



CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL

**A virtual meeting of the CABINET will be held on
Thursday, 24th September, 2020 at 11.00 am**

Contact: Hannah Williams - Council Business Unit (Tel No. 01443 424062)

Councillors and members of the public wishing to request the facility to address the Cabinet on any of the business as listed below, must request to do so by 5pm on the Tuesday, 22 September 2020 Councillors and Members of the public should stipulate if this address will be in the medium of English or Welsh.

It must be noted that the facility to address the Cabinet is at the discretion of the Chair and each request will be considered based on the agenda items being considered, the public interest/interest of the member in each matter and the demands of the business on that day. To make such a request please email:- ExecutiveandRegulatoryBusinessUnit@rctcbc.gov.uk

ITEMS FOR CONSIDERATION

1. DECLARATION OF INTEREST

To receive disclosures of personal interest from Members in accordance with the Code of Conduct

Note:

1. Members are requested to identify the item number and subject matter that their interest relates to and signify the nature of the personal interest: and
2. Where Members withdraw from a meeting as a consequence of the disclosure of a prejudicial interest they must notify the Chairman when they leave.

2. MINUTES

To receive the minutes of the Cabinet Committee on the 28th July 2020 as an accurate record.

(Pages 5 - 10)

3. LEADER'S SCHEME OF DELEGATION

To receive the [Leader's Scheme of Delegation](#) for the 2020-21 Municipal Year, following the amendments reported at the Council's Annual General Meeting.

4. CABINET WORK PROGRAMME 2020-2021

To receive the report of the Service Director, Democratic Services & Communication, providing Cabinet Members with an update on the proposed list of matters requiring consideration by Cabinet over the 2020-21 Municipal Year.

(Pages 11 - 40)

**5. 21ST CENTURY SCHOOLS AND COLLEGES PROGRAMME -
MUTUAL INVESTMENT MODEL (MIM) 21ST CENTURY SCHOOLS
WELSH EDUCATION PARTNERSHIP - STRATEGIC PARTNERING
AGREEMENT (SPA)**

To receive the report of the Chief Executive, which provides the Cabinet with an update on the Mutual Investment Model (MIM) funding element of Welsh Government's 21st Century Schools and Colleges Programme.

(Pages 41 - 2350)

**6. THE COUNCIL'S SUPPLEMENTARY CAPITAL PROGRAMMES
2020/2021**

To receive the report of the Director, Finance and Digital Services, which provides the Cabinet with details of phase 2 of the proposed supplementary capital programmes for Education & Inclusion Services and Highways, Transportation & Strategic Projects.

(Pages 2351 - 2396)

7. REVIEW OF REGENERATION BUSINESS GRANTS PORTFOLIO

To receive the report of the Director, Prosperity and Development, which seeks Cabinet approval to refocus the existing business support grant schemes delivered by the Regeneration Service, and to establish three further schemes – the Town Centre COVID 19 Recovery Grant, the Major Projects Investment Fund and the Flood Resilience Grant.

(Pages 2397 - 2404)

8. COUNCIL PERFORMANCE REPORT (QUARTER 1)

To receive the report of the Director of Finance and Digital Services, which provides the Cabinet with an overview of the Council's performance, both from a financial and operational perspective, based on the first three months of this financial year (to the 30th June 2020).

(Pages 2405 - 2438)

9. ESTABLISHING A SOCIAL LETTING AGENCY

To receive the report of the Director, Public Health, Protection and Community Services, which informs Cabinet of the proposal to establish a Social Letting Agency to manage private rented properties on behalf of private landlords and ensure suitable housing allocations to clients in housing need. The report seeks to make Members aware of the potential financial implications of operating such an Agency should external grant funding secured for this purpose come to an end.

(Pages 2439 - 2452)

10. APPROVAL FOR RCT THEATRES TO PRODUCE A DIGITAL CHRISTMAS PERFORMANCE TO SHARE ON-LINE IN DECEMBER 2020

To receive the report of the Director, Public Health, Protection and Community Services, which provides Cabinet Members with information in relation to the proposal for RCT Theatres to produce a digital Christmas performance to share online in December 2020.

(Pages 2453 - 2458)

11. PROPOSED EXTENSION AND VARIATION TO RHONDDA CYNON TAF CBC'S DOG CONTROL PUBLIC SPACES PROTECTION ORDERS

To receive the report of the Director, Public Health, Protection and Community Services, the Group Director, Prosperity, Development and Frontline Services and the Director, Legal Services, which informs the Cabinet of the outcomes of the public consultation exercise and seeks authority to extend the two Public Spaces Protection Orders relating to dog controls in Rhondda Cynon Taf (the Dog Control PSPO's).

(Pages 2459 - 2504)

12. CYNON GATEWAY NORTH (ABERDARE BYPASS)

To receive the report of the Group Director Prosperity, Development and Frontline Services, which updates the Cabinet on the current progress related to the development and delivery of the major transportation project: Cynon Gateway North (Aberdare Bypass).

(Pages 2505 - 2516)

13. URGENT ITEMS

To consider any urgent business as the Chairman feels appropriate.



Service Director of Democratic Services & Communication

Circulation:-

Councillors: Councillor A Morgan (Chair)
Councillor M Webber (Vice-Chair)
Councillor R Bevan
Councillor A Crimmings
Councillor M Norris
Councillor J Rosser
Councillor R Lewis
Councillor C Leyshon
Councillor G Hopkins

Officers: Chris Bradshaw, Chief Executive
Christian Hanagan, Service Director of Democratic Services & Communication
Gio Isingrini, Group Director Community & Children's Services
Nigel Wheeler, Group Director – Prosperity, Development & Frontline Services
Paul Mee, Director, Public Health, Protection & Community Services
Richard Evans, Director of Human Resources
David Powell, Director of Corporate Estates
Simon Gale, Director of Prosperity & Development
Andy Wilkins, Director of Legal Services
Barrie Davies, Director of Finance & Digital Services
Gaynor Davies, Director of Education and Inclusion Services
Derek James, Service Director – Prosperity & Development



RHONDDA CYNON TAF COUNCIL CABINET

Minutes of the meeting of the Cabinet held on Tuesday, 28 July 2020 at 2.30 pm at the Virtual.

County Borough Councillors - Cabinet Members in attendance:-

Councillor A Morgan (Chair)

Councillor M Webber	Councillor R Bevan
Councillor A Crimmings	Councillor M Norris
Councillor J Rosser	Councillor R Lewis
Councillor C Leyshon	Councillor G Hopkins

Officers in attendance

Mr C Hanagan, Service Director of Democratic Services & Communication
Mr G Isingrini, Group Director Community & Children's Services
Mr N Wheeler, Group Director – Prosperity, Development & Frontline Services
Mr P Mee, Director, Public Health, Protection & Community Services
Mr R Evans, Director of Human Resources
Mr D Powell, Director of Corporate Estates
Mr S Gale, Director of Prosperity & Development
Mr A Wilkins, Director of Legal Services
Mr B Davies, Director of Finance & Digital Services
Mr P Griffiths, Service Director – Finance & Improvement Services
Ms A Richards, Head of 21st Century Schools

134 Declaration of Interest

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

135 Minutes

It was **RESOLVED** to approve the minutes of the meeting held on 25th June 2020 as an accurate record.

136 Proposals to approve an amended delivery agreement for the preparation of the Rhondda Cynon Taf revised Local Development Plan

Following Council's approval of the Delivery Agreement (DA) for the Revised Local Development Plan (LDP), for Rhondda Cynon Taf in November 2019, the Director, Prosperity and Development sought Cabinet approval for an amended DA, which proposes a postponement of the official start date by 3 months, to start in September 2020.

Members were informed that due to the Coronavirus pandemic, it had not been possible to formally start the preparation as set out in the original DA and the ability to successfully procure external consultants to undertake key pieces of

evidence base work had been compromised and it had not been possible to commit to early engagement with the public and other stakeholders in the process.

The Cabinet Member for Enterprise, Development and Housing voiced his support for the amended DA, acknowledging that the impact of Covid-19 had been prevalent across all Council services.

The Cabinet **RESOLVED:**

1. To approve the proposed amended DA for the Revised LDP for Rhondda Cynon Taf. This outlines the revised timetable and method of community involvement and engagement for the revision preparation process; and
2. That, Once Full Council approval is subsequently sought, the DA will then be submitted to Welsh Government for approval.

137 Standard Advisory Council on Religious Education (SACRE)

The Temporary Service Director, 21st Century Schools and Transformation provided the Cabinet with information on the Council's statutory duties to establish a Standing Advisory Council on Religious Education (SACRE), including the Annual Report of the RCT SACRE for the academic year 2018-2019.

The Service Director reminded the Cabinet that Every Local Authority (LA) has a statutory duty to establish a permanent body, called a Standing Advisory Council for Religious Education (SACRE), to advise on matters concerned with the provision of Religious Education (RE) and collective worship (Education Reform Act 1988). The Service Director added that each SACRE must complete an Annual Report, which was attached at Appendix 1.

(Note: At this point in proceedings, County Borough Councillor C Leyshon joined the meeting.)

Members were informed that in 2018, the overall percentage of A* - C grades for RCT was 70.4%, which was higher than the previous year and higher than the all Wales average. In respect of the A* - A grades for RCT, Members were informed that the overall percentage was 26.8%, which was an improvement on the previous year, but below the all Wales average.

The Deputy Leader spoke of the ever-changing times and the change of the curriculum in Wales, suggesting that it would be beneficial for the Central South Consortium to look at the role of the SACRE in the future, in order to identify any improvements that can be made.

The Cabinet **RESOLVED:**

1. To note the content of the Annual Report 2018-2019.

138 Changes to the rules of association - Trivallis Housing Limited

The Director, Public Health, Protection and Community Services advised that following their decision to adopt the Community Housing Cymru model rules 2017, Trivallis were seeking Cabinet's consent to amend the rules of the association in respect of tenant representation on their Board. This follows

Members were informed that Trivallis had reduced the size of their Board to

between a minimum of 6 and a maximum of 10 members (excluding co-optees) and had removed the previous requirement for three constituent groups; tenant, local authority and independent. The Director explained that, instead, appointment to the Board would be made on the basis of skills, knowledge and experience. The Council would still be able to appoint up to two Board members as was current practice, although this would now be subject to those nominated persons meeting the Board's skills requirements.

The Director continued and explained that the proposal meant that the current requirement for four tenant representatives would be removed and under the new rules one space on the Board would always be available for a tenant Board member subject to the candidate meeting the skills requirements as assessed by the Board. The Director added that it would still be possible for more than one tenant to be a Board member, however the requirement for four spaces would be removed.

The Leader spoke of the discussions which had taken place between the Local Authority and Trivallis, commenting that he was pleased that the Council had secured two Board representatives as part of their constitution.

The Deputy Leader raised concerns in respect of the reduction of tenant participation and commented on the importance of the voice of the tenant. The Deputy Leader suggested that Trivallis introduce a tenant scrutiny group to keep tenant participation at the forefront of the organisation.

Both the Cabinet Member for Enterprise, Development and Housing and Cabinet Member for Stronger Communities, Wellbeing and Cultural Services echoed the comments made by the Deputy Leader and were assured that the two representatives on the Board would hold Trivallis to account.

The Cabinet **RESOLVED:**

1. To confirm consent to the proposed change to Trivallis' rules of the association concerning tenant representation on Trivallis' Board.

139 The Council's Corporate Safeguarding Arrangements

The Group Director, Community and Children's Services provided the Cabinet with the report, which sought approval of an Action Improvement Plan in respect of the Council's Corporate Safeguarding arrangements and a revised Corporate Safeguarding Policy. The Policy had been compiled to reflect current legislative requirements as well as the recent Audit Wales findings.

The Cabinet Member for Children's Services took the opportunity to thank officers for the substantial piece of work before Members. The Cabinet Member continued by commenting that the work would support the Council's continuing work to strengthen its Corporate Safeguarding arrangements and provides assurance that the Council is fulfilling its safeguarding duties, especially in the current uncertain time.

The Cabinet Member for Adult Community Services and the Welsh Language also voiced his support, commenting that the Council had already established a strong position on safeguarding, both within the Local Authority and with its Regional Partners and that the work would further strengthen it.

The Cabinet **RESOLVED:**

1. To approve the Action Improvement Plan in respect of the Council's Corporate Safeguarding arrangements;
2. To approve and adopts the new Policy as the Council policy;
3. That the policy is translated, published on the Council's website and embedded into associated Council policies and strategies as appropriate;
4. That a wider Communications and Awareness raising plan is developed to make sure that all staff and Managers are reminded of their responsibilities in respect of the new Policy;
5. That the new Policy is reflected in future training for Safeguarding training; and
6. To refer to Overview and Scrutiny Committee for scrutiny and monitoring.

140 Council Performance Report - 31st March 2020 (Year End)

The Service Director, Finance and Improvement Services provided the Cabinet with an overview of the Council's performance, both from a financial and operational perspective, for the financial year ended 31st March 2020.

The Service Director noted that the Council's year end position was reflective of the significant financial pressures to the Council as a result of Storm Dennis and Covid-19. Members were advised that the revenue budget performance was a £289,000 overspend against a net budget of £483M, which was an improved position from the previous quarter.

In respect of the Capital Budget, the Service Director advised that there had been continued significant capital investment made during the year of £121M.

The Service Director advised that positive progress had been made against the Council's Corporate Plan Priorities and the Council's Investment Priorities; and that 78% of the measures reported within the Corporate Plan Indicator results had been on target.

The Leader thanked the officer for the report, commenting that the overspend for the year was marginal in comparison to many other Local Authorities, especially given the pressures faced. Referring to the Storm Dennis costs outlined on page 199 of the report, the Leader advised that the cost was in relation to emergency assistance, and that the long term impact to the Council was estimated to be in the region of £70M.

The Deputy Leader acknowledged that there would be significant pressures moving forward, due to Covid-19, Storm Dennis and the floods which followed, and commented that performance should be considered on a wider spectrum given the unprecedented events.

The Cabinet Member for Corporate Services echoed previous comments in relation to the ongoing pressures faced by the Council and commented that the year-end overspend was small taking things into consideration. The Cabinet Member went on to speak of the successful projects outlined within the Capital Programme, such as Llys Cadwyn and the highways and town centre developments.

The Cabinet **RESOLVED:**

1. To note the unprecedented context the 2019/20 year-end report is set within, in respect of Storm Dennis and the start of the COVID-19 pandemic.

Revenue

2. To note and agree the General Fund revenue position of the Council as at the 31st March 2020 (Section 2 of the Executive Summary) and note the incorporation of additional one-off Welsh Government funding to support winter and emergency care measures across the health and social care system.
3. To note the net financial impact of Storm Dennis, incorporated into the 2019/20 year-end position.

Capital

4. To note the capital outturn position of the Council as at 31st March 2020 (Sections 3a – e of the Executive Summary).
5. To note the details of the Treasury Management Prudential Indicators as at the 31st March 2020 (Section 3f of the Executive Summary).

Corporate Plan Priorities

6. To note the year-end position regarding progress made against the agreed Corporate Plan priorities (Sections 5 a – d of the Executive Summary), Other National Measures (Section 5e of the Executive Summary) and comparison of 2019/20 targets set against prior year and 'All Wales Average' performance information (Section 5f of the Executive Summary).

141 Update on the Covid-19 position in Rhondda Cynon Taf - Recovery Plans

The Group Director, Community and Children's Services presented the Cabinet with an update of the action taken by the Council as a result of the COVID 19 national emergency.

The Group Director assured Members that the Council would continue risk assess in order to move forward slowly and safely, in line with Welsh Government regulations. The Group Director referred the Cabinet to Section 5 of the report, where a list of the proposed service areas due to open in the following 6-8 weeks was listed.

Members were then referred to Appendix A of the report, which contained detailed service recovery plans of each of the Council's Services. The Group Director advised that the information was being developed further to support the compilation of Corporate Plan Priority action plans for 2020/21 and to ensure the Council meets its statutory reporting requirements under the Well-being of Future Generations (Wales) Act 2015 and Local Government (Wales) Measure 2009.

The Group Director took the opportunity to thank the Cabinet for the support provided to the Social Care sector during the pandemic.

The Leader firstly took the opportunity to thank all Council staff, in particular those on the frontline, for their work throughout the pandemic.

The Leader noted that throughout the pandemic, the vast majority of Council services had continued to run but in a different way, such as emergency childcare hubs and business grants. Looking to the future, the Leader stated that many Council services could look different, whether that be temporarily due to the virus, or because the period had evidenced that services can operate

differently.

The Deputy Leader echoed the Leader's comments and thanked the Council staff for their contribution in such an awful time. The Deputy Leader commented on the need to continue to provide advice to the community, especially on matters such as small group gatherings. The Deputy Leader spoke of the proposal to increase the number of mourners at funerals and cremations, commenting that it would be vital for families. Commenting on the vast amount of community support shown in the difficult times, the Deputy Leader added that it would need to be built upon moving forward.

The Cabinet Member for Education and Inclusion Services extended her praise to all departments during the pandemic and thanked the education team for the huge amount of work put into creating guidance for schools.

The Cabinet Member for Children's Services extended her thanks to the Social Services officers and was pleased to note that the respite service would be provided again, commenting that it is vital in keeping families together and children out of statutory services.

The Cabinet **RESOLVED:**

1. To consider the summary Service Recovery Plans and approve the proposed way forward;
2. To consider the list of services proposed to be reopened, in full or in part, over the next 6 - 8 weeks and approve that the restrictions are lifted; and
3. That a further report on the lifting of further restrictions is presented to the following Cabinet meeting.

142 To consider passing the following under-mentioned Resolution:

It was **RESOLVED:** "That the press and public be excluded from the meeting under Section 100A(4) of the Local Government Act (as amended) for the following items of business on the grounds that it involves the likely disclosure of the exempt information as defined in paragraph 14 of Part 4 of the Schedule 12A of the Act".

143 Corporate Asset Management Plan 2018-2023 Interim Update

Following the consideration of the report of the Director, Corporate Estates containing exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A of the Local Government Act, 1972 (as amended), namely information relating to the financial affairs of any particular person (including the authority holding that information), it was **RESOLVED:**

1. To note the content of the report; and
2. To receive a further report from the Director of Corporate Estates following a full review of the Council's built assets to ensure optimum use based upon our revised future service needs.

This meeting closed at 3.12 pm

**Cllr A Morgan
Chairman.**

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24TH SEPTEMBER 2020

CABINET WORK PROGRAMME: 2020 - 2021 MUNICIPAL YEAR.

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION IN DISCUSSION WITH THE LEADER AND DEPUTY LEADER OF THE COUNCIL.

Author: Hannah Williams, Democratic Services (01443 424062)

1. PURPOSE OF THE REPORT

- 1.1 To present, for Cabinet Members' comment and approval, an update on the Cabinet Work Programme on the proposed list of matters requiring consideration by Cabinet over the 2020-2021 Municipal Year. The Work Programme will guide and direct the activities of other arms of the Council, as well as the Cabinet itself.

2. RECOMMENDATIONS

- 2.1 It is recommended that the Cabinet approve the Work Programme for the 2020-2021 Municipal Year (with appropriate amendment where necessary) and receive a further update on a 3 monthly basis.

3. REASONS FOR RECOMMENDATIONS

- 3.1 In accordance with paragraph 12.1 (Part 4) of the Council's Constitution, the Cabinet Work Programme should be prepared to cover a period of three months, with an updated version provided at the end of this period.
- 3.2 Following the amendments to the Leaders Scheme of Delegation at the Council AGM on the 25th May, 2016 it was agreed that going forward a detailed Cabinet Work Programme be published for a 6 month period, allowing sufficient notice and opportunity for consultation and / or pre scrutiny.
- 3.3 The updated Work Programme is attached to this report for Members' consideration and covers the 2020-2021 Municipal Year.
- 3.4 For ease of reference the work programme will also be available on the main Cabinet webpage for Members and members of the public information.

4. CABINET REPORTS

- 4.1 The proposed work programme is a rolling work programme for the 2020 - 2021 Municipal Year, which is reported to Cabinet on a 3 month cycle to allow for regular updates and amendments.
- 4.2 An updated work programme is attached as Appendix 1 to this report.
- 4.3 During the period outlined, the Work Programme may be subject to further change to take into account any additional/deletion reports, including any new consultative documents or legislative initiatives from the Welsh Government, which require urgent attention.
- 4.4 In accordance with paragraph 2.5 (Part 4) of the Council's Constitution, any Member of the Council may also request the Leader to put an item on the agenda of a Cabinet meeting. There is also the ability for a resolution to be made by the Overview and Scrutiny Committee or the full Council that an item be considered by the Cabinet, which could alter the forward Work Programme.
- 4.5 The 2020 - 2021 Cabinet Work Programme is published on the main Cabinet page of the Website to again assist Members of the public, by improving transparency. The Work Programme link can be accessed on the following '[Cabinet Work Programme](#)'.

5. CONSULTATION / INVOLVEMENT

- 5.1 The work programme has been compiled by members of the Senior Leadership Team in discussion with the relevant portfolio holder(s) and has been consulted upon with the relevant scrutiny committees in respect of pre-scrutiny.

6. EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 An Equality Impact Assessment is not needed because the contents of the report are for information purposes only.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications aligned to this report.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 8.1 The report has been prepared in accordance with paragraph 12.1 (Part 4) of the Council's Constitution.

9. LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES.

- 9.1 The Cabinet work programme encompasses all of the Council priorities as it indicates reports coming forward across the Directorates which may impact upon the Council's corporate priorities and others. It also embraces the Future Generations Acts as all future decisions taken by the Cabinet seek to improve the social, economic, environmental and cultural well-being of the County Borough.

10. CONCLUSION

- 10.1 An updated Cabinet work programme for the 2020-2021 Municipal Year is attached.

Other Information:-

Relevant Scrutiny Committee – Overview & Scrutiny Committee

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24TH SEPTEMBER 2020

CABINET WORK PROGRAMME: 2020- 2021 MUNICIPAL YEAR.

**REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES &
COMMUNICATION IN DISCUSSION WITH THE LEADER AND DEPUTY
LEADER OF THE COUNCIL.**

Item: CABINET WORK PROGRAMME: 2020- 2021 MUNICIPAL YEAR.

Background Papers

- Paragraph 12.1 (Part 4) of the Council's Constitution.

Officer to contact: Emma Wilkins, Democratic Services

Cabinet Work Programme.

Forward plan of proposed Cabinet Business for the 2020/21 Municipal Year

Specific Period: -September 2020 – May 2021.

(Summary of proposed Key Decisions coming forward for Cabinet Members consideration.)

N.B – The work programme is subject to change to take account of any additional / deletion of reports, including any new consultative documents or legislative initiatives from the Welsh Government, which require urgent attention.

Contact: Hannah Williams (Tel No. 01443 424062)

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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Chief Executive

Cabinet Work Programme	In line with the Council's Constitution there is a need to advise and publish the Cabinet Work Programme.	Continuous		Every 3 months June 20 September 20 December 20 March 21	Leader of the Council, Councillor A Morgan. Service Director, Democratic Services & Communication – C Hanagan	Open	<ul style="list-style-type: none"> Cabinet Members SLT Overview & Scrutiny
Council's Performance & Resources Report	To provide Cabinet with an overview of the Council's performance, both from a financial and operational perspective	Continuous		Quarter 4 – July 2020 Quarter 1 – September 2020 Quarter 2 – November 2020 Quarter 3 – March 2021	Councillor M Norris. Director of Finance & Digital Services - B Davies	Open	<ul style="list-style-type: none"> Report is presented to Finance & Performance Scrutiny Committee following consideration by Cabinet

SEPTEMBER

Leader's Scheme of Delegation	To formally receive the Leader's Scheme of Delegation following the 2020 Council AGM		Cabinet	September 2020	Leader of the Council, Councillor A Morgan. Service Director, Democratic Services & Communication – C Hanagan	Open	<ul style="list-style-type: none"> Cabinet Members
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Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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Supplementary Capital Programmes – ‘Education and Inclusion Services’ and ‘Highways, Transportation & Strategic projects’	To provide details and obtain approval for phase 2 of the proposed supplementary capital programmes for Education & Inclusion Services and Highways, Transportation & Strategic Projects.		Cabinet	September 2020	Leader of the Council, Councillor A Morgan. Director of Finance & Digital Services – B Davies	Open	
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OCTOBER

Medium Term Financial Plan Update	To provide Members with an update on the Medium Term Financial Plan for 2020/21 – 2023/24 (mid-year budget review)		Cabinet	October 2020	Councillor M Norris. Director of Finance & Digital Services - B Davies	Open	
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Corporate Performance Report	To consider the Council’s Corporate Performance Report and recommend its endorsement by Council		Cabinet	October 2020	Leader of the Council, Councillor A Morgan. Chief Executive – C Bradshaw	Open	
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Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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Regulation of Investigatory Powers Act 2000 (RIPA) - Use of RIPA in 2018-19 by RCTCBC	To enable Members to review the Council's use of the Regulation of Investigatory Powers Act 2000 ('RIPA')		Cabinet	October 2020	Deputy Leader, Councillor M Webber. Director of Legal & Services – A Wilkins	Open	
Budget Consultation Report	To inform Members of the proposed approach to resident engagement and consultation in respect of the 2021 /22 budget.		Cabinet	October 2020	Councillor M Webber Service Director, Democratic Services & Communication – C Hanagan C Hanagan	Open	
Digital Strategy Work - Update	To provide Members with an update in respect of the Digital Strategy Work Programme	Complete	Cabinet	October 2020	Councillor M Norris. Director of Finance & Digital Services – B Davies	Open	
Council Investment Priorities	To consider any potential investment opportunities		Cabinet	October 2020	Leader of the Council Councillor A Morgan. Director of Finance & Digital Services – B Davies		

NOVEMBER

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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Corporate Parenting Board Annual Report	To consider the Annual report of the Corporate Parenting Board.		Cabinet	November 2020	Cllr C Leyshon Service Director, Democratic Services & Communication – C Hanagan C Hanagan		<ul style="list-style-type: none"> Corporate Parenting Board Children & Young People Scrutiny
Cynon Valley Waste Disposal Company Limited and Amgen Rhondda Limited – Annual General Meeting	To provide Members with details of the AGM in respect of the Cynon Valley Waste Disposal Company Ltd and Amgen Rhondda Ltd.		Cabinet	November 2020	Councillor A Crimmings Director of Legal Services - A Wilkins	Exempt	
Council Tax Base	To receive the report in respect of setting the Council Tax Base 2021/22		Cabinet	November 2020	Leader of the Council, Councillor A Morgan. Director of Finance & Digital Services – B Davies	Open	
Corporate Asset Management Plan Interim Update	To brief members on progress with the plan		Cabinet	November 2020	Councillor M Norris. Director of Corporate Estates – D Powell	Exempt	

DECEMBER

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JANUARY

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FEBRUARY

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Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
Budget Report	The need to adopt a budget strategy to recommend to Council as the basis of the budget strategy for the financial year ending March 2022, following consideration of the consultation feedback		Cabinet	February 2021	Leader of the Council, Councillor A Morgan. Director of Finance & Digital Services – B Davies	Open	<ul style="list-style-type: none"> Budget Consultation - Service Users, School Budget Forum and Finance and Performance Scrutiny Committee.
Council Fees & Charges	The need to advise Cabinet of the proposed Council Fees and Charges for the financial year 2021/22		Cabinet	February 2021	Leader of the Council, Councillor A Morgan. Director of Finance & Digital Services – B Davies	Open	
General Data Protection Review Update	To receive an update in respect of the GDPR		Cabinet	February 2021	Councillor M Norris. Director of Finance & Digital Services – B Davies	Open	
Capital Programme	To propose to		Cabinet	February 2021	Leader of the Council,	Open	

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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	Council the three year capital programme				Councillor A Morgan. Director of Finance & Digital Services – B Davies		
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MARCH

Annual Equalities Report	To receive the report of the Director, Human Resources in respect of the Annual Equalities Report.		Cabinet	March 2021	Deputy Leader, Councillor M Webber Director, Human Resources – R Evans	Open	

APRIL

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MAY

Strategic Equality Plan	To provide Members with details of the Councils Strategic Equality plan		Cabinet	May 2021	Deputy Leader, Councillor M Webber Director, Human Resources – R Evans	Open	
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ON GOING UPDATES

The Council's Response to Covid-19	To formally receive a service update on the Council's service response to the	Continuous	Cabinet	When Applicable	Leader of the Council, Councillor A Morgan, Chief Executive – C Bradshaw	Open	<ul style="list-style-type: none"> Cabinet Members SLT Overview & Scrutiny
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Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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	Covid-19 pandemic						
RCT Flooding Update	To receive updates in respect of flooding in Rhondda Cynon Taf in addition to statutory reporting requirements into flooding.		Cabinet	When Applicable	Leader of the Council, Councillor A Morgan, Chief Executive – C Bradshaw		
Brexit	To receive a verbal update in respect of Brexit		Cabinet	When appropriate	Leader of the Council, Councillor A Morgan. Chief Executive – C Bradshaw	Open	
Cardiff Capital Region - City Deal	The need to advise of the progress being made in respect of the City Deal		Cabinet	When Applicable	Leader of the Council, Councillor A Morgan & Chief Executive, C Bradshaw	Open	
Staff Panel Report	To receive details of the proposals put forward by the Council's Staff Panel in respect of efficiency savings and smarter ways of working		Cabinet	When Applicable	Councillor M Webber & Service Director, Democratic Services & Communication - C Hanagan	Open	
Climate Change Cabinet Steering Group	To receive recommendations		Cabinet	When Applicable	Specific to the report	Open	

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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Recommendations	coming forward following consideration by the Climate Change Cabinet Steering Group						
Scrutiny Recommendations	To receive recommendations coming forward following a scrutiny review.		Cabinet	Continuous	Specific to the Scrutiny Review undertaken	Open	
Write off of irrecoverable Debts	To update Cabinet with a position statement on irrecoverable debts		Cabinet	Continuous / When Applicable	Leader of the Council, Councillor A Morgan & Councillor M Norris. Director, Finance & Digital Services – B Davies	Exempt	

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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Prosperity, Development & Frontline Services

SEPTEMBER

Review of Regeneration Business Support Grants	To seek approval to refocus the existing business support grant schemes delivered by the Regeneration Service, and to establish three further schemes – the Town Centre COVID 19 Recovery Grant, the Major Projects Investment Fund and the Flood Resilience Grant.		Cabinet	September 2020	Councillor R Bevan Director of Prosperity & Development - S Gale	Open	
Cynon Gateway North (Aberdare Bypass)	To update Cabinet on the current progress related to the development and delivery of the major transportation		Cabinet	September 2020	Leader of the Council Councillor A Morgan. Group Director – Prosperity, Development & Frontline Services – N	Open	

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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	project: Cynon Gateway North (Aberdare Bypass).				Wheeler		
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OCTOBER

Highways, Transportation And Strategic Projects - Highway Asset Investment Strategy	To provide Members with the highway asset investment strategy		Cabinet	October 2020	Leader of the Council Councillor A Morgan. Group Director – Prosperity, Development & Frontline Services – N Wheeler		
Community infrastructure levy annual monitoring Report	CIL regulations require a report to update Cabinet on the performance of CIL during the last year and make any amendments deemed necessary.		Cabinet	October 2020	Councillor R Bevan Director of Prosperity & Development - S Gale		
Planning Annual Performance Report	To approve the Planning Annual Performance Report , prior to submission to Welsh Government		Delegated Decision	October 2020	Councillor R Bevan Director of Prosperity & Development - S Gale		
Local Development Plan Annual Monitoring Report (AMR)	To approve the LDP annual monitoring report, prior to		Delegated Decision	October 2020	Councillor R Bevan Director of Prosperity & Development - S		

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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	submission to Welsh Government on 31st October				Gale		
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NOVEMBER

S.6 Environment (Wales) Act - Biodiversity Duty	To report to WG on the Council's progress in respect of the Biodiversity duty by end of the year		Cabinet	November 2020	Councillor A Crimmings, Group Director – Prosperity, Development & Frontline Services – N Wheeler		Climate Change Cabinet Steering Group
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DECEMBER

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JANUARY

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Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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Supplementary Capital Programme - Highways, Transportation & Strategic projects	The need to seek approval for detailed investment within the service following Council's approval of the 3 year Capital Programme.		Cabinet	March 2021	Leader of the Council, Councillor A Morgan. Group Director – Prosperity, Development & Frontline Services – N Wheeler	Open	
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APRIL

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MAY

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ONGOING UPDATES

Processing Of Mixed Kerbside Recycling	To provide Members with an update in respect of the opportunities of investment into processing of Mixed Kerbside Recycling		Cabinet		Leader of the Council Councillor A Morgan. Group Director – Prosperity, Development & Frontline Services – N Wheeler	Exempt	
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Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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Highways Investment Scheme	To receive regular updates in respect of the Highways Investment Scheme		Cabinet		Leader of the Council Councillor A Morgan. Group Director – Prosperity, Development & Frontline Services – N Wheeler		
Review of Mainstream School Transport Provision	Need to provide Cabinet with the outcomes of the periodic review of the Council's mainstream School Transport Provision		Cabinet	Periodic Review / when applicable	Leader of the Council, Councillor A Morgan. Group Director – Prosperity, Development & Frontline Services – N Wheeler	Open	
Porth Town Centre Strategy	To receive updates as and when applicable		Cabinet	When appropriate	Councillor R Bevan Director of Prosperity & Development - S Gale		

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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Taff Vale Update and Business Plan	Taff Vale Update Report.		Cabinet	When appropriate	Councillor R Bevan Director of Prosperity & Development - S Gale	Open	
Scrutiny Recommendations	To receive any recommendations coming forward following a scrutiny review.		Cabinet	Continuous / When Applicable	Specific to Scrutiny Review undertaken	Open	<ul style="list-style-type: none"> Scrutiny

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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Community & Children's Services

SEPTEMBER

Establishing a Social Letting Agency	To inform Cabinet of the proposal to establish a Social Letting Agency.		Cabinet	September 2020	Cllr R Lewis Director, Public Health Protection & Community Services	Open	
Approval for RCT Theatres to produce a Digital Christmas Performance	To provide Cabinet Members with information in relation to the proposal for RCT Theatres to produce a digital Christmas performance to share online in December 2020.			September 2020	Cllr R Lewis Director, Public Health Protection & Community Services	Open	
Proposed Extension and Variation to Rhondda Cynon Taf CBC's Dog Control Public Spaces Protection Orders	To inform Members of the outcomes of the public consultation exercise and to seek authority to extend		Cabinet	September 2020	Cllr R Lewis Cllr C Crimmings Director, Public Health Protection & Community Services Group Director,		

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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	the two Public Spaces Protection Orders relating to dog controls in Rhondda Cynon Taf (the Dog Control PSPO's).				Prosperity, Development and Frontline Services		
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OCTOBER

Cwm Taf Safeguarding Annual Plan	To receive the Cwm Taf Safeguarding Annual Plan		Cabinet	October 2020	Councillor G Hopkins, Cllr T Leyshon Group Director Community & Children's Services – G Isingrini	Open	
Firework Controls	To receive information on Firework Controls.		Cabinet	October 2020	Cllr R Lewis Director, Public Health Protection & Community Services		
Social Services Annual Complaints Report	Provide Cabinet with an overview of the operation & effectiveness of the Council's Social Services complaints procedure		Cabinet	October 2020	Councillor G Hopkins Group Director Community & Children's Services – G Isingrini	Open	Health & Wellbeing Scrutiny Committee Corporate Parenting Board

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
Director Social Services Annual Report	To receive the final report of the Director, Social Services prior to its publication		Cabinet	October 2020	Councillors G Hopkins & T Leyshon. Group Director Community & Children's Services – G Isingrini	Open	Children & Young People Scrutiny Committee Health & Wellbeing Scrutiny Committee
NOVEMBER							
Cwm Taf Safeguarding Board Annual Report	In accordance with the SSWB Act, the need to report the Cwm Taf Safeguarding Annual Report to the Cabinet, setting out their priorities for the coming year.		Cabinet	November 2020	Councillor G Hopkins & Councillor C Leyshon Group Director Community & Children's Services – G Isingrini	Open	<ul style="list-style-type: none"> Cwm Taf Safeguarding Board
Cwm Taf Carer's Annual Report	To approve for submission to WG the annual report.		Cabinet	November 2020	Councillor G Hopkins & Group Director Community & Children's Services - G Isingrini	Open	multi agency Cwm Taf Carers Partnership
Specialist Placements	To receive information on Specialist Placements.		Cabinet	November 2020	Councillor C Leyshon Group Director Community & Children's Services – G Isingrini		
DECEMBER							
The Council's response to the Welsh Index of Multiple Deprivation	To receive the Council's response to the Welsh Index		Cabinet	December 2020	CLlr R Lewis Director, Public Health Protection & Community		

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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	of Multiple Deprivation				Services		
Hires and Prices Reviews	To receive information of the review of Hires and Prices		Cabinet	December 2020	Cllr R Lewis Director, Public Health Protection & Community Services		

JANUARY

Publication of 2020 Air Quality Progress Report	To publish the 2020 Air Quality Progress Report		Delegated Decision	January 2021	Cllr R Lewis Director, Public Health Protection & Community Services	Open	
National Adoption Annual Report	To receive the National Adoption Annual Report		Cabinet	January 2021	C Leyshon and Group Director Community & Children's Services – G Isingrini	Open	

FEBRUARY

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MARCH

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Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
APRIL							
MAY							
Provision of Cemeteries within RCT	To receive information on the provision of cemeteries in RCT		Cabinet	May 2021	Cllr R Lewis Director, Public Health Protection & Community Services		
ONGOING UPDATES							
Modernisation of Residential Care and Day Care for Older People – Consultation feedback	To receive the consultation feedback		Cabinet	When Applicable	Councillor G Hopkins, Group Director Community & Children’s Services – G Isingrini		Overview and Scrutiny Committee

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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SS&WB Board Development	To consider any updates as appropriate in respect of the SS&WB Board		Cabinet	Continuous / When Applicable	Councillor G Hopkins. Group Director Community & Children's Services – G Isingrini	Open	
Regional Transformation Agenda	To receive an update on the regional transformation agenda		Cabinet	When Applicable	Councillor G Hopkins and Group Director Community & Children's Services – G Isingrini		
Development of Community Hubs	To consider the development of Community Hubs across the County Borough		Cabinet	Continuous / When Applicable	Councillor R Lewis Director, Public Health, Protection & Community Services	Open	
Extra Care Strategy	To receive update reports on the Councils progress in respect of delivery of the Extra Care Strategy		Cabinet	Continuous / When Applicable	Councillor G Hopkins. Group Director Community & Children's Services – G Isingrini	Open	
Advocacy	To provide Cabinet with an update in respect of advocacy		Cabinet	When Applicable	Councillor G Hopkins and Group Director Community & Children's Services – G Isingrini		
Cwm Taf MASH Annual Report	To receive the Annual report of the Cwm Taf MASH		Cabinet	When Applicable	Councillor G Hopkins. Group Director Community & Children's Services – G Isingrini	Open	

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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Social Services & Wellbeing Act	To provide updates as and when necessary on the Council's duties in respect of the Act		Cabinet	Continuous / When Applicable	Councillor G Hopkins. Group Director Community & Children's Services – G Isingrini	Open	
Local Air Quality Management Reports	To provide details of the Local Air Quality Management Reports		Delegated Decision	Continuous / When Applicable	Councillor R Lewis Director, Public Health, Protection & Community Services	Open	
Scrutiny Recommendations	To receive any recommendations coming forward following a scrutiny review.		Cabinet	Continuous / When Applicable	Specific to Scrutiny Review undertaken	Open	<ul style="list-style-type: none"> Scrutiny

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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Education & Inclusion Services

SEPTEMBER

21st Century Schools and Colleges Programme – Mutual Investment Model Welsh Education Partnership Strategic Partnering Agreement

To provide Members with an update on the Mutual Investment Model (MIM) funding element of Welsh Government's 21st Century Schools and Colleges Programme and to inform Members of progress Welsh Government has made in procuring a private sector partner to assist with the delivery of education and community facilities in Wales, under the MIM 21st Century Schools and Colleges Programme.

Cabinet

September 2020

Councillor J Rosser & Director, Education & Inclusion Services -G Davies

Open

Key Decision	Brief Outline	Report Status	Decision Maker (Cabinet / Delegated Decision (DD))	Proposed Date	Cabinet Member / responsible Officer	Open / Exempt Report	Consultation to be undertaken prior to Decision being made?
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OCTOBER

Foundation Phase, Key Stage 2&3 and Key Stage 4 outcomes for 2019	To provide Members with initial feedback on the Foundation Phase, Key Stage 2, 3 & 4 outcomes for 2019.		Cabinet	October 2020	Councillor J Rosser & Director, Education & Inclusion Services -G Davies	Open	
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NOVEMBER

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DECEMBER

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JANUARY

Key stage 4 and 5 outcomes	To receive the final data from Welsh Government in respect of the Educational Outcomes for RCT		Cabinet	January 2021	Councillor J Rosser & Director, Education & Inclusion Services -G Davies	Open	

FEBRUARY

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MARCH

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Childcare Sufficiency Update - Prescrutiny	The need to provide details of the Childcare Sufficiency Audit undertaken, in line with Welsh Government Requirements		Cabinet	March 2021	Councillor J Rosser. Director, Education & Inclusion Services -G Davies; Childcare Officer - D Humphries	Open	Children & Young People Scrutiny committee
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Supplementary Capital Programme – Education & Inclusion Services	The need to seek Cabinet approval for further detailed investment within the service following Council's approval of the 3 year Capital Programme.		Cabinet	March 2021	Councillor J Rosser. Director, Education & Inclusion Services -G Davies	Open	

APRIL							
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ONGOING UPDATES

Scrutiny Recommendations	To receive any recommendations coming forward following a scrutiny review.		Cabinet	Continuous / When Applicable	Specific to Scrutiny Review undertaken	Open	<ul style="list-style-type: none"> Scrutiny
21 st Century Schools	To receive any updates in respect of the 21 st Century Schools Programme		Cabinet	Continuous / When Applicable	Councillor J Rosser. Director, Education & Inclusion Services -G Davies	Open	

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24TH SEPTEMBER 2020

21ST CENTURY SCHOOLS AND COLLEGES PROGRAMME – MUTUAL INVESTMENT MODEL (MIM) 21ST CENTURY SCHOOLS WELSH EDUCATION PARTNERSHIP – STRATEGIC PARTNERING AGREEMENT (SPA)

REPORT OF THE CHIEF EXECUTIVE IN DISCUSSION WITH THE CABINET MEMBER FOR EDUCATION (COUNCILLOR MRS J ROSSER)

Authors: Mrs Gaynor Davies, Director of Education and Inclusion Services and Miss Andrea Richards, Head of 21st Century Schools

1. PURPOSE OF THE REPORT

The purpose of the report is to:

- 1.1 Provide Members with an update on the Mutual Investment Model (MIM) funding element of Welsh Government's 21st Century Schools and Colleges Programme.
- 1.2 Inform Members of progress Welsh Government has made in procuring a private sector partner to assist with the delivery of education and community facilities in Wales, under the MIM 21st Century Schools and Colleges Programme.
- 1.3 Explain the process and seek Cabinet approval to enter into a Strategic Partnering Agreement with Welsh Education Partnership Co (WEPCo) to facilitate the delivery of education and community facilities. Cabinet are also asked to approve the appointment of Andrea Richards, Temporary Service Director for 21st Century Schools and Transformation and / or Dave Powell, Director of Corporate Estates as 'Participant Representative' to sit on the Strategic Partnering Board.
- 1.4 Request approval to submit the Strategic Outline Business Case for three initial MIM Pathfinder Projects to the Welsh Government. The three Pathfinder Projects are Llanilltud Faerdref Primary School, Pontyclun Primary School and Penygawsi Primary School.
- 1.5 To note that approval to enter into a Project Agreement for any of the Pathfinder Projects will be brought back to Cabinet in future for determination and that agreeing to enter into the Strategic Partnering

Agreement does not commit the Council to enter into contractual arrangements in relation to any projects.

2. RECOMMENDATIONS

It is recommended that Cabinet:

- 2.1 Note the outcome of the Preferred Bidder Stage of the Competitive Dialogue Procedure under the Public Contracts Regulations 2015 as outlined in this report.
- 2.2 Agree to be a party to the execution, delivery and performance of the Strategic Partnering Agreement with the Welsh Education Partnership Co (WEPCo) in September 2020 to facilitate the delivery of a range of infrastructure services and the delivery of education and community facilities.
- 2.3 Approve the Strategic Partnering Agreement at exempt Appendix A of this report and summarised in paragraphs 4.6 to 4.16 and Appendix 1 of this report.
- 2.4 Note that the Strategic Partnering Agreement shall be executed as a deed and attested in accordance with Article 14.05 of Part 2 of the Council's Constitution;
- 2.5 Agree to approve Andrea Richards, Temporary Service Director for 21st Century Schools and Transformation and / or Dave Powell, Director of Corporate Estates for appointment as 'Participant Representative' to sit on the Strategic Partnering Board (SPB);
- 2.6 Agree to begin the Approval Process for New Projects as set out in Schedule 5 of the Strategic Partnering Agreement for the delivery of new school buildings and for a Strategic Outline Business Case for three initial Pathfinder Projects be submitted to the Welsh Government. The three Pathfinder Projects are Llanilltud Faerdref Primary School, Pontyclun Primary School and Penygawsi Primary School. A further report regarding funding arrangements will be brought back to Council for approval at a future date.
- 2.7 Note that formal approval to proceed to deliver any new project including a Pathfinder Project, and to enter into associated legal documentation to facilitate the same including a Project Agreement, would require further approval of the Cabinet

3 REASONS FOR RECOMMENDATIONS

- 3.1 These recommendations continue the Council's ambitious school modernisation agenda and these recommendations are aligned with the 21st Century Schools and Colleges Programme funding criteria. The priorities for this investment are:
- Addressing growth in demand for Welsh medium education
 - Reducing surplus capacity and inefficiency in the system
 - Expansion of schools in areas of increased demand for educational services
 - Addressing condition of educational assets
 - Making assets available for community use where demand exists, to optimise the infrastructure and resources for public services
 - Addressing specific demand for places in Faith Based provision.
- 3.2 To access revenue funding from the 21st Century School and Colleges programme for Band B projects the Council will need to use the Mutual Investment Model (MIM) to access the funding, and WEPCo for delivery. There are no alternative delivery options for such funding.
- 3.3 For projects funded through MIM, Welsh Government finance up to 81%, with the balance of 19% being funded by the Council.

