

# Public Document Pack

## Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

### Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.  
Rhowch wybod i ni os mai Cymraeg yw eich  
dewis iaith.*

*We welcome correspondence in Welsh. Please  
let us know if your language choice is Welsh.*



Annwyl Cyngorydd,

### **CYNGOR**

Cynhelir Cyfarfod Cyngor o bell - trwy Microsoft Teams ar **Dydd Mercher, 9 Mawrth 2022** am **15:00**.

### **AGENDA**

1. Ymddiheuriadau am absenoldeb  
Derbyn ymddiheuriadau am absenoldeb gan Aelodau.
2. Datganiadau o fuddiant  
Derbyn datganiadau o ddiddordeb personol a rhagfarnol (os o gwbl) gan Aelodau / Swyddogion yn unol â darpariaethau'r Cod Ymddygiad Aelodau a fabwysiadwyd gan y Cyngor o 1 Medi 2008.
3. Cymeradwyaeth Cofnodion 5 - 14  
I dderbyn am gymeradwyaeth y Cofnodion cyfarfod y 9/2/2022
4. Cyflwyniad i'r Cyngor gan gynrychiolwyr Gwasanaeth Tân ac Achub De Cymru 15 - 16
5. I dderbyn cyhoeddiadau oddi wrth:  
(i) Maer (neu'r person sy'n llywyddu)  
(ii) Aelodau'r Cabinet  
(iii) Prif Weithredwr
6. Derbyn cyhoeddiadau gan yr Arweinydd
7. Datganiad Polisi Tâl - 2022/2023 17 - 72
8. Canllawiau Cynllunio Atodol Cyfleusterau Hamdden Awyr Agored a Datblygu Tai Newydd 73 - 126
9. Siarter Creu Lleoedd Cymru 127 - 134

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Cyfnwidd testun: Rhowch 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun

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Rydym yn croesawu gohebiaeth yn y Gymraeg. Rhowch wybod i ni os yw eich dewis iaith yw'r Gymraeg

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10. Trafodion Partion Cysylltiedig 2021-22 a Datganiad Cyfrifon 135 - 142
11. Cynllun Deisebau 143 - 152
12. Adroddiad Blynyddol Panel Annibynnol Cymru ar Gydabyddiaeth Ariannol 2022/23 153 - 266
13. Adroddiad Gwybodaeth i'w Nodi 267 - 276
14. Derbyn y Cwestiynau canlynol gan:  
**Cynghorydd A Hussain I'r Dirprwy Arweinydd a'r Aelod Cabinet Cymunedau**

Cynghorau yw'r llinell gymorth gyntaf ar gyfer adeiladu busnesau hunangyflogedig wrth gefn ar ôl y pandemig. I lawer o bobl hunangyflogedig, mae'r pandemig nid yn unig wedi bod yn argyfwng iechyd ond hefyd yn argyfwng incwm. Ni chafodd llawer o weithwyr llawrydd yng Nghymru gymorth ariannol a chanfuwyd ymchwil y llywodraeth ac IPSE bod un o bob pedwar wedi gwario eu holl gynilon.

Sut mae Awdurdod Lleol Pen-y-bont ar Ogwr yn buddsoddi ym musnesau lleiaf ein hardaloedd a pha gymorth sydd ar gael i weithwyr llawrydd?

15. Materion Brys  
 I ystyried unrhyw eitemau o fusnes y, oherwydd amgylchiadau arbennig y cadeirydd o'r farn y dylid eu hystyried yn y cyfarfod fel mater o frys yn unol â Rhan 4 (pharagraff 4) o'r Rheolau Trefn y Cyngor yn y Cyfansoddiad.

Nodyn: Sylwch: Yn sgil yr angen i gadw pellter cymdeithasol, ni fydd y cyfarfod hwn yn cael ei gynnal yn ei leoliad arferol. Yn hytrach, bydd hwn yn gyfarfod rhithwir a bydd Aelodau a Swyddogion yn mynychu o bell. Bydd y cyfarfod yn cael ei recordio i'w ddarlledu ar wefan y Cyngor cyn gynted ag sy'n ymarferol ar ôl y cyfarfod. Os oes gennych unrhyw gwestiwn am hyn, cysylltwch â cabinet\_committee@bridgend.gov.uk neu ffoniwch 01656 643147 / 643148.

Yn ddiffuant

**K Watson**

Prif Swyddog, Gwasanaethau Cyfreithiol a Rheoleiddio, AD a Pholisi Corfforaethol

#### **Dosbarthiad:**

#### Cynghowrwy

S Aspey  
 SE Baldwin  
 TH Beedle  
 JPD Blundell  
 NA Burnett  
 MC Clarke  
 N Clarke  
 RJ Collins  
 HJ David  
 P Davies  
 PA Davies  
 SK Dendy  
 DK Edwards  
 J Gebbie  
 T Giffard

#### Cynghorwyr

M Hughes  
 A Hussain  
 RM James  
 B Jones  
 M Jones  
 MJ Kearns  
 DRW Lewis  
 JE Lewis  
 JR McCarthy  
 D Patel  
 RL Penhale-Thomas  
 AA Pucella  
 JC Radcliffe  
 KL Rowlands  
 B Sedgebeer

#### Cynghorwyr

JC Spanswick  
 RME Stirman  
 G Thomas  
 T Thomas  
 JH Tildesley MBE  
 E Venables  
 SR Vidal  
 MC Voisey  
 LM Walters  
 KJ Watts  
 CA Webster  
 DBF White  
 A Williams  
 AJ Williams  
 HM Williams

RM Granville  
CA Green  
DG Howells

RMI Shaw  
CE Smith  
SG Smith

JE Williams  
RE Young

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CYNGOR - DYDD MERCHER, 9 CHWFROR 2022

COFNODION CYFARFOD Y CYNGOR A GYNHALIWIYD O BELL - TRWY MICROSOFT  
TEAMS DYDD MERCHER, 9 CHWFROR 2022, AM 15:00

## Presennol

Y Cyngorydd JC Spanswick – Cadeirydd

SE Baldwin	TH Beedle	JPD Blundell	MC Clarke
N Clarke	RJ Collins	HJ David	C Davies
P Davies	PA Davies	SK Dendy	DK Edwards
J Gebbie	RM Granville	CA Green	DG Howells
M Hughes	RM James	B Jones	M Jones
MJ Kearns	DRW Lewis	JE Lewis	JR McCarthy
D Patel	RL Penhale-Thomas	AA Pucella	KL Rowlands
B Sedgebeer	RMI Shaw	CE Smith	RME Stirman
G Thomas	T Thomas	KJ Watts	A Williams
AJ Williams	HM Williams	JE Williams	RE Young

## Ymddiheuriadau am Absenoldeb

NA Burnett, A Hussain, SG Smith, JH Tildesley MBE, E Venables, SR Vidal, MC Voisey, LM Walters a/ac CA Webster

## Swyddogion:

Deborah Exton	Dirprwy Bennaeth Cyllid dros dro
Mark Galvin	Rheolwr Gwasanaethau Democrataidd Dros dro
Lindsay Harvey	Cyfarwyddwr Corfforaethol – Addysg a Chymorth i Deuluoedd
Janine Nightingale	Cyfarwyddwr Corfforaethol - Cymunedau
Michael Pitman	Swyddog Gwasanaethau Democrataidd – Pwyllgorau
Mark Shephard	Prif Weithredwr
Kelly Watson	Prif Swyddog – Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio

## 628. DATGANIADAU O FUDDIANT

Datganodd y Prif Weithredwr, M Shephard, fuddiant sy'n rhagfarnu yn eitem 6 ar yr Agenda, yn rhinwedd ei swydd fel Swyddog Canlyniadau'r Cyngor. Gadawodd y cyfarfod pan oedd yr eitem hon yn cael ei hystyried.

## 629. I DDERBYN CYHOEDDIADAU GAN:

### Y Maer

Mae Gwobrau Dinasyddiaeth y Maer bellach wedi dod i ben, ac ar ôl derbyn dros 30 o enwebiadau penderfynwyd gwobrwyo 22 ohonynt. Bu safon yr holl enwebiadau yn uchel iawn unwaith eto, ac er bod pob un yn haeddu cydnabyddiaeth, mae rhai yn sgorio'n uwch nag eraill. Fodd bynnag, bydd pawb a gyflwynodd enwebiadau yn derbyn llythyr o ddiolch am gymryd rhan yn y broses, ac i'w hannog i wneud enwebiad arall y flwyddyn nesaf.

Rydym bellach yn trefnu sut i gyflwyno'r gwobrau, a bydd naill ai ymweliad personol gen i neu gyflwyniad ym Mharlwr y Maer, yn amodol ar yr asesiadau risg priodol a fydd wedi'u cwblhau erbyn diwedd mis Mawrth. Hoffwn ddiolch i'r swyddogion a'r Dirprwy Faer am eu cymorth yn y broses, ac am nodi fy sylwadau mewn perthynas â diwygiadau posibl i'r cynllun ar gyfer y flwyddyn nesaf.

Dirprwy Arweinydd

Gan fod Wythnos Genedlaethol Prentisiaethau yn cael ei chynnal yr wythnos hon, rwyf am roi diweddariad byr iawn i'r aelodau ar sut mae cynllun prentisiaeth y Cyngor ei hun yn dod yn ei flaen.

Ers ei lansio yn 2013 rydym wedi cefnogi 116 o brentisiaid, ac mae llawer ohonynt wedi mynd ymlaen i weithio gyda'r cyngor yn llawn amser.

Ar hyn o bryd mae gennym 27 o brentisiaid yn gweithio ar draws ystod o adrannau, o gymorth busnes a marchnata i ofal cymdeithasol a chaffael, ac maent yn gwneud cyfraniad gwerthfawr.

Mae'r cynllun prentisio yn ein galluogi ni, fel awdurdod lleol, i recriwtio talent newydd. Mae'n galluogi pobl i ddatblygu sgiliau proffesiynol ac i ennill profiad gwerthfawr, a hynny wrth ennill cyflog a gweithio tuag at gymhwyster achrededig.

Efallai bydd yr Aelodau yn awyddus i ddweud wrth etholwyr am ein rhaglen brentisiaid, a'u cynghori i chwilio tudalennau swyddi'r wefan gorfforaethol am gyfleoedd yn y dyfodol.

Hoffwn ddiolch hefyd i'n holl brentisiaid am eu gwaith caled, yn enwedig yn ystod amgylchiadau anodd y ddwy flynedd ddiwethaf, ac i ddymuno pob lwc iddynt gyda'u gyrfaoedd.

Aelod Cabinet – Cymunedau

Rwy'n siŵr y bydd cynghorwyr yn ymwybodol o'r problemau a achosir gan ffyrdd heb eu mabwysiadu o fewn y fwrdeistref sirol.

Dyma'r strydoedd nad yw'r Cyngor wedi'u mabwysiadu, lle mae'r preswylwyr a'r perchnogion yn parhau i fod yn gyfrifol am y gwaith o gynnal a chadw.

Mae cynllun peilot newydd gan Lywodraeth Cymru wedi darparu £230,000 i wella stryd heb ei mabwysiadu leol fel ei bod yn cyrraedd safon lle gallai'r cyngor gymryd cyfrifoldeb.

Bwriad y cynllun yw gwella dealltwriaeth cynghorau a Llywodraeth Cymru o'r goblygiadau o ran cost o fynd i'r afael â'r ôl-groniad hanesyddol o strydoedd o'r fath ledled Cymru. Dewiswyd Ynyslas ym Mhorthcawl yn seiliedig ar ffactorau megis cyflwr gwael ei phalmentydd a'r ffordd goncrid, a nifer yr eiddo y mae'n eu gwasanaethu.

Erbyn hyn, mae'r llwybrau troed a'r lôn wedi'u hailadeiladu, mae draeniad y priffyrdd wedi'i atgyweirio ac mae gwaith pellach yn cael ei wneud i sicrhau bod Ynyslas yn addas i'w mabwysiadu.

Rydym wedi cael rhai sylwadau cadarnhaol iawn o ran y gwaith gan ddeiliaid tai, ac mae wedi bod yn llwyddiant mawr.

Mae adolygiad o strydoedd eraill heb eu mabwysiadu ar y gweill, ac rydym yn adrodd yn ôl i Lywodraeth Cymru ar y cynllun.

Gobeithio y bydd hyn yn arwain at sicrhau bod rhagor o arian ar gael a fydd yn ein galluogi i dargedu rhagor o strydoedd heb eu mabwysiadu yn y fwrdeistref sirol, a gobeithiaf ddod â mwy o newyddion ichi am hyn yn fuan.

Aelod Cabinet – Gwasanaeth Cymdeithasol a Chymorth Cynnar

Efallai fod yr Aelodau wedi gweld y cyhoeddiad diweddar gan Lywodraeth Cymru, a oedd yn dweud eu bod am gynyddu faint o gymorth sydd ar gael trwy ei chronfa cymorth i aelwydydd.

Mae wedi'i gynllunio i helpu cymunedau i ymdopi â'r cynnydd enfawr mewn biliau ynni, ac mae'r taliad rhyddhad o £100 bellach wedi'i gynyddu i £200.

Mae ar gael i aelwydydd lle mae rhywun yn hawlio buddion cyffredinol, cymhorthdal incwm, credydau treth gwaith, budd-daliadau lles sy'n seiliedig ar brawf modd, lwfans ceisio gwaith sy'n gysylltiedig ag incwm, neu lwfans cyflogaeth a chymorth.

Afraid dweud, gobeithiaf fod pob aelod yn rhoi cyhoeddusrwydd i hyn yn eu wardiau lleol ac yn annog pob aelwyd gymwys i wneud cais.

Mae'r cyngor eisoes wedi cysylltu â miloedd o bobl yr ydym yn credu sydd â hawl i dderbyn y taliad, a gellir gwneud ceisiadau ar-lein drwy gyfleuster 'Fy Nghyfrif' y cyngor hefyd.

28 Chwefror yw'r dyddiad cau i wneud cais, ac ni fydd angen i'r rhai sydd eisoes wedi derbyn taliad o £100 o dan y cynllun wneud cais eto gan y byddant yn derbyn y gweddill yn awtomatig o fewn yr wythnosau nesaf.

Ni ddylai neb fod heb gynhesrwydd a gwres dros y gaeaf, a gobeithiwn y bydd hyn yn cefnogi rhai o drigolion tlotaf a mwyaf agored i niwed Bwrdeistref Sirol Pen-y-bont ar Ogwr.

Aelod Cabinet – Cenedlaethau'r Dyfodol a Lles

Mae rhaglen seibiant byr newydd ar gael i ofalwyr di-dâl lleol ac efallai bydd aelodau yn awyddus i roi gwybod i'w hetholwyr.

Mae'r rhaglen, a lansiwyd mewn partneriaeth ag Halo Leisure, BAVO, y Cyngor a Llywodraeth Cymru, yn galluogi gofalwyr i gael mynediad at ystod eang o gyfleusterau yng Nghanolfan Bywyd Pen-y-bont ar Ogwr yn rhad ac am ddim bob dydd Mawrth rhwng 2pm a 4pm.

Gyda chyfleusterau fel ystafell stêm, sawna ac ystafell iâ, gwelyau lolfa wedi'u gwresogi ac ystafell hoenuso, gall gofalwyr fanteisio i'r eithaf ar therapïau ymlacio arbenigol a chynghor ar ddietau a maeth.

Yn bwysicaf oll, mae'r rhaglen yn cynnwys darpariaeth ofal ychwanegol gan Ymddiriedolaeth Gofalwyr De Ddwyrain Cymru i alluogi gofalwyr di-dâl i gymryd seibiant o'u cyfrifoldebau gofalu.

Os yw aelodau'n gwybod am ofalwyr di-dâl yn eu wardiau a fyddai'n elwa o'r fenter rad ac am ddim hon, gofynnwch iddynt gysylltu â Chanolfan Bywyd Pen-y-bont ar Ogwr a gofyn am y swyddog Cymorth Cymunedau gweithredol.

Aelod Cabinet – Addysg ac Adfywio

Mae arolygwyr Estyn wedi ymweld â rhai o'n hysgolion lleol yn ddiweddar, a hoffwn dynnu sylw'r aelodau at y canlyniadau.

Yn sgil ymweliadau ym mis Tachwedd 2021, barnwyd bod Ysgol Gynradd Plasnewydd ac Ysgol Gynradd Cwm Ogwr wedi gwneud cynnydd digonol yn erbyn argymhellion yr arolygiaeth addysg a hyfforddiant fel y gellid eu tynnu o fesurau arbennig yn ffurfiol.

Mae Ysgol Gynradd Cefn Cribwr hefyd wedi'i thynnu oddi ar y rhestr o ysgolion y mae angen eu hadolygu gan Estyn gan eu bod wedi gwneud cynnydd priodol o ran gweithredu materion allweddol.

Yn dilyn arolygiad a gynhaliwyd ychydig cyn y Nadolig, mae arolygwyr wedi cadarnhau bod yr ysgol wedi datblygu digon o gapasiti i sicrhau gwelliannau pellach.

Adolygwyd Ysgol Uwchradd Gatholig Archbishop McGrath hefyd ym mis Rhagfyr. Mae arolygwyr wedi nodi bod cynnydd da wedi'i wneud a'u bod yn parhau i fonitro'r ysgol am y tro er mwyn sicrhau y gall hyn barhau.

Mae pob ysgol leol arall wedi'u dyfarnu naill ai'n dda neu'n foddhaol, a hoffwn longyfarch athrawon a staff am eu hymdrechion parhaus.

630. **DERBYN CYHOEDDIADAU GAN YR ARWEINYDD**

Roeddem yn falch o gadarnhau ddoe ein bod yn cefnogi dychweliad yr Uwch Bencampwriaeth Golff Agored i Glwb Brenhinol Porthcawl yn 2023.

Dyma'r unig bencampwriaeth golffwyr hŷn fawr yn Ewrop, ac mae'n ddigwyddiad pwysig sy'n dod â manteision parhaol i dwristiaeth a'r economi leol.

Pan wnaethom ei gynnal am y tro cyntaf yn 2014, ymwelodd dros 43,000 o bobl â'r fwrdeistref sirol ac fe'i hystyriwyd yn llwyddiant a gynhyrchodd filiynau o bunnoedd i'r economi leol, gan ddenu cynulleidfau deledu ryngwladol gyda miliynau o wylwyr ledled y byd. Edrychwn ymlaen at ddod â diweddariadau i chi wrth i'r cynlluniau ddatblygu.

Mae datblygiad mawr arall ym maes twristiaeth ranbarthol gam yn nes at gael ei wireddu hefyd, yn sgil rhoi caniatâd cynllunio amodol i brosiect trawsnewidiol Cwm Afan yng Nghastell-nedd Port Talbot.

Mae'r datblygiad newydd trawiadol yn rhan o frand Wildfox Resorts ac mae wedi cael ei ddisgrifio fel safle gwyliau a hamdden hunangynhwysol, tebyg i Centre Parks yn y cymoedd.

Efallai y bydd yr Aelodau'n cofio i'r prosiect gael ei grybwyll gyntaf gan ymgeiswyr Afan Valley Cyf. Fodd bynnag, ers hynny mae'r Grŵp Salamanca aml-genedlaethol, sydd â hanes o 20 mlynedd o ddatblygiadau llwyddiannus, wedi cymryd yr awenau, ac maent yn gyrru'r cynlluniau ymlaen yn gyflym.

Gallai greu cannoedd o swyddi newydd a darparu manteision cymdeithasol ac economaidd sylweddol, rhai a allai ddod â budd i Fwrdeistref Sirol Pen-y-bont ar Ogwr hefyd. Yr wyf wedi gofyn am ddiweddariad manwl, a phan ddarperir hynny fe'i rhannaf gydag aelodau.

Yn olaf, mae'r cynlluniau ar gyfer sut y bydd safle hen ffatri peiriannau Ford yn cael ei ddefnyddio yn y dyfodol yn prysur gyflymu.

Mae swyddogion y Cyngor wedi bod yn gweithio'n agos ochr yn ochr â Chwmni Moduron Ford a'r arbenigwyr eiddo tirol a buddsoddi masnachol, CBRE.



## CYNGOR - DYDD MERCHER, 9 CHWEFROR 2022

Disgwylir y bydd cyfarfod yn cael ei gynnal yn ddiweddarach y mis hwn pan fyddwn yn trafod cynlluniau ar gyfer ailddatblygiad arfaethedig y safle, yr amserlenni, y cyfleoedd marchnata a mwy.

Y bwriad yw galluogi'r safle i gael ei gyflwyno i'r farchnad o fewn chwarter cyntaf 2022.

Fel y gŵyr yr aelodau, roedd y gwaith moduron yn gyflogwr mawr yn Ne Cymru cyn iddo gau, ac mae'r safle 1.6 miliwn troedfedd sgwâr yn parhau i fod yn ddarn o dir sy'n fasnachol werthfawr.

Mae Ford a CBRE yn dweud wrthym ei fod yn denu diddordeb cryf, gydag o leiaf un cleient posibl eisoes wedi dangos diddordeb ym meddiannu'r safle.

Dylem wybod mwy ar ôl i'r cyfarfod gael ei gynnal, a byddaf, wrth gwrs, yn dod â newyddion pellach i chi wrth i'r sefyllfa hon ddatblygu.

### 631. CYNLLUN PEILOT PLEIDLEISIO YMLAEN LLAW YN ETHOLIADAU LLEOL MAI 2022

Cyflwynodd y Prif Weithredwr adroddiad a oedd yn ceisio cymeradwyaeth i gymryd rhan yn y cynlluniau peilot Pleidleisio o Flaen Llaw, cynllun a fyddai'n caniatáu pleidleisio ar y dydd Mawrth a dydd Mercher cyn y Diwrnod Pleidleisio ar ddydd Iau 5 Mai 2022 mewn rhai Gorsafoedd Pleidleisio yn ystod Etholiadau Lleol Mai 2022.

Ar ôl ymgynghori ag arweinwyr grwpiau, dywedodd ei fod wedi dweud wrth Lywodraeth Cymru fod gan Ben-y-bont ar Ogwr ddiddordeb mewn sefydlu cynllun peilot Pleidleisio Ymlaen Llaw, gan agor gorsafoedd pleidleisio mewn wardiau penodol ar y dydd Mawrth a dydd Mercher cyn y diwrnod pleidleisio, yn ogystal â chynllun peilot ar wahân wedi'i leoli mewn ysgol ar gyfer disgyblion cymwys yr ysgol honno yn unig.

Roedd angen penderfyniad yn awr ynghylch a ddylai Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr fwrw ymlaen â'r cynllun peilot pleidleisio ymlaen llaw.

Rhestrir y wardiau a ddewiswyd ar gyfer y cynllun peilot isod, gan ddefnyddio'r enwau newydd a ddefnyddir o fis Mai 2022, a chydag enwau'r wardiau fel y maent yn awr mewn cromfachau: -

- Dwyrain Bracla a Llangrallo Isaf [Bracla, Llangrallo Isaf]
- Canol Dwyrain Bracla [Bracla]
- Gorllewin Brackla [Bracla]
- Canol Gorllewin Bracla [Bracla]
- Corneli [Corneli]
- Y Pîl, Mynydd Cynffig a Chefn Cribwr [Y Pîl, Cefn Cribwr]
- St Bride's Minor ac Ynysawdre [Bryncethin, Bryncoch, Sarn ac Ynysawdre]

Ychwanegodd y Prif Weithredwr fod y wardiau peilot gwreiddiol wedi'u dewis yn seiliedig ar gyfraddau pleidleisio Etholiadau Lleol 2017, a oedd yn nodi'r 5 ward gyda'r cyfraddau pleidleisio isaf yn gyffredinol a'r cyfraddau pleidleisio isaf mewn gorsafoedd pleidleisio. Mae'r tabl ym mharagraff 4.2 o'r adroddiad yn dangos y nifer a bleidleisiodd a'r safle'r ward ar y rhestr.

Ychwanegodd bod tair ward ychwanegol o Etholiadau Lleol yn 2017 wedi'u hychwanegu at y peilot, a hynny oherwydd adolygiad y Comisiwn Ffiniau sydd wedi eu cyfuno â'r wardiau a nodwyd ar gyfer y peilot. Y wardiau hyn yw Cefn Cribwr, Llangrallo Isaf ac Ynysawdre.

Ar wahân i hyn, gan fod Ysgol Gyfun Cynffig yn rhan o gynllun peilot ar wahân ar gyfer disgyblion cymwys yn yr ysgol honno yn unig, ychwanegwyd ward Corneli at y peilot gan fod dalgylch Ysgol Gyfun Cynffig bron yn gyfan gwbl o fewn ffiniau'r Pîl, Cefn Cribwr, a Chorneli, a byddai mwyafrif y disgyblion sy'n gymwys i bleidleisio yn cael eu cynnwys.

Daeth y Prif Weithredwr i'r casgliad drwy gadarnhau y bydd 20 o orsafoedd pleidleisio ar agor rhwng 7am a 9pm ar draws y saith ward beilot ar y dydd Mawrth a'r dydd Mercher, gan roi dewis o 3 diwrnod i'r etholwyr fwrw eu pleidleisiau. Yn Ysgol Gyfun Cynffig, byddai 2 orsaf bleidleisio ar agor ar y dydd Mawrth rhwng 8.30am a 4.30pm ar gyfer y myfyrwyr cofrestredig 16+ yn unig. Bydd hyn yn caniatáu iddynt bleidleisio mewn amgylchedd cyfforddus a bydd yn meithrin yr arfer o bleidleisio, er y gallent ddewis pleidleisio yn un o'r gorsafoedd pleidleisio ward peilot pe dymument.

Croesawodd yr Arweinydd yr adroddiad a'r Peilot a'r ffordd y byddai'r newidiadau a gynigiwyd yn cyd-fynd â'r newidiadau mewn cymdeithas sydd wedi esblygu dros y blynyddoedd, a'i bod yn galonogol gweld y byddai pobl 16 ac 17 oed yn gallu pleidleisio yn yr Etholiadau. Gobeithiai y byddai'r Peilot yn annog rhagor o bobl i bleidleisio.

**PENDERFYNIAD:**

Bod y Cyngor yn cymeradwyo cymryd rhan yn y cynllun peilot Pleidleisio Ymlaen Llaw, fel y nodir yn yr adroddiad.

632. **FFIOEDD ETHOLIADAU LLEOL - CYNGOR BWRDEISTREF SIROL A CHYNGHORAU TREF A CHYMUNED**

Cyflwynodd y Swyddog Monitro adroddiad ar ran y Prif Weithredwr gyda'r bwriad o geisio cymeradwyaeth y Cyngor i'r ffioedd etholiadol y bwriedir eu cymhwysu yn etholiad y Fwrdeistref Sirol ac etholiad y Cyngorau Tref a Chymuned o fis Mai 2022, fel y nodir yn Atodiad 1 i'r adroddiad.

I roi rhywfaint o gefndir, yn unol ag arfer sefydledig, mae cyllid yn cael ei neilltuo ar gyfer yr etholiadau lleol ac mae cronfa wrth gefn ar gael ar hyn o bryd i dalu costau etholiadau'r Fwrdeistref Sirol ym mis Mai 2022.

Eglurodd y Swyddog Monitro fod y costau gweinyddu ychwanegol yn anodd eu hasesu cyn ei bo'n hysbys sawl etholiad y bydd mwy nag un ymgeisydd, gan fod hyn yn cael effaith sylweddol ar lwyth gwaith y tîm Gwasanaethau Etholiadol.

Mae taliadau ychwanegol i Staff Etholiadol yn ystod yr etholiadau mawr diweddar wedi amrywio o £2,000 i £4,000, yn dibynnu ar rolau a chyfrifoldebau penodol. Cynigir felly y dylid rhoi pwerau penodol i'r Swyddog Canlyniadau bennu lefel y taliadau ar gyfer gwaith gweinyddol ychwanegol unwaith y bydd yr etholiad wedi'i gwblhau.

Cyfeiriodd Aelod at Atodiad 1 yr adroddiad ac at y ffi ar gyfer Clercod Pleidleisio, a osodwyd yn £150. Teimlai fod hyn yn eithaf isel am 15 awr o waith.

Cadarnhaodd y Swyddog Monitro fod rhywfaint o ddisgresiwn o ran pennu'r ffioedd amrywiol, fodd bynnag, cadarnhaodd y byddai'r Rheolwr Etholiadol wedi cymharu ag awdurdodau cyfagos eraill wrth bennu ffioedd yr etholiad. Fodd bynnag, byddai'n gofyn iddo gysylltu â'r Aelod y tu allan i'r cyfarfod ynglŷn â'r pwynt hwn.

**PENDERFYNIAD:**

Bod y Cyngor:

(1) Yn cymeradwyo'r rhestr ffioedd a nodir yn Atodiad 1 i'r adroddiad

(2) Yn rhoi awdurdod dirprwyedig i'r Swyddog Canlyniadau i bennu lefel y taliadau ar gyfer gwaith gweinyddol ychwanegol mewn ymgynghoriad â'r Swyddog Adran 151.

**633. Y DIWEDDARAF AM Y RHAGLEN GYFALAF**

Cyflwynodd y Prif Swyddog – Cyllid, Perfformiad a Newid adroddiad, a'i ddiben oedd ceisio cymeradwyaeth y Cyngor ar raglen gyfalaf ddiwygiedig ar gyfer 2021-22 i 2030-31 (Atodiad A i'r adroddiad y cyfeiriwyd ato).

Adroddodd fod y Cyngor, ar 24 Chwefror 2021, wedi cymeradwyo Strategaeth Gyfalaf a oedd yn ymgorffori'r Dangosyddion Darbodus ar gyfer 2021-22, ynghyd â rhaglen gyfalaf ar gyfer y cyfnod rhwng 2020-21 a 2030-31 fel rhan o'r Strategaeth Ariannol Tymor Canolig (MTFS). Roedd y rhaglen gyfalaf wedi'i diweddarau yn ystod y flwyddyn gyda chynlluniau newydd, diwygiadau i becynnau ariannu presennol a newidiadau i broffiliau cyflenwi. Roedd dyfarniadau grant newydd, canlyniadau prosesau tendro a diweddariadau ar gynlluniau presennol sydd angen eu cynnwys wedi digwydd ers i'r rhaglen gael ei chymeradwyo ddiwethaf gan y Cyngor ar 19 Ionawr 2022.

Dywedodd y Prif Swyddog Cyllid, Perfformiad a Newid y bydd rhaglen gyfalaf ar gyfer y cyfnod 2021-22 hyd 2031-2032 yn cael ei chyflwyno i'r Cabinet a'r Cyngor ar 22 a 23 Chwefror 2022, fel rhan o Strategaeth Ariannol Tymor Canolig 2022-23 i 2025-26, ochr yn ochr â'r Strategaeth Gyfalaf arfaethedig ar gyfer 2022-23 i 2031-32. Dywedodd fod sawl ffynhonnell o bwysau ariannol wedi codi o ganlyniad i amodau cyfredol y farchnad a'u bod wedi'u heffeithio gan y pandemig a Brexit.

Adroddodd y Prif Swyddog Cyllid, Perfformiad a Newid fod y rhaglen gyfalaf ar gyfer 2021-22 i 2030-31 a gymeradwywyd gan y Cyngor ym mis Ionawr 2002 yn £212.439m, a bod £118.094m o'r swm yn cael ei dalu o adnoddau'r Cyngor, gan gynnwys derbyniadau cyfalaf, cyfraniadau refeniw o gronfeydd wrth gefn a benthyca, gyda'r £94.345m sy'n weddill yn dod o adnoddau allanol, gan gynnwys Grant Cyfalaf Cyffredinol. Dywedodd wrth yr Aelodau fod bellach angen cynnwys y cynlluniau newydd canlynol yn y rhaglen gyfalaf, y mae rhai ohonynt yn cael eu hariannu'n gyfan gwbl neu'n rhannol gan grantiau, ac eraill sydd angen eu diwygio:-

- Fflyd Di-garbon Net
- Metro Plus Prifddinas-Ranbarth Caerdydd
- Ystâd Ddiwydiannol Heol Ewenni
- Adfywio Porthcawl
- Hyb Plant Brynmenyn
- Rhaglen Diogelwch Ynni Cymunedol / Arbed Cam 1
- Offer TGCh – Ysgolion
- Cynllun Peilot Ffyrdd Heb eu Mabwysiadu Llywodraeth Cymru
- Llety Ychwanegol Ysgol Arbennig Heronsbridge

Roedd nifer fach o welliannau a newidiadau eraill hefyd i'r cymeradwyaethau grant, ac maent wedi'u hadlewyrchu yn y rhaglen gyfalaf sydd wedi'i diweddarau.

Daeth y Prif Swyddog – Cyllid, Perfformiad a Newid i'r casgliad drwy gynghori bod y Rhaglen Gyfalaf ddiwygiedig, sy'n ymgorffori'r cynlluniau a amlinellir uchod ac sy'n cael ei drafod mewn mwy o fanylder yn yr adroddiad, wedi'i nodi yn Atodiad A yr adroddiad.

Cyfeiriodd Aelod at y gwaith a wnaed yn Ystâd Ddiwydiannol Heol Ewenni a'r dyraniad cyllid o £3.5m tuag ato o Fargen Ddinesig Prifddinas-Ranbarth Caerdydd, a gobeithiai bod rhai ffactorau allanol wedi derbyn sylw ac y byddai'r gwaith cywiro adeiladau a seilwaith ar y safle yn parhau yn unol â'r amserlen, a hynny rhag rhwystro cynnydd y gwaith datblygu canlynol sydd wedi'i gynllunio.

Hefyd, mynegodd ei siom o ran Prosiect Arbed a'r gwaith blaenorol a wnaed. Felly, roedd yn gobeithio y byddai trigolion yr ardal yn ogystal ag Aelodau'r Wardiau lleol yn cael gwybod am gynnydd y gwaith cywiro, gan gynnwys y rhaglen Gaffael, y deunyddiau a ddefnyddir ar gyfer y gwaith ac ati, fel bod y prosiect yn dryloyw ac ar gael i graffu yn ystod oes (y prosiect).

O ran Heol Ewenni, cadarnhaodd y Prif Swyddog – Cyllid, Perfformiad a Newid y bydd cynnydd y cynllun hwn yn cael ei fonitro, gan gynnwys unrhyw risgiau o ran costau ac amserlenni pob cam o'r gwaith angenrheidiol. Bydd holl gynlluniau'r Rhaglen Gyfalaf yn cael eu monitro am yr un rhesymau ac er mwyn sicrhau'r holl wahanol ffynonellau ariannu a ddyrennir i'r rhain. Byddai unrhyw oedi neu lithriadau o ran y prosiectau a'r cynlluniau yn cael eu hadrodd yn ôl i'r Cyngor er gwybodaeth i'r Aelodau.

Dywedodd y Prif Weithredwr ei fod wedi rhoi eglurhad yng nghyfarfod y Cabinet ddoe ar y broses i'w dilyn mewn perthynas â'r Cynllun Arbed. Yn dilyn cyflwyniad achos busnes i Lywodraeth Cymru, a'i gymeradwyaeth gobeithio, byddai gwaith yn mynd rhagddo i ymgysylltu â thrigolion lleol ac Aelodau lleol ynghylch y gwaith sydd i'w wneud, gan gynnwys yr amserlen ar gyfer y rhain. Byddai cymeradwyo'r Rhaglen Gyfalaf heddiw yn caniatáu i gyllid angenrheidiol y Cyngor gael ei gynnwys yn yr achos busnes. Cyfeiriodd Aelod at waith Metro Plus Porthcawl a oedd ag amcangyfrif cost gychwynnol o £400k. Fodd bynnag, roedd hyn bellach wedi'i addasu i £2m oherwydd bod adeilad mwy sylweddol wedi'i gynnig. Roedd Dŵr Cymru wedi cadarnhau bod pibell prif gyflenwad fertigol yn y man a gynigwyd ar gyfer y terminal bysiau. Gofynnodd a oedd y gwaith sy'n ofynnol o ran hyn wedi'i gynnwys yn yr amcangyfrif cyffredinol diwygiedig ar gyfer y cynllun, a pham nad oedd y Cyngor yn ymwybodol o'r bibell hon o'r blaen.

Dywedodd y Cyfarwyddwr Corfforaethol – Cymunedau fod ymchwiliad safle wedi'i gynnal i ddechrau, cyn i'r gwaith a gynigiwyd gael ei gynllunio, felly roedd y Cyngor yn ymwybodol o'r bibell yn flaenorol. Trafodwyd hyn gyda Dŵr Cymru, a chytunwyd y byddai lloches y Metro Link yn cael ei symud ychydig fetrau i mewn i'r safle er mwyn peidio ag ymyrryd â'r prif gyflenwad. Nid oedd y costau ychwanegol o ganlyniad i symud y loches, ond oherwydd uwchraddio ac i wneud gwaith pellach i wneud y cyfleuster yn well ac yn fwy ecogyfeillgar, a fydd yn ei dro yn rhoi mwy o fudd i'r dref na'r un a gynlluniwyd yn wreiddiol. Byddai'r £2m yn cynnwys y gost o symud y lloches oddi wrth y bibell prif gyflenwad.

Ychwanegodd y Cyfarwyddwr Corfforaethol – Cymunedau y byddai £1m hefyd yn cael ei ymrwymo i Gynllun Penprisk, ac yn y Pîl bydd ymrwymiad yn cael ei wneud i adleoli'r Orsaf Reilffordd yn unol â darpariaeth y Cynllun Datblygu Lleol (CDLI) newydd.

Gofynnodd Aelod a fyddai unrhyw breswylwyr sydd wedi'u heffeithio gan y Prosiect Arbed yn cael eu had-dalu yn ariannol os ydynt wedi talu eu hunain i gywiro'r gwaith anfodddhaol a wnaed rai blynyddoedd yn ôl.

Roedd y Prif Weithredwr, er ei bod yn gresynu'n fawr wrth sefyllfa'r preswylwyr yng Nghaerau a effeithiwyd gan fethiant y gwaith inswleiddio waliau blaenorol, a chan bwysleisio ei bod yn bwysig bod y Cyngor yn cymryd cyfrifoldeb am eu rhan yn hyn, yn dymuno pwysleisio nad oedd y Cyngor wedi bod yn rhan o fwyafrif helaeth y gwaith a wnaed yn yr eiddo. Nid fu'r Cyngor yn rhan o'r gwaith inswleiddio waliau a wnaed mewn 79 o'r 104 eiddo sydd bellach yn gymwys ar gyfer y cynllun arfaethedig. Ni allai roi ymateb cywir i'r cwestiwn o ad-dalu ar hyn o bryd, gan nad oedd yr Awdurdod wedi cyflwyno'r Achos Busnes eto. Fodd bynnag, pwysleisiodd y byddai Cyllid Llywodraeth Cymru ar gyfer y gwaith yn debygol o ddod o'r Gronfa Effeithlonrwydd Ynni, a fyddai'n debygol o ganolbwyntio ar dynnu'r hen gladin a ddarparwyd 10 mlynedd yn ôl a gosod cladin newydd.

Nododd Aelod fod ymrwymadau amser o ran y gwaith o gyflawni'r Cynllun Metro Plus, ac felly roedd yn hanfodol bod y cynllun yn cael ei gwblhau'n brydlon er mwyn defnyddio'r cyllid a ddyrannwyd ar ei gyfer gan y Cyngor. Nododd fod angen gwneud cais i Fargen Ddinesig Prifddinas-Ranbarth Caerdydd erbyn mis Mehefin eleni. Nododd hefyd fod yr ymgynghoriad cyhoeddus ond newydd gael ei gwblhau, felly gofynnodd a oedd y dyddiad targed uchod yn rhy uchelgeisiol.

Cadarnhaodd y Cyfarwyddwr Corfforaethol – Cymunedau fod y Cyngor yn gwneud cais i'r Gronfa Codi'r Gwastad am gyllid ar gyfer prosiect Pont Pencoed. Er ein bod yn gweithio tuag at wneud cais erbyn mis Mehefin 2022, gallai'r dyddiad cyflwyno newid. Roedd y Cyngor yn ystyried canlyniadau'r ymgynghoriad ar hyn o bryd ac yn gweithio gyda Network Rail ar ddyluniad y bont. Yna byddai'r cais yn cael ei gyflwyno tua mis Mai/Mehefin. Ni fydd y gwaith dylunio wedi'i gwblhau erbyn i'r cais gael ei gyflwyno, ond nid oedd hyn yn angenrheidiol o ran y cynllun yn gyffredinol. Roedd y cynllun yn sylweddol o ran ei faint ac o ran y gwaith seilwaith sydd ei angen, felly ni fyddai'n cael ei gwblhau o fewn amserlenni'r Cais/Grant Codi'r Gwastad.

O ran Arbed, nododd Aelod y gofynnwyd am £855k yn y rhaglen gyfalaf gan y Cyngor, ar dudalen 19 y pecyn adroddiad, ac y byddai cyflawni'r prosiect, gan gynnwys y cynigion tendro a chaffael, yn cymryd tua 2 flynedd. Gofynnodd felly pam yr oedd y £855k yn cael ei lwytho ymlaen llaw eleni, yn hytrach na chael ei rannu dros eleni a'r flwyddyn nesaf i gyd-fynd ag amcangyfrif oes holl waith y prosiect. Gofynnodd hefyd, a fyddai'r prosiect angen mwy o arian pan fydd y gwaith yn mynd rhagddo, ac o ran y cais am gyllid trwy Gynllun Eco Llywodraeth y DU, a yw'n debygol o gael ei sicrhau ac, os felly, faint fyddai hyn.

Dywedodd y Prif Weithredwr ei fod yn cytuno y gallai'r dyraniad o £855k fod angen ei adolygu unwaith y bydd yr achos busnes wedi'i gymeradwyo, gan y gallai'r angen am arian fod yn llai yn y flwyddyn gyntaf oherwydd ei bod yn anochel y byddai llawer o'r flwyddyn yn cael ei dreulio ar y cynllun ymgysylltu, yn arolygu'r cartrefi ac yn caffael contractwyr arbenigol. Nid oedd yn hysbys ar hyn o bryd a fyddai Llywodraeth y DU yn darparu unrhyw gyllid ond mae Llywodraeth Cymru yn parhau i wthio hyn yn galed gan fod y Cynllun Arbed Ynni Cymunedol [ CESP ] yn rhaglen a noddir gan Lywodraeth y DU ac roedd y gwaith yn y rhan fwyaf o'r cartrefi wedi'i wneud o dan y cynllun hwnnw. Ychwanegodd fod cyfanswm yr amcangyfrif diwygiedig o £3.5m ar gyfer yr holl waith y prosiect bellach yn cael ei ystyried yn rhesymol, gan fod cost cyfalaf y gwaith i bob eiddo wedi cynyddu yn ystod yr ychydig flynyddoedd diwethaf. Byddai darparwyr allanol yn ymgymryd â'r gwaith. Cyfeiriodd Aelod at dudalen 25 o'r pecyn adrodd a'r Cronfeydd sydd heb eu Neilltuo. Nododd y bu amrywiad sylweddol yn y ffigur hwn dros y blynyddoedd diwethaf, gan amrywio o £3m mewn rhai blynyddoedd i £300k mewn blynyddoedd eraill. Gofynnodd pam fod cymaint o amrywiad.

Cadarnhaodd y Prif Swyddog – Cyllid, Perfformiad a Newid fod Cronfeydd Heb eu Neilltuo yn rhan o'r gyllideb gyffredinol er mwyn delio ag unrhyw bwysau annisgwyl wrth symud ymlaen. Roedd y rhain yn aml yn newid o flwyddyn i flwyddyn, gan ddibynnu ar setliadau'r awdurdod lleol. Er bod dyraniad yn y Gronfa ar gyfer y flwyddyn ariannol hon, bydd yn cael ei drosglwyddo i'r flwyddyn ariannol nesaf os na fydd angen ei ddefnyddio. Roedd y Cyngor, fel awdurdodau eraill, yn profi cryn dipyn o bwysau ariannol, megis cynnydd mewn costau materol ar gyfer prosiectau a gwariant ychwanegol ar gyfer Agenda Datgarboneiddio 2030, felly efallai y bydd angen y gronfa i roi cefnogaeth ariannol i'r rhain. Daeth i'r casgliad drwy ddweud ei bod yn gronfa amcangyfrifedig a fyddai'n newid yn ôl amser a gofynion.

Gofynnodd Aelod a fyddai trigolion a allai fod wedi dioddef yn gorfforol oherwydd y gwaith a wnaed yn eu heiddo fel rhan o Brosiect Arbed yn cael eu had-dalu'n ariannol drwy daliad digolledu, am gyflyrau'r ysgyfaint er enghraifft.

Dyweddod y Prif Weithredwr y byddai hawliadau fel hyn fel arfer yn cael eu gwneud drwy Hawliad Yswiriant, ac nad hyn oedd diben y cynllun a'r cyllid hwn.

Daeth yr Arweinydd â'r ddadl ar yr adroddiad i ben trwy ymddiheuro i'r trigolion yr effeithiwyd arnynt gan y gwaith a wnaed fel rhan o'r Prosiect Arbed yng Nghaerau. Sicrhaodd y byddai'r Cyngor yn gweithio ar Gynllun Cyfathrebu ac Ymgysylltu gyda deiliaid tai ac Aelodau lleol yr ardal o ddechrau'r gwaith newydd hyd at ei gwblhau.

Rhoddodd sicrwydd hefyd i'r Aelodau fod Bargen Ddinesig Prifddinas-Ranbarth Caerdydd yn gwbl gefnogol o ariannu'r Prosiect Metro Plus ac yn croesawu'r cynlluniau eraill a amlinellwyd yn y Rhaglen Gyfalaf, megis Ysgol Arbennig Heronsbridge, yr Hyb Plant ym Mrynmenyn a'r Prosiect Fflyd Di-garbon Net.

**PENDERFYNIAD:** Bod y Cyngor yn cymeradwyo'r Rhaglen Gyfalaf ddiwygiedig a geir yn Atodiad A i'r adroddiad.

634. **NODI ADRODDIADAU GWYBODAETH**

Rhoddodd y Prif Swyddog – Gwasanaethau Cyfreithiol a Rheoleiddiol, Adnoddau Dynol a Pholisi Corfforaethol (a Swyddog Monitro) adroddiad ar yr Adroddiadau Gwybodaeth a gyhoeddwyd ers cyfarfod diwethaf y Cyngor.

Cyfeiriodd yr Aelodau at y ddau Adroddiad Gwybodaeth dan sylw, a oedd wedi'u cynnwys yn yr adroddiad eglurhaol.

Nododd Aelod, mewn perthynas ag adroddiad y Rhaglen Sefydlu Aelodau, y gallai cryn dipyn o'r hyfforddiant yma barhau i gael ei roi dros Teams ac ati, ac roedd yn ymwybodol nad oedd signal band eang da gan rai Aelodau, yn enwedig yn y cymoedd, a bod eraill ddim yn gwbl lythrennog o ran TG. Gofynnodd a allai'r rhwystrau hyn atal rhai Aelodau yn y weinyddiaeth newydd rhag cymryd rhan lawn yn y Rhaglen.

Dyweddod y Swyddog Monitro, o dan y ddeddfwriaeth newydd a fydd yn dod i mewn ym mis Mai, y bydd yn ddyletswydd ar awdurdodau lleol i drefnu cyfarfodydd a sesiynau hyfforddi rhithwir, rhai hybrid, a rhai wyneb yn wyneb o bosibl, ac y bydd gan Aelodau'r offer angenrheidiol i gymryd rhan yn y cyfarfodydd hyn. Byddai'r rhai nad ydynt yn hyderus â chyfarfodydd o bell yn derbyn hyfforddiant i'w galluogi.

Ailadroddodd Aelod sylwadau a wnaeth mewn Pwyllgor Gwasanaethau Democrataidd blaenorol, h.y. ei fod yn teimlo ei bod yn bwysig ymestyn hyfforddiant Rheoli'r Trysorlys i bob Aelod, ac i aelodau'r Pwyllgor Llywodraethu ac Archwilio yn unig.

**PENDERFYNIAD:** Fod y Cyngor wedi cydnabod cyhoeddiad y dogfennau a restrir yn yr adroddiad.

635. **EITEMAU BRYN**

Dim.

Daeth y cyfarfod i ben am 4:20pm

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

9 MARCH 2022

#### REPORT OF THE CHIEF EXECUTIVE

#### PRESENTATION TO COUNCIL BY REPRESENTATIVES OF THE SOUTH WALES FIRE AND RESCUE SERVICE

##### 1. Purpose of report

- 1.1 The purpose of this report is to advise Members of the above presentation proposed to be delivered to Council on 9 March 2022.

##### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:-

**Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

##### 3. Background

- 3.1 Council will be accustomed to receiving periodically in the past presentations from its key stakeholders.

##### 4. Current situation/proposal

- 4.1 A presentation is due to be delivered to Council on 9 March 2022, by the South Wales Fire and Rescue Service.

##### 5. Effect upon policy framework and procedure rules

- 5.1 There is no effect upon the policy framework and procedure rules.

##### 6. Equality Act 2010 implications

- 6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions.

- 6.2 This is an information report, therefore it is not necessary to carry out an Equality Impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

## **8. Financial implications**

8.1 There are no financial implications arising from this report.

## **9. Recommendation**

9.1 That Council notes the presentation to be delivered as referred to at paragraph 4.1 of this report.

**Mark Shephard  
Chief Executive  
March 2022**

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Angel Street  
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## **Background Documents:**

None



## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

9 MARCH 2022

### REPORT OF THE CHIEF EXECUTIVE

### PAY POLICY STATEMENT – 2022/2023

#### 1. Purpose of Report

- 1.1 The purpose of this report is to seek Council approval for the Pay Policy Statement for 2022/2023. This is in response to legislative requirements and to provide openness and accountability in relation to how the Council rewards its staff.

#### 2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:-

- **Smarter use of resources** – ensuring that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

- 3.1 The Council has a statutory requirement under the Localism Act 2011, Section 38(1) to prepare a Pay Policy Statement for the new financial year 2022/2023. This Statement needs to be approved and published by 31 March 2022.
- 3.2 The Pay Policy Statement for 2022/2023 has been produced on the basis of statutory guidance, advice from Welsh Local Government Association and guidance from Welsh Government.
- 3.3 The Pay Policy Statement provides the framework for decision making on pay, and in particular decision making on senior pay.

#### 4. Current situation/proposal

- 4.1 The updated Pay Policy Statement for approval is attached at **Appendix 1**.
- 4.2 This has been produced in accordance with the requirements of the Localism Act 2011, which requires all local authorities to develop and make public their policy on all aspects of Chief Officer remuneration.
- 4.3 In order to achieve further transparency, reference to the pay of other relevant groups has been included within the Pay Policy Statement.

4.4 Since its introduction on 1 April 2012, the Pay Policy has developed to take account of relevant guidance, legislation and changes to the Council's senior management structure over recent years. The pay structure relating to this group of staff is at **Appendix B**, within the Pay Policy, which should also be noted.

