)</td>
<td>33</td>
<td>0</td>
<td>(2,818)</td>
</tr>
<tr>
<td>Asset Maintenance</td>
<td>(367)</td>
<td>367</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Stewardship &amp; Financial Admin</td>
<td>(292)</td>
<td>39</td>
<td>0</td>
<td>(253)</td>
</tr>
<tr>
<td>Invest to save</td>
<td>(358)</td>
<td>13</td>
<td>(130)</td>
<td>(475)</td>
</tr>
<tr>
<td>Revenue funding of Capital</td>
<td>(1,300)</td>
<td>512</td>
<td>(539)</td>
<td>(1,327)</td>
</tr>
<tr>
<td>Corporate Redundancies</td>
<td>0</td>
<td>0</td>
<td>(779)</td>
<td>(779)</td>
</tr>
<tr>
<td>Corporate Accommodation</td>
<td>0</td>
<td>0</td>
<td>(367)</td>
<td>(367)</td>
</tr>
<tr>
<td>County Hall Disposal reserve</td>
<td>0</td>
<td>0</td>
<td>(990)</td>
<td>(990)</td>
</tr>
<tr>
<td>Single Status</td>
<td>(2,156)</td>
<td>789</td>
<td>0</td>
<td>(1,367)</td>
</tr>
<tr>
<td>Interest Equalisation</td>
<td>(597)</td>
<td>477</td>
<td>0</td>
<td>(120)</td>
</tr>
<tr>
<td><strong>Total Specific Reserves</strong></td>
<td><strong>(13,502)</strong></td>
<td><strong>5,721</strong></td>
<td><strong>(5,130)</strong></td>
<td><strong>(12,911)</strong></td>
</tr>
</tbody>
</table>

5.5 Particular points worth bringing out in respect of the above are as follows:-

- A reserve has been established in relation to County Hall disposal costs, and the resource that has allowed its creation is commented upon in 6.12 below. The utilization of this will be the subject of a further report but identification of this resource will give us some flexibility in relation to our approach to the sale of the County Hall site and the funding of such costs. Our ability to do so without destabilising other services or our overall financial standing is welcome;

- Corporate Redundancies - a funding resource for the residual costs associated with corporately funded redundancies enacted during the budget process. The majority of these costs were funded in the 2010/11 accounts.

- Corporate Accommodation – a funding resource for costs associated with the Corporate Accommodation and Information Management projects.

- The Children’s Social Care reserve has been created from the additional grant received from WAG. See paragraph 6.13 for details.
- The Section 106 reserve grouped under Neighbourhood services relates to S106 monies received which are used to fund maintenance arrangements over agreed periods.

5.6 In overall terms therefore the Authority’s general and corporate reserves and provisions continue to move towards a healthier position. The service specific reserves have fallen (in overall level terms) although all services now have service specific reserves and it will be important that the utilization of those reserves should be in accordance with some overall principles agreed by Cabinet. It will be important that we maintain our end year flexibility that allows, and indeed encourages, services to carry forward underspends for the benefit of the service but with appropriate member oversight. It is suggested that the principles governing reserve use will include:

- Retaining the incentive for services to manage pressures over the year end/multiple years through the use of specific reserves;
- That the nature of expenditure we will support from the general fund balance should be primarily unforeseen/emergency expenditure or change/ transformation;
- Clarity over the corporate reserves and their usage;
- Clarity of the service specific reserves and their proposed usage which ordinarily should not be seen as an automatic cushion for overspends/in year service pressures; the main use of service reserves should be to take forward change or cushion anticipated pressures in following years;
- A position that in the first instance in-year service pressures should be addressed from within a service budget and that the use of the service specific reserve should be a last resort;
- How we will look to support transformation and change;
- How we will look to fund workforce remodelling costs (e.g. redundancy payments) etc.

The outturn positions reported below in paragraph 6 have, in accordance with normal procedure, generally been carried forward into service specific reserves. It is proposed that a further report will be presented to the July Cabinet on the specific proposed use of those reserves held by each service area. This report will also contain clarity of the purpose behind all the corporate reserves. This should provide an appropriate balance between end of year flexibility and member oversight. Approvals of specific spend, (or amendment of the proposed usage in accordance with the July report) from reserves will continue to be within the remit of the Executive Member for Resources based upon consultation with and advice from the Statutory Finance Officer who will also retain the ability to approve spend from reserves outside of these requirements to support the general direction and health of the Council.

5.7 The Authority needs to continue its prudent approach to reserves as the public sector experiences the turbulence associated with change and the impact of the global downturn; within which reserves and balances are legitimate ways of ensuring the Authority can cushion and manage the impact of those challenges. They are our only financial cushion to fund change and manage emergencies – they are not there as a substitute for the difficult decisions that will be required as a result of the financial climate.
6 Position in respect of the individual general fund services of the Authority together with the overall position

6.1 The Revenue Outturn in respect of 2010/11 is summarised in the following table. It compares the outturn back to the budget based upon our ‘management accounts’.

<table>
<thead>
<tr>
<th>Service</th>
<th>Budget £'000s</th>
<th>Outturn £'000s</th>
<th>Contribution to/from reserves £'000s</th>
<th>Variance £'000s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td>65,129</td>
<td>64,463</td>
<td>666</td>
<td>0</td>
</tr>
<tr>
<td>Social Care and Housing</td>
<td>39,202</td>
<td>39,680</td>
<td>0</td>
<td>478</td>
</tr>
<tr>
<td>Neighbourhood Services</td>
<td>17,658</td>
<td>17,611</td>
<td>47</td>
<td>0</td>
</tr>
<tr>
<td>Planning &amp; Public Protection</td>
<td>2,569</td>
<td>2,542</td>
<td>27</td>
<td>0</td>
</tr>
<tr>
<td>Technology Led Transformation</td>
<td>3,228</td>
<td>3,073</td>
<td>155</td>
<td>0</td>
</tr>
<tr>
<td>Public Sector Support Unit</td>
<td>628</td>
<td>499</td>
<td>129</td>
<td>0</td>
</tr>
<tr>
<td>Resources</td>
<td>7,169</td>
<td>6,817</td>
<td>150</td>
<td>(202)</td>
</tr>
<tr>
<td>Community Services</td>
<td>2,498</td>
<td>2,287</td>
<td>140</td>
<td>(71)</td>
</tr>
<tr>
<td>Deputy Chief Executives Services</td>
<td>4,735</td>
<td>4,583</td>
<td>100</td>
<td>(52)</td>
</tr>
<tr>
<td>Capital Financing</td>
<td>10,433</td>
<td>10,115</td>
<td>0</td>
<td>(318)</td>
</tr>
<tr>
<td>Finance Other - general</td>
<td>6,400</td>
<td>6,857</td>
<td>(305)</td>
<td>152</td>
</tr>
<tr>
<td>Finance Other – VAT/NNDR</td>
<td>0</td>
<td>(860)</td>
<td>860</td>
<td>0</td>
</tr>
<tr>
<td><strong>Sub-total</strong></td>
<td><strong>159,649</strong></td>
<td><strong>157,667</strong></td>
<td><strong>1,969</strong></td>
<td><strong>(13)</strong></td>
</tr>
</tbody>
</table>

**Funding:**

<table>
<thead>
<tr>
<th>In year contribution to General Fund</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Expenditure funded from the General Fund</td>
<td>103</td>
</tr>
<tr>
<td>Re-classification of HRA reserve as General Fund</td>
<td>(962)</td>
</tr>
<tr>
<td><strong>Contribution to General Fund</strong></td>
<td>(872)</td>
</tr>
<tr>
<td>Opening General Fund Balance</td>
<td>(4,096)</td>
</tr>
<tr>
<td>Closing General Fund Balance</td>
<td>(4,968)</td>
</tr>
</tbody>
</table>

In headline terms the Authority overall has produced an underspend in 2010/11 which will allow significant contributions to service specific reserves which are detailed in column three above. Three service areas, Resources, Community Services and the Deputy Chief Executive Services have de-committed a part of their in-year underspend to assist with the overall bottom line and in particular the Social Care and Housing position. The ‘underspend’ in relation to Assembly funding relates to the funding received late in the financial year from the Local Government Minister and is covered in more detail later.

The overall position does mask a ‘mixed picture’ across the Council and therefore all services are commented upon below. Of some concern is the difference across all services in the reported outturn to that reflected as part of the monitoring during the year. It is important that we understand the reasons for this and reflect any changes required into our monitoring for 2011/12. We must take the opportunity of a favourable position and be pro-active and build upon our already good processes to secure improvement. All service leadership teams will therefore be engaged by the Head of Financial Services to work this through and that process has already started.
6.2 Education

A significant underspend at the year end of just over £665,000 which will be carried forward to supplement the service specific reserve. This position is in addition to that reported to Cabinet at the Quarter 1 stage of 2010/11. The main reason for the variance is a further underspend in relation to SEN of circa £340,000 but there are a number of other ups and downs including underspends of £166,000 on the pupil referral unit, £105,000 on home to school transport and £74,000 on the psychology service, with previously reported offsetting pressures on the catering and cleaning service of £87,000 and a pressure of £47,000 in relation to additional pupil numbers.

In addition to this underspend the service area has also been able to contribute to its modernization resources which are specifically aimed at addressing school infrastructure issues and supporting the capital programme.

The current year budget (2011/12) in respect of Inclusion (the principle contributor to the 2010/11 underspend) has been maintained at a consistent level which is consequently significantly higher than the outturn level. This will be reviewed by the service area in the run up to our Quarter One monitoring position for 2011/12.

6.3 Social Care and Housing

The reported position is after the application of additional service specific reserves of £950,000 as reported during monitoring during the year. As at quarter two a recovery plan was put in place which included the utilization of reserves and the introduction of further savings measures. However, a combination of demand pressures (particularly in Children’s services) continuing to grow and unachieved savings has resulted in an overspend. Rather than apply the balance of their service specific reserves the overspend is addressed corporately as part of the bottom line. This is to leave some service specific financial resilience for the challenges of 2011/12.

Clearly this is a slightly disappointing position but members need to view it from the context that over the last five years the service has operated within budget despite rising demand for services and most authorities have not been in that position. 2010/11 saw a combination of increasing demand and difficult savings to be achieved. Much work has gone into building the 2011/12 budget to reflect those pressures and the savings plan is being driven by the Social Care & Housing leadership team with some significant elements already in place. With the service specific reserve and the utilization of the extra one-off resource (paragraph 6.13) it is to be expected that 2011/12 will see a return to balanced budgets.

6.4 Neighbourhood Services

An underspend of £47,000 is reported for 2010/11 and this reflects a significant turnaround on previous years. It is an endorsement of the changes made in creating Neighbourhood Services (with increased financial resilience) and the revised processes and disciplines introduced by the Chief Officer. A number of pressures that arose during the year have been addressed through compensating savings within other areas of the service. Although the future holds many challenges for this service area they can now approach them with optimism in terms of the processes and procedures that are now in place to identify problems early and rectify them.
6.5 Planning and Public Protection
A modest underspend with the pressure in development control being offset by savings in other areas.

6.6 Technology Led Transformation
The underspend of £155,000 has arisen from staff savings and income from collaboration. It is suggested it will be carried forward into a service specific reserve to assist with our overall technology resilience and the SRS. In addition to this position the SRC service also contributed £36,000 to a specific reserve solely for the use by the SRC through its constituent authorities.

6.7 Public Services Support Unit
A modest underspend which will be carried forward into a service specific reserve. This is a service area that in 2011/12 and into the future that will be affected by the reduction in grants – some of which are not from the Assembly – and so a modest reserve will assist.

6.8 Resources
A significant favourable position mainly brought about by additional income – on industrial units and from the DWP administration grant in respect of benefits. Other savings in respect of staff and supplies and services have also helped the situation. It is proposed to carry forward only £150,000 into the service specific reserve to alleviate pressures that will be evident in 2012/13 in respect of DWP administration subsidy. The remainder of the 2010/11 underspend will be decommitted to assist with the overall financial position of the Council.

6.9 Community Services
A range of savings across the majority of budget headings have resulted in the favourable outturn. The main reasons are staff savings, increased income, savings on utilities and supplies and services. Of the underspend it is proposed to carry forward £140,000 to the service specific reserve to assist with the one-off costs arising from the review of the Youth Service and decommit the remainder to assist with the overall financial position of the Council.

6.10 Deputy Chief Executives
All three service areas (Customer Services; Emergency Management; Strategic Services) have come under budget in 2010/11. Again a variety of reasons including savings on premises costs, staffing and supplies and services. Of the underspend £100,000 will be carried forward into the service area specific reserve with the remainder decommitted to assist with the overall position.

The underspend in respect of the members budget has been carried forward to supplement the elections reserve in readiness for the 2012 elections. These are elections that fall to us to fund and so being able to do that without recourse to general balances is welcome.
6.11 Capital Financing

During 2010/11 the Council did not undertake the level of external borrowing that was estimated within the original budget, this action which is in line with our Treasury Management strategy, has resulted in a lower interest charge.

6.12 Finance Other

There are two elements to the reported.

The corporately funded redundancy and severance costs associated with balancing the 2011/12 budget have been funded from this budget and through a contribution from the partial decommitment of the single status reserve.

There have also been extra resources received in the year in relation to NNDR (£197,000) and VAT (£663,000). The NNDR relates to successful rating appeals that have been made to the District Valuer on our properties and the VAT monies follow a successful challenge made to Customs and Excise and include significant interest as the issue goes back a number of years. Within the reserves table it has been proposed that this resource be allocated to meet the costs of disposal in relation to County Hall, which will be the subject of a further report.

6.13 In respect of the extra finance received from WAG at the year end of £198,393. The letter and further materials accompanying this resource made it quite clear that the expectation of the Minister was for this to be used to assist in respect of the demands on Children’s Social Care. That said, the resource is unhypothecated and so it is for members to decide. As it was received late in the financial year it is proposed to effectively carry the resource forward into 2011/12 and provide extra ‘one-off’ resource to the Social Care Children’s budget. The rationale is not simply the Minister’s expectations but the inherent pressures that we know are in that service area. It can only be ‘one-off’ as the resource we have received is one-off.

6.14 In overall terms the outturn still represents a good position for the Council. All services have some financial cushion in the form of a service specific reserve and we have been able to increase the general fund balance and maintain some corporate reserves. That said, we must take the opportunity to further strengthen our monitoring procedures and a report will come back to the July Cabinet indicating the proposed use of the service specific reserves by all services.

7. Capital programme

7.1 The following table summarises the year end position for the Council’s approved 2010/11 capital programme:

<table>
<thead>
<tr>
<th></th>
<th>Approved budget £000s</th>
<th>Working budget £000s</th>
<th>Out Turn £000s</th>
<th>Variance £000s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td>24,497</td>
<td>17,943</td>
<td>17,014</td>
<td>(929)</td>
</tr>
<tr>
<td>Neighbourhood Services</td>
<td>6,808</td>
<td>9,389</td>
<td>6,761</td>
<td>(2,628)</td>
</tr>
<tr>
<td>Social Care &amp; Housing</td>
<td>2,900</td>
<td>2,900</td>
<td>2,550</td>
<td>(350)</td>
</tr>
<tr>
<td>Deputy Chief Executives</td>
<td>46</td>
<td>55</td>
<td>50</td>
<td>(5)</td>
</tr>
<tr>
<td>ICT</td>
<td>2,671</td>
<td>12,059</td>
<td>12,071</td>
<td>12</td>
</tr>
<tr>
<td>Other Service Areas</td>
<td>3,287</td>
<td>2,496</td>
<td>1,938</td>
<td>(558)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>40,209</strong></td>
<td><strong>44,842</strong></td>
<td><strong>40,384</strong></td>
<td><strong>(4,458)</strong></td>
</tr>
</tbody>
</table>
7.3 As can be seen from the above approximately 10% of the 2010/11 capital programme slipped into 2011/12. This slippage has primarily arisen for two reasons: 
a) The severe winter experienced and the resultant delays to our major schemes – Blaenavon Community Campus, Ysgol Gyfun Gwynllyw, our new cemetery, and the asset maintenance programme; and 
b) Late notification of grant awards and the resultant (allowable) carry forward.

7.4 As we move forward into 2011/12 and beyond our capital programme will be funded to larger proportion by our general funding allocation from WAG and by capital grants. This change will mean that we need to ensure projects are completed within approved time and cost envelopes, as these sources of funding generally prohibited the ability to carry forward resources.

8. The position in respect of Income Collection and Recovery performance

8.1 The importance of a positive cash flow represented by effective collection and recovery performance is essential to any business public or private. The 2010/11 year saw income collection and recovery taking place within a recessionary environment. It is already apparent that performance is being impacted upon by the financial times we are experiencing and this may become more acute. The Council needs to be flexible and sensitive within such an environment whilst maintaining an absolute resolve that legally set taxes and charges must be collected – any failure in that regard simply pushes up the cost for everyone else through the position of bad debts.

8.2 The following table provides a comparative assessment of the 2010/11 financial position with previous years. The table shows ‘pure debt’ which have been invoiced for rather than the year end accounting debt.

<table>
<thead>
<tr>
<th></th>
<th>31 March 2007 £000’s</th>
<th>31 March 2008 £000’s</th>
<th>31 March 2009 £000’s</th>
<th>31 March 2010 £000</th>
<th>Debt from Individuals</th>
<th>Debts Recovery Analysis</th>
<th>31 March 2011 £000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt from Individuals</td>
<td>2,553 (2,499)</td>
<td>2,385 (2,533)</td>
<td>5,401 (8,894)</td>
<td>1,211 (1,265)</td>
<td>Housing Rents (former)* 502</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>967 (909)</td>
<td>897 (2,451)</td>
<td>2,406 (2,451)</td>
<td>1,134 (7,634)</td>
<td>Council Tax 2,046</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2,020 (2,099)</td>
<td>2,155 (4,824)</td>
<td>5,890 (5,401)</td>
<td>1,390 (1,265)</td>
<td>Sundry Debtors** 7,634</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>5,890 (4,824)</td>
<td>5,401 (8,894)</td>
<td>9,871 (13,124)</td>
<td>7,634 (2,862)</td>
<td>Benefit overpayments 1,390</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>994 (1,134)</td>
<td>1,211 (1,265)</td>
<td>9,871 (13,124)</td>
<td>11,932 (9,070)</td>
<td>Less bad debts provision 11,932</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>7,318 (6,467)</td>
<td>7,279 (10,591)</td>
<td>10,591 (10,591)</td>
<td>9,070 (9,070)</td>
<td>Total 9,070</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Footnote:
*This relates to former tenants arrears retained by the Council to collect.

**Sundry debt figure includes the outstanding debt in relation to homeless tenant rents which were previously included with Housing Rents’ debt figures.

8.3 Outstanding debt in relation to business rates (NNDR) is not included within the above table, as these debts are not debts owed to the Council but to the Welsh Assembly Government; we merely act as an agent on their behalf. However, the outstanding debt as at 31st March reduced slightly to £1,258,504 as compared to £1,357,790 as at 31st March 2010.
8.4 It is important to continue to maintain current year collection performance whilst targeting aged debt. In particular it is important to minimise the amount of debt in excess of “150 debtor days” as the risk of non-recovery is significantly magnified. The following table indicates that the level of bad debt provision linked to our aged debt has increased slightly this year after applying a revised calculation criteria required by the adoption of International Financial Reporting Standards (IFRS).

<table>
<thead>
<tr>
<th>Bad debt provision</th>
<th>1 April 2010 £000s</th>
<th>Received in year £000s</th>
<th>Used in year £000s</th>
<th>31 March 2011 £000s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing advances</td>
<td>(10)</td>
<td>0</td>
<td>0</td>
<td>(10)</td>
</tr>
<tr>
<td>Council Tax</td>
<td>(422)</td>
<td>(121)</td>
<td>127</td>
<td>(416)</td>
</tr>
<tr>
<td>Benefit overpayments</td>
<td>(758)</td>
<td>(203)</td>
<td>23</td>
<td>(938)</td>
</tr>
<tr>
<td>Former HRA debt</td>
<td>(533)</td>
<td>(62)</td>
<td>0</td>
<td>(595)</td>
</tr>
<tr>
<td>Sundry debtors</td>
<td>(114)</td>
<td>(75)</td>
<td>75</td>
<td>(114)</td>
</tr>
<tr>
<td>General Fund Housing</td>
<td>(281)</td>
<td>(118)</td>
<td>0</td>
<td>(399)</td>
</tr>
<tr>
<td>Social Care</td>
<td>(415)</td>
<td>0</td>
<td>26</td>
<td>(389)</td>
</tr>
<tr>
<td><strong>Total bad debt provision</strong></td>
<td><strong>(2,533)</strong></td>
<td><strong>(579)</strong></td>
<td><strong>251</strong></td>
<td><strong>(2,861)</strong></td>
</tr>
</tbody>
</table>

8.5 The year-end position of £2.9 million is considered to represent a prudent level of provision.

9. **Recommendation(s)**

9.1 It is recommended that the following be noted:-
   (i) The Authority’s financial standing within the context of the financial risks facing the Council.
   (ii) The position in respect of the individual service areas.
   (iii) The position in respect of the 2010/11 capital programme.
   (iv) The position in respect of Income Collection and Recovery.
   (v) That the Council will consider these financial results for 2010/11 at its meeting of 28th June 2011;
   (vi) That the full audited Statement of Accounts will be presented to the September 2011 Council.

9.2 It is recommended that the following be approved:-
   (i) The contributions to specific reserves and provisions outlined in the table in paragraph 5.4,
   (ii) The contribution to the General Fund Balance of £872,000 as set out in paragraphs 5.2 and 6.1;
   (iii) The contribution from the General Fund Balance of £103,000 as set out in paragraph 6.1; and
   (iv) That a further report be received in July 2011 on the proposed use of service specific reserves.

**Appendices** | None

**Background Papers** | None

**For a copy of the background papers or for further information about this report, please telephone:** Nigel Aurelius, Assistant Chief Executive Resources, 01495 742623 (Ext: 2623).
DE-COMMISSIONING OF STREET LIGHTS ACROSS THE COUNTY BOROUGH

Report Submitted by: Christina Harrhy, Chief Officer Neighbourhood Services
Report Written by: Christina Harrhy, Chief Officer Neighbourhood Services, Peter Keen, Superintendent, Gwent Police

1. Area Affected
   1.1 County Borough Wide.

2. Purpose of Report
   2.1 To advise Cabinet of the:
      i) outcome of the 3 phase programme to de-commission street lights across the County Borough;
      ii) wider social impacts relating to the de-commissioning of street lighting.
   2.2 To seek approval to implement further improvements to the provision of street lighting across the County Borough as detailed in the report.

3. Recommendation(s)
   3.1 That Cabinet:
      i) notes the outcomes of the 3 phase programme to de-commission street lights across the County Borough;
      ii) notes the wider social impacts relating to the de-commissioning of street lighting;
      iii) approve the next stages of the street lighting strategy.

4. Background
   4.1 On 9 December 2008 Cabinet agreed to a programme of de-commissioning streetlights within the County Borough (see background papers).
   4.2 After the completion of the consultation processes described in the report the 3 phase de-commissioning programme commenced in February 2009 and continued until August 2010.
4.3 Phase 1 was completed by June 2009 and then Phases 2 and 3 were run concurrently on a Ward by Ward basis, this being the most cost effective method, and were completed by the end of August 2010.

4.4 All Wards in the County Borough now have lights that are either lit all night, part night lit or switched off completely.

4.5 The report to Cabinet also proposed that a further report be prepared outlining the wider social impacts relating to the de-commissioning of streetlighting.

4.6 As well as describing the outcomes of the de-commissioning programme and the wider social impacts this report also proposes two further phases (4 and 5) which aim to increase energy savings and carbon reduction and establish the whole portfolio of street lighting assets on a more sustainable footing for future years.

5. **How has it gone so far?**

5.1 Before considering the outputs of the project and the impacts of the de-commissioning programme it is worth reflecting on the drivers for change, what the programme set out to achieve and the factors which needed to be considered.

5.2 **Drivers for Change**

5.2.1 In 2008 the two main drivers for change were budgetary pressures and a need to reduce the Authority’s carbon footprint. Both these drivers remain valid today.

5.2.2 Commercial energy prices in 2008 were expected to rise by 45% in 2009/2010 and this came at a time when the Authority was anticipating financial settlements below the level of inflation. The situation is now even more acute.

5.2.3 Further financial pressures within Operational Services at the time included increases in waste management costs and the cost of school meals.

5.2.4 The Climate Change Bill introduced challenging targets to reduce carbon emissions at European Union, UK, Wales and local levels.

5.3 **Aims of the Programme**

5.3.1 To address the budgetary pressures a 50% reduction in energy costs was proposed (equating to £450k based on an expectation from the energy companies that costs would increase by 45%) which would involve decommissioning 50% of the Authority’s 14,000 street lights over a 274 km network.

5.3.2 An 8% reduction in carbon was proposed which equated to 1,235 tonnes.
5.3.3 The programme would need to be implemented by the 2009/10 financial year, i.e. by April 2009, to address the budgetary issues.

5.4 Factors to be Considered

5.4.1 As well as the budgetary and environmental issues other factors also needed to be considered.

5.4.2 Legal requirements, particularly with respect to health and safety, would need to be carefully considered.

5.4.3 The condition of existing highway assets, eg columns, would need to be considered as well as the suitability of some of the assets to accept any modifications.

5.4.4 A very important factor which was very evident from the outset was the impact, whether real or perceived, on crime levels, anti-social behaviour and road safety.

5.4.5 The project also involved venturing into “uncharted territory” in that few if any organizations had embarked on a project of this kind before.

5.5 Project Outputs

5.5.1 An extensive programme of consultation was progressed through October-December 2008 with Council Members and residents and by December 2008 a balanced view was achieved between cost/environmental benefits and community/highway safety concerns. Cabinet approval to implement the de-commissioning programme was received in December 2008.

5.5.2 As well as approving the de-commissioning programme (see Appendix 1) Cabinet also agreed to a risk matrix (Appendix 2) to allow each individual street light to be assessed prior to any adjustments, an appeals process (Appendix 3) and to receive a post scheme review which this report will form the basis of.

5.5.3 In terms of meeting the original objectives the following table sets out the planned and actual achievements of the project:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Planned</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lights switched off (phases 1 and 3)</td>
<td>5,940</td>
<td>3,283</td>
</tr>
<tr>
<td>Prog.</td>
<td>April 2009</td>
<td>Aug 2010</td>
</tr>
<tr>
<td>Lights switched to “part night” (phase 2)</td>
<td>4,600</td>
<td>3,664</td>
</tr>
<tr>
<td>Prog.</td>
<td>Feb 2009</td>
<td>Aug 2010</td>
</tr>
<tr>
<td>Lights remaining on all night</td>
<td>2,868</td>
<td>6,461</td>
</tr>
<tr>
<td>Carbon reduction</td>
<td>1,235t</td>
<td>767t</td>
</tr>
<tr>
<td>Cost savings</td>
<td>£450,000*</td>
<td>£178,000</td>
</tr>
</tbody>
</table>

* based on a difference between current costs and total inflated energy costs (predicted at 45%) had the decommissioning programme not been implemented.
5.5.4 The expected energy increase of 45% did not actually materialise and in fact energy prices reduced by 3.8% in 2009/10 and a further 4.2% in 2010/11). Therefore, although the planned decommissioning did not meet its original objective in terms of numbers the impact of this was less detrimental given that energy costs marginally reduced rather than significantly increased as predicted. The project supply cost increase for 2011/12, however, is 15% and, therefore, pressure to reduce energy consumption will remain. As a result of the decommissioning programme, our energy bills are now 33% less than what they would have been if the programme had not been implemented.

5.5.5 In recognition of the concerns expressed by Members and residents during the consultation period an appeals process was established to allow concerns to be formally considered against the de-commissioning criteria set out in the risk matrix.

5.5.6 By January 2011 a total of 643 written appeals were received all of which were assessed and replied to. Of these appeals 183 resulted in the appeals being upheld, 439 resulted in the appeals being declined and the remaining resulted in alterations to existing lighting patterns within the areas of appeal or the need to raise fault tickets on our contractors for repairs to be carried out.

5.5.7 A random selection representing 27% of the appeals received shows that the concerns of the public relating to the decommissioning were:-

- Fear of vandalism and fear of crime: 18.7%
- Elderly residents feeling vulnerable in their homes: 30.6%
- Fear of increases in anti-social behaviour: 14%
- Concern relating to trip or falls in the dark: 26.7%
- Concerns in areas where traffic are currently speeding: 16%

5.5.8 We are still receiving appeals on a daily basis both from Council Members and members of the public, all of which are processed via our appeals procedures.