4. BACKGROUND

- 4.1 Members will recall on 18th July 2017, a report was put before Cabinet where members approved the submission of the Strategic Outline Programme (SOP) for Band B of the Welsh Government's 21st Century Schools and Colleges Programme. As stated in the report, Band B has two different funding routes – a capital funding route and a revenue funding route.
- 4.2 The Mutual Investment Model (MIM) is the revenue funding route which enables investment up to a capital value of £500 million across the whole of Wales.
- 4.3 MIM is a platform for delivery of the "Taking Wales Forward" agenda. MIM has been designed to finance major capital projects due to a scarcity of capital funding. It is based on traditional PPP structures but with the following core principles embedded:
- an emphasis on wider community benefits;
 - enhanced stakeholder involvement;
 - public sector equity investment;
 - no soft services; and
 - effective and efficient contract management by the public sector.

- 4.4 The MIM is intended to support additional investment in social and economic infrastructure projects and help to improve public services in Wales. Under the MIM, the private sector partners will build and maintain public assets, and in return the Council supported by funding from the Welsh Government will pay a fee to the private partner, which will cover the cost of construction, maintenance and financing the project. At the end of the contract the asset reverts to the Council.
- 4.5 The Welsh Government has been procuring a private sector partner to work in partnership on the delivery of education and community facilities in Wales, under the MIM 21st Century Schools and Colleges Programme. It will be the only means of delivering revenue funded Band B projects. The Welsh Government has selected a preferred bidder, namely Meridiam Investments II SAS (“Meridiam”). The successful private sector partner and a subsidiary of the Development Bank of Wales (known as WGCo) will be required to form WEPCo, which will deliver infrastructure services to the Participants in Wales.

The Strategic Partnering Agreement (SPA)

- 4.6 The Participants to the arrangements will be a number of Local Authorities and Further Education Institutions. The Participants and WEPCo will enter into a Strategic Partnering Agreement (SPA). The SPA provides the framework and procedures for ensuring that the parties effectively engage over the long term in a collaborative partnering, non-adversarial and open manner to support the effective planning, procurement and delivery of education and community facilities in Wales and the delivery of infrastructure services. The SPA is due to be signed in September 2020.
- 4.7 Under the Strategic Partnering Agreement, WEPCo will be required to provide partnering services to the Participants, including (i) project development and delivery; and (ii) supply chain assembly and management. This may lead to the delivery of revenue supported Band B projects pursuant to a separate Project Agreement or, in due course, capital funded projects could be delivered through this contract structure.
- 4.8 The initial term of the SPA is 10 years. This may be extended by 5 years by any one or more Participants. Under the SPA, WEPCo is required to provide partnering services to the Participants. These services include (i) project development and delivery; (ii) supply chain assembly and management and (iii) other professional services necessary to fund and deliver education and community facilities.

- 4.9 For the first 10 years of the SPA, WEPCo has the exclusive right to provide services to all Participants (as signatories to the SPA) including:
- Project Development Partnering Services to work up new “Qualifying Projects” (only) for delivery (including supply chain assembly, funding and value for money), set out in more detail in Schedule 3 (Partnering Services) of the SPA; and
 - Project Services (design, construction, testing, commissioning and completion of the premises, hard facilities management, and installation of equipment) relating to a “Qualifying Project” subject to it becoming an “Approved Project” within the first 10 years of the SPA and for a MIM Band B project, provided that it has met the criteria set out in Schedule 5 (Approval Process for New Projects) of the SPA.
- 4.10 “Qualifying Projects” means those identified projects at the outset for delivery by WEPCo and all other 21st Century Schools and Colleges (Band B) MIM Programme projects, where such a project has been identified by a Participant required to enable them to provide education based services in the region.
- 4.11 Participants may also ask WEPCo to provide additional services, including:
- Project Services relating to capital projects required for the provision of education sector services (where expressly designated and approved under a Strategic Outline Programme) and/or community services;
 - Strategic Support Partnering Services (such as estate planning, service planning and demonstrating value for money);
 - Project Development Partnering Services in respect of potential new projects, which are not “Qualifying Projects”, but requested by a Participant;
 - Ongoing Partnering Services and/or Project Development Partnering Services after ten years, where the initial term of the SPA has been extended; and
 - Project Services in respect of Qualifying Projects which become “Approved Projects” after 10 years, where the initial term of the SPA has been extended.
- 4.12 If a Participant receives funding for a 21st Century Schools and Colleges Band B MIM Programme project, WEPCo has the exclusive

right to develop proposals for the delivery of that project (Project Development Partnering Services) within the first 10 years of the SPA.

4.13 Therefore, the most likely outcome for a Participant that becomes a party to the SPA is that they proceed to develop a project or projects using the Approval Process in the SPA resulting in the execution of a Project Agreement which will govern the design, build, finance and maintenance of schools or colleges.

4.14 Appendix 1 provides a more detailed summary of the SPA.

4.15 The SPA commits the Participants (i.e. the Council) and WEPCo to work to the following nine (9) key principles:

- to develop close working relationships between WEPCo and the Participants at all levels;
- to focus on achieving the best value for money operational performance within agreed timescales;
- to set in place business and cultural processes to enable the Participants and WEPCo to establish and agree challenging time and performance objectives and to meet or better them;
- to recognise each other's needs, constraints, limitations, capabilities, roles and responsibilities to achieve mutually beneficial outcomes;
- to identify by regular monitoring, weaknesses and strengths in the relationship between and amongst the Participants and WEPCo and to work together to overcome the weaknesses and to build on the strengths;
- to commit to the early recognition and resolution of differences, conflicts and disputes between and amongst the Participants and WEPCo in a 'no surprises' environment;
- to appoint within each of the Participants and WEPCo co-ordinators at senior level who will support, defend and promote the long term strategic partnership between them and its principles of operation;
- to develop openness and trust in a transparent information and data sharing environment; and
- in accordance with the Equality Requirements to positively promote equal opportunities and the Ethical Employment Code by combating discrimination on the grounds of race, ethnicity,

religion, nationality, gender, disability, age or sexuality and promoting good relations between all sections of the community in 'everything we do' including:

- a) Delivering high quality Education Sector Services and (where relevant) Community Services for end users; and
- b) Working with the local community and partners in the public, private or voluntary sectors.

4.16 The Strategic Partnering Board (SPB) will be the guardian vehicle of these commitments.

The Strategic Partnering Board (SPB)

4.17 The SPB will act as the primary mechanism for managing WEPCo's performance. The SPB will be the central forum in which the Participants can work together with WEPCo, Welsh Government and Stakeholder Representatives to ensure that the key principles of the SPA are met. Participant representation will be required on the SPB and is proposed to be Andrea Richards, Temporary Service Director for 21st Century Schools and Transformation and / or Dave Powell, Director of Corporate Estates.

4.18 The SPB's role will be to approve the Strategic Delivery Plan (SDP); ensure any new project proposals are consistent with the SDP; monitor WEPCo's performance against agreed Key Performance Indicators; approve any extension to the SPA term; and approve any proposed disposal of interest in share capital resulting in a loss of control by WEPCo (or subsidiary).

4.19 The Welsh Government have advised that the Council's Representative will be expected to be a senior representative of the Council, with the appropriate authority to make decisions on behalf of the Council. They should be experienced in holding a director or similar position and have the required skills to make the decisions required to be made by the SPB. Consideration will need to be given to any likely conflicts of interest and assurances given that conflicts of interest do not prevent the chosen representative from fulfilling their role as representative, as well as any other role they hold directly in the Council.

4.20 The Council's Representative will attend the SPB meetings at least every three months, together with representatives of each Participant, WEPCo, Welsh Government and other stakeholder representatives as agreed by the Participants. These meetings are to review financial and operating issues and provide strategic input into the partnering arrangements including the exchange of ideas in relation to each of the

Participants' accommodation and service delivery requirements. Appendix 2 provides a more detailed summary of the role of the SPB.

- 4.21 Given their current role within the Council and significant experience in delivering 21st Century School projects, it is recommended that Andrea Richards, Temporary Service Director for 21st Century Schools and Transformation and / or Dave Powell, Director of Corporate Estates undertake the role of Council's Representative on the SPB.

Pathfinder Projects

- 4.22 WEPCo shall, if requested to do so by one or more Participants, develop proposals for the implementation and delivery of new projects including Pathfinder Projects through the Approval Process for New Projects set out in Schedule 5 of the SPA. WEPCo will assist Participants in developing proposals for the delivery of new projects, the preparation of an outline business case and the obtaining of all necessary approvals to progress any new project request by a Participant.
- 4.23 The proposed first tranche of Pathfinder projects are three primary schools in the south of the County Borough. They are all in an area of rapid housing development, and are all in need of investment in order to become fully accessible and brought up to a 21st Century Schools' standard. All three have CLASP buildings on site, have issues with access and have come to the end of their useful life. The three schools are Llanilltud Faerdref Primary School, Penygawsi Primary School and Pontyclun Primary School.
- 4.24 The Welsh Government have used these three potential projects during the WEPCo procurement process as a way of market testing and challenging the interested bidders, and as a result have gathered a lot of data on each of the sites. If these three projects are to be the first to be delivered through MIM then the Welsh Government require a Strategic Outline Business Case to be submitted in the Autumn. It should be noted that none of these projects require a statutory school organisation consultation.
- 4.25 WEPCo will be obliged to meet the Participants' requirements for the delivery of any new project including Pathfinder Projects. Authority to proceed to deliver any new project including a Pathfinder Project, and to enter into a Project Agreement, would require further Council approval and reports will be brought back to Cabinet for determination accordingly.
- 4.26 Appendices 3a and 3b provide a more detailed summary of the Approval Process for New Projects under the SPA.

- 4.27 If agreed, these proposals will result in a significant investment in building new schools and delivering learning environments that will ensure learners have access to high quality 21st Century educational settings.
- 4.28 There is clearly a need to continue to significantly invest in the Council's educational assets, to provide equity so that all RCT pupils can benefit from 21st Century learning environments; to support the new curriculum for Wales; to facilitate broader pupil choice and enhanced pastoral support. The investment aims to create environments that meet individual needs and promote achievement and progression.

What Happens If Approval Is Not In Place By September 30th ?

- 4.29 Welsh Government has strongly encouraged Local Authorities and FEIs to sign up to the arrangements with WEPCo via the SPA regardless of whether they have a MIM Scheme in place as WEPCo also offers Strategic Support Partnering Services which can assist Participants with estates planning or associated activities.
- 4.30 The purpose of the SPA is to enable Participants to proceed to develop a project or projects using the Approval Process for New Projects within the SPA, resulting in the execution of a Project Agreement. In order to benefit from that process Participants need to execute and be a party to the SPA.
- 4.31 There is a mechanism within the SPA that will allow for those Participants (named in the OJEU) to sign up after September 2020 by way of a deed of adherence (**DoA**), although this will create delays:
- (a) Where any Participant is to sign the DoA this will require all existing parties to re-execute the SPA. This will require all Participants to take further decisions to re-enter the SPA, creating delays in the delivery of Pathfinder Projects
 - (b) Where any Participant is not signed up to the SPA by the September 2020 deadline, it is unlikely that they will have a Pathfinder Project or be included in the first Annual Business Plan of WEPCo. This will cause delays in the delivery of any education project

If a Participant were to choose not to sign the SPA or the Deed of Adherence (DoA) and then wanted in the future to access Partnering Services or Project Services from WEPCo, it will not be able to do so in a procurement safe manner.

- 4.32 Similarly, with regards to 21st Century Schools and Colleges Band B funding, if a Participant were to choose not to sign the SPA or the DoA but then wanted to utilise WEPCo to deliver a Band B funded project (whether capital or revenue) in the future, it will also not be able to do so in a procurement safe manner.
- 4.33 Should for example, a Participant secure MIM Band B funding downstream from the Welsh Government for a project not currently identified and it was required to use WEPCo, it would not be able to do so in a procurement safe manner if it had not signed the SPA or the DoA. WEPCo has the exclusive right to develop proposals for the delivery of a 21st Century Schools and Colleges Band B MIM Programme project (Project Development Partnering Services) within the first 10 years of the SPA.
- 4.34 It is therefore recommended that Cabinet approve entering into the SPA as set out this report to ensure that the SPA is completed in the Autumn as planned and that the Council is able to utilise the SPA from its go-live date and proceed with the three Pathfinder Projects.

The Procurement Process

- 4.35 The Welsh Government has been engaged in a competitive dialogue tender process. The aim of the competitive dialogue procedure was to enable the Welsh Government as the contracting authority to "identify the solution or solutions which are capable of meeting its needs". Comprehensive dialogue has been held with each of the Bidders during the Dialogue Process.
- 4.36 On 14th February 2020, three Draft Bids were received. These were reviewed and comments sent back on the Draft Bid submissions to inform the next stage of dialogue. On 20th February a "meet the Bidders" event was held at the Yr Hafod facilities in CP2, officers from the Council's Corporate Estates and Education and Inclusion Services departments were in attendance.
- 4.37 Bidders submitted their Bids by 12 noon on 27th April 2020 and compliant Final Tenders were received from the three bidders. Evaluation meetings took place remotely. Meridiam Investments II SAS ("Meridiam") have been appointed as Welsh Government's preferred bidder.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Assessment and a Children's Rights Impact Assessment will be completed for each project as a part of the Business Case submission process.

- 5.2 Cabinet Members will of course be fully aware and mindful of the general equality duty introduced by the Equality Act 2010 (the “Equality Act”) and the specific public sector equality duties applicable to the Council as a local authority in Wales.
- 5.3 In accordance with the Equality Act, the Council (and consequently Cabinet) when exercising its functions has a general duty to have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act;
 - advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - foster good relations between people who share a protected characteristic and those who do not.
- 5.4 The duty covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status.
- 5.5 The Equality Act outlines that having due regard for advancing equality involves:
- removing or minimising disadvantages suffered by people due to their protected characteristics;
 - taking steps to meet the needs of people from protected groups where these are different from the needs of other people; or
 - encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 5.6 In addition to the general duty the Council must:
- assess the likely impact of proposed policies and practices on its ability to comply with the general duty;
 - assess the impact of any policy which is being reviewed and of any proposed revision;
 - publish reports of the assessments where they show a substantial impact (or likely impact) on an authority’s ability to meet the general duty; and
 - monitor the impact of policies and practices on its ability to meet that duty.

- 5.7 Members will be aware that the Welsh language has official status in Wales which means that the Welsh language should not be treated less favourably than the English language in Wales. Any Equality Impact Assessment will consider the potential impact of any proposal on the Welsh language. Members should also have regard to the Council's [Welsh in Education Strategic Plan 2017-2020](#). Members will recall the [Cabinet report dated 9th April 2019](#) which outlines the Council's continued commitment to investing in Welsh medium provision and increasing the number of Welsh medium places within the county borough in line with Welsh Government's target of achieving one million additional Welsh speakers as detailed in 'Cymraeg 2050'. That report and the Council's WESP should be considered as background papers to this report.
- 5.8 We will seek the advice of the Welsh Language Commissioner in ensuring that the action taken in considering the EIQ and the WESP, is fully compliant with the Welsh Language Standards.

6. FINANCIAL IMPLICATIONS

- 6.1 If the proposals proceed they will be funded by the 21st Century Schools and Colleges Programme, through its MIM model of funding. This is a revenue model of investment which includes a contribution of up to 81% from Welsh Government. The remaining 19% will be funded by the Council.
- 6.2 As outlined above, this funding is subject to approval by the Welsh Government following the submission of the relevant Business Cases.
- 6.3 A report detailing the financial implications and the payment schedule will be presented to Council for approval once final project costs become available.

7. LEGAL REQUIREMENTS

- 7.1 Approval to enter into the Strategic Partnering Agreement (SPA) is an executive function requiring a decision of the Cabinet.
- 7.2 To enter into and participate in the SPA referred to in this report, the Council will be relying upon a number of statutory powers:
- the "well-being" powers contained in section 2 Local Government Act 2000;
 - powers contained in the Education Acts 1996 and 2002;

- the “incidental” provisions of section 111 Local Government Act 1972.
- 7.3 The well-being powers contained in section 2 Local Government Act 2000 permit the Council to do anything which it considers is likely to achieve any one or more of the following objects:
- the promotion or improvement of the economic well-being of their area;
 - the promotion or improvement of the social well-being of their area, and
 - the promotion or improvement of the environmental well-being of their area
- 7.4 In exercising this power the Council has had regard to the requirements of the Well-Being of Future Generation (Wales) Act 2015 ('the Act'). The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
- 7.5 The incidental provisions of section 111 Local Government Act 1972 permit the Council to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.
- 7.6 Entering into the SPA itself does not bind the Council in any way. However, there are certain requirements of the Council when proceeding with Projects as set out in this report and Appendices 1-3. Further, the Council will be required to appoint a representative to act on its behalf in relation to the SPA and the Cabinet is asked to approve the appointment of Andrea Richards, Temporary Service Director for 21st Century Schools and Transformation and / or Dave Powell, Director of Corporate Estates as 'Participant Representative' to sit on the Strategic Partnering Board . The identity of the representative may change at any time following written notice to WEPCo and all other Participants. Each representative may also at any time, by written notice to WEPCo, authorise others to exercise the functions and powers of the Council.
- 7.7 This report seeks authority to approve the use of the Approval Process for New Projects as set out in Schedule 5 of the SPA for the delivery of new school buildings for Llanilltud Faerdref Primary School, Penygawsi Primary School and Pontyclun Primary School as Pathfinder Projects.

- 7.8 It is noted that formal approval to proceed to deliver any new project including a Pathfinder Project, and to enter into associated legal documentation to facilitate the same including a Project Agreement, would require further approval of the Cabinet.

8. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

- 8.1 The Council's Corporate Plan commits to "Continue to invest in improving school buildings, to ensure the County Borough's pupils have the learning environment fit for the 21st Century."

- 8.2 The proposals considered in the report contribute to all 7 well-being goals within the Future Generation (Wales) Act 2015 and due regard has been made to the Five Ways of Working, as contained within the Wellbeing of Future Generations (Wales) Act 2015. This is evidenced below:

- A prosperous Wales
Improving educational outcomes and educational provision are priorities for every project delivered within the 21st Century Schools Programme, contributing to the development of a skilled and well-educated workforce.
- A resilient Wales
Newly constructed schools are built to BREEAM excellent standards and include features such as photovoltaic cells, rain water harvesting systems, and a biodiverse forest schools' area, contributing to a healthier natural environment.
- A healthier Wales
The 21st Century Schools Programme delivers modern and multi-use sports provision and flexible external facilities that not only benefit the school but also the wider community. The benefits of which have a positive effect on health and well-being.
- A more equal Wales
All of our new 21st Century Schools are wholly inclusive and fully accessible. All pupils and parents have the opportunity to choose the school of their choice, be it English medium, Welsh medium or a faith provision. In addition, RCT's home to school transport, which exceeds the Welsh Government's statutory requirements, ensures that all pupils have equitable access to any school regardless of social, economic or geographical factors.

- A Wales of cohesive communities
Community facilities are included within our new schools so that schools can provide an additional role within its community and act as a catalyst for creating a local community focus. Facilities include dedicated community rooms, childcare settings, as well as sports facilities that can be used out of hours thus increasing the connectedness of learners and non-learners from different communities.
- A Wales of vibrant culture and thriving Welsh language
RCT's WESP sets out the Council's vision and objectives to increase the number of Welsh learners; improve the quality of the provision and the educational outcomes; and ensure there is suitably trained and qualified educational workforce. This Plan is a key policy and informs the 21st Century Schools and Education Programme. The proposals will increase the availability of Welsh medium school places in Rhondda Cynon Taf.
- A globally responsible Wales
The larger 21st Century Schools projects are procured using the Official Journal of the European Union (OJEU). This is the publication in which all tenders from the public sector which are valued above a certain financial threshold according to EU legislation, must be published, advertising opportunities on a global scale.

8.3 An assessment of the proposals on The Well-being and Future Generations Act's five ways of working follows:

<p><u>Long Term</u> (The importance of balancing short term needs with the need to safeguard the ability to also meet long term needs)</p>	<p>How does your project / activity balance short-term need with the long-term and planning for the future?</p> <p>Maintaining the existing provision of educational premises within Rhondda Cynon Taf places enormous strain on the Council resources. It is recognised that there is an opportunity through the 21st Century Schools and Colleges Programme to manage these pressures more efficiently in future years.</p> <p>The long term vision for RCT education is to provide all learners with the best opportunity possible to achieve their full potential through the means of education by providing access to the very best learning opportunities with modern, flexible, accessible facilities appropriate for delivering the new curriculum.</p>
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	Improved learning environments will act as a stimulus to creating a better future for through delivering brand new 21st Century Schools facilities for our young pupils.
<u>Prevention</u> (How acting to prevent problems occurring or getting worse may help public bodies meet their objectives)	How does your project / activity put resources into preventing problems occurring or getting worse?
	The Council recognises the challenges of providing everyone with the facilities and opportunities to receive an excellent education in 21 st Century facilities. These proposals will enhance and improve the educational environments for all learners affected.
<u>Integration</u> (Considering how the public body's well-being objectives may impact upon each of the wellbeing goals, on their objectives, or on the objectives of other public bodies)	How does your project / activity deliver economic, social, environmental and cultural outcomes together?
	These proposals will deliver an increase in school places in the south of the County Borough. They will provide opportunities for wider community collaboration and participation, a more sustainable and accessible educational building meeting BREEAM targets, while providing a more integrated and improved learning experience.
<u>Collaboration</u> (Acting in collaboration with any other person (or different parts of the body itself) that could help the body meet its well-being objectives)	How does your project / activity involve working together with partners (internal and external) to deliver well-being objectives?
	If these proposals are to go ahead then collaboration and consultation will be undertaken to ensure that all stakeholders have an opportunity to shape the 21 st Century Schools' provision to ensure benefits and well-being opportunities are maximised.
<u>Involvement</u> (The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves)	How does your project / facility involve stakeholders with an interest in achieving the well-being goals? How do those stakeholders reflect the diversity of the area?
	Moving forward, engagement with learners, staff and RCT residents will continue and input and information gleaned will shape the new school facilities. In addition, information gathered will influence and inform our future projects so all consultation undertaken shapes the legacy of the 21 st Century Schools Programme.

9. CONCLUSION

- 9.1 The Council is responsible for delivering high educational standards and efficient education provision that serves our local communities. This is achieved by ensuring that the right schools, are the right size, are in the right location and are fit for the 21st Century learner.
- 9.2 To continue to build upon the success of the significant improvements delivered to the Council's education assets through the Band A 21st Century Schools investment, Members are asked to:
- Agree to approve Andrea Richards, Temporary Service Director for 21st Century Schools and Transformation and / or Dave Powell, Director of Corporate Estates for appointment as 'Participant Representative' to sit on the Strategic Partnering Board (SPB);
 - Agree that a Strategic Outline Business Case, for three initial Pathfinder Projects, be submitted to the Welsh Government for the construction of new schools for Llanilltud Faerdref Primary School, Pontyclun Primary School and Penygawsi Primary School.
- 9.3 Agree to be a party to the execution, delivery and performance of the Strategic Partnering Agreement with the Welsh Education Partnership Co (WEPCo) in September 2020 to facilitate the delivery of a range of infrastructure services and the delivery of education and community facilities;

10. APPENDICES

Exempt Appendix A	<p>Strategic Partnering Agreement (SPA) – Engrossment version</p> <p>Containing associated legal documents:-</p> <ul style="list-style-type: none"> - SPA – Schedule 3 – Section 3 – Strategic Partnering Agreement KPIs - SPA – Schedule 7 – Section 1 – Template MIM Education Project Agreement - SPA - Schedule 7 – Section 1 – Authority’s Construction Requirements (Section 3 of Schedule 6 of the template MIM Project Agreement) - SPA – Schedule 7 – Section 1 – MIM – Payment Mechanism (Schedule 14 of the template MIM Project Agreement) - SPA – Schedule 7 – Section 1 – MIM – Service Level Specification (Section 1 of Schedule 12 of the template MIM Project Agreement) - SPA – Schedule 7 – Section 2 – MIM – Template Education Design & Build Development Agreement - SPA – Schedule 7 – Section 3 – MIM Template WEPCo Shareholders’ Agreement - SPA – Schedule 7 – Section 4 – MIM – Template Project Co Shareholders’ Agreement
Appendix 1	Strategic Partnering Agreement Summary
Appendix 2	Strategic Partnering Board Summary
Appendix 3	Approval Process for New Projects and Flow Diagram

11. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers

- 11.1 Council's [Welsh in Education Strategic Plan 2017-2020](#)
- 11.2 Cabinet Report of 9th April 2019 – 'Planning for Welsh Medium Education Places' – Report of the Director of Education and Inclusion in discussion with the Cabinet Member for Education (Councillor Joy Rosser).

Reasons for exemption

- 11.2 Part B of this report is not for publication by virtue of paragraphs 14 and 16 of Schedule 12A of the Local Government Act 1972 as it contains information classified as exempt under Schedule 12A that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 11.3 In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Other Information:-

Relevant Scrutiny Committee: Children and Young People

Background Papers

Contact Officer

Lisa Howell, Business and School Organisation Manager - 01443 744062

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24TH SEPTEMBER 2020

**21ST CENTURY SCHOOLS AND COLLEGES PROGRAMME – MUTUAL
INVESTMENT MODEL (MIM) 21ST CENTURY SCHOOLS WELSH
EDUCATION PARTNERSHIP – STRATEGIC PARTNERING AGREEMENT
(SPA)**

**REPORT OF THE CHIEF EXECUTIVE IN DISCUSSION WITH THE
CABINET MEMBER FOR EDUCATION (COUNCILLOR MRS J ROSSER)**

Background Papers

Council's [Welsh in Education Strategic Plan 2017-2020](#)

Cabinet Report of 9th April 2019 - PLANNING FOR WELSH MEDIUM
EDUCATION PLACES - REPORT OF THE DIRECTOR OF EDUCATION AND
INCLUSION IN DISCUSSION WITH THE CABINET MEMBER FOR
EDUCATION (COUNCILLOR JOY ROSSER)

By virtue of paragraph(s) 14, 16 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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WEP STRATEGIC PARTNERING DELIVERY MODEL

SUMMARY OF STRATEGIC PARTNERING AGREEMENT

1 INTRODUCTION¹

- 1.1 The WEP Strategic Partnering Agreement (**SPA**) is the agreement entered into between the Local Authorities and Further Education Institutions (**Participants**)² and WEPCo (being the joint venture company established between the Private Sector Delivery Partner (**PSDP**) and a subsidiary of the Development Bank of Wales).
- 1.2 The SPA provides for how the parties act together over the long term in a collaborative partnering, non-adversarial and open manner to support the effective planning, procurement and delivery of education and community facilities in Wales and the delivery of infrastructure services.
- 1.3 The SPA sets out the high level principles that underpin the delivery of the parties' obligations; the behaviours, vision and values of WEPCo; the establishment of a framework that promotes excellence and value for money; and the monitoring and management of WEPCo's performance.
- 1.4 Under the SPA, WEPCo will be required to provide **partnering services** to the Participants. These services include (i) project development and delivery; (ii) supply chain assembly and management and (iii) other professional services necessary to fund and deliver education and community facilities.
- 1.5 The initial term of the SPA is 10 years. This may be extended by 5 years by any one or more Participants. Certain protections in the SPA continue in force beyond the term of the SPA until the end of the last associated Project Agreement entered into by the Participant(s) for the delivery of individual education facilities.
- 1.6 WEPCo will have the sole and exclusive right for the term of the SPA to nominate a subsidiary of the PSDP (which will be a special purpose vehicle that holds the majority of voting rights, or a wholly owned subsidiary of such a company) (**Project Co**) to deliver MIM Projects, provided that the relevant criteria in the SPA are met. Approved MIM Projects will be developed by WEPCo, but delivered by Project Co which will enter into a Project Agreement with the relevant Participant to deliver the relevant MIM Project.
- 1.7 Participants will be able to request that WEPCo, or a nominated wholly owned subsidiary of WEPCo, provides other **project services** such as the delivery of design and build capital projects for education or community facilities under the SPA, provided that the relevant criteria in the SPA are met. WEPCo and/or its subsidiaries shall enter into all required agreements for the delivery of capital projects and/or FM services directly with the relevant Participant, which in the case of education sector capital projects shall be substantially in the form of the Template Education Design and Build Development Agreement appended to the SPA.

2 NEW PROJECTS

- 2.1 WEPCo shall, if requested to do so by one or more Participants, develop proposals for the implementation and delivery of new projects by a Project Service Provider. For MIM Projects, the Project Service Provider will be the Project Co that will be created for such purpose and for other approved projects shall be WEPCo or a Subsidiary of WEPCo. The role of WEPCo will include the raising of finance, project development, project management and supply chain assembly and management of a new project up to contractual/financial close, during the construction period and operational period.

¹ Capitalised terms have the meaning provided for in the Strategic Partnering Agreement unless otherwise stated.
² Note those named as a "Contracting Authority" in the OJEU notice will be entitled to sign and enter into the SPA.

- 2.2 The obligations on WEPCo and the relevant Participant in relation to the identification, approval and delivery of a new project are set out in Schedule 5 (*Approval Process for New Projects*).
- 2.3 For an overview of Schedule 5 and a flow chart outlining the Approval Process for New Projects, please see **separate guidance**.
- 2.4 WEPCo is obliged to assist Participants in developing local delivery plans, which will form the basis of an annual Strategic Delivery Plan (**SDP**) developed between the Participants and WEPCo. The Participants' requirements for new projects will in most cases be initiated through the inclusion of such projects in the latest edition of the SDP.
- 2.5 WEPCo will assist Participants in developing proposals for the delivery of new projects, the preparation of an outline business case and the obtaining of all necessary approvals to progress any new project request by a Participant.
- 2.6 With each approved new project, WEPCo will (or will procure a Project Service Provider will) enter into a Project Agreement, a template form of which is appended to the SPA at Schedule 7 (*Template Project Agreements*). For an overview of the Template Project Agreement, please see **separate guidance**. For every MIM Project, the Project Service Provider will enter into a Shareholders' Agreement to establish the relevant Project Co.³
- 2.7 WEPCo must evidence value for money both at the beginning and continuously throughout the development and delivery of new projects in accordance with Schedules 3 (*Partnering Services*), 5 (*Approval Process for New Projects*) and 6 (*New Project Pricing Report*).
- 2.8 The Participants will develop with WEPCo the approach to supply chain assembly for the delivery of a new project, the market testing of design and construction, hard facilities management services and the funding of the new project to ensure value for money. WEPCo and the relevant Participant(s) will work together to ensure that the pricing of a new project provides the relevant Participant(s) with robust, transparent and auditable information as to the costs, fees and prices included within WEPCo's proposals.
- 2.9 WEPCo shall, for all projects, monitor and update (where applicable) the predicted capital, whole life cost and any increase or reduction in estimated costs, the final cost of design and construction and the actual cost of maintaining and repairing each project. WEPCo will be expected to demonstrate to Participants through a WEPCo Performance Report and Annual Review, lower costs and/or greater value for money over the term of the SPA.
- 2.10 Planning permission for approved projects to be delivered by WEPCo must be obtained by WEPCo prior to signing the relevant Project Agreement.

3 PARTNERING SERVICES

- 3.1 WEPCo may provide a range of Partnering Services to Participants.
- 3.2 These fall into three categories:
 - 3.2.1 Ongoing Partnering Services;
 - 3.2.2 Project Development Partnering Services; and
 - 3.2.3 Strategic Support Services.

³ This will be substantially in the form of the Template Project Co Shareholders' Agreement appended to the SPA.

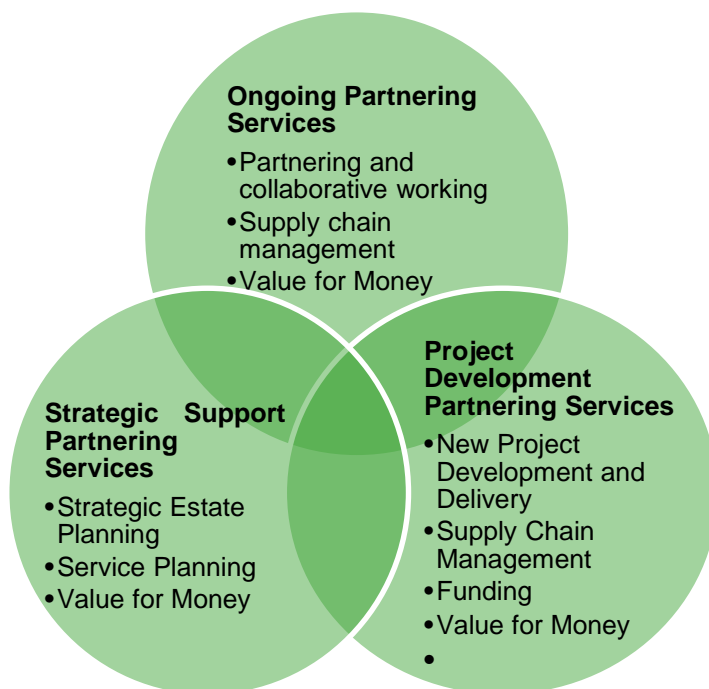


Figure 1 WEPCo Partnering Services

- 3.3 WEPCo shall provide **Ongoing Partnering Services** to the Participants that relate to the day to day operation of WEPCo, the fostering of partnering and collaborative working between the parties, supply chain management and the delivery of value for money.
- 3.4 WEPCo shall provide **Project Development Partnering Services** to implement and deliver projects identified in the SPA and all other 21st Century schools and colleges (Band B) MIM Programme Projects (**Qualifying Projects**) in accordance with the specification, KPIs (including community benefits) and rates set out in Schedule 3 (*Partnering Services*). The role of WEPCo is to develop proposals for a Qualifying Project to meet the Participant's Requirements including affordability and other agreed approval criteria (services, operational, financial and value for money). The scope and specification of the services to be provided by WEPCo will be agreed between WEPCo and the relevant Participant on a project by project basis, together with the approval criteria.
- 3.5 The relevant Participant will remain as "sponsor" for business case approval purposes. The role of WEPCo will be to support the relevant Participant in preparing agreed outputs at each business case approval stage for the delivery of a Qualifying Project.
- 3.6 WEPCo shall also, where requested, provide **Strategic Support Partnering Services**, to support Participants in strategic estate planning and strategic services planning to plan education sector services and where requested, community services. These are discrete, consultancy support services that may be required by Participants. The Participants and WEPCo will jointly develop a Strategic Delivery Plan for the delivery of new accommodation requirements.
- 3.7 WEPCo must monitor the performance of each of the Partnering Services and Project Services at its own cost and expense, meet value for money requirements and demonstrate continuous improvement wherever practicable achieved through agreed KPIs, as developed in accordance with the SPA throughout the term.
- 3.8 For all Partnering Services, WEPCo must provide the Partnering Services in compliance of the WEP Objectives and all objectives set out in the SDP agreed between the Participants and WEPCo. All Partnering Services must meet the requirements for Value of Money set out in clause 13 and seek to obtain continuous improvement in providing the services.

Payment for Partnering Services

- 3.9 Clause 10 of the SPA governs what WEPCo is entitled to charge a Participant for the provision of Partnering Services.
- 3.10 WEPCo recovers Partnering Services Costs relating to Ongoing Partnering Services and Project Development Partnering Services in accordance with Schedule 4 (*Partnering Services Costs*) of the SPA. Partnering Services Costs are recovered either from the Participant on a “pay as delivered” basis, or as a lump sum at financial close of the relevant approved Project, or such costs are rolled into the financial model for the relevant approved Project and are repaid over the term of the relevant Project Agreement.
- 3.11 WEPCo recovers the costs incurred for the delivery of Strategic Support Partnering Services on a “pay as delivered” basis or as otherwise agreed with the relevant Participant procuring such services from WEPCo. The quantum of such costs will be calculated by reference to the rate card which will be included at Schedule 4 (*Partnering Services Costs*).

Subcontracting of Partnering Services

- 3.12 WEPCo is able to subcontract its obligations in respect of the whole or part provision of the Partnering Services to a Partnering Subcontractor but will remain responsible to the relevant Participants for the provision of the contracted out services.
- 3.13 WEPCo is responsible for ensuring the performance by the Supply Chain Members of their obligations under the relevant Supply Chain Agreements.
- 3.14 On the expiry or earlier termination of the SPA, the handover provisions set out in Schedule 20 (*Handover on Expiry or Termination*) will apply. Any staff engaged in the delivery of Partnering Services will transfer under TUPE regulations to the relevant Participant or third party successor provider of services.
- 3.15 For further detail on the scope of Partnering Services in Schedule 3 (*Partnering Services*) and Schedule 4 (*Partnering Services Costs*), please see **separate guidance**.

4 PROJECT SERVICES

- 4.1 WEPCo is responsible for providing **Project Services** to Participants. These are services required under a Project Agreement in relation to the design, construction, testing, commissioning and completion of premises (including any temporary works) and the installation of equipment, together with the provision of facilities maintenance (FM) services.
- 4.2 The SPA acknowledges that Participants may have existing providers in place to provide their accommodation requirements and associated services. WEPCo agrees to work with Participants to ensure the existing providers are treated fairly and that the individuals providing the existing services are, where possible, employed by the Project Service Provider.

5 EXCLUSIVITY

- 5.1 The Participants grant WEPCo the sole and exclusive right for the 10 year term of the SPA to provide:
 - 5.1.1 Ongoing Partnering Services
 - 5.1.2 Project Development Partnering Services in respect of projects identified in the SPA and 21st Century Schools and Colleges (Band B) MIM projects (**Qualifying Projects**)
 - 5.1.3 Project Services in respect of Qualifying Projects that become Approved Projects (as developed through Schedule 5 (*Approval Process for New Projects*)).

After 10 years exclusivity will not apply.

5.2 Participants may request WEPCo to deliver other services:

- 5.2.1 Project Services relating to Major Capital Projects in the education sector, save for MIM projects for a specified period;
- 5.2.2 Project Services relating to capital projects required for the provision of education sector services or community services;
- 5.2.3 Project Services in relation to the provision of FM Services required for the provision of education sector services or community services (not provided as part of any Qualifying Project);
- 5.2.4 Strategic Support Partnering Services;
- 5.2.5 Ongoing Partnering Services and/or Project Development Partnering Services after 10 years (where the term of the SPA has been extended);
- 5.2.6 Project Development Partnering Services in respect of potential New Projects which are not Qualifying Projects.

The above services are not subject to exclusivity.

5.3 The benefits of exclusivity include:

- 5.3.1 Participants will not have to embark on another regulated procurement for the delivery of Partnering Services or Project Services for the lifetime of the SPA.
- 5.3.2 Participants can be assured of the appropriate level of commitment from WEPCo to foster the development of a successful partnership and outcomes over the long term.
- 5.3.3 Participants can be assured regarding value for money and continuous improvement for the delivery of a pipeline of new projects.
- 5.3.4 Delivery of economies of scale over time through the growth of the WEPCo estate.

5.4 Exclusivity can be suspended if WEPCo fails the “Track Record Test” and will not apply until WEPCo passes a subsequent Track Record Test. This is an assessment of whether in the most recent WEPCo Performance Report shared with Participants on an annual basis, WEPCo has met specified KPIs (including those that relate to community benefits) as evidenced.

6 REPRESENTATIVES AND STRATEGIC PARTNERING BOARD (SPB)

- 6.1 Each Participant will appoint a representative to act on its behalf in relation to the SPA. The identity of the Participant’s Representative may change at any time following written notice to WEPCo and all other Participants. Each Participant Representative may also at any time, by written notice to WEPCo, authorise others to exercise the functions and powers of that Participant.
- 6.2 The SPB governs the relationship between WEPCo and the Participants. It will comprise of representatives of each Participant, WEPCo, Welsh Government and other stakeholder representatives as agreed by the Participants.
- 6.3 The SPB will meet at least every three months to review financial and operating issues and provide strategic input into the partnering arrangements including the exchange of ideas in relation to the Participants’ accommodation and service delivery requirements.

- 6.4 A quorum of the SPB is proposed to be five Participant's Representatives (one of whom must be a representative of the Welsh Government) and the WEPCo Representative. For any adjourned meeting, the quorum shall be one Participant's Representative (who must be a representative of the Welsh Government) and the WEPCo Representative. WEPCo and stakeholder representatives will not have a vote at SPB meetings. Decisions will be taken by majority vote. A decision that affects a Participant will only bind it if that Participant's representative has voted in favour of it.
- 6.5 The SPB will approve the annual Strategic Delivery Plan, ensure New Project proposals are consistent with the SDP, manage WEPCo's performance against agreed KPIs, approve any extension to the SPA term and approve any proposed disposal of interest in share capital resulting in a loss of control by WEPCo (or subsidiary).
- 6.6 WEPCo will be obliged to report on its KPIs which will be reviewed by the SPB annually. The SPB will assess whether the Track Record Test has been passed and if any significant performance failure has occurred. Any dispute shall be resolved under Schedule 21 (*Dispute Resolution Procedure*).

7 DEFAULT

Participant Default

- 7.1 Participant Event of Default includes:
 - 7.1.1 one or more Participants being in breach of clauses 9.1, 9.2 and 9.6 (exclusivity clause);
 - 7.1.2 one or more Participants failing to attend SPB meetings which has a material adverse effect on WEPCo or any Project Service Provider;
 - 7.1.3 one or more Participants being in breach of the SPA which delays the execution of any Project Agreement relating to an Approved Project by more than 40 Business Days;
 - 7.1.4 an expropriation, sequestration, nationalisation or requisition of any Facilities or assets and/or shares of WEPCo or its Holding Company or Project Service Provider by a Participant or any other Relevant Authority (where this occurs due to a Relevant Authority, all Participants will be deemed responsible for the Event of Default); and
 - 7.1.5 any non-payment by a Participant under the SPA exceeding £100,000 60 Business Days after demand.
- 7.2 Where a Participant Event of Default occurs, WEPCo may either:
 - 7.2.1 suspend their performance of the SPA in relation to the Participant in default until that Participant can demonstrate to WEPCo's reasonable satisfaction it is capable of performing their obligations; or
 - 7.2.2 notify the Participant of the Event of Default.

If the Participant Event of Default is capable of remedy and has not been remedied within 30 Business Days or is not capable of remedy with immediate effect, WEPCo may either serve notice on each Participant in default terminating the SPA in relation to them with immediate effect or simply notify the Participants in default of the effect their default has had. Any Participants in default will be liable to pay compensation to WEPCo in accordance with section 1 of Schedule 14 (*Compensation on Participant Event of Default and Termination*). If the SPA is terminated in its entirety by the default, compensation under section 2 of Schedule 14 (*Compensation on Participant Event of Default and Termination*) will be payable.

- 7.3 If a Participant is served a Participant Default Notice more than once in any 12 months, it will not receive Project Development Partnering Services or any Strategic Support Partnering Services unless paid monthly in arrears.

- 7.4 The Participants have several liability, other than where two or more Participants have suffered an Event of Default leading to a termination of the SPA, in which case, the loss of WEPCo will be split between the defaulting Participants.

WEPCo Default

- 7.5 The SPA provides for a long list of circumstances which constitute a WEPCo Default including amongst others, WEPCo breaching the SPA, WEPCo failing to provide the Partnering Services, WEPCo breaching health and safety laws; WEPCo failing to pay Participants under the SPA which exceeds £10,000 for 60 Business Days on demand; WEPCo or a Project Service Provider suffering an Insolvency Event; and WEPCo (or WEPCo Party) committing a Prohibited Act.
- 7.6 On a WEPCo Event of Default, each Participant can (acting through the Welsh Government) suspend the exclusivity granted to WEPCo which will include any New Projects that have not yet reached Stage 2 approval. The Participants can lift that suspension at any time and the suspension of exclusivity will be lifted on remedy of the default and where the PSDP shares in WEPCo are sold.
- 7.7 The SPA provides for an escalation of remedies following a WEPCo Event of Default, proportionate to the severity of the default, which may be exercised by the Participants (acting through Welsh Government). These include: suspension of exclusivity; requiring a remediation programme to be implemented; an improvement programme to satisfy Participants that the events will not recur; termination of a non-performing supply chain member; and ultimately termination of the SPA.
- 7.8 WEPCo will reimburse each Participant for all reasonable costs incurred by each Participant as a result of WEPCo's breach of the SPA.