4.5 The NJC Pay award for 2022 has yet to be agreed, however, the Real Living Wage of £9.90 per hour will be implemented on 1 April 2022 for relevant employees. This is consistent with the commitment to pay the Real Living Wage and the Council's application to become a Real Living Wage accredited employer.

4.6 The Pay Policy Statement now includes reference to the approved Market Supplement policy.

## **5. Effect upon policy framework and procedure rules**

5.1 There is no effect upon policy framework and procedure rules.

## **6. Equality Act 2010 implications**

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 It is considered that there will be no significant or unacceptable impacts upon the achievement of the well-being goals/objectives under the Act as a result of this report. Any individual decision made under the Pay Policy will be subject to a full assessment.

## **8. Financial implications**

8.1 There are no financial implications arising from the recommendations in this report.

## **9. Recommendation**

9.1 That Council approves the Pay Policy Statement 2022/2023 attached as **Appendix 1**.

**Mark Shephard**  
**CHIEF EXECUTIVE**  
**March 2022**

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**Background documents:** None

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# **BRIDGEND COUNTY BOROUGH COUNCIL**

## **PAY POLICY 2022/2023**

To be approved by	Council
Approval Date	TBC
Review Date	March 2023

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## **Pay Policy Statement**

- 1.1 This Pay Policy Statement for the period 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023 provides the framework for decision making on pay and, in particular, decision making on senior pay.

## **Introduction from the Leader**

- 1.2 Bridgend County Borough Council recognises the importance of remuneration decisions that are appropriate, transparent, provide value for money and reward employees fairly for the work that they do. This policy statement sets out the Council's key approaches to pay for our employees.

## **Policy Statement**

- 2.1 Under Section 112 of the Local Government Act 1972 the Council has 'the power to appoint officers on such reasonable terms and conditions as the Authority thinks fit'. This Pay Policy Statement outlines the Council's approach to its pay policy in accordance with the requirements of 38(1) of the Localism Act 2011 which requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement from 2012/2013 and for each financial year after that, detailing:

- a) The Authority's policies towards all aspects and elements of the remuneration of Chief Officers;
- b) Their approach to the publication of and access to information relating to all aspects of the remuneration of Chief Officers;
- c) The Authority's policies towards the remuneration of its lowest paid employees (including the definition adopted and reasons for it);
- d) The relationship between the remuneration of its Chief Officers and other employees.

- 2.2 As an employer this Council has a very wide range of functions and is responsible for the provision of many essential services at a local level. The general approach to employee remuneration levels may therefore differ from one group of employees to another to reflect specific circumstances at a local, Welsh or UK national level. The Council will require some flexibility in its Pay Policy Statement to address changing circumstances which may or may not be foreseeable.

- 2.3 This is an update to the Pay Policy Statement first issued in April 2012, and last updated with Council approval on 10<sup>th</sup> March 2021.

## **Scope**

- 3.1 Section 38 of the Localism Act 2011, requires Authorities to produce and publish a Pay Policy on all aspects of Chief Officer Remuneration (including on ceasing to hold office), and detail pertaining to the 'lowest paid' in the Authority. It also requires an explanation of the policy regarding the relationship between remuneration for Chief Officers and other groups.
- 3.2 In the interests of transparency and accountability the Council has chosen to take a broad approach, producing a pay policy which covers all employee groups with the exception of School Teachers. The remuneration for this latter

group is set by the Minister for Education in Wales and not in the control of Local Authorities.

- 3.3 Nothing within the provisions of the Localism Act 2011 detract from the Council's autonomy in making decisions on pay that are appropriate to local circumstances and which deliver value for money for local tax payers. However, the Council will comply with this Pay Policy Statement in setting remuneration levels for all groups within its scope.

### **Legislative Framework**

- 4.1 In determining the pay and remuneration of all its employees, the Council will comply with all relevant employment legislation.

### **Accountability and Decision Making**

- 5.1 The Council's Constitution and Scheme of Delegation of Functions set out the procedure for decision making in relation to the organisational structure, recruitment, pay, terms and conditions and severance arrangements for all employees of the Council.
- 5.2 This Pay Policy Statement outlines the remuneration levels believed to be effective in facilitating a sufficient supply of appropriately skilled employees which can be objectively justified and provide the local tax payer with an assurance of value for money.
- 5.3 The Council is committed to an open and transparent approach to its pay policy which will enable the tax payer to access, understand and assess information on remuneration levels across all groups of council employees. To this end the following are provided as Appendices to this policy:-
- NJC Pay Scales (Appendix A)
  - JNC Pay Scales (Appendix B)
  - Soulbury Pay Scales (Appendix C)
  - JNC (Youth & Community) (Appendix D)
  - Policy on redundancy and severance payments (including additional pension payments) (Appendix E)
  - Acting Rank/Honoraria Payments Protocol (Appendix F)
  - Collective Agreements for both NJC & JNC (Appendix G)
  - Market Supplement Policy (Appendix H)
- 5.4 The Pay and Grading Structure and any corresponding policies are reviewed when required and meet the principles of fairness, equality, accountability and value for money.
- 6.1 **Pay Structures & Job Evaluation**
- 6.1.1 The Council's pay structure for NJC employees was implemented in September 2013 follow the signing of a collective agreement with UNISON, GMB and UNITE (Appendix G). The pay structure was devised following the evaluation of all posts using the Greater London Provincial Council (GLPC) job evaluation scheme. Each pay grade has a corresponding job evaluation score.



- 6.1.2 The Council uses the nationally negotiated pay spine as the basis for its pay and grading structure. This determines the remuneration of the majority of the non-teaching workforce, together with the use of other nationally defined rates where relevant.
- 6.1.3 Addendums to the collective agreement have been agreed with the Trade Unions and they are attached within the collective agreement.
- 6.1.4 All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council Policy.
- 6.1.5 The Council seeks to maintain the equal pay requirements within the Pay and Grading Structure by evaluating any new or significantly changed roles through its Job Evaluation Scheme. This will ensure that all pay differentials can be objectively justified.
- 6.2 National Pay Awards**
- 6.2.1 For all employee groups, pay awards, agreed and negotiated at a national level by the Local Government employers in conjunction with Trade Unions will be applied. The Council will pay these as and when determined unless Council agrees otherwise.
- 6.3 Starting Salaries**
- 6.3.1 New appointments will normally be made at the minimum of the relevant grade, although flexibility exists to ensure the best candidate is secured.
- 6.4 Talent Management**
- 6.4.1 The Council's approach to talent management is through the employee appraisal process, which as well as placing an emphasis on performance, encourages the identification of learning objectives in the development of employee skills.
- 6.5 Performance Related Pay**
- 6.5.1 The Council expects high levels of performance from all employees and has an appraisal process in place to monitor, evaluate and manage performance on an ongoing basis. The Council does not have Performance Related Pay at any level.
- 6.6 Market Supplements**
- 6.6.1 The Council recognised, in its last Pay Policy 2021, that recruiting and retaining staff on the current pay structure can be a challenge. The Market Supplement policy has been approved by Council to take into account factors such as market pay rates or fluctuating demand for skills in the market place. Market Supplements will be used as an exception rather than the rule and must be considered through submission of a robust business case comprising clear objective evidence on all relevant factors.
- 6.7 Honoraria**
- 6.7.1 When the Council requires an employee to carry out additional duties to those of their substantive post, for a proposed period of time, an additional payment

commensurate with those duties may be made in accordance with the Council's Acting Rank/Honorarium Payments Protocol, which is attached as Appendix F.

## **6.8 Homeworking Allowance**

6.8.1 There is currently no homeworking allowance paid to staff. This will require further discussion as the future agile working policy develops.

## **7 Support for Lower Paid Staff**

7.1 The National Living Wage effective from 1 April 2022 will be at £9.50.

7.2 The Real Living Wage (RLW) as set by the Living Wage Foundation, announced in November 2021, is £9.90 per hour. The NJC pay award for 1 April 2022 has not yet been agreed. However, Bridgend County Borough Council has agreed to increase the hourly rate to £9.90 per hour for all employees, where the hourly rate falls below the RLW.

7.3 The Council has submitted its application for the Real Living Wage accreditation.

7.4 The Council is committed to provide employees with opportunities to enhance their skills to enable them to fulfil their personal development aspirations.

## **8 Pay Relativities**

8.1 The lowest paid individuals employed with the Council are at Grade 1, which increases to £19,100 when the RLW is applied.

8.2 The highest paid employee is the Chief Executive and the pay band minimum is £135,394 rising to £145,099. The salary of the current post holder is £145,099 per annum. These salaries reflect pay award agreed for 1 April 2021.

8.3 The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton report 'Review of Fair Pay in the Public Sector' (2010). The Hutton Report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earning was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between the highest paid salary and the median average salary of the whole of the Authority's workforce.

8.4 The median salary in the Council is £22,129 and falls within a Grade 6.

8.5 The current pay levels within the Council define the multiple between:

- the annual salary of the lowest paid Council employees and the Chief Executive (FTE basis) as: 1:7.6
- the annual salary of the lowest paid Council employees and the average Chief Officer (FTE basis) as: 1:5.4

- median earning of Council employees and the Chief Executive (FTE basis) as: 1:6.6
- median earning of Council employees and the average Chief Officer (FTE basis) as: 1:4.6

## 9 Chief Officer Remuneration

9.1 For the purposes of this policy, Chief Officers and Deputy Chief Officers are defined within section 43 of the Localism Act. The posts within the Council's structure identified by the statutory definition include:

- Chief Executive
- Corporate Directors
- Chief Officers (Monitoring Officer & Section 151)
- Heads of Service

9.1.1 The Council also has other officers employed on Grades 17 and 18. Such officers are also employed on the JNC Chief Officers' terms and conditions of employment although not all are defined as Chief Officers within the meaning of section 43 of the Localism Act.

9.1.2 The current salary ranges for the above posts can be found at Appendix B.

## 9.2 Additions to Salary of Chief Officers

9.2.1 The Council does not apply bonuses or performance related pay to its Chief Officers.

9.2.2 The Council pays all reasonable travel and subsistence expenses on production of receipts and in accordance with JNC conditions and other local conditions.

9.2.3 The cost of membership of one professional body is met by the Council.

9.2.4 The Chief Executive is also appointed as Returning Officer. This is an office holding function rather than an employment contract. The Returning Officer will receive a fee from the organisation requiring the election to be carried out in accordance with the Fee Order in force at the time. In the case of a local election the Council's fee structure will be approved at the time.

9.2.5 The Deputy Returning Officer's fees are authorised by the Returning Officer in accordance with the Fee Order or, in the case of local elections, the Council's fee structure at the time.

9.2.6 Fees applied for all other Elections and referenda are prescribed by the UK Government or Welsh Government.

## 9.3 Recruitment to Chief Officers

9.3.1 The Council's Policy and Procedures with regard to recruitment of Chief Officers is contained within the Officer Employment Procedure Rules as set out in the

Constitution. The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.

- 9.3.2 The Regulations prescribe that where an authority proposes to appoint a chief officer with an annual remuneration package of £100,000 or more the post must be publicly advertised. The only exception to this requirement is where the appointment would be for no longer than 12 months.
- 9.3.3 Where the Council remains unable to directly recruit Chief Officers or there is a need for interim support to provide cover for a vacant substantive Chief Officer post, the Council may consider engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the Council is able to demonstrate the maximum value for money. The Council does not currently have any Chief Officers engaged under such arrangements.
- 9.3.4 In accordance with Section 143A of the Local Government (Wales) Measure 2011 the Independent Remuneration Panel for Wales ("the IRP) has powers to make recommendations in relation to any policy in an authority's pay policy statement which relates to the salary of the Chief Executive.
- 9.3.5 The Council recognises that it must consult with and have due regard to any recommendation received from the Independent Remuneration Panel for Wales when deciding whether to make changes to the salary of its Chief Executive which is 'not commensurate with a change to the salaries of the Council's other staff'.

#### 9.4 **Role of the Chief Executive**

- 9.4.1 The Council's Chief Executive, Mark Shephard, has worked in Bridgend County Borough Council since July 2003 and held a number of roles within the Council before being appointed Chief Executive in May 2019, following 4 months as Interim Chief Executive.
- 9.4.2 The Chief Executive is the Chief Officer who leads and takes responsibility for the implementation of the Council's priorities. The organisation has a gross revenue budget of £459 million and is responsible for a wide range of services employing some 5922 staff.
- 9.4.3 The Chief Executive works closely with elected members to deliver Bridgend County Borough Council's strategic objectives including corporate well-being objectives; supporting a successful sustainable economy; helping people and communities to be more healthy and resilient; and smarter use of resources.
- 9.4.4 The Chief Executive provides leadership, direction and motivation for staff and is responsible for ensuring the effective use of resources.
- 9.4.5 The role includes representing the Council; working closely with Welsh Government, the Cardiff Capital Region City Deal, Cwm Taf Morgannwg University Health Board, South Wales Police and other national and regional bodies. The Chief Executive works collaboratively to ensure the interests of the

County Borough are acknowledged and taken into account as well as having personal responsibility in respect of a number of statutory obligations.

9.4.6 There is a requirement for the Chief Executive to work in excess of normal hours as is necessary for the proper performance of the duties and responsibilities of the post, including evening and weekend commitments.

9.4.7 The notice period for the role is three months.

## 10 **Payments on Termination**

10.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers (and all other employees), prior to reaching normal retirement age, is set out within its Ill Health, Early Retirement & Redundancy Policy in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007 do not apply as the Authority does not increase the total membership of active members (Regulation 12) or award additional pension (Regulation 13).

10.2 Statutory Guidance issued by the Welsh Government 'recommends that full Council should be offered the opportunity to vote before severance packages of £100,000 and above are approved for staff leaving the organisation'. However, Members must be aware of the statutory or contractual entitlements due to an employee and the consequences of non-approval by Council, in which failure to fulfil statutory or contractual obligations may enable an employee to claim damages for breach of contract.

10.3 In presenting information to full Council, all components of relevant severance packages including any statutory or non-statutory components should be set out clearly.

10.4 Any other payments falling outside the provisions or the relevant periods of contractual notice shall be subject to a formal decision made by the Council or Committee of the Council in the case of the Chief Executive or; Council or Council Committee or Officer with delegated powers at the time, in the case of other JNC Officers. The Chief Executive or officer with delegated power from the Chief Executive will determine such payments in respect of all other staff.

## 11 **Re-Employment**

11.1 Whilst having due regard to the Council's duty under Section 7 of the Local Government and Housing Act 1989, no Chief Officer who was previously made redundant or granted early retirement from the Council will be later re-employed or re-engaged either as an employee (Contract of Service), as a Consultant (Contract of Service) or through an external contractor commissioned to work on behalf of the Council.

11.2 In addition to the terms of the Redundancy Payments (Continuity of Employment in Local Government) (Modification) Order (Amendment) 2010, the Council will not re-employ ex-employees who have been made redundant until a period of time has elapsed that is equal in length to the number of weeks'

pay their compensation payment equates to, e.g. a redundant employee in receipt of 25 weeks redundancy pay would not be eligible for consideration for re-employment until 25 weeks after their termination date has passed. In the case of ex-employees accessing their pension it will only be possible to re-employ with specific approval.

## 12 **Publication**

12.1 The Council currently publishes its Annual Statement of Accounts in accordance with the requirements of the Accounts and Audit (Wales) Regulations 2014 (as amended) and discloses the following information in respect of remuneration:

- Salary, fees and allowances;
- Expenses;
- Termination payments and pension contributions;
- The number of employees whose remuneration, excluding pension contributions, is greater than £60,000 in multiples of £5,000 brackets of scale.

12.2 This Pay Policy Statement will be published on the Council's website as soon as is reasonably practicable after it has been approved by Council. Any subsequent amendments to this policy statement made during the financial year to which it relates will similarly be published.

## 13 **Appendices**

- NJC Pay Scales (Appendix A)
- JNC Pay Scales (Appendix B)
- Soulbury Pay Scales (Appendix C)
- JNC (Youth & Community) (Appendix D)
- Policy on redundancy and severance payments (including additional pension payments) (Appendix E)
- Acting Rank/Honoraria Payments Protocol (Appendix F)
- Collective Agreements for both NJC & JNC (Appendix G)
- Market Supplements Policy (Appendix H)

# Appendix A

## NJC Pay Scales

- The pay award for 1 April 22 at the time of publication has not been agreed.
- \*Effective from 1 April 2022 to take account of Real Living Wage.

SCP	Salary	Hourly Rate	Grades	
*1	£19,100	£9.90	Grade 1	
*2	£19,100	£9.90		Grade 2
*3	£19,100	£9.90		
4	£19,264	£9.99	Grade 3	
5	£19,650	£10.19		
6	£20,043	£10.39		Grade 4
7	£20,444	£10.60	Grade 5	
8	£20,852	£10.81		
9	£21,269	£11.02		Grade 6
10	£21,695	£11.25		
11	£22,129	£11.47		
12	£22,571	£11.70	Grade 7	
13	£23,023	£11.93		
14	£23,484	£12.17		
15	£23,953	£12.42		
16	£24,432	£12.66		
17	£24,920	£12.92		
18	£25,419	£13.18		Grade 8
19	£25,927	£13.44		
20	£26,446	£13.71		
21	£26,975	£13.98		
22	£27,514	£14.26		
23	£28,226	£14.63	Grade 9	
24	£29,174	£15.12		
25	£30,095	£15.60		

SCP	Salary	Hourly Rate	Grades	
26	£30,984	£16.06		Grade 10
27	£31,895	£16.53		
28	£32,798	£17.00		
29	£33,486	£17.36		
30	£34,373	£17.82	Grade 11	
31	£35,336	£18.32		
32	£36,371	£18.85		
33	£37,568	£19.47		Grade 12
34	£38,553	£19.98		
35	£39,571	£20.51		
36	£40,578	£21.03	Grade 13	
37	£41,591	£21.56		
38	£42,614	£22.09		
39	£43,570	£22.58		
40	£44,624	£23.13		
41	£45,648	£23.66		Grade 14
42	£46,662	£24.19		
43	£47,665	£24.71		
44	£48,664	£25.22		
45	£49,663	£25.74	Grade 15	
46	£50,665	£26.26		
47	£51,665	£26.78		
48	£52,664	£27.30		Grade 16
49	£53,665	£27.82		

## Appendix B

### JNC Pay Scales

- The pay award for 1 April 22 at the time of publication has not been agreed.

Designation	Trent Grade	Trent Scale Point	1st April 2021
Chief Executive	Grade 25	36	£145,099
		35	£141,865
		34	£138,629
		33	£135,394
Assistant Chief Executive	Grade 24	32	£130,144
		31	£127,106
		30	£124,138
		29	£121,241
Corporate Director [1]	Grade 23	28	£115,188
		27	£112,741
		26	£112,500
		25	£110,003
Corporate Director [2]	Grade 22	24	£101,651
		23	£99,395
		22	£97,188
		21	£95,031
Head of Service [1]	Grade 21	20	£88,117
		19	£86,247
		18	£84,376
		17	£82,507
Head of Service [2]	Grade 20	16	£79,471
		15	£77,709
		14	£75,986
		13	£74,302
Head of Service [3]	Grade 19	12	£70,824
		11	£69,762
		10	£68,715
		9	£67,685
Group Manager [1]	Grade 18	8	£67,111
		7	£65,837
		6	£64,588
		5	£63,362
Group Manager [2]	Grade 17	4	£60,321
		3	£59,176
		2	£58,053
		1	£56,951



## Appendix C

### Soulbury Pay Scales

- Effective from 1 September 2021

#### EDUCATIONAL PSYCHOLOGISTS – SCALE A

SCP	SALARY
1	£38,865
2	£40,838
3	£42,811
4	£44,782
5	£46,755
6	£48,727
7	£50,584
8	£52,440
9	£54,179
10	£55,921
11	£57,544

#### SENIOR & PRINCIPAL EDUCATIONAL PSYCHOLOGISTS – SCALE B

SCP	SALARY
1	£48,727
2	£50,584
3	£52,440
4	£54,179
5	£55,921
6	£57,544
7	£58,210
8	£59,456
9	£60,690
10	£61,945
11	£63,177
12	£64,431
13	£65,707
14	£66,941
15	£68,235
16	£69,514
17	£70,803
18	£72,090

## EDUCATIONAL IMPROVEMENT PROFESSIONALS

SCP	SALARY	SCP	SALARY
1	£37,056	26	£68,434
2	£38,383	27	£69,616
3	£39,637	28	£70,815
4	£40,907	29	£72,016
5	£42,168	30	£73,215
6	£43,431	31	£74,404
7	£44,758	32	£75,611
8	£46,035	33	£76,819
9	£47,522	34	£78,056
10	£48,849	35	£79,291
11	£50,158	36	£80,560
12	£51,425	37	£81,809
13	£52,860	38	£83,071
14	£54,140	39	£84,316
15	£55,553	40	£85,561
16	£56,831	41	£86,811
17	£58,113	42	£88,061
18	£59,371	43	£89,309
19	£60,668	44	£90,564
20	£61,338	45	£91,815
21	£62,626	46	£93,069
22	£63,749	47	£94,327
23	£64,985	48	£95,574
24	£66,093	49	£96,825
25	£67,278	50	£98,079

## Appendix D

### JNC Youth & Community Pay Scales

- The pay award for 1 September 21 at the time of publication has not been agreed.

#### SUPPORT WORKER RANGE

SCP	SALARY
5	£19,308
6	£19,631
7	£19,922
8	£20,589
9	£21,439
10	£22,104
11	£23,178
12	£24,228
13	£25,313
14	£26,437
15	£27,202
16	£28,001
17	£28,787

#### PROFESSIONAL RANGE

SCP	SALARY
13	£25,313
14	£26,437
15	£27,202
16	£28,001
17	£28,787
18	£29,579
19	£30,364
20	£31,152
21	£32,036
22	£33,039
23	£34,015
24	£34,997
25	£35,985
26	£36,973
27	£37,961
28	£38,961
29	£39,953
30	£40,947

## Appendix E

# EARLY RETIREMENT ILL-HEALTH RETIREMENT AND REDUNDANCY POLICY

## SCOPE

This policy will apply to all members of the Local Government Pension Scheme (or those non-LGPS members who are eligible for membership), excluding Schools staff employed by Governing Bodies in educational establishments with delegated powers.

**Date of Issue: 1 April 2016**

EARLY RETIREMENT, ILL-HEALTH RETIREMENT AND REDUNDANCY

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EARLY RETIREMENT, ILL-HEALTH RETIREMENT AND REDUNDANCY

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## **POLICY STATEMENT**

### **1 INTRODUCTION**

- 1.1 This policy statement is made in accordance with regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 and the Local Government Pension Scheme Regulations 2013 which require each Local Government Pension Scheme (LGPS) employer to formulate and review its policy on early retirement.
- 1.2 This policy will be reviewed annually under these provisions and in order to meet other relevant statutory legislation. If the Council decides to change its policy, it will publish a statement of the amended policy within one month of the date of its decision.
- 1.3 In formulating and reviewing its policy, the Council
- (a) has regard to the extent to which the exercise of its discretionary powers (in accordance with the policy), unless properly limited, could lead to a serious loss of confidence in the public service;
  - (b) is satisfied that the policy is workable, affordable and reasonable having regard to the foreseeable costs;
  - (c) has regard to service delivery needs; and
  - (d) recognises the need for consistency, fairness and equity in employee relations.

### **2 GENERAL PRINCIPLES**

- 2.1 The Council's application of this policy will have regard to an employee's entitlement under this policy and appropriate pension legislation.
- 2.2 Applications and proposals under these schemes will be made to an Early Retirement Panel constituted by the Section 151 Officer; Assistant Chief Executive (Legal & Regulatory Services); and the Head of Human Resources and Organisational Development, or their nominated officers. The Section 151 Officer will report annually to Council on the number and nature of retirements for the previous year.
- 2.3 All applications for early retirement will be considered objectively

## SCHEMES

### 3 SCHEME A - VOLUNTARY EARLY RETIREMENT (The 85 Year Rule)

- 3.1 The Local Government Pension Scheme (Amendment) Regulations 2006 removed the 85 Year Rule with effect from 1 October 2006. However, these Regulations allow for a measure of protection for existing scheme members as at 30 September 2006.
- 3.2 Scheme A only applies to those employees protected by the LGPS (Amendment) (No 2) Regulations 2006.
- 3.3 This scheme applies to those employees who are 55 years of age and over (if protected) who apply to retire early and elect to receive immediate payment of retirement benefits.
- 3.4 An employee who qualifies and whose total of age and service (both in whole years) is 85 year or more will receive pension and lump sum benefits based upon actual service, which may be subject to actuarial reductions; as determined on the merits of the individual application by the VER Panel.

### 4 SCHEME A - VOLUNTARY EARLY RETIREMENT (Employee Request)

- 4.1 Employees who are eligible under this scheme and are aged *over* 55 will be allowed to retire voluntarily and early under the following scheme.
- 4.2 Pension and retirement grant will be reduced by an amount shown as appropriate in guidance issued by the Government actuary.

### 5 SCHEME B -

#### EARLY RETIREMENT IN THE INTEREST OF THE EFFICIENCY OF THE SERVICE

- 5.1 This scheme will apply to those employees who qualify for early release of pension under the Local Government Pension Scheme Regulations 2013 and subsequent legislation and in respect of whom the Council determines that retirement would be in the interests of the efficiency of the service, in that it would meet one of the following criteria:
- **Criterion A:** Retirement would be **beneficial to service delivery and would produce measurable net savings** to the salary bill over a maximum period of five years or would permit a **fundamental improvement to the delivery of services**, which would not be possible by other means such as redeployment, retraining etc. This must take into account any capitalised cost to the pension fund and any additional costs arising from any associated restructuring or re-grading exercise – to be stated at the time of the proposal.
  - **Criterion B:** There are **compelling personal reasons** to release an individual (e.g. on grounds of compassion,) **and release would permit significant service delivery improvements.**
- 5.2 The calculation of any compensatory payment will be based on average weekly earnings.

EARLY RETIREMENT, ILL-HEALTH RETIREMENT AND REDUNDANCY

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- 5.3 Those employees who retire early under this scheme will qualify for benefits in line with the Local Government (Early Termination of Employment) (Discretionary Payments) (England and Wales) Regulations 2006, or where appropriate Regulation 52 of the Local Government Pension Scheme Regulations 2013, and will be entitled to receive:-

**IF QUALIFYING UNDER CRITERION A**

- 5.4 The employee who retires under this scheme will be entitled to receive:
- (a) an annual retirement pension; and
  - (b) a lump sum retiring allowance (as appropriate)  
*(each calculated on the basis of reckonable service)* and
  - (c) an award of a compensatory payment based upon actual wage and a multiplication factor of 1.2 applied to the formula for Statutory Redundancy Pay equivalent to a maximum of 36 weeks.
- 5.5 An employee may request, before leaving and whilst an active member of the pension scheme, to convert the full amount of the compensatory payment due into additional pension.

**IF QUALIFYING UNDER CRITERION B**

- 5.6 The employee who retires under this scheme will be entitled to receive:
- (a) an annual retirement pension; and
  - (b) a lump sum retiring allowance (as appropriate)  
*(each calculated on the basis of reckonable service)*
- 5.7 In very exceptional circumstances an award of a compensatory lump sum payment based upon actual wage and a multiplication factor of 1.2 applied to the formula for statutory redundancy pay equivalent to a maximum of 36 weeks pay may be approved by the VER Panel.
- 5.8 The employee may request, before leaving and whilst an active member of the pension scheme, to convert the full amount of the compensatory payment into additional pension.

**6 SCHEME C –**

**EARLY RETIREMENT IN THE INTEREST OF THE EFFICIENCY OF THE SERVICE WITH REDUNDANCY**

- 6.1 This scheme will apply to pensionable employees who are eligible to retire early under the Local Government Pension Scheme Regulations 2013, but who have not reached normal retirement age and whose post becomes redundant in the interest of the efficiency of the service.
- 6.2 Those employees who qualify will be offered benefits in line with Parts II and III of the Local Government (Early Termination of Employment) (Discretionary Payments) (England and Wales) Regulations 2006.

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6.3 The employee who retires under this scheme will be entitled to receive:

- (a) an annual retirement pension; and
- (b) a lump sum retiring allowance (as appropriate) (*each calculated on the basis of reckonable service*), together with
  
- (c) a statutory redundancy payment calculated in accordance with Regulation 5(2) of the Local Government (Early Termination of Employment) (Discretionary Payments) (England and Wales) Regulations 2006. Payment will therefore be based upon average weekly wage to a maximum of 30 weeks pay according to age and service; and
- (d) a compensatory lump sum payment based upon a multiplication factor of 1.2 applied to the formula for statutory redundancy pay equivalent to a maximum of 36 weeks pay.

6.4 The employee may request, before leaving and whilst an active member of the pension scheme, to convert the full amount of the compensatory payment into additional pension.

6.5 To qualify for redundancy and compensatory payment employees must have a minimum of two years' qualifying service.

## 7 **SCHEME D – REDUNDANCY (Voluntary or Involuntary)**

7.1 This scheme will apply to those employees whose redundancy will produce measurable net savings, who have a minimum two years' qualifying employment, and who are:

- (a) LGPS Members (or those non-LGPS Members who are eligible for membership) who **do not qualify for early release of pension benefits** under the LGPS Regulations 2013; or
- (b) LGPS Members (or those non-LGPS Members who are eligible for membership) **who are over the permitted age for early retirement.**

7.2 The employee who retires under this scheme will be entitled to receive:

- (a) a statutory redundancy payment calculated in accordance with Regulation 5(2) of the Local Government (Early Termination of Employment) (Discretionary Payments) (England and Wales) Regulations 2006. Payment will therefore be based upon average weekly wage to a maximum of 30 weeks pay according to age and service; and
- (b) a compensatory lump sum payment based upon a multiplication factor of 1.83 applied to the formula for statutory redundancy pay equivalent to a maximum of 55 weeks pay.

EARLY RETIREMENT, ILL-HEALTH RETIREMENT AND REDUNDANCY

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7.3 The employee may request, before leaving and whilst an active member of the pension scheme, to convert the full amount of the compensatory payment into additional pension.

7.4 Exceptions to this scheme outlined above include:

- employees over the permitted age (55 years) to qualify for early release of pension who have opted out of the LGPS in the one year period prior to termination on the grounds of redundancy; and
- re-employed pensioners who return to work following early retirement.

7.5 In these instances a compensatory payment will be based upon the average weekly wage to a maximum of 66 weeks according to age and service (a maximum of 30 weeks statutory redundancy pay and 36 weeks compensatory payment in total).

7.6 Subject to a minimum of 2 years service, LGPS members who are under the permitted age to qualify for early release of pension (55 years) who are made redundant, will be entitled to preserved pension benefits.

## **8 SCHEME ON RETIREMENT ON THE GROUNDS OF ILL-HEALTH**

8.1 The scheme will apply to all employees who have a minimum of 2 years membership of the Local Government Pension Scheme who become permanently or semi permanently unable to work due to ill-health. Any retirement on the grounds of ill-health will be dealt with in line with the Council's Absence Management Policy.

8.2 An employee who is absent from duty will be referred to the Council's Medical Adviser in line with the Council's corporate policy and procedure.

8.3 The Council's Medical Adviser, in consultation with the employee's physician where appropriate, will make recommendation to the appropriate department regarding the employee's continued employment.

## **9 *Termination of employment***

9.1 If an employee is unable to discharge the duties of the post for which they are employed they will, wherever possible, be offered appropriate alternative employment, in line with the Council's Vacancy Management Procedure. Where alternative employment is not available their employment will be terminated by reason of being unable to efficiently discharge the duties of the post.

## **10 *Ill-health retirement – seeking medical advice***

10.1 In instances where the Council has determined that the employment of a scheme member is to be terminated, the employee will be referred to an independent registered medical practitioner for a medical opinion on whether the Member is permanently incapable of discharging efficiently their duties of employment or that they are not immediately capable of undertaking any gainful employment.

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10.2 The independent registered medical practitioner will be required to certify whether the employee is capable of obtaining gainful employment before normal retirement age. If

there is no such prospect, then a Tier 1 retirement with full enhancement to benefit is awarded. If there is no prospect of them undertaking gainful employment within 3 years of leaving employment but is likely to undertake gainful employment before normal retirement age, then a Tier 2 retirement with 25% of full enhancement to benefit is awarded. If there is a realistic prospect of obtaining gainful employment within 3 years, then a Tier 3 retirement is awarded without enhancement until such employment is obtained.

- 10.3 Tier 3 retirements are for a maximum duration of 3 years and are subject to review after 18 months. The retiree is obliged to inform the Council of changes to his employment status and repay any overpayment of pension so identified
- 10.4 The employee may be referred back to the independent registered medical practitioner with a view to reviewing the Tier awarded.
- 10.5 Employees who have less than 2 years total pension membership will receive a refund of contributions.
- 10.6 An employee who has over 2 years total pension membership will be entitled to immediate payment of a pension and a tax free lump sum (as appropriate). These benefits are calculated in the same way as normal retirement benefits and increased in line with the Tier awarded to compensate for early retirement.
- 10.7 The enhancement to pension will be in accordance with the Local Government Pension Scheme Regulations.
- 10.8 The retired employee will be eligible to a period of notice in accordance with the individual's contractual rights, or statutory entitlement whichever is the greater. Where it would be impractical to serve such notice, e.g., due to a person's continued absence, a payment in lieu of notice will be payable.

EARLY RETIREMENT, ILL-HEALTH RETIREMENT AND REDUNDANCY

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**DEPENDANT'S BENEFITS**

11 The LGPS Regulations provide for certain benefits to be payable on the death of a scheme member.

11.1 Benefits are payable, when qualifying conditions are met, to the spouse, civil partner or cohabiting partner, together with dependent childrens pensions.

***Death in service***

11.2 If an employee were to die in service as a member of the LGPS, subject to qualifying conditions, following benefits are applicable:

- A lump sum death grant: A lump sum death grant of three times the pensionable pay no matter how long they had been a member of the scheme.
- If the employee had accrued 3 months total membership or if they had brought a transfer value into the scheme then there would be a longterm pension payable to the spouse, civil partner or nominated cohabiting partner.
- Pensions for eligible children: A long-term children's pension would be payable for so long as eligible children remain following an employee's death. Eligible children is defined as children to the age of 18, together with those in full time education or vocational training up to a maximum of age 23.

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**MISCELLANEOUS PROVISIONS****12 GENERAL CONDITIONS*****Reduction in pension benefits***

- 12.1 If any employee is entitled to compensation upon retirement under any other Regulations, their pension and lump sum retiring allowances under this scheme could be reduced in accordance with the provisions of such regulations, or the regulations of the Local Government Pension Scheme.

***Making application under the Schemes***

- 12.2 An employee wishing to retire under Scheme A must make a written request to the appropriate Corporate Director for initial consideration prior to submission to the VER Panel.
- 12.3 Any proposal under Schemes B, C or D will be initiated by the appropriate Corporate Director.
- 12.4 Should the number of approved applications under Scheme A need to be limited for financial or other reasons, selection will be on the basis of economy, effectiveness and the efficiency of the service.

***Notice periods***

- 12.5 In normal circumstances the retiring or redundant employee will serve a notice period in accordance with the individual's contractual rights or statutory entitlement, whichever is the greater, although the entitlement to notice (or pay in lieu of notice) may be waived by the employee concerned. Only in cases where operational considerations make it impracticable for a period of notice to be served (e.g., closure of an establishment) will pay in lieu of notice be made.

***Re-engagement of those in receipt of Pension***

- 12.6 Employees whose employment terminates under these Schemes may only be re-engaged with the specific approval of the Head of Human Resources and Organisational Development.

***Re-engagement of employees made redundant***

- 12.7 In instances of termination under Scheme B, C and D employees will be prevented from being re-engaged until the expiration of a period equivalent to the discretionary element of the redundancy payment.

### ***Internal Dispute Resolution Procedure (IDRP)***

- 12.8 When a decision is made under the LGPS Regulations 2013 relating to the rights or liabilities of an employee under the scheme, that employee must be notified of the decision as soon as is reasonably practicable.
- 12.9 If the decision is disputed by the employee they should first contact the employing department who should review their decision after taking appropriate advice.
- 12.10 The notification sent to the employee must contain the address from which they may request an appeals application form to make an appeal against the decision under the formal Internal Disputes Resolution Procedure (IDRP).
- 12.11 The Internal Dispute Resolution Procedure (IDRP) will apply to prospective and active members of the LGPS and to others, such as deferred members, pensioner members and pension credit members, whose position may be affected by decisions of the Council.
- 12.12 On receipt of an appeal application form the Head of Human Resources and Organisational Development will pass the appeal to the nominated person(s) for adjudication under stage 1 of the appeals procedure.

### ***Implementation of Policy Statement***

- 12.13 The revised schemes will come into operation on the **TBC** and will continue in force until  
such time as the Council resolves that it should be discontinued or amended.
- 12.14 Nothing in this policy statement or its schemes can override the statutory provisions of the Local Government Superannuation Acts, or any other relevant legislation or regulations.

## Appendix F

# Bridgend County Borough Council

## Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

[www.bridgend.gov.uk](http://www.bridgend.gov.uk)



### ACTING RANK/HONORARIA PAYMENTS PROTOCOL

#### PURPOSE

It will be necessary for the Authority to make arrangements to cover the absence of officers other than for annual leave purposes.

The payment of honoraria is designed to cover relatively short-term and usually unplanned absences to ensure that there is no reduction in provision of service.

#### PAYMENT (Acting Rank)

1. Employees who are requested to undertake the full range of duties and responsibilities of a higher graded post are entitled to additional remuneration commensurate with those duties, for the period during which they are undertaken.
2. An employee will only receive an additional payment after the additional duties and responsibilities have been undertaken for a continuous period of 4 weeks.
3. Once the qualifying period of 4 weeks has elapsed, the additional payment will be paid with effect from the first day on which the employee undertook the additional duties and responsibilities.

#### HONORARIUM

1. Where employees are requested to undertake less than the full duties and responsibilities of a higher graded post an honorarium may be paid on a pro rata basis.
2. Where the duties and responsibilities are shared between two or more employees then any amount paid will be calculated pro rata dependent upon the circumstances of each case.
3. Employees who are requested to perform additional duties and responsibilities outside the scope of their substantive post e.g. undertaking project work will receive an honorarium based upon the value of the duties and responsibilities (valuated by HR/OD & JE).

4.

## **SELECTION**

### **(Acting up and honorarium payment)**

1. An honorarium will be paid to an individual who is a recognised and agreed [by management] as deputy or assistant clearly identified within a section or division.
2. Where no obvious deputy exists the consideration should be given to sharing the honorarium between the direct line management reports of the [temporarily] vacant post.
3. Where no deputy or assistant exists but it is felt that just one person is required to undertake the full range of duties and responsibilities of the higher graded post, then competitive interviews should be undertaken.
4. The selection process will mirror the Authority's policy on Recruitment & Selection.
5. Where cover is anticipated to be required for between 1-3 months, the temporary vacancy will be ring-fenced to the Service Unit or Section in which it occurs.
6. Where cover is anticipated to be required for in excess of 3 months, it will be regarded as a temporary vacancy and will be dealt with under the Protocol for Secondments.

## **EXCEPTIONAL CIRCUMSTANCES**

### **(Acting up and honorarium payments)**

1. There may be occasions where a member of the Corporate Management Board [or nominated Officer] and the Group Manager HR/OD [or nominated officer] will determine that exceptional circumstances occur. In these cases there may be a requirement to deviate from the normal procedures, e.g., where a senior officer is absented, without notice, from his/her duties and responsibilities.
2. Each case will be determined on its merits and any deviation to the protocol will be authorised by a second member of the Corporate Management Board and the Group Manager HR/OD.

## **AUTHORISATION**

1. All honorarium payments must be agreed with the Human Resources/Organisational Development Service Unit and only the Human Resources/Organisational Development Service Unit may authorise payment.

## **REVIEW PERIOD**

1. All honorarium payments will be subject to a review period of no less frequently than 3 months.

Issue Date: October 2013 Updated March 2019



## Appendix G

**Bridgend County Borough Council**  
Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

www.bridgend.gov.uk



# BRIDGEND COUNCIL

## SINGLE STATUS / JOB EVALUATION

## COLLECTIVE AGREEMENT

Working in partnership



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## **1. Introduction**

- 1.1 The Council is legally required to carry out a review of its pay and grading structure and Part 3 terms and conditions under the 1997 national Single Status Agreement.
- 1.2 The purpose of this is to ensure employees covered by the Green Book receive the same terms and conditions of employment and any pay differential can be objectively justified.
- 1.3 This document sets out the terms of a collective agreement between Bridgend Council and the trade unions recognised for the purpose of negotiating on NJC pay and terms and conditions, UNISON, GMB and UNITE.
- 1.4 The agreement covers both a new pay and grading structure and any locally negotiated changes to “Part 3” terms and conditions covered by the Green Book.

## **2. Scope**

- 2.1 The Single Status legislation covers all employees on NJC terms and conditions. It does not cover JNC Officers, Youth and Community workers, Teachers and those employees on Soulbury terms and conditions.
- 2.2 The legislation also does not cover employees who are on Craft terms and conditions (Red Book). However, it has been locally agreed that these employees are covered by this collective agreement.

## **3. Principles and Objectives**

- 3.1 Develop a new pay and grading structure and agree terms and conditions covered by Part 3 of the Green Book that are both affordable and sustainable.
- 3.2 Ensure the pay and grading structure and terms and conditions are fair and equitable, thereby removing the pay inequality between male and female employees.
- 3.3 Ensure the Council can robustly defend any future equal pay claims post implementation.
- 3.4 The Council has elected to use the Greater London Provincial (GLPC) Job Evaluation scheme.
- 3.5 A partnership approach between the recognised trade unions, management, and the Job Evaluation team.
- 3.6 Develop benchmarks and job families for those areas of work that cover large numbers of employees in similar roles.

## **4. Pay and Grading Structure**

- 4.1 The new pay structure uses spinal column points 5 to 55 and is made up of 16 grades of either 2 or 3 spinal points, illustrated below at current pay rates.

Table 1

Grade	JE Score		SCP Range		Min Salary	Max Salary
1	0	249	5	6	£12,312	£12,489
2	250	294	8	9	£13,189	£13,589
3	295	320	12	13	£15,039	£15,444
4	321	349	15	16	£16,054	£16,440
5	350	379	17	18	£16,830	£17,161
6	380	409	20	21	£18,453	£19,126
7	410	439	22	23	£19,621	£20,198
8	440	469	25	27	£21,519	£22,958
9	470	503	29	31	£24,646	£26,276
10	504	539	32	34	£27,052	£28,636
11	540	569	36	38	£30,011	£31,754
12	570	599	39	41	£32,800	£34,549
13	600	639	42	44	£35,430	£37,206
14	640	669	47	48	£39,855	£40,741
15	670	697	51	52	£43,361	£44,236
16	698+		54	55	£45,981	£46,855

## 5. Part 3 Terms and Conditions

All Part 3 terms and conditions are listed below.

### Bank Holidays

- 5.1 Employees who work public and extra statutory holidays will in addition to their normal pay receive plain time rates of pay for all hours worked which equates to double time. Employees will also receive the actual hours worked as time in lieu.

### Weekends

- 5.2 Employees that are rota'd to work on a Saturday and / or Sunday will be paid at time and a third.

## **Overtime**

- 5.3 All overtime over 37 hours per week will be paid at time and a third.

## **Nights**

- 5.4 Employees that are rota'd to work a night shift will be paid at time and a third. A night shift is between the hours of 10pm and 7.30am.

## **Standby for Non 24/7 Services**

- 5.5 Employees on the standby rota will receive a payment of £32.94 per shift. There are 9 standby shifts a week, 5 shifts (Monday – Friday) and 2 shifts on Saturday and 2 shifts on Sunday. Should the employee be called out the hours worked will be paid at time and a third.

## **Emergency Response for Non 24/7 Services**

- 5.6 Employees that are not on the standby rota and are called out to respond to an emergency will receive payment of £32.94. Should the employee be called out the hours worked will be paid at time and a third.

## **Special Rates for Cemeteries**

- 5.7 All employees who carry out an exhumation will receive a payment of £150 per exhumation.

## **Sleeping in Duties**

- 5.8 Employees that are required to sleep in on the premises will continue to receive a payment in line with the national agreement of £32.94 per night. Should the employee be awakened to work, the hours will be paid at time and a third.

## **Lettings**

- 5.9 Current arrangements will continue at the time of signing. Any proposed changes will be subject to negotiation.

## **Approved Social Worker Payment**

- 5.10 The Approved Social Worker payment will continue at the current rate of £1,907, 2 increments on top of the maximum of the Social Worker Grade. To receive this payment an employee must fulfil the following 2 criteria:

- Be in possession of a warrant
- Participate on the rota for Approved Social Worker duties

### **Shifts**

5.11 Shift payments will cease to be paid.

### **Unsocial Hours**

5.12 Unsocial hours payments will cease to be paid.

### **Market Supplements**

5.13 All market supplements will cease and the current policy will terminate.

### **Bonus Payments**

5.14 All bonus payments will cease.

### **Telephone Allowance**

5.15 All telephone allowances will cease.

### **Other Job Related Allowances**

5.16 The following allowances will cease.

- Autistic Unit allowance
- Special Class allowance
- Forensic Lead Allowance

### **Car Allowances**

5.17 Essential car user allowances will cease to be paid.

5.18 The mileage rate for cars will be 47p per mile for the first 8,500 miles claimed in the tax year and 27p per mile for all mileage claimed over 8,500. The mileage rate for motorcycles will be 24p per mile.

### **Current Arrangements**

5.19 First Aid Allowance will continue at the current rate of £104 per annum.

## **6. Assimilation into the New Pay Structure**

- 6.1 Employees receiving a pay increase at implementation (greens) will be assimilated to the bottom point of their new grade. Employees will receive an annual increment until the maximum point of the new grade is reached.
- 6.2 Employees whose salary point decreases on implementation (reds) will be assimilated to the top point of their new grade. The difference between the current and new grade will be subject to the pay protection arrangement detailed in section 7.
- 6.3 Employees whose current pay is within their new JE grade (whites) will be assimilated to the same point in the new grade. Employees will receive an annual increment until the maximum point of the new grade is reached.
- 6.4 Existing honoraria will need to be recalculated in line with the new pay and grading structure.

## 7. **Pay Protection**

- 7.1 All current pay protection arrangements will cease following implementation.
- 7.2 Following implementation of the new pay and grading system pay protection will be paid to cover any detriment. It will last for either 12 or 18 months and be paid monthly as a separate element through employees pay. See below:
  - Employees that suffer a detriment below 25% will be offered 12 months pay protection.
  - Employees that suffer a detriment of 25% and above will be offered 18 months pay protection.
- 7.3 Pay protection will be treated as pensionable.
- 7.4 The following conditions apply if an employee moves to a different post within the Council during the period of protection:
  - If the pay of the new post is the same or higher than the protected (original) salary pay protection will end.
  - If the pay for the new post is less than the protected pay, pay protection will continue. Pay protection will only be paid to cover the differential between the protected (original) salary and the new (lower) salary.
- 7.5 An employee who suffers a detriment for any other reason than the implementation of the new pay and grading system will not receive any pay protection. Examples of when an employee may suffer a detriment are shown below (this list is not exhaustive):
  - Voluntary demotion,
  - Involuntary demotion [eg, following a disciplinary process or restructure]

- Voluntary decrease in hours

7.6 Employees that lose the essential user car allowance will receive a one off payment in the form of a one off lump sum, equivalent to one year's allowance.

7.7 All employees eligible for pay protection or the essential user payment will be required to sign a compromise agreement prior to implementation.

## 8. **Payments for employees who are gaining on Implementation of the New Pay & Grading System**

8.1 Recognising that the original implementation date for a new pay and grading structure will be later than 1 April 2013 employees who will receive an increase in salary will have that increase effective from 1 April 2013.

8.2 These monies will be paid in a lump sum post implementation.

8.3 The payment will be treated as pensionable

8.4 These employees will be required to sign a compromise agreement prior to implementation.

## 9. **Appeals Procedure**

9.1 Employees will be able to register an appeal against the outcome of the job evaluation exercise in line with the Appeals Procedure provided in Annex 1.

## 10. **Implementation Date**

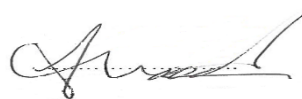
10.1 1<sup>st</sup> September 2013.

## 11. **Signatures and Date**


Bridgend Council Andrew Jolley (Assistant Chief Executive)



UNISON Andrew Woodman (Regional Officer)



GMB Kelly Andrews (Regional Officer)



UNITE Steve Sloan (Regional Officer)





**BRIDGEND COUNCIL**  
**SINGLE STATUS / JOB EVALUATION**  
**COLLECTIVE AGREEMENT**

**ADDENDUM – January 2019**

## 1. Introduction

- 1.1 The Council has previously complied with its statutory obligation to review its pay and grading structure and Part 3 terms and conditions under the 1997 National Single Status Agreement which relates to those employed under NJC terms and conditions.
- 1.2 At the conclusion of this review a Collective Agreement was entered into and the agreed scheme was implemented in September 2013.
- 1.3 The NJC pay agreement for 2018-2020 includes the introduction of a new pay spine on 1 April 2019.

## 2. Pay and Grading Structure

- 2.1 The existing pay structure ranges between spinal column points 6 - 55 comprising 16 grades, (each consisting of up to 3 increments).
- 2.2 The revised pay structure ranges between spinal column points 1 - 49 and will continue to comprise of 16 grades, (each consisting of up to 3 increments) as detailed below:

Old SCP	New SCP	Salary	Hourly Rate	Grades	
6/7	1	£17,364	£9.00	Grade 1	
8/9	2	£17,711	£9.18		Grade 2
10/11	3	£18,065	£9.36		
12/13	4	£18,426	£9.55	Grade 3	
14	5	£18,795	£9.74		
15/16	6	£19,171	£9.94		Grade 4
17/18	7	£19,554	£10.14	Grade 5	
19	8	£19,945	£10.34		
20	9	£20,344	£10.54		Grade 6
-	10*	£20,751	£10.76		
21	11	£21,166	£10.97		
22	12	£21,589	£11.19	Grade 7	
-	13*	£22,021	£11.41		
23	14	£22,462	£11.64		
24	15	£22,911	£11.88		
-	16*	£23,369	£12.11		
-	17	£23,836	£12.35		
25	18*	£24,313	£12.60		

Old SCP	New SCP	Salary	Hourly Rate	Grades	
32	26	£29,636	£15.36		Grade 10
33	27	£30,507	£15.81		
34	28	£31,371	£16.26		
35	29	£32,029	£16.60		
36	30	£32,878	£17.04	Grade 11	
37	31	£33,799	£17.52		
38	32	£34,788	£18.03		
39	33	£35,934	£18.63		Grade 12
40	34	£36,876	£19.11		
41	35	£37,849	£19.62		
42	36	£38,813	£20.12	Grade 13	
43	37	£39,782	£20.62		
44	38	£40,760	£21.13		
45	39	£41,675	£21.60		
46	40	£42,683	£22.12		
47	41	£43,662	£22.63		Grade 14
48	42	£44,632	£23.13		
49	43	£45,591	£23.63		

Old SCP	New SCP	Salary	Hourly Rate	Grades	
26	19	£24,799	£12.85		Grade 8
27	20	£25,295	£13.11		
-	21*	£25,801	£13.37		
28	22	£26,317	£13.64		
29	23	£26,999	£13.99	Grade 9	
30	24	£27,905	£14.46		
31	25	£28,785	£14.92		

Old SCP	New SCP	Salary	Hourly Rate	Grades	
50	44	£46,547	£24.13		
51	45	£47,503	£24.62	Grade 15	
52	46	£48,461	£25.12		
53	47	£49,417	£25.61		
54	48	£50,373	£26.11		Grade 16
55	49	£51,330	£26.61		

### 3. Implementation of Revised NJC Structure

3.1 The date of implementation is 1st April 2019.

3.2 Employees will assimilate across on the 1st April 2019 and then be awarded an increment where available in line with their contract.

