

AGENDA ITEM NO. 2 [CABINET 2002 - 168]

CABINET

Minutes of the Cabinet meeting held in the Council Chamber, Prestatyn on Tuesday 29 October 2002 at 10.00 a.m.

PRESENT

Councillors P A Dobb, Lead Member for Health and Wellbeing; E C Edwards, Lead Member for Safeguarding our Communities; M A German, Lead Member for Sustainable Development and Environment; R W Hughes, Lead Member for Lifelong Learning; G M Kensler, Lead Member for Promoting Denbighshire; D M Morris, Lead Member for Communications; E A Owens, Lead Member for Finance; W R Webb, Lead Member for Property and Asset Management and E W Williams, Leader and Member for Economic Wellbeing.

Observers: Councillors M L J Davies, S Drew, I M German and N Hugh Jones.

ALSO PRESENT

Chief Executive; Deputy Chief Executive / Corporate Director of Resources; Financial Controller and the Solicitor.

APOLOGIES

Councillor J A Smith, Lead Member for Social Inclusion and the County Clerk

1 URGENT MATTERS

The Deputy Leader of the Council gave notice of the following items which in her opinion should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act 1972:-

- [i] Part I ~ Presentation of petition on school transport by the Lead Member for Lifelong Learning

2 MINUTES OF THE CABINET [CABINET 2002 - 168]

The Minutes of the Cabinet meeting held on 1 October 2002 were submitted.

Item 10 Ysgol Tir Morfa, Rhyl: Councillor R W Hughes wished to record the serious health and safety issues on both the sites and said a full report would be presented to the next Cabinet meeting.

Item 11 Waste Contracts: typographical error first line- delete "Williams".

RESOLVED that subject to the above the Minutes of the Cabinet meeting held on 1 October 2002 be approved as a correct record and signed by the Leader.

3 DELEGATIONS TO CABINET MEMBERS: PHASE II [CABINET 2002 - 169]

The Chief Executive presented the report seeking Members' approval to the delegation of a further range of functions to individual Cabinet Members, as set out in appendix 1 to the report and delegation of functions in respect of the agricultural estate to the Asset Management Committee. He reminded Members that the Joint Agricultural Board still had not met but an Agricultural Estates Committee had been convened. Members were asked whether or not the Authority still wanted a Joint Board with Flintshire County Council or whether Denbighshire should have its own arrangements for agricultural estates by making it part of the Asset Management Committee and expanding its membership by the two Members who would have been on the Joint Board.

Councillor E A Owens suggested only moving the Agricultural Estates to the Asset Management Committee when all Agricultural Estates business and cost arrangements had been completed and that this should be deferred until that time.

Councillor W R Webb expressed concern at the lack of experience on the Agricultural Estates Committee and supported the proposal to bring the joint board to an end.

Councillor E C Edwards said he had no problems with the contents of the report but said he had attended the meeting of the Agricultural Estates Committee, which in his view had turned out not to be effective. He put forward the proposal that a Ruthin Member should be on the Asset Management Committee.

Councillor E W Williams said agricultural estates should not be treated as a specialist business and the fact that 2 of the Members of the Asset Management Committee were farmers should not make any difference to the representation. Officers are employed to advise Members, in turn enabling Members to take the decisions, and officers should ensure that detailed papers are provided for on all agricultural estates matters.

Councillor R W Hughes said agricultural estates was a heavy responsibility for Members and the burden was greater if those Members lacked any agricultural experience as the type of business was specialist. Councillor Hughes suggested consideration should be given to using a system which involved knowledge of agricultural estates. In reply, Councillor E A Owens said she saw her role on both the Committees as relating to the Finance Portfolio and it had no link to either her location or knowledge.

Councillor W R Webb said the agricultural estates should be run as a business. He said Members with a knowledge of agriculture gave an advantage to the Committee. It needed to be strengthened and we need to look to the future.

The Chief Executive suggested the Members on any Committee should consist of the relevant portfolio holders rather than members of any political group or members from a particular area and that 5 or 6 Members should be the maximum size for Cabinet committees.

After further discussion, Councillor E C Edwards withdrew his proposal which had been seconded by Councillor R W Hughes that membership of the Asset Management Committee should include Members from each major town. The principle that agricultural estates should come under the Asset Management Committee was accepted.

Councillor W R Webb proposed, and was seconded by Councillor E A Owens, that a decision on expanding the Asset Management Committee membership to 6 be deferred and that the Chief Executive and the Leader be asked to re-look at the membership in the light of Members' concerns.

Councillor P A Dobb asked the Chief Executive for clarification on three issues within the appendix. Her first query concerned the general delegations and whether Members who had a joint responsibility would both be asked to agree the delegation. The second query concerned 1.3 and whether any financial limit would be set on compulsory purchase orders. The third query concerned 1.5 and whether a consistent policy was available with regard to fees, charges or concessions.

In regard to Councillor Dobb's first query, the Chief Executive said if matters were cross-cutting then more than one Member should be asked to agree the matter jointly. If the Members were unable to agree, the matter would come to Cabinet for a resolution.

In regard to 1.3, the Chief Executive said there was no reason why a financial limit could not be imposed. Councillor E A Owens said any compulsory purchase orders had to be financed by the relevant budget holder.

After discussion, the Chief Executive agreed to withdraw paragraph 1.5 in the Appendix and bring the matter back when the policy on fees and charges was being dealt with.

Members discussed in detail the imposing of a financial limit for compulsory purchase orders. Councillor M A German supported the idea in principle and suggested that compulsory purchase orders of under £50k

be delegated decisions with amounts over £50k being presented to Cabinet for a resolution. Both Councillors W R Webb and D M Morris suggested paragraph 1.3 should remain unaltered. Upon being put to the vote, it was agreed that compulsory purchase orders of £50k and below be delegated to relevant Cabinet Members to determine, but that in all cases the agreement of the Lead Members for Finance and Property and Asset Management be required.

Councillor E A Owens reminded Cabinet Members that delegation 1.6 on Grants applied to one year grants only. Grants extending for periods exceeding one year should still form part of the budget process. Furthermore, Councillor Owens indicated that in her absence her delegated powers would be passed to the Leader.

Councillor N Hugh Jones, with the agreement of the Deputy Leader, asked the Chief Executive that a list of Members with delegation powers would be circulated. The Chief Executive said all Cabinet decisions are published and circulated. Councillor Hugh Jones then queried item 3 of the Cabinet minutes dated 01.10.2002 and asked whether the Scrutiny challenge would be the next meeting or any subsequent meeting. The Chief Executive informed Members that all delegated decisions had to be published and that delegated decisions could be scrutinised whenever the Scrutiny Committee wished. The Scrutiny Committees could refer an item back to Cabinet or Council as long as the decision had not already been implemented.

In reply to a query on item 2.4 of the Appendix from Councillor G M Kensler, the Corporate Director: Environment said the Lead Member for Sustainable Development and the Environment would decide on areas to be designated as conservation areas. The Chief Executive suggested that paragraph 2.4 of Appendix 1 be amended to read "To designate areas as conservation areas or as local nature reserves and to amend the boundaries of such areas".

RESOLVED that Cabinet:

- (a) *delegates functions to individual Cabinet Members as set out in appendix 1, subject to (c) and [ch] below with effect from 30 October 2002.*
- (b) *delegation of functions in respect of the agricultural estate, previously vested in the Joint Agricultural Board, to the Asset Management Committee be not deferred and the membership of the Committee be expanded to five Members as set out in the report. The Chief Executive and Leader would consider further the size and geographical spread of Cabinet committees and report back.*
- (c) *agree to defer paragraph 1.5 of the Appendix to the report pending the development of a corporate policy on fees.*
- (ch) *paragraphs 1.3 and 2.4 of the Appendix would be amended as recorded above.*

4 DENBIGHSHIRE COMMUNITY STRATEGY [CABINET 2002 - 170]

Councillor E W Williams presented the report seeking Cabinet approval of the action taken in preparing the Community Strategy for Denbighshire. The Assistant Chief Executive: Strategy detailed to Members the two-way structure of the Area Partnership Managers, who firstly reported to an Area Director for the development of the Community Strategy in their areas and second, reported to himself to work in accordance with established Council Policy. The Assistant Chief Executive: Strategy briefly outlined his recent visit to Blackburn with Darwen and their views on Community Strategy which is chaired by the partnership. He suggested the Council take the lead initially and then persuade partners to play a greater role in the Strategy.

Councillor E W Williams said the recent breakfast meeting held at Rhyl with potential partners had been successful but it was essential that any partnership should not be seen as the sole responsibility of the County Council.

RESOLVED that Cabinet approve the action taken so far in developing the Community Strategy.

5 GREEN SPACES SERVICE REVIEW [CABINET 2002 - 171]

Councillor M A German presented the report seeking Cabinet's agreement of the following options identified for further research during Phase I of the Green Spaces Service Review and the associated cost implications and as detailed in the Appendix to the report:

- ♦ Amalgamate Green Space services under one Directorate and Head of Service
- ♦ Fully appraise different contract options, tendering routes and management/monitoring staffing structures including single contract, split contracts and selected contractors externalising client role, self monitoring and partnership arrangements.
- ♦ Fully appraise different agreement options, including joint venture, service level agreements, partnerships with neighbouring authorities and external providers
- ♦ Fully appraise the devolution of Green Space maintenance

Councillor German estimated the cost of employing consultants to carry out the option appraisal element of the review to be £15k.

Members discussed the employment of consultants at length. Members also discussed the provision of one team which covered every department with regard to green spaces. The initial project team had been diverse with officers from leisure, housing etc taking part in the review. It was agreed the public looked for service delivery from the Authority.

Councillor E A Owens expressed her concern about this issue over recent experiences. She asked whether consideration had been given to one unit carrying out all the work with green spaces as opposed to several different departments. The complexity of the proposals did not give her much hope.

Councillor W R Webb expressed his concerns regarding the employment of consultants and suggested that the Authority's own officers should be dealing with the matter. The Head of Regeneration Services said consultants would provide an unbiased view for the Authority.

RESOLVED that Cabinet agree to the appraisal of options by consultants as outlined in the report.

At this juncture (11.30 a.m) the meeting adjourned for 15 minutes to allow Members to participate in refreshments.

6 DECRIMINALISATION [CABINET 2002 - 172]

Councillor M A German presented the report seeking Members' agreement to proceed with the implementation of decriminalisation of parking offences in Denbighshire and to support a capital bid to meet the set-up costs.

Councillor E A Owens said all plans had to be cost effective and she was saddened by the scant regard given to value for money or having a staged approach. Councillor Owens suggested the proposed staff numbers should be smaller.

The Chief Executive outlined the failure of parking enforcement by the Police across Denbighshire and, although decriminalisation would incur start-up costs, the costs should be met over time. He also agreed that the proposed management level posts needed to be looked at again. The Chief Executive asked for Cabinet support in principle to decriminalisation. He suggested that any attendants employed should be multi-tasking in a range of street-level enforcement activities and not just deal with parking enforcement once suitable training had been given. Councillor R W Hughes suggested the Police be approached to discuss contributions to funding attendants who could help with traffic management as well as parking ticket enforcement. The Chief Executive said that he would discuss with the Chief Constable opportunities for partnership working under the Police Reform Act.

The Corporate Director: Environment confirmed that the report had indicated that decriminalisation was cost effective over 3 years and that further reductions in management structure which could be pursued would add to this.

RESOLVED that Cabinet note the consultant's findings and support a capital bid to enable the implementation of decriminalisation once the management structure is approved. It is further agreed that the North Wales Police Authority be approached to discuss possible funding and partnership working.

7 DELIVERING COUNCIL PRIORITY A.1. [CABINET 2002 - 173]

Councillor D M Morris presented the report seeking a decision on the best way to deliver the Council priority "We will establish a fully bilingual system to provide customers with a single contact point for the delivery of all services either face to face, via the telephone or electronically via the web site. Target 40% of all Council transactions by April 2004, 80% by 2005." Councillor Morris said Denbighshire had taken the lead in Wales on the provision of contact centres. Councillor Morris also reminded members that the BT Vision group and the Authority were still liaising after earlier meetings this year and would report back to Cabinet at a later date.

Councillor E A Owens strongly voiced her concerns regarding budgets and said that whilst she supported the idea in principle, she could not agree to prioritisation of this item until the settlement figures had been given by the National Assembly for Wales. It was inappropriate to commit large sums at this time but agreed the proposal should be given a high priority. If it became necessary to top-slice budgets this would present further difficulties.

Councillor W R Webb expressed concern over the 7 new posts which would be created and asked the Chief Executive where the staff would be housed. The Chief Executive said that a review of office accommodation would come to the Asset Management Committee shortly. The principle of the contact centre was essential and, if an internal solution for financing the project proved to be beyond the capacity of the Council given competing demands, officers would search for a partnership solution to deliver such a centre, with Members' agreement.

The Corporate Director: Resources said that five of the six North Wales Authorities were at similar stages of developing contact centres.

Councillor R W Hughes, although she had every sympathy with Councillor Owens' position, felt the Council's agenda was being driven by the finance and that this was not good business planning. Councillor Hughes suggested Members and Corporate Directors should meet to discuss where the Authority is going, focusing on service delivery and not strictly finance.

Councillor E W Williams said the WLGA had strongly voiced their concerns to the NAFW about the way in which financial information was given to LAs.

RESOLVED that Cabinet endorse the direction noted in the report and that agree that prioritisation is given to this Corporate budget, without which the Authority will not be able to delivery Council priorities.

8 REVENUE BUDGET [CABINET 2002 - 174]

Councillor E A Owens presented the report advising Members of the current position in relation to the Revenue Budget and the approach taken to address the current potential overspends. The projected overspends by individual departments would need to be contained within base budgets. Councillor Owens also congratulated the Head of Countryside and Leisure services on his persistence in following the NNDR arrears which had paid dividends.

Councillor Owens detailed her concerns regarding overspending in the system for the next financial year and the degree of variance projected.

RESOLVED that Cabinet note the report and appendices and approve the proposals to address the current potential overspends to ensure that balances of £1.0m are achieved by the end of the current financial year.

9 **CAPITAL PLAN [CABINET 2002 - 175]**

Councillor E A Owens presented the report seeking Cabinet approval to the proposed revisions to the Capital Plan as detailed in the report and appendices. Councillor Owens said it may become possible to reinstate to Directorates the cuts made previously.

Councillor Owens said that the Canol y Dre building, Ruthin required £125k to be spent on renovations to enable the building to be used as much needed office accommodation. Other problems such as adverse land conditions on building projects could not be foreseen and such problems could halt a scheme. This has led to the request for a contingency fund of £109k.

Councillor R W Hughes expressed her support for the contingency fund request.

Councillor W R Webb took the opportunity to inform Members that in his opinion the Authority would not meet the capital receipt target figure for the current year. Members should be reminded to move forward with various schemes. The Chief Executive agreed with Councillor Webb and said he appreciated that difficult decisions had to be taken: what was the correct decision for the Authority as a whole may not be perceived as the correct decision for each local area.

RESOLVED that:

- (a) Cabinet seeks Council approval of the revised Capital Plan [to incorporate £0.125m for office accommodation works at Canol y Dre]
- (b) delegated powers are given to the Cabinet Member for Finance to authorise use of the £0.109m contingency on approved schemes.

10 **STRATEGIC GRANTS POLICY [CABINET 2002 - 176]**

Councillor E W Williams presented the report seeking Members' approval of the Draft Policy for Grants to Community and Voluntary Groups.

Councillor E A Owens congratulated the Assistant Chief Executive: Strategy and his staff on the production of the Policy and asked that copies of the Policy be made available for the whole of the voluntary sector. She also asked that the Policy be updated from time to time.

In reply to a question from Councillor G M Kensler that Denbigh Central is also designated as a ward with high deprivation and yet it is not in the list, the Head of Strategic Planning and Support Services said the areas designated were areas with the highest levels of deprivation with most of the funding targeted around multiple areas of key deprivation.

The Head of Housing Services, in response to a question from Councillor P A Dobb, said all applicants were obliged to keep financial accounts. The Leader said the Authority should be publishing good news and the giving of grants to the various organisations.

RESOLVED that Cabinet approve the Grants to Community and Voluntary Groups policy document.

11 **LINKS WITH AUTONOMOUS PROVINCE OF BOZEN-SÜDTIROL/BOLZANO-ALTO ADIGE [CABINET 2002 - 177]**

Councillor E W Williams presented the report seeking Cabinet's approval to pursue development of links with the autonomous province in Italy as detailed in the Appendix to the report.

Councillor R W Hughes said she was pleased the way Denbighshire was developing such links and that ECTARC already had successful links with regions in Italy. It was incumbent on the Authority to ensure practical outcomes resulted from such links. Councillor R W Hughes suggested convening an informal meeting of appropriate Members and officers with the European Funding Officers to develop the links.

RESOLVED that Cabinet support the development of links with the autonomous province as set out in Appendix 1 to the report and agreed an informal meeting of appropriate Members, officers and European Funding Officers be convened to develop the work.

12 **JOINT REVIEW POSITION STATEMENT [CABINET 2002 178]**

Councillor E W Williams presented the report seeking Cabinet's agreement to the establishment of a Task and Finish Group comprising Cabinet and members of Personal Services Scrutiny Committee to consider the final draft of the Joint Review Position Statement. The final agreement of the submitted version be delegated to the Corporate Director of Personal Services.

RESOLVED that Cabinet agree the establishment of a Task and Finish Group and the final agreement of the submitted version be delegated to the Corporate Director of Personal Services.

13 **URGENT ITEMS [CABINET 2002 - 179]**

SCHOOL TRANSPORT

Councillor R W Hughes updated Members on unresolved issues with regard to children from primary schools in the Rhuddlan area wishing to attend Ysgol Emrys ap Iwan, Abergele rather than Rhyl High School and presented the Chief Executive with a petition from the parents and pupils concerned. Councillor Hughes said the cost of transport from the area to Ysgol Emrys ap Iwan would be prohibitive but asked that consideration be given to any requests the parents made.

The Chief Executive said any decision on changes to the policy on free bus transport for schoolchildren was a Cabinet decision.

Members agreed that all high school headteachers should be made welcome in primary schools when decisions on school places were being considered.

RESOLVED that Cabinet note the position and accept the petition presented by Councillor R W Hughes on behalf of the parents.

QUESTION AND ANSWER SESSION No questions had been received by the closing date.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED under Section 100A(4) of the Local Government Act 1972 the Press and Public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 7 and 8 of Part 1 of Schedule 12A of the Local Government Act 1972.

14 **BODELWYDDAN CASTLE GRANT** [CABINET 2002 - 180]

[Councillor R W Hughes declared an interest in the item.]

Councillor G M Kensler presented the report seeking approval of the level of the annual grant at £194,000 and insurance costs until March 2004. The shortfall would be about £7k this year and this historically, had been vired from Resources. Members were also asked to note the end of the agreement to provide 'in kind' curatorial support in 2002/2003 and that the end of the three year agreement to provide additional property maintenance was 30 March 2003. Councillor Kensler said the First Minister had recently visited the Castle and had been impressed with how well the Trust worked and with the number of partnerships on board.

Councillor R W Hughes reminded Members of the support which had been available from Clwyd County Council to Bodelwyddan Castle. The Trust now operated with a small staff and had changed the emphasis from a tourism centre to being marketed as a centre which also offered educational opportunities for schoolchildren and a whole day out for the family. The National Portrait Gallery were implementing a new product for the Castle which it was hoped would draw in more visitors.

Councillor E A Owens reminded Members of the Authority's accounts and the outstanding commitments the Authority had not only to the Trust but the whole of Culture and Leisure. Councillor Owens suggested, that whilst she had no problem with the virement, Members should not commit themselves to monies for the following year at this stage. Councillor Owens said this request was similar to other requests from within the Authority but that statutory requirements would have to be met first.

The Chief Executive said the Trust were asking for agreement for the same grant level, no increase was being asked for. He stressed that it was late in the year to inform the Trust that this guarantee could not be given, and a fundamental review would be carried out next year.

Both Councillor R W Hughes and Councillor W R Webb said the agreed 10 year support for the Trust should not be withdrawn.

Councillor E W Williams agreed with Councillor E A Owens' suggestion that this request be considered the same time as other requests for grants by the Authority.

Councillor G M Kensler stressed the need for reassurance for our partners.

RESOLVED that Cabinet did not agree the annual grant level at £194,000 and insurance costs to March 2004 at this time but that the matter would be considered along with all other requests for grants during the budget process. Members noted the end of the agreement to provide 'in kind' curatorial support in 2002/03 and that the end of the three year agreement to provide additional property maintenance is 30 March 2003.