8 WEPCO INDEMNITIES

- 8.1 As would be expected under a long term partnering agreement, the SPA includes provisions under which WEPCo indemnifies the Participants, and the Participants indemnify WEPCo, for certain losses. These are limited to Direct Losses, and exclude Indirect Losses (such as loss of profit and loss of business opportunity), and further Participants partially exclude their liability for their negligence (see below) and claims in tort.
- 8.2 The scope of the indemnity provided by WEPCo is slightly wider than the Participants' indemnities to WEPCo, as the Participants' indemnities are limited to Direct Losses sustained by WEPCo as a consequence of any negligent act or omission by that Participant (or a Participant Party relating to that Participant) relating to the performance or non-performance of the Participant's obligations under the SPA, or a breach of an express provision of the SPA by that Participant. The indemnities provided by WEPCo relate to any act or omission of WEPCo (not just its negligence or breach of an express obligation).
- 8.3 The indemnities cover death and/or personal injury, damage to assets of the other party and third parties. In each case (and subject to the overriding limitation on the scope of the Participants' indemnities described in above), each party is liable for Direct Losses sustained in consequence of any claim for death and/or personal injury of their own employees or persons engaged by them, notwithstanding any act or omission of the other party.
- 8.4 In respect of death or personal injury to third parties, and damage to property, each party indemnifies the other for Direct Losses they cause (save to the extent caused or contributed to by the Participant's own negligence (where WEPCo is indemnifying the Participant) or WEPCo's own acts or omissions (where the Participant is indemnifying WEPCo). Physical damage to property is typically an insured risk, and the indemnity given by the Participants to WEPCo excludes insured losses. Where damage to property has been caused (or contributed to) by the Participant's own negligence, and they are claiming under the WEPCo indemnity, the Participant is responsible for the deductibles under any policy of insurance, and any sums over the maximum amount required to be insured under the SPA insurance policies.

9 DISPUTE RESOLUTION

- 9.1 Disputes are dealt with in accordance with the resolution procedure set out in Schedule 22 (*Dispute Resolution Procedure*). If a Dispute occurs, the parties must consult in good faith. If that is unsuccessful, the Dispute must be escalated to senior personnel. If that is unsuccessful, the Dispute will be escalated to mediation and failing that to arbitration. The exception to this is where a party requires an order restraining another party from doing any act or compelling another to do any act or a judgement for a liquidated sum where there is no arguable defence.

10 INSURANCE

- 10.1 The insurances listed in Schedule 9 (*Insurances*) and any others required by law must be taken out by WEPCo, subject to insurance being available in the market to cover WEPCo in its role during the lifetime of the SPA. The insurance will cover any indemnity claims against WEPCo in relation to any death or bodily injury or third party property damage arising out of or in connection with the Partnering Services.
- 10.2 If a Project Service Provider notices a risk becoming an Uninsurable Risk under the relevant Project Agreement, the Participants and WEPCo will hold a SPB meeting within 7 Business Days and will use their reasonable endeavours to agree a position with regards to the risk within 20 Business Days of notice.

11 INTELLECTUAL PROPERTY RIGHTS

- 11.1 WEPCo grants a free, irrevocable, non-exclusive and transferable (but only to any assignee or transferee of any rights or benefits under the SPA or following termination of the SPA) licence to each Participant to use the Intellectual Property Rights which are vested in WEPCo and where possible, where vested in third parties. WEPCo will indemnify Participants where they receive a claim as a result of the Participant infringing third party Intellectual Property Rights (other than as a result of the Participant acting outside of the terms of the SPA).

12 ASSIGNMENT AND SUBCONTRACTING

- 12.1 WEPCo cannot assign or dispose of the SPA without the prior written consent of the Participants, other than where granting security rights in a form approved by the Participants prior to grant.
- 12.2 A Participant cannot assign or dispose of the SPA other than to a limited set of organisations set out in clauses 28.4.1 to 28.4.4, including the Welsh Ministers, an agency of the Welsh Ministers, Government or Local Authority, any other Further Education Corporation or Designated Institution or any person with the legal capacity or sufficient financial resources to perform the obligations of the Participant. Depending on the transferee, the obligations may need to be guaranteed by the Participant.

Bevan Brittan LLP

11 May 2020

WEP STRATEGIC PARTNERING DELIVERY MODEL

ROLE OF THE STRATEGIC PARTNERING BOARD (SPB)

1 INTRODUCTION¹

- 1.1 The WEP Strategic Partnering Agreement (**SPA**) is the agreement entered into between the Local Authorities and Further Education Institutions (**Participants**)² and WEPCo (being the joint venture company established between the Private Sector Delivery Partner (**PSDP**) and a subsidiary of the Development Bank of Wales).
- 1.2 The purpose of the SPA is to establish a long term partnership (initial term of 10 years, which may be extended by 5 years) between WEPCo and the Participants. The SPA provides for the creation of the Strategic Partnering Board (**SPB**); this paper summarises the role of the SPB in the context of the SPA.

2 THE SPA KEY PRINCIPLES

- 2.1 The SPA commits the Participants and WEPCo to work to the following nine (9) key principles, and the SPB is the guardian vehicle of these commitments.
- 2.2 The key principles of the SPA are:
 - a) to develop close working relationships between WEPCo and the Participants at all levels;
 - b) to focus on achieving the best value for money operational performance within agreed timescales;
 - c) to set in place business and cultural processes to enable the Participants and WEPCo to establish and agree challenging time and performance objectives and to meet or better them;
 - d) to recognise each other's needs, constraints, limitations, capabilities, roles and responsibilities to achieve mutually beneficial outcomes;
 - e) to identify by regular monitoring, weaknesses and strengths in the relationship between and amongst the Participants and WEPCo and to work together to overcome the weaknesses and to build on the strengths;
 - f) to commit to the early recognition and resolution of differences, conflicts and disputes between and amongst the Participants and WEPCo in a 'no surprises' environment;
 - g) to appoint within each of the Participants and WEPCo co-ordinators at senior level who will support, defend and promote the long term strategic partnership between them and its principles of operation;
 - h) to develop openness and trust in a transparent information and data sharing environment; and
 - i) in accordance with the Equality Requirements to positively promote equal opportunities and the Ethical Employment Code by combating discrimination on the grounds of race, ethnicity, religion, nationality, gender, disability, age or sexuality and promoting good relations between all sections of the community in 'everything we do' including:

¹ Capitalised terms have the meaning provided for in the Strategic Partnering Agreement unless otherwise stated.

² Note those named as a "Contracting Authority" in the OJEU notice will be entitled to sign and enter D

- a) Delivering high quality Education Sector Services and (where relevant) Community Services for end users; and
- b) Working with the local community and partners in the public, private or voluntary sectors.

3 SPB MECHANICS

3.1 SPB Structure

The SPB will comprise of:

- a) one representative from each of the Participants;
 - b) one representative of WEPCo, nominated by the board of directors of WEPCo;
 - c) one additional representative of Welsh Government (at Welsh Government's discretion); and
 - d) a reasonable number of Stakeholder Representatives interested in or affected by Education Sector Services and/or Community Services;
- 3.1.1 Participant Representatives are expected to be senior representatives of the Participant, with the appropriate authority to make decisions on behalf of the Participant. They should be experienced in holding a director or similar position and have the required skills to make the decisions required to be made by the SPB. Participants will need to consider any likely conflicts of interest and ensure that conflicts of interest do not prevent the chosen representative from fulfilling their role as representative as well as any other role they hold directly in the Participant organisation.
- 3.1.2 The identity of a Participant's Representative in the SPB may change at any time following written notice to WEPCo and all other Participants.
- 3.1.3 A Participant Representative may also give written notice to WEPCo authorising others to exercise the functions and powers of that Participant at SPB meetings.
- 3.1.4 A Chairman will be appointed on an annual basis from amongst the Participants' Representatives. Save where agreed to the contrary by the Participants, it is intended that the post of Chairman will rotate annually amongst the Participants' Representatives in turn. The Chairman will be non-voting in his capacity as Chairman.

3.2 SPB Meetings

- 3.2.1 The SPB will meet regularly at least every 3 months to provide strategic input into how the partnering established by the SPA is operating, and to review financial and operating (including performance) issues.
- 3.2.2 Agendas for SPB meetings will be circulated on behalf of the Chairman five (5) Business Days in advance (with supporting papers) and any party wishing to raise other agenda items will notify all other members of the SPB (with supporting papers) in writing no later than three (3) Business Days in advance.
- 3.2.3 The SPB must have a quorum of five (5) Participants' Representatives (one of whom must be a representative from Welsh Government) and a WEPCo Representative. If a quorum is not present at any meeting of the SPB within thirty (30) minutes of that meeting's start time, the SPA requires that the meeting is adjourned to the same time and place five (5) Business Days later. For any adjourned meeting, the quorum shall be one Participant's Representative (who much be a representative of the Welsh Government) and the WEPCo Representative. Telephone conference calls or video conferences shall be valid as a meeting of the SPB.

- 3.2.4 The Participants must arrange for a person to take minutes of all SPB meetings and circulate the same to all representatives and the Chairman within five (5) Business Days after the relevant meeting.
- 3.2.5 All members of the SPB are obliged to use reasonable endeavours to ensure their regular attendance at all meetings and each Participant will, unless unavoidable, ensure that its representative on the SPB is appropriately empowered to agree matters on its behalf.
- 3.2.6 Each Participant is required to use reasonable endeavours to ensure that its representative on the SPB conducts himself in accordance with the partnering principles contained in the SPA and in a manner intended to ensure that the SPB complies with its obligations and carries out its functions in a timely manner.
- 3.2.7 Decisions will be taken by a majority vote. WEPCo and Stakeholder Representatives will not have a vote at SPB meetings. A decision that affects a Participant will only bind it if that Participant's representative has voted in favour of it.

4 PARTNERING SERVICES

- 4.1 The SPB will serve as a forum for the open exchange of ideas, and will enable the Participants to discuss their forthcoming accommodation and service delivery requirements to ensure an integrated co-ordinated and practical approach to fulfilling such requirements.

4.2 The Strategic Delivery Plan

The Strategic Delivery Plan (**SDP**) will set out objectives based on Participants' local delivery plans and will be developed annually between the Participants and WEPCo. The SPB will be required to approve:

- 4.2.1 the initial SDP put forward in accordance with Section 1 of Schedule 11 (*Initial SDP*); and
- 4.2.2 any amendments made to the SDP in accordance with Section 2 of Schedule 11 (*Updated SDP*).

4.3 The Management System

The SPB shall be required to approve the following systems established by WEPCo:

- 4.3.1 a quality management system for the purpose of ensuring and demonstrating that all aspects of the Partnering Services and all other matters for which WEPCo is responsible under the SPA are carried out fully in conformity with the relevant provisions of SPA and WEPCo's quality management policies and objectives;
- 4.3.2 an appropriate system for implementing WEPCo's occupational health and safety (**OH&S**) policies and objectives to enable it to control its OH&S risks and improve its OH&S performance over time; and
- 4.3.3 an appropriate system for achieving and demonstrating sound environmental performance by controlling the impacts of WEPCo's activities, products and services on the environment, consistent with its environmental policy and objectives.

4.4 The Partnering Services Costs Rates

- 4.4.1 WEPCo is required to provide report of the Partnering Services rates and prices by reference to:
 - a) other relevant local and national trends;
 - b) the rates and prices actually paid by WEPCo for similar services (where WEPCo has used Good Industry Practice to secure best value in respect of those services);

and taking account of value for money objectives set out in the Key Performance Indicators and the outcomes of the Partnering Services Supply Chain Refresh.

- 4.4.2 The SPB shall decide whether to approve any proposal of an increase or decrease of, or no change to the rates.

5 MANAGING WEPCO PERFORMANCE

- 5.1 The SPB will act as the primary mechanism for managing WEPCo's performance.
- 5.2 WEPCo will be required to regularly monitor and report to the SPB on its performance (and its Partnering Subcontractors) under the SPA, of the Project Service Providers and the Supply Chain Members under Project Agreements.
- 5.3 Within twenty (20) Business Days of each Review Date, WEPCo will issue to the SPB the WEPCo Performance Report, which will detail a review of whether each of the Key Performance Indicators has been met.
- 5.4 In less than one (1) month of the Review Date in that year, the SPB will hold a formal Annual Review of the operation of the SPA and WEPCo's performance in the context of the targets and objectives in the SDP and the Key Performance Indicators. As part of this review, the SPB (excluding for such purposes WEPCo's representative) will review WEPCo's progress against the partnership objectives in the SPA and the WEPCo Performance Report and the SPB and WEPCo shall agree any key findings from such review together with the implications relating to WEPCo's future activities.
- 5.5 The SPB shall be entitled to require information and/or clarification from WEPCo in relation to the WEPCo Performance Report including as to whether or not the Track Record Test has been passed and, whether any Significant Performance Failure has occurred.

6 APPROVAL PROCESS OF NEW PROJECTS

- 6.1 In respect of New Projects, the SPB will work with WEPCo and Participants to:
- 6.1.1 identify, analyse and discuss the Participants' collective and individual accommodation requirements;
 - 6.1.2 assist in the development of local delivery plans and review their applicability to the provision of Education Sector Services and Community Services in the Region;
 - 6.1.3 develop further the SDP, in particular to further refine the proposals contained in the SDP;
 - 6.1.4 decide the basis upon which New Projects are prioritised;
 - 6.1.5 identify and appraise available options for meeting the Participants' accommodation requirements and recommend (on the basis of best available value for money) which New Projects to progress;
 - 6.1.6 advise how best to bundle accommodation requirements within a New Project to ensure that the New Project is Affordable, offers value for money and provides a solution with an appropriate level of flexibility;
 - 6.1.7 take into consideration the views of relevant stakeholders in relation to the SDP and actual or potential New Projects;
 - 6.1.8 develop the Participants' requirements in relation to New Projects (which will be developed further during the Stage 2 Approval process) to enable it to form the basis for the agreement of the relevant Project Agreement;

- 6.1.9 analyse and discuss the range of potential funding options for New Projects including the feasibility of third party funding such as sponsorship when considering and developing a New Project;
- 6.1.10 assist in the preparation of outline business cases and obtaining all necessary approvals; and
- 6.1.11 for any New Project in respect of which such Participant(s) has/have indicated an intention to submit a New Project Request, agree:
 - a) the appropriate Comparator for purposes of determining any adjustments to the Project Development Fee Cap pursuant to paragraph 2 of Schedule 4 (Partnering Services Costs) in respect of such Comparator; and
 - b) each part of the Project Development Fee Cap for each stage.
- 6.2 Where the potential Relevant Participant(s) and WEPCo are unable to agree the matters referred to in paragraph 6.1.11 above within a period of three (3) months, the SPB shall determine such matters.
- 6.3 The SPB should be provided with copies of both the Stage 1 and Stage 2 Submissions and will provide a forum for discussion of whether the submissions meet the Approval Criteria. Approval of the New Projects is ultimately decided by the Relevant Participant(s).

7 EXTENDING THE SPA TERM

- 7.1 The term of the SPA may be extended for an additional five (5) years after the Initial ten year term. The SPB will meet twelve (12) months before the Initial Expiry Date to review:
 - 7.1.1 the performance of the Parties under the SPA and, in particular, the performance of WEPCo in delivering the Partnering Services to the performance standards set out in Clause 8.1 (*Services Obligations*);
 - 7.1.2 the Education Sector Services and Community Services needs of the population within the Region; and
 - 7.1.3 whether it would be beneficial to the provision of all or any of the Education Sector Services and/or Community Services in the Region to extend this Agreement for a further five (5) year period from the Initial Expiry Date.
- 7.2 It will then be decided by WEPCo and one or more of the Participants whether to extend the term of the SPA by five (5) years from the Initial Expiry Date.

8 DISPOSAL OF PROPERTIES AND/OR SHARES

- 8.1 SPB approval will be required in respect of any action, which would result in a loss of control (direct or indirect) by WEPCo of any Subsidiary of WEPCo, which is a Project Service Provider. The SPB is obliged to act reasonably and without undue delay, taking into account any proposals put forward. If the SPB does not approve the proposed action, WEPCo must use all reasonable endeavours to procure that its Subsidiary and/or the relevant Project Service Provider shall not proceed with that proposed action.
- 8.2 It will be deemed to constitute a material breach of the SPA by WEPCo if:
 - 8.2.1 any Project Service Provider takes any action under its Project Agreement, which under the terms of such agreement, requires the SPB's consent without such consent having first been obtained, or
 - 8.2.2 WEPCo or any Subsidiary of WEPCo takes any action, which requires the SPB's consent or agreement under the SPA without such consent or agreement having first been obtained.

9 INSURANCE

- 9.1 Where a Project Service Provider for a MIM Project has notified a Project Agreement Counterparty of a risk becoming an Uninsurable Risk (pursuant to the provisions of the relevant Project Agreement), the Participants and WEPCo must ensure that a meeting of the SPB is held as soon as is reasonably practicable (and in any event within seven (7) Business Days of receipt by the Project Agreement Counterparty of such notice).
- 9.2 At that meeting the SPB will consider the situation and the parties will work together to use all their respective reasonable endeavours to obtain an agreed position from the SPB in relation to the risk becoming an Uninsurable Risk within twenty (20) Business Days of the Project Service Provider notifying the Project Agreement Counterparty as described above.

10 CONCLUSION

The SPB will be the central forum in which the Participants can work together with WEPCo, Welsh Government and Stakeholder Representatives to ensure that the key principles of the SPA are met. The SPB's role will be to approve the SDP; ensure any New Project proposals are consistent with the SDP; monitor WEPCo's performance against agreed KPIs; approve any extension to the SPA term; and approve any proposed disposal of interest in share capital resulting in a loss of control by WEPCo (or subsidiary).

WEP STRATEGIC PARTNERING DELIVERY MODEL

APPROVAL PROCESS FOR NEW PROJECTS

1 INTRODUCTION

- 1.1 The WEP Strategic Partnering Agreement (**SPA**) is the agreement entered into between the Local Authorities and Further Education Institutions (the **Participants**) and WEPCo (being the joint venture company established between the Private Sector Delivery Partner and a subsidiary of the Development Bank of Wales).
- 1.2 Schedule 5 of the SPA sets out the procedure by which WEPCo and the Participants will work together to agree which New Projects will be taken forward and approved for development by WEPCo and on what basis. Schedule 5 sets out a two stage Approval Process for such New Projects. The approval process (as discussed in more detail below) shall only apply in relation to Qualifying Projects regardless of whether the period of ten (10) years from the Commencement Date has expired.
- 1.3 The Parties may agree to utilise this process (amended as appropriate) in respect of other Project Services under Clause 9.3 but are not obliged to do so.
- 1.4 A flow diagram outlining the Approval Process for New Projects is appended to this guidance note at Appendix A.
- 1.5 Capitalised terms in this guidance note shall have the meaning given to them in the SPA unless otherwise defined in this guidance note.

2 OBLIGATIONS OF THE PARTIES

How are New Projects identified at the outset?

- 2.1 WEPCo will work with Participants to develop local delivery plans (addressing Participants' requirements) which will form part of the annual Strategic Delivery Plan (**SDP**). WEPCo will then review the applicability of the SDP to the provision of education services in the Participant's Region to decide which New Projects should progress. The SPB shall ensure that WEPCo's proposals for New Projects are consistent with delivery of the latest SDP.

How far will WEPCo's role extend in developing New Projects and obtaining approval?

- 2.2 Paragraphs 2.1 and 2.2 of Schedule 5 lists WEPCo's general obligations in developing New Projects. WEPCo has a full set of obligations, including:
 - 2.2.1 identifying Participants' requirements for future New Projects;
 - 2.2.2 prioritising New Projects and advising on best timeframes for New Projects;
 - 2.2.3 engaging with stakeholders and advising on the preferred funding options;
 - 2.2.4 preparing outline business cases;
 - 2.2.5 obtaining all necessary approvals;
 - 2.2.6 agreeing an appropriate Comparator for determining adjustments to the Project Development Fee Cap; and
 - 2.2.7 agreeing each part of the Project Development Fee Estimate..
- 2.3 WEPCo shall (pursuant to Paragraph 2), without entitlement to specific or additional payment, work with the Participants and other members of the Strategic Partnering Board (**SPB**) to (including but not limited to) analyse and discuss the range of potential funding options for New Projects, as well as

develop the Participants' requirements in relation to New Projects (as more explicitly set out in Paragraphs 2.2.1 to 2.2.11).

What are the Participants expected to do by way of the Approval Process for New Projects?

- 2.4 Paragraph 2.3 of Schedule 5 sets out the Participants' obligations, which mainly includes obligations of co-operation with WEPCo, including providing necessary information; identifying its needs and funding opportunities (including benchmarks); and providing assistance in obtaining necessary Consents.
- 2.5 Each Participant will co-operate with WEPCo in its performance of its obligations (as set out in Paragraphs 2.2.1 to 2.2.11) in relation to any New Project or any potential New Project being developed by WEPCo. Where the potential Participant and WEPCo are unable to agree the matters referred to in paragraph 2.2.11 within a period of three (3) months, the SPB shall determine such matters.

3 NEW PROJECT REQUEST

- 3.1 Any Participant wishing to procure a New Project (**Relevant Participant**) shall first submit a New Project Request to WEPCo to produce a Stage 1 Submission (Paragraph 3.1). This New Project Request will need to set out matters, including but not limited to, the Affordability Cap, Specific Requirements, a clear detailed Project Brief and any requirements in relation to a New Project that must be satisfied as part of a Stage 1 Submission and/or Stage 2 Submission (as set out more explicitly in Paragraphs 3.1.1 to 3.1.3).
- 3.2 WEPCo shall be entitled (pursuant to paragraph 3.2) to raise any queries and request clarification from the Participant in relation to the New Project Request to enable it to fully assess the request and provide a meaningful response.
- 3.3 WEPCo shall then (in accordance with Paragraph 3.3) confirm in writing to the Participant, within twenty (20) Business Days of receipt of a New Project Request, whether it will submit a Stage 1 Submission to the Participant. If WEPCo confirms that it does not intend to do so, or fails to give the necessary confirmation, then the Participant shall be entitled to procure such New Project outside the terms of the SPA and shall not be in breach of the exclusivity provisions as set out in Clause 9 of the SPA (Exclusive Nature of this Agreement).
- 3.4 It is important to note that where the reason for WEPCo not proceeding is the Affordability Cap being unrealistically low, the parties shall (pursuant to Clause 3.3.1) work together in good faith to seek to agree an alternative Project Brief and/or Affordability Cap which will form the basis of a revised New Project.
- 3.5 If the parties fail to agree such terms within six (6) months of WEPCo's original confirmation, the Participant shall be entitled to procure the New Project outside the terms of the SPA and shall not be or be deemed to be in breach of the Clause 9 exclusivity provisions. If the New Project is a Qualifying Project and they commence to procure such New Project prior to the expiry of ten (10) years from the Commencement Date at a substantially greater cost than the Affordability Cap, the Clause 9 exclusivity provisions will still apply.

4 STAGE 1 SUBMISSION AND APPROVAL

- 4.1 Upon WEPCo's confirmation of the New Project Request, WEPCo will (pursuant to Paragraph 4.1) produce outline proposals for New Projects, which develop and are consistent with the SDP where so requested. This is known as the Stage 1 Submission.
- 4.2 All Stage 1 Submissions will be produced within three (3) months (or such longer period up to a maximum of six (6) months where necessary) from the New Project Request. A Stage 1 Submission shall (as set out in Paragraph 4.2) be produced in accordance with the relevant Partnering Services Method Statement (to be incorporated into the SPA) and contain as a minimum (more expressly set out in Paragraphs 4.2.1 to 4.2.13):

- 4.2.1 a value for money assessment in respect of the New Project Request;
- 4.2.2 a concept design (to RIBA Stage 2) of the New Project;
- 4.2.3 a desktop study meeting the requirements of the Partnering Services Method Statements, site investigation studies and environmental impacts (as appropriate and as set out in Clause 4.2.3 more explicitly);
- 4.2.4 confirmation as to whether the New Project requires the transfer of properties by the Participant to WEPCo, to a Project Service Provider, or to a wholly owned Subsidiary of WEPCo;
- 4.2.5 the identity of the contractual structure and proposed corporate structure;
- 4.2.6 a schedule of all material amendments required to the New Project Specific Project Agreement and template Project Agreement for MIM Projects taking into account the Approval Criteria;
- 4.2.7 the identity of the Participant and/or other parties who will become Project Agreement Counterparties;
- 4.2.8 an explanation as to how the New Project fits into the service delivery strategy as set out in the latest SDP;
- 4.2.9 the effect (if any) on any employees of the Participant or relevant third party service providers;
- 4.2.10 a planning brief;
- 4.2.11 a maximum time period for submission of a Stage 2 Submission on the assumption that the New Tender Project achieves Stage 1 Approval;
- 4.2.12 the proposed Project Development Fee Estimate; and
- 4.2.13 a BIM Execution Plan.
- 4.3 The Stage 1 Submission must also be accompanied by a copy of the most recent WEPCo Performance Report and confirmation as to whether or not the Track Record Test has been passed at the date of submission of the Stage 1 Submission.
- 4.4 In developing a Stage 1 Submission, WEPCo shall (pursuant to Paragraph 4.3) liaise with the Participant and relevant end users as necessary to ensure the best available value for money is achieved through the appropriate consideration of all viable options and informed choices by WEPCo, stakeholders and the Relevant Participant(s). WEPCo shall also be obliged to enter into the Project BIM Agreement for the New Project and comply with its obligations thereunder. The Participant shall also (pursuant to Paragraph 4.4) without prejudice to the requirements of Schedule 6 of the SPA, provide WEPCo with such information as to its requirements and other inputs as WEPCo may reasonably require.
- 4.5 As part of its preparation for each Stage 1 Submission, WEPCo shall, save in respect of Pathfinder Projects, carry out a desktop study of the relevant site or sites and report to the Participant of such studies (in accordance with Paragraph 4.5).
- 4.6 Following receipt of a Stage 1 Submission by the Participant, (pursuant to Paragraph 4.6), the Participant shall have a period of two (2) months from the date of receipt of the Stage 1 Submission in which to notify WEPCo that it approves or rejects the Stage 1 Submission. If approved, this then becomes a Stage 1 Approved Project (Paragraph 4.6).

- 4.7 WEPCo's costs in relation to the preparation of a Stage 1 Submission that has been submitted in accordance with Paragraph 4 of Schedule 5 shall be borne by WEPCo unless in certain circumstances e.g. where the New Project subsequently becomes an Approved Project and the relevant costs are included as part of the Project Development Fee for such Approved Project (as more explicitly set out in Paragraphs 4.8.1 – 4.8.3).
- 4.8 It should be noted that if a Stage 1 Submission does not become a Stage 1 Approved Project, then in certain limited circumstances (as set out in detail in Paragraphs 4.9.1 – 4.9.3 including but not limited to where the New Project in question is not a Qualifying Project, then the Participant shall be entitled to procure the New Project outside the terms of the SPA and shall not be deemed to be in breach of the exclusivity provisions as set out in Clause 9 of the SPA, unless (in the case of Paragraph 4.9.1(a)) they seek to commence procurement of such New Project during any period when exclusivity in respect of the Participant has been reinstated pursuant to Clause 9.7, Clause 23.3 or Clause 23.10.1.
- 4.9 Finally, in relation to the Stage 1 Submission, where in respect of a New Project demolition of an existing facility is anticipated within the scope of a New Project and an Asbestos Management survey has not been carried out by the Participant and included within the New Project Request, WEPCo, shall then procure an Asbestos Management Survey with the support and guidance of the Participant, in accordance with the provisions as set out in Paragraphs 4.10.1 to 4.10.5.

5 STAGE 2 SUBMISSION AND APPROVAL

- 5.1 Once the Stage 1 Submission becomes a Stage 1 Approved Project, WEPCo, will (pursuant to Paragraph 5.1) when requested to do so in writing by the Participant, provide further Project Development Partnering Services to proceed regularly and diligently to develop a Stage 1 Approved Project into a detailed submission. This is known as a Stage 2 Submission. This shall then be presented to the Participant as soon as reasonably practicable and in any case within the maximum period specified in the Stage 1 Submission.
- 5.2 WEPCo shall, in developing a Stage 2 Submission (pursuant to Paragraph 5.2) continue to liaise with the Participant and relevant end users (Paragraph 5.2.1) and WEPCo shall be obliged to comply with its BIM protocol obligations under the Project BIM Agreement and submit a BIM Execution plan to the Participant within one month of commencing Stage 2.
- 5.3 As part of the Stage 2 process, the Participant shall provide WEPCo with any such information as to its/their requirements (including the Specific Requirements) and other inputs as WEPCo may reasonably require and shall assist WEPCo in the review of any draft designs and proposals in relation to the Stage 2 Submission (Paragraph 5.3.1) and generally co-operate with WEPCo in relation to any Stage 2 Submission (Paragraph 5.3.2).
- 5.4 WEPCo shall produce each Stage 2 Submission in accordance with the relevant Partnering Services Method Statement and shall procure that the Stage 2 Submission shall address all issues that have a potential impact on risk and/or price in respect of the proposed New Project and shall include as a minimum (including but not limited to and as set out in more detail in Paragraphs 5.4.1 to 5.4.18):
- 5.4.1 a value for money assessment in respect of the option given Stage 1 Approval;
 - 5.4.2 terms for the transfer of properties agreed between WEPCo and the relevant Participants or third parties;
 - 5.4.3 a mark-up of the Project Specific Project Agreement with Project Co's proposals;
 - 5.4.4 detailed design work (to RIBA Stage 4) and submission of relevant building warrant applications;
 - 5.4.5 requirements for planning approvals and all associated costs;
 - 5.4.6 an explanation as to why the Stage 2 Submission meets the Approval Criteria (as set out below);

- 5.4.7 a timetable setting out the stages and timescales for the period between achieving Stage 2 Approval and the execution of the Project Agreement in relation to that New Project;
 - 5.4.8 commitment letters from any proposed tenants or sub-tenants of the Facilities;
 - 5.4.9 details of the competency assessments undertaken and the results of the same, in respect of the potential 'Principal' Contractor for purposes of the CDM Regulations;
 - 5.4.10 the Corporate Structure of the Project Service Provider;
 - 5.4.11 a draft Project Co Shareholders' Agreement relating to any New Project which is a MIM Project;
 - 5.4.12 fully developed sub-contracts for each of the Contractor and (in the case of MIM Projects) the Service Provider and any relevant [Key Sub-Contractors]¹;
 - 5.4.13 details of the proposed security package; and
 - 5.4.14 commitment letters from the senior funders confirming acceptance of the documents submitted by WEPCo (in the case of MIM Projects).
- 5.5 The Approval Criteria consists of the criteria against which any New Project is judged in determining whether it achieves Stage 2 Approval. The criteria are set out in Paragraphs 5.5.1 to 5.5.10 in more detail, but include (and are not limited to) a requirement that the cost of the New Project is within the Affordability Cap; that it has been demonstrated that the New Project provides value for money; and that the New Project meets the Specific Requirements.
- 5.6 After the above has been complied with, WEPCo shall then submit its Stage 2 Submission to the Participants, copied to SPB (Paragraph 5.6). It is then expected that the SPB will provide a forum for discussion of such Stage 2 Submission. If, acting reasonably, the Participant finds that any material aspects of the Stage 2 Submission are unsatisfactory to them, the Participant shall notify WEPCo of the same and offer reasonable assistance to WEPCo to address such deficiencies.
- 5.7 Within sixty (60) Business Days of the later of submission to the Participant of a Stage 2 Submission and the date on which WEPCo provides them with all reasonable further information that has been requested and provided, the Participant shall give written notice of whether they reject or approve the Stage 2 Submission (as per Paragraph 5.7). If approved, this becomes a Stage 2 Approved Project.
- 5.8 Alternatively, the Participant may give notice that they reject the New Project on the grounds set out in Paragraph 5.7.2. One of the grounds is that there has been a change to the Affordability Cap since the New Project Request which has rendered the New Project not Affordable. If WEPCo has not been notified of the Participant decision then they shall be deemed to have rejected the New Project (Paragraph 5.8). In certain limited circumstances, where the Participant has rejected the New Proposal, WEPCo may be entitled to recover its Incurred Project Development Fee and procure the New Project outside the terms of the SPA (Paragraph 5.10).
- 5.9 Where a New Project has been rejected by the Relevant Participant on the grounds that it did not meet the Approval Criteria (Paragraph 5.7.2(b)), WEPCo shall be entitled, should it wish to do so, to refer the matter for consideration under the Dispute Resolution Procedure within ten (10) Business Days after receiving notice of the Rejection by the Participant (Paragraph 5.11).
- 5.10 Where a New Project becomes an Approved Project, WEPCo shall (pursuant to Paragraph 5.14) carry out further work to develop appropriate Project Agreements to implement the Approved Project on the terms of the Stage 2 Submission. The Participant shall (as set out in Paragraph 5.15) notify WEPCo

¹ Where applicable.

in writing as soon as they become aware of any matter which may adversely affect the viability of any New Project.²

- 5.11 The Participant shall then provide all reasonable assistance to WEPCo in relation to the procurement by WEPCo of all relevant Consents and the entering into of the relevant Project Agreement (Paragraph 5.16) and WEPCo shall (pursuant to Paragraph 5.18) novate all of its past, present and future rights, obligations and liabilities under a Project BIM Agreement to the Project Service Provider on or prior to the date of execution of the Project Agreement for the Approved Project.

6 CHANGES TO THE RELEVANT PARTICIPANT REQUIREMENTS

- 6.1 If there are any material variations to the Specific Requirements, Affordability Cap or Approval Criteria, in relation to a New Project by the Relevant Participant after a Stage 1 Submission has been submitted, then (pursuant to the provisions of Paragraph 6.1), WEPCo and the Relevant Participant shall negotiate in good faith as to the implications on the Stage 1 Submission and/or Stage 2 Submission (as appropriate) and shall seek to agree the changes to accommodate such variations.
- 6.2 The Participant may, (pursuant to Paragraph 6.2) at any time, give notice in writing to WEPCo that they propose to cancel a New Project without completing the Stage 1 Submission and Stage 2 Submission process (Paragraphs 3 to 5). This is known as a Cancellation Notice.
- 6.3 Where the Participant issues a Cancellation Notice to WEPCo, the Participant shall (pursuant to Paragraph 6.2) pay WEPCo the Incurred Project Development Fee in respect of the cancelled New Project. The relevant date for calculation being the date of the Cancellation Notice.
- 6.4 It is important to note that, unless the period of ten (10) years after the Commencement Date has expired then, to the extent the New Project in question is a Qualifying Project, the Participant shall not be entitled to procure the Required Facilities and/or the provision of the Project Services outside the terms of this Agreement without recommencing this New Project Approval Process.

7 SUSPENSION OF EXCLUSIVITY

- 7.1 Where the Participant exercises any right to suspend exclusivity in accordance with Clause 9.7, Clause 23.3 or 23.10.1 of the SPA, while WEPCo is preparing a Stage 1 Submission or a Stage 2 Submission in respect of any New Project, then (pursuant to Paragraph 7) the Participant may notify WEPCo at any time while such suspension subsists to cease work on producing the relevant Stage 1 Submission or Stage 2 Submission.
- 7.2 In such circumstances, WEPCo shall then cease work and the Participant shall pay WEPCo the Incurred Project Development Fee in respect of the relevant New Project with the relevant date for calculation being the date of the notice from the Participant.

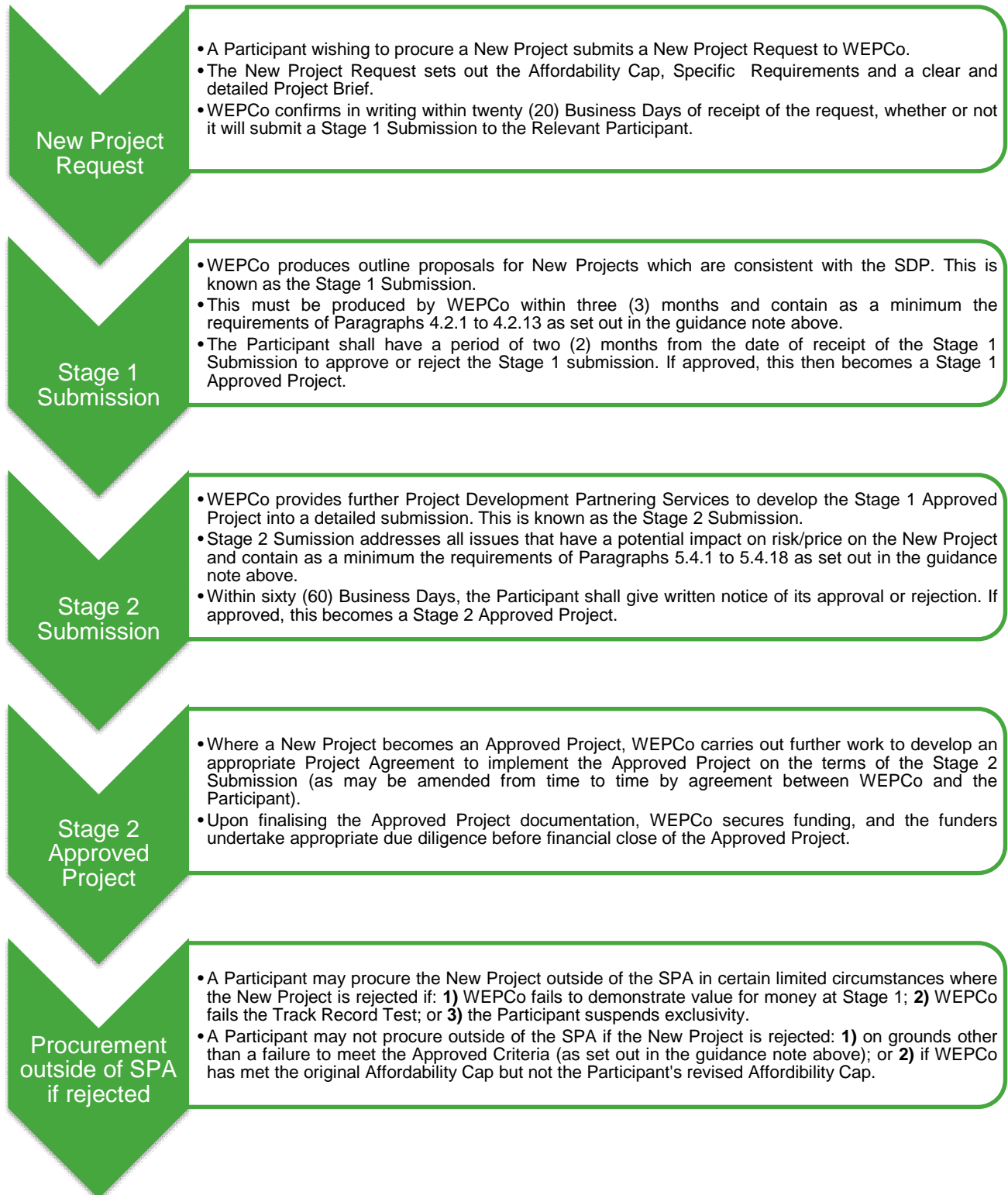
8 SURVEYS

- 8.1 Where WEPCo recommends that surveys, studies and/or investigations (other than desktop studies) are required for the purposes of a Stage 1 Submission, WEPCo will procure such surveys, studies and/or investigations on the terms and at prices agreed with the Participant.
- 8.2 The cost of the surveys, studies and/or investigations will be payable by the Participant to WEPCo within twenty five (25) Business Days of receipt of a valid invoice. This cost will not form part of the Project Development Fee unless the Participant and WEPCo agree to the contrary.

² The provisions of Paragraph 5.15 shall not apply to any Relevant Participant which is a Local Planning Authority exercising its functions as such.

APPENDIX A

APPROVAL PROCESS FOR NEW PROJECTS





RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24TH SEPTEMBER 2020

THE COUNCIL'S SUPPLEMENTARY CAPITAL PROGRAMMES 2020/21

REPORT OF THE DIRECTOR OF FINANCE AND DIGITAL SERVICES IN DISCUSSION WITH THE LEADER OF THE COUNCIL, CLLR A MORGAN

Author: Barrie Davies (01443 424026)

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to provide details and obtain approval for phase 2 of the proposed supplementary capital programmes for Education & Inclusion Services and Highways, Transportation & Strategic Projects.

2. RECOMMENDATIONS

It is recommended that:

- 2.1 The phase 2 schemes shown in the relevant appendices are agreed.
- 2.2 Any schemes that are not complete by the end of the financial year are carried forward into 2021/22 which will be reported via the quarterly performance reports and when setting the Capital Programme for 2021/22 onwards.
- 2.3 Resources are aligned over the current 3 year capital programme in line with the progress of the schemes.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To enable required capital works in school premises and across the highways and transportation network to continue to be delivered.

4. BACKGROUND

- 4.1 The Council's three-year capital programme 2020/21 to 2022/23 was agreed by Council on 4th March 2020. Capital budget allocations were agreed for programmes of work within Education & Inclusion Services and Highways, Transportation & Strategic Projects. The reports in the appendices provide

information and breakdowns of those budget allocations to an individual scheme level.

4.2 The following supplementary capital programme reports are attached:

- Appendix A – Education & Inclusion Services
- Appendix B – Highways, Transportation & Strategic Projects

4.3 These reports are ordinarily considered by Cabinet, however due to the circumstances with Covid19 restrictions when formal Cabinet meetings were suspended, the phase 1 schemes were approved by an Urgent Decision of the Leader on 4th May 2020.

4.4 The appendices attached to each report provide breakdowns of budget allocations to an individual scheme level. These appendices have been updated to show the individual schemes in two phases:

- Phase 1 schemes are those that were planned to be progressed in the first 5 months of the financial year and have previously been agreed;
- Phase 2 schemes are planned for the latter half of the financial year, subject to approval via this report;
- Some areas of work are not phased and will be progressed throughout the year giving due consideration to resources available and deliverability.

5. EQUALITY AND DIVERSITY IMPLICATIONS

5.1 An Equality Impact Assessment is not needed because the contents of this report relate solely to the appended reports.

6. CONSULTATION

6.1 Details regarding consultation are included in the appended reports.

7. FINANCIAL IMPLICATION(S)

7.1 All financial implications are included in the appended reports.

7.2 This report does not commit or allocate any more resources than those already agreed by Council in the full three-year capital programme.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

8.1 There are no legal implications as a result of the recommendations set out in the report.

9. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 9.1 The Council's capital programme is focussed on investing capital resources in line with all the Corporate Plan priorities. The capital investment also contributes to all of the seven national well-being goals.

10. CONCLUSION

- 10.1 The reports attached propose the supplementary capital programmes for Education & Inclusion Services and Highways, Transportation & Strategic Projects for 2020/21.

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

MAY 2020

EDUCATION & INCLUSION SERVICES PLANNED CAPITAL PROGRAMME 2020/21

REPORT OF THE DIRECTOR OF EDUCATION AND INCLUSION SERVICES IN DISCUSSIONS WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR J ROSSER

Authors:

Gaynor Davies, Director of Education & Inclusion Services - 01443 744001

Andrea Richards, Head of 21st Century Schools - 01443 744002

1. PURPOSE OF THE REPORT

- 1.1 The report provides Members with details of the capital works for approval for 2020/21 as part of the Council's three-year Capital Programme.

2. RECOMMENDATION

- 2.1 To approve the Education Capital Programme priority schemes for 2020/21 as outlined in Appendices 1-10 and to approve scheme commencement.

3. REASONS FOR THE RECOMMENDATION

- 3.1 An ongoing programme of work is required in school premises to deal with essential condition and health and safety issues across the school estate, to ensure school buildings are 'safe, watertight and warm'.
- 3.2 To continue to deliver the Council's long term school modernisation improvement programme supporting one of the Council's Corporate Plan Priorities: 'Prosperity – Creating the opportunity for people and businesses to: be innovative; be entrepreneurial; and fulfil their potential and prosper'.

4 BACKGROUND

- 4.1 Members will be aware that an amount of £5.785M has been allocated to the planned capital programme (minor works) for 2020/21, as agreed by Council on the 4th March 2020.

- 4.2 The continuation of the three-year rolling Capital Programme and sustaining the level of funding will continue to make significant enhancements to the quality of our school premises and has been a vital part of the Council school modernisation programme in order to prepare schools for the new Curriculum for Wales.
- 4.3 In framing options for the planned capital works programme, the following factors have been taken into account:
- The results of the Property Condition Surveys and further investigation works by Council surveyors and engineers.
 - Delivering priorities set out in the Service Asset Management Plan in line with the Corporate Asset Management Plan.
 - ESTYN Inspection Reports.
 - Health and Safety considerations.
 - Reducing energy and carbon.
 - Refurbishing classrooms to provide flexible creative teaching spaces in preparation for the new Curriculum for Wales 2022.
 - Investing in adaptations to schools to assist pupils with mobility and other accessibility needs to promote inclusion.
- 4.4 The programme has been divided into categories identifying the nature of the works considered to be a priority.

5. **CATEGORIES WITHIN THE PROGRAMME**

- 5.1 The table below sets out the proposed allocation of the planned capital programme funds now available to spend in 2020/21.

Spend Category	Phase 1 £'000	Phase 2 £'000
Kitchen Refurbishments/Remodelling	90	260
Window & Door Replacements	0	180
Essential Works	40	1,652
Electrical Rewiring	58	112
Fire Alarm Upgrades	100	0
Toilet Refurbishments	370	50
Equalities Act/Compliance Works	125	100
Education & Inclusion Access Condition Surveys	0	50
Boiler Replacement	350	0
Roof Renewal	900	0
Asbestos Remediation Works	700	250
Schools Investment Programme	0	31
Improvements to Schools	0	100
Capitalisation of IT Hardware/Software & Licences	0	267
Total	2,733	3,052
Grand Total	5,785	

- 5.2 Within the £5.785M budget allocation, £30k has been re-allocated from spend

category Electrical Rewiring to Essential Works.

5.3 Appendices 1–10 set out programmes of work for each category included above, with the exception of Education & Inclusion Access Condition Surveys, Asbestos Remediation Works, Improvements to Schools and Capitalisation of IT Hardware/Software & Licences.

5.4 The following narrative summarises the required investment and intended outcome of each Spend Category:

- **Kitchen Refurbishments/Remodelling**

A rolling programme of replacement kitchens is required to maintain the current capital asset of school buildings and assist with much needed improvements, contributing towards the implementation of the Welsh Government 'Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) 2013'. Appendix 1 provides Members with a list of identified schemes.