### 4. Other conditions

4.1 All other terms and conditions remain as set out in the original collective agreement.

### 5. Signatures and Date

Bridgend Council Mark Shephard (Interim Chief Executive)



UNISON Lynne Hackett (Regional Officer)



GMB Kelly Andrews (Regional Officer)



UNITE Nicholas Blundell (Regional Officer)



**BRIDGEND COUNCIL**

**SINGLE STATUS / JOB EVALUATION**

**COLLECTIVE AGREEMENT**

**ADDENDUM – JULY 2018**

## 1. Introduction

- 1.1 The Council has previously complied with its statutory obligation to review its pay and grading structure and Part 3 terms and conditions under the 1997 National Single Status Agreement which relates to those employed under NJC terms and conditions.
- 1.2 At the conclusion of this review a Collective Agreement was entered into and the agreed scheme was implemented in September 2013.
- 1.3 As part of a recent senior management review a decision has been taken to alter the JNC pay structure. This will allow movement between the NJC and JNC pay structures. To enable this a cap will need to be introduced to the NJC pay structure at Grade 16.

## 2. Pay and Grading Structure

- 2.1 The existing pay structure ranges between spinal column points 6 -55 comprising 16 grades, (each consisting of up to 3 increments).
- 2.2 Each grade has a corresponding JE score, however, Grade 16 (ie JE score 698 and above) is currently uncapped as there has previously been no progression past this point.
- 2.3 The amended pay structure will place a cap of 728 on Grade 16. Posts which are evaluated above 728 will move onto the JNC pay structure and associated terms and conditions, which are not covered by the collective agreement.
- 2.4 The amended senior management pay and grading structure (which includes JNC & NJC) is illustrated below and are based on salaries as at 31.03.18.

Designation	Grade	Point 1	Point 2	Point 3	Point 4	JE Score
Chief Executive	25	£124,781	£127,763	£130,745	£133,725	986+
Deputy Chief Executive	24	£111,737	£114,408	£117,143	£119,943	954-984
Corporate Director [1]	23	£101,381	£103,681	£103,904	£106,159	922-952
Corporate Director [2]	22	£87,582	£89,570	£91,604	£93,684	890-920
Head of Service [1]	21	£76,039	£77,762	£79,487	£81,210	858-888
Head of Service [2]	20	£68,477	£70,030	£71,618	£73,242	826-856
Head of Service [3]	19	£62,379	£63,329	£64,293	£65,273	794-824
Group Manager [1] JNC	18	£58,395	£59,525	£60,677	£61,851	762-792
Group Manager [2] JNC	17	£52,487	£53,502	£54,537	£55,593	730-760
Group Manager [3] NJC	16	£48,417	£49,336			698-728

## 3. Implementation of New NJC Structure

- 3.1 The implementation date for applying the cap to Grade 16 is 1st April 2018.
- 3.2 All Grade 16 postholders will be invited to complete a job description questionnaire for evaluation based on current duties.
- 3.3 Grade 16 posts that are subject to restructure proposals prior to implementation date will be considered as part of the restructure.
- 3.4 Employees will be able to register an appeal in accordance with the appeal process as set out at paragraph 9 of the original collective agreement.

**4. Other conditions**

- 4.1 All other terms and conditions remain as set out in the original collective agreement.

**5. Signatures and Date**

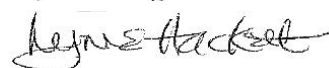
Bridgend Council

Darren Mepham (Chief Executive)



UNISON

Lynne Hackett (Regional Officer)



GMB

Kelly Andrews (Regional Officer)



UNITE

Nicholas Blundell (Regional Officer)



## Appendix H

# MARKET SUPPLEMENT POLICY

### SCOPE STATEMENT

This Policy applies to all employees of Bridgend County Borough Council except:

- Those employed under the Conditions of Service for School Teachers in England and Wales
- Those employed under the JNC Grade 19 and above.
- Those employed under Soulbury Terms and Conditions and Youth Terms and Conditions.

**Date of Issue: October 2021**

DOCUMENT CONTROL	
Document Title:	Market Supplement Policy

Previous Publication Date:	N/A
<b>DOCUMENT APPROVAL</b>	
This document received approval from:	Date:
Group Manager HR/OD	
Trade Unions	
Corporate Management Board	
Council	20.10.2021
<b>REVISION HISTORY</b>	
Revision History:	New Policy



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## **1. Introduction**

- 1.1 Market supplements are a way of tackling recruitment and/or retention issues by temporarily increasing the pay awarded to a post, without altering the determined job evaluation grade. There can be occasions, due to changing trends in the labour markets that the grade for a post, as determined by job evaluation, does not meet the “going rate” for a particular job or occupation. A shortage of people with particular skills – both locally and nationally – may drive up the going rate and create challenges in recruiting and retaining staff.
- 1.2 This market supplement policy is required as the council’s job evaluation scheme and grading structure do not take into account market factors such as market pay rates or fluctuating demand for skills in the market place. It is therefore occasionally necessary to pay a market supplement in addition to the base salary in order to recruit or retain staff. It should be noted however that a market supplement must be the absolute exception rather than the rule.
- 1.3 Market supplements will be made on the basis that they are objectively justified, e.g. where there are demonstrable recruitment and/or retention difficulties and it can be shown that these will be eradicated or mitigated against by the payment of this supplement.
- 1.4 Base salary is not the only factor which influences the council’s ability to recruit and retain employees. The remuneration package should be part of an overall total reward strategy and the need for market supplements should be considered in this context.

## **2. Principles**

- 2.1 Any market supplement must be objectively justifiable and will be applied according to the following principles:
  - 2.1.1 The decision to pay a market supplement will only be taken when all other non-pay related measures to successfully recruit to a vacant post or retain employees in current posts have been reasonably explored and evidenced.
  - 2.1.2 The decision to pay a market supplement must be supported by a robust business case and approved in accordance with an authorisation process – see point 3.1.1.
  - 2.1.3 Prior to the completion of any application for a market supplement, the Head of Service must confirm that the job description/personal specification for the post is up-to-date. The Job Evaluation Team

will also need to verify that an evaluation accompanies the current version of the job description. If the job description needs to be changed to reflect the present duties and responsibilities, then the changes will need to be evaluated in order to determine the appropriate grade for the post.

- 2.1.4 Market supplements will apply for 2 years and will be subject to review after 18 months. It is the responsibility of the Head of Service to ensure that it is reviewed after 18 months. Should evidence at that time not justify a market supplement continuing then the payment will cease at the original end date.
- 2.1.5 If a post attracting a market supplement is subsequently re-graded to a higher grade, the market supplement will be reviewed.
- 2.1.6 Market supplements will not be increased in line with annual pay awards.
- 2.1.7 The cost of market supplements will be met from service budgets will be included as part of the annual budget preparation process.
- 2.1.8 Where a market supplement is introduced for a specific post, it will apply to all existing post holders with the same Job Description.
- 2.1.9 Market supplements should be clearly indicated in job adverts
- 2.1.10 Information on market supplements will be reported to CMB on a quarterly basis.

### **3. Process to Pay a Market Supplement**

- 3.1 There has to be clear justification for the need of a market supplement. The relevant Directorate / Service will be required to demonstrate:
  - Difficulties in attracting and/or retaining staff; -
  - High levels of business risk; -
  - Relevant market data reflecting significant difference in levels of pay.
- 3.1.1 The business case will be provided by the Head of Service, which is then signed off by the CMB Member together with input from Finance and Human Resources.
- 3.1.2 The business case should cover the following:
  - Evidence to show that pay is the primary issue;
  - Details of other attempts to resolve the issue;

- Market data showing the difference between the salaries offered and the external market rate.

3.1.3 Once the business case and application form has been completed it should be submitted to the Chief Officer – Legal and Regulatory Services, Human Resources and Corporate Policy for approval or rejection. Should the application be made from Legal, HR & Regulatory Service then the application will be submitted to the Chief Executive, who will delegate to a member of Corporate Management Board (CMB). Trade Unions are also to be notified at this time.

3.1.4 The decision should then be communicated back to the CMB Member and if they are dissatisfied with the outcome then they can refer the matter to CMB for final decision – see Appeals section.

3.1.5 If an employee in receipt of a market supplement is promoted or appointed to another role which is not subject to a market supplement, the supplement will cease with effect from the date of their commencement in the new role.

3.1.6 The value of the supplement will be the difference between the maximum of the current grade range and the determined market rate. This may need to take into account any allowances that apply to BCBC and competitor employer posts.

### 3.2 **Other pay arrangements include:**

- The amount of any market supplement should be clearly identified as a separate payment and not incorporated in the basic grade/rate of pay for the post. It will not alter the grade of the post determined by the job evaluation process.
- Part-time employees will receive a payment pro-rata to their contractual hours.
- The payment will be subject to statutory deductions.
- Market supplements form part of an employee's pay and will be pensionable.
- Market Supplement will not be included for enhanced payments, overtime, call out, etc.

## 4. **Reviewing the Market Supplement**

- 4.1.1. All market supplements will be reviewed after 18 months. The purpose of the review is to establish whether there have been any changes in the labour market in respect of particular posts and skills sets.
- 4.1.2 The review will be undertaken by the appropriate Head of Service, along with colleagues in Finance and Human Resources as per the original application process, with approval from the CMB Member.
- 4.1.3 A review will take place if a post in receipt of a market supplement is re-graded as a result of a re-evaluation of changed duties.
- 4.1.4 A review will also take place when a post holder(s) leaves a post prior to the end of the formal review period, subject to all posts with the same job description being vacant.

## **5 Appeals**

- 5.1.1 The corporate CMB Member who supports the market supplement application can request that CMB reviews the decision. The CMB Member will need to present why they feel the decision is inappropriate and provide supporting evidence.
- 5.1.2 Any appeal should be made to the Chief Officer – Legal and Regulatory Services, Human Resources and Corporate Policy within 20 working days of receiving the outcome of the review. The appeal must be in writing and should include the reasons for dissatisfaction and supporting evidence and documents.

## **6 Policy Review**

- 6.1 This policy will be periodically reviewed in line with procedures, in order that it remains appropriate to the Council's operation, is best practice and meets legal requirements.

**Market Supplement Application Form**

<b>Job Title</b>	
<b>Department</b>	
<b>Service</b>	
<b>Post Holders</b>	
<b>Current JD/PS to be attached</b>	
<b>Is the current JD/PS up to date?</b>	
<b>Business Case</b>	
<p>Business Case should consider the relevance of the following points for the market supplement:</p> <p><b>Recruitment Summary</b></p> <ul style="list-style-type: none"> <li>• Number of times the post has been advertised (including dates advertised)</li> <li>• Number of responses to each advertisement</li> <li>• Level of vacancies</li> <li>• Assessment of the quantity of responses</li> <li>• Assessment of the quality of responses</li> <li>• Turnover statistics for the post</li> <li>• Supporting data from exit interviews</li> <li>• Articles in professional bodies' journals / websites, press etc re skills shortages and / or evidence from national surveys</li> </ul> <p><b>Other Options</b></p> <p>What evidence is there that pay (and not some other factor) is causing the recruitment/retention problems being experienced?</p> <p>What recruitment / retention initiatives have been tried / exhausted?</p> <p>Have alternatives to paying a market supplement been considered?</p> <p>Is filling the post</p> <ul style="list-style-type: none"> <li>• Market Pay Rates</li> <li>• Supporting Information</li> </ul> <p><b>Market Supplement</b></p>	

<ul style="list-style-type: none"> <li>• What appears to be the 'going rate' for the job?</li> <li>• Is this the 'going rate' for the job locally, regionally, nationally or occupational labour market?</li> <li>• What sources have been used to obtain this data?</li> </ul>	
<b>Market Supplement Rate</b>	
<b>Period for Payment (Max 2 Years):</b>	
<b>Human Resource Input</b>	
<b>Approved HR:</b>	
<b>Finance Input</b>	
<b>Approved Finance:</b>	
<b>Approved Head of Service</b>	
<b>Approved CMB Member</b>	

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

9 MARCH 2022

#### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

#### OUTDOOR RECREATION FACILITIES AND NEW HOUSING DEVELOPMENT SUPPLEMENTARY PLANNING GUIDANCE

#### 1. Purpose of report

- 1.1 The purpose of this report is to seek Members approval to adopt SPG5 - Outdoor Recreation Facilities and New Housing Developments as Supplementary Planning Guidance (SPG) to the Bridgend Local Development Plan (LDP).

#### 2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:
- **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
  - **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
  - **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

- 3.1 Recreational spaces are vital for our health, well-being and amenity and contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity and relaxation often in the presence of nature. They contribute to our quality of life and are a key ingredient of 'place making'.
- 3.2 Networks of high quality, accessible, green spaces and recreation spaces also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range of physical activities. These activities are important for the well-being of children and adults and for the social, environmental, cultural and economic life of Bridgend and Wales.

- 3.3 The development of new housing in the County Borough, and the resulting population increase, creates a demand for the improvement of existing and provision of new recreational facilities.
- 3.4 To meet this demand, Policy COM11 of the LDP requires the provision of a satisfactory level and standard of outdoor sport, children's playing space, allotments and public open space (including natural green space) for all new housing developments. This SPG supplements Policy COM11 and provides advice to developers on how the standards required by the policy can be met.
- 3.5 In summary the SPG sets out:
- The national and local Planning Policy context to outdoor recreational provision;
  - The Council's policy and practice relating to recreational spaces;
  - Guidance notes explaining the circumstances, mechanisms, types and amount of recreational space that will be sought on residential developments;
  - Explanation of the circumstances where financial contributions towards recreational facilities may be sought;
  - Encouragement for developers and prospective applicants to engage the Planning Department in pre-application discussions; and
  - Guidance on how the policy will be administered.

#### 4. Current situation/proposal

- 4.1 On the 16<sup>th</sup> January 2020 the Development Control Committee approved a draft version of the SPG as the basis for public consultation; authorised officers to make appropriate arrangements for public consultation; and agreed to await a further report on the outcome of the consultation process.
- 4.2 A 6-week period of public consultation was held between 21<sup>st</sup> February and 3<sup>rd</sup> April 2020. The consultation was advertised in the following ways:
- Statutory notices were placed in the *Glamorgan GEM* on the 27<sup>th</sup> February and the 5<sup>th</sup> March;
  - The consultation documents were made available for inspection with representation forms at the reception desk of the Civic Offices, Angel Street;
  - Information on the consultation, including all the documentation, representation forms and how to make representations was placed on the Council's website; and
  - A copy of the draft SPG was sent to approximately 300 targeted consultees including Community Councils, planning consultants, house builders and housing associations taken from the LDP database.
- 4.3 By the end of the consultation period nine representations were received on the draft SPG. These representations have been summarised in **Appendix 1** to this report. Copies of the full representations are held by the Planning Department, and can be viewed by Members on request.
- 4.4 On 3<sup>rd</sup> March 2022, the Development Control Committee considered all of the representations and agreed changes to be made to the document in light of the

comments received. These are now incorporated as amendments to the SPG attached at **Appendix 2**. In summary, the main areas of change in the document arising from the public consultation responses are as follows:

- Amended average household occupancy rates based on 2011 Census data with rates to be kept under review to inform future revisions of the SPG;
- Clarification of the relationship between Outdoor Recreation Facilities and Sustainable Drainage Systems (SuDS) and emphasis on the importance of pre-application discussions;
- Confirmation that financial contributions in-lieu of on-site facilities should be of the equivalent value of providing the required facilities on-site; and
- Additional section on Section 106 Agreements, Negotiations with Developers and Viability to ensure consistency with the Education SPG and to provide greater clarity as to how the SPG will be implemented.

## **5. Effect upon policy framework and procedure rules**

- 5.1 The SPG expands upon the existing land-use planning policy framework contained within the LDP, giving the public and developers certainty in the Council's expectations in relation to achieving an appropriate level of Outdoor Recreation Facilities which will serve new residential development.

## **6. Equality Act 2010 implications**

- 6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. The SPG is supplementary guidance to the existing LDP which was subject to an Equalities Impact Assessment. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of this report. Specifically, adoption of the SPG will provide a mechanism for the Council to secure appropriate levels of open space and recreation facilities in all new housing developments. This will increase opportunities for all individuals within the County Borough to lead active and healthy lives, supporting the principle of sustainability over the long term.

## **8. Financial implications**

- 8.1 The adoption of SPG 5 will not have any financial implications for the Council as financial contributions secured from developers will cover the costs of any required works associated with the provision of outdoor recreational facilities.

## **9. Recommendation(s)**

9.1 Council is recommended to:

9.1.1 Adopt SPG 5 – Outdoor Recreation Facilities and New Housing Development (**Appendix 2**) as Supplementary Planning Guidance to the adopted Bridgend Local Development Plan.

9.1.2 Authorise the Group Manager Planning and Development Services to make minor presentational amendments prior to publishing the SPG on the Council's website.

**Janine Nightingale**

**CORPORATE DIRECTOR COMMUNITIES**

9 March 2022

**Contact officer:** Gareth Denning  
Strategic Planning Team Leader

**Telephone:** (01656) 643193

**Email:** Gareth.denning@bridgend.gov.uk

**Postal address:** Development Planning  
Communities Directorate  
Civic Offices, Angel Street  
Bridgend  
CF31 4WB

**Background documents:** None

**Appendices:** Appendix 1 – Outdoor Recreation Facilities and New Housing  
Development SPG Consultation Responses

Appendix 2 – Outdoor Recreation Facilities and New Housing  
Development SPG



## APPENDIX 1

## Outdoor Recreation Facilities and New Housing Development SPG Consultation Responses

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
Coal Authority			I have reviewed the Supplementary Planning Guidance documents, the subject of this consultation, and can confirm that the Coal Authority has no specific comments to make.	Comments noted.	No action required.
Natural Resources Wales			NRW generally endorse plans to promote recreational facilities, specifically 'accessible natural greenspace'. Opportunities to improve connectivity between green spaces and enhance biodiversity should be optimised.  The policies and outcomes in the draft National Development Framework should be taken into consideration when preparing the SPG.	The consultees comments are noted. The draft SPG will be amended to refer to the policy aims and outcomes of the National Development Framework - Future Wales 2040.	Add a reference to the <a href="#">National Development Framework - Future Wales: the National Plan 2040 (Feb 2021)</a> at Section 3.
Meryl Catherine Wilkins			This consultation document cannot predict the future of any planning as the pandemic Coronavirus has taken over and the outcome is unsure of any planning in Wales. As a very worried resident of Bridgend and Wales my declarations of interest has been made by me Meryl Catherine Wilkins in the land that your planning policies, put forward by the Bridgend County Borough Council and planning department are now being put forward to be developed and I do not agree. Policies are now out of date that Bridgend County Borough Council Planning Department and the Bridgend County Borough Council have put forward for consultation to me as a consultee of the SPG Draft Supplementary Planning Guidance and the consultation documents are fundamentally flawed because of the crisis we find ourselves in, we have no control of.	The consultees comments are noted. The draft SPG intends to provide additional guidance to the policies contained within the existing Local Development Plan (LDP). Until the SPG is adopted the Council is in a position where it is unable to seek the level of contributions required to help fund the cost of outdoor recreation facilities. Any deficit in funding will have to be found by the Council at a time when financial budgets are limited. The new SPG is vitally important to enable the County Borough to recover from the financial impact of the Coronavirus pandemic.	No action required.
Glamorgan Gwent Archaeological Trust			We are commenting as the advisors to your authority regarding the historic environment and archaeology. Within the draft SPG, we note the aspects of new housing development and recreation provision requirements. It is important to note that these aspects may also be significant for archaeological and historic environment reasons. It is also important to note that within your Authority's area, ten areas have been delineated as Archaeologically Sensitive Areas in an Archaeology and Archaeologically Sensitive Areas SPG which has been supplied to you in draft in 2015 and is awaiting approval.	The consultee's comments are noted. The draft SPG encourages all prospective applicants to engage the Planning Department in pre-application discussions with regards to new housing developments. This will enable the Council to identify, at an early stage, development that may have an impact on the historic environment. In such cases, advice will be sought from the consultee as the Authority's Archaeological Advisors.	No action required.

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			<p>As for any type of development, the legislative framework and policy context that has relevance to the historic environment should be taken into consideration. Planning Policy Wales Edition 10, in Chapter Six; and TAN 24: The Historic Environment, refer to designated and non-designated assets and their management in development. The Welsh Government suite of best practice Guidance available via Cadw has information on managing change within differing aspects of the historic environment. The legislative framework in which the historic environment operates, and the management of the historic environment, should not be seen as any constraint to development, but viewed together with the Well-being of Future Generations (Wales) Act, contribute substantially to the well-being goals relating to culture and community, and by understanding and enhancement to the remaining goals.</p> <p>Residential developments, including provision for recreation and open space, of any size and nature, may have different impacts on the historic environment, both positive and negative impacts, and this should be noted as a consideration. The scale of impact that may require mitigation varies between developments and can be a high impact within a smaller site. Early-stage consultation will ensure that mitigation can be undertaken taking timescale into consideration. It is also important to be aware that early-stage consultation and identification of archaeological features allows the potential to design some areas as open space or low impact areas.</p> <p>Any development may have a physical impact on any buried archaeological resource, or on the setting of both designated and non-designated sites or areas, potentially with a need for historic environment or archaeological mitigation. Conversion of buildings to accommodation may also require mitigation by historic building recording, or archaeological fieldwork depending on the archaeological resource.</p> <p>Developments will require planning and or listed building permission, and consultation with ourselves at early stage, or for pre-application advice, as your Authority's archaeological advisors, is strongly advised; we can then supply any appropriate recommendations for mitigation. As noted, development sites of any size may require archaeological mitigation work both pre and post determination to ensure that development complies with</p>		

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			<p>Planning Policy Wales Edition 10 December 2018, Chapter 6: Distinctive and Natural Places, and the TAN24: The Historic Environment.</p> <p>The impact on designated historic assets and their setting is dealt with by Cadw, who must be consulted if any development is proposed that may impact Scheduled Monuments, or Registered Historic Landscapes. These responses are necessary to enable the management of impacts on the archaeological resource and cultural heritage.</p> <p>If archaeological mitigation work proves necessary, it is our Policy to recommend that all archaeological work undertaken in relation to planning and development issues should be undertaken to the Standards and Guidance of the Chartered Institute for Archaeologists and it is our Policy to recommend that either a Registered Organisation with the ClfA or a member with MCIfA level membership should undertake the work (<a href="http://www.archaeologists.net/cifa">www.archaeologists.net/cifa</a> and <a href="http://www.archaeologists.net/ro">www.archaeologists.net/ro</a>).</p>		
Bridgend Town Council	4.8	8	<p>Allotments</p> <p>We believe last Borough wide review was around 2010 as to plots available as a percentage by population by ward.</p> <p>Has a recent survey been made to update where more provision is needed? Can this be made known?</p>	<p>The most recent 'Audit' of Allotment provision in the County Borough was carried out in 2017. The Audit compares the provision of Allotments with the benchmark standard of 0.2 hectares per 1,000 population as per the requirement of Policy COM11 in the LDP. The Audit was reported to members of the Development Control Committee and can be used to support planning decisions as a means of justifying the provision of new facilities and/or remedying local deficiencies in provision.</p> <p>The Allotment Audit is available to view on the Development Planning pages of the BCBC website.</p>	No action required
Bridgend Town Council	Appendix 2	24	<p>Reference planting, litter bins, notices.</p> <p>Do all existing play areas have the planting specification outlined in the document? If not, can this now be put in hand?</p> <p>All play areas – of whatever size – must have adequate litter bins.</p> <p>Notices – Do all existing play areas have the designated signage as outlined in the document? This is essential at all sites and should be put in place without delay.</p>	<p>The scope of the draft SPG covers the provision of <b>new</b> play areas on housing developments. As such the requirements specified in Appendix 2 represent general guidelines as to the level of facilities different types of Children's Play Space should provide.</p> <p>The draft SPG facilitates the negotiation of financial contributions in exceptional circumstances where the provision of facilities on-site is not required or is not possible due to site specific circumstances. In such cases, the contributions secured could be used to upgrade existing facilities. This could include the</p>	No action required



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				provision of any of the items listed in the Appendices including planting, litter bins and enhanced signage.	
Boyer on behalf of Llanmoor Homes			<p>This draft SPG explains in detail the Council's approach to the provision of outdoor sport, children's play space, allotments and public open space (including natural green space) for all new housing developments and encourages links between the provision of open spaces and its contribution to green infrastructure in Bridgend.</p> <p>Llanmoor Homes are currently in the process or working up a master plan for the strategic site at the land at West Bridgend and have concerns that some of the express guidance in the draft SPG, in particular relating to the exclusion of SINCS and areas required for SUDS cannot in any way contribute to the provision of open space on site, is too rigid, and will work against the principles of placemaking. The statement that SUDS areas should be excluded from areas of public open space is in direct conflict with the Welsh Government statutory standards for SuDS in Wales, together with the Ciria SuDS guidance with regard to amenity benefits provided by SuDS features. This is dealt with in more detail below in response to paragraph 8.2 of the draft SPG.</p>	<p>The consultees comments are noted.</p> <p>The consultees specific comments in relation to paragraph 8.2 are addressed below.</p>	No action required
Boyer on behalf of Llanmoor Homes	4.10	8	Section 4.10 of the draft SPG recognizes the importance of "Accessible Green Space (including public open space)" and they are defined as "predominantly natural areas which contribute to the quality of life of urban areas and where these areas contain features such as woodland, shrubbery, heath and rough grassland."	Comments noted.	No action required.
Boyer on behalf of Llanmoor Homes	4.12	9	<p>Paragraph 4.12 sets out the recommendations of the Countryside Council for Wales including the provision of at least 2 hectares per 1000 population and that no person should live more than 300 metres from their nearest area of natural green space. However, paragraph 4.13 states that the toolkit may not be appropriate in all urban contexts and that the standard is promoted as an aspirational target. Whilst it is accepted that for most urban sites the standard may not be appropriate there are opportunities for incorporating accessible natural green space into the master plan for the land at West Bridgend which will contribute to its placemaking credentials.</p> <p>As part of the current promotion of the site Llanmoor Homes have instructed EDP to carryout detailed surveys</p>	<p>Developers and prospective applicants are encouraged to engage with the Planning Department at pre-application stage to discuss such site-specific characteristics and open space provision as described in the Consultees response.</p> <p>The draft SPG acknowledges at paragraphs 7.7 – 7.10 that the Council will take a flexible approach to the level and type of open space provision on new housing developments. The exact form and type this will take will be determined by such factors as the nature and size of the development, the particular characteristics of the site, the availability of facilities in the local area, the requirements of future occupiers and the need to provide other infrastructural improvements.</p>	No action required.

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			<p>of the SINC areas to ascertain whether their designation is still fully justified and, if so, whether a designation of accessible natural greenspace would have an unacceptable adverse impact on their ecological value. It is not possible to undertake these surveys until May, but the results of the surveys will be made available to the Council as a part of further submissions on the LDP.</p> <p>It would appear that the SINC boundary areas have been widely drawn and that they contain areas of land which could be used as accessible open space. Whilst such areas would not be suitable for formal play provision to include LEAPS/LAPS or playing fields they can still function as areas of formal open space which not only contribute to green infrastructure of a site but also provide areas of natural green space. In these instances, public access will need to be managed carefully dependent on the sensitivity and nature of habitats/species but that does not mean that SINCS should be automatically excluded from open space provision. If such features are included in the red line of the planning application, they can be managed through legal agreements as part of the S106 Agreement which will ensure that their biodiversity interests are promoted thus delivering positive ecological benefits. At present areas of the SINC at West Bridgend are accessible to grazing sheep and the habitat features for which it is designated are subject to damage and the structurally and botanically diverse grassland communities have been suppressed. There are therefore potential opportunities for its enhancement to be delivered as part of the development ecology mitigation for the site overall whilst accommodating planning policy requirements.</p> <p>Consideration should also be given to the contribution to open space that can be made off site by the enhancement of the surrounding footpath network and improving connections to offsite sport and recreation facilities such as the football pitch and recreational ground at Bryntirion.</p> <p>We also propose a similar approach with any buffer zones adjacent to retained hedgerows which could have a dual function such as a trim trail /accessible green space and contribute to natural green space.</p> <p>There has to be a balanced and flexible approach in considering how to provide for public open space together with land set aside for buffer zones, tree</p>	<p>Early engagement with the Planning Department at pre-application stage will enable these matters to be discussed during the developer's site evaluation exercise.</p>	

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			protection areas, SINC designations and SUDS. The issue being that if the net development area is significantly reduced there will be insufficient value in the site to support the provision of the necessary infrastructure, highway improvements, drainage, and the provision of the primary school, education contributions and affordable housing. As drafted the SPG will introduce an inappropriate level of inflexibility which will be interpreted by development managers to prevent the balanced approach which we are seeking.		
Boyer on behalf of Llanmoor Homes	7.4	13	Llanmoor Homes have the following detailed comments on the draft SPG:  Paragraph 7.4 provides a worked example and this illustrates the problem with the land take in providing the POS on site. The provision of 3,600 sq m of POS (0.9 acres) would equate to approximately 25% of the site area and in addition provision would have to be made for SUDS features.	The intention of the worked example at Paragraph 7.4 is to demonstrate how the total requirement of outdoor play space should be calculated in relation to notional unit types and the FIT standards. Such a calculation provides a starting point for discussion between a developer and the Council and will be subject to the site-specific considerations as described in Paragraphs 7.7 to 7.10.	No action required
Boyer on behalf of Llanmoor Homes	7.10	14	Paragraph 7.10 is welcomed as it does introduce some element of flexibility. This is more likely to be the case with a large urban expansion such as is being proposed at West Bridgend and the text should acknowledge this.	Comments noted	No action required
Boyer on behalf of Llanmoor Homes	7.11	15	Paragraph 7.11 outlines the green infrastructure approach which is supported and the SPG should clarify that in certain circumstances it is appropriate to incorporate SINCS, SuDS and buffer zones into green infrastructure and would contribute to the overall requirement for public open space.	Paragraph 7.12 highlights the Council's commitment to creating a multi-functional network of natural and semi-natural features, green spaces, green corridors, rivers and lakes that intersperse and connect places. All developments must seek to maximise as far as practicable the amount of green infrastructure on the site, as well as the interconnectedness of green infrastructure within and around the site to the wider green infrastructure network. Outdoor recreation facilities, SINCS, SuDS and buffer zones are all green infrastructure assets that have primary functions but can also perform different functions simultaneously. However, in some cases, it may not be appropriate for an individual asset to be fully multifunctional, for example a wildlife site that is designated for its ground nesting birds should not necessarily be fully accessible as that is likely to be detrimental to its primary function.  Much will depend on the individual characteristics of a development site. This is why the draft SPG encourages Developers and prospective applicants to engage with the Planning Department at pre-application stage to discuss such site-specific	No action required

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				<p>characteristics and how they may influence the planning and design of a development.</p> <p>The provision of green infrastructure is addressed in other LDP policies and SPG.</p>	
Boyer on behalf of Llanmoor Homes	8.2 & 9.2	16 & 19	<p>Llanmoor Homes strongly object to the statement in Paragraph 8.2 that balancing ponds/attenuation areas cannot be considered towards open space. The Welsh Government statutory standards for SuDS clearly states that the key aim for SuDS is to integrate the surface water function with open space, providing amenity and recreation opportunities where possible (paragraph G4.3). Paragraph G4.3 states that SuDS assets create amenity space accessibility and contribute to green space accessibility across a new development site. The SuDS standards promote a more holistic view as opposed to the draft SPG which treats SuDS and green spaces as separate entities. The purpose of Standard 4 is to maximise the amenity benefits that SuDS provide and one of the key paragraphs within the current SuDS standards is G4.6 which states the following:</p> <p><b>“Using land for SuDS that also has another purpose will usually deliver more cost effective and viable development outcomes. SuDS components can have a wide range of uses in addition to their water quantity and quality management functions eg playgrounds and sport pitches ,car parking and as part of roads space, public open space and highway verges.”</b></p> <p>The draft SPG is clearly in direct conflict with Welsh Government’s intention to enable SuDS features to form areas of open space and ignores the benefits that an integrated approach to achieving a good design and meeting placemaking principles. Rain gardens and swales etc. enhance the visual amenities across a site (as per Ciria SuDS manual) enhancing places to live/work and promoting carbon sequestration (as per the SuDS standards amenity guidance). Detention basins can also multiple benefits to a site when designed for an amenity purpose .With correct slope gradients, level and strategic design these spaces can be accessible and usable for site residents. The Ciria SuDS Manual states that detention basins can be used to serve more than one purpose (such as also forming playgrounds or sports fields) and can be enhanced with footpaths or cyclepaths.</p>	<p>The consultee’s comments are noted. It is recognised that Sustainable Drainage (SuDS) Statutory Guidance (2019) and Statutory Standards for Sustainable Drainage Systems (2018), both published by Welsh Government, are the relevant reference point for the mandatory use of SuDS on new developments and their approval and adoption by the Council as the SuDS Approving Body (SAB).</p> <p>The guidance states, in the first instance, that drainage systems should be considered at the earliest stages of site design to influence the layout of the roads, buildings and public open spaces. In this regard, the draft SPG encourages developers and prospective applicants to engage the Planning Department in pre-application discussions at the earliest opportunity.</p> <p>A key aim for sustainable drainage is to provide an improved local environment which integrates the surface water drainage function with open space, providing amenity and recreation opportunities where possible. It is acknowledged that SuDS components can have a wide range of uses in addition to their water quantity and quality management functions e.g., playgrounds and sports pitches, car parking, public open space and highway verges.</p> <p>The Statutory SuDS Standards also encourage good quality SuDS (such as wetlands, swales, ponds and vegetated SuDS) which can help enhance access to green spaces and provide an improved local environment which integrates the surface water drainage function with open space providing habitat opportunities where possible to maintain biodiversity. Any space outside the curtilage of an individual property unit may be suitable for SuDS as part of a residential development. For example, car parking and bike paths can be surfaced with permeable paving and may have a drainage channel, a play space may provide for excess water in flood conditions. However, areas of formal open space that include SuDS such as sports pitches and play areas should be available for use throughout the year and their recreational use</p>	<p>Amend text at 8.2 to read:</p> <p><i>“Land that has protected status, for example, Scheduled Ancient Monuments, woodlands with a Tree Preservation Order or SINCS are also considered unsuitable for designation as <del>usable outdoor</del> <b>formal equipped</b> play space within a development if such a use would have demonstrable <b>harm upon its primary function</b>. In addition, areas that have a separate function, e.g., balancing ponds, attenuation areas or other engineered features, cannot be considered towards <del>open space or</del> <b>informal play provision unless its use as such can be reasonably guaranteed throughout the year.</b>”</i></p> <p>Amend text at 9.2 to read:</p> <p><i>“The local authority will not adopt under the heading of outdoor play space, apparatus or structures including their surface areas and standoff zones that have a primary function that is not open space. This includes incidental open space associated with underground installations and engineering features, storm water cells, balancing ponds and landform for storm water drainage. The Council will consider adopting Sustainable Drainage Systems (SUDS) as part of the drainage system, in its role as the <b>SuDS Approving Body (SAB) and in accordance with the provisions of the Flood and Water Management Act 2010.</b>”</i>  <del>However, they will not be considered to be usable public open space.”</del></p>

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			<p>When constructed for multiple purposes, the detention basin should be usable for the function other than surface water attenuation for the majority of the time and where the basin forms an integral part of the system, it is important that those living nearby or using the facility are aware of its functionality and value through information boards and signage. With careful design any detention basin can form a useable and accessible area of public open space. Smaller flows (such as the 2- or 5-year return period) could be conveyed through a basin in the form of a swale, or create a small pond /forebay within the basin to attenuate these flows leaving the rest of the basin to site play equipment, including stepping stones, bridges and other items of natural play. In this way placing LEAP's etc. into these features can be seen as more acceptable due to the management of waterlogged soils and gradients of side slopes. In the situation of larger rainfall events (30-year, 100-year), play areas are less likely to be used, and in this manner the basin is usable as a play area for the majority of the time, meeting the criteria of the SuDS Manual.</p> <p>Llanmoor Homes have experience of providing LEAPS and LAPS within attenuation features at the following locations – Hawtin Parc, Bedwellty School and Pandy Road in Caerphilly CBC, Tondy in Bridgend CBC and LLanharry in RCT.</p> <p>SuDS can also be used to provide biodiversity benefits and serve as a visual, amenity and habitat features, thereby delivering the requirement for Natural Green space.</p> <p>If they are well designed, they can contribute to the provision of green space within the development and make an important contribution to the requirements of placemaking. In most cases the attenuation features will only actually be flooded in very extreme events and the vast majority of time they will be dry and accessible by the public. People should not be using any POS during any extreme storm event. This restriction will have a significant impact on the amount of net developable area, reducing the capacity of the site with an adverse impact on the viability of the development.</p> <p>For the reasons outlined above Llanmoor Homes also object to Paragraph 9.2 which also refers to SuDS not being considered to be usable public open space.</p>	<p>should not be dictated by their primary SuDS function. The provision of SuDS must also not be used in lieu of contributions towards formal open space and recreational facilities.</p> <p>The Council recognises that opportunities for SuDS should be maximised through cooperative working between the various departments with responsibility for parks, recreation, green space, biodiversity and countryside. In this regard, developers are encouraged to collaborate with the Council to help facilitate the use of such space for SuDS. Prospective applicants are encouraged to engage with the Planning Department at pre-application stage so that these matters can be discussed during the developer's site evaluation exercise.</p> <p>The draft SPG text will be amended to provide greater clarity on the dual functionality of SuDS features, formal open space and recreation facilities as part of residential development.</p>	

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			<p>Appendix 3 contains financial contributions cost guidance for recreation provision and illustrate just how costly it is to provide outdoor recreation facilities. The Council should be aware that the cumulative effects of providing all the necessary infrastructure and other S106 obligations including affordable housing will have a significant impact on the viability of the scheme at West Bridgend. In our comments on the draft SPG on Educational Facilities we calculated that the contribution could be over £14,000 a plot which would include the affordable housing which will be transferred to the RSL at a significant discount to cost. The requirements of this SPG will add significantly to the cost per plot which is likely to run into many hundreds of thousands of pounds and that is before the requirement for SuDS features is taken into account.</p> <p>Whilst Llanmoor Homes fully respect that new development must contribute to mitigate the impacts it has on the surrounding locality there has to be a limit to what contributions/obligations a development can reasonably provide as there will come a point where all sites will become unviable and undeliverable. Moreover, these concerns arise before any consideration of what the level of affordable housing is likely to be which we know has become an increasing priority for Welsh Government.</p> <p>Llanmoor Homes therefore suggest that appropriate amendments are made to the draft SPG to overcome their concerns which have been outlined above and in particular to the statements that SINCS and SuDS area should be excluded from contributing to open space provision.</p>	<p>The draft SPG acknowledges at paragraphs 7.7 – 7.10 that the Council will take a flexible approach to the level and type of open space provision on new housing developments. The exact form and type this will take will be determined by such factors as the nature and size of the development, the particular characteristics of the site, the availability of facilities in the local area, the requirements of future occupiers and the need to provide other infrastructural improvements. Paragraph 7.10 in particular makes reference to circumstances where there will be a need to determine the relative priority of other planning obligations that may be deemed necessary to enable the development to go ahead. Further clarification on the impact this may have on the viability of a scheme, and how it will be assessed will be added to Section 10.</p> <p>Prospective applicants are encouraged to engage with the Planning Department at pre-application stage so that these matters can be discussed during the developer's site evaluation exercise.</p>	<p>Add paragraph on '<b>Viability</b>' to Section 10 to provide greater clarity on the impact of infrastructural requirements on development viability and how it will be assessed as part of the processing of a planning application.</p>
Savills	Section 4	8	<p>Rather than explicitly object to the documents, as we find that much of the SPG is non-contentious and can be supported, we have not ticked either box above but do wish to reiterate two points that we make.</p> <p>The first is a very general point and relates to Section 4 of the SPG. Much of the SPG relies upon the Fields in Trust (FIT) Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard. The use of the FIT guidance is sensible given its standardised nature, but it is essential that these guidelines are applied with a degree of flexibility, recognising that for some sites it may be appropriate (or indeed only possible) to provide</p>	<p>Comments noted.</p> <p>The draft SPG acknowledges at paragraphs 7.7 – 7.10 that the Council will take a flexible approach to the level and type of open space provision on new housing developments. The exact form and type this will take will be determined by such factors as the nature and size of the development, the particular characteristics of the site, the availability of facilities in the local area, the requirements of future occupiers and the need to</p>	<p>No action required.</p>

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action																												
			a different mix of public open space. This also needs to be seen in the context of the other competing forms of land take (such as SuDS, schools, and land to deliver a biodiversity net gain) that inform the masterplanning process.	provide other infrastructural improvements. Prospective applicants are encouraged to engage with the Planning Department at pre-application stage so that these matters can be discussed during the developer's site evaluation exercise.																													
Savills	7.2	13	<p>The second is more specific. Under Paragraph 7.2 of the Outdoor Recreation Facilities and New Housing Development SPG is a table which contains the average occupancy rate per type of dwelling (which is tiered depending on the size and type of dwelling). It is not clear what evidence or research has informed the calculation of these proposed occupancy rates.</p> <p>Table DC4405EW from the 2011 Census shows the household size by number of bedrooms at a local authority level and hence provides an evidence-based position on household size as of 2011. The table below summarises the average number of residents for various property types based on Census information:</p> <p><b>Property Type / Average Occupancy:-</b>            1 Bedroom – 1.3            2 Bedroom – 1.8            3 Bedroom – 2.4            4 Bedroom – 3.0</p> <p>The above table obviously does not distinguish between flats and houses but nevertheless demonstrates that a significant over-estimation of household size proposed to be used is made the SPG when compared to 2011 Census data (particularly when compared with the figures proposed to be used for housing). As a result, the assumed population resulting from the development is inaccurately inflated, and thus new developments would be expected to provide a disproportionately high level of public open space.</p> <p>We ask that BCBC give further consideration to the average occupancy rates assumed in the SPG.</p>	<p>It is acknowledged that the occupancy rates included in the draft SPG have no reference to statistical data and are based on anecdotal evidence held within the Council. However, there is no data available from the 2011 Census that directly correlates to providing average occupancy rates per type and size of dwelling.</p> <p>It is further acknowledged that average household sizes have been decreasing since 2001 and this is projected to continue. To recognise this, the average occupancy rates in paragraph 7.2 will be adjusted to be more closely aligned with the available datasets from the 2011 Census. They will also be monitored and updated as more accurate data becomes available.</p>	<p>Delete table in Paragraph 7.2:</p> <table border="1"> <thead> <tr> <th>Household Type</th> <th>Average Occupancy</th> </tr> </thead> <tbody> <tr> <td>1 bed flat</td> <td>1.5 persons</td> </tr> <tr> <td>2 bed flat</td> <td>2 persons</td> </tr> <tr> <td>3 bed flat</td> <td>2.5 persons</td> </tr> <tr> <td>1 bed house</td> <td>1.5 persons</td> </tr> <tr> <td>2 bed house</td> <td>2 persons</td> </tr> <tr> <td>3 bed house</td> <td>3 persons</td> </tr> <tr> <td>4+ bed house</td> <td>4 persons</td> </tr> </tbody> </table> <p>Replace with following table:</p> <table border="1"> <thead> <tr> <th>Household Type</th> <th>Average Occupancy</th> </tr> </thead> <tbody> <tr> <td>1 bed house</td> <td>1.5 persons</td> </tr> <tr> <td>2 bed house</td> <td>2 persons</td> </tr> <tr> <td>3 bed house</td> <td>2.5 persons</td> </tr> <tr> <td>4 bed house</td> <td>3 persons</td> </tr> <tr> <td>5+ bed house</td> <td>4 persons</td> </tr> </tbody> </table>	Household Type	Average Occupancy	1 bed flat	1.5 persons	2 bed flat	2 persons	3 bed flat	2.5 persons	1 bed house	1.5 persons	2 bed house	2 persons	3 bed house	3 persons	4+ bed house	4 persons	Household Type	Average Occupancy	1 bed house	1.5 persons	2 bed house	2 persons	3 bed house	2.5 persons	4 bed house	3 persons	5+ bed house	4 persons
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Barratt & David Wilson Homes	6.6	11	<p>Assessment of Outdoor Play Space Provision</p> <p>Paragraph 6.6 – BDW suggest that additional wording is required here to take account of other developer contributions. If off-site contributions have already been taken from one development, then charging another developer for the same maintenance would seem unreasonable. BDW also consider the reference to</p>	<p>Comments noted. All planning obligations secured through Section 106 of the Town and Country Planning Act (1990) need to meet the 3 policy tests. Furthermore, the Community Infrastructure Levy Regulations 2010 restrict the ability of the Council to pool contributions for the same type of infrastructure. Any off-site contributions the Council seeks to secure from developers will need to meet these tests and</p>	<p>Add paragraph on 'Section 106 Agreements' to Section 10 to provide greater clarity about the pooling of restrictions.</p>																												

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			'current quality standards' is ambiguous and should be clarified accordingly.	restrictions. Additional text will be added to Section 10 of the draft SPG to clarify this point. It is acknowledged that the reference to 'current quality standards' is ambiguous, but the paragraph applies to a wide range of different types of outdoor play space, children's play equipment and sports facilities. These may all have their own quality standards of provision. Any assessment of the quality and condition of existing outdoor recreation facilities will be done in close with liaison with a developer at the pre-application stage.	
Barratt & David Wilson Homes	8.5	16	Children's Play Space  Paragraph 8.5 - BDW consider that the last sentence in this paragraph is a very sweeping statement and is not required. The provision of a play area, even a small area for young children, as suggested, will very much depend on the size and mix of house type on the development itself as well as wider viability issues, and therefore it should not be considered that it is 'normally possible' to include such provision on site.	Comments noted. In the first instance the council will always seek for children's play space to be provided on-site where possible within housing sites. The draft SPG clearly states in paragraphs 7.7 to 7.10 that this may not always be possible. The text of paragraph 8.5 will be amended to reflect this.	Amend paragraph 8.5 to read:  <i>"In housing sites, it will <del>normally be possible</del> every effort should be made to provide a children's play space onsite, particularly for the needs of very young children."</i>
Barratt & David Wilson Homes	8.12/8.13	17	Allotments  Paragraph 8.12 / 8.13 describes the role and function of allotments but does not offer any particular guidance or requirements for their provision, therefore BDW is unsure of the relevance of this within the wider SPG.	The provision of allotments forms part of the outdoor recreation space standard of Policy COM11 of the LDP. In certain circumstances, they could be considered to fulfil part of the on-site provision within a development when other forms of outdoor recreation space are not required. This will depend on individual site characteristics, the nature and size of the development and the availability of facilities in the local area. The exact form and type of open space will be determined on a case-by-case basis as part of pre-application discussions.	No action required
Barratt & David Wilson Homes	8.15	17	Accessible Natural Greenspace  Paragraph 8.15 – BDW object to the wording of this paragraph. There needs to be recognition that creating a point of access to natural greenspace could involve third party land, and such a requirement could create a ransom situation which could prejudice the development. This requirement would only be reasonable if the developer or the Council owned the land, and a suitable access could be delivered in a reasonable timescale. The paragraph should be re-worded accordingly.	Paragraph 8.17 provides guidance on circumstances where the creation or upgrading of an access point is not possible. Such circumstances could include non-deliverability due to third party land issues. In such cases, the Council will expect the creation of natural greenspace within the development proposal or an equivalent contribution towards the upgrading of an existing recreational facility to improve its naturalness. Issues such as this can be clarified as part of pre-application discussions.	No action required.



Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
Barratt & David Wilson Homes	9.1	19	<p>Management and Maintenance Options</p> <p>BDW supports the willingness of the Council to adopt and maintain the public open space which they require developers to provide (Paragraph 9.1).</p> <p>However, BDW object to the seemingly contradictory statement at Paragraph 9.2 that the Council will not adopt 'apparatus or structures including their surface areas and standoff zones' (including incidental open space associated with underground installations and engineering features, storm water cells, balancing ponds and landform for storm water drainage. BDW consider that these areas should also be considered for adoption by the Council, otherwise it would create an unnecessary complication for developers and future residents of having some areas of open space adopted within a development and some privately managed, resulting in burdensome service charges.</p>	<p>The reference in paragraph 9.2 to 'apparatus' is made in relation to structures whose primary purpose is not related to the provision of open space. It should not be confused with facilities and equipment that form part of a children's play area. These would clearly have a primary use for open space and would be adopted as such.</p>	<p>No action required</p>
Barratt & David Wilson Homes	9.2	19	<p>Also at Paragraph 9.2, the wording in relation to Sustainable Drainage Systems (SuDS) needs to be amended as the Council are required to adopt a SuDS scheme once they approve the scheme.</p>	<p>Comments are noted. It is recognised that under Schedule 3 of the Flood and Water Management Act 2010, local authorities as the SuDS Approving Body (the SAB) have a duty to approve SuDS which follow the national statutory Standards for SuDS. With the exception of single curtilage sites, the SAB also has a duty to adopt the system. The text will be amended to acknowledge this.</p>	<p>Amend text in Paragraph 9.2 to read:</p> <p><i>"The Council will consider adopting Sustainable Drainage Systems (SUDS) as part of the drainage system, in its role as the SuDS Approving Body (SAB) and in accordance with the provisions of the Flood and Water Management Act 2010."</i></p>
Barratt & David Wilson Homes	9.5	19	<p>BDW object to the suggestion in Paragraph 9.5 that off-site payments should also attract a commuted sum to cover the cost of future maintenance. This is also likely to result in double counting as the area of open space for which the contribution is sought would already be maintained using existing funds.</p>	<p>In circumstances where an off-site contribution is deemed necessary, the value of the contribution should equate to the equivalent value of providing the facilities on-site. The wording of paragraph 9.5 will be amended to clarify this point.</p>	<p>Amend text in Paragraph 9.5 to read:</p> <p><i>"Where developers make a financial contribution in-lieu of onsite facilities, a commuted sum based on the equivalent cost of providing the required facility on-site will for future maintenance costs will also be sought."</i></p>
Barratt & David Wilson Homes	10.3	20	<p>Financial Contributions</p> <p>BDW object to the wording in Paragraph 10.3 that suggests the contribution in lieu of onsite provision for open space will be based on the standard costs for land, design, layout and equipment. It is widely accepted that developers can make contributions to the improvement of existing outdoor recreational facilities, usually owned by the Council, in lieu of on-site provision (as noted in Paragraph 10.2 of the SPG) in which case why are land</p>	<p>In circumstances where an off-site contribution is deemed necessary, the value of the contribution should equate to the equivalent value of providing the facilities on-site. The wording of paragraph 10.3 will be amended to clarify this point.</p> <p>Paragraph 10.3 also states that the exact level of financial contributions sought from developers may vary from the figures illustrated in the draft SPG to take account of individual site characteristics.</p>	<p>Amend text in Paragraph 10.3 to read:</p> <p><i>"The commuted payment calculations are based on the <del>standard costs for land, design, layout and equipment,</del> equivalent cost of providing the required facility on-site, which have been developed from current rates of tendered contracts by the Council."</i></p>

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			<p>costs included in the commuted sum payment calculation? The wording should be amended.</p> <p>Finally, BDW consider that the SPG should include a specific section on 'Negotiations with Developers' or 'Viability', as per Draft SPG 16, Educational Facilities and Residential Development, which is also being consulted on at present.</p>	<p>The consultees comments in relation to the inclusion of a section on 'Negotiations with Developers' is noted and will be added to the draft SPG.</p>	<p>Add paragraph on '<b>Negotiations with Developers</b>' to Section 10 to ensure consistency with the adopted 'Education Facilities and Residential Development' SPG.</p>
HBF	6.6	12	<p>HBF suggests additional wording is required as account should be taken of the potential for more than one developer contribution in the same area. If off site contributions have already been taken from one development, then charging another developer for maintenance of the same area would seem unreasonable.</p>	<p>Comments noted. All planning obligations secured through Section 106 of the Town and Country Planning Act (1990) need to meet the 3 policy tests. Furthermore, the Community Infrastructure Levy Regulations 2010 restrict the ability of the Council to pool contributions for the same type of infrastructure. Any off-site contributions the Council seeks to secure from developers will need to meet these tests and restrictions. Additional text will be added to Section 10 of the draft SPG to clarify this point.</p>	<p>Add paragraph on '<b>Section 106 Agreements</b>' to Section 10 to provide greater clarity about the pooling of restrictions.</p>
HBF	8.5	16	<p>The last sentence is a very general statement and is not considered necessary, alternatively it should be reworded as the provision of such a facility will, as already stated earlier in the document, be subject to the size and mix of property type on the development as well as wider viability issues.</p>	<p>Comments noted. In the first instance the council will always seek for children's play space to be provided on-site where possible within housing sites. The draft SPG clearly states in paragraphs 7.7 to 7.10 that this may not always be possible. The text of paragraph 8.5 will be amended to reflect this.</p>	<p>Amend paragraph 8.5 to read:</p> <p><i>"In housing sites, it will normally be possible every effort should be made to provide a children's play space onsite, particularly for the needs of very young children."</i></p>
HBF	8.12	17	<p>Gives no real guidance just describes what they are and what they can do. Is guidance to be provided elsewhere, some idea of size and specification would be required in order to cost the provision?</p>	<p>The provision of allotments forms part of the outdoor recreation space standard of Policy COM11 of the LDP. In certain circumstances, it could be considered to fulfil part of the on-site provision within a development when other forms of outdoor recreation space are not required. This will depend on individual site characteristics, the nature and size of the development and the availability of facilities in the local area. The exact form and type of open space will be determined on a case-by-case basis as part of pre-application discussions.</p>	<p>No action required.</p>
HBF	8.15	17	<p>The wording should recognise that the land required could be subject to third party ownership, and as such a requirement could create a ransom situation which could result in the development not happening at all, or make it very difficult for the developer to deliver the requirement. As currently worded, it would only be acceptable if the developer or the Council owned the land, this should be made clear in the text.</p>	<p>Paragraph 8.17 provides guidance on circumstances where the creation or upgrading of an access point is not possible. Such circumstances could include non-deliverability due to third party land issues. In such cases, the Council will expect the creation of natural greenspace within the development proposal or an equivalent contribution towards the upgrading of an existing recreational facility to improve its naturalness. Issues such as this can be clarified as part of pre-application discussions.</p>	<p>No action required.</p>

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
HBF	8.16	18	After the word 'but' on the first line should it say 'where the access'...	Comments noted and wording to be amended	Amend paragraph 8.16 to read:  <i>"Where a development is within 300 metres of a development site an area of accessible natural greenspace, but where the access is of an unacceptable standard, the Council will expect an appropriate contribution towards the upgrading of that access point."</i>
HBF	9.1	19	HBF supports the willingness of the Council to adopt and maintain the public open space which they require developers to provide.	Comments noted	No action required.
HBF	9.2	19	<p>HBF strongly objects to the Council then contradicting para 9.1 by stating they will not adopt 'apparatus or structures including their surface areas and standoff zones' in HBF's view these clearly fall within the second criteria stated in para 9.1 and should be adopted by the Council.</p> <p>The adoption of open spaces and roads is currently being considered by WG (a call for evidence is currently ongoing). The idea of an open space being part adopted and part privately managed (play equipment element) would seem to add an additional unnecessary complication. It will lead to confusion for residents as the public open space on a development will be maintained by the Council, yet they will be required to pay a maintenance charge for the play equipment element in the same area. The residents being asked to pay are not given the opportunity to decide if they want the charge or the play equipment to which it relates.</p> <p>If the Council will not amend their position on this, then the SPG should provide clear guidance on what type of management arrangement the Council would wish to see put in place for the equipment. Although this should not be overly prescriptive as there are currently a number of management company options available to developers/residents.</p> <p>Further the wording relating to SuDS needs to be amended as the Council are required to adopt a SuDS scheme once they approve it. At this early stage of SuDS implementation, the HBF considers that the Council should take a more relaxed and flexible approach to adopting green areas which serve as SuDS</p>	<p>The reference in paragraph 9.2 to 'apparatus' is made in relation to structures whose primary purpose is not to provide open space. It should not be confused with facilities and equipment that form part of a children's play area. This would clearly have a primary use for open space and would be adopted as such.</p> <p>It is recognised that under Schedule 3 of the Flood and Water Management Act 2010, local authorities as the SuDS Approving Body (the SAB) have a duty to approve SuDS which follow the national statutory Standards for SuDS. With the exception of single</p>	<p>No action required.</p> <p>Amend text in Paragraph 9.2 to read:  <i>"The Council will consider adopting Sustainable Drainage Systems (SUDS) as part of the drainage system, in its role as the SuDS Approving Body (SAB) and in</i></p>

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			features, as public open space. In practice it is the 'Council' who can adopt the open space and the SuDS all be it different departments.	curtilage sites, the SAB also has a duty to adopt the system. The text will be amended to acknowledge this.	<i>accordance with the provisions of the Flood and Water Management Act 2010.</i> "
HBF	9.5	19	HBF objects to the suggestion that off-site payments should also attract a commuted sum. Firstly, it would not be possible to calculate the commuted sum until it was known what the money was being spent on which is often not the case with off-site payments. The SPG offers no guidance on the time period in which the Council has to spend the off-site payment either. This is also likely to result in double counting as the area of open space where the money is to be spent will already be being maintained using existing funds / offsite contributions from another development.	<p>In circumstances where an off-site contribution is deemed necessary, the value of the contribution should equate to the equivalent value of providing the facilities on-site. The wording of paragraph 9.5 will be amended to clarify this point.</p> <p>With regards to the time period for spending of off-site payments, this will be included within any Section 106 Agreement and in the first instance, discussed with the developer. Additional text will be added to Section 10 of the draft SPG to clarify this point.</p>	<p>Amend text in Paragraph 9.5 to read:</p> <p><i>"Where developers make a financial contribution in-lieu of onsite facilities, a commuted sum based on the equivalent cost of providing the required facility on-site will <del>for future maintenance costs will also be sought.</del>"</i></p> <p>Add paragraph on 'Negotiations with Developers' to Section 10 to clarify how planning contributions will be sought.</p>
HBF	10.3	20	<p>It would be normal practise for an off-site contribution to be used to upgrade an existing facility owned by the Council, this being the case why would a commuted sum payment calculation need to include costs for land. This wording should be amended. Further any commuted sum should apply only to the upgraded element of the existing park and would not be able to use the full suggest commuted sum calculated provided in the SPG.</p> <p>Appendix 3 includes an example of installation costs followed by maintenance costs. However, the maintenance costs include costs for replacing vandalised equipment, annual safety check, annual risk assessment and repainting equipment and replacing safety surface. However, at para. 9.2 of the SPG the Council states that it will not adopt these features and that these should be managed by a separate maintenance agreement, so it would be unreasonable to then charge a commuted sum which includes them as currently suggested. These items and associated costs should be removed if the Council continue to state that they will not adopt as per para 9.2.</p> <p>The HBF also notes that although each example includes for two litter bins, the cost of emptying them increases in each example, why would the cost of emptying the same number of bins increase as a result of the play area being increased in size?</p>	<p>In circumstances where an off-site contribution is deemed necessary, the value of the contribution should equate to the equivalent value of providing the facilities on-site. The wording of paragraph 10.3 will be amended to clarify this point.</p> <p>Paragraph 10.3 also states that the exact level of financial contributions sought from developers may vary from the figures illustrated in the draft SPG to take account of individual site characteristics.</p> <p>The reference in paragraph 9.2 to 'apparatus' is made in relation to structures whose primary purpose is not to provide open space. It should not be confused with facilities and equipment that form part of a children's play area. This would clearly have a primary use for open space and would be adopted as such.</p> <p>The costs attributed to bin collection provision increases with the size of play areas due to larger facilities attracting an increased amount of service-users, with the associated bins seeing a heavier usage as a result. Therefore, a more frequent collection would be required to accommodate the increased use.</p>	<p>Amend text in Paragraph 10.3 to read:</p> <p><i>"The commuted payment calculations are based on the <del>standard costs for land, design, layout and equipment,</del> equivalent cost of providing the required facility on-site, which have been developed from current rates of tendered contracts by the Council."</i></p>

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			Unlike the Education SPG also currently being consulted on there is no section on 'Negotiations with Developers' or 'Viability', this should be included in this SPG as well.	The consultees comments in relation to the inclusion of a section on 'Negotiations with Developers' is noted and will be added to the draft SPG.	Add paragraph on ' <b>Negotiations with Developers</b> ' to Section 10 to ensure consistency with the adopted 'Education Facilities and Residential Development' SPG.

## Factual Updates

Organisation	Section No.	Page No.	Factual Update Required
BCBC	3.3	4	Update reference to PPW Edition 11 (February 2021)
BCBC	6	11	Update Section 6 to reflect findings of Outdoor Sports & Children's Playing Space Audit 2020

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# SPG05

## Outdoor Recreation Facilities and New Housing Development (2022)

Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend, CF31 4WB

## **SPG 5**

### **OUTDOOR RECREATION FACILITIES & NEW HOUSING DEVELOPMENT (2022)**

The purpose of this Supplementary Planning Guidance (SPG) is to expand on the Council's existing planning policy on outdoor recreation facilities contained within the adopted Local Development Plan. It outlines how the Council will, where appropriate, seek planning obligations to provide or enhance outdoor recreation facilities as part of new residential developments throughout the County Borough of Bridgend. This document has been formulated as a result of close cooperation between the various different functions of the Communities Directorate of the Council, all of which will be involved in the negotiation for the delivery of outdoor recreation space through the planning system.

This SPG will be a material consideration in the determination of all planning applications for residential development including applications for renewal of consents.

The Council would urge anyone seeking to submit an application for residential development within the County Borough to consider this SPG and to contact the Local Planning Authority in advance of submitting an application to discuss the issues that are raised in this document on a site-specific basis.



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## **1. INTRODUCTION**

- 1.1 This supplementary planning guidance (SPG) explains in detail the Council's approach to the provision of outdoor sport, children's playing space, allotments and public open space (including accessible natural green space) for all new housing developments and how Policy COM11 will be implemented. The SPG encourages links between the provision of open space sought under Policy COM11 and its contribution to green infrastructure in Bridgend. Once adopted its contents will be taken into account as a material consideration in the determination of relevant planning applications.

## **2. BACKGROUND CONTEXT**

- 2.1 Recreational spaces are vital for our health, well-being, amenity and can contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity and a place to relax often in the presence of nature, and they contribute to our quality of life and are a key ingredient of 'place making'. Networks of high quality, accessible green spaces and recreation spaces will also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range of physical activities. These activities are important for the well-being of children and adults and for the social, environmental, cultural and economic life of Bridgend and Wales.
- 2.2 Bridgend County Borough Council (BCBC) receives a high number of applications each year for new housing development. These new residents create a demand for the improvement of existing and the provision of new recreational facilities. To meet this demand Policy COM11 of the Bridgend Local Development Plan (LDP) requires the provision of a satisfactory level and standard of outdoor sport, children's playing space, allotments and public open space (including accessible natural green space) for all new housing developments.
- 2.3 In cases where proposed new development may result in the loss of existing or proposed open space on a site Policy COM7 of the LDP, (which aims to protect existing and proposed social and community facilities) may require equivalent alternative provision elsewhere or enhancement of the existing facility. This may be secured by means of planning agreement/obligation in accordance with Policy SP14 of the LDP.
- 2.4 The Council urges anyone intending to submit an application for residential development within the County Borough to read this SPG. To discuss any issues on a site-specific basis they may contact BCBC in advance of making a planning application for pre-application discussions on the details provided (see protocol, charging regime and contact details for pre-application advice at the end of the SPG).

### 3. LEGISLATION AND POLICY CONTEXT

- 3.1 **Well-Being of Future Generations Act (Wales) 2015:** The Well-Being of Future Generations Act (Wales) 2015 is a key piece of legislation which aims to further improve the social, economic, environmental and cultural well-being of Wales now and in the longer term. The Act puts in place a ‘sustainable development principle’ which is a duty for public bodies to “act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs”. The Act is underpinned by seven well-being goals, which public bodies must work to achieve (a prosperous Wales, a resilient Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities, a Wales of vibrant culture and thriving Welsh Language and a globally responsible Wales).
- 3.2 **Environment (Wales) Act, 2016:** The Environment (Wales) Act puts in place the legislation needed to plan and manage Wales’ natural resources in a more proactive, sustainable and joined-up way. It requires Natural Resources Wales (NRW) to report on the principality’s natural resources and detail their ability to respond to pressures and adapt to climate change. Therefore, NRW published the State of Natural Resources Report (SoNaRR) in 2016. The Environment (Wales) Act 2016 provides a context for the delivery of multi-functional green infrastructure. Its provision can make a significant contribution to the sustainable management of natural resources, and in particular to maintaining and enhancing biodiversity and the resilience of ecosystems in terms of the diversity between and within ecosystems and the extent, condition and connectivity of ecosystems and their ability to adapt. This means that the development of green infrastructure is an important way for local authorities to deliver their Section 6 duty.
- 3.3 **Planning Policy Wales – Edition 11 (February 2021):** PPW states that planning authorities should provide a framework for well-located, good quality sport, recreational and leisure facilities, and develop clear policies for the provision, protection and enhancement of sport, recreation and leisure facilities. These policies should set standards of provision, so that local deficiencies can be identified and met through the planning process, and set out policies to avoid or resolve conflict between different activities.
- 3.4 PPW emphasises that formal and informal open green spaces should be protected from development, particularly in urban areas where they fulfil multiple purposes. As well as enhancing quality of life, they contribute to biodiversity, the conservation of the historic environment, nature and landscape, better air quality, the protection of groundwater and as places of tranquillity. Such open spaces also have a role in climate protection and in enabling the adaptation of urban areas to the impacts of climate change, for example by contributing to flood management and helping to reduce the effects of urban heat islands. Many parks and gardens are historically significant and are listed in the Historic Parks and Gardens in Wales Register.
- 3.5 All playing fields whether owned by public, private or voluntary organisations, should be protected from development except where:

- facilities can best be retained and enhanced through the redevelopment of a small part of the site;
  - alternative provision of equivalent community benefit is made available locally, avoiding any temporary loss of provision; or
  - there is an excess of such provision in the area.
- 3.6 PPW states that planning authorities should protect playing fields and open spaces which have significant amenity or recreational value to local communities from development. They should indicate the ways in which previously developed or disused land and water bodies can be used for sport and recreation uses, particularly in relation to urban regeneration.
- 3.7 Planning authorities should also encourage the multiple use of open space and facilities, where appropriate, to increase their effective use. 'Beyond the Six-acre Standard', produced by Fields in Trust, is a source of helpful advice to planning authorities on providing open space and outdoor sport and play through the planning system.
- 3.8 Planning authorities should consider scope to use disused land and routes as parks, linear parks or greenways in urban areas and encourage the provision of safe and attractive cycle routes and footpaths. Where recreational use of redundant railway lines or spaces alongside canals or rivers is proposed, planning authorities should ensure that there is no detriment to adjoining users, wildlife or flood defences.
- 3.9 The PPW is supplemented by a series of Technical Advice Notes (TANs) including TAN 16: Sport, Recreation and Open Space. Welsh Office Circular 13/97 'Planning Obligations' endorses the use of planning obligations by stating that they can have a positive role to play in the planning system and can help enhance the quality of development. The Circular advises that if a proposed development would generate a need for particular facilities, then it is appropriate to expect developers to contribute to the cost of their provision. The extent of what is sought or offered should be fairly and reasonably related in scale and kind to the proposed development, as well as being reasonable in all other aspects.
- 3.10 **Technical Advice Note (TAN) 16: Sport, Recreation and Open Space:** The document (adopted in 2009) provides guidance designed to supplement policy set out in the PPW. It gives additional advice on the role of the planning system in making provision for sports, recreation and informal open space. It offers instructions on planning for sports and recreation uses as well as appropriate levels of provision.
- 3.11 There are no statutory national standards for the provision of sport, recreation and open space in Wales. Paragraph 2.9 to 2.11 of TAN 16 identifies the Field in Trust (FIT)<sup>1</sup> 'Benchmark Standards' for outdoor sport and play as being helpful to local authorities. The standard recommends a minimum level of outdoor space of 2.4 hectares per 1,000 head of population. The standard is categorised into three types of provision; formal outdoor sport, informal play space and designated equipped play space. Further definitions on these three categories are provided later.

- 3.12 Paragraph 2.18 of TAN 16 notes that CCW (now NRW) has developed a toolkit to help ensure everyone in Wales has access to natural greenspace. CCW recommends that provision should be made for at least 2ha of accessible natural greenspace per 1,000 population, that no one should live more than 300 metres from their nearest natural greenspace. While this SPG does not formally address the provision of accessible natural greenspace, it will look to encourage new open spaces that have the potential to contribute to both standards through the introduction of multifunctional spaces.
- 3.13 The TAN states that local authorities should undertake an Open Space Assessment covering all forms of open space provision in order to provide a basis for establishing a strategic vision. It is acknowledged that the SPG is more focused in its scope than an Open Space Assessment. This is considered to be the most appropriate way forward and is in line with paragraph 2.29 which states local authorities 'should not delay work on the preparation of local development plans where an assessment is not available. Instead, they should make use of information which is to hand, and in which they have confidence'.
- 3.14 Paragraph 4.15 of TAN 16 states that planning conditions and obligations can be used to provide open space, sport and recreational facilities in order to safeguard and enhance existing provisions and to provide for their management.
- 3.15 National Development Framework (NDF) - Future Wales: The National Plan 2040 (February 2021): The NDF outlines how as the population of Wales becomes increasingly urban, the opportunity to optimise well-being benefits from green infrastructure will be greatest in and around these areas. Innovative use of nature-based solutions and integrating green infrastructure in and around urban areas can help restore natural features and processes into cities and landscapes.
- 3.16 The NDF emphasises that providing locally accessible, high quality green spaces and corridors helps to maintain and enhance the strategic functioning of our natural resources and ecological networks and address physical and mental well-being. The real-life importance of urban green spaces was demonstrated when people were restricted to taking exercise in immediately local green spaces during the Covid-19 lockdown.
- 3.17 The NDF states that local authorities must work together and, along with Natural Resources Wales and stakeholders, provide green infrastructure and safeguarding sites within and beyond their administrative boundaries. Safeguarded areas and any specific allocations should be identified through the Green Infrastructure Assessment and set out in the relevant development plan.
- 3.18 **Bridgend Public Services Board Local Well-being Plan 2018 – 2023:** The Well-being Plan outlines how that Bridgend Public Service Board will work together over the next five years to deliver the seven wellbeing goals for Wales as referenced in the Wellbeing of Future Generations (Wales) Act. The Plan is framed around the sustainable development principle and focusses on addressing the underlying causes of problems and helping to prevent them worsening or occurring in the future. Four well-being objectives have therefore been developed, which are:

1. Best Start in life
  2. Support communities in Bridgend County to be safe and cohesive
  3. Reduce social and economic inequalities
  4. Healthy choices in a healthy environment
- 3.19 This plan recognises the importance of improving green spaces and the contribution these assets can provide to help improve people's health and wellbeing.
- 3.20 **Bridgend Local Development Plan (2013-2021):** The Bridgend LDP sets out the Council's land use planning policies up to 2021. Relevant policies include:
- 3.21 **Policy COM11 – Provision of Outdoor Recreation Facilities:** reflects the guidance set out in TAN 16 and the Fields in Trust (FIT) 'Benchmark Standards'. New residential developments are required to adhere to the minimum 2.4 ha of various forms of outdoor play space per 1,000 population. Other Policies of particular relevance include:
- Strategic Policy SP13 – Social and Community Facilities
  - Policy COM7- Protection of Social and Community Facilities
  - Policy ENV5 - Green Infrastructure
  - Policy COM12 - Provision of Playing Fields
  - Policy COM14 - Provision of Allotments and Community Food Networks
  - Policy ENV6 - Nature Conservation

#### **4. PUBLIC RECREATION AND OPEN SPACE – DEFINITIONS AND STANDARDS**

- 4.1 The Council's adopted minimum standard of 2.4 hectares per 1,000 population for open space, sport and recreation is derived from the FIT (formerly NPFA's) minimum 'Benchmark Standards' for outdoor sport and play. This replaces the 'Six Acre Standard' set out under the organisations old name of National Playing Fields Association (NPFA). It is the only nationally based standard provided for outdoor sport and play space and is therefore still recommended as best practice.
- 4.2 The FIT standard represents a minimum level of provision and should be sought as such across the County Borough of Bridgend. Outdoor sport and play space refer to land for sport, recreation and children's play:
- 4.3 For the purposes of the LDP and this SPG, outdoor recreation facilities are defined as follows:-
- 4.4 **Outdoor Sports – 1.6 Hectares**
- 4.5 Outdoor Sport is defined as all areas marked and laid out for formal active recreation purposes. It includes area such as pitches, green, courts, athletics tracks and training areas. It also includes facilities ancillary to the purposes of outdoor sports such as changing rooms, toilets, pavilions and clubhouses. Also included is land and facilities associated with schools if these are available for the wider community.
- 4.6 **Children's Playing Space – 0.8 Hectares** (includes Informal Playing Space – 0.55 Hectares & Equipped Children's Playing Space – 0.25 Hectares)
- 4.7 Children's Playing Spaces are designated areas for children and young people that have been designated to provide focussed opportunities for outdoor play. These can include areas containing recreational equipment and grassy areas for small children or older children to enjoy recreational activities. For the purposes of Policy COM10 and the LDP, the Fields in Trust standard of 0.8 hectares per 1000 population is used as a benchmark standard of provision.
- 4.8 **Allotments – 0.2 Hectares**
- 4.9 Allotments are recognised as providing multi-functional benefits to communities in terms of sustainability, leisure and biodiversity. They are areas of open space within and accessible to the urban environment that can provide moderate exercise, relaxation and the production of fresh fruit and vegetables. They also provide community, health and social benefits, encouraging interaction between users of all ages, providing the opportunity to teach and learn, and enhancing local biodiversity.
- 4.10 **Accessible Natural Green Space (including public open space)**
- 4.11 These are defined as predominantly natural areas which contribute to the quality of life of urban areas, and where these areas contain features such as woodland, shrubbery,

heath and rough grassland. They also include wetlands or coastal areas characterised by open water, reeds, sand dunes or rocky shores.

4.12 The Countryside Council for Wales recommends that provision should be made up of at least 2 hectares per 1000 population according to a system of tiers into which sites of different sizes fit:

- No person should live more than 300 metres from their nearest area of natural green space;
- There should be at least one accessible 20-hectare site within 2km from home;
- There should be one accessible 100-hectare site within 5km;
- There should be one accessible 500-hectare site within 10km.

4.13 Although it is expected that local authorities should aspire to meet the provision set out by the above model, the toolkit recognises that this may not be appropriate in all urban contexts. Therefore, the model should be used to inform policy in conjunction with an understanding of the needs of the local community and the value of accessible natural greenspace to it. The standard is promoted as an aspirational target against which local priorities can be set and progress measured. In this regard, given the extensive network of accessible natural greenspace throughout the County Borough, the Council has chosen to adopt the approach that no person should live more than 300 metres from their nearest area of natural greenspace.

#### 4.14 **Amenity Space**

4.15 For the purpose of the SPG 'amenity space' are areas of green space, the primary purpose of which is to soften the environment associated with residential development creating a more attractive environment for residents an improving health and well-being. However, with intuitive design, amenity space can have a dual function in providing opportunities for enhanced recreational uses.



## 5. ACCESSIBILITY BENCHMARK STANDARDS

- 5.1 Accessibility benchmark standards will be applied to outdoor sport and play provision. These standards are again derived from FIT guidance and are set accordingly for each type of provision. These should be used as indicative only, as no assessment of physical barriers has been undertaken. Nevertheless, they provide a good indication of the level of coverage within walking distance from different types of facilities.

Type	Accessibility standard (Distance in metres)
Outdoor sport	1,200m
Informal playing space	400m
Designated equipped playing space	100m from LAPs
	400m from LEAPs
	1000m from NEAPs
Accessible Natural Green Space	300m

## 6. ASSESSMENT OF OUTDOOR PLAY SPACE PROVISION

- 6.1 An audit of the provision of Outdoor Sport and Children's Playing Space within the County Borough has been undertaken by the Council to compare the level of provision broadly with the benchmark standards endorsed by Fields in Trust.
- 6.2 The Sub-Area analysis included in the document is based on the 2011 Census population due to the unavailability of more up-to-date population data at the sub-Local Authority level. The findings should therefore be considered conservative and will be subject to regular review. There is considerable variation across the County Borough in terms of the different types of provision available and the related surpluses and deficits. These are:-
- 6.3 *Sub-Area Level*
- In terms of Playing Pitches, there are deficits of provision in every Sub-Area across the County Borough other than Pencoed.
  - With regards to Equipped / Designated Play Areas, there are deficits of provision in every Sub-Area.
  - Likewise, there are deficits across all Sub-Areas with respect to Other Outdoor Sports Provision
  - There is a much better picture with respect to Amenity Greenspace, with all Sub-Areas showing an "overall" surplus.
- 6.4 It should not be assumed that a surplus of one type of provision can be used to offset a deficit of another type of provision within a Sub-Area. Equally, the standards utilised within the audit are benchmark standards and should not be interpreted as maximum levels of provision. Therefore, identification of an overall surplus of provision within a Sub-Area does not indicate need to reduce existing provision through re-development or otherwise. Access to a multitude of recreational facilities is fundamental in addressing social inequalities within and between different communities in the County Borough, whilst providing the opportunity for people to lead healthy, safe, and well-balanced lives.
- 6.5 Reference to the findings of the most recent assessment of condition will be made when assessing the impact of a proposed residential development on public open space in Bridgend. Where a ward has sufficient provision to meet the FIT standards, developers may still be required to contribute to outdoor play space if it can be demonstrated that the quality and condition of play area fails to meet current quality standards which would be exacerbated by an increase in population. However, developer contributions sought will relate to the scale and impact of the proposed development and will not be expected to offset existing deficiencies in provision.
- 6.6 Consideration will also be given to the accessibility of existing facilities within the locality of the proposed residential development. Important considerations in providing adequate and usable facilities for children are the walking time involved and physical barriers such as main roads. Children do not restrict their play habits to ward boundaries, so when assessing the impact of a proposed residential development, a

number of wards within the vicinity of a proposed scheme could form part of the assessment of existing provision.

- 6.7 The assessment of outdoor play space is an on-going exercise for the Council. In this respect, more up-to-date information relating to usage and quality of existing provision could be taken into consideration in determining outdoor play space requirements when it becomes available. Discussions with the Planning Department early on in the planning process to highlight play provision issues relating to the locality of a proposed residential development are strongly advised.

## 7. CALCULATING THE REQUIREMENT

7.1 Provision of a satisfactory level and standard of outdoor play space should be sought on all new housing developments because an increased population will exert additional pressure on existing facilities. A contribution will be sought for all new residential development.

7.2 The total outdoor play requirement for a development will be calculated by multiplying the number of dwellings by a given occupancy rate relevant to each dwelling. The number of bedrooms a dwelling has will determine the most appropriate occupancy rate. The average occupancy levels used by the Council for the purposes of the SPG are:

Household Type	Average Occupancy
1 bed house	1.5 persons
2 bed house	2 persons
3 bed house	2.5 persons
4 bed house	3 persons
5+ bed house	4 persons

7.3 The FIT 'Benchmark Standard' of 2.4 ha per 1,000 population can be broken down to a square metre requirement per person as follows:

FIT Standard	
Designated equipped playing space	0.25 ha per 1,000 pop = 2.5m <sup>2</sup> per person
Informal playing space	0.55 ha per 1,000 pop = 5.5m <sup>2</sup> per person
Outdoor sport (formal)	1.6 ha per 1,000 pop = 16m <sup>2</sup> per person

7.4 The estimated development population can then be assessed against the FIT standard to calculate the required amount of outdoor play space relevant to the development.

### Worked example

A development of 50 three bedroom houses would give a development population of 50x2.5 (based on average occupancy rates) = 125. The outdoor play space requirement would therefore be:

Designated equipped playing space	125 x 2.5m <sup>2</sup> = 31.25 m <sup>2</sup>
Informal playing space	125 x 5.5m <sup>2</sup> = 687.5 m <sup>2</sup>
Outdoor sport (formal)	125 x 16m <sup>2</sup> = 2000 m <sup>2</sup>
<b>Total provision</b>	<b>= 2718.75 m<sup>2</sup></b>

7.5 The guide to the level of provision required depending on the estimated development population is therefore:

Development Population	Equipped playing space (m2)	Informal playing space (m2)	Outdoor sport (m2)	Total development provision (m2)
<b>50</b>	125	275	800	1200
<b>100</b>	250	550	1600	2400
<b>200</b>	500	1100	3200	4800
<b>500</b>	1250	2750	8000	12000

- 7.6 The type of equipped playing space considered acceptable by the Council will be judged on a site-by-site basis. However, the sort of equipped play likely to be required based on the size of the development population is indicated as:

Development population	Equipped playing space (m2)	Type of equipped play
<b>100</b>	250	Local Area for Play
<b>150</b>	375	Local Equipped Area for Play
<b>250</b>	625	Local Area for Play & Local Equipped Area for Play
<b>350</b>	875	Neighbourhood Area for Play

- 7.7 Outdoor play space provision on new housing developments must reflect the requirements of future occupiers and the particular characteristics of the site. The exact form and type of open space will be determined with regard to the nature and size of the development and the availability of facilities in the local area.
- 7.8 In some circumstances, a variation from normal provision of recreational open space may be more appropriate. The Council will take a flexible approach to the level and type of open space provision sought on a development in order to reflect the likely population characteristics of the development. Also for sites of 10 dwellings or less, it may not be feasible to deliver the provision onsite. On this basis, a financial contribution in lieu of onsite provision may be considered. This will be spent in either 'enhancing' existing areas of public open space or Active Travel routes from the development site to the nearest area of public open space.
- 7.9 Significant large residential developments may be the subject of development briefs that will specify the amount, type and preferred location of open space.
- 7.10 The public recreational and open space requirement is seen an essential part of any housing layout and in general should be provided as part of a new housing development. However, the Council acknowledges that there may be circumstances where other planning obligations e.g. highway improvements or education provision take priority over public recreation and open space. Therefore, it may be necessary to determine the relative priority of different forms of provision in the context of the individual circumstances and planning objectives relative to each development proposal.

## **7.11 The Green Infrastructure Approach**

- 7.12 Bridgend Council is actively pursuing its agenda to adopt a Green Infrastructure approach to development. Opportunities to create multi-functional spaces and connections to the wider green infrastructure network should also be explored as per the requirements of SPG19 'Biodiversity and Development'. Open spaces that contribute to the FIT standards have potential to also contribute to other forms of open space, such as Accessible Natural Greenspace as well as benefitting the environment and health and well-being more generally. In designing development layouts, developers should look to contribute to improving the accessibility and naturalness of open spaces and seek out opportunities to create or contribute to corridors of green spaces.

## **8. OUTDOOR PLAY SPACE – GENERAL REQUIREMENTS**

- 8.1 The provision should, in most cases, continue to be made on site as an integral part of the development; it should be well related to the proposed residential properties and of an appropriate type to serve the needs of the development.
- 8.2 The Council will no longer accept pocket sites, small strips of lands or corner sites for adoption as these rarely have significant public benefit or form part of a wider strategic scheme. It is imperative at the layout stage of the development that these sites are designed out of the scheme. Alternatively design and layout could connect a series of spaces linking within or to adjacent off-site provision, which would be seen as a positive development and could be agreed for adoption. Land that has protected status, for example, Schedule Ancient Monuments, woodlands with a Tree Preservation Order or SINCS are also considered unsuitable for designation as formal equipped play space within a development if such a use would have demonstrable harm upon its primary function. In addition, areas that have a separate function, e.g. balancing ponds, attenuation areas or other engineered features, cannot be considered towards formal play provision unless its use as such can be reasonably guaranteed throughout the year.
- 8.3 The most appropriate method of providing each type of outdoor play space is set out below with additional design principles set out in Appendix 1.
- 8.4 **Children’s Play Space**
- 8.5 This includes equipped and enclosed children’s play areas and open grassed areas suitable for ball games and other forms of casual play. It excludes formal pitches and other sports provision, amenity space or landscaping provided on the site. Facilities for children should, wherever possible, be provided within easy walking distance of related housing areas, readily accessible to the housing which they serve, without the need to cross barriers such as major roads and should be sited to avoid or minimise disturbance to the existing or potential nearby residents. For housing sites, every effort should be made to provide a children’s play space onsite, particularly for the needs of very young children.
- 8.6 The FIT defines three types of equipped children’s play area, the required design standards and play space characteristics are:
- Local Area for Play (LAP) – a small area of unsupervised open space specifically designated for young children for play activities close to where they live.
  - Local Equipped Area for Play (LEAP) – an unsupervised play area equipped for children of early school age.
  - Neighbourhood Area for Play (NEAP) – an unsupervised site serving a substantial residential area, equipped mainly for older children with opportunities for play for younger children.

8.7 Casual playing space is included within the requirement for children's play space. It is defined as open space of a useful size and safe location providing opportunities for informal play activities. Grassed open space within a housing area with adequate separation would conform to the definition. To be a reasonable area for use by older children a casual playing space should be a minimum of 0.05 ha (0.12 acres), but preferably at least 0.1 ha (0.25 acres).

## 8.8 **Sport Facilities**

8.9 These incorporate playing fields, tennis courts and other facilities for organised sports. Playing facilities such as playing fields can only reasonably be provided onsite within large developments. In some cases, playing fields may be more appropriately provided in conjunction with or located close to existing or proposed playing fields. As far as possible, such off-site locations should be well connected to the residential development generating the need for it i.e. through the use of cycle paths, walk ways and public transport facilities. However, given the size of such facilities it is not uncommon for youth/adult sport facilities to serve a number of wards and therefore be situated in a different ward to the development.

8.10 Developers will be expected to provide a grass/artificial surface area of suitable size, gradient and condition to satisfy the regulations of the particular governing bodies of sport. The size must allow adequate surrounding area for the safe play of sport and the safety of the public and property adjacent to the playing surface.

8.11 Changing rooms/pavilions may be required in association with the sports area. This provision will vary depending on the size of the sports area and the sports provided for. Other facilities associated with the provision of formal play space include formal car parking which may be required specifically to accommodate users of the facility so as not to inconvenience local residents. Floodlighting should be carefully designed to avoid light spillage and should not interfere with the amenities of residents in close proximity to the facility. Developers are encouraged to discuss residential developments at an early stage to ensure appropriate provision to the required standard is provided.

## 8.12 **Allotments**

8.13 Allotments are recognised as providing multi-functional benefits to communities in terms of sustainability, leisure and biodiversity. They are areas of open space within and accessible to the urban environment that can provide moderate exercise, relaxation and the production of fresh fruit and vegetables. They also provide community, health and social benefits, encouraging interaction between users of all ages, providing the opportunity to teach and learn, and enhancing local biodiversity

## 8.14 **Accessible Natural Greenspace**

8.15 Where there is no requirement for a development to contribute towards outdoor sports, children's play space and/or allotment provision and there is no access point to an area of accessible natural green space within 300 metres of the development site, the



Council will expect the developer to create an access point or provide an appropriate contribution toward the creation of an access point.

- 8.16 Where a development is within 300 metres of an area of accessible natural greenspace, but where the access is of an unacceptable standard, the Council will expect an appropriate contribution towards the upgrading of that access point.
- 8.17 Where the creation or upgrading of an access point is not possible, the Council will expect the creation of natural greenspace within the development proposal or an equivalent contribution towards the upgrading of an existing recreational facility to improve its naturalness.
- 8.18 Policy COM11 of the LDP states that no person should live more than 300 metres from their nearest area of accessible natural green space.
- 8.19 Whilst the Council recognises the importance of access to natural green space, it is considered that those who would generally access this space would be of an age where they could reasonably travel beyond the preferred 300 metres, which is considered as an ideal situation rather than a necessity. Conversely, those who would rely on recreational facilities such as playgrounds and allotments are less likely to be able to travel greater distances and therefore these are given preference at this time.
- 8.20 Notwithstanding the above, where there is no requirement for outdoor sports, children's play or allotment facilities either because of an identified surplus in those facilities or where it is considered that the need for access to natural green space outweighs the need for alternative facilities, the Council will require the maximum contributions towards accessible natural green space provision.

## **9. MANAGEMENT AND MAINTENANCE OPTIONS**

- 9.1 The Council will adopt and maintain land as public open space within residential areas, where the primary function of that land is public open space. This will be conditional upon that the land fulfils one or more of the following criteria by:
- Ensuring the health and safety of the public;
  - Enabling or supporting a sport or leisure function
  - Providing environmental protection or strategic landscape and visual enhancement
- 9.2 The local authority will not adopt under the heading of outdoor play space, apparatus or structures including their surface areas and standoff zones that have a primary function that is not open space. This includes incidental open space associated with underground installations and engineering features, storm water cells, balancing ponds and landform for storm water drainage. The Council will consider adopting Sustainable Drainage Systems (SuDS) as part of the drainage system, in its role as the SuDS Approving Body (SAB) and in accordance with the provisions of the Flood and Water Management Act 2010.
- 9.3 Land that has potential historic liabilities associated with a former use, such as contaminated land, and is offered as public open space, may be considered for adoption. Any such application within a development site will need to be supported by impartial assessment based on its proposed long-term use as open space. Each application will subject to separate risk assessments of its historic liabilities in relation to the proposed use as an open space.
- 9.4 Each site of potential outdoor play space will be considered on its own merits on a case-by-case basis. Full discussions on what land could be eligible for adoption should be held at an early stage in the development process. It is advised that proposed adoption be fully explored with the relevant officers prior to submission of a planning permission.
- 9.5 The adoption of land will always be subject to a payment by the developer of a commuted sum to cover the cost of future maintenance. The commuted sum for maintenance is payable on the transfer of the land. The figure is calculated using the current contract figures for maintaining the open spaces multiplied to establish a 25-year maintenance figure (allowing for inflation of the contract prices). Where developers make a financial contribution in-lieu of onsite facilities, a commuted sum based on the equivalent cost of providing the required facility on-site will be sought. Typical maintenance costs are outlined in Appendix 3.
- 9.6 Planning permission for development will be subject to a legal agreement that will include all the above details, and commuted sums within these agreements will be index linked from the date the agreement is signed.
- 9.7 All S106 agreements run with the land so future successors in title are bound by the obligations.

## **10. FINANCIAL CONTRIBUTIONS IN LIEU OF ON-SITE PROVISION**

10.1 Wherever possible the provision of public open space should be made within the boundaries of the development site as an integral part of the development. However, there may be circumstances where it is not possible or appropriate to accommodate the required open space within the development site (i.e. site may be too small or inappropriate to accommodate the certain open space category). In these cases the Council will accept a commuted payment in-lieu of physical provision. This arrangement will require developers to make financial contributions to the provision of off-site public recreational and open space, or the improvement of existing outdoor recreational facilities in lieu of on-site provision.

### **10.2 Financial Contributions**

10.3 The contribution payable is calculated according to the current costs per sqm of providing the different categories of open space generated by the development. The commuted payment calculations are based on the equivalent cost of providing the required facility on-site, which have been developed from current rates of tendered contracts by the Council. These figures will be reviewed annually to take account of changing circumstances in relation to costs. The exact level of contributions from developers may vary from the figures illustrated to take account of individual site characteristics. The current costs are set out in the Appendix 3.

## **11. ADMINISTRATION OF THE POLICY**

11.1 The implementation of the SPG strategy operates through a number of procedures which are broadly as follows:

### **11.2 Pre- Application Stage**

11.3 Prospective applicants for housing developments are strongly advised to contact the Council's Planning Department prior to submitting a planning application. Amongst other matters, this will enable an officer from the Development Management section to liaise with other Service Areas to outline the Council's requirements relating to outdoor recreation space and other S106 contributions. This is to ensure that any costs relating to provision of public recreational and open space facilities are highlighted prior to, or during, the developer's initial site evaluation exercise.

### **11.4 Application Stage**

11.5 Should pre-application discussions not take place, applicants for housing developments will need to ensure that the POS requirements comply with the requirements set out in this SPG. The applicant will be required to enter into a Section 106 legal agreement with the Council to ensure a contribution is made towards public and recreational open space facilities. A draft legal agreement will be forwarded to the applicant for consideration.

### **11.6 Outline Applications**

11.7 In the case of applications for outline planning permission, the applicant will be required to enter into a legal agreement with the Council under S106 of the Town and Country Planning Act, 1990. In most cases, details concerning the amount and type of public recreational and open space facilities or level of commuted sums for the proposed residential development will not be known at this outline stage. The Council will ensure the correct contribution is received when more details are submitted with the application for the approval of reserved matters.

### **11.8 Section 106 Agreements**

11.9 Section 106 of the Town and Country Planning Act (TCPA) 1990, as amended by Section 12 of the Planning and Compensation Act (1991), and the Community Infrastructure Levy Regulations 2010 (as amended), is the legislative framework for planning obligations. Any obligation must meet the following three tests:

- 1) Necessary to make the development acceptable in planning terms;
- 2) Directly related to the development; and
- 3) Fairly and reasonably related in scale and kind to the development.

11.10 Furthermore, it should be noted that the CIL Regulations (Regulation 123) restricts the pooling of S106 contributions. Regulation 123 states a S106 obligation cannot constitute a reason for granting planning permission if five or more separate planning obligations already exist for a specific single infrastructure project (entered into since

6th April 2010). The Council keeps up to date records of all S106 agreements entered onto the Planning Register. In discussions with developers, the Council will consider whether the pooling restriction is relevant and seek to ensure that the development can be appropriately mitigated through planning obligations, whilst ensuring that the pooling restriction is not breached. If a development is not capable of delivering appropriate infrastructure because of the pooling restriction, this may make it unacceptable in planning terms.

11.11 Given the uncertainty regarding the future of the Community Infrastructure Levy Regulations 2010 (as amended) and the devolved powers Welsh Government inherited to modify existing secondary legislation in April 2018, the Council has agreed that progress on CIL is to be placed into abeyance until there is a clear direction from Welsh Government. In the meantime, the Council will continue to use planning obligations secured through Section 106 agreements to secure necessary infrastructure.

#### 11.12 **Negotiations with Developers**

11.13 Negotiations with developers on planning agreements will include

- the project(s) to which their contributions may be used;
- the timing of the payment of agreed contributions; on large sites payments may be phased by agreement with the authority;
- when contributions will be spent; this will normally be within 5 years of receipt of the final payment.

#### 11.14 **Viability**

11.15 Certain proposals may be eligible for discounted or reduced contributions if it can be proven that the value of the contribution required will jeopardise a proposal's viability. It is expected that an 'open book' approach to negotiations will be supported by developers/owners, in order that planning obligations can be secured at appropriate levels to mitigate the impact of the development, whilst ensuring that the development remains viable. Any financial information supplied by a developer as part of this 'open book' process will be considered in confidence.

11.16 All 'open book' financial appraisals will be scrutinised by the Council, which may lead to additional questions being asked of the applicant. Developers will be expected to prove to the Council that a scheme is financially unviable. Where the parties are unable to agree, or by prior mutual agreement, the Council will instruct the District Valuer (DV) to undertake an independent assessment of scheme viability. The DV appointment will be paid for by the applicant/owner/developer. Both parties should accept the DV's decision on the determination of viability. However, the DV would not act as an arbitrator. Responsibility remains with the Local Authority and landowner, applicant and/or developer to resolve the dispute.

11.17 Irrespective of the outcome of a viability appraisal, it may be necessary for the Council to secure a certain level of developer contributions, in order to mitigate the impact of the development. Such a circumstance could be where a failure to make some provision for certain infrastructure items would make the development unacceptable in

planning terms, contrary to policy and an unacceptable burden. This will be assessed on a case-by-case basis. In such circumstances, failure to secure the contributions, deemed necessary to support the proposal, could result in a recommendation of refusal.

#### **11.18 Planning Appeal Decisions**

11.19 If an appeal is made for reasons other than the open space element of the application, the applicant should ensure that an appropriately worded Unilateral Undertaking is signed prior to the determination of any appeal, to make provision for outdoor play space. Failure to provide such an undertaking would be likely to result in the Council making an objection on open space grounds at appeal.

#### **11.20 Date of Introduction**

11.21 The public open space guidance set out in this document will be applied to planning applications submitted on or after the date the SPG is formally adopted [to be confirmed once the SPG goes through consultation]. It will not apply to applications for reserved matters or outline planning permissions granted before that date. However, extant permissions granted before the SPG document is adopted, will come within its terms and conditions should an application for its renewal be submitted. The SPG will represent a material consideration and will be taken into account when determining such applications.

## **APPENDIX 1 - General Design Principles**

FIT guidance states the following general principles for children's play space as being:

- Appropriate to the needs of the local community.
- Accessible for every child within the appropriate walking time for LAPs, LEAPs and NEAPs.
- Accessible without having to cross main roads, railways or waterways.
- Sited in open, welcoming locations.
- Separated from areas of major vehicle movements and accessible directly from pedestrian routes.
- Sited on land of natural topography or on land capable of being landscaped for the type of play experiences intended.
- Designed in accordance with the requirements of the Disability Discrimination Act, 1995.
- Designed so that any high climbing structures are as far as possible from nearby dwellings and any potential visual intrusion is minimised.
- Integrated, as far as possible, with other open spaces and areas of amenity planting to provide separation from nearby dwellings and contribute to a network of green corridors.
- Explore opportunities to create multi-functional spaces where feasible, whilst ensuring the primary FIT category is maintained.
- Visible from nearby dwellings or well used pedestrian routes.
- Accessible by footpaths with a firm surface.
- Surfaced in a manner fitting to the intensity of use.
- Provided with seating for accompanying adults, carers and siblings.
- Designed to provide a stimulating and challenging play experience that may include equipment and other features providing opportunities for balancing, rocking, climbing, overhead activity, sliding, swinging, jumping, crawling, rotating, imaginative play, social play, play with natural materials such as sand and water, ball games, wheeled areas or other activities.