15 **DOMESTIC GAS CONTRACTS** [CABINET 2002 - 181]

Councillor G M Kensler welcomed Chris Morris to the meeting.

Councillor P A Dobb presented the report seeking Members' approval for the use of an exception to the Tendering Procedure contained within the Council's Contract Standing Orders. Members were also asked to urgently appoint a new contractor to carry out the work of servicing and maintaining gas appliances.

The Head of Housing Services detailed the urgency of this work and that the extra cost would be contained within the Housing Revenue account.

The Solicitor advised Members that the request was in line with contract provision and that no financial penalty to the Authority would be incurred.

RESOLVED that:

- (a) 21 days notice under Clause 49.1 of the Contract be given to P H Jones Ltd from a date when a replacement contractor is identified.
- (b) Members approve the use of the exception Clause 9c to the Tendering Procedure contained within the Council's Standing Orders to approach only one contractor.
- (c) Members approve the appointment of a replacement contractor on a negotiated contract as approved by the HSE and CORGI, to carry out the Council's legal obligation to service and maintain gas appliances for a maximum period of 18 months.

The meeting concluded at 12.50 p.m.

REPORT TO CABINET

CABINET MEMBER: Councillor P A Dobb, Lead Member for Health & Wellbeing

DATE: 26 November 2002

SUBJECT: STRATEGIC PARTNERSHIP FOR HEALTH, SOCIAL CARE AND WELLBEING -
TERMS OF REFERENCE

1 DECISION SOUGHT

To seek approval for the Draft Terms of Reference for the Strategic Partnership Board for Health Social Care and Wellbeing.

2 REASON FOR SEEKING DECISION

Outline Terms of Reference were included in the relevant Cabinet report of the 30th July 2002. These Terms of Reference have been refined and were considered at the first Health, Social Care and Wellbeing Board Meeting on Tuesday 8th October 2002 and are attached.

3 COST IMPLICATIONS

N/A

4 FINANCIAL CONTROLLER STATEMENT

There are no obvious current financial implications from the content of the report. It is assumed that any future financial issues will be the subject of a further report at the appropriate time.

5 CONSULTATION CARRIED OUT

Consultation has been carried out with:

The Strategic Partnership Board for Health, Social Care and Wellbeing - who suggested amendments to the Draft Terms of Reference. This comprises representatives of Conwy/ Denbighshire Trust, Local Health Group/Board, Denbighshire Voluntary Services Council, North Wales Care Homes Association, Community Health Council, as well as the County Council.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

The Health, Social Care and Wellbeing Strategy touches virtually all aspects of County Council functioning.

7 RECOMMENDATION

To approve the Terms of Reference.

**DENBIGHSHIRE STRATEGIC PARTNERSHIP BOARD FOR HEALTH,
SOCIAL CARE AND WELLBEING**

TERMS OF REFERENCE AND MEMBERSHIP

Terms of Reference

- ❖ To oversee and approve for recommendation to each partner agency the development of a Strategy for Health, Social Care and Wellbeing in Denbighshire.
- ❖ To oversee and approve for recommendation to each partner joint strategic and operational service/commissioning plans for the following key groups in relation to Health, Social Care and Wellbeing.
 - Older People
 - Older People with Mental Health Problems
 - Adults with Mental Health Problems
 - Adults with Learning Disabilities
 - Adults with Physical Disabilities and Sensory Impairment
 - Children (in conjunction with the Children and Young People's Framework Partnership)
- ❖ To oversee and approve for recommendation to each partner agency joint strategic and operational service/commissioning plans to promote wellbeing, tackle the broader determinants of health and reduce inequalities.

Only in the most exceptional circumstances will plans not be approved by partner organisations once they have been developed and agreed through the Health, Social Care and Wellbeing Strategic Partnership Board.

(The Board will not oversee ALL action relating to the health and wellbeing of the population. It is accepted, for example, that some action to implement certain National Service Frameworks eg coronary heart disease and diabetes will be managed elsewhere eg through clinical networks. There will, however, be interaction between those programmes and the work of this Board).

- ❖ To ensure co-ordination and integration between the Strategy for Health, Social Care and Wellbeing and other Key strategies/plans, in particular the Community Strategy/Plan.
- ❖ To agree the structure of planning/commissioning groups to support development, implementation and monitoring of the Strategy, terms of reference and accountability arrangements.
- ❖ To ensure public and targeted consultation on draft Strategies for Health, Social Care and Wellbeing, and publication post adoption.
- ❖
- ❖ To monitor the implementation of joint strategic and operational service plans and review their outcomes.
- ❖ To agree all projects relating to joint flexibilities and partnership working.

- ❖ To monitor progress and outcomes of all projects relating to the joint flexibilities grant and other joint working projects.

MEMBERSHIP

It is proposed that the Board should comprise of both officers and members/non executive directors of the partner agencies.

It is also proposed that in addition to the statutory authorities those other who have an important part in the delivery and/or monitoring of care are included within the Strategic Partnership Framework.

The following Board Membership is therefore proposed:-

Denbighshire County Council

Lead Member for Health and Wellbeing
Lead Member for Social Inclusion
Lead Member for Community Safety
Director of Personal Services
Director of Lifelong Learning or representative
Director of Environment or representative
Joint Flexibilities Implementation Manager

Denbighshire Local Health Group/Board

Chair
Non-executive member
General Manager/Chief Executive

Conwy & Denbighshire NHS Trust

Chair
Director of Operations
Director of Nursing

Public Health Service (Wales)

Consultant in Public Health Medicine - to be appointed on establishment of the Local Health Board
Public Health Facilitator

Denbighshire Voluntary Services Council

Chair
Chief Officer

Community Health Council

1 representative

Independent Sector

1 representative

Named deputies may attend at the discretion of the Chair.

While the above constitutes the Board, other officers may be required to attend to offer advice or report on progress.

Chair

The Chair will rotate between partner agencies on a two yearly cycle.

Meeting Frequency

Quarterly - subject to review. Meetings with Conwy Strategic Partnership Board will take place twice yearly.

Administration

The Strategic Partnership Board will be administered by Denbighshire County Council.

REPORT BY: CHIEF EXECUTIVE

DATE: 26 NOVEMBER 2002

SUBJECT: CORPORATE POLICY ON THE SETTING OF FEES AND CHARGES

1 DECISION SOUGHT

- 1.1 Agreeing of the Policy on the setting of fees and charges, as set out in Appendix 1.
- 1.2 Delegation of further functions to individual Cabinet Members, as set out in Appendix 2.
- 1.3 That Cabinet recommends to Council that the Policy should be adopted for all Fees and Charges.

2 REASON FOR SEEKING DECISION

- 2.1 At the Cabinet meeting on 29 October 2002 it was agreed to defer approval of the delegation in relation to the setting of fees and charges until a Policy was in place.
- 2.2 This paper includes the proposed Policy at Appendix 1 and the Delegation Decision at Appendix 2.
- 2.3 The setting of fees and charges for Planning and Licensing is the responsibility of the relevant Committees. It is therefore suggested that the Policy should be approved by Council for all areas of the Authority.

3 COST IMPLICATIONS

- 3.1 The act of agreeing delegations has no cost implications in itself. Arrangements for advising Cabinet members on decisions and publishing those decisions involve essentially the same amount of work as advising the full Cabinet.

4 FINANCIAL CONTROLLER STATEMENT

- 4.1 The recommendations provide the framework for the Authority to ensure that it is obtaining the full benefits from fee income.

5 CONSULTATION CARRIED OUT

- 5.1 Corporate Executive Team consulted and their observations discussed and incorporated.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

- 6.1 It is important to ensure that the Policy on the setting of Fees and Charges is consistent with other policies of the Authority, and this is reflected in the Policy itself.

7 Recommendations

- 7.1 That Cabinet agrees the Policy on the setting of Fees and Charges, as set out in Appendix 1.
- 7.2 That Cabinet delegates functions to individual Cabinet Members, as set out in Appendix 2.
- 7.3 That Cabinet recommends to Council that the Policy should be adopted for all Fees and Charges.

CORPORATE POLICY ON THE SETTING OF FEES AND CHARGES

1 BACKGROUND

- 1.1 The Authority raises approximately £30m annually from Fees and Charges. It therefore represents one of the largest sources of funding over which the Authority can influence any degree of control.
- 1.2 In the past little attention has been paid towards developing a consistent policy on Fees and Charges. In many respects their impact is currently hidden by the fact that all reporting is based on net revenue expenditure (i.e. after deducting Fees and Charges).
- 1.3 Fees and Charges therefore represent a real opportunity to increase funding without needing to increase Council Tax. The development of a corporate policy is also consistent with the Audit Commission report 'The Price is Right' which advocated such an approach.
- 1.4 The Policy seeks to provide guidance on how fees and charges should be calculated, and allows opportunities for rebates and reductions to be made in accordance with the policy framework of the Council.

2 POLICY

- 2.1 The Authority will in principle levy a fee or charge for all services that it provides where it has the legal power to do so
- 2.2 The Policy on the setting of Fees and Charges cannot apply where charges are determined by central government.
- 2.3 Fees and Charges will be set by the Lead Member for that particular service. If Fees and Charges relate to more than one service, the agreement of all Lead Members will be required. The agreement of the Lead Member for Finance will be required in addition to that of all Lead Members involved.
- 2.4 Where there is statutory guidance on the setting of fees and charges, this must be taken into consideration.
- 2.5 The charge should as a minimum cover the full cost including overheads of providing that service.
- 2.6 Where services are provided at less than full cost or at no charge, the Lead Member should agree this with the Lead Member for Finance. The reason for the less than full price charge should be clearly stated, as well as a reference to the particular policy or priority of the Authority which the decision supports, for example, the Authority's policies on Anti-Poverty.
- 2.7 Fees and Charges will be consistent across the County, but may be varied by rebates and reductions to reflect local conditions, such decisions must be published.
- 2.8 If the overall impact of a major revision of fees and charges is to reduce overall income, this may, with the agreement of the Lead Member for Finance, be an acceptable reason for not undertaking the revision.

- 2.9 There should be a fundamental review of Fees and Charges every three years, and this should involve the Finance function as well as service staff.
- 2.10 All Fees and Charges should be increased annually as a minimum in line with pay inflation (reflecting the fact that salaries are the biggest individual costs). Other significant inflationary costs should be incorporated on a basis consistent with their component of the cost.
- 2.11 Where the actual charge is too low to be adjusted annually (e.g parking charges) it is acceptable to review charges on a less frequent but higher increase basis.
- 2.12 Proposals for increased charges should be available by the end of November each year so that they can be incorporated into the budget cycle.
- 2.13 In practice consideration therefore needs to be given to Fees and Charges much earlier in the financial year in order to ensure that adequate consultation has taken place.
- 2.14 Budgetary and financial reporting mechanisms will be amended to ensure that income from Fees and Charges are clearly reported, and that expenditure is reported on a gross basis.

FUNCTION RECOMMENDED FOR DELEGATION TO INDIVIDUAL CABINET MEMBERS

To approve fees and charges, including any subsidies and concessions, in accordance with the Policy adopted by Cabinet on the setting of Fees and Charges. Decisions on these matters are subject to the agreement of the Lead Member for Finance.

[The delegation does not include fees and charges that are set by the Planning and Licensing Committees, or Housing Rents which will be set by reference to the Housing Rents Setting Policy.]

REPORT TO CABINET

CABINET MEMBER: Mike German, Lead Member for Sustainable Development & the Environment

DATE: 26 November 2002

SUBJECT: Approval of Supplementary Planning Guidance

1 DECISION SOUGHT

1.1 To seek approval of the attached Supplementary Planning Guidance Notes (SPGs) for use in development control.

1.2 SPGs attached in Appendix 1:

- No.7 - Self Contained Flats and Houses in Multiple Occupation
- No.9 - Agricultural and Forestry Workers' Dwellings
- No.10 - Infill Housing in the Countryside
- No.13 - Conservation Areas
- No.14 - Listed Buildings
- No.17 - Advertisements

2 REASON FOR SEEKING DECISION

2.1 The Denbighshire Unitary Development Plan (UDP) is now adopted and existing SPG's will be updated where necessary. The revised SPGs attached to this report will supplement various policies of the Denbighshire UDP, which will provide further guidance to members, officers and developers in the submission and assessment of development proposals. The revised SPGs have been updated to include the following key changes:

- Changes in National Planning Guidance ie Planning Policy Wales 2002
- New and amended Technical Advice Notes, TA Ns
- Creation of the Welsh Assembly Government
- Policy changes in the UDP following the Plan Inquiry
- Representations received during the public consultation period.

2.2 The revised SPGs have been subject to public consultation. Once adopted by Council, they can be taken into account as a material consideration in determining applications for planning permission.

3. COST IMPLICATIONS

3.1 There are no additional cost implications.

4 FINANCIAL CONTROLLER STATEMENT

There are no immediate financial implications apparent in the report.

5 CONSULTATION CARRIED OUT

5.1 The attached SPGs were issued for public consultation alongside the Unitary Development Plan Deposit version. The representations relevant to the SPGs which are the subject of this report are set out in the table attached as Appendix 2. The table also contains the suggested response to each representation along with any amendments made.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

6.1 Improve the quality of the environment and the quality of life for residents of Denbighshire.

7 RECOMMENDATION

7.1 That the attached SPGs as amended be approved by Cabinet and recommended for adoption by the Council.

DENBIGHSHIRE COUNTY COUNCIL

**SELF CONTAINED FLATS AND
HOUSES IN MULTIPLE OCCUPATION**

1. INTRODUCTION

- 1.1 This Note is one of a series of Supplementary Planning Guidance Notes (SPGs), amplifying the development plan policies and other issues in a clear and concise format with the aim of improving the design and quality of new development. The Notes are intended to offer broad guidance which will assist members of the public and officers in discussions prior to the submission of planning applications and assist officers in handling and members in determining planning applications.

2 STATUS AND STAGES IN PREPARATION

- 2.1 The Council's SPG Notes are not part of the adopted plan. However, they have been the subject of both a formal Council resolution and public consultation. The Welsh Assembly Government (The Assembly), has confirmed that following public consultation and subsequent Local Planning Authority (LPAs) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Assembly determine planning applications and appeals. This Note was approved by xxxxxxxx on xxxxxxxx for use in development control. A statement of the consultation undertaken, the representations received and the Council's response to these representations is available as a separate document.
- 2.2 These Notes have been prepared in accordance with guidance contained in Planning Policy Wales; Unitary Development Plans (Wales); Technical Advice Notes.

3. BACKGROUND

- In Denbighshire in recent years there has been a significant increase in the number of large houses which have been subdivided into flats, bed sit and other forms of multiple occupation.
- The County Council recognises that whilst this type of accommodation may meet a limited housing need in certain areas, the cumulative impact of a cluster or concentration of such uses may have a resultant adverse impact on the existing residential character.
- Planning policies and standards play an important role in the control of subdivided and self-contained accommodation.

4. PLANNING POLICY

- Reference should be made initially to the **Housing Chapter** of the Council's Unitary Development Plan which relates to the consolidation of or conversions to self contained flats or houses in multiple occupation. The broad aims of the policy are:
 - to prevent the further subdivision of premises into non-self contained accommodation in areas where there is already an over provision.
 - outside such areas, to establish criteria against which proposals for self-contained or non-self contained accommodation may be assessed.

- Areas of east and west Rhyl have a significant number of properties in use as flatlets and bedsits which do not provide fully self-contained residential accommodation.
- Proposals for conversions of properties within these specified areas will only be permitted if it is fully self-contained accommodation which is being provided.

5. DEFINITION AND STANDARDS

5.1 SELF CONTAINED FLATS

- There are various definitions under different legislation for self contained flats; the one below is the most relevant for planning purposes.

"A fully self-contained flat is defined as residential accommodation providing a minimum of one habitable room with a separate kitchen with the exclusive use of an inside bath/shower, sink and toilet."

- Guidance on minimum floor space standards for self-contained flats is set out below:

❖ 1 Person

Bedroom	6.5 square metres	(70 sq.ft)
Kitchen	4.5 square metres	(48 sq.ft)
Living Room	11.5 square metres	(124 sq.ft)

❖ 2 Person

Bedroom	10 square metres	(108 sq.ft)
Kitchen	5 square metres	(54 sq.ft)
Living Room	13 square metres	(140 sq.ft)

❖ 3 Person

Main bedroom (double)	10 square metres	(108 sq.ft)
Bedroom (small)	6.5 square metres	(70 sq.ft)
Kitchen	7 square metres	(75 sq.ft)
Living Room	16 square metres	(172 sq.ft)

The subdivision of a large single dwelling house into a number of self contained units means that additional parking may be required to be provided within the site at a rate of 1 to 2 spaces per unit.

N.B. - Parking provision should meet the LPAs approved standards - set out in SPG 3- which are intended to be a maximum not a minimum. Access to means other than the car - ie public transport or within walking distance of local facilities - is preferred. Where the parking requirements cannot be met on site due regard will be given to the need for and merits of the conversion compared to the resultant over spill parking on street and its impact on the surrounding area.

5.2 NON-SELF CONTAINED ACCOMMODATION

- Accommodation which involves the sharing of certain facilities, such as a kitchen will only be permitted after assessment against the following criteria:

- ❖ Is the proposed property located within the East/West Rhyl restricted area?
- If YES then conversion must be providing self-contained accommodation only.
- ❖ What is the size of the building?

Occupation

- The building would need to be of a suitable size for subdivision without the need for major alterations or extensions in order to accommodate the units. In certain areas, providing no harm to the locality occurs, certain buildings in spacious grounds may meet a demand for suitably designed bedsit accommodation.
- ❖ Could the property be used for alternative beneficial uses?
 - The property may be more suited to conversion to a use which reflects the character of the area. (i.e. employment/office uses) or retained in its current use eg hotel
- ❖ What are the characteristics of the locality?
 - The sub division of a property within an area of mainly single dwelling houses or other specific land use characteristics would be unlikely to be allowed as it may adversely affect the reasonable and generally accepted standards of residential amenity in the locality
- ❖ Would the number of units proposed cause detriment to the area?
 - The sub division of a property invariably results in an intensification of use and often an increase in noise levels which may cause disturbance to neighbours and other occupiers. The potential increase in noise and traffic in the area would be assessed on an individual application basis. In addition the cumulative effect will be a consideration
- ❖ Can external facilities be catered for on site?

The provision of additional residential units would require the provision of further residential facilities on site such as bin stores, drying areas etc. In addition it may be necessary, to comply with building/fire regulations, to provide a separate means of escape from the new units. This may require the provision of external stairwells etc which may also need planning permission (refer to contacts at end).
- ❖ Is the internal layout/floor space acceptable

The internal arrangement of the sub divided units should follow the floor space guidance given above (ie as if a self contained unit) and should be designed to provide an acceptable degree of residential amenity for its future occupiers. Generally, the following principles relating to the internal arrangements of rooms should be followed:

 - (i) Kitchens and bedrooms in adjacent units should ideally be located next to each other (both vertically "stacking" and horizontally).
 - (ii) Hallways should be used as "buffer zones" between units.

6. APPLYING FOR PLANNING PERMISSION

Converting or subdividing a property into self-contained flats requires a full planning application. An existing residential use converted to 4 self contained flats would, therefore, be creating 3 additional residential units, thus 3 times the current fee. The following details would be required;

- Application forms
 - Plans: Site Location Plan
Floor Plans (Existing and Proposed)
Elevational Details (if external alterations are proposed)

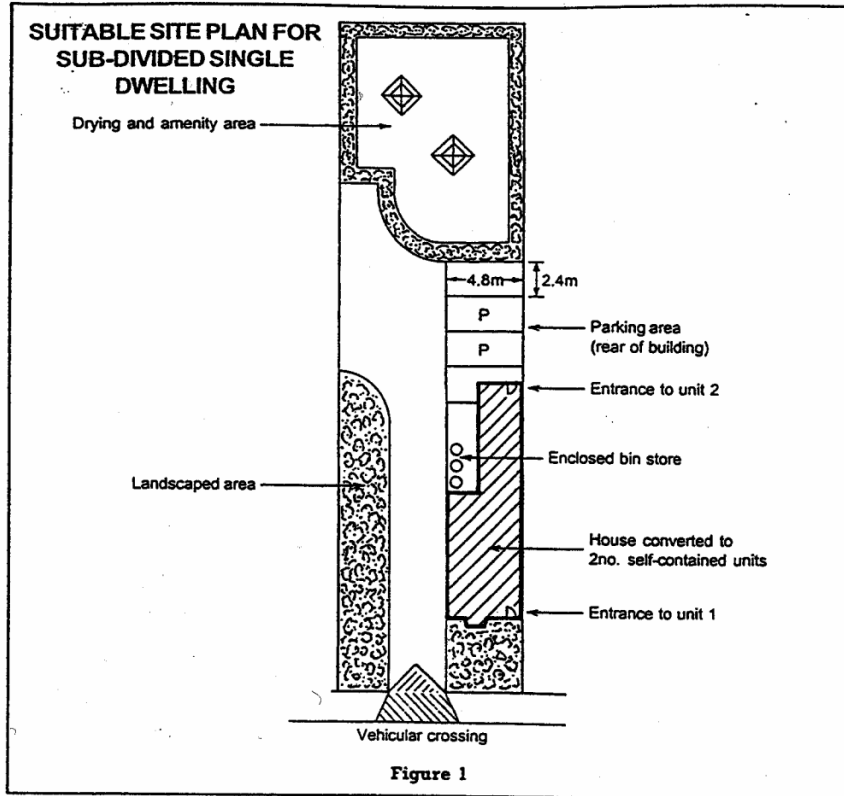
Applicants are advised to contact the Council's Building Control Section (or an Approved Inspector) regarding compliance with Building Regulations.