- **Window & Door Replacements**

A rolling programme of replacement windows and doors is required to improve the energy efficiency, and in doing so reduce energy costs, and maintain the current capital asset of school buildings. Appendix 2 provides Members with a list of identified schemes.

- **Essential Works**

Members will be aware of the amount and value of outstanding historical maintenance works required to the buildings in the Education & Inclusion Services portfolio. Appendix 3 provides Members with a list of priority works, considered essential to maintain a 'safe, watertight and warm' environment for all users.

- **Electrical Rewiring**

Appendix 4 provides Members with details of Education establishments that require electrical rewiring.

- **Fire Alarm Upgrades**

Appendix 5 provides Members with details of schools that require fire alarm upgrades from manual to automatic detection systems in order to comply with current legislation.

- **Toilet Refurbishments**

Appendix 6 provides Members with details of schools that require refurbishment to comply with The Education (School) Premises Regulations 1999, the Health & Safety at Work Act 1974 and to support the recommendations in the report 'Lifting the Lid on the Nation's School Toilets' produced by the Children's Commissioner for Wales.

- **Equalities Act/Compliance Works**

An allocation of funding has been set aside to continue with works as and when deemed necessary to comply with the Equalities Act 2010. Appendix 7 provides Members with a list of identified schemes.

- **E&I Access Condition Surveys**

Phase 2 access condition surveys to all Primary schools to improve accessibility throughout the Education estate in order to comply with the Equalities Act 2010.

- **Boiler Replacement**

A significant number of systems are reaching the end of their useful life, therefore, it is considered prudent to fund a rolling programme of replacement to assist with the reduction in energy and carbon emissions. Appendix 8 provides Members with a list of identified schemes.

- **Roof Renewal**

Again it is considered prudent to allocate funding to ensure a rolling programme is maintained. Appendix 9 provides Members with a list of identified schemes.

- **Asbestos Remediation Works**

An allocation of funding has been earmarked to continue essential asbestos remediation works, following the results of recent asbestos surveys commissioned by the Council, and to progress a programme of replacement CLASP buildings affected by asbestos.

- **Schools Investment Programme**

A further investment programme in our school premises has been identified in Appendix 10 to reduce our ongoing revenue commitments and improve our capital asset and support school improvement where areas of concern have been identified in terms of upgrading of classrooms to ensure our pupils learn in high quality indoor and outdoor classrooms and play areas.

- **Improvements to Schools**

Under accounting regulations, certain expenditure that was previously charged directly to the revenue budget is now shown in the Capital Programme, whilst still being funded from revenue.

- **Capitalisation of IT Hardware/Software & Licences**

An allocation of funding has been committed for on going hardware, software and licences to support essential data systems such as SIMS (Schools Information Management System).

6. EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 The proposed schemes have given due consideration to equality issues particularly in relation to access to our school premises. Schools are a key part of our communities and as such it is important that they are well maintained, accessible and 'fit for purpose'.

7 CONSULTATION

- 7.1 There are no consultation requirements arising from this report.

8 FINANCIAL IMPLICATIONS

- 8.1 The funding allocation to support spend categories contained within this report was agreed by Council on 4th March 2020 as part of the three-year Capital Programme 2020/21 to 2022/23. This report does not commit any additional spend over and above this agreed allocation.

9 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 9.1 There are no legal implications as a result of the recommendations set out in this report.

10 LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 10.1 This investment programme forms part of the Council's larger school modernisation and 21st Century Schools Programme and supports one of the Council's Corporate Plan Priorities 'Economy – Building a Strong Economy'.

11 CONCLUSION

- 11.1 The projects identified in the planned capital programme can be committed and delivered within the financial year and will have an immediate impact on improving schools and their surrounding communities. A coherent plan of expenditure over the three-year period will contribute to improvements in a wide range of physical environments benefiting pupils, staff, young people and members of the public.

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Kitchen Refurbishments

Phase 1

Property/School	Project	Estimated Cost (£)
Maerdy Primary	Refurbishment of Dining Centre	20,000
YGG Llwyncelyn	Refurbishment of Kitchen	70,000
Phase 1 Total		90,000

Phase 2

Property/School	Project	Estimated Cost (£)
Capcoch Primary	New Sterilisation Unit	10,000
Ffynnon Taf Primary	New Sterilisation Unit	10,000
Glenboi Primary	New Sterilisation Unit	10,000
Gwauncelyn Primary	New Sterilisation Unit	10,000
Llwydcoed Primary	New Sterilisation Unit	10,000
Miskin Primary	New Sterilisation Unit	10,000
Parklane Special	New Sterilisation Unit	10,000
Perthcelyn Primary	Refurbishment of Dining Hall	20,000
Treorchy Comprehensive	Refurbishment of Kitchen 1	70,000
YGG Castellau	New Sterilisation Unit	10,000
Various Kitchens	Essential Redecoration Works	90,000
Phase 2 Total		260,000

Total

350,000

Window & Door Replacements

Phase 2

Property/School	Project	Estimated Cost (£)
Alaw Primary	Replacement External Walkway	80,000
Gwaunmeisgyn Primary	Phase 3 Replacement Windows	30,000
Porth Community	Phase 4 Replacement Windows	40,000
Various Schools	Repairs to Existing Double Glazed Units	30,000
Phase 2 Total		180,000

Essential Works

Phase 1

Property/School	Project	Estimated Cost (£)
Llwynypia Primary	Resurfacing External Yard	40,000
Phase 1 Total		40,000

Phase 2

Property/School	Project	Estimated Cost (£)
Ferndale Community School	External Paved Areas	10,000
Glenboi Primary	New Canopy for Foundation Phase	20,000
Llantrisant Primary	Land Drainage	30,000
Maerdy Primary	External Works, Repointing and Internal Modifications	75,000
Miskin Primary	External Works and Internal Modifications	75,000
Pengeulan Primary	External Works, Repointing and Internal Modifications	75,000
Penrhiwceibr Primary	External Works, Repointing and Internal Modifications	75,000
Perthcelyn Primary	External Redecoration, New Foundation Phase Play Area and Replacement Flooring	75,000
Pontygwaith Primary	External Works, Repointing and Internal Modifications	75,000
Treorchy Comprehensive	3G Community Pitch	1,082,000
Tylorstown Primary	New Canopy for Foundation Phase/ Concrete repairs	30,000
YGG Llyn-y-Forwyn	Structural Repairs to Suspended Floors and Windows	30,000
Phase 2 Total		1,652,000

Total **1,692,000**

Electrical Rewiring**Phase 1**

Property/School	Project	Estimated Cost (£)
Ysgol Nantgwyn	Replacement Mains Switchgear/Additional Power Outlets/Lights	58,000
Phase 1 Total		58,000

Phase 2

Property/School	Project	Estimated Cost (£)
Llwydcoed Primary	Phase 2 Electrical Rewiring	25,000
Ton Pentre Junior	Phase 2 Electrical Rewiring	50,000
Various Schools	Internal/External Escape Lighting	37,000
Phase 2 Total		112,000

Total **170,000**

Fire Alarm Upgrades

Phase 1

Property/School	Project	Estimated Cost (£)
Bryncelynnog Comprehensive	Fire Alarm Upgrade Main Block	18,000
Llwynypia Primary	Fire alarm Upgrade	12,000
Treorchy Comprehensive	Fire Alarm Upgrade Blocks 1 and 2	55,000
YGG Llantrisant	Fire Alarm Upgrade	15,000
Phase 1 Total		100,000

Toilet Refurbishments**Phase 1**

Property/School	Project	Estimated Cost (£)
Aberdare Town Church in Wales	Refurbishment of Foundation Phase Toilets	70,000
Capcoch Primary	Toilet Refurbishment	70,000
Gwaunmeisgyn Primary	New Accessible Toilet/Hygiene Facility	50,000
Hendreforgan Primary	Toilet Refurbishment	80,000
Nantgwyn Community School	Toilet Refurbishment	100,000
Phase 1 Total		370,000

Phase 2

Property/School	Project	Estimated Cost (£)
Various Schools	New Accessible Toilets	50,000
Phase 2 Total		50,000

Total **420,000**

Equalities Act/Compliance Works

Phase 1

Property/School	Project	Estimated Cost (£)
Darranpark Primary	Creation of New Hygiene Room	25,000
Penrhiwceibr Primary	Creation of New Hygiene Room Infant Block	50,000
YGG Ynyswen	Creation of a Hygiene Room Junior Block	50,000
Phase 1 Total		125,000

Phase 2

Property/School	Project	Estimated Cost (£)
Various Schools	Adaptations to ALN Classes	100,000
Phase 2 Total		100,000

Total **225,000**

Boiler Replacement

Phase 1

Property/School	Project	Estimated Cost (£)
Bodringallt Primary	Boilerplant Replacement	30,000
Mountain Ash Comprehensive	Boilerplant Replacement	120,000
Parc Primary	Boilerplant Replacement	70,000
Penrhys Primary	Boilerplant Replacement	45,000
Treorchy Comprehensive	Boiler Replacement Swimming Pool	65,000
YGG Llwyncelyn	Boilerplant Replacement	20,000
Phase 1 Total		350,000

Roof Renewal**Phase 1**

Property/School	Project	Estimated Cost (£)
Caradog Primary	Structural Repairs and Roofing Works Phase 1	100,000
Cwmbach Church in Wales Primary	Phase 1 Replacement Roof	80,000
Cwmclydach Primary	Phase 1 Replacement Roof	150,000
Hawthorn Primary school	Old Building Replacement Roof	140,000
YG Llanhari	Phase 1 Replacement Roof	200,000
YGG Abercynon	Phase 1 Replacement Roof	150,000
YGG Llwyncelyn	Replacement Flat Roof Infant Block	80,000
Phase 1 Total		900,000

Schools Investment Programme

Phase 2

Property/School	Project	Estimated Cost (£)
Bryncelynnog Comprehensive	3G Retention (contractually committed)	18,000
YG Rhydywaun	3G Retention (contractually committed)	13,000
Phase 2 Total		31,000

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

MAY 2020

**HIGHWAYS, TRANSPORTATION AND STRATEGIC PROJECTS
SUPPLEMENTARY CAPITAL PROGRAMME 2020/21**

**REPORT OF THE GROUP DIRECTOR, PROSPERITY, DEVELOPMENT &
FRONTLINE SERVICES**

**Author: Roger Waters, Service Director Frontline Services.
Tel 01443 494702**

1. PURPOSE OF THE REPORT

- 1.1 Further to the approval of the Council's Three Year Capital Programme 2020/21 - 2022/23 on 4th March 2020 at Council, this report sets out the detailed capital programme for Highways, Transportation and Strategic Projects.

2. RECOMMENDATIONS

It is recommended to:

- 2.1 Note and approve the Supplementary Capital Programme for Highways, Transportation and Strategic Projects as detailed within this report.
- 2.2 Note that the current allocations are part of a 3-year capital programme and delegate authority to the Group Director, in consultation with the Leader of the Council and the Director of Finance and Digital Services, to extend activity to deliver additional projects during the financial year where capacity exists for accelerated delivery in accordance with the purpose of the wider programme, or to suspend programmes/projects and reallocate funding to optimise delivery.

3. BACKGROUND

- 3.1 This report has been developed to identify commitments for RCT capital funding. The programme is impacted by a number of external factors that cannot be fully assessed at this time and this relates to both physical issues and funding.
- 3.2 COVID19 will impact on our ability to deliver projects and programmes. Construction activity is effectively sanctioned by Government and continues to evolve and adapt in the face of social distancing challenges, supply chain issues and workforce availability. Each of these issues will evolve to reflect anticipated

progress through this health emergency, the speed of such progress is presently unknown and has a significant bearing on deliverability.

- 3.3 Projects will be reviewed on a case by case process around deliverability and risk; flexibility to suspend individual projects and commit resources to other projects within a programme will be key.
- 3.4 In addition, we are in the process of recovering from some of the worst flood events in recent times with over 1,000 homes and 394 businesses flooded, together with unprecedented damage to our infrastructure including bridges, roads, culverts, retaining walls, numerous landslides and ongoing legacy issues related to former coal tips.
- 3.5 Commitments have been made to providing funding to replace and upgrade this infrastructure, much of which will need to meet new expectations around flood events. Substantial grants are anticipated in respect of traditional transportation schemes, together with enhanced funding towards flood protection.
- 3.6 At the present time the level of external funding that will be secured is unknown and our ability to deliver against normal funding constraints such as time, will be tested to the limit.
- 3.7 It is therefore important to emphasise that due to the unprecedented situation regarding recent storms, funding and COVID19, we must set out a programme that enables flexibility to switch resources to maximise opportunities in the best interests of RCT.
- 3.8 This report considers the detail against the specific 2020/21 capital allocations of £15.257M in favour of Highways Technical Services and £9.764M in favour of Strategic Projects, in order to safeguard the long-term integrity of the highways and transportation network and to enhance the network to deal with ever increasing travel demands. Specific regard is given to promoting safer and more sustainable travel and to enabling economic activity. Detail for consideration is submitted under the following areas;
- Highways Improvements
 - Land Drainage/Flood Risk Improvements
 - Traffic Management
 - Car Parks
 - Transportation Infrastructure
 - Making Better Use Programme (MBU)
- 3.9 The Council has been allocated £1.261M Welsh Government Road Refurbishment Grant and has been invited to submit bids for Welsh Government Grants for transport projects related to;
- Road Safety (Capital and Revenue)
 - Safe Routes in the Community
 - Local Transport Network Fund
 - Local Transport Fund (including Active Travel)
 - Resilient Roads Fund
 - Ultra Low Emissions Vehicle (ULEV) Transformation Fund

- 3.10 The Council continues to be heavily engaged in the Cardiff Capital Region City Deal, supporting the £734M allocated to Metro, a significant proportion of which will deliver electrification of the Treherbert, Aberdare and Merthyr rail lines with 4 trains per hour to the top of each line.
- 3.11 Progress is also being made on the £30M Metro Plus Programme, which will deliver a new transport hub at Porth and the City Deal Regional Cabinet has agreed a further package of funding to support a second phase of Metro Plus, within which, consideration is being given to extending rail services beyond Aberdare to Hirwaun.
- 3.12 During the 2019/20 Financial Year, significant sums of in-year grant funding have been secured via the Regional Local Transport Fund allocation. Studies have progressed related to;
- North West Cardiff – RCT Rail Corridor
 - Aberdare to Hirwaun Rail Service extension
 - New Station Treforest Estate
 - Strategic Park and Ride – Taffs Well/Treforest area

These projects are the subject of grant applications for continued development during 2020/21.

- 3.13 Third party in-year funding has also enabled a further phase of P&R to be delivered at Porth, with the site opposite the Rheola public house having been completed and recently opened for public use.

4. SUPPLEMENTARY CAPITAL PROGRAMME

4.1 Highways Improvements

- 4.1.1 The Highways Network represents the most significant asset of the Council, valued in excess of £3.4Bn and comprises of carriageways, footways, structures (bridges, retaining walls, culverts, etc.), street lighting, traffic signals and signs, safety barriers, highway drainage, etc.
- 4.1.2 At its meeting on 4th March 2020, Council approved the budgets for the Highways Improvement Schemes.
- 4.1.3 The network has now benefitted from nine years of enhanced levels of investment and this critically important additional funding will continue into 2021/22, improving and protecting the fabric of the highways network and dealing with the impact of winter weather conditions.
- 4.1.4 The total allocation of capital resources for the Highways Improvement Schemes, as included in the Capital Programme for 2020/21, is £15.257M and is broken down into works packages in the table below. This includes previously reported slippage of £1.551M of Highway & Parks Structures funding. Spending plans for this programme of works are detailed in this report.

Works Package	Phase 1 £M (Incl previously approved)	Phase 2 £M	Budget £M
Carriageways	5.724	0.577	6.301
Footways	1.178	0.172	1.350
Vehicle Restraint Barriers	0.050	0.050	0.100
Disabled Access Improvements	0.025	0.025	0.050
Highway Structures	4.619	1.432	6.051
Parks Structures	0.675	0.325	1.000
Street Lighting	0.080	0.120	0.200
Car Parks	0	0.045	0.045
Traffic Management	0.080	0.080	0.160
Total (Including Slippage of £1.551M)	12.431	2.826	15.257

4.1.5 The works proposed to be carried out are detailed in Appendix 1.

4.1.6 **Carriageways**; An identified programme of carriageway resurfacing and surface treatment to the value of £6.301M will be funded in 2020/21. A pool of schemes has been previously approved and a further £3.545M of schemes to be added to this pool are listed in Appendix 1. The actual schemes to be implemented in 2020/21 will be drawn from this pool based on officer prioritisation and deliverability constraints. The remainder of the schemes will remain in the pool for delivery from future funding allocations.

4.1.7 These schemes will be supplemented by; a £0.600M allocation to carry out minor surface repairs (larger patches), a £0.500M allocation to main road patching, a £0.250M allocation to essential highway improvement repairs to larger areas which are identified through inspection during the course of the period, a £0.200M allocation towards highway drainage repairs and £0.100M allocation for Project Management Costs.

4.1.8 **Footways**; are considered to be a high risk to the Council and it is proposed to allocate £1.350M to repairs which have been identified by inspectors or through specialist condition surveys. A pool of schemes has been previously approved and a further £0.902M of schemes to be added to the pool are listed in Appendix 1. The actual schemes to be implemented in 2020/21 will be drawn from this pool based on officer prioritisation and deliverability constraints. The remainder of the schemes will remain in the pool for delivery from future funding allocations.

4.1.9 **Street Lighting**; An ongoing programme of column replacement to the value of £0.200M will be implemented and a programme of replacement of the Council's network of supply cables. The proposed programme takes into account the results of structural tests undertaken to date. It is also proposed to replace the remainder of the 2-wire overhead network feeding steel columns that has previously been the target of cable theft, and also have the potential to become an electrical hazard to the general public.

- 4.1.10 **Safety Barriers**; An ongoing programme of renewal of vehicle restraint barriers and high priority repairs to damaged sections of barriers to the value of £0.100M will be implemented over the funding period.
- 4.1.11 **Highway Disabled Access Improvements**; an allocation of £0.050M has been made to a programme which is likely to comprise small scale works at 10 to 15 locations yet to be identified.
- 4.1.12 **Highway Structures**; There are significant challenges associated with maintaining highway structures with a number of structures in a critical condition. A total budget of £6.051M (including £1.301M of previously identified slippage from 2019/20) has been allocated for 2020/21. A full list of proposed schemes can be found in Appendix 1. An allocation of £0.160M is made to project management costs.
- 4.1.13 Structures schemes often have long scheme design / lead in periods and a high level of initial uncertainty over works costs as the scope of works often only becomes fully apparent during the design period. In order to progress design of schemes for inclusion in future capital programmes funding of £0.457M has been allocated to advance preparation.
- 4.1.14 As a result of the lead-times and slippage from 2019/20, there is a significant programme of structures works scheduled for delivery in 2020/21.
- 4.1.15 The previously funded schemes with significant previously allocated funds being carried forward into 2020/21 are discussed below:
- 4.1.16 A design and build contract for the replacement **Brook Street Footbridge**, adjacent to Ystrad rail station is currently ongoing. This footbridge forms a link between Ystrad and Nant-y-Gwyddon Road and provides the only access to the northbound platform of Ystrad railway station for disabled people. It is an extremely large and complex scheme with very difficult site access, works over both a river and railway, and a requirement to maintain access to the northbound platform of the station. Considerations on the design are being carefully evaluated. Works are expected to begin on site in autumn 2020. A funding allocation of £1.921M has been previously approved and £1.257M of this funding will carry forward into 2020/21. A bid for Active Travel grant funding is to be made to supplement / replace this funding. Should this bid be successful, any of this allocation which can be released will be diverted to the schemes identified in Appendix 1 as Reserve Schemes Previously Prepared.
- 4.1.17 The **St. Albans Bridge in Tynewydd**, which is one of only 2 routes providing access to the communities of Blaencwm and Blaenrhondda, requires replacement. A design and build contract for the replacement of the bridge has been awarded to Alun Griffiths (Contractors) Ltd. A funding allocation of £2.783M has been previously approved and £1.830M of this funding will carry forward into 2020/21. Utility diversion have been completed and the main works are ongoing with completion anticipated in autumn 2020.
- 4.1.18 A budget of £0.342M has been previously allocated towards the replacement of the **Tyntyla footbridge in Llwynypia**. During design, ground investigations

identified that the embankment upon which the bridge is constructed, which is in private ownership, is affected by an active landslip. This would dramatically increase the costs associated with replacement of the bridge, and the scheme has been put on hold pending future consideration of the funding need. £0.182M of the budget will be carried forward into 2020/21.

4.1.19 A budget of £0.652M has been previously allocated for strengthening of the **Castell Ifor Bridge in Hopkinstown**. The works were commenced, but were delayed by the collapse of the Contractors temporary works in high river levels. Due to the limitations on working in the river channel imposed by Natural Resources Wales it was necessary to suspend the works during the winter period. Work will resume in May 2020. £0.192M of the budget will carry forward into 2020/21

4.1.20 A budget of £0.050M has been previously allocated to works at the **Precinct Wall in Pontypridd**. It has not been possible to progress these works in 2019 due to access conflicts with the ongoing Taff Vale development. It is intended that the works will be progressed as a variation to the Taff Vale contract in the summer of 2020. The £0.050M budget will be carried forward into 2020/21

4.1.21 A budget of £0.200M has been previously allocated to repair works at **Williamstown Footbridge**. Phase 1 of the works has been completed however, during design it became apparent that the works were more complex and of a longer duration than previously anticipated and in order to minimise the disruption in access to Ysgol Gynradd Williamstown, Phase 2 of the works has been postponed until the school summer holidays in 2020. £0.113M of the budget will carry forward into 2020/21

4.1.22 A number of schemes have been prepared for future implementation should additional funding become available. These schemes are listed in Appendix 1.

4.1.23 **Parks Structures:** Responsibility for the maintenance of Parks and Countryside Bridges and Retaining Walls has been transferred to Frontline Services. A budget of £1M was allocated in 2019/20 of which £0.250M will be carried forward into 2020/21 to supplement the £0.750M allocation in that year giving a total budget of £1M. A programme of inventory collection and inspection has commenced and design work has been progressed on a number of schemes for implementation in 2020/21. The programme of works will be supplemented by an allocation of £0.160M for advance preparation and £0.080M of Project Management Costs

4.1.24 Schemes for works in 2020/21 are identified in Appendix 1.

4.2 Land Drainage/Flood Risk Improvements

4.2.1 The Capital Land Drainage Programme supports works on land drainage and flood alleviation schemes, which are of such scale that their cost places them outside the framework of routine maintenance supported by the revenue programme.

4.2.2 With regard to land drainage (Flood Alleviation) schemes, the Council is frequently able to benefit from Welsh Government (WG) grant support (85%) as

the Land Drainage Authority under Section 59 of the Land Drainage Act 1991 and the Lead Local Flood Authority under the Flood and Water Management Act 2010. In support of this process the land drainage capital programme identifies a number of project business cases targeted at attracting external funding support. These business cases will be carried out on a rolling 3-year programme with 1-2 completed per year.

- 4.2.3 Progression of schemes will be dependent on successful application for grant following the 5-case business model process through Strategic Outline Case (SOC), Outline Business Case (OBC) and Full Business Case (FBC) and where appropriate a Business Justification Case (BJC) and on occasion attracting other third party contributions. An allowance has been made within the drainage improvements programme for progression of such business cases and schemes in order to provide the required match funding. Appendix 2a identifies the business cases and projects currently under development.
- 4.2.4 Appendix 2b identifies projects which had a grant bid submitted to the Welsh Government in February 2020 for a new transportation grant aimed at mitigating the effects of Climate Change on the transportation network. As these bids are centred on areas of high flood risk to the network, they are included in this section. Progression of the projects will be dependent on grant confirmation.
- 4.2.5 In addition, the Mynydd yr Eglwys landslip continues to require ongoing monitoring by specialist geotechnical engineers.
- 4.2.6 The details of the Drainage/Flood Risk Improvements Programme for 2020/21 with £0.540M of council funding allocated is provided in Appendix 2.

4.3 Traffic Management

- 4.3.1 As part of its network management duties under the Traffic Management Act and the Highways Act the Council has the ability to implement improvements to the management of traffic within the County Borough. Finance for the programme is provided by an allocation of core capital funding of £0.160M.
- 4.3.2 The Council's capital allocation will enable the implementation of small scale schemes and provide safety aids such as warning signs, the introduction of traffic orders and the provision of residents parking. Details of the 2020/21 Capital Programme are included in Appendix 3.

4.4 Car Parks

- 4.4.1 An ongoing programme of repairs and upgrades to the Council's car parks with a £0.045M allocation in 2020/21.

4.5 Transportation Infrastructure

- 4.5.1 The total allocation for Transport Infrastructure for 2020/21 in the Capital Programme amounts to £9.764M.
- 4.5.2 The allocations are as follows;

1. Llanharan Bypass - £1.103M

Good progress is being made in respect of this project which has now been allocated £2.775M including Local Transport Fund Grant from Welsh Government. Preliminary design, which includes ecological surveys and geotechnical investigation, has commenced. This project will provide the eastern leg of the bypass as a continuation of the existing western leg and is subject to completion of the central section, which is required to be provided by developers of adjacent residential development, and phased to accord with triggers attached to their planning consents. The eastern leg will connect with the A473 to the east of Llanharan and reduce the impact of traffic along the existing route, providing relief for affected communities, particularly around Llanharan Square. It is anticipated that significant developer contributions will be secured to assist funding the delivery of this project in future years.

2. Dualling A4119 Coedely to Ynysmaerdy (known locally as Stinkpot Hill) - £4.977M

Good progress is being made in respect of this project which has now been allocated £6.959M including Local Transport Fund Grant from Welsh Government. Preliminary design has progressed to dual the existing single carriageway and substandard section of the strategic transport corridor linking the Rhondda Fawr with Llantrisant/Talbot Green and Junction 34 of the M4 motorway. The scheme proposes to extend the existing high quality dual carriageway from the M4 to Ynysmaerdy, right up to the Coedely roundabout which serves the strategic development site at Coedely. The current substandard single carriageway is perceived by developers as being major barrier to development on this site. The scheme will therefore not only improve connectivity along this key corridor, but is already acting as a catalyst for development of this strategic site. The preliminary design is scheduled to be complete in summer 2020.

3. A465 Cynon Gateway North (Aberdare Bypass) - £0.225M

Preliminary design has commenced on the project which continues on from previous feasibility work undertaken. The bypass will link from the A465 (Heads of the Valleys) Croesbychan roundabout, which will be constructed as part of the Welsh Government dualling project, to the existing Aberdare Bypass north of Robertstown. This will provide an essential link from the trunk road to the Cynon Valley and will aid in relieving traffic from Llwydcoed as a result of the A465 dualling. The importance of this road has been recognised by the Welsh Government and they continue to work with RCT towards early delivery of this project.

4. Gelli Treorchy Relief Road - £0.393M

Feasibility studies have commenced on investigation of options to relieve traffic congestion in Treorchy. Stag Square is a major bottleneck causing congestion and delays to users of the road network including public transport. The study will look to identify potential options to reduce congestion.

5. Tonyrefail Roundabout - £0.500M

Sited on the Strategic A4119 Corridor linking the Rhondda Fawr with Talbot Green and the M4, this roundabout experiences significant congestion in the peak hours and options to enhance this pinch point are under consideration, building feasibility work developed under grant funding secured during 2019/20. The scheme will complement highways and strategic development investment at Coed Ely.

6. Park and Ride Programme - £0.375M

Following successful delivery of additional parking at Abercynon and Porth, further investment is proposed to extend park and ride capability across the county borough. The Park and Ride programme is intended to create additional parking capacity at rail stations across RCT to enable car drivers to switch to rail travel encouraging modal shift in favour of more sustainable forms of travel that contribute to reducing congestion and harmful emissions.

In parallel, significant work is taking place to enhance the current Metro investments in RCT, much of which is being grant funded.

It is proposed that RCT funding be focussed on detailed design works for Pontyclun, land acquisition and feasibility at Llwynypia and developing and delivering a further phase of parking at Porth to complement the investment in the Porth Transport Hub.

Park and Ride is a key element to enable mode shift and promote accessibility to the Metro and opportunities to add value to Metro will be kept under review as the full scope and detail of the Metro project crystallises.

4.6 Making Better Use (MBU) Programme- £1.651M

- 4.6.1 During 2016/17 a Making Better Use (MBU) programme was introduced. The ethos of this programme was to identify low cost, high value improvements for congested sections of the Council's highways network, to improve traffic flows, ease congestion and have a positive impact on road safety.
- 4.6.2 The programme was continued and has effectively delivered a number of successful projects. A further programme into 2020/21 for which an allocation of £1.651M is proposed.
- 4.6.3 The proposed programme of investment in MBU projects is included at Appendix 4.

5. EXTERNAL GRANTS

- 5.1 At the time of drafting this report, over £5.084M of Welsh Government transport related grants have been secured by RCT during 2019/20 via Local Transport Fund, Local Transport Network Fund, Road Safety Grant and Safe Routes to School Grant. The Council continues to explore the potential to accommodate any further potential 2019/20 WG budget underspends.

- 5.2 Bids were submitted on 24th January with other transport related grants due for submission on 14th February 2020 for 2020/21. It is anticipated that available grants will be confirmed during April 2020.
- 5.3 Two new grant funds have been made available for 2020/21;
- Resilient Roads Grant; intended to deal with areas of the highway network that are susceptible to surface water flooding, with a particular emphasis on routes carrying public transport. RCT has bid for funding to improve the Cynon and Rhondda Bus Corridors.
 - Ultra Low Emissions Vehicle (ULEV) Transformation Fund; intended to establish electric vehicle charging infrastructure and hubs, particularly focussed on taxis and private hire vehicles, and bus, together with an incentivisation fund to encourage operators to switch to electric vehicles. RCT is part of a regional bid on behalf of the CCRTA for this funding.
- 5.4 Projects identified on the Welsh Government pipeline for capital investment in Land Drainage/Flood Risk Improvements for 2020/21 have been allocated £1.1M in principle, pending business case approval.
- 5.5 The Council has been allocated £1.261M as part of a Wales-wide £20M Welsh Government Roads Refurbishment Grant which will support our highways maintenance programme.
- 5.6 As a consequence of the storm events hitting Wales and the impact of COVID-19 on project delivery, the Welsh Government has effectively extended the deadline for 2019/20 grant expenditure for transport schemes to 15 July 2020. The following schemes are impacted by these events and may benefit from the extended grant expenditure period;
- Abercynon Town Centre – Traffic Management scheme
 - A4059 New Road, Mountain Ash – Puffin Controlled Crossing
 - Speed Camera Upgrades
 - Cynon Trail improvements
 - Talbot Green to Llanharan community route
 - Taff Trail enhancements
 - Gelligalad Park (Active Travel)
 - CVBP CR improvements

6. EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 Equality and Diversity issues will be considered as part of determining the final detail of the proposed schemes.

7. CONSULTATION

- 7.1 There are no consultation requirements relating directly to the report but the proposed schemes will (or have) involve varying degrees of consultation, some of which will relate to statutory processes (such as Traffic Regulation Orders).

8. FINANCIAL IMPLICATIONS

- 8.1 The funding allocation to support schemes contained within this report was agreed by Council on the 4th of March 2020 as part of the three year Capital Programme 2020/21 to 2022/23. This report does not commit any additional spend over and above this agreed allocation.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 9.1 There are no legal implications as a result of the recommendations set out in this report.

10. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 10.1 This investment programme supports the Council's Corporate Plan Priority 'Places – Where people are proud to live, work and play'.
- 10.2 The programme is wide ranging. It deals with the maintenance and provision of transport assets created in order to meet travel demand. The programme supports enhanced connectivity to link homes with employment opportunities, education and health facilities, and to act as a catalyst for development and regeneration. In conjunction with grant applications, a range of sustainable and active travel opportunities are promoted.
- 10.3 The programme also seeks to reduce flood risk and insulate communities from the damaging impacts of climate change in light of more frequent extreme weather events.
- 10.4 The programme supports the Well-Being goals fostering prosperity and resilience with inclusive and sustainable transport options supporting more cohesive and vibrant communities.

11. CONCLUSION

- 11.1 The above programme continues the enhanced levels of investment under the RCTInvest initiative, delivering sustained improvements to the resilience and durability of our highways and transportation infrastructure, promoting sustainable transport opportunities and network efficiency.
- 11.2 Consequently, Frontline Services will coordinate and deliver significant investment in a number of important areas during 2020/21 and the proposed programme is accordingly recommended for approval.
- 11.3 The Welsh Government LGBTI programme concluded in 2014/15 and combined with core capital resources totalled an unprecedented £84M highway

maintenance investment programme over nine years. This has enabled significant improvement in the condition of the highway network.

- 11.4 RCT is one of the few Councils that has continued to make meaningful and significant investments in its highway network since the demise of LGBI funding. The table below demonstrates the level of progress that has been made.

Indicator	2010/11 Indicator	2019/20 Indicator
THS011a – percentage of A class roads requiring maintenance	16.2%	4.7%
THS011b – percentage of B class roads requiring maintenance	15.2%	6.2%
THS011c – percentage of C class roads requiring maintenance	15.3%	3.5%
THS012 – percentage of all classified roads requiring maintenance	15.7%	4.8%

- 11.5 The Council, in common with all LAs across the UK faces significant challenges in maintaining this enormous and complex asset. It is encouraging that WG has recognised these challenges and continued to support the Local Government Public Highways Refurbishment Grant across Wales. The indicators above are directly impacted by the levels of funding available to maintain the asset. Whilst there is clearly a level of funding required in maintaining asset condition in a steady state, reducing funding below an optimum level creates greater challenges for the future. The ongoing level of investment respects that principle and should continue to see the highway network in RCT improving in comparison with other local authorities.
- 11.6 The condition of the Council's highways structures assets is recognised as a significant challenge with enhanced capital and revenue funding allocated during 2017/18, 2018/19 and 2019/20 continuing with £8.200M available to invest in 2020/21.
- 11.7 The commitment of the Council to invest in transport infrastructure enables the Council to be able to engage with Welsh Government and provide flexibility to accommodate WG underspend.
- 11.8 RCT is pro-active in securing WG funding arising from underspend across WG budget heads. In-year allocations were successfully secured under various grant headings during 2019/20 with total allocations now exceeding £5M. Further opportunities to accommodate in-year underspend have been highlighted and promoted.
- 11.9 The benefits of investment in Flood Assets have never been more apparent given the recent events. Investment in these assets over recent years paid dividends during February but the extreme nature of the storm events experienced exposed the fragility of the built environment and the need to re-double our efforts with climate change in mind. RCT proposed investment is significant, traditional grant funding has been boosted and there are commitments to addressing the wide-ranging costs arising from the extreme storm events.

11.10 The programme is as always subject to minor changes due to possible engineering difficulties or programming and coordination issues with statutory undertakers. In light of the exceptional circumstances around recent storm events and the ongoing health crisis, this caveat must be extended to recognise that programme delivery will be challenging, laced with uncertainty and therefore requiring flexibility to switch funding across programmes to achieve the best outcomes for RCT.

Appendix 1

Carriageway Schemes For Inclusion in Works Pool

Phase 1 Schemes

Street No	Street Name	Town	Treatment	Budget(£)
C084	Arthur Street	Williamstown	Traditional	109,000
B4278	Penrhiwfer Road	Tonyrefail	Traditional	132,000
	Spencer Street	Cwmaman	Traditional	28,000
	Byron Street	Cwmaman	Traditional	23,100
	Manor Hill	Miskin	Traditional	105,600
	The Drive	Miskin	Traditional	43,000
	Mill Race	Miskin	Traditional	24,800
	Queen Street	Pentre	Traditional	49,500
	Cross Row	Williamstown	Traditional	9,100
	Prosser Street	Miskin	Traditional	18,200
	Gladstone Street	Aberaman	Traditional	28,000
	Oakland Street	Penrhiwceiber	Traditional	34,700
	Pen y Bryn Road	Penrhiwceiber	Traditional	69,300
	Park Place	Tonypandy	Traditional	44,600
	Vivian Street	Tylorstown	Traditional	44,600
A4233	Highfield	Ferndale	Traditional	47,900
	Ynyshir Road	Ynyshir	Traditional	135,300
	Wyndham Street	Ton Pentre	Traditional	28,000
	Pentre Road	Maerdy	Traditional	46,200
	Chapel Road	Penderyn	Traditional	115,500
	Cwrch y Gwas Road	Treforest	Traditional	51,200
	Coed Cae Lane	Talbot Green	Traditional	153,500
	William Street	Tynywedd	Traditional	28,900
	Common Road	Pontypridd	Traditional	79,200
	Graig yr Helfa Road	Glyntaff	Traditional	56,100
	Graig Fach	Glyntaff	Traditional	19,800
	Kensington Drive	Glynfach	Traditional	102,300
	Pant y Brad	Ynysmaerdy	Traditional	47,600
	Waun Road	Clydach Vale	Traditional	24,800
B4275	Cardiff Road	Aberaman	Traditional	108,400
	Surface Dressing Lanes	Various	Surface Treatment	350,000
a4059	New Road	Mountain Ash	Traditional	65,000
	Dunraven St/Bute St	Tynewydd	Traditional	80,000
	Glyntaff Gyratory	Treforest	Traditional	75,000
A4054	Treforest Ind. Est	Treforest	Traditional	65,000
	Morrisons Junction	Porth	Traditional	60,000
	Stag Square	Treorchy	Traditional	105,000
	Eglwysilan Rd Overlay	Nantgarw		140,000
	Rhiwsaeson Rd	Cross Inn		140,000
	Cefn Pennar Rd	Cefn Pennar Rd		80,000
Phase 1 Total				2,968,200

Phase 2 Schemes

Street No	Street Name	Town	Treatment	Budget(£)
	Birchgrove Street	Porth	Traditional	120,500
	Bailey Street	Wattstown	Traditional	62,700
	Lower Bailey Street	Wattstown	Traditional	15,700
	Ynyscynon Street	Cwmbach	Traditional	46,200
	Heol Bryn Gwyn	Penywaun	Traditional	75,900
	Graig Fach	Glyntaff	Traditional	21,500
	Heol y Plwyf	Ynysyawl	Traditional	102,300
	Oakfield/Sherwood	Llwynypia	Traditional	132,000
Phase 2 Total				576,800

Grand Total	3,545,000
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Footway Schemes For Inclusion in Works Pool

Phase 1 Schemes

Street No	Street Name	Town	Budget(£)
	Ynyswen Access Improvements	Ynyswen	20,000
C262	Llwynypia Road	Llwynypia	30,000
A4054	Merthyr Road	Pontypridd	15,000
	The Triangle	Mountain Ash	18,000
	Copley Street	Mountain Ash	22,000
A473	Bridgend Road	Llanharan	20,000
	Wood View	Brynna	15,000
	Cross Row	Williamstown	9,000
	East Street	Tylorstown	11,000
	Edmondes Street	Tylorstown	32,000
	Brynheulog Terrace	Tylorstown	29,000
	Harold Street	Llanharan	22,000
	Tonteg Footways	Tonteg	125,000
	Church Village Footways	Church Village	125,000
	Park View	Llantrisant	19,000
	Pant Y Fedwen	Godreaman	18,000
	Mill Race	Miskin	10,000
	Mynydd Yr Eos	Penygraig	25,000
	Prosser St	Miskin	13,000
	Vale View Tce	Penrhiwceiber	12,000
	Penybryn Tce	Penrhiwceiber	25,000
	Perthcelyn footpaths	Perthcelyn	40,000
	Winifred Street	Penrhiwceiber	15,000
	Ilan Avenue	Rhydyfelin	60,000
Phase 1 Total			730,000

Phase 2 Schemes

Street No	Street Name	Town	Budget(£)
	Blaenrhondda Access Improvements	Blaenrhondda	20,000
	Chartist Road	Llantrisant	62,000
	Holy Y Gelli	Godreaman	25,000
	Gwaun Road	Rhydyfelin	65,000
Phase 2 Total			172,000

Grand Total	902,000
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Proposed Disabled Access Improvements Programme

Description	Budget(£)
Continuation of the programme of disabled access improvements	50,000
Total (50% profiled for Phase 1 and Phase 2)	50,000

Proposed Safety Barriers Programme

Description	Budget(£)
Various – Continuation of the rolling programme of repair renewal of vehicle restraint systems primarily on the A and B road network	100,000
Total (50% profiled for Phase 1 and Phase 2)	100,000

Proposed Highway Structures Schemes 2020/21 (Including reported slippage)**Phase 1 Schemes**

Street No	Street Name	Town	Budget (£)
A4223	Pontypridd Precinct Wall	Pontypridd	50,000
	St Albans Bridge	Tynewydd	1,830,000
	Station Street Bridge	Treherbert	200,000
A4061	Bodringallt Bridge	Ystrad	150,000
B4273	B4273 Retaining Walls	Ynysybwl / Glyncoch	140,000
	Brook Street Footbridge	Ystrad	1,257,000
	Castell Ifor Bridge	Hopkinstown	192,000
A4119	Williamstown Footbridge	Williamstown	113,000
	Dinas Depot Bridge	Dinas	70,000
	Advance Preparation		457,000
	Project Management		160,000
Total			4,619,000

Phase 2 Schemes

Street No	Street Name	Town	Budget (£)
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	Rhydyfelin Culverts	Rhydyfelin	250,000
	Tyntyla Footbridge	Ystrad	182,000
A4061	Nant Cwmparc Cantilever	Treorchy	1,000,000
Total			1,432,000

Grand Total	6,051,000
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Reserve Schemes Previously Prepared

Street No	Street Name	Town	Budget (£)
	Gwawr Street Wall	Aberaman	500,000
	Darren Ddu Bridge	Ynysybwll	150,000
B4595	Gwenllian Terrace Walls	Treforest	70,000
	Brewery Terrace Wall	Pontygwaith	60,000
A4058	Salem Terrace Wall	Llwynypia	65,000
A4054	Taffs Well Wall	Taffs Well	150,000
	Bryn Eirw Wall	Trehafod	150,000

Advance Preparation Schemes

Street No	Street Name	Town	Budget (£)
	Berw Road Bridge	Pontypridd	Storm Related
B4275	Ynysmeurig Bridge	Abercynon	
B4278	Imperial Bridge	Porth	
	Ynysallan Bridge	Ynysmaerdy	
	Aberllechau Retaining Wall	Wattstown	
A4061	Rhigos Rock Anchors	Blaenrhondda	
A4061	Bwlch Rockface	Bwlch	
A473	Llanharan Railway Footbridge	Llanharan	
A4061	Institute Bridge	Treorchy	
A4058	A4058 Cantilever	Pontypridd	
B4278	Brittania Bridge	Porth	
	Lanelay Bridge	Talbot Green	
B4223	Gelli Culvert		
B4278	Rheola Bridge	Porth	
	Castle Inn Bridge	Treforest	Storm Related
	Tramway Culvert	Aberdare	
	Cross Bychan Bridge	Llwydcoed	
A4233	New Rheola Bridge	Porth	
	Machine Bridge North	Treforest	Storm Related
A4093	Craig Las Bridge	Hendreforgan	
	Feeder Row Footbridge	Abercynon	Storm Related

Proposed Parks Structures Schemes 2020/21

Phase 1 Schemes

Street No	Street Name	Town	Budget (£)
	Advance Preparation	Various	160,000
	Project Management		80,000
	Maesyfelin Footbridge	Pontyclun	85,000
	Nant Llonydd Bridge	Upper Boat	300,000
	Station St River Wall	Treherbert	50,000
Phase 1 Total			675,000

Phase 2 Schemes

Street No	Street Name	Town	Budget (£)
	Gelligaled Park F/B	Ystrad	175,000
	Tylcha Fawr		50,000
	Various Parks Walls / Culverts	Various	100,000
Phase 2 Total			325,000

Grand Total	1,000,000
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Proposed Street Lighting Programme

Phase 1 Schemes

Scheme/Street	Activity	Budget (£)
Overhead fed Columns, Various Locations	Conversion of overhead fed columns to underground supply / WPD wood poles	40,000
Glanffrwd Tce, Ynysybwl	Replace life expired steel columns	15,000
Lanelay Rd, Talbot Green	Replace life expired steel columns	10,000
Llwyncelyn Ind Est, Porth	Replace life expired steel columns and convert overhead supply to underground	15,000
Phase 1 Total		80,000

Phase 2 Schemes

Scheme/Street	Activity	Budget (£)
Aberdare Rd, Mountain Ash	Replace life expired steel columns	20,000
Hirwaun Rd, Trecynon	Replace life expired steel columns	15,000
Drop Down Columns Various Locations	Replace columns in difficult to access locations with drop down columns	40,000
Llwtcoed Rd & Lon Las, Llwydcoed	Replace life expired steel columns	15,000
Brithweunydd Road, Treallaw	Replace life expired steel columns	30,000
Phase 2 Total		120,000

Grand Total	200,000
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Appendix 2

Proposed Land Drainage/ Flood Risk Management Capital Programme 2020/21

Scheme/Location	Activity/Work	RCT	WG Grant/ other	Total
		£	£	£
Land Drainage Improvements Allowance (match Funding) for progression of schemes after completion of Strategic Business Case Assumes WG Approval. See Appendix 2A	OBC/BJC/FBC & Works (15% Match Funding)	80,000	453,333	533,333
Mynydd-Yr-Eglwys, Ystrad	Monitoring & Remedial Works	10,000		10,000
Small Works Budget	Small scales works <£10,000 to reduce impact of surface water flows affecting properties and the highway	50,000		50,000
Plantation Road, Abercynon.	Undertake replacement or Lining works to the Culvert.	100,000		100,000
Cwmbach (Canal Road) FAS – Phase 2	Overflow system for culverts in lower catchment.	300,000		300,000
Total		540,000		993,333*

*Assumes successful grant bids

**Potential third party contribution and total with contribution.

<u>Appendix 2a</u>		
<u>Schemes under development that will require a successful application for Grant from the Welsh Government.</u>		
<u>Strategic Flood Risk Area (SFRA) and Larger >£150k Individual Flood Alleviation Schemes (FAS)</u>		
Scheme	Location	Activity/Work
Nant Gwawr (Phase 2)- SFRA	Aberaman North	OBC Development (SFRA)
Oaklands Terrace, Cilfynydd - SFRA	Cilfynydd	OBC Development (SFRA)
Park Lane Aberdare	Trecynon	Flood Alleviation Scheme for School and residential properties. Construction. (BJC)
Cemetery Road (CRT), Treorchy - SFRA	Treorchy	Design and Development (BJC)
Cwmaman Phase 2 - SFRA	Aberaman South	Design and Development (FBC)
Volunteer St. (VS) Pentre - SFRA	Pentre	OBC Development (SFRA)
Glenboi Road - Pumping Station	Mountain Ash West	Design and Development of pumping station (BJC)
<u>Projects <£150k Individual Flood Alleviation Schemes (FAS)</u>		
Scheme	Location	Activity/Work
Bryn Ifor FAS	Mountain Ash West	Upgrade of a Culvert Ordinary watercourse Inlet - inlet enlargement and instillation of a larger Debris screen and overflow route within the headwall structure The work will also facilitate a new access track for future maintenance
Abercwmboi - Pit Cottages Inlet	Aberaman South	Instillation of an enlarged debris control structure and channel armouring. Within the Upper Culverted ordinary watercourse Inlet area.
Mostyn Street	Aberaman South	Rebuild of Culvert Inlet with inclusion of a debris platform/catchpit The works will also re-channel the ordinary watercourse channel upstream of inlet.