6. Impacts on Community Safety?

6.1 The potential impacts on community safety, whether real or perceived, from a reduction in street lighting levels was recognised from a very early stage in the process. The relatively high proportion of appeals based on a fear of vandalisms, crime, anti-social behaviour and vulnerability, particularly of the elderly, strongly reflect this.

6.2 Overall Crime Levels

6.2.1 When comparing the 11 month period up to February 2011 and the same period to February 2010 there has been a 13% reduction in Torfaen’s overall crime level (976 less offences). The reductions have been achieved in both
the North and South of the Borough with the larger reductions in the former. When comparing these crime levels to other areas identified by the Home Office as similar Community Safety Partnerships the overall rate for Torfaen is in line with peers.

6.2.2 There have, however, been some wards in the county borough where crime has increased for the same period and the highest difference is an increase of 20 offences.

6.3 Burglaries

6.3.1 The profile of crime in the borough has altered during the period with less violence against the person (66 less offences) and less criminal damage (387 less offences). The overall rate of burglary has remained fairly constant, an increase in dwelling burglaries off-set by a reduction in attempted burglaries of non dwellings.

6.3.2 When comparing Torfaen to other areas the rate of dwelling burglary is in line with peers.

6.4 Impacts on Elderly People

6.4.1 Considering elderly victims of crime specifically there has been a reduction of 8 offences.

6.5 Anti-Social Behaviour

6.5.1 Anti-social behaviour recorded by Police in the same period has also reduced by 13% (1,305 less incidents). The reduction rate is similar North and South of the Borough. Some wards have experienced an increased reporting rate with the highest being 32 more incident reports.

6.6 Night Time Incidents

6.6.1 Analysis of crime committed during the hours of darkness for 12 month periods up to September 2009 and September 2010 reveals that overall crime levels have also reduced by a similar rate to all crime as set out above. Reductions in dark hours crime have been recorded in the North and South of the County Borough with the greater change being in the South (203 less offences). However, a few wards have experienced an increase in night time crime with the greatest increase being 25 more offences although the overall trend is reducing.

6.7 Traffic Safety

6.7.1 Between April 2010 and February 2011 a total of 27 road traffic collisions occurred during the night time period. Of these 20 No. occurred in areas where street lights remained on, 6 No. occurred in areas where no street lighting exists and only one collision occurred in an area where street lighting had been decommissioned, but this was not a contributory factor in
the collision.

6.8 Perception of Crime

6.8.1 Perceptions of crime are captured as part of the Community Safety Partnership (CSP) cycle (PACT surveys) and these reveal that in general survey samples consist of 40% to 50% of respondents are not identifying issues of concern to them.

6.8.2 Gwent Police undertake statistically robust survey work on behalf of the CSP which gathers perceptions of the biggest issues in the Borough and how well people feel the Police and Council are tackling them. Surveys indicate that the majority of Torfaen respondents (40%) feel that the biggest issue is teenagers hanging around on the streets. Less than 10% of people surveyed felt that burglary was a big issue. More than 50% of people surveyed felt that the Police and Council were dealing with the things that matter locally.

6.8.3 At the national level the British Crime Survey assesses people's perceptions of crime and in a recent report it highlighted a disparity between people's perceived likelihood of being a victim of crime and their actual risk.

6.8.4 To help in reassuring communities and to help to redress the balance between actual levels and perception of crime information on crime and success in tackling it is published regularly, online crime information at ward level is available at www.police.uk, safety related information is shared at PACT meetings, Police in Torfaen make regular contributions to the Torfaen Talks publication and there is an annual Local Policing Summary distributed to every household.

6.9 This analysis confirms that there is no direct evidence that the change in approach to street lighting has had a direct impact upon the overall crime levels in the borough.

6.10 Highway Asset Considerations

6.10.1 A total number of 3,266 street lighting columns have been de-commissioned and are still being maintained as highway assets. Over the longer term a decision needs to be made whether these columns should remain (thereby creating an ongoing maintenance requirement of approximately £52,282 per annum) or if they should be removed as part of our longer term contract. Initial views of the Cabinet are invited, but it is recommended that this decision be considered as part of the new contract cost/quality evaluation.

7. So what next?

7.1 The two main drivers for change were budgetary and environmental pressures largely linked to rising energy costs and a need to reduce carbon emissions. These drivers are even more relevant today.
7.2 The measures already implemented continue to be reviewed and refined to ensure that maximum benefits can be derived. However, further improvements will be required if the main drivers for change are to be addressed and, therefore, two further phases are proposed to take forward the street lighting strategy:

Phase 4 Introduction of energy saving devices to the remaining street lighting columns

Phase 5 Investigation of alternative service delivery proposals to “lever-in” greater investment to ensure the longer term sustainability of the street lighting assets

7.3 These proposed phases are described in greater detail below.

7.4 Energy Efficiency (Phase 4)

7.4.1 The Property and Highway Engineering Division and the Authority’s Energy Officer recently submitted a bid to the Welsh Assembly Government’s Salix Energy Efficiency Loans Scheme for £599,790 to undertake energy efficiency works on our street lighting portfolio. This bid was successful and proposals are being drawn up to implement the works over the next 9 months.

7.4.2 The bid is made up of two projects which will further reduce street lighting energy costs and carbon emission:

Project 1:  
1) introduction of “dimming” controls to 2,330 lighting columns to allow lamps to be dimmed from midnight to 6.00 am giving a 33% reduction in energy consumption;

2) annual savings of £41,711 are estimated at current energy cost levels;

3) reductions of 227.4 tonnes of CO₂ per annum are expected

Project 2:  
1) replacement of existing lamps at 1,920 lighting columns with low energy lamps;

2) annual savings of £43,395 are estimated at current energy cost levels;

3) reduction of 236.6 tonnes of CO₂ per annum are expected.

7.4.3 Further savings will be achieved through reduced maintenance costs as the new lamps will last longer than the existing ones.
7.4.4 The WAG loan will be paid back over a period of 6 years in 6 monthly periods on the basis of the energy savings indicated above.

7.5 Long Term Sustainability (Phase 5)

7.5.1 The de-commissioning programme (Phase 1, 2 and 3) and the proposals put forward in Phase 4: Energy Efficiency, all assist in ensuring the longer term sustainability of street lighting provision in Torfaen. However, despite these significant reductions in costs and carbon emissions the longer term pressures of rising energy costs, the continually deteriorating condition of the assets and the constraints on public sector funding will continue to impact on the Council’s ability to invest in the long term sustainability of the service. Therefore, “standing still” is not an option and further work is required to introduce, potentially innovative, measures to address these impacts and to introduce future investment.

7.5.2 Officers have already informally investigated options for the future of the service and it is proposed to develop these options in order to deliver longer term environmental and financial sustainability.

These include:-

i) negotiation with the current provider of street lighting services
ii) collaborative arrangements with other Local Authorities
iii) public/private partnerships to “lever in” greater investment

8. Consultation

8.1 The impacts of the de-commissioning programme have been jointly assessed by Council Officers and Gwent Police. Members of the Cleaner Overview and Scrutiny Committee have considered and noted the content of the report. Whilst the evidence was accepted, Members also sighted examples of where the reduction in street lighting levels had made a negative impact upon some members of the community. They also expressed a view that they did not wish for the columns that had been de-commissioned to be permanently removed as they would like to see low energy bulbs installed to these columns over time.

9. Financial Implications

9.1 During the course of the decommissioning project the predicted rises in energy costs of 45% did not materialise. During 2009/10 energy costs actually fell by 3.8% and in 2010/11 costs are expected to fall by a further 4.2% giving an overall reduction over 2 years of 8%. This makes comparisons on cost savings very difficult. In real terms, however, the decommissioning of street lighting, albeit less in number than planned, actually achieved a 33% (£178,000) reduction in costs over the 2008/09 costs (plus £7,800 in Carbon Reduction Credits). This reduction, when combined with the 8% reduction in energy costs, helped significantly reduce pressures on Council budget.
10. **Risks**

10.1 Many of the risks associated with the original de-commissioning programme were mitigated through developing a clear risk matrix to ensure consistent application of the policy, an appeals process to allow objections to be considered and an extensive consultation programme to ensure greater awareness.

10.2 Moving forward with Phases 4 and 5 the risks of not achieving cost and carbon reduction remain relevant. However, the successful bid to WAG to introduce energy efficiency measures will help to mitigate these risks as will the proposals to investigate further investment options for the longer term.

10.3 Public perception of crime continues to be a risk and it is an important issue to take into account. The role of reassurance is shared with other agencies. We will look at improving how we communicate with and engage population using a whole host of techniques in a systematic manner, using face to face opportunities with communities and using engagement tools, my Torfaen, Torfaen exchange, reviews surveys.

11. **Conclusions**

11.1 The completion of the first 3 phases of the street lighting de-commissioning programme has succeeded in reducing the annual energy cost of operating the street lighting portfolio and reduced carbon emissions although not to the levels originally anticipated and over a longer period than originally proposed. The approach taken has been highlighted as best practice by WLGA and WAO and is being used as a framework for other Local Authorities now implementing the scheme.

11.2 There is no direct evidence that the change in approach to street lighting has had a direct impact upon the overall crime levels in the borough.

11.3 Further energy efficiency measures supported by the WAG Salix grant of £599,790 will introduce further reductions in both energy costs and carbon emissions.

11.4 It is proposed that Officers undertake further investigations into options to ensure the longer term sustainability of the service.

12. **Recommendation(s)**

12.1 That Cabinet:

   i) notes the outcomes of the 3 phase programme to de-commission street lights across the County Borough;

   ii) notes the wider social impacts relating to the de-commissioning of street lighting;
iii) approve the next stages of the street lighting strategy.

12.2 The views of Members will be considered and, where appropriate, incorporated in a report to Cabinet.

| **Background Papers:** | i) Report of the Head of Property & Highway Engineering to Chief Officer Neighbourhood Services – Application to WAG Salix Energy Efficiency Loan Scheme Wales2 Street Lighting Portfolio – 4 February 2011  


iii) Community Safety Street Lighting – Superintendent Peter Keen (15 March 2011)  


| **Appendices:** | **Appendix 1** Programme of De-commissioning (Phases 1, 2 and 3)  

**Appendix 2** Risk Matrix  

**Appendix 3** Appeals Process |

For a copy of the background papers or for further information about this report, please telephone: Christina Harrhy, Ext. 6707
## APPENDIX 1

### PROGRAMME OF DECOMMISSIONING

<table>
<thead>
<tr>
<th>Phase</th>
<th>Description</th>
<th>Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Phase 1</strong></td>
<td>Strategic Highway Routes and Industrial Estates De-commissioning 1,800 columns on A &amp; B roads (approximately £100,000 saving)</td>
<td>January/February 2009</td>
</tr>
<tr>
<td><strong>Phase 2</strong></td>
<td>Installation of timers to 4,600 columns (timing lights out between midnight – 5.30 a.m.) (Requires £60,000 from corporate reserves to achieve approximately £160,000 saving.)</td>
<td>February/March/April 2009</td>
</tr>
<tr>
<td><strong>Phase 3</strong></td>
<td>Programme of De-commissioning 4,140 columns (or 1 in every 3 left illuminated) in all other local areas (Approximately £200,000 saving)</td>
<td>March/April 2009</td>
</tr>
</tbody>
</table>
## APPENDIX 2

### RISK MATRIX

1. **Highway Safety Criteria**

| Streets with traffic calming provisions (e.g. speed cushions and some other physical measures) |
| Areas with high numbers of accidents |
| Controlled Pedestrian Crossings (Signal controlled and zebra crossings) |
| Central Pedestrian Refuges |
| Roundabouts |
| Junctions |
| Areas where columns are situated in positions that could become a hazard in the footway/verge if un-illuminated |
| Rural areas with narrow road an/or no footways |
| Schools |

2. **Community Safety Criteria**

| Areas where there is factual police evidence of anti-social/criminal behaviour at night |
| Commercial premises with a record of business crime |
| Streets covered by public CCTV |

3. **Social Impacts**

| Adjacent to hospitals, medical centres and surgeries with 24 hours services |
| Areas with high proportion of elderly residents in sheltered housing |
| Public facilities e.g. village halls |
| Public facilities e.g. phone boxes, toilets |
| Areas with existing limited lighting |
| Commercial premises e.g. restaurants, pubs |
| Bus stops |
| Public Transport |
A letter setting out mitigating circumstances must be sent to the Chief Officer, Neighbourhood Services or email Linda.ash@torfaen.gov.uk

Neighbourhood Services will consider circumstances against set criteria (Risk Matrix) prepare a written report in letter/email format with recommendation for the Executive Member.

The Executive Member will review each recommendation, but the final decision lies with the Chief Officer

The decision will be advised in writing
1. **Area Affected**

1.1 County borough wide.

2. **Purpose of Report**

2.1 To update the Cabinet on progress on the implementation of Torfaen’s Waste Strategy.

2.2 To propose a new Waste Strategy which includes a revised Collection Method for Refuse and Recycling together with treatment and disposal technologies.

2.3 To advise Cabinet of indicative costs and future levels of increased funding required to implement the Strategy, together with anticipated costs, including potential fines, of not seeking improvements.

3. **Recommendations**

3.1 That Cabinet:

1. Notes and endorses progress being made on the implementation of Torfaen’s existing Waste Strategy.

2. Approves the new Waste Strategy as outlined.

3. Recognises that increased funding is required to support the new Waste Strategy and so mitigate against potentially substantially higher future costs through increasing landfill tax and the levying of fines for not meeting recycling and/or landfill targets.

4. Recognises the need to fund this investment, which can be from within other areas of Neighbourhood Services, as part of both the budget for 2012/13 and the medium term financial plan.
4. Background

4.1 Over the last few years Waste Management has changed dramatically. Various legislative drivers have been introduced based around the European Landfill Directive in order to divert waste from landfill.

4.2 In 2002 the Welsh Assembly Government (WAG) targeted the reduction and recycling of municipal waste with statutory recycling and composting targets of up to 40% by 2010. Additionally, in order to meet the Landfill Diversion targets, Landfill Allowances were introduced by WAG for each local authority. These identified the maximum permitted tonnages of bio-degradable waste that can be landfilled in any given year until 2020.

4.3 In response to these various targets the Council developed its own waste management strategy. The implementation of this strategy has enabled the Council to maximise recycling activity through a number of initiatives and service reforms, including the introduction of the twin bin scheme and weekly kerbside recycling.

4.4 The collection methods broadly used to deliver this strategy are as follows:

<table>
<thead>
<tr>
<th>Operation</th>
<th>Vehicles</th>
<th>Crew Structure</th>
<th>Collection Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Refuse and Food &amp; Green</td>
<td>7no. rounds 2no. spares</td>
<td>6 x 3no. Ops 1 x 2no. Ops</td>
<td>Same vehicles and crews collecting both on alternate weeks</td>
</tr>
<tr>
<td>Special Domestic and Trade Refuse</td>
<td>1no.</td>
<td>2no. Ops</td>
<td>Weekly domestic collection and as contracted for trade</td>
</tr>
<tr>
<td>Miscellaneous refuse</td>
<td>3no.</td>
<td>5no. Ops</td>
<td>Bring sites, narrow lanes, replacement bin deliveries etc.</td>
</tr>
<tr>
<td>Recycling</td>
<td>10no. rounds 2no. spares</td>
<td>10 x 3no. Ops</td>
<td>Weekly collection</td>
</tr>
<tr>
<td>Recycling vans</td>
<td>3no.</td>
<td>3 x 2no. Ops</td>
<td>Narrows lanes, missed collections etc.</td>
</tr>
<tr>
<td>TOTALS</td>
<td>28 vehicles</td>
<td>63 Operatives</td>
<td></td>
</tr>
</tbody>
</table>

These methods have seen recycling activity increase from 15% in 2004/2005 to 43% in 2009/10.


4.6 By 2025, the strategy expects that there will be a 27% reduction in the amount of waste produced across all sectors and that 70% of what is produced will be recycled. Of the remaining 30% a maximum of 5% can go to landfill with the remaining fraction to Energy from Waste.
The WAG has introduced the following more challenging targets for municipal waste within its waste strategy. These are highlighted below:

Table 1 – Headline targets for Municipal Waste from WAG contained in new waste strategy – “Towards Zero Waste”

<table>
<thead>
<tr>
<th>Target Year</th>
<th>2010/11</th>
<th>12/13</th>
<th>15/16</th>
<th>19/20</th>
<th>24/25</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. levels of reuse &amp; recycling/composting (or AD)</td>
<td>40%</td>
<td>52%</td>
<td>58%</td>
<td>64%</td>
<td>70%</td>
</tr>
<tr>
<td>Min. proportion of reuse/recycling/composting from source separation (kerbside, bring and/or civic amenity (CA) site)</td>
<td>80%</td>
<td>80%</td>
<td>80%</td>
<td>80%</td>
<td>80%</td>
</tr>
<tr>
<td>Max. level of landfill</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>10%</td>
<td>5%</td>
</tr>
<tr>
<td>Max. level of energy from waste</td>
<td>-</td>
<td>-</td>
<td>42%</td>
<td>36%</td>
<td>30%</td>
</tr>
<tr>
<td>Min. levels of preparing for reuse (excluding WEEE)</td>
<td>-</td>
<td>0.4%</td>
<td>0.6%</td>
<td>0.8%</td>
<td>1.0%</td>
</tr>
</tbody>
</table>

These statutory targets bring with them substantial financial penalties for not meeting the required levels of recycling and/or exceeding the allowable levels of landfill.

In addition to the risk of these fines, to meet the requirements of the new strategy, the Authority has also inherited an old recycling fleet which is in part not fit for purpose, and increasingly beset with breakdowns due to its age.

5 Issues and Findings

5.1 As highlighted earlier in this report, the new Welsh Strategy requires that 70% of waste is recycled/composted and the remaining 30% of residual waste to be processed via Energy from Waste (EFW). All the targets detailed in Table 1 have been developed in such a way to ensure that local authorities are directed towards this preferred route, e.g. limiting the use of Energy from Waste to 30% of our total waste arisings.

5.2 The prescriptive nature of the range of targets leaves local authorities with very little scope to develop alternative strategies without the risk of Welsh Assembly grant funding being withdrawn.

5.3 Compositional analysis of Torfaen’s waste and industry research has shown that there are several key advancements needed in the development of a revised Waste Management Strategy, including Collection Methods, to assist with meeting the WAG targets and avoiding substantial financial penalties:

- a separate food collection on a weekly basis,
- a cardboard collection,
- expanding the existing dry recyclates collection to include tetrapaks and other plastics, and
- the development of a more robust collection service less susceptible to vehicle breakdowns, shortage of operational experience, adverse weather,
and fluctuating levels of demand.

5.4 **General Refuse and Green Collections**

5.4.1 Implementation of the proposed strategy to separate food waste from green waste, collect cardboard, and to expand the range of dry recyclates collected will have 2 main impacts on this area of collections:

- reduction in the quantity of refuse waste in the black bins
- the removal of the food waste from the green bin will result in very low quantities in the winter months compared to the still substantial quantities outside the winter period

5.4.2 Due to the generally even weekly quantities of refuse, and the incompatible large seasonal variations in green waste, it is proposed to separate these collections by having a dedicated refuse collection team and a dedicated green collection team. This separation will allow flexibility to run longer shifts when the green collections are at their heaviest, and shorter shifts and/or less vehicles through the winter. It is also intended to suspend the green collection for 3 months through the winter to reduce labour and fuel costs with minimal loss of recycled volume. During this time, these vehicles will also be available if needed to assist with refuse and/or cardboard/food collections at times of adverse weather and Christmas, making the service more robust.

5.5 **Trade Refuse Collections**

5.5.1 As the dedicated refuse collection team would be continually working on refuse, they could also take all the special weekly domestic refuse collections off the Trade Refuse vehicle allowing that service either to be expanded to bring in more income, or stopped if not sustainable.

5.6 **Cardboard and Food Collections**

5.6.1 Compositional analysis and industry research has confirmed the necessity of providing a weekly separate food collection and a cardboard collection service. Furthermore, these changes would be welcomed by the public, as since the introduction of the Twin Bin Scheme, we have received a growing number of requests for these services.

5.6.2 It is considered that the most effective way to achieve this without totally swamping the existing recycling vehicles is to collect food and cardboard with split body refuse vehicles.

5.6.3 A food caddy and a separate box or bag would be provided for residents to store the material prior to collection.

5.6.4 Funding has been granted by WAG for the purchase of 2no. refuse vehicles for the purpose of trialing a cardboard collection scheme later this year. Split body vehicles have been ordered so that they are future proofed for the collection of both cardboard and food as and when funding is provided to procure similar vehicles which will be necessary to provide this service across the County Borough.
5.7 Recycling Collections

5.7.1 In addition to the separate collection of food and cardboard, the existing kerbside sort collections need to be expanded to include tetrapaks and lower grade plastics. To accommodate these extra material types, and to mitigate the increasing risk of the ageing recycling fleet, it is proposed that the existing recycling fleet is replaced on a rolling programme over the next 3 years, and provide an additional recycling vehicle to cater for the increased quantity of materials we need to collect.

5.7.2 The existing 3no. recycling vans used to access narrow lanes and missed collections, are essentially not fit for purpose and are extremely susceptible to mechanical breakdown due to their age and condition. A business plan has been approved to replace these with 3no. purpose built new vehicles through a lease back arrangement. The cost neutral proposal has been included within the departmental budget for 2011/12. In order to cover the additional cost of the new vehicles, they will be operated with only two crews due to their improved output through suitability for their purpose, with 1no. vehicle kept as a spare.

5.8 The resources required to deliver the proposed collection methods outlined above are summarised as follows:

<table>
<thead>
<tr>
<th>Operation</th>
<th>Vehicles</th>
<th>Crew Structure</th>
<th>Collection Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Refuse</td>
<td>4no. rounds 1no. spare</td>
<td>3 x 3no. Ops 1 x 2no. Ops</td>
<td>Half the Authority collected week 1 with the other half collected week 2. Special weekly domestic collection included.</td>
</tr>
<tr>
<td>Green (split bodies as back up for food/cardboard)</td>
<td>3no. rounds 1no. spare</td>
<td>3 x 3no. Ops Possible longer/split shifts outside winter months</td>
<td>Half the Authority collected week 1 with the other half collected week 2. Could suspend service in winter to support Refuse and Food/Cardboard collections.</td>
</tr>
<tr>
<td>Trade Refuse</td>
<td>1no.</td>
<td>2no. Ops</td>
<td>As contracted for trade</td>
</tr>
<tr>
<td>Miscellaneous refuse</td>
<td>3no.</td>
<td>5no. Ops</td>
<td>Bring sites, narrow lanes, replacement bin deliveries etc.</td>
</tr>
<tr>
<td>Food &amp; Cardboard</td>
<td>5no. rounds 1no. spare</td>
<td>5 x 3no. Ops</td>
<td>Weekly collection</td>
</tr>
<tr>
<td>Recycling vans</td>
<td>11no. rounds 2no. spares</td>
<td>11 x 3no. Ops</td>
<td>Weekly collection with increased types of material</td>
</tr>
<tr>
<td>TOTALS</td>
<td>35 vehicles</td>
<td>79 Operatives</td>
<td></td>
</tr>
</tbody>
</table>
5.9 The increased level of funding required to support the additional 7 vehicles and 16 operatives to deliver the proposed strategy is detailed below. It should be noted that this increased funding to improve our recycling service is substantially less than the increased costs which will be generated by increasing landfill tax, fines for not meeting landfill targets, and fines levied for not meeting recycling targets.

5.10 Subject to funding, the implementation timetable proposed is as set out below:

<table>
<thead>
<tr>
<th>Autumn 2011</th>
<th>Commencement of Fortnightly Cardboard Collection Trial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summer 2012</td>
<td>Full Weekly Food and Cardboard Collection</td>
</tr>
<tr>
<td>Winter 2012</td>
<td>Separate Black Bin Collection Team set up, rounds adjusted</td>
</tr>
<tr>
<td></td>
<td>First suspension of Green Collection, vehicles available to assist transition of Black Bin collections</td>
</tr>
<tr>
<td>2011 to 2014</td>
<td>Replacement and upgrade of Recycling Fleet to facilitate collection of mixed plastics and tetrapaks</td>
</tr>
</tbody>
</table>

5.11 Treatment and Disposal

5.11.1 Moving on from the proposed Collection Methods, included below is an update on the procurement processes for the disposal of Food and Green Waste, Residual Waste, and Household Waste Recycling.

5.11.2 Food and Green Waste - Organics Procurement Project

Through the Heads of the Valleys (HoV) Organics Project, an organics contract is currently being procured to secure treatment of food and green wastes for Blaenau Gwent, Caerphilly and Torfaen Councils for a minimum of 15 years and up to a maximum of 20 years.

A timetable has been developed to identify the key stages of the procurement process. The current status has been updated below.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Deadline</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>ITPD</td>
<td>05 August 2010</td>
<td>Completed</td>
</tr>
<tr>
<td>Submission of Interim Solutions Paper</td>
<td>10 September 2010</td>
<td>Completed</td>
</tr>
<tr>
<td>ISOS Returned</td>
<td>22 October 2010</td>
<td>Completed</td>
</tr>
<tr>
<td>Invitation to Submit Detailed Solutions (ISDS) Issued</td>
<td>21 February 2011</td>
<td>Completed</td>
</tr>
<tr>
<td>ISDS Returned</td>
<td>May 2011</td>
<td>On target</td>
</tr>
<tr>
<td>Issue Final Tender Documentation</td>
<td>September 2011</td>
<td>On target</td>
</tr>
<tr>
<td>Close Dialogue and Call for Final Tenders</td>
<td>December 2011</td>
<td>On target</td>
</tr>
<tr>
<td>Final Tenders Returned</td>
<td>January 2012</td>
<td>On target</td>
</tr>
<tr>
<td>Approval of Preferred Bidder</td>
<td>May 2012</td>
<td>On target</td>
</tr>
<tr>
<td>Planning Application submitted</td>
<td>May 2012</td>
<td>On target</td>
</tr>
<tr>
<td>Submission of FBC to DESH</td>
<td>February 2012</td>
<td>On target</td>
</tr>
<tr>
<td>DESH approval of FBC</td>
<td>May 2012</td>
<td>On target</td>
</tr>
</tbody>
</table>
5.11.3 Residual Waste Treatment

An external contractor currently manages all of Torfaen’s residual waste via landfill disposal on the Council’s behalf. The Council’s existing Waste Management contract expires in March 2012.

Therefore, from 2012 TCBC will require an arrangement through a third party for the treatment/processing/disposal and possible transportation of its non-hazardous, residual municipal waste.

The current disposal cost for the landfilling of the Council’s 26,000 tonnes of residual waste is approximately £2.1m. However, each year this is forecast to increase by over £200,000 due to the £8/tonne increase in landfill tax each year.

The WAG strategy has prioritised Energy from Waste as the preferred option for the treatment of residual waste. The strategy has set maximum and minimum tonnages for the treatment of the residual waste via landfill and Energy from Waste facilities.

TCBC and Blaenau Gwent County Borough Council have worked collaboratively to investigate the possibility of procuring an Energy from Waste facility, however despite combining the residual tonnages of both TCBC and BGCBC there is insufficient to enable a dedicated facility to be constructed for both of the Authorities’ waste.

Additionally, there is currently no available capacity for Energy from Waste treatment in South Wales, however over the next 5 yrs it is anticipated that facilities will become available for both Authorities to collaboratively procure a long term Energy from Waste treatment contract at that stage.

In the mean time there is a need for TCBC to procure a short term interim Residual Waste treatment contract. This process has commenced with the key dates outlined below:

<table>
<thead>
<tr>
<th>Task</th>
<th>Deadline Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issue PIN Notice</td>
<td>Completed</td>
</tr>
<tr>
<td>SMT Questionnaire returned</td>
<td>Completed</td>
</tr>
<tr>
<td>SMT Event</td>
<td>Completed</td>
</tr>
<tr>
<td>Project Board agree scope of contract (electronically)</td>
<td>Completed</td>
</tr>
</tbody>
</table>
Once completed it is proposed to procure a longer term disposal/treatment contract on a collaborative basis with RCT, Merthyr and Blaenau Gwent Council’s.

### 5.11.4 Household Waste Recycling Centre

TCBC also needs to procure a contract for the management and operation of its Household Waste Recycling Centre (HWRC) and Transfer Station, along with the bulking and marketing of kerbside recyclates for onward processing.

The HWRC and Transfer Station are located on the same site in New Inn, with the bulking of the domestic kerbside recyclates currently being undertaken in Ty Coch, Cwmbran.