Applicants wishing to obtain formal authorisation of a long standing HMO use of a property (10 years or more) may apply to the Council for a Certificate of Lawful Use. The onus of proof is on the applicant and details required would be as follows:

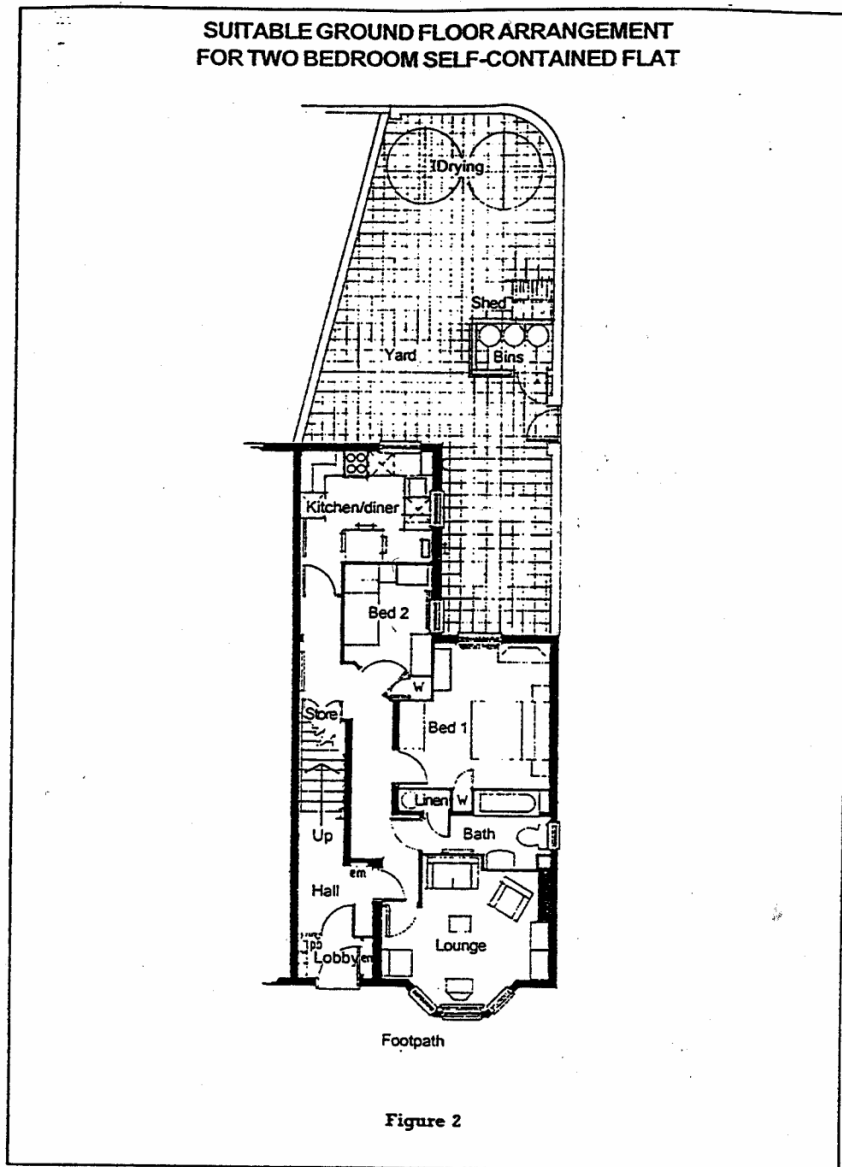
- Application forms
- Precise date when use commenced
- Plans showing precise area of property where use is carried out.
- Factual records or information about the present and previous use of the property from your own knowledge or those of other people and organisations.

7. CONTACTS

A list of standard contacts can be found at the end of this document.



WITH ON - SITE PARKING



WITHOUT ON - SITE PARKING

SUPPLEMENTARY PLANNING GUIDANCE No. 9

DENBIGHSHIRE COUNTY COUNCIL

AGRICULTURAL AND FORESTRY WORKERS' DWELLINGS

1. INTRODUCTION

- 1.1 This Note is one of a series of Supplementary Planning Guidance Notes (SPGs), amplifying the development plan policies and other issues in a clear and concise format with the aim of improving the design and quality of new development. The Notes are intended to offer broad guidance which will assist members of the public and officers in discussions prior to the submission of planning applications and assist officers in handling and members in determining planning applications.

2 STATUS AND STAGES IN PREPARATION

- 2.1 The Council's SPG Notes are not part of the adopted plan. However, they have been the subject of both a formal Council resolution and public consultation. The Welsh Assembly Government (The Assembly) has confirmed that following public consultation and subsequent Local Planning Authority (LPAs) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Assembly determine planning applications and appeals. This Note was approved by xxxxxxxx on xxxxxxxx for use in development control. A statement of the consultation undertaken, the representations received and the Council's response to these representations is available as a separate document.
- 2.2 These Notes have been prepared in accordance with guidance contained in Planning Policy Wales; Unitary Development Plans (Wales); Technical Advice Notes.

3 BACKGROUND

- 3.1 This particular guidance note is intended to assist with proposals for new agricultural or forestry workers dwellings, as new residential development in the open countryside within the County is very carefully controlled.

National Planning Guidance and policies contained in the Council's Unitary Development Plan adopted 3rd July 2002, allows consideration to be given for the erection of dwellings for occupation by agricultural or forestry workers where the needs of the farm unit/forestry enterprise demand an all year round presence for its operation.

4 POLICY

- 4.1 The Council's broad policy is set out in the **UDP Policy HSG 6 - New Dwellings in the Open Countryside**, and also **TAN (W) 6 – Agricultural & Rural Development 2000**. The objective of this policy is to ensure that new dwellings in the open countryside are only developed for established and essential need for an agricultural or forestry worker. All applications will be decided on their individual merits judged against the criteria contained within this policy guidance.

4.2 The aim of this Supplementary Planning Guidance Note is to highlight to potential applicants for agricultural/forestry worker's dwellings, the criteria which will be taken into account by the Local Planning Authority in: -

- (a) establishing whether there is a proven "essential need" to enable the principle of a new dwelling to be given favourable consideration
- (b) outlining siting/design requirements of any new dwelling in relation to the existing farm unit/forestry enterprise.

4.3 It is recognised that the guidelines cannot hope to cover all individual circumstances which may exist and applicants/agents are advised to discuss their proposals with a Planning Officer prior to submitting a formal planning application.

5. ESTABLISHING "ESSENTIAL NEED"

In assessing the "essential need" element of a specific application for a new dwelling the Local Planning Authority will commission an independent consultant to undertake agricultural appraisals on its behalf, at the applicant's expense.

5.1 To assist in streamlining this process the Local Planning Authority have formulated a questionnaire which is available to potential applicants and agents drafted in accordance with **TAN (W) 6** which outlines the tests to be applied in consideration of any applications for a new dwelling. The tests relate to the functional need for a dwelling and the financial viability of an enterprise.

5.2 FUNCTIONAL TESTS

- ❖ The main consideration of the case for a new dwelling will be in the form of a functional test as outlined in TAN (W) 6. This is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be "on the spot". A key consideration will be the labour requirements of the enterprise in terms of the "standard labour units", i.e., employee hours involved in an enterprise over a year.
- ❖ In assessing the case for a new dwelling it will be necessary to clearly distinguish the requirement for the labour to be on the unit. It does not automatically follow that the labour unit figures in themselves establish the case for an "on the spot" presence as the work undertaken may be seasonal in nature and would not require an employee on - site throughout the year.
- ❖ Relevant matters for consideration when determining applications for essential workers dwellings are whether the intended occupant would be required to provide essential care to animals at short notice or deal quickly with emergencies to prevent serious loss of crops or to protect livestock from theft or injury, although security on its own would not be sufficient justification.
- ❖ Other factors to be considered are the scale and nature of the enterprise, the likely future requirements, the availability of existing accommodation and the need to be within sight and sound of the hub of the unit/enterprise.

5.3 FINANCIAL TESTS

- ❖ In cases where the functional test alone is not conclusive, the Authority may also require the application of a financial test outlined in TAN (W) 6. In reality the cases where a financial test is required will be minimal.
- ❖ The financial test is intended to provide further evidence of the genuineness of stated intentions to engage in farming, or the size of the dwelling which the unit can sustain. It is not intended to judge the likely present or future viability of the enterprise as such, but the land use implications for the site, which may include the likelihood of the development being carried into effect and the size of the dwelling.
- ❖ It may be necessary to provide business accounts or financial projections in support of an application, to a basic level to assist a financial appraisal. In situations where an application for a dwelling relates to the intention to set up a completely new farm business or a major change in the nature or scale of an existing business, detailed financial information will be essential to support a case, as for example it may show significant investment in new farm buildings as a good indication of intention.

5.4 SUPPORTING APPRAISALS SUBMITTED BY APPLICANTS

- ❖ The Local Planning Authority will have regard to agricultural appraisals by applicants/agents but will rely on the conclusions of an independent appraisal in assessing "essential need". It is therefore considered that the only supporting documentation required when submitting an application is that included within the Local Planning Authority's standard questionnaire.

5.5 ADDITIONAL INFORMATION REQUIRED BY THE LOCAL PLANNING AUTHORITY

- ❖ Sequential test to ascertain whether there are any existing buildings on the farm unit/forestry enterprise which are capable of conversion into a dwelling. The Local Planning Authority's approach is to encourage the use of existing traditional building rather than allow the erection of a new dwelling. Further advice on conversions can be obtained in Supplementary Planning Guidance Note 11 Residential Conversion of barns/agricultural buildings.
- ❖ History of recent development on the holding, clarifying whether the applicant presently owns or there have been any dwelling(s) previously sold on the unit/enterprise and the reasons for this occurring.
- ❖ Clarification on whether there may be other dwellings for sale or rent in the locality either within the open countryside or nearest settlement which may be suitable to fulfil the applicant's requirements.

NOTE: The need for a security presence will not in itself form an acceptable basis to justify a new dwelling.

5.6 It is not the purpose of the system to allow for retirement dwellings or dwellings for occupation by the children of farm/forestry workers; it being the essential needs of the unit/enterprise and not personal circumstances which are important.

5.7 In circumstances where the Local Planning Authority is uncertain about the long term viability of a newly established unit/enterprise it may consider the possibility of granting temporary permission for the siting of a caravan or other temporary accommodation to allow a business to become established.

6. SITING AND DESIGN

6.1 Once the principle of a new dwelling has been established in accordance with the favourable conclusions of an agricultural/forestry appraisal there are a number of site specific factors to be considered.

6.2 Siting

- Where a new dwelling is considered acceptable, it is important that it is located in relation to other farm buildings and / or natural features such as woodland or other landscape features. The need to ensure adequate standards of amenity between existing and proposed dwellings and farm buildings will be of importance. The Local Planning Authority would not however, look favourably on a dwelling located some distance away from the farm/building complex. (Fig.1 provides an illustrative example of an acceptable/ unacceptable siting of a dwelling in relation to existing buildings).

6.3 Design

- The use of appropriate building materials will be important to ensure that the dwelling is sympathetic to the character of the buildings it relates to and development within the locality, particularly within sensitive landscape areas including the Area of Outstanding Natural Beauty and Outstanding Landscape Area. Modern innovative designs utilising high quality materials may however be acceptable in some cases.

6.4 Size of Dwelling

- The size of the dwelling should be commensurate with the established functional requirement of the unit/enterprise. A dwelling which is unusually large in relation to the established needs of an agricultural/forestry worker or profitability of an enterprise will not be given favourable consideration.

6.5 Temporary Agricultural Dwellings

- Where it is considered that a new dwelling is justified for a new farming activity but the case is not totally proven then the dwelling for the first three years should be a caravan or similar wooden structure which can be easily dismantled. The building should satisfy normal planning requirements and must be removed at the end of the permission period. Permission will not be granted for temporary dwellings in locations where permanent dwellings would not be permitted.

6.6 Occupancy Condition

- The occupation of a new dwelling will be restricted by a planning condition to ensure that the dwelling is occupied by a worker who last worked in agriculture or forestry, or his/her dependants, having particular regard to the exceptional circumstances advanced. This will ensure that the dwelling is not subsequently sold on the open market and ensures that sporadic development is carefully controlled.

6.7 It will also be necessary for the Local Planning Authority to impose an occupancy condition on the existing dwelling where there is an established case for two or more full time workers on a unit. Where the existing dwelling does not form part of the planning application then an occupancy condition will be negotiated as part of a legal agreement.

6.8 Deletion of Occupancy Conditions

- In order to justify the removal of an occupancy condition the applicant must: -
 - i) outline the changes which have occurred since the granting of the original permission; a minimum time period of 5 years since the granting of the original permission must have elapsed before an application to remove an occupancy condition will be considered;
 - ii) demonstrate that there is no longer a need for an agricultural/forestry worker's dwelling on the unit/enterprise or in the area;
 - iii) provide documentary evidence to show that an attempt has been made to let or sell the property at a realistic price (less than full market value) for at least one year with the occupancy condition.

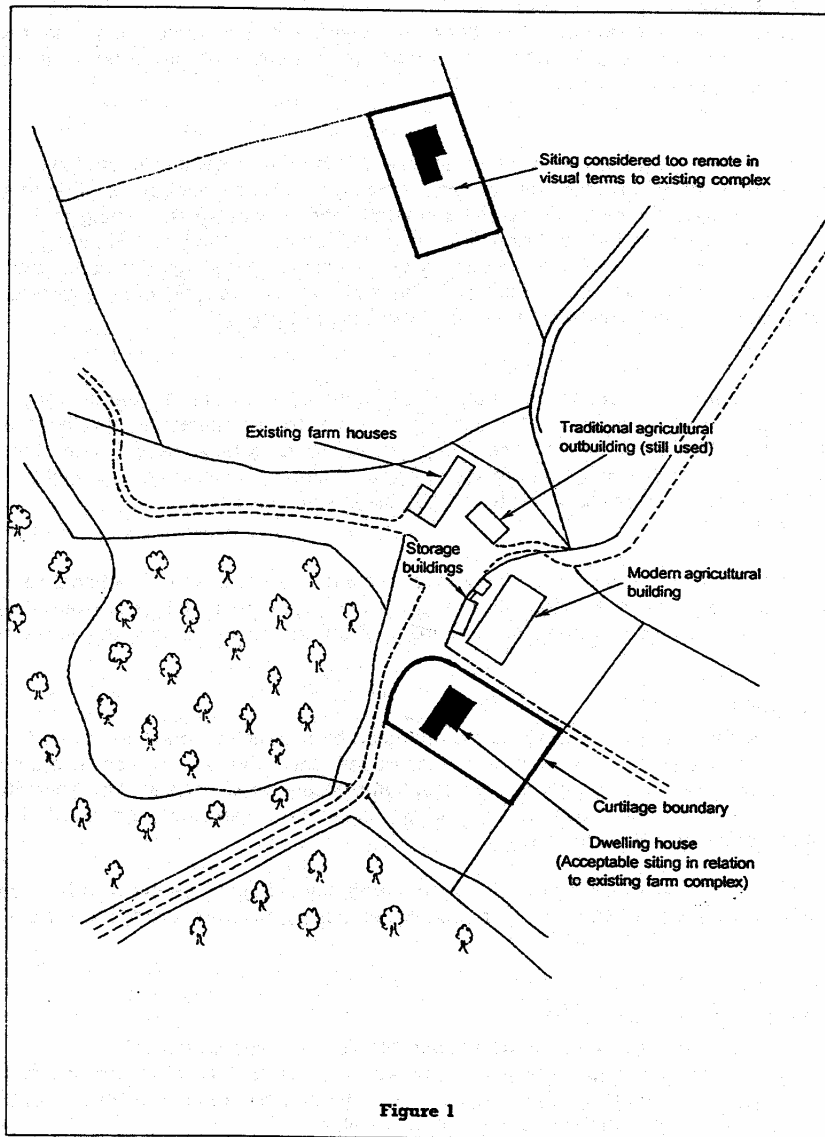
Note:

- > The argument that the dwelling is not suitable for an agricultural worker i.e. too large and expensive will not be considered as a relevant issue.
- > In addition personal circumstances will not be relevant as it is the needs of the holding and not the individual which must be the overriding issue.

7. CONTACTS

A list of standard contacts can be found at the end of this document.

Fig.1 an illustrative example of an acceptable/unacceptable siting of a dwelling in relation to existing buildings .



SUPPLEMENTARY PLANNING GUIDANCE No. 10

DENBIGHSHIRE COUNTY COUNCIL

INFILL HOUSING IN THE COUNTRYSIDE

1. INTRODUCTION

- 1.1 This Note is one of a series of Supplementary Planning Guidance Notes (SPGs), amplifying the development plan policies and other issues in a clear and concise format with the aim of improving the design and quality of new development. The Notes are intended to offer broad guidance which will assist members of the public and officers in discussions prior to the submission of planning applications and assist officers in handling and members in determining planning applications.

2 STATUS AND STAGES IN PREPARATION

- 2.1 The Council's SPG Notes are not part of the adopted plan. However, they have been the subject of both a formal Council resolution and public consultation. The Welsh Assembly Government (The Assembly), has confirmed that following public consultation and subsequent Local Planning Authority (LPAs) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Assembly determine planning applications and appeals. This Note was approved by xxxxxxxx on xxxxxxxx for use in development control. A statement of the consultation undertaken, the representations received and the Council's response to these representations is available as a separate document.
- 2.2 These Notes have been prepared in accordance with guidance contained in Planning Policy Wales; Unitary Development Plans (Wales); Technical Advice Notes.

3. BACKGROUND

- 3.1 The specific purpose of this note is to set out where infill development outside of the development boundaries of main centres, main villages and villages, may be considered acceptable in accordance with **Policy HSG 5** in the Unitary Development Plan that was adopted on 3rd July 2002.
- 3.2 The term infill is often misapplied to development proposals. Infill development in the context of the policy refers to the development of one or two dwelling units in a small gap in an otherwise continuous built-up residential frontage within a clearly identifiable cohesive group of houses in the countryside. It does not apply to the development of additional dwellings to the end of a line of existing dwellings (ie ribbon development).

4. POLICY

- 4.1 Both National and County Planning policy aims to prevent sporadic development in the countryside, and to concentrate on focusing development within development boundaries. National Planning guidance does allow occasions where the infilling of small gaps within a cohesive group of houses is acceptable. This may also contribute to and strengthen the local area. This note is to guide and assist applicants, and to give illustrative examples on suitable and non suitable development in terms of locations, scale, design, materials etc.

5. GUIDANCE FOR APPLICANTS

- 5.1 The acceptability of an individual application will depend on the following factors and must satisfy **all** the following tests:

A) **An Infill Housing Plot** is classified as:

- ❖ **A small gap capable of accommodating one or two dwelling units.**
- ❖ **The filling of a small gap of comparable scale, character and size to surrounding properties.**
- ❖ **A small gap between a continuous line of built up residential frontage.**
- ❖ **An infill housing plot is not classified as being at the end of a line of dwellings which would lead to ribbon development.**

B) **The Group of Housing** must form:

- ❖ **A continuous line of built up residential frontage and / or a focus of dwelling units on an identifiable cross-roads, cul-de-sac.**
- ❖ **A group of housing must not be interspersed by individual field parcels.**
- ❖ **The group must contain 6 or more dwelling units.**

5.2 THE DEFINITION OF A GROUP OF HOUSES DOES NOT IN TERMS OF THIS GUIDANCE NOTE INCLUDE A DWELLING UNIT SUBDIVIDED INTO INDIVIDUAL FLATS, CONVERTED OUTBUILDINGS TO DWELLINGS, CONVERTED CHAPELS, COMMERCIAL, INDUSTRIAL AND AGRICULTURAL BUILDINGS, TEMPORARY ACCOMMODATION FOR USE AS HOLIDAY LET, CHALET BUILDINGS, CARAVANS OR CHATELS.