Cardiff Road, Aberaman	Aberaman North	This scheme is proposed to upsize the capacity of the existing culverted ordinary watercourse overflow system and identify opportunities to daylight the redirected culvert.
Nant Cae Dudwg	Cilfynydd	Repair and armouring of scoured sections of the ordinary watercourse channel and replacement of damaged debris screen and channel base
Cefn Pennar Road	Cwmbach	Culvert Inlet Upgrade
Tirfounder Road, Cwmbach	Cwmbach	Upgrade of the ordinary watercourse culvert inlet with an enlarged headwall and debris screen structure and repair to the channel scour
Mt Ash A4059 Upper catchment scour	Mountain Ash East	Repair and armouring of the scoured sections of the Ordinary Watercourse Channel
Campbell Terrace - Mt Ash	Mountain Ash East	Replacement of Highway culvert Inlet
Fernhill Abercwmbai	Mountain Ash West	Upgrade of Inlet structure and facilitation of overland conveyance and interception route to reconnect conveyance flows back into the culverted ordinary watercourse.
Pentre Road - Nant Y Pentre Inlet	Pentre	Upgrade of the existing culvert inlet structure with the emplacement of an upper debris screen/platform and overflow route.
Pentre Road - Pleasant Street	Pentre	Instillation of an exceedance flow path and interception drainage (Linear Drainage) to reconnect overland flows back into the culverted ordinary watercourse.
Heath Terrace	Ynysir	Repair and armouring of the scoured sections of the Ordinary Watercourse Channel and replacement of two number ordinary watercourse inlet headwalls and debris screens.
Abergorki Tip - Treorchy Cemetery	Treorchy	Upgrade of the existing culvert inlet structure with the emplacement of an overflow route. Repair and armouring of the scoured sections of the Ordinary Watercourse Channel
Turberville Rd - Porth	Porth	Upgrade of the existing culvert Ordinary Watercourse identified as Hydraulically under capacity and structurally failing.
Tyn-Y-Wern	Tonyrefail East	Lining of a structurally weakened ordinary watercourse culvert and rebuild of several Manhole structures.
Standard View	Ynysir	Lining of a structurally weakened ordinary watercourse culvert and rebuild of several Manhole structures.
Bronallt Terrace - Phase 3	Abercwmbai	Replacement of defective masonry culverted ordinary watercourse conveying through Bronallt Terrace highway

Appendix 2b		
<u>Schemes under development that will require a successful application for Grant from the Welsh Government.</u>		
<u>Resilient Road Grant - Alleviate the effects of climate change (flooding) on transportation infrastructure</u>		
Scheme	Location	Activity/Work
Rhigos Road - Nant Cnapiau	Rhigos	Upgrade an Existing Culverted Ordinary watercourse conveying within the Highway to prevent further structural failure of the culver
Aberdare - Asda Roundabout	Aberaman North	Alleviating the frequency of flooding to the A4059
Aberdare Bypass	Aberdare West	Replacement of existing highway Filter drain with gully connections
A4059 - Abercynon - Mt Ash	Mountain Ash East	Improved overland conveyance i.e. instillation of low point within the verge area to manage the low spot flooding.
Abercynon Road to A4059 New Road	Abercynon	Install wholly new Carrier line with additional gullies to manage the surface water flooding associated to the low spot within the highway approximately 100m
Cynon Valley Monitoring Stations	Hirwaun/Aberdare	Telemetry monitoring stations to be installed at various locations across the Cynon valley
Ynyshir Cycle Path	Ynyshir	Surface water drainage networks are ineffective and flooding the footpath approximately 280m - history of minor landslips in 2016 that caused the closure for 6months of the path, further uncontrolled surface water conveyance could shut the critical route more frequently
Mynydd-yr-Eos Penygraig	Pen-y-Graig	Renew kerb, channel, renew 150mm diameter perforated pipe and stone, provide 9 new gulley pots covers and frames, 2m edge of carriageway reinstatement, all over a length of approximately 300m.
A4223 - Porth Relief Road	Porth	Highway drainage has deformed up to 70% in places and will need replacement (around 100m)
Tonypandy Bypass A4058 Asda- Tonypandy R/About	Trealaw	Existing Highway Carrier Line (filter system) is showing significant root mass within the main system

		approximately 500m which is reducing the capacity of the carrier line to function resulting in frequent Highway Flooding
Tonypandy Bypass A4058 Tonypandy R/A- Trealaw R/A	Trealaw	Existing Highway Carrier Line (filter system) is showing significant root mass within the main system approximately 550m which is reducing the capacity of the carrier line to function resulting in frequent Highway Flooding
Tonypandy Bypass A4058 Trealaw R/A- Dinas Rd	Trealaw	Existing Highway Carrier Line (filter system) is showing significant root mass within the main system approximately 540m which is reducing the capacity of the carrier line to function resulting in frequent Highway Flooding
Nant y Gwyddon Road, Llwynypia	Llwynypia	Highway Filter Drain throughout the Highway is defective i.e. root mass and displaced joints - reducing the performance of the network approximately 1.5km
A4119 bypass Ynyscrug roundabout Tonypandy to Coedely roundabout various locations	Tonyrefail West	Plastic Carrier Line has significant defects i.e. root ingress and displaced joints through the length of the network - partial surveys undertaken
Rhondda Valley Monitoring Stations	Treherbert/Treorchy/Pentre	Rainfall and river level data not captured across the Rhondda, therefore affecting monitoring capabilities

Appendix 3 – Proposed Traffic Management Programme 2020/21

Traffic Management Programme 2019/20	Cost (£)
Disabled Persons Parking Permits	10,000
Minor schemes, signs and markings	55,000
Collision Cluster and Capital Programme Review	4,000
Small scale traffic regulation orders (Speed limit, Road Safety and community benefit)	30,000
Residents Parking Review	40,000
Speed Limit Review	6,000
Remedial works resulting from Safety Audits on previous schemes	5,000
Development of schemes for 2018/19 onwards	10,000
Total (50% profiled for Phase 1 and Phase 2)	160,000

In addition to the above the Traffic Management team will be responsible for delivering a number of Education and Lifelong Learning funded projects throughout the borough including the highway elements of the 21Century Schools programme.

Appendix 4 “Making Better Use” Programme.

Scheme/Location	Work Description	RCT (£)	Other (£)	Budget (£)
Highway Network Improvements				
A473 Tonteg Road, Upper Boat	Traffic Flow Improvements	100,000		100,000
A4059 Quarter Mile Jct, Abercynon	Traffic Flow Improvements	110,000		110,000
A4059 Mountain Ash	Traffic Flow Improvements	100,000		100,000
A4046, Dyfodwg Street, Illtyd Street Treorchy (Park and Dare Theatre)	Highway improvement scheme	250,000		250,000
A4058, Llwynypia Road, Tonypany.	Capacity Improvements at signals	300,000		300,000
Bus corridor improvements	Various	60,000		60,000
Network assessments	Various	31,000		31,000

Scheme/Location	Work Description	RCT (£)	Other (£)	Budget (£)
Road Safety/Active Travel/Traffic Flow Improvements				
Llantrisant Town	Road Safety/Active Travel Scheme	200,000		200,000
A4054 Cardiff Road, Hawthorn	Road Safety - Sustrans	20,000		20,000
Holly Street, Rhydyfelin	Zebra Crossing	50,000		50,000
Llantrisant Road, Tonyrefail.	Enhance Pedestrian Measures.	130,000		130,000
A4119 Groes Faen	Enhance Pedestrian Measures	100,000		100,000
A473 Bridgend Road, Llanharan	Enhance Pedestrian Measures	100,000		100,000
Taff Street Pontypridd	Traffic Management	50,000		50,000
A4059 Aberdare	Review sustainable links between bus and rail stations.	50,000		50,000
Totals		1,651,000		1,651,000

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24TH SEPTEMBER 2020

REVIEW OF REGENERATION BUSINESS GRANTS PORTFOLIO

REPORT OF DIRECTOR OF PROSPERITY AND DEVELOPMENT IN DISCUSSIONS WITH THE CABINET MEMBER FOR ENTERPRISE, DEVELOPMENT AND HOUSING, COUNCILLOR BEVAN

Author: Derek James – Service Director for Prosperity and Development

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to seek approval to refocus the existing business support grant schemes delivered by the Regeneration Service, and to establish three further schemes – the Town Centre COVID 19 Recovery Grant, the Major Projects Investment Fund and the Flood Resilience Grant.
- 1.2 These grant schemes will enable the Council to provide a portfolio of financial investment which will support businesses to respond to the economic challenges they face, helping them build their resilience, support economic growth and diversification with the aim of stimulating future private sector investment.

2.0 RECOMMENDATIONS

It is recommended that:

- 2.1 The purpose of the Enterprise Investment Fund and Town Centre Maintenance Grant is refocused to incorporate actions, as set out in paragraph 5.1.3 and 5.2.3 of this report, to more effectively support business recovery post COVID-19.
- 2.2 A new RCT Town Centre COVID-19 Recovery Grant is established to deliver Welsh Governments Transforming Towns Grant of £350k.
- 2.3 A Major Projects Investment Fund is established to provide targeted investment for projects led by external organisations, which will deliver significant economic benefit.

- 2.4 A Flood Resilience Grant is established to provide targeted support for businesses in Town Centres who were severely impacted by the significant flooding caused as a result of Storm Dennis.

3.0 REASONS FOR RECOMMENDATION

- 3.1 The Coronavirus pandemic has had and will continue to have a significant impact on the global, national and local economy. The economy is now moving from lockdown, to a position where restrictions are gradually lifting, and more businesses are able to re-open.
- 3.2 Given the level of financial investment that the Council delivers to external organisations to support the local economy, it is of crucial importance that these delivery mechanisms are reviewed to ensure they are fit for purpose and can continue to support businesses to survive, diversify and hopefully grow in this uncertain economic climate.

4.0 BACKGROUND

- 4.1 The Rhondda Cynon Taf Corporate Plan focuses on building a sustainable County Borough, with a particular focus on supporting initiatives that stimulate economic growth and create jobs, and the Regeneration Service has several existing grant schemes available to support businesses in Rhondda Cynon Taf.
- 4.2 The economy in Rhondda Cynon Taf has been severely impacted as a result of the devastating storms and flooding at the start of the year, and the COVID-19 pandemic and subsequent lockdown measures. With the focus now looking towards recovery, it is an appropriate time to review the existing portfolio of business grants and consider any proposed new interventions. This will ensure that the financial assistance available can effectively support businesses to respond to the economic challenges they face, helping them build their resilience, support economic growth and diversification with the aim of stimulating future private sector investment.

5.0 BUSINESS SUPPORT GRANT SCHEMES - PROPOSALS

5.1 Enterprise Investment Fund (Existing)

- 5.1.1 This Fund currently supports sustainable economic growth across RCT by investing in small and medium size enterprises (SMEs) which contribute to creating a vibrant and strong local economy. It supports capital expenditure for **start-ups and existing enterprises** (both private and social).
- 5.1.2 The 2020/21 budget is £257K. The maximum grant intervention rate is 50% and the maximum grant is £10K.
- 5.1.3 There continues to be a high level of interest in the Fund as businesses begin to re-open. Many applicants are proposing to use their COVID NDR Business Support Grant as their match funding contribution. It is proposed that the current focus of the Fund on supporting growth should now be revised to be able to

support business adapt and/or diversify in response to the current economic circumstances.

5.2 Town Centre Maintenance Grant (Existing)

5.2.1 This Fund supports town centre traders / landlords to undertake minor improvements and maintenance works to the external front elevation of town centre properties (including vacant properties). The aim is to contribute to a positive impact on the street scene, creating a more attractive and vibrant environment, which increases retail spend and stimulates further private sector investment.

5.2.2 To date the scheme has been operational in Mountain Ash, Tonypany, Treorchy, Aberdare, Ferndale and Porth. The maximum grant intervention rate is 75% and the maximum grant is £1K (possible extra £300 for skip hire / scaffold costs). The original budget was £266K.

5.2.3 The number of applications has recently started to increase as many businesses start to re-open following lockdown. It is proposed to update the current focus of the Fund **to include actions that facilitate social distancing such as small scale shop front modifications** (in line with any required statutory consents).

5.3 Town Centre COVID-19 Recovery Grant (Proposed)

5.3.1 Welsh Government has recently approved a re-purposing of elements of the Transforming Towns 2020/21 budget to allow some flexibility in adapting to the comprehensive social distancing changes required in town centres as a result of the COVID-19 pandemic. This will support businesses and contribute to providing a high street environment where people feel safe to return to.

5.3.2 This **capital funding** is to be used for external interventions which will facilitate social distancing and a lower density of occupation in external areas where customers and members of the public will meet, be served food or drink or rest. Any measures supported will need to be COVID secure.

5.3.3 Examples of the type of specific interventions the grant could support include;

- Outdoor enhancements that facilitate outdoor trading space i.e. outdoor awnings, canopies, outdoor heating;
- Outdoor tables, chairs and seating provision
- Outdoor screening, bollards and planters
- Outdoor serving facilities
- Small Green Infrastructure schemes
- Electrical supply and lighting to outdoor trading space
- Courtyard/rear garden improvements and adaptations such as public realm

5.3.4 With an allocation of **350K** for 2020/21 (per LA) from the Welsh Governments Transforming Towns budget, it is proposed to establish a new RCT Town Centre COVID-19 Recovery Grant as the mechanism to deliver these interventions. The maximum grant intervention rate for these measures will be up to **80%** as set out by Welsh Government, with a maximum grant of **£10K** per business application.

5.4 Major Projects Investment Fund (Proposed)

5.4.1 Many of the initiatives that will stimulate economic growth and recovery will be led by organisations other than the Council, including private sector businesses, investors, property owners, Registered Social Landlord's or third sector based organisations. In certain circumstances there may be a clear funding gap which prevents successful delivery of a key economic growth opportunity.

5.4.2 With an initial allocation of **£100K**, it is proposed to establish the Major Projects Investment Fund which will act as a lever to unlock the potential opportunities and economic benefits of a project that may otherwise not proceed. The Fund will provide targeted investment on a case by case basis by invitation only, and would not be an open programme for applications.

5.4.3 Examples of the type of project the Fund could invest in are;

- Construction / redevelopment of key premises for commercial/industrial / visitor economy use
- Provision of infrastructure at key development sites
- Acquisition of land or commercial/industrial/disused or derelict property
- Projects related to significant inward investment

5.4.4 To secure this investment, organisations will need to provide a Business Plan/Business Case which clearly identifies;

- Fit with the priorities set out in the RCT Corporate Plan.
- The funding gap and rationale for investment from the Fund.
- The economic benefits and measurable outcomes that will be achieved.
- The proposal is deliverable and sustainable.

5.4.5 The Business Plan will be reviewed by officers from Prosperity, Development and Frontline Services, Finance and Digital Services and any other Service Area appropriate to the focus of the proposal to apply relevant and proportionate due diligence to the investment proposal.

5.5 Flood Resilience Grant (Proposed)

5.5.1 A significant number of businesses across Rhondda Cynon Taf were severely impacted by the significant flooding caused as a result of Storm Dennis in February 2020.

5.5.2 It is proposed to establish the Flood Resilience Grant which will provide targeted support for businesses that were affected (and are still viable) in Town Centres.

It will support the implementation of anti-flood measures which will improve business resilience to deal with any such potential weather events in the future.

5.5.3 Feedback at the time from affected businesses suggested that key areas the Fund could focus assistance on would be;

- Doors (internal and floodgates to doorways)
- UPVC floor coverings and skirting
- Internal moisture resistant wall boarding
- Raising of power points

5.5.4 Based on costs provided by RCT CBC Quantity Surveyors such works would cost an estimate of £96/m2 plus VAT.

5.5.5 The Fund has a budget of **£300K**. The maximum grant intervention rate will be 75% up to a maximum grant of £7,500 based on the work described above and potential eligible businesses.

6.0 EQUALITY AND DIVERSITY IMPLICATIONS

6.1 An Equality Impact Assessment (EqIA) screening form has been prepared for the purpose of this report. It has been found that a full report is not required at this time. The screening form can be accessed by contacting the author of the report or the Cabinet Business Officer.

7.0 CONSULTATION

7.1 None required.

8.0 FINANCIAL IMPLICATIONS

8.1 The resources for these changes will be allocated from the management of existing budgets within the Prosperity & Development Service. This will include a £300,000 budget identified for support for flood affected businesses and an initial budget of £100,000 for the Major Project Investment Fund.

8.2 In relation to the establishment of a new RCT Town Centre COVID-19 Recovery grant, Welsh Government have allocated £350K of capital funding from their Transforming Towns budget for 2020/21.

9.0 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

9.1 State Aid legislation associated with any investment awarded will be considered on a case by case basis.

10.0 LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

10.1 This review and refocus of financial assistance the Council delivers to external organisations to support the local economy, is of crucial importance to ensure

it is fit for purpose and can continue to support businesses to survive, diversify and hopefully grow in this uncertain economic climate. This will contribute to achieving the “Economy” priority within the Corporate Plan.

- 10.2 It will also make a significant positive contribution to the seven goals set out in the Well-Being of Future Generations Act, in particular a prosperous Wales, a resilient Wales, a healthier Wales and a Wales of cohesive communities.

11.0 CONCLUSION

- 11.1 The economy in Rhondda Cynon Taf has been severely impacted as a result of the devastating storms and flooding at the start of the year, and the COVID-19 pandemic and subsequent lockdown measures. With the focus now looking towards recovery, it is an appropriate time to review the existing portfolio of business grants and consider proposed new interventions. This will ensure that the financial assistance available can effectively support businesses respond to the economic challenges they face, helping them build their resilience, support economic growth and diversification with the aim of stimulating future private sector investment.

Other Information:-

Relevant Scrutiny Committee:
Finance and Performance Scrutiny Committee

Contact Officer:
Derek James (01443 281114)

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24 SEPTEMBER 2020

REVIEW OF REGENERATION BUSINESS GRANTS PORTFOLIO

**REPORT OF DIRECTOR OF PROSPERITY AND DEVELOPMENT IN
DISCUSSIONS WITH THE CABINET MEMBER FOR ENTERPRISE,
DEVELOPMENT AND HOUSING, COUNCILLOR BEVAN**

Background Papers

None.

Officer to contact: Derek James (01443 281114)

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24th September 2020

COUNCIL PERFORMANCE REPORT – 30th June 2020 (Quarter 1)

**REPORT OF THE DIRECTOR OF FINANCE AND DIGITAL SERVICES IN
DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER (CLLR NORRIS)**

**AUTHOR: Paul Griffiths, Service Director – Finance and Improvement
Services (01443) 680609**

1.0 PURPOSE OF THE REPORT

- 1.1 This report provides Members with an overview of the Council's performance, both from a financial and operational perspective, based on the first three months of this financial year (to the 30th June 2020).

2.0 RECOMMENDATIONS

It is recommended that the Cabinet:

- 2.1 Note the unprecedented circumstances Council Services are operating within as a result of the COVID-19 pandemic.

Revenue

- 2.2 Note and agree the General Fund revenue outturn position of the Council as at the 30th June 2020 (Section 2 of the Executive Summary) and note the incorporation of confirmed and estimated Welsh Government COVID-19 funding into this position to support on-going service delivery.

Capital

- 2.3 Note the capital outturn position of the Council as at the 30th June 2020 (Sections 3a – e of the Executive Summary).
- 2.4 Note the details of the Treasury Management Prudential Indicators as at the 30th June 2020 (Section 3f of the Executive Summary).

Corporate Plan Priorities

- 2.5 Note the quarter 1 progress updates for the Council's agreed Corporate Plan priorities.

3.0 REASONS FOR RECOMMENDATIONS

- 3.1 To agree the Council's financial and operational performance position as at the 30th June 2020 to enable elected Members and other stakeholders to scrutinise the performance of the Council.

4.0 BACKGROUND

- 4.1 This report provides Members with the first update of the Council's financial and operational performance position for the financial year ending the 31st March 2021.
- 4.2 The aim of the report is to bring together the Council's performance into an Executive Summary and make available more detailed information to the reader through electronic links. Information contained in the Executive Summary includes financial data (with exceptions highlighted within the detailed sections to ensure that elected Members and other readers are able to quickly identify the key issues) and progress updates against our Corporate Plan priorities.
- 4.3 Members will recall the Council's 2019/20 Year-End Performance Report was set in the context of Storm Dennis and the start of the COVID-19 pandemic, and noted the significant challenges these events were having and were expected to have on the delivery of Council services and its finances, now and into the future. Since this time, due to the unprecedented nature and impact of COVID-19, separate updates have been reported to Council, Cabinet and the Overview and Scrutiny Committee to keep Members and stakeholders informed of the action being taken by the Council.
- 4.4 The Quarter 1 Performance Report for 2020/21 continues to be set in the abovementioned context, and further information in this regard is included within the Executive Summary.

5.0 QUARTER 1 REPORT

- 5.1 The Quarter 1 report is attached and comprises:
- **Executive Summary** – setting out, at a glance, the overall performance of the Council as at quarter 1 (i.e. 30th June 2020);

- **Revenue Monitoring** – sections 2a – e setting out the detailed projected financial spend against budget across our Revenue Budget with exceptions highlighted;
- **Capital Monitoring** – sections 3a – f setting out capital spend across our Capital Programme with exceptions highlighted and section 3g covering Prudential Indicators;
- **Organisational Health** – includes information on turnover, sickness absence, organisational health related investment areas and Council strategic risks; and
- **Corporate Plan Priorities** - progress updates for the 3 priorities of People, Places and Prosperity.

6.0 EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 The Council's Performance Report provides an update on financial and operational performance for the first 3 months of 2020/21; as a result, no Equality Impact Assessment is deemed required for the purposes of this report.

7.0 CONSULTATION

- 7.1 Following consideration by Cabinet, this Report will be presented to the Finance and Performance Scrutiny Committee for review, challenge and where deemed required, the scrutiny of specific areas in more detail.

8.0 FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications as a result of the recommendations set out in the report.

9.0 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 9.1 There are no legal implications as a result of the recommendations set out in the report.

10.0 LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

- 10.1 The Corporate Plan progress updates included within this report align with the priorities as set out within the Council's Corporate Plan 2020 – 2024 "Making a Difference". With regard to the Well-being of Future Generations

Act (Wales) Act 2015, at the 4th March 2020 Council meeting, it was agreed that the Corporate Plan priorities would also serve as its Well-being Objectives in line with the Act.

11.0 CONCLUSION

- 11.1 This report sets out the financial and operational performance of the Council as at Quarter 1 2020/21, that is, 30th June 2020.
- 11.2 The first quarter revenue budget position is projecting a £2.903M overspend. This is an early projection for the full year and reflects the impact of forecasted changes in demand through to year-end, with key pressures being primarily within Adult Social Care and Children's Services. The projected position is also set in the unprecedented context of COVID-19 and takes into account additional Welsh Government funding received for the first 3 months of the year, and that forecasted to be received for the remainder of the year, in respect of additional expenditure incurred and income loss as a result of the pandemic. Work will continue to closely monitor the Council's financial position, refresh financial forecasts for the full year as updated information becomes available and also engage with Welsh Government to highlight the importance of providing additional funding to meet on-going permanent cost pressures.
- 11.3 Capital investment as at 30th June 2020 is £7.7M, with projects across the programme recommencing during quarter 1, taking account of COVID-19 safety requirements, following the initial 3 week lockdown period from 23rd March. In addition, a number of schemes have been re-profiled during the quarter to reflect changes in costs and also new external grant funding approvals received.
- 11.4 With regard to quarter 1 performance across Corporate Plan priorities, the Council and its partners have been focussed on providing essential support to residents and businesses to help counter the significant impact COVID-19 is having on local communities and, in parallel, recovery work is well underway across the Council to enable services to be reintroduced as lockdown measures ease and where deemed safe to do so.

Other Information:-

Relevant Scrutiny Committee: Finance and Performance Scrutiny Committee

Contact Officer: Paul Griffiths

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

24th September 2020

COUNCIL PERFORMANCE REPORT – 30th June 2020 (Quarter 1))

**REPORT OF THE DIRECTOR OF FINANCE AND DIGITAL SERVICES IN
DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER (CLLR NORRIS)**

Item: 8

Background Papers

Officer to contact: Paul Griffiths

**COUNCIL PERFORMANCE REPORT
QUARTER 1 2020/21
EXECUTIVE SUMMARY**

Contents

Section 1 – INTRODUCTION

Section 2 – REVENUE BUDGET

Revenue Budget Performance – more detailed breakdowns are included in the following sections:

- 2a Education and Inclusion Services;
- 2b Community and Children's Services;
- 2c Chief Executive;
- 2d Prosperity, Development & Frontline Services; and
- 2e Authority Wide Budgets.

Earmark reserve update – Section 2f provides a breakdown of expenditure against service areas.

Section 3 – CAPITAL PROGRAMME

Capital programme budget – more detailed breakdowns are included in the following sections:

- 3a Chief Executive;
- 3b Prosperity, Development & Frontline Services;
- 3c Education and Inclusion Services;
- 3d Community and Children's Services; and
- 3e Capital Programme Funding.

Prudential Indicators – a detailed breakdown is included in Section 3f.

Section 4 – ORGANISATIONAL HEALTH

- Turnover;
- Sickness Absence;
- Organisation Health related investment areas; and
- Council Strategic Risks.

Section 5 – CORPORATE PLAN

- Corporate Plan priority progress updates for People, Places and Prosperity.

Section 1 – INTRODUCTION

The 2019/20 Year-End Performance Report and Executive Summary set the context around the circumstances that Council services were operating within in terms of Storm Dennis and the start of the COVID-19 pandemic

This Executive Summary, bringing together and summarising the Council's financial and operational performance position as at 30th June 2020, continues to be set within the above mentioned context. In particular, the COVID-19 pandemic has had an unprecedented impact on communities across the County Borough, with the Council needing to change the way it provides services to help meet the needs of residents and businesses. From the Council's perspective this has included the requirement for Council Services to operate with reduced resources; quickly put in place arrangements to provide new and different levels of provision; and in some cases temporarily suspend services. Where appropriate, service specific information has been included within this Executive Summary to provide the reader with a full as picture as possible in this regard.

In addition, throughout the Executive Summary electronic links have been included that enable the reader to access more detailed information, as required.

Section 2 – REVENUE BUDGET

Revenue Budget Performance

Service Area	2020/21 – as at 30 th June 2020 (Quarter 1)		
	Full Year Budget £M	Projected Expenditure as at Quarter 1 £M	Variance Over / (Under) £M
Education & Inclusion Services (2a)	192.627	192.781	0.154
Community & Children's Services (2b)	162.681	165.536	2.855
Chief Executive (2c)	27.039	26.901	(0.138)
Prosperity, Development & Frontline Services (2d)	55.928	56.143	0.215
Sub Total	438.275	441.361	3.086
Authority Wide Budgets (2e)	70.472	70.289	(0.183)
Grand Total	508.747	511.650	2.903

Welsh Government COVID-19 funding incorporated within the full year projected position at Quarter 1

The full year revenue budget variance, projected as at 30th June 2020, is a £2.903M overspend. This forecasted position assumes that additional costs and income losses will be offset by additional funding being made available by Welsh Government to all local authorities in Wales. Specific financial assistance is being provided to local authorities for additional expenditure incurred as a result of COVID-19 (for example, additional costs incurred in respect of housing / homelessness, free school meal payments, Adult Social Services and staff cover due to absence / shielding) and also income loss where there has been a need to temporarily suspend or reduce service provision (for example, Leisure Centres and the provision of school meals). Funding has also been announced for additional costs associated with the Council Tax Reduction Scheme, initially for quarter 1.

The Table below sets out the total forecasted full-year additional costs and income losses assumed to be recoverable.

Full Year Projection of Additional Costs and Income Losses Associated with Covid 19 and Assumed to be Fully Funded by Welsh Government

Service Area	£'000
Education & Inclusion Services	-5,515
Community & Children's Services	-11,519
Chief Executive	-1,845
Prosperity, Development & Frontline Services	-4,697
Authority Wide	-3,682
TOTAL	-27,258

The forecasted costs and income losses are subject to ongoing review in light of the national easing of restrictions and the associated impact on Council Services.

Key Revenue Budget variances at Quarter 1

1. Community and Children's Services

ADULT SERVICES

- Long Term Care & Support (£0.114M overspend);
- Commissioned Services (£0.500M overspend);
- Provider Services (£1.143M overspend); and
- Short Term Intervention Services (£0.891M underspend).

CHILDREN SERVICES

- Safeguarding & Support (including Children Looked After) (£2.297M overspend);
- Early Intervention (£0.278M underspend);
- Cwm Taf Youth Offending Service (£0.084M underspend); and
- Intensive Intervention (£0.422M underspend).

2. Prosperity, Development & Frontline Services

FRONTLINE SERVICES

- Transportation (£0.232M underspend);
- Street Cleansing (£0.093 underspend);
- Facilities Cleaning (£0.090M underspend);
- Waste Services (£0.566M overspend); and
- Fleet Management (£0.161M underspend).

3. Chief Executive

CHIEF EXECUTIVE

- Human Resources (£0.050M underspend); and
- Legal Services (£0.074 underspend).

4. Authority Wide Budgets

- Miscellaneous (£0.173M underspend).

Earmark Reserve Update

- A breakdown of full year expenditure against approved earmark reserves for Service Areas can be viewed at Section 2f by clicking [here](#).

Section 3 – CAPITAL PROGRAMME

Following the immediate steps taken by the Council to comply with the COVID-19 lockdown requirement from 23rd March 2020, appropriate arrangements have been put in place during quarter 1, through working in partnership with contractors and suppliers, to enable works to re-commence and projects progressed.

Capital Programme Budget

Service Area	2020/21 - as at 30 th June 2020	
	Capital Budget £M	Actual Expenditure £M
Chief Executive (3a)	2.413	0.141
Prosperity, Development & Frontline Services (3b)	79.180	5.335
Education & Inclusion Services (3c)	35.299	2.012
Community & Children's Services (3d)	8.631	0.207
Total	125.523	7.695

Key Capital Variances at Quarter 1

- Re-profiling of a number of projects to reflect changes in the total cost of schemes and revised delivery timescales.
- Grant approvals introduced into the Capital Programme: Welsh Government (WG) Valleys Taskforce RCT+ Empty Homes Grant Phase 1 and Phase 2 (£4.5M); WG Local Transport Fund (£2.165M); WG Local Transport Network Fund (£0.735M); and WG Resilient Roads Fund (£3.110M).

For information on how the Capital Programme is funded see section 3e by clicking [here](#).

Prudential Indicators

For a detailed breakdown of Prudential Indicators, see section 3f by clicking [here](#).

Section 4 – ORGANISATIONAL HEALTH

- **Turnover**

Service Area	2020/21		2019/20		2019/20	
	As at 30 th June 2020		As at 30 th June 2019		As at 31 st March 2020	
	Staff Nos.	% Turnover	Staff Nos.	% Turnover	Staff Nos.	% Turnover
Turnover – Council Wide	10,630	1.03	10,543	1.97	10,670	9.85
Community & Children's Services	2,909	1.17	2,847	2.39	2,883	8.50
Prosperity, Development & Frontline Services	949	0.74	958	1.57	964	8.40
Education & Inclusion Services	1,277	0.47	1,260	1.98	1,265	8.14
<u>Schools</u>	<u>4,820</u>	<u>1.16</u>	<u>4,797</u>	<u>1.71</u>	<u>4,855</u>	<u>11.64</u>
Primary	3,040	1.09	3,068	1.79	3,066	9.95
Secondary	1,780	1.29	1,729	1.56	1,789	14.53
Chief Executive's Division	675	0.89	681	2.64	703	8.11

- **Sickness Absence**

With specific regard to Covid-19 and the recording of sickness absence, where staff have been unavailable for work due to self-isolating; being part of the shielded list; have underlying conditions that places an individual at risk, such as being pregnant; or lives in the same household as someone that needs to be shielded, these occurrences have not been categorised as 'sickness absence' and as such are excluded from the analysis below.

Service Area	2020/21	2019/20	
	As at 30 th June 2020 %	As at 30 th June 2019 %	As at 31 st March 2020 %
% days lost to sickness absence – Council Wide	3.29	4.14	4.16
Community & Children's Services	5.59	5.25	5.59
Prosperity, Development & Frontline Services	4.06	3.76	4.74
Education & Inclusion Services	2.47	3.65	3.70
<u>Schools</u>	<u>2.21</u>	<u>3.89</u>	<u>3.56</u>
Primary	2.39	4.16	3.79
Secondary	1.90	3.42	3.16
Chief Executive's Division	1.47	2.73	2.39

For a more detailed breakdown of Quarter 1 2020/21 sickness absence information, click [here](#).

Organisation Health related investment areas

There will be a continued focus on investing in organisational health related areas, for example, IT infrastructure and invest to save energy efficiency schemes, with projects being delivered operationally within services across the Council.

- **Council Strategic Risks**

The Council's Quarter 1 Strategic Risk Register can be viewed by clicking [here](#), with updates setting out the implications to date of COVID-19 and the work being undertaken / planned to mitigate the impact as much as possible.

In addition, the following specific updates have been incorporated into the quarter 1 Risk Register since the 2019/20 Year-end Performance Report, as a direct impact of COVID-19:

- Revision to an existing Risk Score - Risk Number 11 i.e. If projects aimed at regenerating the local communities through the Council's investment programme are not planned, procured and managed effectively by the Council, then delivery could be severely compromised and the benefits lost.

The Risk Score has been increased from 12 to 16 to reflect the ability to deliver schemes on time and budget.

- New Risk incorporated within the Register to reflect its strategic importance to the Council - Risk Number 25 i.e. The impact of the global Covid 19 pandemic arising from coronavirus is continuing to principally effect the health and economic well-being of the County Borough. The Council reconfigured services to deliver essential support to vulnerable people during the early lockdown phases and is now making good progress in implementing Recovery Plans to open up other services, safely, within Welsh Government guidelines. Covid-19 is still with us and will be until such time as an effective vaccine is available. There are three separate but connected risks.

All strategic risks will continue to be reviewed on an on-going basis and, where appropriate, revisions made to the Strategic Risk Register.

Section 5 – CORPORATE PLAN

During quarter one Council services have compiled Service Recovery Plans to support the delivery of Corporate Plan priorities, taking into account the significant and widespread impact COVID-19 has and is likely to have on local communities and also the Council itself.

With regard to the Service Recovery Plans, their content has purposely been action focussed rather than driven by performance indicators to enable the story to be told of the Council's work to recover, and support communities and businesses in their recovery, from this unprecedented event.

In line with this, for quarter 1, Corporate Plan priority progress updates are set out below in narrative form for the three priorities of People, Places and Prosperity, and are accompanied by investment updates for each priority (for information, future Performance Reports this year will include specific action plan updates for each Corporate Plan priority).

PEOPLE – Are independent, healthy and successful

Corporate Plan Priority Progress Update – Quarter 1

Priority(s)

- **Supporting our residents who are older, vulnerable or who have disabilities, to remain independent and have a good quality of life; and**
- **Integrating health and social care and providing support for those with mental health problems and complex needs.**

We have continued to assess and prioritise cases, based on need and risk in a way that safeguards people and involves them and their families in decision making. As lockdown measures ease, demand for care and support has returned to pre-covid-19 levels across adult services. Single Point of Access (SPA), social work and occupational therapy teams have been operational throughout the pandemic and have continued to assess need in line with our 2014 Act duties. We have also commissioned additional external support to increase care and support capacity to reduce review and assessment backlogs that have increased during Covid-19. Whilst successful use has been made of telephone triage and information gathering to allow decisions to be taken and services offered without a need for a visit, face-to-face assessments, where needed, are being completed with appropriate Personal Protective Equipment (PPE) and social distancing following risk assessment.

We have continued to undertake welfare calls for people on care and support waiting lists and for those whose service has been changed due to Covid-19 to ensure appropriate actions are taken to avoid escalation of risk. However, the need for these calls are reducing as we work with care providers to reintroduce day and respite services and home care calls that were suspended at the request of the service user or in order to prioritise provider resources on those with greatest needs.

We have continued to work with NHS Partners to ensure people are discharged safely and timely from hospital and supported in the community with appropriate health and social care support. Throughout Covid-19, Adult Services through our social work teams and our commissioned provider services, have continued to prioritise assessments and support discharge planning from hospital. Usual reporting procedures for delayed transfers of care has remained suspended since March 2020 and is currently not available at a Rhondda

Priority(s)

- **Supporting our residents who are older, vulnerable or who have disabilities, to remain independent and have a good quality of life; and**
- **Integrating health and social care and providing support for those with mental health problems and complex needs.**

Cynon Taf level from the Health Board. We are starting to experience an increase in hospital discharges and whilst we continue to meet demand, home care capacity is expected to reduce over the summer school holiday period which may potentially cause some delays as in previous years. However, the availability of care home beds, in particular dementia and nursing care remains low and some discharges are taking longer to complete. Work is underway to review current discharge pathways, in preparation for winter pressures, to ensure they are effective and offer good practice in line with Welsh Government guidance.

Construction of Cwrt yr Orsaf Extra Care in Pontypridd has continued throughout the Covid-19 pandemic. Good progress has been made with the main roof area and is due to be completed by August 2020 and the overall project is planned to be completed in Summer 2021. Development options for Porth Extra Care continue to be considered with Linc Cymru, pending ongoing site investigations, which have been delayed due to Covid-19.

We have continued to work in partnership with housing providers to deliver modern additional supported housing accommodation for vulnerable people, and the refurbishment of Crown Avenue (Treorchy) and Oxford Street (Mountain Ash) properties, whilst initially delayed due to Covid-19, are now progressing well. Crown Avenue is planned to be completed in Autumn 2020 and Oxford Street in Spring 2021. An open day for Crown Avenue is being planned for September 2020 and we will start assessments for new tenants with the commissioned care provider.

We have continued to ensure that care homes and other care providers receive appropriate ongoing operational and financial support as the situation continues to evolve in line with Welsh Government guidance. Communication and information remain a fundamental element of the support given to our commissioned care providers; this includes at present timely briefings and government guidance being issued to support safe working practises. The Council has also continued to support care home and other commissioned care providers through local adult services commissioning and, where applicable, Public Health support and engagement, including regular calls with care providers. Support has also been given to our commissioned care providers in terms of ongoing funding (via the Welsh Government Hardship fund and existing contracts) and access to PPE.

In order to ensure market oversight and to understand the pressures for our commissioned care providers, local intelligence systems have been developed to collate key data about the stability of the market. This includes staff sickness/self-isolating absence levels, availability of PPE, number of individuals affected by the virus and those who have passed away. This information is analysed by adult service commissioners and senior managers in order to provide a greater understanding of key pressure points and, where appropriate, respond accordingly. Feedback from our commissioned care providers continues to be positive in that they have found this supportive and reinforcing long-established relationships.

Since 16th June 2020, outdoor visits to care homes have been allowed. Across Rhondda Cynon Taf, care homes have facilitated socially distanced visits in outside areas where possible, to reconnect residents and their families and these have been welcomed. In addition, Adult Services as both a provider and commissioner of care homes will review recently issued Welsh Government guidance to support phased risk assessed indoor visits to care homes by professionals, family and friends, where it is safe to do so from 29th August

Priority(s)

- **Supporting our residents who are older, vulnerable or who have disabilities, to remain independent and have a good quality of life; and**
- **Integrating health and social care and providing support for those with mental health problems and complex needs.**

2020.

We have reviewed options for phased opening of day and respite services in line with demand and social distancing guidelines. Due to increases in need and demand, from 3rd August 2020 we increased the number of available places at Llwynypia and Gadlys Learning Curve Centres (which have remained open during the Covid-19 pandemic) and reopened Talbot Green Day Learning Curve Centre. Abercynon Day Centre opened from 24th August 2020. All other Learning Curve Centres and work-based projects remain closed, but we will continue to review the need to open the remaining Centres based on demand and guidance. Older Person Day Centres have been closed during the Covid-19 pandemic in line with guidance and available resources to protect people. In line with increased demand, from 3rd August 2020, Tonyrefail Day Centre and Trecynon Day Centre reopened. We will continue to review the need to open the remaining older people centres based on demand and guidance. We have maintained a prioritised learning disability respite service through the pandemic at our in-house Beach Cottage in Aberaman and at Drive's Brynsadler House in Pontyclun. Due to an increase in demand, from 3rd August 2020, we re-opened our in-house respite accommodation at Ystradfechan Bungalow in Treorchy and Clwydwen in Miskin / Pontyclun, and will continue to review the need and provision based on demand and guidance. Across adult day and respite services, we continue to target support at people with the greatest need, and we are in contact with people to discuss their ongoing needs and the support we will be able to offer.

We have managed the phased reopening of regional equipment services and demand continues to grow as health and social care partners across the Cwm Taf Morgannwg region return to their new normal. In response, Vision Products has introduced a range of measures to support more staff in work in line with social distancing guidance and to meet increased demand. Whilst responses continue to be prioritised on need, all services were operational from August 2020, including: equipment deliveries and collections; equipment refurbishment, repairs and replacement; specialist children's equipment service; and out of hours service.

However, both Vision Products shops at Pontyclun and Aberdare remain closed and sales are currently being managed via the telephone or email. In addition, our Assistive Technology and Specialist Servicing functions have resumed full service provision across Rhondda Cynon Taf and Merthyr Tydfil, based on on-going risk, need and demand. The windows manufacture service remains closed in response to social distancing and staff shielding guidance. Vision Products, through working with its contracted customers, have agreed a plan to resume windows manufacturing and installation from September 2020. Staff from this area have been repurposed to the Community Equipment Service to meet demand and help reduce backlogs.

As lockdown restrictions have eased, the Regional Health and Social Care Transformation Projects restarted in July. Assistive Technology (New Lifeline+ Service) was initially implemented in January 2020; however, full implementation has been delayed due to Covid-19. Whilst the mobile responder element of the service has continued to operate flexibly throughout this period and provided a level of resilience and reassurance to residents, the proactive calling element has been delayed, but is now progressing. To plan for the changes for people in the shielding group from 16th August 2020, we have contacted them to offer on-

Priority(s)

- **Supporting our residents who are older, vulnerable or who have disabilities, to remain independent and have a good quality of life; and**
- **Integrating health and social care and providing support for those with mental health problems and complex needs.**

going support through the New Lifeline+ Service, along with wider marketing of the service to all Rhondda Cynon Taf residents.

Stay well@ Home 2 was initially implemented in January 2020 and continued during Covid-19, although demand for support changed and the service offered reduced operationally to reflect this. Rhondda Cynon Taf restarted full operation of the Service (7 days a week, including out of hours) from 6th July 2020 and this was extended to Merthyr Tydfil from 20th July 2020. Adult Services and our partners are working on winter plans, with the occurrence of Covid-19 representing an unprecedented position for health and social care - Stay Well @Home 2 will be key to reducing Welsh Ambulance Service NHS Trust (WAST) attendance and conveyance and admission to and stays in hospital, supporting people to remain safely at home.

We have continued to support NHS shielded patients and liaise with Test, Track & Trace colleagues to provide support to residents diagnosed with Covid-19 and required to shield for 2 weeks. NHS shielded patients who have been in receipt of Welsh Government food boxes are currently being contacted to assess the level of on-going support they will require now that shielding has been paused and the Welsh Government Food Box Scheme is scheduled to end (on 16th August). The emphasis is now on offering support for them to transition out of lockdown and the vast majority of those contacted have indicated that they do not need support to do their shopping, get prescriptions, post letters, walk their dogs etc. The highest identified on-going requirement has been the continuation of a regular friendly phone call which will be met through volunteers and/or community partners. Welsh Government have sent letters to all patients on the NHS shielded list and included the Council's Contact Centre details for those who may be in need of additional support so that there is assurance that anyone who is vulnerable will be able to access support. In terms of Test, Trace & Protect, a system has been established to ensure that those who have been identified as having been in contact with a confirmed coronavirus case can access support through the Council's Community Resilience Centres (CRCs) including access to food and prescriptions.