The provision of this service will be included within the Interim Residual Waste contract.

The waste team will also continue to seek alternative sites and funding options for the provision of an extended or alternative HWRC. Currently around 53% of all waste delivered to the existing HWRC is recycled. The best performing HWRC’s are currently delivering recycling rates of between 70-80%.

If an extended or alternative HWRC was able to perform at 70% this would result in a cost saving of £80,000 per annum.

### 5.11.5 Education and Awareness

Whilst recycling, treatment and disposal infrastructure is important in delivering the outcomes required, the Council also realises the central role that awareness and education plays within the strategy.

We will seek to further educate and raise awareness of waste issues within Torfaen in order to influence attitudes and behaviour. This will help to reduce the amount of waste produced and ensure a greater proportion of any waste is re-
used. Not only will this approach lead to a more sustainable society, but it can also lead to financial savings to both residents and the Council.

The waste team is currently developing a communication campaign around the “Love Food, Hate Waste” national initiative which aims to reduce food waste by encouraging people to think about portion sizes, use leftovers and carefully plan meals so as to buy only what is needed. Similar campaigns will be developed to further reduce the amount of waste generated.

Whilst many of these will be carried out across the Authority, other activities will need to be more targeted. To deliver the required outcomes we need high participation within the recycling schemes and for residents to know and recycle all materials that we provide services for. Through carrying out regular participation surveys, and developing methods for monitoring recycling capture rates for materials collected, we will be able to identify the areas that will benefit from targeted awareness activities.

5.12 **Systems Review**

5.12.1 During the period of 2011/12, a review of our internal systems is being carried out with the assistance of Vanguard, using the principles of Lean Management. The aim of the review is to improve the culture, operating practices and performance across the service, thereby improving the experience of the customer whilst reducing the cost of the service.

5.13 **Financial Forecasts**

5.13.1 The proposed strategy will impact upon the Council’s overall collection and treatment costs. This is primarily due to the changes in frequency of collection of cardboard and food waste coupled with the need for food waste treatment and disposal of all black bin waste via Energy from Waste.
5.13.2 The previous graph identifies:

- The current revenue budget, projected forward on a 2.5% annual increase straight-line basis to 2024/25.
- The current service revenue costs projected forward to 2024/25 identifies the impact that escalating disposal costs and financial costs to the authority for failing to meet the statutory recycling and landfill diversion targets. Between 2010 and 2025 the current strategy would attract fines of £27.6m and increased disposal costs of £11.8m due primarily to increases in landfill tax.
- The proposed strategy revenue costs to 2024/25 (assumes weekly food waste collection, treatment and disposal costs and achievement of targets). The proposed strategy ensures that we meet all of the targets thereby avoiding fines and landfill taxes.

5.13.3 Whilst the budget for 2011/12 has already allowed for the resources required for the current year there is a year on year uplift of approximately £703k required for 2012/13 and £440k in 2013/14. However, between 2014 and 2025 it is anticipated that costs will follow a similar profile to the Revenue Budget line. If the direction of travel outlined in this report is approved these costs for 2012/13 and 2013/14 will have to be funded. It is too early within the budget cycle for 2012/13 for the funding source to have been identified with any certainty although our medium term scenario planning has always contained reference to this funding requirement – a do nothing approach would be much more costly. Therefore in approving this report Cabinet are recognizing the need to fund this investment, which can be from within other areas of Neighbourhood Services, as part of both the budget for 2012/13 and the medium term financial plan.

5.13.4 The total service costs for the next 15 yrs are identified in the graph below.

5.13.5 The additional investment for the proposed strategy will be needed for the additional resources identified in Para 5.9, and the additional waste containers for residents to store their cardboard and food waste. However, this year the
department has attained additional funding of £250k from WAG towards the purchase of 2 of the additional 7 vehicles.

The investment in the proposed strategy is needed in order to ensure that the projected increases in current service costs are avoided as the current service is not affordable in the long term. The proposed service will ensure a saving of £26 million compared to the current service.

6 Consultation

6.1 Consultation has taken place with the:

- Chief Legal Officer
- Assistant Chief Executive Resources Chief Officer Neighbourhood Services
- Executive Member for Neighbourhood Services
- Cleaner Communities Overview and Scrutiny Committee – have scrutinized the proposals within the report and are in support of the proposals offered.
- Members Seminars – A number of members seminars have previously been carried out to explain the changes to national legislation and to discuss its effect on future waste collection and treatment. An additional Members Seminar was held on the 23 May to discuss the content of this report in detail.

7 Implications

7.1 Policy – Waste management has been identified as a key priority of the Council. The present waste management strategy has enabled us to increase our recycling rates from 15% to 43%. However, in view of the new WAG waste strategy, and the Draft Municipal Sector Plan, this review of the council waste strategy is required.

7.2 Legal – It is essential that the Council develops a strategy that ensures we meet future waste management targets as failure to meet statutory recycling and waste diversion targets will realise financial penalties of £200/tonne of waste over our landfill allowance and a further £200/tonne of waste below the WAG recycling targets.

7.3 Financial – The increased level of funding required to deliver the proposed strategy is detailed in Section 5.13. It should be noted that this increased funding to improve our recycling service is substantially less than the increased costs which will be generated by increasing landfill tax, fines for not meeting landfill targets, and fines levied for not meeting recycling targets. Remaining with the Current Collection Strategy is simply not affordable for the Authority. However, it is acknowledged that the uplifts of approx. £703k and £440k for 12/13 and 13/14 respectively, will be challenging for the Council in the context of reducing budgets and pressures elsewhere within the council, particularly in Education and Social Services. In the first instance the required uplifts will wherever possible be retained within Neighbourhood Services, through prioritisation against other services. It is anticipated however, that some corporate support will be required but that will require consideration as part of the budget process for 2012/13.
Communication – Every effort will be made to minimize changes to the Collections, however all changes required will be extensively publicised to Members and the residents prior to implementation as part of a robust communication strategy.

Personnel – Once the revised collection methods have been approved and the final level of operational resource has been confirmed for different scenarios and different times of the year, we would look to increase the percentage of full time employed operatives and reduce the number of agency operatives used down to the level required only to provide the necessary flexibility.

It is proposed that flexibility of any newly employed waste operatives will also be fully considered when preparing Job Descriptions and Working Terms and Conditions. Revisions to the Job Descriptions and working Terms and Conditions of existing operatives could also be considered as necessary, and will involve consultation and negotiation with the Unions and staff affected.

Social Inclusion and Equalities – Any staff recruitment would be in accordance with the relevant HR procedures and policies.

Business community – Currently the proposal is to retain the collection service “in-house”, with the private sector providing our disposal/treatment requirements.

Sustainability – A strategy that aims to meet and indeed exceed the recycling and waste diversion targets is much more environmental and financially sustainable than facing substantial penalty fines. However, in order to meet future targets the service offer will require the additional revenue and capital investment outlined in this report.

Crime and disorder – not applicable.

8 Risks

8.1 Risks – it is essential that the various WAG targets are met in order to avoid the range of financial penalties. There are also a number of risks associated with any changes to waste collection methods, and every effort will be made through preparation, full staff involvement, and extensive communications, to mitigate these risks.

9. Actions to be taken following decision

9.1 Following approval, implementation of the proposed Waste Strategy will progress.

10. Monitoring and evaluation

10.1 Monitoring and evaluation will be undertaken in a number of ways, including:

Collections
- Adhering to the vehicle procurement plan and timescales.
- Making incremental changes to the collection methods as far as practicable.
- Continual liaison with Members, residents, and operational staff regarding
each incremental change.

**Contract Procurements**
- Adhering to Project Timetables for Organics Project and Interim Residual Contract

10.2 Recycling rates and quantities being disposed through landfill will continue to be monitored and assessed against WAG targets to ensure fines are not incurred.

11. **Conclusion**

11.1 During the last few years Waste management has changed significantly. The Council in partnership with its citizens has achieved significant improvements in recycling rates of recent years. Whilst the Council’s existing strategy will enable the achievement of 50% recycling/composting, it will not enable the delivery of the new higher recycling rates introduced in the new Wales Waste Strategy - Towards Zero Waste.

11.2 To achieve these targets and to ensure that our ecological footprint is reduced we will need to invest in new collection and treatment infrastructure for food waste and cardboard, alongside maximizing recycling and composting.

12. **Recommendations**

12.1 That Cabinet:

1. Notes and endorses progress being made on the implementation of Torfaen’s existing Waste Strategy.

2. Approves the new Waste Strategy as outlined;

3. Recognises that increased funding is required to support the new Waste Strategy and so mitigate against potentially substantially higher future costs through increasing landfill tax and the levying of fines for not meeting recycling and/or landfill targets.

4. Recognises the need to fund this investment, which can be from within other areas of Neighbourhood Services, as part of both the budget for 2012/13 and the medium term financial plan.

<table>
<thead>
<tr>
<th>Appendices</th>
<th>None</th>
</tr>
</thead>
</table>

| Background Papers | Note: Members of the public are entitled, under the Local Government Act 1972, to inspect background papers to reports. The following is a list of the background papers used in the production of this report. 15th December 2009 Cabinet - Future Development of Waste Management within Torfaen 15th December 2010 Cleaner Communities Overview and Scrutiny |
For a copy of the background papers or for further information about this report, please telephone: Chris Howell, Head of Technical Services 01495 766704
Cynon Edwards, Group Leader Waste and Streetscene 01495 766789
AGENDA ITEM NO. 9
CABINET
14 JUNE 2011

ANNUAL COUNCIL REPORTING FRAMEWORK TO ASSESS EFFECTIVENESS IN MEETING SOCIAL CARE NEEDS

Report Submitted By: Sue Evans, Locality Director, Social Care, Housing & Health
Report Written By: Sue Evans, Locality Director, Social Care, Housing & Health

1. **Area Affected**
   1. Borough wide.

2. **Purpose of Report**
   2.1 The attached report sets out the professional view of the statutory Director of Social Services regarding the effectiveness of the Council in meeting social care needs. The Director has a statutory duty to publish her report in respect of performance for 2010/11 and to present her findings to Council.

3. **Recommendations**
   3.1 It is recommended that Members:
      
      - note the content of the report attached as Appendix 1 and
      - recommend this report be presented to Council on 28th June 2011 in the form of a presentation and
      - support the publication of this report promoting general awareness of its content

4. **Background**
   4.1 Members will be aware that the reporting framework for social care requires the person carrying the statutory responsibilities of the Director of Social Services to publish a report on his/her assessment of Social Care performance in the previous year. This is now a mandatory requirement on all authorities; to tell local citizens and key stakeholders how well they think their arrangements for delivering social care are working.

   4.2 This is the third report for Torfaen, following our participation in the pilot to test the new arrangements in 2008/9, which replaced the Joint Review process.

   4.3 Work is ongoing across Wales to further refine the performance framework and we are actively engaged in this project, so that lessons can be shared across Wales.

   4.4 This reporting framework is intended to consider qualitative and broader issues, for example, the perception of users and carers; progress toward strategic priorities; what are we doing today, tomorrow and how things might look next year, as well as the more usual Key Performance Indicators.
4.5 The report provides more timely information for staff, politicians, partners, users and citizens. It provides an evaluation of the key domains for Adults and Childrens’ Services, namely; access to services, range and quality of services; safeguarding and promoting independence with evidence taken from P.I.'s, user and stakeholder views as well as external Inspection and Audit Reports.

4.6 The evidence underpinning the report, as well as the report itself, will be evaluated by the Care and Social Services Inspectorate Wales (CSSSIW), who will formally respond on their findings later in 2011. They will use the report to develop the Inspection programme for 2011/12 and beyond.

4.7 This revised process is intended to integrate the interests of:
- The public as the key consumers who both receive and define the support they want
- Politicians at local and national level as accountable decision-makers on setting policies which specify standards and priorities
- CSSIW as regulators and service developers
- ADSS/WLGA/SSIA as support for and leadership of social care services in Wales.
- Staff and providers who are delivering social care services.

4.8 The overall report is derived from a broad range of information, starting with the individual evidence grids, in a format agreed by all authorities, to contain a substantial amount of detail, categorised under the headings of Approach, Deployment, Results and Evidence – these are provided at team and function level. The second stage of documentation are three overviews for Adults, Children and Organisational Capacity written by the three Heads of Service, based on the evidence grids. These are used by the Director as part of the performance framework for the Leadership Team. The third stage of development is the Directors Overview report which is presented here today. It is important that any information in the Director’s report can be evidenced in the lower two levels of the report.

5. Consultation

5.1 The draft report was discussed at a staff ‘Changing Lives’ event, held on 21st March 2011 as well as with individual teams and Green Team members. Feedback has been both constructive and supportive and a number of amendments have been made to the final draft. The draft report has also been discussed at the Health, Social Care & Well-being Partnership Board, in various planning groups through our Joint Strategic Implementation Groups (JSIGs), with Health colleagues and discussed at our Partnership Forum, where user and provider stakeholder views have been considered.

5.2 An earlier version of the report was presented to Healthier Communities Overview and Scrutiny Committee in May 2011.

5.3 The main changes from the draft report presented to Scrutiny are that key statistics have been included, to support the evidence. Amendments have been made in terms of format, grammar and terminology plus some additional information;
however the main themes, content and style of the report has remained largely unchanged.

5.4 Once this report has been presented to Council on 28th June, it will be published on the Council’s website and shared electronically with key partners and staff within the service area. We will also promote awareness of the report through Torfaen Talks and other media to try to reach as many citizens as possible. Printed copies can be made available on request.

5.5 We intend to publish the Director and Heads of Service Overview reports on the Council web-site but evidence grids are available to staff, Members and the general public, should they require them.

5.6 All evidence is stored within the Ffynnon database and we are working with the Care and Social Services Inspectorate Wales (CSSIW) and other authorities to develop a protocol for sharing this information. This should ensure that processes are streamlined and paperwork reduced to a bare minimum.

5.7 As in previous years we intend to produce an on-line questionnaire requesting feedback from readers and, whilst this method has been limited to date, we will continue to promote all opportunities for feedback from our citizens, linking to the Citizen’s panel, via the PSSU.

6. Monitoring

6.1 The improvement actions are built into Team’s Service Improvement Plans to ensure delivery. We are working with corporate colleagues to further integrate these separate processes, so that our statutory requirements can be built into corporate requirements.

6.2 During the current year we will also review the evidence through our existing joint strategic planning groups, and existing performance management processes to assist in planning for next year’s report.

7. Implications

7.1 Policy – the actions contained in the report reflect those in the Service Improvement Plan for 2011/2012

7.2 Legal – The publication of this report is a statutory requirement linked to the role of the Director of Social Services

7.3 Financial – there are no financial implications in the report beyond those already accepted

7.4 Communication – This report is derived from evidence gathered through consultation and will be shared as widely as possible through the Council’s Internet site and with key partners and service users.
7.5 Personnel – Staff have been involved in preparing all information to support and challenge this report. Staffing implications as a result of budget pressures are set out in the report.

7.6 Social Inclusion and Equalities – This report provides an evaluation of the effectiveness of social care services in Torfaen, as the professional view of the Director of Social Services. The contents of the report set out the challenges and priorities for meeting the needs of vulnerable, children and families which are assessed through a process of risk and equality impact assessment processes.

7.7 Partners and service users – the preparation of this report has involved feedback from partners and service users and we will consult throughout 2011/12 to inform next years report.

7.8 Decision-making – To note the Annual Report of the Statutory Director.

7.9 Business community – Independent and voluntary sector providers may be interested in the contents of this report, many of whom will have contractual obligations to the Council for service delivery.

7.10 Sustainability – None

7.11 Crime and disorder – None

8. Recommendation

8.1 It is recommended that Members:

- note the content of the report attached as Appendix 1 and
- recommend this report be presented to Council on 28th June 2011 in the form of a presentation and
- support the publication of this report to promote general awareness of its content.

Appendices


For a copy of the background papers or for further information about this report, please telephone:
Sue Evans, Locality Director, Social Care, Housing & Health - 64(8617)
Director
of
Social Services
Annual Report 2010/11
INSIDE COVER

This Annual Report can be made available in other languages and formats upon request.

Please contact Customer Care on (01495) 762200
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‘Changing Lives’

Social Care is about supporting people to maintain their independence and lead safe, happy and fulfilled lives. Our aim is to work in partnership to change lives for the better.

2010/11 Annual Report to Council of the Chief Officer, Social Care and Housing, in her role as the statutory Director of Social Services for Torfaen - June 2011

Executive summary

This is the third formal report of the Director of Social Services in Torfaen. The report provides an assessment of the performance of social care in Torfaen for 2010/11 and highlights progress since the second report and identifies priorities for further improvement.

The report is written for the people of Torfaen, members of the Council, and specifically for those who have an interest in the performance of social care services in Torfaen. It is a formal account by the statutory Director of Social Services and has been developed through an ongoing assessment of progress and by considering evidence gathered from a wide range of sources, including consultation with service users, carers and key partners. I have deliberately broadly continued the format used in previous years so that everyone is able to follow the improvement journey and quickly identify progress and areas for further action.

The report, and the evidence underpinning it, will be used by the Care and Social Services Inspectorate for Wales (CSSIW) to inform their review and inspection activity in Torfaen over the next year and we continue to work alongside them to seek continuous improvement in all aspects of our work.

Hopefully, what you read in this report matches your views and experiences and helps us all to understand how we can continue to improve services for you, your family and your neighbours.

In last year’s report, I reflected on the challenges faced as a result of the implementation of single status and the increasing demand for services across teams. 2010/2011 has seen demand increasing still further and this has been compounded by the significant financial pressure facing the Council as a whole.

In previous years, despite significant demands, we have usually managed within the resources available to us, utilising service specific reserves to balance our budget. However, this year the demand has outstripped the funds available and we faced an overspend which will add further pressures to the 2011/12 budget. This is not unique to Torfaen but is a common feature of
many local authorities across the UK. This was further impacted on in 2010/11 by the reduction in specific grants allocated to the service area from Welsh Assembly Government.

While this pressure is difficult to manage, it reflects the fact that more children with complex needs are living into adulthood, frail older people are surviving longer and more adults with disabilities are being supported to live independently in the community. This is good news for society but does place additional responsibilities upon social care departments to stretch resources even further.

We also know that Torfaen is a borough challenged by areas of significant deprivation, as demonstrated by the recent research published by Save the Children.

**Vital statistic**

Save the Children has identified that over half of the 22 local authorities in Wales have a severe child poverty rate. The Welsh authority with the highest rate is Blaenau Gwent, where the estimate is one in five children (20%). At joint second (18%), Torfaen has at least one in six children living in severe child poverty.

These child poverty statistics are a contributory factor in the high number of referrals to Torfaen’s Childrens Social Services and there is every reason to assume that the economic downturn will further compound the situation over the next few years.

Furthermore, we still continue to feel the impact of the former industrial heritage of the borough and its effect on the long term health of many of our older residents and this creates further demands for support and care.

**Vital statistic**

In 2009/10, 29% of people in Torfaen reported that they had a long-term limiting illness, compared to 28% for 2007. This compares to 27% across Wales.

**Source: Welsh Assembly Government**

**Vital statistic**

In 2009/10, figures show that Torfaen had fewer people under 65 who claimed severe disability allowance than the average across all the Welsh authorities.

**Source: Welsh Assembly Government**

These demographic and economic factors mean we have to take difficult decisions to move resources to ensure those with the highest needs are safeguarded and supported and others are helped to increase their independence by right-sizing support packages. We achieve this by working with service users, their families and service providers in the voluntary and
independent sector to reduce costs to the individual and the social care service.

For example, last year we invested by recruiting five new social workers for Children’s Services, however, the continued increase in referrals has meant that caseloads are still very high and we are reviewing our staffing structure and processes, so that resources are deployed in the most efficient and effective way.

During 2010/11, we focused on closer management of sickness absence, which was high compared to other service areas. I am pleased to see a reduction in the number of days lost due to sickness during the year. We will be working hard to sustain that improvement during 2011/12 by maintaining a positive working environment that supports the workforce so they remain healthy at work, as more demands are placed upon their day to day activities.

**Vital statistic**

Sickness absence (per full time member of staff) has dropped from an average of 14.29 days per year in 2009/10 (6.53%) to 11.84 days in 2010/11 (5.49%).

At the end of 2010/11, we started re-configuring the structure of our teams to ensure our own internal workforce was as efficient as possible. We have reduced our staffing complement by 34 posts in light of an anticipated budgetary shortfall of £3.8m in 2011/12.

This will place greater demands on staff across all teams at all levels and within the provider and voluntary sector. Success will only be achieved by the professionalism and commitment of the entire workforce.

We need to secure even greater efficiencies from all those who provide support and care, in both the independent and voluntary sector. We will work with providers to develop sustainable and effective service models to meet future needs.

**Vital statistics:**

<table>
<thead>
<tr>
<th>Service area</th>
<th>Numbers at March 31 2010</th>
<th>Numbers at March 31 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children Looked After</td>
<td>237</td>
<td>290</td>
</tr>
<tr>
<td>Children on CPR</td>
<td>115</td>
<td>178</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Service area</th>
<th>Numbers supported 2009/10</th>
<th>Numbers supported 2010/11</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adults</td>
<td>1,098</td>
<td>1,081</td>
</tr>
<tr>
<td>Adults over 65</td>
<td>2,591</td>
<td>2,803</td>
</tr>
<tr>
<td>Expenditure</td>
<td>2009/10 Budget £</td>
<td>2010/11 Budget £</td>
</tr>
<tr>
<td>--------------------------</td>
<td>------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>(net of adult client income)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Children</td>
<td>10,911,816</td>
<td>10,820,715</td>
</tr>
<tr>
<td>Adults</td>
<td>24,363,904</td>
<td>25,429,877</td>
</tr>
<tr>
<td>Adults over 65</td>
<td>7,411,878</td>
<td>7,679,390</td>
</tr>
<tr>
<td>Business support</td>
<td>1,366,748</td>
<td>1,840,563</td>
</tr>
<tr>
<td>Total expenditure at year end</td>
<td>36,592,872</td>
<td>38,642,188</td>
</tr>
</tbody>
</table>

My role as Statutory Director of Social Care and Housing has been enhanced by the opportunity to combine the role of Locality Director for the Aneurin Bevan Health Board, which commenced in 2010. This additional portfolio complements the responsibilities for social care and housing and we are starting to see the benefits that an integrated approach to strategic planning and service delivery will bring to Torfaen residents. A good example is the way that housing providers sit alongside health and social care colleagues to help re-design service models to meet future needs in the borough, e.g. the Frailty Programme and Supported Living services.

Partnership working has been a fundamental part of our day to day activity within the borough for a number of years. This particularly relates to the move from direct provision of services to that of commissioning services, where more than 70% of our overall spending is made up of support packages to meeting the needs of vulnerable people. We will continue to seek efficiencies and best practice in service delivery from providers through collaboration and a shared approach to meeting the needs of our citizens. In 2010, we agreed a number of improvement activities on a South East Wales basis, which will be implemented during 2011/12.

While the day to day management of social care is the remit of my service area, the work that we undertake forms part of the corporate priorities set by the Council and these are reflected in the Corporate Plan. We rely on colleagues from across the Council to support our activities and, in turn, we contribute to the objectives of other service areas.
Our priorities for the next year are to maintain frontline services to the most vulnerable members of our community. The challenge will be to manage with reducing resources against a backdrop of constantly rising demands and increased expectations. This will mean some of the service options we previously offered to clients are being stretched further; providers are working with us to ensure we deliver all services more efficiently, so that resources are targeted to best effect. Further collaboration with neighbouring local authorities and with the NHS is a key objective for 2011/12, so that seamless services can be developed and professional and organisational barriers removed, where they get in the way of good service delivery and better outcomes for citizens.

Priorities for next year at summary level:

- ensure that vulnerable families, adults and children are supported and protected from harm
- target resources to ensure that we safeguard those in greatest need
- promoting independence and right-sizing care packages, so that citizens have more control over their lives, with a focus on maximising everyone’s potential
- continue to develop a strong professional workforce internally and externally, with the skills and knowledge to deliver high quality, efficient solutions
- plan to meet needs within an environment of reducing resources and increasing demand, which may involve reviewing our eligibility criteria, in line with national guidance.
- we will think carefully before we change eligibility criteria and will consult before changes are made. We acknowledge that raising eligibility criteria, so that we are only able to support those with the highest needs, removes preventative support that may lead to longer term cost burdens in later years. However, our financial challenges over the next few years may impel us to take this action on a short-term basis
- work within the community with voluntary groups and other partners to ensure that people are self supporting wherever possible
- improve access to social care advice and support, ensuring that independence and social inclusion is promoted at every opportunity
- continue to review all care packages and contracts to ensure they meet the outcomes of services users as efficiently as possible, utilising direct payments and citizen-directed support to further promote independence
- work with all providers to secure efficiencies to meet increased demands, as resources are reducing
- continue to promote the needs and voices of vulnerable people within the broader Council and community
- work in partnership across all agencies to deliver sustainable seamless services
• promote joint working and integrated service delivery, where collaboration adds value
• provide robust signposting to services provided by others, so that social care resources are able to meet the needs of the most vulnerable
• listen well to service users about innovative ways in which their needs can be best met and how services can be improved
• ensure that business support services are effective to support front line service delivery.

I would like to record my personal thanks to all those who work with me to deliver the service. This includes Member and Officer colleagues from across the council, voluntary and independent sector providers, other statutory partners, as well as service users, carers and their families.

Sue Evans
Locality Director, Social Care, Housing and Health

INSERT PHOTOGRAPH OF SUE EVANS (EMAILED BEST ONE TO SUE at 10am on Monday)
1. How do we manage our performance?

We recognise that efficiency and effectiveness in our business services are critical to safe and effective service delivery and we have worked hard to ensure that appropriate support is given to frontline services. However, the pressures facing the Council in the current financial environment are such that we cannot sustain our previous levels of investment in business services if we are to protect frontline services. We have, therefore, been required to re-think the way that we deliver ‘back office’ services in order to make service efficiencies and savings which can be re-invested in direct support to service users.

As a result of budget strategy for 2011/12, we have undertaken a full review of our staffing structure during the latter half of 2010/11 to ensure that our structure continues to underpin our service direction; we will continue to refine our staffing structure in 2011/12. In order to improve our efficiency, we have carried out a robust review of all areas of service provision, whether in-house or externally provided, and worked in partnership to reduce costs whilst still maintaining safe service delivery.

As we end the 2010/11 financial year, we are predicting a budget overspend for Social Care and Housing of nearly £500,000 (or 1% of our budget) and while this causes us further difficulties for 2011/12, this figure has reduced significantly from forecasted expenditure earlier in the year. We could not have achieved this reduction in forecast overspend without the efforts and commitment of our staff and service providers who have shared responsibility for the difficulties that we faced and delivered on some very difficult decisions to keep service users at the heart of our decision making, whilst delivering on significant savings requirements.

We are conscious that caseloads are high and we monitor the impact on staff on a regular basis. We know most of our staff consistently ‘go the extra mile’ to deliver an effective service.

We have a good reputation as an employer and are able to recruit to most vacancies. We believe that the training and management support we offer, together with the well-established career pathway, supports our philosophy of empowering staff to fully utilise their professional skills and knowledge to deliver improved outcomes for clients.

We are a service that wants to learn from others to improve performance and challenge traditional thinking. At the end of the last financial year we undertook a full review of our data collection processes that support our performance reporting and we recognised that these could be further improved to report more accurately on our performance. We continually strive to improve the information on which to plan service direction and take preventive action. Managers and staff are aware of their team performance and are able to prioritise activities accordingly.
We use the Council’s corporate service improvement planning process to keep a track of performance, showing a clear line to priorities set out in the corporate plan. We improved the synergy between the external and internal performance management processes during 2010/11.

The level of changes that we have been required to deliver will inevitably impact on our performance in some areas and we will monitor our Performance Indicators and the feedback from users and carers to ensure that our services remain fit for purpose and continue to improve.

As reflected previously, we aim for high standards but sometimes things do go wrong. When this happens we welcome complaints and use them as an opportunity to learn how we might improve our services, and the experiences of our service users. A critical part of dealing and resolving complaints is the lessons learned and the actions that have been agreed and implemented as part of their resolution.

Social care services have a statutory three-stage complaints procedure and our aim is to resolve as many as we can at Stage 1. During the year, we received twenty five Stage 1 complaints; six progressed to Stage 2 (two of these went straight to Stage 2) and one escalated to the Stage 3 Independent Panel, a decrease on the previous year.

