



## **CABINET**

**2.00PM, WEDNESDAY, 15 JANUARY 2025**

**MULTI-LOCATION MEETING – COUNCIL CHAMBER PORT TALBOT  
AND MICROSOFT TEAMS**

**ALL MOBILE TELEPHONES TO BE SWITCHED TO SILENT FOR THE  
DURATION OF THE MEETING**

### **Webcasting/Hybrid Meetings:**

This meeting may be filmed for live or subsequent broadcast via the Council's Internet Site. By participating you are consenting to be filmed and the possible use of those images and sound recordings for webcasting and/or training purposes.

### **Part 1**

1. Appointment of Chairperson
2. Chairpersons Announcement/s
3. Declarations of Interest
4. Minutes of Previous Meeting (*Pages 5 - 22*)
5. Forward Work Programme 2024/25 (*Pages 23 - 26*)
6. Public Question Time  
Questions must be submitted in writing to Democratic Services, [democratic.services@npt.gov.uk](mailto:democratic.services@npt.gov.uk) no later than noon two working days prior to the meeting. Questions must relate to items on the agenda. Questions will be dealt with in a 10 minute period.

### **Report/s of the Head of Education Development**

7. Neath Port Talbot Co-ordinated School Admission Scheme Arrangements 2027 (*Pages 27 - 42*)

### **Report/s of the Head of Legal and Democratic Services**

8. Neath Port Talbot County Borough Council Contract Procedure Rules (*Pages 43 - 114*)

### **Report/s of the Head of Leisure, Tourism, Heritage and Culture**

9. Country Parks Car Parking Review (*Pages 115 - 130*)

### **Report/s of the Head of Early Years Inclusion and Participation**

10. Flying Start Phase 3 Expansion (*Pages 131 - 158*)

### **Report/s of the Head of Engineering and Transport**

11. Traffic Orders- Baglan, Port Talbot (*Pages 159 - 174*)
12. List of Approved Contractors (*Pages 175 - 188*)
13. Urgent Items  
Any urgent items (whether public or exempt) at the discretion of the Chairperson pursuant to Regulation 5(4)(b) of Statutory Instrument 2001 No. 2290 (as amended).
14. Access to Meetings - Exclusion of the Public (*Pages 189 - 194*)  
To resolve to exclude the public for the following items pursuant to Regulation 4 (3) and (5) of Statutory Instrument 2001 No. 2290 and the relevant exempt paragraphs of Part 4 of Schedule 12A to the Local Government Act 1972.

### **Part 2**

### **Private Report/s of the Director of Social Services, Health and Housing**

15. Hillside Managers Report  
(Exempt under Paragraph 13) (*Pages 195 - 208*)

16. Hillside Responsible Individuals Report  
(Exempt under Paragraph 13) *(Pages 209 - 220)*

**Private Report/s of the Head of Property and Regeneration**

17. Proposed Disposal of Land at Croeserw, Port Talbot  
(Exempt Under Paragraph 14) *(Pages 221 - 240)*
18. Proposed Disposal of Changing Rooms, Port Talbot  
(Exempt Under Paragraph 14) *(Pages 241 - 258)*

**Private Report/s of the Head of Adult Services**

19. Direct Payments Payroll Service Review  
(Exempt under Paragraph 14) *(Pages 259 - 308)*

**Private Report/s of the Director of Finance**

20. Debtor Write Offs  
(Exempt under Paragraph 14) *(Pages 309 - 312)*

**F.O'Brien**  
**Chief Executive**

**Civic Centre**  
**Port Talbot**

**Thursday, 9 January 2025**

**Cabinet Members:**

Councillors. S.K.Hunt, S.A.Knoyle, N.Jenkins, J.Hurley, S.Harris,  
J.Hale, A.Llewelyn, W.F.Griffiths, S.Jones and C.Phillips

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## EXECUTIVE DECISION RECORD

### CABINET

4 DECEMBER 2024

#### **Cabinet Members:**

Councillors: S.K.Hunt, S.A.Knoyle, N.Jenkins, J.Hurley, S.Harris,  
A.Llewelyn, W.F.Griffiths, S.Jones and C.Phillips

#### **Officers in Attendance:**

F O'Brien, N.Pearce, A.Jarrett, A.Thomas, H.Jones, C.Griffiths, S.Rees,  
A.James, J.Burge, H.Hasan, H.Lewis, L.McAndrew, L. Cooper-Smith,  
T.Davies and N.Jones

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#### 1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor S.K.Hunt be appointed as Chairperson for the meeting.

#### 2. **CHAIRPERSONS ANNOUNCEMENT/S**

The Chair welcomed all to the meeting.

#### 3. **DECLARATIONS OF INTEREST**

The following Members and Officers made Declarations of Interest at the start of the meeting:

Cllr A.Llewellyn - Minute No. 10 - Capital Budget Monitoring Report 2024/25, as he is a governor in one of the schools named.

Frances O'Brien - Minute No. 14 – Appointment of Returning Officer and Granting of Indemnity.

She considered her interest to be prejudicial, so left the meeting at this item.

Cllr C. Phillips - Minute No.17 – As Cllr Phillips was involved in discussions which took place in relation to the Traffic Order report. He considered his interest to be prejudicial, so left the meeting at this item.

#### 4. **MINUTES OF PREVIOUS MEETING**

That the minutes of the previous meeting of Cabinet, held on the 13 November, 2024, be agreed as an accurate record.

#### 5. **FORWARD WORK PROGRAMME 2024/25**

The Forward Work Programme 2024/25 was noted.

#### 6. **PUBLIC QUESTION TIME**

No questions from the public had been received.

#### 7. **NEATH PORT TALBOT WELSH CHURCH ACT TRUST FUND**

##### **Decision:**

That the application set out in the Appendix to this report, be approved.

##### **Reason for Proposed Decision:**

To decide on the amount of financial support in respect of the grant application received.

##### **Implementation of Decision**

The decision is proposed for implementation after the three day call in period.

#### 8. **THIRD SECTOR GRANT & COMMISSIONING ARRANGEMENTS**

Officers updated Members with feedback from the relevant Scrutiny Committee, Cabinet agreed to include the extra wording from the Scrutiny Committee, which is included below, ***in bold and italics.***

1. That the proposed arrangements for 3<sup>rd</sup> Sector Grant funding, for the financial year 2025/2026, be approved.
2. ***That the recommendation from the relevant Scrutiny Committee – ‘removal of the exclusion of core costs from the application process’, be approved.***
3. That the additional criteria - organisations will be required to demonstrate a contribution to in their applications for funding for the financial year 2025/2026 - be approved.
4. That the proposal for an independent review of the council’s third sector grant and commissioning arrangements, be noted.

**Reason for Proposed Decision:**

To ensure funding decisions made for the 2025/26 financial year in relation to grants awarded under the Third Sector Grants Scheme are aligned with the council’s overall priorities.

**Implementation of Decision:**

The decision is proposed for implementation after the three day call in period.

9. **CALCULATION OF COUNCIL TAX BASE FOR 2025-26**

**Decision:**

That the 2025/26 net Council Tax Base, be approved.

1. 49,703.53 for the whole of the County Borough.
2. For each Town and Community Council area the amount shown in paragraph 4 of the report, approved.

**Reason for Proposed Decisions:**

To determine the Council Tax Base for 2025/26.

**Implementation of Decisions:**

The decisions are urgent ones for immediate implementation, subject to the consent of the relevant Scrutiny Chair (and is therefore not subject to the call-in procedure). This will also enable the Council to forward the tax base to the Welsh Government within the required timescales.

10. **CAPITAL BUDGET MONITORING 24-25**

**Decision:**

1. That the updated proposed 2024/25 budget totalling £68.834m, approved.
2. That the position in relation to expenditure as at 30<sup>th</sup> September, 2024, be approved.

**Reason for Proposed Decision:**

To comply with the Council's constitution in relation to budget virement, re-profiling between financial years and to update the Council's Budget projections for 2024/25.

**Implementation of Decision:**

The decision is proposed for implementation after the three day call in period.

11. **REVENUE BUDGET MONITORING REPORT 2024/25**

That the report be noted.

12. **TREASURY MANAGEMENT MONITORING 2024/25**

**Decision:**

That the report be noted.

13. **TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2024/25**

**Decision:**

That the report be noted.

14. **APPOINTMENT OF RETURNING OFFICER AND GRANTING OF INDEMNITY**

At this point in the meeting, Frances O'Brien reaffirmed their interest in the item and left the meeting.

**Decision:**

That the entering into of an appropriate indemnity under The Local Authorities (Indemnities for Members and Officers) (Wales) Order 2006 to Frances O'Brien , in relation to her carrying out her duties as Returning Officer and/or Acting Returning Officer for all Elections and Referenda, taking place within the County Borough, be approved.

**Reason for Proposed Decision:**

To ensure appropriate indemnities are in place for officers who are accepting personal responsibility for such matters

**Implementation of Decision:**

Implementation is proposed after the three-day call-in period.

15. **LIST OF APPROVED CONTRACTORS**

**Decision:**

That having had due regard to the Integrated Impact Assessment it is recommended that:-

The List of Approved Contractors is amended as follows:-

Company to be **added** to the List of Approved Contractors

The following company has applied to be included on the list and has passed the required assessments:-

Company	Category
Safeguard Pest Control & Environmental Services Ltd (S0101)	4,5

Companies to be **removed** from the List of Approved Contractors

Removal of the following companies is required due to:-

N014 - Company has ceased trading.

R045 – Company is in Liquidation.

C051 – Company has ceased trading.

<u>Company</u>	<u>Category</u>
Nicholls Colton Group Ltd (N014)	78,111
Reactive Integrated Services Ltd (R045)	31,111
Cintrix Systems Ltd (C051)	49,68

**Reasons for Proposed Decision:**

To keep the List of Approved Contractors up to date and as far as possible, ensure a competitive procurement process.

These recommendations to be adopted for the purpose of supplying a List of Approved Contractors for invitation to tender within the relevant category.

**Implementation of Decision:**

The decision is proposed for implementation after the three-day call-in period.

16. **TRAFFIC ORDER - MELYN, NEATH**

**Decision:**

That having had due regard to the integrated impact assessment, the objections are upheld in full to the (Walters Road, Melyn, Neath) (Revocation of Prohibition of Waiting, Loading or Unloading At Any Time) Order 2024 (as detailed in Appendix A to the circulated report) and that the proposed scheme is withdrawn with the situation monitored going forward.

The objectors will be notified of the decision of the board accordingly.

**Reasons for Proposed Decision:**

The scheme is withdrawn and the restriction shall remain in place; however, the Council will continue to monitor the situation going forward.

**Implementation of Decision:**

The decision is proposed for implementation after the three-day call-in period.

17. **TRAFFIC ORDER - ELBA CRESCENT**

(At this point in the meeting, Councillor C. Phillips reaffirmed their interest in the item, and left the meeting for the discussion and voting thereon.)

**Decision:**

That having had due regard to the integrated impact assessment, the objections are overruled in full to the (Elba Crescent and Baldwins Crescent, Crymlyn Burrows) (Prohibition of Motor Vehicles Except for Access) Order 2024 (as detailed in Appendix A to the circulated report) and that the scheme is implemented as advertised.

The objectors will be notified of the decision of the board accordingly.

**Reasons for Proposed Decision:**

The Order is necessary to prevent non-residents from indiscriminately parking in the interest of road safety.

**Implementation of Decision:**

The decision is proposed for implementation after the three-day call-in period.

18. **STRATEGIC EQUALITY PLAN ANNUAL REPORT 2023/2024**

**Decision:**

1. That the Strategic Equality Plan Annual Report 2023-2024, be approved.

2. That the Head of People and Organisational Development as well as, if required, the relevant Cabinet Member be given delegated authority to make such changes as may be needed to the Annual Report prior to publication, provided that such changes do not materially alter the content of the document considered by Cabinet.

**Reason for Proposed Decision:**

To meet the statutory requirements set out in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.

**Implementation of Decision:**

For immediate implementation.

19. **URGENT ITEMS**

No urgent items were received.

20. **ACCESS TO MEETINGS - EXCLUSION OF THE PUBLIC**

**RESOLVED:**

That pursuant to Regulation 4 (3) and (5) of Statutory Instrument 2001 No 2290, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in the relevant Paragraphs of Part 4 of Schedule.

21. **GLAMORGAN FURTHER EDUCATION TRUST FUND**

**Decision:**

1. That the applications for awards as detailed in appendices B and C of the private circulated report, made out of the Glamorgan Further Education Trust Fund for the academic year 2024/2025 to eligible applications received on or before the closing date, be approved.

2. That the allocation of monies up to the maximum of £2,000.00 for 3 full-time students (appendix B) and £1,000.00 for 4 part-time students (appendix C), be approved.

3. To authorise payments to those applicants for whom continuing support from the Glamorgan Further Education Trust Fund has already been approved.

**Reasons for the Proposed Decision:**

To provide appropriate financial support for students who would otherwise suffer hardship.

**Implementation of Decision:**

The decision is proposed for implementation after the three day call in period.

22. **THE HAROLD AND JOYCE CHARLES TRUST**

**Decision:**

1. That the applications for awards as detailed in appendices B of the private circulated report, made out of the Harold and Joyce Charles Fund for the academic year 2024/2025 to eligible applications received on or before the closing date, be approved.
2. That the allocation of monies of £10,000.00 for 5 full-time students (appendix B), be approved.
3. To authorise payments to those applicants for whom continuing support from the Harold and Joyce Charles Fund has already been approved.

**Reasons for the Proposed Decision:**

To provide appropriate financial support for students who would otherwise suffer hardship.

**Implementation of Decision:**

The decision is proposed for implementation after the three day call in period.

**CHAIRPERSON**

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**EXECUTIVE DECISION RECORD**

**CABINET**

**11 DECEMBER 2024**

**Cabinet Members:**

Councillors: S.K.Hunt (Chairperson), S.A.Knoyle, N.Jenkins, J.Hurley, S.Harris, J.Hale, A.Llewelyn (Chairperson for Item 14 only), W.F.Griffiths, S.Jones and C.Phillips

**Officers in Attendance:**

F.O'Brien, N.Pearce, A.Jarrett, N.Daniel, H.Jones, C.Griffiths, K.Warren, C.Saunders, M.Roberts, N.Chapple, J.Burge, S. Owen, Ms.G.Hargest, J.Davies, L.McAndrew, V.Smith, N.Jones and T.Davies

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1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor S.K.Hunt be appointed as Chairperson for the meeting.

2. **CHAIRPERSONS ANNOUNCEMENT/S**

The Chair welcomed all to the meeting.

3. **DECLARATIONS OF INTEREST**

The following Members made declarations of interest at the start of the meeting:

Councillor S.K.Hunt - Minute No. 14 – Appointment of Local Authority Governors – as he was mentioned in the report. He considered this interest to be prejudicial, so left the meeting for this item.

Councillor J.Hurley - Minute No. 14 – Appointment of Local Authority Governors – as he was mentioned in the report. He considered this interest to be prejudicial, so left the meeting for this item.

4. **FORWARD WORK PROGRAMME 2024/25**

**Decision:**

The Forward Work Programme was noted.

5. **PUBLIC QUESTION TIME**

No public questions were received.

6. **RIGHTS OF WAY - FOOTPATH NO.127 IN THE COMMUNITY OF CWMAVON**

**Decision:**

That having had due regard to the Integrated Impact Screening Assessment, a public path Diversion Order be made pursuant to Section 257 of the Town and Country Planning Act 1990, in respect of the route shown A-B to C-D on plan no.1 (as detailed in the circulated report), and should no objections be received, the order be confirmed as made.

**Reason for Decision:**

The diversion is necessary to enable the development to proceed.

**Implementation of Decision:**

The decision will be implemented after the three day call in period.

**Consultation:**

This item was subject to external consultation.

7. **RIGHTS OF WAY - FOOTPATH NO.2 IN THE COMMUNITY OF PORT TALBOT**

**Decision:**

That having had due regard to the Integrated Impact Screening Assessment, a public path Diversion Order be made pursuant to Section 119 of the Highways Act 1980, in respect of the route shown A-B-C-D-E to A-F-G-H-I-J-K shown on plan no.1 (as detailed on the circulated report), and that should no objections be received, the order be confirmed as made.

**Reason for Decision:**

To improve the privacy and safeguarding of work carried out on the farm. The diversion does not have any significant effect on the path as a whole.

**Implementation of Decision:**

The decision will be implemented after the three day call in period.

**Consultation:**

This item has been subject to external consultation.

8. **COMMUNITY COUNCILS MINOR PROJECTS SCHEME - APPLICATION FROM CLYNE AND MELINCOURT COMMUNITY COUNCIL**

**Decision:**

That a grant of 70% of actual costs, up to a maximum of £14,000, be awarded to Clyne and Melincourt Community Council, to better the provision currently on offer at Bryn Golwg Play Area in the village of Clyne.

**Reason for Decision:**

To enable community improvements.

**Implementation of Decision:**

The decision will be implemented after the three day call in period.

9. **CORPORATE PLAN 2024/2027 - HALF YEARLY UPDATE 2024/2025**

**Decision:**

That the monitoring report be noted.

10. **CIW FOSTER WALES NEATH PORT TALBOT INSPECTION REPORT 2024**

**Decision:**

That the report be noted.

11. **NEATH PORT TALBOT COUNCIL CHILDREN AND YOUNG PEOPLE SERVICES PLACEMENT COMMISSIONING STRATEGY 2024-2027**

**Decision:**

That the Neath Port Talbot Council Children and Young People Services Placement Commissioning Strategy 2024-2027, as detailed at Appendix 1 to the circulated report, be approved.

**Reason for Decision:**

To ensure a robust plan is in place to continue to deliver and commission a range of services for Children and Young People.

**Implementation of Decision:**

The decision will be implemented after the three day call in period.

**Consultation:**

This item will be subject to external consultation.

## 12. **ARBORICULTURAL MANAGEMENT PLAN**

### **Decisions:**

That having had due regard to the first stage Integrated Impact Assessment, it be agreed that:

1. The updated Arboricultural Management Plan and the Operational Action Plan (as detailed at Appendix A to the circulated report) associated with tree inspections, be endorsed.
2. The 12 month transition period required before full compliance with the plan is achieved, be acknowledged.
3. The use of the in-year allocation of capital funding for tree works included for 24/25 in the capital programme, be noted.
4. The potential scale of future capital needs be noted, and a further report be brought back to Cabinet on completion of the detailed survey work.

### **Reason for Decisions:**

To ensure the Council fulfils its Duty of Care with respect to public safety in relation to tree management, to minimise associated risks to visitors and the Council, and to appropriately maintain the Council's Tree Stock.

### **Implementation of Decisions:**

The decisions will be implemented after the three day call in period.

## 13. **LOCAL FLOOD RISK MANAGEMENT STRATEGY AND PLAN (LFRMSP)**

### **Decisions:**

That having had due regard to the first stage Integrated Impact Assessment:

1. The new Local Flood Risk Management Strategy and Plan (as detailed at Appendix A to the circulated report), be agreed, which will enable full public and statutory consultation to take place.

2. The supporting Environmental Plans (as detailed at Appendix B to the circulated report) be agreed.

**Reason for Decisions:**

To ensure the Council fulfils its duties under the Flood and Water Management Act 2010 in relation to Flood Risk Management, to minimise associated risks to communities, and to appropriately mitigate flood risk.

**Implementation of Decisions:**

The decisions will be implemented after the three day call in period.

**Consultation:**

This item will be subject to external consultation.

14. **APPOINTMENT OF LOCAL AUTHORITY GOVERNORS REPRESENTATIVES**

At this point in the meeting, Councillors J.Hurley and S.K.Hunt reaffirmed their interest in this item, and left the meeting for the discussion and voting thereon. The Deputy Leader, Councillor A.Llewelyn, took over the role of Chair.

Officers explained that since the report had been written, there were now two vacancies available for appointment at Crynallt Primary School due to a recent resignation from a serving Local Authority Governor. Therefore, the recommendation to Members was be to appoint both applicants.

**Decisions:**

That the following appointments be made as Local Authority governor representatives, to existing vacancies and vacancies that will arise up to and including the end of the Spring Term 2024/25:

<b>School</b>	<b>Date of Vacancy</b>	<b>Proposal</b>
Baglan Primary School	Immediate	Future appointment to be made
Blaendulais Primary School	01/04/2025	Re-appoint Cllr Stephen Hunt

Bryncoch CIW Primary School	Immediate	Future appointment to be made
Coedffranc Primary School	Immediate	Appoint Mrs Charlotte Ajomale-Evans
	Immediate	Appoint Mr Sewak Singh
Creunant Primary School	Immediate	Appoint Mr Alan Tudor Jones
	Immediate	Future appointment to be made
Crynallt Primary School	Immediate	Mrs Melanie Moore Cllr. Jeremy Hurley
Cwmnedd Primary School	Immediate	Future appointment to be made
Godre'rgraig Primary School	11/01/2025	Re-appoint Mrs Glenys Protheroe
	Immediate	Future appointment to be made
Llangatwg Community School	Immediate	Appoint Mr Emrys Elias
	Immediate	Future appointment to be made
	Immediate	Future appointment to be made
Melin Primary School	Immediate	Future appointment to be made
Rhydyfro Primary School	Immediate	Future appointment to be made
St Joseph's RC School & 6th Form Centre	Immediate	Future appointment to be made
Tairgwaith Primary School	Immediate	Appoint Miss Lucy Russell
YGG Blaendulais	01/04/2025	Re-appoint Mrs Gaynor Smith
YGG Gwaun Cae Gurwen	Immediate	Appoint Mrs Lucy Harrison
YGG Trebannws	Immediate	Future appointment to be made
Ysgol Gymraeg Ystalyfera-Bro Dur	01/04/2025	Re-appoint Mr Gavin Thomas

**Reason for Decisions:**

To enable the Authority to contribute to effective school governance through representation on school governing bodies.

**Implementation of Decisions:**

The decisions will be implemented after the three day call in period.

15. **URGENT ITEMS**

Councillors J.Hurley and S.K.Hunt returned to the meeting, and the Leader, Councillor S.K.Hunt, resumed the role of Chair.

No urgent items were received.

16. **ACCESS TO MEETINGS - EXCLUSION OF THE PUBLIC**

**RESOLVED:** That pursuant to Regulation 4 (3) and (5) of Statutory Instrument 2001 No 2290, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in the relevant Paragraphs of Part 4 of Schedule.

17. **REMOVAL OF LOCAL AUTHORITY GOVERNOR REPRESENTATIVES (EXEMPT UNDER PARAGRAPH 12)**

**Decision:**

That the removal of a Local Authority governor representative who had failed to attend governing body meetings, as identified during the discussion at the private item, be agreed.

**Reason for Decision:**

To enable the Authority to contribute to effective school governance through representation on school governing bodies and consider the safeguarding arrangements.

**Implementation of Decision:**

The decision will be implemented after the three day call in period.

**CHAIRPERSON**

**CABINET Forward Work Programme 24/25**

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of Report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant Scrutiny Committee
Cabinet 5 <sup>th</sup> February 2025	Social Services Directors Annual Report	For Decision (Commending to Council)	Andrew Jarrett			Report of the Director of Social Services.	Social Services, Housing and Community Safety
	Strategic Risk Register	For Monitoring	Caryn Furlow-Harris		YES 9 <sup>th</sup> Jan	Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Purchase of Council operated temporary accommodation.	For Decision	Mark Edwards		Yes 23 <sup>rd</sup> January	Cllr. A Llewelyn Portfolio 8	Social Services, Housing and Community Safety
	Public Participation Strategy Progress Report	For Monitoring	Sheenagh Rees		Yes 9 <sup>th</sup> Jan	Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Self Assessment 2023/2024	For Decision	Louise McAndrew/ Anita James	Moved to the 5 <sup>th</sup> February Cabinet agreed in SLT 18 <sup>th</sup> December 2024	YES 9 <sup>th</sup> Jan	Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Accessibility Strategy	For Decision	Hayley Lervy			Cllr N. Jenkins Portfolio 3	Education, Skills and Wellbeing
	Nomination Agreements for Private Sector Temporary Accommodation	For Decision	Chele Howard		YES 23 Jan 2024	Cllr.A. Llewelyn Portfolio 8	Social Services, Housing and Community Safety
	Use of Containers on Safari Collections	For Decision	Mike Roberts	To establish policy regarding the use of containers as storage on black bag waste collection rounds.	Yes 31 <sup>st</sup> January	Cllr.S.Jones Portfolio 10	Environment, Regeneration and Streetscene Services
	Permission to Proceed with Remodelling of Care and Support at Trem y Glyn	For Decision	Angela Thomas		23 <sup>rd</sup> January 25	Cllr. J. Hale Portfolio 7	Social Services, Housing and Community Safety
	Housing Mid Point Strategic Review	For Decision	Chele Howard Hayley Short		Yes 23 <sup>rd</sup> January 25	Cllr A.Llewelyn Portfolio 8	Social Services, Housing and Community Safety
	Permission to extend Contract Arrangements for the Prevention of Wellbeing Service	For Decision	Chele Howard		No	Cllr. J.Hale Portfolio 7	Social Services, Housing and Community Safety.
	Neath Port Talbot Events Strategy	For Decision	Chris Saunders		YES 16 <sup>th</sup> Jan	Cllr.C.Phillips Portfolio 5	Education, Skills and Wellbeing
	Aberavon Seafront Masterplan	For Decision	Chris Saunders	To adopt the Seafront Strategy	Scrutiny 16 <sup>th</sup> Jan	Cllr. Cen Phillips Portfolio 5	Education, Skills and Wellbeing
	Policies for the use of artificial grass and installation of honeybee hives on NPT Council / managed land.	For Decision	Ceri Morris/ Lana Beynon		Awaiting Confirmation  31 <sup>st</sup> Jan	Cllr. S.Jones Portfolio 10	Environment, Regeneration and Streetscene Services

	Permission to proceed with the remodelling of supported lodgings for young people.	For Decision	Gemma Hargest/ Keri Warren		Scrutiny 23 <sup>rd</sup> Jan To be Confirmed	Cllr.S.Harris Portfolio 6	Social Services, Housing and Community Safety
	Various Traffic Orders (Detail not available)	For Decision	David Griffiths			Cllr W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Various Land Disposal Reports (If Needed)	For Decision	Simon Brennan			Cllr J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of Report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant Scrutiny committee
Cabinet 26 <sup>th</sup> February  <u>BUDGET</u> <u>25/26</u>							
	Revenue Budget Monitoring 24-25	For Decision	Huw Jones			Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Capital Budget Monitoring 24-25	For Decision	Huw Jones			Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Treasury Management Outturn 24-25	For Decision	Huw Jones			Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of Report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant Scrutiny committee	
Cabinet (Special) 12 <sup>th</sup> March 2025								
	Education Development – Local Authority Education Grant Spending Plan 2024 -2025.	For Monitoring	Mike Daley	Provides an update on the progress to date with the actions from the grant.		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing	
	Appointment and Removal of Local Authority Governor Representatives	For Decision	John Burge	Information on the Appointment and Removal of Local Authority Governor Representatives		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing	
	An overview of the Families First Programme	For Information	Sarah Griffiths/ Allison Harris	The report will provide an overview of the Families First Early Intervention support services available to children, young people and families. It will also provide 2023/2024 data demonstrating the impact of the programme on children, young people and families who have accessed the service.		Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing	
	Strategic Schools Improvement Programme Proposal to reorganise ALN Provision at Cwmtawe Comprehensive School	For Decision	Rhiannon Crowhurst	Results of Consultation and permission to advertise Notice for Objections		Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing	
	Strategic Schools Improvement Programme Proposal to re-organise ALN Provision at Cefn Saeson Comprehensive School.	For Decision	Rhiannon Crowhurst	Results of Consultation and permission to advertise Notice for Objections		Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing	
	Report on HWRC Feasibility	For Decision	Mike Roberts	To inform Members on the outcome of feasibility work into suitable sites for a new HRWC in the Afan Valley area, and seek a decision regarding further work or not (further to Measure 17 of the approved Waste Strategy Action Plan)	To be Confirmed	Cllr. S.Jones, Portfolio 10	Environment, Regeneration and Streetscene Services	
	Regional Transport Plan	For Decision	David Griffiths/Brennan Griffiths/Amanda Phillips		NO	Cllr W.Griffiths	Environment, Regeneration and Streetscene Services	
	Regeneration Strategy	For Decision	Andrew Collins		14 <sup>th</sup> Feb 25	Cllr.J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services	
	Management of Japanese Knotweed	For Decision	James Davies	Update on the treatment policy and operational plan.		Cllr. W. Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services	
	Various Traffic Orders (Detail not available)	For Decision	David Griffiths			Cllr W.Griffiths Portfolio 9		
	Various Land Disposal Reports (If Needed)	For Decision	Simon Brennan			Cllr J.Hurley Portfolio 4		
	Period Dignity Report	For Monitoring	John Burge	Report on the spend and implementation of Period Dignity Scheme.			Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Family Support in the Early Years. An overview of the family support provided by the Early Years and Flying Start Family Support Team.	For Information	Sarah Griffiths/ Lisa Clement-Jones	This report will provide an overview of the collaborative work across the Local Authority and Health in relation to providing equitable early help for children and families in the Early Years.	YES 6 <sup>th</sup> March		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
Updating the Missed Bin Policy	For Decision	Mike Roberts	To seek Member approval for an updated Missed Bin Policy (further to the implementation of Measure 1 of the approved Waste Strategy Action Plan, once completed)			Cllr.S.Jones Portfolio 10	Environment, Regeneration and	