Seven CRCs were established in April supported by a wide range of partner organisations who provided virtual support to each centre. Council staff whose services were no longer operational due to the lockdown were transferred over to support the CRCs. A Core Community Support Steering Group was established and chaired by the Council to coordinate the support offered to all those who were vulnerable or in need. This Group included representatives from all the Registered Social Landlords, Age Connect Morgannwg, Homestart, Interlink, Citizen's Advice, Department for Work and Pensions as well as a wide range of Council services. Processes and procedures were agreed and the Council's Contact Centre was identified as the contact for dealing with requests for help and support as well as offers of help from volunteers. Significant work was undertaken by a range of services to establish these and identify the best way to capture and record the information. In addition to the phone calls to assess the support needs of 11,200 people on the shielded list, 3,089 individual residents have been supported between 23rd March and the beginning of August that included help with shopping, picking up prescriptions, friendly phone calls, dog walking and employment and benefits advice. In order to further support residents who are vulnerable, a Food Distribution Centre (FDC) was established to prepare food parcels and, later, to deliver food boxes on behalf of Welsh Government as well as providing additional

Priority(s)

- **Supporting our residents who are older, vulnerable or who have disabilities, to remain independent and have a good quality of life; and**
- **Integrating health and social care and providing support for those with mental health problems and complex needs.**

supplies for Food Banks who were experiencing difficulties to meet demand. The number of food boxes provided by the FDC between 13 April and 7 August was 4,804.

The @homelibrary service from Rock Grounds was re-instated on 24th June and was welcomed by residents. Some additional customers have been added to the list e.g. people who are vulnerable and/or on the NHS shielded list.

We are currently delivering the Contact, Track and Trace Service for Rhondda Cynon Taf and the wider region as part of the Regional Agreement for the Council to host the service and as part of the Cwm Taf Morgannwg Regional Response (to control the prevalence of Coronavirus in the community). The Service is evolving and developing quickly into a more sustainable service and targeted interventions are ongoing to increase awareness in settings e.g. care homes, factories and to provide support where required. Reactive work is also being undertaken with confirmed cases and their contacts.

Many staff have been redeployed into the service area and as part of the Council becoming the single host for the Regional Service, a recruitment process is underway for a number of roles within the service. This will entail the return of existing staff to their substantive roles and the appointment of new staff, and the Contact, Track & Trace Service will need to constantly evolve to meet the demands of disease control.

Priority

Encouraging all residents to lead active and healthy lifestyles and maintain their mental wellbeing

We have utilised technology to support more people to exercise at home or minimise face-to-face contact. Classes are available via the 'Leisure For Life' APP and are posted on our Facebook pages. These have been in existence since the end of March 2020 and to date have received over 12,000 views.

Online video and written information is being developed and distributed to vulnerable clients who are exercising at home, through the National Exercise Referral Scheme (NERS) and Community Joint Care Scheme (CJC) programmes. This is supported by regular telephone contact.

We have also introduced some open air classes, utilising our parks and 3G pitches to allow customers to exercise in a safe manner outdoors. Classes started on 20th July with sessions taking place at 5 open air locations in Rhondda Cynon Taf. Customers are able to book and pay for classes on-line and via the APP, and systems have been implemented to ensure social distancing and 2 staff members being present at every class.

We continue to develop and improve our digital communications and services to sports organisations and residents, especially the promotion of "essential exercise" for physical and mental health benefits. Independent and now small group outdoor activities are promoted on all social media platforms and through the 'Leisure For Life' APP, along with key "benefits of regular activity" messages e.g. information to enable local walking, cycling and family

Priority**Encouraging all residents to lead active and healthy lifestyles and maintain their mental wellbeing**

activities. We are also supporting sports clubs and organisations to access the Sport Wales Be Active Fund.

As of 10th August, gym facilities re-opened at all sites with reduced capacity to enable 2 metre social distancing with the exception of Llantwit Fardre, which unfortunately does not currently meet Covid-19 regulations. Indoor fitness classes and swimming pools re-opened from Monday 24th August.

We have delivered safe and socially distanced exercise opportunities where services are being delivered (e.g. summer HUB schools) and Sports Development have led on 2 summer HUB schools with Leisure Services providing 12 delivery staff.

A programme of digital performances and workshops have been provided for all residents such as storytelling with Artists in Residence Flossy and Boo, Welsh language song and rhyme with Falala, light entertainment with Lee Gilbert, Ieuan Rhys and Phyl Harries, and weekly dance workshops with Dimensions. Working with community organisations, we have provided daily sing-a-long with the Hapi Project and radio plays with Rhondda Radio. Young people continue to be supported through the Families First commissioned provision via online activity supporting their wellbeing, skill development and creative expression. Adult learning programmes and some well-being activities have been provided through Garth Olwg Life Long Learning Centre's Facebook pages. This was offered throughout the lockdown period, with initially just a small number of participants, which increased substantially by the summer term. Tutors have continued to support learners to complete their portfolios in order to meet the accreditation requirements of Awarding Bodies and all tutors have been provided with the necessary equipment to enable them to deliver their courses through digital platforms utilising recent investment provided by Welsh Government through its Digital Strategy 2030. There has been an increase in the number of courses delivered remotely in the summer term and an online registration process has been finalised. The programme for the Autumn Term has been developed and will be promoted online. The service has established a partnership with the Digital College in order to offer access to more than 70 additional employability and other courses to improve learning opportunities for residents.

Priority**Improving services for children and young people and ensuring the needs of children are considered in everything we do.**

Provision for our most vulnerable learners has remained in place throughout the Covid-19 pandemic, initially as part of our school hubs and then at their own school following reopening. We have also provided four and a half weeks of holiday provision across 7 school sites during the summer. Revised safeguarding procedures have been put in place to ensure that appropriate levels of contact are maintained with our most vulnerable learners and any concerns swiftly acted on.

The Youth Engagement and Participation Service continues to offer a virtual programme of activities. At least 5 videos are posted per week, offering young people a variety of open access sessions to engage with throughout the summer period. In addition, virtual youth clubs, Instagram live Q&A sessions and WICID 1:1 chat services are running each week and will continue to be offered as part of the Service's legacy plan.

Priority

Improving services for children and young people and ensuring the needs of children are considered in everything we do.

We have ensured robust safeguarding arrangements working with partners in the Cwm Taf Morgannwg Safeguarding Board, establishing Covid-19 operating arrangements following a Gold/Silver/Bronze structure which worked effectively on a multi-agency basis. The Executive Board and Operational Committee have now resumed meeting, to ensure the Board delivers its statutory functions.

We have been developing a safe, sustainable service delivery model to provide Children's Services statutory responsibilities in line with the recently published Welsh Government statutory guidance. Subject to risk assessment and physical distancing requirements, we have been adapting methods of service delivery as necessary. Plans are in place to begin delivering hybrid Child Protection Conferences from September. However uncertainty about the accommodation available to Children's Services and accompanying facilities accessible by service users are likely to impact on progress and is currently being considered.

We have improved the availability of sustainable quality accommodation options for children and young people with complex needs. Carn Igli Children's Home was registered with Care Inspectorate Wales in 2019/20 and is now open. There have been some positive outcomes for the young people who have moved on to lower dependency provisions from Carn Igli. An example of one young person's experience is:

"I feel like this is the first time I can breathe properly in ages, I feel safe here"

" before I came here, I didn't do any school or work, I didn't have any friends...now I'm in training for mechanics, got a work placement and really good friends since I joined rugby, it's like my life is completely different"

Investment Priority Progress Update – Quarter 1

Progress in our Investment Priorities – PEOPLE		
Investment Area	Investment Value ¹ £M	Quarter 1 Update
Leisure Centre Changing Rooms	0.088	This investment funding relates to works at Sobell Leisure Centre for changing room refurbishment. The refurbishment works were scheduled to commence in March 2020; however, due to the COVID-19 pandemic, works were paused and recommenced in June 2020, adhering to social distancing and working guidelines. These works are now scheduled to be completed during quarter 2.
Extracare Housing	6.974	Works at the former Maesyffynnon Home for the Elderly site were completed in early 2020 and the first residents moved into the new facility in May 2020. Works commenced at the Pontypridd site in July 2019 and consideration of development proposals for Rhondda (Porth), Treorchy and Mountain Ash schemes are on-going.
Tackling Poverty Fund	0.300	This investment funding is to help address areas where there are high levels of poverty (including fuel poverty) to increase the disposable income of households, for example, by supporting households to reduce energy bills, helping to overcome barriers to find employment.
Total	7.362	

¹ Investment Value – relates to LIVE projects / works only that have been allocated additional investment funding.

PLACES - Where people are proud to live, work and play

Corporate Plan Priority Progress Update – Quarter 1

Priority

Keeping RCT clean through efficient street cleaning services, minimising the amount of waste we send to landfill, achieving our recycling targets through weekly recycling and regular refuse collections, and reducing our carbon footprint

During the quarter, Waste Services have continued with appropriate safe working arrangements in place. The main focus has been on dealing with Covid-19 restrictions and prioritising waste/recycling collections (with other Streetcare Services deploying resources to support waste/recycling/green/nappy collections and the reopening of the Community Recycling Centres).

Most other services were suspended or reduced and operating on an 'emergency only' basis. As lockdown restrictions were eased resources were targeted where required most e.g. cleansing, grass cutting and enforcement. Most services are now returning to normal operations. Quarter 1 recycling performance is 65.33%, an increase when compared to the position reported at year-end for 2019/20 (64.71%). The overall quantum of kerbside waste remains higher than in previous years.

Due to the Community Recycling Centres being in high demand during the initial re-opening, Streetcare resources were redeployed to support Community Recycling Centre staff and restrictions were put in place at each site to ensure social distancing. Temporary sites were also set up in Abercynon and Tylorstown to take the pressure off the other sites where residents could take wood, metal, green waste and rubble.

Priority

Keeping the County Borough moving, including improvements to roads and pavements and public transport, whilst also improving air quality

Work has continued on the 2020/21 Highways Improvement Programme during Covid-19 with the resurfacing of roads and footway improvements being concentrated in non-urban environments and limiting contact with residents.

Work continues on our major infrastructure projects including:

- Construction of the Mountain Ash Southern Cross Valley Link, with the opening of the bridge and highway targeted for late September.
- Progressing the required design work for the Cynon Gateway North (Aberdare Bypass), Llanharan Bypass and A4119 dualling.
- Works to the highways and parks structures in the capital programme with St Albans, Station Street (Treherbert) and Castle Ifor all progressing on site, and Clydach Vale footbridges and Abercwmboi RFC retaining wall complete.
- Alleviation of the Storm Dennis damage continues with repairs to structures and culverts completed (e.g. Sion Street, Hopkinstown Road) with works ongoing on a large number of other structures (both design and on-site).
- Flood alleviation work and design continue to be progressed with a number of schemes commenced on-site, including Bryn Ifor (Mt Ash) and Oxford St (Nantgarw), and Plantation Road (Abercynon) recently completed.

Priority

Keeping the County Borough moving, including improvements to roads and pavements and public transport, whilst also improving air quality

Civil parking enforcement is now back to planned pre-Covid-19 levels. During the pandemic, officers were redeployed to help in the Council's response to the outbreak. Officers have been present at Community Recycling Centres since re-opening to support the enforcement of restrictions on-site and the required social distancing measures. As these measures have been relaxed and traffic on our roads has increased, 'normal' patrols with the required social distancing has been implemented.

The Council's Transportation Service has been working to existing delivery plan priorities, reacting to requests and delivering passenger transport. This work has been impacted by Covid-19 and focussed on agreeing and communicating foundation timetables for local bus services, responding to associated enquiries and putting in place transport for vulnerable children to attend the various Childcare Hubs.

With the re-opening of schools from 29 June 2020, as part of '[Check in, Catch up Prepare for summer and September](#)', the service has turned its attention to putting in place safe and effective transport arrangements in preparation for this and the September return to school. Working closely with education colleagues, this has included:

- Identifying reduced capacities in line with social distancing;
- Prioritising seats on transport for vulnerable learners and those travelling the furthest who have no travel alternative;
- Preparing guidance for schools, parents/carers and young people to support the safe transportation of learners to and from schools;
- Ensuring that operators, and their drivers and escorts, are provided with appropriate advice and in particular guidance on cleaning and PPE; and
- Providing timely information to remind parents and pupils to adhere to social distancing on their way to school.

Air quality monitoring was suspended during the Covid-19 lockdown and recommenced on 29th June. The laboratory testing service that supports this process commenced its analysis in July 2020. As there has been a substantial break in the continuity of monitoring and testing, further research over a longer time period will need to be agreed/arranged in order to establish a true trend in nitrogen oxide (NOx) reductions.

Priority

Ensuring the County Borough is one of the safest places in Wales, with high levels of community cohesion and where residents feel safe

Throughout the Covid-19 pandemic we have continued to support those in need in our communities, within Welsh Government Guidelines.

- Substance Misuse – Clients are being supported by service providers with appointments being undertaken by telephone and/or virtually, based on service user choice. Face-to-face appointments have taken place with clients when it has been deemed necessary. Client risk assessments have been completed by BAROD and those at high risk are being closely monitored. Service User Involvement Groups have recommenced meeting outdoors to comply with COVID restrictions, and have been well received by those attending.
- Domestic Abuse – The Oasis Centre remains closed at present and clients needing help and support have attended face-to-face meetings at other premises, including police stations, and 'drop-in' support has been made available over the telephone. We are currently working toward reopening the Oasis Centre for staff on a rota basis from the 10th September, and the [Drive](#) Project Case Managers from the 14th September on a rota basis (only 1 present at any time). We are aiming for partner agencies and service users to return week commencing 21st September but this is subject to risk assessment and office space changes to ensure compliance with COVID requirements.

Our community cohesion and engagement work has been limited during the first quarter with the majority of our resources redeployed to the [Test, Trace Protect Project](#) until the end of August 2020. We can report that our Syrian re-settlement Programme is progressing as planned and from September will be working with Welsh Government for the next phased roll-out. To progress the UK Government's counter-terrorism strategy, online 'Prevent'² training is being developed for schools who do not wish to have officers attending in person and, similarly, in preparation for '[Hate Crime Awareness Week](#)' on 10th-17th October 2020, an online model is being developed to maintain engagement with communities and individuals.

We have continued to work with our partners to ensure that RCT residents are safe throughout the pandemic, whilst operating in a different way.

- Anti-social behaviour (ASB) – South Wales Police (SWP) are dealing with incidents, submitting referrals and followed up with letters or telephone calls from staff. Warning meetings have moved to telephone delivery or some physical meetings in Police stations.
- Rogue Traders - new contacts with local SWP Intelligence Officers has resulted in receipt of new intelligence, leading to target hardening activities in Ynysybwll and Porth. Rapid responses have occurred in conjunction with the police, leading to sufficient information gathering for criminal investigation progression, and interviews are being conducted at Police stations.
- Scams - increased media activity and proactive contact of vulnerable clients was made during the early stages of the pandemic. TrueCall units are still being monitored, although no new installations are being made at the present time. We are currently exploring partnership work with Carmarthenshire Trading Standards to install and fund additional TrueCall units which will be installed by a 3rd party. The legal aspects of this arrangement are currently being reviewed.

² Prevent is about safeguarding individuals from being drawn into terrorism, ensuring those vulnerable to extremist and terrorist narratives are given appropriate advice and support at an early stage.

Priority

Getting the best out of our parks by looking after and investing in our greenspaces.

To increase biodiversity across Rhondda Cynon Taf, the Council's Cabinet has [approved](#) the [Wild Flower/ Grass Management Policy](#) presented to the Climate Change Cabinet Steering Group in January 2020, which will direct work / activities moving forward. There has also been an increase in the green sites managed for biodiversity which has been positively received by the public. In addition, we have also been successful in obtaining a Welsh Government grant to purchase a second 'cut and collect' machine which will allow smaller areas to be included in future biodiversity managed areas. A tree planting programme for public open spaces is being progressed for the Autumn/Winter of 2020.

We continue to manage the impact of flood damage in our Parks and open spaces. Initial clear up work as a result of Storm Dennis was completed in June 2020. Renovation work on Pontypridd Lido is progressing well and is on target for a Spring 2021 reopening. The tennis courts, bowling greens and children's' play area at Ynysangharad War Memorial Park are now available for residents use, whilst adhering to Welsh Government guidelines.

We continue to invest in RCT playgrounds, pitches and green spaces for physical activity. This includes:

- The 2020/21 Parks and Play Area Programme is now underway after a delayed start;
- The redevelopment of Dare Valley Country Park play area has been completed and is open for the school Summer holidays; and
- All grass pitches have been made available for training purposes in line with Welsh Government guidelines.

To progress the Council's actions on climate change, arrangements are being made for the next Climate Change Cabinet Steering Group meeting. It is planned that this meeting will, amongst other things, consider a revised work programme to take forward the work that will contribute to the Council's approach to Net Zero, including the approach to single use plastics, low carbon energy sources and local procurement of goods.

Investment Priority Progress Update – Quarter 1

Progress in our Investment Priorities – PLACES		
Investment Area	Investment Value ³ £M	Quarter 1 Update
Highways Infrastructure Repairs	8.624	The additional resources are being used in conjunction with existing resources to deliver a programme of highways infrastructure repairs between 2020/21 and 2022/23.
Play Areas	0.662	During 2020/21 there are 28 schemes which form the planned programme of works. As at 30 th June, 3 had been completed, 1 remains under construction, 10 had been designed, costed and scheduled and 14 are to be designed.
Skate Parks/Multi Use Games Areas	0.184	The 2020/21 planned programme consists of 4 schemes that have been developed to undertake various works including rebuilding and line marking. As at 30 th June 2020, 2 were under construction and 2 are to be designed.
Cynon Gateway South – Mountain Ash Cross Valley Link	4.750	During the quarter, bridge, carriageway and footway works were completed and drainage works were on-going. Over the summer, a 4 week road closure is scheduled to complete road junction realignment works.
Structures: St Albans Bridge and Brook Street Footbridge	2.574	<ul style="list-style-type: none"> • St. Alban's Bridge – works were temporary paused due to Covid-19 and recommenced during quarter 1; and • Brook St. Footbridge – detailed design options completed, tenders received for construction stage and an Active Travel funding bid has been made for 2020/21.
Structures	2.791	<p>The investment funding has been allocated to support structure projects:</p> <ul style="list-style-type: none"> • Schemes on-going - Castle Ifor (Hopkinstown) works and Williamstown Footbridge; and • New schemes – include repairs and strengthening works to Bodringallt bridge (Ystrad) and Station Street bridge (Treherbert); repairs to walls at Gwawr Street (Aberaman), B4273 Ynysybwll/Glyncoch and Station Street (Treherbert); and culvert strengthening at Rhydyfelin.
Parks Structures	1.335	The investment funding has been allocated to support various footbridge repairs and replacements within Parks. Projects scheduled to commence in quarter 2 include bridge deck and parapet replacement of Maesyfelin Footbridge (Pontylcun); bridge replacement of Nant Lonydd Bridge (Upper Boat); and works to Station Street River Wall (Treherbert). Various inspections and surveys also continued to be undertaken as advance preparation for future schemes.

³ Investment Value – relates to LIVE projects / works only that have been allocated additional investment funding.

Progress in our Investment Priorities – PLACES

Investment Area	Investment Value ³ £M	Quarter 1 Update
Parks and Green Spaces	1.000	This investment funding is supporting drainage, pavilion and infrastructure improvements to various parks sites, with 85 schemes planned for 2020/21.
Cemeteries	0.088	This investment funding has been allocated to deliver works at 4 cemetery locations (Trealaw; Maes Yr Arian, Mountain Ash; Byn Yr Gaer, Hirwaun; and Glyntaff Cemetery). Works involve decoration of shelter, new doors, drainage works, new gates and fencing, repair of damaged palisade and the introduction of security measures, materials and decoration of South Chapel (Glyntaff).
Llanharan Bypass	2.000	This investment funding is supporting preliminary design work, additional surveys and the design / tender of ground investigation work. Cabinet agreed the route on 24 th September 2019 after taking into consideration the feedback received during the public consultation.
A4119 Dualling (Stinkpot Hill)	6.000	This investment funding is supporting the dualling of this section of the highway. Preliminary designs have been completed and Cabinet agreed to progress with a number of key elements of the scheme on 18 th July 2019. These include detail design of the dual carriageway together with a footbridge for pedestrians and cyclists to cross the A4119, and advanced works such as site clearance and public utility diversions. The purchase of land has commenced.
Community Hubs	0.401	<p>This investment funding relates to supporting:</p> <ul style="list-style-type: none"> •Porth Plaza – following temporary delays due to Covid-19, works were completed on 8th June 2020; and •Treorchy – works to be undertaken to improve the proposed site of Treorchy Community Hub at Treorchy Library (cladding and new windows).
Gelli/Treorchy Link Road	0.400	This investment funding relates to investigatory works for a solution which will help alleviate congestion at Stag Square. Feasibility and preliminary design options are ongoing.
Cynon Gateway (North), Aberdare Bypass	2.000	This investment funding relates to the preliminary design for a bypass continuation from A4059 Aberdare to Hirwaun. Ground investigation has been completed and ecology, preliminary design and procurement is ongoing.
Bryn Pica Eco Park	1.400	This investment funding is to support enabling works, planning and ecology for the development of an Eco Park at the Waste Management Facility. The RIBA Stage 2 report has been approved and work to progress the design development of RIBA Stages 3 and 4 is underway.

Progress in our Investment Priorities – PLACES		
Investment Area	Investment Value ³ £M	Quarter 1 Update
Dinas Community Recycling Centre	0.250	This investment funding relates to the provision of a new office building and improvements on the site of Dinas Community Recycling Centre since the demolition of the previous site building. All external remedial works to accommodate the new office building have been completed to enable its installation later this year. Other works will also be undertaken to install CCTV and lighting.
Land Drainage	0.750	This investment funding is supporting drainage and culvert network works. The ongoing programme includes works at Porth, Cwmbach and Abercynon.
Total	35.209	

PROSPERITY - Creating the opportunity for people and businesses to: be innovative; be entrepreneurial; and fulfil their potential and prosper

Corporate Plan Priority Progress Update – Quarter 1

Priority

Investing in our town centres, bringing jobs and homes into our town centres to create vibrant, thriving places people wish to live, work and socialise

Cabinet report outlining the protocols to apply social distancing initiatives in town centres with application of key measures with the provision of advice, stickers and posters. Working with Pontypridd and Aberdare BIDS to facilitate a consistent approach to properly licensed outdoor trading opportunities. In addition to this, proposals to refocus the existing business support grant schemes and to establish three further schemes – the Town Centre COVID 19 Recovery Grant, the Major Projects Investment Fund and the Flood Resilience Grant have been agreed by the Senior Leadership Team with a report scheduled to be presented to Cabinet in September for consideration.

Working with Treorchy, Aberdare and Pontypridd BIDs to continue to develop approaches for businesses to plan for Covid-19 recovery. Plans for business grant portfolio being reviewed for Covid-19 recovery and The Means engaged to recommend actions for town centre businesses to be more resilient in recovery.

Project pipeline and programme of target developments now in place with good progress being made on the delivery of all schemes e.g. Black Lion (Aberdare), Mountain Ash Town Hall and Oxford buildings. Welsh Government sources of funding including Transforming Towns now available to support delivery.

£400,000 was allocated to support the development of a cultural hub based around the Park and Dare theatre and Treorchy library, including refurbishment of the theatre foyer area, external renovation of the library and highways work to the wall and roadway. External work to the library may take place by December. However, highways work to the wall cannot begin until Spring 2021 due to river flow restrictions. A Stage 1 application for funding of £120,000 is being prepared for submission to MALD by 15th September. If successful we will be invited to submit a Stage 2 Business Plan. The internal reconfiguration of the foyer area is currently being planned and costed. Funding has been secured from the Jerwood Weston Foundation to offer a creative apprenticeship and be involved in an organisational development programme focussed on inclusivity and how to better engage with all groups in the community which will support the development of a cultural hub.

Priority

Delivering major regeneration and transportation schemes, maximising the impact of the new South Wales Metro, to create better places to live and work, whilst protecting and enhancing the County Borough

Despite the restrictions placed on the construction sector during lockdown and which are still continuing as lockdown eases, good progress has been maintained across the range of major regeneration schemes which are in delivery phase.

These include Llys Cadwyn which is programmed to complete this year with the footbridge to the Park open to the public and also Building C which houses the new library facility also open. The significant improvements at Dare Valley Country Park as part of the Welsh Government supported Valleys Regional Park initiative are progressing well with the new Adventure Play area open to the public. The delivery of the 30,000 square foot modern business unit at Coedely Business Park, the first development on the site, is well advanced. The construction contract is expected to be fully completed before the end of this financial year.

At the Porth Transport Hub site, demolition of the day centre, former Barclays Bank and former Doctors Surgery are now complete. On site and design development taken forward to the start of RIBA Stage 3 in conjunction with Transport for Wales.

Works on the Transport for Wales new rolling stock depot site at Taffs Well (on the site of the former Garth Works Industrial Estate) is well underway. Phase 1 of the works (Core Valley Lines integrated Control Centre) has commenced and a detailed submission has recently been received for Phase 2 (detailed highway works/improvements).

Priority

Ensuring we have good schools so all children have access to a great education

Due to the Covid-19 pandemic, all RCT schools delivered the majority of learning remotely. 2,868 devices, with suitable connectivity provided where necessary, were issued to digitally excluded pupils to enable them to access remote learning. School improvement services supported schools to develop best practice for distance learning and the local authority developed guidance on synchronous and asynchronous learning. Regular communication took place with headteachers, governors and parents/carers, including comprehensive guidance documents for schools and governors, and information for parents/carers on a range of issues. These were provided via the Council website, social media messages and direct communication with stakeholders.

On June 29th all pupils returned to RCT schools to 'check in, catch up and prepare'. Schools were provided with RCT guidance, in line with Welsh Government guidance, to ensure a safe environment, it ensured that risk assessments were in place and statutory compliance checks including legionella and fire alarm testing were up-to-date. Close working between services and schools ensured that learner cohorts were aligned to pupil groupings on transport routes to limit numbers of contacts for each child.

Due to the circumstances, parents/carers were not fined for non-school attendance, but the Attendance & Wellbeing Service supported vulnerable learners and their families to re-engage with education, using alternative methods of contact where possible to avoid face-to-face home visits. Guidance was developed to ensure that robust processes and procedures were put in

Priority

Ensuring we have good schools so all children have access to a great education

place to support and re-engage vulnerable learners.

Schools were supported to ensure appropriate provision was provided for learners with special educational needs and to ensure that they were well supported when accessing childcare provision and returning to school. Wellbeing packs were produced for schools by the Educational Psychology Service, with information on supporting staff, families and pupils during the lockdown period and at the transition back into school. An action plan is in place to provide enhanced counselling support for children and young people to allow additional support for any young people experiencing challenging circumstances during the pandemic.

Six family engagement officers are being appointed who will each work with one of our secondary schools which have been identified as having specific challenges with attendance or exclusions, providing support to young people and their families to help them remain engaged in education. To support the return to education of disengaged young people, the Attendance and Wellbeing Service will be adopting cluster-based models of delivering support for schools and families in the autumn term.

The Education Directorate is working in close partnership with secondary schools to establish step 4 alternative provision to meet the needs of learners with significant social, emotional and behavioural difficulties. By enhancing the capacity of schools to meet the needs of more vulnerable children in their communities through effective early intervention and prevention, the demand for more costly specialist pupil referral unit or special school provision will be diminished and exclusion and attendance rates improved.

In accordance with Welsh Government guidance, there will be a phased return to school in September, with all pupils in school by the 10th of September. Local authority guidance has been issued to support schools and parents/carers to plan for the safe return of all pupils. PPE, sanitiser, signage and enhanced cleaning has been provided for schools to ensure safe learning environments for learners.

Following decisions by Welsh Government, all A level and GCSE results were awarded on the basis of centre assessed grades this year, unless higher grades were previously awarded using the statistical model developed by the WJEC/Qualifications Wales. Provisional data from WJEC exam board suggests that overall the examination data for RCT is improved from the previous year.

Extensive improvements have been made to information management systems within the Education Directorate and effective use is now made of data to inform service improvements and developments. Comprehensive data reports are now produced for schools and for service areas to inform transformation and improvements, and to evaluate the impact of strategic developments.

Construction work at the new Hirwaun primary school is progressing well and ahead of schedule. Work on the new learning hub at Ffynnon Taf primary school is also well underway. The outcome of the recent judicial review is currently under consideration and clearly has implications for the next steps to be taken for the Band B 21st Century Schools and Colleges Programme. Extensive maintenance works have been undertaken in schools over the summer holiday school closure period to improve learning environments across the County Borough.

Priority

Increase the number of quality homes available and affordable to provide greater housing choice for residents

Housing services have been maintained throughout the period and plans in place to resume face-to-face service delivery following risk assessments. We are working with a private landlord to increase our supply of temporary accommodation. An additional 2 units are due to come on line at the end of August with a further 2 units in the Autumn. Under Welsh Government Phase 2 we have secured funding arrangements to enable us to develop an in-house solution to increase our supply of private rented accommodation.

Registered Social Landlord Covid-19 recovery plans are complete and ongoing support offered to Registered Social Landlords through monthly meetings with CEO's and more regular meetings with operational staff. 14 Schemes in the Programme Delivery Plan, totalling a Social Housing Grant investment of just under £18 million. In addition to this, a further 9 Social Housing schemes requiring a further grant of £16M have been prepared, all with planning permission, and ready for development if additional grant funding is secured.

Priority

Helping people into work and better paid employment

We continue to provide a diverse range of opportunities within Council services to help young people develop their careers. 14 apprentices have been recruited and will start work with the Council on 14th September, and 6 former Children Looked After will also begin their Step-in-the-Right-Direction traineeships in September. Recruitment of 16 graduate trainees and 20 additional apprentices will take place shortly, with start dates in October 2020 and January 2021 respectively. We also continue to provide employment and training support to all our Children Looked After via the Care2work scheme, and are developing our partnership with Coleg y Cymoedd providing internships for young people with learning difficulties and disabilities.

The majority of Communities for Work employment support staff were deployed to support the work of the Community Resilience Hubs during Quarter 1. Department for Work & Pensions (DWP) staff were also deployed on work supporting new Universal Credit claimants and their client commitment to job search when on benefits was turned off. As such all referrals from local Job Centre Plus into employment support ceased on 18th March. By the end of June referrals had restarted, albeit at a much lower level.

Employment support has continued to be delivered remotely to existing clients during this time but this has been limited. There will be a phased approach to returning employment support staff to their substantive roles in quarter 2 and turning the client commitment to job search back on.

Inspire 2 Work (I2W) have been delivering Digital College courses since June. Initially the Digital College brochure was shared with partners and referrers, this saw a limited number of new referrals, while I2W also contacted existing participants to invite them to complete courses. Feedback from participants was good in this initial period. To promote this further, I2W created sector related packages to promote to referrers, based on the 1-week sector related courses which I2W would usually physically deliver. Packages included a Retail and Hospitality course, Health and Social Care, Office work and Contact Centre packages, each package also included a Covid 19 Precautions course provided free of charge by the Digital College. 41 participants completed digital courses with I2W.

Investment Priority Progress Update – Quarter 1

Progress in our Investment Priorities – PROSPERITY		
Investment Area	Investment Value ⁴ £M	Quarter 1 Update
Empty Property Grant	1.500	At present, all empty property grant applications are processed via the Welsh Government funded Valley Taskforce Scheme and this approach will continue until the Welsh Government scheme closes on 31 st March 2021.
Schools	0.836	<ul style="list-style-type: none"> • Schemes on-going include: <ul style="list-style-type: none"> ◦ Ferndale Community School – works to the main swimming pool hall and construction of new retaining wall and entrance path completed. Further work to be undertaken to install new signage. ◦ Gelli Primary - all internal refurbishment works and two classroom extension works complete. Works including fencing, additional replacement windows, resurfacing of soft play area and the renewal of fascia and soffit boards to the main school building are on-going and are scheduled to be completed in quarter 2. ◦ Llanharan Primary – car park works complete and work to provide a 2 classroom extension including toilets is on-going and is scheduled to be completed in October. ◦ Cymmer Primary – the contractor has been appointed for the asbestos/site clearance and demolition, and an amended bat licence has been granted by Natural Resources Wales (which will enable the demolition of the canteen to be progressed in quarter 2). Work to revise the carpark design and layout is progressing, in preparation for the submission of a Planning application.
Transport Infrastructure	2.500	<p>This investment funding is supporting a wider programme of highways capital works including:</p> <ul style="list-style-type: none"> • Highway network improvements - Bridge St roundabout (Pontypridd) and on the A4119 Strategic Corridor, and works are scheduled at A4046 Dyfodwg St / Illtyd St (Treorchy); • Traffic flow improvements to A473 Tonteg Rd (Upper Boat), A4059 Quarter Mile Junction (Abercynon) and A4059 (Mountain Ash); and • Capacity improvements at signals are being made at A4058 Llwynypia Rd (Tonypany) and various bus corridor improvements and network assessments are also being undertaken.
Tonyrefail Roundabout	0.500	This investment funding relates to Tonyrefail Roundabout for feasibility and design to improve the congestion and compliment the strategic development at Coed Ely. Ground investigations are

⁴ Investment Value – relates to LIVE projects / works only that have been allocated additional investment funding.

Progress in our Investment Priorities – PROSPERITY		
Investment Area	Investment Value ⁴ £M	Quarter 1 Update
		underway and the preliminary design stage is ongoing.
Taff Vale Development	2.024	<p>Despite the impact of the Covid-19 pandemic, progress has continued on site. During the period, fit-out of the library, One4All and Leisure facilities has continued and outstanding snagging on Buildings B and C undertaken. Work continues on finalising the public realm, highways works and Building A which includes the fit-out works for Transport for Wales. Positive negotiations also continue with prospective tenants of the remaining office accommodation and restaurant/cafe units.</p> <p>After initially closing their site at the start of the pandemic, the footbridge contractor re-commenced work on site in May and has since made substantial progress. All deck sections have been lifted into place with the remaining works focusing on the bridge handrails, lighting and landscaping. The bridge has since opened to the public on 15th August 2020.</p>
Park and Ride Programme	1.000	This investment funding is supporting the development work needed to create additional 'park and ride' car parking spaces at Pontyclun (feasibility / preliminary design is on-going) and Porth (Phase 2 is complete and design options are being considered for Phase 3).
Strategic Regeneration Investment	0.200	This funding has been approved for the Guto Square development (Mountain Ash) that will provide a bigger and improved area for public use in the heart of the town centre for community, event and business uses, and also additional car parking spaces for visitors to the town. It will comprise improvements to the existing area and also to a larger area through the Compulsory Purchase of the adjacent derelict parcel of land and acquisition of adjacent disused properties which will provide an improved interface with the Mountain Ash Workingmen's Club. Development is now at the detailed design stage with construction expected to begin in the Autumn.
Robertstown and Coed Ely ERDF Match Funding	4.200	<ul style="list-style-type: none"> Robertstown – an OJEU tender process has been completed and subject to approval, the appointment of the principal contractor for the works will be made. Work is on-going with the Welsh European Funding Office in terms of the overall package of funding. Coed Ely – Construction is on-going albeit there are some restrictions to ensure adherence to Covid-19 guidelines for the construction industry. Progress includes: Solar PV Panel installation on main warehouse roof and substructure work to offices completed and internal blockwork, external cladding and drainage works on-going.
Total	12.760	

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24th SEPTEMBER 2020

ESTABLISHING A SOCIAL LETTING AGENCY

REPORT OF DIRECTOR - PUBLIC HEALTH, PROTECTION AND COMMUNITY SERVICES IN DISCUSSIONS WITH THE RELEVANT PORTFOLIO HOLDER, CLLR RHYS LEWIS

Author: Louise Davies, Service Director, Public Protection Services

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to inform Cabinet of the proposal to establish a Social Letting Agency to manage private rented properties on behalf of private landlords and ensure suitable housing allocations to clients in housing need. The report seeks to make Members aware of the potential financial implications of operating such an Agency should external grant funding secured for this purpose come to an end.

2. RECOMMENDATIONS

It is recommended that the Cabinet:

- 2.1 Note the Business case set out in Appendix 1 of the report and endorse the establishment of the Social Letting Agency for RCTCBC using Welsh Government grant funding secured for this purpose in 2020/21.
- 2.2 Note the costs associated with operating a Social Letting Agency and note that funding for the agency is not guaranteed from 2021/22 onwards.

3. REASONS FOR RECOMMENDATIONS

- 3.1 On 4th February 2020, a discussion paper (Improving Service for Homeless People in Rhondda Cynon Taff) was presented to a private meeting of Cabinet to provide a position statement on services for homeless people; highlight steps taken to improve service provision and identify service pressures requiring additional resources. That report re-affirmed the strategic direction for future temporary and permanent housing options for homeless people in RCT, as set out in

the RCT Homeless Strategy 2018-22 and sought Cabinet support to progress specific key actions to reduce reliance on bed and breakfast accommodation and improve housing options for clients with complex needs.

- 3.2 Further to that meeting, the Director of Public Health, Protection and Community Services has sought to identify alternative proposals for medium to long term housing options for homeless people utilising the private rented sector. This report outlines a proposal to establish a Social Letting Agency, operated by the Council to facilitate improved access to the private rented sector by adopting a managed tenancy model for which a fee from private landlords would be payable.

4. **BACKGROUND**

- 4.1 One of the key actions of the RCT's Homelessness Strategy 2018 – 2022 is to **'continue to develop links with the private rented sector through the development of our own in-house lettings service'**.
- 4.2 The pressures on homelessness services arising from the pandemic have been significant. In the period March to June 2020, the service saw a 76% increase in homelessness applications. There was also a significant increase in people placed in emergency temporary accommodation. This level of demand has further highlighted that the social rented sector alone cannot meet the demands of our clients. The need to work together with the private rented sector remains a key strategic priority.
- 4.3 Appendix 1 of this report sets out the rationale for establishing in-house social lettings agency (SLA). This report was prepared by Housing Strategy and outlines that:
- Many landlords and owners of vacant properties have expressed a desire for their property to be let and managed by the Council;
 - The rents levels in the private rented sector, particularly in the Taff area are prohibitively high for clients on benefits;
 - Many clients require additional support to enable them to sustain a tenancy in the private sector, for example through help to budget or low level mental health support;
 - Landlords will be required to sign a 5 year agreement with the Council and rent their property at local housing allowance rates for the duration. The Council will cover any rent for void periods as part of the agreement;
 - The Council will be responsible for identifying and managing tenancies and a fee of 8% of the monthly rent will be charged.
- 4.4 The report draws on the learned experience from other Local Authorities in Wales and outlines that a social letting agency can play a

significant role in bridging the gap between private landlord requirements and vulnerable tenant needs. There is a cost to providing the Agency service, however, and while part of the ongoing costs will be offset by income from a management fee, it is not likely that the model will become self-financing. Further financial detail is set out in Section 7 of this report.

- 4.5. Funding for the initial costs of establishing and running the Agency have been secured from Welsh Government through the Phase 2 Homelessness Recovery Grant Programme. Further to this, the Council has also agreed to be one of the Pilot Authorities working closely with Welsh Government to ensure consistency of practice across Wales, share documentation and legal agreements and ensure effective evaluation of the operation of the agencies going forward. This will also ensure the RCTCBC agency can become operational more quickly.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Assessment Screening Assessment has been completed and a full impact assessment is not required as there are no equality or diversity implications from this report.

6. CONSULTATION

- 6.1 None is required.

7. FINANCIAL IMPLICATION(S)

- 7.1 The initial costs to establish the Agency are set out in Appendix 2 and equate to approximately £148,000 a year. On a pro rata basis, the WG Grant for 2020/21 is up to £129,000.
- 7.2 The Appendix also identifies the costs that will be ongoing should the Agency grow as required over a three year period and beyond. Currently, grant funding is only in place up to March 2021. Prior to establishing the Agency, it is therefore necessary for Members to note a potential for ongoing financial liability for the operation of the Agency.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 8.1 Legal advice has confirmed that there are no legal impediments to the Council establishing and operating a Social Letting Agency as set out in the Proposal.

9. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

- 9.1 This proposal links directly to the People priority on the Council's Improvement Plan as it will enable and support individuals and families to secure a sustainable housing option and promote their independence. It will also support the Place priority by ensuring equity of access to housing in all areas of the County by offering a more cost effective option for the private rented sector in areas of the County that are currently prohibitively expensive to people in receipt of benefits.

10. CONCLUSION

- 10.1 The private rented sector should be supported to ensure it is a sustainable and affordable housing option for people in housing need. The establishment of a Social Letting Agency by the Council will help ensure this and will also support a key objective of the Homelessness Strategy 2018-2022.

Other Information:-

Relevant Scrutiny Committee: Health and Well-being Scrutiny Committee

Contact Officer: Louise Davies, Service Director- Public Protection Services



LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24TH SEPTEMBER 2020

**REPORT OF DIRECTOR - PUBLIC HEALTH, PROTECTION AND
COMMUNITY SERVICES IN DISCUSSIONS WITH THE RELEVANT
PORTFOLIO HOLDER, CLLR. RHYS LEWIS**

ESTABLISHING A SOCIAL LETTING AGENCY

Background Papers

None.

Officer to contact: Louise Davies, Service Director - Public Protection Services

Appendix 1

Proposal to Establish Rhondda Cynon Taf's Social Lettings Agency

1. Background

Rhondda Cynon Taf County Borough Council's Homelessness Strategy 2018 – 2022 sets out the Council's approach to preventing and tackling homelessness and is shaped by the findings of a review of homelessness in the County Borough. The Strategy is based on the principle of prevention and early intervention through multi agency working, which includes sharing resources and looking for creative and innovative solutions.

In response to the current Pandemic, Welsh Government (WG) has issued additional guidance in relation to 'priority need' and 'vulnerability' to exercise power under Section 98 of the Housing (Wales) Act 2014. This has resulted in a significant increase in the number of homelessness clients that the Council has a duty to assist by placing into emergency temporary accommodation. These new presentations are placing additional pressures on the service in terms of further reducing the availability of emergency temporary accommodation and the move on options in to more permanent accommodation.

Current figures indicate that there has been 220 homeless applications between 23/03/2020 and 22/06/2020, of which there are 101 priority need cases.

An exercise has been carried out to compare annual trends and shows that there is a 76.6% increase in Section 73 Homeless applications for the same period in 2020/21 compared to 2019/20:

01/01/2019 – 03/06/2019 249 applications

01/01/2020 – 03/06/2020 440 applications

The increase in numbers mean that the Council is not able to prevent homelessness at an early stage, Section 66, particularly in cases of helping people to return home.

In terms of the number of Section 73 Homeless applications being accepted there has been a 61.16% increase for the same period in 2020/21 compared to 2019/20:

01/04/2019 – 03/06/2019 103

01/04/2020 – 03/06/2020 166

The private rented sector offers a competitive rental market in RCT, with many properties available at a high standard and at a competitive price. The demand for private rented properties has increased over recent years and landlords are able to pick and choose who they want to rent to. This often means that those people in housing need are often pushed out of the market.

One of the key actions of the RCT's Homelessness Strategy 2018 – 2022 is to **'continue to develop links with the private rented sector through the development of our own in-house lettings service'**. The pressures outlined above have sped up the need to establish an in-house social lettings agency (SLA).

2. Landlord Feedback

The Council has developed a strong relationship with many of its private landlords and works hard with landlords to establish their trust and assurances when accommodating homeless clients. Many landlords in RCT have been left a property by a relative, or have purchased a property as an investment but have very little experience of managing and renting out their properties. A number of these landlords have approached the Council in the hope that it will manage and let the properties on their behalf. An in-house lettings service would give landlords the assurance of a long term rental income.

Due to the disparity between the Local Housing Allowance (LHA) rates and market rents in RCT, particularly in the South of the Borough, this limits access to the PRS for many households. The widening gap between market rents and the LHA rates means that there is an increase in the monthly shortfall that tenants have to find to pay the rent, making the already limited PRS properties unaffordable for many tenants.

The introduction of Universal Credit has seen an increase in the number of landlords who are apprehensive about letting their properties to people in receipt of benefits. This is because benefit payments are sometimes inconsistent and problematic and unless set up properly at the start of the tenancy can lead to rent arrears immediately. Some landlords experience difficulty in setting up direct payments where Housing Benefit is paid directly to the landlord and payment is guaranteed.

Landlords have said that they want more support, not only for the tenant but also for them to be better equipped to assist tenants with their support needs. There is an evidenced increase of tenants with mental health issues and tenants who are unable to carry out day to day functions such as managing rent and organising finances. This further exacerbates the decline of landlords who are willing to let their properties to the authority to assist in homelessness prevention.

An analysis of the breakdown of priority need categories for applications received between 23/03/2020 and 22/06/2020 shows that there were 23 confirmed mental health cases:

Priority Need Category	Number of Applications
Dependent Children	19
Physical Health	21
Pregnant	1
Mental Health	23
Other special reason	1
Care Leaver	3
16/17	4
Domestic Violence/Abuse	26
Emergency	3

3. Proposed Model

The model for the service in RCT is based on the principles and criteria set out by WG's trial for local authorities to set up their own in-house social lettings agency, one of which is a commitment to lease and manage a property for a period of up to five years. Landlords will still be required to register with Rent Smart Wales and Houses in Multiple Occupation will need to be licensed with the Council.

The landlord will receive guaranteed monthly rent, set at the relevant LHA rate, for the period of the lease regardless of any voids. At the end of the lease period and subject to fair wear and tear, the property will be returned in the same condition.

A monthly management fee of 8% will be charged to the landlord and this will be paid when the guaranteed rent is paid to the landlord. Therefore the monthly fee to the landlord will be the relevant LHA rate less 8%.