If complainants remain dissatisfied they have the right to contact the Public Services Ombudsman for Wales. During the year, we dealt with one investigation for social care services which is ongoing.

Our investigation of complaints in 2010/11 has led to learning in such areas as:

- ensuring that statutory processes do not get in the way of supporting vulnerable children
- ensuring clarity on the purpose of meetings, particularly when engaging with young people
- being reminded that, whilst we, as social care professionals, understand the system we operate within, it is extremely confusing for others and we need to explain statutory processes well
- importance of how we communicate with others at all stages of our involvement
- ensuring accurate records of discussions are kept.

Complaints about staff attitude and quality of service continue to be one of the highest categories of complaint, reflecting the difficult and sensitive nature of our business. We recognise that we sometimes need to give people answers that they do not want to hear and that the current financial climate will bring further pressures on the service. We believe that staff play an important role in learning from complaints and we deliver training activities throughout the year to help us ensure that staff communication and practice are continually improving.
I would like to take this opportunity to thank frontline staff, within the Council and in provider organisations, who ensure that vulnerable children and adults are safeguarded and supported to reach their full potential, often in very complex and demanding situations.

We have acknowledged that our focus needs to be on improving outcomes for service users rather than traditional methods of contract monitoring. We have restructured our service specifications to ensure that we monitor and evidence how outcomes are being achieved rather than focusing on outputs and tasks. This has led to a quality fee level based around outcomes for care homes. This work is being shared with other local authorities and we plan to embed this in all our practice, ensuring we keep the service user at the heart of our decision making and commissioning activities. In 2010/11, we improved our method of service review and this will be further enhanced in 2011/12, when a new commissioning team is established.

Our responsibilities extend beyond the staff directly employed within Torfaen Social Care and Housing Services and include the whole social care sector, promoting a culture of one workforce. We undertake an annual workforce data collection exercise, based on a number of indicators including age profiles, to identify need and plan effectively for a sufficient number of qualified staff and adequate social worker / occupational therapy training in Wales.

The Welsh Assembly Government is promoting a collaborative agenda and I am pleased to say that Torfaen not only embraces this approach but often takes a lead in such endeavours. Examples include the Joint Youth Offending Service, Joint Adoption teams, Joint Commissioning Strategies, Joint Out of Hours Services, Commissioning through South East Wales Improvement Collaborative (SEWIC), Gwent Frailty Programme and Gwent Wide Integrated Community Equipment Service (GWICES). We believe that this way of working delivers service efficiencies that enable more resources to be diverted to frontline service delivery.

Social care is given a high priority by Torfaen’s politicians. Individual Members champion Equalities, Children and Older People, with these specific portfolios complementing the role of Executive Member, Health, Social Care & Well-being. Members actively support the corporate parenting agenda, as well as strategic service models, like the Frailty Programme. The Health and Well-being Scrutiny Committee provides an excellent forum for ensuring that the statutory functions of the Director are carried out effectively and that continuous improvement is evidenced.

**Progress against last year’s priorities**

Last year we said we would prioritise the following actions:
Workforce

- Action – continuously monitor caseloads and divert resources to ensure safe, effective practice.
- Response – five new social workers recruited in Children’s Services. This is ongoing with weekly/daily oversight of team pressures.
- Action – embrace new technologies that lead to smarter working to reduce time pressures.
- Response – we commissioned independent support to help us review business processes and this will continue in 2011/12.
- Action – share the findings of the Work and Well-being Survey and implement changes to support staff to remain healthy and reduce sickness absences.
- Response – we have achieved significant improvements in the level of sickness absences. However, we are not complacent and will continue to address sickness absences, supporting those who are ill to return to work quickly.
- Action – support Continued Professional Development.
- Response – our career pathway has been shortlisted for a national award. We support national and local training programmes and several staff are completing academic and professional qualifications or utilising their five study days to shadow colleagues in other areas.
- Action – re-design a new joint structure to deliver the benefits of a joint health and social care service in Torfaen.
- Response – 2010/11 was a foundation year with a Joint Head of Service Improvement and Integration and team appointed. A joint performance framework for the Frailty Programme has been developed and this will be built upon in 2011/12.
- Action – implement the recommendations of the review of older people’s mental health services, so that a clear strategy for a fully integrated health and social care service is understood by all professionals.
- Response – this work is in progress and we hope that the delivery of the Frailty Programme will consolidate closer working between health and social care professionals in the support of older people with mental health problems.

Vital statistic

In 2009/10, Torfaen prioritised 6% more spending on social care provision than the minimum level set out by the Welsh Assembly Government. This compares to 16% in 2008-09. The comparable authorities spent, on average, 10% more.

Source: Welsh Assembly Government

Financial Resources

- Action – continuously strive to create efficiencies, monitor and manage budgets to secure resources for those with the highest needs to meet future demands, due to economic and demographic changes.
• Response – the need to deliver a balanced budget for 2010/11 and beyond has consumed a significant amount of senior management and political time and energy, as the need to deliver a balanced budget for 2010/11 and beyond is progressed. A robust review of how we use internal and external resources has taken place, and difficult decisions have been essential to meet future demand.
• Action – maximise the potential for collaborative working to lever in resources to deliver agreed priorities.
• Response – the achievement of a £9 million loan across the pan Gwent area to deliver the Frailty Programme is a key example of this, with the Chief Executive taking a critical role in leading this innovative new service model.
• Action – explore opportunities to develop pooled budgets, to break down organisational barriers and deliver service efficiencies.
• Response – the signing of a Section 33 Agreement for Gwent Frailty and the ongoing Gwent Wide Integrated Community Equipment Service hosted by Torfaen is evidence of our commitment to pooling resources.

Vital statistic

Many providers rely on our funds to remain viable and cash flow is important to them; consistently 92% of our invoices are processed within 30 days.

Our priorities for 2011/2012 show an ongoing commitment to our key principles of securing value for money and effective service delivery and ensure that:

- vulnerable families, adults and children are supported and protected
- access to Social Care Services and Housing Options is improved
- assessment of people’s needs is timely and their care management appropriate
- the range and quality of social care services and housing solutions are appropriate to meet people’s needs
- independence and social inclusion is promoted
- efficient and effective business support is provided
- alternative methods of working are enabled.
2. Support to Carers

We recognise and value the role that unpaid carers play in supporting the most vulnerable children, young people and adults. Carers fulfil an essential role in enabling people to remain within their own home or in community settings. The right support should be in place to help them sustain their caring role and this is recognised in the new Carers Measure.

The unique position of carers to understand service users’ needs enables them to provide us with key information to help us achieve better outcomes for both carers and service users. We have recognised their important contribution by the creation of the Carers JSIG, which is part of the formal joint strategic planning structure for health and social care services in Torfaen.

‘Thank you for looking after my parents . . . for me, your carers going in twice a day gave me peace of mind and I was able to return to work.’

Daughter of a service user

The Council continues to work in partnership with Torfaen Carers Centre in Pontypool, which has received awards and acknowledgements for innovative approaches to supporting carers. We are working in partnership to provide outreach support in south Torfaen.

We have reviewed our own internal carer support service, from point of referral, and worked with Customer Care to raise awareness of the work of the carers’ support workers.

A new process has been developed to more accurately record the numbers of carers receiving a service. Performance against key indicators should improve and a new review form has been developed which enables carers to have their needs reviewed if required.

In addition, we have developed an annual questionnaire to obtain feedback from carers on how they rate the support they receive. The first survey found that 100% of the carers who responded rated the support they received as good or excellent, although the sample size was not significant. New young carer events are now being developed at the Carers Centre including a drop-in club. All young carers are in the process of having their needs re-assessed. We will work with the Torfaen Public Services Support Unit to improve our engagement with carers in 2011/12.

‘Your service is so valuable in helping people like me keep our relatives at home and well-cared for while terminally ill. You have all been fantastic.’

Family of a service user
Service Improvement Plan 2011/2012

- ensure all eligible carers are offered a carer’s assessment.
- work with partners to maximise additional support for carers, through grant funding and other means.
- maximise the potential for Direct Payments, so that service users can make choices about how their future needs will be met.
- continue to develop the Young Carers Service.

‘Thanks to the support I received, my husband didn’t end up in residential care. I was at the end of my tether until …. met with me to explain what help, as a carer, I was entitled to; I am now coping well in my caring role.’

Local carer
3. Children’s Services

Our approach to Children’s Services remains to work with families, communities and partners to protect and maximise the potential for every vulnerable child. We work closely with the Children and Young People Partnership to plan and deliver effective services and to fully utilise a comprehensive range of support that is easily accessible.

Throughout the last few years, there has been a national trend of steady increase in referrals into Children’s Services, which is mirrored in Torfaen. This may increase further with the economic downturn and the stresses that this puts upon families.

**Rate of social care clients aged 0-17 per 1,000 population**

![Graph showing rate of social care clients aged 0-17 per 1,000 population from 2002-03 to 2009-10 for Torfaen, Wales, and comparable authorities.]

Children and young people who are in the care of the local authority (looked after children) are a key part of this client group. For 2009-10, the number of looked after children was, for the first time, higher than both the Welsh LA average and the comparable authorities’ average.

*Source: Welsh Assembly Government*

Note The authorities that have been used for comparison purposes are Blaenau Gwent, the Vale of Glamorgan and Denbighshire based on similar characteristics for specific demographic and deprivation indicators.

Following the death of Peter Connolly in Haringey we had a notable increase in referrals within Children’s Services generally. We attribute this in part to the publicity and general awareness created by this sad death. We can evidence a 20% increase in referral rates in Torfaen Children’s Services between September 2009 and 2010.

There is a real need to re-focus resources on prevention and early intervention strategies, which cannot be delivered by social services alone. We are working with partners to embrace new delivery models including a project with Kafka Brigade. We will learn from the outcomes of Integrated
Family Support Service model (IFSS), which is currently being piloted in other parts of the UK. We will be collaborating with others to seek external resources to develop new services in 2011/12.

The Looked After Children population in Torfaen is at an all time high of 290 children. Included in this figure are a significant number who remain within the extended family and we have a comparatively low rate of placements with external providers. Our aim is to meet the needs of vulnerable children and young people within family-based services and, to this end, we try to minimise the use of residential services. Despite the increase in children becoming formally Looked After, we have managed to avoid increasing our use of independent Foster Care. However, a small number of children and young people will always need a time limited period in a specialist residential placement to meet their complex needs and these placements are usually at a very high cost.

**Number of children looked after at 31 March 2010**

![Graph showing the number of Looked After Children (LAC) in Torfaen compared to Welsh LA average and comparable authorities' average from 2001-02 to 2009-10.](image)

Source: Welsh Assembly Government

The trend continued during 2010/11 and at the end of March 2010 there were 290 Looked After Children in Torfaen.

The Independent Reviewing Officer and Management Team within Children’s Services scrutinise every admission to formal care arrangements and are confident that we are acting on a safety-first basis, while managing risk.

With the increase in our Looked After Children population there has been a consequent increase in our overall expenditure on Children’s Services and on the number of cases involving child care proceedings. Our spend on legal services has therefore increased. To reduce costs and improve quality, in partnership with corporate Legal Services, we have recruited another child care solicitor. Early evidence indicates that our dependence upon external solicitors and Counsel has reduced and we will continue to monitor this.

Caseloads are above the recommended levels and we know that this will be reflected in the Performance Indicators. Lord Laming recommended between
14 and 18 cases per social worker and a number of our staff hold in excess of 25 cases.

Children on the Child Protection Register place a huge resource pressure on social workers to meet the statutory timescales of visits, conferences and the relevant documentation and recording of practice intervention. We are conscious that caseloads are too high and are monitoring this on a weekly basis to see where efficiencies can be created, while ensuring children remain adequately protected.

Progress against last year’s priorities

Last year we said we would:

- **Action** – develop a new strategy and work plan for the Local Safeguarding Children Board and ensure scrutiny role is understood by all agencies and strategic partnerships.
- **Response** – we have a new work plan, which is being implemented. We secured external resources to appoint a dedicated performance officer, so that a robust performance framework can be developed and shared beyond Torfaen. During the year, we hosted multi-agency away days looking at the priorities of the Safeguarding Board and the inter-relationship with the broader partnerships. The partnerships confirmed the primacy of the LSCB for the safeguarding function.
- **Action** – implement the action plans arising from CSSIW reviews and inspections of the Youth Offending Service, Safeguarding, the Local Safeguarding Children Board, Fostering and Adoption.
- **Response** – we have monitored delivery through action plans and progress has been reported to the relevant boards, management structures and through Council Scrutiny Committee.
- **Action** – secure resources and develop invest to save opportunities to develop preventive services with voluntary and independent sector.
- **Response** – this has been a major challenge in a time of reducing resources. However, together with the Children and Young People’s Partnership, we have recently launched a pilot service with Barnardo’s – Torfaen Enabling Families – to work with families on an early intervention model.
- **Action** – extend our Joint Adoption Service with Blaenau Gwent, to maximise skills and resources.
- **Response** – the new joint service became operational on April 1 2011 and further opportunities to effectively collaborate will follow, in line with recent WAG guidance.
- **Action** – recruit additional foster carers, so that placement stability can be a real option for children and young people.
- **Response** – we recruited thirteen new foster carers in 2010/11. This work is constant and we continue to recruit on an ongoing basis to meet the needs of our children and young people.
- **Action** – monitor referrals and caseloads to better manage demand.
Response – we appointed external support to help review practice in the Referral and Assessment team and made changes to team structure. We will continue this work across all teams in 2011/12.

Safeguarding

Safeguarding children is both a statutory duty and one of Torfaen council’s corporate priorities. It is not, however, something that social services does in isolation; we share our responsibility towards children with other service areas and our external partners. The Chief Executive continues to meet with senior officers, as required by Laming, to satisfy herself that children in the borough are receiving appropriate interventions.

We are currently undertaking a serious case review. The findings of the review will be reported to the Local Children’s Safeguarding Board and is likely to set out recommendations, including issues for individual agencies and any lessons that can be shared to improve future practice.

The quality of frontline practice and the quality of professional judgements about risk is regularly tested out by senior managers reading case records and having frequent discussions with social workers about the risks being managed. This is achieved through providing regular constructive support and guidance so that operational practice keeps children safe.

**Number of children on the Child Protection Register at 31 March 2010**

![Graph showing number of children on the Child Protection Register from 2001-2010.](image)

Source: Welsh Assembly Government

This trend continues in 2010/11 and at the end of March 2011 there were 178 children on the Child Protection Register.

Despite this increase in referrals throughout this year we were able, in 98% of referrals, to make a decision about the need to take further action within 24 hours.

Inspectors have previously commented on the timeliness of our Initial Child Protection conferences and noted how this had declined. This continues to be
a challenge and the percentage of Initial Child Protection conferences which were held within 15 working days of the strategy meeting was 32% (our target was 75%). Delays are caused by ongoing investigations with other agencies, the availability of personnel from other agencies and the volume of work created by the increase in referrals. This year the adverse weather conditions in December and January closed schools and prevented conferences and core groups from taking place and this impacted on Performance Indicators. Performance is monitored on an ongoing basis by the Local Safeguarding Children’s Board.

Robust child protection is dependent upon robust information systems and an inter-relationship with Customer Care to ensure safe delivery of referrals into the appropriate team. We constantly check and monitor the effectiveness of this system to ensure that no referrals ‘go astray’. We have supplementary systems in place to act as a ‘belt and braces approach’ to ensure children and young people are safeguarded. We have reviewed the number of referrals that have presented to Customer Care in 2010/11 and will, in future, be classifying those which can be easily and quickly resolved through a risk stratification process as ‘enquiries’ (rather than waiting for a comprehensive assessment to take place).

**Vital statistic**

178 children were on the Child Protection Register at 31/03/2011.

**Service Improvement Plan 2011/12**

- closely monitor key performance information, so we always know how we are performing
- continue to provide leadership to the LSCB to promote safeguarding as a universal priority
- explore further collaborative opportunities with the four other LSCBs in greater Gwent
- a task and finish group has been established to review the existing Quality Assurance Framework in line with ICS implementation.

**Looked After Children**

The number of children and young people looked after by the authority has increased to an all time high for Torfaen at 290. This represents a 23% increase over twelve months.

The demand for court-directed family contact continues to increase, placing significant resource demands on the Council. We are committed to facilitating family contact but, because of the numbers involved, it is becoming increasingly difficult to manage within the physical and financial resources available. As a consequence, we are reviewing the facilities available to us to meet this legal requirement, as part of our wider accommodation strategy, which will see the service move out of current premises in Cwmbran.
We strive to ensure that Looked After Children have the same life opportunities as all other children and are not disadvantaged in any way. A Corporate Parenting Panel, chaired by an elected member, has been established to ensure that this Council discharges its statutory duties towards Looked After Children.

Our aim is to provide children with alternative secure and stable placements when they can no longer live within their own families. Providing a range of foster carers is part of our recruitment strategy so that we can ‘match’ children appropriately. Our placement stability figures are positive when compared to the Welsh average and this is something we strive to maintain and improve.

We celebrated the contribution our foster carers make to the lives of the children we care for in an annual event. In 2010/11, several carers received long service awards and recognition of the role they play in maintaining children in their own community. Many of these foster carers support some very troubled children and young people and we acknowledge the emotional and practical support and commitment that is provided on an ongoing basis.

‘There is nothing about my foster carers that I don’t like.’

*Looked After Child, age 13 years*

We remain concerned about the low educational attainment of many of our Looked After Children, but recognise the emotional impact of coming into care can adversely affect a child or young person’s school life. Schools remain a central part of children’s lives and are particularly important when children become looked after and moved from the family home. We strive to maintain stability and continuity within the child’s educational setting and work with the Education Service to improve performance in this area. We meet regularly as a joint Senior Management Team which supports our shared objectives and commitments to vulnerable children and young people.

Overall, our performance against a range of Performance Indicators for Looked After Children is positive. Reviews are on time and statutory visits both show performance in percentages in the upper nineties. All children and young people who are Looked After or on the Child Protection Register are allocated a qualified social worker and despite the huge pressures of the last year, we continue to benefit from a stable and competent workforce. We are not over-reliant on the use of independent foster placements and we have recruited thirteen new foster carers this year. Our placement stability has been maintained below the Welsh average.

**Vital statistic**

290 Children were looked after by Torfaen as at 31/03/2011.
Service Improvement Plan 2011/2012

- continue our recruitment of foster carers so that we can ensure children can live within a family setting in their own locality
- we will monitor our performance against key PIs to ensure that statutory duties are met and that care plans are effective
- continue participating with SEWIC’s children’s commissioning work to secure efficiencies
- work with our local authority partners, Monmouthshire and Blaenau Gwent, to monitor and evaluate the new Adoption Service and implement a joint adoption panel, in line with WAG guidance.

Children in Need

We aim to keep children in their own homes and living with their families wherever it is safe for them to do so. Our approach is to prevent risks escalating and to target those who do, or are most likely to, suffer significant harm. We acknowledge that preventative services for children are under-developed. While we recognise that investment in preventative services is essential to prevent the escalation of needs, our approach has had to be balanced against the available resources. The Children and Young People’s Partnership is now piloting an early intervention project with Barnardo’s.

We recognise the public perception of children’s social services is not always positive because of our child protection role and the procedures that have to be followed. We know that some families are more likely to engage with the voluntary sector rather than the statutory sector. We also acknowledge that this pilot will have minimal affect on the workload of Children’s Social Services, however, we welcome it as a first step if we are to divert children from needing intervention from statutory services in the longer term.

The Integrated Children’s System (ICS) – the electronic recording and analytical tool which aids the assessment of children and their families – continues to be a challenge to staff because of its prescriptive and time-consuming nature. While we remain committed to this national system of recording, our priority must be the safety of children and electronic information is not always up to date. This means that the published performance information does not always reflect the actual performance of teams, as evidenced in paper-based records. We will focus on improving this in 2011/12.

Service Improvement Plan 2011/12

- together with the Children and Young People’s Partnership, we will learn from the Torfaen Enabling Families pilot to inform our future early intervention and support strategy
- ongoing implementation of Integrated Children’s System
• we will closely monitor our performance against Performance Indicators and take early remedial action
• we established a young carers’ social worker post to deliver our statutory duties and we will monitor the impact of this role.

Disabled Children

We achieved our target of increasing the use of Direct Payments for disabled children so that families can choose how best to meet their children’s needs. This is the policy direction that we wish to follow, however, the increased take-up of Direct Payments puts pressure on budget spend and we may need to review the equity of Direct Payments currently in use.

More children with very complex needs are now surviving into adulthood and this has required us to give greater emphasis to transition planning and closer working with colleagues in Adult Social Services to tailor services for future needs. There has been some development with NHS Continuing Health Care eligibility but we need to continue to work closely with Aneurin Bevan Health Board to ensure the needs of children are being comprehensively met, in line with national guidance.

Our aim is to achieve transparent criteria for health needs to be met as part of holistic outcomes integral to the child’s care plan. Some children with complex health needs have not yet been considered eligible for NHS Continuing Health Care funding and this continues to have an impact on our budget spend. We will continue to work in partnership to find joint solutions to this national problem, agreeing to jointly-funded packages of care, where it is difficult to determine eligibility.

Together with our partners, Action for Children and the Play Service we have been able to deliver some innovative services to families where there is a disabled child. We have commissioned a weekend service at Tafarn Newydd which is well used and enjoyed by the children attending. This year, the Play Service facilitated an integrated holiday play scheme that enabled children to participate in all the fun activities that are available in the borough during school holidays.

‘I felt I was screaming inside but when I came here you held your arms open and I felt safe but most of all you didn’t judge me.’

Parent of a disabled child attending Tafarn Newydd

As a result of requests for better information from families, we launched the Torfaen Disabled Children’s Newsletter in November 2010. This will support us in ensuring that families and carers are well informed regarding activities, support and opportunities for disabled children and their families.
We have developed a service in partnership with Education to support families affected by autism from school to home. Parents have welcomed this support and we will be presenting some evaluation feedback to our Pan Gwent Autism Steering Group partners at a conference in 2011.

We continue to work in partnership with the National Youth Advocacy Service (NYAS) and commission them to support us in ensuring that children have independent advice and representation.

**Vital statistic**

In 2010, NYAS received 18 referrals for issue-based advocacy from disabled children and young people.

**Service Improvement Plan 2011/12**

- continue to monitor local inter-agency performance against the National Service Framework targets
- we will explore collaborative opportunities for advocacy
- we have reviewed the Autism Local Action Plan and will develop new actions in the coming year
- we will facilitate our annual Autism Fayre in April to coincide with World Autism Awareness Day.

**Children Leaving Care**

All young people leaving care have a named social worker to support them and a personal advisor to support their individual circumstances. The overall number leaving care is small and their support package reflects their individual choice and circumstances. The 16+ team, which is now part of Torfaen Young People’s Support Service (TYPSS), provides most of the support to young people leaving care.

The 16+ team undertakes the statutory social work duties and is compliant with the requirement laid down in the Children (Leaving Care) Act 2000. The team performs well when set against key performance indicators. Our target for pathway plans completed on time is 100%; our performance for the year end is 100%. TYPSS maintains a positive relationship with the Homelessness Team and its partners Solas and Bron Afon. Overall, the service has seen a 10.9% reduction in the presentation of young people as homeless. TYPSS has implemented additional supported accommodation to create capacity for care leavers, offering them the support that any caring parent would provide.

TYPSS has been awarded £530,000 from the Big Lottery’s £6 million Life Skills Project, matched at source with European Social Fund (ESF). This will provide learning, employment and education opportunities for around one hundred care leavers over a four-year period. Early indications show that this service is delivering in excess of the original target and will draw down the full grant allocation.
If TYPSS wasn't here my life would be a bigger struggle, as I wouldn’t have the support or help with career choices. Social services helped me out with my financial problems; if they were not here I wouldn’t have that help.

Service user

One of our key priorities is to return young people from out-of-county residential provision to the locality, so that their needs can be met in the area they consider to be home. Utilising Supporting People funding, TYPSS developed an independent living scheme to increase the housing options available to young people. The supported living scheme became operational during the year and TYPSS has been able to support three young people to return to Torfaen from out-of-county residential placements. This has exceeded our target which was to return two young people in 2010/11. This new service, and its outcomes, will continue to be evaluated and if it proves to be effective, external resources will be secured for roll out.

Service Improvement Plan 2011/12

- we will continue to monitor performance against key PIs to ensure that we meet our statutory requirements to young people leaving care
- a task and finish group is monitoring the impact of the Southwark judgement to inform future financial planning for those at risk of becoming homeless
- following our successful European bid, we will further develop the After Care Employment Scheme
- we are working with partners to monitor and evaluate the independent living scheme in the borough.

Youth Offending Service

The Youth Offending Service (YOS) aims to prevent offending and re-offending. It is jointly-commissioned with Monmouthshire council which manages the team on our behalf. The YOS underwent a core case inspection in June 2010. This proved to be positive with the YOS achieving scores in the three key areas of risk management, re-offending, harm to others and vulnerability; evidencing a moderate need for improvement. This placed the YOS within the above average scoring for England and Wales, with a clear action plan to further develop its work in the three key areas.

The Youth Offending Service works with all children’s teams and, in particular, with TYPSS, focusing on prevention as well as tackling offending behaviour, using education and training opportunities as well as personal and community-based support

The YOS performance continues to be evidenced as effective and stable within quarterly returns submitted to the Youth Justice Board.
Service Improvement Plan 2011/12

- monitor the impact of changes in legislation
- increase the amount of preventative assessments undertaken
- monitor service improvements through the YOS inspection action plan.
4. Adult Services (including older people)

Our service direction is to empower and support individuals to remain independent and maximise their full potential. People, including those with complex needs, tell us that they want to take more control of their lives. We are supporting this ambition through a programme of right-sizing care and support packages and promoting independence, working with families and providers to achieve this.

2010/11 has proved even more challenging than previous years with the increasing financial pressures and changes to internal structures as a result of NHS reorganisation at a time of significant service transformation.

We continue to work in partnership to ensure that Council resources, as well as those of our statutory partners, are maximised to best effect to improve the lives of the citizens of Torfaen.

The coming year brings a material challenge for Adult Services as the effects of the recession and reduced public spending begin to have an impact. In anticipation of this, savings strategies and targets for 2011/12 have been established. These savings strategies have been developed through detailed political and executive scrutiny to ensure that we continue to deliver on our statutory responsibilities, while still offering a choice of service. The reality is that choices for service users and their carers are likely to be reduced in the coming years as demand increases and resources reduce.

WAG figures show that we have previously increased the numbers of social care professionals in operational teams but this will change in 2011/12 as we feel the impact of the staffing savings implemented to manage the budget.

Figures show that we continue to support an increasing number of people either in the community or in residential or nursing care.

Rate of adult service users aged 65 and over receiving community and residential based services per 1,000 population (aged 65 and over)

Source: Welsh Assembly Government
Note: The authorities that have been used for comparison purposes are Blaenau Gwent, the Vale of Glamorgan and Denbighshire based on similar characteristics for specific demographic and deprivation indicators.

This trend continues and there has been a steady increase of enquiries and referrals to Adult Services – an increase of 34% in 2010/11 over the previous year. This follows national trends and Welsh Assembly projections that the number of people who will require support from Torfaen Adult Services will continue to rise in 2011.

For both older people and people with disabilities, expenditure per person has increased, reflecting the complexity of needs of people we support at home. Furthermore, there is a trend in the reversal of Continuing Health Care (CHC) status back to local authority, reflecting the application of the updated guidance from WAG and the more frequent review of CHC cases by the NHS. There is a continued commitment to work in partnership to reduce costs for both organisations by right-sizing care packages and promoting independence. Where there are difficulties in confirming CHC eligibility, jointly-funded packages are agreed so that the focus is on meeting clients’ needs rather than who pays.
In an attempt to respond to these pressures, we will be implementing service changes that enable more people to be supported at home, rather than in hospital or in a care home setting. We acknowledge that supporting people in the community with very complex needs is not always the most cost-effective model but it is what most people desire. The new service models will lead to an increase in demand for personal care, telecare, meals and reablement services, within the framework of the Gwent Frailty Programme and core social care provision.

The graph below shows that the number of open cases to Adult Services has more than doubled in the last two years.

The changing age profile within the borough is positive in as much as life expectancy is increasing and adults with previously life-limiting illness will survive well into old age. At the same time as the general population is growing, a significant drop in the number of people aged 35 to 64 is likely to mean a decline in informal, unpaid carers (usually drawn from this age group) which is likely to further increase demand upon Social Services and other services supporting adults and older people in need of help.
In spite of these challenges, significant progress has been made in key areas of Adult Services and there have been some important achievements against our Joint Commissioning Strategies which we are now turning into Commissioning Plans.