## APPENDIX 2 - Children's Play Space Main Characteristics – general guidance

	LAP	LEAP	NEAP
<b>Age Group</b>	Primarily children up to 6 years	Children beginning to go out and play independently	Primarily older children of relative independence
<b>Walking Time</b>	Within 1 minute of home	Within 5 minutes of home	Within 15 minutes of home
<b>Location</b>	Beside well used pedestrian route	Beside well used pedestrian route	Beside well used pedestrian route
<b>Characteristics</b>	Reasonably flat, well drained grass or hard surface	Reasonably flat, well drained grass or hard surface with impact absorbing surfaces beneath equipment	Reasonably flat, well drained grass and hard surface with impact absorbing surfaces beneath equipment
<b>Activity Zone</b>	Minimum 100m <sup>2</sup>	Minimum 400m <sup>2</sup>	Minimum 1000m <sup>2</sup>
<b>Equipment</b>	Features that may allow to claim space as theirs	Minimum of 6 stimulating and challenging play experiences	Minimum of 9 stimulating and challenging play experiences
<b>Buffer</b>	5m minimum to separate activity zone and forward most part of nearest dwelling	10m minimum to separate activity zone & forward most part of nearest dwelling. 20m between activity zone & habitable room façade of dwelling.	30m minimum to separate activity zone & boundary of nearest property containing a dwelling. Greater distance may be need for purpose-built skate park facilities.
<b>Planting</b>	Varied to provide a mix of scent, colour and texture	Varied to provide a mix of scent, colour and texture	Varied to provide a mix of scent, colour and texture
<b>Fencing</b>	600mm guard rail, low fence or planting to indicate perimeter	Boundaries should be recognisable. Perimeter fences may be inappropriate, but some fencing could be necessary. If used a height of 1m with two outward opening gates	Boundaries should be recognisable. Perimeter fences may be inappropriate, but some fencing could be necessary. If used a height of 1m with two outward opening gates
<b>Seating</b>	1 seat / bench and litter bin	Provision for accompanying adults & sibling	Provision for accompanying adults & sibling



Litter Bins	NA	One or more	One or more
<b>Notice</b>	Sign indicating: <ul style="list-style-type: none"> <li>• Area is for children’s play</li> <li>• Dogs are not welcome</li> </ul>	Sign indicating: <ul style="list-style-type: none"> <li>• Area is for children’s play</li> <li>• Dogs are not welcome</li> <li>• Name &amp; telephone of facility operator</li> <li>• Location of nearest telephone</li> </ul>	Sign indicating: <ul style="list-style-type: none"> <li>• Area is for children’s play</li> <li>• Dogs are not welcome</li> <li>• Name &amp; telephone of facility operator</li> <li>• Location of nearest telephone</li> </ul>

## APPENDIX 3 – FINANCIAL CONTRIBUTIONS COST GUIDANCE

### Fixed Play Equipment Installation & Maintenance Costs 2015

LAP Sample Requirements	Installation Costs	Maintenance Requirements	25-year Costs
Anchored Litter Bins x 2	£458	Rotary Grass Cutting	£7,500
Fire retardant Benches on concrete base	£1,080	Tree/Shrub	£5,000
Tar-macadam Surface	£5,200	Furniture	£5,000
Rubber Safety Surfacing	£22,500	Empty Litter Bins	£15,000
Metal Fencing 1.2m Bow Topped	£3,800	Replace Vandalised Equipment	£5,000
Tarmacadam 1.5m width path	£975	Annual Safety Inspection	£3,750
Self-Closing Gates x 2	£1,904	Annual Risk Assessment	£1000
Signage inclusive of fixings and posts	£265	Re-painting Equipment	£5,000
Grass 100m2	£1,000	Overlay Footpath	£3,000
Tree/Shrub	£2,000	Replace Safety Surface	£900
<b>TOTAL</b>	<b>£39,182</b>		<b>£51,150</b>

LEAP Sample Requirements	Installation Costs	Maintenance Requirements	25-year Costs
Multi Climber Junior	£9,281	Rotary Grass Cutting	£15,000
6" 1 Bay 2 Seat Cradle Swing	£3,590	Tree/Shrub	£5,000
8" 1 Bay 2 Seat Flat Swing	£3,879	Furniture	£5,000
Roundabout	£6,679	Play Equipment Safety Check	£15,000
Spring Rocker	£1,654	Empty Litter Bins Cleansing	£17,500
Spring Rocker	£1,654	Replace Vandalised Equipment	£50,000
See Saw	£3,360	Annual Safety Inspection	£1,500
DDA Items	£601	Annual Risk Assessment	£1,000
Anchored Litter Bins x 2	£458	Re-painting Equipment	£7,500
Fire retardant Benches x 2	£1,080	Overlay Footpath	£25,000
Tar-macadam Surface	£19,500	Replace Safety Surface	£15,000
Rubber Safety Surfacing	£10,150		
Metal Fencing 1.2m Bow Topped	£7,500		
Tarmacadam 1.5m width path	£975		
Self-Closing Gates x 2	£1,569		
Safety Barriers	£255		
Signage	£265		
Grass 100m2	£1,000		
Tree/Shrub	£2,000		
<b>TOTAL</b>	<b>£75,450</b>		<b>£157,500</b>

NEAP Sample Requirements	Installation Costs	Maintenance Requirements	25-year Costs
Multi Climber Junior	£9,281	Rotary Grass Cutting	£25,000
6" 1 Bay 2 Seat Cradle Swing	£3,590	Tree/Shrub	£7,500
8" 1 Bay 2 Seat Flat Swing	£3,879	Furniture	£5,000
Roundabout	£6,679	Play Equipment Safety Check	£17,500
Spring Rocker	£1,654	Empty Litter Bins Cleansing	£20,000
Spring Rocker	£1,654	Replace Vandalised Equipment	£62,500
See Saw	£3,360	Annual Safety Inspection	£1,500
Dynamic Structures	£2,680	Annual Risk Assessment	£1,000
Dynamic Structures	£3,940	Re-painting Equipment	£7,500
DDA Items	£601	Overlay Footpath/Tarmac areas	£25,000
Anchored Litter Bins x 2	£458	Replenish Wood bark	£37,500
Fire retardant Benches x 2	£1,080	Replace Safety Surface	£15,000
Tar-macadam Surface	£19,500		
Rubber Safety Surfacing	£10,150		
Metal Fencing 1.2m Bow Topped	£16,500		
Tarmacadam 1.5m width path	£975		
Wood bark	£6,000		
Self-Closing Gates x 2	£1,569		
Safety Barriers	£255		
Signage	£265		
Grass 100m2	£2,200		
Tree/Shrub	£2,000		
<b>TOTAL</b>	<b>£98,270</b>		<b>£225,000</b>

Formal Play Provisions Installation and Maintenance Costs	Indicative Installation Costs	25 Year Costs
Multi Use Games Areas	£75,000	
40m x 18m fenced & floodlit		£59,025
Tennis Courts (2) 37m x 42m	£117,000	
Fenced and floodlit		£60,275
Football Pitches per pitch	£75,000	
110m x 71m (including run-off)		£184,125
Rugby Pitches	£75,000	
106m x 79m (including run-off)		£184,125
Cricket 4 x turf	£54,000	
1 x Artificial total 6649m2 including outfield		£154,700
Outdoor Bowls 40m x 40m	£750,000	
Inclusive of Pavilion		£580,525
ATP's sand based	£550,000	
100m x 64m fenced and floodlit		£209,025
Rebound wall with goals	£10,000	
10m x 10m		£61,075
Rebound wall with goals	£10,000	
10m x 10m		£61,075
Rebound wall & basketball	£11,000	
10m x 20m		£74,600
BMX Track	£75,000	
50m x 20m fenced & floodlit		£140,075
Skateboard provision	£120,000	
50m x 20m fenced & floodlit		£143,075

Formal Play Provisions Installation and Maintenance Costs	Installation Costs	25 Year Costs
Informal Play Space 5,000m2 graded level seeded and stoned picked inclusive of path and furniture	£45,000	£322,525

Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend, CF31 4WB

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

9 MARCH 2022

#### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

##### THE PLACEMAKING CHARTER WALES

### 1. Purpose of report

- 1.1 The purpose of this report is to seek Council's approval that Bridgend County Borough Council endorses and becomes a signatory to the Placemaking Charter Wales.

### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:-

1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.

### 3. Background

- 3.1 Placemaking is a proactive and collaborative process of creating and managing places. Although the Local Planning Authority may be considered as the main proponent, the placemaking agenda goes effectively beyond the Planning and related functions of the Council which has cross-disciplinary connections to multiple service areas across local government and its related partners in order to contribute to the effective creation and management of places. Placemaking is seen as a key process to deliver the duties of the Well-Being of Future Generations (Wales) Act and key corporate priorities/strategies including the Corporate Plan and the carbon reduction aspirations of Bridgend 2030. Furthermore, its multi-disciplinary requirements align well with a one Council approach in carrying out its functions.
- 3.2 National Planning Policy (Future Wales 2040 and Planning Policy Wales 11) places placemaking at the heart of the Planning system. Placemaking principles are already embedded in the current Bridgend Local Development Plan(LDP) through Policy SP2 and are to be enhanced and augmented in the replacement LDP.

- 3.3 By endorsing and becoming a signatory to the Placemaking Charter Wales, the Council will demonstrate its commitment to the placemaking principles and developing and improving its places.
- 3.4 The Development Control Committee supported the Placemaking Charter and endorses the principle of the Council becoming a signatory in 2021.

#### 4. Current situation/proposal

- 4.1 The Placemaking Wales Charter, launched in September 2020, has been developed by Welsh Government and the Design Commission for Wales in collaboration with the Placemaking Wales Partnership. This consists of stakeholders representing a wide range of interests and organisations working within the built and natural environment. The Charter is intended to reflect the collective and individual commitment of these organisations to support the development of high-quality places across Wales for the benefit of communities.
- 4.2 Current signatories to the Placemaking Wales Charter include the Home Builders Federation, Chartered Institute of Highways and Transportation, Institute of Highway Engineers, Housing Associations, Future Generations Commissioner for Wales, Royal Society of Architects Wales, Welsh Government, the Welsh Local Government Association and national/regional house builders. The Charter is summarised below and attached as an Appendix.
- 4.3 Signatories to the Placemaking Wales Charter agree to promote the following principles in the planning, design and management of new and existing places:

**People and Community** – The local community are involved in the development of proposals. The needs, aspirations, health and well-being of all people are considered at the outset. Proposals are shaped to help to meet these needs as well as create, integrate, protect and/or enhance a sense of community and promote equality.

**Location** – Places grow and develop in a way that uses land efficiently, supports and enhances existing places and is well connected. The location of housing, employment, leisure and other facilities are planned to help reduce the need to travel.

**Movement** – Walking, cycling and public transport are prioritised to provide a choice of transport modes and avoid dependence on private vehicles. Well designed and safe active travel routes connect to the wider active travel and public transport network and public transport stations and stops are positively integrated.

**Mix of Uses** – Places have a range of purposes which provide opportunities for community development, local business growth and access to jobs, services and facilities via walking, cycling or public transport. Development density and a mix of uses and tenures helps to support a diverse community



and vibrant public realm.

**Public Realm** – Streets and public spaces are well defined, welcoming, safe and inclusive with a distinct identity. They are designed to be robust and adaptable with landscape, green infrastructure and sustainable drainage well integrated. They are well connected to existing places and promote opportunities for social interaction and a range of activities for all people.

**Identity** – The positive, distinctive qualities of existing places are valued and respected. The unique features and opportunities of a location including heritage, culture, language, built and natural physical attributes are identified and responded to.

4.4 In terms of its function, as a signatory to the Placemaking Charter the Council would pledge to:

- Involve the local community in the development of proposals
- Choose sustainable locations for new development
- Prioritise walking, cycling and public transport
- Create inclusive, well defined, safe and welcoming streets and public spaces
- Promote a sustainable mix of uses to make places vibrant
- Value and respect the positive distinctive qualities and identity of existing places.

4.5 This will require a commitment across a wide range of departments and Council functions, all of which have a role to play in ensuring that new development and supporting infrastructure are informed by placemaking objectives.

4.6 The Welsh Government's 'Future Wales 2040' document provides the National Development Plan and contains a specific policy requiring the public sector to show leadership and apply placemaking principles to support growth and regeneration for the benefit of communities. It states under Policy 2: "The public sector must lead by example and apply placemaking principles to create exemplar developments. In particular, (it) must prioritise design quality, innovation and sustainability."

4.7 The draft replacement Local Development Plan has 4 strategic objectives

- To Create High Quality Sustainable Places (Placemaking)
- To Create Active, Healthy, Cohesive and Social Communities

- To Create Productive and Enterprising Places
- To Protect and Enhance Distinctive and Natural Places

4.8 The future strategic sites coming through the replacement Local Development Plan will have to be designed with a priority on placemaking.

4.9 Placemaking is now recognised as a function of the Planning and Development Services Group in the Communities Directorate Business Plan 2021/22. Both the Development Control Committee and the Planning Service are best placed to act as the Council's placemaking champions to ensure new development complies with the principles set out in the Charter. There is aspiration to set up a 'Placemaking Unit' within the team drawing from existing expertise as well as taking on additional resource and suitable training in order to provide the necessary placemaking input into new schemes. This would include the Council's own projects as well as any future public sector partner and private sector development.

4.10 In practical terms this could involve, amongst other things, the requirement for developers to have a Placemaking expert on board at pre-application stage and developing a suite of up to date Supplementary Planning Guidance documents. This will enable Bridgend to become an exemplar Authority in terms of placemaking.

4.11 Becoming a signatory to the Placemaking Charter therefore provides an opportunity for the Council to confirm its commitment to delivering quality places and recognising the key role that this plays in enhancing the health and wellbeing of its communities and residents for the long-term future. This will require a 'one Council' approach and agreement which has already been endorsed in principle by the Development Control Committee.

## **5. Effect upon policy framework and procedure rules**

5.1 The statutory Town & Country Planning system requires Local Planning Authorities to determine Planning applications in accordance with the relevant regulations and policy.

## **6. Equality Act 2010 implications**

6.1 As part of the wider statutory Planning process the effective management of land and its change seeks to help to eliminate inequality and disadvantage in people's lives. This has been reflected in the recently published Planning Policy Wales 11 (PPW11), which aligns the Planning system with other key Welsh Government strategies including the Well-being of Future Generations Act 2015 and the Socio-Economic Duty.

6.2 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the

development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 The planning function including the LDP has full regard to the provisions of the Well-being of Future Generations (Wales) Act 2015 (WFGA) and to the well-being goals. The promotion and recognition of well-being was interwoven into the early conversations held regarding Plan preparation with a range of stakeholders via the Public Service Board (PSB). The theme of well-being and the provisions of the Well-being of Future Generations Act 2015 is considered through the LDP Sustainability Appraisal (SA) process and reflected in the use of the local well-being goals in framing the strategic objectives and the strategic policies.
- 7.2 National planning policy incorporates the provisions of the WFGA and is material in the determination of planning applications. Furthermore, the placemaking principles described above are fully in line with legislative criteria and the potential impact and effects are summarised in relation to the five ways of working below:

**Long-term:** The implementation of placemaking principles will provide long term environmental, social and economic benefits to communities resulting in higher standards and quality within the built environment associated with improved public realm and a greater sense of place thus promoting greater social inclusion and supporting the Council's aims of a delivering a successful sustainable economy.

**Prevention:** Placemaking requires development to have good access to active travel and public transport networks helping to reduce congestion and improve air quality resulting in a positive impact on communities.

**Integration:** The provision of good quality and accessibly open space along with the promotion of active travel through the use of placekmaking principles can provide health benefits associated with increased physical activity; environmental benefits associated with reductions in noise and air pollution; reduction in congestion and other associated economic benefits, promoting greater social inclusion. Connecting communities and providing infrastructure that facilitates low-cost modes of public transportation, ensuring equity of opportunity for those without access to a car or who wish to use more sustainable modes. Furthermore, the promotion of good quality environments supports the work of other public bodies such as the local health board to encourage healthier lifestyles.

**Collaboration:** The commitment to placemaking principles will require collaboration with external stakeholders, residents and internally with various sections of the council including local town/community in considering wellbeing objectives as part of any future development schemes.

**Involvement:** Section 5 of the Well-being of Future Generations (Wales) Act 2015 states: ‘A public body must take account of... the importance of involving other persons with an interest in achieving the well-being goals and of ensuring those persons reflect the diversity of the population’. This approach has been evidenced by the extensive engagement undertaken through the LDP process.

## **8. Financial implications**

- 8.1 The cost of the administering the statutory Town and Country Planning System is met from current budgets. Higher quality development may lead to higher overall cost although this may have a greater impact on the development industry. There may also be a requirement to provide suitable training to Officers and Members as well as the need for additional resource to provide the necessary placemaking guidance to developers although this cost could be offset by pre-application fees and the use of Planning Performance Agreements (PPAs).
- 8.2 Compliance with the placemaking agenda and being a signatory to the Charter requires that the Council must ensure its own proposed schemes are of a high quality. This inevitably requires an appropriate level of investment and financial commitment, however if placemaking is addressed in a comprehensive manner at a suitably early stage of the development process following the principles set out in the Charter, it will not necessitate any increase in costs being incurred by the Council on its development projects. More importantly, good placemaking is far more than specifying expensive materials or reducing the scale or scope of development. In many instances, adhering to the principles of the Charter may be suitably addressed using pragmatic solutions in a careful and creative way.

## **9. Recommendation(s)**

- 9.1 That Council approves that Bridgend County Borough Council endorses and becomes a signatory to the Placemaking Charter Wales.

Janine Nightingale

**Corporate Directorate – Communities**

**Date: 9 March 2022**

**Contact officer:** Jonathan Parsons  
Group Manager Planning & Development Services

**Telephone:** (01656) 643153

**Email:** Jonathan.parsons@bridgend.gov.uk

**Postal address:** Planning & Development Services Group  
Communities Directorate  
Civic Offices, Angel Street  
Bridgend  
CF31 4WB

**Background documents:** None

## Appendix – Placemaking Charter Wales



Creu Lleoedd Cymru  
Placemaking Wales

Appendix A

### Placemaking Wales Charter

The Placemaking Wales Charter has been developed in collaboration with the Placemaking Wales Partnership which is made up of stakeholders representing a wide range of interests. The Charter reflects the collective and individual commitment of these organisations to support the development of high-quality places across Wales for the benefit of communities.

In signing the Placemaking Wales Charter I/my organisation agree to support placemaking in all relevant areas of my/our work and promote the following principles in the planning, design and management of new and existing places:

#### People and community

The local community are involved in the development of proposals. The needs, aspirations, health and well-being of all people are considered at the outset. Proposals are shaped to help to meet these needs as well as create, integrate, protect and/or enhance a sense of community and promote equality.

#### Movement

Walking, cycling and public transport are prioritised to provide a choice of transport modes and avoid dependence on private vehicles. Well designed and safe active travel routes connect to the wider active travel and public transport network and public transport stations and stops are positively integrated.

#### Public realm

Streets and public spaces are well defined, welcoming, safe and inclusive with a distinct identity. They are designed to be robust and adaptable with landscape, green infrastructure and sustainable drainage well integrated. They are well connected to existing places and promote opportunities for social interaction and a range of activities for all people.

#### Location

Places grow and develop in a way that uses land efficiently, supports and enhances existing places and is well connected. The location of housing, employment and leisure and other facilities are planned to help reduce the need to travel.

#### Mix of uses

Places have a range of purposes which provide opportunities for community development, local business growth and access, jobs, services and facilities via walking, cycling or public transport. Development density and a mix of uses and tenures helps to support a diverse community and vibrant public realm.

#### Identity

The positive, distinctive qualities of existing places are valued and respected. The unique features and opportunities of a location including heritage, culture, language, built and natural physical attributes are identified and responded to.

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

9 MARCH 2022

#### REPORT OF THE CHIEF OFFICER – FINANCE, PERFORMANCE AND CHANGE

#### RELATED PARTY TRANSACTIONS 2021-22 & STATEMENT OF ACCOUNTS

#### 1. Purpose of report

- 1.1 The purpose of this report is to inform Council of the requirement for Members to formally declare any related party transactions for the financial year 2021-22 by completing the declaration attached at **Appendix A**, even if it is a nil return, and that this must be completed no earlier than 31 March 2022 and returned by Friday 8 April 2022.

#### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:
- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

- 3.1 The preparation of the Statement of Accounts is a requirement of the Accounts and Audit (Amendment) (Wales) Regulations 2014 as amended and its content is defined by the Chartered Institute of Public Finance and Accountancy (CIPFA's) 'Code of Practice on Local Authority Accounting in the United Kingdom' 2021-22 (the Code).
- 3.2 The Code 2021-22 states that "Authorities shall identify related party relationships and transactions, identify outstanding balances between the authority and its related parties, and identify the circumstances in which disclosures are required". Any related party transactions must then be disclosed within the Statement of Accounts.

#### 4. Current situation/proposal

- 4.1 The requirement to declare related party transactions is not new within the Statement of Accounts. Audit Wales scrutinise these returns closely as part of their audit of the Statement of Accounts and have recommended that:

"The Council should:

- formally remind all councillors of the importance of completing and submitting their annual related party return by the deadline set by the Finance Department; and
- ensure that any outstanding related party returns are always pursued promptly."

4.2 This report is therefore to inform Members of the requirement to complete the declaration attached at **Appendix A** with reference to the guidance attached at **Appendix B** by Friday 8 April 2022. It is essential that this form is completed **as at 31 March 2022** and covers the full financial year or period for which the individual was a Member of the Council. Members should note that a copy of this declaration will be emailed separately to their Bridgend County Borough Council email address for completion and return.

## **5. Effect upon policy framework and procedure rules**

5.1 There is no effect upon the policy framework and the procedure rules arising from this report.

## **6. Equality Act 2010 implications**

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

## **8. Financial implications**

8.1 There are no financial implications arising from this report.

## **9. Recommendations**

9.1 That Council notes the requirement for Members to:

- formally declare any related party transactions for the financial year 2021-22
- complete and date the return no earlier than 31 March 2022
- submit the return by Friday 8 April 2022

**Carys Lord**  
**Chief Officer – Finance, Performance and Change**  
**1 March 2022**

**Contact Officer:** Nigel Smith  
Group Manager Chief Accountant

**Telephone:** (01656) 643605

**E-mail:** [nigel.smith@bridgend.gov.uk](mailto:nigel.smith@bridgend.gov.uk)



**Postal Address** Raven's Court  
Brewery Lane  
Bridgend  
CF31 4AP

**Background documents:** None

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**BRIDGEND COUNTY BOROUGH COUNCIL CLOSURE OF ACCOUNTS**  
**2021-22 DECLARATION OF RELATED PARTY TRANSACTIONS**

Name: \_\_\_\_\_ (Please print)

I declare that I or a close family member are an owner, Director, senior manager or a major shareholder of the following organisations:

Name of organisation	Own position in organisation	Family member position in organisation
<i>Eg: AN Other Consulting Services</i>		<i>Director</i>

(please continue on a separate sheet if necessary)



2. Any personal transactions with the Council (exclude any Council salaries and expenses)		Self	Family Member (please specify)
<u>Nature of transaction</u>	<u>Value</u>		

I declare that, to the best of my knowledge, the above information is accurate and complete.

Signed:

Date: \_\_\_\_\_

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**DEADLINE FOR RETURN 8<sup>TH</sup> APRIL 2022**

**\*\* PLEASE RETURN SCANNED COMPLETED AND SIGNED FORMS VIA EMAIL TO THE BELOW\*\***

EMAIL: [Eilish.Thomas@bridgend.gov.uk](mailto:Eilish.Thomas@bridgend.gov.uk) / [Jillian.Bailey@bridgend.gov.uk](mailto:Jillian.Bailey@bridgend.gov.uk)



## Bridgend County Borough Council Related Party Transactions Guidance Note

### Requirement for Members to declare Related Party Transactions 2021-22

#### Background

1. The Council is required to provide information within its Statutory Annual Accounts of arrangements and/or transactions where Members (and senior officers) **or close members of their families** have a significant influence over organisations that the Council has a relationship with, be that the giving of grant funding, provision of services or an ability to manage the operations and/or financial activities of that organisation; OR that organisation is able to influence or control activities of the Council.
2. **A relationship** with an entity would occur where you or a close member of your family:
  - Has control or joint control over the organisation
  - Has significant influence over the organisation; or
  - Is a member of the key management personnel of the organisation or a parent of the organisation
3. **Close members of the family** of a person are those family members who may be expected to influence, or be influenced by, that person in their dealings with that organisation and include:
  - Your children and spouse or domestic partner
  - Children of your spouse or domestic partner
  - Dependents of you, your spouse or domestic partner
4. **The information disclosed** must be auditable and you must provide written confirmation of whether at any time during the period **1 April 2021 to 31 March 2022**:
  - You and/or a close family member **met any of the circumstances set out at paragraph 2 above; and/or**
  - You and/or a close family member had any financial transactions (excluding salary or work-based expenses paid by the Council) with the Council

#### Examples:

Examples of arrangements which may require disclosure include:

- You own a company or have a major shareholding\* in a company;
- Any close members of your family who own a company or have a major shareholding in a company;
- You or a close member of your family is a member of the senior management of a company/organisation;
- You or a close member of your family hold a position of influence within an organisation;
- You or a close member of your family receive income from the Council that is not based on salary, allowances or expenses.

**ANY arrangements with a company you are a Director of or own must be disclosed even if there have been no financial transactions for that company during the year (either with or outside of Bridgend CBC)**

\*No specific limit has been given for what constitutes a major shareholding therefore any such roles must be declared.

#### What you need to do

**ALL Members and Chief Officers** (including all temporary arrangements in place during the year), are required to sign a declaration which discloses any related party relationships held and also identify any transactions that occurred during the financial year from **1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022**.

**\*\* If you are unsure it is better to disclose it and Finance will assess whether it needs to be included in the Statement of Accounts \*\***



## Bridgend County Borough Council Related Party Transactions Guidance Note

### **Any queries?**

If you feel unable to complete the declaration or have any doubts about any aspect of what is required, please contact:

**Eilish Thomas, Finance Manager, Financial Control and Closing Team, (Ext. 3359)**  
E-mail: [eilish.thomas@bridgend.gov.uk](mailto:eilish.thomas@bridgend.gov.uk)

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

9 MARCH 2022

### REPORT OF THE MONITORING OFFICER

#### PETITION SCHEME

#### 1. Purpose of report

- 1.1 To seek Council approval and adoption of the Petition Scheme attached as **Appendix 1**.

#### 2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective/objectives under the **Well-being of Future Generations (Wales) Act 2015**:

- **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

- 3.1 The Local Government and Elections (Wales) Act 2021 received Royal Assent on 20 January 2021 and places specific duties on local authorities including, under Section 42, the duty to make a Petition Scheme including provision of a facility for electronic petitions (e-petitions). This provision comes into force in May 2022.

- 3.2 Under the 2021 Act the Council must publish a Scheme setting out how it intends to handle and respond to petitions. In particular, the Scheme must set out:

- How a petition may be submitted to the Council;
- How and by when the Council will acknowledge receipt of a petition;
- The steps the Council may take in response to a petition received;
- The circumstances (if any) in which the Council may take no further action in response to a petition;
- How and by when the Council will make available its response to a petition to the person who submitted the petition and the public.

#### 4. Current situation/proposal

- 4.1 Petitioning is one way that individuals, community groups and organisations can participate in the democratic process, by raising issues of public concern with the Council and allowing Elected Members to consider the need for change within the County Borough. It is acknowledged that petitions can have positive outcomes that lead to change or inform debate. The Scheme attached as **Appendix 1** demonstrates this by setting out that petitions received from those who are resident, working or studying in the Borough, regardless of the number of signatures, will receive a response providing they follow the guidelines set out in the Scheme. The purpose of this Scheme is to establish a clear process for petitions submitted to the Council to be handled in accordance with the relevant legislation.
- 4.2 Members will note that the Scheme contains a significant amount of guidance for potential petitioners on the manner in which any petitions should be presented and the types of action the Council might take in response to petitions on key areas of concern. In practice, petitions received under the Scheme allow Council discretion in any response made to petitions.
- 4.3 The Scheme provides that if a petition has received more than 750 signatures the petition will be considered at a meeting of the full Council. The principle behind a petition debate is the increased transparency of the local decision making process. The petition organiser will be informed in writing about when the debate will be held and with sufficient notice to enable their attendance. The notification will also be published on the Council's website. The Scheme endeavours to consider such petitions at the next meeting of the full Council but recognises that a balance will need to be struck between the debate of petitions and other council business. The threshold for triggering a full council debate can be reviewed after a period of activity and amended if necessary to a lower threshold to ensure that is locally achievable.
- 4.4 The Council will host an e-petition facility on its website, provided by Mod.gov, which is the most widely used local authority committee management system. The Scheme stipulates that e-petitions must follow the same guidelines as paper petitions. An e-petition organiser must provide their name, address, a valid postcode and email address. The same information is required for any person supporting the petition. These measures are principally to provide an additional level of verifiability to limit the chance of petitions being submitted with false signatories.
- 4.5 In accordance with the 2021 Act, the Council must review the Scheme from time to time and, if it considers it appropriate, revise the Scheme. If the Council revises or replaces a Scheme, the revised or new Scheme will be published on the Council's website.

## **5. Effect upon policy framework and procedure rules**

- 5.1 Petitions are a vital tool for engaging with residents and support other Council policies in this regard.
- 5.2 The Constitution will require amending to incorporate the acceptance of petitions.

## **6. Equality Act 2010 implications**



6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

## **8. Financial implications**

8.1 The cost of administering and processing petitions will be met from within existing budgets. There is currently no budget provision to meet any costs associated with development of the Council's own e-petition facility.

## **9. Recommendation**

9.1 It is recommended that Council approve and adopt the Petition Scheme attached as **Appendix 1**.

**Kelly Watson**  
**Monitoring Officer**  
**March 2022**

**Contact Officer:** Laura Griffiths, Group Manager Legal and Democratic Services

**Telephone:** (01656) 643135

**E-mail:** [laura.griffiths@bridgend.gov.uk](mailto:laura.griffiths@bridgend.gov.uk)

**Postal Address** Legal and Democratic Services  
Level 4,  
Civic Offices,  
Angel Street,  
Bridgend,  
CF31 4WB

**Background Documents:** None

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## Bridgend County Borough Council

### Petition Scheme

Petitioning is one way that individuals, community groups and organisations can participate in the democratic process, by raising issues of public concern with the Council and allowing Elected Members to consider the need for change within the County Borough. It is acknowledged that petitions can have positive outcomes that lead to change or inform debate.

Before considering whether or not to raise a petition, you may want to discuss your issue with your local Ward Councillor who may be able to help you with it or explain how to make representations on a particular subject to the right person at the Council. Details on how to contact your local County Borough Councillor are available on the Council's website.

#### Who can raise a petition?

Anyone who lives, works or studies in the County Borough can sign or submit a petition, including those under the age of 18. Petitions can be presented by yourself or a Councillor.

Petitions should normally have at least 100 signatures in order to validate them. However, if your petition contains less than the required signatories but you are able to demonstrate that, in relation to a particularly local issue of concern, it was simply not possible to obtain the required signatures, the Monitoring Officer may still consider your petition under this Scheme.

#### What are the guidelines for submitting a petition?

The Council will consider all petitions that fall within the scope of this Scheme. Petitions can be submitted to the Council either on paper or electronically. The requirements of the Scheme apply to both paper and e-petitions.

Petitions submitted to the Council must include:

- a clear, short statement covering the subject of the petition. The petition will be returned if it is unclear;
- What action the petitioners wish the Council to take;
- Confirmation that it relates to a matter for which the Council has responsibility and which affects the Council or its area;
- The name and address and signature of those supporters. The Council reserves the right to seek to verify each signature appended to a petition. This can be significant when establishing whether a petition has obtained the requisite number of signatures to trigger a specific process. Please ensure each signatory has given a valid address and postcode;
- Contact details, including an address for the petition organiser.

Paper petitions can be sent to:

**Democratic Services, Civic Offices, Angel Street, Bridgend, CF31 4WB**

You may wish to contact Democratic Services in order to ensure that your petition meets the criteria set out above, prior to commencement of collecting signatures, as only admissible petitions can be considered by the Council.

E-petitions can be submitted via the Council's system which can be found on the Council's website. Petitions will not be accepted from other external on-line petition systems. Unless otherwise agreed following discussions with the petition organiser, an e-petition will remain open for signatures for a period of 30 days but you can choose a shorter or longer timeframe in consultation with Democratic Services.

To submit an e-petition you will need to complete the online registration on the Council's petition page. Registration is simple requiring a few details in case we need to contact you. The Council accepts no liability for the petitions on these web pages. We will review the wording of the petition to ensure it is appropriate before it is published. You can run an online petition at the same time as a paper petition, combining the two before sending them to the Council, although repeat names should be omitted by the petition organiser. You should send the paper petition at the same time as the closing date of the online petition so that all of the signatures are counted. When an e-petition has closed it will automatically be submitted to Democratic Services.

#### 'Signing' an e-petition

You can see all the e-petitions currently available for signature on the Council's website. When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address for verification purposes. Once this step is complete you will have been added as a signatory to the petition. People visiting the e-petition will be able to see your name but your contact details will not be visible.

#### What will the Council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what the Council plan to do with the petition and when you can expect to hear from the Council.

It might be that the issue raised by your petition is admissible in principle, but there are some aspects of the wording which fall outside the rules. In these situations Democratic Services will contact you to suggest ways in which you can change the wording so that it complies fully with the rules before it is published.

A copy of the petition will also be sent to the Monitoring Officer, the relevant Corporate Director, any Elected Member who represents an area affected by the petition and to the relevant Cabinet Member.

Once the petition has been accepted it will become a public document accessible via the website, unless it is inappropriate to do so. You should take care not to include any information that should not be made public.

The Head of Democratic Services shall maintain a register of all petitions received.

#### How will the Council respond to my petition?

The response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- raising publicity for, and an awareness of an issue
- submission of petition to a Cabinet meeting having regard to Executive functions
- taking the action requested in the petition (either under officer delegated powers or otherwise as appropriate in all the circumstance)
- taking the matter to full Council so the petition can be considered

- holding an inquiry
- commissioning research
- writing to the petition organiser setting out the Council's views on the request in the petition
- referring the petition to an Overview and Scrutiny Committee
- holding a meeting with the petitioner organiser
- holding a public meeting
- forwarding your petition to / lobbying another Body if it is something that the Council has no direct control over
- in matters that are dealt with by delegated authority, the responsible officer will respond to the petition
- some other appropriate response

The Council's response may also depend on the number of people who have signed the petition:

Number of signatories	Response
Fewer than 100	Response from the relevant Directorate (treated as normal correspondence).
100 or more	Response from the relevant Cabinet Member (treated as normal correspondence)
At least 500	Response from the relevant Cabinet Member and the response published on the Council's website.
At least 750	Referred for a debate at a meeting of the Full Council

The Council will always inform you of the action taken.

If your petition contains less than the required signatories but you are able to demonstrate that, in relation to a particularly local issue of concern, it was simply not possible to obtain the required signatures, the Monitoring Officer may still consider your petition under this scheme.

### **Full Council**

If the petition has enough signatures to trigger a debate at full Council then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition is presented to a meeting of full Council the following will apply:

The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at a following meeting. Petitions may not be submitted to the Annual Meeting, any Extraordinary meeting of the Council or at the Council's budget setting meeting. No more than one petition will be considered per ordinary meeting of Council.

The petition organiser will be notified of the date and the time of the Council meeting and will be contacted by Democratic Services to advise them of the process in accordance with the Constitution. The item will be published on the Council agenda detailing the subject of the petition. The petition organiser will receive written confirmation of the Council's decision. This confirmation will also be published on the Council's website.

At the meeting of Council the petition organiser (or any person authorised by him/her) may outline the request, the reason for the request provided that in any event the organiser may not speak for more than three minutes. The relevant Cabinet Member will then be given a right of reply and the petition will be discussed by the Council. The petition organiser will be granted a right of reply for a further period not exceeding three minutes at the end of the debate and before a final decision or vote is taken. The debate will be for a maximum of 30 minutes.

The Council will decide how to respond to the petition at this meeting. It may decide to take the action the petition requires, take no further action or request further investigation i.e via a scrutiny review into the matter or refer to the relevant Directorate to respond. If the issue is one that requires the Executive or another Committee of the Council to make the final decision, the Council will decide whether to make recommendations to inform that decision.

#### No further action will be taken

The Monitoring Officer will have discretion to decide whether a petition meets the criteria set out in the Scheme.

The circumstances in which it may be determined that no further action will be taken in response to the petition are:

- Petition is not clear
- Petition is not within the remit of the Council
- Incomplete or invalid information such as no full address
- Not enough valid signatures
- Repeat petitions – a petition will not be considered where it is received within 6 months of another petition being considered by the Council on the same matter
- A petition will be rejected if in the opinion of the Petition Officer it contains inflammatory, abuse or provocative language, is rude, defamatory or vexatious
- Identical or too similar to a petition submitted in the past 6 months
- Discloses confidential or exempt information in accordance with Schedule 12A of the Local Government Act 1972
- Discloses material which is commercially sensitive, or which may cause personal distress or loss
- Contains advertising statements
- Petitions that are essentially Freedom of Information requests, comments, compliments or complaints will not be allowed
- Refers to a matter which is the subject of a formal council complaint or legal proceedings
- Relates to an issue where there is already a right of appeal
- Relates to a specific and individual planning or licensing decision. Such ‘petitions’ will be referred to the relevant Officer or Committee in accordance with existing procedures for representations
- Where more than one petition is received, each supporting the same outcome on one matter, the petition requesters will be advised to combine the petitions
- Where a petition is submitted in response to a public consultation being run by the Council, the petition will be acknowledged as part of that process, and will be considered along with other consultation response. The Council will not necessarily respond to the petition separately in this case
- Matters which are subject to prescribed statutory requirements, such as changes to governance arrangements e.g. an elected mayor

- Information protected by a court order (e.g. the identities of children in custody disputes) or in accordance with any other enactment
- the petition includes the names of individual officials of public bodies
- the petition includes names of individuals, or information where they may be easily identified, in relation to criminal accusations
- In the six weeks before an election local authorities cannot publish any material which may support any political party or a point of view which may be associated with any political party.
- Petitions which raise alleged Councillor misconduct will not be considered under the Scheme.

It may be inappropriate for the Council to deal with certain petitions during periods when it is subject to restrictions, such as immediately before elections or referendums. In these circumstances the petition organiser will be informed when the petition will be considered, or when any material relating to it will be published on the Council's website. In this circumstance, we will contact to explain the situation to you and discuss the revised timescale which may apply.

Petitions that fall outside of the criteria of the Scheme will be treated as correspondence and sent to the relevant service area for a response. The Corporate Director will have discretion and flexibility to decide how to reply to this correspondence so that they are able to take appropriate action to respond to the request.

#### What can I do if I feel my petition has not been properly dealt with?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request a review of the steps that the Council has taken in response to your petition. If your petition was considered and a response given by officers then please send your concerns to the Council via the Council's Corporate Complaints Process which can be accessed via the Council's website. If your petition was considered and debated at Full Council, then please request a referral to the Monitoring Officer who will consider how best to respond, depending on the nature of the concerns, please email: [cabinet\\_committee@bridgend.gov.uk](mailto:cabinet_committee@bridgend.gov.uk).

#### Alternatives to submitting a petition

The Council is always interested in your feedback on our services or how we can work together with our partners to improve things in our County Borough. If after reading this Scheme you no longer feel a petition is the most appropriate avenue for your communication, there are a number of other ways in which you can have your say including:

- Writing to the appropriate Cabinet Member or Senior Officer
- Contacting your local Ward Councillor
- Responding to a consultation
- Make a complaint to us
- Making a suggestion through the Council's website
- Asking a question at Council or speaking at meetings of the Council and its Committees.

If you have a complaint about the Council, we would like to ensure this is sorted out as soon as possible. If you have a problem with a Council service please try and talk to a member of staff, as they may be able to resolve it straight away.

### Privacy Policy

The Council is the Data Controller for personal information collected in respect of both the Council's e-petition facility and for paper petitions.

Following a period of 28 days after the Council has responded formally, all signatories on a petition will be erased, unless during that period, the petition organiser has requested a review. However, should you wish your name to be removed before this time please contact the Data Protection Officer via [foi@bridgend.gov.uk](mailto:foi@bridgend.gov.uk).

### Review

The terms and conditions of the Council's Petition Scheme will be reviewed from time to time and may be amended.



## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

9 MARCH 2022

#### REPORT OF THE MONITORING OFFICER

##### INDEPENDENT REMUNERATION PANEL FOR WALES ANNUAL REPORT 2022/23

### 1. Purpose of report

- 1.1 To advise Council of the Annual Report of the Independent Remuneration Panel for Wales (“the Panel”) in respect of the level and range of remuneration the Authority must make available to its elected members for the 2022/23 municipal year.

### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 The Independent Remuneration Panel for Wales has acknowledged the need to ensure that financial barriers do not stand in the way of attracting more people to serve in local government. The active participation of all members contributes to the achievement of the following corporate well-being objectives under the Wellbeing of Future Generations (Wales) Act 2015:

1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.

2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.

3. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council’s well-being objectives.

### 3. Background

- 3.1 The Local Authorities (Allowances for Members) (Wales) Regulations 2007 provided for the establishment of the Independent Remuneration Panel for Wales.
- 3.2 This is the fourteenth Annual Report of the Panel, and the eleventh published under the requirements of the Local Government (Wales) Measure 2011 (attached as **Appendix 1**). The Measure extended the responsibilities of the Panel and its powers under Section 142 to decide (prescribe) payments to members of relevant authorities.

- 3.3 The Panel issued the draft Annual Report for consultation at the end of September 2021 and held engagement events to support the consultation process, which were attended by the Authority's Group Manager - Legal and Democratic Services. The draft Annual Report was also considered by the Democratic Services Committee on 21 October 2021.
- 3.4 The Panel's Determinations for 2022/23 are shown at Annex 1 of the Annual Report (page 61 onwards). Section 153 of the Measure empowers the Panel to require a relevant authority to comply with the requirements imposed on it by the Annual Report.
- 3.5 The Panel remains firmly of the view that maintaining the democratic values of local governance cannot be cost-free. Members of local authorities (including co-opted and appointed members) are there to represent the interests of local people, undertake the governance of local communities, and secure value-for money public services for local tax-payers through effective scrutiny. These are significant and considerable tasks for members of relevant authorities within the Panel's remit. Publicly funded remuneration is made available to encourage a diversity of willing and able people to undertake local governance through their elected, appointed or co-opted roles.

#### **4. Current situation/proposal**

- 4.1 The Panel's Annual Report 2022/23 proposes some changes to the current remuneration prescribed for elected members at Principal (County Borough) and Town and Community Council levels. The following paragraphs summarise the key elements of the Report.
- 4.2 The Basic Salary
- 4.2.1 In 2009 the Panel decided the average work commitment of an elected councillor of a principal council was three working days. The maximum basic salary was set at £13,868. This reflected three fifths of the then median gross earnings of full-time male employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE) published by the Office of National Statistics. The Panel considered it was appropriate to use this figure, as it was comparable with constituents' pay, adjusted for the part-time nature of the work of a member with no senior responsibilities. At the introduction of austerity measures, the basic salary was reduced to £13,175 and the link to ASHE was broken. Since then, there has been no connection between councillor and constituent pay. In 2019, the Panel took steps to stop the gap widening and reviewed options to move towards reinstating the link with ASHE or another suitable benchmark.
- 4.2.2 The Panel believes that local elections in May 2022 provide an opportune time to rectify the imbalance between the basic salary of councillors and the average salaries of their constituents. The basic salary of councillors of principal councils elected in the May 2022 local elections will be reset to align with the 2020 ASHE. This will be £16,800.

#### **Determination 1**

**Basic salary in 2022/23 for elected members of principal councils shall be £16,800.**

### 4.3 Senior Salaries

4.3.1 Senior Salaries are payments to members who are executive, chairs of committees and the leader of the opposition. The Panel has revisited its previous decisions in respect of the senior salaries paid to these post holders. The Panel recognises that years of no or low increases has meant the pay of senior salary holders is significantly and increasingly lower than many relevant comparators.

#### 4.3.2 Leaders

It is widely recognised that the role of leader of a principal council is highly complex and carries a large and increasing level of responsibility. Leaders' pay is at the lower end of sector market comparators. The Panel has heard arguments that a leader's pay should be at or above a backbench MS or a Health Board Chair. The Panel has considered these arguments, but has concluded that although the roles have some similarities, there are significant and crucial differences which are not helpful in making comparisons. The Panel is very concerned that the current payment levels are often financially unattractive and are seen as a barrier to participation. For many willing and well-qualified people, a senior salary might necessitate a significant reduction in earnings. This is not in the spirit of diversity, inclusion, or democracy, or efficient for the effective running of principal councils. To start to address this, the Panel has re-set all senior salary payments for 2022-2023.

#### 4.3.3 Executive

The Panel continues to take the view that executive members should be considered to be working the equivalent of full time (around 40 hours per week) but flexibly, and not necessarily nine to five. Continued discussions with members and officers in recent years have reinforced this conclusion.

#### 4.3.4 Chairs of Committees

The Panel recognises that there is a significant variance in the responsibilities and functions of chairing different committees. Councils do not have to pay chairs of committees. Each council can decide which, if any, chairs of committees they pay. This allows councils to take account of differing levels of responsibility. The Panel has considered the role element of the chair's salary. The move to a single level of chair payment in 2019 reduced the differentials with other senior payments. To reset this, the Panel has decided not to change the role element at the 2021 figure of £8,793 for 2022-2023. The basic salary increase will apply.

**Determination 2:**

**The Panel has determined that senior salary levels in 2022/23 for members of principal councils shall be as outlined below.**

<b>Basic salary (payable to all elected members) £16,800</b>			
	<b>Group A</b> Cardiff, Rhondda Cynon Taf, Swansea	<b>Group B</b> Bridgend, Caerphilly, Carmarthenshire, Conwy, Flintshire, Gwynedd, Newport, Neath Port Talbot, Pembrokeshire, Powys, Vale of Glamorgan, Wrexham	<b>Group C</b> Blaenau Gwent, Ceredigion, Denbighshire, Merthyr Tydfil, Monmouthshire, Torfaen, Isle of Anglesey
<b>Senior salaries (inclusive of basic salary)</b>			
<b>Band 1</b> Leader	£63,000	£56,700	£53,550
Deputy Leader	£44,100	£39,690	£37,485
<b>Band 2</b> Executive Members	£37,800	£34,020	£32,130
<b>Band 3</b> Committee Chairs (if remunerated):		£25,593	
<b>Band 4</b> Leader of Largest Opposition Group		£25,593	
<b>Band 5</b> Leader of Other Political Groups		£20,540	

#### 4.4 Civic Salaries

- 4.4.1 A council may decide not to pay any civic salary to the posts of civic head and or deputy civic head. If paid, civic heads must be remunerated at Band 3 level and deputy civic heads at Band 5 (as outlined above).
- 4.4.2 Civic heads are senior posts within councils which are distinct from political or executive leadership. In addition to chairing major meetings the civic head is the authorities' 'first citizen' and 'ambassador' representing the council to a wide variety of institutions and organisations. The Panel's requirement that members should not have to pay for the cost of the support needed to carry out their duties applies also in respect of deputy civic heads.

**Determination 3: Where paid, a Civic Head must be paid a Band 3 salary of £25,593.**

**Determination 4: Where paid, a Deputy Civic Head must be paid a Band 5 salary of £20,540**

4.4.3 In addition to the prescribed list above the following criteria must also be met:

- a) An elected member must not be remunerated for more than one senior post within their authority;
- b) An elected member must not be paid a senior salary and a civic salary;
- c) All senior and civic salaries are paid inclusive of basic salary;
- d) If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader;
- e) Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any National Park Authority (NPA) or Fire and Rescue Authority (FRA) to which they have been appointed.
- f) Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a community or town council of which they are a member.

#### 4.5 Supporting the work of local authority elected members

4.5.1 The Panel expects support provided should take account of the specific needs of individual members. Democratic Services Committees are required to periodically review the level of support provided. The Panel would expect any proposals to be forwarded to full council as to what is required. Any proposal will have regard to the Determinations below.

4.5.2 The Panel considers it necessary for each elected member to have ready use of email services and electronic access to appropriate information via an internet connection. The Panel does not consider it appropriate that elected members should be required to pay for any telephone usage to enable them to discharge their council duties.

4.5.3 The responsibility of each Council, through its Democratic Services Committee, to provide support should be based on an assessment of the needs of its members. When members' additional needs or matters of disability apply, or there are specific training requirements indicated, each authority will need to assess any particular requirements of individual members.

- 4.5.4 As a result of their role as a councillor an elected member's personal security may become adversely affected. It is the duty of the Democratic Services Committee to fund or provide support necessary to enable a councillor to discharge their role reasonably and safely. This may require funding appropriate security measures to protect councillors from personal risk or significant threat. Risk assessment and liaison with relevant bodies such as the police and security services would normally inform the selection of required provision.

**Determination 10:**

**Each authority, through its Democratic Services Committee must ensure that all its elected members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone, email and internet facilities giving electronic access to appropriate information.**

**Determination 11:**

**Such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.**

4.6 Specific or additional senior salaries

- 4.6.1 The Panel has allowed for greater flexibility through the provision for authorities to apply for specific or additional senior salaries that do not fall within the current remuneration framework, or which could not be accommodated within the maximum number of senior salaries relating to the authority.
- 4.6.2 Guidance to local authorities on the application process was issued in April 2014 and incorporated the following principles:
- a. The total number of senior salaries cannot exceed fifty percent of the membership;
  - b. Applications will have to be approved by the authority as a whole (unless this has been delegated within Standing Orders) prior to submission to the Panel;
  - c. There must be clear evidence that the post or posts have additional responsibility demonstrated by a description of the role, function and duration.
  - d. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

**Determination 12:**

**Principal councils can apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.**

4.7 Joint Overview and Scrutiny Committees (JOSCs) and Corporate Joint Committees (CJCs)

- 4.7.1 Little use has been made of the arrangements for JOSCs. Therefore, the Panel has decided to delete the payment from the Framework. If, in future, a JOSC is formed

by an individual council and it wishes to remunerate it can apply using the arrangements contained in paragraph 4.6 above.

**Determination 14:**

**The salary level for a chair of a Joint Overview and Scrutiny Committee shall be £8,793.**

**Determination 15:**

**The salary level for a vice chair of a Joint Overview and Scrutiny Committee shall be £4,396.**

4.7.2 The Local Government and Elections (Wales) Act 2021 established CJs which comprise groups of principal councils. CJs have specific functions which are set out in Regulations. The Local Government (Wales) Measure 2011 has also been amended to include CJs as relevant authorities for the functions of the Panel. Therefore, any payments made to members of a CJ have to be determined by the Panel. In respect of this Annual Report, as CJs are in the early stages of being set up, it is too soon for the Panel to consider whether members of a CJ should be remunerated and, over time, the role and responsibility will be evaluated including any consequential changes to the function and role of the Executive members of the principal council. However, the payment of contribution to costs of care and personal assistance and travel and subsistence to members of CJs has been included in the Annual Report. The function of the Panel relating to the salaries of Chief Executives of principal councils and Chief Fire Officers has also been extended to include Chief Executives of CJs.

4.8 Pension Provision for Elected Members of Principal Councils

4.8.1 The Local Government (Wales) Measure 2011 provides a power to the Panel to make determinations on pension entitlement for elected members of principal councils.

**Determination 16:**

**The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.**

4.8.2 Elected Members are exempt from auto-enrolment in the LGPS and will still be required to opt into the scheme.

4.9 Entitlement to Family Absence

4.9.1 Regulations relating to Family Absence for Elected Members of Councils were approved by the National Assembly for Wales in November 2013. The Panel considered the implications for the remuneration of members who are given absence under the terms of the Welsh Government Regulations and the Panel's Determinations are set out below.

**Determination 17:**

**An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.**

**Determination 18:**

**Where a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.**

**Determination 19:**

**It is a matter for the Authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the Authority so decides.**

**Determination 20:**

**If the paid substitution results in the Authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution.**

**Determination 21:**

**When a Council agrees a paid substitution for family absence the Panel must be informed within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.**

**Determination 22:**

**The Council's Schedule of Remuneration must be amended to reflect the implication of the family absence.**

4.10 Co-opted Members

4.10.1 The Panel has determined that a daily/half daily fee is appropriate remuneration for the important role undertaken by co-opted members of authorities with voting rights.

4.10.2 The Panel has not made any changes to the payments (as outlined below) or Determinations relating to Co-opted Members (**Determinations 37 – 42**):

- Chairs of Standards, and Audit committees £268 (4 hours and over) £134 (up to 4 hours)
- Ordinary Members of Standards Committees who also chair Standards Committees for Community and Town Councils £238 daily fee (4 hours and over) £119 (up to 4 hours)
- Ordinary Members of Standards Committees; Education Scrutiny Committee; Crime and Disorder Scrutiny Committee and Audit Committee £210 (4 hours and over) £105 (up to 4 hours)
- Community and Town Councillors sitting on Principal Council Standards Committees £210 (4 hours and over) £105 (up to 4 hours)

4.11 Contributions towards Costs of Care and Personal Assistance (CPA)



4.11.1 This is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel believes that additional costs of care required to carry out approved duties should not deter any individual from becoming and remaining a member of an authority or limit their ability to carry out the role.