5.3 Guidance on acceptable and unacceptable forms of infill housing development within a gap of a recognisable group of houses in the countryside are outlined below. These examples are diagrammatic only. Each planning application will be treated on its own merits.

If the Basic Tests as set out in A) and B) above have been met then consideration of the proposal must then meet the following guidance;

5.4 Site Characteristics

- a) Provision made for a private amenity space for the dwelling comparable to adjoining properties in the built up frontage.
- b) The special character of the area is not compromised in relation to dwelling size to plot ratio comparable to adjoining properties in the built up frontage.
- c) Separation between dwellings for the infill plot are comparable to adjoining properties in the built up frontage.
- d) The dwelling must not prejudice the amenity space available to an existing dwelling unit.
- e) The dwelling does not take up existing public recreation open space.
- f) The special character of the landscape is not compromised by the development and must have regard to the landscape backdrop, topographical features and levels.

5.5 Scale, design, character and appearance of the dwelling

- a) The dwelling must have regard to the existing character of the built frontage (e.g. a two storey dwelling if the built frontage comprises of two storey dwellings)

- b) The design, appearance and the materials of the proposal should be complementary to the character of the existing built frontage, and have regard to the best examples of local distinctiveness, vernacular styles and materials found in the surrounding area.
- c) The proposal should take account of natural landscape features and have regard to the pattern of planting including hedging, walling and other boundary treatments.

5.6 Site specific considerations

- a) Safe and satisfactory provision is made for access and parking within the infill plot.
 - b) Proposals will be considered against normal planning considerations and landscape issues in accordance with Unitary Development Plan policies to safeguard community and public interests.
- 5.7 There may be different considerations relevant to applications in Conservation Areas and near to Listed Buildings. Development in Conservation Areas, or development which affects the setting of such areas, will only be permitted where it will preserve or enhance its character or appearance. These requirements are set out and expanded upon in the Supplementary Planning Guidance on Conservation Areas and Listed Buildings, Unitary Development Plan Policies and Government guidance.

6. ACCEPTABLE DEVELOPMENT EXAMPLES

- 6.1 Examples of what may be considered to be acceptable infill in a recognisable group of houses in the open countryside, are set out in Figure 1.

7. UNACCEPTABLE DEVELOPMENT EXAMPLES

- 7.1 Development is **NOT ACCEPTABLE** in a sporadically sited, loosely related spread of dwellings or outbuildings/other buildings in the open countryside or where the development constitutes the extension of a ribbon form of development. Examples of what is considered to be an unrecognisable group of houses in the open countryside, and also unacceptable infill development, are set out in Figure 1.

8. THE PLANNING APPLICATION

- 8.1 A full planning application should be submitted for consideration. If an outline application is submitted, details of siting should be included as part of the outline application and not as a reserved matter. In addition sketch details of access, scale, design and materials etc. will also be required. If insufficient details are submitted to enable the Council to determine the application then a Notification to submit details of reserved matters shall be made under Article 3(2) of the 1995 Procedures Orders.

The following minimum details are required for planning applications:

- **Application forms**
- **Plans**
 - Site location plan
 - Site layout plan (existing and proposed) illustrating the relationship, and layout of surrounding properties, physical features and existing use of the land.
 - Plan illustrating existing and proposed levels including final floor levels (where the site is not level)

SPG 10 – Infill Housing in the Countryside

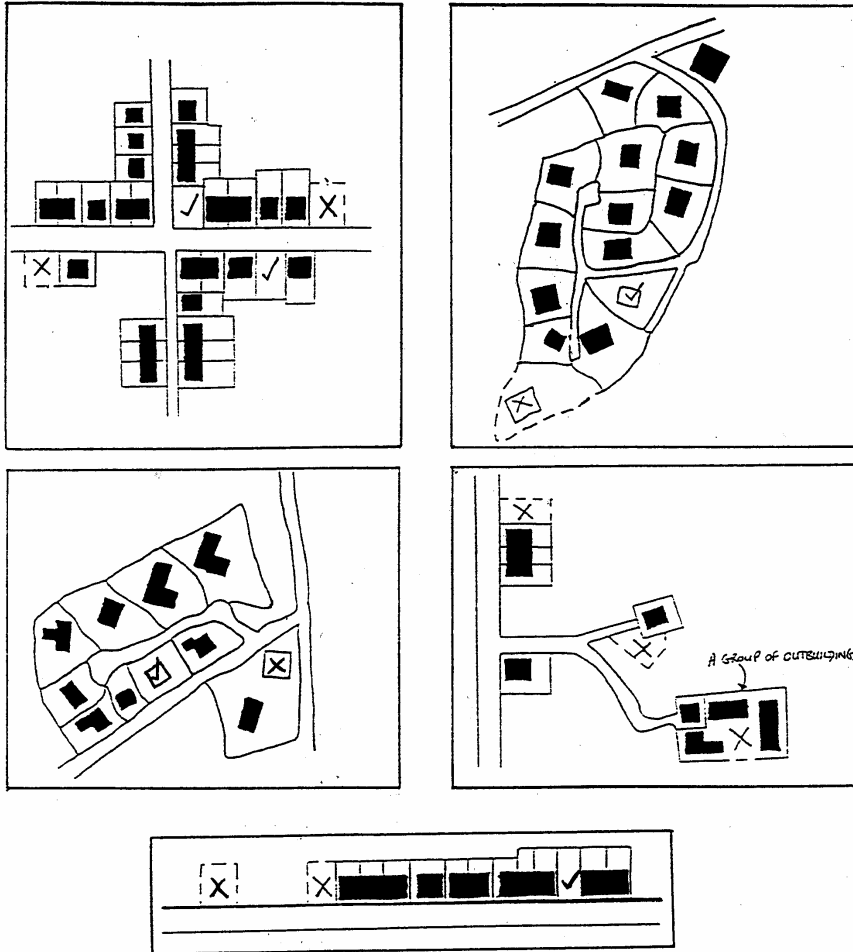
- Landscaping details
- Elevational and plan drawings (as proposed)
- Cross-sectional drawings (where necessary)
- In Conservation Areas and sites close to listed buildings, a 'streetscape' illustration to show how the dwelling is to be assimilated in the overall perspective.

CONTACTS

A list of standard contacts can be found at the end of this document.

FIGURE ONE EXAMPLES OF INFILL DEVELOPMENT

TICK - MIGHT BE ACCEPTABLE
CROSS - WOULD NOT BE ACCEPTABLE



You are advised that the examples shown demonstrate situations that may fall within the criteria for infill, but it does not necessarily follow that the proposals are acceptable in relation to other normal planning considerations

SUPPLEMENTARY PLANNING GUIDANCE No. 13

DENBIGHSHIRE COUNTY COUNCIL

CONSERVATION AREAS

1. INTRODUCTION

- 1.1 This Note is one of a series of Supplementary Planning Guidance Notes (SPGs), amplifying the development plan policies and other issues in a clear and concise format with the aim of improving the design and quality of new development. The Notes are intended to offer broad guidance which will assist members of the public and officers in discussions prior to the submission of planning applications and assist officers in handling and members in determining planning applications.

2 STATUS AND STAGES IN PREPARATION

- 2.1 The Council's SPG Notes are not part of the adopted plan. However, they have been the subject of both a formal Council resolution and public consultation. The Welsh Assembly Government (The Assembly) has confirmed that following public consultation and subsequent Local Planning Authority (LPAs) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Assembly determine planning applications and appeals. This Note was approved by xxxxxxxx on xxxxxxxx for use in development control. A statement of the consultation undertaken, the representations received and the Council's response to these representations is available as a separate document.
- 2.2 These Notes have been prepared in accordance with guidance contained in Planning Policy Wales; Unitary Development Plans (Wales); Welsh Office Circular 1/98 'Planning and the Historic Environment' and Technical Advice Notes.

3. BACKGROUND

- 3.1 Local Authorities are required to designate as a Conservation Area *"any area of Special Architectural or Historic Interest the character or appearance of which it is desirable to preserve or enhance"*. Denbighshire has 34 designated Conservation Areas. Plans showing the boundaries of these areas are available for inspection at the Planning Offices of the Council at Ruthin and Prestatyn and are as follows:

- | | |
|---------------------------------------|---|
| 1. Betws Gwerfil Goch | 18. Bodelwyddan |
| 2. Cynwyd | 19. Bodfari |
| 3. Denbigh Town | 20. Cwm |
| 4. Llandrillo | 21. Dyserth |
| 5. Llanrhaeadr
yng Nghinmeirch | 22. Rhuddlan |
| 6. Llantysilio | 23. St. Asaph |
| 7. Pontcysyllte
(Plas yn y Pentre) | 24. Tremeirchion |
| 8. Ruthin Town & Llanfwrog | 25. Meliden - Central |
| 9. Llangollen Town | 26. Meliden - Ffordd Penrhwyllfa |
| 10. Corwen Town | 27. Prestatyn - High Street |
| | 28. Prestatyn - Castle Mound &
Nant Hill |

- | | | | |
|-----|------------------------|-----|------------------------------|
| 11. | Llanfair Dyffryn Clwyd | 29. | Prestatyn - Fforddlas |
| 12. | Henllan | 30. | Rhyl - Queen St./Crescent Rd |
| 13. | Llanarmon-yn-Ial | 31. | Rhyl - River Street |
| 14. | Nantglyn | 32. | Rhyl - Seabank |
| 15. | Llanelidan | 33. | Rhyl - St. Thomas |
| 16. | Efenechtyd | 34. | Trefnant |
| 17. | Llanferres | | |

3.2 Local Authorities are also required to review their areas from time to time and to consider whether further designations of Conservation Areas are required. The Council are continuing this process of review and an appraisal of all Conservation Areas has taken place. Conservation Areas may be extended, reduced, deleted or added to as a result of this process and it may also be appropriate to consider Article 4 directions for Areas. An Article 4(2) Direction now applies to dwelling houses in the Denbigh Conservation Area.

3.3 Quality of place is the prime consideration in identifying Conservation Areas, although there can be no standard criteria used in this process of identification. The different characteristics of towns and villages demands that they are assessed differently for designation for their special interest. This special interest results from the character provided by the combination of street patterns, relationships of buildings and spaces, building styles and characteristics, open spaces, landscape and topographical features. The character of these areas can be retained, and with public support and, through consultations, planning control can be used in a positive way, allowing areas to remain alive and prosperous but ensuring that new development is sympathetic to the areas special architectural and historic interest. High quality, well designed new buildings respecting their context, will enhance the appearance and character of the Conservation Areas overall.

4. POLICY

4.1 Development proposals for Conservation Areas will be assessed against their effect on the character and appearance of the area and against the Council's Conservation policies (found in **Chapter 3** of the UDP). The broad thrust of these policies is to maintain, enhance and improve the quality of Denbighshire's historic environment in and around/affecting Conservation Areas,

4.2 Strict controls over demolition work, building development and works to lop, top or fell trees are applied to Conservation Areas in order to retain the character of the designated area.

Development : Additional powers of control apply to extensions, roof extensions, cladding, garages etc.

Demolitions : Controls over demolitions are applicable within Conservation Areas.

4.3 Application has to be made to the Local Authority for Conservation Area Consent for works of almost complete demolition of buildings within designated Conservation Areas and consent will not normally be given unless an acceptable form of redevelopment is agreed. There may however be some poor quality buildings which, if removed, would result in visual improvements to Conservation Areas.

- 4.4 Trees in Conservation Areas : Six weeks notice to the Local Authority is required before trees may be cut down, topped or lopped. Where appropriate and necessary, the tree may then be afforded protection by issue of a Tree Preservation Order.
- 4.5 Tree Preservation Orders, made by the Local Authority, give added protection to trees which make a significant contribution to the character and appearance of Conservation Areas. (Reference should be made to **SPG Note 6 - Trees and Development**). Consent is required from Denbighshire County Council, as the local planning authority, for consent to carry out work to trees which are the subject of a Tree Preservation Order.
- 4.6 In order to ensure that development proposals and proposals for the display of advertisements do not detract from the special character of Conservation Areas, careful control over design aspects, including use of materials, scale and siting of development, lighting and style of advertisements are important considerations. Conservation Areas normally contain many listed buildings. For information relating to listed buildings, please refer to **SPG Note No.14 - Listed Buildings**.
- 4.7 Payment of a planning application fee is not required for Conservation Area Consent, Listed Building Consent or consent for works to trees.

5. ENHANCEMENT OF CONSERVATION AREAS

- 5.1 Denbighshire County Council will, where opportunity arises, enhance the appearance of its Conservation Areas. The Council is committed to the following actions to improve the appearance and maintain the character of Conservation Areas:
- * Development Control, through planning consents to ensure protection and enhancement;
 - * environmental improvements through its capital programme;
 - * action in partnership with others;
 - * providing advice and information;
 - * grant aid advice.

6. GRANT AID

CADW, Welsh Historic Monuments, an executive agency of the Welsh Assembly Government can make grants and loans available from the Historic Buildings Council funds towards the costs of repair and renovation of important key buildings in Conservation Areas, and for nationally important Listed Buildings.

The Wales Tourist Board will consider providing grant aid towards the cost of bilingual signs in Wales. The use of bilingual signs adds flavour to the character of these areas and helps to promote the image of Wales for Tourism.

The Welsh Development Agency may also provide financial assistance for schemes of enhancement which will benefit the economy. The towns of Corwen, Denbigh, Ruthin, Llangollen, Prestatyn and Rhyl have areas where WDA grants can be provided.

The Welsh Language Board has grants available to offer financial help to promote and facilitate the use of Welsh, this includes a grant scheme for bilingual signs.

7. DESIGN AND USE OF MATERIALS

7.1 The design of new developments within Conservation Areas should be in sympathy with the aim of ensuring that the character of the overall area is retained and/or enhanced. Development should not detract from the character and appearance of the designated area.

* New buildings, designed to a high standard should be sited, designed and appear externally in sympathy with their location and the overall appearance of the area.

* Alterations and extensions to buildings should be sympathetic to the character and appearance of existing buildings in terms of scale, size and use of materials.

7.2 It is recommended that the services of an architect are employed to produce the high standard of design required for development in Conservation Areas. Planning Officers of Denbighshire County Council are willing to give guidance and advice prior to detailed design work commencing to help arrive at a satisfactory result.

CHECKLIST OF BUILDING FEATURES - Refer to Fig. 3

CONTACTS

A list of standard contacts can be found at the end of this document.

Further contacts

CADW : Welsh Historic Monuments
Crown Building, Cathays Park, Cardiff, CF1 3NQ.
Telephone : Cardiff (02920) 500200.

Wales Tourist Board
Brunel House, 2 Fitzalan Road, Cardiff, CF24 0UY.
Telephone : Cardiff (02920) 499909.

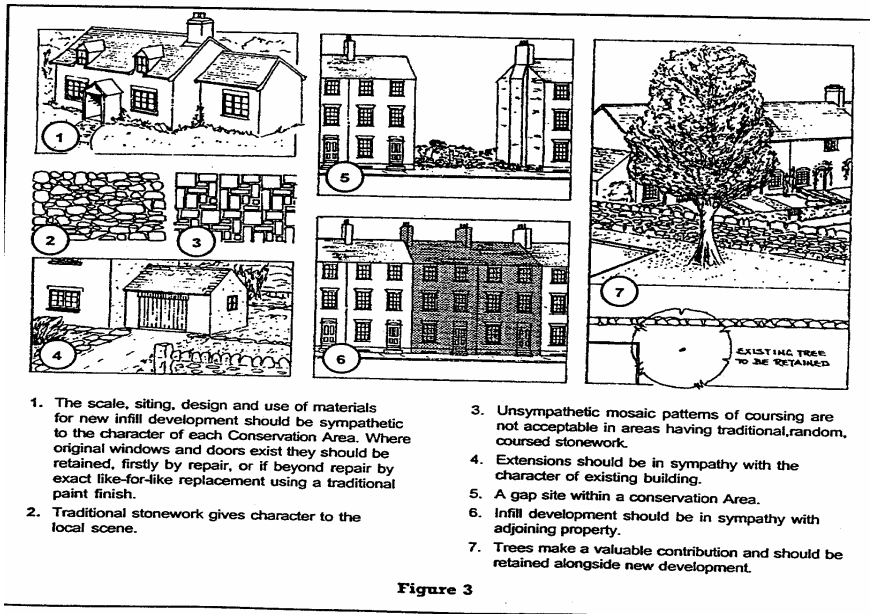
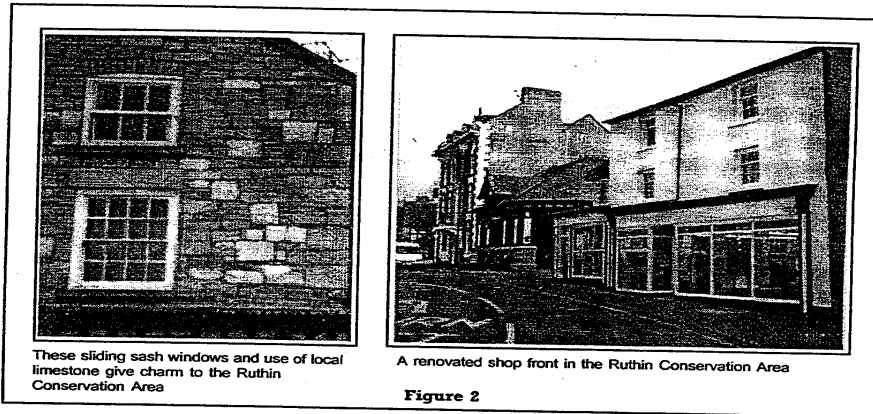
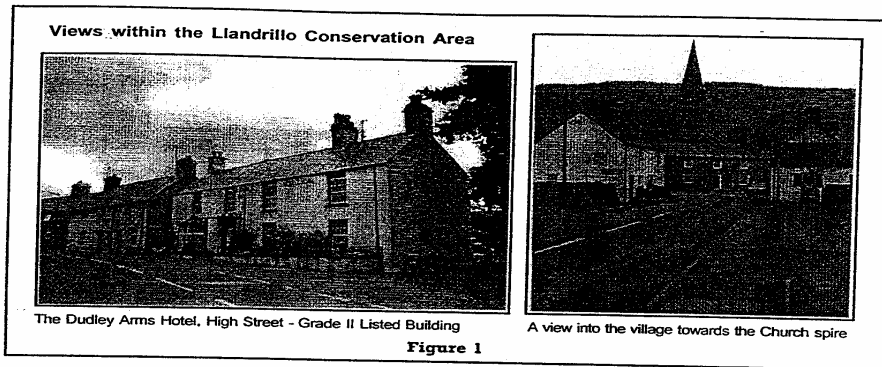
The Victorian Society
1, Priory Gardens, London, W4 1TT.
Telephone : London 020 8994 1019.

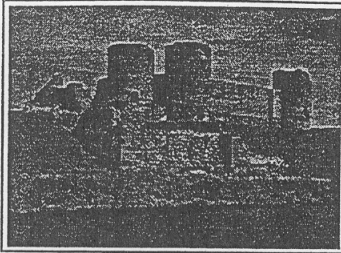
The Georgian Group
6 Fitzroy Square, London W1T 5DX
Telephone : London 020 7387 1720.

The Welsh Language Board
Siambrau'r Farchnad, 5-7 Heol Eglwys Fair
Cardiff, CF10 1AT

FURTHER GUIDANCE

National Guidance on all aspects of Conservation Areas is set out in Welsh Assembly Government booklet "Planning Policy (Wales) 2002" and "Welsh Office Circular 61/96". This leaflet takes account of these documents. It is possible to refer to them at Denbighshire County Council Planning Departments. Please note that in the event of any ambiguity between this leaflet and the Welsh Assembly Government documents then the Welsh Assembly Government documents will take precedence.