The service-user led forum, Have Your Say, has continued to meet throughout the year, providing important scrutiny of strategic planning by those who use health and social care services. Support to carers also continues to expand. The joint (Adults and Children’s) Safeguarding Unit has continued to raise the standard of the Protection of Vulnerable Adults (POVA) service in Torfaen.

April 2011 will see the implementation of the three-year Frailty Programme in Gwent, which builds on our successful Joint Intermediate Care Service in Torfaen and will see the development of a Community Resource Team in the borough. When it reaches full capacity, this multi-agency team will provide seven-day access to rapid health and social care services, preventing inappropriate admission to hospital and facilitating earlier discharge where this is appropriate. The service will support the Council’s and NHS strategy to shift resources into the community away from acute hospital and institutionalised social care and reduce delayed transfers of care.
Vital statistics

**Comparison DToC 2009/2010 - 2010/2011**

![Comparison DToC 2009/2010 - 2010/2011](image)

**Reasons for delays 2010 - 2011**

![Reasons for delays 2010 - 2011](image)

Progress against last year’s priorities

**Last year we said we would:**

- Action – consider the impact of new legislation relating to paying for care.
- Response – we are implementing a revised policy from April 2011, which will reduce the number of financial assessments for service users.
- Action – implement the Frailty Pathway.
- Response – we appointed the first CRT Manager in Gwent and went live with Phase one from April 2011.
- Action – develop an agreed vision and model for a fully integrated health and social care mental health service for adults.
- Response – this work is delayed, pending an Aneurin Bevan-wide joint strategy for mental health and learning disabilities, with integration as a key feature.
- Action – implement the Quality and Fees Framework for the nursing home sector.
- Response – we are already seeing the benefits of our early work in this arena, in sustaining improved care in those homes that have embraced a partnership approach to service provision.
• Action – work with neighbouring authorities to develop a regional approach to commissioning high cost/low volume specialist residential placements.
• Response – a member of staff has been seconded to help deliver this work stream on behalf of SEWIC.
• Action – implement the new transport policy for day activities.
• Response – this is being delivered through a review of all individual care plans, with a focus on right-sizing care and support and promoting independence.
• Action – work with partners to develop tenancy-based options for those who require supported accommodation.
• Response – we continue to work with RSLs to re-model existing homes and support services, to meet future needs.

Supporting Transition from Children’s to Adult Services

A three-year pilot transition project – Your Life, Your Choices – concluded in March 2011. This was a joint grant-funded scheme, hosted by Monmouthshire and involving Torfaen and Blaenau Gwent. The outcome of the project was a jointly-developed and agreed transition protocol and a transition planning pathway.

A two year (European Social Fund Grant) scheme between Torfaen, Blaenau Gwent and Caerphilly – Reaching the Heights – will now run until 2013. Its aim is to implement the transition protocol and expand it to a pan-Gwent protocol for the five former Gwent local authorities and Aneurin Bevan Health Board. This new project is being led by a Torfaen Group Manager.

The underlying aim of our transition planning is to help young people live as independently as possible while acknowledging the concerns of parents and carers. For some time, we recognised that the planning of services for children moving into adult services was not as well co-ordinated as it could be.

To address this issue we introduced a new monthly transition panel in 2010 which includes staff from Adult and Children’s Services as well as representatives from Education, NHS, Careers Wales, and WAG’s Department of Children, Education, Lifelong Learning and Skills (DCELLS) to consider the needs of all young people with a Statement of Educational Needs.

Those who may require Adult Social Care Services or services from the NHS are provided with a transition plan and a named transition coordinator on or close to their 14th birthday.
Service Improvement Plan 2011/2012

- the transition panel will ensure we review the assessed needs of all disabled young people, on or around their 14th birthday
- a named transition worker and named link worker (Adult Services) will develop a transition plan for each child aged 14 and above who are likely to require the support of Adult Services
- we will work in partnership to finalise and implement the Gwent Transition Policy
- we will maximise the potential for Direct Payments ensuring young adults can make choices about how their future needs will be met
- we will support more young adults to secure local tenancies with appropriate support, to maximise their independence and well-being and retain their local connections.

Older People

Older people are supported to live in the community with care and support packages, arranged through the core operational older person’s assessment and care management service. This is a multi-disciplinary team that assesses need and risk and responds appropriately to ensure care is provided at the right time and in the right place to maximise and promote independence.

Older people tell us that they would almost always prefer to stay at home with support rather than move to a residential home. The Frailty Programme, which is being implemented across Gwent from April 2011, aims to ensure all adults over the age of 18 are supported to remain ‘Happily Independent’. During 2010/11, we have been focusing our attention on mapping all the elements that need to be in place to support this aspiration.

‘I was also able to visit the Torfaen falls prevention service in Cwmbran, a provision aiming to reduce and prevent falls in older people. It is another impressive example of effective partnership working which includes health and social care professionals in providing a pioneering service which is greatly valued by those who use it.’

Sarah Stone, Deputy Older People’s Commissioner

Some older people may be at high levels of personal risk or at risk of abuse, due to their vulnerability and will need the support and safety that extra-care housing, residential or nursing home offers. Overall, the age profile and number of people over 85 years of age in the borough continues to increase, with a consequent growth in demand for services.

‘We had to write and express our heartfelt thanks and gratitude to …. for the outstanding support, care and professionalism she showed to us as a family …when Mum collapsed . . . without her quick thinking and kindness, dad
would not have coped until we arrived and I dread to think what could have happened.’

**Family members**

Two years ago, we reconfigured our in-house home care team into two specialised teams – an intake team and a dementia support team. This structure continues to prove effective in supporting more people in their own homes. The intake team, in particular, enables us to meet service users’ needs in a more considered way, often after a time of crisis. The focus is on right-sizing care and support packages that continue to promote and enhance independence.

‘The staff were polite, sympathetic, very understanding and did their best in difficult circumstances.’

**Service user**

Our figures show that the number of individuals helped to live at home has continued to rise and this reflects the expressed wishes of most people.

‘On behalf of our family, we would like to sincerely thank you and your team for the care and support that you have given . . . . over the last months . . . . Our hope for other families everywhere would be that they too would be able to access such considerate and tender care that you have shown. They support given at such stressful times to the wider family also cannot be underestimated.’

**Family members**

In line with our service direction, Torfaen is predominantly a commissioner of services rather than a direct provider. In order to ensure quality standards are maintained by providers, we work in partnership with the provider and our regulators to ensure robust standards are set and monitored. As a result of our activities, some services have had to be de-commissioned where they were not meeting acceptable standards of care.

**Vital statistic**

2,803 people over 65 were supported at home during 10/11 and 496 people over 65 were supported in residential and nursing care (at 31.03.2011).

**Vital statistic**

210 new people received telecare services during 2010/11.

**Service Improvement Plan 2011/2012**

- all service users placed in nursing homes will be screened at review by the Registered General Nurse (RGN) or Registered Mental Nurse (RMN) within the Older Persons Team
• re-location of day services to reduce travelling time for service users and expand choice within people’s own localities
• review of Community Meals Service to expand choice and capacity
• build on improvement of adult protection investigation skills and timescales
• continue to work with care home sector to deliver sustainable good quality local businesses
• improve performance rates for assessment and care plan reviews within the care management process
• continue to increase capacity in intermediate care services, respite services and night time support, to meet future demand and support more people to remain in their own homes for longer.

Disabled People’s Service

This has been the third year of operating a fully integrated Disabled People’s Service, combining the three professional groups of social workers, occupational therapists (OTs) and Disabled Facilities Grant (DFG) surveyors.

This multi-agency service ensures that the focus remains on the service user, rather than any particular professional group. As planned, processes and procedures to deliver more streamlined and effective services are now fully implemented.

During the year we worked to implement actions outstanding from the 2009 Wales Audit Office (WAO) report on DFGs. All actions have been fully implemented with the exception of the tender for building contractors, which will take place during 2011.

‘Very, very impressed by the help and suggestions offered by . . . I did not know this level of understanding was possible by a non-amputee.’

Service user

We continue to plan and monitor our expenditure, as the number of people with complex needs continues to grow - with a clear aim of maintaining independence and reducing admissions to residential care.
Number of adults aged 18-64 with physical and sensory disabilities receiving community or residential based services during the year

![Graph showing the number of adults aged 18-64 with physical and sensory disabilities receiving community or residential based services during the year. The graph includes Torfaen, Welsh LA average, and Comparable authorities’ average.]  

Source: Welsh Assembly Government

Waiting lists for occupational therapy (OT) assessments was reduced from 13 months to an average of three months during 2010/11. While we celebrate this progress, we acknowledge that demand can fluctuate and this will be kept under constant review. We anticipate some deterioration in waiting times in 2011/12 as demand increases and resources reduce but we will ensure priority is given to those whose independence is most at risk. A new approach has been recently adopted – we have diverted OT resources into Customer Care so that expert advice and signposting to suitable agencies occurs at the ‘front door’. This, in turn, helps us to manage demand on services where a specialist full OT assessment is essential to manage critical risks.

Vital statistic

| 6,245 blue badges were issued to individuals in 2010/11. |

Service Improvement Plan 2011/2012

- complete tender for Disabled Facility Grant building contractors
- develop Self Assessment/Online Tools for occupational therapy to reduce waiting list
- ensure successful implementation of the Joint Commissioning Strategy for people with disabilities
- register the Respite Care Service for disabled people
- implement transition protocols for disabled young people
- implement fast track referrals for minor adaptations
- improve adult protection investigation skills and timescales
- complete tender for direct payments.
People with Mental Health Problems

In 2010, a new joint Mental Health and Learning Disability Partnership Board was established, with the aim of creating a joint strategy in 2011, with integration at the core of its delivery.

The NHS re-organisation has resulted in a slowing down of the planned integration of operational teams in Torfaen and a renewed approach to integrated service delivery with Gwent-wide service models is being proposed for the future.

The number and range of care home places in Torfaen is no longer sufficient to meet the needs of all those people that Care and Social Services Inspectorate Wales (CSSIW) identify as requiring a registered Elderly Mentally Infirm (EMI) bed.

Despite us increasing the number of appropriately registered care home beds available, there are still insufficient beds to meet demand and we are working through the Joint Commissioning Strategy to address this. CSSIW recognises that placements should be based upon needs, rather than a diagnosis and are working with ADSS Cymru to review the current regulatory framework, which is delaying progress in this area.

Number of adults aged 18-64 with mental health difficulties receiving community and residential based services during the year

The Adult and Older People Mental Health Teams, while co-located with NHS partners, are not jointly managed, still keep separate client records and have separate electronic client databases. Total integration of these services, under single management arrangements, is still to be implemented.

Service Improvement Plan 2011/2012

- expand the range of services for people with dementia
implement service integration under single management with a single point of access.

develop a model for the implementation of Primary Care MH Services (PCMHS) (Mental Health Measure).
extend range of services available e.g. Advocacy Services, accommodation, etc.

improve compliance with Care Programme Approach (CPA). This is the assessment framework that WAG have decided will be used with service users experiencing mental illness who receive either inpatient or outpatient care from secondary mental health services.

implement transition protocols and establish clear referral pathways between different teams.

further develop service user and carer engagement at a Gwent level.

Learning Disabilities

We are listening to people with learning disabilities who tell us that they aspire to having their own front door. We are reviewing our current models of care, developing person-centred planning and working towards outcomes-focused contracts, which promote and enhance independence and provide flexible support for people that maximises their potential.

The proposed integration of services for people with learning disabilities commenced with the co-location of teams in 2009. However, progress to further integration continues to be an aspiration and, as the new structures within Aneurin Bevan Health Board are consolidated, we intend to revisit our options through the new MH/LD Partnership Board.

The legacy of expensive service models, developed after the closure of the local long stay hospital, continues to account for the disproportionate amount of the Adult Services’ budget spent in this service area. Regionally, through the South East Wales Improvement Collaborative (SEWIC), and at a Gwent level, through the Learning Disability Commissioning Advisory Group (LD CAG), initiatives are being planned to commission LD services which provide better value for money and make the cost of care for people with a learning disability equitable with that provided for other groups.
Number of adults aged 18-64 with learning disabilities receiving community and residential based services during the year

Source: Welsh Assembly Government

**Vital statistic**

Since the closure of long-stay hospitals for people with learning disabilities, most people are now supported in their own homes, however, some people will never be able to live independently because of their complex needs. In 2010/11, 88 people with learning disabilities were residing in supported living accommodation.

Individual support packages are regularly reviewed in an attempt to maximise independence as quickly as possible and, thereby, create savings so that resources can be utilised elsewhere to meet new demands. Direct payment levels continue to increase, with nine Learning Disability clients plus seven carers in the Learning Disability team using this mechanism for securing their own support individually or through a trust based mechanism.

**Service Improvement Plan 2011/2012**

- implement full integration of the team under a single team manager
- work in partnership to deliver fee models that provide better value for money
- right-size packages of care and review client needs to ensure that care plans promote greater independence and maximise potential
- develop an effective strategy to meet the needs of people with Autistic Spectrum Disorder (ASD)
- through partnership working develop a specialist advocacy service
- implement the transition protocol to better meet the needs of young people moving into adulthood.
Protection of Vulnerable Adults

During 2009, the integrated Safeguarding Unit was established, the first of its kind in Wales. The unit underwent a CSSIW inspection in December 2009 which assessed the effectiveness of our Adult Protection Procedures. The inspection identified that overall, Torfaen and its partners are safeguarding people well, through the deployment of staff and resources and the implementation of adult protection procedures.

During the year our practice has evolved and we are now working more closely than ever with our providers. This is to ensure that standards are improved and that there are explicit expectations to make sure that vulnerable adults are safeguarded and empowered to be independent. This has led to fewer suspensions of contracting arrangements than in previous years. This is particularly important for Torfaen where the majority of our services are outsourced.

Inspectors concluded that we are delivering an effective service to protect vulnerable adults through improved systems and structures, which are being developed in partnership with other agencies.

‘Just a quick note to express my gratitude at the way . . . conducted herself in respect of someone who reported an allegation of indecent assault. . . It has been relayed to me that she portrayed, both herself and her department, in the best possible light by making herself available, assisting greatly in the investigation and subsequent interview of the individual.’

An officer of Heddlu Gwent Police

The Safeguarding Unit has now been successfully established for a year and encompasses both adult and child protection services. The unit includes administrators who manage the referrals, meetings and minute-taking, the domestic abuse co-ordinator and the Local Safeguarding Children’s Board business co-ordinator. Further remodelling of the unit will take place in 2011 as a result of staff changes and single line management of the service will be developed to streamline and make most efficient use of resources.

We still experience relatively high numbers of people identified as needing protection, compared to local authorities of a similar size. The identification of potential abuse is no doubt improved due to the impact of training and raising awareness among professionals and the public.

While we have successfully brought about improved outcomes for vulnerable people when allegations of abuse have been made, we also recognise that safeguarding vulnerable adults is an area which will require continuous priority and effort, including persistent emphasis on performance management and partnership working.
Vital statistic

There were **422** new POVA referrals during 2010/11.

Service Improvement Plan 2011/2012

- develop a Gwent information leaflet and public communication strategy
- implement the new All Wales Adult Protection Procedures
- establish access to advocacy services for all vulnerable adults
- improve collaborative Adult Protection working arrangements
- further develop the Safeguarding Unit and single line management
- delivery of comprehensive adult protection training programmes.
Conclusion

This has been a challenging and rewarding year for me, as Director of Social Services in Torfaen. We know where our improvement priorities lie and these have been set out in this report. Combining the portfolios of social care, housing and health is the right way to go to ensure that service planning and delivery is better co-ordinated to meet future needs. However, the complexity of our distinct statutory functions calls for a strategic, creative and adaptable approach from myself and those who work with me to serve our residents well and maximise the total resources available in Torfaen. 2010/11 has been a Foundation Year for this integrated approach, which will be extended into more regional approaches in 2011/12 and beyond. It will be important, therefore, that the client/patient is kept as the primary focus, so that vulnerable people are protected and supported through the changing landscape.

Sue Evans
Locality Director, Social Care, Housing and Health

June 2011

“Survival is not mandatory; Change is essential for survival.”

Quoted by W. Edwards Denning
‘Changing Lives’

Social Care is about supporting people to maintain their independence and lead safe, happy and fulfilled lives. Our aim is to work in partnership to change lives for the better.

If you require more detailed information in relation to anything contained in this report please contact:

Lisa Beacham
Social Care and Housing Services

Tel: 01633 648210
Email: DOSC@torfaen.gov.uk
AGENDA ITEM NO. 10

CABINET
14 JUNE 2011

HOUSING RENEWALS POLICY & STRATEGY

Report Submitted by: Sue Evans, Locality Director, Social Care, Housing & Health
Report Written by: Elke Winton, Group Manager, Housing

1. Area Affected

1.1 County Borough wide

2. Purpose of Report

2.1 To seek approval of the Housing Renewal Policy & Strategy April 2011.

3. Recommendations

3.1 That Cabinet approves the Housing Renewal Policy & Strategy April 2011 as attached at Appendix 2 to the report.

4. Background

4.1 The Regulatory Reform Order on Housing Renewal came into force in July 2002. This Order had important implications for local authorities as it repealed much of the original prescriptive legislation governing the provision of housing renewal grants, and replaced it with a revised wide-ranging power allowing local authorities to provide assistance for private sector housing renewal. The Order afforded local authorities a much greater degree of flexibility in devising strategies to deal with poor conditions within private sector housing, both in relation to the policy tools available to them and their ability to work in partnership with others.

4.2 It is a condition that for local authorities to make use of the opportunities afforded by the Order, that they must produce and publish a policy that details how the new powers would be used. In light of this, in 2003 Torfaen County Borough Council developed and published its Private Housing Renewal Strategy and Policy 2003 for implementation by the Housing Renewal Team. The 2003 document is now well out of date and a fully revised version (the draft Housing Renewal Policy and Strategy 2011) has now been developed and consulted upon.

4.3 There are an estimated 39,000 dwellings in Torfaen, of which the majority (circa 75%) are in the private sector either privately owned (outright or with a mortgage) or within the private rented sector and 25% are in the social rented sector.

4.4 The aim of the Housing Renewal Policy and Strategy is to focus investment only on housing within the private sector. This means there is potential to invest in up to circa 75% of all dwellings across the borough subject to funding. Torfaen is already recognised as having higher rates of poor housing than many other parts of Wales.

4.5 Social Care & Housing have recently commissioned independent consultants to undertake a Private Sector Condition Survey (PSSCS) across Torfaen. Findings of the survey illustrate significant issues in relation to the quality of housing stock in
the private sector. Whilst Welsh Housing Quality Standards (WHQS) are being tackled by our Registered Social Landlord partners through their capital investment programmes into social housing, the survey finds that circa 97% of the 29,000 private housing stock does not meet WHQS. Poor housing is associated with numerous health, poverty, community, crime and environmental issues.

5. Content of the Policy and Strategy

5.1 The draft Housing Renewal Policy and Strategy 2011 is made up of four sections. Part one provides the introduction and context. It explains the purpose and aims of the document, also setting out the wider strategic framework that housing renewal cuts across including: health and wellbeing; community safety and cohesion; energy efficiency, and regeneration (economic, environmental and social). Time is taken to outline the various associated strategies, plans and evidence bases that underpin housing renewal with particular attention being given to providing information about Torfaen’s Neighbourhood Renewal Areas and the resources available to implement the policy and strategy.

5.2 It is important that the Policy and Strategy takes into account several pieces of legislation and guidance to ensure compliance with wider policy and statute. This is covered in part two. In the main, this section covers WHQS (Welsh Housing Quality Standards), national energy efficiency ratings and targets, the Housing Health & Safety Rating System and Local Authority property enforcement powers.

5.3 Part three focuses on the various grants, products and services that may be available for the improvement of private sector housing. The grants and products have different eligibility criteria and conditions and these are outlined. Managed through the Housing Renewal Service the following are explained:

- Group Repair Schemes
- Environmental Schemes
- Torfaen Renovation Grant
- Enveloping Schemes
- Minor Repair Assistance
- Property Appreciation Loan
- Housing Renewal Agency Service

5.4 To ensure that potential customers’ expectations are not unnecessarily raised, attention is also drawn to the availability of Housing Renewal grants/products, explaining that they are subject to the availability of funding and are targeted.

5.5 There is also information about other grants and services that may be available, (Disabled Facilities Grant, Care and Repair and Nest fuel poverty scheme) with contact details.

5.6 Finally, part 4 provides a brief overview of how the Housing Renewal Policy and Strategy will be monitored, referencing Welsh Assembly Government performance measuring, customer satisfaction and details on how to complain.

5.7 The final version of the Housing Renewal Policy & Strategy 2011 will be subject to annual review.

6. Consultation
6.1 An essential element of undertaking any policy development is consultation with stakeholders. Version 1 of the draft Housing Renewal Policy and Strategy 2010 went out for consultation firstly with the Safer Communities Overview & Scrutiny Committee and following amendments version 2 was consulted upon throughout December 2010, January 2011 and partially into February 2011.

6.2 Amongst others groups and fora, consultation took place with:

- Torfaen People’s Panel
- Town and Community councils
- Elected Members
- Executive Member for Housing, Planning and Public Protection
- Strategic Housing Forum
- Social Care and Housing Senior Management Team
- Supporting People and Homelessness Inclusive Forum (circa 100 providers/agencies/individuals across all sectors)
- Key Local Authority Officers

6.3 Feedback was received from a variety of stakeholders (28 in total) and contributed to the development of version 3 of the document. Consultation questions can be found as Appendix 1. The draft Housing Renewal Policy & Strategy April 2011 v3 can be found as Appendix 2.

7. Risks

7.1 Without an up to date and fit for purpose Housing Renewal Policy and Strategy the Local Authority is less able to:

- Improve the quality and condition of private sector housing in Torfaen
- Reduce the health and safety risks and hazards associated with poor housing
- Promote sustainable communities through environmental, economic and social regeneration and development
- Maximise the positive impact of housing and neighborhood renewal by working collaboratively with stakeholders and partners
- Reduce fuel poverty and energy inefficiency across households
- Contribute towards the development of other key strategies, plans and initiatives

8. Monitoring & Evaluation

8.1 The efficiency and effectiveness of the Housing Renewal Policy & Strategy will be monitored against the performance of the Housing Renewal Team, building contractors, NRA baseline studies and benefits realisation, the use of available resources and by evaluating customer satisfaction and outcomes.

8.2 The Housing Renewal Policy and Strategy will also be monitored by the Executive Member for Housing, Planning & Public Protection and the Head of Housing and Business Support and is subject to annul review.

9. Conclusion
9.1 The Local Authority is required to have a Housing Renewal Policy to operate a flexible strategy to deal with poor conditions within communities and private sector housing. Without an effective Housing Renewal Strategy and capital investment into poor housing and deprived communities, economic, social, environmental, health and well being problems are exacerbated.

9.2 Torfaen’s 2003 Policy is out of date and in need of full revision. The new Housing Renewal Policy and Strategy will enable the Local Authority to be more effective in tackling issues and has undergone extensive consultation, now requiring approval from Cabinet.

10. Recommendations

10.1 That Cabinet approves the Housing Renewal Policy & Strategy April 2011 as attached at Appendix 2 to the report.

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For a copy of background papers or for further information about this report please telephone: Elke Winton 01495 766174

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<th>Appendices</th>
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<th>Background Papers</th>
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Appendix 1

Draft Housing Renewal Policy & Strategy November 2010

Consultation questions

During December 2010 & January 2011 Torfaen County Borough Council’s draft Housing Renewal Policy & Strategy is out for consultation. In particular questions are welcomed about the following:

Part 1 Introduction.

- **1.1 Introduction and Purpose** (pages 3 – 4) - Do you think the purpose of the Housing Renewal Policy and Strategy is clear? If not, how do you suggest this could be improved?

- **1.3 The Strategic Context** (pages 5 - 10) - Do you think this section helps set the context and strategic direction for private sector Housing Renewal in Torfaen? If not, how could this section be improved?

- **1.6 Resources** (pages 16 - 18) – Is it clear that Housing Renewal grants are subject to funding being available?

Part 3 Financial Assistance, Products and Services

- **3.1 Housing Renewal Grants and Products** (pages 33 - 37) – Are the eligibility criteria and conditions of the Housing Renewal grants and products expressed in plain English? If not, how could this section be easier to understand?

- **3.2 Other Grants and Services** (pages 38 - 39) – Within this section are there other grants, products or services that it would be useful to signpost to the reader?

Part 4 Monitoring the Policy and Strategy

- **4.2 Customer Satisfaction** (pages 40 - 41) – Have you any other ideas on how we can monitor the customer satisfaction performance elements of the Housing Renewal Policy & Strategy?

General comments

- Are there any other comments that you would like to make? You may wish to consider the format of the document and any required omissions or additions.
Housing Renewal Policy & Strategy

April 2011
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Part 1: INTRODUCTION

1.1 Introduction and Purpose

This document sets out Torfaen County Borough Council’s policy and strategy in relation to private sector renewal, and the provision of financial assistance and other forms of assistance that the Council is able to offer qualifying residents. This document has been developed in response to the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, and is a fully revised version of the original Private Sector Housing Renewal Strategy & Policy of 2003. It will be reviewed on an annual basis.

The Regulatory Reform Order on Housing Renewal came into force in July 2002. This Order had important implications for Local Authorities as it repealed much of the original prescriptive legislation governing the provision of housing renewal grants, and replaced it with a revised wide-ranging power allowing Local Authorities to provide assistance for housing renewal. The Order affords Local Authorities a much greater degree of flexibility in devising strategies to deal with poor conditions within the private sector, both in relation to developing a range of policy tools and improving the ability to work in partnership with others.

Local Authorities wishing to make use of these flexible opportunities afforded by the Order must produce and publish a policy that details how the powers are to be used. The Housing Renewal Policy & Strategy 2011 meets this requirement.

The Housing Renewal Policy & Strategy allows the Local Authority to:

- Adopt a policy that includes details of the provision of assistance under Article 4 of the Regulatory Reform Order 2002
- Give notice to the public of the adoption of the policy
- Ensure that a copy of the full policy document is available for inspection free of charge at all reasonable times at their principle office

In developing its Housing Renewal Policy and Strategy, Torfaen County Borough Council is keen to ensure that it does not discriminate, directly or
indirectly, against anyone. The Council aims to comply with the statutory requirements relating to the Equality Act 2010 and all other relevant equalities legislation and to promote best practice with regards to the prevention of discrimination and promotion of equality.

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<th>The AIMS OF THE HOUSING RENEWAL POLICY &amp; STRATEGY are to:</th>
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For any further information relating to this document or if you would like to ask any questions on housing renewal in Torfaen please contact:

Tel: 01495 742638
Email: housingrenewalteam@torfaen.gov.uk
Address: Torfaen County Borough Council
         Housing Renewal Team
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         Torfaen NP4 6YB

1.2 The County of Torfaen

Torfaen is the most easterly of the South Wales Valleys with an estimated population of 90,720, and includes the three urban centres of Pontypool, Blaenavon and Cwmbran.

The development of Pontypool and Blaenavon stemmed from the presence of coal and iron deposits in the area, which enabled the communities to prosper. However, with the decline of these industries, the areas suffered social and economic downturn. The challenge for the North of the County Borough is therefore to reverse this decline by promoting its industrial heritage and environmental assets, by encouraging social
inclusion and learning opportunities, and by taking proactive action in housing renewal. Recent projects to regenerate these areas are showing notable successes.

In contrast, Cwmbran, the most southerly settlement, has been the focal point of growth since its New Town status in 1949. Cwmbran is the largest of the urban settlements and is characterised by industrial and high quality commercial investors. The challenges facing Cwmbran is to diversify its economic base and to address the social decline of its communities located in the Southwest areas which contain areas of real social deprivation.

Torfaen has a housing stock of circa 39,500 dwellings, 73% of which are within the private sector (67% owner occupied, 6% privately rented). The most common housing type in Torfaen is terraced, which makes up 44% of the total housing stock, the rest compiling 28% semi detached, 17% detached and 11% flats.

In terms of age structure, the population composition of Torfaen is similar to that of Wales as a whole. The predominant age group within Torfaen is 35-59, but the most common household composition is one person pensioners, reflected in the 21% of the population who are of retirement age. At present, 0.9% of the population is made up of residents from a non-white background.