								Streetscene Services
Fleet and Heavy Plant Renewals	For Decision	Kevin Lewis	This report seeks approval to procure new and replacement vehicles and heavy plant in 2025/2026 that has reached the end of their economic life cycle and require replacement in line with the Authority's Fleet Renewals Programme.	YES 14 <sup>th</sup> March	Moved from the 5 <sup>th</sup> February	Cllr. W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services	
Healthy Relationships for Stronger Communities Strategy	For Monitoring	Chele Howard/Elinor Wellington	12 Month Update This has to be seen its part of our Statutory Duties.			Cllr. A.Llewelyn Portfolio 8	Social Services, Housing and Community Safety	
Report on HWRC Feasibility	For Decision	Mike Roberts	To inform Members on the outcome of feasibility work into suitable sites for a new HRWC in the Afan Valley area, and seek a decision regarding further work or not (further to Measure 17 of the approved Waste Strategy Action Plan)	14 <sup>th</sup> March	Re-confirm CDG and CMB dates  CDG 12 <sup>th</sup> February CMB 18 <sup>th</sup> February  Moved from the 15 <sup>th</sup> January by Mike Roberts  Moved from the 12 <sup>th</sup> March to meet scrutiny requirements	Cllr. S.Jones, Portfolio 10	Environment, Regeneration and Streetscene Services	
Library Strategy	For Decision		To approve the Library Strategy	Scrutiny 6 <sup>th</sup> March To Be Confirmed		Cllr.C.Phillips Portfolio 5	Education, Skills and Wellbeing	
Permission to Proceed with the Remodelling of Supported Lodgings for Young People	For Decision	Keri Warren, Maria Selby and Gemma Hargest		To be Confirmed	CDG 19 <sup>th</sup> February CMB 4 <sup>th</sup> March	Cllr. S.Harris Portfolio 6	Social Services, Housing and Community Safety	
Permission to Tender for Emergency Accommodation for Women – Violence Against Women, Domestic Abuse and Sexual Violence.	For Decision	Chele Howard/Hayley Short	To feedback on the outcome of the consultation for the proposed remodel of emergency accommodation and seek permission to retender VAWDASV Emergency Accommodation on the feedback.	To be Confirmed	CDG 19 <sup>th</sup> February CMB 4 <sup>th</sup> March	Cllr. A.Llewelyn Portfolio 8	Social Services, Housing and Community Safety	
DFG Proposal to reinstate Means Test for Small to Medium DFG's	For Decision	Chele Howard/Rob Davies		To be confirmed	CDG 19 <sup>th</sup> February CMB 4 <sup>th</sup> March	Cllr. A. Llewelyn Portfolio 8	Social Services, Housing and Community Safety	
Revised Consultation and Engagement Strategy and Toolkt	For Decision	Sheenagh Rees		To be confirmed	To be confirmed	Cllr. S. Knogle Portfolio 2		
Third Sector Application Approval	For Decision	Noelwyn Daniel	This is the return report asking for the applications to be approved .	To be Confirmed	As Agenda Pack	Cllr. S. Knogle Portfolio 2	Community, Finance and Strategic Leadership	
Commissioning Intentions for a Housing First Service	For Decision	Chele Howard/Hayley Short		No	As Agenda Pack Moved from February	Cllr. A. Llewelyn Portfolio 8	Social Services, Housing and Community Safety	
Various Traffic Orders (Detail not available)	For Decision	David Griffiths				Cllr W.Griffiths Portfolio 9		
Various Land Disposal Reports (If Needed)	For Decision	Simon Brennan				Cllr J.Hurley Portfolio 4		

## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### Cabinet

15<sup>th</sup> January 2025

### Report of the Head of Education Development Chris Millis

#### MATTER FOR DECISION

#### WARDS AFFECTED – ALL WARDS

#### Neath Port Talbot Co-ordinated School Admission Scheme Arrangements 2027

#### Purpose of Report

1. To obtain Cabinet approval of the Neath Port Talbot Co-ordinated Admission Scheme Arrangements 2027.

#### Executive Summary

2. The Council is the admission authority for community schools in its area.
3. The Co-ordinated scheme arrangements detail the procedures to be followed when allocating school places and is attached as Appendix A. It is these proposed arrangements that are to be approved.
4. For the admission year 2027/28, the local authority must inform the Welsh Ministers on or before 28<sup>th</sup> February 2025 whether or not it has adopted a co-ordinated scheme. Thereafter, for every subsequent admission year, each local authority must inform Welsh Ministers on or before the 28<sup>th</sup> February in the relevant determination year whether or not it has adopted a co-ordinated scheme. The Welsh Ministers must be notified that schemes are in place.

5. These arrangements conform to the legislative requirements and the good practice guidelines set out in The Education (Co-ordination of School Admission Arrangements and Miscellaneous Amendments) (Wales) Regulations 2024.

## **Background**

6. The local authority (LA), under The Education (Co-ordination of School Admission Arrangements and Miscellaneous Amendments) (Wales) Regulations 2024 is required to formulate and publish a qualifying scheme to co-ordinate admission arrangements for all admission authorities, (local authority (LA) and Voluntary Aided (VA) schools) in the Neath Port Talbot local authority area, in relation to applications for the '**normal admission rounds**' at a maintained primary school (Reception), maintained junior school (Year 3) or a maintained secondary school (Year 7) in Neath Port Talbot.

## **Proposed Co-ordinated Admission Arrangements**

7. The co-ordination scheme is intended to simplify the 'normal admission rounds' process whilst reducing the likelihood of any child being left without a school place. It will also help to avoid pupils being offered multiple schools and parents/carers choosing to 'hold' offers for more than one school. Co-ordination establishes a mechanism to ensure, as far as is reasonably practicable, that every parent/carer of a child who has applied to a Neath Port Talbot maintained school using the common application form, is sent a single offer of a school place by the LA.

The co-ordinated arrangements applies to all Neath Port Talbot community-maintained schools for which the LA is the admission authority and to the admitting authorities for the following Neath Port Talbot VA Schools:

- Alderman Davies Church In Wales Primary School
- Bryncoch Church In Wales Primary School
- St Joseph's Catholic Infant School
- St Joseph's Catholic Junior School
- St Joseph's Catholic Primary School
- St Therese's Catholic Primary School
- St Joseph's Catholic School & 6<sup>th</sup> Form Centre

**Parents/carers who wish to apply for schools in areas outside of Neath Port Talbot must apply to the admission authority for the school (the local authority/Council for that school).**

Co-ordinated schemes do not affect the rights and duties of the governing bodies of voluntary aided schools to set and apply their own admission arrangements and oversubscription criteria. Co-ordinated schemes are an administrative process to make school admissions easier, more transparent and less stressful for parents

### **Consultation**

8. The Council, as local authority, has consulted on the proposed scheme. Consultation ended on 27<sup>th</sup> November 2024.
9. The requirements of consultation are set out in The Education (Co-ordination of School Admission Arrangements and Miscellaneous Amendments) (Wales) Regulations 2024.
10. In the case of this Council, consultation took place with:
  - The School Admission Forum
  - All voluntary aided (i.e. Faith) schools
  - Neighbouring local authorities (Bridgend, Carmarthen, Powys and Swansea).

All consultees were supportive of the proposed scheme. No adverse comments received from neighbouring authorities.  
No adverse comments received from The School Admission Forum.

### **Financial Impact**

11. There is no financial impact directly associated with this proposal. The admission arrangements support the efficient and effective delivery of education across the County Borough.
12. Administration of the admission process is within the Council's staffing cost envelope and is a statutory function that falls to the Council.

## **Integrated Impact Assessment**

13. A Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this Policy does not require an Integrated Impact Assessment.

## **Valleys Communities Impacts**

14. This impacts on all areas equally.

## **Workforce Impact**

15. As a statutory function of the Council, the admission process is administered centrally. The current staffing complement associated with this function will be maintained and there will be no change to the staffing arrangements consequent upon the implementation of the proposal.

## **Legal Impacts**

16. The Council, as an admission authority, has a statutory duty to act in accordance with the requirements of the Welsh Government's School Admissions Code, 2013.
17. In relation to the specific purpose of this report, there is a legal requirement that Co-ordinated School Admission Scheme must be reported to the Welsh Ministers on or before 28<sup>th</sup> February 2025.
18. A co-ordinated scheme may be imposed by Welsh Ministers where a local authority has not notified the Welsh Ministers by 28 February each determination year whether or not a scheme has been adopted.

## **Risk Management**

19. There are requirements placed on the Council, as an admission authority, intended to ensure the admission system works for the benefit of both schools and pupils. The proposed Co-Ordinated Admission Scheme recommended for adoption in this report conforms to the legislative requirements and the good practice guidelines set out in The Education (Co-ordination of School Admission Arrangements and Miscellaneous Amendments) (Wales) Regulations 2024.

## **Recommendations**

1. To approve the Co-ordinated Admission Scheme attached as Appendix A.

## **Reasons for the Proposed Decision**

2. To enable the Council to meet statutory duties and good practice guidelines in respect of the admission of pupils to community and VA Schools.

## **Implementation of Decision**

3. The decision is proposed for implementation after the three day call in period.

## **Appendix**

Appendix A: NPT Co-ordinated Admission Scheme

## **List of Background Papers**

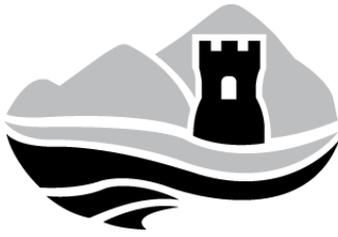
- a. Welsh Government: School Admissions Code (No. 005/2013).
- b. Welsh Government: Measuring the capacity of schools in Wales
- c. Education (Determination of Admission Arrangements) (Wales) Regulations 2006
- d. The Education (Co-ordination of School Admission Arrangements and Miscellaneous Amendments) (Wales) Regulations 2024
- e. Education (Objections to Admission Arrangements) (Wales) Regulations 2006
- f. Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999
- g. School Admissions (Common Offer Date) (Wales) regulations 2013
- h. The Education Act 2002 (Commencement No.8) (Wales) Order 2006

## **Officer Contact**

Mrs H Lewis, School Admissions.

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## Co-ordinated Admission Arrangements

From September 2027 entry to infant and primary school, transfer to junior school  
and  
transfer to secondary school

DRAFT

## INTRODUCTION

The local authority (LA), under The Education (Co-ordination of School Admission Arrangements and Miscellaneous Amendments) (Wales) Regulations 2024 is required to formulate and publish a qualifying scheme to co-ordinate admission arrangements for all admission authorities, (local authority (LA) and Voluntary Aided (VA) schools) in the Neath Port Talbot local authority area, in relation to applications for the **'normal admission rounds'** at a maintained primary school (Reception) maintained junior school (Year 3) or a maintained secondary school (Year 7) in Neath Port Talbot.

Applications outside the normal admission rounds (In-year transfer applications) will be dealt with by the relevant admission authority and not under the co-ordinated scheme.

**The co-ordinated admission arrangements scheme does not affect the rights and duties of the governing bodies of the Voluntary Aided schools to set and apply their own admissions arrangements and oversubscription criteria.**

## EXPLANATION OF TERMS USED IN THIS DOCUMENT

**Admission Authority** – responsible for setting and applying a school's admission arrangements. For community schools and the Admission Authority is Neath Port Talbot County Borough Council. For voluntary aided schools the Admission Authority is the school's Governing Body.

**Admission Number (AN)** - is the number of pupil places available in each year group. All maintained schools admit pupils up to their published admission number for the year of entry at a school i.e. the maximum number of children that the admission authority has agreed it can admit.

**Maintained School** – a school that is funded by the local authority (LA).

**Admission Arrangements** - means the arrangements for a particular school which govern the procedures and decision-making for the purposes of admitting pupils to that school.

**In Year Application** - means any application for a place in any year group at a school other than at the normal point of entry.

**Normal admissions round** - is the period during which parents are invited to express a minimum of three preferences for a place at any state-funded school on the common application form provided by their home local authority for the normal point of entry.

**Normal point of entry** - means the first entry point to a school i.e. starting in reception in an infant or primary school, transferring from an infant school to year 3 in a junior school or transferring from primary to year 7 of a secondary school.

**Parent/Carer** - means a parent/carer which has Parental Responsibility for the child.

**Local Authority (LA)** – an organisation that is officially responsible for all the public services and facilities in a particular area.

**Governing Body** – a group of people who are responsible for running a school. They set a strategic direction and aim to promote a high standard of education achievement.

**Catholic Archdiocese** – a church district, made up of local parishes, under the leadership of a Catholic Archbishop.

**Church in Wales Diocese** – a church district, made up of local parishes, under the leadership of a Church in Wales Bishop.

**Common Application Form (CAF)** – which is a single application form (online or paper).

## BACKGROUND

The co-ordination scheme is intended to simplify the 'normal admission rounds' process whilst reducing the likelihood of any child being left without a school place. It will also help to avoid pupils being offered multiple schools and parents/carers choosing to 'hold' offers for more than one Neath Port Talbot school. Co-ordination establishes a mechanism to ensure, as far as is reasonably practicable, that every parent/carer of a child who has applied to a Neath Port Talbot maintained school using the common application form, is sent a single offer of a school place by the LA.

The co-ordinated arrangements applies to all Neath Port Talbot community-maintained schools for which the LA is the admission authority and to the admitting authorities for the following Neath Port Talbot VA Schools:

- Alderman Davies Church In Wales Primary School
- Bryncoch Church In Wales Primary School
- St Joseph's Catholic Infant School
- St Joseph's Catholic Junior School
- St Joseph's Catholic Primary School
- St Therese's Catholic Primary School
- St Joseph's Catholic School & 6<sup>th</sup> Form Centre

**Parents/carers who wish to apply for schools in areas outside of Neath Port Talbot must apply to the admission authority for the school (the local authority/Council for that school).**

## **APPLICATION PROCESS**

1. There will be a standard application form known as the Common Application Form (CAF). This form will be available to parents/carers in the relevant year via an online system or as a paper copy on request from the School Admissions Team. Any common application forms (on-time or late forms) received directly by a school **must** be forwarded to the LA.
2. The CAF will be used for the purpose of admitting pupils at the normal point of entry to an infant, primary, junior or secondary school.
3. Parents/Carers of children with an LA IDP will not be required to make an application. School admissions at the normal point of entry for children with an LA IDP will be handled by the Additional Learning Needs Support Service. Any application for these children will be processed in accordance with the ALN code for Wales and associated regulations and will not be dealt with under this Scheme.
4. The CAF must be used as a means of expressing one or more preferences for the purposes of section 86 of the School Standards and Framework Act 1998, by

parents/carers resident in Neath Port Talbot wishing to express a preference for their child:

5. The CAF and the accompanying written information will:

(a) invite the parent/carer to express up to three preferences by completing the form, including in ranked order of preference;

(b) invite parents/carers to give their reasons for each preference. Parents/carers expressing a preference for a Voluntary Aided (VA) school may also be required, by the individual school admission authority (the VA school), to provide additional information or evidence relating to an application and as such, to complete a supplementary form.

(c) explain that the parent/carer will receive no more than one offer of a place at a school and that:

(i) all preferences will be treated equally initially;

(ii) a place will be offered at the highest ranking nominated school for which they are eligible for a place;

(iii) if a place cannot be offered at a nominated school a place will be offered at an alternative school.

(d) specify the closing date and where it must be returned to.

6. There is a national deadline for applications, as stated in the 'Timetable' section of this Scheme. This is the date by which completed applications (paper or online) must be received by Neath Port Talbot County Borough Council. Applications submitted by this date will be classed as 'on-time' applications.

7. Applications submitted after the published closing date will be deemed as late applications and will not be considered until after all on time applications received have been allocated and offered their places on the common offer day.

8. Completed paper or online CAFs for Reception, Junior and Secondary places are to be returned direct to Neath Port Talbot County Borough Council School Admissions Team by the closing date.

## **ALLOCATION PROCESS**

1. The relevant admission authority will be responsible for applying the oversubscription criteria and ranking applications in accordance with their admission criteria, For Voluntary Aided (VA) schools this will be the governing body. For community maintained schools this will be the LA.
2. By the date specified in the local authority's admissions timetable The LA will provide Neath Port Talbot VA schools with details of the applications made for their schools to enable the governing body to consider and rank their applications.
3. By the date specified in the local authority's admissions timetable, governing bodies who are the admission authority for a school (i.e. Neath Port Talbot VA schools) must provide the LA with a list of all children who applied for places at their school, ranked in their order of priority under their admission arrangements, showing which criteria apply to which child.
4. Neath Port Talbot County Borough Council will rank all applications for those schools for which it is the admitting authority. Using these ranked lists and those provided by VA schools, Neath Port Talbot County Borough Council will be able to determine the children who are eligible for places at each school. This will be done by comparing the number of children on each school's list to the AN for that school. If the number of preferences is equal to or less than the AN, all children on the list will be eligible for places at that school. Otherwise, the number of children eligible for places will be those children with the highest priority, up to the school's AN.
5. Where a child living in Neath Port Talbot has been refused a highest parental preference school the child will be allocated a place at the nearest suitable school in Neath Port Talbot with a place available.
6. Neath Port Talbot Council Borough Council will inform other local authorities of places in schools in Neath Port Talbot to be offered to their residents.
7. There will be a National Offer Day (see 'Timetable' section) when parents/carers will be notified which school their child has been allocated. Parents/Carers who applied online will be sent an outcome letter via email on this date. Parents/Carers who apply on a paper form will receive an outcome letter in the post. Parents/Carers who apply online will also be able to log back in to the online application system to check their allocation and accept place.

## **LATE APPLICATIONS**

Applications submitted after the published closing date will not be considered until after all on time applications received have been allocated and offered their places on the common offer day.

If a place becomes available at an oversubscribed school it will be allocated to the child at the top of the waiting list regardless of whether the application for that child was late or on-time. However, Children looked after or previously looked after by a local authority in Wales, as defined in section 74 of the Social Services and Well-being (Wales) Act 2014 or England as defined in Section 22 of the Children Act 1989 or Children with an LA IDP will be given priority over children on the waiting list.

## **ACCEPTING PLACES**

Where a child fails to arrive at the allocated school at the beginning of the school year and the parent/carer has not informed the school or Neath Port Talbot County Borough Council whether or not the place is required, the school will attempt to make contact with the parent to confirm this. The offer of a place may be withdrawn if the place is not taken up within a reasonable timescale and safeguarding procedures will be followed as necessary.

## **APPEALS**

When a parent/carer is refused a place at a school for which they have applied, they will have the right to appeal to an independent panel. The letter confirming the refusal will explain:

- the reason for the refusal;
- information about the right to appeal;
- the deadline for lodging an appeal; and
- contact details for making an appeal.

Any decision made by the Panel being binding on the Council. If the appeal is not successful a further application for a place at the same school will not be considered for the same academic year unless the Admissions Officer, Child and Family Support Team, determines that there are significant and material changes to the circumstances.

## **WAITING LISTS**

Where parents/carers are refused a place for their child/ren they are automatically placed on the waiting list. Pupils' names will remain on the waiting list for the whole academic year and will only be removed if they are successful at appeal or if a parent/carer confirms in writing that they no longer wish their child/ren's name to remain on the waiting list. If a place becomes available it will be allocated in accordance with the oversubscription criteria.

All waiting lists will be based on the school's oversubscription criteria and children's places on the list are subject to change according to additional information received about applications or children being added to the list. No priority is given based on the length of time that a child has been on the list or if the application was late or on-time.

Children looked after or previously looked after by a local authority in Wales, as defined in section 74 of the Social Services and Well-being (Wales) Act 2014 or England as defined in Section 22 of the Children Act 1989 or Children with an LA IDP will be given priority over children on the waiting list.

Waiting lists held by Neath Port Talbot County Borough Council will cease by 30<sup>th</sup> September 2027 in respect of applications for entry into Reception, Year 3 of Junior School and Year 7 of Secondary school.

## **TIMETABLE 2027/2028**

<b>Transfer to Secondary School Scheme dates</b>	<b>Action</b>	<b>Starting School and Transfer to Primary and Junior School Scheme dates</b>
7 <sup>th</sup> September 2026	Guide for parents must be available.	7 <sup>th</sup> September 2026
31 <sup>st</sup> October 2026	National deadline for applications. Closing date for online applications or for paper Neath Port Talbot Admissions Common Application Forms (CAFs) to be received by Neath Port Talbot School Admissions Team.	15 <sup>th</sup> January 2027
27 <sup>th</sup> November 2026	Neath Port Talbot County Borough Council will notify the governing body of any school where it is the admission authority and does its own ranking, of every application for a place at that school.	12 <sup>th</sup> February 2027
4 <sup>th</sup> January 2027	The governing body of any school where it is the admission authority and does its own ranking will provide Neath Port Talbot County Borough Council with a list of all applicants ranked in priority order according to the individual school's oversubscription criteria.	12 <sup>th</sup> March 2027
25 <sup>th</sup> January 2027	Neath Port Talbot County Borough Council will inform all other local authorities of offers to be made to applicants resident in their areas.	22 <sup>nd</sup> March 2027
1 <sup>st</sup> March 2027	National Offer Day. Notification of school allocation to be sent to parents/carers.	16 <sup>th</sup> April 2027
26 <sup>th</sup> March 2027	Appeals against refusal to admit to be received by.	14 <sup>th</sup> May 2027

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

### **Cabinet**

**15<sup>th</sup> January 2025**

### **Report of the Head of Legal and Democratic Services – C. Griffiths**

#### **Matter for Decision**

**Wards Affected: All Wards**

#### **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL CONTRACT PROCEDURE RULES**

#### **Purpose of the Report:**

1. To seek approval to implement new Contract Procedure Rules for Neath Port Talbot County Borough Council (“the Council”).

#### **Executive Summary:**

2. The current Contract Procedure Rules were drafted in 2019 and as such require updating so as to reflect the legal and policy changes that have been implemented to date which impact on the Council’s procurement activities, specifically the implementation of the Procurement Act 2023. Procedural aspects of the Council’s procurement activities also require updating at an operational level and this report aims to provide an overview of the proposed new arrangements that officers would wish to implement, subject to approval by Members.

#### **Background:**

3. The aim of the Council’s Contract Procedure Rules is to ensure the Council has standing orders and procurement procedures providing a corporate framework for the procurement of all goods, services and works for the Council. The overarching purpose being to ensure that the Council complies with all UK Government and Welsh Government legislation and policy that governs and/or relates to the procurement of goods, services and works and ensure that the Council obtains value for money and the required level of quality and performance in all contracts.

4. The public procurement landscape has changed over the last 4 years following the UK's departure from the European Union and will continue to change over the next year with substantive legislative reform through the introduction of the Welsh Government's Social Partnership and Public Procurement (Wales) Act 2023 and the UK Government's Procurement Act 2023. The Social Partnership and Public Procurement (Wales) Act 2023 focuses on social partnership and socially responsible procurement and creates a socially responsible procurement duty. The duty requires the Council to seek to improve the economic, social, environmental and cultural well-being of its area by carrying out public procurement in a socially responsible way.
5. As a result of these legislative changes to procurement rules and new policy directives from the Welsh Government, an update to our Contract Procedure Rules is now necessary. The proposed Contract Procedure Rules (contained in Appendix 1 to this Report) will also aim to address strategic decisions taken by this Council following the approval of the Council's Procurement Strategy on the 11<sup>th</sup> September 2024. Also attached at Appendix 2 is a high level summary of the Contract Procedure Rules to assist members in their consideration.
6. The overarching focus of the proposed Contract Procedure Rules are to ensure the Council:
  - (a) obtains value for money and the required level of quality and performance in all contracts let;
  - (b) conducts its procurement activity openly, transparently and, where practicable, based on standard approaches and use of common systems that appropriately minimise complexity, cost, timescales and requirements for suppliers;
  - (c) shares information for the purpose of allowing suppliers as well as others to understand the Council's Policies and decisions;
  - (d) has regard to the importance of maximising public benefit;
  - (e) treat suppliers the same unless a difference between suppliers justifies different treatment;
  - (f) complies with all legislation that governs and/or relates to the procurement of goods, services and works and the letting of concession and utility contracts;
  - (g) meets the principles of the Welsh Government's Wales Procurement Policy Statement (WPPS);
  - (h) has regard to the fact that small and medium enterprises and voluntary sector organisations may face particular barriers to participation, and must consider whether such barriers can be removed or reduced;
  - (i) achieves the organisational outcomes of the Council's Procurement Strategy and Corporate Plan;
  - (j) considers all relevant guidance issued by Welsh Government including Procurement Advice Notes and the Code of Practice on Ethical Employment in Supply Chains;
  - (k) supports the achievement of the seven well-being goals for Wales as set out in the Well-being of Future Generations (Wales) Act (2015);
  - (l) supports the achievement of social partnership, sustainable development duties

the socially responsible procurement duty under the Social Partnership and Public Procurement Act (Wales) Act 2023 to amongst other things to seek to improve the economic, social, environmental and cultural well-being of its area by carrying out public procurement in a socially responsible way and  
 (m) has procurement procedures which, when followed, should protect members and officers of the Council from any allegation of acting unfairly or unlawfully in connection with any procurement by the Council.