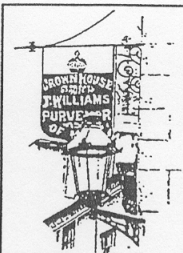




Rhuddlan Castle. A grade I Listed Building, part of the Rhuddlan Conservation Area

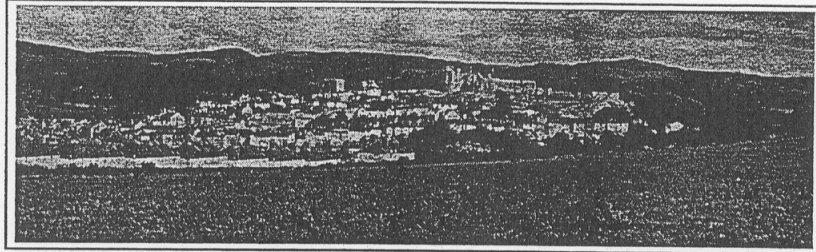


A sympathetic shop front design in the Corwen Conservation Area



A traditional hanging sign on a bracket

Figure 4

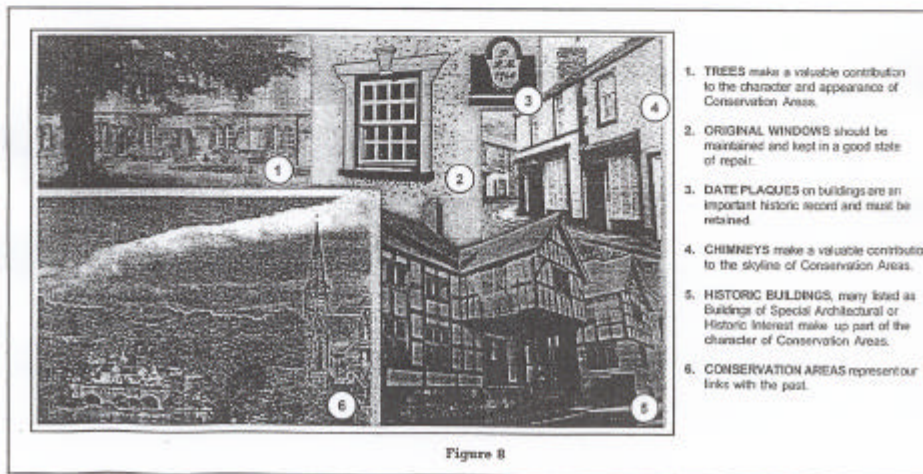
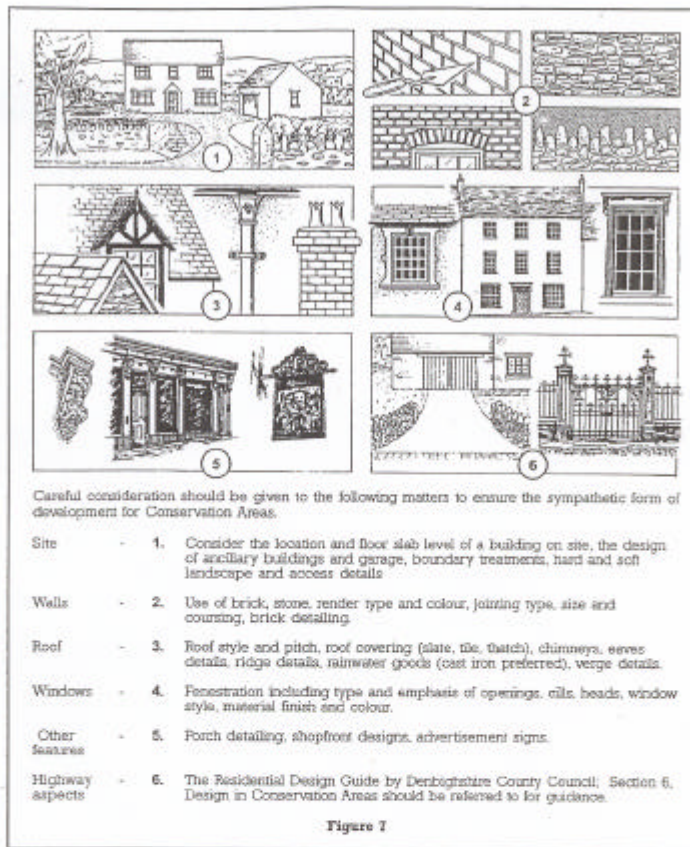


Denbigh castle and town, a designated Conservation Area

Figure 5



Figure 6



DENBIGHSHIRE COUNTY COUNCIL

LISTED BUILDINGS

1. INTRODUCTION

- 1.1 This Note is one of a series of Supplementary Planning Guidance Notes (SPGs), amplifying the development plan policies and other issues in a clear and concise format with the aim of improving the design and quality of new development. The Notes are intended to offer broad guidance which will assist members of the public and officers in discussions prior to the submission of planning applications and assist officers in handling and members in determining planning applications.

2 STATUS AND STAGES IN PREPARATION

- 2.1 The Council's SPG Notes are not part of the adopted plan. However, they have been the subject of both a formal Council resolution and public consultation. The Welsh Assembly Government (The Assembly), has confirmed that following public consultation and subsequent Local Planning Authority (LPAs) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Assembly determine planning applications and appeals. This Note was approved by xxxxxxxx on xxxxxxxx for use in development control. A statement of the consultation undertaken, the representations received and the Council's response to these representations is available as a separate document.
- 2.2 These Notes have been prepared in accordance with guidance contained in Planning Policy Wales; Unitary Development Plans (Wales); Welsh Office Circular 1/98 'Planning and the Historic Environment' and Technical Advice Notes.

3. BACKGROUND

3.1 HOW ARE LISTED BUILDINGS CHOSEN?

The Welsh Assembly Government is required by law to compile lists of Buildings of Special Architectural or Historic Interest. These lists are used by Planning Authorities such as Denbighshire County Council to help make decisions with the interests of the built heritage clearly identified.

- 3.2 The principles of selection have been established for some time but are revised periodically. The following are the main criteria:

- Architectural Interest :
The lists are meant to include all buildings which are of importance for the interest of their architectural design, decoration and craftsmanship; also important examples of particular building types and techniques (e.g. buildings displaying technological innovation or virtuosity) and significant plan forms.

- Historic Interest : This includes buildings which illustrate important aspects of the nation's social, economic, cultural or military history.
 - Close Historical Associations with people or events of importance to the Welsh Nation.
 - Group Value : Especially where the buildings comprise an important architectural or historic unity or a fine example of planning (for example squares or terraces).
- 3.3 In effect CADW, Welsh Historic Monuments, an Executive Agency of the Welsh Assembly Government is responsible for Listed Buildings.

4. PLANNING POLICY

- 4.1 The guiding principle to follow whenever a listed (or listable) building is to be restored, altered or extended is that any work carried out should not be detrimental to its essential and listed character. There is a presumption to retain the character rather than alter it. This character is often very fragile and sensitive, and great care needs to be exercised to safeguard that character. This involves careful attention not only to the overall size / scale, appearance and design, but also to the detailed design, materials (texture, grain) etc.

5. WHAT ARE THE GRADES USED?

- 5.1 Listed Buildings are classified in grades to show their relative importance:
- I - Buildings of exceptional, usually national interest. There are 25 in Denbighshire.
 - II* - Particularly important buildings of more than special interest. There are 146 in Denbighshire.
 - II - Buildings of special interest which warrant every effort being made to preserve them.
- A** and **B** are grades associated with ecclesiastical buildings and are being changed to either grade I, II* or II.
- 5.2 In total there are 1591 listed buildings in Denbighshire and this number is rising as a result of a ten year resurvey programme being undertaken by CADW.

6. WHAT DOES LISTING MEAN IN PRACTICE?

- 6.1 Listing provides an added level of protection. This is in the form of a special planning procedure known as applying for Listed Building Consent. Before a building can be altered (internally or externally) extended or demolished, Listed Building Consent must be obtained from the Local Planning Authority. It is a criminal offence to alter extend or demolish a Listed Building without consent.

-
- 6.2 The legislation also gives protection to "fixtures" and "curtilage structures" associated with Listed Buildings. Advice on the definition of these terms is available from the Planning Authority. Be careful. Some curtilage structures can be a long way from the principal building but are deemed to be Listed.

7. HOW ARE LISTS COMPILED?

- 7.1 Buildings are included on the list by one of two ways; either through a systematic resurvey undertaken by CADW of your community or by "spot listing". Spot listing is normally only undertaken when a building is considered to be "in danger". Anyone can nominate a building to CADW for spot listing but they will normally require evidence to show that it satisfies the criteria and that it is in danger of unsympathetic alteration or demolition.

8. WHERE CAN LISTS BE SEEN?

- 8.1 Information about buildings on the list can be obtained from the Local Planning Authority who hold up to date information. The list changes regularly and therefore it is advisable to check before proceeding with any work where the building may be listed. In addition the Local Planning Authority will be pleased to give early advice on what is or is not acceptable for a Listed Building.

9. HOW TO APPLY FOR LISTED BUILDING CONSENT?

- 9.1 Forms are available from the Local Planning Authority. It is important to note that Listed Building Consent is in addition to any other consents that may be necessary such as Planning Permission or Building Regulations Approval, etc. Payment of a planning application fee is not required for Listed Building Consent.
- 9.2 Because it is important to retain or to replicate the details of a listed building as part of any work to it, it is necessary to produce more detailed drawings than might be necessary for planning permission. External joinery such as windows and doors should be shown at a scale of 1:20, with profiles of timberwork at actual scale. A full photographic survey should also be provided before work starts.
- 9.3 Whilst the Local Planning Authority determines an application for Listed Building Consent, CADW have 28 days after the decision has been forwarded to them to decide whether to "call in" the application. This has the effect of extending the period before the applicant can be notified of a decision. It is, however, very rare for an application to be called in.

10 WHAT WORK WOULD BE ACCEPTABLE ON A LISTED BUILDING?

- 10.1 The legislation on Listed Buildings is complex and the relevant national guidance is detailed. It is not possible in this Guidance Note to outline all aspects of what is and is not acceptable. The guiding principle is that any work that is carried out to a Listed Building, whether it be alteration or extension, should not be detrimental to the character of the building. The presumption is to retain and repair historic buildings rather than alter them. Where alterations are required in

order to improve access for disabled people to a building then the advice in the Cadw publication 'Overcoming the Barriers, Providing Physical Access to Historic Buildings' should be followed.

- 10.2 Generally speaking normal maintenance works which are carried out on a "like for like" basis would by definition not affect the character of the building and therefore would not require Listed Building Consent. Care must be taken however to ensure that the work is "like for like". For example replacing roof slates with slates of the same colour and size, repairing windows with the same sections or repointing stonework with mortar of the correct mix, colour and finish would be acceptable. It is easy to make a mistake, as it is an offence to carry out unauthorised works to listed buildings, it is recommended that advice be sought from the Planning Department before proceeding if there is any doubt at all. Examples of work that would not be considered like for like repairs are work to roofs with non matching materials, repointing that in anyway differed from the original pointing and replacing original timber windows with plastic or aluminium equivalents.
- 10.3 Work that does affect the character of a building is either an alteration or an extension. Before Listed Building Consent could be granted for this work it is necessary to justify by submitting a justification statement with an application for Listed Building consents to show that it will not be detrimental to the character of the building. Information will be required on materials, colour, texture, size, scale, component details and how the overall design fits with the original building. It is strongly recommended that the services of an experienced conservation architect or conservation building surveyor are employed.

11. GRANTS

- 11.1 Discretionary grants for the repair of Listed Buildings are available from CADW. They tend to grant aid buildings which are seen as outstanding (normally Grade I and II* buildings but others may be considered) or any Listed Building or unlisted building which makes a positive contribution to the character of a Conservation Area.

Further Information and Contacts

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Wales Tourist Board

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Telephone : London 020 7387 1720

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Further Information

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DENBIGHSHIRE COUNTY COUNCIL

ADVERTISEMENTS

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- 2.2 These Notes have been prepared in accordance with guidance contained in Planning Policy Wales; Unitary Development Plans (Wales); Technical Advice Notes.

3. BACKGROUND

- 3.1 The role of advertisements (or adverts) is to direct and / or inform the public (as potential customers) of a building, product or service. This document focuses on the location and design of advertisements, offering advice and guidance on location and type of advertisement. The regulations regarding the control of advertisements^[1] are complex, and advice should be sought prior to erecting or installing any advert or when considering making an application for advertisement consent from the Council's Planning Services.

4. POLICY

- 4.1 National guidance can be found in **Technical Advice Note 7 - Outdoor Advertisement Control**, and the document published jointly by the Department of the Environment, Transport and the Regions (DETR) and the Welsh Office titled '**Outdoor advertisements and signs- A guide for advertisers**', which is available from all planning offices.

The Council's UDP contains the following policies relating to advertisements

- **GEN11: Advertisements Within Development Boundaries**
- **GEN12: Advertisements Outside Development Boundaries**
- **CON 8: Advertisements in Conservation Areas**

4.2 All applications for advertisement consent are judged against the following two criteria:

- **AMENITY** - This relates to the effect the advertisement has on appearance of the surrounding area and host building, by way of size, design, materials, colour, illumination etc. It also considers the cumulative effect of advertisements on the surrounding area.
- **PUBLIC SAFETY** - This considers all highway users; cars, cyclists, pedestrians, and the disabled. The main considerations are the distraction of drivers and the safety of pedestrians.

4.3 The broad planning policy thrust is to ensure that all advert consents accord with the above two criteria. It is accepted that advertisements can make a positive contribution to a townscape provided they are in the right location with the right design. However, they may over dominate by size and type in 'open' and rural locations, and cause unsightly clutter and confusion in urban / built up locations by virtue of sheer numbers, types, illumination etc.

4.4 Particular care needs to be exercised in all cases but especially so in more sensitive locations such as the AONB, AOB, Conservation Areas, Historic Cores, Listed Buildings and residential areas. Generally speaking less sensitive areas may be town, district and local centres, mixed commercial or industrial areas.

5. Types of Advertisement

5.1 Introduction

- The vast majority of advertisements and signs will require consent (under the Advertisement Regulations and not Planning Acts). These include fascia signs, posters and notices, advance signs, directional signs etc.
- The use of bilingual signs will be encouraged and supported, to reflect the linguistic and cultural character of the area. Grants from the Wales Tourist Board may be available.

5.2 **Fascia Signs** - Advertisements usually located on the principal elevation of the premises, between ground and first floor level (see figs.1 & 2).

- To be in keeping with the surroundings, materials ought to be appropriate to the area, for example in a more modern shopping centre (e.g. the White Rose centre) brightly coloured plastic signing (similar to fig. 2) would be in keeping with the surroundings. However in a more historic town centre such as Ruthin/St Asaph, the use of traditional materials (e.g. wood (fig. 1)) with individual lettering proud of the fascia using subtle colouring would be encouraged. The depth and size of the sign and lettering should reflect the characteristics of the premises.
- Fascia signs in conservation areas should be painted not internally illuminated (see Fig. 1)

- 5.3 **Projecting/Hanging Signs** - Usually located at fascia level, often as part of the fascia sign, projecting at right angles from the building, normally supported by a bracket (See figs. 2 & 3).
- Except for corner properties, only one such sign will be allowed per property, normally located at fascia level. Signs at first floor level will not normally be permitted (see fig 4).
 - This form of advertisement can, where designed and displayed appropriately, form a positive addition to the street scene, adding interest and variety. However it should be borne in mind that a proliferation of such signs may result in a cluttered and unattractive appearance; to help avoid this situation only one such sign will be allowed per premises.
 - The sign should not project more than one metre from the supporting wall, and should be in excess of 2.5m from ground level to ensure public safety.
 - The use of materials (plastic / wood) and colour as for fascia signs should be in keeping with the surroundings and other examples in the area (See figs.2 & 3).
- 5.4 **Illumination**
- Whilst it is reasonable to expect commercial properties to illuminate adverts, garish colours or high intensity light often have an adverse impact on individual or groups of buildings or shopping centres. Consequently in the sensitive areas identified as above particular care needs to be exercised to avoid overbearing either individually or cumulatively.
- 5.5 **Sun blinds and Canopies** - These were traditionally constructed from wood and canvas, with the ability of being retracted back to fascia level. Traditionally, they were used to protect goods, normally fresh produce in and outside the shop from the elements - eg butchers (with refrigeration this need is reduced). Sun blinds and canopies are nowadays more often a fixed, permanent feature - now more barrel shaped- used as an additional form of advertising, therefore requiring consent.
- These sort of blinds generally detract from the street scene and the character of the building, and therefore are unlikely to gain consent.
 - Where they have a functional requirement they should be in keeping with the surroundings. In most locations they should be of traditional design and materials (wood, canvas), using colours that match or compliment the existing shop front. The apparatus should be fully retractable, and not pose any danger in position to the public, especially those walking beneath the blind.
- 5.6 **Forecourt Signs** - Forecourt signs consist of temporary/moveable 'A' boards of standard poster size and other fixed structures located on land in the same ownership as the commercial business the sign is advertising.
- There has to be careful control of signs of this nature as a proliferation of such signs can lead to an untidy appearance and may pose a danger to pedestrians by restricting their movement, especially to the mobility and visually impaired.
 - One such sign per premises, sensibly located to avoid hazard, may be acceptable, such as those carrying newspaper headlines.

- Rotating signs will not be encouraged as they can create a danger to pedestrians, especially younger children, and potentially cause distraction to drivers.
- It should be borne in mind that public footway is part of the adopted highway. Advertisement thereon requires consent from the Highway Authority (Denbighshire County Council), which is unlikely to be granted.

5.7 **Flags** - A piece of cloth or other material attached to a pole or rope used as a standard, ensign or signal is defined as an advertisement irrespective of the writing on the logo or flag, excepting national flags. Some flag advertisements do not require advert consent, such as those for a temporary period (for example advertising a housing development). This does not apply in the AONB, AOB, Conservation Area or on a Listed Building. Safety regarding flag advertisements will always be a major consideration.

- Flag advertisements may be employed to advertise or promote a particular event, function or company, and in the right location can add vitality to an area.
- Permission may be granted for a temporary period where a need has been identified and justified by the applicant.
- The flag should be in proportion with the size and height of the flagpole, and must not detract from the building and/or the surrounding area.
- Away from an urban area, the demand for flag advertisements may be outweighed by the potential detrimental effect on the surrounding rural area.

5.8 **Temporary Banners** - This is usually in the form of banners of canvas or plastic, attached to a building or structure by way of ropes and hooks. They are generally used to advertise forthcoming events.

- Advertisements of this nature are not encouraged, and are unlikely to be granted permission as they rarely relate to the building on which they are located, and are not intended for permanent display.

5.9 **Advance directional signs** - These are used by advertisers where the site or event to be advertised is not easily seen from the highway and they wish to give prior warning to passers by. The signs are usually located adjacent to the roadside. If such signs are located in highway land consent from the Highways and Transportation Department, Denbighshire County Council will be required.

- In proliferation, such signs can result in clutter in both urban and rural environments.
- The Council accepts that due to the nature of many such signs, such as Pick Your Own or Bed and Breakfasts, it is important to advertise in this way, especially due to the seasonal nature of such businesses.
- Other types of advance directional signs may be justified on highway safety grounds, for example giving prior notification of a road junction. AA or white on brown (tourist) signs are often the most appropriate method of signing under these circumstances; advertisement consent is not required for these signs^[2].
- If a need has been identified and justified, and neither of the choices above are deemed appropriate, careful consideration ought to be given with regard to the size, design and location of the sign.

-
- 5.10 **Poster Hoardings** - These are often used to screen building sites whilst work is being carried out, attached to the flank walls of buildings, or free standing structures often along road sides. They are large, generally illuminated boards.
- These are the largest sort of outdoor advertisement and are hence controlled strictly through the planning system. They should not have an adverse impact on the character and appearance of the building or locality.
 - Any illumination of the sign should not form any distraction to drivers or any nearby residents, or cause significant light pollution.
- 5.11 **Fly Posting** - Often used to advertise forthcoming events such as Circus, forthcoming sales, events etc.
- These types of advertisement are nearly always unacceptable if on highway land (i.e. on lampposts), and advertisers could face prosecution by the Council.
 - On private land, e.g. on boarded up shops, fly posters can be untidy and detrimental to the appearance of the area. The display of these types of advertisements can lead to prosecution by the Council.
 - Posters should be displayed in shop / offices windows, with the consent of the owner, or on Council advertisement boards, or other approved boards.
- 6. Further advice**
- 6.1 **Corporate signage**
- This sort of advertisement is designed and located to promote company image and identity. All such signage will be considered by the same criteria as other signs. Applicants should note that the same sign may not be appropriate in all locations, and should be prepared to compromise to alter their signage to take this into account. For example a corporate sign designed for the centre of modern shopping centre is likely to look out of place in a historic market town.
- 6.2 **Listed Buildings and Conservation Areas**
- Any advertising in a conservation area or on a listed building will be expected to be essential to and to meet very high standards in terms of location, size design and especially in terms of materials used.
 - It should be noted that any signs on Listed Buildings will need listed building consent in addition to advertisement consent.
- 7. Applications**
- Application (using a separate form to a planning application form) needs to be made for express consent from the Council for those advertisements that require consent. The application should show accurately the location of the sign, and all the necessary details to enable the Council to assess the impact of this planned sign (including the height, design, materials, colour, etc.).
- 8. Unauthorised signage**
- Placing a sign without the appropriate consent constitutes an offence and may result in prosecution proceedings being taken. The fine in this situation can be up to £5000 and the person(s) responsible for displaying the sign and / or the landowner can be prosecuted. There is no right of appeal to the Welsh Assembly Government against these proceedings.
-

- In certain circumstances signs may be displayed with deemed consent, when there is no requirement to submit an application to the Council. If such signs fail the amenity and/or safety test then discontinuance action can be taken by the serving of a formal notice requiring the removal of the sign. There is a right of appeal against such action.