It is highly likely that all tenants will be in receipt of Housing Benefit and this will be paid directly into the SLA account. The SLA will monitor rent accounts weekly and will maintain regular contact with tenants. The SLA will be responsible for referring cases to Supporting People who will provide additional assistance to tenants by supporting them with any mental health issues and helping to reduce worries around rent arrears and losing their homes.

The tenant will report any repairs and maintenance issues to the SLA who will then contact the landlord to obtain approval for repairs to be carried out. The SLA will arrange for the repairs to be carried out by a contractor and upon completion of the repairs, the contractor will invoice the SLA who will arrange for payment to be made from the relevant budget. The cost of repairs will be recharged to the landlord by deducting costs from their monthly rent

payments. The SLA will carry out regular property inspections which will identify any repairs and maintenance issues at an early stage.

In accordance with the Housing (Wales) Act 2014, each property will be inspected prior to being offered to a tenant and then re-inspected every time it is offered to a new tenant. Landlords will be eligible for a 0% interest free loan to bring properties up to the required standard should a property be assessed and failing to meet required standards. Properties will require up to date safety certificates which will be arranged by the landlord in the first instance but will then be arranged by the SLA on an annual basis going forward and recharged to the landlord. Each property will need up to date carbon monoxide alarms and smoke alarms to be eligible for the scheme.

At the end of the 5 years it is anticipated that there will be some negotiating with the landlord regarding the tenant remaining in the property. If the landlord wants the property returned free of a tenant, then in advance of ending the tenancy, the Council will consider what ongoing homelessness duties may be owed to the tenant and how best to meet them.

To summarise the services that the SLA will offer landlords are:

- Finding a tenant via the Housing Advice Centre or marketing the property where a tenant cannot be sourced,
- Preparing tenancy agreements and carry out tenancy sign ups,
- Manage rent arrears and refer for support, ensuring ongoing support provided where necessary,
- Guaranteed rental income by setting up direct monthly payments to the landlord which will be the equivalent of the relevant LHA rate, less 8% management fee,
- Collection of rent from tenants via Housing Benefit and any relevant shortfall between HB and rent,
- Review and renew tenancies,
- Manage the property by:
 - carrying out inspections,
 - preparing inventories,
 - contacting utility providers to lodge meter readings and tenancy details,
 - making regular visits to the property,
 - deal with maintenance issues and repairs,

- carrying out end of tenancy inspections and update inventories when tenant leaves.

4. Costs

The SLA will aim to procure **170** properties in the first three years; year 1 - 25 properties, year 2 - 50 properties and year 3 - 170 properties. This will enable the move on of clients from emergency temporary accommodation into permanent properties and reduce the increased pressures on the current service.

Based on an average number of voids in the social rented sector in RCT over the last 3 years, it is prudent to estimate a contingency for 5% of voids per annum.

The estimated cost of rent arrears has been calculated by using the 2018 – 2019 social rented sector rent arrears data for RCT. As at 31st March 2019 a total of 28% of households in the social rented sector in RCT had rent arrears under 13 weeks. Therefore, using the same % of tenancies, this would mean that within the first year of the SLA, a total of 7 tenancies would have rent arrears of 13 weeks and under.

The SLA will consist of 3 full time equivalent (FTE) members of staff and will be managed by the Supporting People and Housing Options Manager.

Summary of Cost Analysis

Cost of Delivery	Annual Cost (Year 1)
Procurement	
Staffing (3 x FTE and % management costs)	112,900
Marketing	1,000
Travel Expenses	3,000
Property Costs	
Rent Arrears	4,186
Voids	5,980
Dilapidations (initial fund)	17,000
Back Office	
IT Equipment	4,000
Annual cost of delivering the service	148,066
Pro Rata cost 20-21 (8 months)	109,432

5. Aims and Outcomes of the Service

The SLA will increase the availability of affordable and decent accommodation for people on low incomes and who have been identified by the Housing Advice Centre. In turn this will reduce the numbers of people placed in emergency temporary accommodation such as Bed and Breakfasts and reduce the time spent in Bed and Breakfasts.

Support is paramount to the success of the SLA and a client focussed service will be pinned on enhancing life skills and developing tenancy sustainability. The support provided will improve opportunities for tenants with a hope that they will be equipped with the skills to secure jobs, manage finances and develop budgeting skills.

A lower management fee will offer a competitive package to landlords and will provide guarantees and assurances to assist the Council in discharging its homeless duty. The SLA will set a local standard for quality and affordability within the private rented sector for people at risk of homelessness.

Appendix 2

Review of Social Lettings Agency Proposal

	Year 1	Year 2	Year 3	Notes
Number of units	25	50	170	
Average rent per unit	£92	£92	£92	Average LHA rate used i.e. £400/ month. Actuals will vary
Cost of team	£112,900	£112,900	£145,900	Staff projection based on 170 units. Years 1 and 2 capacity will be used for marketing and sign up of landlords. Additional capacity built in as precaution for year three to inform worst case modelling of financial risk. .
Staff travel	£3,000	£3,000	£3,000	
ICT equipment	£4,000	£1,000	£1,000	£4k in year one includes purchase of ICT kit
Rent arrears / bad debt	£4,186	£8,372	£28,465	Assumes 28% of tenancies would have rent arrears of 13 weeks. Likely would be less due to wrap around support given to tenants. For worst case modelling, assumed 50% for this illustration.

Voids @ 5%	£5,980	£11,960	£40,664	Experience of other LAs is 3% voids, so 5% is cautious.
R&M costs above day to day	?	?	?	Level of liability to LA is not clear at this stage- over and above what would be consider normal wear and tear
Sinking fund for dilapidations	£17,000	£17,000	£17,000	Assumes average of £500 per property at end of 5 year lease.
Total	£147,066	£154,232	£236,029	
Income from commission (assumed at 8% of LHA)	(£9,568)	(£19,136)	(£65,062)	
Ongoing subsidy required	£137,498	£135,096	£170,966	

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24TH SEPTEMBER 2020

APPROVAL FOR RCT THEATRES TO PRODUCE A DIGITAL CHRISTMAS PERFORMANCE TO SHARE ON-LINE IN DECEMBER 2020

REPORT OF DIRECTOR - PUBLIC HEALTH, PROTECTION & COMMUNITY SERVICES IN DISCUSSIONS WITH THE RELEVANT PORTFOLIO HOLDER, CLLR. RHYS LEWIS

Author: Caroline O'Neill, Strategic Arts & Culture Manager – 07786 523614

1. PURPOSE OF THE PAPER

- 1.1 The purpose of the report is to provide Cabinet Members with information in relation to the proposal for RCT Theatres to produce a digital Christmas performance to share online in December 2020.

2. RECOMMENDATIONS

It is recommended that Cabinet

- 2.1 Note the content of the report.
- 2.2 Approve the proposal to produce a digital Christmas performance to share online.

3. REASONS FOR RECOMMENDATIONS

- 3.1 Traditionally, RCT Theatres produce a pantomime every Christmas. This is very popular with residents and is very well-attended. Unfortunately this year, due to the Covid-19 restrictions, a live performance will not be possible. However, an option to provide a Christmas performance online could be an important boost for the public at the end of a difficult year.
- 3.2 Theatre programmes are planned up to 18 months in advance and in this instance the contracts with performers were signed in January 2020 so that the service is obliged to pay them even though the planned pantomime can no longer take place. It makes sense therefore to utilise their skills in a different way.
- 3.3 It is important for the Arts Service to show its funders (in particular the Arts Council of Wales) that it is doing everything it can to ensure people can still access the Arts in RCT despite the challenges experienced at the present time.

4. BACKGROUND

- 4.1 Due to the temporary closure of RCT Theatres as a result of Covid-19, the 2020 pantomime, 'Dick Whittington', has been postponed until Christmas 2021.
- 4.2 The annual RCT Theatres produced pantomime is regularly attended by over 15,000.
- 4.3 Planning for the annual pantomime commences in January of that year, with cast and crew contracts signed as early as possible to secure roles at what is a competitive period for the theatre sector.
- 4.4 Signed contracts for pantomime 2020 total £37,500.
- 4.5 As a member of Arts Council of Wales' Arts Portfolio Wales, alongside the sector as a whole, we are being encouraged by Arts Council of Wales to honour any contractual agreements made prior to Covid-19.
- 4.6 A budget of £40,000 has been allocated made up of:
- £30,000 from Arts Council of Wales revenue grant;
 - £10,000 Corporate support (as received in previous years).
- 4.7 There is no sufficient budget to create a full pantomime production due to no opportunity to generate an income through ticket sales or secondary spend. Average ticket sales over the past three years have totalled £104,235.
- 4.8 In order to provide a safe, accessible and high-quality digital Christmas performance offer for cast, crew and residents, further funding of approximately £15,000 is required for filming, signing and captioning, and putting in place health and safety measures e.g. PPE, screens.
- 4.9 Currently, there is draft guidance that is being developed by Welsh Government in consultation with the Arts Council of Wales and Creu Cymru. The hope is that there will be an announcement on 11th September and that activity such as this will be re-started by October.

5. DIGITAL CHRISTMAS PERFORMANCE PROPOSAL

Purpose

- 5.1 A virtual Christmas performance has been explored in order to honour pantomime 2020 cast and crew contracts agreed prior to Covid-19 and to provide residents with an accessible, online light-entertainment performance during the festive season.

Production

- 5.2 The contracted Director and Musical Director will write and compose original music for a closed, pre-recorded hour and ten minute high-energy performance that will give a nod to past pantomimes and their characters performance
- 5.3 Written specifically for RCT Theatres, the script and directorship will consider all safe working protocols e.g. social distancing for cast and crew, and the use of specialist equipment including PPE as well as the use of a virtual set through post-editorial production effects.
- 5.4 Due to its range of spaces, entrances and exits, it is proposed that the Park and Dare Theatre is used for rehearsal and filming from October to end of November 2020. The following will be used: Stwidio 1, main auditorium, Drama Stiwdio and both large dressing rooms.
- 5.5 All rehearsals, filming activity and spaces used will be risk assessed in accordance with Welsh Government guidance related to the performing arts sector, television and film production sectors, ensuring adherence at all times to measures such as social distancing and safe working controls.

Performance

- 5.6 The performance will be free to access at key times via a YouTube link from 21st December 2020 until after the final performance at 2pm on 24th December 2020.
- 5.7 A marketing campaign will promote the offer to all residents via Corporate and Arts Service channels.

6. EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 An Equality Impact Assessment is not needed because the contents of the report are for information purposes only.

7. CONSULTATION/INVOLVEMENT

- 7.1 No consultation exercise has been required.

8. FINANCIAL IMPLICATION(S)

- 8.1 With no income generation opportunity through ticket sales and secondary spend, a further approximate £15,000 commitment is required for a safe, accessible and high-quality digital Christmas performance to be produced by RCT Theatres for the residents of RCT.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

9.1 There are no legal implications aligned to this report.

10. CONCLUSION

10.1 This paper notes the proposal and further financial commitment required.

10.2 With over 15,000 attendees each year for RCT Theatres, this proposal will enable a joyous Christmas performance to be offered on-line, free of charge, during a year that has been unprecedented due to flooding and Covid-19, and whilst the theatres remain closed.



LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24th SEPTEMBER 2020

**REPORT OF DIRECTOR – PUBLIC HEALTH, PROTECTION & COMMUNITY
SERVICES IN DISCUSSIONS WITH THE RELEVANT PORTFOLIO HOLDER,
CLLR. RHYS LEWIS**

**APPROVAL FOR RCT THEATRES TO PRODUCE A DIGITAL CHRISTMAS
PERFORMANCE TO SHARE ON-LINE IN DECEMBER 2020**

Officer to contact: Caroline O'Neill, Strategic Arts & Culture Manager - 07786 523614

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24th SEPTEMBER 2020

PROPOSED EXTENSION AND VARIATION TO RHONDDA CYNON TAF CBC'S DOG CONTROL PUBLIC SPACES PROTECTION ORDERS

**JOINT REPORT OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION AND
COMMUNITY SERVICES AND GROUP DIRECTOR PROSPERITY,
DEVELOPMENT AND FRONTLINE SERVICES IN DISCUSSIONS WITH THE
RELVANT PORTFOLIO HOLDERS, COUNCILLORS A. CRIMMINGS AND R.
LEWIS**

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to (i) inform Members of the outcomes of the public consultation exercise and (ii) seek authority to extend the two Public Spaces Protection Orders relating to dog controls in Rhondda Cynon Taf (the Dog Control PSPO's), subject to any amendments Members may wish to consider in response to the consultation.

2. RECOMMENDATIONS

It is recommended that Cabinet:

- 2.1 Notes the overwhelming public support for the extension of the Dog Control PSPO's relating to Dog Controls within Rhondda Cynon Taf for a further 3 year period from 1st October 2020;
- 2.2 Considers the responses to the public consultation, as detailed in Appendix 1, and determines whether any amendments are required to the existing prohibitions and requirements in relation to the PSPO's as detailed in Appendix 2 to the report;
- 2.3 Subject to 2.2 above, extends the Dog Control PSPOs as detailed in Appendix 2A and 2B to the report; and
- 2.4 Subject to 2.3 above, gives delegated authority to the Director of Public Health, Protection and Community Services, in consultation with the Group Director, Prosperity, Development and Frontline Services, to produce the final PSPOs relating to Dog Controls and ensure their publication on the Council's website.

3. REASONS FOR RECOMMENDATIONS

- 3.1 Dog fouling remains a significant concern for the Council and for those who live, work and visit the County Borough. Dog Fouling is unpleasant and is a serious risk to human health, particularly amongst children.
- 3.2 The Dog Control PSPO's have allowed the Council to introduce a range of reasonable and proportionate restrictions on the use of publicly accessible land across the County Borough and helped control the harmful activities of irresponsible dog owners whilst allowing responsible dog owners to continue to exercise their dogs without undue restrictions.
- 3.3 Despite the introduction of the Dog Control PSPO's in October 2017 however there remains a minority of dog owners who do not clean up after their dogs or keep them under control. Therefore officers consider it vital the orders, which would ordinarily expire on 30th September 2020, be renewed for a further 3 year period in order to maintain the significant benefits the orders have had in relation to dog fouling and ensure appropriate powers remain in place to deal with the minority who continue to flout the laws.

4. BACKGROUND

- 4.1 Dog fouling is unsightly, unpleasant and can lead to toxocariasis in humans. Toxocariasis causes serious illness and even blindness. It is caused by a parasite that lives in dogs' digestive systems. Eggs are present in the faeces of infected animals. If infected material is ingested, the eggs hatch into larvae and can cause toxocariasis. The disease can be controlled if dog faeces are disposed of immediately in a responsible manner.
- 4.2 The Anti-Social Behaviour, Crime & Policing Act 2014 (the 'Act') introduced provisions whereby a local authority can make Public Spaces Protection Orders. A PSPO is designed to deal with a particular nuisance or problem in an area. The behaviour must be having a detrimental effect on the quality of life of those in the community, it must be persistent or continuing and it must be unreasonable. PSPOs are designed to ensure that the law-abiding majority can enjoy public space, safe from anti-social behaviour.
- 4.3 The majority of dog owners are responsible, clean up after their dogs and keep them under control. However, a minority of irresponsible dog owners create significant problems. The Council receives many complaints each year about dog fouling in public places. In addition, despite the introduction of the Dog Control PSPO's some of the Council's playing fields need to be checked for dog fouling before they can be used; on occasion individuals wishing to use the playing fields for sport are doing this.

CURRENT DOG CONTROL PSPOs

- 5.1 In 2017 the Council introduced two Public Space Protection Orders in relation to dog controls which came into effect on 1st October 2017, namely:

[RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL \(DOG CONTROL\) PUBLIC SPACES PROTECTION ORDER 2017](#)

[RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL \(DOG CONTROL – ABERDARE PUBLIC PARK\) PUBLIC SPACES PROTECTION ORDER 2017](#)

- 5.2 The introduction of the Dog Control PSPOs, following a public consultation exercise, created transparency and consistency within Rhondda Cynon Taf and gave authorised officers the ability to issue fixed penalty notices for offences that were not able to be previously enforced.
- 5.3 The activities prohibited by the Dog Control PSPOs are:
- (i) The prohibition of Dog Fouling in all Public Places within Rhondda Cynon Taf;
 - (ii) A requirement for a person in charge of a dog to keep that dog on a lead at all times in Cemeteries owned and/or maintained by the Council;
 - (iii) A requirement for a person in charge of a dog at all times to carry bags or other suitable means for the disposal of dog faeces;
 - (iv) A requirement for a person in charge of a dog to follow a direction given by an Authorised Officer, if they deem reasonably necessary, that a dog be put and kept on a lead in a Public Place within Rhondda Cynon Taf for such period and/or in such circumstances as directed by the Authorised Officer; and
 - (v) A prohibition excluding dogs from all Schools, Playgrounds and Marked Sports Pitches owned and/or maintained by the Council.
- 5.4 In relation to the Dog Control PSPO covering Aberdare Park there is a specific requirement for a person in charge of a dog to keep that dog on a lead at all times in Aberdare Public Park. This requirement is consistent with existing provisions that have been in place since 1866 (local bye law) and with the expectations of many users of the park. Further detail in respect of this particular requirement can be found in the report presented to Cabinet in [September 2017](#) prior to the commencement of this PSPO.
- 5.5 The Dog Control PSPOs were not put forward as a means of unduly restricting the exercising or recreation of dogs across the County Borough. The reason for making the Dog Control PSPOs was to address the detrimental effect on the quality of life of those in the locality caused by the irresponsible behaviour of a small minority of dog owners; and to set out a clear standard of behaviour to which all dog owners were required to adhere.

- 5.6 The Council currently employs 20 officers who are authorised to enforce the Dog Control PSPOs in line with the Council's enforcement policy. The penalty for committing an offence of failing to comply with a PSPO without reasonable excuse is a maximum fine of level 3 on the standard scale (currently £1,000). Alternatively, the opportunity to pay a fixed penalty of £100 may be offered in place of prosecution. This is the maximum amount the Council can impose as a fixed penalty under the legislation.

6. EXTENSION AND VARIATION OF THE DOG CONTROL PSPOS

- 6.1 At any point before expiry of the Dog Control PSPOs the Council can extend them by up to three years if it considers it is necessary to prevent the original behaviour from occurring or recurring.
- 6.2 According to section 60(2) of the Act, before the time when a PSPO is due to expire, the local authority that made the PSPO may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent-

1. Occurrence or recurrence after that time of the activities identified in the Order, or
2. An increase in the frequency or seriousness of those activities after that time.

- 6.3 Section 61 of the Act makes provision for the Order to be varied by increasing or reducing the affected area, or by altering or removing a prohibition or requirement included in the Order or by adding a new one. For an order to be able to be varied, the Council must be satisfied that, on reasonable grounds, the following two conditions are met.

The first condition is that:

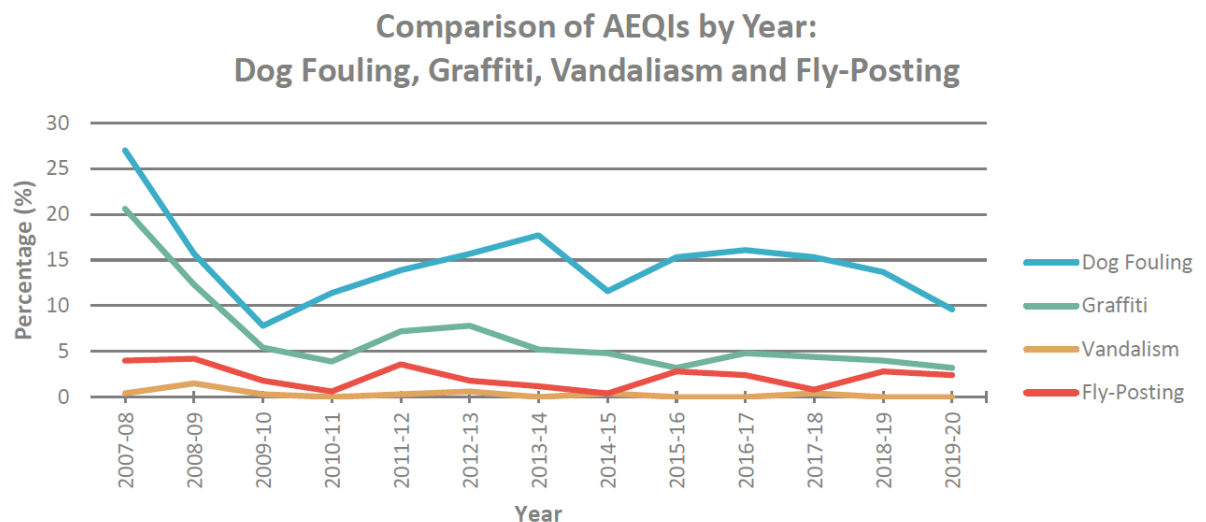
- a. Activities carried on in a public place within the Council's area have had a detrimental effect on the quality of life of those in the locality; or,
- b. It is likely that activities will be carried on in a public place within that area and that they will have such an effect.

The second condition is that the effect or likely effect, of the activities:

- a. Is or is likely to be, of a persistent or continuing nature;
- b. Is, or is likely to be, such as to make the activities unreasonable; and,
- c. Justifies the restrictions imposed by the notice.

- 6.4 Any such variations need to be subject to public consultation.
- 6.5 If the Dog Control PSPOs are to be extended this must be done before the time the Orders are due to expire, on 30th September 2020. In the event of the orders not being extended, they would lapse on 1st October 2020 at which point there would be no restrictions on dogs in Rhondda Cynon Taf (save for any enforceable local byelaws).

- 6.6 Officers consider it reasonable to assume that anti-social behaviour in regards to dog controls in the restricted areas would reoccur, and/or increase in the frequency and/or seriousness if the Orders are not extended. There would continue to be a positive effect on local environmental quality with the proposed extended and varied orders and continued enforcement against dog fouling and irresponsible dog owners.
- 6.7 [Consultation feedback](#) received prior to the introduction of the Dog Control PSPOs in 2017 highlighted that there was overwhelming public support for the introduction of the orders and prohibitions and requirements in relation to the control of dogs. Over 90% of respondents supported the Council's proposed approach to dealing with dog fouling and that dog fouling should be prohibited.
- 6.8 A report published by Keep Wales Tidy entitled 'An Analysis of Local Environmental Quality in RCT 2019/2020' showed that the cleanliness indicator for RCT was the highest recorded level to date. It further showed a decreased presence of dog fouling. For only the second time since 2007-2008 dog fouling was found on fewer than 10% of streets across the County Borough. From the table below it is possible to conclude the reduction correlates with the introduction of the Dog Control PSPOs in 2017-2018 with a clear downward trajectory in the instances of recorded levels of dog fouling (AEQIs – Adverse Environmental Quality Indicators):



- 6.9 Therefore factoring in the above it is therefore proposed to extend and vary the Dog Control PSPOs, for a further period of three years from 1st October 2020, in the form set out at Appendix 2A and 2B to this report.
- 6.10 At its meeting on 25th June 2020 Cabinet agreed to initiate a 4-week public consultation on a proposal to extend the Dog Control PSPO's for a further 3 year period from 1st October 2020.

- 6.11 This report now presents the results of the public consultation and seeks Cabinet approval to extend the PSPOs subject to any amendments the Cabinet may consider necessary in response to the consultation.

7. CONSULTATION

- 7.1 Given the current situation in relation to COVID-19 the Council's Consultation and Engagement Officer developed a revised approach to consultation and how the Council could best engage with the public and key stakeholders during these times, in particular with those who would have ordinarily attended 'face to face' engagement events given legislative restrictions and administrative/safety issues identified at the time the consultation took place.

- 7.2 The consultation ran for a four week period from 6th July to 3rd August 2020. The full consultation report is at Appendix 1.

- 7.3 The methodology adopted included an online questionnaire and a webpage outlining the proposal to extend the Dog Control PSPO's. Promotion was via posters in key Council facilities (including parks), social media and the press. A short video was also produced and placed on the website and social media. Two virtual consultation events for the public were held via Zoom. There was also engagement with key stakeholders and the Public Service Delivery, Communities and Prosperity Scrutiny Committee. Overall, more than 300 people were engaged in the consultation process.

7.4 Key Findings

- 93.8% of respondents to the online survey said they supported the Council's approach to dealing with dog fouling.
- There was wide scale support, with **over 90%** of respondents agreeing with each of the elements of the Dog Control PSPOs and that they should be continued over the next 3 years.

<ul style="list-style-type: none"> The main themes identified from the 		Agreed
	A.)Dog owners MUST clean up their dogs' mess immediately and dispose of it properly.	99.6%
	B.)Dog owners MUST carry a means to pick up dog mess (i.e. bags) at all times.	98.2%
	C.)Dog owners MUST follow a direction from an authorised officer to put a dog on a lead.	92.9%
	D.)Dogs are BANNED from all schools, children's play areas and marked sports pitches maintained by the Council.	91.4%
	E.)Dogs MUST be kept on a lead at all times in Council maintained cemeteries	97.9%

comments were:

Themes
Increase Fines
More Enforcement/more Officers
More Bins needed/emptied more often
In favour of continuing the PSPO
Suggestions/Ideas
Dogs should be on leads everywhere
Improve Signage to explain the rules
Raising Awareness/Promotion/Communication

- 76.3% of respondents agreed that the maximum permitted fixed fine of £100 should remain in place.
- 63.6% of respondents agreed that dogs should continue to be kept on leads at all times in Aberdare Park. 23.9% stated “don’t know”, mainly as they were not familiar with the area or the park, if the data is analysed without the “don’t know” answers, 83.6% of respondents were in agreement.
- An independent report was undertaken on the local environmental quality across Rhondda Cynon Taf CBC for 2019-20. The data from Keep Wales Tidy’s Local Environmental Audit and Management System showed that dog fouling has dropped below 10% for the first time since 2009. The Council was keen to see if residents agreed with the reduction in dog fouling that has occurred. In contrast to the results in the report, 59.4% of residents suggested that the dog fouling levels had not decreased in the last 3 years.
- However, some of the comments received through the survey suggest that there has been an improvement in places;

“Since this rule has been in I have seen a lot less dog mess and owners being a lot more responsible”

“Since the introduction of the powers there has been a significant improvement within our communities”

“It has clearly improved the situation but bigger fines could help”

- The feedback received from the virtual public meetings and forums mirrored the comments and themes in the online survey, including the need for clear signage, better communication, more enforcement and an increase in fines.

- A number of responses were received from stakeholders and these are summarised in Section 6 of the report. The full responses of the emails and letters have been made available for Cabinet Members to consider ahead of the meeting.
- 7.5 There is clearly still overwhelming public support for the prohibitions and requirements included in the Dog Control PSPOs and for their extension for a further three year period.
- 7.6 Members will receive an oral update at the meeting outlining the feedback received from the Public Services Delivery, Communities and Prosperity Scrutiny Committee who will be considering the consultation feedback ahead of the Cabinet meeting.
- 7.7 As outlined in Appendix 1 both Pontylcun Community Council and Llanharry Community Council have, through the consultation process, made a request to extend the Dog Control PSPO's to specific sites they have responsibility for. This would be an amendment to the existing orders but is possible, should Members agree.

8. EQUALITY AND DIVERSITY IMPLICATIONS

- 8.1 The Council must be able to demonstrate that a PSPO is a necessary and proportionate response to the problems caused by the activities of dogs and those in charge of them. The Council is required to balance the interests of those in charge of dogs against the interests of those affected by the activities of dogs. This must take into consideration the need for people, particularly children, to have access to dog-free areas and areas where dogs are kept under strict control, and the need for those in charge of dogs to have access to areas where they can exercise their dogs without undue restrictions.
- 8.2 In developing the original PSPO an Equality Impact Assessment was undertaken to ensure that:
 - The Council meets the requirements of the Public Sector Equality Duties, and
 - Due regard has been taken of the likely impact of the decision in terms of equality and discrimination.
- 8.3 This exercise has been refreshed and it is considered the impact on residents, visitors and businesses is expected to continue to be positive, as these proposals should continue to act as a deterrent to irresponsible dog ownership. Taking into account the exemptions set out in 8.4 and 8.5 below there is no adverse impact on any other Protected Grounds from its adoption through to its potential variation and extension.
- 8.4 The provisions of the proposed Dog Control Orders would not apply to a person who:

(i) is registered as partially sighted or blind, in a register compiled under section 29 of the National Assistance Act 1948;
(ii) is registered as “sight-impaired”, “severely sight impaired” or as “having sight and hearing impairments which, in combination, have a significant effect on their day to day lives”, in a register compiled under section 18 of the Social Services and Well-Being (Wales) Act 2014;
(iii) has a disability which affects their mobility, manual dexterity, physical coordination, or ability to lift, carry, or otherwise move everyday objects, such that he cannot reasonably be expected to remove the faeces; or (iv) has some other disability, such that he reasonably cannot be expected to remove the faeces.

- 8.5 The provisions of the orders would not apply to a dog trained by a registered charity to assist a person with a disability and upon which a disabled person relies for assistance.
- 8.6 For the purposes of the orders, a ‘disability’ means a condition that qualifies as a disability for the purposes of the Equality Act 2010 and upon which a disabled person relies for assistance.
- 8.7 Nothing in the Order shall apply to the normal activities of a working dog whilst the dog is working. This includes dogs that are being used for work in connection with emergency search and rescue, law enforcement and the work of HM Armed Forces and farm dogs that are being used to herd or drive animals.

9. FINANCIAL IMPLICATIONS

- 9.1 Should the proposed orders be extended there would be a need to amend existing signage to reflect this however any associated costs would be met from existing budgets.

10. LEGAL IMPLICATIONS AND LEGISLATION CONSIDERED

- 10.1 Section 60(2) of the Act states that before the time when a public spaces protection order is due to expire, the local authority that made the order may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent—
(a) occurrence or recurrence after that time of the activities identified in the order, or
(b) an increase in the frequency or seriousness of those activities after that time.
- 10.2 An extension under this section—
(a) may not be for a period of more than 3 years;
(b) must be published in accordance with regulations made by the Secretary of State.

- 10.3 A public spaces protection order may be extended more than once.
- 10.4 Section 61 states that where a public spaces protection order is in force, the local authority that made the order may vary it—
- (a) by increasing or reducing the restricted area;
 - (b) by altering or removing a prohibition or requirement included in the order, or adding a new one.
- 10.5 A local authority may make a variation that results in the order applying to an area to which it did not previously apply only if the conditions in section 59(2) and (3) are met as regards activities in that area.
- These are:
- The first condition is that—
- (a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
 - (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
- The second condition is that the effect, or likely effect, of the activities—
- (a) is, or is likely to be, of a persistent or continuing nature,
 - (b) is, or is likely to be, such as to make the activities unreasonable, and
 - (c) justifies the restrictions imposed by the notice.
- 10.6 A local authority may make a variation that makes a prohibition or requirement more extensive, or adds a new one, only if the prohibitions and requirements imposed by the order as varied are ones that section 59(5) allows to be imposed.
- The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order—
- (a) to prevent the detrimental effect from continuing, occurring or recurring, or
 - (b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
- 10.7 Where an order is varied, the order as varied must be published in accordance with regulations made by the Secretary of State.
- 10.8 A local authority, in deciding whether to extend the period for which a public spaces protection order has effect (under section 60) and if so for how long and whether to vary a public spaces protection order (under section 61) and if so how must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention.
- 10.9 A local authority must carry out the necessary consultation and the necessary publicity, and the necessary notification (if any), before extending the period for which a public spaces protection order has effect or varying it.

“the necessary consultation” means consulting with—

- (a) the chief officer of police, and the local policing body, for the police area that includes the restricted area;
- (b) whatever community representatives the local authority thinks it appropriate to consult;
- (c) the owner or occupier of land within the restricted area;

“the necessary publicity” means—

- (a) in the case of a proposed order or variation, publishing the text of it;
- (b) in the case of a proposed extension or discharge, publicising the proposal;

“the necessary notification” means notifying the following authorities of the proposed order, extension, variation or discharge—

- (a) the community council (if any) for the area that includes the restricted area.

The requirement to consult with the owner or occupier of land within the restricted area—

- (a) does not apply to land that is owned and occupied by the local authority;
- (b) applies only if, or to the extent that, it is reasonably practicable to consult the owner or occupier of the land.

In relation to a variation of a public spaces protection order that would increase the restricted area, the restricted area for the purposes of this section is the increased area.

11. LINKS TO THE COUNCILS CORPORATE PLAN AND FUTURE GENERATIONS – SUSTAINABLE DEVELOPMENT

11.1 The proposals in this report are consistent with the priorities of the Council’s Corporate Plan, in particular *“Place – creating neighbourhoods where people are proud to live and work”*:

11.2 These proposals are also consistent with the Well-being Goals under the Wellbeing of Future Generations (Wales) Act 2015:

- *A healthier Wales – a society in which people’s physical and mental wellbeing is maximised and in which choices and behaviours that benefit future health are understood.*
- *A Wales of cohesive communities – attractive, viable, safe and well connected communities.*

12. CONCLUSION

- 12.1 Dog fouling remains a significant concern for the Council and for those who live, work and visit the County Borough and is a serious risk to human health, particularly amongst children.
- 12.2 The Public Spaces Protection Orders in relation to dog controls has allowed the Council to introduce a range of reasonable and proportionate restrictions on the use of publicly accessible land across the County Borough and helped control the harmful activities of irresponsible dog owners whilst allowing responsible dog owners to continue to exercise their dogs without undue restrictions.
- 12.3 Despite the introduction of the orders in October 2017 however there remains a minority of dog owners who do not clean up after their dogs or keep them under control. Therefore officers consider it vital the orders, which would ordinarily expire on 30th September 2020, are renewed for a further period in order to maintain the significant benefits the orders have had in relation to dog fouling and ensure appropriate powers remain in place to deal with the minority who continue to flout the laws.
- 12.4 Cabinet is now asked to consider the responses to the public consultation and extend the Dog Control PSPOs for a further three year period from 1st October 2020 as detailed in Appendix 2A and 2B (accounting for any amendments required by it following consideration of the consultation response).

Relevant Scrutiny Committee

Public Service Delivery, Communities & Prosperity Scrutiny Committee

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

CABINET

24 SEPTEMBER 2020

**PROPOSED EXTENSION AND VARIATION TO RHONDDA CYNON TAF CBC'S
DOG CONTROL PUBLIC SPACES PROTECTION ORDERS**

**JOINT REPORT OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION AND
COMMUNITY SERVICES AND GROUP DIRECTOR PROSPERITY,
DEVELOPMENT AND FRONTLINE SERVICES IN DISCUSSIONS WITH THE
RELEVANT PORTFOLIO HOLDERS, COUNCILLORS A. CRIMMINGS AND R.
LEWIS**

Background Papers

- a) Public Spaces Protection Orders (Dog Controls) – Joint Report of Director of Highways & Streetcare Services & Service Director of Public Health & Protection in discussion with the relevant Portfolio Holders, Councillor A Crimmings and Councillor J Rosse -: 22nd June 2017
- b) Public Spaces Protection Orders (Dog Controls) – Aberdare Park - Joint Report of Director of Highways & Streetcare Services & Service Director of Public Health & Protection in discussion with the relevant Portfolio Holders, Councillor A Crimmings and Councillor J Rosser - 28th September 2017
- c) Anti-social Behaviour, Crime and Policing Act 2014 – Chapter 12
- d) Anti-social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers: statutory guidance; and
- e) Proposed extension and variation to RCT CBC's Dog Control Public Spaces Protection Orders – Joint report of the Director of Public Health, Protection and Community Services and Group Director Prosperity, Development and Frontline Services in discussions with the relevant portfolio holders, Councillors A Crimmings and R. Lewis- 25th June 2020

Officers to contact:

Paul Mee, Director of Public Health, Protection and Community Services

Nigel Wheeler, Group Director Prosperity, Development and Frontline Services

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Renewal of Public Spaces Protection Consultation

September 2020



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EXECUTIVE SUMMARY

- This report presents the findings of the consultation on proposals to renew a Public Spaces Protection Order (PSPO) consultation on dog control in Rhondda Cynon Taf.

- The consultation ran from the 6th July to the 3rd August 2020. Overall, over **300 people** were engaged in the consultation process.
- 93.8% of respondents to the online survey said they supported the Council's approach to dealing with dog fouling.
- There was wide scale support, with **over 90%** of respondents agreeing with each of the elements of the PSPO and that they should be continued over the next 3 years.

	Agreed
A.)Dog owners MUST clean up their dogs' mess immediately and dispose of it properly.	99.6%
B.)Dog owners MUST carry a means to pick up dog mess (i.e. bags) at all times.	98.2%
C.)Dog owners MUST follow a direction from an authorised officer to put a dog on a lead.	92.9%
D.)Dogs are BANNED from all schools, children's play areas and marked sports pitches maintained by the Council.	91.4%
E.)Dogs MUST be kept on a lead at all times in Council maintained cemeteries	97.9%

- The main themes identified from the comments were:

Themes
Increase Fines
More Enforcement/more Officers
More Bins needed/emptied more often
In favour of continuing the PSPO
Suggestions/Ideas
Dogs should be on leads everywhere
Improve Signage to explain the rules
Raising Awareness/Promotion/Communication

- 76.3% of respondents agreed that the maximum permitted fixed fine of £100 should remain in place.
- 63.6% of respondents agreed that dogs should continue to be kept on leads at all times in Aberdare Park. 23.9% stated "don't know", mainly as they were not familiar with the area or the park, if the data is analysed without the "don't know" answers, 83.6% of respondents were in agreement.

- An independent report was undertaken on the local environmental quality across Rhondda Cynon Taf CBC for 2019-20. The data from Keep Wales Tidy's Local Environmental Audit and Management System showed that dog fouling has dropped below 10% for the first time since 2009. The Council was keen to see if residents agreed with the reduction in dog fouling that has occurred. In contrast to the results in the report, 59.4% of residents suggested that the dog fouling levels had not decreased in the last 3 years.
- However, some of the comments received through the survey suggest that there has been an improvement in places;

"Since this rule has been in I have seen a lot less dog mess and owners being a lot more responsible"

"Since the introduction of the powers there has been a significant improvement within our communities"

"It has clearly improved the situation but bigger fines could help"

- The feedback received from the virtual public meetings and forums mirrored the comments and themes in the online survey, including the need for clear signage, better communication, more enforcement and an increase in fines.
- A number of responses were received from stakeholders and these are summarised in Section 6 of the report. The full responses of the emails and letters will be made available for Cabinet and Officers to consider.

1. INTRODUCTION

- 1.1 This report presents the findings of a consultation on proposals to renew a Public Spaces Protection Order on dog control in Rhondda Cynon Taf.
- 1.2 Section 2 outlines some brief background.

- 1.3 Section 3 details the methodology.
- 1.4 Section 4 presents the results from the online survey.
- 1.5 Section 5 provides the main points raised at a number of virtual public meetings and forums that were used in place of the Council's usual face to face approach.
- 1.6 Section 6 outlines some of the stakeholders and groups who responded to the consultation and emails received from members of the public.

2. BACKGROUND

- 2.1 The Anti-Social Behaviour, Crime & Policing Act 2014 introduced provisions whereby a local authority can make Public Spaces Protection Orders (PSPOs). The PSPO is designed to deal with a particular nuisance or problem in an area. The behaviour must be having a detrimental effect on the quality of life of those in the

community, it must be persistent or continuing and it must be unreasonable.

- 2.2 In 2017 the Council introduced a Public Spaces Protection Order (PSPO) in relation to dog fouling across Rhondda Cynon Taf. The order says that;

- Dog owners MUST clean up their dogs' mess immediately and dispose of it properly.
- Dog owners MUST carry a means to pick up dog mess (i.e. bags) at all times.
- Dog owners MUST follow a direction from an authorised officer to put a dog on a lead.
- Dogs are BANNED from all schools, children's play areas and marked sports pitches maintained by the Council.
- Dogs MUST be kept on a lead at all times in Council maintained cemeteries.
- The Public Spaces Protection Order (PSPO) also introduced an increased fine of £100, which Enforcement Officers can issue.

- 2.3 A separate PSPO, for Aberdare Park only, was also introduced on October 1, 2017, and says that dogs must be kept on leads at all times in Aberdare Park.

- 2.4 The two Public Spaces Protection Orders related to dog controls within Rhondda Cynon Taf are due to expire on the 30th September 2020. At any point before expiry of these orders, the Council can vary or extend them by up to three years if it considers it necessary to prevent the original behaviour from occurring or recurring.

- 2.5 In accordance with the Act if the recommended proposed extension and variation of the Dog Control PSPOs is approved in principle the Council is then required to consult stakeholders. This report presents the findings of the consultation undertaken.

3. METHODOLOGY

- 3.1 The consultation ran from the 6th July to the 3rd August 2020.
- 3.2 The aim of the consultation was to gather the views of residents and other relevant bodies and interested parties on proposals to renew a

Public Spaces Protection Order, with regards to dog fouling in Rhondda Cynon Taf.

3.3 The following methods were used to consult with stakeholders;

- An online questionnaire.
- An online webpage outlining the proposals.
- Promotion via posters in a number of key local parks and the press.
- Advertised on Social Media. The Council's twitter account has over 20,000 followers.
- A short video was created outlining the elements of the PSPO, this was placed on the webpage and also shared on social media sites.
- A dedicated email address (consultation@rctcbc.gov.uk), contact Centre telephone number and free post address was provided.
- Emails to the Citizens' Panel.
- 2 zoom public engagement events.
- Emails to Youth Forum members.
- Zoom meeting with the Older Persons Advisory Group (OPAG).
- Zoom meeting with the Community Liaison Committee.
- Telephone conversations with Disability Forum members.
- Emails to local AM and MPs and RCT Councillors.
- Emails to all RCT schools.
- Emails sent to The Public Service Delivery, Communities & Prosperity Scrutiny Committee.
- Emails sent to to Public Access Forums and Ramblers and Walking Groups.
- Communication with key stakeholders, including the partnership board, neighbouring local authorities, Community Town Councils, Sports Clubs, RSPCA, Dog's Trust and Kennel Club.

3.4 Overall, over **300 people** were engaged in the consultation process.

4. Online Survey Results

4.1 Overall, 283 responses were received to the online survey.

4.2 93.8% of respondents to the online survey said they supported the Council approach to dealing with dog fouling.

Do you support the Council's approach to dealing with dog fouling and the renewal of the approach for the next 3 years	
Yes	257 93.8%
No	12 4.4%
Don't know	5 1.8%

Figure 1 -

Support for the Council's approach

- 4.3 The renewal of the existing PSPO would include a number of separate elements. Respondents were asked whether they agreed with the following elements of the existing order and if they should be continued for the next 3 years.

The results are shown in the table below.

	Yes	No	DK
A.)Dog owners MUST clean up their dogs' mess immediately and dispose of it properly.	281 99.6%	1 0.4%	-
B.)Dog owners MUST carry a means to pick up dog mess (i.e. bags) at all times.	276 98.2%	4 1.4%	1 0.4%
C.)Dog owners MUST follow a direction from an authorised officer to put a dog on a lead.	262 92.9%	16 5.7%	4 1.4%
D.)Dogs are BANNED from all schools, children's play areas and marked sports pitches maintained by the Council.	256 91.4%	19 6.8%	5 1.8%
E.)Dogs MUST be kept on a lead at all times in Council maintained cemeteries	276 97.9%	5 1.8%	1 0.4%

Figure 2 - Agreement with the elements of the PSPO

- 4.3 There was wide scale support, with **over 90%** of respondents agreeing with each of the elements of the PSPO and that they should be continued over the next 3 years.
- 4.4 Respondents provided a large number of comments on the proposals and these have been summarised into the following main themes;

Themes

Increase Fines

More Enforcement/more Officers
More Bins needed/emptied more often
In favour of continuing the PSPO
Suggestions/Ideas
Dogs should be on leads everywhere
Improve Signage
Raising Awareness/Promotion/Communication
Sports Pitch Comments

Figure 3 - Main themes from open responses

Increase Fines

- 4.5 The Council is limited to how much of a fine it can hand out, with a maximum fixed fine of £100 in place of prosecution. However, a large number of respondents still felt that the fines should be increased;

“Increase the fines to a £1000 minimum. Offenders to spend a day cleaning up dogs mess and a day on the dangers posed by irresponsible owners not cleaning up their dogs mess”

“The fine should be increased to £200 as a deterrent to those flouting the rules”

“Double it, people have had plenty of time to get use to the rules. There is no excuse anymore”

This was particularly the case for repeat offenders;

“Stronger penalties for those that are caught more than once”

“Repeat offenders to pay more”.

“Increase for persistent offenders”

Enforcement

- 4.6 Respondents felt that there needed to be more enforcement, with a more visible presence of officers as a deterrent;

“You need more people on the team. A bigger presence may deter people from letting their dogs foul the streets.”

“Yes, there needs to be more visible officers to challenge dog owners”

"I know budgets are tight but more enforcement officers would be great"

"Presence of enforcement officers / cameras to deter lazy dog owners from leaving mess."

Dog Bins

- 4.7 There were calls for more dog fouling bins to be provided by some of the respondents;

"Ensure there are sufficient dog poo bins, particularly in popular dog walking areas."

Also for the bins to be emptied more often;

"As a dog owner it would be helpful to have additional red doggy bins around the area. Also to ensure regular emptying of these bins."

"More bins and please make sure they are emptied and provide bags"

"Ensure the bins are in good condition and emptied regularly"

General Support for PSPO

- 4.8 As shown in the survey results there was wide scale support for the extension of the PSPO and this was supported in the comments received;

"Completely agree with the renewal of the PSPO in RCT, this needs to be made permanent."

"As a dog owner and regularly user of local parks which are under the PSPOs, I fully support the renewal ..."

"I think the PSPO is beneficial to the upkeep of public areas in RCT."