**Determination 43:**

**All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:**

- **Formal (registered with CIW) care costs to be paid as evidenced**
- **Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the hourly rates as defined by the Living Wage Foundation at the time the costs are incurred.**

**This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.**

4.12 Sickness Absence for Senior Salary Holders

4.12.1 The Family Absence Regulations are very specific relating to entitlement and only available for elected members of principal councils. Absence for reasons of ill-health is not included.

The Panel's Framework provides specific arrangements for long term sickness as set out below:

- a) Long term sickness is defined as certified absences in excess of 4 weeks;
- b) The maximum length of sickness absence within these proposals is 26 weeks or until the individual's term of office ends, whichever is sooner (but if reappointed any remaining balance of the 26 weeks will be included);
- c) Within these parameters a senior salary holder on long term sickness can, if the authority decides continue to receive remuneration for the post held.;
- d) It is a decision of the authority whether to make a substitute appointment but the substitute will be eligible to be paid the senior salary appropriate to the post;
- e) If the paid substitution results in the authority exceeding the maximum number of senior salaries payable for that authority as set out in the Annual Report, an addition will be allowed for the duration of the substitution. This would not apply in respect of a council executive member if it would result in the cabinet exceeding 10 posts - the statutory maximum);
- f) When an authority agrees a paid substitution the Panel must be informed

within 14 days of the decision of the details including the specific post and the estimated length of the substitution. The authority's Schedule of Remuneration must be amended accordingly;

- g) It does not apply to elected members of principal councils who are not senior post holders as they continue to receive basic salary for at least six months irrespective of attendance and any extension beyond this timescale is a matter for the authority.

#### 4.13 Reimbursement of Travel and Subsistence Costs when on Official Business

4.13.1 Members may claim reimbursement for travel and subsistence (meals and accommodation) costs where these have arisen as a result of undertaking official duties. Expenses reimbursed to members by their local authority are exempt from Income Tax and employee National Insurance Contributions (NICs).

4.13.2 The Panel is aware that in some instances members have been reluctant to claim legitimate travel expenses because of an adverse response following the publication of their travel costs. As an alternative, travel arrangements could be made directly by the authority in such circumstances.

4.13.3 The Panel has determined that there will be no change to mileage rates which members are entitled to claim. All authorities may only reimburse travel costs for their members undertaking official business within and/or outside the authority's boundaries at the current HM Revenue and Customs (HMRC) rates which are:

- 45p per mile up to 10,000 miles in a year by car
- 25p per mile over 10,000 miles in a year by car
- 5p per mile per passenger carried on Authority business
- 24p per mile Motorcycles
- 20p per mile Bicycles

#### 4.14 Salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities and Chief Officers of Principal Councils

4.14.1 Section 63 of the Local Government (Democracy) (Wales) Act 2013 amended the Local Government (Wales) Measure 2011 by inserting Section 143A. This enables the Panel to take a view on anything in the Pay Policy Statements of these authorities that relates to the salary of the Head of Paid Service (Chief Executive). Section 39 of the Local Government (Wales) Act 2015 further amended the Measure extending this function to include Chief Officers of principal councils. The Welsh Government has issued amended guidance to the Panel which sets the basis on which the Panel will carry out the function contained in the legislation.

4.14.2 The functions of the Panel and the requirements on authorities established by the legislation and the subsequent guidance are:

- a) If a principal council intends to change the salary of the Head of Paid Service or Chief Officer, it must consult the Panel unless the change is in keeping with changes applied to other officers of that authority (whether the change is

an increase or decrease). 'Salary' includes payments under a contract for services as well as payments of salary under an employment contract;

- b) The authority must have regard to the recommendation(s) of the Panel when reaching its decision;
- c) The Panel may seek any information that it considers necessary to reach a conclusion and produce a recommendation. The authority is obliged to provide the information sought by the Panel;
- d) The Panel may publish any recommendation that it makes. It is the intention that, in the interests of transparency, it will normally do so;
- e) The Panel's recommendation(s) could indicate:
  - approval of the authority's proposal
  - express concerns about the proposal
  - recommend variations to the proposal

4.14.3 The Panel also has a general power to review the Pay Policy Statements of authorities so far as they relate to the Heads of Paid Service (and Chief Officers until 2020). It is important to note that the Panel will not decide the amount that an individual Head of Paid Service will receive.

#### 4.15 Job Sharing Arrangements

4.15.1 Section 58 of the Local Government and Elections (Wales) Act 2021 established new arrangements for job sharing executive leaders and executive members. The Act makes provision:

- a) requiring local authorities to include in their executive arrangements provision for enabling two or more councillors to share an office on an executive including the office of executive leader;
- b) changing the maximum number of executive members when members of the executive share an office and;
- c) about voting and quorum where members of an executive share office.

4.15.2 The 2021 Act also provides for principal councils to be able to appoint elected members to assist the executive in discharging its functions. Such appointments are made by the leader of the council and can include the number of assistants appointed, the term of office and the responsibility of the assistants.

**Determination 13:**

**The Panel will decide on a case by case basis the appropriate senior salary, if any, for assistants to the executive.**

#### 4.17 Compliance with Panel Requirements

4.17.1 The Authority must implement the Panel's Determinations from the date of its Annual Meeting or a date specified within the Annual Report.

4.17.2 The Panel will monitor the compliance with the Determinations in its Annual Report by relevant authorities against the following requirements:

- (i) The Authority must maintain an annual Schedule of Member Remuneration;
- (ii) The Authority must make arrangements for the Schedule's publication within the Authority area and send the Schedule to the Panel as soon as practicable and not later than 31 July in the year to which it applies;
- (iii) Any amendments to the Schedule made during the year must be conveyed to the Panel as soon as possible after the amendment is made;
- (iv) The Authority must make arrangements for publication within the Authority area of the total sum paid by it to each member and co-opted member in respect of salary (basic, senior and civic), allowances, fees and reimbursements in a Statement of Payments as soon as practicable and no later than 30 September following the close of the year to which it relates. It must be submitted to the Panel no later than that date.

#### 4.18 Effective dates

4.18.1 The Local Government (Wales) Measure 2011 requires the Panel's Annual Report to take effect from 1 April. In most years, this is in line with financial and administrative arrangements of all authorities. However, when new councils are elected some of the Panel's determinations are to be effective for the new municipal term. On 9 May 2022, new municipal arrangements will come into effect following local government elections. This Annual Report therefore has two different effective dates as set out below:

- For the period 1 April 2022 to 8 May 2022, all of the Determinations contained in the Independent Remuneration Panel for Wales' Annual Report 2021/22 will continue to apply in respect of principal councils and community and town councils;
- With effect from 9 May 2022, (the new municipal year) the Determinations set out in this Annual Report 2022/23 in the sections on principal councils and community and town councils will apply.

#### **5. Effect upon policy framework and procedure rules**

5.1 There is no effect upon the policy framework and procedure rules in respect of this report.

#### **6. Equality Act 2010 implications**

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. No Equality Impact Assessment has been undertaken as the Panel has the power under the Local Government (Wales) Measure 2011 to set members allowances. This report is supportive of the equalities implications for elected members by including care, family and other

allowances. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 The Annual Report contributes to the well-being goals identified in the Act. It is consistent with the five ways of working as defined within the sustainable development principle in the Act to encourage more diverse representation among Councillors and Co-opted Members. A more representative group should be better able to take into account the well-being goals when reviewing services and policies and consider the positive and negative impacts upon future generations, long term community resilience and economic, environmental and social capital.

## **8. Financial implications**

- 8.1 The changes to the remuneration of Elected Members for the 2022-23 financial year will increase the financial commitment required from this Authority. Some of the cost may be negated by members electing to forgo some or all of their salaries or choosing not to opt into the Local Government Pension Scheme. Only an individual member may communicate in writing to the Proper Officer if, as an individual, they wish to decline all or part of the payment to which they are entitled. The additional costs will be met from the centrally held provision for pay and price increases during the 2022-23 financial year.

## **9. Recommendations**

It is recommended that Council note the Annual Report for 2022/23 and approve:

- 9.1 The adoption of the relevant Determinations of the Panel contained within the Annual Report (attached as **Appendix 1**);
- 9.2 Those posts (shown in the revised Members' Schedule of Remuneration at Schedule 1 of **Appendix 2**) who will receive a senior / civic salary;
- 9.3 The revised Members' Schedule of Remuneration (**Appendix 2**) and for it to become effective from 9 May 2022;
- 9.4 That the Members' Schedule of Remuneration be updated with any changes to senior / civic salary positions subsequently made by Council during the 2022/23 municipal year.

**Kelly Watson**  
**Monitoring Officer**  
**March 2022**

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**Background documents:** None



# Independent Remuneration Panel for Wales

## Annual Report

February 2022

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

# ANNUAL REPORT

**2022/2023**

## FOREWORD

The COVID-19 pandemic continues to impact on the work of the Panel in that we have been unable to meet with authorities and their representative organisations face to face. However, we have continued to hold meetings regularly and to have meaningful discussions with our stakeholders via Microsoft Teams or Zoom.

The Panel issued the draft Report for consultation at the end of September 2021 and held engagement events to support the consultation process. We received a range of views, many either supporting or making no comment about the proposed increases. Some respondents questioned the timing and the potential financial implications. The Panel examined all of the responses and has decided not to make any significant amendments to the determinations contained in the draft Report. More detail is included in the [Executive Summary](#) and main Report.

We are grateful to those organisations and individuals who took the time to express their views.

We consider that it is important that the payments to elected members of principal councils are fair and at a level that is not a disincentive to potential candidates for election. Therefore, the Panel has decided to reset the basic salaries of elected members to closer align with the average earnings in Wales. This alignment has been eroded in successive years, primarily as a result of austerity measures.

This will be my final Report as a member of the Independent Remuneration Panel as I will be standing down at the end of March. I have had the privilege of being a member of the Panel since it was established in 2008 and the Chair for the past 7 years. I wish to put on record my appreciation and thanks to all of my colleagues, past and present, for the support that I have received during the last 13 years. Also, my grateful thanks to the members of our Secretariat who have supported me and ensured the efficient functioning of the Panel.

I believe that the Panel has made a significant and beneficial influence on the value of elected members of local government in Wales at all levels and in respect of all authorities that are within its remit. It is a sad reflection that much of the public's perceptions and views of politicians is tainted by the actions of a few individuals within representative democracy. I have had an involvement with local government all my working life and during that time have met and known countless members. The vast majority work tirelessly for their communities and do so for little financial reward. I believe that all in society should have the opportunity to stand for election if they wish to and there should be no financial barriers to preclude this.



This Report provides a major step forward towards achieving this objective. The Panel has consistently emphasised the fact that democracy is not cost free. However, we have to balance the fairness to elected members against the cost to the public purse. We are satisfied that this balance is achieved for 2022/2023.

I have no doubt that the Panel has had a beneficial impact on improving the worth of a local councillor and it is vital that this is not undermined by those members who decline increases in the payments for reasons of political gain. Such action undermines the worth and value of all elected members.

Finally, my thanks to all the members and officers of Welsh councils, NPAs and FRAs that I have had the pleasure of meeting and engaging with over the last 13 years.

John Bader  
Chair

**Panel Membership**

John Bader, Chair  
Saz Willey, Vice Chair  
Joe Stockley  
Ruth Glazzard  
Helen Wilkinson

Detailed information about the members can be found on the website: [Panel website](#)

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## Timescale for Implementation of the Panel's Determinations

The [Local Government \(Wales\) Measure 2011](#) requires the Panel's Annual Report to take effect from 1 April. In most years, this is in line with financial and administrative arrangements of all authorities. However, when new councils are elected some of the Panel's determinations are to be effective for the new municipal term.

On 9 May 2022, new municipal arrangements will come into effect following local government elections. This Annual Report therefore has two different effective dates as set out below:

1. For the period 1 April 2022 to 8 May 2022, all of the Determinations contained in the Independent Remuneration Panel for Wales' [Annual Report 2021/2022](#) will continue to apply in respect of principal councils and community and town councils.
2. For national park authorities and Welsh fire and rescue authorities the determinations in Sections [7](#) and [8](#) of this Report will apply from the new financial year, 1 April 2022.
3. With effect from 9 May 2022, (the new municipal year) the determinations set out in this Report in Sections [3](#) and [13](#) will apply to principal councils and community and town councils.

## Executive Summary

This is the fourteenth Annual Report of the Independent Remuneration Panel for Wales (the Panel), published under the requirements of the [Local Government \(Wales\) Measure 2011](#) (as amended).

1. As Wales emerges from the COVID-19 pandemic, elected members of local councils are playing an important role in supporting the resilience of their communities and economies. Local elections in Wales will take place on 5 May 2022. These elections provide an important opportunity to highlight public services and to emphasise the importance of councillors in maintaining Welsh democracy.
2. From inception, the Panel has consistently argued that local democracy and the governance of local public services are not cost free and that financial barriers should not limit anyone's opportunity to participate. Remuneration must be sufficient to encourage and enable a diversity of willing and able people to undertake local governance through elected, appointed or co-opted roles.
3. The Panel shares Welsh Government's commitment to equality, diversity and inclusion, including the socio-economic duty. The current make-up of Welsh councillors does not reflect the diversity of Wales. Public services should be accountable to and delivered by people who reflect the communities they serve, as evidence shows diversity of experience and thought broadens perspectives and improves decision making.
4. The Panel has previously highlighted that since 2009, remuneration of elected members of local government in Wales has not kept pace with measures of inflation or other possible comparators due mainly to austerity and pressure on public finances.<sup>1</sup> The effect is members of principal councils have been significantly undervalued over time.

### Yearly percentage increases to basic salary, benchmarks and alternative measures 2013 to 2021

Annual Report Year	2013	2014	2015	2016	2017	2018	2019	2020	2021
IRPW Basic	0.00	0.00	0.95	0.00	0.00	0.75	3.49	2.52	1.06
ASHE*	4.00	0.60	1.00	2.70	1.00	2.10	5.10	1.20	3.90
NLW	1.90	3.00	3.10	7.50	4.20	4.40	4.90	6.20	2.18
LWF	3.47	2.68	2.61	5.10	2.42	3.55	2.86	3.33	2.15

\* ASHE for 2020 has been revised and the 2021 figure is provisional.

<sup>1</sup> These include Retail Prices Index, Consumer Prices Index, NJC (public sector employees), National Living Wage (NLW), [the Living Wage Foundation's Living Wage \(LWF\) rates](#), Members of Senedd Cymru, and MPs and also the Annual Survey of Hourly Earnings (ASHE). Section 3 has more detail including actual salary comparators.

5. The Panel believe the May elections are the right time to re-establish the link between principal councillor remuneration and average earnings in Wales. Those elected as members of the 22 principal councils will receive, proportionately, the same overall average pay that a Welsh constituent received in 2020. Further details can be found in [Section 3](#).
6. [The Local Government \(Wales\) Measure 2011](#) requires the Panel to have regard to the financial implication of its decisions. The Panel investigated the cost of the reset and discussed issues of affordability with representatives of the Welsh Local Government Association. Their general consensus was, that in the context of a council's total budget, the Panel's determinations will not have a significant impact. The Panel consider that these proposals meet the legislative requirement and achieve an appropriate balance of fairness to councillors and taxpayers.
7. In preparing this Annual Report, the Panel undertook an extensive consultation on the contents of the Draft Report. The breadth, depth and frankness of the feedback is appreciated and all views have been considered. The Panel hopes that this final report is easier to understand and implement.
8. All responses to the draft consultation supported the Panel's stance on continuing to encourage diversity amongst locally elected representatives. Many comments highlighted that low levels of remuneration had proved a barrier to increasing diversity in local democracy. Some raised concerns. One respondent wrote powerfully about the adverse impact on women, and other protected characteristic groups under-represented in local democracy, and of a culture in which people felt coerced into forfeiting payments they are eligible for. The value of the role of councillors is undermined if individual members forego increases determined by an independent Panel.
9. All respondents agreed that councillors should be properly valued and that remuneration needs to reflect the demands and complexity of the role. Most confirmed that decision-making and local governance continue to become more complex and that pressures on councillors that were already increasing before the pandemic have intensified in the last two years. This includes being available at all times of the day and night as the public (and media) increasingly expect and demand agile, often immediate responses to enquiries and concerns. It is clear from responses that a move to hybrid working enforced by the COVID-19 pandemic requires investment in infrastructure, equipment and training support to enable councillors to fulfil their tasks effectively.
10. The environment in which politicians – local and national – are operating in is challenging. Safety emerged as a key issue in 2021 following the tragic death of Sir David Amess MP and in the consultation feedback received.
11. Many individuals and some principal authorities supported all of the Panel's determinations. There were no objections to the principle of aligning members of principal councils with the average Welsh wage. A few thought the proposed increases should have been larger and or have been made earlier. One respondent thought past increases should have been in line with inflation but did not specify which index measure they preferred. The Panel notes that if this had been done the 2022 payments would have been larger.

12. A few respondents stated that they would prefer the increase to be spread over the next five year term. The Panel does not agree. The Panel believes that it is essential prospective candidates and the electorate know that successful candidates will be fairly remunerated, as this may lead to a greater diversity of individuals applying and putting themselves forward for selection and election.
13. A few respondents expressing concern about the level of the proposed increase stated this was because of potential adverse media reaction and public perception about such a large percentage rise. The Panel notes these concerns but is not convinced that any of the matters raised merit a change in either the proposed amounts or that there is a case for incremental increases. The Panel is clear that the 2022 local elections are the right time to re-establish the link between principal councillor remuneration and average earnings in Wales. This was due mainly to austerity and pressure on public finances.
14. The Panel is concerned that payment information provided by relevant authorities shows that very few members are utilising the provision in the framework for financial support in respect of care. It is vital that Democratic Services Committees continue to encourage and facilitate greater use of this element of the Remuneration Framework so that members with care costs are not financially disadvantaged. Encouraging take up of financial support for members with caring responsibilities sends a positive signal that members with care responsibilities are welcome and valued. People's lifestyles (and expectations) have changed in the last decade with increased requirements and expectations for a flexible approach to support people with family and care pressures to participate and contribute at work and in public life, through job sharing, flexibility and family leave. The care payments reflect this.
15. Payments for members of national park authorities and Welsh fire and rescue authorities will increase as a result of the uplift proposed for elected members of principal councils. As indicated above, these increases will be effective from 1 April 2022, the new financial year. The Panel considered the alternative for implementation following the annual meeting of each authority, but this could mean a significant delay in individuals receiving the new payments.
16. Early in 2021 the Panel commenced a major review of the Remuneration Framework in respect of community and town councils and undertook a comprehensive consultation exercise with the sector. We appreciated the level of engagement from individual councils and their representative organisations. The COVID-19 pandemic limited the Panel's opportunities for face-to-face engagement in 2020/2021. However, the Panel's digital engagement was considerable. The Panel recognises a wide variation in geography, scope and scale across the over 700 community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities. Our determinations for the new framework are set out in [Section 13](#).
17. The independence of the Panel from Welsh Government and local government is enshrined in law. The Panel's decisions and determinations are made on its principles, objectives and evidence, free from political influence, voter or media

considerations. In reaching the conclusions within this report, the Panel took account of:

- the overarching framework of the [Wellbeing of Future Generations Act](#);
- the ethos and principle of the [socio-economic duty](#), implemented in Wales in 2020;
- the Welsh Government’s ongoing commitment to [equality](#) and [diversity in democracy](#) including the [Access to Elected Office Fund](#) and other stakeholder initiatives such as [Be a Councillor](#) (WLGA) and [ElectHer](#);
- Welsh Government’s [net zero all-Wales plan](#), [remote working policy](#) and indications that hybrid working will remain a feature of the operating environment for local politicians.

## 2022-2023 Determinations

18. The table below summarises the new and updated determinations in this year’s Annual Report informed by our belief and rationale for investing in local democracy and public services and by the principles outlined above.

[Annex 1](#) outlines all of the Panel’s determinations for 2022/23.

<b>Summary of new and updated determinations contained in this report</b>
<b>Principal Councils</b>
<b><i>Determination 1:</i></b> The basic salary in 2022/23 for elected members of principal councils shall be £16,800.
<b><i>Determination 2:</i></b> Senior salary levels in 2022/23 for members of principal councils shall be as set out in <a href="#">Table 4</a> .
<b><i>Determination 3:</i></b> Where paid, a civic head must be paid a Band 3 salary of £25,593 in accordance with <a href="#">Table 4</a> .
<b><i>Determination 4:</i></b> Where paid, a deputy civic head must be paid a Band 5 salary of £20,540 in accordance with <a href="#">Table 4</a> .
<b><i>Determination 5:</i></b> Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with <a href="#">Table 4</a> .
<b>Assistants to the Executive</b>
<b><i>Determination 13:</i></b> The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.
<b>National Park Authorities</b>
<b><i>Determination 23:</i></b> The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
<b><i>Determination 24:</i></b> The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.
<b><i>Determination 25:</i></b> A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.

<b>Summary of new and updated determinations contained in this report</b>
<b>Determination 26:</b> Committee chairs or other senior posts can be paid. This shall be paid at £8,478.
<b>Fire and Rescue Authorities</b>
<b>Determination 30:</b> The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
<b>Determination 31:</b> The senior salary of the chair of a FRA shall be £11,162 with effect from 1 April 2022.
<b>Determination 32:</b> A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.
<b>Determination 33:</b> Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.
<b>Payments to Co-opted Members of Principal Councils, National Park Authorities and Fire &amp; Rescue Authorities</b>
<b>Determination 40:</b> The appropriate officer within the authority must set in advance whether a meeting is programmed for a full or half day. When the meeting is set for a full day the fee will be paid on this basis even if the meeting finishes within four hours.
<b>Contribution towards Costs of Care and Personal Assistance (CPA)</b>
<b>Determination 43:</b> All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:  <ul style="list-style-type: none"> <li>• Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.</li> <li>• Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real Living Wage <a href="#">hourly rates as defined by the Living Wage Foundation</a> at the time the costs are incurred.</li> </ul> <p>This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.</p>
<b>Community and Town Councils</b>
<b>Determination 44:</b> Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses.
<b>Determination 45:</b> The payment for members undertaking a senior role is an annual amount of £500 as set out in <a href="#">Table 11</a> .
<b>Determination 48:</b> Community and town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows:  <ul style="list-style-type: none"> <li>• Up to £57.20 for each period not exceeding 4 hours</li> <li>• Up to £114.40 for each period exceeding 4 hours but not exceeding 24 hours</li> </ul>



<b>Summary of new and updated determinations contained in this report</b>
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<b><i>Determination 49:</i></b>
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Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30.
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A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.
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<b><i>Determination 52:</i></b>
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The application of the Remuneration Framework by relevant Group.
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# **1. The Panel's Framework: Principles of Members' Remuneration**

## **Upholding trust and confidence**

- 1.1 Citizens rightly expect that all those who choose to serve in local authorities uphold the public trust by embracing the values and ethics implicit in such public service. These principles underpin the contribution that the work of the Panel and its Framework make towards upholding public trust and confidence.

## **Simplicity**

- 1.2 The Framework is clear and understandable. This is essential for the Panel to be able to communicate its Determinations effectively to all those who are affected by, or who have an interest in its work.

## **Remuneration**

- 1.3 The Framework provides for payment to members of authorities who carry a responsibility for serving their communities. The level of payment should not act as a barrier to taking up or continuing in post. There should be no requirement that resources necessary to enable the discharge of duties are funded from the payment. The Framework provides additional payments for those who are given greater levels of responsibility.

## **Diversity**

- 1.4 Democracy is strengthened when the membership of authorities adequately reflects the demographic and cultural make-up of the communities such authorities serve. The Panel will always take in to account the contribution its Framework can make in encouraging the participation of those who are significantly under-represented at local authority level.

## **Accountability**

- 1.5 Taxpayers and citizens have the right to receive value for money from public funds committed to the remuneration of those who are elected, appointed or co-opted to serve in the public interest. The Panel expects all authorities to make information readily and appropriately available about the activities and remuneration of their members.

## **Fairness**

- 1.6 The Framework will be capable of being applied consistently to members of all authorities within the Panel's remit as a means of ensuring that levels of remuneration are fair, affordable and generally acceptable.

## **Quality**

- 1.7 The Panel recognises that the complex mix of governance, scrutiny and regulatory duties incumbent upon members requires them to engage with a process of continuous quality improvement. The Panel expects members to undertake such training and personal development opportunities as required to properly discharge the duties for which they are remunerated.

## **Transparency**

- 1.8 Transparency of members' remuneration is in the public interest. Some members receive additional levels of remuneration by virtue of being elected or appointed to more than one public body. The Framework serves to ensure that knowledge of all members' remuneration is made easily available to the public.

## **Remuneration of Heads of Paid Service**

- 1.9 The Panel applies these principles of fairness, accountability and transparency in all its determinations in relation to remuneration of members of all the authorities that fall within its remit. The same principles also apply when the Panel is required to make recommendations in relation to the remuneration of the heads of paid service of these authorities.

## 2. Annual Report Summary Page

Type of Payment	Type of Authority			
	Principal Councils	National Park Authorities	Fire and Rescue Authorities	Community and Town Councils
Basic Salary	page 16	page 32	page 35	N/A <sup>2</sup>
Senior Roles	page 19	page 32	page 35	page 49
Committee Chairs	page 17	page 32	page 35	N/A
Opposition Groups	page 19	N/A	N/A	N/A
Civic Heads and Deputies	page 20	N/A	N/A	page 52
Presiding Members	page 21	N/A	N/A	N/A
Mileage	page 45	page 45	page 45	page 45
Other Travel Costs	page 45	page 45	page 45	page 50
Subsistence Costs	page 46	page 46	page 46	page 50
Contribution towards Costs of Care and Personal Assistance	page 39	page 39	page 39	page 39
Family Absence	page 30	N/A	N/A	N/A
Sickness Absence	page 43	page 43	page 43	N/A
Joint Overview and Scrutiny Committees	page 27	N/A	N/A	N/A
Corporate Joint Committees	page 28	N/A	N/A	N/A
Pension	page 29	N/A	N/A	N/A
Co-optees	page 37	page 37	page 37	N/A
Specific or Additional Allowances	page 23	N/A	N/A	N/A
Payments to Community and Town Councillors	N/A	N/A	N/A	page 47
Compensation for Financial Loss	N/A	N/A	N/A	page 50
Statement of Payments	page 84	page 84	page 84	page 84
Schedule of Remuneration	Page 82	Page 82	Page 82	N/A
Salaries of Head of Paid Services	Page 59	N/A	Page 59	N/A

<sup>2</sup> Not Applicable

### 3. Payments to Elected Members of Principal Councils: Basic, Senior and Civic Salaries

#### Basic salary for elected members of principal councils

3.1 In 2009 the Panel decided the average work commitment of an elected councillor of a principal council was three working days. The maximum basic salary was set at £13,868. This reflected three fifths of the then median gross earnings of full-time male employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE) published by the Office of National Statistics. The Panel considered it was appropriate to use this figure, as it was comparable with constituents' pay, adjusted for the part-time nature of the work of a member with no senior responsibilities. At the introduction of austerity measures, the basic salary was reduced to £13,175 and the link to ASHE was broken. Since then, there has been no connection between councillor and constituent pay. In 2019, the Panel took steps to stop the gap widening and reviewed options to move towards reinstating the link with ASHE or another suitable benchmark. A detailed explanatory paper setting out the historical context and analysis is available on the Panel's [website](#). The key issues are:

3.1.1 Since 2009, the Panel has met its duty to take account of affordability and acceptability and set amounts for the basic salary that varied but have not kept pace with measures of inflation or other comparators. [Table 1](#) shows the percentage increases to the basic salary and a selection of alternative benchmarks from 2013 to 2021.

3.1.2 From 2013 to 2020 the basic salary of other Welsh elected members increased by 9% (£13,175 to £14,368). A Senedd Cymru member's salary increased by 28.6% (£53,852 to £69,272) and an MP's salary increased by 23.4% (£66,396 to £81,932). MS salaries were realigned in 2017 and MPs in 2015.

3.1.3 Examining other parts of the United Kingdom, councillors in Scotland receive £18,604 a year and in 2018 councillors in Northern Ireland received £15,486. Comparison with England is more difficult as the structure of local government is different, although there are examples where members are paid significantly more than their Welsh counterparts.

3.1.4 [Table 1](#) shows the basic salary of backbench councillors has fallen significantly behind the Welsh average (median) salary and public sector pay.

**Table 1 – Yearly percentage increases to basic salary, benchmarks and alternative measures 2013 to 2021**

Annual Report Year	2013	2014	2015	2016	2017	2018	2019	2020	2021
IRPW Basic	0.00	0.00	0.95	0.00	0.00	0.75	3.49	2.52	1.06
ASHE*	4.00	0.60	1.00	2.70	1.00	2.10	5.10	1.20	3.90
NJC **	1.00	0.43	2.05	1.00	1.00	2.00	2.60	2.75	1.75
MS	0.00	0.00	0.00	1.00	17.70	2.10	3.50	0.00	2.40
MP	1.00	1.00	10.30	1.30	1.40	1.80	2.70	3.10	0.00
RPI***	3.00	2.40	1.00	1.80	3.60	3.30	2.60	1.50	3.80
CPI ****	2.60	1.50	0.00	0.70	2.70	2.50	1.80	0.90	2.00
NLW	1.90	3.00	3.10	7.50	4.20	4.40	4.90	6.20	2.18
LWF	3.47	2.68	2.61	5.10	2.42	3.55	2.86	3.33	2.15

\*ASHE for 2020 has been revised and the 2021 figure is provisional

\*\* NJC final employers offer July 2021; \*\*\* RPI and CPI\*\*\*\* are for July 2021.

Wales Median Average (median) gross weekly earnings by Welsh local areas and year (£) (gov.wales)

MS [Remuneration Board](#)

MP [Independent Parliamentary Standards Authority](#)

RPI all items [Retail Price Index](#)

CPI [Consumer Price Inflation](#)

NLW [National Living Wage](#)

LWF [Living Wage Foundation](#)

**Table 2 - Basic yearly salary and actual full time and 3 day (60%) equivalents of Welsh national average pay 2013 to 2021**

Year	IRPW basic salary	Wales Median ASHE	
		full time	3 day
2013	13,175	24,499	14,699
2014	13,175	24,655	14,793
2015	13,300	24,915	14,949
2016	13,300	25,643	15,386
2017	13,300	25,904	15,542
2018	13,400	26,476	15,886
2019	13,868	27,828	16,697
2020	14,218	28,166*	16,900*
2021	14,368	29,274*	17,564*

- 3.2 When making determinations for this Annual Report, the Panel considered the progression of the variety of benchmark figures outlined above for the period from 2013 to 2021 and the increases.
- 3.3 As outlined in the [Executive Summary](#), the Panel believes that local elections in May 2022 provide an opportune time to rectify the imbalance between the basic salary of councillors and the average salaries of their constituents. The basic salary of councillors of principal councils elected in the May 2022 local elections will be reset to align with the 2020 ASHE. This will be £16,800.

**Determination 1: The Basic Salary in 2022/23 for elected members of principal councils shall be £16,800.**

### Senior Salaries

Senior salaries are payments to members who are executive, chairs of committees and the leader of the opposition.

### Number of Senior Salaries

- 3.4 The limit on the number of senior salaries payable (“the cap”) will remain in place and remains unchanged other than to reflect, where appropriate, the changes in the membership. In 2022-2023 the maximum number of senior salaries payable within each council will be as set out in [Table 3](#).

### Senior Salary Payments

- 3.5 All senior salaries include the basic salary payment.
- 3.6 The Panel recognises that years of no or low increases has meant the pay of senior salary holders is significantly and increasingly lower than many relevant comparators.

### Leaders

- 3.7 It is widely recognised that the role of leader of a principal council is highly complex and carries a large and increasing level of responsibility. Leaders’ pay is at the lower end of sector market comparators.
- 3.8 The Panel has heard arguments that a leader’s pay should be at or above a backbench MS or a Health Board Chair. The Panel has considered these arguments, but has concluded that although the roles have some similarities, there are significant and crucial differences which are not helpful in making comparisons.

- 3.9 The Panel is very concerned that the current payment levels are often financially unattractive and are seen as a barrier to participation. For many willing and well-qualified people, a senior salary might necessitate a significant reduction in earnings. This is not in the spirit of diversity, inclusion, or democracy, or efficient for the effective running of principal councils. To start to address this, the Panel has re-set all senior salary payments for 2022-2023. The salary of a leader of the largest (Group A) council will be £63,000. All other payments have been decided in reference to this and are set out in [Table 4](#).

### **Executive**

- 3.10 The Panel continues to take the view that executive members should be considered to be working the equivalent of full time (around 40 hours per week) but flexibly, and not necessarily nine to five. Continued discussions with members and officers in recent years have reinforced this conclusion.

### **Chairs of Committees**

- 3.11 The Panel recognises that there is a significant variance in the responsibilities and functions of chairing different committees. Councils do not have to pay chairs of committees. Each council can decide which, if any, chairs of committees they pay. This allows councils to take account of differing levels of responsibility.
- 3.12 The Panel has considered the role element of the chair's salary. The move to a single level of chair payment in 2019 reduced the differentials with other senior payments. To reset this, the Panel has decided not to change the role element at the 2021 figure of £8,793 for 2022-2023. The basic salary increase will apply.

**Determination 2: Senior salary levels in 2022/23 for members of principal councils shall be as set out in [Table 4](#).**



**Table 3:** Maximum numbers of council membership eligible for payment of a senior salary

<b>Council</b>	<b>Number of councillors</b>	<b>Number of senior salaries</b>
<b>Group A (populations over 200,000)</b>		
Cardiff	79	19
Rhondda Cynon Taf	75	19
Swansea	75	19
<b>Group B (populations of 100,000 to 200,000)</b>		
Bridgend	51	18
Caerphilly	69	18
Carmarthenshire	75	18
Conwy	55	18
Flintshire	66	18
Gwynedd	69	18
Neath Port Talbot	60	18
Newport	51	18
Pembrokeshire	60	18
Powys	68	18
Vale of Glamorgan	54	18
Wrexham	56	18
<b>Group C (populations of up to 100,000)</b>		
Blaenau Gwent	33	16
Ceredigion	38	17
Denbighshire	48	17
Isle of Anglesey	35	17
Merthyr Tydfil	30	15
Monmouthshire	46	17
Torfaen	40	17

**NOTE:** The number of councillors set out in [Table 3](#) reflects the changes proposed by the Local Democracy and Boundary Commission for Wales and approved by the Minister for Finance and Local Government. These will be effective from the 9 May 2022. From 1 April 2022 to 8 May 2022 the numbers contained in [Table 3](#) of the Annual Report 2021/2022 will apply.

**Table 4:** Salaries payable to Basic, Senior, Civic and Presiding Members of Principal Councils:

<b>Basic salary (payable to all elected members) £16,800</b>			
	<b>Group A</b> Cardiff, Rhondda Cynon Taf, Swansea	<b>Group B</b> Bridgend, Caerphilly, Carmarthenshire, Conwy, Flintshire, Gwynedd, Newport, Neath Port Talbot, Pembrokeshire, Powys, Vale of Glamorgan, Wrexham	<b>Group C</b> Blaenau Gwent, Ceredigion, Denbighshire, Merthyr Tydfil, Monmouthshire, Torfaen, Isle of Anglesey
<b>Senior salaries (inclusive of basic salary)</b>			
<b>Band 1</b> Leader	£63,000	£56,700	£53,550
Deputy Leader	£44,100	£39,690	£37,485
<b>Band 2</b> Executive Members	£37,800	£34,020	£32,130
<b>Band 3</b> Committee Chairs (if remunerated):		£25,593	
<b>Band 4</b> Leader of Largest Opposition Group <sup>3</sup>		£25,593	
<b>Band 5</b> Leader of Other Political Groups		£20,540	

<sup>3</sup> Leader of largest opposition group. See IRPW Regulations, Annex 2, Part 1(2) for a definition of “largest opposition group” and “other political group”.

**Table 4 notes:**

- a. The Panel considers that leadership and executive roles (Band 1 and 2 salaries respectively) carry the greatest individual accountability. A deputy leader salary is set at 70% of their leader and an executive member at 60% of their leader.
- b. The Panel considered arguments for and against changing council groupings. Options included removing or increasing the number of groups

and changing the banding levels. The Panel concluded that ‘size of population’ remains a major factor in influencing levels of responsibility and has retained the three population groups (A, B and C). For information: Group A Population 200,000 and above; Group B Population 100,001 to 199,999; Group C Population up to 100,000.

- c. Salaries for B group councils will be at 90% of Group A salaries. Salaries for C group councils have been set at around 80% of Group A. Although Group C councils have significantly smaller populations and budgets they face similar duties and challenges as Group A and B councils and they do so with fewer resources. The Panel has therefore decided to reduce the Group differentials. In 2022/2023 salaries for Group C will be at 85% of Group A salaries. The salaries are set out in [Table 4](#).
- d. Committee chairs will be paid at Band 3. A council can decide which, if any, chairs of committees are remunerated. This allows councils to take account of differing levels of responsibility.
- e. The stipulation that an opposition group leader or any other group leader must represent at least 10% of the council membership before qualifying for a senior salary remains unchanged.
- f. The Panel has determined that a council must make a senior salary available to the leader of the largest opposition group.
- g. The Panel has determined that, if remunerated, a Band 5 senior salary must be paid to leaders of other political groups.

### **Payments to Civic Heads and Deputies (Civic Salaries)**

- 3.13 A council may decide not to pay any civic salary to the posts of civic head and or deputy civic head. If paid, civic heads must be remunerated at Band 3 level and deputy civic heads at Band 5. (Determinations 5, 6, 7 and 8).
- 3.14 The posts of civic head and deputy civic head are not included in the cap (subject to not exceeding 50% of the council membership).
- 3.15 Civic heads are senior posts within councils which are distinct from political or executive leadership. In addition to chairing major meetings the civic head is the authorities’ ‘first citizen’ and ‘ambassador’ representing the council to a wide variety of institutions and organisations. The Panel’s requirement that members should not have to pay for the cost of the support (see **Determination 10**) needed to carry out their duties applies also in respect of deputy civic heads.

**Determination 3: Where paid, a Civic Head must be paid a Band 3 salary of £25,593 in accordance with [Table 4](#).**

**Determination 4: Where paid, a Deputy Civic Head must be paid a Band 5 salary of £20,540 in accordance with [Table 4](#).**

- 3.16 In many instances civic heads receive secretarial support and are provided with transport for official duties and can access a separate hospitality budget which is managed and controlled by council officers.
- 3.17 The Panel recognises the wide range of provision made for civic heads in respect of transport, secretarial support, charitable giving and official clothing. Funding decisions in relation to levels of such additional support are not matters of personal remuneration, but of the funding required to carry out the tasks and duties. These matters remain entirely a decision for individual councils. Councils remain free to invest in support at whatever levels they deem appropriate for the levels of civic leadership they have in place.
- 3.18 The [Local Government \(Democracy\) \(Wales\) Act 2013](#) allows councils to appoint a presiding member whose role is to chair meetings of the whole council. Where appointed, there would be a consequential reduction in the responsibilities of the respective civic head.

### **Presiding Members**

- 3.19 Councils are reminded that, if a presiding member is appointed, they do not have to be remunerated. If they are remunerated the post will count towards the cap and be paid at a Band 3 senior salary.

**Determination 5: Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with [Table 4](#).**

**Determination 6: The post of deputy presiding member will not be remunerated.**

### **Key factors underpinning the Panel's determinations:**

- 3.20 The basic salary, paid to all elected members, is remuneration for the responsibility of community representation and participation in the scrutiny, regulatory and related functions of local governance. It is based on a full time equivalent of three days a week.
- 3.21 The prescribed salary and expenses must be paid in full to each member unless an individual has independently and voluntarily opted in writing to the authority's proper officer to decline all or any element of the payment. It is fundamental there is transparency in this process so any possible suggestion that members are put under pressure to decline salaries is avoided.

The following must be applied:

**Determination 7:**

- a) **An elected member must not be remunerated for more than one senior post within their authority.**
- b) **An elected member must not be paid a senior salary and a civic salary.**
- c) **All senior and civic salaries are paid inclusive of basic salary.**
- d) **If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.**

**Determination 8: Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA or FRA to which they have been appointed. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the NPA or FRA.**

**Determination 9: Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a community or town council of which they are a member. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the community or town council. Where this situation applies, it is the responsibility of the individual member to comply.**

### **Supporting the work of local authority elected members**

- 3.22 The Panel expects support provided should take account of the specific needs of individual members. Democratic Services Committees are required to periodically review the level of support provided to members to carry out their duties. The Panel would expect these committees to carry this out and bring forward proposals to the full council as to what is required. Any proposals should be made with due regard to Determinations 10 and 11 below. For example, the Panel does not consider it appropriate that elected members should be required to pay for any telephone usage to enable them to discharge their council duties.
- 3.23 The Panel considers it is necessary for each elected member to have ready use of email services, and electronic access to appropriate information via an internet connection. The Panel does not consider it appropriate that elected members should be required to pay for internet related services to enable them to discharge their council duties, even more so when a significant proportion of a member's function is undertaken from their home. Access to electronic

communications is essential for a member to be in proper contact with council services and to maintain contact with those they represent. Councils are committed to paperless working and without electronic access members would be significantly limited in their ability to discharge their duties. It is inappropriate for facilities required by members only to be available within council offices within office hours.

- 3.24 The responsibility of each council, through its Democratic Services Committee, to provide support should be based on an assessment of the needs of its members. When members' additional needs or matters of disability apply, or there are specific training requirements indicated, each authority will need to assess any particular requirements of individual members.
- 3.25 As a result of their role as a councillor an elected member's personal security may become adversely affected. It is the duty of Democratic Services Committees to fund or provide support necessary to enable a councillor to discharge their role reasonably and safely. This may require funding appropriate security measures to protect councillors from personal risk or significant threat. Risk assessment and liaison with relevant bodies such as the police and security services would normally inform the selection of required provision.
- 3.26 For co-opted members the support requirements are set out in [Section 9](#) and Determination 42.

**Determination 10: Each authority, through its Democratic Services Committee, must ensure that all its elected members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone, email and internet facilities giving electronic access to appropriate information.**

**Determination 11: Such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.**

### **Specific or additional senior salaries**

- 3.27 To allow greater flexibility councils have the opportunity to apply for specific or additional senior salaries that are outside the current remuneration framework, or cannot be accommodated within the maximum number of senior salaries relating to the authority. If the proposed addition is approved and results in the council exceeding its cap, this will be included in the approval (subject to not exceeding 50% of the council membership – see footnote 4). Some councils have raised the possibility of operating some senior salary posts on a job share arrangement. The Panel is supportive of this principle, on the basis that it supports diversity and inclusion, and the process is set out in Paragraph 3.29.

**Determination 12: Principal councils can apply for specific or additional senior salaries that do not fall within the current Framework.**

- 3.28 Guidance to local authorities on the application process was issued in April 2014 and incorporated the following principles:
- a. The total number of senior salaries cannot exceed fifty percent<sup>4</sup> of the membership.
  - b. Applications will have to be approved by the authority as a whole (unless this has been delegated within Standing Orders) prior to submission to the Panel.
  - c. There must be clear evidence that the post or posts have additional responsibility demonstrated by a description of the role, function and duration.
  - d. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

<sup>4</sup> Local Government (Wales) Measure 2011 Section 142 (5). The proportion fixed by the Panel in accordance with subsection (4) may not exceed fifty percent unless the consent of the Welsh Minister has been obtained.

### 3.29 Job Sharing Arrangements

[Section 58](#) of the [Local Government and Elections Act \(Wales\) 2021](#) established new arrangements for job sharing for executive leaders and executive members. The Act makes provision:

- a) requiring local authorities to include in their executive arrangements provision for enabling two or more councillors to share an office on an executive, including the office of executive leader
- b) changing the maximum number of members of an executive when members of the executive share an office and
- c) about voting and quorum where members of an executive share office.

For members of an executive: Each job sharer will be paid an appropriate proportion of the salary group as set out in [Table 3](#).

The statutory maximum, as set out in the [Act](#), for cabinets cannot be exceeded so each job sharer will count toward the maximum.

In respect of job-sharing arrangements for other senior salary posts (e.g. Committee Chairs: Opposition group leaders) the Panel is supportive and will normally be prepared to agree to submissions from councils subject to the limitations set out in the following paragraph.

Under the [Measure](#), it is the number of persons in receipt of a senior salary, not the number of senior salary posts that count towards the cap. Therefore, for all job share arrangements the senior salary cap will be increased subject to the statutory maximum of 50% of the council's membership. Where the arrangements would mean that the statutory maximum would be exceeded the Panel would need to seek the approval of Welsh Ministers.

### 3.30 Assistants to the Executive

The [Local Government and Elections Act](#) also provides for principal councils to be able to appoint elected members to assist the executive in discharging its functions.

Such appointments are made by the leader of the council and can include:

- the number of assistants that may be appointed
- the term of office of the assistants
- the responsibility of the assistants

There are exclusions to the appointments as set out in the legislation and assistants are not members of the cabinet.



The Panel has given initial consideration to matters of remuneration for members appointed as assistants to the executive but has concluded that until there is more information in respect of the responsibilities attached to the posts it is not possible to decide on additional payments, if any. It is therefore proposed that this will be further considered when a council decides to make appointments and details of the specific responsibility is available.

To give effect to this without the requirement for a further formal report the following determination will apply.

**Determination 13: The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.**

Note: If a senior salary payment is made, each will count towards the cap, however, the cap will be increased by the number of assistants receiving payments subject the statutory maximum of 50 per cent of the council's membership.

## **4. Joint Overview and Scrutiny Committees**

- 4.1 Little use has been made of the arrangements for Joint Overview and Scrutiny Committees (JOSC). Therefore, the Panel has decided to delete the payment from the Framework. If, in future, a JOSC is formed by an individual council and it wishes to remunerate, it can apply using the arrangements contained in paragraphs 3.27 and 3.28. The current JOSCs in operation will continue without need for further confirmation. The applicable salaries are set out in the following determinations.

**Determination 14: The salary level for a chair of a Joint Overview and Scrutiny Committee shall be £8,793.**

**Determination 15: The salary level for a vice chair of a Joint Overview and Scrutiny Committee shall be £4,396.**

## 4A. Corporate Joint Committees

- 1A. [The Local Government and Elections Act 2021](#) established Corporate Joint Committees (CJCs) which comprise groups of principal councils. CJCs have specific functions which are set out in Regulations. [Paragraph 4 of The Corporate Joint Committee \(General\) \(No.2\) \(Wales\)](#) is relevant to the Panel.
- 2A. [The Local Government \(Wales\) Measure 2011](#) is amended to include CJCs as relevant authorities for the functions of the Panel. Therefore, any payments made to members of a CJC have to be determined by the Panel.
- 3A. In respect of this Annual Report, as CJCs are in the early stages of being set up, it is too soon for the Panel to consider whether members of a CJC should be remunerated and over time the role, responsibility will be evaluated including any consequential changes to the function and role of the Executive members of the principal council. However, the payment of contribution to costs of care and personal assistance and travel and subsistence to members of CJCs has been included in [Section 10](#) and [Section 12](#).
- 4A. The function of the Panel relating to the salaries of Chief Executives of principal councils and Chief Fire Officers has been extended to include Chief Executives of CJCs.

## 5. Pension Provision for Elected Members of Principal Councils

- 5.1 The [Local Government \(Wales\) Measure 2011](#) provides a power to the Panel to make determinations on pension entitlement for elected members of principal councils.

**Determination 16: The entitlement to join the Local Government Pension Scheme shall apply to all eligible elected members of principal councils.**

## 6. Entitlement to Family Absence

This section applies to elected members of principal authorities.

- 6.1 The Regulations relating to Family Absence for elected members of principal councils were approved by the National Assembly for Wales in [November 2013](#)<sup>5</sup> and cover maternity, new-born, adoption and parental absences from official business.
- 6.2 The Panel considered the implications for the remuneration of such members who are given absence under the terms of the Welsh Government Regulations and the Panel's determinations are set out below.

**Determination 17: An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.**

**Determination 18: When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.**

**Determination 19: It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.**

**Determination 20: If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.**

**Determination 21: When a Council agrees a paid substitution for family absence the Panel must be informed within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.**

**Determination 22: The Council's schedule of remuneration must be amended to reflect the implication of the family absence.**

<sup>5</sup> [The Family Absence for Members of Local Authorities \(Wales\) Regulations 2013](#)

## 7. Payments to Members of National Park Authorities

### Structure of National Park Authorities

- 7.1 The three national parks in Wales - Brecon Beacons, Pembrokeshire Coast and Snowdonia were formed to protect spectacular landscapes and provide recreation opportunities for the public. [The Environment Act 1995](#) led to the creation of a National Park Authority (NPA) for each park.
- 7.2 National park authorities comprise members who are either elected members nominated by the principal councils within the national park area or are members appointed by the Welsh Government through the Public Appointments process. Welsh Government appointed and council nominated members are treated equally in relation to remuneration.
- 7.3 The structure of the members' committee at each of the three national parks is set out in Table 5.

**Table 5: Membership of Welsh National Park Authorities**

National Park Authority	Total Membership	Principal Council Members	Welsh Government appointed Members
<b>Brecon Beacons</b>	18	12: Blaenau Gwent County Borough Council – 1 Carmarthenshire County Council – 1 Merthyr Tydfil County Borough Council – 1 Monmouthshire County Council – 1 Powys County Council – 6 Rhondda Cynon Taf County Borough Council - 1 Torfaen County Borough Council – 1	6
<b>Pembrokeshire Coast</b>	18	12: Pembrokeshire County Council – 12	6
<b>Snowdonia</b>	18	12: Conwy County Borough Council – 3 Gwynedd Council – 9	6

- 7.4 Standards Committees of NPAs also have independent co-opted members whose remuneration is included in the Framework as set out in [Section 9](#).
- 7.5 The Panel has based its determinations on the following key points:
- NPAs manage their work via formal authority meetings, committees and task and finish groups. Each has a Development, Management and or Planning Committee, and other committees include Performance and Resources and Audit and Scrutiny. Ordinary NPA members are

members of at least one committee as well as being involved in site visits and inspection panels.

- There is an expectation that members will participate in training and development.
- The chair of an NPA has a leadership and influencing role in the authority, a representational role similar in some respects to that of a civic head and a high level of accountability. The chair is not only the leader of the authority but is also the public face of the particular national park and is the link with the Minister and MS' with whom they have regular meetings. The role requires a high level of commitment and time.

### **Basic and senior salaries**

- 7.6 The time commitment on which the remuneration of members is based is 44 days. The salary for members of NPAs will increase to £4,738.
- 7.7 The Panel has determined that the remuneration of a NPA chair should be aligned to that part of a Band 3 senior salary received by a committee chair of a principal council. This salary will increase to £13,531.
- 7.8 The NPA can determine the number of senior posts it requires as appropriate to its governance arrangements.
- 7.9 The Panel has made the following determinations:

**Determination 23: The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.**

**Determination 24: The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.**

**Determination 25: A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.**

**Determination 26: Committee chairs or other senior posts can be paid. This shall be paid at £8,478.**

**Determination 27: Members must not receive more than one NPA senior salary.**

**Determination 28: A NPA senior salary is paid inclusive of the NPA basic salary.**

**Determination 29: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed. Where this situation applies, it is the responsibility of the individual member to comply.**

Note: Family absence does not apply to Welsh Government appointed members and local authority nominees are covered by their principal council so NPAs are not required to make any arrangements in this respect.