6. The pertinent features of the proposed Contract Procedure Rules are set out below:

Definition of Value for Money	Rather than just being focussed primarily on cost, value for money in arrangements should be considered as the optimum combination of whole-of-life costs in terms of not only generating efficiency savings and good quality outcomes for the organisation, but also benefit to society, the economy, and the environment, both now and in the future. Cost will undoubtedly be a factor but it will require consideration of a number of issues.
Exemptions	There will always be some exemptions to when a competitive procurement needs to be undertaken and Rule 4 of the proposed Contract Procedure Rules sets out these objectives which are based on the exemptions set out in law.
Conduct	No member, employee or agent of the Council shall improperly use his or her position to obtain any personal or private benefit from any contract entered into by the Council. When undertaking a Procurement, and throughout all Procurement activities, all Officers must take all reasonable steps to identify and manage perceived and actual conflicts of interest
Welsh Language	Provision is included in the proposed Contract Procedure Rules to reflect the requirements of the Welsh language standards issued to the Council by the Welsh Language Commissioner with regard to situations where a tender should be published in Welsh, where a

	tender may be submitted in Welsh, where interviews under a tender process are to be offered in Welsh and where communications during the tender process are to be issued in Welsh
Procurement Planning	<p>Before commencing any Procurement, the Senior Officer responsible for the proposed Procurement, must undertake (or ensure that it is undertaken) the appropriate level of preparation and planning, proportionate to the proposed value and nature of the proposed contract, taking advice where appropriate and ensuring the requirements of these Rules are complied with.</p> <p>Engagement with suppliers and other persons for the purpose of developing the Council's requirements and approach to the Procurement, designing a procedure, identifying potential suppliers, identifying likely contract terms and building capacity in the market is permitted and encouraged.</p>
Community Benefits/Social Value	<p>Community benefits/social value clauses within contracts are used to build a range of economic, social or environmental conditions into the delivery of a contract and the Council must maximise the social value and community benefits to be obtained through its Procurements in line with any guidance or policies created.</p> <p>All Contracts exceeding £1,000,000 must include a contractual obligation on the successful bidder to deliver community benefits/social value.</p> <p>For all contracts below the figure, the inclusion of community benefits as a contractual obligation is optional but shall be considered</p>
In house Provision	Before any external procurement is considered, it is important to check that no existing in-house provision exists for the goods, services or works required. In-

	house services must be used unless agreed otherwise
Catalogue of Framework Agreements	A catalogue of various frameworks will be created to ensure that approved sources are used for all goods and purchasing, where possible.
Authority	To ensure appropriate oversight, and in line with current requirements, prior to commencing a procurement and awarding a contract, authority should be in place in the. Authority must be obtained from the relevant decision maker and the details of the decision maker are set out in Rule 15 of the proposed rules.
Thresholds	<p>The Wales Procurement Policy Statement (WPPS) states that the Council shall adopt the principle that procurement will be open, accessible competition. It states that “public bodies should adopt risk based, proportionate approaches to procurement to ensure that contract opportunities are open to all and smaller, local suppliers are not precluded from winning contracts individually, as consortia, or through roles within the supply chain”</p> <p>Ensuring smaller firms have greater visibility of the opportunity and ample opportunity to bid is also in line with the policy approaches of sustainability, seeking to increase the amount of local based procurement and local spend.</p> <p>The following thresholds will be invoked:</p> <p>Goods/Services/Works up to £10,000 - There is no requirement for a quotation or tender process for contracts under £10,000 although there is a requirement for the officer to obtain value for money for the Council.</p> <p>Goods/Services between £10,000 and £30,000 - require a minimum of 3 written quotations from competitive sources are</p>

	<p>to be obtained unless the officer considers this inappropriate in the interests of efficient management whilst at all times ensuring that value for money is obtained for the Council</p> <p>Goods/Services over £30,000 - require advert on Sell2Wales and full competitive tender.</p> <p>Works between £10,000 and £75,000 - require a minimum of 3 written quotations from competitive sources are to be obtained unless the officer considers this inappropriate in the interests of efficient management whilst at all times ensuring that value for money is obtained for the Council</p> <p>Works over £75,000 - require advert on Sell2Wales and full competitive tender.</p> <p>Where the Council utilises a competitively sourced framework agreement or other source then there will be no requirement to following these thresholds as there has already been a competitive process to appoint those organisations to that framework.</p>
Electronic Tendering	From 1 <sup>st</sup> April 2025 all procurement with a value of £10,000 or above must be conducted using the Council's approved electronic system. Further training is to be implemented with officers to enable them to gain familiarity in using this system
Criteria for performing services to the Council	The Council shall only enter into a Contract with a Contractor if it is satisfied as to the Contractor's competencies, and they are not excluded (to determine whether someone is excluded we have to look to the legal requirements for this).
Transparency Notices	The Council is committed to greater transparency across its operations to enable the public to hold the Council to account. This includes commitments

	relating to public procurement. Where certain activities are embarked on or awards of contract are made contrary to these Contract Procedure Rules, transparency notices will be required to be published.
Procurement Pipeline	A procurement pipeline of proposed contracts of an estimated value of more than £30,000 for Goods and Services or £75,000 for Works that make up the Council's procurement pipeline over the next 18 months commencing on the first day of the financial year, the first being the 1 <sup>st</sup> April 2025 will be published on an annual basis and updated quarterly.
Contract Management	The proposed Contract Procedure Rules establish a corporate contract register for all contracts with a value in excess of £25,000 so that the Council can further develop our record keeping for contract spend and to provide up to date lists of all externally sourced services, works and goods. The proposed Contract Procedure Rules allocate responsibility for managing the contract and ensuring that it is carried out in accordance with its terms and conditions.
Key Performance Indicators	At least 3 KPIs must be set for over value contracts as part of the award procedure where a contract is over the value of £1,000,000
Various Requirements	<p>Linking procurement to wider corporate strategies</p> <p>Packaging contracts to make them more accessible, for examples, dividing contracts into lots.</p> <p>Streamlining procurement documentation as far as possible</p>

	<p>Using social and environmental criteria and awarding contracts in a way which is not just dependent solely on price</p> <p>Restricting some tenders to “sheltered workshops” and “social enterprises” (to participate in such tenders 30% of the organisation’s work force must be “disadvantaged”)</p> <p>Continuous spend analysis and outcome monitoring</p>
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7. Should Members approve the implementation of the proposed Contract Procedure Rules, a report will be taken to Full Council to make all members aware of the changes being implemented and to seek authority to amend the Constitution of Neath Port Talbot County Borough to include the proposed Contract Procedure Rules.
8. As part of its adoption a training programme will be implemented with commissioning and contracting officers in all directorates and a user guide/summary will be placed on the intranet for all officers to be aware of. A key summary of provisions will also be prepared that will be made available on the Council’s website highlight pertinent information in an easy read guide.
9. A programme will also be developed where the Corporate Procurement Unit will monitor compliance with the Contract Procedure Rules on a quarterly basis. For example, selecting contracts at random from the contracts register and checking procurement practices associated with them.

**Financial Impacts:**

10. Decisions as to the expenditure of Council funds will be made through the budget setting process in the usual way.
11. Lowering the contract value threshold to £30,000 for goods and services and maintaining the threshold of £75,000 in respect of works for advertising contracts in order to meet the Welsh Government Procurement Policy and legislation requirements in relation to the requirement for competition could have a financial impact on the Council in that a greater number of officers across all departments will be working with the e-procurement system and, if the Welsh Government determine not to continue funding for the e-procurement system, a cost

(presently undetermined) will need to be met by the Council to obtain licences for each officer to be able to use the e-procurement system. Indications at present though are that the Welsh Government are likely to fund the cost for a further 2 years.

#### **Integrated Impact Assessment:**

12. A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016, a copy of which is included at Appendix 3. The first stage assessment has indicated that a more in-depth assessment is not required for the reasons set out in Appendix 2

#### **Valleys Communities Impacts:**

13. As facilitated by the Procurement Act 2023, provision is built into the proposed Contract Procedure Rules to assist in engaging local suppliers in Council run tenders. This addresses the commitment given by this Council in our Valleys Strategy and as part of the work undertaken with the voluntary sector. A local procurement or community wealth building approach encourages the use of local suppliers in order to generate local business growth and keep money spent within the area. This approach also incorporates the principles of sustainability and ethical employment. The desired outcome is to create strong local supply chains and to build wealth in local communities.

#### **Workforce Impacts:**

14. As part of the implementation of the proposed Contract Procedure Rules training programme will be implemented with commissioning and contracting officers in all directorates and a user guide/summary will be placed on the intranet for all officers to be aware of. Officers of the Corporate Procurement Unit will also prepare template documents and guidance to assist in compliance.

#### **Legal Impacts:**

15. The Local Government Act 1972 requires the Council to make standing orders with respect to the making of contracts for the supply of goods and materials or for the execution of works. The Local Government Act 2000 requires the Council to include a copy of its standing orders in its constitution. The Local Government Act 2000 (Local Authority Constitution) (Wales) Direction 2023 requires the Council's constitution to contain the rules and regulations governing finance, contractual and legal matters including contracts and procurement rules.

16. Significant public procurement reform through the Welsh Government's Social Partnership and Public Procurement (Wales) Act 2023 (the SPPP Act) and the UK Government's Procurement Act 2023 is due to come into force in February 2025. The UK Act focuses on the processes that the Council will be required to follow in respect to the procurement of works, goods and services. The Wales specific SPPP Act makes provision for social partnership and socially responsible procurement and creates a socially responsible procurement duty. The duty requires the Council to seek to improve the economic, social, environmental and cultural well-being of its area by carrying out public procurement in a socially responsible way. The Council will do this by taking action in accordance with the sustainable development principle aimed at contributing to the achievement of the well-being goals set out in the Well-being of Future Generations (Wales) Act 2015.

**Risk Management Impacts:**

17. Failure to have appropriate and up-to-date Contract Procedure Rules in place could increase the likelihood of challenge from the public that there is no transparency as to how contractual arrangements are facilitated. From a corporate governance perspective, such rules are crucial to demonstrate that the Council has in place appropriate procedures and rules to achieve principles of transparency, accountability, value for money and equal opportunity all organisations who wish to contract with us.

**Consultation:**

18. There is no requirement for external consultation on this item

**Recommendations:**

19. It is recommended that having due regard to the integrated impact assessment that:
  - (a) Members approve the proposed draft of the Contract Procedure Rules included at Appendix 1 of this Report for implementation on the 28<sup>th</sup> February 2025 or such date as maybe determined appropriate by the Head of Legal and Democratic Services;
  - (b) That delegated authority be granted to the Head of Legal and Democratic Services in consultation with the Cabinet Member for Finance, Performance and Social Justice to make any amendments to the Contract Procedure Rules included at Appendix 1 to meet statutory obligations only.
  - (c) That a report be taken to Full Council for authority to be sought to amend the Constitution of Neath Port Talbot County Borough Council to include the proposed Contract Procedure Rules at Appendix 1 to this Report.

**Reasons for Proposed Decision:**

20. To ensure that the Council's Contract Procedure Rules are brought up-to-date so as to reflect the legal and policy changes that have been implemented since the date that the current Contract Procedure Rules were approved and which impact on the Council's procurement activities and ensure the procedural aspects of the Council's procurement activities are updated at an operational level.

**Implementation of Decision:**

21. The decision is proposed for implementation after being approved at Full Council in February 2025.

**Appendices:**

22. Appendix 1 – Proposed Contract Procedure Rules  
Appendix 2 – High level summary of the Contract Procedure Rules  
Appendix 3 – First Stage Integrated Impact Assessment

**List of Background Papers:**

23. The Constitution of Neath Port Talbot County Borough Council

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **CONTRACT PROCEDURE RULES**

## Table of Contents

1	Introduction .....	4
2	Definitions and Interpretations .....	6
3	Compliance with these Rules.....	7
4	Arrangements where these Rules do not apply .....	8
5	Planning a Procurement .....	9
6	Advice and Risk Assessment .....	11
7	Personal Data.....	12
8	Community Benefits / Social Value.....	12
9	Declaration and Conflict of Interest.....	13
10	Welsh Language .....	13
11	Pre-Qualification and Exclusion (applies to all).....	14
12	Estimating Contract Value.....	15
13	Authorisation for Procurement.....	16
14	Notices (to be published on Sell2Wales) .....	17
15	Circumstances where Contracts may be awarded without a new competition .....	17
16	Framework Agreements or Dynamic Markets .....	20
17	Collaborative and Joint Working Arrangements.....	20
18	Process for carrying out Procurement .....	21
19	Electronic Tendering .....	24
20	Contents of Tenders.....	24
21	Tender Evaluation .....	25
22	Tender Clarification .....	26
23	Abnormally Low Tenders.....	27
24	Notification of Results, De-briefing and Standstill Period .....	27
25	Awarding Contracts and Letters of Intent.....	28
26	Letters of Intent.....	29
27	Execution (Completion / Signing / Sealing) of Contracts .....	31
28	Contract Management .....	32
29	Contract Modifications.....	33
30	Contract Modification Authorisation .....	34

31	Assignments and Novation.....	35
32	Early Termination of Contract.....	35
33	Contract End.....	35
34	Advance Payments and Contract Payments .....	36
35	Bonds, Securities, Liquidated and other damages.....	36
36	Parent Company Guarantee or Financial Guarantee.....	36
37	Records.....	37
38	Corporate Contracts Register.....	37
	<b>Appendix 1: Definitions .....</b>	<b>38</b>
	<b>Appendix 2: Threshold Table .....</b>	<b>47</b>
	<b>Appendix 3: Notices.....</b>	<b>48</b>

## 1 Introduction

- 1.1 These Contract Procedure Rules (“**Rules**”) provide a framework for the procurement of all Goods, Services and Works for the Council, including Light Touch, Concession and Utility Contracts (Special Regime Contracts).
- 1.2 The Council **must** strategically manage its spend and Officers shall ensure that they:
- (a) obtain Value for Money and the required level of quality and performance in all Contracts let;
  - (b) conduct procurement activity openly, transparently and, where practicable, based on standard approaches and use of common systems that appropriately minimise complexity, cost, timescales and requirements for Suppliers;
  - (c) share information for the purpose of allowing Suppliers as well as others to understand the Council Policies and decisions;
  - (d) have regard to the importance of maximising public benefit;
  - (e) treat Suppliers the same unless a difference between Suppliers justifies different treatment; providing that the Council takes all reasonable steps to ensure it does not put any Supplier at an unfair advantage or disadvantage;
  - (f) comply with all legislation that governs and/or relates to the procurement of Goods, Services and Works and the letting of Special Regime Contracts (Procurement Legislation);
  - (g) have regard to the principles of the Welsh Government’s Wales Procurement Policy Statement (WPPS) as may be amended;
  - (h) have regard to the fact that SMEs and VCSEs may face particular barriers to participation, and must consider whether such barriers can be removed or reduced;
  - (i) achieve the organisational outcomes of the Council Policies; Procurement Strategy and Corporate Plan;
  - (j) consider all relevant guidance issued by Welsh Government including Procurement Advice Notes and the Code of Practice on Ethical Employment in Supply Chains;
  - (k) support the achievement of the seven well-being goals for Wales as set out in the Well-being of Future Generations (Wales) Act (2015) being; 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;

- (l) support the achievement of social partnership, sustainable development duties the socially responsible procurement duty under the Social Partnership and Public Procurement (Wales) Act 2023 to amongst other things, seek to improve the economic, social, environmental and cultural well-being of its area by carrying out public procurement in a socially responsible way;
- (m) have procurement processes which, when followed, should protect Members and Officers from any allegation of acting unfairly or unlawfully in connection with any Procurement undertaken by the Council.

- 1.3 Contracts, which involve the receipt of income by the Council or the disposal of an asset or an undertaking by the Council, may often require a competitive Procurement exercise.

The reason for this is because they amount to a “concession”, or confer a competitive advantage on the Supplier as against its competitors, or the Council needs to be able to demonstrate that it has received an appropriate market value.

Therefore, all references to competitive Tenders and Quotations within these Rules shall apply (with such changes as are appropriate) equally to circumstances where the Contract involves the receipt of income by the Council or the disposal of any asset or undertaking by the Council, as they do to purchases to be made by the Council, unless specifically stated otherwise. Disposal of land is not governed by these Rules (see **Rule 4**).

- 1.4 Prior to commencing disposal of an asset or an undertaking, appropriate advice from the Head of Legal and Democratic Services and/or the Director or Finance **must** be sought.
- 1.5 In the event that a Senior Officer determines that Goods are beyond their economic useful life and therefore of no value, they should arrange for recycling as appropriate or disposal as waste. Appropriate records of disposal **must** be documented in line with the Council’s Financial Procedure Rules and Accounting Instructions & Guidelines.
- 1.6 These Rules govern organisational behaviour in the conduct of a Procurement or those arrangements set out in **Rule 1.3**. It is a given that such behaviour is undertaken in support and delivery of the wider Council

Policies and objectives of the Council and in respect of Officers, this includes the Employees' Code of Conduct.

- 1.7 In conducting any Procurement, integrity **must** be demonstrated at all times.
- 1.8 Where Senior Officers wish to exclude the requirements of these Rules, a report **must** be taken to Cabinet. The report to Cabinet **must** be in the standard template on the Council's intranet. The Head of Service may only proceed with the proposed Procurement or Contract once the decision to exclude has been made by Cabinet and passing of any Call-In period.
- 1.9 In line with UK and Welsh Government Procurement Legislation reform, these Rules take effect on **24<sup>th</sup> February 2025** and nothing in these Rules affect the validity of any action taken before that date under previous Rules.

Procurements and Contracts commenced prior to **24<sup>th</sup> February 2025** will be subject to Transitional Arrangements and advice should be obtained from the Head of Legal and Democratic Services in relation to such arrangements including where these will expire early as a result of Transitional Arrangements.

- 1.10 Any estimated Contract values or amounts included are **inclusive** of Value Added Tax (VAT) unless specified otherwise.

## **2 Definitions and Interpretations**

- 2.1 In these Rules, the definitions included at **Appendix 1** will apply.
- 2.3 Any dispute regarding interpretation of these Rules shall be referred to the Head of Legal and Democratic Services for resolution.
- 2.4 These Rules shall be read in conjunction with the Council's Constitution as a whole and with the Council's Financial Procedure Rules and Accounting Instructions & Guidelines.
- 2.5 The Head of Legal and Democratic Services and the Corporate Procurement Manager shall periodically undertake a formal review of these Rules.
- 2.6 The Head of Legal and Democratic Services may amend these Rules from time-to-time, to ensure that they meet all legal requirements.

### **3 Compliance with these Rules**

- 3.1 Every Procurement undertaken by the Council or any other party on its behalf **must** comply with:
- (a) these Rules;
  - (b) Procurement Legislation and to the extent of any conflict between these Rules and Procurement Legislation, the provisions of Procurement Legislation shall prevail;
  - (c) Any grant or funding agreements which the Council has entered into;
  - (d) the Council's Constitution as a whole and the Council's Financial Procedure Rules and Accounting Instructions & Guidelines;
  - (e) the Council's strategic objectives and Council Policies including its Procurement Strategy and Wellbeing Objectives; and
  - (f) **must** meet the other objectives and requirements listed in **Rule 1.2**.
- 3.2 The Corporate Procurement Manager may from time-to-time issue procurement guidance, following consultation with the Head of Legal and Democratic Services and Director of Finance. Senior Officers in each Service Area must ensure that employees in their Service Area are aware of this guidance and **must** ensure compliance with such guidance.
- 3.3 Any failure by Officers to comply with any of the provisions of these Rules or any associated guidance adopted by the Council may result in disciplinary action.
- 3.4 Any Procurement carried out on behalf of the Council may only be undertaken by Officers with the appropriate delegated authority to carry out such tasks (see **Rule 13**) and who have the necessary capability and capacity to undertake the Procurement.
- 3.5 The Procurement Legislation prescribes the circumstances in which certain notices (some of which are referred to in these Rules) must be published and sets out the requirements as to the contents of such notices. The Corporate Procurement Manager shall co-ordinate the publication of such notices. All Officers involved in Procurement across the Council shall have responsibility for collating information in accordance with procedures, approved by the Corporate Procurement Manager, to facilitate the publication of such notices.

## **4 Arrangements where these Rules do not apply**

### **4.1 These Rules do not apply to:-**

- (a) the acquisition or disposal of land. Any land Contracts which involve development agreements shall be notified to the Head of Legal and Democratic Services and legal advice shall be sought prior to any Procurement);
- (b) contracts of employment which make an individual a direct employee of the Council;
- (c) use of the Council's in-house services;
- (d) Grants (Grants are not regulated by Procurement Legislation, as they are not public contracts. Grants are, however, regulated by subsidy control law in the form of the Subsidy Control Act 2022, case-law and statutory guidance, and by general public law controls relating to fiduciary duty and proper spending of public money. As appropriate, legal and financial advice should be obtained from the relevant Council Officers in relation to the receipt of and administering of Grants and all Grants should be executed under seal and in the presence of the Head of Legal and Democratic Services or nominated officer);
- (e) Instructions and briefs to Counsel issued by or on behalf of the Head of Legal and Democratic Services. The Head of Legal and Democratic Services will make arrangements to ensure that appropriate record is kept of all such instructions or briefs together with a record of Counsel's fee;
- (f) Certain other legal services; financial lending services to the Council; arbitration, mediation or conciliation services, or of any other similar services;
- (g) Public transport Contracts where the Contract falls under the definition of a services concession contract for a public passenger transport service under the Public Service Obligations in Transport Regulations 2023. Advice should be sought from the Head of Legal and Democratic Services on the application of the correct regime.
- (h) Health Procurement if covered by the Health Service Procurement (Wales) Act (2024) and any applicable regulations. Advice should be sought from the Head of Legal and Democratic Services on the application of the correct regime.
- (i) Schools Contracts where they have carried out their own

Procurement (the Council will not be the party to such arrangements);

- (j) Entity controlled by the Council (vertical arrangements) subject to the advice of the Head of Legal and Democratic Services which must be sought on a case-by-case basis;
- (k) Contracts between the Council and another public body (horizontal arrangements) subject to the advice of the Head of Legal and Democratic Services, which **must** be sought on a case-by-case basis.

## **5 Planning a Procurement**

- 5.1 Before commencing a Procurement, the Senior Officer responsible, **must** undertake (or ensure that it is undertaken) the appropriate level of preparation and planning, proportionate to the proposed value and nature of the proposed Contract, taking advice where appropriate, ensuring the requirements of these Rules are complied with and should engage with the Corporate Procurement Manager at the earliest opportunity following consideration of the need to carry out the Procurement.
- 5.2 Officers **must** ensure that they have the necessary authority to carry out the Procurement (see **Rule 13**).

The key tasks at the planning stage include:

- (a) Questioning whether there is a need to undertake the Procurement to begin with;
- (b) Establishing project planning and timeframes, including implementation phases and accounting for a procurement timetable taking advice where necessary;
- (c) Engagement with key stakeholders in order to identify and assess needs – what is being procured and why? Including engaging at early stage of the process, for example with Officers in planning; technical, procurement, legal, financial;
- (d) What is the key driver for the procurement? What are the critical success factors? What outcomes are being sought?
- (e) Checking that no existing in-house provision exists for the Goods, Services or Works required;
- (f) Carrying out of options appraisal to look at different ways of meeting, the identified needs (e.g. buy, lease or rent?)
- (g) Undertaking any pre-market engagement in order to establish

realistic market cost, availability of supply base, innovative solutions, local economy and SME development etc;

- (h) Determining budget and funding, to define a realistic budget for the Contract to achieve the desired results and then securing the funds to finance and manage the contract, any risk assessments;
  - (i) Consideration of any collaborative or partnership working;
  - (j) Assess and identify any Conflicts of Interest;
  - (k) Selection of the appropriate Procurement process or available public sector Framework Agreements or Dynamic Markets;
  - (l) preparing the specification (setting out the requirements), and terms of contract using templates as appropriate as set out in these Rules;
  - (m) determine the subsequent Contract management arrangements and Supplier performance criteria;
  - (n) where a Contract is to be awarded on both Technical and Commercial (Quality and Price), determining the criteria and evaluation methodology, or establishing such in line with the terms of the relevant Framework Agreement or Dynamic Market.
  - (o) considering whether a report is required for budget approval and/or authority to be delegated to the Officer in order to carry out the Procurement;
  - (p) considering whether a report is required to award the final outcome of any Procurement.
- 5.3 The results of this planning stage **must** be properly documented by the Senior Officer responsible for the proposed Procurement (or their nominated deputy) utilising the **Procurement Strategy Document**. A Procurement Plan is encouraged for all values of Procurement by each Service Area.
- 5.4 Consideration **must** be given to whether the proposed Contract could reasonably be supplied under more than one Contract, and whether such Contracts could be appropriately awarded by reference to lots. If such Contracts could be appropriately awarded by reference to lots, arrangements **must** be made for the award of the Contract(s) by reference to lots, or reasons for not doing so **must** be recorded.
- 5.5 Officers shall undertake a Procurement in a planned and transparent manner, and should not discriminate against Treaty State Suppliers. The Council shall publish a forward-looking Procurement Pipeline and all

Heads of Service must provide the Corporate Procurement Manager with their Procurement Forward Workplan when so requested by the Corporate Procurement Manager and update the Corporate Procurement Manager of any changes as soon as reasonably practicable.

The Corporate Procurement Manager will use the Procurement Forward Workplan to populate the Procurement Pipeline.

- 5.6 Engagement with Suppliers and other persons for the purpose of developing the Council's requirements and approach to the Procurement, designing a procedure, identifying potential Suppliers, identifying likely contract terms and building capacity in the market (together, "**Preliminary Market Engagement**") is permitted.
- 5.7 All Preliminary Market Engagement **must** be proportionate and relevant to the Procurement and be conducted in accordance with the advice of the Corporate Procurement Manager.
- 5.8 When carrying out Preliminary Market Engagement, steps **must** be taken to ensure participating Suppliers are not put at an unfair advantage and competition is not otherwise distorted.
- 5.9 If it is considered that a Supplier's involvement in Preliminary Market Engagement has put the Supplier at an unfair advantage that cannot be avoided, the Supplier **must** be excluded from the Procurement.
- 5.10 Where the value of the Procurement meets or exceeds **£30,000** (inc VAT) for Goods or Services and meets or exceeds **£75,000** (inc VAT) for Works, if Preliminary Market Engagement is carried out, a Preliminary Market Engagement Notice **must** be published before a Tender Notice, or the reasons for not doing so **must** be provided in the Tender Notice.

## **6 Advice and Risk Assessment**

- 6.1 At the outset of a Procurement, the Senior Officer must refer to the Corporate Procurement Manager all proposed Procurements with an estimated value that meets or exceeds **£30,000** (inc VAT) for Goods and Services and that meets or exceeds **£75,000** (inc VAT) for Works, by means of submitting the **Procurement Strategy Document**. In addition to these Rules, the Senior Officer **must** follow all guidance issued by the Corporate Procurement Manager in respect of the Procurement.
- 6.2 The advice of the Head of Legal and Democratic Services **must** be sought on all Procurements with an estimated value that meets or exceeds **£75,000** (inc VAT) and for lower value requirements where the complexity

of the Procurement requires, for example; the inclusion of bespoke clauses.

- 6.3 For Procurements with an estimated value that meets or exceeds **£30,000** (inc VAT) for Goods and Services and that meets or exceeds **£75,000** (inc VAT) for Works; the Senior Officers shall carry out a risk assessment (proportionate to the nature and value of the proposed Contract). The risk assessment shall be included within the **Procurement Strategy Document** at the outset and thereafter maintained and updated throughout the Procurement. The decision maker **must** be informed of any risks identified and of the contingency measures in place.
- 6.4 When carrying out any risk assessment in respect of a proposed Procurement, compliance with these Rules **must** be documented.

## **7 Personal Data**

- 7.1 In carrying out any Procurement, the Senior Officer **must** take all steps, including incorporation of appropriate detail into the Tender documentation and Contract, to ensure that the personal data of individuals is protected in accordance with Data Protection Legislation.
- 7.2 The Senior Officer **must** ensure the Councils' obligations and risks, in respect of personal data, are considered and indemnities are sought where appropriate.

## **8 Community Benefits / Social Value**

- 8.1 Community Benefits / Social Value clauses within contracts are used to build a range of economic, social or environmental conditions into the delivery of a contract and the Council **must** maximise the Community Benefits / Social Value to be obtained through its Procurement activity in line with any guidance or policies created.
- 8.2 All Contracts exceeding **£1,000,000** (inc VAT) or such other value determined by the Council **must** include a contractual obligation on the successful Supplier to deliver Community Benefits / Social Value.
- 8.3 For all Contracts below the figure determined in **Rule 8.2**, the inclusion of Community Benefits / Social Value as a contractual obligation is optional but shall be considered.
- 8.4 In all cases where Community Benefits / Social Value are being delivered, there **must** be a contractual requirement for the successful Supplier to provide monitoring information on the Community Benefits / Social Value and the named contract manager ("**Contract Manager**") as part of the

contract management process should monitor the delivery of Community Benefits / Social Value.

8.5 Regard **must** be given to the Welsh Government guidance on Community Benefits / Social Value and such other guidance as may be issued from time-to-time on the approaches to delivering Community Benefits / Social Value through Council contracts.

8.6 Advice and guidance on Community Benefits / Social Value is available from the Council's Community Benefits Officer.

## **9 Declaration and Conflict of Interest**

9.1 No member, employee or agent of the Council shall improperly use their position to obtain any personal or private benefit from any contract entered into by the Council.