The high levels of deprivation in some parts of Torfaen is seen in the number of residents who are economically inactive (28%) and those of working age who are claiming benefits (19%). In addition, 16.5% of the working age population have no qualifications, further reducing their ability to access employment. Two of the boroughs Lower Super Output Areas (an area of approximately 1500 people which is used to measure deprivation) are currently ranked in the top 10% most deprived in Wales and 12 are ranked in the top 20%. Overall, 57% of the Lower Super Output Areas in Torfaen are more deprived than the Welsh average. The average earnings in Torfaen are currently £428 per week, which is below the regional average of £445.

1.3 The Strategic Context

The Housing Renewal Policy & Strategy cannot be successfully implemented in Torfaen in isolation from other key strategies, policies and plans. Embedded throughout this document is the principal of adopting a
partnership approach for the development and implementation of housing renewal and other regeneration initiatives. The Housing Renewal Policy & Strategy pays particular attention to aligning with other local, regional and national strategies, ensuring that a more rounded and robust approach is achieved in order to maximize investment and regeneration opportunities to improve the positive outcomes for the communities and citizens of Torfaen. The policy captures the principles of sustainability whereby housing renewal must be focused on increasing societal, environmental and economic improvements across the borough.

All of the following strategies, plans and partnerships contribute to the contextual framework for housing renewal, and also demonstrate how housing renewal contributes to wider strategic agendas.

**Torfaen County Borough Council Corporate Plan 2011 - 2016**
Extensive consultation is undertaken during the production of the Corporate Plan, to ensure that Torfaen makes the right choices for improving quality of life for its citizens. The Plan outlines the Council’s commitment to delivering the Torfaen Community Strategy and sets out seven priorities that it seeks to achieve. Through investment into private sector housing and Neighbourhood Renewal Areas, the Housing Renewal Policy & Strategy will play a vital part in ensuring these priorities are met and enabling the Corporate Plan to achieve its vision of making Torfaen ‘a safe, prosperous, sustainable place where everyone has the opportunity to be the best they can be’.

**Torfaen County Borough Council Community Strategy**
The priorities of the Torfaen Community Strategy were developed as a result of discussions with the communities of Torfaen. The Community Strategy is the work of the Torfaen Partnership, an alliance of partners which aims to shape the future of Torfaen and make it a place where people want to live. The Community Strategy is based on the following themes:

- Health & Wellbeing
- Safe Communities
- Education & Training for Life
- Economy, Jobs and Business
- Environment and Transport
- Housing & Homelessness
- Working Together & Active Citizenship

The Housing Renewal Strategy feeds into many of these themes and can support the Community Strategy in achieving its main purpose: ‘Creating
opportunities that enable people to make decisions that will improve quality of life in Torfaen’.

A new Community Strategy for 2011 – 2025 is under development and will focus on defining statements of strategic planning intent and priorities for public services in the Torfaen area. It plans to set out the overarching vision and strategic direction of the Local Service Board, its aspirations and priorities, and in this respect is the reference point for all other plans.

**Local Development Plan (LDP)**
Torfaen’s Forward Planning Team is currently working on finalising the LDP, as required by the Planning and Compulsory Purchase Act 2004. The LDP sets out the Council’s intentions for the development and use of land within Torfaen. The vision of the LDP has evolved through consultation workshops with key stakeholders and the priorities of the LDP have been devised to deliver (through the use of land), the objectives contained in the Torfaen Community Strategy vision. It is anticipated that as the LDP is adopted it will replace previous plans governing development in Torfaen.

**Health, Social Care and Well Being Strategy (HSC&WB)**
The Torfaen HSC&WB Strategy is a joint strategy between Torfaen County Borough Council, Aneurin Bevan Health Board, Gwent Police, Torfaen Voluntary Alliance and the third sector, which focuses on improving health and well-being in Torfaen. The strategy identifies that improving health and well-being is a shared responsibility across organizations and that public services need to contribute more effectively to this process.

The Strategy recognizes that there are strong links between health and housing. Through the regeneration and improvements currently taking place in the Neighbourhood Renewal Areas, the Renewals Strategy will directly support the HSC&WB Strategy to achieve many of its priorities for improving the health and well being of local residents.

**Local Housing Strategy**
The Local Housing Strategy sets out the Council’s priorities on how to meet housing requirements in Torfaen. The strategy acknowledges that housing cannot be considered in isolation, and the aims and objectives that it sets out, demonstrate the wider role that housing plays in creating communities in which people want to live.

The Renewals Strategy will play a major role in delivering the aims of the housing strategy, by directly contributing to the improvement of homes and communities within Torfaen.
The Affordable Housing Delivery Statement (AHDS) is an interim document that sets out the direction and targets for affordable housing in Torfaen, linking to the adoption of the Local Development Plan in 2012. The AHDS is based on the findings of the Affordable Housing Viability Study, and is primarily concerned with setting and achieving an affordable housing target. It supports the Welsh Assembly Government’s commitment that ‘everyone should have the opportunity to buy a decent home that they can afford, in a place where they want to live’. Creating places where people want to live is important, and through the regeneration of local areas, the Housing Renewal Strategy will play a vital part in improving communities and helping to make them attractive places to live.

The Empty Properties Strategy sets out how the Council plans to reduce the number of long-term empty properties that are having a detrimental effect upon the communities in which they are situated, and ensuring that these valuable assets are brought back into use. The Public Health Team oversee much of the activity relating to empty properties, but to achieve the objectives of the Strategy, close partnership working with housing and other sectors has been necessary to ensure a coordinated approach. The role of the Housing Renewal Strategy is particularly important in helping to bring empty properties back into use, a notable recent success being the redevelopment of Boot Lane in Blaenavon.

The Housing Service has recently launched its Empty Hopes initiative as a dedicated advice and guidance service for property owners to support them to bring their empty property back into use. Various options are explained to empty property home owners such as advice on selling, letting and auctioning their property, along side guidance upon renovation opportunities, the use of tradespersons and the planning system. There is much interest in the service and the initiative plays an important role in the implementation of the Housing Renewal Strategy.

The Disabled People’s Service provides a single point of access to meet the social care and housing needs of disabled people in Torfaen. The service brings together social workers, occupational therapists and housing professionals, to address issues of accessibility and ensure that suitable adaptations are made to people’s homes, giving them the support that will enable them to live full and independent lives.

The Disabled People’s Service has responsibility for administering the Disabled Facilities Grant (DFG), a means-tested local government grant
that helps towards the cost of adapting a person’s home and enabling them to continue living there. The Housing Renewal team works closely with DPS to implement housing renewal grants alongside DFGs where applicable.

**National Housing Strategy**

The aim of the National Housing Strategy is summarized in its title, ‘Improving Lives and Communities’. To achieve this, the following approach is adopted:

- Provide more housing of the right type and offer more choice
- Improve houses and communities, including the energy efficiency of new and existing homes
- Improve housing related services and support, particularly for vulnerable people and people from minority groups

Whilst acknowledging the challenges that will be faced, the strategy identifies the wider benefits of investing in housing: the economic impact, health benefits and the impact that housing regeneration can have on communities. Housing Renewal will be particularly important in helping to achieve these objectives in Torfaen, especially through the regeneration of the private sector and Neighbourhood Renewal Areas, which are directly responsible for improving houses and communities. As well as improving the quality of private sector homes, housing renewal is focussed on improving the energy efficiency of properties, also having an impact upon fuel poverty.

**Fuel Poverty Strategy 2010**

It is estimated that 320,000 households in Wales have to spend 10% or more of their income on heating their homes adequately. The Warm Homes and Energy Conservation Act which was passed in 2000 and the Welsh Assembly Government A Fuel Poverty Commitment for Wales published in 2003 set out the intention to end fuel poverty in Wales by 2018.

The Act emphasized the role that housing renewal can play in reducing fuel poverty, through the integration of energy efficiency into Renewal Strategies and working with other local organisations in promoting energy efficiency. In 2010, the Welsh Assembly Government published a Fuel Poverty Strategy which reaffirmed the Welsh Assembly Government’s commitment to eradicating fuel poverty in Wales by 2018 and set out how it intended to achieve this.
In Torfaen, the Energy Manager is able to provide advice to the public on how to make properties more energy efficient. The Energy Manager works with partners (Housing Renewal, Torfaen Care and Repair and the South East Wales Energy Efficiency Advice Centre) to promote energy efficiency and to advise residents on the availability of grants and assistance that may be available.

**Torfaen Regeneration Strategy**

The Torfaen Regeneration Strategy guides the regeneration of Torfaen so that it supports and feeds into the overarching aims of the Community Strategy. The regeneration strategy identifies the need to have clear working relationships with other local plans and strategies, providing a framework for regeneration activities. The strategy recognizes that cross-cutting themes need to be adopted to effectively deliver the strategy, the same themes emphasised by the Welsh Assembly; sustainability, equal opportunities, social inclusion and promoting take-up of ICT. To accomplish this, the strategy will work in partnership with other service areas, including housing, health, education and public protection amongst others. The Regeneration Strategy aims to improve the quality of life, build a strong economy, give people the ability to secure good jobs, tackle social exclusion, revitalise community life and restore the local environments, both natural and man-made.

**Pontypool Town Centre Regeneration Strategy**

The Pontypool Town Centre Regeneration Strategy seeks to improve the prospects of the town through an all-encompassing approach embracing physical protection and enhancement, economic strengthening and greater social opportunity. The Strategy establishes a clear direction and role for the town centre over the next 15-20 years and has identified the actions needed to give the town a vibrant and viable future.

Developing the vision and objectives for Pontypool was a combined process involving a wide range of stakeholders and members of the community. The strategy recognized that it is essential that the vision for Pontypool comes from the local community and is supported by them, so has tried to involve them at every stage of the process. The strategy seeks to raise the profile of Pontypool, making it a desirable destination for investment and somewhere that people will choose to live, work or visit.

With Pontypool as a designated Neighbourhood Renewal Area, considerable housing renewal investment has been targeted at the area, making a large contribution to the delivery of the strategy. This investment has also supported other bids for the regeneration initiatives across the area, including the Pontypool Townscape Heritage Initiative.
**Townscape Heritage Initiative**

The Pontypool Townscape Heritage Initiative (THI) is a regeneration scheme which will operate in Pontypool Town Centre and run for five years. During the scheme, many of Pontypool’s historic buildings will be repaired and given a new lease of life, leading to an improvement of the town’s general appearance. The THI programme will support strategic action to address the problems of decline, disrepair, and underuse of historic buildings, by offering grant assistance. The THI will also provide a number of additional activities including training to improve conservation skills and developing educational resources to promote knowledge and appreciation of Pontypool’s heritage. Through these projects, the THI will contribute to the economy, sustainability, vitality and confidence of the community. Co-ordinating work in the Pontypool Renewal Area with other schemes in the area is important for ensuring a consistent approach to regeneration.

**Heads of the Valley Initiative**

This is a 15 year regeneration project to make the region an increasingly successful and attractive area for people to live, work and play. Led by the Welsh Assembly Government, the initiative is working with local authorities and many other organisations to benefit communities in Merthyr Tydfil, Blaenau Gwent, Torfaen, Caerphilly and Rhondda Cynon Taf.

A total of £140 million investment has been ring fenced for the region and will be used to stimulate regeneration, economic growth, and environmental improvements. This money is in addition to the funding already made in the area by the Welsh Assembly Government, councils and other organisations, and will act as a catalyst to attract other funding and private sector investment.

By linking with key partners, including Local Authorities, we are able to understand the needs of local people and plan projects that will have a positive and lasting impact on communities. To date a total of £10m has been allocated for town centre improvement projects and large scale environmental projects in each of the five Local Authorities.

Heads of the Valley funding is also used to help people back into work, provide skills training, make the region cleaner and greener and help make our towns’ safer places. It supports a range of projects from voluntary groups and community enterprises, and can include small scale projects which are all making a difference. These range from grants given to improve community facilities to funding for housing associations to install money saving renewable energy features into older homes they are renovating.
The Housing Renewal Team work collaboratively with partners from the Heads of the Valley Initiative to support improvements in Torfaen.

**Torfaen Energy Partnership**

The Torfaen Energy Partnership was established in 2010 to share information, identify and maximise funding opportunities and increase skills and training in the renewable energy and insulation sector. The partnership aims to reduce fuel poverty and the carbon footprint of Torfaen, also increasing local training, jobs and skills. The partnership works together to identify the best approach for achieving its objectives and to target and co-ordinate investment and resources.

**South East Wales Energy Partnership (SEWEP) Housing Sub Group**

SEWEP is a partnership between Local Authorities, Registered Social Landlords, the Welsh Assembly Government and other key stakeholders in the South East Wales area. The Housing subgroup was established to share best practice across the region, to make links with other relevant policy areas and to implement sustainable Housing energy policies and strategies to reduce carbon emissions. The partnership aims to combine resources and seek investment opportunities for the implementation of Housing Renewal energy projects on a regional basis.

### 1.4 The Evidence Base

To ensure that the Housing Renewal Strategy is targeted towards the most deprived and disadvantaged areas in Torfaen, it is important for there to be a robust and comprehensive evidence base. This evidence base is made up of a number of sources, all of which help to create an overall picture of where there are areas of need that would most benefit from housing renewal investment in Torfaen. For salience, in this section only the main evidence bases are outlined, however it is important to note that these capture an in-depth range of information and have been developed through wide consultation.

**Private Sector Stock Condition Survey**

The previous Private Sector Stock Condition Survey (PSSCS) was commissioned by Torfaen County Borough Council back in 2006 to provide the information about the condition and energy rating of the housing stock, as well as the socio-economic characteristics of the
borough. This survey was in need of updating, especially given the recent recession and stagnancy in the housing market. To enable improvement to some of the most deprived areas in Torfaen, and to implement fair, robust and effective Renewal investment strategies across the borough, a new, independent PSSCS will act as a much needed catalyst for further private sector housing renewal and community regeneration across Torfaen.

The new PSSCS was recently carried out by independent consultants on behalf of the Council. The survey sampled dwellings across private sector tenures excluding all social housing. The survey was based on a stratified random sample of addresses in Torfaen in order to gain a representative picture across the Borough. A sample of 1800 was drawn with, in practice, 910 surveys being undertaken during 2010 in total. To add to this, the data from a further 280 surveys undertaken in the Neighbourhood Renewal Assessments carried out in the Forgeside, Varteg and Grandiffaith and the Northville and Southville areas was used. These surveys were carried out between February to April 2009. The data in this report was therefore drawn from a total of 1,190 surveys.

Each of the 2010 910 surveys conducted as part of this survey contained information on the following areas:

- General characteristics of the dwelling;
- condition of the internal and external fabric;
- provision of amenities;
- compliance with the fitness standard;
- compliance with housing health and safety;
- age and type of elements;
- energy efficiency measures;
- compliance with the Welsh Housing Quality Standard
- socio-economic information about the household (where occupied).

The results of this study enables the Council to better understand the condition of dwellings in the private sector (both owner occupied and private rented), provide a baseline figure on households in fuel poverty, inform on the number of households who would benefit from the Housing Renewal service and support further development of the Housing Renewal Policy & Strategy and other housing, regeneration and associated strategies.
The PSSCS is an essential evidence base for the development of a robust and effective Housing Renewal Strategy, enabling the Council to ensure valuable resources are targeted for the maximum impact creating more sustainable, cohesive and healthy communities.

**Local Housing Market Assessment**

The current Local Housing Market Assessment was jointly commissioned by Torfaen, Newport and Monmouth to inform local policies. In particular, the assessment is used to shape the Local Housing Strategies planning policies surrounding affordable housing provision within the counties. The assessment provides a vital insight into the levels of housing need and identifies issues affecting local residents. The assessment found that 19,451 households across the sub-region were assessed as living in unsuitable housing due to one or more factors and that 6,122 of these households were within Torfaen. Two of the main reasons why properties were considered unsuitable are the condition of properties and the properties being too difficult to manage. 9% of households that had a serious problem with their property, said that they were responsible for the repairs, but felt that they would be unable to afford them. Torfaen’s Housing Renewal Policy & Strategy is vital to tackling the poor condition of private sector housing and the Housing Renewal service regularly provide advice and assistance to support residents who are struggling to manage in their homes.

**The Welsh Index of Multiple Deprivation 2008 (WIMD)**

The WIMD is the official measure of deprivation for Wales and was designed to model levels of deprivation and support the objective targeting of resources. The WIMD identifies eight types of deprivation: income, employment, health, education, housing, physical environment, access to services and community safety.

Deprivation is recorded locally using ‘Lower Layer Super Output Areas’ (LSOAs). There are 1,896 LSOAs across Wales and comparison of Torfaen with Wales as a whole shows that Torfaen is ranked with 4 other councils as exhibiting a ‘high level’ of deprivation, with 57% of Torfaen’s LSOAs falling into the 50% most deprived across Wales. The WIMD plays an important role in helping the Council to identify potential Renewal Areas, a process which involves carrying out a social and economic assessment of an area.

**Neighbourhood Renewal Area (NRA) Assessments**

Neighbourhood Renewal Areas (NRAs) are a key feature of the Housing Renewal Policy & Strategy. A NRA is one identified as having poor housing conditions, coupled with social, economic and environmental needs. The aim is to halt the decline of an area and increase public confidence, by improving housing and environmental conditions, renovating and
maintaining properties and creating attractive places in which people want to live. NRA improvements to the infrastructure and environment also bring wider benefits to an area by stimulating the local economy. NRAs have been particularly successful in Wales in addressing housing issues alongside wider socio-economic and environmental improvements. A recent review of Renewal Areas by the Welsh Assembly Government has found that they have led to an increase in leisure, tourism and commercial activity, they have contributed to the improvement of community facilities and they have helped to tackle issues of anti-behaviour and fear of crime.

A NRA is found to:

- focus activity and investment on areas that combine a need for assistance with potential regeneration
- secure improvements to private sector housing, but also to environmental, social and economic conditions
- tackle social exclusion, deprivation, crime and fear of crime
- build communities, promotes sustainability and restores confidence in an area

A NRA is declared formally by the Local Authority and runs for a 10 year period. Prior to the declaration of a new NRA, the Welsh Assembly Government requires that a full NRA assessment and consultation process is undertaken, and this requires approval from the Council. The NRA Assessment forms an essential evidence base for targeting and attracting regeneration and investment in specifically designated areas, and for working collaboratively with a broad range of partners to achieve maximum successes over a longer-term duration.

Three new NRAs have recently been declared in Torfaen and this has followed much consultation with a variety of stakeholders including local residents, Elected Members, professionals and also draws upon information from a wide range of groups, evidence bases and relevant literature. An important part of this strategy will be to measure the socio, economic and environmental baselines of the NRAs, and the impact upon them following the combined investment in their regeneration. During and at the end of the NRA terms, benefits realisation studies will be undertaken in these areas to assess the impact upon the households and communities. More detailed information about NRAs is provided in the next section of this document. Findings from the NRA Assessments help the Local Authority develop its strategy to target housing renewal resources and works at the properties, streets, communities and environments that are most in need.

Empty Properties
Empty properties are currently recorded and monitored by Torfaen Council and enforcement action (please see section 2) can be taken on
any property found to be insecure or creating a nuisance. Council Tax provides much of the data on empty properties, which can then be plotted on the Corporate GIS Mapping system, providing a visual indication of the location of all the empty properties in Borough. This data along with information collated by the Housing Service through the Empty Hopes initiative acts as an important evidence base for the Housing Renewal Policy & Strategy, with empty properties often being encountered in the NRAs. Housing Renewal has a significant role to play in helping to bring properties back into use, through the use of the different housing grants that are currently available (see section 3).

1.5 Neighbourhood Renewal Areas

Following the successful completion and exit of the Blaenavon and Abersychan Neighbourhood Renewal Areas (NRA) in 2009, there are now four NRAs in Torfaen lasting for a period of ten years (Please see page 11 (is this still right?) for further information on NRAs).

<table>
<thead>
<tr>
<th>Neighbourhood Renewal Area</th>
<th>Period</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blaenavon</td>
<td>Mar 1999 – Mar 2009</td>
<td>Complete</td>
</tr>
<tr>
<td>Abersychan</td>
<td>Nov 1999 – Nov 2009</td>
<td>Complete</td>
</tr>
<tr>
<td><strong>Pontypool</strong></td>
<td><strong>Aug 2003 - Aug 2013</strong></td>
<td><strong>Ongoing</strong></td>
</tr>
<tr>
<td>Forgeside</td>
<td>Dec 2009 - Dec 2019</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Varteg &amp; Garndiffaith</td>
<td>Dec 2009 - Dec 2019</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Northville &amp; Southville</td>
<td>Mar 2010 - Mar 2020</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

**Pontypool**
The Pontypool Renewal Area was formally declared in 2003 following a NRA Assessment which found that whilst the Council and its partners had been targeting resources towards the regeneration of Pontypool, those resources were insufficient to deal with the many problems that existed. Declaration of a renewal area was therefore seen as the means to ending the decline that was apparent in many parts of the community. The assessment found that housing predating 1919 made up a significant proportion of the total dwellings in Pontypool and that 40% of the stock was found to be in need of repair. Income levels were low and a high proportion of households were in receipt of benefits.
Forgeside
The opening of ‘Big Pit’ (now a working mining museum) gave birth to the neighbourhood of Forgeside, which was constructed along with the pit in the latter half of the 19th century. It is adjacent to the mine workings but due to the topography and a disused railway line, it has become a somewhat ‘isolated’ and self-contained community. Due to its industrial history, a high percentage (85.6%) of the properties in Forgeside date to before 1919 and nearly all of the properties (92.9%) are terraced. When assessed against the Welsh Housing Quality Standard regulations, all the properties failed to meet the requirements. In addition, the NRA Assessment identified a number of community issues which were affecting the area and were a concern to local residents. These included problems with traffic and parking, the need for improved play facilities and amenities, and enhancing the environment in general. Despite the problems identified, Forgeside remains the community of choice for the majority of residents, with 86.6% of those surveyed, stating that they had no intention of moving in the next 5 years.

Varteg and Gamdiffaith
Varteg and Gamdiffaith form a contiguous housing area of mixed property types with different tenures. Varteg consists mainly of former Local Authority housing, and a few terraces which are much older (pre 1919), whilst Gamdiffaith consists of a former estate in the north and larger (many detached) private houses and bungalows in the south. Approximately two thirds of the council houses have been purchased by tenants under ‘right to buy’; whilst the remainder were transferred in 2008 under the Large Scale Voluntary Transfer programme to Bron Afon Housing Association. Many of the houses in private ownership require attention, particularly in respect of energy efficiency measures. A high percentage of properties in these areas fail to meet WHQS and many have HHSRS category 1 and 2 hazards. Yet despite the poor housing conditions, these areas, like Forgeside, remain the community of choice for residents with a low rate of migration and 76.6% of residents saying that they had no intention to move in the next 5 years.

Northville and Southville
These neighbourhoods form 2 significant housing areas flanking the town of Cwmbran and arose with the development of Cwmbran as a new town. Most of the properties were previously in the ownership of the Local Authority, but many tenants have since exercised their ‘right to buy’, which has given rise to the ‘mixed tenure’ estates that exist today (a 60/40% split of owner occupier and social tenant). In 2008, the remaining 40% of social housing stock was transferred to Bron Afon Housing Association.
The majority of housing in the two neighbourhoods consists of terraced and semi-detached houses, with some low rise flats. In addition, however, Southville contains ‘The Towers’ one of the multi storey tower blocks in Torfaen. The majority of residents in the neighbourhood have lived there for over five years and when asked where they would choose to live if they were to move, most would prefer to stay in their respective neighbourhoods. However, whilst many of the residents said that they like their properties, they also acknowledged that property conditions needed improving. Many of the issues relate to properties being of poor construction with high levels of thermal inefficiencies.

**Consultation**
Prior to declaring a Neighbourhood Renewal Area, certain criteria must be met. Much of this can be achieved through the production of a NRA Assessment. The assessment examines the different options that are available in a potential renewal area and the results are used to inform the Council as to whether declaring a renewal area is the most effective way forward. The assessment gathers information in a variety of ways including, house condition surveys, resident questionnaires, ‘drop in days’ and ‘environmental walkabouts,’ which provide residents with the chance to identify concerns that they have in their communities. The NRA Assessment provides the Council with a robust evidence base that can be used by the Council to decide the best options available for an area.

**Declarations**
Once the Council is satisfied a Neighbourhood Renewal Area is the best approach to improving an area, a formal declaration is required. To ensure that Renewal Areas are used properly, certain safeguards are required. In particular, the declaration process must first meet the criteria laid down by the 1989 Local Government and Housing Act as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. Only if the proposed Renewal Area meets these criteria can the Local Authority declare it a Renewal Area. The criteria that need to be met are:

- A social and economic assessment.
- An authority can satisfy itself that a Renewal Area is the most effective way of improving living conditions in the area.
- Consultation with local residents is undertaken before declaring a Renewal Area and the declaration is published.
- Local residents must be kept informed throughout the process and must be notified of any changes to the original declaration.
- A period for which the area will be declared must be given.
- Decisions to exclude land from, or wind up a Renewal Area, must be consulted with and notified to the local community.
All these criteria have been met by Torfaen County Borough Council and the Housing Renewal team set the NRA programmes of works on an annual basis in accordance with available funding. With the limited resources available to invest in NRAs over their 10 year duration, findings from the NRA Assessments are used to inform the Local Authority’s Housing Renewal Strategy aiming to target resources and works at the most in need properties, streets, communities and environments.

1.6 Resources

**Specific Capital Grant**

Following the recession and the recent Government Comprehensive Spending Review it is clear that there are extremely limited resources available to the public sector. Much of the success of the Housing Renewal Policy & Strategy is subject to the availability of capital funding for investment into private sector housing grants and other products that can be used for private sector housing renewal and associated works. Torfaen Housing Renewal Team currently rely heavily on Specific Capital Grant (SCG) to subsidise the Housing Renewal programme of works. This is allocated annually by the Welsh Assembly Government following a prescribed Local Authority bidding process. Specific Capital Grant can only be used to invest in Neighbourhood Renewal Areas. (Please refer to section 1.5).

In considering the allocation of Specific Capital Grant (SCG), the Welsh Assembly Government takes into account a number of factors, including the extent to which a bid is realistic, achievable and meets the objectives of the Renewal Area. The Welsh Assembly Government also takes account of past performance in using SCG, and the aims and priorities that the Local Authority has identified in their Housing Renewal Strategy and Local Housing Strategies.

SCG can only be used in a NRA, and use is at the discretion of the Local Authority. It is allocated to the Authority on the basis of timing and the declaration of those programmes indicated in the initial bid. Therefore if timescales are not met or there are difficulties with NRAs which impact on grant expenditure, Local Authorities must notify the Welsh Assembly Government immediately. In particular, SCG cannot be paid in advance, so a Neighbourhood Renewal Area must be formally declared before grant funding will be made available.
SCG is not allocated for individual NRAs, so the Local Authority can set the priorities and decide which activities should be supported from the grant allocated. However, whilst the Local Authority has control over the grant, SCG can only be used for capital purposes.

Ideally SCG should be supplemented by funding from the Local Authority’s General Capital Fund, which will enable Authorities to plan work in both existing and future NRAs and ensure that local priorities are met, especially in areas where there may be difficulties completing work within the life of the NRA.

Torfaen Housing Renewal team bid for SCG from the Welsh Assembly Government on an annual basis and for 2010/11 were awarded £1.4m and in 2011/12 were awarded £925k. (This is a 2 year reduction from 2009/10’s allocation of £1.6m) This is likely to reduce again in 2012/13 pending Welsh Assembly Government’s final budget announcements on the SCG pot for allocation across Wales.

**General Capital Fund**

General Capital Funding is the core funding that Local Authorities receive from the Welsh Assembly Government and can be used by the Authorities for any purpose they decide in delivering the services for which they are responsible. The General Capital Fund can be used to support investment into Housing Renewal, or other developments. In Torfaen, there is currently no General Capital Funding allocated for housing renewal.

**Reducing Grant Dependency Culture**

The relatively high levels of funding that were previously available for housing grants in Wales, has given rise to an increased level of grant dependency amongst private sector owners. Grant dependency develops when homeowners begin to assume that they will receive injections of financial assistance to maintain their properties. This has been evident in Torfaen, where there are recorded instances of the same homeowners applying for of grants over a period of time. There has been a widespread acknowledgement that sustainable, long-term improvements in private sector housing conditions, requires an approach that discourages a dependency on public funds. So to reduce grant dependency, it has been recommended that Local Authority policy should move towards the use of loans, as an alternative form of assistance and to reassert the message that, in the majority of circumstances, owners are responsible for the maintenance and repair of their own properties.