(1) Town and Country Planning (Control of Advertisements) Regulations 1992.Circular 5/92.

Planning Guidance (Wales), Technical Advice Note 7, Outdoor Advertisement Control (Nov.'96)

(2) For further information regarding signing of this nature, applicants ought to seek advice from the Highways and Transportation Department within the Environment Directorate.

CONTACTS

A list of standard contacts can be found at the end of this document.

Further Contacts

Wales Tourist Board

Brunel House	or	77, Conway Road
2, Fitzalan Road		Colwyn Bay
Cardiff		Conwy
CF24 0UY		LL29 7LN

02920 499909

01492 533419

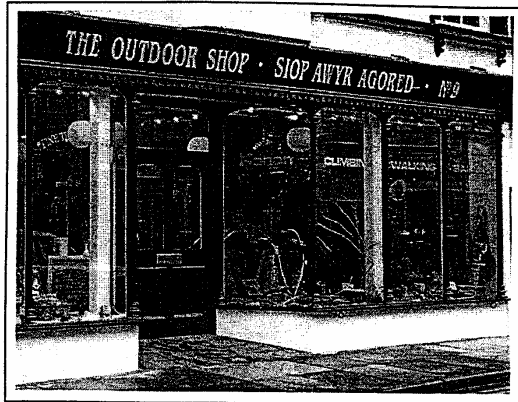


Figure 1

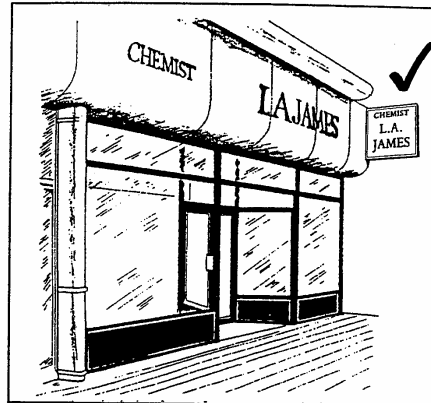


Figure 2



Figure 3

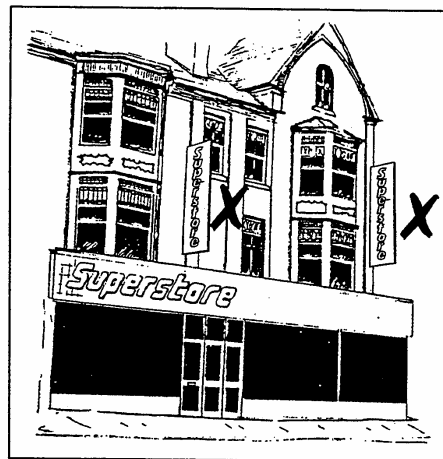


Figure 4

[1]1 Town and Country Planning (Control of Advertisements) Regulations 1992.Circular 5/92.

Planning Guidance (Wales), Technical Advice Note 7, Outdoor Advertisement Control (Nov.'96)

[2]2 For further information regarding signing of this nature, applicants ought to seek advice from Highways and Transportation Services within the [Environment](#) Directorate.

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CF2 1UY		LL29 7LN
01222 499909		01492 533419

Appendix 2

**DCC - TOPIC BASED SUPPLEMENTARY PLANNING GUIDANCE
REPRESENTATIONS SUBMITTED AT DEPOSIT STAGE**

SPG No. & TITLE	REPRESENTOR	REPRESENTATION	RESPONSE & RECOMMENDATION
7 Self contained flats and HMO's	No representations received		
9 Agricultural and forestry workers dwellings	No representations received		
10 Infill housing in the countryside	Llanferres Community Council	This proposal / guidance covers too much in its present form. The development boundary is non-existent and the infill proposals are too rigid.	Guidance is intended to inform, the policy is intended for areas where no development boundary exists. Policy is restrictive in line with National Policy
	RM & B Tippier	Questions the status of a chapel that was part of a dwelling before conversion. If a converted chapel has had planning permission for a change of use, is occupied and the occupants pay Council tax, is it not classed and considered as a dwelling?	Policy aimed at infilling within recognised groups of houses. Conversions excluded as may lead to proliferation of sites in open countryside. National guidance refers to houses.
13 Conservation areas	M Burdett Jones	Concerned about replacement windows and stresses the need to impress upon the public that plastic and metal windows alter the character of buildings of many periods.	Section in guidance that refers to design and use of materials adequately
	National Assembly for Wales	Reference should be made to Welsh Office Circular 1/98 'Planning and the Historic Environment'.	Noted, amended.
14 Listed buildings	M Burdett Jones	Concerned about replacement windows and stresses the need to impress upon the public that plastic and metal windows alter	Section in guidance that refers to unacceptable works to a listed building adequately covers this point

		the character of buildings of many periods.	
	National Assembly for Wales	Reference should be made to Welsh Office Circular 1/98 'Planning and the Historic Environment' Line 6 of the first paragraph on p3 might be amended to read '.... Make a mistake, as it is an offence to carry out unauthorised works to listed buildings, it is recommended'	Noted, amended Agreed
	Council for British Archaeology	With regard to the need for detailed drawings and survey photographs, the guidance should also say that because of the need for statutory consultations the planning process will require additional copies and that the time span for determination is longer than Cadw's 28 day requirement. Reference should be made to the ecclesiastical exemption.	Guidance is clear that Cadw's 28 days is in addition to the time period taken to determine the planning application.
17 Advertisements	Denbighshire Access Group	Note should be added regarding specifications for visually impaired people in terms of colour coordination and size of advert and writing.	Whilst LPA cannot control the content of adverts – including colours and size of writing- where possible this will be recommended as best practice to advertisers.

AGENDA ITEM NO: 7 [CABINET 2002 - 187]

REPORT TO CABINET

CABINET MEMBER: Councillor E.A.. Owens - Cabinet Lead Member for Finance.

DATE: 26 November 2002

SUBJECT: Revenue Budget 2002/03

1 DECISION SOUGHT

1.1 That in the light of the latest budget performance figures for the current financial year as detailed in the attached appendices, members consider any actions necessary to reduce projected overspendings.

1.2 To implement, with effect from 1 December 2002, the Personal Services workforce strategy as already agreed by Cabinet.

1.2 To implement the minimum wage levels at the Pavilion Theatre.

2 REASON FOR SEEKING DECISION

The need to deliver the Council's agreed Recovery Action Plan and budget strategy which calls for positive balances of at least £1.0m by the end of the current year .

3 COST IMPLICATIONS

The latest projections undertaken for 2002/03 show a potential overspend at year end of £150k (£41k at the end of September). Cabinet at its meeting of 10 September agreed that Directorates will be expected to achieve their budget expenditure figures and work is ongoing to review the pressures identified within the Lifelong Learning directorate.

4 FINANCIAL CONTROLLER STATEMENT

The Council's financial strategy for the year requires balances to be built up to £1.0m by the end of 2003/03. The latest projection indicates that spending remains in excess of budget and the excess has risen significantly since previously reported. Further action is therefore required to remove this overspend.

5 CONSULTATION CARRIED OUT

Lead Cabinet Members consult on an ongoing basis with Heads of Service to agree necessary remedial action to prevent overspends in 2002/03.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

The level of funding available to services together with budgetary performance impacts upon all services of the Council.

7 RECOMMENDATION

That Members note the figures in the appendices and approve the strategies outlined in paragraphs 1.1 to 1.3.

MONTHLY BUDGET MONITORING REPORT - FINANCIAL YEAR 2002/03

Summary of Pressures
PERIOD ENDING OCT 2002

Directorate	- Year to Date -			- 2002/03 Totals -				Projected Variance (Previous Report)
	Budget Profile	Actual to end Oct 2002 Plus Commitments	Variance (Increase/ - Saving)	Budget As per Budget Book	Budget As at end Oct 2002	Projected Outturn	Variance (Increase/ - Saving)	
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	
Lifelong Learning (excluding schools delegated)	8,315	7,067	-1,248	15,065	15,256	15,526	270	161
Environment	9,002	8,634	-368	16,768	16,991	16,991	0	0
Personal Services	13,742	13,224	-518	23,297	23,532	23,532	0	0
Chief Executive	1,431	1,127	-304	2,244	2,298	2,298	0	0
Resources	3,569	3,337	-232	4,543	4,580	4,580	0	0
Corporate, Miscellaneous & Benefits	7,323	6,989	-334	3,097	3,220	3,220	0	0
	43,382	40,378	-3,004	65,014	65,877	66,147	270	161
Non - Service Items:								
Contingency				1,720	166	166	0	0
Capital Financing Charges				11,144	11,137	11,137	0	0
Precepts & Levies				4,130	4,130	4,130	0	0
Contribution to Balances				1,000	1,000	1,000	0	0
NNDR Savings							-120	-120
				83,008	82,310	82,580		
							Total Variance	150
								41

**MONTHLY BUDGET MONITORING REPORT - FINANCIAL YEAR 2002/03
LIFELONG LEARNING
PERIOD ENDING OCT 2002**

	Year to Date -			- 2002/03 Totals -				Projected Variance (Previous Report)
	Budget Profile	Actual to end Oct 2002 Plus Commitments	Variance (Increase/ - Saving)	Budget As per Budget Book	Budget As at end Oct 2002	Projected Outturn	Variance (Increase/ - Saving)	
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	
Individual Schools Budget	23,129	21,494	-1,635	35,527	36,224	36,164	-60	-160
School Funds Held Centrally	4,780	3,641	-1,139	9,004	9,202	9,442	240	92
Non school Funding	78	129	51	172	172	170	-2	-2
Leisure Services	1,650	1,676	26	2,701	2,718	2,750	32	71
Culture	1,195	1,079	-116	2,245	2,239	2,239	0	0
Countryside	328	306	-22	405	402	402	0	0
Youth	284	236	-48	538	523	523	0	0
	8,315	7,067	-1,248	15,065	15,256	15,526	270	161
Total Lifelong Learning	31,444	28,561	-2,883	50,592	51,480	51,690	210	1

Notes:

Reserves not yet matched

The re-profiling exercise for 2002/03 to be completed.

Comments**Education****Individual Schools Budgets**

This is based on the latest outturn projections for each of the schools.

£ 000s

-60**Pressures****School Funds Held Centrally**

SEN specialist provision to compensate for capacity issues at Tir Morfa	65
SEN significant pressure currently at the same level as this point last year	83
Joint Use Leisure Centres	18
Transport increase identified following receipt of information on new daily rates from transportation.	196

Savings**School Funds Held Centrally**

Management and administration - various	-15
Delay in appointment of SEN Lead Officer and other staff	-60
Reduction in Free Meal numbers	-35
Equipment Leasing	-10
Boarding Grants	-2

*Discussions ongoing to seek compensatory savings***Non-School Funding**

Student Awards Support	-2
------------------------	----

238**Culture and Leisure****Current pressures include:**

Costs associated with hosting the Blue Peter Event	5
Loss of income from the Apollo profitshare agreement	23
Funding of Supernumary post	18
Pavilion Theatre - increased costs and underachievement on production account	20
Resolution of decasualisation claim	2
Offset by internal staffing restructures and increased income	-36

32

MONTHLY BUDGET MONITORING REPORT - FINANCIAL YEAR 2002/03
ENVIRONMENT
PERIOD ENDING OCT 2002

	- Year to Date -			- 2002/03 Totals -				Projected Variance (Previous Report)
	Budget Profile	Actual to end Oct 2002 Plus Commitments	Variance (Increase/ - Saving)	Budget As per Budget Book	Budget As at end Oct 2002	Projected Outturn	Variance (Increase/ - Saving)	
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	
Consultancy Services	935	719	-216	995	995	1,040	45	45
Economic Regeneration	520	695	175	798	843	838	-5	-5
Highways and Transportation	2,644	2,524	-120	5,929	5,987	5,969	-18	-18
Planning Services	496	376	-120	889	889	868	-21	-21
Public Protection & Regulatory Services	4,045	4,023	-22	7,540	7,635	7,654	19	19
Support Services	362	297	-65	617	642	622	-20	-20
Total Environment	9,002	8,634	-368	16,768	16,991	16,991	0	0

**MONTHLY BUDGET MONITORING REPORT - FINANCIAL YEAR 2002/03
PERSONAL SERVICES
PERIOD ENDING OCT 2002**

	- Year to Date -			- 2002/03 Totals -				Projected Variance (Previous Report)
	Budget Profile	Actual to end Oct 2002 Plus Commitments	Variance (Increase/ - Saving)	Budget As per Budget Book	Budget As at end Oct 2002	Projected Outturn	Variance (Increase/ - Saving)	
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	
Children and Families	2,382	2,645	263	3,805	4,223	4,410	187	187
Intake A & C M (North)	4,988	4,900	-88	8,011	8,696	8,923	227	406
Intake A & C M (South)	1,672	1,598	-74	3,046	3,030	3,050	20	-23
Provider	3,335	3,341	6	5,442	5,398	5,524	126	250
Business Support & Development	1,323	748	-575	2,910	2,102	1,542	-560	-820
Non HRA Housing	42	-8	-50	83	83	83	0	0
Total Personal Services	13,742	13,224	-518	23,297	23,532	23,532	0	0

Children and Families

As previously reported Fostering will be the major drain on the 2002/03 budget.

The Out of County position appears healthy and is expected to underspend by over £380k.

The NCH Residential establishment (Bryn Y Wal) is expected to overspend by £77k. This is due to both a high inflationary increase by NCH and insufficient budget within Children's Services.

Intake A & C M (North & South)

Preserved Rights and Residential Care Allowance budget and spend included in A & C M (North). Currently underspent as fees have not yet been increased.

Increase in spend in both Community Care Older People and Physically Disabled.

Adult Services - Provider

Elderly Residential Services - estimated overspend year end - £200K

Mental Illness - Llys Marchan Residential Home overspend estimated to be £69K

Adult Services General

Learning Disabilities and Mental Illness Services - Transitional Housing Benefit (THB) Income has been removed from Adult Services.

MONTHLY BUDGET MONITORING REPORT - FINANCIAL YEAR 2002/03
CHIEF EXECUTIVE, RESOURCES, CORPORATE & MISCELLANEOUS
PERIOD ENDING OCT 2002

	- Year to Date -			- 2002/03 Totals -				Projected Variance (Previous Report)
	Budget Profile	Actual to end Oct 2002 Plus Commitments	Variance (Increase/ - Saving)	Budget As per Budget Book	Budget As at end Oct 2002	Projected Outturn	Variance (Increase/ - Saving)	
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	
Chief Executive's Dept	1,431	1,127	-304	2,244	2,298	2,298	0	0
Resources Directorate:								
Finance	2,066	2,064	-2	2,155	2,190	2,190	0	0
Audit	177	190	13	308	298	298	0	0
I.T	973	730	-243	1,492	1,492	1,492	0	0
Personnel	353	353	0	588	600	600	0	0
Total	3,569	3,337	-232	4,543	4,580	4,580	0	0
Corporate & Miscellaneous Benefits	1,082	259	-823	2,622	2,745	2,745	0	0
Total	6,241	6,730	489	475	475	475	0	0
Total	7,323	6,989	-334	3,097	3,220	3,220	0	0
Total Chief Executive's, Resources, Corporate & Misc. and Benef	12,323	11,453	-870	9,884	10,098	10,098	0	0

Contract Services Memorandum	Actual Income	Actual Expenditure	Actual Surplus / - Deficit	Projected Income	Projected Expenditure	Projected Surplus / - Deficit
	£000s	£000s	£000s	£000s	£000s	£000s
	6,530	6,491	39	12,000	11,850	150

AGENDA ITEM NO: 8 [CABINET 2002 - 188]

REPORT TO CABINET

CABINET MEMBER: Councillor E. A. Owens - Cabinet Lead Member for Finance

DATE: 26 November 2002

SUBJECT: Capital Plan 2002/2003 - Community Projects Block Allocation

1 DECISION SOUGHT

To approve the recommendations made in respect of applications for capital funding submitted against the Community Projects Block Allocation.

2 REASON FOR SEEKING DECISION

The concept of the Community Projects Block Allocation was introduced by Council in May 2001 when revised capital planning and project management procedures were adopted. The philosophy behind the provision of this block allocation was to allow small schemes (costing less than £50,000) sponsored by local members to be included in the Capital Plan.

Schemes are subject to an application process which require evidence to be provided that they meet Denbighshire's Corporate and Community Objectives, along with community involvement of a practical and financial nature. Financial details requested include information regarding revenue and capital funding arrangements and details of other external funding sources accessed by the applicant organisation.

The Capital Plan approved by Council at its meeting of 26 March included a provision of £430,000 for this Block Allocation in 2002/03. Cabinet on 30 July approved a recommendation to reduce this provision to £330,000 in view of pressures identified elsewhere in the Capital Plan. The decision was taken on the basis that the budget would be reinstated to its original level if sufficient capital receipts were generated during the remainder of the year.

Cabinet has approved three schemes during the current financial year at a total cost of £89,949. These applications had been approved on a "first come, first served" basis. Cabinet at its meeting of 2 July approved the recommendation of the Capital Programme Group that all Denbighshire Councillors should be contacted to advise them that applications could be made against this block. Application forms were requested to be submitted by 16 September.

Appendices 1/1 to 1/18 provide details of each scheme for which an application has been received. Each application has been considered by the Resources Scrutiny Committee on 6 November and the recommendations arising from this meeting are included against each scheme. The proposed recommendations to Cabinet are also presented in these appendices.

Appendix 2 presents a summarised listing of the schemes and provides a financial analysis of project costs. The contributions sought from the Block Allocation in respect of each scheme have been categorised in line with the recommendations outlined in Appendices 1/1 to 1/18. A further summary identifying the impact on the available budget is presented at Appendix 3.

3 COST IMPLICATIONS

Resources of £240,051 are currently available from the Block Allocation. The total value of applications submitted amounts to £427,654. Based on the recommendations for each project the applications have been grouped as follows:

	£
Approved Projects	89,600
Underwritten Projects	94,000
Pending Projects	220,080
Unsuccessful Projects	20,000
Approved under SDS	3,974

Sufficient resources are therefore available to meet the costs of the projects which are recommended for approval.

4 FINANCIAL CONTROLLER STATEMENT

Capital spending must be contained within the level of capital resources available for the year.

5 CONSULTATION CARRIED OUT

Details of consultation undertaken in respect of each project is presented in Appendices 1/1 to 1/18.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

Projects have been reviewed to ensure that they meet the Council's Corporate Objectives.

7 RECOMMENDATION

That Cabinet supports the individual recommendations for each project as set out in Appendices 1/1 to 1/18.

Capital Plan Category: Community Projects Block Allocation

Project: Parc-y-Green Playing Fields

Project Sponsor: Parc-y-Green Playing Fields Trust

Project Details: Replacement of Playground Equipment and construction of community garden.

Estimated Gross Capital Cost: £ 46,000

Applicant's Capital Resources : £ 2,000

Other Capital Resources:£ 24,000 (Key Fund £20,000 ; ENFYS £4,000)

Community Grant Sought: £ 20,000

Councillor Sponsor: Cllr. Neville Hughes - Supportive of proposed project.

Additional Information: The Trust was established in 1953 to safeguard the donated area of land and associated play equipment.

The Trust will meet all running expenses of the facility.

Resources Scrutiny Committee Recommendation: Approve.

Recommendation to Cabinet: Approve.