9.2 Members and employees of the Council shall comply with the requirements of Section 117 of the Local Government Act (1972) and, as appropriate, the Employee Code of Conduct and Members Code of Conduct set out in the Constitution in respect of the declaration of interests in contracts with the Council.

9.3 Such interests **must** be declared to the Head of Legal and Democratic Services for inclusion in the appropriate registers.

9.4 All reasonable steps **must** be taken to identify and keep under review in relation to a Procurement, any potential, perceived or actual conflicts of interest. A conflict of interest arises where there is a conflict between the interests of a person acting in relation to or influencing the decisions of a Procurement exercise, and/or those associated with that person, and the interests of the Procurement itself.

All Officers who act in relation to a Procurement or may be able to influence the decisions of a Procurement **must** complete a Confidentiality and Conflict of Interest Declaration specific to the Procurement.

Advice should be sought from the Head of Legal and Democratic Services where any concerns arise.

## **10 Welsh Language**

10.1 Procurement Documentation **must** state that Tenders or Quotations may be submitted in Welsh.

10.2 Procurement Documentation **must** be published in Welsh, where the subject matter of the Tender or Quotation suggests that it should be

produced in Welsh, or anticipated audience, and their expectations, suggests that the document should be produced in Welsh.

10.3 Where a Tender or Quotation has been submitted in Welsh, it **must** be treated no less favourably than a submission in English (including, amongst other matters, in relation to the closing date and time for receiving submissions, and in relation to time-scales for informing Suppliers of decisions).

10.4 If a Tender or Quotation has been submitted in Welsh, and it is necessary to conduct interviews as part of the evaluation process, the Council **must** offer to provide a translation service from Welsh to English to enable the Supplier to use the Welsh language at the interview.

If the Supplier wishes to use the Welsh language at interview, provide a simultaneous translation service for that purpose (unless the Council conducts the interview in Welsh without a translation service).

10.5 When informing a Supplier of the decision in relation to a Tender or Quotation, this **must** be in Welsh if the Tender or Quotation was submitted in Welsh.

10.6 Where relevant to the subject matter of the Contract, Contracts **must** contain provision requiring the Supplier to comply with all applicable requirements of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards issued to the Council.

## **11 Pre-Qualification and Exclusion (applies to all)**

11.1 The Council shall only enter into a Contract with a Supplier if it is satisfied as to the Supplier's competencies.

Conditions of participation **must**:

- (a) be related to a Supplier's legal and financial capacity, or technical ability, to perform the contract;
- (b) be a proportionate means of ensuring a Supplier's relevant capacity or ability, having regard to the nature, complexity and cost of the Contract;
- (c) allow for equivalents (when requesting particular qualifications or memberships, for example);
- (d) allow for international equivalents to UK standards;
- (e) be distinct from award criteria: focus only on the Supplier's credentials, and not their Tender;

11.2 Conditions of participation **must not**:

- (a) require Suppliers to submit audited annual accounts unless they're required to under the Companies Act 2006 or an overseas equivalent;
- (b) require Suppliers to have insurances needed to deliver the contract in place prior to Contract award;
- (c) break any rules on technical specifications;
- (d) require particular qualifications without allowing for equivalents;
- (e) require Suppliers to have been awarded a Contract by a specific public body.

11.3 During a Procurement, a Supplier may be identified as an Excluded Supplier or an Excludable Supplier following assessment against the Exclusion Grounds and Exclusion Grounds Guidance Note issued by the Head of Legal and Democratic Services. A Procurement may require that a Supplier is assessed against the Exclusion Grounds.

11.4 A Tender submitted by an Excluded Supplier **must** be disregarded by the Council. A Tender submitted by an Excludable Supplier, may be disregarded at the discretion of the Council.

11.5 An assessment of a Supplier against the Exclusion Grounds and a decision as to the exclusion of a Supplier from a Procurement **must** be undertaken in consultation with the Head of Legal and Democratic Services.

## 12 Estimating Contract Value

12.1 The estimated value of a Contract shall be the value of the whole cost of the Contract, inclusive of value added tax, which the Council expects to be payable under the Contract, including (where applicable) amounts already paid by the Council, over its full duration (not the annual value).

12.2 Where the value of the Contract cannot be estimated, for example because the duration of a Contract is unknown the value of the Contract shall be treated as an amount of more than the Threshold amount for the type of Contract. If there is uncertainty over calculating the estimated value of the proposed Contract then the advice of the Corporate Procurement Manager **must** be sought.

12.3 In determining the value of the whole cost which the Council expects to pay, the Senior Officer shall take account, where relevant:

- (a) the term/period of the proposed Contract;

- (b) any rights to renew the Contract / extend the Contract period;
- (c) any prize, payment, premium, fees, commission, interest or other form of remuneration payable under the proposed Contract or in respect of the proposed Procurement (i.e. for Concession Contracts this shall be the maximum amount the Supplier could expect to receive under or in connection with the Contract including where applicable, amounts already received).

12.4 No Works or requirements for Goods or Services may be artificially split to avoid compliance with these Rules or Procurement Legislation.

12.5 In considering if the proposed Contract meets or is over Threshold, due regard **must** be given to the ‘methods for calculating the estimated value of a Procurement’ set out in Procurement Legislation and advice should be taken from the Head of Legal and Democratic Services and the Corporate Procurement Manager.

12.7 When determining the value for Framework Agreements, Dynamic Markets, mixed Procurements or Concessions Contracts, advice of the Head of Legal and Democratic Services and Corporate Procurement Manager **must** be sought.

### 13 Authorisation for Procurement

Prior to commencing a Procurement, authority should be in place.

Authority **must** be obtained from the relevant decision maker as set out in the table below.

The relevant decision maker is as set out in the table below:

Contract type	Estimated Contract Value or Actual Contract Value	Decision Maker
Goods / Services	£0 up to £300,000	Head of Service
Goods / Services	£300,000 up to £2,000,000	Head of Service in consultation with Cabinet member
Goods / Services	£2,000,000 and above	Cabinet
Works / Concessions / Light Touch Contracts	£0 up to £300,000	Head of Service
Works / Concessions / Light Touch Contracts	£300,000 up to £5,000,000	Head of Service in consultation with Cabinet member

Works / Concessions / Light Touch Contracts	£5,000,000 and above	Cabinet (Delegated authority may be granted, if so authorised by Cabinet to the Chief Executive, Director or Head of Service to make the final award if so determined by Cabinet)
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#### 14 Notices (to be published on Sell2Wales)

- 14.1 The Corporate Procurement Manager shall co-ordinate any notices required to be published dependent on the Procurement and will provide advice to Officers where a notice will be required (see **Appendix 3**).
- 14.2 A Below Threshold Tender Notice **must** be published to advertise a Contract of an estimated value of **£30,000** for Goods and Services, and **£75,000 for Works Contracts**, (inc. VAT) and above, unless Officers intends to invite Quotations or Tenders from a closed group of pre-selected suppliers, (i.e. suppliers on a Framework), so long as Officers do not advertise the Procurement in any other way (for example in a newspaper or on a local website or portal). In these circumstances, only the Contract Details Notice is mandatory once the Contract is awarded (see **Rule 14.3**).
- 14.3 A Contract Details notice **must** be published as soon as reasonably practicable after entering into a Contract with an estimated value of not less than **£30,000** (inc VAT), whether Goods, Works or Services.

#### 15 Circumstances where Contracts may be awarded without a new competition

- 15.1 A Contract may be awarded directly to a Supplier that is not an Excluded Supplier where any of the following justifications apply:
- (a) Production of a prototype, or supply of other novel Goods or Services for the purpose of testing such novel Goods or Services, researching the validity of such novel Goods of Services, or otherwise for the purpose of other research, experiment, study or development;
  - (b) The creation or acquisition of a unique work of art or artistic performance;
  - (c) Where the Supplier, and only the Supplier, enjoys an exclusive right, including any intellectual property right, to provide or supply the Goods, Services or Works, and where there are no reasonable alternatives to those Goods, Services or Works;

- (d) Where there is an absence of competition for technical reasons, such that only a particular Supplier can supply the Goods, Services or Works required, and where there are no reasonable alternatives available to those Goods, Services, or Works;
- (e) The supply of additional or repeat Goods, Services or Works by an existing Supplier to the Council, which are intended as an extension to, or partial replacement of, the existing Goods, Services or Works already supplied, and where a change of Supplier would result in the Council receiving Goods, Services or Works that are different from, or incompatible with, the existing Goods, Services or Works; and either:
  - (i) the difference in incompatibility would result in disproportionate technical difficulties in operation or maintenance; or
  - (ii) the difference in incompatibility would result in significant additional costs to the Council such that supplying the additional Goods, Services or Works from the existing Supplier can be shown to represent Value for Money.
- (f) The supply of Goods, Services or Works by an existing Supplier that are similar to existing goods, services or works where:
  - (i) the existing Goods, Services or Works were supplied under a Contract that was awarded in accordance with a Competitive Tendering procedure within the period of **5 (five)** years ending with the day on which the transparency notice was published; and
  - (ii) the Tender Notice or any Tender document in respect of that earlier Contract set out the Council's intention to carry out a subsequent procurement of similar Goods, Services or Works in reliance on this Direct Award justification.
- (g) The supply of Goods on a commodity market;
- (h) The award of the Contract to a particular Supplier will ensure terms particularly advantageous to the Council due to the fact that a Supplier, whether or not the one to whom the Contract is to be awarded, is undergoing insolvency proceedings;
- (i) Urgency where the Goods, Services or Works to be supplied under the Contract are strictly necessary for reasons of extreme and unavoidable urgency (urgency is unavoidable if it is not attributable to any act or failure to act by the Council); and as a result the public

Contract cannot be awarded on the basis of a competitive tendering procedure;

- (j) Direct Award to protect life where secondary legislation has been made authorising the Direct Award;
- (k) Switching to a Direct Award where no or no suitable tenders or requests to participate have been received in that competitive Tendering procedure and the Council considers that the award of a Contract using a competitive tendering procedure is not possible;
- (l) Contracts awarded under an established Framework Agreement, Dynamic Market or orders placed under an established Contract where these are compliant with Procurement Legislation and where the award is in accordance with the terms of the Framework Agreement, Dynamic Market or Term Contract

These may be external Framework Agreements where the Council is named as able to use it, or internal (i.e. Council established) Framework Agreements, Dynamic Market or Term Contracts in accordance with **Rule 14**.

For all external arrangements, the Corporate Procurement Manager should be consulted prior to the Procurement.

- (m) Goods, Services and Works procured by another public body on behalf of, or for the joint benefit of the Council and other parties, and provided that, in such case, the other public body's Procurement or Contract Procedure Rules and Procurement Legislation is complied with. Advice should be sought from the Head of Legal and Democratic Services on the establishment or review of any collaboration or joint working arrangements in this instance.
- (n) Light Touch Contracts that are supplied for the benefit of a particular individual and in respect of which the Council would, in awarding a Contract for their supply, be required legally to have regard to the views of the individual or a person providing care to the individual (their carer), in relation to who should provide the Services, and the individual or carer has expressed a preference as to who should supply the Services, or the nature of the Services is such that only one supplier is capable of providing the Services and the Council considers that it is not in the best interests of the individual to award the Contract under a competitive tendering procedure.

- 15.2 When placing reliance on the exemptions stated above the Senior Officer should ensure that the best possible Value for Money is obtained for the Council and for Procurements with an estimated value meeting the Threshold or exceeding it, advice should be sought from the Head of Legal and Democratic Services.

## **16 Framework Agreements or Dynamic Markets**

- 16.1 The Council is able to access a number of its own as well as external Framework Agreements and Dynamic Markets for types of Goods, Services and Works.
- 16.2 The Corporate Procurement Manager will maintain a register of the arrangements in **Rule 16.1**, which may be referenced against the Council's own Corporate Contracts Register, referenced in **Rule 37**, and can provide advice on their use and any exceptions granted.
- 16.3 It is the responsibility of the Service Area requiring the Procurement to ascertain whether there is a compliant arrangement or other corporate purchasing agreement in place by liaising with the Corporate Procurement Manager. If such arrangement exists, then Service Areas **must** use these unless deemed appropriate to use an alternative source by the relevant Senior Officer of a Service Area.
- 16.4 When using external or Council Framework Agreements or Dynamic Markets, all guidance issued in relation to their use **must** be followed by the Service Area. The stated award criteria, weightings and the Terms and Conditions specified **must** be used in order to be compliant with Procurement Legislation. It is the responsibility of the Service Area requiring the Procurement to ensure that all supporting documentation necessary, including any risk assessment and/or business case for Direct Award without competition, is assembled and completed, before placing reliance on it.
- 16.5 Where Goods, Services or Works are regularly required, and arrangements described in **Rule 12** are not available, consideration **must** be given to establishing a term arrangement, either by means of a Framework Agreement, Dynamic Market, or Term Contract, and the advice of the Corporate Procurement Manager **must** be obtained.

## **17 Collaborative and Joint Working Arrangements**

- 17.1 Any consortia procurement arrangements **must** be approved for use by the Head of Legal and Democratic Services before reliance is placed on such arrangement.

17.2 Before proceeding with any proposed joint working arrangements, legal advice should be sought from the Head of Legal and Democratic Services.

## **18 Process for carrying out Procurement**

18.1 Where possible, Goods, Services and Works **must** be obtained via existing approved arrangements including:

- (a) Council Framework Agreements or Dynamic Markets; and
- (b) Framework Agreements, Dynamic Markets and other corporate arrangements approved for use by the Corporate Procurement Manager.

### **18.2 Goods and Services - Value up to £10,000 (inc VAT)**

18.2.1 For Procurements with an estimated value of up to **£10,000** (inc VAT):

- (a) the minimum requirement is that **1 (one)** written Quotation is obtained although competition is encouraged. It is, however, still necessary for the Service Area to be satisfied and able to demonstrate that it has obtained Value for Money;
- (b) The Service Area **must** keep an appropriate file record evidencing matters, including that relevant competency and capability assessments have been undertaken.

### **18.3 Goods and Services – Value £10,000 up to £30,000 (inc VAT)**

18.3.1 For Procurements with a value of **£10,000** up to **£30,000** (inc VAT) then:

- (a) a minimum of **3 (three)** written Quotations must be requested from suitable Suppliers.
- (b) It is considered to be in the interests of the Council to seek **3 (three)** written Quotations however **1 (one)** written Quotation may be relied upon in circumstances where limited response is received providing the Senior Officer is satisfied and able to demonstrate that Value for Money has been obtained.
- (c) The Service Area **must** keep an appropriate file record evidencing matters, including that relevant competency and capability assessments have been undertaken.

**18.4 Goods and Services – Value £30,000 (inc VAT) up to the UK Threshold for Goods and Services and Special Regime (see Appendix 2)**

18.4.1 For Procurements with an estimated value of **£30,000** (inc VAT) up to the UK Threshold for Goods and Services then:

- (a) all requirements **must** be advertised on Sell2Wales and conducted via the Council's approved eTendering system as per **Rule 19**.
- (b) the Council's **Procurement Strategy Document** and **Contract Award Form/Report** **must** be used to record the Procurement actions taken and submitted to the Corporate Procurement Team .

**18.5 Above UK Threshold for Goods, Services and Special Regime Contracts**

18.5.1 For Procurement processes with a value above the UK Threshold , the advice of the Corporate Procurement Manager and Head of Legal and Democratic Services **must** be sought at the outset to determine the Procurement to be followed by completing a **Procurement Strategy Document** and **Contract Award Form/Report** submitted to the Corporate Procurement Team;

- (a) the Procurement will be carried out in accordance with the advice received; and
- (b) the requirements of Procurement Legislation will take precedence over any requirements set out in these Rules.

**18.6 Works Value up to £10,000 (inc VAT)**

18.6.1 For Procurements with an estimated value of up to **£10,000** (inc VAT) the minimum requirement is the **1 (one)** written Quotation is obtained, although where practical, competition is encouraged.

It is, however, necessary for the Service Area to be satisfied and able to demonstrate that it has obtained Value for Money.

18.6.2 The Service Area **must** keep an appropriate file record evidencing matters, including that relevant competency and capability assessments have been undertaken.

**18.7 Works Value £10,000 up to £75,000 (inc VAT)**

18.7.1 For Procurements with a value of **£10,000** up to **£75,000** (inc VAT) then:

- (a) a minimum of **3 (three)** written Quotations must be requested from suitable Suppliers.
- (b) it is considered to be in the interests of the Council to seek **3 (three)** written Quotations however **1 (one)** written Quotation may be relied upon in circumstances where limited response is received providing the Senior Officer is satisfied and able to demonstrate that Value for Money has been obtained.
- (c) the Service Area **must** keep an appropriate file record evidencing matters, including that relevant competency and capability assessments have been undertaken.
- (d) the Council's **Procurement Strategy Document** and **Contract Award Form/Report** **must** be used to record the Procurement actions taken and submitted to the Corporate Procurement Team.

#### 18.8 **Works Value £75,000 (inc VAT) up to UK Threshold**

18.8.1 For Procurements with a value of **£75,000** (inc VAT) up to the UK Threshold for Works, then:

- (a) All requirements **must** be advertised on Sell2Wales;
- (b) the Council's **Procurement Strategy Document** and **Contract Award Form/Report** **must** be completed to record the Procurement actions taken and submitted to the Corporate Procurement Team.

#### 18.9 **Above UK Threshold for Works**

18.9.1 For Procurements above the UK Threshold for Works:

- (a) the advice of the Corporate Procurement Manager and Head of Legal and Democratic Services **must** be sought at the outset to determine the Procurement Process to be followed and at all subsequent stages of the Procurement;
- (b) the Procurement will be undertaken in accordance with the advice received as a above;

- (c) the requirements of Procurement Legislation will take precedence over any requirements set out in these Rules; and
- (d) the Council's **Procurement Strategy Document** and **Contract Award Form/Report** **must** be completed to record the Procurement actions taken and submitted to the Corporate Procurement Team.

## **19 Electronic Tendering**

- 19.1 From **1<sup>st</sup> April 2025** (or such latter date as the Corporate Procurement Manager may direct), all Procurements with a value of **£30,000** (inc VAT) or above for Goods and Services or **£75,000** (inc VAT) or above for Works **must** be conducted using the Council's approved eTendering system. It is the responsibility of the Senior Officer of each Service Area to ensure that their staff comply with this rule.
- 19.2 Any Officer required to use the Council's approved eTendering system must notify the Council's Procurement Team so that they may be given access to the system. Similarly, it is the responsibility of the relevant Senior Officer to notify the Corporate Procurement Manager of changes to any Officer's eligibility to use the system (e.g. staff leaving or disciplinary measures) at the earliest opportunity so that the user access can be deactivated.
- 19.3 Where **Rule 19.1** applies, all Tenders including all supporting documentation **must** be received via the Council's approved eTendering system.

## **20 Contents of Tenders**

The ITT must include details of the Council's requirements for the particular contract including:

- (a) instructions for completion;
- (b) rules for submitting Tenders;
- (c) a specification of the Services, Goods or Works being procured and instructions on whether any variants are permissible;
- (d) the Procurement timetable including the Tender Closing Date and Time, which shall allow a reasonable period for the Suppliers to prepare their Tenders;
- (e) the Council's Standard Terms and Conditions;

- (f) the evaluation criteria including relevant weightings;
- (g) form and content of method statements to be provided;
- (h) pricing mechanism;
- (i) whether the Council is of the view that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) will apply;
- (j) any further information, which will inform or assist Suppliers in preparing Tenders.

20.2 Every Supplier submitting a Tender will be required to sign a declaration to the effect that:

- (a) they have not and will not inform any other person of the amount of their Tender;
- (b) they have not fixed the amount of any Tender in accordance with a price fixing arrangement;
- (c) they accept that the Council is entitled to cancel the Contract and to recover from them the amount of any loss resulting from such cancellation if it is discovered that there has been any corrupt or fraudulent act or omission by them which in any way induced the Council to enter into the Contract;
- (d) acknowledging that the Council is not bound to accept the lowest or any Tender, that the Procurement may be abandoned at any stage during and that they are liable for their own costs and expenses.

20.3 In respect of Procurements with an estimated value in excess **£30,000** (inc VAT) for Goods and Services including Special Regime Contracts and over **£75,000** (inc VAT) for Works, the Service Area **must** consult the Corporate Procurement Manager for advice regarding the Procurement Documentation (ITT, Specification, evaluation criteria and weightings etc).

20.4 Prior disclosure of the award criteria and weightings is a fundamental requirement that **must** be complied with for all the Council's Procurements. Any particular scoring or weighting attributable to any criteria or sub-criteria **must** be clearly stated.

## **21 Tender Evaluation**

21.1 For each Procurement with an estimated value that meets or exceeds **£30,000** (inc VAT) in respect of Goods and or Services (including Special Regime Contracts) and that meets or exceeds **£75,000** (inc VAT) in respect

of Works; the Senior Officer of the Service Area requiring the Procurement shall form an evaluation team ('**Evaluation Panel**') with responsibility for evaluating Tenders.

Written records of the membership of the Evaluation Panel and evaluation undertaken **must** be kept.

21.2 The Evaluation Panel shall evaluate Tenders in accordance with the predetermined and published evaluation criteria. The evaluation criteria shall be strictly observed at all times throughout the Contract award procedure.

21.3 As a general rule, no adjustment or qualification to any Tender(s) submitted is permitted. Errors found during the Tender evaluation shall be dealt with in one of the following ways:

(a) If the error is not arithmetical, the Supplier shall be given details of the error(s) and shall be given the opportunity of confirming without amendment or withdrawing the Tender; or

(b) If an arithmetical error is found, the Supplier shall be given details of the error(s) and shall be given the opportunity of confirming without amendment or withdrawing the Tender, and the responsible officer shall correct the error(s) provided that, apart from these genuine arithmetic error(s), no other adjustment, revision or qualification is permitted. An appropriate record **must** be kept.

## **22 Tender Clarification**

22.1 Where a Procurement is conducted pursuant to Procurement Legislation, there are restrictions on the use of post-Tender clarifications and legal advice must be sought before determining whether any clarification would be appropriate.

22.2 The Senior Officer, following consultation with the Corporate Procurement Manager, may seek clarification from Suppliers in respect of their Tenders provided this does not involve discrimination. A record of all clarifications needs to be maintained including minutes of any clarification interviews.

22.3 All valid clarifications and questions from Suppliers **must** be resolved before submitting the Tenders, and appropriate timeframes applied. A valid clarification may be a question that was submitted by a Supplier in line with the Tender guidance and within the deadline given for any clarification requests.

## 23 Abnormally Low Tenders

23.1 Consideration **must** be given by the Senior Officer as to whether any Tender received by a Supplier is abnormally low. Abnormally low shall be taken to mean a Tender whose price is considered significantly lower than most of or the average of all Tenders in the same Procurement process. Where the Officer considers a Tender has an abnormally low price it **must** notify the Supplier that it considers the price to be abnormally low and **must** give the Supplier reasonable opportunity to demonstrate that it will be able to perform the Contract for the price offered. Where it demonstrates to the Officer's satisfaction that it will be able to perform the Contract for the price offered, the Council may not disregard the Tender on the basis of abnormally low price.

If the Supplier does not satisfy the Council, their Tender may be disregarded. A Tender should only be disregarded on these grounds after consulting the Head of Legal and Democratic Services.

Records of all communications with Suppliers which are made prior to Contract Award and concern the Procurement or Contract **must** be retained.

Communications **must** be electronic.

## 24 Notification of Results, De-briefing and Standstill Period

24.1 Following a Procurement that meets or is over UK Threshold, the Contract cannot be entered into before the end of the mandatory standstill period (**8 working days** beginning on the day the **Contract Award Notice** is published) and cannot be entered into before the end of any standstill period longer than **8 working days**, where such longer period has been provided for in the **Contract Award Notice**.

24.2 Where there is no legal requirement for a mandatory standstill period, a voluntary standstill may be provided for and must not be less than **8 working days** from the day the **Contract Details Notice** is published.

24.3 Following a Procurement that meets or is over UK Threshold, before publishing a **Contract Award Notice**, an assessment summary **must** be provided to each Supplier that submitted an assessed Tender, which includes information about the assessment of the Tender, and the identity of the Most Advantageous Tender (MAT).

24.4 Where there is no legal requirement for an assessment summary, it is advisable to provide supplier feedback prior to the **Contract Details Notice** being published.

24.5 If any additional information is to be disclosed to Suppliers, this **must** be agreed in advance with the Corporate Procurement Manager, taking into account the requirements of any legislation relating to the disclosure of information.

## 25 Awarding Contracts

25.1 The award criteria is the criteria that Tenders are evaluated against, for the purpose of identifying the Most Advantageous Tender (MAT).

25.2 In all circumstances a Contract **must** be awarded to the Supplier that submits the Most Advantageous Tender (MAT), however the Council reserves the right not to award any Tender.

Award criteria **must**:

- (a) relate to the subject matter of the Contract;
- (b) be sufficiently clear;
- (c) be measurable and specific;
- (d) must not be discriminatory (in particular with respect to requirements regarding technical specifications); and
- (e) be a proportionate means of assessing Tenders, having regard to the nature, complexity and cost of the Contract.

25.4 When setting award criteria, it **must** be specified how Tenders are to be assessed against them, and where there is more than **1 (one)** criterion their relative importance **must** be indicated.

25.5 Additional considerations apply to the setting of award criteria for Light-Touch Contracts and the guidance of the Corporate Procurement Manager should be followed for such Procurement processes.

25.6 For all Procurements valued at or exceeding **£30,000 for Goods and Services or £75,000 for Works** (inc VAT), the decision to award a Contract shall be made using the Council's **Contract Award Form/Report** submitted to the Corporate Procurement Team and a Cabinet Report when required set out in the table below.

The Senior Officer must ensure, prior to seeking such a decision, that sufficient funds are in place to meet all Contract payments and if any funding is being obtained from third parties that any conditions attaching to such funding have been complied with.

Any Contract that is awarded using third party funding should include funding conditions so as to allow the Council to claw-back funding, where

required and not cause the Council to be in breach of the conditions of the funding to the Council:-

<b>Contract type</b>	<b>Estimated Contract Value or Actual Contract Value</b>	<b>Decision Maker</b>
Goods / Works / Services	£100K to £300K Goods/Works/Services	Head of Service
Goods / Services	£300K up to £2M	Head of Service in consultation with Cabinet member
Goods / Services	£2M and above	Cabinet
Works / Concessions / Light Touch Contracts	£300K up to £5M	Head of Service in consultation with Cabinet member
Works / Concessions / Light Touch Contracts	£5M and above	Cabinet (Delegated authority may be granted, if so authorised by Cabinet to the Chief Executive, Director or Head of Service to make the final award if so determined by Cabinet)

## **26 Letters of Intent**

- 26.1 A letter of intent is not an appropriate substitute for a formal Contract but in exceptional circumstances can be issued as an interim measure until a formal Contract has been executed. Letters of intent shall only be used with the prior agreement of, and in a form approved by, the Head of Legal and Democratic Services.
- 26.2 Save for exceptional circumstances, no successful Supplier should be asked to provide any Services, supply any Goods or carry out any Works (including preliminary Works) until the Contract is concluded or the Services, Goods or Works concerned are covered by a letter of intent. Should the Senior Officer for the Service Area concerned make any decision to the contrary, such decision shall contain a full risk assessment as to the possible implications to the Council of the Supplier being allowed to start before the Contract Terms and Conditions have been finalised or a letter of intent issued.