**Property Appreciation Loan (PAL)**
In light of restrictive funding opportunities and the need to move away from grant dependency, there has been an emphasis on establishing alternative forms of finance for the renewal of properties. In Torfaen, the Property Appreciation Loan (PAL) scheme has been developed and is covered within this Housing Renewal Policy & Strategy. PAL is an equity release loan product that is monitored by a third party and enables owners to release money from their property to undertake repairs, maintenance and/or adaptations. A loan option helps to ensure that more owner occupiers are able to have their housing repair and adaptation needs met where grant funding is not applicable. The South Wales Loans Consortium researched numerous ways of offering loans to owner occupiers and concluded that, in the short term, offering loans through a third party was the most efficient and sustainable option. The provision of the PAL product still requires up-front funding, but unlike grant aid, equity loan financial assistance is recovered with index-linked interest. This provides the Council with an opportunity to recycle and reinvest the equity share and therefore assist larger numbers of owner occupiers over time. This product is covered in more detail in Section 3.

Residential, Environmental and Commercial/Residential Works
Works undertaken by the Housing Renewal Team under the Housing Renewal Policy & Strategy can broadly fall into three categories: residential; environmental; or commercial/residential. The focus and benefits of these are outlined in brief as follows.

Residential
A major focus of private sector housing renewal is to tackle housing in poor condition that displays high levels of risks and hazards. It is therefore the key priority of this policy and strategy to target works to improve the worst residential properties within communities therefore improving households and communities’ health and wellbeing. Group repair and Enveloping schemes are the main tools used for carrying out improvements to residential properties.

Environmental
A key finding from the implementation of successful Neighbourhood Renewal Areas is that they can have a significant impact on the local environment and community by improving the appearance of an area. For example, improving street lighting, parking, community buildings, waste management, land/streetscaping or encouraging tree planting help to make an area a more desirable place to live and increases public and community pride. By undertaking environmental schemes considerable positive impacts can be achieved to the wider community and these are included within this policy and strategy.
Commercial
Improving commercial properties such as shops and local businesses within an area can also stimulate the economy and encourage additional investment into the community. Assisting in the improvement of commercial properties brings about numerous benefits such as jobs creation, reductions of empty properties, increased tourism and commercial activity all helping to regenerate an area. Works to commercial residential properties are included within this policy and strategy.

The Local Authority is continually seeking opportunities to generate investment for housing renewal.

When deciding what works are prioritised current and future financial limitations must be considered alongside the volume of households and communities that would benefit. Therefore the Housing Renewal Strategy rations and prioritises investment based upon several factors including:

- the evidence of need e.g. NRA Assessments, Private Sector Stock Condition Survey
- targeting worst first
- the grant terms and conditions and other funding restrictions that are applicable
- the ability to maximise and collaboration positive impact, benefits and outcomes
- the ability to generate further investment e.g. through partnership developments and collaboration
- contribution to other strategic priorities
- improving sustainability (environmental, economic and social)
- the grants and products available to deliver

The grants and products available are covered in part 3 of this document.
Part 2: Guidance and Legislation

2.1 Welsh Housing Quality Standards

It is important that the Housing Renewal Policy & Strategy takes into account several pieces of legislation and guidance to ensure compliance with wider policy and statute.

The former National Housing Strategy, ‘Better Homes for People in Wales’ sets out the Welsh Assembly Governments vision that gives ‘all households in Wales….. the opportunity to live in good quality homes, which are in a good state of repair; safe and secure; adequately heated, fuel efficient and well insulated; contain up-to-date kitchens and bathrooms; well managed (for rented housing); located in attractive and safe environments; and, as far as possible, suit the specific requirements of the households’.

To achieve this, social housing needs to be brought up to the Welsh Housing Quality Standard (WHQS), a standard which provides a common target and minimum standard for the physical condition that all social housing should meet by 2012. The standards stated that housing should be:

1. in a good state of repair
2. safe and secure
3. adequately heated, fuel efficient and well insulated
4. contain up-to-date kitchens and bathrooms
5. well managed (for rented housing)
6. located in attractive and safe environments
7. as far as possible suit the specific requirements of the household (e.g. specific disabilities)"

Whilst the Welsh Housing Quality Standard does not apply to private sector properties, the Housing Renewal Service needs to take account of the WHQS, especially when undertaking work in areas that are likely to be of mixed tenure. In such situations, close partnership working with the relevant Registered Social Landlords is required to ensure a co-ordinated approach exists across tenures.

2.2 Standard Assessment Procedure (SAP)

An important part of the WHQS is to make properties more energy efficient and reduce energy consumption. Under WHQS, a properties energy rating needs to be assessed using the Standard Assessment Procedure (SAP). SAP is the recommended system for measuring the energy rating of residential dwellings and reflects the annual energy costs per unit of space, as well as the expected costs of water heating. SAP ratings range from 1 (least efficient) to 120 (most efficient) and the WHQS requirement is that all social housing properties must achieve a minimum rating of 65 out of 100. Whilst private sector properties are not bound by the conditions of the WHQS, there is increasing pressure on Local Authorities and Energy companies to improve energy efficiency in the home. SAP ratings are included in both the NRA Assessments and the Private Sector Stock Condition Survey.

2.3 Energy Efficiency and Fuel Poverty

The National Housing Strategy for Wales, ‘Improving Lives and Communities’, emphasizes the vital role that housing plays in making Wales a more sustainable place to live. The strategy identifies the direct impact that running a home can have on people’s incomes and their health and well being. Low incomes, rising fuel prices and poor energy efficiency in homes, has led to a significant growth in the number of people experiencing fuel poverty. The Welsh Assembly Government’s Fuel
Strategy 2010 recognises that fuel poverty has a major impact on the health, social and economic well-being of householders. It also highlighted it can increase the demands on resources of public sector services, such as the NHS, by increasing the need of householders to access services.

Fuel poverty is defined as having to spend more than 10 per cent of income (including housing benefit) on all household fuel use in order to maintain a satisfactory heating regime. In circumstances where expenditure on all household fuel exceeds 20 per cent of income, households are defined as being in severe fuel poverty. The Welsh Assembly Government’s ‘A Fuel Poverty Commitment for Wales’ sets out targets in 2003 for eradicating fuel poverty in Wales and a new Fuel poverty scheme, NEST, has been established between the Welsh Assembly Government, British Gas and the Energy Saving Trust to offer an enhanced range of advice and support.

In addition to the NEST scheme, energy companies are also required to achieve targets for improvements to household energy efficiency. This is being carried out through subsidizing energy efficiency schemes such as cavity wall and loft insulation. The Energy Efficiency Commitment (EEC) has now been replaced by the Carbon Emissions Reduction Target (CERT). Energy suppliers are required to achieve set targets for promoting reductions in carbon emissions in domestic households. The aim of CERT is to double the level of activity seen under the EEC and maintain a focus on vulnerable customers. Local Authorities also have a duty to contribute to the improvement of energy efficiency under the Home Energy Conservation Act (HECA) 1995, which placed a duty upon them to develop a strategy for improving energy efficiency in all housing tenures.

The Welsh Assembly Government has committed itself to work with Local Authorities to develop Community Energy Saving Programmes (CESP) in Wales and work in close co-operation to improve standards within the private sector, in particular Renewal Areas, which can lead to significant improvements to the energy efficiency of homes often as part of a wider improvement programme.

Torfaen County Borough Council will seek to address energy efficiency, by including measures such as loft insulation, hot water tank lagging and double glazing in its specification of grant works, which will help to reduce the potential for fuel poverty. The Council will also work with partners such as Torfaen Care and Repair and the South East Wales Energy Efficiency Centre to promote energy efficiency in Torfaen and to advise residents on the availability of assistance.
2.4 Housing Health and Safety Rating System

The Housing Act 2004 introduced a new risk based system for assessing the suitability of housing, called the Housing Health and Safety Rating System (HHSRS) which came into effect in 2006. HHSRS (which replaced the Fitness Standard of the Housing Act 1985) evaluates potential risks which may result from defects identified in a property.

In certain situations, when property conditions are particularly acute, enforcement action may be required. To identify the potential risk, a property is rated against the Housing Health and Safety Rating System.

The HHSRS is based upon a risk assessment against 29 defined hazards that may be found in a property, and enables Local Authorities to identify where enforcement action is required. Housing health and safety practitioners assess the likelihood of a hazard causing harm over a 12 month period and the health outcomes, should such an incident take place. Particular regard must be given as to the effects such an incident would have on vulnerable groups. The assessment leads to a score for a particular hazard and the score is then put into a series of bands ranging from A-J. Bands A-C are termed Category 1 hazards whilst bands D-J are termed Category 2 hazards. A Local Authority is under a duty to deal with any Category 1 hazard whilst it also has a power to deal with Category 2 hazards.

Whilst largely applicable to occupied houses to protect the health and safety of residents, the HHSRS allows vacant properties to be assessed and places a duty on Local Authorities to take action where Category 1 hazards exist. The scores from different hazards are not intended to be combined, but the presence of a number of individual hazards may influence a decision to take action. The 29 hazards can be categorized into 4 main groups:

Physiological (e.g. damp & mould growth, excess cold, asbestos etc)
Psychological (crowding and space, entry by intruders, lighting, noise)
Protection against infection (domestic hygiene, food safety, water supply)
Protection against accident (e.g. falls on the level, electrical hazards, fire, collision)

Depending on the score, a Local Authority will need to decide whether it has a duty or discretion to act and what is the most appropriate means for dealing with the hazard. Different enforcement options are available:
• Serve an improvement order, requiring remedial works;
• Make a prohibition order, which closes the whole or part or a
dwelling or restricts the number of permitted occupants;
• Suspend these types of notice
• Take emergency action;
• Serve a hazard awareness notice;
• Make a demolition order;
• Declare a clearance area

In addition, powers to act in default and prosecute lack of compliance
are available.

A Local Authority cannot simultaneously take more than one of these
actions, but it can take a different course of action or the same course
again, if the action already taken has not proved satisfactory. Emergency
measures are the exception (Emergency remedial action followed by an
improvement notice or a prohibition order, is a single course of action).

The new hazard based rating system introduces a more flexible
enforcement framework which allows Local Authorities to take action
against a much broader range of housing conditions.

2.5 Enforcement

If the Housing Health and Safety Rating System (HHSRS) finds significant risks
at a property, enforcement action will need to be considered. Enforcement can take many different forms, depending on the severity of
the situation and any previous action taken. Enforcement can cover:

• Private dwellings,
• Registered Social Landlord dwellings,
• Empty properties,
• Houses in Multiple Occupation

Enforcement action against owners in the private sector is taken by the
Public Health Team, and can be broadly divided into Formal and Informal
action. Should people not comply with legislative requirements, the
following sanctions are available:

• Work in default
By exercising its power of delegation, the Council has authorized the Public Health Team to carry out enforcement action and to progress the imposition of sanctions on its behalf. The procedures outlined below are set out in detail in the Department for the Environment General Enforcement Policy.

**Informal Action**
This will include verbal advice given by Officers and advisory letters. It should be noted that it is not always possible to adopt an informal approach, especially when legislation requires formal action to be taken straight away. An example of this is the service of a Notice under Section 80 of the Environmental Protection Act 1990 where there is a statutory nuisance.

**Formal Action**
Formal action involves the serving of Notices. Most Notices served by the Public Health Team require the recipient of the Notice to commence and complete specified works within specified time limits. All Notices have notes with them that explain the effect of the Notice and the recipient’s right of appeal. Officers will always be willing to discuss the works specified in the Notice and the reason for the service of the Notice.

**Sanctions**
If the recipient of a Notice does not comply with the Notice, the Council has various sanctions it can impose. Depending on the type of Notice that is served, non-compliance can be:-

- Not doing any work at all
- Not starting the work by the time specified within the Notice
- Starting the work but then not making reasonable progress, or
- Starting the work and then not finishing it

**Work in Default**
Work in default is a power given to the Council, to ensure that work is carried out to a property. If the recipient of the Notice does not do the work required by the Notice, the Council is able to employ a contractor to enter the property and carry out the work itself. If the Council has to do this, it will charge the appropriate person for the cost of the works together with the costs involved in arranging for the work to be done.

It should be noted that carrying out work in default does not exclude the Council from either issuing a formal caution or prosecuting the offender.
The Council is entitled to ensure that the work is carried out and Officers will then consider if it is appropriate to take further action.

There are various methods, by which the Council can recover the costs incurred in carrying out work in default, dependent on the type of Notice that has been served.

Sunrdy Debtor Method
Using this method, the Council will send the appropriate person an invoice requesting payment. If this is not paid within 14 days, a reminder invoice is sent requesting payment within 7 days. If the invoice is not paid, details are passed to the Credit Protection Agency (CPA) to recover the outstanding balance. Depending on the size of the debt, action will be taken in the County Court or written off if it is not economical to recover the debt.

Charge on the Property
Whenever legislation allows, a charge will be put on the property, which means that when the property is sold, the Council will expect to be paid the amount of the debt, plus interest. This is usually a very slow method of recovering money. The Council has 6 years from the date the work was carried out in default to recover the debt.

Sequestering Rents
The Council is entitled to serve a Notice on the appropriate person to reclaim the costs of the work in default. If this Notice is not complied with (i.e. the costs are not paid) the Council can then serve a Notice on the tenant requiring him to pay the rent to the Council until such time as the costs are recovered.

Forcing Sale of the Property
The ultimate method by which the Council can reclaim its costs is to force the sale of the property. The proceeds of the sale will be given to the owner, less the amount owed for the work in default and less the amount incurred by the Council in selling the property.

Formal Caution
An alternative to prosecuting a person is the issuing of a formal caution. A formal caution is where an offender is given written details of the offence and he/she signs to say that he/she admits the offence. It is not a form of sentence.

A record of the caution is kept at the Council for a period of 3 years and it may subsequently influence a decision to instigate proceedings should the offender break the law in the future. It may also be cited if the Council takes legal action for a subsequent offence.
Prosecution
Non-compliance with any of the Notices referred to in Appendix A of this policy document is generally a criminal offence. The Council is the prosecuting authority for such offences and as they are criminal in nature, proceedings are taken in the Magistrates Court.

Shared Enforcement Responsibility
In circumstances where enforcement responsibility is shared between enforcement agencies, the Public Health Team will have regard to procedures agreed with other enforcement agencies, particularly where memoranda of understanding exists.

In some cases, enforcement powers will rest with another agency (for example, the Health and Safety Executive has enforcement of gas safety in domestic property). In these situations, the Public Health Team will act to ensure that the case is transferred to the enforcing agency promptly and in accordance with any agreed procedures.

Taking Action and Imposing Sanctions
In deciding when to take action and when to impose sanctions, Officers of the Public Health Team will have regard to the guidelines in the sections below.

The decision to take informal or formal action will be made by the individual Officer, in consultation with the Head of Environmental Health.

The decision to execute work in default will be made by the individual Officer in consultation with the Head of Environmental Health.

In deciding whether to issue a formal caution or proceed with a prosecution, the final decision will be made by the Head of Environmental Protection in consultation with the Council’s Legal Services Department.

The Public Health Team must also take into account those situations where consultation with other bodies is required.

When we will take Enforcement Action
As previously mentioned in this document, there are occasions when the Public Health Team must take formal action because the legislation requires it. In particular, the service of a Notice under section 80 of the Environmental Protection Act 1990.

On other occasions, Officers are required to take informal action.
In other situations there is a presumption that Notices will be served if the criteria set down in the legislation are met. However, this presumption can be rebutted depending on the circumstances of the case. As cases vary so much, it is difficult to be prescriptive about when Officers will not serve Notices. Each case is looked at individually and the following factors taken into account:

- The effects of the situation on the health and safety of those affected;
- The intentions of both the landlord and tenant in respect of letting the property;
- Any previous complaints about the owner of the property or his agent;
- The future life of the property; and
- The willingness of the owner to put right any problems without the need for formal enforcement action.

This is not an exhaustive list.

Where Officers are required to serve certain formal Notices under the Housing Act 2004, the Council will usually charge the recipient of the Notice in order to recover its reasonable administrative expenses incurred in serving the Notice.

In some cases, the Council is required to consult with other bodies when taking enforcement action. An example of this is where we take action under Section 10 of the Housing Act 2004 to improve fire safety in a house in multiple occupation. We are required by law to consult with the Fire Authority.

**When We Will Impose Sanctions**

In all cases where an offence is committed, consideration will be given by Officers as to whether a sanction should be imposed, and if so, which one. In some cases it may be appropriate to impose two sanctions for example, carrying out work in default and also prosecuting the offender.

**Work in Default**

In determining if work in default is appropriate, Officers will consider the following:-

- The effects of not carrying out the work on the health and safety of the occupant of the property concerned, or on a neighbouring property;
- The wishes of the tenant where the Notice has been served in respect of a rented property; or
• The reason for the work not being carried out in the first place. Again this is not an exhaustive list and other factors may be taken into account.

Caution or Prosecution
The decision to either offer a formal caution or take a prosecution is one that is not taken lightly. Officers recognize that their decision is significant and could have far reaching consequences upon the alleged offender and others.

Each case that an Officer deals with is unique and must be considered on its own facts. However, there are general principles that apply to the way in which Officers decide whether a sanction should be applied and if so, which one. The decision to offer a formal caution or to take a prosecution will be made by Officers of the Public Health Team, in consultation with the Council’s Legal Services Department.

In deciding whether to proceed with a caution or a prosecution, the Public Health Team’s enforcement policy reflects guidance laid down in the CPS (Crown Prosecution Service) Code for Crown Prosecutors, Home Office Circulars on Cautioning Adult Offenders and advice from LACORS. There are two overarching tests within the CPS Code that must be used when determining whether to prosecute. These are the evidential test and the public interest test.

The Evidential Test
Officer must be satisfied that there is sufficient evidence to provide a realistic prospect of conviction. This is an objective test and means that a court is more likely than not to convict the offender of the charge alleged.

In deciding whether there is a realistic prospect of conviction, consideration is given to matters such as:-

• Is the evidence admissible in court? There are certain legal rules that might mean that evidence that seems relevant might not be used at a trial.

• Is the evidence reliable? Officers have to consider whether there is evidence that may detract or support any admission by the offender. Equally, Officers have to consider the witnesses they may use and whether there are concerns about their accuracy or credibility.

The Public Interest Test
A prosecution will usually take place unless the officer is sure that there are public interest factors tending against prosecution which outweigh those tending in favour or unless the officer is satisfied that the public interest may be properly served in the first instance by offering the offender the opportunity to have the matter dealt with by an out of court disposal.

The following are examples of factors taken into account when determining public interest but the list is not exhaustive:

- The seriousness of the offence. In housing terms this will mean Officers looking at the effects of not complying with the Notice for example.
- Whether there was violence used in the commission of the offence
- The vulnerability of the victim of the offence. Again, this is a particularly important consideration when harassment or unlawful eviction has also occurred. Although offences of this type are not acceptable regardless of the victim, it is considered even less acceptable if the victims are elderly, suffering ill health or disability or have young children
- Whether the offence was motivated by discrimination. Consideration as to the nature of the sanction imposed will be determined by whether the offender was motivated by any form of discrimination against the victim’s ethnic or national origin, sex, religious beliefs, political views or sexual orientation.
- The history of the offender. In particular, Officers will have regard to whether Notices have been served in the past, the response to those Notices and any previous housing based convictions.
- The likely penalty. Consideration will be given to whether the offence is such that it would only attract a nominal penalty from the Courts.
- Reason for the offence occurring. Although there may be, on the face of it, a breach of law, there may be a statutory defence available in housing offences. For example, failure to comply with a Section 189 Housing Act Notice is only an offence if the person intentionally failed to comply with it. Other factors may be considered though. For example, if the offence results from genuine mistake or misunderstanding these may be factors against prosecution but this would be balanced against the seriousness of the offence.
- The suspect’s previous convictions or the previous out of court disposals which he or she has received that are relevant to the present offence.
- A prosecution would have a significant positive impact on maintaining community confidence.
- The suspect was a ringleader or an organizer of the offence.
- The suspect was in a position of authority or trust and he or she took advantage of this.
In addition to the two tests, there are certain conditions that must exist before a caution can be administered, namely:

- There must be evidence of the offender’s guilt sufficient to give a realistic prospect of conviction;
- The offender must admit the offence;
- The offender must understand the significance of the caution and give his informed consent to accepting the caution.

If any of the above criteria are not met, the Council will not consider the issuing of a formal caution. Above all, a caution will not be used as a substitute for a prosecution that would otherwise be unsustainable.

2.6 Empty Properties

The monitoring and management of Empty Properties in Torfaen is coordinated by the Housing and Public Health Teams. Long term empty properties are categorized and then prioritized, based on the length of time they have been empty and the long term problems that are being caused as a result. When enforcement action is required, this is dealt with by the Public Health Team, which has a range of enforcement options available.

**Nuisance arising from premises**

The Environmental Protection Act 1990 enables Environmental Health Officers to serve abatement notices for statutory nuisances caused by a property’s structure or, as the result of any land associated with the property. Notices are served on the owner of the property and can require certain works to be undertaken within a specified timescale. If the owner fails to comply with the requirements of the notices (subject to appeal), the Council may pursue the matter through the Magistrates’ Court, and/or carry out works in default.

**Rodents**

Under Section 4 of the Prevention of Damage by Pests Act 1949, the Public Health Team has the power to serve notices on the owner or occupier to ensure the premises are free from rodents. The notice can specify treatments to control the pests, as well as requiring structural repairs to be carried out to secure the property against further access by rodents. If the notice is not complied with, the Council may carry out the work in default and recover any expenses by placing a charge on the property.
**Dangerous, insecure, dilapidated or statutory nuisance property**

Several sections of the Building Act 1984 can be used to secure premises against unauthorised entry and are appropriate for use in the case of empty properties.

**Section 76**

Under this section, a notice can be served when the premises are in such a state as to be a nuisance or prejudicial to health. Notices served under this section of the Building Act state that the Council intend to carry out specified work to remedy the situation. Seven days are provided for the owner to make an appeal and within nine days of serving the notice, the Council can commence work in default and recover reasonable costs from the owner. This section should only be used if unreasonable delay in remedying the defective state would be occasioned by following the procedure prescribed by section 80 of the Environmental Protection Act 1990 (Abatement Notice).

**Sections 77 & 78**

If an empty property is in so severe a condition as to be considered dangerous, then notices can be served under section 77 or 78 of the Building Act 1985. Notices served under section 77 require the owner of the property to carry out any work necessary to remove the danger or to demolish the structure. Any expenses incurred by the Council can be recovered from the owner of the premises via the Magistrates' Court. Section 78 is only used in emergency situations and it is recommended that the Council seek to notify the owner of their intended action prior to undertaking the emergency measures.

**Section 79**

This allows notices to be served for ruinous and dilapidated buildings, where conditions are seriously detrimental to the neighbourhood. These powers rest with the Environmental Health Officer.

To ensure that a property is secure against unauthorized entry, the Council can undertake works on an unoccupied property under Section 29 of the Local Government (Miscellaneous Provisions) Act 1982. Normally a period of 48 hours notice of the Council’s intention to carry out works would be given to the owner. If the owner is absent or the works are needed urgently, the notice period can be waived. Reasonable costs incurred by the Council may be recovered from the owner of the property via the County Court. These powers rest with the Environmental Health Officer.

**Unsightly property**
Where the land of a property is in such a poor condition that it is having an adverse effect on the neighbourhood, the local planning authority may serve on the owner or occupier of the land, a notice under section 215 of the Town & Country Planning Act 1990. Although this option does not culminate in a final use for the property, it is a tool that will be considered as an interim measure to make the situation more tolerable for neighbouring property owners. This power rests with Planners and Environmental Health Officers.

**Property requiring demolition**
In acute circumstances, Demolition Orders remain available to Local Authorities under Part 9 of the Housing Act 1985 as amended. They are a possible response to a category 1 hazard where this is the appropriate course of action. The location of adjacent buildings is a key factor in determining the viability of this option and the process involves undertaking a neighbourhood renewal assessment.

**Property being used for substance misuse**
If an empty property is being used for substance misuse, the Council can take action under the 2002 Police Reform Act.

**Derelict or abandoned empty property**

**Compulsory Purchase**
Compulsory Purchase Orders (CPOs) can be made under Section 17 of the Housing Act 1985. Section 17 empowers local housing authorities to compulsorily purchase a house (or houses), for the provision of housing accommodation or to make improvement to existing housing, which includes acquiring empty houses. In practice the power involves the use of procedures set out in the Acquisition of Land Act 1981. The power to sanction a CPO rests with the Director of Service and is subject to confirmation by the National Assembly for Wales.

**Enforced Sale**
The Enforced Sale Procedure (ESP) can be used to bring about the sale of a privately owned property. It is used when the present owner is either unwilling or unable to deal with the house and its associated problems. To use an ESP, there must be a financial charge registered against the property in the Local Land Charges Register. This then gives a Local Authority all the powers and remedies available to a mortgagee under the Law of Property Act 1925, including a power of sale. An Order of the Court is not necessary as the legislation itself provides that power.

The Council can enforce the sale of an empty property, where it has secured a debt in excess of £500 against the property. The Council’s
Housing, Planning, Community Safety, Overview and Scrutiny Committee decided that a trigger for the consideration of enforced sale would be if visits occurred over the year and/or works in default had been carried out in excess of £3,000. Debts are normally the result of enforcement action to remove nuisances associated with empty properties, but information regarding all debts owed to the Council is considered. The property can then be sold at auction or tenders invited by a deadline date.

Empty Dwelling Management Orders (EDMO)
The Housing Act 2004 provides for Local Authorities to take over and manage an unoccupied dwelling from the owner, where the owner has turned down offers to bring the property back into use and can offer no good reason why the property should remain empty. These orders enable the Council to gradually increase the pressure on the owner without taking a heavy-handed approach from the outset. In many cases the Councils have not had to apply for the full order, since owners have tended to take their own action once aware of the implications. If the Council has to use the full EDMO powers, it can lease the home to meet housing need without the owner’s permission.

2.7 Houses in Multiple Occupation

A House in Multiple Occupation (HMO) is a property that is occupied by more than one household with shared amenities. HMOs often represent the worse end of the private rented sector and tend to have poorer conditions than other privately rented properties. They are often the only housing option available for many of the most vulnerable people in society and for this reason, the government recognizes that it is vital that HMOs are properly regulated to ensure that tenants do not suffer unacceptable housing conditions.

Under the Housing Act 2004 there are 3 types of licensing. A duty is placed on Local Authorities to implement a mandatory licensing scheme for certain categories of HMO (those with the highest risk) and a power to implement additional licensing schemes for other HMOs and rented accommodation.

**Mandatory licensing**
This is required for properties with the highest risks. An indication of the highest risk properties are those that are three or more storey’s high, have 5 or more occupants comprising two or more households, who share amenities.
**Additional licensing**
Smaller HMOs that would not be subject to mandatory licensing could still be covered by the additional licensing arrangements. If considered appropriate, this discretionary power can be applied to HMOs which are badly managed and giving rise to particular problems.

**Selective licensing**
Properties that are not subject to HMO licensing could be covered under a selective licensing scheme. This licensing would cover all forms of private rented housing, including HMOs. This could be applied to particular areas or properties where there were concerns.

Licensing is intended to make sure that:

- Landlords of HMOs are fit and proper people, or employ managers who are
- Each HMO is suitable for occupation by the number of people allowed under the licence
- The standard of management of the HMO is adequate
- High risk HMOs can be identified and targeted for improvement
- Vulnerable tenants can be protected
- HMOs are not overcrowded
- Councils can identify and support landlords, especially with regeneration and tackling antisocial behaviour

Landlords need to comply with any licensing regime that is in place and where there is refusal to meet these criteria, authorities can intervene and manage the property.
This section covers the various grants, products and services that may be available for the improvement of private sector housing. It is important to note that the grants and products have different eligibility criteria and conditions and more details are provided further on. They are also subject to the availability of funding (please see section 1.6 on Resources). Specifically linked to private sector housing renewal and managed through the Housing Renewal Service are the following:

- Group Repair Schemes
- Environmental Schemes
- Torfaen Renovation Grant (TRG)
- Enveloping Schemes
- Minor Repair Assistance (MRA)
- Property Appreciation Loan (PAL)
- Housing Renewal Agency Service

Housing renewal works can be undertaken in three broad categories: residential; environmental; and commercial/residential. (These are also outlined in section 1.6).

For more in depth information on Housing Renewal grants and products please contact the Housing Renewal team. Contact details can be found on page 4 of this document.

There are also other forms of financial assistance towards the improvement and adaptation of private sector properties:

- Disabled Facility Grant (DFG)
- Torfaen Care and Repair
- NEST– Welsh Assembly Government’s New Fuel Poverty Scheme

These are also covered later in this section and contact details are provided for signposting purposes.