## 8. Payments to Members of Welsh Fire and Rescue Authorities

### Structure of Fire and Rescue Authorities

- 8.1 The three fire and rescue services (FRAs) in Wales: Mid and West Wales, North Wales and South Wales were formed as part of Local Government re-organisation in 1996.
- 8.2 FRAs comprise elected members who are nominated by the Principal Councils within each fire and rescue service area.
- 8.3 The structure of the each of the three FRAs is set out in Table 6.

**Table 6: Membership of Fire and Rescue Authorities**

Name of Fire and Rescue Authority	Number of Local Authority Members
Mid and West Wales	25: Carmarthenshire County Council – 5 Ceredigion County Council – 2 Neath Port Talbot County Borough Council – 4 Pembrokeshire County Council – 3 Powys County Council – 4 Swansea City and County Council – 7
North Wales	28: Conwy County Borough Council – 5 Denbighshire County Council – 4 Flintshire County Council – 6 Gwynedd Council – 5 Isle of Anglesey County Council – 3 Wrexham County Borough Council – 5
South Wales	24: Bridgend County Borough Council – 2 Blaenau Gwent County Borough Council – 1 Caerphilly County Borough Council – 3 Cardiff City Council – 5 Merthyr Tydfil County Borough Council – 1 Monmouthshire County Council – 2 Newport City Council - 2 Rhondda Cynon Taf County Borough Council - 4 Torfaen County Borough Council – 2 Vale of Glamorgan Council -2

- 8.4 In addition, Standards Committees of FRAs have independent co-opted members whose remuneration is included in the Framework as set out in [Section 9](#).

8.5 In considering remuneration of members of FRAs, the Panel has based its determinations on the following key points:

- The Chair has a leadership and influencing role in the authority, and a high level of accountability especially when controversial issues relating to the emergency service arise. In addition to fire authority meetings, all FRAs have committees that include in different combinations: audit, performance management, scrutiny, human resources, resource management as well as task and finish groups and disciplinary panels. As well as attending formal meetings of the authority and committees, members are encouraged to take on a community engagement role, including visiting fire stations.
- There is a strong training ethos in FRAs. Members are expected to participate in training and development. Induction programmes are available as well as specialist training for appeals and disciplinary hearings.
- Training sessions often follow on from authority meetings to make the training accessible.

### **Basic and Senior Salaries**

8.6 The time commitment on which remuneration is based is 22 days. The salary for members of FRAs will increase to £2,369.

8.7 The Panel determined that the remuneration of a FRA chair should be aligned to that part of a Band 3 senior salary received by a committee chair of a principal council. This salary will increase to £11,162.

8.8 The Panel determined that the remuneration of a FRA deputy chair will be aligned with the Band 5 senior salary for principal councils. This will increase to £6,109 and must be paid if the authority appoints a deputy chair.

8.9 The FRA determines the number of senior posts it requires as appropriate to its governance arrangements. Committee chairs and any other senior post if remunerated will be aligned with Band 5. This will increase to £6,109.

### **Local Pension Boards**

8.10 The Panel has considered requests from FRAs to allow them to pay salaries to chairs of local pension boards established under the [Firefighters' Pension Scheme \(Wales\) Regulations 2015](#). Those Regulations already give FRAs the power to decide how local pension boards are to work and to pay the chair and members if they wish. Therefore, it is not appropriate for the Panel to make a determination empowering FRAs to pay salaries to local pension board chairs. The senior salaries in Determination 31 or 32 cannot be used exclusively for this role.

8.11 The Panel has made the following determinations:

**Determination 30: The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.**

**Determination 31: The senior salary of the chair of an FRA shall be £11,162 with effect from 1 April 2022.**

**Determination 32: A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.**

**Determination 33: Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.**

**Determination 34: Members must not receive more than one FRA senior salary.**

**Determination 35: A FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.**

**Determination 36: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated. Where this situation applies, it is the responsibility of the individual member to comply**

## 9. Payments to Co-opted Members of Principal Councils, National Park Authorities and Fire & Rescue Authorities<sup>6</sup>

- 9.1 The Panel has determined that a daily or half daily fee is appropriate remuneration for the important role undertaken by co-opted members of authorities with voting rights. This payment therefore differs from that for elected members of principal councils.
- 9.2 Principal councils, NPAs and FRAs can decide on the maximum number of days in any one year for which co-opted members may be paid. The number of days in any one year may vary to reflect the specific work discharged by each relevant committee.
- 9.3 Recognising the important role that co-opted members discharge, payment must be made for travel and preparation time; committee and other types of meetings as well as other activities, including training, as set out in Determinations 38 to 41.
- 9.4 The determinations are set out below. Principal councils, NPAs and FRAs must tell co-opted members the name of the appropriate officer who will provide them with the information required for their claims; and make the appropriate officer aware of the range of payments that should be made.

**Determination 37: Principal Councils, NPAs and FRAs must pay the following fees to co-opted members who have voting rights (Table 7).**

**Table 7: Fees for co-opted members (with voting rights)**

Chairs of standards, and audit committees	£268 (4 hours and over) £134 (up to 4 hours)
Ordinary Members of Standards Committees who also chair Standards Committees for Community and Town Councils	£238 daily fee (4 hours and over) £119 (up to 4 hours)
Ordinary Members of Standards Committees; Education Scrutiny Committee; Crime and Disorder Scrutiny Committee and Audit Committee	£210 (4 hours and over) £105 (up to 4 hours)
Community and Town Councillors sitting on Principal Council Standards Committees	£210 (4 hours and over) £105 (up to 4 hours)

**Determination 38: Reasonable time for pre-meeting preparation is to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.**

**Determination 39: Travelling time to and from the place of the meeting is to be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).**

**Determination 40: The appropriate officer within the authority must set in advance whether a meeting is programmed for a full or half day. When the meeting is set for a full day the fee will be paid on this basis even if the meeting finishes within four hours.**

**Determination 41: Fees must be paid for meetings and other activities including other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.**

#### **Support for co-opted members**

**Determination 42: Each authority, through its Democratic Services Committee or other appropriate committee, must ensure that all voting co-opted members are given as much support as is necessary to enable them to fulfil their duties effectively. Such support should be without cost to the individual member.**

<sup>6</sup>This section does not apply to co-opted members to community and town councils.

## 10. Contribution towards Costs of Care and Personal Assistance

- 10.1 This section applies to all members of principal councils, NPAs, FRAs and to co-opted members of these authorities. The same provision applies to community and town councils and members of Corporate Joint Committees.
- 10.2 The purpose of this section is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel believes that additional costs of care required to carry out approved duties should not deter any individual from becoming and remaining a member of an authority or limit their ability to carry out the role. The Panel has adopted specific principles related to support for the costs of care which were the subject of a [Supplementary Report](#) published in February 2020. These principles are set out in [Table 8](#).
- 10.3 The Panel reviewed the arrangements for this financial support and has made the following changes:
- a) As payments are taxable under the current HMRC rules, full reimbursement is not possible so for clarity this is retitled to “contribution towards the costs of care and personal assistance”. It will still require receipts to accompany claims.
  - b) Claims can be made in respect of a dependant under 16 years of age, or a minor or adult who normally lives with the member as part of their family and who cannot be left unsupervised.
  - c) Reimbursement may be claimed for member’s own care or support needs where the support and/or cost of any additional needs are not available or are not met directly by the authority such as Access to Work, Personal Independence Payments, insurance. These could arise when the needs are recent and or temporary.
- 10.4 Members, including co-opted members are entitled to claim towards the costs of care and personal assistance, for activities that the individual council has designated official business or an approved duty which might include appropriate and reasonable preparation and travelling time. It is a matter for individual authorities to determine specific arrangements to implement this. Each authority must ensure that any payments made are appropriately linked to official business or approved duty.
- 10.5 The Panel reviewed the maximum monthly payment in recognition that this has not changed for several years. Information indicates that monthly costs and claims vary considerably. These can depend on the number of dependants, their ages and other factors. Therefore the monthly cap will be replaced with the following arrangements:
- Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.

- Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real Living Wage [hourly rates as defined by the Living Wage Foundation](#) at the time the costs are incurred.

For clarification, care costs cannot be paid to someone who is a part of a member’s household.

10.6 The Panel continues to recognise the issues relating to the publication of this legitimate expense and has retained the requirements for publication set out in [Annex 4](#). To support current members and to encourage diversity the Panel urges authorities to promote and encourage greater take-up of the contribution towards costs of care and personal assistance.

**Table 8**

**The Panel’s principles relating to Care and Personal Assistance (CPA)**

<b>The Minimum Authorities should do</b>		<b>How this could be done</b>
Be clear who it is for	<p>Members with primary caring responsibilities for a child or adult and/or personal support needs where these are not covered by statutory or other provision.</p> <p>Claims for personal support might also include a short term or recent condition not covered by the Equality Act 2010, access to work, Personal Payments, insurance or other provision.</p>	A confidential review of the needs of individual members annually and when circumstances change
Raise Awareness	Ensure potential candidates, candidates and current members are aware that financial support is available to them should their current or future circumstances require.	Ensure clear and easily accessible information is available on website and in election and appointment materials, at Shadowing and at induction and in the members’ “handbook”. Remind serving members via email and or training. Signpost to Panel’s <a href="#">Payments to Councillors</a> leaflets.
Promote a Positive Culture	Ensure all members understand the reason for CPA and support and encourage others to claim where needed.	Encouragement within and across all parties of relevant authorities to support members to claim.

The Minimum Authorities should do		How this could be done
		Agree not to advertise or make public individual decisions not to claim.
Set out the approved duties for which CPA can be claimed	<p><b>Meetings</b> – formal (those called by the authority) and those necessary to members’ work (to deal with constituency but not party issues) and personal development (training, and appraisals.)</p> <p><b>Travel</b> – in connection with meetings.</p> <p><b>Preparation</b> – reading and administration are part of a member’s role. Some meetings and committees require large amounts of reading, analysis or drafting before or after a meeting.</p> <p>Senior salary holders with additional duties may have higher costs.</p>	<p>Approved duties are usually a matter of fact. Interpretation of the Panel’s Regulations are set out in the Annual Report.</p> <p>“Any other duty approved by the authority, or any duty of class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees.”</p>
Be as enabling as possible about the types of care that can be claimed	<p>Members should not be out of pocket subject to the limit set in the Annual Report.</p> <p>Models of care and needs vary. Members may use a combination of several care options.</p> <p>Patterns of care may alter over the civic and academic year.</p> <p>Not all care is based on hourly (or part hourly) rates.</p> <p>Where a whole session must be paid for, this must be reimbursed even where the care need is only for part of a session.</p> <p>Members may need to:</p> <ul style="list-style-type: none"> <li>• book and pay for sessions in advance</li> <li>• commit to a block contract: week, month or term</li> <li>• pay for sessions cancelled at short notice</li> </ul> <p>Where care need straddles two sessions both should be reimbursed.</p>	



The Minimum Authorities should do		How this could be done
Have a simple and effective claim process	<p>Members should know how to claim.</p> <p>The claim process should be clear, proportionate and auditable.</p>	<p>Check members understand how to claim and that it is easy to do so.</p> <p>Flexibility to accept paperless invoices</p> <p>Online form</p> <p>Same or similar form to travel costs claim</p>
Comply with Panel's Publication rules	<p>The Panel's Framework states:</p> <p>"In respect of the publication of the reimbursement of the costs of care, the Panel has decided that relevant authorities should only publish the total amount reimbursed during the year. It is a matter for each authority to determine its response to any Freedom of Information requests it receives. However, it is not intended that details of individual claims should be disclosed."</p>	

**Determination 43: All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:**

- **Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.**
- **Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real Living Wage [hourly rates as defined by the Living Wage Foundation](#) at the time the costs are incurred.**

**This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.**

## 11. Sickness Absence for Senior Salary Holders

- 11.1 The [Family Absence Regulations](#) (approved by the National Assembly in 2014) are very specific relating to entitlement and only available for elected members of principal councils. Absence for reasons of ill-health is not included.
- 11.2 Instances have been raised with the Panel of senior salary holders on long term sickness and the perceived unfairness in comparison with the arrangements for family absence. In consequence, councils are faced with the dilemma of:
- operating without the individual member but still paying them the senior salary.
  - replacing the member who therefore loses the senior salary (but retains the basic salary).
- 11.3 The Panel's Framework provides specific arrangements for long term sickness as set out below:
- a) Long term sickness is defined as certified absences in excess of 4 weeks.
  - b) The maximum length of sickness absence within these proposals is 26 weeks or until the individual's term of office ends, whichever is sooner (but if reappointed any remaining balance of the 26 weeks will be included).
  - c) Within these parameters a senior salary holder on long term sickness can, if the authority decides, continue to receive remuneration for the post held.
  - d) It is a decision of the authority whether to make a substitute appointment, but the substitute will be eligible to be paid the senior salary appropriate to the post.
  - e) If the paid substitution results in the authority exceeding the maximum number of senior salaries payable for that authority, as set out in the Annual Report, an addition will be allowed for the duration of the substitution. (However, this would not apply to Merthyr Tydfil or the Isle of Anglesey councils if it would result in more than 50% of the membership receiving a senior salary. It would also not apply in respect of a council executive member if it would result in the cabinet exceeding 10 posts - the statutory maximum).
  - f) When an authority agrees a paid substitution, the Panel must be informed within 14 days of the decision of the details including the specific post and the estimated length of the substitution. The authorities' Schedule of Remuneration must be amended accordingly.
  - g) It does not apply to elected members of principal councils who are not

senior post holders as they continue to receive basic salary for at least six months irrespective of attendance and any extension beyond this timescale is a matter for the authority.

- 11.4 This arrangement applies to members of principal councils, NPAs and FRAs who are senior salary holders, including Welsh Government appointed members, but does not apply to co-opted members.

Note:

The Family Absence Regulations apply to elected members in cases of maternity, new-born, adoption and parental absences from official business. They do not apply to Welsh Government appointed members of NPAs.

## 12. Reimbursement of Travel and Subsistence Costs when on Official Business

- 12.1 This section applies to members of principal councils, NPAs, FRAs and to co-opted members of these authorities. This section also applies to members of Corporate Joint Committees. (Similar provision for community and town councils is contained in [Section 13](#) as there is a different approach to such members, principally that the provision is permissive.)
- 12.2 Members may claim reimbursement for travel and subsistence (meals and accommodation) costs where these have arisen as a result of undertaking official business or approved duties.
- 12.3 Expenses reimbursed to members of principal councils, by their principal council are exempt from Income Tax and employee NICs. Members of NPAs and FRAs may be subject to other arrangements as determined by HMRC.
- 12.4 The Panel is aware that in some instances members with disabilities have been reluctant to claim legitimate travel expenses because of an adverse response following the publication of their travel costs. As an alternative, travel arrangements could be made directly by the authority in such circumstances.
- 12.5 The Panel has determined there will be no change to mileage rates which members are entitled to claim. All authorities may only reimburse travel costs for their members undertaking official business within and or outside the authority's boundaries at the current HM Revenue and Customs (HMRC) rates which are:

### Reimbursement of mileage costs

45p per mile	Up to 10,000 miles in a year by car
25p per mile	Over 10,000 miles in a year by car
5p per mile	Per passenger carried on authority business
24p per mile	Motorcycles
20p per mile	Bicycles

- 12.6 Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

### Reimbursement of other travel costs

- 12.7 All other claims for travel, including travel by taxi if this is the only, or most

appropriate, method of transport, must only be reimbursed on production of receipts showing the actual cost and will be subject to any requirement or further limitation that an authority may determine. Members should always be mindful of choosing the most cost-effective method of travel.

### **Reimbursement of subsistence costs**

£28 per day	Day allowance for meals, including breakfast, where not provided in the overnight charge
£200 per night	London
£95 per night	Elsewhere
£30 per night	Staying with friends and or family

- 12.8 These rates are in line with Welsh Government rates. Recommended practice is that overnight accommodation should usually be reserved and paid for on behalf of members by the relevant authority, in which case an authority may set its own reasonable limits and the limits which apply when an individual member claims in arrears for overnight accommodation costs do not then apply.
- 12.9 All authorities must continue to reimburse subsistence expenses for their members up to the maximum rates set out above on the basis of receipted claims except for occasions when members stay with friends and or family.
- 12.10 There may be instances where an authority has determined that travel costs within its boundaries are payable and require a journey to be repeated on consecutive days. Where it is reasonable and cost effective to reimburse overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.
- 12.11 It is not necessary to allocate the maximum daily rate (£28 per day) between different meals as the maximum daily rate reimbursable covers a 24-hour period and can be claimed for any meal if relevant, provided such a claim is accompanied by receipts.

### **Car Parking for Members**

Several councils have specific arrangements for their members in respect of car parking. The Panel considers that it is a matter for individual councils to determine arrangements including payments to and from members providing that it is a decision made formally by the council.

## 13. Payments to Members of Community and Town Councils

- 13.1 The Panel recognises that there is a wide variation in geography, scope and scale across the large number of community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities. This and the fact that not all electoral areas have councils, has made establishing remuneration arrangements more difficult to achieve than for other relevant authorities. For this reason, the Panel decided to undertake a fundamental review ready for implementation effective from the elections on 5 May 2022.
- 13.2 The Panel decided that in carrying out the review it was vital to engage comprehensively with community and town councils and representative organisations together with a commitment to consult on the proposals emanating from the review. The result of this consultation was a significant degree of support for the new proposals and therefore the Panel has decided to introduce the new Framework as set out in this section. However, this will only take effect from the 9 May 2022 following the municipal elections. For the period from 1 April to 8 May the determinations contained in the [Annual Report 2021/2022](#) will continue to apply.
- 13.3 In order to act and carry out duties as a member of a community or town council all persons are required to make a formal declaration of acceptance of office. Following this declaration, members of community or town councils are then holders of elected office and occupy a role that is part of the Welsh local government structure. It is important to note that a person who follows this path is in a different position to those in other forms of activity, for example such as volunteering or charitable work, typically governed by the Charity Commission for England and Wales.
- 13.4 Under the [Local Government \(Wales\) Measure 2011](#), community and town councils are relevant authorities for the purpose of remuneration.
- 13.5 Consequently, individuals who have accepted office as a member of a community or town council are entitled to receive payments as determined by the Independent Remuneration Panel for Wales. It is the duty of the proper officer of a council (usually the Council Clerk) to arrange for correct payments to be made to all individuals entitled to receive them.
- 13.6 Members should receive monies to which they are properly entitled as a matter of course.
- 13.7 An individual may decline to receive part, or all, of the payments if they so wish. This must be done in writing and is an individual matter. A community or town council member wishing to decline payments must themselves write to their proper officer to do so.

- 13.8 The Panel considers that any member who has personal support needs or caring responsibilities should be enabled to fulfil their role. Therefore, the Panel continues to make the contribution towards costs of care and personal allowance mandatory for all members of community and town councils as set out in Determination 43.
- 13.9 Each community and town council must ensure that it does not create a climate which prevents persons accessing any monies to which they are entitled that may support them to participate in local democracy. Payments should be made efficiently and promptly.
- 13.10 Members in receipt of a Band 1 or Band 2 senior salary from a principal council cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance. However, this does not preclude them from holding a senior role (Leader, Deputy Leader) without payment.
- 13.11 [Table 12](#) sets out the actions that community and town councils must take annually in respect of each determination that follows.

### Table 9: Community and Town Council Groupings

The current groups are:

Community and Town Council Group	Income or Expenditure in 2020-2021 of:
A	£200,000 and above
B	£30,000 - £199,999
C	Below £30,000

- 13.12 These are based solely on finance. We acknowledge the view of many respondents that this was restrictive and limiting. Therefore 5 Groups will be established based on the size of the council's electorate.

### Table 10

Group number	Size of Electorate
Group 1	Electorate in excess of 14,000
Group 2	10,000 to 13,999
Group 3	5,000 to 9,999
Group 4	1,000 to 4,999
Group 5	Under 1,000

- 13.13 In addition, there will be a second factor for determining which group the council will be placed. Where income or expenditure permanently exceeds £200,000 a year, it will be moved upwards to the next group.

## Payments towards costs and expenses

- 13.14 The Panel continues to mandate a payment of £150, for all councils, as a contribution to costs and expenses for members of community and town councils. We have amended the proposal in the draft to take account of responses to the consultation.
- 13.15 Receipts are not required for these payments.

**Determination 44: Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses.**

## Taxation

- 13.16 The issue of the taxation of the £150 payment has been raised on many occasions including in response to the recent consultation. As has been made clear the Panel has no remit in respect of matters of taxation but has been kept informed of the discussions between the Welsh Government and HMRC to establish a possible exemption applying to all community and town councils. Although there has been progress, the Panel has decided that any fundamental change requires formal consultation. This will be progressed in Spring 2022.

## Senior roles

- 13.17 The Panel recognises that specific member roles especially within the larger community and town councils, for example a committee chair, will involve greater responsibility. It is also likely that larger councils will have a greater number of committees, reflecting its level of activity. The Panel has therefore set out the determinations for senior roles in [Table 11](#) below.
- 13.18 In all cases, a councillor can only have one payment of £500 regardless of how many senior roles they hold within their Council.

**Determination 45: The payment for members undertaking a senior role is an annual amount of £500 as set out in [Table 11](#).**

- 13.19 Where a person is a member of more than one community or town council, they are eligible to receive the £150 and, if appropriate, £500 from each council of which they are a member.

## Contribution towards costs of Care and Personal Assistance

- 13.20 The purpose of this is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel's determinations in [Section 10](#) apply to community and town councils.



## **Reimbursement of travel costs and subsistence costs**

13.21 The Panel recognises there can be significant travel and subsistence costs associated with the work of community and town council members, especially where the council area is geographically large and/or when engaging in duties outside this area. Each council has an option to pay travel and subsistence costs including travel by taxi if this is the only, or most appropriate, method of transport. Where a council does opt to pay travel and subsistence costs, the following determinations apply.

**Determination 46: Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties.<sup>7</sup> Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:**

- 45p per mile up to 10,000 miles in the year.
- 25p per mile over 10,000 miles.
- 5p per mile per passenger carried on authority business.
- 24p per mile for private motor cycles.
- 20p per mile for bicycles.

**Determination 47: If a community or town Council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:**

- £28 per 24-hour period allowance for meals, including breakfast where not provided.
- £200 – London overnight.
- £95 – elsewhere overnight.
- £30 – staying with friends and/or family overnight.

## **Compensation for financial loss**

13.22 The Panel has retained the facility which councils may pay as compensation to their members where they incur financial loss when attending approved duties. Members must be able to demonstrate that the financial loss has been incurred. Each council has an option to pay compensation for financial loss and where it does the following determination applies.

**Determination 48: Community and town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows:**

- **Up to £57.20 for each period not exceeding 4 hours**
- **Up to £114.40 for each period exceeding 4 hours but not exceeding 24 hours**

<sup>7</sup> Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

### **Attendance Allowance**

13.23 Attendance allowance was raised in the consultation. The Panel acknowledges that in some cases this might be a valuable addition to support the work of a council. It is therefore included as an option for all councils. A number of queries were raised in respect of this proposal in responses to the Draft Report, including some opposition to its introduction. Whilst it is included in the framework, it is optional for councils and therefore those councils that do not consider it appropriate do not have to implement it. Councils can decide and set out the provisions of the scheme, paragraph 13.24 details what should be included.

**Determination 49: Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30.**

**A member in receipt of financial loss compensation will not be entitled to claim attendance allowance for the same event.**

- 13.24 (a) As the payment for attendance is optional, the council, at its first Annual Meeting, should formally decide whether or not to make these payments.
- (b) If the council decides in favour of attendance allowances, it must produce a scheme for formal adoption and make provision for it to be publically available.
- (c) The mandatory maximum for each qualifying event is £30. There is no stipulated minimum.
- (d) Payments for attendance must be in respect of official business or approved duty which are identified in the council's Standing Orders or alternatively by specific resolution. The scheme should specify for which events payments will be made.
- (e) All members of the council will be entitled to the payment for attendance at the events specified in the scheme, but an individual member may decline

to receive payment by informing (in writing) the proper officer.

### **Civic Head and Deputy Civic Head**

- 13.25 Civic heads are senior posts within community and town councils. In addition to chairing major meetings the civic head is the ambassador representing the council to a variety of institutions and organisations. The Panel requires that members should not have to pay themselves for any cost associated with carrying out these duties. This requirement also applies in respect of deputy civic heads.
- 13.26 The Panel recognises the wide range of provision made for civic heads in respect of transport, secretarial support, charitable giving and official clothing – we consider these to be the council's civic budgets.
- 13.27 Funding decisions in relation to these civic budgets are not matters of personal remuneration for the post holder but relate to the funding required for the tasks and duties to be carried out. Councils remain free to set civic budgets at whatever levels they deem appropriate for the levels of civic leadership they have in place.
- 13.28 For the avoidance of doubt, costs in respect of, for example, transport (physical transport or mileage costs), secretarial support, charitable giving (purchasing tickets, making donations or buying raffle tickets) and official clothing are not matters of personal remuneration for the individual holding the senior post. These should be covered by the civic budget.
- 13.29 Recognising that some mayors and chairs of community and town councils and their deputies are very active during their year of office, the Panel has determined that community and town councils can make a payment to the individuals holding these roles.
- 13.30 This is a personal payment to the individual and is entirely separate from covering the costs set out above.
- 13.31 The Panel has determined that the maximum payment to a chair or mayor of a community or town council is £1,500. The maximum payment to a deputy mayor or chair is £500.

**Determination 50: Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.**

**Determination 51: Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.**

**Determination 52: The application of the Remuneration Framework by relevant Group is contained in [Table 11](#).**

**Table 11**

Type of payment	Requirement
<b>Group 1</b>	<b>(Electorate over 14,000)</b>
Basic Payment	Mandatory for all Members
Senior Role Payment	Mandatory for 1 member; optional for up to 7
Attendance Allowance	Optional
Financial Loss	Optional
Travel and Subsistence	Optional
Costs of Care	Mandatory
<b>Group 2</b>	<b>(Electorate 10,000 to 13,999)</b>
Basic Payment	Mandatory for all members
Senior Role Payment	Mandatory for 1 member; optional up to 5
Attendance Allowance	Optional
Financial Loss	Optional
Travel and Subsistence	Optional
Cost of Care	Mandatory
<b>Group 3</b>	<b>(Electorate 5,000 to 9,999)</b>
Basic Payment	Mandatory for all members
Senior Role Payment	Optional up to 3 members
Attendance Allowance	Optional
Financial Loss	Optional
Travel and Subsistence	Optional
Cost of Care	Mandatory
<b>Group 4</b>	<b>(Electorate 1,000 to 4,999)</b>
Basic Payment	Mandatory for all members
Senior Role Payment	Optional up to 3 members
Attendance Allowance	Optional
Financial Loss	Optional
Travel and Subsistence	Optional
Cost of Care	Mandatory
<b>Group 5</b>	<b>(Electorate less than 1,000)</b>
Basic Payment	Mandatory for all members
Senior Role Payment	Optional
Attendance Allowance	Optional
Financial Loss	Optional
Travel and Subs	Optional
Cost of Care	Mandatory

### **Making Payments to Members**

13.32 [Table 12](#) sets out each of the above determinations and if a decision is required by the council in respect of each one.

- 13.33 In respect of the mandated payments, no decision is required and members should receive monies to which they are properly entitled as a matter of course.
- 13.34 Where a decision is required by the council, this should be done at the first meeting following receipt of the Annual Report.
- 13.35 A council can adopt any, or all, of the non-mandated determinations but if it does make such a decision, it must apply to all its members.
- 13.36 When payments take effect from is set out in paragraphs 13.38 to 13.40 below.
- 13.37 On receipt of the draft Annual Report the previous autumn, councils should consider the determinations for the next financial year and use this to inform budget plans.

**Table 12**

<b>Determination Number</b>	<b>Is a decision required by council?</b>
<b>44</b> Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses, with the exception of those councils in Group 5 where the payment is optional.	No - the payment of £150 is mandated for every member unless they advise the appropriate officer that they do not want to take it in writing.  This does not apply to councils in Group 5. The council must decide whether to adopt the payment and if so, it must be available for all members.
<b>45</b> The payment for members undertaking a senior role is an annual amount of £500 as set out in <a href="#">Table 11</a> .	As set out in <a href="#">Table 11</a> .
<b>46</b> Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties.	Yes – the payment of travel costs is optional.
<b>47</b> If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members.	Yes – the payment of overnight subsistence expenses is optional.
<b>48</b> Community and town councils can pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties.	Yes – the payment of financial loss compensation is optional if claimed
<b>49</b> Each council can decide to introduce an attendance	Yes – the payment of attendance allowance is optional.

Determination Number	Is a decision required by council?
<p>allowance for members. The amount of each payment must not exceed £30.</p> <p>A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.</p>	
<p><b>50</b> Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500.</p>	<p>Yes – the payment to a civic head is optional.</p>
<p><b>51</b> Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum amount of £500.</p>	<p>Yes – the payment to a deputy civic head is optional.</p>
<p><b>52</b> The application of the Remuneration Framework by relevant Group.</p>	<p>As set out in <a href="#">Table 11</a>.</p>
<p><b>53</b> Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is leader, deputy leader or executive member) cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.</p>	<p>No - Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is leader, deputy leader or executive member) can only receive travel and subsistence expenses and contribution towards costs of care and personal assistance; if they are eligible to claim, and wish to do so.</p>

13.38 All members are eligible to be paid the £150 as set out in Determination 44 and [Table 11](#), normally from the start of the financial year; unless they are elected later in the financial year, in which case they are eligible for a proportionate payment from that date. However, as 2022 is an election year different arrangements will be required.

- Members who are not standing for re-election or fail to be re-elected are entitled to part payment for the period 1 April to 8 May.
- Current members who are re-elected are entitled to the full payment, but it would be administratively reasonable for the payment to be deferred until the outcome of the election.
- New members are entitled to a proportionate payment

13.39 Other amounts payable to members in recognition of specific responsibilities or

as a civic head or deputy civic head as set out in Determinations 50 and 51 are payable from the date when the member takes up the role during the financial year. For the election year the same arrangements as set out in 13.38 will apply.

13.40 It is a matter for each council to make, and record, a policy decision in respect of:

- when the payment is actually made to the member;
- how many payments the total amount payable is broken down into;
- and whether and how to recover any payments made to a member who leaves or changes their role during the financial year.

13.41 Payments in respect of Determinations 45, 46, 47 and 48 are payable when the activity they relate to has taken place.

13.42 As stated in paragraph 13.7 any individual member may make a personal decision to elect to forgo part or all of the entitlement to any of these payments by giving notice in writing to the proper officer of the council.

**Determination 53: Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is Leader, Deputy Leader or Executive Member) cannot receive any payment from any community or town Council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.**

### **Publicity requirements**

13.43 There is a requirement on community and town councils to publish details of all payments made to individual members in an annual Statement of Payments for each financial year. This information must be published on council noticeboards and or websites (with easy access) and provided to the Panel by email or by post no later than 30 September following the end of the previous financial year. The Panel draws attention to the requirements stipulated at [Annex 4](#). The Panel is concerned that a significant number of councils are still in breach of this requirement.

## 14. Compliance with Panel Requirements

### The Panel's remit under the Measure

- 14.1 [Section 153](#) of the [Measure](#) empowers the Panel to require all relevant authorities<sup>8</sup> to comply with the requirements imposed by an Annual Report of the Panel and further enables the Panel to monitor the compliance of relevant authorities with the Panel's determinations.
- 14.2 A relevant authority must implement the Panel's determinations in this report from the date of its annual meeting or a date specified within the Annual Report.

### Monitoring compliance

- 14.3 The Panel will monitor compliance with the determinations in this Annual Report. Whilst the Panel has no formal enforcement powers it may share information with organisations such as Audit Wales as part of the overall review of a relevant authority's governance and financial arrangements. If the Panel is not satisfied a relevant authority has complied with the Panel's determinations the Panel will inform Welsh Government ministers and may publish details of non-compliance.

### The following applies to all authorities including community and town councils

- 14.4 A relevant authority must make arrangements for publication within the authority area of the total sum paid by it in the previous financial year to each member and co-opted member in respect of salary (basic, senior and civic), allowances, fees and reimbursements in a Statement of Payments (in accordance with Annex 4 that sets out the content that must be included in the Publicity Requirements). This must be published as soon as practicable and no later than 30 September following the end of the previous financial year- and must also be submitted to the Panel no later than that date.

### The following requirements do not apply to community and town councils

- 14.5
- (i) A relevant authority must maintain an annual **Schedule of Member Remuneration** (IRPW Regulations 4 and 5). Guidance at Annex 3 sets out the content which must be included in the Schedule.
  - (ii) A relevant authority must make arrangements for the Schedule's publication within the authority area (IRPW Regulation 46) and send the Schedule to the Panel as soon as practicable and not later than 31 July in the year to which it applies. Annex 4 provides further details of the publicity requirements.



- (iii) Any amendments to the Schedule made during the year must be notified to the Panel as soon as possible after the amendment is made.

<sup>8</sup> Interpretation of “Relevant Authority” provided in the Independent Remuneration Panel for Wales (IRPW) Regulations, Part 1, ‘Interpretation’.

## 15. Salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities and Chief Officers of Principal Councils

- 15.1 [Section 63](#) of the [Local Government \(Democracy\) \(Wales\) Act 2013](#) amended the [Local Government \(Wales\) Measure 2011](#) by inserting section [143A](#). This enables the Panel to take a view on anything in the Pay Policy Statements of these authorities that relates to the salary of the head of paid service (normally the Head of Paid Service or chief fire officer). Section 39 of the [Local Government \(Wales\) Act 2015](#) further amended the Measure extending this function to include Chief Officers of Principal Councils. However, this function ceased on 31 March 2020.
- 15.2 The Welsh Government issued amended guidance to the Panel which can be found at [Amended Guidance to the Independent Remuneration Panel for Wales under Section 143A of the Local Government \(Wales\) Measure 2011 and Section 39 of the Local Government \(Wales\) Act 2015](#). This sets the basis on which the Panel will carry out the function contained in the legislation.
- 15.3 The functions of the Panel and the requirements on authorities established by the legislation and the subsequent guidance are:
- a) If a principal council intends to change the salary of the head of paid service, or if a fire and rescue authority intends to change the salary of its head of paid service it must consult the Panel unless the change is in keeping with changes applied to other officers of that authority (whether the change is an increase or decrease). 'Salary' includes payments under a contract for services as well as payments of salary under an employment contract.
  - b) The authority must have regard to the recommendation(s) of the Panel when reaching its decision.
  - c) The Panel may seek any information that it considers necessary to reach a conclusion and produce a recommendation. The authority is obliged to provide the information sought by the Panel.
  - d) The Panel may publish any recommendation that it makes as long as these comply with any guidance issued by the Welsh Government. It is the intention that, in the interests of transparency, it will normally do so.
  - e) The Panel's recommendation(s) could indicate:
    - approval of the authority's proposal
    - express concerns about the proposal
    - recommend variations to the proposal

15.4 The Panel also has a general power to review the Pay Policy Statements of

authorities so far as they relate to the heads of paid service.

15.5 It is important to note the Panel will not decide the amount an individual head of paid service will receive.

15.6 The Panel is very aware that this function is significantly different from its statutory responsibilities in relation to members' remuneration. However, it undertakes this role with clarity and openness, taking into account all the relevant factors in respect of specific individual cases. Authorities are encouraged to consult the Panel at an early stage in their decision-making on such matters. This will enable the Panel to respond in a timely manner.

### **Pay Policy Statements**

Paragraph 3.7 of the guidance to the Panel from the Welsh Government states that "The legislation does not restrict the Panel to a reactive role". It allows the Panel to use its power to make recommendations relating to provisions within local authorities' Pay Policy Statements.

### **Changes to the salaries of chief executives of principal councils – Panel decisions 2021**

Letters issued to the Local Authorities notifying them of the Panel decision can be found on the [Panel website](#).

<b>Name of Local Authority</b>	<b>Proposal</b>	<b>Panel decision</b>
Wrexham County Borough Council	Chief Executive pay proposal	Approved
Ceredigion County Council	Review of Chief Executive salary	Approved
North Wales Fire and Rescue Authority	Review of Chief Executive salary	Approved
Conwy County Borough Council	Review of Chief Executive salary	Approved

## Annex 1: The Panel's Determinations for 2022/23

Principal Councils	
1.	The Basic Salary in 2022/23 for elected members of principal councils shall be £16,800.
2.	Senior salary levels in 2022/23 for members of principal councils shall be as set out in <a href="#">Table 4</a> .
3.	Where paid, a civic head must be paid a Band 3 salary of £25,593 in accordance with <a href="#">Table 4</a> .
4.	Where paid, a deputy civic head must be paid a Band 5 salary of £20,540 in accordance with <a href="#">Table 4</a> .
5.	Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with <a href="#">Table 4</a> .
6.	The post of deputy presiding member will not be remunerated.
7.	<p>a) An elected member must not be remunerated for more than one senior post within their authority.</p> <p>b) An elected member must not be paid a senior salary and a civic salary.</p> <p>c) All senior and civic salaries are paid inclusive of basic salary.</p> <p>d) If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.</p>
8.	Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA or FRA to which they have been appointed. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the NPA or FRA.
9.	Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a community or town council of which they are a member. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the community or town council. Where this situation applies, it is the responsibility of the individual member to comply.
10.	Each authority, through its Democratic Services Committee, must ensure that all its elected members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone, email and internet facilities giving electronic access to appropriate information.

11.	Such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.
<b>Specific or Additional Senior Salaries</b>	
12.	Principal councils can apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.
<b>Assistants to the Executive</b>	
13.	The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.
<b>Joint Overview and Scrutiny Committees</b>	
14.	The salary level for a chair of a JOISC shall be £8,793.
15.	The salary level for a vice chair of a JOISC shall be £4,396.
<b>Local Government Pension Scheme</b>	
16.	The entitlement to join the Local Government Pension Scheme shall apply to all eligible elected members of principal councils.
<b>Family Absence</b>	
17.	An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.
18.	When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.
19.	It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.
20.	If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.
21.	When a Council agrees a paid substitution for family absence the Panel must be informed within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.

22.	The Council's schedule of remuneration must be amended to reflect the implication of the family absence.
<b>National Park Authorities</b>	
23.	The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
24.	The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.
25.	A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.
26.	Committee chairs or other senior posts can be paid. This shall be paid at £8,478.
27.	Members must not receive more than one NPA senior salary.
28.	A NPA senior salary is paid inclusive of the NPA basic salary.
29.	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed. Where this situation applies, it is the responsibility of the individual member to comply.
<b>Fire and Rescue Authorities</b>	
30.	The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
31.	The senior salary of the chair of a FRA shall be £11,162 with effect from 1 April 2022.
32.	A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.
33.	Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.
34.	Members must not receive more than one FRA senior salary.
35.	A FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.
36.	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated. Where this situation applies, it is the responsibility of the individual member to comply.
<b>Co-opted Members</b>	
37.	Principal councils, NPAs and FRAs must pay the fees to co-opted members (who have voting rights) as set out in <a href="#">Table 7</a> .

38.	Reasonable time for pre meeting preparation is to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.
39.	Travelling time to and from the place of the meeting is to be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).
40.	The appropriate officer within the authority must set in advance whether a meeting is programmed for a full or half day. When the meeting is set for a full day the fee will be paid on this basis even if the meeting finishes within four hours.
41.	Fees must be paid for meetings and other activities including other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.
42.	Each authority, through its Democratic Services Committee or other appropriate committee, must ensure that all voting co-opted members are given as much support as is necessary to enable them to fulfil their duties effectively. Such support should be without cost to the individual member.
<b>Contribution towards costs of Care and Personal Assistance</b>	
43.	<p>All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:</p> <ul style="list-style-type: none"> <li>• Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.</li> <li>• Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real Living Wage <a href="#">hourly rates as defined by the Living Wage Foundation</a> at the time the costs are incurred.</li> </ul> <p>This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.</p>
<b>Community and Town Councils</b>	
44.	Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses.
45.	The payment for members undertaking a senior role is an annual amount of £500 as set out in <a href="#">Table 11</a> .

46.	<p>Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties. <sup>9</sup> Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:</p> <ul style="list-style-type: none"> <li>• 45p per mile up to 10,000 miles in the year.</li> <li>• 25p per mile over 10,000 miles.</li> <li>• 5p per mile per passenger carried on authority business.</li> <li>• 24p per mile for private motor cycles.</li> <li>• 20p per mile for bicycles.</li> </ul>
47.	<p>If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:</p> <ul style="list-style-type: none"> <li>• £28 per 24-hour period allowance for meals, including breakfast where not provided.</li> <li>• £200 – London overnight.</li> <li>• £95 – elsewhere overnight.</li> <li>• £30 – staying with friends and or family overnight.</li> </ul>
48.	<p>Community and town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows:</p> <ul style="list-style-type: none"> <li>• Up to £57.20 for each period not exceeding 4 hours.</li> <li>• Up to £114.40 for each period exceeding 4 hours but not exceeding 24 hours.</li> </ul>
49.	<p>Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30. A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.</p>
50.	<p>Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>
51.	<p>Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>
52.	<p>The application of the Remuneration Framework by relevant Group is contained in <a href="#">Table 11</a>.</p>



53.	Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is leader, deputy leader or executive member) cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.
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<sup>9</sup> Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

## **Annex 2: Independent Remuneration Panel for Wales (IRPW) Regulations:**

- a) For the remuneration of members and co-opted members of relevant authorities**
- b) For functions relating to the salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities**

### **Introduction**

Part 8 (sections 141 to 160) and schedules 2 and 3 of the [Local Government \(Wales\) Measure 2011](#) (*the Measure*) set out the arrangements for the payments and pensions for members of relevant authorities and the functions and responsibilities of the Independent Remuneration Panel for Wales (the Panel).

Sections 62 to 67 of the [Local Government \(Democracy\) \(Wales\) Act 2013](#) amends sections 142, 143, 144, 147, 148 and 151 of the Measure and confers additional powers on the Panel.

The powers contained in part 8 and schedules 2 and 3 of the [Measure](#) (as amended) have replaced the following Statutory Instruments:

- The Local Authorities (Allowances for Members of County and County Borough Councils and National Park Authorities) (Wales) Regulations 2002 (No. 1895 (W.196)).
- The Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 (No. 2555 (W.227)).
- The Local Authorities (Allowances for Members) (Wales) Regulations 2007 (No.1086 (W.115)).

The Measure also has replaced the sections of the Local Government Act 1972, the Local Government and Housing Act 1989 and the Local Government Act 2000 relating to payments to councillors in Wales.

Payments for members of community and town councils are set out in Part 5 of these Regulations. The Local Authorities (Allowances for Members of Community Councils) (Wales) Regulations 2003 (No. 895(W.115)) were revoked from 1 April 2013.

### **Part 1**

#### **General**

1. a. The short title of these Regulations is: "IRPW Regulations".  
b. These IRPW Regulations came into force on 1 April 2021 and replace

those in force from 1 April 2012. The implementation date for each of the relevant authorities is set out in the Annual Report or Supplementary Report of the Panel.

- c. Authorities are required to produce a schedule of payments to members and co-opted members no later than the 31 July each year, for submission to the Panel and publication (see paragraph 46).

## Interpretation

### 2. In the IRPW Regulations:

- “The 1972 Act” means the Local Government Act 1972.
- “The 2000 Act” means the Local Government Act 2000.
- “The 2013 Act” means the Local Government (Democracy) (Wales) Act 2013.
- “Payment” means the actual or maximum amount which may be paid to members and co-opted members of a relevant authority for expenses necessarily incurred when carrying out the official business of the relevant authority.
- “Annual Report” means a report produced by the Panel in accordance with section 145 of the Measure.
- “Approved duty” in relation to community and town councils has the meaning as set out in Part 5 of these Regulations.
- “Authority” means a relevant authority in Wales as defined in Section 144(2) of the Measure and includes a principal council (county or county borough council), a national park authority and a Welsh fire and rescue authority, a community or town council.
- “Basic Salary” has the same meaning as set out in paragraph 6 of these Regulations, and may be qualified as “LA Basic Salary” to refer to the basic salary of a member of a principal council; “NPA Basic Salary” to refer to the basic salary of a member of a national park authority; and “FRA Basic Salary” to refer to the basic salary of a member of a Welsh fire and rescue authority.
- “Chief Officer” of a principal council has the meaning as defined in the Localism Act 2011.
- “Civic Head” is the person elected by the council to carry out the functions of the chair of that council and is designated as mayor or chair.
- “Committee” includes a sub-committee.
- “Community or town council” means in relation to Part 8 of the Measure, a community council as defined in section 33 of the Local Government Act 1972 or a town council in accord with section 245B of the same Act.

- “Consultation draft” means the draft of an Annual or Supplementary report under Section 146 (7) or 147(8) of the Measure. The Panel must take account of these representations.
- “Constituent authority” – for national park authorities this is a principal council falling within the area of a national park authority; for Welsh fire and rescue authorities it is a principal council falling within the area of a fire and rescue authority.
- “Contribution to Costs of Care and Personal Assistance” has the same meaning as set out in paragraph 21 of these Regulations.
- “Controlling group” means a political group in a principal council where any of its members form part of the executive.
- “Co-opted Member” has the meaning contained in section 144 (5) of the Measure, that is those with the right to vote on matters within the remit of the committee on which they serve.
- “Co-opted Member payment” has the same meaning as set out in paragraph 19 of these Regulations.
- “Democratic Services Committee” means the principal council committee established under section 11 of the Measure.
- “Deputy Civic Head” is a person elected by the council to deputise for the mayor or chair of that council.
- “Executive” means the executive of an authority in a form as specified in sections 11(2) to (5) of the 2000 Act, as amended by section 34 of the Measure.
- “Executive arrangements” has the meaning given by section 10(1) of the 2000 Act.
- “Family absence” as defined in Section 142 (2) (b) of the Measure has the meaning given to it by Part 2 of the Measure, and the related Regulations
- “Financial Loss Allowance in relation to community or town councils has the meaning as set out in Part 5 of the Regulations.
- “Fire and rescue authority” means an authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.
- “Head of paid service” means as designated under section 4(1) of the Local Government and Housing Act 1989.
- Joint Overview and Scrutiny Committee means a committee or subcommittee set up by two or more principal councils under the Local Authority (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013.
- “Largest opposition group” means a political group other than a controlling group which has a greater number of members than any other political group in the authority.

- “Member” means a person who serves on an authority.
  - For a principal council or a community or town council a “Member” may be:
  - An “Elected Member” which means a person who has been elected to serve as a councillor for that authority. It is possible for a person to hold an elected office if, further to the completion of an election, no candidate has presented and a person holds that office subject to proper process.
  - A “Co-opted Member” which means a person who has been placed into membership of a council committee or to discharge a function subject to proper process.
  - For a national park authority, a “Member” means a person appointed by a constituent authority and a person appointed by Welsh Ministers.
  - For Welsh fire and rescue authorities a “Member” means a person appointed by a constituent authority.
  
- “National Park Authority” means a national park authority established under section 63 of the Environment Act 1995.
  
- “Official business” has the meaning contained in Section 142 (10) of the Measure in relation to the reimbursement of care, travel and subsistence costs necessarily incurred by members and co-opted members of a relevant authority (excluding community and town councils) when:
  - a. Attending a meeting of the authority or any committee of the authority or any other body to which the authority makes appointments or nominations or of any committee of such a body.
  - b. Attending a meeting of any association of authorities of which the authority is a member.
  - c. Attending a meeting the holding of which is authorised by the authority or by a committee of the authority or by a joint committee of the authority and one or more other authorities.
  - d. Attending any training or development event approved by the authority or its executive.
  - e. A duty undertaken for the purpose of or in connection with the discharge of the functions of an executive within the meaning of Part 2 of the 2000 Act, as amended.
  - f. A duty undertaken in pursuance of a standing order which requires a member or members to be present when tender documents are opened.
  - g. A duty undertaken in connection with the discharge of any function of the authority to inspect or authorise the inspection of premises.
  - h. A duty undertaken by members of principal councils in connection with constituency or ward responsibilities which arise from the discharge of principal council functions.

- i. Any other duty approved by the authority, or any duty of class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees.
- “Other political group” means a political group other than a controlling group or the largest opposition group (if any) which comprises not less than ten per cent of the members of that authority.
  - “Overview and Scrutiny Committee” means a committee of the authority which has the powers set out in sections 21(2) and (3) of the 2000 Act, as amended by Part 6 of the Measure.
  - “Panel” means the Independent Remuneration Panel for Wales as set out in section 141(1) and schedule 2 of the Measure.
  - “Pay policy statement” means a statement produced by a relevant authority under section 38 of the Localism Act 2011.
  - ‘Political group’ may be formed from members of a recognised political party or be a group of independent members unaffiliated to any recognised political party. “Presiding Member” means a member of a principal council who has been designated by that council to carry out functions in relation to the chairing of its meetings and proceedings.
  - “Principal Council” is as defined by the 1972 Act and means a county or county borough council.
  - “Proper officer” has the same meaning as in section 270(3) of the 1972 Act In community and town councils, the ‘Proper Officer’ may be the clerk or other official appointed for that purpose. “Public body” means a body as defined in section 67(b) of the 2013 Act.
  - “Qualifying provision” means a provision that makes a variation to a previous decision of the Panel. (Section 65 (c) of the 2013 Act).
  - “Qualifying relevant authority” is an authority within the meaning of section 63 of the 2013 Act, required to produce a pay policy statement.
  - “Relevant authority” is set out in Section 144(2) of the Measure (as amended) and in section 64 of the 2013 Act and, for the purposes of these Regulations, includes a principal council, a community or town council, a national park authority and a Welsh fire and rescue authority.
  - “Relevant matters” are as defined in Section 142(2) of the Measure.
  - “Schedule” means a list setting out the authority’s decisions in respect of payments to be made during the year (as relating to that authority) to all members and co-opted members of that authority.
  - “Senior Salary” has the same meaning as set out in paragraph 11 of these Regulations and may be qualified as “Principal council Senior Salary” to refer to the senior salary of a member of a principal council; “National Park Senior Salary” to refer to the senior salary of a member of a national park authority; or “Fire and Rescue authority Senior Salary” to refer to the senior salary of a member of a Fire and Rescue authority.
  - “Sickness absence” means the arrangements as set out in the Annual Report.

- “Supplementary report” has the meaning contained in section 146(4 to 8) of the Measure.
- “Travelling and subsistence payment” has the same meaning as set out in paragraph 25 of these Regulations.
- “Year” has the following meanings:
  - “financial year” – the period of twelve months ending 31 March;
  - “calendar year” – the period of twelve months ending 31 December;
  - “municipal year” – the year commencing on the date of the annual meeting of the authority and ending the day before the annual meeting of the following year; for national park authorities and Welsh fire and rescue authorities it is the period of up to twelve months following the annual meeting of the authority.