Capital Plan Category:	Community Projects Block Allocation
Project:	Gwyddelwern Playing Fields Play Equipment
Project Sponsor:	Cymdeithas Cae Chwarae Gwyddelwern
Project Details:	Provision of Community Play Area
Estimated Gross Capital Cost:	£ 5,400
Applicant's Capital Resources :	£ 400
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 5,000
Councillor Sponsor:	Cllr. Glyn Jones - Supportive of proposed project.
Additional Information:	<p>This will be a new facility for the local community and is regarded as the first stage of developing the area.</p> <p>Voluntary work will be available to assist in the development of the facility.</p> <p>Running expenses will be met by the society.</p> <p>ENFYS grant may be available for this project.</p>
Resources Scrutiny Committee Recommendation:	ENFYS funding support to be investigated.
Recommendation to Cabinet:	Approve on the basis that ENFYS support is unlikely.

Capital Plan Category:	Community Projects Block Allocation
Project:	Dyserth Playing Fields Play Equipment
Project Sponsor:	Dyserth Community Council
Project Details:	Replacement of dangerous and out of date play equipment at the Dyserth Community Council playing field.
Estimated Gross Capital Cost:	£ 50,000
Applicant's Capital Resources :	£ 5,000
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 45,000
Councillor Sponsor:	Cllr. Stuart Kerfoot-Davies - Supportive of proposed project.
Additional Information:	<p>The original playground equipment has been removed from the playing fields because of its dangerous condition.</p> <p>Running expenses are financed by the Community Council.</p> <p>ENFYS grant may be available for this project.</p>
Resources Scrutiny Committee Recommendation:	Refer back to Dyserth Community Council to investigate the potential for a Community Organisation to be established which could access ENFYS funding.
Recommendation to Cabinet:	Accept Resources Scrutiny Committee recommendation.

Capital Plan Category:	Community Projects Block Allocation
Project:	Corwen War Memorial Park
Project Sponsor:	Corwen War Memorial Park Committee.
Project Details:	To replace some existing play equipment with new equipment incorporating an adventure playground, together with some landscaping work.
Estimated Gross Capital Cost:	£ 48,580
Applicant's Capital Resources :	£ Nil
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 48,580
Councillor Sponsor:	Cllr Rhys Webb - Supportive of proposed project.
Additional Information:	<p>The park would like to be part of the long term plan for the redevelopment of the town. This proposal would enhance the natural beauty of the area making a huge contribution towards the tourism of Corwen - improving the economy as well as community relationships. The proposal incorporates exciting play equipment for toddlers through to teenagers, encouraging physical exercise through the medium of play, contributing towards the well-being of children.</p> <p>Costs of maintenance will be met by the Corwen War Memorial Park Committee.</p> <p>ENFYS grant may be available for this project.</p>
Resources Scrutiny Committee Recommendation:	<p>Potential for ENFYS funding to be investigated by Corwen War Memorial Park Committee.</p> <p>Corwen War Memorial Park Committee to consider input of own funds towards scheme.</p>
Recommendation to Cabinet:	Accept Resources Scrutiny Committee recommendation.

Capital Plan Category:	Community Projects Block Allocation
Project:	Llanferres Playing Fields
Project Sponsor:	Llanferres Playing Fields & Recreation Association
Project Details:	Replenishment of the play equipment bark safety surface and drainage ground works.
Estimated Gross Capital Cost:	£ 6,300
Applicant's Capital Resources :	£ Nil
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 6,300
Councillor Sponsor:	Cllr Don Holder - Supportive of proposed project.
Additional Information:	<p>The bark safety surface is necessary to maintain health & safety standards.</p> <p>The land drainage is required because large sections of the park and play area have become unusable during winter and spring due to rainfall naturally running off the surrounding hills and settling in the playing fields area.</p> <p>Costs of maintenance will be met by the Association.</p> <p>ENFYS application unsuccessful based on social deprivation criteria.</p>
Resources Scrutiny Committee Recommendation:	Confirmation required that bark surface is acceptable for Health & Safety standards.
Recommendation to Cabinet:	Approve. Confirmation obtained that bark surface is acceptable.

Category:	Community Projects Block Allocation
Project:	Cae Seren Play Area - Phase 2
Project Sponsor:	Cae Seren Play Area Committee.
Project Details:	Rubber safety surface.
Estimated Gross Capital Cost:	£ 5,500
Applicant's Capital Resources :	£ Nil
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 5,500
Councillor Sponsor:	Cllr Elwyn Edwards - Member of Cae Seren Play Area Group
Additional Information:	<p>This scheme has been successful in obtaining a grant of £5,000 from the Community Projects Block Allocation in 2001/02. This grant was made towards the costs of the providing play equipment and tarmac surfacing. The gross cost of this work was £16,000 of which £8,000 was contributed from the Committee's fund-raising.</p> <p>To ensure that the scheme met health and safety requirements it has been necessary to provide a rubber safety surface around the play equipment. The cost of this work was £5,500 and a further grant is therefore sought to meet this additional financial burden.</p> <p>Costs of maintenance are met by the Committee.</p>
Resources Scrutiny Committee Recommendation:	Approve.
Recommendation to Cabinet:	Approve.

Capital Plan Category:	Community Projects Block Allocation
Project:	Llanarmon yn Ial Play Area
Project Sponsor:	Llanarmon yn Ial Community Council
Project Details:	Refurbishment of play area.
Estimated Gross Capital Cost:	£ 7,000
Applicant's Capital Resources :	£ Nil
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 7,000
Councillor Sponsor:	Cllr Don Holder - Supportive of proposed project.
Additional Information:	<p>Play equipment is in need of replacement to comply with latest safety standards. In addition improvement to the area is sought by the provision of benches, fencing and litter bins.</p> <p>Costs of maintenance will be met by the Community Council.</p> <p>ENFYS grant is not available to Community Councils. A formally constituted community group would need to be established to enable an application to be made to ENFYS.</p> <p>ENFYS funding potentially unavailable based on social deprivation criteria.</p>
Resources Scrutiny Committee Recommendation:	Refer back to Community Council to investigate the potential for a Community Organisation to be established which could access ENFYS funding.
Recommendation to Cabinet:	Approve on the basis that ENFYS support is unlikely.

Capital Plan Category:	Community Projects Block Allocation
Project:	Llandegla Play Area
Project Sponsor:	Llandegla Community Council
Project Details:	Provision of Changing Facilities
Estimated Gross Capital Cost:	£ 4,500
Applicant's Capital Resources :	£ Nil
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 4,500
Councillor Sponsor:	Cllr Don Holder - Supportive of proposed project.
Additional Information:	<p>The playing field is in the ownership of Denbighshire County Council and is held under a twelve month licence by the Community Council. The development of the County Council's Asset Management Plan will determine whether this site could be developed for the provision of a new school.</p> <p>In the meantime the Community Council wishes to provide changing facilities at the site by obtaining a temporary building (Portakabin).</p> <p>Running costs will be met by the Community Council.</p>
Resources Scrutiny Committee Recommendation:	Confirmation required that licence to occupy site will be renewed.
Recommendation to Cabinet:	Approve subject to extension of licence to occupy site being granted.

Capital Plan Category:	Community Projects Block Allocation
Project:	Modernisation and Structural Improvements at Fforddlas Community Centre.
Project Sponsor:	Rhyl Community Association
Project Details:	Modernisation and improvement to the interior, exterior and shell of the building.
Estimated Gross Capital Cost:	£ 95,000
Applicant's Capital Resources :	£ 45,000 (Held by Denbighshire County Council)
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 50,000
Councillor Sponsor:	Cllr. Joan Butterfield - Supportive of proposed project.
Additional Information:	<p>The building is in need of extensive modernisation and refurbishment to bring it to an acceptable level for community use. The management committee believe that the improvement and enhancement of this community facility will ensure its continued survival in an area of Rhyl that is categorised as severely deprived.</p> <p>The premises are owned and run by the Rhyl Community Association which meets all running expenses.</p> <p>There is potential to obtain assistance under Phase 2 of the Key Fund but this funding will not be available until February 2003.</p>
Resources Scrutiny Committee Recommendation:	Underwrite the level of grant sought pending the consideration of Key Fund grant application.
Recommendation to Cabinet:	Accept Resources Scrutiny Committee recommendation.

Capital Plan Category: Community Projects Block Allocation

Project: Canolfan Seion, Henllan St., Denbigh - Car Parking

Project Sponsor: Denbighshire Community Partnership

Project Details: The provision of car parking spaces.

Estimated Gross Capital Cost: £ 56,000

Applicant's Capital Resources : £ Nil

Other Capital Resources:£ Nil

Community Grant Sought: £ 56,000

Councillor Sponsor: Cllr David Jones - Supportive of proposed project.

Additional Information: Car parking facilities do not exist at this establishment and it is felt they would assist in maximising use of the community centre to its full potential. Car parking would also improve highway safety at this location.

The estimated cost of £56,000 is in excess of the limit of £50,000 set for projects funded from this Block Allocation.

Resources Scrutiny Committee Recommendation: Defer decision on application pending receipt of further details of the scheme specification. Applicant to be advised that grant sought exceeds £50,000 limit.

Recommendation to Cabinet: Accept Resources Scrutiny Committee recommendation.

Capital Plan Category:	Community Projects Block Allocation
Project:	Clocaenog Church Hall Building Improvements
Project Sponsor:	Clocaenog Parochial Church Council
Project Details:	Improvement of facilities at and access to the hall; widening access driveway; roof reslating and insulation; door and window replacement.
Estimated Gross Capital Cost:	£ 34,000
Applicant's Capital Resources :	£ 2,500
Other Capital Resources:	£ 700
Community Grant Sought:	£ 30,800
Councillor Sponsor:	Cllr Eryl Williams - Supportive of proposed project.
Additional Information:	<p>The Hall provides a meeting place for the local community and is used for the preparation of school dinners, the Youth Club, over 50s , Women's Institute, after school activities and pre-school playgroup.</p> <p>In 1999 funds were raised for rewiring and replacing the heating system.</p> <p>Phase 1 works to provide toilet facilities and disabled access have been financed from grant aid and local fund-raising and are not included in this application.</p> <p>The potential to obtain Key Fund assistance for this project has been investigated and it is unlikely to fulfil the scheme's requirements.</p>
Resources Scrutiny Committee Recommendation:	Approve as Key Fund assistance unlikely.
Recommendation to Cabinet:	Accept Resources Scrutiny recommendation.

Capital Plan Category:	Community Projects Block Allocation
Project:	St. Asaph Community Centre
Project Sponsor:	St. Asaph Community Association
Project Details:	Construction of a new community centre.
Estimated Gross Capital Cost:	£ 359,000
Applicant's Capital Resources :	£ 5,000
Other Capital Resources:	£ 310,000
Community Grant Sought:	£ 44,000
Councillor Sponsor:	Cllr Andrew Thomas - Supportive of proposed project. Cllr John Smith - Supportive of proposed project.
Additional Information:	<p>The community centre will provide a hall for 200 people, meeting rooms and kitchen. The site is adjacent to the Library and the derelict area will be landscaped and provide parking facilities.</p> <p>The majority of external funding is anticipated to be received from the Lottery Community Fund. It is a requirement of bidders to this organisation to confirm that all sources of funding are in place.</p> <p>It is anticipated that the draw down of Denbighshire Community Capital Grant would take place in two equal instalments covering two financial years.</p> <p>There is potential to obtain assistance under Phase 2 of the Key Fund but this funding will not be available until February 2003.</p>
Resources Scrutiny Committee Recommendation:	Underwrite the level of grant sought pending the consideration of Key Fund grant application.
Recommendation to Cabinet:	Joint fund with potential Key Fund to a maximum of £44,000 in 2003/04.

Category: Community Projects Block Allocation

Project: The Wellington Centre, Rhyl - Disability Access Improvements.

Project Sponsor: Rhyl Community Association

Project Details: Improvement of disabled access at all points into the building including the car park and rear entrance in order to ensure that all statutory provisions are met .

Estimated Gross Capital Cost: £ 15,000

Applicant's Capital Resources : £ Nil

Other Capital Resources:£ Nil

Community Grant Sought: £ 15,000

Councillor Sponsor: Cllr Joan Butterfield - Supportive of proposed project.

Additional Information: The project is required as to comply with present and pending disability rights legislation. This will ensure that the communal use of the building can be accessed by all members of society.

The potential to obtain Key Fund assistance for this project has been investigated and confirms that it would be ineligible as the work relates to the statutory provision of disability improvements.

Resources Scrutiny Committee Recommendation: Approve.

Recommendation to Cabinet: Approve.

Capital Plan Category:	Community Projects Block Allocation
Project:	Llandrillo Public Conveniences
Project Sponsor:	Cllr Cefyn Williams
Project Details:	Renovation of public convenience block at Y Wern, Llandrillo, which are currently in a state of dilapidation and not open for public use.
Estimated Gross Capital Cost:	£ 20,000
Applicant's Capital Resources :	£ Nil
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 20,000
Councillor Sponsor:	Cllr Cefyn Williams
Additional Information:	<p>The facility was closed in 1995 due to budget pressures. They have remained closed since that time, with one exception when the community tried unsuccessfully (due to cost) to run it.</p> <p>A study has been undertaken which demonstrated that there was a community need for the public conveniences in the area.</p> <p>A meeting of Denbighshire officers and the local member has been held to consider the establishment of a partnership arrangement between the County Council and the local community that could result in the reopening of the facility. This resulted in the proposal that:</p> <ul style="list-style-type: none">•The conveniences be brought up to a good standard of repair by the County Council prior to being handed over to the community.•The community would take on the management and maintenance for a period of 25 years.•Denbighshire County Council would pay the managing committee a sum of between £300 and £500 per annum towards upkeep.
Resources Scrutiny Committee Recommendation:	Refer to Environment Scrutiny Committee.
Recommendation to Cabinet:	Defer decision pending consideration by Environment Scrutiny Committee.

Capital Plan Category:	Community Projects Block Allocation
Project:	Ponderosa Public Conveniences
Project Sponsor:	Cllr Don Holder
Project Details:	Works required to complete a comprehensive improvement scheme carried out by the owner of the toilet block which is let to Denbighshire County Council on a full repairing lease.
Estimated Gross Capital Cost:	£ 16,000
Applicant's Capital Resources :	£ Nil
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 16,000
Councillor Sponsor:	Cllr Don Holder
Additional Information:	<p>The owner has stated that works costing £16,000 have been undertaken, with at least a further £2,000 to be incurred to complete the current phase.</p> <p>This application relates to a proposed second phase to be undertaken by the owner which would complete the scheme, including urgent work to the septic tank run off. This second phase is estimated to cost a further £16,000.</p> <p>The Head of Public Protection & Regulatory Services believes that charging for the use of the facility should be implemented. The owner is very much opposed to this approach and it is this which prompted him to proceed with the phase 1 improvements without further discussion with County officers.</p> <p>Annual income from charges have been estimated at £40,000 net of collection costs. This revenue income would assist in meeting the costs of servicing the facility.</p>
Resources Scrutiny Committee Recommendation:	Refer to Environment Scrutiny Committee.
Recommendation to Cabinet:	Defer decision pending consideration by Environment Scrutiny Committee.

Capital Plan Category:	Community Projects Block Allocation
Project:	Building Improvement Works at Shore FM premises 13 East Parade, Rhyl.
Project Sponsor:	Shore FM
Project Details:	Installation of heating, window frames and damp-proofing to the basement annexe studios, work rooms and offices including provision of ramps and access rails for disabled entry to the rear of the premises ensuring disability regulations are met.
Estimated Gross Capital Cost:	£ 20,000
Applicant's Capital Resources :	£ Nil
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 20,000
Councillor Sponsor:	Cllr. Joan Butterfield - Supportive of proposed project. Cllr. Glyn Williams - Supportive of proposed project.
Additional Information:	<p>The existing premises have rising damp in the office accommodation, leaking window frames and no central heating or boiler provision, kitchen or community facility. There is no disabled access.</p> <p>The potential to obtain Key Fund assistance to this project has been investigated and confirms that this source of funding is unlikely based on the scheme details provided.</p> <p>The premises are not owned by the applicant. They are occupied under a licence as opposed to a lease which would provide greater security of tenure.</p>
Resources Scrutiny Committee Recommendation:	Reject application.
Recommendation to Cabinet:	Accept Resources Scrutiny Committee Recommendation.

Capital Plan Category:	Community Projects Block Allocation
Project:	Llangollen Citizens' Advice Bureau Office Conversion Works
Project Sponsor:	Llangollen Citizens' Advice Bureau
Project Details:	The existing office is situated in a semi-derelict building in Oak St. Llangollen. The present building is not suitable as there private interview facilities are unsatisfactory. Access is restricted to the building and within the building and do not allow disabled access. The premises do not meet Health & Safety requirements.
Estimated Gross Capital Cost:	£ 30,000
Applicant's Capital Resources :	£ Nil
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 30,000
Councillor Sponsor:	Cllr A.J. Tobin - Supportive of proposed project. Cllr R.J. Jones - Supportive of proposed project.
Additional Information:	<p>The CAB has located suitable premises to rent at the Freemasons Hall, Hall St., Llangollen. The building meets the required physical needs of the CAB. This application is required to finance the cost of converting the offices to provide soundproofed, private interview facilities.</p> <p>The Llangollen Masonic Society is prepared to lease the premises to the CAB for an initial five year period. The lease will contain a 6 months break clause to enable CAB to leave the building within the five year period.</p> <p>It is now understood that the Llangollen Masonic Society has given a three month rent free period to the CAB to enable the CAB to put in place the necessary finance which would meet the cost of required conversion works to the building. This rent free period is believed to end on 31 October after which date the CAB must commence rental payments if they wish to retain their interest.</p> <p>This possibility of obtaining Key Fund assistance has been investigated but the scheme does not qualify.</p>
Resources Scrutiny Committee Recommendation:	<p>The application should form part of the overall Citizens' Advice Bureau funding requirements.</p> <p>Funding of building improvement works should be dependent upon a lease period of more than five years being available.</p>
Recommendation to Cabinet:	The requirement to move from the existing premises due to Health & Safety issues is acknowledged but a lease period of more than five years should be sought.

Capital Plan Category:	Community Projects Block Allocation
Project:	Community Partnership - Llandegla Post Office
Project Sponsor:	Cllr Don Holder
Project Details:	I.T. Equipment and links at Llandegla Post Office to enable the local community to access the Denbighshire County Council Intranet.
Estimated Gross Capital Cost:	£ 3,974
Applicant's Capital Resources :	£ Nil
Other Capital Resources:	£ Nil
Community Grant Sought:	£ 3,974
Councillor Sponsor:	Cllr Don Holder
Additional Information:	<p>The project is regarded as a pilot scheme with a view to extending the provision to other rural villages if successful.</p> <p>This project is now expected to qualify for Strategic Development Scheme funding.</p>
Resources Scrutiny Committee Recommendation:	No requirement to be funded from Community Projects Block Allocation as scheme to be financed from Strategic Development Scheme funding.
Recommendation to Cabinet:	Accept Resources Scrutiny Committee recommendation.

Denbighshire County Council - Community Projects Block Allocation 2002/03

		£	
	Budget 2002/03 - Per Capital Plan approved by Council 26 Mar 02		430,000
Less	Reduction approved by Cabinet 30 Jul 02		100,000
	Available Budget 2002/03		330,000
Less	Projects Already Authorised by Cabinet 5 Jun 02		
		£	
	Clwb Rygbi Dinbych - Additional changing rooms	20,000	
	Community Enterprise & Employment Project - Foyer	19,949	
	Rhyl Young People's Centre	50,000	89,949
	Balance of Available Budget		240,051
Less	Projects Recommended for Approval 26 Nov 02		
		£	
	1/1 Parc-y-Green Playing Fields	20,000	
	1/2 Gwyddelwern Playing Fields Play Equipment	5,000	
	1/5 Llanferres Playing Fields	6,300	
	1/6 Cae Seren Play Area - Phase 2	5,500	
	1/7 Llanarmon yn Ial Play Area	7,000	
	1/11 Clocaenog Church Hall Building Improvements	30,800	
	1/13 The Wellington Centre, Rhyl - Disability Improvements	15,000	89,600
			150,451
Less	Projects Recommended to be Underwritten (See Note 1)		
		£	
	1/9 Modernisation and Structural Improvements at Ffordlas Community Centr	50,000	
	1/12 St. Asaph Community Centre Construction	44,000	94,000
	Balance of Budget Remaining		56,451
	N.B. Value of Pending Projects		220,080
Note 1	Alternative sources of finance may become available for these projects which potentially will reduce the requirement for funding sought from this Block Allocation.		