- 26.3 For Contracts with a value that meets or exceeds **£30,000** (inc VAT) Goods and Services or **£75,000** (inc VAT) for Works but is below **£100,000 / £120,000 inc VAT** (inc VAT), Service Areas may use an appropriate standard Form of Contract issued or approved for use by the Head of Legal and Democratic Services.
- 26.4 For Contracts with a value that meets or exceeds **£100,000 / £120,000 Goods, Services or Works** (inc VAT), Service Areas **must** take the advice of the Head of Legal and Democratic Services on the Form of Contract to be used, though wherever appropriate, industry standard forms will be used.
- 26.5 It is essential that the Goods, Services or Works are procured on the Council's Standard Terms and Conditions and not those submitted by the Supplier unless authorised by the Head of Legal and Democratic Services.
- 26.6 Contract documents, along with all associated related documents, must be retained for a minimum of **6 (six)** years from the contract end date and, if the Contract is concluded under seal, for a period of **12 (twelve)** years from the Contract end date for the purpose of any audit requirements. Where the Contract was funded, or partly funded, through some form of external grant then further grant specific conditions, as regard to retention of documents may apply and must be adhered to.
- 26.7 As minimum contracts **must** set out;
- (a) the work, materials, services or supplies to be carried out or provided and standards required;
  - (b) the price to be paid (or, as appropriate, the sums to be received) with a statement of discounts, or other deductions, and where not known, the basis upon which the final Contract sum is to be calculated;
  - (c) the time or times within which the Contract is to be performed; and
  - (d) the commencement and termination dates of the Contract.
- 26.8 The following Contract terms are implied in every Contract for Goods, Services or Works that have a value of **£30,000 Goods and Services and £75,000 for Works** (inc VAT) or more:
- 26.8.1 Any sum due to be paid under the Contract by the Council must be paid before the end of the period of 30 calendar days beginning with;
- (a) the day on which an invoice is received by the Council in respect of the sum, or

- (b) if later, the day on which the sum first became due in accordance with the invoice.
- 26.8.2 The term in subsection 26.8.1 does not apply if the Council;
  - (a) considers the invoice invalid, or
  - (b) disputes the invoice.
- 26.8.3 On receiving an invoice from a payee, the Council must notify the payee without undue delay if;
  - (a) it considers the invoice invalid, or
  - (b) it disputes the invoice.
- 26.8.4 The Council may rely on a payment made by a third party to satisfy the term in Rule 26.8.1 only with the agreement of the payee.
- 26.8.5 For the purposes of the Rule 6.8.1 and 26.8.4, an invoice is valid if it sets out the minimum required information and meets any other requirement set out in the Contract.
- 26.8.6 The minimum required information is;
  - (a) the name of the invoicing party;
  - (b) a description of the Goods, Services or Works supplied;
  - (c) the sum requested, and
  - (d) a unique identification number.
- 26.8.7 No Contract term that seeks to restrict or override the terms implied by this Rule 26.8 will take effect.

## **27 Execution (Completion / Signing / Sealing) of Contracts**

- 27.1 Contracts with a value that meets or exceeds £100, 000 ex VAT / inc VAT £120,000 may only be signed on behalf of the Council by the Head of Legal and Democratic Services or nominated officers.
- 27.3 Any Contract with a value that meets or exceeds **£100,000 / £120K** (inc VAT) **must** be completed under seal. The Council's seal may only be affixed to a Contract in the presence of the Head of Legal and Democratic Services or nominated officers.

## 28 Contract Management

- 28.1 Once the Contract has been awarded, the Senior Officer (of the Service Area concerned) **must** identify and nominate an individual (referred to as the **Contract Manager**), who will manage the day-to-day aspects of the Contract for its term.
- 28.2 The day-to-day management of the Contract shall be undertaken by the Contract Manager and shall include monitoring and in respect of:-
- (a) adherence to payment terms and conditions
  - (b) key performance indicators (KPIs)
  - (c) performance of services
  - (d) compliance with specification and Contract terms;
  - (e) cost;
  - (f) any Value for Money/best value requirements;
  - (g) user satisfaction;
  - (h) risk management; and
  - (i) delivery of agreed Community Benefits / Social Value.
- 28.3 For all Contracts, it is the responsibility of the Contract Manager to raise any incidents of poor performance immediately with the Supplier and seek rectification. In instances of particularly poor performance, or persistent poor performance, the Contract Manager should consider the appropriate course of action to take under the Contract, taking advice as appropriate from the Head of Legal and Democratic Services.
- 28.5 The setting and measuring of Key Performance Indicators (KPIs) should be considered for all Contracts to monitor Supplier performance. The inclusion of KPIs will depend on the subject matter, complexity and value of the Contract. KPIs should be designed around the most important deliverables under the Contract. They must clearly link to the wider objectives under the Contract and should also include minimum satisfactory standards and performance escalation protocols, should these not be met.
- 28.6 The inclusion of at least three KPIs is required for all Contracts valued over **£5,000,000** (inc VAT). Once set, details of the KPIs shall be included in the **Contract Details Notice**.
- 28.7 Performance against the KPIs in such contracts **must** be assessed against a standardised rating system as per Regulation 39(5) of the Procurement

Act and information about the Supplier's performance against them **must** be published via a [Contract Performance Notice](#) on at least an annual basis for the life of the Contract.

## **29 Contract Modifications**

- 29.1 Depending upon the nature of the modification proposed, the terms of the Contract concerned and scope of the original Procurement undertaken, Contract modifications have the potential to amount to a new Contract, and so can constitute a single Tender award without advertisement.
- 29.2 In all cases of Contract modification, careful consideration **must** be made of the impact of any increase to the value of the Contract in relation to the current UK Threshold level.
- 29.3 The advice of the Corporate Procurement Manager and Head of Legal and Democratic Services should be obtained, if there is any uncertainty as to whether a modification is permissible.
- 29.4 Contract and Framework Agreements under UK Threshold may be varied without a new Procurement Process where either:
- (a) the modifications have been provided for in the initial procurement documents in clear, precise and unequivocal terms (i.e. the Contract conditions provide for; extension of the Contract term, price variation, fluctuation clauses or options, additional works, goods and services) and these do not alter the overall nature of the Contract or the contract cannot be performed to the satisfaction of the Council and the modification goes no further than to remedy that fact;
  - (b) the circumstances causing the need for modification were unforeseen, the modification does not alter the overall nature of the contract and provided that any increase in the price does not exceed 10% of the value of the original contract value for goods or services or 15% for works (advice of the Corporate Procurement Manager must be sought before placing reliance on this rule);
  - (c) there is a change in Supplier that was provided for in the Contract, or as a result of a merger, acquisition, insolvency or similar of the original Supplier, which the new Supplier fulfils the original criteria for qualitative selection, provided this does not lead to other substantial variations or is aimed at circumventing the Regulations;
  - (d) they do not materially change the scope of the Contract;

- (e) the modification is necessary for extreme urgency or protection of life; or
- (f) they do not materially change the economic balance of the Contract in favour of the Supplier;
- (g) the Contract is a Light Touch Contract.

29.5 Contracts meeting and over UK Threshold may only be modified in accordance with Procurement Legislation, and advice from the Head of Legal and Democratic Services should be sought before determining this and the Corporate Procurement Manager shall co-ordinate any notices required to be published.

29.6 A decision to extend the Contract period (term) may only be made before the original expiry date, where it is in accordance with the Terms and Conditions of the original Contract and contemplated by the original Procurement.

### 30 Contract Modification Authorisation

30.1 The decision to vary a Contract should be on the basis of prior advice sought from the Head of Legal Services and / or the Corporate Procurement Manager. The authorisation for a proposed Contract modification shall be made, as appropriate, by Cabinet or the Officers listed below.

Decisions to authorise modifications shall be recorded in writing and actioned by the following:

<b>Head of Service</b>	Modification (or aggregate value of all variations modification made to the Contract) of up to <b>£30,000</b> or 10% of the Contract price (whichever is deemed lower)
<b>Director</b>	Modification (or aggregate value of all variations modification made to the Contract) up to <b>£250,000</b>
<b>Director (with consent of relevant Cabinet Member)</b>	Modification (or aggregate value of all variations modification made to the Contract) up to <b>£1,000,000</b>
<b>Cabinet</b>	Modification (or aggregate value of all variations modification made to the Contract) over <b>£1,000,000</b>

- 30.2 As soon as it becomes known or apparent (whichever is the earlier) that the total cost of a Contract, including modifications, will or is likely to exceed the Contract sum by more than 5%, the Director of Finance **must** be informed for financial monitoring purposes. In such circumstances, a report must be prepared, which must address the reasons for increased cost, an analysis of options considered to reduce cost to budget and the funding options considered to meet any budget shortfall, together with an indication of how any additional costs will be paid for.
- 30.3 Any modification to the original Contract **must** be in the best interests of the Council and for continued delivery of services.

### **31 Assignments and Novation**

- 31.1 Any proposals by a Senior Officer to agree to assign or novate their own or any Supplier's obligations under a Contract **must** be referred to the Head of Legal and Democratic Services at the earliest possible instance for advice.

### **32 Early Termination of Contract**

- 32.1 For any Contract that meets or exceeds **£30,000 for Goods and Services or £75,000 for Works** (inc VAT), early termination shall be approved by the appropriate decision maker, provided always that the advice of the Head of Legal and Democratic Services is first sought. Contracts of a lesser value may be terminated early (prior to the expiry date) by agreement with the Supplier or in accordance with the termination provisions set out in the Contract.

Advice should be sought from the Head of Legal and Democratic Services on termination provisions if so required.

- 32.2 For any Contract exceeding **£5,000,000** (inc VAT) early termination shall be approved by Cabinet unless the matter relates to full Council, in which case matters shall be reported accordingly.

### **33 Contract End**

- 33.1 Where a Contract has a duration of more than **12 (twelve)** months, then at an appropriate point but generally at least **6 (six)** months prior to the end of the Contract term, the Contract Manager should review the Supplier's performance and consider what, if any, replacement arrangements are required and should consult the Corporate Procurement Manager in adequate time.

33.2 Some Contracts may require active steps to be taken to end the Contract (e.g. serving of notices no later than a certain number of months prior to the end of the Contract) and/ or steps to be taken to decommission the Contract arrangements. The Senior Officer of the Service Area and/or Contract Manager concerned is responsible for ensuring that appropriate steps are taken to bring Contracts to an end and sufficient time allowed to put in place any replacement arrangements that may be required including any proposed Procurement process.

### **34 Advance Payments and Contract Payments**

#### **34.1 Advance Payments**

Advance payments should only be made in appropriate circumstances. The Contract Manager **must** keep detailed records of any such payment, which shall be open to inspection by the Director of Finance.

#### **34.2 Contract Payments**

The Senior Officer and/or Contract Manager of the relevant Service Area shall make arrangements to retain adequate details relating to all contract payments made to allow for a proper audit of all such payments.

34.3 All payments made **must** comply with the process as set out in Financial Procedure Rules and Accounting Instructions shall be paid within **30 (thirty)** calendar days of an undisputed invoice.

### **35 Bonds, Securities, Liquidated and other damages**

35.1 The Senior Officer and/or Contract Manager of the Service Area requiring the Procurement is responsible for ensuring that a risk assessment is undertaken, to determine if a performance bond or performance guarantee is required. The advice of the Council's Director of Finance should be sought.

35.2 Consideration should also be given to the appropriateness of including in the Contract a provision for liquidated damages to be paid by the Supplier in case the terms of the Contract are not duly performed.

### **36 Parent Company Guarantee or Financial Guarantee**

36.1 The Senior Officer of the Service Area and/or Contract Manager requiring the Procurement is responsible for seeking a Parent Company or Financial Guarantee;

(a) where a Supplier is a subsidiary of a parent company and the award is based on evaluation of the parent company;

- (b) the financial status of the Supplier (having regard to the proposed Contract) warrants the same; and/or
- (c) the Director of Finance recommends.

### **37 Records**

37.2 For all Procurement activity Service areas **must** keep appropriate records. As a minimum the records kept must detail:

- (a) which parties were selected to Tender;
- (b) to whom the Contract was awarded and the reasons for so doing (lowest price or offer which represents best value to the Council) so that best value and the integrity of the process can be demonstrated;
- (c) the value of the Contract;
- (d) the start and expiry date of the Contract; Contract duration and any extension period;
- (e) details of whether the Contract is a one-off (spot) or expected to be renewed (term) contract.
- (f) Any further details as required in order to upload relevant data to the Council's Corporate Contracts Register as per Rule 38 below and /or any Regulatory notices.

### **38 Corporate Contracts Register**

38.1 The Head of Legal and Democratic Services shall maintain a Corporate Contracts Register, which will record details of all Contracts that meet or exceed **£30,000** (inc VAT) for Goods and Services, and **£75,000** (inc VAT) for Works awarded by the Council.

Senior Officers **must** ensure that Officers within their Service Area complete the Corporate Contracts Register for any new Contracts awarded as soon as possible and no later than **10 (ten)** calendar days following the award of a Contract, and **must** ensure that Officers maintain and update the record during the lifetime of the Contract.

## Appendix 1: Definitions

Term	Definition
Community Benefits / Social Value	<p>The delivery of social, economic and environmental benefit, through effective application of Community Benefits clauses in public contracts.</p> <p>Mandatory on all contracts with a value greater than £1m and optional, but encouraged, on contracts below £1m</p>
Concession Contract	<p>A Contract between the Council and Supplier, where the consideration in the Contract consists of the Supplier's right to exploit the work or services, that are the subject of the contract, or that right to exploit together with a payment</p>
Conflict of Interest	<p>A personal, professional or financial interest of an Officer or elected member or a Supplier which may be direct or indirect</p>
Conflicts of Interest Declaration	<p>A declaration completed by Officers specific to a Procurement in a form approved by the Corporate Procurement Manager</p>
Contract	<p>Any form of agreement (including, without limitation); Framework Agreements; purchase orders produced for the supply of Goods, provision of Services or carrying out of Works and or concession and utility contracts.</p>
Contract Manager	<p>Officer with conduct of the Contract for the Procurement</p>
Contract Award Form	<p>The document which is used to confirm the award of Contract and the governance arrangements associated with the same as copy of which will be available on the Council's intranet</p>

Contract Procedure Rules/ Rules	These contract standing orders and Procurement rules as may be amended from time to time
Corporate Contract Register	The register maintained (in such form as determine from time to time) by the Head of Legal and Democratic Services, which lists all Contracts (except arrangements in respect of land) concluded by the Council with a value of <b>£30,000</b> (inc VAT) or greater
Corporate Procurement Manager	The officer delegated as the Council's Corporate Procurement Manager or any officers under their supervision or management to whom they delegate authority to carry out any of the obligations, duties or activities required to be performed by them under these Rules or to act in their absence
Corporate Procurement Notification Form	The form used to provide notification to the Corporate Procurement Manager of forthcoming Procurements
Council	Neath Port Talbot County Borough Council
Council Constitution	The Constitution of the Council
Council Policies	Policies of the Council which may be adopted and updated from time to time
Data Protection Legislation	<p>(a) the UK GDPR;</p> <p>(b) the Data Protection Act 2018 (and regulations made thereunder) to the extent that it relates to processing of personal data and privacy;</p> <p>(c) all applicable law about the processing of personal data and privacy; and</p> <p>(d) (to the extent that it applies) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such</p>

	data (General Data Protection Regulation) as it has effect in EU law.
Debarment List	A list published by UK or Welsh Government of excluded (where a mandatory exclusion ground applies) or excludable (where a discretionary exclusion ground applies) Suppliers
Director of Finance	The officer delegated under the Constitution as being the Director of Finance or any officers under their supervision or management to whom they delegate authority to carry out any of the obligations, duties or activities required to be performed by him/her under these Rules or to act in their absence
Dynamic Market	Arrangements for the purpose of the Council awarding Contracts by reference to Suppliers' participation in the arrangements
Electronic Procurement	The Procurement of all Goods, Services and Works conducted using the Council's approved eTendering system
Employee Code of Conduct	The Council's Employee Code of Conduct available on the Council's Intranet
Excludable Supplier	Where a discretionary exclusion ground applies to the Supplier or an associated or connected person, and the circumstances giving rise to the application of the exclusion ground are continuing or likely to occur again, or the Supplier or an associated person is on the Debarment List by virtue of a discretionary exclusion ground
Excluded Supplier	Where a mandatory exclusion ground applies to the Supplier or an associated or connected person, and the circumstances giving rise to the application of the exclusion ground are continuing or likely to occur again, or the Supplier or an associated person is on the

	Debarment List by virtue of a mandatory exclusion ground
Exclusion Grounds	Those set out in the Procurement Act 2023 and include mandatory grounds (serious, high-risk scenarios and include specific offences, misconduct and infringement) and discretionary grounds (situations that may pose unacceptable risks such as insolvency, professional misconduct, misconduct in relation to labour and the environment, breach of contract and poor performance) occurring within specified time periods
Framework Agreement	A framework agreement for one or more Suppliers and an open framework with the minimum of two Suppliers
Goods	All products, goods, supplies, substances and materials that the Council purchases, hires or otherwise obtains
Government Guidance	Applicable Welsh Government and Cabinet Office guidance, which shall include WPPNs and PPNs
Grant	A sum of money paid or to be paid by the Council to a third party, and in respect of which the Council does not require the recipient to provide the Council with any Services, or Goods or carry out any Works for the Council's direct benefit. The Grant(s) may be conditional (e.g. obligation to spend the Grant(s) in a particular manner, to account for that spend and repay the Grant(s) if the Grant(s) conditions are breached)
Head of Legal and Democratic Services	The officer delegated under the Constitution as being the Head of Legal and Democratic Services or any officers under their supervision or management to whom they delegate authority to carry out any of the obligations, duties or

	activities required to be performed by him/her under these Rules or to act in their absence
ITT	Invitation to Tender
Key Performance Indicators (KPIs)	Contractual targets against which a Supplier's contract delivery can be objectively measured
Light Touch	Services as defined in Schedule 1 of the Procurement Regulations 2024 and include health, social and related services, administrative social, educational, healthcare and cultural services and compulsory social security services
Most Advantageous Tender (MAT)	The Tender that both satisfies the Council's requirements and is the winning Tender when assessed against the award criteria and the assessment methodology
Officer or Officers	Means an employee of the Council
Procurement	The process by which the Council manages the acquisition of all its Goods, Services and Works, in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the Council, but also to society and the economy, whilst minimising damage to the environment. It includes the identification of need, options appraisal, consideration of options, the actual quotation or tender process. Supplier selection, award and the subsequent contract management and review of the contracts through to the end of a contract or the end of the useful life of the asset, or disposal of the asset
Procurement Act 2023	The Procurement Act 2023 as may be amended from time to time

Procurement Forward Workplan	The Council's forward work programme in respect of its Procurements
Procurement Guidance	The guidance issued by the Head of Legal and Democratic Services or Corporate Procurement Manager or such other person authorised by them
Procurement Legislation	All relevant UK Government and Welsh Government legislation applicable to the Council's Procurements including the Procurement Act 2023 and the regulations made thereunder (including but not limited to the Procurement Regulations 2024 and the Procurement (Wales) Regulations 2024), and the Social Partnership and Public Procurement (Wales) Act 2023 and the regulations made thereunder
Procurement Pipeline	The collection of individual Procurements of an estimated value of more than <b>£30,000</b> (inc VAT) for Goods and Services or <b>£75,000</b> (inc VAT) for Works that make up the Council's procurement pipeline over the next 18 months commencing on the first day of the financial year, the first being the <b>1<sup>st</sup> April 2025</b>
Procurement Strategy Document	The Procurement Strategy Document issued to all officers by the Corporate Procurement Manager
Procurement Regulations 2024	The companion legislation and schedules that add further detail to the Procurement Act 2023 as may be amended from time to time
Procurement Strategy	The Council's Procurement Strategy approved on the <b>11<sup>th</sup> September 2024</b>
Purchase Order	An electronic order raised and authorised via the P2P, or such other electronic system in force for the time being

Purchase to Pay / P2P	The Council's electronic system of processing payments
Quotation	a potential Supplier's informal quotation in response to the Council's requirements for Goods, Services or Works
Tender	a potential Supplier's formal tender documentation and submission in response to the Council's requirements for Goods, Services or Works
Tender Record Form	The template that will be issued to Service Areas by the Corporate Procurement Manager
Reserved Procurement Arrangement	A Procurement under a UK central government arrangement, for example the Crown Commercial Services
Rules	Means these Contract Procedure Rules
Senior Officer	The Chief Executive, Directors or Heads of Services or any officers under their supervision or management to whom he/she delegates authority to carry out any of the obligations, duties or activities required to be performed by him/her under these Rules or to act in their absence
Service Area	The respective service area of the Council
Services	Includes all services, which the Council purchases or otherwise obtains including advice, specialist consultancy work, agency staff and all those activities constituting Services in the Procurement Legislation
Small and medium enterprise / SME	Suppliers that have fewer than 250 staff, and have a turnover of an amount less than or equal to £44 million, or a balance sheet total of an amount less than or equal to £38 million
Socially Responsible Procurement Duties	The duties as set out in the Social Partnership and Public Procurement (Wales) Act 2023

Special Regime Contracts	A Concession Contract, a Light Touch Contract, a utilities Contract, or defence and security Contract
Supplier	Means any supplier, contractor or provider withwhom the Council enters into a Contract for the carrying out of Works, provision of Services or the supply of Goods
Tender	A Suppliers submission for a Contract including all documentation required by any ITT
Terms and Conditions	Terms and conditions issued or approved by the Head of Legal and Democratic Services. The Procurement Act 2023 will imply certain terms into most Contracts and the Socially Responsible Procurement Duties prescribe certain model clauses
Threshold(s)	The thresholds prescribed in the Procurement Act 2023 for Goods, Services, Works, Special Regime and Concession Contracts as may be amended from time to time (see <b>Appendix 2</b> )
Transitional Arrangements	The Procurement Act 2023 comes into effect on <b>24<sup>th</sup> February 2025</b> . Procurements commenced prior to this date and existing Contracts will continue to be subject to the requirements of the previous regime i.e. the Public Contracts Regulations 2015, Concession Contracts Regulations 2016 or the Utilities Contracts Regulations 2016 as relevant. Certain existing Council arrangements will have to finish by February 2029
Treaty State Suppliers	A Supplier from a country that has an international agreement with the UK that covers the contracting authority carrying out the Procurement, the Goods, Services or Works being procured and the provisions of Procurement Legislation are within scope of that agreement

Value for Money	The optimum combination of whole-of-life costs in terms of not only generating efficiency savings and good quality outcomes for the organisation, but also benefit to society, the economy, and the environment, both now and in the future
Variation(s)	Any alteration to a Contract including, additions, omissions, substitutions, alterations or changes of any other nature
VAT	Value Added Tax
VCSE/s	Organisations with a social or environmental purpose, including, voluntary organisations, charities, public service mutual, social enterprises, and other non-profits
Wales Procurement Policy Statement (WPPS)	The Wales Procurement Policy Statement as issued by the Welsh Ministers from time to time
Works	Includes all works of new construction and repairs in respect of physical assets (buildings, roads, etc.) including all those activities constituting works for the purposes of the Procurement Legislation

## Appendix 2: Threshold Table

The thresholds currently prescribed in the Procurement Act 2023 for Goods, Services, Works, Special Regime Contracts

	Type of contract	Threshold amount
1	Defence and security contract that is a works contract	£5,336,937
2	Defence and security contract that is a concession contract	£5,336,937
3	Defence and security contract not within row 1, 2 or 8	£426,955
4	Utilities contract that is a works contract	£5,336,937
5	Utilities contract that is a light touch contract	£884,720
6	Utilities contract not within row 3, 4 or 5	£426,955
7	Light touch contract that is a concession contract	£5,336,937
8	Light touch contract not within row 5 or 7	£663,540
9	Concession contract not within row 2, 6 or 7	£5,336,937
10	Works contract not within row 1, 4 or 9	£5,336,937
11	Contract for the supply of goods, services or works authority not within any other row	£213,477

### **Appendix 3: Notices**

**To be included once made available from UK Government and Welsh Government**

## Contract Procedure Rules: Summary

The Contract Procedure Rules provides a comprehensive framework governing procurement activities for the Council, ensuring compliance with relevant laws and policies, while promoting transparency, value for money, and ethical practices.

### 1. Key Principles and Compliance

- **Core Objectives:** Procurement activities must align with Council policies, including strategic goals, social value, and the Well-being of Future Generations (Wales) Act 2015. Emphasis is placed on fairness, transparency, and maximizing public benefit.
- **Legislative Framework:** All procurement activities must adhere to UK and Welsh procurement laws, such as the Procurement Act 2023, the Social Partnership and Public Procurement (Wales) Act 2023, and relevant guidance.
- **Mandatory Compliance:** Failure to comply with these rules or associated guidance may result in disciplinary actions.

### 2. Planning and Authorisation

- **Planning Requirements:** Before initiating procurement, officers must:
  - Conduct risk assessments, define objectives, and ensure appropriate authorisation.
  - Consult the Corporate Procurement Manager for guidance, especially for contracts exceeding £30,000 for goods/services or £75,000 for works.
  - Document plans using the Procurement Planning Document and consider market engagement.
- **Authorisation Levels:** Procurement value determines the decision-maker, from Heads of Service (low-value contracts) to Cabinet (high-value contracts).

### 3. Social Value and Community Benefits

- **Incorporation in Contracts:** Contracts exceeding £1 million must include provisions for delivering social, economic, and environmental benefits. Optional inclusion applies to lower-value contracts.
- **Monitoring:** Contract managers must oversee and report on community benefits.

### 4. Procurement Processes

- **Thresholds and Procedures:**
- **Goods/Services under £10,000:** One quotation is required.
- **£10,000–£30,000:** At least three quotations are needed.
- **Above £30,000:** Tenders must be advertised on Sell2Wales and conducted via the Council's eTendering system or used an approved method of procurement.
- **Works:** Similar thresholds apply, with higher values requiring more rigorous tendering.
- **Electronic Tendering:** Mandatory from April 2025 for contracts over £10,000.
- **Direct Awards:** Permitted under specific conditions (e.g., urgent need or exclusivity).

### 5. Contract Management and Monitoring

- **Contract Manager:** A designated individual oversees performance, compliance, and delivery of social value. For contracts exceeding £100,000, annual reports are required.
- **Performance Monitoring:** Key Performance Indicators (KPIs) must be included in contracts over £5 million, with performance results published annually.

### 6. Variations and Termination

- **Contract Variations:** Changes must align with initial terms and be proportionate. Cabinet approval is required for variations exceeding £1 million.

- **Termination:** Contracts over £30,000 require legal advice before early termination. Cabinet approval is needed for contracts exceeding £5 million.

## 7. Ethical and Legal Standards

- **Conflict of Interest:** Officers must declare conflicts and complete specific declarations for procurements.
- **Welsh Language:** Procurement documentation must comply with Welsh language standards, ensuring equal treatment of submissions in Welsh.

## 8. Key Records and Reporting

- **Records:** Details of all procurements must be maintained, including contract values, supplier selection, and performance.
- **Corporate Contracts Register:** The Head of Legal and Democratic Services maintains this register, ensuring all contracts exceeding £30,000 for goods/services and £75,000 for works are recorded.

## Key Recommendations for Future Procurement

- Strengthen planning and consultation processes to mitigate risks and ensure alignment with strategic goals.
- Prioritise transparency and accountability by utilising eTendering and maintaining comprehensive records.
- Enhance workforce training on procurement regulations to ensure compliance and value for money.

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## Impact Assessment - First Stage

### 1. Details of the initiative

<b>Initiative description and summary:</b> Updating of the Council's Contract Procedure Rules (CPRs)
<b>Service Area:</b> Legal and Democratic Services
<b>Directorate:</b> Strategy and Corporate Services

### 2. Does the initiative affect:

	Yes	No
Service users		x
Staff	X	
Wider community	X	
Internal administrative process only	X	

### 3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		X				As a result of legislative changes to procurement rules and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements, but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Procurement Strategy There will be no effect on this protected characteristic.

Disability		X				As a result of legislative changes to procurement rules and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements, but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Procurement Strategy There will be no effect on this protected characteristic.
Gender Reassignment		X				As a result of legislative changes to procurement rules and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements, but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Procurement Strategy There will be no effect on this protected characteristic.
Marriage/Civil Partnership		X				As a result of legislative changes to procurement rules and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements, but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Procurement

						Strategy There will be no effect on this protected characteristic.
Pregnancy/Maternity		X				As a result of legislative changes to procurement rules and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements, but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Procurement Strategy There will be no effect on this protected characteristic.
Race		X				As a result of legislative changes to procurement rules and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements, but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Procurement Strategy There will be no effect on this protected characteristic.
Religion/Belief		X				As a result of legislative changes to procurement rules and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements, but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules

						will also aim to address strategic decisions taken by this Council such as the implementation of the Procurement Strategy There will be no effect on this protected characteristic.
Sex		X				As a result of legislative changes to procurement rules and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements, but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Procurement Strategy There will be no effect on this protected characteristic.
Sexual orientation		X				As a result of legislative changes to procurement rules and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements, but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Procurement Strategy There will be no effect on this protected characteristic.