**Group Repair Schemes**
The Council has successfully undertaken Group Repair Schemes for a number of years. Undertaking group repairs on mainly older, terraced housing stock has been an important component of the area based regeneration initiatives of the Council. The object of Group Repair Schemes has been to improve the external fabric, to enhance an area, maintain homes and ensure that they are structurally stable. This approach
has advantages in terms of scale, bringing about a greater impact to an area and encouraging owners to carry out further investment in their properties. Properties must have a residential element to be eligible for the Group Repair Scheme. It would be at the discretion of the Council whether to include properties that do not have a residential element. It is also at the Council’s discretion where to target Group Repair Schemes improvements and there is no waiting list for applicants.

Group Repair Scheme grants require owners to make a contribution of 25%, if the owner chooses to be financially means tested, the contribution they make may be reduced. Applications are accepted from owner occupiers, private landlords and for long term empty properties. The maximum grant available under the Group Repair Scheme is currently £25,000 (although this may be exceeded in exceptional circumstances at the discretion of the Local Authority where severe housing health and safety hazards and risks (section 2.4) are evident. The size, condition, location, construction type and fabric of properties may also be taken into account). This limit will be reviewed annually. In the event of a Torfaen Renovation Grant being undertaken in conjunction with a Group Repair Scheme grant at a property, the total grant allowance for the property is combined at £25,000, although the exceptions may still apply.

Once a grant has been approved by the Council a land charge is registered on the property with the Land Registry. The land charge ensures that if the owner moves or gives up ownership of the property within 5 years after which the works have been completed all the grant monies can be recovered. After 5 years the registered charge will no longer be recoverable. Grant recipients are required to inform the Local Authority Housing Renewal Team if they move or give up ownership of the property within the land charge period. Please note there are exceptions to recovering the grant within the 5 year period, if the grant claimant moves into sheltered, residential/nursing care or moves to live with a relative to act as a carer. In these circumstances supporting evidence would be required.

**Environmental Schemes**

Environmental Schemes are undertaken to improve the external features of an area or community. This may include external boundaries, walls, paths, community buildings, car parks, play equipment and other types of street furniture. The schemes are not linked specifically to individual properties, but to the general environmental improvement of an area. It is at the Council’s discretion where to target Environmental Scheme improvements and there is no waiting list for applicants.
There is no specified limit for the amount of grant available, and no contributions are required from home owners or land owners. No land charge registration applies.

**Torfaen Renovation Grants (TRG)**

Torfaen Renovation Grants are designed to assist owner occupiers, private landlords and for long term empty properties where the property is in serious disrepair. The idea behind Torfaen Renovation Grants is to tackle the individual private housing properties that are in the worst state of disrepair. The grants are means tested and subject to a waiting list priority assessment system that includes assessing the presence of severe Housing Health and Safety Rating System hazards and risks (section 2.4). When funding becomes available property owners at the top of the pointed waiting list are approached first.

To apply for a Torfaen Renovation Grant the property must be at least 20 years old and in ownership by the applicant for at least 3 years. However, for properties within the Neighbourhood Renewal Areas the 3 year rule does not apply. For owner occupiers and long term empty properties the grants are financially means tested and the owner may be required to make a contribution of up to 100% towards the cost of the works. For private landlords there is no financial means test and 50% towards the cost of works is required. The maximum Torfaen Renovation Grant limit is currently £25,000 (although this may be exceeded in exceptional circumstances at the discretion of the Local Authority where severe housing health and safety hazards and risks (section 2.4). are evident. The size, condition, location, construction type and fabric of properties may also be taken into account). The limit will be reviewed annually. One Torfaen Renovation Grant will be allowed per applicant, subject to exceptions and provisions at the discretion of the Council. In the event of a Group Repair Scheme grant being undertaken in conjunction with a Torfaen Renovation Grant at a property, the total grant allowance for the property is combined at £25,000, although the exceptions may still apply.

Once a grant has been approved by the Council a land charge is registered on the property with the Land Registry. The land charge ensures that if the owner moves or gives up ownership of the property within 5 years after which the works have been completed all the grant monies can be recovered. After 5 years the registered charge will no longer be recoverable. Grant recipients are required to inform the Local Authority Housing Renewal Team if they move from, rent out, or give up ownership of the property within the land charge period. Please note there are exceptions to recovering the grant within the 5 year period, if the grant
null
grants to owner occupiers to improve the energy efficiency of their properties and to also support households out of fuel poverty. Typical works covered by this grant include loft insulation, renewing boilers, upgrading central heating and renewing/inputting double glazing. The grants are means tested and subject to a waiting list priority assessment system. When funding becomes available owner occupiers at the top of the pointed waiting list are approached first.

The maximum grant available is £5000 and only one grant is available within a 5 year period. To apply for a Minor Repair Allowance the owner occupier must undergo a financial means test. Grants are available to owner occupiers whose means test contribution is less than £1000 and who do not qualify for any grant through the NEST fuel poverty scheme. No land charge registration applies.

**Property Appreciation Loan (PAL)**

The Welsh Assembly Government identified the need to develop a private sector housing loan scheme, to assist people in financing renovation works and to help reduce grant dependency. The Assembly facilitated the formation of the South Wales Loans Consortium to identify the most appropriate way of developing an equity loan pilot scheme. The South Wales Loans Consortium concluded that in the short term, offering loans through a third party was the most efficient and sustainable option.

The provision of the Property Appreciation Loan (PAL) pilot scheme still requires initial Local Authority funding, but unlike grant aid, equity loan financial assistance is recovered with index-linked interest and is therefore recyclable. The system works on the basis of a legal charge being registered against the property for the amount of loan that is being borrowed, which will be repaid when the property is sold. This provides the Council with an opportunity to recycle and reinvest the equity share and continue to assist more owner occupiers.

Should the pilot project prove to be successful, the local authority could give consideration to using ‘loans assistance’ more widely in its housing renewal policies. This might include e.g. ‘loans assistance’ in the Neighbourhood Renewal Areas and outside where currently no Housing Renewal grant funding is available.

The PAL may not be suitable to all applicants and certain criteria apply. PAL may be made available to owner occupiers to alleviate category 1 hazards within the property, which they could not otherwise afford to resolve (applicants with savings of over £16,000 will not be considered) and where other grant funding is not available. To ensure that the Housing Renewal team is targeting those dwellings that are in the most urgent
need of renovation, properties that are at the top of the Housing Renewal Torfaen Renovation Grant priority points waiting list will be approached first in descending order of priority when funds are available.

As an initial 1 year pilot Torfaen offers PALs as a: ‘top up’ to Disabled Facilities Grants where the cost of mandatory works are in excess of the £36,000 statutory maximum limit; as loaned funds towards the repair and improvements of properties in considerable poor condition to enable Disabled Facilities Grants provision; and to applicants of Torfaen Renovation Grants giving priority to those at the top of the points waiting list.

Torfaen County Borough Council will determine what works can be included within the loans and in what circumstances they will be provided and will assist the client with the entire process. ART Homes act as the third party that processes PAL applications.

The minimum amount of loan that can be offered to an owner occupier applicant is £3000 with a maximum set figure of 80% of the free equity in the property. No repayment is currently required whilst the owner continues to live at the property; however the terms of the PAL may be subject to change in the future. A land charge is registered on the property with the Land Registry. The land charge ensures that when the property is sold, the loan is repaid in full with any index-liked interest added. There is no exception to recovering the loan through the land charge.

Exceptions to Policy
The Council’s policies are specific about the circumstances in which an application will be considered, how much grant aid it will provide and the conditions that will be applicable to the provision of grant aid. However each application will be considered on its individual merits.

Therefore subject to available funding, where there are exceptional circumstances and where the applicant is able to demonstrate exceptional hardship or provide a very strong justification on the basis of need, the Council is able to give consideration to those circumstances.

Housing Renewal Agency Service
The Council considers that work which is eligible and in receipt of Housing Renewal financial assistance (grants and PAL) should be designed and supervised by surveyors, architects or other appropriate professionals. The Housing Renewal Team delivers a professional Housing Renewal Agency Service and are available to oversee Housing Renewal works providing
the project management, surveying and clerk of works functions. The service also covers the commissioning of suitable contractors and other required professionals and liaison with the relevant Council sections to obtain the necessary statutory consents for Planning and Building Control.

The Housing Renewal Agency Service is charged at fees equal to 15% of the total cost of works. This is subject to annual review.

### 3.2 Other Grants and Services

**Disabled Facilities Grant (DFG)**

A Disabled Facilities Grant (DFG) is a means-tested grant that can help towards the cost of adapting a property, thereby enabling the occupier to continue living there. A DFG is paid when the Council considers that changes are necessary to meet a person's needs, and the work is reasonable and practical. Adaptations might include installing a stair lift and/or ramps, improving access to rooms, adding a downstairs bathing facility or a walk-in shower.

A DFG may cover the cost of a major adaptation in part or whole up to the value of £36,000. Applicants may be eligible for a grant if they have a permanent and substantial physical disability. There is no means testing if the adaptation is for a disabled child.

A full assessment of an applicant’s needs and their home is carried out, to determine eligibility and what work needs to be done. Occupational therapists will assess the need for adaptations across all tenures, however for tenants, the Council’s recommendations will be sent to the landlord for a decision on whether to provide the adaptation. Disabled Facilities Grants are managed by the Disabled People’s Service within the Council. They can be contacted on:

socialcarecalltorfaen@torfaen.gov.uk
Disabled People’s Service
County Hall
Cwmbran
Torfaen NP44 2WN
01633 762200

**Torfaen Care and Repair**
Torfaen Council works with partner organisations to provide help for older and disabled people. Torfaen Care and Repair currently run by Melin Homes, is a free, comprehensive, home improvement and advisory service that aims to look after vulnerable residents and ensure that their homes are safe, secure and appropriate for their needs. Torfaen Care and Repair helps home owners and private tenants who are old or disabled, to stay in their home for longer, with increased comfort, warmth and security. This is achieved by arranging for repairs or adaptations to be carried to the property, or advising the resident on suitable works. Care & Repair works in conjunction with a number of agencies; it can make referrals on resident’s behalf and can sometimes access funding from different sources towards the cost of repairs or adaptations.

Torfaen Care and Repair is hosted by Melin Homes. They can be contacted on:

info@crtorfaen.co.uk
Care and Repair Torfaen
Ty Clarence
Clarence Street
Pontypool
Torfaen NP4 6LG
01495 768870

NEST - Welsh Assembly Government’s New Fuel Poverty Scheme
One of the major issues affecting private sector housing stock is fuel poverty and a lack of energy efficiency. To combat this problem, the Welsh Assembly Government invited bids from companies to head up a new fuel poverty scheme starting in April 2012.

The tender was won by British Gas who are working with the Welsh Assembly Government and the Energy Saving Trust, to provide advice and practical measures to those who most need it.

As well as support in accessing energy efficiency improvements, NEST also provides callers with guidance on benefit entitlement, energy tariffs and money management, through a range of expert partners. The advantage of NEST is that it provides one central co-ordination point that offers tailored advice and support to help people improve the energy efficiency of their homes and reduce their energy bills.

A British Gas’ team of experts from across Wales will visit eligible properties to conduct a Whole House Assessment before suggesting, agreeing or installing a range of measures suitable for that home and its occupants. To
be considered for Nest energy improvement work you must be receiving a means tested benefit, your property must have an energy efficiency rating of F or G and be privately owned or privately rented.

The NEST scheme can be contacted on 0800 512 012 or by visiting their website at www.nestwales.org.uk

Part 4: Monitoring the Policy & Strategy
4.1 Performance Measuring

To guarantee the best use of resources it is important to monitor the works undertaken by the Housing Renewal Service and the progress of the Housing Renewal Policy & Strategy. Some performance monitoring is undertaken by the Welsh Assembly Government through periodic returns required from the Local Authority Housing Renewal Team.

These returns provide details of the number of properties in a Neighbourhood Renewal Area that have been improved in a year and how grant money has been allocated (the amount of grant or loan given to owners or landlords). Details also include funding from other sources that have contributed to Housing Renewal work (General Capital Fund, owner contributions, third party assistance).

Expenditure data is collected to demonstrate what the Local Authority is spending, which in turn will influence the amount of grant we receive from the Welsh Assembly Government in the future. This data also helps to monitor the effectiveness of Neighbourhood Renewal Areas and influences the development of future housing renewal policy.

4.2 Customer Satisfaction

The effectiveness of the Housing Renewal Policy & Strategy will be monitored against the performance of the Housing Renewal Team, the use of available resources, and by evaluating customer satisfaction.

It is also essential to monitor the delivery of the Housing Renewal Service by consulting with the customers who receive the service. The Housing Renewal Team provides customer satisfaction questionnaires to all grant recipients upon completion of works and welcome feedback upon both the Local Authority service and that provided by the building contractors. Completed customer satisfaction questionnaires are collated and assessed to identify areas for improvement and findings contribute to the Housing Renewal quality assurance framework.

With the recent declaration of new Neighbourhood Renewal Areas in Torfaen, further consultation is scheduled to take place with residents in NRAs to measure the impact of housing renewal upon quality of life, socio-
economic status, health and well-being. This will assist in helping the Council to evaluate the impact of housing renewal on communities and neighbourhoods as well as on individual households.

4.3 How to Complain

**Complaints Procedure**
The Council endeavours to provide a first class service and meet the needs of the public, but there may be circumstances when individuals feel aggrieved and sometimes we may not get it right. It is important that you complain to us if you feel we have let you down in any way. Your complaint will help us to:

- Put things right for you
- Make sure we don’t make the mistake again
- Improve our services for everyone

If you have a complaint about the Housing Renewal Policy & Strategy or any aspect of the Housing Renewal Service, these should be addressed to the Housing Renewal Team using the following contact details.

- Tel: 01495 742638
- Email: housingrenewalteam@torfaen.gov.uk
- Address: Torfaen County Borough Council
  Housing Renewal Team
  Civic Centre
  Pontypool
  Torfaen NP4 6YB
1. Area Affected

1.1 Borough wide

2. Purpose of Report

2.1 • To inform Cabinet of the outcome of the tender for the provision of a Direct Payments Support Service

• To seek Cabinet approval to award the contract to the highest scoring tender submission.

3. Recommendation

3.1 To approve the award of contract for the Direct Payments Support Service to Organisation 6 for a 3 year period from October 2011 with the option to extend the contract for a further 2 years depending on the performance of the contractor in the first three years. However, it is also recommended that the second placed organisation is kept in reserve.

4. Background

4.1 Direct Payments for purchasing Social Care services have been available to service users in Torfaen since May 2002. During this time the Council has contracted with a voluntary sector service provider, to deliver a local Direct Payments Support Service. This has been in keeping with WAG Guidance that recommends a support service which is independent of the local authority (ideally voluntary sector or peer led).

4.2 A review of the entire Direct Payments Scheme was carried out towards the end of 2010 and in relation to the Support Service identified that:

• The role of the Support Service is seen as essential by both service users and teams, with the service being extremely well received by both.

• Service users felt that a Support Service, independent of the local authority, with an office in the borough and who provide ongoing support is very important.

• The current Support Service contract whilst similar in unit cost to some Welsh Local Authorities’ services, is more expensive than that of a number of others who have implemented direct payments successfully and in some cases innovatively

• An average of 100 hours of support per week is provided by the current Support Service. Of those 100 hours nearly half of it is spent with those few that require intensive support. This is felt to be inefficient going forward as the number of Direct Payment Service users is expected to increase with changes
in legislation making it easier to offer direct payments.

- The four other Gwent Local Authorities have recently brought their support service in-house following the expiry of their joint contract with a Bristol based support provider. A collaborative approach to commissioning a new service had been explored with these neighbouring authorities. However, it was considered too soon for some Local Authorities to tender a service which had recently been brought in house. Furthermore, there needs to be a common agreement on the future direction of the service in relation to Citizen Directed Support before such a collaborative approach can be pursued.

4.3 On 7th January 2011 Social Care and Housing SMT supported the recommendation to continue to contract for an independent provider by way of a tender. A service specification was drawn up by operational and commissioning officers with an emphasis on improved efficiency through increased capacity and a payroll service, whilst requiring potential providers to consider the development of Citizen Directed Support in Wales. Alongside the core elements of a Direct Payments Support service, such as support to be an employer, advice and support on recruitment, training/coaching etc., there was an expectation that capacity will be achieved by meeting specific outcomes for service users, such as self management of the Direct Payment.

5. The Tender Process

5.1 The process has reflected the high expectations that the Council and its service users have of contractors. Although quality has primacy when procuring services for vulnerable people, price was also a considerable factor in the current economic climate, especially taking into account the benchmarking within the Direct Payments review report. However, due to the specialist nature of the service, the contract could not be let to the lowest bidder, but to an affordable and realistic tender submission that could demonstrate how effectively it could manage the service for the benefit of Direct Payments Service Users in Torfaen. The tender has been supported at every stage by the Head of Procurement.

5.2 The tender process was as follows:

- Advertisement on Buy4Wales (WAG procurement) website
- Issue of Tender packs
- Receipt of tenders – witnessed by Head of Housing and Business Support (SC&H) and representative from Democratic Services (7 submissions received)
- Evaluation of supplier selection criteria (e.g. financial stability, insurance, references etc.)
- Evaluation of tender questionnaires (Stage 1)
- Short listing 3 candidates for a presentation and interview
- Presentation by tenderers to officers (Stage 2)
- Interview by a panel of service users(Stage 2)
- Final scoring

5.3 To reflect the commitment to quality but also a recognition of the need for cost efficiency the scoring criteria were as follows:

Stage 1
The tender price  40%
• Questionnaire   60%

Stage 2

• The tender price  40%
• Questionnaire   35%
• Officer’s panel    15%
• Service Users’ panel  10%

Tenderers were invited to submit a price in two parts:

• Price for the Support Service Per Annum
• Price per week per service user for Payroll Service

6. Evaluation Stage 1

6.1 A thorough tender questionnaire required evidence of providers’ ability to take on an existing contract and how the providers could deliver on specific outcomes for Direct Payments Service Users. The questionnaire also examined organisations’ understanding of quality, legislation and service developments as they apply in Wales and Torfaen specifically.

6.2 Tender packs were scored by a panel of officers from Disabled Peoples Service, Planning and Performance teams. Prices were scored based on the percentage relationship to the lowest price. The price was calculated as follows:

• Price for Support Service per annum + (price per week per service user for Payroll Service x 68 service users* x 52 weeks)

*This calculation was based on 68 users because this is the number of service users that Torfaen envisages will take up the Payroll service – all tenderers were aware of this calculation

7. Stage 1 Results

7.1 The final scores were as follows:

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Score Stage 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organisation 1</td>
<td>65.15</td>
</tr>
<tr>
<td>Organisation 2</td>
<td>69.02</td>
</tr>
<tr>
<td>Organisation 3</td>
<td>79.95</td>
</tr>
<tr>
<td>Organisation 4</td>
<td>71.31</td>
</tr>
<tr>
<td>Organisation 5</td>
<td>76.24</td>
</tr>
<tr>
<td>Organisation 6</td>
<td>89.28</td>
</tr>
<tr>
<td>Organisation 7</td>
<td>68.84</td>
</tr>
</tbody>
</table>

7.2 Organisation 3, 5 and 6 were short listed to presentation and interview stage (Stage 2).

8. Evaluation Stage 2

8.1 Stage 2 consisted of a panel of officers who received a presentation from short
listed candidates and then asked 4 formal questions. In addition, candidates were asked to meet with a panel of service users, all of whom had been consulted with and had developed their own questions.

8.2 The presentation focussed on a case study to allow officers to evaluate the operational effectiveness of the short listed organisations. Officers’ questions were focussed on drilling down to the detail of how the service would operate and the resources required to achieve the increased capacity in the service specification, to ensure that providers could deliver for the price they tendered.

8.3 The service user panel focussed its attention on issues important to them, such as local knowledge and a locally based team, ongoing support to people self managing their Direct Payment and independence of the provider from the local authority. The service user panel made excellent observations and provided positive feedback about the short listed organisations. It had been decided that the panel should not be tokenistic so the service users’ score of 10% could make a valid contribution to the overall result of the tender.

9. Final Results

9.1 The final results of the tender were as follows:

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Score Stage 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organisation 6</td>
<td>90.03</td>
</tr>
<tr>
<td>Organisation 3</td>
<td>79.50</td>
</tr>
<tr>
<td>Organisation 5</td>
<td>78.97</td>
</tr>
</tbody>
</table>

10 Factors affecting the Implementation of the contract

10.1 Award and subsequent implementation of the contract is subject to Part B requirements under EU Procurement rules. However, as good practice the award shall adhere to the Remedies Directive to ensure openness, fairness and transparency is maintained throughout the process, in accordance with European Treaty principles. The successful tenderer shall be informed of the outcome of the tender following the Cabinet decision and challenge period. A notice shall be posted on Buy4Wales website and unsuccessful tenderers shall be informed of the result and their right to challenge within the Remedies Directive standstill period.

11. Financial Implications

11.1 The estimated contract value of this tender was £330,000 over 3 years for the support service element of the contract. The cost of contracting with Organisation 6 would result in a saving compared with the current contract value and the estimated tender value and there would be further efficiencies from the Payroll service depending on the numbers that take up that service.

12. Recommendation

12.1 To approve the award of contract for the Direct Payments Support Service to Organisation 6 for a 3 year period from October 2011 with the option to extend the contract for a further 2 years depending on the performance of the contractor in
the first three years. However, it is also recommended that the second placed organisation is kept in reserve.

<table>
<thead>
<tr>
<th>Appendices</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Background Paper</strong></td>
<td>SMT report : Direct Payments Review – December 2010 (available on request)</td>
</tr>
</tbody>
</table>

**For a copy of the background papers or for further information about this report, please telephone:** Alex Crawford, Commissioning and Performance Officer ext 7650
AGENDA ITEM NO. 12

CABINET
14 JUNE 2011

APPOINTMENTS TO JOINT COMMITTEES, PARTNERSHIP BODIES AND
SUB-COMMITTEES OF CABINET

Report submitted by: Alison Ward, Chief Executive
Report written by: Liz Monk, Lead Officer Cabinet Support

1. Purpose of Report

1.1 To seek appointments to joint committees and partnership bodies where such
appointments fall within the responsibility of the Cabinet.

2. Recommendations

(1) that Cabinet agrees the appointments to joint committees and partnership
bodies listed in appendix A to this report;
(2) that Cabinet continues to appoint an Equalities Sub-Committee (comprising
all the members of Cabinet);
(3) that Cabinet continues to appoint an European and Regional Affairs Sub-
Committee (comprising all the members of Cabinet); and
(4) that these appointments have immediate effect up to (and cease on the date
that) Cabinet next amends the appointments or the next Local Government
Elections.

3. Background

3.1 Cabinet needs at this meeting to appoint members to the Joint Committees referred
to in Appendix 4 of the Constitution, if it chooses to do so. These joint committees
are listed in Appendix A to this report. Executive or non-Executive Members may be
appointed to these joint committees.

3.2 Cabinet needs also to appoint Executive Members to the partnership bodies listed
in Appendix A if it chooses to do so.

3.3 The terms of reference and membership of the Equalities Sub-Committee and
European and Regional Affairs Sub-Committee are set out in Appendix 4 of the
Council’s Constitution.

4. Consultation

4.1 This report has been the subject of consultation with the Leader of the Council, the
Chief Executive, the Deputy Chief Executive, the Chief Legal Officer and
Monitoring Officer and the Head of Strategic Services, as well as other affected
officers. Their views have been taken on board.

5. Implications

5.1 There are no specific policy or resource implications arising directly from this
6. **Action to be taken following decision**

6.1 Letters will be written to the joint committees and partnership bodies concerned, informing them of the members appointed. Any sub-committees which the Cabinet appoints will be convened to meet as and when necessary to consider relevant business within their remits.

7. **Conclusion**

7.1 The Cabinet needs to appoint members to serve on various bodies, as the appointments made on 15 June 2010 are due to expire. It also needs to decide whether to appoint sub-committees and who to appoint to serve on them.

**Recommendations:**

1. that Cabinet agrees the appointments to joint committees and partnership bodies listed in appendix A to this report;
2. that Cabinet continues to appoint an Equalities Sub-Committee (comprising all the members of Cabinet);
3. that Cabinet continues to appoint an European and Regional Affairs Sub-Committee (comprising all the members of Cabinet); and
4. that these appointments have immediate effect up to (and cease on the date that) Cabinet next amends the appointments or the next Local Government Elections.

<table>
<thead>
<tr>
<th>Appendices:</th>
<th>A Schedule of appointments</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Background Papers</th>
<th>Note: Members of the public are entitled, under the Local Government Act 1972, to inspect background papers to reports. The following is a list of the background papers used in the production of this report.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Report to Cabinet 15 June 2010</td>
</tr>
</tbody>
</table>

For a copy of the background papers or for further information about this report, please telephone: Liz Monk, Lead Officer Cabinet Support, Tel 01495 742162
## Membership of Joint Committees (JC) 2011/2012

<table>
<thead>
<tr>
<th>Joint Committee</th>
<th>Appointed for 2010/11</th>
<th>Proposed for 2011/12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greater Gwent Central Supplies JC</td>
<td>M Thomas</td>
<td>M Thomas</td>
</tr>
<tr>
<td></td>
<td>B J Cunningham</td>
<td>B J Cunningham</td>
</tr>
<tr>
<td>Greater Gwent Cremation JC</td>
<td>C Beynon</td>
<td>C Beynon</td>
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<tr>
<td></td>
<td>M J Pead</td>
<td>M J Pead</td>
</tr>
<tr>
<td>Greater Gwent Joint Records Committee</td>
<td>R G Clark</td>
<td>R G Clark</td>
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<tr>
<td></td>
<td>M Thomas</td>
<td>M Thomas</td>
</tr>
<tr>
<td>South East Wales Transport Alliance</td>
<td>B J Cunningham</td>
<td>B J Cunningham</td>
</tr>
<tr>
<td></td>
<td>Leader</td>
<td>Leader</td>
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<tr>
<td>Welsh Purchasing Consortium</td>
<td>M Thomas</td>
<td>M Thomas</td>
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</table>

## Membership of Partnership Bodies Exercising Executive Powers

<table>
<thead>
<tr>
<th>Body</th>
<th>Appointed for 2010/11</th>
<th>Proposed for 2011/12</th>
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</thead>
<tbody>
<tr>
<td>Monitor Facilities Management Ltd – Board of Directors</td>
<td>B J Cunningham</td>
<td>B J Cunningham</td>
</tr>
<tr>
<td></td>
<td>L W Jones</td>
<td>L W Jones</td>
</tr>
<tr>
<td></td>
<td>M Thomas</td>
<td>M Thomas</td>
</tr>
<tr>
<td></td>
<td>G Brookfield</td>
<td>G Brookfield</td>
</tr>
<tr>
<td></td>
<td>G Russell</td>
<td>G Russell</td>
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</table>

## Membership of Other Partnership Bodies

<table>
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<th>Body</th>
<th>Appointed for 2010/11</th>
<th>Proposed for 2011/12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategic Housing Forum</td>
<td>Executive Member Planning, Public Protection and Housing</td>
<td>Executive Member Planning, Public Protection and Housing</td>
</tr>
<tr>
<td>Community Safety Partnership</td>
<td>Executive Member Equalities and Community Safety</td>
<td>Executive Member Equalities and Community Safety</td>
</tr>
<tr>
<td>Children and Young Persons Framework Partnership</td>
<td>Executive Member, Children &amp; Young People</td>
<td>Executive Member, Children &amp; Young People</td>
</tr>
<tr>
<td></td>
<td>Executive Member, Health, Social Care and Well-Being</td>
<td>Executive Member, Health, Social Care and Well-Being</td>
</tr>
<tr>
<td>Schools Forum</td>
<td>Executive Member, Children &amp; Young People</td>
<td>Executive Member, Children &amp; Young People</td>
</tr>
<tr>
<td></td>
<td>Chair, Learning Communities O &amp; S Committee</td>
<td>Chair, Learning Communities O &amp; S Committee</td>
</tr>
<tr>
<td>Health, Social Care and Wellbeing Partnership Board</td>
<td>Executive Member, Health, Social Care and Well-Being</td>
<td>Executive Member, Health, Social Care and Well-Being</td>
</tr>
<tr>
<td>Torfaen Community Strategic Partnership</td>
<td>Leader</td>
<td>Leader</td>
</tr>
<tr>
<td></td>
<td>Deputy Leader</td>
<td>Deputy Leader</td>
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</tbody>
</table>