REPORT TO CABINET

CABINET MEMBER **Councillor E A Owens, Lead Member for Finance**

DATE **26 November 2002**

SUBJECT **Projected Budget requirement 2003/4**

1. DECISION SOUGHT

That Members consider the likely budget requirement for next financial year in the light of the latest information as detailed in the attached appendices.

2. REASON FOR SEEKING DECISION

The provisional RSG settlement for the Council for next financial year is due to be released on the 28th of this month.

Meetings have been taking place with Lead Cabinet members together with Directors and Heads of Service to build up a picture of the likely budget requirement for next year. This has resulted in the detailed bids for additional funding included in Appendix 2. Some bids are for funding for items that are largely inescapable, while other desirable items will need to be considered further once the overall level of funding for next year is known. Bids including a capital implication will be considered along with other capital bids in due course.

Some advice has been received from the Assembly and the WLGA as regards the likely level of the settlement for next year, but this has proved to be more vague than in previous years. Early indications are that the general settlement may not be particularly generous but that increases can be expected in specific and special grants, i.e. earmarked funding such as the special additional funding for schools.

The estimated standstill budget requirement for next year is detailed in Appendix 1 and takes account of known and likely inflation pressures together with committed cost increases and rollover pressures. No provision has been made for a Contingency Budget at this stage as it is hoped that the Council will qualify for additional funding as a result of the review of the Performance Improvement scheme in mid 2003.

The potential for agreeing additional resources in connection with the bids detailed in Appendix 2 will be dependent upon the level of the settlement from the Assembly.

3. COST IMPLICATIONS

The estimated standstill budget requirement is detailed in Appendix 1 while bids for additional funding are shown in Appendix 2.

4. FINANCIAL CONTROLLER STATEMENT

The information coming out of the Assembly suggests a settlement that will be fairly tight for next year with limited room for growth. A new block of unhypothecated money, the Deprivation fund, may well produce the main scope for growth.

5. CONSULTATION CARRIED OUT

Lead Cabinet Members, Corporate Directors and Heads of Service.

6. IMPLICATIONS FOR OTHER POLICY AREAS INCLUDING CORPORATE

The level of funding available impacts upon all services of the Council.

7. RECOMMENDATIONS

1. That Members note the estimated standstill budget requirement for next financial year as detailed in Appendix 1.
2. That in view of the likely tight settlement from the Assembly, Members consider requesting Scrutiny Committees during December to prioritise the bids for additional funding detailed in Appendix 2.

DENBIGHSHIRE COUNTY COUNCIL

BUDGET 2003/04

	Approved Budget 2002/3 £000	Additional in year funding £000	Pay Award Excess etc £000	Contingency allocation 2002/03 £000	Amended Base 2002/3 £000	Cont alloc adjustments re 2003/04 £000	Transfers In & Out 2002/3 prices £000	----- Teachers 10% £000	Inflation Non teaching pay costs 5% £000	----- Other Inflation 3% £000	Transfers In & Out 2003/04 prices £000	Base Budget 2003/04 £000
Lifelong Learning	50,585		62	895	51,542	-35	3,433	5) 630	136			55,706
- Schools budgets					0							0
- Other Education					0							0
- Culture & Leisure					0							0
Environment	16,813		37	178	17,028	15	0	368	290			17,701
- Contract Services		-90 1)	100									
Personal Services	23,271		60	262	23,593	-5	0	600	348			24,536
Chief Executive	2,241		5	57	2,303	57	0	115	0			2,475
Resources	4,543		26	37	4,606	-11	0	262	19			4,876
INSURANCES*				150	150	0	0	0	100			250
Corporate & Benefits	3,095	-220 2)	200 4)	125	3,200	167	0	0	100			3,467
	100,548	-310	490	1,704	102,422	188	0	3,433	1,975	993	0	109,011
Contingency	1,720	914	-490	-1,704	440	-188			-252			0 6)
Capital Finance Charges	11,138				11,138				750			11,888
Precepts & Levies	4,130				4,130				300 7%			4,430
Contribution to balances	1,000				1,000				0			1,000
TOTAL	118,536	604 3)	0	0	119,130	0	0	3,433	1,975	1,791	0	126,329
												+6.57%

Note

- 1) Assumed reduced client budget re DSO profit margins
- 2) Bellwin threshold provision removed, covered by reserve
- 3) 2002/3 level of additional funding for Threshold etc payments
- 4) Provision for EVR/Pay restructures (C&L)
- 5) Includes assumed 5% increase in employer's Superann' contributions
- 6) Assumes Contingency Budget set up later in year from PIG settlement (£1m approx)

Denbighshire County Council

Budget 2003/4 Bids for additional funding

	Bids Revenue £000	Bids Capital £000	Position following initial review £000	Comments	Council priority/ full year effect etc
<u>LIFELONG LEARNING</u>					
<u>EDUCATION</u>					
Managing School Places 2 project posts	75		37		B
Performance Officer	35		*** Subject to level of settlement		A
Admin support C & L	19		*** Subject to level of settlement		B
School transport	250		*** Review level/inflation pressure		A
Additional funding for schools	1473		*** Review additional special funding		A
S E N pressures	380		*** Review level/element in 2002/3		A
Education psychology service	65		34 Review settlement/special grant		A
Gest replacement funding	26		*** Review settlement/special grant		B
Criminal Records Bureau charges	10		10		A
Music service	65		65		A
Curriculum support	45		*** Subject to level of settlement		B
EAL Service pressure	26		*** Subject to level of settlement		A
	-----	-----	-----		
	2469	0	146		
	-----	-----	-----		
<u>CULTURE & LEISURE</u>					
Leisure pay restructure	213		82 Contingency funding 2002/3 b/f		C
Pavilion Theatre pay review	15		15 Contingency funding 2002/3 b/f		C
Scala supernumerary post	18		18		C
Community Arts post match funding	5		5 2004/5 £30k		B
Marketing	39		10		D, B
Library Plan	42		*** Subject to level of settlement		A
FT Archeology Service	10		*** Subject to level of settlement		B
Youth access Leisure Centres	40		*** Subject to level of settlement		A
Healthy Lifestyles programme	28		*** Subject to level of settlement		B
Eisteddfod Community programme	20		*** Subject to level of settlement		D
DCC Eisteddfod marquee	18		*** Subject to level of settlement		D
Arts grants & events	25		*** Subject to level of settlement		A, D
People's network	5		*** Subject to level of settlement		B
	-----	-----	-----		
	478	0	130		
	-----	-----	-----		
Total Life Long Learning	2947	0	276		
	-----	-----	-----		
<u>ENVIRONMENT DIRECTORATE</u>					
<u>Image/Enforcement</u>					
Enforcement re late night facilities less fees	10		10		D
Footways maintenance re insurance claims	100		30		D
Access for disabled awareness	10		*** Subject to level of settlement		D
Refuse/Street cleansing enforcement	38		*** Subject to level of settlement		D
Additional HEOs	120		*** Review fees and settlement		D
Animal Health Enforcement	110		0 Special funding		B
	-----	-----	-----		
	388	0	40		
	-----	-----	-----		
<u>Pressures</u>					
Asbestos audit statutory requirement		450			A, D
Public transport bus subsidies	55		0 Treat as inflation		D
Feasibility studies		100			A
Land Drainage/Coast Protection works	50		50		A, D
Intereg match funds	25		25		D
Pollution control	43		*** Subject to level of settlement		B
Val & Est Rating officer 'Right first time'	46		30 46k full year		B
	-----	-----	-----		
	219	550	105		
	-----	-----	-----		
<u>Information systems</u>					
Info systems & Software	55	97	55		A
G I S		217			A
Nat Land & Prop Gazetteer E Gov	50	28	50 IEG SCA 2002/3 *		A
	-----	-----	-----		
	105	342	105		
	-----	-----	-----		
Total Environment	712	892	250		
	=====	=====	=====		
<u>PERSONAL SERVICES</u>					
Improve pay & conditions to aid recruitment & retention	72		72		C
Assessments of Children in need	181		131 Possible £50k Contingency bid		A, C
Rapid Response team re family breakup	55		35		B, D
Foster care, initial costs of switch from out County placement	300		*** Possible Contingency bid		A, B, D
Integrated MH project officer	15		15		A, B
Increase Residential & NH fees	150		*** Subject to level of settlement		A
Welfare Rights Assistants	36		*** Subject to level of settlement		B, D
Strategy for Older People	65		*** Subject to level of settlement		A
Housing Strategy officer	50		*** Subject to level of settlement		A
MH employment project contribution	5		*** Subject to level of settlement		A, B
Learning Disabilities, Day Services	75		*** Subject to level of settlement		A, B
Learning Disabilities, Community Living	50		50		A, B
Physical Disability, Day Services	50		*** Subject to level of settlement		A, B
	-----	-----	-----		
Total Personal Services	1104	0	303		
	-----	-----	-----		
<u>CORPORATE</u>					

Translation service improvements	20		*** Subject to level of settlement	A
Equalities Unit	37		*** Subject to level of settlement	A
Menter laith support	30		10	A
One Stop Shop Denbigh	34		20 Joint working with Cash Office	A
Freedom of Information post	30		30	E Gov
Scrutiny support additional	63		*** Subject to level of settlement	A, C
full year effect	7		7	A, C
Social Services legal support	21		*** Pt year/Subject to level of settlement	A
Clerk typist legal	15		*** Subject to level of settlement	A
Emergency Planning post	28		*** Pt year/Subject to level of settlement	A
Emerg Planning grant reduction	7		7	Com increase
Procurement officer	32		*** Procurement review	A, B
County Voice 4 editions	19		19	A, D
Efficiency Unit	75		0 Self financing from efficiency savings	A, B
Cabinet support full year effect	11		11	A, C
Health & Welfare clerical post	14		0 Modern Apprentice	A
Customer Contact Team - staffing	205	310	*** Subject to level of settlement	A
2 Business Analysts	50		50 IEG SCA 2002/3 *	A
CAB grant increase - money advice	56		14 HRA 42k	A
- general grant	92	6	20	A
DVSC grant	20		20	A
Modern Apprentices 2nd year of 3	23		23	C
new intake	25		25	C
Training budget increase	113		113	C
Training officer	28		*** Subject to level of settlement	C
Training admin officer	14		*** Subject to level of settlement	C
Modern Apprentices coordinator part time	12		*** Subject to level of settlement	C
Members allowances full year effect	35		35	C
Member training	5		5	C
Civics increased provision	17		*** Subject to level of settlement	C, D
Corporate Driver training	32		32	C
Total Corporate	1170	316	441	

RESOURCES DIRECTORATE

Finance Dept

Full year effect of opening Denbigh Cash Office	11		11	Com increase
Reduced income to CPU re PFI contract completion	42		42	Com increase
	53		53	

Internal Audit

Impact of Job Evaluation	14		14	Com increase
--------------------------	----	--	----	--------------

IT C

Full year effect of new staff in 2002/3	20		20	Com increase
Further new posts to support expanding no of systems etc	70		70	A
2 new customer service liason posts	50		50	A
Account management officer	16		16	A
Limited Backup Links	13	11	*** Subject to level of settlement	A
	169	11	156	

Personnel

Personnel Rewards & Evaluations officer part year	30		30	C
Training Budget for department	15		0 Corporate bid	C
Effect of Job Evaluation	19		15	Com increase
Health & Safety set up costs - one off	19		19	C
Health & Safety adviser	32		*** Subject to level of settlement	C
Occupational Health Equipment /Listeners costs	5		5	C
	120	0	69	

Total Resources

356 11 292

TOTAL

6289 1219 1562

BUDGET CHANGES 2002/3

£000

ADDITIONAL FUNDING

Threshold Payments	604	
Concessionary fares	226	
	830	

BUDGET CHANGES

On going savings

Remove Bellwin provision	-220	
Remove DSO Profit from Client budgets	-90	
Blice from Contingency 1st round	-20*	-330

Ongoing pressures

Excess Pay Award	300*	
EV/Re	200*	
Leisure pay reviews)	
Corporate manslaughter	8	
Social Services	15	
Leisure	15	538

One off savings/pressures

Cont from balances 01.04.02	-90	
Cont from Gen Reserve	-35	
Chlorination	48	
NW Child Abuse costs	100	
W & NWPO wind up costs	400	423

Other savings/pressures to be checked

S E N	150*	
School transport	100*	
Debt charges/interest	-51*	199

830

AGENDA ITEM NO: 10 [CABINET 2002 - 190]

REPORT TO CABINET

CABINET MEMBER: Councillor M A German, Lead Member for Sustainable Development & Environment

DATE 26 NOVEMBER 2002

SUBJECT: Winter Maintenance Snowclearing / Gritting Tenders 2002/06

1 DECISION SOUGHT

Approval to accept tenders from private contractors for snow ploughing and gritting services after the official closure date for acceptance of such tenders, as an exception to Section 12 of the County Council's Standing Orders.

2 REASON FOR SEEKING DECISION

- The County Council procures supplementary snow ploughing and gritting services from private sector contractors via an open tender process, usually for a period of 4 years.
- The works involved are snow clearing and gritting, both carried out as support activities to the County Council's programme of planned gritting. The contracts are usually only activated in times of prolonged / severe winter conditions.
- The previous contracts expired on 30th September, 2002 and it is intended to have new contracts in place to run from 1st November, 2002 to 30th September, 2006.
- Tenders were circulated, following advertisements seeking expression of interest, and the due date for return was 30th October, 2002
- The tenders are based on schedules of hourly rates for appropriate plant and labour. The tenders are not, strictly speaking, competitive, in that each contractor bids on the basis of his / her ability to provide the required service over a given area, usually that which immediately surrounds their commercial / agricultural premises. Contractors are then called to provide service on the basis of specific needs in the area during / following severe winter weather
- In the event, several tenders were not received by the due date and, in strict accordance with Contract Standing Orders Section 12, these should be returned to the bidding contractor.
- The nature of this contract, however, is such that if this course of action were to be followed, the County Council would be left with several parts of the County where no 'valid' tender has been received and, therefore, no service would be provided under this contract. The extent of coverage which would be provided by the 'valid' tenders is approximately 77% of the total road network.
- An exception under paragraph 2 to the requirements of paragraph 12 of the Council's Contract Standing Orders is requested in order to ensure that 100% coverage of the road network, plus an adequate reserve resource, is available in periods of severe weather.
- It is considered that the missing coverage and reserve capability can be fulfilled from the 'late' tenderers without recourse to re-tendering. This action will have no detrimental effect on the extent of work to be awarded to the 'valid' tenderers, as it will be limited to that necessary to provide 100% coverage and a suitable reserve.

3 COST IMPLICATIONS

None, if this proposal is accepted. Costs of advertising and repeating the tender process (approx. £2,000) if not.

4 FINANCIAL CONTROLLER STATEMENT

Members may wish to consider this request as a special case in view of the potential dire circumstances resulting from a heavy snow fall with no snow clearing contractor available. This

should, however, not be regarded as setting a precedent for the future of considering late tender bids.

5 CONSULTATION CARRIED OUT

Internal Audit and the County Clerk agree with the course of action proposed, in view of the particular circumstances of the work involved. Audit suggest that the form of contract and procurement method be reviewed for future works of this type, in order to avoid such a problem in the future. Highways and Transportation to action.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

None.

7 RECOMMENDATION

That the Head of Highways and Transportation be authorised to accept late tenders for snow ploughing and gritting services as an exception to the tender acceptance procedures contained within the Council's Contract Standing Orders, in order to ensure that supporting private sector winter maintenance services are available on a County-wide basis

REPORT TO CABINET

CABINET MEMBER: Councillor R W Hughes, Lead Member for Lifelong Learning

DATE: 26 November 2002

SUBJECT: Managing School Places

1. DECISION SOUGHT

- Agree the criteria for carrying out an option analysis
- Consider the extra resources required to undertake the next stage of the review.

2. REASON FOR SEEKING DECISION

2.1 The present pattern of investment in schools is difficult to justify and sustain into the future. Some schools have significant numbers of empty spaces while others are over crowded. The funding per pupil in some schools is significantly higher than the average, while the funding per pupil in some schools (some of which are in our most deprived areas) is lower than the average. There is a significant backlog of maintenance and capital expenditure needs across our school estate. We need to review fundamentally the present position to identify the way forward.

2.2 The work linked with managing school places is key to meeting the first and second priorities out of the four agreed by the Council in June 2002. The first priority notes the need to focus on basic services to meet customer requirements, and secondly, to maximise resources and to use them wisely.

2.3 In undertaking any review the prime consideration must be the maximising of educational achievement and equality of opportunity for all children and young people in our schools. National Assembly funding announced in October 2002 for rural schools must also be used wisely. In all cases, funding must be on the basis of need. Any savings accruing from the review should fund improvements to services through reinvestment in all schools. This is a recommendation from the National Assembly for Wales.

2.4 The National Assembly has stated its aim of providing adequate school buildings for all by 2010. This target will not be met unless the review identifies some school buildings, which are no longer used or are unviable or unsustainable. Funding must be freed up to meet areas of greatest need.

2.5 The outcome of the review could result in any of the following:

- Merger with another school
- Federation [number of schools under one Head and one Governing Body]
- Partnership with joint committees of governors
- Closure
- Clustering [number of schools under one Head but with separate Governing Bodies]
- Using site as a community asset
- No change

2.6 The review of school places has gathered momentum since the District Audit carried out a review in February 2001 noting that 'limited progress had been made in implementing the recommendations of the 1997 audit but that since January 2001, there is a commitment from management to ensuring a more robust approach to the management of school places by actively addressing issues of surplus places and overcrowding'. The report adds that it is important that this initial work be implemented and developed further.

2.7 The actions listed in the Action Plan drawn up in response to the District Audit report of 2001 have been fully implemented within existing resources. In addition, comprehensive consultation with schools and Chairs of Governors has taken place. The next stage of consultation and implementation will be time consuming and expensive. A commitment to releasing funds on a 'spend to save' basis is required at this stage.

2.8 In August 2002, a review was undertaken by the District Audit in order to assess progress on the implementation of the eleven recommendations arising from the 2001 report. The main conclusions note that 'The Authority has made very good progress on implementing the recommendations' and 'that the consultative approach taken with schools and other partners is commendable'.

2.9 Suggested criteria to be applied when considering rationalisation;

- Average pupil budget where it is more than 125% or less than 90% of the Denbighshire average.
- Number of surplus places greater than 25% of the total number of spaces (and more than 30 unfilled).
- Schools with more than 110% occupancy.
- Range of subject choice in the sixth form
- Year groups regularly containing fewer than 8-10 pupils in primary schools or fewer than 80 in a cohort - secondary schools.
- Headteachers with a substantial teaching commitment
- Infant or junior schools that are physically adjacent to or within half a mile of each other
- The proportion of Welsh medium or denominational places in an area.
- Condition of school buildings
- Impact of changes in the community and future sustainability
- Home school transport - no pupil to travel for more than 45 minutes to primary and 60 minutes to secondary schools

(There will be a need for further consideration of the implications for School Transport).

The criteria will be applied on January 2003 pupil number statistics and 2002/03 budgets.

3. COST IMPLICATIONS

3.1 The cost implications of further research, drawing up and implementation of options needs extra resources in the short term. These resources will, in time, be recouped from savings. Until the criteria are agreed by Cabinet, it is difficult to quantify the savings accurately.

4. FINANCIAL CONTROLLER STATEMENT

4.1 The completion of the proposed exercise will greatly assist the delivery of Asset Management Planning within the service, is consistent with the Financial Recovery Plan and the need to review service budgets, together with complying with the Council's Policies and Priorities.

5. CONSULTATION CARRIED OUT

5.1 A task and finish group of Members and officers completed its work on drawing up criteria in May 2001. Consultation with all schools and Chairs of Governors included two meetings in October/November 2001 in each of the four area partnerships with each Corporate Director and the Lead Member taking the lead. Schools were invited to put forward their ideas for managing school places. A further meeting was held in May 2002 to inform schools of the next stage of securing a Cabinet steer.

5.2 Extensive discussions have taken place with link officers, the Welsh Language Board, District Audit and Estyn. District Audit, in its report of October 2002, following a review of progress

carried out in August 2002, notes that 'extensive activity has been undertaken and detailed proposals are in place for progress to continue within a definite timescale'. It also notes that 'the consultative approach taken with schools and other partners is commendable'.

5.3 Recent publications from the National Assembly have informed the debate, in particular 'The Learning Country', the Education and Lifelong Learning Committee review on rural and small schools, (October 2001) the WLGA document on the Future of Small Schools and ELWA's corporate strategy for post 16 education and training.

6. IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

Community learning centres in each of the four area partnerships
Asset Management

7. RECOMMENDATION

That Cabinet agree the criteria for carrying out an option analysis and agree the level of resources required for the task.