#### 4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
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People's opportunities to use the Welsh language			x			The updated Contract Procedure Rules incorporate the requirements of the relevant Welsh Language Standards and the statutory obligations contained therein. See report for further details.
Treating the Welsh language no less favourably than English			x			The updated Contract Procedure Rules incorporate the requirements of the relevant Welsh Language Standards and the statutory obligations contained therein. See report for further details

**5. Does the initiative impact on biodiversity:**

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity			x			As a result of legislative changes to procurement rules and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements, but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Procurement Strategy. Couple with the Procurement Strategy, the proposed Contract Procedure Rules will that officers must consider the maintenance and enhancement of biodiversity in all tender processes in procurement activity.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment,			x			As a result of legislative changes to procurement rules and new policy directives from the Welsh Government, an update to our Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements, but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure

such as air quality, flood alleviation, etc.						Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Procurement Strategy. Couple with the Procurement Strategy, the proposed Contract Procedure Rules will that officers must consider the promotion and resilience of ecosystems in procurement activity.
--	--	--	--	--	--	---

**6. Does the initiative embrace the sustainable development principle (5 ways of working):**

	Yes	No	Details
<b>Long term</b> - how the initiative supports the long term well-being of people	X		The 5 ways of working are reflected in the proposed Contract Procedure Rules, particularly the consideration of the 5 ways of working under the Well-being of Future Generations Act at the procurement planning stage (as set out in the tender strategy document) and the consideration of community and wider environmental/sustainability benefits is emphasised within the proposed Contract Procedure Rules.
<b>Integration</b> - how the initiative impacts upon our wellbeing objectives	X		The updated CPRs assist in implementing the Council's well-being objective, in particular consideration of reserved contracts and sustainability at the procurement planning stage (set out in the tender strategy document), emphasis on pre-engagement with local suppliers under the market testing provisions of the proposed Contract Procedure Rules so as to make local suppliers aware of upcoming opportunities, and the ability to divide contracts up into smaller lots when tendering is highlighted in the preliminary steps provisions of the proposed Contract Procedure Rules so as to encourage the involvement of smaller and local suppliers .
<b>Involvement</b> - how people have been involved in developing the initiative	X		The proposed Contract Procedure Rules are internally focused and have been agreed between officers of the Council to ensure the legal, financial and operational requirements of the Council have been considered and developed. The 5 ways of working have been embedded within the

			procurement procedures, for example there is a requirement for consideration of the 5 ways of working at the procurement planning stage.
<b>Collaboration</b> - how we have worked with other services/organisations to find shared sustainable solutions	X		The proposed Contract Procedure Rules are internally focused and have been agreed between officers of the Council to ensure the legal, financial and operational requirements of the Council have been considered and developed. The 5 ways of working have been embedded within the procurement procedures, for example there is a requirement for consideration of the 5 ways of working at the procurement planning stage.
<b>Prevention</b> - how the initiative will prevent problems occurring or getting worse	X		The 5 ways of working have been embedded within the procurement procedures set out in the proposed Contract Procedure Rules, for example there is a requirement for consideration of the 5 ways of working at the procurement planning stage.

**7. Declaration - based on above assessment (tick as appropriate):**

A full impact assessment (second stage) <b>is not</b> required	X
Reasons for this conclusion	
There are no impacts requiring a full Integrated Impact Assessment to be completed. As a result of legislative changes to procurement rules and new policy directives from the Welsh Government, an update to these Contract Procure Rules is now necessary. It should be noted that the Council is already in compliance with these legislative requirements, but the Contract Procedure Rules required updating to ensure that such processes are documented accordingly. The proposed Contract Procedure Rules will also aim to address strategic decisions taken by this Council such as the implementation of the Procurement Strategy.	

	Name	Position	Signature	Date
Approved by	Craig Griffiths	Head of Legal and Democratic Services	C Griffiths	4 <sup>th</sup> December 2024

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

**Cabinet**  
**15 January 2025**

### **Report of the Head of Leisure, Tourism, Heritage & Culture**

#### **Matter for Decision**

#### **Wards Affected:**

All

#### **Report Title**

**Country Parks – Car Parking proposals.**

#### **Purpose of the Report:**

To provide an overview to members of the proposals for aligning car parking across the Country Parks and seek permission to formally advertise the required statutory parking order.

#### **Executive Summary:**

Following a staff reorganisation there is now an opportunity to provide a more consistent approach to parking measures at Country Parks in Neath Port Talbot while maximising the revenue opportunities and in turn reducing the pressure on the medium-term financial plan.

The country parks in scope for this review are:

- Gnoll Country Park
- Margam Country Park
- Afan Argoed Country Park

Access to all country parks will remain free for all including local communities and visitors from further afield. Charges will be solely relating to vehicle parking and any additional activities and special events.

**Background:**

The Country Parks are going through a significant amount of change with new tenants at Afan Argoed, a large capital project at Gnoll Country Park and changes at Margam Park to help reduce the operating costs.

Currently both Afan Argoed and Gnoll Country Parks are operated on a pay and display basis. This relies on active enforcement to provide a deterrent to not paying which is provided by Parking services. However, due to staff and other pressures within that service they are unable to consistently provide the deterrent needed and substantial revenue is currently being lost.

Margam Country Park operates on a pay on entry basis, again with little active enforcement if people choose not to pay.

Like all Council departments the Leisure Tourism Heritage & Culture service has considerable budget challenges as part of the savings required to meet the medium-term financial plan targets. A prudent assessment shows that approximately 20% of parking revenue is being lost at each venue and tightening up on this will help to meet the budget pressures going forward.

Cabinet, in August 2023 recommended that a review be undertaken into the opportunities to align the parking options in the country parks.

By aligning the approach, we are able to develop a combined All Parks Pass, encouraging repeat visits and providing excellent value for money for local residents and regular visitors. Payment via direct debit mechanism (for the 'All Parks Pass' only) will help purchasers spread the cost and encourage loyalty. Holders of the season pass will also be given the benefit of various other offers; 10% off catering for example.

The current system of pay on entry at Margam Country Park limits the hours when car parking payments can be taken and by introducing a new system, the park will be accessible by car through the spring and summer evenings. This may provide other commercial options in future however footfall is expected to be light and the park, initially at least, will be unstaffed in the evenings.

The hard standing Orangery car park which is largely unused when there are no functions will be brought into general use. The car parking cost for functions will be incorporated in the hire charge and a local system implemented to ensure fixed penalty notices are not issued to Orangery users.

As part of developing this proposal officers looked at other management options and in particular a barrier entry system. Whilst efficient in controlling paid access/egress of car parks, installing barrier systems at each of the three sites incurs significant installation fees and are prone to breaking and general maintenance issues. If the barrier is not in use due to a breakdown, all car park fees are lost until repair is completed or a costly manual process is implemented.

A detailed marketing campaign will be developed to promote the benefits of the All Parks Pass in particular.

**Pay & Display system:**

Already in place in across at 2 of 3 parks (Gnoll and Afan Forest) the current pay & display systems are generally proven effective at these venues, although a significant percentage of sales are lost by customers not paying and a lack of enforcement.

The pay and display option would link with the current MiPermit/ IPS system meaning no new software is required and online and cashless payment options can be maximised. The system will also able us to better track the number of the trends digitally for monitoring and marketing purposes

Given the current ratio of cash/card payments at pay and display machines (approx. 80/20), going almost cashless on these machines is realistic and reduces cost and risk of cash collections going forward however it is important to maintain on site payment options for users that are unable or unwilling to use online options.

All pay and display options require a relatively small amount of investment in some pay and display machines for Margam Park, but this is minimised by actively encouraging the cashless, online options.

In the longer term it is possible the enforcement role can be included within the existing ranger/ site officer roles at the parks. However, this would require job evaluation and some restructuring, so the preferred option is to directly recruit a parking enforcement officer to ensure the processes are fully embedded and there is a visible presence to assist visitors while the new systems are established.

**Schedule of Charges:**

The proposed schedule of charges is attached (Appendix 2). In summary this shows a general uplift of prices of approximately 10%. However, the introduction

of an All Parks Pass will provide excellent for money for repeat visitors and works out at a cost of £7.50 per month.

Afan Forest Park has 3 spaces for electric hook ups designed to host overnight campervans that are currently included in the Off Street Parking Order. It is proposed these are removed to allow the site operator more flexibility.

**Financial Impact:**

A summary of the financial impact is shown in Appendix 1. Overall, the changes are projected to be revenue positive in the region of £142k

A relatively small capital investment will be required to purchase some new pay & display machines. Financial provision for improved parking at Gnoll Country Park has already been put aside with £50k allocated and this will be used to fund the initial changes.

Using pay and display for all sites will incur a charge of between 8-10% of the income generated. This has been factored into the projections.

**Workforce Impacts:**

One additional Parking Enforcement Officer post, directly employed by the Country Parks will be required for an initial 12-month period. This will be at a Grade 4.

**Legal Impacts:**

Any changes to the parking fees and charges need a legal order to be advertised that allows for any objections and observations to be reported back to Cabinet Board before a final decision is implemented.

**Integrated Impact Assessment:**

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. A second stage assessment is not required as the policies that underpin the car parking provision remain unchanged.

**Valleys Communities Impact:**

No implications

**Risk Management Impacts:**

There will always be a risk with changing tariffs, but this is largely mitigated by the introduction of the All Parks Pass and the introduction of the direct debit payment option.

The biggest risk will be around ensuring appropriate enforcement resource is allocated to provide the deterrent to those wishing to avoid paying.

**Consultation:**

The off-street parking order will be advertised and consulted on in line with the statutory processes.

**Scrutiny Observations:**

This report was presented to the Education Leisure and Lifelong Learning scrutiny committee on 5 December 2024.

Members asked questions around the provision of pay and display machines and received assurances these would still be used. Members also queried the potential use of Automatic Number Plate Recognition (ANPR) but this has been discounted due to the costs to set up and the operational limitations. The majority of questions were seeking to understand if a sliding scale of charges could be introduced at Margam Park and Gnoll Country Park. Officers explained that they had looked at this carefully, but the season ticket option gives very good value of money for local people wanting to use the sites for relatively short amounts of time. The committee accepted the report and supported the recommendation.

**Recommendations:**

It is recommended that members agree to the proposed changes in the management of the country parks car parking and give permission for the off street parking order with the schedule of charges (Appendix 2) to be advertised and consulted on.

**Reasons for the Proposed Decision:**

The proposed fees and charges bring together the country parks to form a more coherent offer and in turn provide better value for money for the park users. They also address help to address the issues surrounding a lack of enforcement and help to meet the targets in the Medium Term Financial Plan.

**Implementation of Decision:**

This decision is subject to a three-day call in.

**Appendices:**

Appendix 1 – Revenue assessment

Appendix 2 – schedule of charges  
Appendix 3 - IIA

**List of Background Papers:**

None

**Officer Contact:**

Chris Saunders, Head of Leisure, Tourism, Heritage & Culture  
[c.saunders@npt.gov.uk](mailto:c.saunders@npt.gov.uk)

Darren Evans, Co-ordinator – Recreation & Commercial  
[d.evans7@npt.gov.uk](mailto:d.evans7@npt.gov.uk)

### Season Tickets

Site	Season Tickets current	Season ticket net income	Season Tickets target	Season ticket price	price net of Vat	Total net income
Margam Park	622	£32,389	320	£65	£54.17	£17,334
Gnoll Country Park	246	£13,766	120	£65	£54.17	£6,500
Afan Argoed	2	£104	5	£55	£45.83	£229
All Parks Pass			550	£90	£75.00	£41,250
<b>Total</b>	<b>870</b>	<b>£46,259</b>	<b>995</b>			<b>£65,314</b>
<b>Total Increase</b>						<b>£19,055</b>

### Casual parking

Site	Current net income	Current MiPermit/ card costs	Price increase gain @ ave 10%	remediate current losses @20%	Revised total income	Admin costs (8% Mi permit)	Enforcement staff cost	Staff costs to manage DD	
Margam Park	£280,495	£30,000	£28,050	£61,709	£400,253	£32,020			
Gnoll Country Park	£99,089	£9,266	£9,909	£21,800	£140,063	£11,205			
Afan Argoed	£21,288	£1,754	£2,129	£4,683	£29,854	£2,388			
FPN					£16,500				
<b>Total</b>	<b>£400,872</b>	<b>£41,020</b>	<b>£40,087</b>	<b>£88,192</b>	<b>£570,171</b>	<b>£45,613</b>	<b>£36,000</b>	<b>£5,000</b>	
Current Total Net Income		<b>£359,852</b>							
Projected Total net Income									<b>£483,558</b>
<b>Total net loss/ gain</b>									<b>£123,706</b>

**Grand total** **£142,761**

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### Season Pass

Site	Current fee	Proposed fee	% change	Indicative Monthly cost	Direct debit option
Gnoll Country Park	£60	£65	8.3%	£5.42	
Margam Country Park residents	£52	n/a	n/a	n/a	n/a
Margam Park non residents	£57	n/a	n/a	n/a	n/a
Margam Park	n/a	£65	n/a	£5.42	
Afan Argoed	£52	£55	5.8%	£4.58	
All Parks Pass	n/a	£90	n/a	£7.50	

### Daily Tariff

Site	Current fee	Proposed fee	% change
<b>Gnoll Country Park</b>			
Up to 4 hours	3.00	3.50	16.7%
All day	4.10	4.50	9.8%
<b>Margam Country Park</b>			
Car All Day	7.70	8.50	10.4%
Motorbike All Day	3.90	4.30	10.3%
Coach -All Day	36.00	40.00	11.1%
MiniBus - All Day	18.00	19.50	8.3%
Last 2 hours	5.40	n/a	
*Late arrival	n/a	5.50	
<b>Afan Argoed</b>			
Up to 1 hour	1.00	1.10	10.0%
Up to 4 hours	2.50	2.75	10.0%
All Day	3.50	3.75	7.1%

### Notes

Margam Park and Gnoll Country Park - no overnight stays.

\*Late arrival - Winter dates - 1st September - Good Friday after 2.30pm

\*Late Arrival - Summer dates Good Friday - 31st August after 4pm

Remove 3 x Overnight campervan spaces at Afan Argoed

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## Impact Assessment - First Stage

### 1. Details of the initiative

<b>Initiative description and summary: Country Parks Parking proposals</b>
<b>Service Area: Leisure , Tourism Heritage &amp; Culture</b>
<b>Directorate: ELLL</b>
<b>Strategic Decision: No</b>

### 2. Does the initiative affect:

	Yes	No
Service users	✓	
Staff	✓	
Wider community		✓
Internal administrative process only		✓

### 3. Evidence used in the Assessment

Current car parking policies  
Current income and user data where available for the sites  
Information from other similar sites and from site visits

#### 4. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L/D	Reasons for your decision and details of the impact
Age		✓				The impacts will only affect car park users and permit holders
Disability		✓				Existing policy remains.
Gender Reassignment		✓				The impacts will only affect car park users and permit holders
Marriage/Civil Partnership		✓				The impacts will only affect car park users and permit holders
Pregnancy/Maternity		✓				The impacts will only affect car park users and permit holders
Race		✓				The impacts will only affect car park users and permit holders
Religion/Belief		✓				The impacts will only affect car park users and permit holders
Sex		✓				The impacts will only affect car park users and permit holders
Sexual orientation		✓				The impacts will only affect car park users and permit holders

#### 5. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		✓				All our pay and display machines to conform with the Welsh Language Standards (No.1) Regulations 2015

Treating the Welsh language no less favourably than English		✓				All our pay and display machines to conform with the Welsh Language Standards (No.1) Regulations 2015

**6. Does the initiative impact on biodiversity:**

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		✓				Any changes from the review will not increase the amount of vehicles using our car parks; any current biodiversity levels will not be affected.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		✓				Any changes from the review will not increase the amount of vehicles using our car parks; any existing ecosystems will not be affected.

**7. Does the initiative embrace the sustainable development principle (5 ways of working):**

	Yes	No	Details
<b>Long term</b> - how the initiative supports the long term well-being of people	✓		Changes in fees and charges seek to address the sustainability of the parks by reducing the budget subsidy, ensuring our car parks remain

			operational allowing our environment to be enjoyed by future generations.
<b>Integration</b> - how the initiative impacts upon our wellbeing objectives	✓		Changes in fees and charges seek to address the sustainability of the parks by reducing the budget subsidy, ensuring our car parks remain operational allowing our environment to be enjoyed by future generations.
<b>Involvement</b> - how people have been involved in developing the initiative	✓		The proposed charges will be subject consultation through the off-street parking order.
<b>Collaboration</b> - how we have worked with other services/organisations to find shared sustainable solutions	✓		We will be working closely with the councils parking team and legal services. We will also be working closely with event organisers and key stakeholders.
<b>Prevention</b> - how the initiative will prevent problems occurring or getting worse	✓		Changes in fees and charges seek to address the outstanding maintenance issues of the parks and to sustain the service by reducing budget pressures and ensuring they remain operational.

**8. Declaration - based on above assessment (tick as appropriate):**

A full impact assessment (second stage) <b>is not</b> required	✓
Reasons for this conclusion	
There is no need for a full integrated impact assessment as the initiatives will only affect park users and there are no changes of policy involved. There is no obligation on members of public to utilise our parks or purchase a permit.	

A full impact assessment (second stage) <b>is</b> required	
Reasons for this conclusion	

	Name	Position	Signature	Date
Completed by	Darren Evans	Co-ordinator, Recreation & Commercial	DE	02/12/2024
Signed off by	Chris Saunders	Head of Leisure, Tourism, Heritage & Culture	CS	05/12/2024

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### Cabinet

15<sup>th</sup> January 2025

### Report of the Head of Early Years, Inclusion & Partnerships – Hayley Lervy

**Matter:** for Decision

**Wards Affected:** All

**Report Title:** Expansion of Flying Start Childcare – Phase 3

**Purpose of the Report:**

To seek Members' approval for the implementation of Phase 3 of the Welsh Government's expansion of Flying Start funded childcare for 2-3 year olds in Neath Port Talbot.

**Executive Summary:**

Following Welsh Government's announcement of a phased expansion to Flying Start, Members approved a Phase one plan in July 2022. Expansion of Flying Start Childcare Phase 2 was agreed by members in January 2023.

Phase 3 will focus on a continued phased roll out of the part time high quality childcare element of Flying Start to two-year-olds, from April 2025, working towards a universal offer for funded Flying Start childcare for all two-year-olds within the 6 years of the plan timeline.

The report seeks Members' approval for the year by year roll out of Phase 3, in identified areas of Neath Port Talbot working towards a full local authority coverage.

**Background:**

Following Welsh Government's announcement of a phased expansion to Flying Start, Members approved a Phase one plan in July 2022. Expansion of Flying Start Childcare Phase 2 was agreed by members in January 2023, covering 2 financial years 2023/24 – 2024/25. As of September 2024, Phase 2 expansion has seen 447 additional children benefit from Flying Start childcare, exceeding our Neath Port Talbot targets.

Phase 3 will focus on a continued phased roll out of the part time high quality childcare element of Flying Start to two-year-olds, from April 2025, working towards a universal offer for funded Flying Start childcare for all two-year olds within the 6 years of the plan timeline.

Phase 3 guidance, inline with previous Phase 2 guidance, advises that expansion areas should be identified using WIMD and DWP data provided by Welsh Government to indicate which LSOAs to include as part of the next phase, along with other local data and knowledge. This data has been considered, with additional relevant local information from early years referrals for support, HMRC Child Benefit data and multi-agency professional community caseload intelligence.

Expanding Welsh language early years childcare provision continues to be one of the overarching aims of the expansion.

Welsh Government suggests that Neath Port Talbot have a target of an additional 472 children to reach within the timescale of the plan. To ensure we reach all two-year-olds, and allow for variation in data, the plan uses 600 as a target.

Funding levels for expansion Phase 3 are yet to be announced.

There is an expectation that around 25% of the targeted number of children should be considered under the “outreach” element of the programme, allowing children outside of the eligibility areas to access the programme subject to need and outreach criteria.

<b>Year(s)</b>	<b>Timescale</b>	<b>Number of expansion children</b>	<b>Estimated number of outreach children</b>	<b>Total Number of two-year-olds to reach</b>
Year 1a	April 2025 – September 2025	75	25	100
Year 1b	October 2025 – March 2026	75	25	100
Year 2	April 2026 – March 2027	150	50	200
Year 3 - 6	April 2027 – March 2030	200	-	200 (ALL)

Welsh Government capital funding is also hoped to be made available in order to improve quality and capacity of existing childcare settings, or for the development of new settings to address gaps in provision. Plans for this will be presented to Members in a later report.

### **Proposed Phase 3 Plan**

Using the dataset provided by Welsh Government and localised intelligence, the following areas have been identified for expansion from Year 1 initially, with the plan detailing a plan to reach universal funded Flying Start childcare for all two-year-olds before 2030.

**Year 1: Phase 3 2025/26 (April 2025 – March 2026)**

**Target: 150 children, up to 50 outreach**

LSOA Name	Previous FS	NOTES	Est. 2-yr-olds	Expansion phase
Sandfields East 1	YES (Partial)	Take in remaining	20	3a
Ystalyfera 1		Phase 3 - Outreach priority	25	3a
Bryn and Cwmavon 4		Phase 3 - Outreach priority	25	3b
Seven Sisters		Phase 3 - Outreach priority	30	3b
Neath South 2	YES (partial)	take in remaining (HV)	30	3a
Trebanos			20	3a
Total additional children:			150	

**Year 2: Phase 3 2026/27 (April 2026 – March 2027)**

**Target: 150 children, up to 50 outreach**

Further details regarding Year 2 are currently under development, and will be dependent on Childcare Sufficiency Audit updates, capital investments and applications, and further childcare scoping within current sector for capacity. Community needs data from panel referrals, Flying Start outreach data and patterns identified by health partners will be reflected in plans for year 2 of phase 3 expansion.

**Year 3 – 6: Phase 3 (April 2027 – March 2031)**

**Target: Universal by March 2031 (200 children)**

Any remaining outreach will be taken in.

**Availability of Childcare**

Due to the larger expansion footprint reflected over phase 2a and 2b plans, a county wide approach was taken to engage new and additional providers with the Flying Start programme. This approach has enabled Phase 3 planning to now work with 49 Flying Start childcare providers across Neath Port Talbot.

## **Welsh Medium Provision**

In supporting access to Welsh medium provision, since Phase 2 , 2 additional Welsh or bilingual settings have opened:

- Canolfan Plant Tregelles – YGG Tregelles
- Cylch Trebanws – YGG Trebanws

During year 1, 3 further Welsh or bilingual settings are due to open:

- Canolfan Plant Gerddi Victoria – Neath Central
- Relocation and increase in registered numbers for Cylch Blaendulais (new capital build in progress)
- Cylch Cwmavon (new capital build in progress)

These new settings will be used to offer and encourage Welsh language childcare to Flying Start families.

Additionally, work is ongoing through the Early Years & Childcare Team to improve the offer of Welsh through English medium settings through an awards based Welsh language quality assurance scheme, the “Welsh Award for Childcare”, which includes support, access to training and drop-in Welsh language acquisition sessions.

## **Financial Impacts:**

Funding will be awarded by Welsh Government for Phase 3 and as such there are no financial implications for the Council.

## **Integrated Impact Assessment:**

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment has indicated that a more in-depth assessment is not required. A summary is included below:

Any impact that has been identified is positive through the offer of funded childcare for two-year-olds children in some of the county's most disadvantaged areas.

The expansion has been based on robust data provided from Welsh Government, with the expansion of Flying Start childcare built into a Welsh Government commitment for Flying Start childcare for two-year-olds to be universally available within the timescale of the plan, using a phased roll out approach. All areas of NPT should see the offer within this timescale.

The Flying Start expansion programme provides increased access, via outreach support where necessary, to additional areas of NPT. These areas have been selected based on robust data from WG as well as supporting data from the Childcare Sufficiency Assessment 2022.

Specific support will be available for children with additional learning needs (ALN) and/or a disability to access their funded childcare place.

Positive impacts are also anticipated with opportunities to use and promote the Welsh language with additional Welsh language or bilingual childcare being made available.

**Valleys Communities Impacts:**

We would anticipate positive impacts for valley communities through the expansion of early years provision, through the Phase 3 plan, working toward a universal offer of funded childcare for two-year-olds.

**Workforce Impacts:**

No impacts.

**Legal Impacts:**

No impacts.

**Risk Management Impacts:**

No impacts

**Consultation:**

There is no requirement for external consultation on this item.

**Scrutiny Observations:**

The item was considered at the Education, Skills and Wellbeing Scrutiny Committee on the 5<sup>th</sup> December 2024. Members were complimentary regarding the work being undertaken by the service to support the childcare sector in Neath Port Talbot. Members acknowledged that it would take time develop the infrastructure to implement the Phase 3 plan to expand Flying Start childcare for two-year-olds.

Members supported the report recommendation.

**Recommendations:**

It is recommended that Members give approval to:  
Progress with Phase 3 plan to expand Flying Start childcare for two-year-olds.

**Reasons for Proposed Decision:**

To ensure that the Council can commence its offer of funded childcare through the expansion of early years provision from April 2025.

**Implementation of Decision:**

The decision will be implemented after the 3 day call in period.

**Appendices:**

Appendix 1 – NPT Phase 3 Flying Start Childcare Plan  
Appendix 2 - First Stage Screening IIA – Expansion of Flying Start Childcare Phase 3

**List of Background Papers:**

ESW Report – January 2023 - Expansion of Flying Start Childcare Phase 2

Cabinet Report – 28<sup>th</sup> July 2022 – Flying Start Phase 1 Expansion Plan  
WG Expansion of Early Years Provision – Phase 2  
WG Expansion Data - WIMD and DWP

**Officer Contact:**

Hayley Lervy – Head of Early Years, Inclusion & Partnerships – [h.lervy@npt.gov.uk](mailto:h.lervy@npt.gov.uk)

Sarah Griffiths – Co-ordinator for Early Years & Partnerships – [s.griffiths4@npt.gov.uk](mailto:s.griffiths4@npt.gov.uk)

Lisa Clement-Jones – Flying Start & Early Years Manager – [l.clement-jones@npt.gov.uk](mailto:l.clement-jones@npt.gov.uk)

## Expansion of Early Years Provision: Phase 3 Planning Exercise

### Template for completion

Please refer to **Expansion of Early Years Provision: Guidance for Phase 3**

<b>Section 1 – Organisation Details</b>		
<b>1.1</b>	<b>Local Authority</b>	Neath Port Talbot
<b>1.2</b>	<b>Project Manager (Lead Contact Name for purposes of award letter)</b>	Lisa Clement-Jones
<b>1.3</b>	<b>Address</b>	First Floor Taibach Library, Commercial Road , Taibach, SA13 1PZ
<b>1.4</b>	<b>Email Address (Project Manager)</b>	l.clement-jones@npt.gov.uk
<b>1.5</b>	<b>Contact Telephone Number (Project Manager)</b>	01639 873021

## Section 2 – Details of Expansion Plans

2.1. As set out in the accompanying Phase 3 guidance, additional funding for Phase 3 is not yet available.

The Phase 3 element should be considered a planning exercise for when additional future funding becomes available.

Funding allocations are subject to Ministerial approval.

**Total Existing Funding for Phase 2 in 2024-25**

£1,290,963 (Inclusive of addition £50,000 Phase 2 funding)

**Total existing number of beneficiaries of Phase 2 in 2024-25**

282

**Number of remaining 2 year olds in your local authority area that will need to be reached as part of Phase 3 when additional funding becomes available (not including those reached in Phase 2)**

**472**

**Number of additional children that your LA could reach in Phase 3 in 2025-26.**

No of children – LA to complete  
200 (150 expansion areas, 50 outreach)

### **2.2 Addressing Deprivation:**

Phase 3 is intended to deliver Flying Start childcare to all two-year-olds within your LA. However, you should plan your expansion to address the most deprived areas in your LA first before expanding into other areas. Please refer to the guidance for more information.