## **Part 2: Schedule of member or co-opted member payments**

### **Commencement of term of office**

3. The term of office of:
  - An elected member of a principal council or community or town council begins 4 days following the election subject to making the declaration of acceptance of that office under section 83(1) of the 1972 Act.
  - A councillor member of a national park authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of a Welsh Government appointed member begins on the date of that appointment. The term of office of the chair and deputy chair of the national park authority begins on their acceptance of that office further to being either elected or appointed as a chair or deputy chair of a national park authority.
  - A councillor member of a Welsh fire and rescue authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of the chair and deputy chair of the fire and rescue authority begins on the date of election by that authority to that office.
  - A co-opted member of a relevant authority begins on the date of appointment by the relevant authority.

### **Schedule of payments to members (the Schedule) (does not apply to community or town councils – see Part 5)**

4. An authority must produce annually, a schedule of payments it intends to make to its members and co-opted members. The amount of those payments must accord with the Panel’s determinations made for that year in its Annual or Supplementary Reports. The Schedule must be produced no later than four weeks following the annual meeting of the authority.

## **Amendment to the Schedule**

5. An authority may amend the Schedule at any time during the year (as relating to the authority) provided that such amendments accord with the Panel's determinations for that year.

## **Basic salary**

6. An authority must provide for the payment of a basic salary, as determined by the Panel in its Annual or Supplementary Reports, to each of its members. The amount of the salary must be the same for each member. For principal councils only, this salary remains payable during a period of family absence.
7. A member may not receive more than one basic salary from a relevant authority, but a member of one relevant authority may receive a further basic salary by being appointed as a member of another relevant authority (except in the case as indicated in paragraph 16).
8. The amount of the basic salary will be set in accordance with Section 142(3) of the Measure and will be one of the following:
  - The amount the authority must pay to a member of the authority.
  - The maximum amount that the authority may pay to a member of the authority.
9. Where the term of office of a member begins or ends other than at the beginning or end of the year (as relating to the authority), the entitlement of that member is to such proportion of the basic salary as the number of days during which the member's term of office subsists during that year bears to the number of days in that year.
10. Where a member is suspended or partially suspended from being a member of an authority (Part 3 of the 2000 Act refers) the part of the basic salary payable to that member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers (Section 155(1) of the Measure).

## **Senior salary**

11. Subject to paragraphs 12 to 18 an authority can make payments of a senior salary to members that it has given specific responsibilities. Such payments must accord with the Panel's determination for the year (as relating to the authority) that the payments are made and must be set out in the Schedule of that authority. For principal councils only, a senior salary will remain payable during the family absence of the office holder.
12. The Panel will prescribe in its Annual or Supplementary Reports the following:
  - The categories of members eligible for the payment of a senior salary



which may not be the same for all authorities or categories of authorities.

- The discretion available to authorities in relation to the payment of senior salaries which may not be the same for all authorities or categories of authorities.
13. The amount of the senior salaries payable will be in accordance with section 142(3) of the Measure and specify:
    - The amount that a relevant authority must pay to a member of the authority.
    - The maximum amount that a relevant authority may pay to a member of the authority.
  14. The Senior Salary will comprise an amalgam of the basic salary and an additional amount for the relevant specific responsibility determined by the Panel in its Annual or Supplementary Reports. This may not be the same for all authorities or categories of authorities.
  15. The Panel in its Annual or Supplementary Reports will determine either the maximum proportion of its membership or the total number of members that an authority can pay as senior salaries. The percentage may not exceed fifty percent without the express approval of Welsh Ministers (Section 142(5) of the Measure). For principal councils only, the maximum proportion or number may be exceeded to include payment of a senior salary to an additional member who is appointed to provide temporary cover for the family absence of a senior salary office holder (subject to the 50% limit).
    - 15(a). For, Fire and Rescue Authorities and National Park Authorities the maximum proportion or number may be exceeded to include the payment of a senior salary to an additional member who is appointed to provide temporary cover for the sickness absence of a senior salary holder as determined in the Annual Report or a Supplementary Report.
    - 15(b). Payments to chairs of Joint Overview and Scrutiny Committees or Sub Committees are additional to the maximum proportion of its membership that an authority can pay as senior salaries subject to the overall maximum of fifty percent as contained in Section 142(5) of the Measure. The Panel will determine the amounts of such payments in an Annual or Supplementary Report.
  16. An authority must not pay more than one senior salary to any member. A principal council member in receipt of a senior salary as leader or executive member of an authority (determined as full-time by the Panel) may not receive a second salary as a member appointed to serve on a national park authority or a Welsh fire and rescue authority.
    - 16(a). Paragraph 16 does not apply to payments made to a chair of a Joint Overview and Scrutiny Committee or Sub Committee who is in receipt of a senior salary for a role that is not classified as full time equivalent. It continues to apply to leaders or members of the executive.

17. Where a member does not have, throughout the year specific responsibilities that allow entitlement to a senior salary, that member's payment is to be such proportion of the salary as the number of days during which that member has such special responsibility bears to the number of days in that year.
18. Where a member is suspended or partially suspended from being a member of the authority (Part 3 of the 2000 Act refers) the authority must not make payments of the member's senior salary for the duration of the suspension (Section 155(1) of the Measure). If the partial suspension relates only to the specific responsibility element of the payment, the member may retain the basic salary. Payment must also be withheld if directed by the Welsh Ministers.

### **Co-opted member payment**

19. A relevant authority must provide for payments to a co-opted member as determined by the Panel in its Annual or Supplementary Reports. In relation to this regulation 'co-opted member' means a member as determined in Section 144(5) of the Measure and set out in paragraph 2 of these Regulations.
20. Where a co-opted member is suspended or partially suspended from an authority (Part 3 of the 2000 Act refers) the authority must not make payment of a co-opted member fee for the duration of the suspension (Section 155(1) of the Measure).

### **Payments Contribution to Costs of Care and Personal Assistance**

21. Authorities must provide for the payment to members and co-opted members of an authority the reimbursement in respect of such expenses of arranging the care of children or dependants or for the individual member as are necessarily incurred in carrying out official business as a member or co-opted member of that authority. Payments under this paragraph must not be made:
  - In respect of any child over the age of fifteen years or dependant unless the member or co-opted member satisfies the authority that the child or dependant required supervision which has caused the member to incur expenses that were necessary in respect of the care of that child or dependant in the carrying out of the duties of a member or co-opted member.
  - To more than one member or co-opted member of the authority in relation to the care of the same child or dependant for the same episode of care.
  - Of more than one reimbursement for care to a member or co-opted member of the authority who is unable to demonstrate to the satisfaction of the authority that the member or co-opted member has to make separate arrangements for the care of different children or dependants.

22. The arrangements in respect of the contribution to cost of care and personal assistance payable by an authority is to be determined by the Panel in its Annual or Supplementary Reports.
23. Where a member or co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers) the part of the contribution to the cost of care and personal assistance payable to that member or co-opted member in receipt of the responsibilities or duties from which that member or co-opted member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers for reasons other than suspension (Section 155(1) of the Measure).
24. An authority's Schedule must stipulate the arrangements regarding the contribution towards costs of care and personal assistance payable and its arrangements for making claims, taking full account of the Panel's determinations in this respect.

#### **Travel and subsistence payments**

25. Subject to paragraphs 26 and 27 below a member or co-opted member is entitled to receive payments from the authority by way of travelling and subsistence payments at rates determined by the Panel in its Annual or Supplementary Reports. Such payments are in respect of expenditure incurred by a member or co-opted member in the performance of the official business within or outside the boundary of the authority.

#### **(Paragraphs 26 & 27 apply only to principal councils)**

26. Payment of a subsistence payment to a principal council member for the performance of official business within the boundaries of a county or county borough where they are a member should only be made when the authority is satisfied that it can be justified on economic grounds. This does not apply in respect of co-opted members of a council who live outside that authority.
27. A principal council may make provision, subject to any limitations it thinks fit, for members to claim mileage expenses for official business in connection with constituency or ward responsibilities where they arise out of the discharge of the functions of the county or county borough.
28. Where a member or co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers), travelling and subsistence payments payable to that member or co-opted member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers for reasons other than suspension (Section 155(1) of the Measure).

## **Part 3: Further provisions**

### **Pensions**

29. Under Section 143 of the Measure, the Panel may make determinations in respect of pension arrangements for principal council members in its Annual or Supplementary Reports. Such determinations may:
- Define which members for whom the principal council will be required to pay a pension.
  - Describe the relevant matters in respect of which a local authority will be required to pay a pension.
  - Make different decisions for different principal councils.

### **Payments to support the function of an authority member**

30. An authority must provide for the requirements of a member to undertake their role and responsibilities more effectively. The way in which this support should be provided is determined by the Panel in its Annual or Supplementary Reports.

### **Arrangements in relation to family absence**

31. Part 2 of the Measure sets out the rights of principal council members in relation to family absence. The Panel will set out its determinations and the administrative arrangements in relation to these payments in its Annual or Supplementary Reports.

### **Sickness Absence**

32. Arrangements for long-term sickness absence of senior salary holders of principal councils, Fire and Rescue Authorities and National Park Authorities will be as set out in the Panel's Annual Report or Supplementary Report.

## **Part 4: Payments**

### **Repayment of payments**

33. An authority can require that such part of a payment be repaid where payment has already been made in respect of any period during which the member or co-opted member concerned:
- a. is suspended or partially suspended from that member's or co-opted member's duties or responsibilities in accordance with Part 3 of the 2000 Act or Regulations made under that Act.
  - b. ceases to be a member or co-opted member of the authority.

- c. or in any way is not entitled to receive a salary, allowance or fee in respect of that period.

### **Forgoing payments**

- 34. Under Section 154 of the Measure, any member or co-opted member may by notice in writing to the proper officer of the authority elect to forgo any part of their entitlement to a payment under the determination of the Panel for that particular year (as relating to the authority).

## **Part 5: Specific provisions relating to community and town councils (“the council”)**

### **Interpretation**

- 35. For the purposes of this Part the term member means both an elected member and a co-opted member.

### **Payments**

- 36. Payments
  - a) The Annual Report or a Supplementary Report determines the arrangements and amount of an annual payment to members in respect of costs incurred in carrying out the role of a member and if appropriate take account of the variation in size or financial circumstances of different councils.
  - b) The council may make payments to members in respect of costs of travel for attending approved duties within or outside the area of the council. The amounts claimable will be set out in the Annual or Supplementary Report of the Panel.
  - c) The council may reimburse subsistence costs to its members when attending approved duties within or outside the area of the council. The arrangements for reimbursement will be set out in the Annual or Supplementary Report of the Panel.
  - d) The council may pay compensation for Financial Loss to its members where such loss has occurred for attending approved duties within or outside the area of the council. The payments will be set out in the Annual or Supplementary Report of the Panel.
  - e) The council may make a payment to the chair or mayor and deputy chair or mayor of the council for the purposes of undertaking the role of that office. The payment will be set out in the Annual or Supplementary Report of the Panel.
  - f) The Annual Report or a Supplementary Report determines the arrangements for payments to members of a council who undertake senior roles and if appropriate take account of the variation in size or financial circumstances of different councils.

- g) The council must reimburse the contribution to costs of care and personal assistance to a member if claimed, as determined in the Annual Report of the Panel.
37. A member may elect to forgo any part of an entitlement to payment under these Regulations by giving notice in writing to the proper officer of the council.
38. A member making a claim for compensation for Financial Loss must sign a statement that the member has not made and will not make any other claim in respect of the matter to which the claim relates.
39. “Approved Duty” under this Part means
- i. Attendance at a meeting of the council or of any committee or sub-committee of the council or of any other body to which the council makes appointments or nominations or of any committee or sub-committee of such a body.
  - ii. Attendance at any other meeting the holding of which is authorised by the council or a committee or sub-committee of the council, or a joint committee of the council and one or more councils, or a sub-committee of such a joint committee provided that at least two members of the council have been invited and where the council is divided into political groupings at least two such groups have been invited.
  - iii. Attendance at a meeting of any association of councils of which the council is a member.
  - iv. Attendance at any training or development event approved by the council.
  - v. Any other duty approved by the council or duty of a class approved by the council for the discharge of its functions or any of its committees or sub-committees.

## **Part 6: Miscellaneous**

### **Arrangements for payments**

40. The Schedule of an authority must set out the arrangements for payment to all members and co-opted members of that authority. Such payments may be made at such times and at such intervals as determined by the authority.

### **Claims**

41. An authority must specify a time limit from the date on which an entitlement to travelling or subsistence payments arise during which a claim for must be made by the person to whom they are payable. However, this does not prevent an authority from making a payment where the allowance is not claimed within the period specified.

42. Any claim for payment of travelling, subsistence or care costs in accordance with these Regulations (excluding claims for travel by private vehicle or bicycle) shall be accompanied by appropriate receipts proving actual cost.

### **Avoidance of duplication**

43. A claim for a payment of travelling, subsistence or care costs must include, or be accompanied by, a statement signed by the member or co-opted member that the member or co-opted member has not made and will not make any other claim in respect of the matter to which the claim relates.

### **Records of payments**

44. An authority must keep a record of the payments made in accordance with these Regulations as set out in an Annual or Supplementary Report.

### **Publicity requirements**

(The required content of publicity requirements is contained in an annex to the Annual Report)

45. An authority must, as soon as practicable after determining its Schedule of Remuneration for the year under these Regulations and any Report of the Panel and not later than 31 July of the year to which the Schedule refers, arrange for the Schedule's publication within the authority's area and to notify the Panel. **(This section does not apply to community and town councils).**
46. As soon as practicable and no later than 30 September following the end of the financial year **all relevant authorities** must publicise within the authority's area and notify the Panel:
- the total sum paid by it to each member or co-opted member in respect of basic salary, senior salary, co-opted member fee, travel and subsistence payments.
  - the total expenditure on contribution towards costs of care and personal assistance.
47. In the same timescale and in the same manner, an authority must publicise any further remuneration received by a member nominated or appointed to another relevant authority. **(This section applies only to principal councils).**

## **Publicising the reports of the Panel**

48. Under Section 146(7) (a) and (b) of the Measure, the Panel will send a consultation draft of its Annual Report or Supplementary Report to all relevant authorities for circulation to authority members and co-opted members, so that representations can be made by members and co-opted members to the Panel, normally in a period of eight weeks.
49. The Panel will determine in its Annual or Supplementary Reports the arrangements publicising its Reports in accordance with Section 151 and 152 of the Measure.

## **Monitoring compliance with the Panel's determinations**

50. Section 153 of the Measure determines that relevant authorities must comply with the requirements imposed by the Panel in its Annual Reports. It also empowers the Panel to monitor the payments made by relevant authorities and for it to require the provision of information that it specifies. The requirements under this section will be set out in the Annual Report of the Panel.



## **Annex 3: Schedule of Member Remuneration**

1. Principal councils, national park authorities (NPAs) and Welsh fire and rescue authorities (FRAs) (but not community and town councils) must maintain an annual Schedule of Member Remuneration (the 'Schedule') which is in accord with the Panel's determinations on member salary and co-opted member payments and which must contain the following information:

In respect of a principal council:

- a. Named members who are to receive only the basic salary and the amount to be paid.
- b. Named members who are to receive a Band 1 and Band 2 senior salary, the office and portfolio held and the amount to be paid.
- c. Named members who are to receive a Band 3, Band 4 and Band 5 senior salary, the office and portfolio held and the amount to be paid.
- d. Named members who are to receive a civic salary and the amount to be paid.
- e. Named members who are to receive the co-opted member fee and whether chair or ordinary member and the amount to be paid.
- f. Named members who are to receive a senior salary as a chair of a Joint Overview and Scrutiny Committee or Sub Committee and the amount to be paid.
- g. Named members in receipt of a specific or additional senior salary approved by the Panel and the amount to be paid.

In respect of National Park and Fire and Rescue Authorities:

- a. Named members who are to receive a basic salary and the amount to be paid.
  - b. Named member who is to receive a senior salary as a chair of the authority and the amount to be paid.
  - c. Named members who are to receive a senior salary as deputy chair of the authority or a committee chair and the amount to be paid.
  - d. Named members who are to receive the co-opted member fee and whether a chair or ordinary member and the amounts to be paid.
2. Amendments made to the Schedule during the municipal year must be communicated to the Panel as soon as it is practicable.
  3. Principal councils must confirm in their annual Schedule that the maximum limit of senior salaries set for the council has not been exceeded.

4. Principal councils, NPAs and FRAs must include a statement of allowable expenses and the duties for which they may be claimed for care, travel and subsistence in their annual Schedule which is in accord with the Panel's determinations.
5. The Schedule must set out the arrangements for the payment of salaries, allowances and fees to all members and co-opted members of the relevant authority (IRPW Regulation 35); arrangements for making claims for care and personal assistance, travel and subsistence expenses (IRPW Regulations 24 and 36-37); arrangements for the avoidance of duplication (IRPW Regulation 38) and arrangements for re-payment of salaries, allowances and fees (IRPW Regulation 33). This schedule must also include the duties for which members and co-opted members are able to claim reimbursement towards travel, subsistence and care and personal assistance costs.
6. Principal councils must declare in the Schedule whether:
  - A statement of the basic responsibility of a councillor is in place.
  - Role descriptors of senior salary office holders are in place.
  - Records are kept of councillor attendance.
7. Principal councils, NPAs and FRAs must make arrangements for the publication of the Schedule of Member Remuneration as soon as practicable after its determination and no later than 31 July of the year to which it applies. The Schedule should be published in a manner that provides ready access for members of the public.
8. The **Schedule** must also be sent to the Panel Secretariat to be received by 31 July.
9. Any changes to the schedule during the year must be promptly publicised in the above manner and all changes notified to Panel Secretariat promptly.
10. Retention. The time limit for the schedule to be retained should be consistent with the council's policy on document retention.

## Annex 4: Publication of Remuneration – the Panel’s Requirements

In accordance with Section 151 of the Wales [\(Local Government\) Measure 2011](#) the Panel requires that:

1. Relevant authorities must publish a Statement of Payments made to its members for each financial year. This information must be published in a form and location that is easily accessible to members of the public no later than 30 September following the end of the previous financial year and in the same timescale also provided to the Panel. The following information must be provided:
  - a. The amount of basic salary, senior salary, civic salary and co-opted member fee paid to each named member or co-opted member of the relevant authority, including where the member had chosen to forego all or part of the salary, or fee for the municipal year in question. Where a senior salary has been paid, the title of the senior office held is to be provided.
  - b. The payments made by community and town councils to named members as:
    - Payments in respect of telephone usage, information technology, consumables etc.
    - Responsibility payments
    - Allowances made to a mayor or chair and deputy mayor or deputy chair
    - Compensation for Financial Loss
    - Costs incurred in respect of travel and subsistence
    - Any payments made for attendance on official business or approved duty
  - c. All travel and subsistence expenses and other payments received by each named member and co-opted member of the relevant authority, with each category identified separately.
  - d. The amount of any further payments received by any named member nominated to, or appointed by, another relevant authority or other public body as defined by [Section 67](#) of the [Local Government \(Democracy\) \(Wales\) Act 2013](#), namely:
    - a local health board
    - a police and crime panel
    - a relevant authority
    - a body designated as a public body in an order made by the Welsh Ministers.
  - e. Names of members who did not receive basic or senior salary because they were suspended for all or part of the annual period to which the Schedule applies.

- f. In respect of the publication of the contribution towards costs of care and personal assistance, relevant authorities are only required to publish the total amount reimbursed during the year. It is a matter for each authority to determine its response to any Freedom of Information requests it receives. However, it is not intended that details of individual claims should be disclosed.
2. **Nil returns** are required to be published and provided to the Panel by 30 September.
3. Retention. The time limit for the publications to be retained should be consistent with the council's policy on document retention.

## Annex 5: Summary of new and updated determinations contained in this report

The numbers of most of the determinations contained within this report have changed from previous reports.

To assist authorities, this table sets out the determinations in this report which are entirely new or have been updated.

<b>Summary of new and updated determinations contained in this report</b>
<b>Principal Councils</b>
Determination 1: The basic salary in 2022/23 for elected members of principal councils shall be £16,800.
Determination 2: Senior salary levels in 2022/23 for members of principal councils shall be as set out in <a href="#">Table 4</a> .
Determination 3: Where paid, a civic head must be paid a Band 3 salary of £25,593 in accordance with <a href="#">Table 4</a> .
Determination 4: Where paid, a Deputy Civic Head must be paid a Band 5 salary of £20,540 in accordance with <a href="#">Table 4</a> .
Determination 5: Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with <a href="#">Table 4</a> .
<b>Assistants to the Executive</b>
Determination 13: The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for Assistants to the Executive.
<b>National Park Authorities</b>
Determination 22: The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
Determination 23: The senior salary of the Chair of a NPA shall be £13,531 with effect from 1 April 2022.
Determination 24: A NPA senior salary of £8,478 must be paid to a Deputy Chair where appointed.
Determination 25: Committee Chairs or other senior posts can be paid. This shall be paid at £8,478.
<b>Fire and Rescue Authorities</b>
Determination 29: The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
Determination 30: The senior salary of the Chair of a FRA shall be £11,162 with effect from 1 April 2022.
Determination 31: A FRA senior salary of £6,109 must be paid to the Deputy Chair where appointed.
Determination 32: Chairs of Committees or other senior posts can be paid. This shall be paid at £6,109.
<b>Payments to Co-opted Members of Principal Councils, National Park Authorities and Fire &amp; Rescue Authorities</b>

<b>Summary of new and updated determinations contained in this report</b>
<p>Determination 40: The appropriate officer within the authority must set in advance whether a meeting is programmed for a full or half day. When a meeting is set for a full day the fee will be paid on this basis even if the meeting finishes within four hours.</p>
<b>Contribution towards Costs of Care and Personal Assistance (CPA)</b>
<p>Determination 43: All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:</p> <ul style="list-style-type: none"> <li>• Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.</li> <li>• Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real Living Wage hourly rates as defined by the Living Wage Foundation at the time the costs are incurred.</li> </ul> <p>This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.</p>
<b>Community and Town Councils</b>
<p>Determination 44: Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses</p>
<p>Determination 45: The payment for members undertaking a senior role is an annual amount of £500 as set out in <a href="#">Table 11</a>.</p>
<p>Determination 48: Community and town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows:</p> <ul style="list-style-type: none"> <li>• Up to £57.20 for each period not exceeding 4 hours</li> <li>• Up to £114.40 for each period exceeding 4 hours but not exceeding 24 hours</li> </ul>
<p>Determination 49: Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30.</p> <p>A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.</p>
<p>Determination 52: The application of the Remuneration Framework by relevant Group.</p>

**Independent Remuneration Panel for Wales  
Room N.03  
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Cardiff  
CF10 3NQ**

**Telephone: 0300 0253038**

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**The Report and other information about the Panel and its work are available on our website at:**

**[Independent Remuneration Panel for Wales](#)**

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# BRIDGEND COUNTY BOROUGH COUNCIL

## MEMBERS' SCHEDULE OF REMUNERATION

This Scheme is made under the Local Government (Wales) Measure 2011. With regard to Independent Remuneration Panel for Wales (IRPW) Regulations which apply to payments made to members and co-opted members of local authorities.

### 1. Basic Salary

- 1.1 A Basic Salary shall be paid to each elected Member of the Authority not in receipt of a Senior Salary or Civic Salary as set out in **Schedule 1**.
- 1.2 In accordance with the Regulations, the rate of the Basic Salary shall be reviewed annually as determined by the Independent Remuneration Panel for Wales.
- 1.3 Where the term of office of a Member begins or ends other than at the beginning or end of a year, his/her entitlement to the Basic Salary will be pro-rata.
- 1.4 No more than one Basic Salary is payable to a Member of the Authority.

### 2. Senior Salaries & Civic Salaries

- 2.1 Members occupying specific posts shall be paid a Senior Salary as set out in **Schedule 1**.
- 2.2 In accordance with the Regulations, the rates of Senior Salaries and Civic Salaries shall be reviewed annually as determined by the Independent Remuneration Panel for Wales.
- 2.3 Only one Senior Salary or Civic Salary is payable to a Member of the Authority.
- 2.4 A Member of the Authority cannot be paid a Senior Salary and a Civic Salary.
- 2.5 All Senior and Civic Salaries are paid inclusive of Basic Salary.
- 2.6 A Senior Salary may not be paid to more than fifty percent of the Members of the Authority, except to include a temporary Senior Salary office holder providing temporary cover for the family absence of the appointed office holder.
- 2.7 A Member of the Authority in receipt of a Senior Salary **cannot** receive a salary from any National Park Authority (NPA) or Fire and Rescue Authority (FRA) for which he/she has been nominated.
- 2.8 Where the term of Senior Salary or Civic Salary of a Member begins or ends other than at the beginning or end of a year, his/her entitlement to the Salary will be pro-rata.

### 3. Election to Forgo Entitlement to Allowance

- 3.1 A Member may, by notice in writing delivered to the Monitoring Officer, elect to forgo any part of his/her entitlement to any salary, allowance or fee payable under this Scheme from the date set out in the notice.

### 4. Suspension of a Member

- 4.1 Where a Member of the Authority is suspended or partially suspended from his or her responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, the part of

the Basic Salary payable to him/her in respect of that period for which he or she is suspended will be withheld by the Authority (Section 155 (1) of the Measure).

- 4.2 Where a Member in receipt of a Senior Salary is suspended or partially suspended from being a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, the Authority must not make payments of the Member's Senior Salary for the duration of the suspension (Section 155 (1) of the Measure). If the partial suspension relates only to the specific responsibility element of the payment, the member may retain the Basic Salary.

## **5. Repayment of salaries, allowances or fees**

- 5.1 Where payment of any salary, allowance or fee has been made to a Member of the Authority or Co-opted Member in respect of any period during which the Member concerned:

- (a) is suspended or partially suspended from that Member's/Co-opted Member's duties or responsibilities in accordance with Part 3 of the 2000 Act or regulations made under that Act;
- (b) ceases to be a Member of the Authority or Co-opted Member; or
- (c) is in any other way not entitled to receive a salary, allowance or fee in respect of that period,

the Authority will require that such part of the allowance as relates to any such period be repaid.

## **6. Payments**

- 6.1 Payments of all allowances will be made by the Chief Finance Officer by direct bank credit in instalments of one-twelfth of the Member's annual entitlement on the 18th of each month.
- 6.2 Where payment has resulted in a Member receiving more than his/her entitlement to salaries, allowances or fees the Authority will require that such part that is overpayment be repaid.
- 6.3 All payments are subject to the appropriate tax and National Insurance deductions.

## **7. Dependents – Costs of Care**

- 7.1 Reimbursement for the cost of Care shall be made to a Member or Co-opted Member, who has caring responsibility for dependent children or adults, provided the Member incurs expenses in the provision of such care whilst undertaking 'approved' council duties.
- 7.2 Costs of Care applies in respect of children who are aged 15 or under and other persons for whom the Member or Co-opted Member can show that care is required. If a Member or Co-opted Member has more than one dependent the Member may claim more than one allowance, provided the Member can demonstrate a need to make separate arrangements for care.
- 7.3 Eligible Members may claim Care costs for actual and receipted costs up to a maximum amount not exceeding that determined by the Independent Remuneration Panel as set out in **Schedule 1**. All claims for Care Costs should be made in writing to Democratic Services detailing times, dates and reasons for claim. Receipts are required for both informal and formal care arrangements.

## **8. Personal- Costs of Care**

- 8.1 Reimbursement for the cost of Personal Care shall be paid to a Member or Co-opted Member, who has personal assistance costs, provided the Member incurs expenses in respect of personal assistance whilst undertaking 'approved' council duties.
- 8.2 Eligible Members may claim Personal Care costs for actual and receipted costs up to a maximum amount not exceeding that determined by the Independent Remuneration Panel as set out in **Schedule 1**. All claims for Care costs should be made in writing to Democratic Services detailing times, dates and reasons for claim. Receipts are required for both informal and formal care arrangements.

## **9. Family Absence**

- 9.1 Members are entitled under the provisions of the Family Absence for Members of Local Authorities (Wales) Regulations 2013 to a period of family absence, during which if they satisfy the prescribed conditions they are entitled to be absent from Authority meetings.
- 9.2 When taking family absence Members are entitled to retain a basic salary irrespective of their attendance record immediately preceding the commencement of the family absence.
- 9.3 Should a senior salary holder be eligible for family absence they will be able to continue to receive their senior salary for the duration of the absence.
- 9.4 If the Authority agrees that it is necessary to make a substitute appointment to cover the family absence of a senior salary holder the Member substituting will be eligible if the authority so decides to be paid a senior salary.
- 9.5 If the paid substitution results in the Authority exceeding its maximum number of senior salaries, an addition to the maximum will be allowed for the duration of the substitution.

## **10. Sickness Absence**

- 10.2 A senior salary holder on long term sickness can if the Authority determines continue to receive remuneration for the post held subject to the following provisions.
- 10.2 Long term sickness absence is defined as certified absences in excess of 4 weeks.
- 10.3 The maximum length of sickness absence is 26 weeks or until the individual's term of office ends, whichever is sooner (if reappointed any remaining balance of the 26 weeks will be included)
- 10.4 The Authority can if it so decides make a substitute appointment to cover the absence and the substitute will be eligible to be paid the senior salary appropriate to the post
- 10.5 If the paid substitution results in the Authority exceeding the maximum number of senior salaries payable, an addition will be allowed for the duration of the substitution.
- 10.6 If the Authority agrees to make a substitution the IRP must be informed within 14 days of the decision of the details, including the name of the post and the estimated length of the substitution. The Authority's Schedule of Remuneration must be amended accordingly.
- 10.7 Sickness absence does not apply to elected members who are not senior post holders.

## **11. Co-optees' payments**

- 11.1 A Co-optees' daily fee (with a provision for half day payments) shall be paid to Co-optees, provided they are statutory Co-optees with voting rights.

- 11.2 Co-optees' payments will be capped at a maximum of the equivalent of 10 full days a year for each committee to which an individual may be co-opted.
- 11.3 Payments will take into consideration travelling time to and from the place of the meeting, reasonable time for pre meeting preparation and length of meeting (up to the maximum of the daily rate).
- 11.4 The Monitoring Officer is designated as the "appropriate officer" and will determine preparation time, travelling time and length of meeting, the fee will be paid on the basis of this determination.
- 11.5 The Monitoring Officer can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
- 11.6 A half day meeting is defined as up to 4 hours.
- 11.7 A full day meeting is defined as over 4 hours.
- 11.8 The daily and half day fee for the Chairpersons of the Standards Committee and Audit Committee, as determined by the Independent Remuneration Panel, is set out in **Schedule 1**.
- 11.9 The daily and half day fee for other statutory Co-optees with voting rights, as determined by the Independent Remuneration Panel, is set out in **Schedule 1**.

## **12. Travel and Subsistence Allowances**

### **12.1 General Principles**

- 12.2 Members, Co-opted Members and Members of Educational Appeals Panels may claim travelling expenses when travelling on the Authority's business for 'approved duties' as set out in **Schedule 2**. Where Members travel on the Authority's business they are expected to travel by the most cost effective means. In assessing cost effectiveness regard will be given to journey time. A Member who does not travel by the most cost effective means may have his/her claim abated by an appropriate amount.
- 12.3 Where possible Members should share transport.
- 12.4 The distance claimed for mileage should be the shortest reasonable journey by road from the point of departure to the point at which the duty is performed, and similarly from the duty point to the place of return.
- 12.5 The rates of Members' Travel and Subsistence Allowances are set out in **Schedule 3** and are subject to annual review by the Independent Remuneration Panel for Wales.
- 12.6 Where a Member is suspended or partially suspended from his or her responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, any travel and subsistence allowances payable to him/her in respect of that period for which he or she is suspended or partially suspended must be withheld by the Authority.
- 12.7 "Approved duties" as set out in **Schedule 2** does not include constituency responsibilities.

## **13. Travel by Private Vehicle**

- 13.1 The Independent Remuneration Panel for Wales has determined that the maximum travel rates payable should be the rates set out by Her Majesty's Revenue & Customs for the use of private cars, motor cycles and pedal cycles plus any passenger supplement.
- 13.2 The mileage rates for private vehicles as determined by the Independent Remuneration Panel for Wales are set out in **Schedule 3**.
- 13.3 Where a Member makes use of his/her private vehicle for approved duty purposes, the vehicle must be insured for business use. Proof of appropriate insurance must be provided to the Authority on request.
- 13.4 Mileage allowances can only be paid where claims are accompanied by VAT fuel receipts. The receipt date must be prior to the time/date of the journey for which allowances are being claimed.

## **14. Travel by Public Transport**

### **14.1 Rail/Coach Travel**

Democratic Services will purchase requisite rail and coach tickets for Members in advance of journeys. Unless otherwise authorised rail tickets will be second-class. In the unlikely event that a Member needs to purchase a ticket directly, payment will be reimbursed upon production of the used ticket and/or a receipt.

### **14.2 Taxi Fares**

Taxi fares will only be reimbursed where their use has been authorised for cases of urgency or where no public transport is reasonably available. Re-imburement will be upon receipt only.

### **14.3 Air Fare**

Travel by air is permissible if it is the most cost effective means of transport. Authorisation of the Monitoring Officer is required and tickets will be purchased by Democratic Services.

### **14.4 Travel Abroad**

Travel abroad on the Authority's business will only be permitted where authorised by the Monitoring Officer. Democratic Services will arrange travel and accommodation.

### **14.5 Other Travel Expenses**

Members will be entitled to reimbursement of toll fees, parking fees, overnight garaging and other necessary travel associated expenses. Re-imburement will be upon receipt only.

## **15. Overnight Accommodation**

- 15.1 Overnight stays will only be permitted where the Authority's business extends to two days or more, or the venue is at such a distance that early morning or late night travel would be unreasonable. All overnight stays must receive prior authorisation from the Monitoring Officer.
- 15.2 Overnight accommodation will be booked by Democratic Services. Wherever possible the overnight accommodation will be pre-paid or invoiced. Where this is not possible a cheque payable to the establishment will be provided to the Member prior to travel.

- 15.3 Direct booking of overnight accommodation by a Member will only be permitted in the event of an emergency. Reimbursement will only be made upon the production of a receipt and will be at a level deemed reasonable and not in excess of the rates set out in **Schedule 3**.

## **16 Subsistence Allowance**

- 16.1 The day subsistence rate to meet the costs of meals and refreshments in connection with approved duties (including breakfast when not provided as part of overnight accommodation) is set out in **Schedule 3**. The maximum daily rate covers a 24 hour period and can be claimed for any meal that is relevant, providing such a claim is supported by receipt(s)
- 16.2 No provision is made for subsistence claims within the County Borough.

## **17. Claims and Payments**

- 17.1 A claim for travel and subsistence allowances must be made in writing within two months of the end of the calendar month in which entitlement to allowances arises and must be accompanied by the relevant receipts.
- 17.2 Allowances will be paid by the Chief Finance Officer by direct bank credit.

## **18. Pensions**

- 18.1 The Authority shall enable its Members who are eligible to join the Local Government Pension Scheme.

## **19. Compliance**

- 19.1 In accordance with the Regulations, the Authority must comply with the requirements of the Panel in respect of the monitoring and publication of payments made to members and co-opted members as set out in **Schedule 4**.

**Members are reminded that expense claims are subject to both internal and external audit.**

**SCHEDULE 1**

**SCHEDULE OF REMUNERATION 2022-23**

	<b>MEMBERS ENTITLED TO BASIC SALARY</b>	<b>ANNUAL AMOUNT OF BASIC SALARY</b>
	All non senior/civic salary holders:	£16,800

	<b>SENIOR SALARIES ENTITLEMENTS</b>		<b>ANNUAL AMOUNT OF SENIOR SALARY</b>
	<b>ROLE</b>	<b>MEMBER</b>	
1.	Leader		£56,700
2.	Deputy Leader		£39,690
3.	Cabinet Member for Social Services and Early Help		£34,020
4.	Cabinet Member for Education and Regeneration		£34,020
5.	Cabinet Member for Future Generations		£34,020
6.	Cabinet Member for Communities		£34,020
7.	Cabinet Member	Not used	£34,020
8.	Chairperson Overview and Scrutiny Subject Committee		£25,593
9.	Chairperson Overview and Scrutiny Subject Committee		£25,593
10.	Chairperson Overview and Scrutiny Subject Committee		£25,593
11.	Chairperson of Development Control Committee		£25,593
12.	Chairperson of Licensing Committee		£25,593
13.	Chairperson of Audit Committee		£25,593
14.	Chairperson of the Appeals Panel		£25,593
15.	Leader Of The Largest Opposition Group		£25,593
16.	Leader of an opposition group with at least 10% of the membership of the Council		£20,540
17.	Not currently used		
18.	Not currently used		
A maximum of 18 Senior salaries for Bridgend County Borough Council may be paid			

<b>ENTITLEMENT TO CIVIC SALARIES</b>	
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ROLE	MEMBER	ANNUAL AMOUNT OF CIVIC SALARY
Civic Head (Mayor)		£25,593
Deputy Civic Head (Deputy Mayor)		£20,540

ENTITLEMENT AS STATUTORY CO-OPTEEES		AMOUNT OF CO-OPTEEES ALLOWANCES
ROLE	MEMBER	
Chairperson Of Standards Committee		£268 Daily Fee £134 ½ Day Fee
Chairperson of Audit Committee	N/A	£268 Daily Fee £134 ½ Day Fee
Statutory Co-optees - Standards Committee, Scrutiny Committee – subject 1, Audit Committee, Crime and Disorder OVSC	<u>Standards:</u>  <u>Scrutiny</u> Vacancy - Parent Governor (Special Schools) Parent Governor Representative (Secondary Schools) Parent Governor Representative (Primary Schools) Church Representative (Church in Wales) Church Representative (Roman Catholic Church) <u>Audit</u> Lay Member	£210 Daily Fee £105 ½ Day Fee
Statutory Co-optees -ordinary members of Standards Committee who also chair Standards Committees for Community Councils	Not Applicable	£238 Daily Fee £119 ½ Day Fee

MEMBERS ELIGIBLE TO RECEIVE COSTS OF CARE (Dependents/Personal Assistance)	
All Members	
<ul style="list-style-type: none"> <li>• Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.</li> <li>• Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real UK Living Wage at the time the costs are incurred.</li> </ul>	



## SCHEDULE 2

### Approved duties: -

- attendance at a meeting of the Authority or of any committee of the Authority or of any body to which the Authority makes appointments or nominations or of any committee of such a body;
- attendance at a meeting of any association of authorities of which the Authority is a member;
- attendance at any other meeting the holding of which is authorised by the Authority or by a committee of the Authority or by a joint committee of the Authority and one or more other Authorities;
- a duty undertaken for the purpose of or in connection with the discharge of the functions of Cabinet;
- a duty undertaken in pursuance of a standing order which requires a Member or Members to be present when tender documents are opened;
- a duty undertaken in connection with the discharge of any function of the Authority which empowers or requires the Authority to inspect or authorise the inspection of premises;
- attendance at any training or developmental event approved by the Authority or its Cabinet;
- the following duties which have been approved by Council:
  - Approved conferences;
  - Rota visits to Social Services establishments;
  - Meetings with Senior Officers;
  - Attendance at Civic Offices to welcome school visits provided the school is within the Member's ward.

Where a local authority association or other outside body has its own scheme for the payment of allowances, the Member should claim his/her travelling and subsistence from the other body and not from the Authority.

## SCHEDULE 3

### Mileage Rates 2017-18

All sizes of private motor vehicle Up to 10,000 miles Over 10,000 miles	45 pence per mile 25 pence per mile
Private Motor Cycles Pedal Cycles	24 pence per mile 20 pence per mile
Passenger supplement	05 pence per mile

## **Subsistence Allowance 2022/23**

The day subsistence rate is up to a maximum of £28 and covers a 24 hour period and can be claimed for any meal if relevant provided such a claim is supported by receipts.

Re-imbusement of alcoholic drinks is not permitted.

## **Overnight Stay**

The maximum allowances for an overnight stay are £200 for London and £95 for elsewhere. A maximum of £30 is available for an overnight stay with friends or relatives whilst on approved duty.

## **SCHEDULE 4**

### **Compliance**

- The Authority will arrange for the publication on the council's website the total sum paid by it to each member and co-opted member in respect of salary, allowances, fees and reimbursements no later than 30 September following the close of the year to which it relates. In the interests of transparency this will include remuneration from all public service appointments held by elected members.
- The Authority will publish on the council's website a statement of the basic responsibility of a councillor and role descriptors for senior salary office holders, which clearly identify the duties expected.
- The Authority will publish on the council's website the annual schedule of Member Remuneration not later than 31 July of the year to which the schedule refers.
- The Authority will send a copy of the schedule to the Remuneration Panel no later than 31 July of the year to which the schedule refers.
- The Authority will maintain records of member/co-opted members attendance at meetings of council, cabinet and committees and other approved duties for which a member/co-opted member submits a claim for reimbursement.
- The Authority will arrange for the publication on the council's website of Annual Reports prepared by members.
- When the Authority agrees a paid substitution for family absence it will notify the Remuneration Panel within 14 days of the date of the decision of the details including the particular post and the duration of the substitution.

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

9 MARCH 2022

#### REPORT OF THE CHIEF OFFICER - LEGAL AND REGULATORY SERVICES, HR AND CORPORATE POLICY

#### INFORMATION REPORTS FOR NOTING

##### 1. Purpose of report

- 1.1 The purpose of this report is to inform Council of any Information Reports for noting that have been published since its last scheduled meeting.

##### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:-
- Smarter use of resources – ensuring that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

##### 3. Background

- 3.1 At a previous meeting of Council, it was resolved to approve a revised procedure for the presentation to Council of Information Reports for noting.

##### 4. Current situation/proposal

###### 4.1 Information Reports

The following Information Report has been published since the last meeting of Council:-

<u>Title</u>	<u>Date Published</u>
Urgent Delegated Decisions	3 March 2022

###### 4.2 Availability of Documents

The document has been circulated to Elected Members electronically via Email and placed on the Bridgend County Borough Council website. It are available from the above date of publication.

##### 5. Effect upon policy framework and procedure rules

- 5.1 This procedure has been adopted within the procedure rules of the Constitution.

## **6. Equality Act 2010 implications**

- 6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. This is an information report, therefore it is not necessary to carry out an Equality Impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

## **8. Financial implications**

- 8.1 There are no financial implications regarding this report.

## **9. Recommendation**

- 9.1 That Council acknowledges the publication of the document listed in this report.

K Watson

**Chief Officer Legal and Regulatory Services, HR and Corporate Policy**

March 2022

**Contact Officer: Mark Galvin**  
**Interim Democratic Services Manager**

**Telephone: (01656) 643148**

**Chief Executives Directorate,  
Bridgend County Borough Council,  
Civic Offices,  
Angel Street,  
Bridgend**

**Email: [cabinet\\_committee@bridgend.gov.uk](mailto:cabinet_committee@bridgend.gov.uk)**

**Background documents:** None.

# BRIDGEND COUNTY BOROUGH COUNCIL

## INFORMATION REPORT TO COUNCIL

9 MARCH 2022

### REPORT OF THE CHIEF OFFICER - LEGAL AND REGULATORY SERVICES, HR AND CORPORATE POLICY

#### URGENT DELEGATED DECISIONS

#### 1. Purpose of report

- 1.1 The purpose of this report is to report to Council delegated decisions executed as a matter of urgency under Scheme A 1.1 of the Scheme of Delegation of Functions.

#### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-
1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
  2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
  3. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

- 3.1 Decisions taken as a matter of urgency must be reported to Council in accordance with Paragraph 18 of the Overview & Scrutiny Procedure Rules which are to be found at Part 4 of the Constitution.

#### 4. Current situation/proposal

- 4.1 The urgent decisions taken and therefore by-passing the call-in procedure (as set out in paragraph 19 of Part 4 Rules of Procedure within the Constitution), are summarised below:-

## **Scheme A 1.1**

**CE-ICT-22-063** – To temporarily suspend part of the Council’s Contract Procedure Rules (CPR’s) in order to re-tender, direct award and allow schools to sign up individually with ESS SIMS as their management system.

**CMM-ED-22-005** – To seek an exemption to the Council’s CPR’s to procure a provider to deliver the design, build, operate and maintain (DBOM) Contract for the Caerau Heat Scheme.

### **5. Effect upon policy framework and procedure rules**

5.1 This report has no effect on the Council’s policy framework and procedure rules.

### **6. Equality Act 2010 implications**

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. This is an information report, therefore it is not necessary to carry out an Equality Impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

### **7. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

### **8. Financial implications**

8.1 There are no financial implications relating to the report.

### **9. Recommendation**

9.1 It is recommended that Council notes the report.

K Watson

**Chief Officer - Legal and Regulatory Services, HR and Corporate Policy & Monitoring Officer**

March 2022

**Contact officer:** **Mark Anthony Galvin**  
Interim Democratic Services Manager

**Telephone:** (01656) 643148

**Email:** [cabinet\\_committee@bridgend.gov.uk](mailto:cabinet_committee@bridgend.gov.uk)

**Postal address:** Democratic Services Section

Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend

**Background documents:** The Council's Scheme of Delegation (of Functions)

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# BRIDGEND COUNTY BOROUGH COUNCIL

## INFORMATION REPORT TO COUNCIL

9 MARCH 2022

### REPORT OF THE CHIEF OFFICER – FINANCE, PERFORMANCE AND CHANGE

#### BUDGET 2022-23

#### 1. Purpose of report

- 1.1 The purpose of this report is inform Council of the updated net budget requirement for 2022-23 following the Welsh Government's announcement of the Final Local Government Settlement on 1 March 2022, and subsequent to Council's approval of the original net budget requirement based on the Provisional Local Government Settlement at its meeting on 23 February 2022.

#### 2. Connections to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:

1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
3. **Smarter use of resources** – ensuring that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

- 2.2 The allocation of budget determines the extent to which the Council's well-being objectives can be delivered. The Corporate Plan and Medium Term Financial Strategy (MTFS) identify the Council's service and resource priorities for the next four financial years, with particular focus on 2022-23.

#### 3. Background

- 3.1 Members will recall that as part of the approval process for the Medium Term Financial Strategy (MTFS) 2022-23 to 2025-26 at the meeting of Council on 23 February 2022, approval was given for a net budget requirement of £319,510,077 in 2022-23. This was to be funded as follows:

Revenue Support Grant	179,590,994	56.21
Non Domestic Rates	52,772,627	16.52
Council Tax Income	87,146,456	27.27
<b>Total</b>	<b>319,510,077</b>	<b>100%</b>

3.2 The report to Council also stated that the budget was based on the provisional settlement received in December 2021 and that whilst we did not anticipate any significant change in funding between the provisional and final settlement, any changes would be reported back to Council at a later date. It was not envisaged that any changes would impact upon council tax.

3.3 The Welsh Government announced its Final Local Government Settlement on 1 March 2022. When announcing the final settlement the Minister for Local Government and Housing stated: "Other than a small increase of £96 thousand to the distributable RSG as a result of a technical adjustment, I allocated all available funding into the provisional settlement to give as much early certainty as I could to authorities. I have no further funding currently available". The impact of this technical change means an increase in the Revenue Support Grant (RSG) for the Council of £4,336 resulting in an increase in Aggregate External Finance (RSG plus share of Non Domestic Rates) for the Council from £232,363,621 to £232,367,957.

#### 4. Current situation/proposal

4.1 As a result of the change in RSG the Council's net budget requirement will also increase, from £319,510,077 as approved by Council on 23 February to £319,514,413. It is proposed that this additional £4,336 be added to the corporate pay and prices budget, given uncertainties around pay increases for 2022-23 and rising inflation costs, resulting in a final net revenue budget of:

	Revised Budget 2021-22	Specific Transfers to/ (from) WG	NI Increase (Health and Social Care Levy)	Pay / Prices	Budget Pressures	Budget Reduction Proposals	Revenue Budget 2022-23
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Service Directorate Budgets:</b>							
Central Education & Family Support	22,388		85	18	3,421	-68	25,844
Schools	104,012		657	825	92	0	105,586
<b>Education and Family Support</b>	<b>126,400</b>	<b>0</b>	<b>742</b>	<b>843</b>	<b>3,513</b>	<b>-68</b>	<b>131,430</b>
<b>Social Services &amp; Wellbeing</b>	<b>74,564</b>	222	180		3,833	-365	<b>78,434</b>
<b>Communities</b>	<b>28,364</b>	296	98		387	-150	<b>28,995</b>
<b>Chief Executives</b>	<b>21,415</b>		93		435	-48	<b>21,895</b>
<b>Total Directorate Budgets</b>	<b>250,743</b>	<b>518</b>	<b>1,113</b>	<b>843</b>	<b>8,168</b>	<b>-631</b>	<b>260,754</b>
<b>Council Wide Budgets:</b>							
Capital Financing	7,329						7,329
Levies	7,797				380		8,177
Repairs and Maintenance	670						670
Council Tax Reduction Scheme	15,654			400			16,054
Apprenticeship Levy	650						650
Pension Related Costs	430						430
Insurance Premiums	1,363						1,363
Other Council Wide Budgets	14,320	0	1,000	4,767	4,000		24,087
<b>Total Council Wide Budgets</b>	<b>48,213</b>	<b>0</b>	<b>1,000</b>	<b>5,167</b>	<b>4,380</b>	<b>0</b>	<b>58,760</b>
<b>Net Budget Requirement</b>	<b>298,956</b>	<b>518</b>	<b>2,113</b>	<b>6,010</b>	<b>12,548</b>	<b>-631</b>	<b>319,514</b>

4.2 This will be funded as follows:

	£	%
Revenue Support Grant	179,595,330	56.21
Non Domestic Rates	52,772,627	16.52
Council Tax Income	87,146,456	27.27
<b>Total</b>	<b>319,514,413</b>	<b>100%</b>

4.3 No other changes to the budget are proposed.

## **5. Effect on policy framework and procedure rules**

5.1 The budget setting process is outlined within the Council's Constitution and Financial Procedure Rules.

## **6. Equality Act 2010 implications**

6.1 The Equality Act 2010 implications for the Medium Term Financial Strategy 2022-23 to 2025-26 were included within the report to Council on 23 February 2022.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 The Well-Being of Future Generations (Wales) Act 2015 Assessment for the Medium Term Financial Strategy 2022-23 to 2025-26 were included within the report to Council on 23 February 2022.

## **8. Financial implications**

8.1 These are reflected within the report.

## **9. Recommendations**

9.1 Council is asked to note the revised Net Budget Requirement of £319,514,413 for 2022-23.

**Carys Lord**  
**Chief Officer – Finance, Performance and Change and Section 151 Officer**  
**March 2022**

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**Background Documents:**

Provisional Local Government Revenue and Capital  
Settlements 2022-23

Final Local Government Revenue and Capital Settlements  
2022-23