Suggestions/ideas

- 4.9 There were a number of comments that provided some additional suggestions for the Council to consider, these included;

"Designated dog areas would help"

"I think there should be more enforcement officers employed to tackle dog fouling on housing estates as well as on countryside sites"

“Get local schools more involved in creating signs about picking up dog mess and the dangers it can cause”

“Make the fine variable based on people's wealth.....”

Dogs on Lead everywhere

- 4.10 Some of the respondents felt that dogs should be kept on a lead at all times in all public parks;

“Not everyone likes dogs running up to them and are often frightened so to avoid this dogs should be on leads at all times in all public parks.”

Some felt that this should be extended more widely to other areas;

“This should be extended to anywhere within Rhondda Cynon Taff not just Parks, Schools and other area's defined on the map. There are lots of walking / cycling paths within RCT which people constantly flout these rules.....”

“Dogs should be on leads at all times not just in parks and cemeteries”

Signage/Communication

- 4.11 The PSPO signage was mentioned in a number of responses, some suggested that the signage needed to be clearer and there needed to be more of them;

“Additional signage to be placed so it is clear for all dog owners not to enter grounds that are banned”

“A suggestion would be, to put up stand out warning signs in street lanes as there seems to me where I notice the most dog fouling. (I am a dog owner myself)”

“The signs are not clear enough for some people to understand. The writing is small and therefore seemingly ignored by those who repeatedly take their dogs into red areas.....”

- 4.12 A small number of respondents suggested that the Council could provide more information on the rules and report back on the people who are fined.

Sports Pitches

- 4.13 A number of comments received specifically related to sports pitches. Some suggested that sports pitches could be fenced off;

"..Also sports pitches should be fenced off and only accessible by the club that rents them"

"Yes all football pitches in the area should be fenced off from dogs as kids play on these pitches and some people don't clean up dog mess, with local clubs with local clubs having keys for these grounds."

There were also calls for increased fines on sports pitches;

"The fine should be increased for marked fields to £200 and strictly imposed!!"

"Tougher sanctions for fouling on sports pitches. Severe health and safety implications"

- 4.14 76.3% of respondents agreed that the maximum permitted fixed fine of £100 should remain in place.

Do you agree that the fixed fine should remain at £100	
Yes	216 76.3%
No	58 20.5%
Don't know	9 3.2%

Figure 4 - Do you agree that the fixed fine should remain at £100 (this is currently the maximum permitted)

Aberdare Park

- 4.15 A separate PSPO, for Aberdare Park only, was also introduced on October 1, 2017, and states that dogs must be kept on leads at all times in Aberdare Park.

63.6% of respondents agreed that dogs should continue to be kept on leads at all times in Aberdare Park. 23.9% stated "don't know", mainly as they were not familiar with the area or the park, if the data is analysed without the "don't know" answers, 83.6% of respondents were in agreement.

Do you agree that dogs should continue to be kept on lead	
Yes	178 63.6%
No	35 12.5%
Don't know	67 23.9%

Figure 5 – Do you agree that dogs should continue to be kept on lead?

- 4.16 A number of comments were made on the Aberdare Park PSPO and these can be summarised under the following themes;

Themes	Count
Agreement	26
Should be on leads in all places/parks	25
Must be places for off leads as well	14
Enforcement	3
Better signage needed	2

Figure 6 - Aberdare Park PSPO themes

- 4.17 There were a number of comments in general support for the PSPO in Aberdare Park, mainly based around the perception of increased safety;

“The park is for everyone, dogs should be kept on leads yes.”

“This is important for the safety of the many small children that play in the park and are afraid of dogs and also to protect the ducks and geese that nest there.”

“This is necessary for the safety of children and other dogs”

“This has cut down on the number of unruly and out of control dogs at the park.”

“Absolutely the correct decision. Would not be safe otherwise.”

- 4.18 There were some calls again for the need for other places and parks in Rhondda Cynon Taf to require dog owners to keep their dogs on a lead;

"I think dogs should be kept on leads in more spaces."

"Extend it to all public areas across RCT"

"Please extend this to other parks in the area"

"Dogs should be kept on a lead at all times in every park throughout RCT."

- 4.19 As with the wider PSPO there were comments around increasing enforcement and improving signage;

"This needs to be enforced as it currently isn't"

"The writing and signs however, are too small to enforce this ruling and can be overlooked. Bigger and clearer signs need to be placed at each entrance to make it clear...."

"Better signage needs to be installed to ensure owners are aware of this, as dogs are still being let off the lead in the park by minority of owners."

"I agree with the separate PSPO however the signage MUST be improved"

Perceived Dog Fouling Levels

- 4.20 An independent report was undertaken on the local environmental quality across Rhondda Cynon Taf CBC for 2019-20. The data from Keep Wales Tidy's Local Environmental Audit and Management System showed that dog fouling has dropped below 10% for the first time since 2009. The Council was keen to see if residents agreed with the reduction in dog fouling that has occurred.
- 4.21 In contrast to the results in the report, 59.4% of residents suggested that the dog fouling levels had not decreased in the last 3 years.

Do you agree that the level of dog fouling has decreased in your local area over the last 3 years?	
Yes	72 25.4%
No	168 59.4%
Don't know	43 15.2%

Figure 7 - Dog Fouling Levels

- 4.22 However, some of the comments received through the survey suggest that there has been an improvement in places;

"Since this rule has been in I have seen a lot less dog mess and owners being a lot more responsible"

"Since the introduction of the powers there has been a significant improvement within our communities"

"It has clearly improved the situation but bigger fines could help"

Respondent Profile

- 4.23 49% of respondents to the online survey were dog owners.
- 4.24 93% of respondents were residents and 7% replied as organisations to the survey.

Equalities Question

- 4.25 Under the 'Equality Act 2010' and the 'Public Sector Equality Duties', the Council has a legal duty to look at how its decisions impact on people because they may have particular characteristics. Respondents were therefore asked to state if the proposals would affect them because of: Gender, Age, Ethnicity, Disability, Sexuality, Religion / belief, Gender identity, Relationship status, Pregnancy, Preferred language.
- 4.26 A number of comments were received in relation to the impact of the proposals on disability;

"Being a disabled person, if dog owners do not follow the rules and a dog runs out in front of me, the dog would get knocked over by my wheelchair. It severely affects me as a wheelchair user especially when the mess goes in the wheelchair wheels which can be dirty and also cause me to lose grip because it makes the wheels slippery. It's also a problem for scooter users."

"Disability - both manual wheelchair users and whatever goes on the wheels goes on your hands, sometimes you can't manoeuvre out of the way."

"I have hearing impairment and dyslexic signs and information need to be clear. I appreciate dogs on leads in public places as don't hear them approaching until they are too close/ jump up. Dog owners

shouting across roads parks that there dogs are friendly etc. does not help me as I cannot hear them. The world is a more frightening place when you cannot hear properly."

"It's discriminates against my disabilities because I'm unable to walk far and the only areas I can exercise my dog is now deemed as off-bounds It also negatively affects my dogs wellbeing as he can no longer exercise adequately"

"You need to ensure service dogs of all types, including for residents who are autistic are allowed wherever they go"

Welsh Language Question

- 4.27 The Welsh Language (Wales) Measure 2011 makes provision for the specification of standards of conduct in relation to the Welsh language and consequently the Council has a legal duty to look at how its decisions impact on the Welsh Language. The majority of responses received thought that there was no impact, a small number mentioned signage as follows;

"As long as warning signs are bilingual and prominent it should be ok."

"All signs MUST be bilingual with the Welsh given precedence."

"As all your correspondence and signage are bilingual this would not occur. This would only arise if the Enforcement Officers do not speak Welsh or does not have access to a translator when communicating with Welsh speakers."

5. Virtual Public Meetings & Forums

- 5.1 A number of virtual public meetings and Forums were used in place of the Council's usual face to face approach.
- 5.2 2 public Zoom meetings were held on the 22nd July, the sessions were used as a question and answer session and comments were noted where relevant. A summary of the main points raised in the meetings

is shown below, a list of dog fouling hot spots that were identified in the meetings have been reported separately;

Signage

- Not enough signage in the parks (Pontypridd), needs to be altered.
- Ponty Park – signposts are small and not at eye level (esp. Cricket Pitch).
- Fully support what you are doing. Just needs more/clearer signage.
- More prominent signs
- Not enough signs showing the areas that you are not allowed in with a dog.
- Paint a red line around the areas, around the perimeter, quite cheap and easy to do.

Improvements

- The PSPO has helped (Gelli), previous to 2017 there was a lot of dog mess, seen an improvement and it needs to carry on. The fines should be raised, you even supply bags, what more can you do.
- Fouling is less than it has been in the past.
- Aberdare Park is pretty clean. An issue outside of the key parks.

Enforcement

- Role of officers is not just enforcement but education, but people don't realise this. They think it is a money making exercise, but people need to be re-educated on this
- Dog Wardens are very proactive (Brynna) and do fine.
- £100 fine could be greater, it needs to be a deterrent.
- Abernant – there is some fouling, I haven't reported. No country parks or large recreational grounds nearby. Could be other areas like this, people feel that they wouldn't be seen as a priority.

Communication

- Needs more communication/promotion of where there is enforcement and where fines are given out. People may feel that others are not getting fined, as they don't know about it
- More press releases with numbers of fines issued etc.
- Keep raising awareness in the Borough
- Needs more education.

Suggestions/Ideas

- Cynon trails and outside parks should also be covered. Countryside sites and trails. Are we planning this?
- New build housing estates should also be taken into account.
- Work with Housing Associations?

Other

- Taff trail dreadful, not enough dog bins.
- Query re Aberdare Park dogs on lead, why not in other parks.
- Discussion on licenses, chipping, why can't we reintroduce the licenses.
- COVID – large increase on trails as a result and more dog fouling.
- Thanks for the chance to engage.

- 5.3 A presentation was made at the virtual Older Persons Advisory Group. A summary of the main points raised is shown below:

Communication

- Needs to be more information about the worst areas

Positive Improvements

- The Community Council provides dog bags so if people forget them, there's always somewhere where they are stocked.
- The pavements are much better.
- In Pontyclun people really considerate, putting waste in little bags - owners pick up the dog mess.
- There are enough signs and information in Ponty Park, it's up to owners.

Bins emptied more often

- Some bins haven't been emptied for some time
- There are more dog bins than litter bins

Sports pitches

- People still take their dogs onto the sports pitches

Other

- Horse mess is a problem – whose responsibility is this?
- Horse mess in Brynna woods – could we introduce a reporting system?
- Problems up the Common (Pontypridd)

- 5.4 Disability Forum Members were contacted and asked how they would like to take part in the consultation. The majority of members said they would like to talk about the consultation over the phone. A consultation officer called up these members, went through the online survey over the phone and took down comments. A summary of the main comments is shown below:

More information on reporting

“people need to be aware that people can report.”

“How can we report issues to over the phone? If people aren’t online, they can’t report dog fouling.”

Increase fines

“I think £100 is a low end fine, it should be based on the area, should be between £200 - £300 in ‘hotspot’ areas, there should be a variable price, lower price in non-hotspot areas.”

“If the fine was increased to £150 it might make people think more.”

More Enforcement/More Officers

“There have been more dogs off leads, more fouling and more of an issues since Covid 19. Since the pandemic, lots more people have had dogs and there’s more fouling. People got dogs as they were allowed to go out to walk the dog?”

“Brynna & Llanharan on the rise. In this area, dogs are allowed to run free when they shouldn’t so I definitely agree that dog owners must follow direction from an officer.”

“We need to continue with the PSPO – dog wardens are limited, there are not enough enforcement officers.”

Raising Awareness/Promotion/Communication

“2 strike system, more deterrent.”

“There needs to be a clear thing to say if they don’t do it, there will be consequences. The rules need to be in black & white, clear. Clear instructions”

“There needs to be clear instructions for what is what in terms of blind dog users, but also enforcement especially in schools.”

“The easiest ways to get people to take it in are by TV and radio.”

“Would like to see how many people have been caught and fined.”

Worse since lockdown

“We don’t think it’s decreased at all, it’s worse.”

“Since lockdown, it’s worse as well.”

Positive improvements

"I've never seen a dog foul with the owner and just walk off, I always see them picking it up."

"Aberdare park is a lovely park, maintained well."

Other

"People feel that they can get away with it."

"Dogs whether they're on a lead or not, if they are near children big or small, they should be wearing a muzzle, especially outside schools."

"People shouldn't be able to use the excuse that they can't get bags."

5.5 A discussion was held at the Community Liaison Committee. The main points raised were:

- There are anomalies on some of the maps
- Clearer signage is needed – they will be putting signs up in the area that are clear as many signs were not at eye level and difficult to be seen
- There needs to be more reporting on Social media - more pressure for the enforcement is needed and to encourage the public to report incident.

6. Stakeholder Responses

6.1 Responses were received from the following organisations;

- The Kennel Club
- LLanharry Community Council
- Pontyclun Community Council

- RSPCA Cymru

6.2 The following is a summary of comments received via email and letter;

Note: The full responses of the emails and letters will be made available for Cabinet and Officers to view

Kennel Club Response

Dog fouling - requirement to be in possession of means to pick up

The Kennel Club strongly promotes responsible dog ownership, and believes that dog owners should always pick up after their dogs wherever they are, including fields and woods in the wider countryside, and especially where farm animals graze to reduce the risk of passing Neospora and Sarcocystosis to cattle and sheep respectively. The exception to this is when there is a clear indication from the landowner to the contrary.

We would like to take this opportunity to encourage the local authority to employ further proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect. These proactive measures can include: increasing the number of bins available for dog owners to use; communicating to local dog owners that bagged dog poo can be disposed of in normal litter bins; running responsible ownership and training events; or using poster campaigns to encourage dog owners to pick up after their dog.

Whilst the Kennel Club supports proactive efforts on behalf of local authorities to encourage responsible dog ownership and to ensure that those who are not picking up after their dogs are brought to book, this has to be fair and proportionate and we would not like to see responsible dog owners penalised unfairly.

The Kennel Club has concerns over proposals to introduce an offence of not having the means to pick up. Responsible owners will usually have dog waste bags or other means to clear up after their pets but we do have some concerns, for example, if dog owners are approached at the end of a walk and have already used the bags that they have taken out for their own dog, or given a spare bag to someone who has run out, a behaviour that is encouraged by Green Dog Walker schemes.

If such a measure is introduced it is essential that an effective communication campaign is launched in the local area to ensure that people are aware of the plans and have an excess supply of dog waste bags with them, so that it is the right people who are getting caught. Additionally, appropriate signage should be erected to inform those who are not familiar with the local rules are not unfairly caught out.

Dog access

The Kennel Club oppose PSPOs which introduce blanket restrictions on dog walkers accessing public open spaces without specific and reasonable justification. Dog owners are required to provide their dogs with appropriate daily exercise, including “regular opportunities to walk and run”, which in most cases will be off lead while still under control.

Dogs on lead by direction

The Kennel Club strongly welcomes 'dogs on lead by direction' orders, as these allow responsible dog owners to exercise their dogs off lead without restriction providing their dogs are under control, whilst allowing the local authority powers to restrict dogs not under control.

Exclusion from playgrounds, tennis courts or skate parks etc

The Kennel Club does not normally oppose Orders to exclude dogs from playgrounds, or enclosed recreational facilities such as tennis courts or skate parks, as long as alternative provisions are made for dog walkers in the vicinity.

Playing fields

With regards to playing fields, we ask local authorities to consider whether or not access restrictions are absolutely necessary. If they are deemed to be needed, whether time/season limited restrictions would be more appropriate than a continuous exclusion order.

Assistance dogs

We note that the proposal includes an exemption for those who rely on assistance dogs 'trained by a registered charity'. Based on the latest guidance issued by the Equality and Human Rights Commission, we do not believe that the exemption are sufficiently broad. Many disabled people rely on assistance dogs that are not trained by a registered charity. We would submit that the guidance from the Equality and Human Rights Commission would suggest that the exemption should not be limited to only dogs which are trained by registered charities.

Llanharry Community Council

Would like park to be included in the proposal. Separate map shows the position of the marked sports pitch and play area.

Pontyclun Community Council

We would support continuation of these controls. I see you wish to extend to our land too and I just wish to help identify this.

We are particularly interested in having controls in place at Pontyclun Park.

The park has an open playground. The park is used by Pontyclun Primary School as its sports field - and indeed the central area has a marked out running track on it. The Park is normally used weekly by the Pontyclun Walking Rugby team and for about 5 months a year weekly by a local mini tots Rugby club.

We would therefore say that the whole park should ideally be designated as a no dog zone.

RSPCA Cymru

Making it an offence for a person to fail to clean up dog faeces:

RSPCA Cymru welcomes proposals to make it an offence for a person to fail to clean up their dog's faeces. RSPCA Cymru would also urge the Council to also look at educational or promotional schemes around responsible dog ownership in areas where dog fouling is a regular issue.

Requiring all dog walkers to carry an appropriate receptacle for dealing with their dog's waste:

RSPCA Cymru encourages proposals that will require all dog owners to carry an appropriate receptacle or bag to pick up dog faeces if their dog has defecated at any time on land listed within the Order. Due to the comfort and support that owners can receive from their dog, RSPCA Cymru welcomes any proposals to allow dogs in cemeteries as long as they are on a lead.

Making it an offence for a person not to put a dog on a lead when instructed to do so by an authorised person:

To ensure that this condition is administered appropriately and in a proportionate manner, RSPCA Cymru would like to see that the experience, knowledge and training of the officer imposing the condition is sufficient to ensure the welfare of the dog is not compromised and that they give advice to ensure that the dog is still able to be regularly exercised off the lead.

Excluding dogs from children's play areas, multi-use games areas and marked sports playing pitches:

The RSPCA understands the value of local authorities ensuring that sections of open space may be dog-free, such as children's play areas and purpose built multi-use games areas. It's important that as well as sufficient space for dog owners and their dogs, these separate needs are not unduly segregated which can foster misunderstandings and substitute problems. We wish to see integrated communities, with responsible pet and non-pet owners living harmoniously. However, excluding responsible dog owners from allowing their dogs onto a marked sports playing pitch would be restrictive, especially if adequate space nearby was not available and would prohibit the dog from expressing normal behaviour, and confusing for dog owners as many of these pitches are seasonal with limited or no signage or fencing.

RSPCA Cymru believes that although dog faeces can be a nuisance to the people that use the sports pitches, they can be and are easily removed by many responsible dog owners, imposing the restriction on all will punish the responsible dog owners and impose a negative view of dog ownership within the community.

Additionally, we believe that the provisions that make it an offence for an owner not to pick up their dog's faeces and the need to carry an appropriate dog faeces receptacle go some way to mitigating the issues associated with areas such as marked sports pitches and

therefore would urge local authorities to consider other means before adopting this disproportionate exclusion.

While we understand that plans to remove the PSPO requiring all dogs to be kept on leads in Aberdare Park in 2017 received a great deal of outcry from local residents, RSPCA Cymru has concerns about the possibility of alienating responsible dog owners in the area - and preventing dogs from being able to express normal behaviour patterns by not allowing them off of the lead. The local authority needs to ensure that the other measures contained within this order do not restrict too much the ability for owners to exercise their dogs off the lead.

RSPCA Cymru is also concerned that a blanket order of this type, regardless of training and ability of the dog, will add to the negative view of dog ownership within the locality. The RSPCA understands the value of local authorities ensuring that sections of open space may be dog-free, such as Aberdare Park. However, it's important that as well as sufficient space for dog owners and their dogs, these separate needs are not unduly segregated which can foster misunderstandings and substitute problems. We wish to see integrated communities, with responsible pet and non-pet owners living harmoniously.

Public Responses via email;

6.3 A small number of emails were received from members of the public and these included;

- Reports of individual dog fouling incidents and hotspot areas.
 - Suggestions of the need to look at litter and Anti-social behaviour as well as dog fouling in the parks.
 - Support for the PSPO and the need to enforce it to reduce dog fouling.
 - Dogs should be kept on leads at all times, especially where young children are playing.
 - Suggestion to provide designated dog friendly areas.
 - Need for more bins and more regular emptying.
-

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL (DOG CONTROL) PUBLIC SPACES
PROTECTION ORDER 2020**

Rhondda Cynon Taf County Borough Council ('the Council') in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the 'Act') hereby makes the following Public Spaces Protection Order:

1. This Order may be cited as the 'Rhondda Cynon Taf County Borough Council (Dog Control) Public Spaces Protection Order 2020' (the 'Order').
2. This Order comes into force on 1st October 2020 and shall have effect and remain in force for a period of three years from that date.

OFFENCES

3. The effect of this Order is to impose the following conditions within Rhondda Cynon Taf:
 - (i) The prohibition of Dog Fouling in all Public Places within Rhondda Cynon Taf;
 - (ii) A requirement for a person in charge of a dog to keep that dog on a lead at all times in Cemeteries owned and/or maintained by the Council;
 - (iii) A requirement for a person in charge of a dog at all times to carry bags or other suitable means for the disposal of dog faeces;
 - (iv) A requirement for a person in charge of a dog to follow a direction given by an Authorised Officer, if they deem reasonably necessary, that a dog be put and kept on a lead in a Public Place within Rhondda Cynon Taf for such period and/or in such circumstances as directed by the Authorised Officer; and
 - (v) A prohibition excluding dogs from all Schools, Playgrounds and Marked Sports Pitches owned and/or maintained by the Council.
4. For the purposes of this Order:
 - 4.1 'Dog Fouling' means failing to immediately remove the faeces of a dog by a person who is in charge of that dog.
 - 4.2 Placing dog faeces in a receptacle on land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land. Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise) shall not be a reasonable excuse for failing to remove the faeces.
 - 4.3 'a person in charge of a dog' means a person who habitually has a dog in his/her possession at any time unless at that time some other person is in charge of the dog.
 - 4.4 'Public Place(s)' means any place to which the public or any section of the public has access, on payment or otherwise, as of right by virtue of express or implied permission.

- 4.5 'Authorised Officer' means a constable or a person authorised by the Council for the purposes of enforcing this Order.
- 4.6 For the purposes of 3(iv) above an Authorised Officer may only direct a person to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance, or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or the worrying or disturbance of any animal.
- 4.7 'Rhondda Cynon Taf' means the whole area of the county borough of Rhondda Cynon Taf as shown in Schedule 1 to this Order.
- 4.8 'Cemeteries' means the areas of land as shown and detailed in Schedule 2 to this Order.
- 4.9 'Schools' means the areas of land as shown and detailed in Schedule 3 to this Order.
- 4.10 'Playgrounds' means the areas of land as shown and detailed in Schedule 4 to this Order.
- 4.11 'Marked Sports Pitches' means the areas of land as shown and detailed in Schedule 5 to this Order.
5. It is an offence for a person, without reasonable excuse, to engage in activity which they are prohibited from doing by effect of this Order or fail to comply with a requirement to which a person is subject by effect of this Order.
6. The Council is satisfied that the conditions set out in Section 59 of the Act have been satisfied and, that it is in all the circumstances expedient and reasonable to make this Order for the purpose of prohibiting the above activities and introducing the stated requirements. The effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature, such as to make them unreasonable, and justifies the restrictions imposed by this Order.

EXEMPTIONS

7. The provisions of this Order do not apply to a person who:
- (i) is registered as partially sighted or blind, in a register compiled under Section 29 of the National Assistance Act 1948;
 - (ii) is registered as "sight-impaired", "severely sight impaired" or as "having sight and hearing impairments which, in combination, have a significant effect on their day to day lives", in a register compiled under Section 18 of the Social Services and Well-Being (Wales) Act 2014;
 - (iii) has a disability which affects their mobility, manual dexterity, physical coordination, or ability to lift, carry, or otherwise move everyday objects, such that he cannot reasonably be expected to remove the faeces; or
 - (iv) has some other disability, such that he reasonably cannot be expected to remove the faeces.

8. The provisions of this Order do not apply to a dog trained by a registered charity to assist a person with a disability and upon which a disabled person relies for assistance.
9. For the purposes of this Order, a 'disability' means a condition that qualifies as a disability for the purposes of the Equality Act 2010 and upon which a disabled person relies for assistance.
10. Nothing in this Order shall apply to the normal activities of a working dog whilst the dog is working. This includes dogs that are being used for work in connection with emergency search and rescue, law enforcement and the work of HM Armed Forces and farm dogs that are being used to herd or drive animals.
11. Where a person in charge of a dog wishes to rely upon any of the exemptions set out in this Order the burden shall be on that person to prove they satisfy the requirements of the exemption being relied upon.

PENALTIES

12. A person who is guilty of an offence under this Order is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
13. A Fixed Penalty Notice may be issued by an Authorised Officer to a person who breaches this Order, offering them the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty.

THE COMMON SEAL OF RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

Was hereto affixed in the presence of

.....

Andy Wilkins

Director, Legal Services

SCHEDULE 1 – RHONDDA CYNON TAF AREA

SCHEDULE 2 - CEMETERIES

SCHEDULE 3 – SCHOOLS

SCHEDULE 4 - PLAYGROUNDS

SCHEDULE 5 – MARKED SPORTS PITCHES

SCHEDULE 6 – COMMUNITY COUNCIL SITES

DRAFT

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL (DOG CONTROL – ABERDARE PUBLIC PARK) PUBLIC SPACES PROTECTION ORDER 2020

Rhondda Cynon Taf County Borough Council ('the Council') in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the 'Act') hereby makes the following Public Spaces Protection Order:

1. This Order may be cited as the 'Rhondda Cynon Taf County Borough Council (Dog Control – Aberdare Public Park) Public Spaces Protection Order 2020' (the 'Order').
2. This Order comes into force on 1st October 2020 and shall have effect and remain in force for a period of three years from that date.

OFFENCES

3. The effect of this Order is to impose the following condition within Rhondda Cynon Taf:
 - (i) A requirement for a person in charge of a dog to keep that dog on a lead at all times in Aberdare Public Park.
4. For the purposes of this Order:
 - 4.1 'a person in charge of a dog' means a person who habitually has a dog in his/her possession at any time unless at that time some other person is in charge of the dog.
 - 4.2 'Aberdare Public Park' means all land within the boundary of Aberdare Public Park as detailed in Schedule 1.
 - 4.3 'Authorised Officer' means a constable or a person authorised by the Council for the purposes of enforcing this Order.
5. It is an offence for a person, without reasonable excuse, to engage in activity, which they are prohibited from doing by effect of this Order or fail to comply with a requirement to which a person is subject by effect of this Order.
6. The Council is satisfied that the conditions set out in Section 59 of the Act have been satisfied and, that it is in all the circumstances expedient and reasonable to make this Order for the purpose of prohibiting the above activities and introducing the stated requirements. The effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature, such as to make them unreasonable, and justifies the restrictions imposed by this Order.

EXEMPTIONS

7. The provisions of this Order do not apply to a person who:

- (i) is registered as partially sighted or blind, in a register compiled under Section 29 of the National Assistance Act 1948;
- (ii) is registered as “sight-impaired”, “severely sight impaired” or as “having sight and hearing impairments which, in combination, have a significant effect on their day to day lives”, in a register compiled under Section 18 of the Social Services and Well-Being (Wales) Act 2014;
- (iii) has a disability which affects their mobility, manual dexterity, physical coordination, or ability to lift, carry, or otherwise move everyday objects, such that he cannot reasonably be expected to remove the faeces; or
- (iv) has some other disability, such that he reasonably cannot be expected to remove the faeces.

8. The provisions of this Order do not apply to a dog trained by a registered charity to assist a person with a disability and upon which a disabled person relies for assistance.

9. For the purposes of this Order, a ‘disability’ means a condition that qualifies as a disability for the purposes of the Equality Act 2010 and upon which a disabled person relies for assistance.

10. Nothing in this Order shall apply to the normal activities of a working dog whilst the dog is working. This includes dogs that are being used for work in connection with emergency search and rescue, law enforcement and the work of HM Armed Forces and farm dogs that are being used to herd or drive animals.

11. Where a person in charge of a dog wishes to rely upon any of the exemptions set out in this Order the burden shall be on that person to prove they satisfy the requirements of the exemption being relied upon.

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12. A person who is guilty of an offence under this Order is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

13. A Fixed Penalty Notice may be issued by an Authorised Officer to a person who breaches this Order, offering them the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty.

THE COMMON SEAL OF RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

Was hereto affixed in the presence of

.....

Andy Wilkins

Director, Legal Services

DRAFT

SCHEDULE 1

DRAFT

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24TH SEPTEMBER 2020

CYNON GATEWAY NORTH (ABERDARE BYPASS)

REPORT OF GROUP DIRECTOR PROSPERITY, DEVELOPMENT AND FRONTLINE SERVICES IN DISCUSSIONS WITH THE LEADER

Author(s): Andrew Griffiths, Service Director Highways and Transportation

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to;
- Update Cabinet on the current progress related to the development and delivery of the major transportation project: Cynon Gateway North (Aberdare Bypass).
 - Obtain delegated authority from Cabinet for the Group Director Prosperity, Development and Frontline Services to submit a planning application on behalf of the Council for the project.
 - Subject to a successful planning application and subject to sufficient funding for each stage of the process, seek further delegated authority to take all necessary steps to secure the making, confirming and implementation of a Compulsory Purchase Order (CPO) and a Side Roads Order (SRO) (if they are required) for the Cynon Gateway North (Aberdare Bypass). (see Appendix A).

2. RECOMMENDATIONS

It is recommended that the Cabinet:

- 2.1 Note the progress made and endorse the next steps in the programme for the project.
- 2.2 Give delegated authority to the Group Director Prosperity, Development and Frontline Services to submit a planning application on behalf of the Council for the new Cynon Gateway North (Aberdare Bypass).
- 2.3 Give delegated authority to the Group Director Prosperity, Development and Frontline Services, subject to funding, to negotiate the purchase of any third party owned land required for the project proposal and where possible acquire such land by agreement and if such land is not able to

be purchased via negotiation delegate the powers as outlined in paragraph 2.1.4 relating to the implementation of the CPO and SRO.

- 2.4 Subject to the grant of planning permission and obtaining sufficient funding for each stage of the process, give delegated authority to the Group Director Prosperity, Development and Frontline Services to take all the necessary steps to securing the making, confirmation and implementation of a CPO and SRO in respect of the land required for the implementation of the project, including but not limited to the following procedural steps:
- 2.5 All steps up to and including confirmation of the CPO and SRO by the Welsh Ministers (or if permitted, by the Council pursuant to Section 14A Acquisition of Land Act 1981), including the preparation and presentation of the Council's case for any Written Representations, Hearing or Public Inquiry which may be necessary.
- 2.6 Publication and service of notices of confirmation of the CPO and SRO and thereafter to execute and serve any General Vesting Declarations and/or Notices to Treat and Notices of Entry.
- 2.7 To acquire the necessary interests in the land and settle the compensation, subject to funding.
- 2.8 Referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber).

3 REASONS FOR RECOMMENDATION

- 3.1 This project is for the construction of a major bypass that will cut travel times and distances whilst create a link to the proposed dualling of the existing strategic trunk highway network on the A465 between Dowlais Top and Hirwaun, which will provide a major improvement in connectivity to an important part of the Welsh Government's strategic road network and Trans-European Transport (TEN-T) Network connecting South and West Wales to the English Midlands. This link /bypass is also strategically aligned to part of the Strategic Opportunity Area (SOA) Cynon Gateway – Energizing the Region (based in Hirwaun), as well as the wider economic opportunities for Rhondda Cynon Taf and the Cardiff Capital Region. The proposed bypass will provide an important strategic and connectivity role by providing communities with access to key facilities and employment sites, and offers the potential to unlock sites for new residential and commercial development.
- 3.2 The project improves connectivity between socially and economically deprived communities in the Cynon Valley, those communities with high levels of economic activity, which will widen the pool of available labour

for local businesses. It will also assist residents who are seeking employment by reducing travelling times between communities and employment sites. As well as acting as 'Gateways' to communities or serving the Strategic Opportunity Areas identified in Rhondda Cynon Taf, the bypass will facilitate the leveraging of private sector investment into new commercial and residential developments in the Cynon Valley, assisting with the regeneration of deprived areas of the county borough.

The additional capacity will address the congestion issues that exist in the Cynon Valley, and counter the perception amongst developers of delays and poor transport links in reaching this area.

- 3.3 The project will have transportation and regeneration benefits including:
- It will improve capacity and resilience of the A4059 at Aberdare / Hirwaun.
 - It will improve connectivity between Rhondda Cynon Taf (RCT) and the Heads of the Valleys region, west Wales and the Midlands. It will facilitate economic regeneration and development of the northern area of RCT, especially the SOA the Cynon Gateway, and encourage investment in the wider area.
 - It will remove a significant amount of traffic that is predicted to travel through Llwydcoed as a result of the A465 dualling project, which has been acknowledged by the Welsh Government.
 - It will improve reliability and journey times.
 - It will enhance road safety and reduce casualties. Reduce personal injury collisions (and associated costs) by removing the impact caused by large traffic volumes predicted through Llwydcoed, as mentioned above.
 - Improve air quality at locations which have been designated Air Quality Management Areas eg. Aberdare;

4.0 BACKGROUND

- 4.1 The requirement for the Cynon Gateway North (Aberdare Bypass) has long been recognised as part of RCT's strategic highway network and is identified in the Local Development Plan and the Council's Corporate Plan 2020-24.
- 4.2 The Cynon Gateway North commences from the existing Aberdare Bypass (A4059) adjacent to Aberdare cemetery and travels in a north easterly route to connect to the proposed roundabout being constructed as part of the A465 dualling at Croesbychan (see plan in Appendix A).
- 4.3 A preliminary highway alignment has recently been finalised including tying into the Welsh Government proposals at Croesbychan for the A465 dualling.

- 4.4 The proposed Cynon Gateway North is approximately 1.2km long and is to be predominantly constructed on an earth embankment with a number of structures located along the route to facilitate the crossing of the River Cynon, Nant Hir, Hirwaun to Aberdare freight line and other features / highway / constraints. The highway will be 7.3m wide and will link to the existing A4059 via a proposed roundabout and the A465 / local road network in the north again via a roundabout being constructed as part of the A465 dualling. Active Travel routes within the area will be enhanced as part of the A465 dualling, Cynon Trail project and as a result of this project. Drainage for the project will be subject to Sustainable Drainage Agency Board (SAB) approval.
- 4.5 The proposed route traverses through a number of third party privately owned land, unknown / unregistered land, as well as RCT land, the extents of impact on the third party land is currently being evaluated taking into account potential ecological mitigation requirements.
- 4.6 The proposed route travels through part of a Site of Special Scientific Interest (SSSI) at the southern roundabout, ie Tir Mawr a Dderi Hir.
- 4.7 The Bypass affects a Site of Importance for Nature Conservation (SINC) and travels close to another. The main SINC effected is SINC 15 Upper Cynon Floodplain. The SINC is the River Cynon and its valley, with its species rich marshy grassland, neutral grassland, woods and hedgerows, again with marsh fritillary habitat. The road traverses over the river Cynon within the SINC but does involve loss and severance of marshy, pastures and woodland habitat. Mitigation in terms of reducing loss of habitat and providing compensatory management will be important, and will be integrated with SSSI and species mitigation, compensation and enhancement measures.

The second SINC which may have some small scale impacts is SINC 16, the Nant Hir Valley and Reservoir SINC. This SINC is designated for its watercourse and valleyside woodland
- 4.8 Ecological surveys have been ongoing for the past year along the proposed route with a number of protected UK and European species identified and discussions are currently ongoing with Natural Resources Wales (NRW) on these matters.
- 4.9 The proposed route runs through a flood plain and the works will be subject to NRW consent.
- 4.10 The proposed route runs partly adjacent to a Scheduled Ancient Monument, ie the Gamlyn Viaduct, with discussions ongoing with Cadw on this matter.

- 4.11 The proposed alignment travels over the existing Aberdare to Hirwaun freight line. A bridge structure is proposed to be constructed at this location which will allow for future electrification of the line by Transport for Wales.
- 4.12 There are a number of statutory undertakers plant / apparatus which are affected by the proposals and discussions are ongoing with these bodies.
- 4.13 A planning application will be required to be submitted for the Cynon Gateway North project.
- 4.14 Currently it is proposed to undertake the pre-planning application consultation in Autumn 2020 with a planning submission later in the Autumn.
- 4.15 Deliverability options for the project are current being considered with a current commencement date anticipated Autumn 2022 subject to successful completion of all statutory procedures, availability of finance and land.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Assessment Screening form has been prepared for the purpose of this report. It has been found that a full report is not required. The Cynon Gateway North will enhance existing movement along the strategic highway network and hence between communities and areas of employment.

6 CONSULTATION

- 6.1 Consultation has commenced and will continue with the stakeholders and parties affected by the Cynon Gateway North proposals and these include the Council's departments, Welsh Government (and their technical advisors), statutory bodies, statutory undertakers and third parties whose land is required for the proposals.
- 6.2 Local Members affected by the Cynon Gateway North have been consulted, including the A465 dualling project and more recently a Members Briefing was held on 14th January 2020 for the project.
- 6.3 As part of the pre-planning application consultation, members of the public affected will be consulted over the proposals commencing in Autumn 2020. Due to the restrictions currently in place as a result of Covid19, the public will be consulted via a number of means including plans available at libraries, website consultation, public notices on site,

etc. The Council's communications team are currently working on the proposals for this to be undertaken.

7 FINANCIAL IMPLICATION(S)

- 7.1 The preliminary design is nearing completion for the project and has indicated that the estimated overall cost of the project is approximately £30m which is inclusive of risk, construction, fees, land, ecology mitigation works, etc. As the project progresses through the detailed design stage, the estimated costs will be further refined.
- 7.2 The Welsh Government is committed to working in partnership with RCT to progress development of the Cynon Valley Gateway North project with a view to opening the link as soon as it is practicable to do so.
- 7.3 A total of £2.016m funding has been received from the Welsh Government since 2011/12 although there has been sustained funding between 2017/18 and 2020/21 via the Local Transport Network Fund for the project.
- 7.4 A total of £2.30m funding to date has been committed by the Council via its investment programme.
- 7.5 After taking account of costs incurred to date, the current budget in the capital programme is £2.630M. This is sufficient to continue progress with deliverability options and associated costs, and to undertake the pre-planning consultation and develop and submit the planning application. The Council will continue to work very closely with the Welsh Government regarding funding for this scheme and the Council's wider capital programme.

8 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 8.1 The legal implications are considered in the body of this report. The Council has the power to make the CPO and SRO under the provisions of the Acquisition of Land Act 1981 and Sections 14,125, 239,240,246,250 and 260 of the Highways Act.

9 LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 9.1 The Cynon Gateway North supports a number of the authorities' own plans, policies and strategies that relate not only to transport, but the wider local agenda:

9.1.1 **Well-Being of Future Generations (Wales) Act 2015**

The Cynon Gateway North will help achieve the well-being goals and objectives of the Act. Measures along this transport corridor to reduce journey times and improve reliability will help to improve access to key employment sites in the Cynon Valley. Increasing the proportion of employed residents will support economic growth in the area, help raise household income levels, tackle inequality and generate greater prosperity for communities. A reduction in traffic using the existing section of the populated corridor along the A4059 will deliver wider environmental benefits including potential reductions in traffic related carbon emissions, possible improvements to local air quality and a more attractive public realm. The reduction in traffic congestion will result in more pleasant, safer environments for residents that front the existing transport corridors, improving their physical and mental well-being.

9.1.2 **Cwm Taf Wellbeing Plan**

Replaces the Single Integrated Plan (SIP) and a number of different partnership plans that were previously produced, including the Community Strategy, Children and Young Peoples Plan, Health Social Care and Well Being Strategy, Community Safety Plan and Local Housing Strategy. The Cwm Taf Wellbeing Plan has been produced by an overarching partnership of organisations in the public and voluntary sectors. The aim is to promote thriving communities, healthy people and a strong economy. These are closely aligned to the Welsh Government's 'Programme for Government Priority Areas'.

9.1.3 **Local Development Plan (LDP)**

The LDP provides the framework for the development and use of land within Rhondda Cynon Taf. It sets out the objectives and priorities relating to the development and use of land and the policies and proposals for implementing them. Cynon Gateway North is specifically noted under Major Road Schemes ie CS8a.3.

9.1.4 **South East Wales Local Transport Plan (SEWLTP) (2015)**

The five South East Wales Valleys local authorities of Blaenau Gwent, Caerphilly, Merthyr Tydfil, Rhondda Cynon Taf and Torfaen have jointly developed the SEWLTP Local that identifies the issues and opportunities for transport in the South East Wales Valleys area. Cynon Gateway North has been prioritised and included in the short term programme 2015-2020

9.1.5 The Cynon Gateway North complements the objectives and aims of:

- **Welsh Government's National Transport Finance Plan (2018 update)**
- **Wales Transport Strategy 2008**
- **Wales Spatial Plan 2008**

9.1.6 **Strategic Opportunity Areas (SOA's)**

The current context of the Cardiff Capital Region City Deal and the Valleys Taskforce means that it is more important than ever to identify where there are key strategic opportunities to work with partners to deliver economic growth in Rhondda Cynon Taf. As such, RCT has identified key strategic opportunity areas to maximise the benefit of economic regeneration and ensure RCT is successful in the global competition for investment. SOA's are geographical areas where resources are focused to provide opportunities for the private sector to invest and create new jobs. Each SOA aims to provide a comprehensive and focused package to encourage investment and enterprise. On 21st September 2017, the Council approved five Strategic Opportunity Areas (SOAs) and in particular the Cynon Gateway – “Energizing the Region.” In doing so, the Council has committed to developing and delivering projects that will achieve the primary aspirations of this Strategy, namely enabling significant economic growth and jobs.

- 9.2 The proposals to construct the Cynon Gateway North will make a significant contribution towards the Corporate Priority of Prosperity. The Corporate Plan 2020-24 itemises the A465 Cynon Valley Link Road (Cynon Gateway North) as one of the points in the plan under Delivering major regeneration and transportation schemes. The proposal has a significant impact on improving accessibility and connectivity which is recognised as a fundamental factor in linking the labour market with employment opportunities and supporting economic activity.
- 9.3 The project directly addresses the Corporate Plan commitment to invest in highways infrastructure and to improve the transport network. It also complements investment in the A465 dualling.
- 9.4 On 21st September 2017 Council approved the Strategic Opportunity Areas and in particular the Cynon Gateway – Energizing the Region.
- 9.5 The Cynon Gateway North will help support the delivery of a Wales of cohesive communities, a prosperous Wales and a Wales of vibrant culture and thriving Welsh Language.

10 CONCLUSION

- 10.1 The Cynon Gateway North will bring improved benefits to the strategic local highway network, linking the A4059 with the nationally strategic A465 Trans European Transport (TEN-T) network.
- 10.2 The Cynon Gateway North will bring relief to LLwydcoed as a result of traffic from the A465.
- 10.3 Improve capacity and resilience of the A4059.

- 10.4 Facilitate economic regeneration of the Cynon Valley and connectivity to south west Wales and English Midlands.
- 10.5 Improve journey times and reliability
- 10.6 In order to commence the process it is recommended that authority be granted to the Group Director Prosperity, Development and Frontline Services to submit a planning application on behalf of the Council in respect of the Cynon Gateway North, obtain sufficient funding for each stage of the project: to negotiate the purchase of any land in third party ownership as required for the implementation of the whole project and initiate all procedures relating to making, confirming and implementation of a CPO and SRO including but not limited to the following steps:
 - 10.6.1 All steps up to and including confirmation of the CPO and SRO by the Welsh Ministers (or, if permitted, by the Council pursuant to Section 14A Acquisition of Land Act 1981), including the preparation and presentation of the Council's case for any Written Representations, Hearing or Public Inquiry which may be necessary;
 - 10.6.2 Publication and service of notices of confirmation of the CPO and SRO and thereafter to execute and serve any General Vesting Declarations and/or Notices to Treat and Notices of Entry;
 - 10.6.3 To acquire the necessary interests in the land and settle the compensation.
 - 10.6.4 Referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber).

Other Information:-

Relevant Scrutiny Committee

[ARTICLE 6 – OVERVIEW AND SCRUTINY COMMITTEE](#)

(Terms of Reference of each of the Scrutiny Committees to assist Officers with selecting the correct Committee.)

Contact Officer



LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

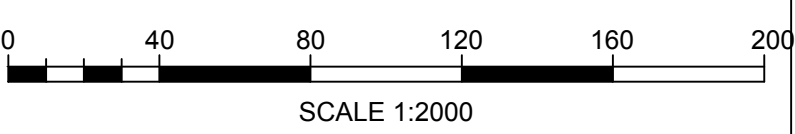
24TH SEPTEMBER 2020

CYNON GATEWAY NORTH (ABERDARE BYPASS)

**REPORT OF GROUP DIRECTOR PROSPERITY, DEVELOPMENT AND
FRONTLINE SERVICES IN DISCUSSIONS WITH THE LEADER**



- Key:
- Red Line Boundary (Offset 25m as per planning requirement)
 - Proposed Carriageway
 - Proposed verge
 - Proposed Earthwork
 - Proposed Maintenance Track
 - Existing Woodland to be Retained
 - Proposed Soft Landscaping
 - Proposed Culverts
 - Environmental Mitigation Areas



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Rev	Drawn	Check	App'd	Description	Date
Purpose of Issue					
S0 - Work in Progress					
Classification					
Commercial in Confidence					
Client					
Rhondda Cynon Taf County Borough Council					
Project					
A4059 Cynon Gateway North					
Drawing					
Planning Application Site Wide General Arrangement Consultation Plan					
Scale @ A0		Drawn	Checked	Approved	
1:2000		MH			
Project No.		Date			
GC/3144		July 2020			
Drawing Identifier					
Project - Originator - Zone - Level - File Type - Role - Number					
GC3144-RED-76-XX-SK-C-0033					
					Revision
					P01.1

DRAFT
20/09/2020
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