**Please provide details of how you will reach your target number of additional children within your new Flying Start areas (refer to the *Methodology* advice in the guidance):**

**LA approval is scheduled for \*January 2025\*. This plan remains subject to approval from NPT members at their scrutiny meeting on this date.**

Using the dataset provided by Welsh Government, ranking Lower Super Output Areas (LSOA's) by the level deprivation of children aged 0-4, using Department of Work and Pensions (DWP) and Welsh Index of Multiple Deprivation (WIMD) data, combined with outreach referral date, and HMRC Child Benefit beneficiaries aged

0-3, NPT has clearly identified areas for Phase 3 expansion, focusing, as directed, on new LSOA's with high need.

Any significant need that is not captured within Flying Start eligibility as Phase 3 roll out progresses, will be addressed within the Flying Start outreach offer of funded childcare.

**Engaging Childcare Providers:**

Following on from the larger geographical expansion footprint covered during phase 2a and 2b plans here in Neath and Port Talbot, Phase 3 will follow the now established county wide approach to engage new and additional providers with the Flying Start Programme here in NPT.

With 45 childcare settings and 4 childminders now engaged as Flying Start providers, the Early Years and Flying Start Childcare Development Team will continue to support and develop existing and new childcare providers to reach the required Flying Start Childcare guidance standards.

Information sessions and training programmes will continue to be promoted to the sector to encourage engagement from non-Flying Start providers, enabling further understanding of the Flying Start childcare guidance, requirements, monitoring and quality assurance needed to engage and provide Flying Start childcare.

**Robust suite of training**

A mandatory suite of training sessions is available from the Early Years and Flying Start Childcare Development Team in line with Flying Start Childcare requirements, quality expectations, guidance and monitoring, that will continue to quality development within the childcare sector here in NPT. This will continue to form part of a robust service level agreement between the local authority and childcare providers

**Service Level Agreements for new Flying Start expansion providers:**

Our existing Flying Start flagship childcare service level agreements (SLA) are now in line with the current Flying Start childcare quality guidance, with an emphasis on achieving a "flagship" standard award within a 2 year time scale. These SLA's clearly set out the expectations for any childcare settings offering Flying Start funded childcare places. Associated training programmes, training requirements, support visit schedules, and quality monitoring form part of the support for the childcare sector.

**Additional LA Childcare Support Staffing:**

Further additional capacity is needed for central support staff to enable quality monitoring, childcare placement, data collection and contact with childcare providers

Recruitment of additional childcare support staff, transition staff, and administrator hours will be considered within the ongoing wider LA restructure.

A contribution to Early Years ALN support team and panel processes will need to continue to ensure a cohesive consistent approach to systems and pathways for children within the early years in NPT.

## Contacting Families:

Building on our successful approach to Phase 2 Flying Start childcare expansion, there are a few options available to explore to contact eligible families for Phase 3:

- Updating our online postcode eligibility checkers, promoting the expansion on social media and our website to include FIS team
- Providing the Health Board with the updated Flying Start eligible postcodes, so that generic Health Visiting can inform parents of their eligibility and provide paperwork to send back to us to register
- Provide our local councillors and childcare settings with updated postcode lists to inform parents of their eligibility
- Share our updated online postcode eligibility checker to our partners such as additional learning needs support, schools, social services, early intervention and prevention services, Job Centre etc.
- Request that our Flying Start Health administration team mail shot families eligible for phase 3 with a copy of our Flying Start childcare information letter and registration form, so we can request that we have connection with families directly as an LA.
- Targeted door to door Leaflet drops to the additional newly eligible streets

**Please provide a prioritised list of areas you intend to bring into the Flying Start programme, in descending order of deprivation, including a breakdown of estimated numbers of additional children in scope of Flying Start childcare in each.**

### Year 1: Phase 3 2025/26 (April 2025 – March 2026)

**Target: 150 children, up to 50 outreach**

LSOA Name	Previous FS	NOTES	Est. 2-yr-olds	Expansion phase
Sandfields East 1	YES (Partial)	Take in remaining	20	3a
Ystalyfera 1		Phase 3 - Outreach priority	25	3a
Bryn and Cwmavon 4		Phase 3 - Outreach priority	25	3b
Seven Sisters		Phase 3 - Outreach priority	30	3b
Neath South 2	YES (partial)	take in remaining (HV)	30	3a
Trebanos			20	3a

Total additional children: 150

### Year 2: Phase 3 2026/27 (April 2026 – March 2027)

**Target: 150 children, up to 50 outreach**

Further details regarding Year 2 are currently under development, and will be dependent on Childcare Sufficiency Audit updates, capital investments and applications, and further childcare scoping within current sector for capacity. Community need data from panel referrals, Flying Start outreach data and patterns

identified by health partners will be reflected in plans for year 2 of phase 3 expansion.

**Year 3 – 6: Phase 3 (April 2027 – March 2031)**

**Any remaining outreach will be taken in**

**Target: Universal by March 2031 (200 children)**

**In planning for the final phase of the expansion you should include an estimated timeframe for each financial year which reflects your assessment of the time required to develop and commission provision in your local authority area. This will help us plan at a national level.**

**Please indicate the lead in time between confirmation of funding and the start of delivery and why e.g. ‘procurement process takes x weeks’.**

The now embedded and established county wide approach to engaging Flying Start childcare providers has allowed Neath Port Talbot to increase Flying Start providers to 49. This number is continuing to grow as our teams engage new providers, and develop and support existing providers to meet the Flying Start childcare guidance standards. This model also removes any procurement process delays, and allows for parental choice to drive childcare selection, rather than a placement approach.

The Early Years and Flying Start Team work closely with Strategic School Improvement team (SSIP) enabling a collaborative approach to developing high quality and sufficient provision and learning environments for children from pre-school, enabling smooth transitioning into school education. As part of the collaborative approach, childcare is considered for every new education development.

Below shows year 3-6 of the Sustainable Communities for Learning 9 year Rolling Programme which was agreed by NPTCBC and Welsh Government.

Projects for 9 Year Rolling Programme, Band B Variation & Sustainable Schools' Challenge	SOC	OBC	FBC	Occupation
<b>Sustainable Schools' Challenge</b>				
YGG Rhosafan	Approved	Mar-25	Jun-25	Sep-26
<b>Years 4-6 Rolling Programme</b>				
Tywyn Primary	Mar-25	Jul-26	Nov-26	Apr-29
St Joseph's Comp & VIth Form	Mar-25	Jul-26	Nov-26	Sep-29

Ysgol Hendrefelin New Special School	Mar-25	Jul-26	Nov-26	Sep-29
New WM Primary School	Mar-26	Jul-27	Nov-28	Sep-30

**Year 1: Phase 3 2025/26a (April 2025 – August 2025)**

We are confident that we can begin the roll out of phase 3 from **April 2025** for a proportion of the first year target of **75 children** smoothly, in line with the approaches used for Phase 2 expansion. **25 additional children** will be funded via outreach for targeted support where residency falls outside of current eligible areas.

**Year 1: Phase 3 2025/26b (September 2025 – March 2026)**

Due to capital completion dates for 2 childcare capital building, some areas will have a 6 month lead in time, and are planned to come on board with Phase 3 from **September 2025** (LSOA Bryn and Cwmavon and LSOA Blaendulais) when additional children will be taken on to meet the target of **75 children**. **25 additional children** will be funded via outreach for targeted support where residency falls outside of current eligible areas.

**Year 2: Phase 3 2026/27 (April 2026 – March 2027)**

From **April 2026**, continuing the roll out for a further will be more challenging, with childcare sufficiency gaps needing to be addressed via capital spend in some areas to create childcare for two-year-olds.

With additional capital builds from year 1, and implementation of a combination of smaller capital grant allocations to increase capacity within existing childcare provision, we are confident that we will reach a modest target of **150 children** additional children. **50 additional children** will be funded via outreach for targeted support where residency falls outside of current eligible areas.

**Year 3 – 6: Phase 3 (April 2027 – March 2031)**

With additional capital builds, implementation of further small capital grant allocations to increase capacity within existing childcare provision, and collaboration with the SSIP team for any new or existing school based childcare opportunities, we are confident that we will reach a target of **200 children** additional children, with no further need for outreach places, as this step of expansion aims for a universal offer with all two-year-olds being eligible for Flying Start funded childcare within this timeframe.

The speed at which universal coverage is reached is dependent on both childcare sector support, sustainability and successful capital investment for childcare and education. Encouraging Welsh and bilingual childcare will be an ongoing priority in line with WG Cymraeg 2050 aspirations, and NPT WESP Objectives.

The following developments are noted as possible solutions to increasing capacity for childcare:

**YGG Rhosafan:** the existing Welsh Medium childcare capacity with increase from the current 30, to 48, with an addition 18 spaces being created within the

Sustainable Schools' Challenge new build. This will result in sufficient Welsh Medium childcare within the school catchment area.

**Tywyn:** With a completion date set for April 2029, childcare sufficiency will be updated closer to building planning phases to assess the need for childcare on this school site.

**New WM Primary School** (Ysgol y Dwyrain (NPT EAST area): With hopes for an NPT East Welsh Medium school within the area between Taibach and our border with Bridgend CBC, development of bilingual and Welsh childcare within the school catchment will be key to address sustainability and creating demand for Welsh Language childcare and education.

**How confident are you that you will reach all two-year-old children in your LA? Please provide details of any challenges and barriers you may have already identified:**

We can be confident that we will be able to reach all two-year-olds within Neath Port Talbot in the longer term, if adequate revenue and capital funding is made available in a timely manner, along with significant support for developing the childcare sectors' professional status, pay and prospects.

We need to recognise that there are complexities in expanding childcare into a larger number of LSOA's. We need to remain realistic that this planned roll-out to a universal provision for funded childcare for all two-year-olds will need to continue at a slow pace, whilst providers expand provision and establish the required baseline quality standards. Local Authorities need time to address childcare sufficiency gaps and balance this with the unknown up-take from families.

### **2.3 Increasing Welsh Language Provision:**

*The Welsh Government's target is to see the number of people able to speak and enjoy using Welsh reach a million by 2050. Increasing Welsh language early years childcare provision has been set as an overarching aim of the expansion.*

*You will need to demonstrate how you plan to expand Welsh language early years childcare provision in Phase 3.*

**Please outline how your plans will address this policy aim, including increasing the number of:**

- (i) individual Welsh medium places;**
- (ii) the number of Welsh medium settings in the local authority area; and**
- (iii) the number of bilingual settings in the local authority area**

Neath Port Talbot have made significant positive progress in line with our WESP and CSA objectives to increase the number of Welsh and bilingual childcare places available within the local authority. These developments will support Phase 3 expansion plans.

Since 2023/24 Canolfan Plant Tregales (18 additional bilingual places) and Cylch Trebannws (12 additional Welsh places) – YGG Trebannws have opened their doors, within the heart of the Welsh Language Sensitive area of Neath Port Talbot. Both settings will see further two-year-olds benefit from Flying Start funded childcare within the phase 3 expansion. Canolfan Plant Gerddi Victoria – Neath Central (24 bilingual/Welsh additional places) will open early 2025, providing much needed bilingual/Welsh provision within central Neath to feed YGG Castell Nedd. A now established Flying Start school based setting Cylch Teulu'r Tyle within YGG Tyle'r Ynn is now expanding its numbers to 24 to meet the growing demand for Welsh childcare.

From April 2025, a newly developed childcare space within YGG Ystalyfera Bro Dur, North Campus will see an existing provider expand spaces to enable school based childcare for Flying Start families. It is hoped the space will allow a further 20 Welsh/Bilingual childcare spaces to be developed again within the heart of the Welsh Language Sensitive area of Neath Port Talbot.

Former childcare setting Cylch Tir Morfa, will be put out to an expression of interest to the sector to fulfil a Welsh childcare need within the Sandfields East area, and provide a welcomed Welsh language option for families wishing to access Welsh childcare to transition into YGG Rhos Afan. This childcare will increase by 18 places as a result of the new YGG Rhos Afan Sustainable Schools Challenge site is developed where school based Welsh childcare will continue within the same campus.

From September 2025, we will see two ongoing capital builds complete and house registered Welsh or Bilingual childcare, providing 24 registered places per site. A new Welsh or Bilingual childcare setting will be tendered alongside the relocation of an existing pack-away English Medium Flying Start childcare setting at Cwmavon, and the relocation and increase in registered numbers for Cylch Blaendulais into the new build in close proximity of the Welsh school site will ensure growth and continuity for a Welsh language childcare and education offer within the area.

All new settings will be used to offer and encourage Welsh language childcare to Flying Start families.

While we are committed to the increase and development of Welsh language childcare provision, we also recognise that childcare providers are enthusiastic about offering more Welsh language opportunities in their setting. We have staff that are passionate about the Welsh Language, working with the English Medium settings to improve the Welsh they offer through an awards based Welsh Language quality assurance scheme the “Welsh Award for Childcare” which includes support, access to training and drop-in Welsh language acquisition sessions. The change in categories may mean over time a move from category 1 English language settings to category 2 English / Welsh language settings.

### **Outreach focus**

Additional care will be taken when placing outreach placements, with amendments to outreach policies to include ensuring Bilingual/Welsh childcare is offered, along with benefits of bilingualism messages.

Outreach guidance has been reviewed to assist targeted support via the referral route for families in some key deprived communities that will not be covered by ongoing expansion, so that those who need the support, are still able to access the services they need, while those communities wait for expansion to reach their areas. We are confident that the many additional spaces will be utilised, with scope to use existing Flying Start childcare settings to accommodate this. We hope this offer will have an initial offer of Welsh language provision as a first offer.

### **2.4 Promoting the benefits of multilingualism:**

**Please outline how your plans will promote the benefits of speaking more than one language from an early age<sup>1</sup>:**

Our commitment to promote the benefits of bilingualism and speaking Welsh, can be clearly seen in our WESP, where we aim to:

- Promote partnership work with Midwifery and Health Visitors to assist early messages about the Welsh Language and bilingualism, to be shared though the perinatal and postnatal period. Information booklets providing information on the benefits of bilingualism and addressing common fears will be created and used by the partners from initial perinatal communication with parents.
- Partnership work with Swansea University/ Academi Hywel Teifi will embed the promotion of bilingualism into the midwifery course currently running at the University.
- Revisit the training run by Cefin Campbell with all staff working within early years in NPT, LA and Health (including SALT), childcare sector etc. It is important to regain some of the momentum lost during COVID, revisiting some of the good work that had started to impact how our own team members and our partners used and promoted Welsh and Bilingualism.

Additional Welsh speaking staff have been recruited into the Flying Start parenting team, and our Welsh Language Development Officer has development a Welsh Award for Childcare settings to promote and improve the use of Welsh within settings.

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<sup>1</sup> Please be aware of the [Race Equality Action Plan for Wales – An Anti-Racist Wales](#)

## **2.5 Outreach:**

*You would be able to continue using Flying Start Outreach, where necessary, as you move towards universal provision during Phase 3. This approach would support targeting specific families in need in areas which are not an immediate priority for expansion. We do appreciate that outreach will become less relevant the further into delivery of your plans you get, and the closer to universal entitlement.*

**Please provide details of the number of children you intend to bring into Flying Start Childcare via Outreach?**

We will continue to use our Early Years panel to place children in childcare via outreach placement, and will be flexible and respondent to need.

**How do you propose to use Outreach to increase Welsh language childcare provision?**

Additional care will be taken when placing outreach placements, with amendments to outreach policies to include ensuring Bilingual/Welsh childcare is offered, along with benefits of bilingualism messages.

Outreach guidance has been reviewed to assist targeted support via the referral route for families in some key deprived communities that were not be covered by expansion in phase one, 2a or 2b, and may not be covered by Phase 3 year 1 and 2 as “communities of interest”, so that those who need the support, are still able to access the services they need, while those communities wait for expansion to reach their areas. We are confident that additional spaces will be utilised for outreach, with scope to use existing and new Flying Start childcare settings to accommodate this. We hope this offer will have an initial offer of Welsh language provision as a first offer.

**Please review the plan you submitted for Phases One, Phase 2A and 2B. If there were areas that you were unable to expand Flying Start into in those Phases, please describe how these may now be reached as part of Phase 3.**

Phase 1 and 2 expansion plans were executed as planned.

## **2.6 Flying Start Services in Expansion Areas**

*In Phase 3, the childcare element of Flying Start is being expanded to new families and communities in Wales. Current programme guidance should be followed and the provision of childcare services in your expansion areas should mirror those being offered within more established Flying Start areas in your local authorities, as far as this is practicable.*

**If you feel that you will encounter barriers to increasing Flying Start provision in Phase 3, please provide details of the relaxations you propose to adopt (as described in the guidance) and the steps you intend to take to transition to the requirements of Flying Start childcare:**

With 45 childcare settings and 4 childminders now engaged as Flying Start providers, the Early Years and Flying Start Childcare Development Team will continue to support and develop existing and new childcare providers to reach the required Flying Start Childcare guidance standards.

To ensure the “Flagship” original Flying Start settings are recognised for their high quality, and remain motivated to be sectoring leading with their enhanced environments, our “Flagship” provider awards will continue, to allow parents to recognise the high quality kite mark that some settings have achieved.

The Childcare support staff will continue to monitor the quality of all settings, using quality assurance frameworks, whereby settings are assessed as Red, Amber or Green settings, with targets set to ensure progress. This monitoring is built around the Flying Start childcare guidance, requirements, monitoring and SLA.

Information sessions and training programmes will continue to be promoted to the sector to encourage engagement from non-Flying Start providers, enabling further understanding of the Flying Start childcare guidance, requirements, monitoring and quality assurance needed to engage and provide Flying Start childcare.

#### **Robust suite of training**

A mandatory suite of training sessions is available from the Early Years and Flying Start Childcare Development Team in line with Flying Start Childcare requirements, quality expectations, guidance and monitoring, that will continue to quality development within the childcare sector here in NPT. This will continue to form part of a robust service level agreement between the local authority and childcare providers

#### **Service Level Agreements for new Flying Start expansion providers:**

Our existing Flying Start flagship childcare service level agreements (SLA) are now in line with the current Flying Start childcare quality guidance, with an emphasis on achieving a “flagship” standard award within a 2 year time scale. These SLA’s clearly set out the expectations for any childcare settings offering Flying Start funded childcare places. Associated training programmes, training requirements, support visit schedules, and quality monitoring form part of the support for the childcare sector.

#### **Need for Additional LA Childcare Support Staffing:**

Further additional capacity is needed for central support staff to enable quality monitoring, childcare placement, data collection and contact with childcare providers

Recruitment of additional childcare support staff, transition staff, and administrator hours will be considered within the ongoing wider LA restructure.

A contribution to Early Years ALN support team and panel processes is now in place to continue to ensure a cohesive consistent approach to systems and pathways for children within the early years in Neath Port Talbot

### **Section 3 – Authorisation**

**Lead Body:**

**Signature:**

**Name: Lisa Clement-Jones**

**Position: Early Years and Flying Start Manager**

**Date: 26/11/2024**

### **Welsh Government Privacy Notice**

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## Impact Assessment - First Stage

### 1. Details of the initiative

**Initiative description and summary:** Expansion of Flying Start Childcare – Phase 3

Flying Start is the Welsh Government's targeted Early Years programme for families with children under 4 years of age who live in some of the most disadvantaged areas of Wales. Flying Start aims to make a decisive difference to the life chances of children by mitigating the impact of poverty, which is linked to poor life outcomes in early childhood, including health outcomes.

Following Welsh Government's announcement of a phased expansion to Flying Start, Members approved a Phase one plan in July 2022, offering the full range of Flying Start services to an additional 127 children (0-4 years) in Neath Port Talbot. In January 2023, Members approved the Flying Start Expansion Phase 2 Plan. Phase 2 expansion included only the funded childcare element of the Flying Start programme. Implementation has taken place over two sub phases: 2a and 2b. Since April 2023, an additional 447 two year old children have benefitted from Flying Start funded childcare.

In October 2024, Welsh Government communicated that Phase 3 of the expansion programme will involve the further expansion of early years funded childcare provision from the position reached at the end of Phase 2 (31 March 2025) until provision is available to all two year olds in Wales. In Neath Port Talbot, this will be achieved through a phased approach to implementation over a six year period. In line with Welsh Government guidance, implementation of Phase 3 will prioritise the most deprived areas in Neath Port Talbot using robust data from Welsh Government as well as supporting data from the Childcare Sufficiency Assessment 2022 and other local data and knowledge to inform the process. Targeted families will be required to live within the identified expansion areas as the programme is implemented. Phase 3 will be split into a number of sub phases during the six year implementation period. During Year 1, 2025 - 2026, phases 3a and 3b will be implemented, with a target to offer funded childcare to an additional 200 two year olds (150 places in expansion areas, 50 outreach places). During Year 2, 2026 – 2027, the offer will be extended to a further 200 two year olds (150 places in expansion areas, 50 outreach places). Detailed planning for years 3-6 of implementation (2027 – 2031) will be developed based upon rigorous on-going evaluation during years 1 and 2. The Impact Assessment will be reviewed accordingly.

**Service Area:** Early Years and Flying Start, Early Years and Inclusion Service

**Directorate:** ELLL

### 2. Does the initiative affect:

	Yes	No
Service users	X	
Staff		X
Wider community		X
Internal administrative process only		X

### 3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age	X				M	The Flying Start programme is aimed at children aged 0-4 years, with this element of the expansion targeted at two year olds.
Disability	X				M	The programme includes an outreach element that sees additional learning needs (ALN) and disability as a “community of interest”, providing support for children with an ALN and/or disability to access childcare. The expansion is anticipated to have a positive impact for children with additional learning needs (ALN) and/or a disability.
Gender Reassignment		X			L	This is not a criterion that will be directly impacted upon by this proposal.
Marriage/Civil Partnership		X			L	This is not a criterion that will be directly impacted upon by this proposal.
Pregnancy/Maternity		X			L	This is not a criterion that will be directly impacted upon by this proposal.
Race		X			L	This is not a criterion that will be directly impacted upon by this proposal.
Religion/Belief		X			L	This is not a criterion that will be directly impacted upon by this proposal.

Sex		X			L	This is not a criterion that will be directly impacted upon by this proposal.
Sexual orientation		X			L	This is not a criterion that will be directly impacted upon by this proposal.

#### 4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language	x				M	Additional Welsh Language or bilingual childcare is a focus of the expansion, increasing the availability of Welsh language opportunities within some of the expansion areas.
Treating the Welsh language no less favourably than English	x				M	Positive impacts are anticipated with opportunities to use and promote the Welsh language with additional Welsh language or bilingual childcare being made available.

#### 5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		X			L	This is not a criterion that will be directly impacted upon by this proposal.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment,		X			L	This is not a criterion that will be directly impacted upon by this proposal.

such as air quality, flood alleviation, etc.						
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**6. Does the initiative embrace the sustainable development principle (5 ways of working):**

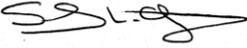
	Yes	No	Details
<b>Long term</b> - how the initiative supports the long term well-being of people	X		The programme supports the long term well-being of children, young people and families through providing quality childcare provision, which will support children’s readiness for and engagement with learning, socialisation and physical activity.
<b>Integration</b> - how the initiative impacts upon our wellbeing objectives	X		The programme contributes to wellbeing objective 1 – Best Start in Life.
<b>Involvement</b> - how people have been involved in developing the initiative	X		The childcare sufficiency assessment 2022 (CSA) has been used to inform the expansion plan, where stakeholders, children, young people and parents were consulted regarding childcare within Neath Port Talbot.  The Early Years, Children and Young People’s Plan (April 2024) has been used to inform the initiative, where stakeholders, children, young people and parents were consulted regarding early years provision within Neath Port Talbot, as part of the wider development of the Plan.
<b>Collaboration</b> - how we have worked with other services/organisations to find shared sustainable solutions	X		Appropriate professionals from NPTCBC and health services have been involved in the process via steering groups.
<b>Prevention</b> - how the initiative will prevent problems occurring or getting worse	X		Flying Start is the Welsh Government’s targeted Early Years programme for families with children under 4 years of age who live in some of the most disadvantaged areas of Wales. Flying Start aims to make a decisive

			<p>difference to the life chances of children by mitigating the impact of poverty, which is linked to poor life outcomes in early childhood.</p> <p>Specific services provided under the programme are anticipated to have a positive impact for children with additional learning needs (ALN) and/or a disability.</p>
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**7. Declaration - based on above assessment (tick as appropriate):**

A full impact assessment (second stage) <b>is not</b> required	X
Reasons for this conclusion	
<p>Based on the above assessment, a full impact assessment is not required as the programme expansion has low or no impact on most factors. Any impact that has been identified is positive through the offer of funded childcare for two year old children supporting families in disadvantaged areas and widening across the county, as we move towards a universal offer in the longer term.</p> <p>The expansion has been based on robust data provided from Welsh Government, with the expansion of Flying Start childcare built into a Welsh Government commitment for Flying Start childcare for two year olds to be universally available using a phased roll out approach. All areas of Neath Port Talbot should benefit from the offer within the next six years.</p> <p>The Flying Start expansion programme provides increased access, via outreach support where necessary, to additional areas of NPT. The planned approach to implementation is based on robust data from Welsh Government as well as supporting data from the Childcare Sufficiency Assessment 2022.</p> <p>Specific support will be available for children with additional learning needs (ALN) and/or a disability to access their funded childcare place.</p> <p>Positive impacts are also anticipated with opportunities to use and promote the Welsh language with additional Welsh language or bilingual childcare being made available.</p>	

A full impact assessment (second stage) <b>is</b> required	
Reasons for this conclusion	

	Name	Position	Signature	Date
Completed by	Sarah Griffiths	Co-ordinator Early Years and Partnerships		26.11.2024
Signed off by	Hayley Lervy	Head of Service/Director		27.11.2024



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### CABINET

15<sup>th</sup> January 2025

**Report of the Head of Engineering & Transport – D.W.Griffiths**

#### **Matter for Decision**

**Wards Affected: Baglan**

**(Lodge Drive, Maes Rhedyn and Fairwood Drive, Baglan)**  
**(Prohibition of Waiting, Loading and Unloading At Any Time)**  
**Order 2024**

#### **Purpose of the Report:**

To consider the correspondence received following the advertisement of the (Lodge Drive, Maes Rhedyn and Fairwood Drive, Baglan) (Prohibition of Waiting, Loading and Unloading At Any Time) Order 2024, as indicated in Appendix A.

#### **Executive Summary:**

The report outlines the traffic regulation order which was formally advertised resulting in an objection being received.

#### **Background:**

The scheme was prioritised following representations received by the local ward members regarding indiscriminate parking practices along Lodge Drive, Maes Rhedyn and Fairwood Drive, Baglan.

The traffic regulation order is required to prevent indiscriminate parking practices in the interest of road safety.

The proposed scheme is indicated in Appendix A.

### **Financial Impacts:**

The scheme is to be funded by the Council's Capital Works Programme.

### **Integrated Impact Assessment:**

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment, attached at Appendix C, has indicated that a more in-depth assessment is not required. A summary is included below: -

A full impact assessment is not required as the traffic regulation orders will provide a safe environment for all highway users.

### **Valleys Communities Impacts:**

There are 'No Implications' associated with this report.

### **Workforce Impacts:**

There are 'No Implications' associated with this report.

### **Legal Impacts:**

The proposal was advertised for a 21-day period between 1<sup>st</sup> October 2024 and 30<sup>th</sup> October 2024.

### **Risk Management Impacts:**

There are no risk management impacts associated with this report.

### **Consultation:**

This item has been subject to external consultation.

A consultation exercise was undertaken between 1<sup>st</sup> October 2024 and 30<sup>th</sup> October 2024.

Following a three-week consultation exercise, 1 statement of objection was received on the proposals.

A summary of the objections received are given below: -

Objections: - *Any officer observations / comments are illustrated in italics in response to the points raised.*

- a) A resident feels that the proposal does not take their home into consideration.
- b) A resident feels that the proposal will make receiving deliveries difficult to their property.

*A revised scheme could be considered whereby the existing 'Prohibition of Waiting At Any Time' order adjacent to the property remains to allow loading. There is a car park opposite the property for visitors.*

*A revised scheme is detailed in Appendix B to the circulate report.*

The Local Members have been consulted on the feedback received and support that the objection is upheld in part and that a revised scheme is implemented.

### **Recommendations:**

Having had due regard to the integrated impact assessment it is recommended that the objections are upheld in part to the (Lodge

Drive, Maes Rhedyn and Fairwood Drive, Baglan) (Prohibition of Waiting, Loading and Unloading At Any Time) Order 2024 (as detailed in Appendix A to the circulated report) and that a revised scheme (as detailed in Appendix B to the circulated report) is implemented.

The objector will be notified of the decision of the board accordingly.

**Reasons for Proposed Decision:**

The scheme is necessary to prevent indiscriminate parking in the interest of road safety.

**Implementation of Decision:**

The decision is proposed for implementation after the three-day call-in period.

**Appendices:**

Appendix A – Plan – Proposed No Waiting, Loading or Unloading At Any Time – Lodge Drive – Baglan.

Appendix B - Plan - Proposed No Waiting, Loading or Unloading At Any Time – Lodge Drive – Baglan – Revised Scheme.

Appendix C – Integrated Impact Assessment.

**List of Background Papers:**

None

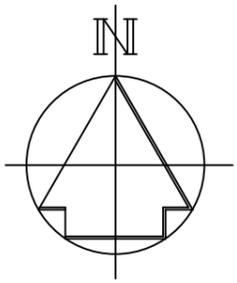
**Officer Contact:**

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# Baglan

NOTES

1. All dimensions are in millimetres unless otherwise stated.

Key:-

- Proposed No Waiting, Loading or Unloading At Any Time Order
- Existing School Order

Dwg. No.

Page 165

MAES RHEDYN

LODGE DRIVE

Playground

Lodge

Church

Ty Seren

Stones

Gorsedd Circle

Stones

FAIRMWOOD DRIVE

31

30

Rev	Details	Dr	Ch	Ap	Date

Client



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

ENGINEERING AND TRANSPORT

NICOLA PEARCE BSC (Hons), Dip TP, MRTPI  
DIRECTOR OF ENVIRONMENT AND REGENERATION  
THE QUAYS, BRUNEL WAY  
BAGLAN ENERGY PARK  
NEATH SA11 2GG

Job Title **Appendix A**

**Proposed No Waiting, Loading or Unloading At Any Time Lodge Drive Baglan**

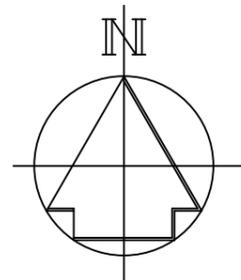
File No. <b>TR25</b>	Financial Code No. 26.007500.B054.266406
Drawn 	Checked <b>MCB</b> Approved <b>HHH</b>
Date <b>July 24</b>	Date <b>July 24</b> Date <b>July 24</b>
Scales <b>NTS</b>	Status
Drawing No. <b>C6149H_01</b>	

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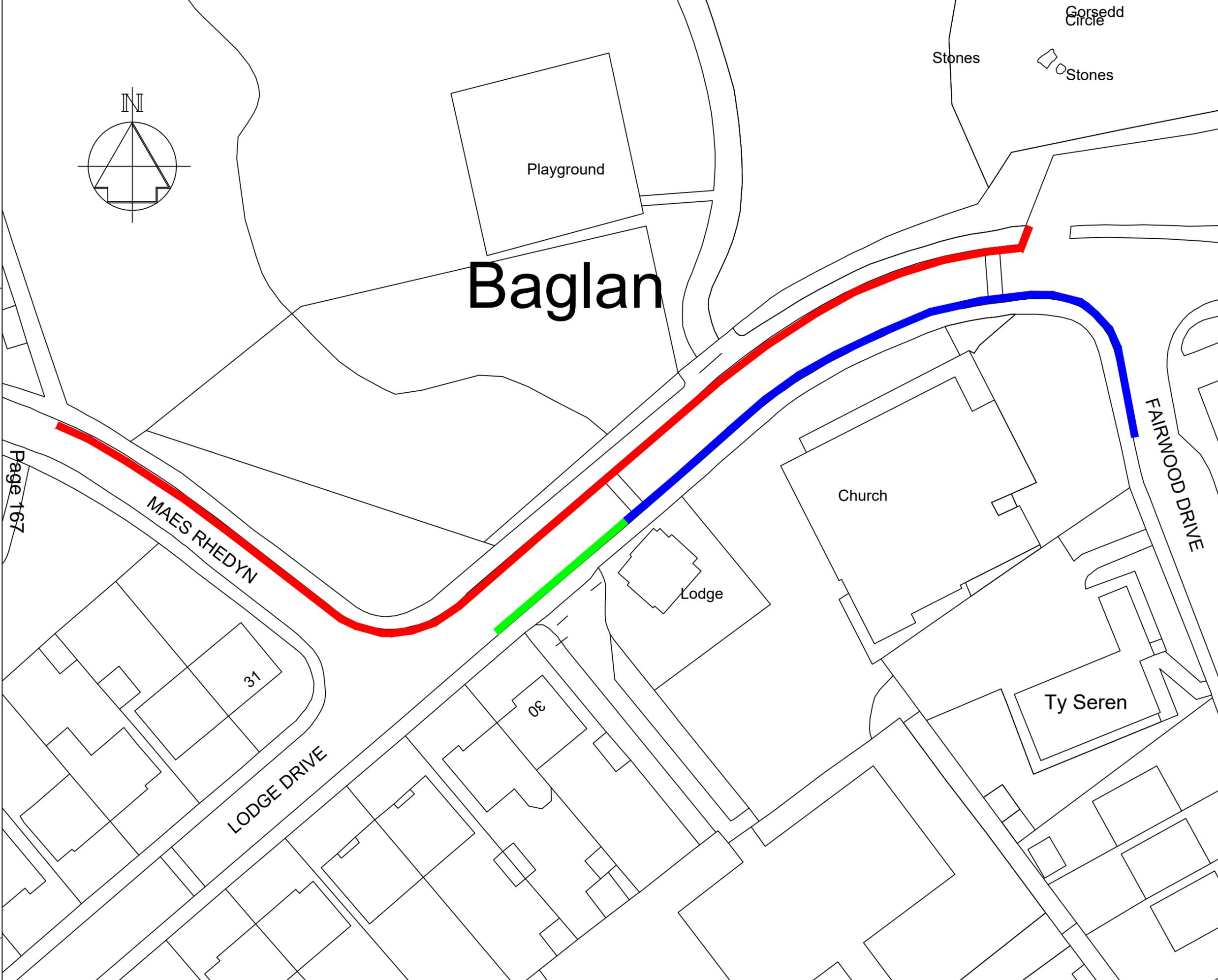
Dwg. No.

Page 167

Job Title



# Baglan



NOTES

1. All dimensions are in millimetres unless otherwise stated.

Key:-

- Proposed No Waiting, Loading or Unloading At Any Time Order
- Existing No Waiting, At Any Time Order To Remain
- Existing School Order

Rev	Details	Dr	Ch	Ap	Date

Client

ENGINEERING AND TRANSPORT

NICOLA PEARCE BSc (Hons), Dip TP, MRTPI  
DIRECTOR OF ENVIRONMENT AND REGENERATION  
THE QUAYS, BRUNEL WAY  
BAGLAN ENERGY PARK  
NEATH SA11 2GG

Job Title **Appendix B**

**Proposed No Waiting, Loading or Unloading At Any Time Order Lodge Drive, Baglan Revised Scheme**

File No.	TR25	Financial Code No.	26.007500.B054.266406
Drawn	RLJ	Checked	MCB
Date	July 24	Date	July 24
Approved	HHH	Date	July 24
Scales	NTS	Status	
Drawing No.	C6149H_02		

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**1. Details of the initiative**

**Initiative description and summary: (Lodge Drive, Maes Rhedyn and Fairwood Drive, Baglan) (Prohibition of Waiting, Loading and Unloading At Any Time) Order 2024**

**Service Area:** Engineering and Transport

**Directorate:** Environment and Regeneration

**2. Does the initiative affect:**

	Yes	No
Service users	Y	
Staff	Y	
Wider community	Y	
Internal administrative process only	Y	

**3. Does the initiative impact on people because of their:**

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		N			L	There is no negative impact as the revised scheme will still prevent indiscriminate parking in the interest of highway safety, thereby benefiting all highway users.
Disability		N			L	
Gender Reassignment		N			L	
Marriage/Civil Partnership		N			L	
Pregnancy/Maternity		N			L	
Race		N			L	
Religion/Belief		N			L	
Sex		N			L	
Sexual orientation		N			L	

**4. Does the initiative impact on:**

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language	Y				L	There will be a positive impact as we welcome all correspondence in Welsh and English when dealing with the wider community.
Treating the Welsh language no less favourably than English	Y				L	There will be a positive impact because all permanent highway approved signage and road markings used in the traffic regulation orders are Bilingual ( Welsh / English ) with Welsh placed above English.

**5. Does the initiative impact on biodiversity:**

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		N			L	There is no negative impact as the road markings are located on the carriageway, therefore the scheme does not impact the existing Flora, Fauna or Biodiversity.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		N			L	There is no negative impact as the road markings are located away from the kerb allowing the carriageway and footway drainage to function as at present. The scheme is located within the existing road surface and as such there is no opportunity to provide additional drainage systems such as swales, soakaways etc.

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
<p><b>Long term</b> - how the initiative supports the long term well-being of people</p>	Y		<p>Within the Neath Port Talbot presently 59.6% of adults are obese or overweight (with 23.6% being obese) it is predicted that by 2025 the number will have risen to 66.5%. A quarter of children in Wales are overweight or obese (including 12.4% that are obese) Wales has a higher percentage of adolescents self-reporting to be overweight or obese compared to England, Scotland and Republic of Ireland, with rates being generally higher in boys than girls.</p> <p>Only 48.4% of adults in Neath Port Talbot are meeting the physical activity guidelines compared to 53.1% in Wales. For most people, the easiest form of physical activity are those that can be built into everyday life such as walking and commuting by active travel. By enabling active travel, the proposal will contribute to improved health benefits for users whilst reducing carbon emissions from vehicles.</p> <p>The Welsh Governments Llwybr Nweydd Wales transport strategy sets out the 20 year ambition and focuses on delivering an accessible, sustainable transport system that is good for people, communities, the environment the economy and Welsh language and culture.</p> <p>The 5 year priorities call for a transport system and infrastructure that plays its part in reducing greenhouse gas emissions whilst increasing active travel and public transport use by providing safe, accessible, sustainable transport systems that people will want to use.</p> <p>The sustainable transport hierarchy places active travel at the forefront of transport and sets out how the strategy will encourage people to change their travel behaviour to use low-carbon sustainable transport, cycling and walking as the preferred transport modes.</p> <p>The revised scheme will help to encourage and maintain Active Travel through maintaining the existing street scene environment, thereby benefiting the community. Furthermore, in September 2023 the Welsh</p>

			Government National 20 mph speed limit default strategy was implemented lowering the speed limit over a greater urban area of secondary estate roads within the locality reducing overall emissions and the promotion of Active Travel, walking and cycling.
<b>Integration</b> - how the initiative impacts upon our wellbeing objectives	Y		The revised scheme will still prevent indiscriminate parking thereby maintaining the existing street scene improving the community health through reduced air pollution and people walking to the local facilities, thereby contributing to other organisations goals on improving health for the population of Wales.
<b>Involvement</b> - how people have been involved in developing the initiative	Y		A statutory consultation exercise for the traffic regulation order was undertaken between 1 <sup>st</sup> October 2024 and 30 <sup>th</sup> October 2024. The traffic regulation order was advertised in the South Wales Evening Post, on the Council's web site and Notices posted on site. One objection has been received to the scheme, it is recommended that the objection is upheld in part and that a revised scheme is implemented.
<b>Collaboration</b> - how we have worked with other services/organisations to find shared sustainable solutions	Y		The various sections within the Council such as Highway Engineering and the Legal section have worked together on this initiative.
<b>Prevention</b> - how the initiative will prevent problems occurring or getting worse	Y		In NPT 25.5% of homes do not have access to a car. Where car ownership levels are low, residents are more likely to be reliant on public transport and active travel for their day to day needs and to access key services and employment. Poor facilities can lead to difficulty in using active travel which can cause to social exclusion and isolation, which subsequently can lead to a range of health and social problems. Facilitating more journeys by Active Travel will reduce our consumption of natural resources and act to tackle the causes and consequences of congestion, climate change, traffic pollution and noise. Encouraging people to be more active by providing Active Travel routes will help people to be healthy, to achieve their potential.

**7. Declaration - based on above assessment (tick as appropriate):**

A full impact assessment (second stage) <b>is not</b> required	✓
Reasons for this conclusion	
<p>After completing the assessment, it has been determined that this proposal does not require a full Impact Assessment (second stage). The revised scheme by preventing indiscriminate parking will have a positive impact on service users, have no adverse impact on people who share protected characteristics or on people's ability to use the Welsh language.</p> <p>The revised scheme by preventing indiscriminate parking will contribute to delivering the Council's Corporate Improvement Plan by improving the wellbeing of people within the community by providing safe passage for all highway users.</p>	

A full impact assessment (second stage) <b>is</b> required	
Reasons for this conclusion	

Page 173

	<b>Name</b>	<b>Position</b>	<b>Signature</b>	<b>Date</b>
Completed by	Hasan I. Hasan	Engineering Manager	HIH	02/12/2024
Signed off by	D.W.Griffiths	Head of Service/Director	DWG	02/12/2024

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### CABINET

15<sup>th</sup> January 2025

#### Report of the Head of Engineering & Transport (David W. Griffiths)

#### **Matter for Decision**

**Wards Affected:** All

#### **List of Approved Contractors**

#### **Purpose of the Report:**

To seek Members' approval to amend the List of Approved Contractors.

#### **Executive Summary:**

To seek approval to add new contractors.

#### **Background:**

Members will be aware that on previous occasions, reports concerning the List of Approved Contractors have been presented to Cabinet Board.

The process gives local companies an opportunity to provide goods and services to the Council.

The full list of categories is set out in Appendix A for your information.

**Financial Impacts:**

No implications.

**Integrated Impact Assessment:**

A first stage Impact Assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment, attached at Appendix B, has indicated that a more in-depth assessment is not required. A summary is included below:-

The report is seeking approval to add new contractors.

This does not affect any group of people and or impact the Welsh language, biodiversity or the five ways of working.

**Valleys Communities Impacts:**

No implications.

**Workforce Impacts:**

No implications.

**Legal Impacts:**

No implications.

**Risk Management Impacts:**

No implications.

**Consultation:**

There is no requirement for external consultation on this item.

## Recommendations:

Having had due regard to the Integrated Impact Assessment it is recommended that:-

The List of Approved Contractors is amended as follows:-

### Companies to be **added** to the List of Approved Contractors

The following companies have applied to be included on the list and have passed the required assessments:-

<u>Company</u>	<u>Category</u>
R K Property & Ground Services Ltd (R046)	77, 84, 96, 105, 111
WPS-UK Ltd (W044)	21C, 21D, 21E, 21F, 21G, 60, 111
Safe Demolition & Dismantling Ltd (S0102)	79
Plexus Fire & Security Ltd (P058)	21F, 21G, 47, 48, 49, 61, 67 & 68
Phoenix Hire & Sales Ltd (P057)	2, 111

### Reasons for Proposed Decision:

To keep the List of Approved Contractors up to date and as far as possible, ensure a competitive procurement process.

These recommendations to be adopted for the purpose of supplying a List of Approved Contractors for invitation to tender within the relevant category.

### Implementation of Decision:

The decision is proposed for implementation after the three-day call-in period.

### Appendices:

Appendix A - Categories for List of Approved Contractors

Appendix B - First Stage IIA

## List of Background Papers

None.

## Officer Contact

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Email: [h.hasan@npt.gov.uk](mailto:h.hasan@npt.gov.uk)

Amanda Phillips, Programme & Commissioning Manager

Tel. No: 01639 686483

Email: [environment@npt.gov.uk](mailto:environment@npt.gov.uk)

## **Appendix A**

### **Categories for List of Approved Contractors**

#### **General Services**

1. Signs
2. Plant Hire
3. Security
4. Clinical Waste
5. Pest Control
6. Re-Cycling
7. Waste Disposal (e.g. Car, Computers, Steel)
8. Crowd Control
9. Traffic Management
10. Portable Buildings
11. Scaffolding

#### **Building Construction / Maintenance**

12. Building Construction £50,000 - £200,000
13. Building Construction £200,000 - £1m
14. Building Construction over £1m
15. Minor Building Works below £50,000
16. Works of Adaptation below £5,000
17. Re-Roofing
  - a) Felt & Asphalt below £10,000 / above £10,000
  - b) Tiles & Slate below £10,000 / above £10,000
  - c) GRP
  - d) High Performance Coverings
  - e) Sheeting & Cladding
18. Supply & Installation of Floor Finishes
  - a) Flexible Sheet, Tiles, Carpets
  - b) Jointless
  - c) Rigid Tiles, Slabs, Mosaics
  - d) Wood
19. Plastering
20. Painting & Decorating
21. Supply & Installation of Windows/Doors (Windows to BS 7412, Doors to PAS 23/1, PAS 24/1 to BS 7950 Kitemark Scheme)
  - a) PVCU (using Aluplast System)
  - b) Timber
  - c) Aluminium

- d) Steel
- e) Roller Shutter
- f) Security Doors
- g) Automatic Doors
- 22. Suspended Ceilings
- 23. Welding / Fabrication below £5,000
- 24. Welding / Fabrication above £5,000
- 25. Stonework Repair / Restoration / Cleaning
- 26. Glazing & Safety Filming
- 27. Wall Tie Replacement
- 28. External Wall Insulation
- 29. Damp Proofing / Dry Rot / Woodworm Treatment
- 30. Cavity Wall and / or Loft Insulation
- 31. Asbestos Handling & Removal, Asbestos Surveys & Asbestos Consultancy Services
- 32. Window Blinds
- 33. Shop Fitters – Specialist Joinery
- 34. Refurbishment of Laboratories
- 35. Clearance of Void properties
- 36. Works to Listed Buildings

### **Mechanical & Electrical Engineering**

- 37. Domestic (including Housing) Plumbing & Central Heating below £50,000
- 38. Domestic (including Housing) Plumbing & Central Heating above £50,000
- 39. Commercial Heating & Ventilating below £100,000
- 40. Commercial Heating & Ventilating above £100,000
- 41. Domestic (including Housing) Electrical Installation below £50,000
- 42. Domestic (including Housing) Electrical Installation above £50,000
- 43. Commercial Electrical Installations below £100,000
- 44. Commercial Electrical Installations above £100,000
- 45. Gas Boiler Maintenance
- 46. Maintenance of Building Management Systems for Heating & Ventilation

### **Mechanical & Electrical Specialist Services**

- 47. CCTV
- 48. Intruder Alarms
- 49. Fire Alarms
- 50. Warden Call System
- 51. Lifts
- 52. Swimming Pool Plant Equipment
- 53. Water Systems Cleaning & Chlorination

54. Ductwork System Cleaning & Sterilisation
55. Domestic & Commercial Kitchen Equipment Maintenance
56. Supply & Installation of Specialist Kitchen Equipment / Fittings
57. Installation, Testing & Maintenance of Local Exhaust Ventilation (LEV)
58. Water Systems – Risk Assessment
59. Supply & Installation of Pipework & Ductwork Installation
60. Supply, Installation and / or Servicing of Automatic Door Systems
61. PA Systems / Sound Systems
62. Stage Lighting
63. Service / Repair of Kilns
64. Supply, Installation & Servicing of Leisure Services Equipment
65. Specialist Steelwork (stainless Steel & Fabricated Works)
66. Lightning Conductors
67. Fire Fighting Equipment including Hose Reels
68. Smoke / Fire Detectors
69. Stage Equipment including Curtains, Gantry, Special Effects etc.
70. Computer / Telephone Cabling

### **Civil Engineering**

71. Civil Engineering £0 – £25,000
72. Civil Engineering £25,000 – £250,000
73. Civil Engineering £250,000 – £1m
74. Civil Engineering over £1m
75. Land Reclamation
76. Sewers & Drainage
77. Hard & Soft Landscaping
78. Ground Investigation
79. Demolition
80. Surfacing, Carriageway & Footways
81. Surface Dressing
82. Road Markings & Reflective Road Studs
83. Carriageway Slurry Surfacing & Footways
84. Fencing
85. Gabion & Blockstone
86. Steel Fabrication below £25,000
87. Steel Fabrication above £25,000
88. Bridge Works, New & Maintenance

### **Civil Engineering Specialists**

89. Concrete Repairs
90. Diving Inspections & Works within Water

91. Bridge Deck Expansion Joints
92. Bridge Deck Water Proofing
93. Soil Nailing
94. Sewer Relining
95. Sewer Surveys
96. Safety Fencing
97. Bridge Parapets (Manufacture & Installation)
98. Access Plant for Inspection
99. Bridge Parapet Painting
100. Painting of Structural Steelwork
101. Arboriculturalist
102. Weed-spraying
103. Weather Forecasting
104. Playground Equipment
105. Specialist Cleaning
106. Synthetic Pitches and Sports Facilities
107. Bus/Cycle Shelters
108. Traffic Signals
109. Street Lighting
110. Street Furniture
111. Specialist Contractor not listed above – please specify type of work



## **Appendix B**

### **Impact Assessment - First Stage**

#### **1. Details of the initiative**

<b>Initiative description and summary:</b> List of Approved Contractors – Approval to add new contractors.
<b>Service Area:</b> Procurement
<b>Directorate:</b> All

#### **2. Does the initiative affect:**

	<b>Yes</b>	<b>No</b>
Service users		<b>x</b>
Staff		<b>x</b>
Wider community		<b>x</b>
Internal administrative process only	✓	

### 3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age			x			There is no impact. Applications to be included on the Approved List of Contractors are accepted from all construction companies who meet the criteria.
Disability			x			
Gender Reassignment			x			
Marriage/Civil Partnership			x			
Pregnancy/Maternity			x			
Race			x			
Religion/Belief			x			
Sex			x			
Sexual orientation			x			

### 4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language			x			
Treating the Welsh language no less favourably than English			x			

**5. Does the initiative impact on biodiversity:**

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity			x			N/A
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.			x			N/A

**6. Does the initiative embrace the sustainable development principle (5 ways of working):**

	Yes	No	Details
<b>Long term</b> - how the initiative supports the long term well-being of people	✓		The addition of contractors onto the List of Approved Contractors will enable these companies to be procured in accordance with NPT's Procurement Rules. Contractors who fail to meet the requirements of this List will be given the opportunity to meet NPT's criteria. If this is not met, approval will be sought from Members to remove these contractors.
<b>Integration</b> - how the initiative impacts upon our wellbeing objectives	✓		Approving additional contractors onto the List of Approved Contractors will enable NPT to procure works with these companies. This will allow the companies to provide employment opportunities, allowing people to take advantage of wealth generated through securing decent work.

			The List of Approved Contractors gives local companies the opportunity to be contracted by NPT to undertake works.
<b>Involvement</b> - how people have been involved in developing the initiative	✓		The companies have been assessed to determine their suitability to be included on the List of Approved Contractors. External financial checks have been undertaken. Various departments have undertaken checks on the companies for Insurances, technical ability, Quality, Environmental and Health & Safety.
<b>Collaboration</b> - how we have worked with other services/organisations to find shared sustainable solutions	✓		Several departments have been involved in checking that contractors are suitable to undertake works for the category/ies. Any contractors who fail to comply with the ongoing checks for the List of Approved Contractors will be given the opportunity to meet NPT criteria. If this is not met, approval will be sought from Members to remove these contractors. The List of Approved Contractors is available for use by all departments in the Authority wishing to undertake works.
<b>Prevention</b> - how the initiative will prevent problems occurring or getting worse	✓		Contractors who fail to comply with the ongoing checks for the List of Approved Contractors will be given the opportunity to meet NPT criteria. If this is not met, approval will be sought from Members to remove these contractors.

**7. Declaration - based on above assessment (tick as appropriate):**

A full impact assessment (second stage) <b>is not</b> required	✓
Reasons for this conclusion	
<p>This First Stage Impact Assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.</p> <p>This First Stage Assessment has indicated that a more in-depth assessment is not required. A summary is below:-</p> <p>The report is seeking approval to add new Contractor(s), add additional Category/ies for approved Contractor(s) and remove approved Contractor(s).</p> <p>This does not affect any group of people and/or impact the Welsh Language, Biodiversity or the Five Ways of Working.</p>	

A full impact assessment (second stage) <b>is</b> required	x
Reasons for this conclusion	
N/A	

	Name	Position	Signature	Date
Completed by:-	Amanda J. Phillips	Programme & Commissioning Manager	AJP	29/11/2024
Signed off by:-	David W. Griffiths	Head of Engineering & Transport	DWG	29/11/2024

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## Report of the Head of Legal and Democratic Services

*Cabinet – 15 January 2025*

### ACCESS TO MEETINGS/EXCLUSION OF THE PUBLIC

<b>Purpose:</b>	To consider whether the Public should be excluded from the following items of business.
<b>Item (s):</b>	<p>Item 15 – Hillside Managers Report</p> <p>Item 16 – Hillside Responsible Individuals Report</p> <p>Item 17 - Disposal of Land at Croeserw</p> <p>Item 18 – Disposal of Changing Rooms, Port Talbot</p> <p>Item 19 – Direct Payments Payroll Service Review</p> <p>Item 20 – Debtor Write Offs</p>
<b>Recommendation(s):</b>	That the public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it/they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.
<b>Relevant Paragraph(s):</b>	13 and 14

## **1. Purpose of Report**

To enable Members to consider whether the public should be excluded from the meeting in relation to the item(s) listed above.

Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.

Such a resolution is dependant on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

## **2. Exclusion of the Public/Public Interest Test**

In order to comply with the above mentioned legislation, Members will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the grounds that it/they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in Appendix A.

Where paragraph 16 of the Schedule 12A applies there is no public interest test. Members are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

**3. Financial Implications**

Not applicable

**4. Integrated Impact Assessment**

Not applicable

**5. Valleys Communities Impact**

Not applicable

**6. Workforce Impact**

Not applicable.

**7. Legal Implications**

The legislative provisions are set out in the report.

Members must consider with regard to each item of business the following matters.

- (a) Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.

and either

- (b) If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test in maintaining the exemption outweighs the public interest in disclosing the information; or
- (c) if the information falls within the paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test by must consider whether they wish to waive their privilege in relation to that item for any reason.

**8. Risk Management**

To allow Members to consider risk associated with exempt information.

**9. Recommendation(s)**

As detailed at the start of the report.

**10. Reason for Proposed Decision(s):**

To ensure that all items are considered in the appropriate manner.

**11. Implementation of Decision(s):**

The decision(s) will be implemented immediately.

**12. List of Background Papers:**

Schedule 12A of the Local Government Act 1972

**13. Appendices:**

Appendix A – List of Exemptions

## Appendix A

<b>NO</b>	<b>Relevant Paragraphs in Schedule 12A</b>
<b>12</b>	Information relating to a particular individual
<b>13</b>	Information which is likely to reveal the identity of an individual
<b>14</b>	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
<b>15</b>	Information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority
<b>16</b>	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
<b>17</b>	Information which reveals that the authority proposes: <ul style="list-style-type: none"> <li>• To give under any enactment a notice under or by virtue of which requirements are imposed on a person, or</li> <li>• To make an order or direction under any enactment.</li> </ul>
<b>18</b>	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

By virtue of paragraph(s) 13 of Part 4 of Schedule 12A  
of the Local Government Act 1972.

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