

**CABINET**

**[CABINET 2002 - 194]**

Minutes of the Cabinet meeting held in the Monsanto Suite, Royal International Pavilion, Llangollen on Tuesday 17 December 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; J A Smith, Lead Member for Social Inclusion; W R Webb, Lead Member for Property and Asset Management and E W Williams, Leader and Member for Economic Wellbeing.

Observers: Councillors M LI Davies, S Drew, M M Jones, N Hugh Jones, R J R Jones, A J Tobin and C H Williams.

**ALSO PRESENT**

Chief Executive; Deputy Chief Executive / Corporate Director: Resources; Financial Controller and the County Clerk.

**ANNOUNCEMENT**

Councillor R W Hughes, Deputy Leader of the Council announced that Carrog School had achieved IIP status and asked that Cabinet's congratulations be sent to the School. Councillor Hughes also wished Cabinet's congratulations to be sent to Sharon Davies, a teacher at Gellifor School on the award of PE Teacher of the Year.

**1 URGENT MATTERS**

There were no Urgent Matters.

**2 MINUTES OF THE CABINET [CABINET 2002 - 194]**

The Minutes of the Cabinet meeting held on 26 November 2002 were submitted.

Item 2 Minutes of the Cabinet - Resolution to read: "signed by the Deputy Leader".

Item 11 Managing School Places: Members to note that the consultation with schools would be held from January to June 2003 and that actions resulting therefrom would need to be implemented by December 2004.

Item 13 Ysgol Plas Brondyffryn ~ Update: The Corporate Director: Lifelong Learning informed Members that the NAFW had agreed to gift the Gwynfryn site, Denbigh, to the Brondyffryn Trust to form part of the North Wales facility as a centre of regional excellence for autistic children.

***RESOLVED*** that subject to the above the Minutes of the Cabinet meeting held on 26 November 2002 be approved as a correct record and signed by the Deputy Leader.

**PRESENTATION ON THE WORK OF THE WDA:**

**MR C FARROW, EXECUTIVE DIRECTOR NORTH WALES DIVISION, WDA**

For information, the slides from the presentation are attached to the minutes.

### **3 BEST VALUE REVIEW OF PERSONNEL SERVICE [CABINET 2002 - 195]**

Councillor D M Morris presented the report seeking Members' decision on a range of service delivery options for further investigation by the Service Review Team. The Authority's Best Value Review of Personnel Services was underway with a staged review in January 2003 and inspection before April 2003.

Following a question from Councillor G M Kensler, Members discussed the 'Delegate Full Responsibility to Line Managers' option of Training and Development on page 7 of the Appendix. The Head of Personnel Services said line managers would continue to input into the staff Personal Development Review process and to this extent training would be for the Directorate to determine but there remained a need to secure training for the Authority as a whole. The Chief Executive concurred with the Head of Personnel's view and said it was important to have corporate training courses. Councillor E A Owens said there was a strong financial basis for not devolving all training to managers and that the Authority should move quickly to a corporate approach.

**RESOLVED** that Cabinet agree the proposed service delivery options identified in the table attached to the report as options to be researched further.

### **4 BEST VALUE REVIEW OF RESIDENTIAL HOMES [CABINET 2002 - 196]**

Councillor P A Dobb presented the report seeking Members' agreement to remove one option for further consideration as a result of external advice and to agree the amended Table 2 [detailed in the report] i.e. Option 4 be pursued and Option 6 to be no longer pursued. Councillor Dobb said that at a meeting with Leonie Cohen, a residential homes consultant, the Authority had been informed that charitable trusts do not usually generate capital and do not always have a good track record of provision of care. Councillor Owens also said that Powys County Council are providing residential home care by BUPA.

Councillor E C Edwards welcomed the recommendations and said he firmly believed in options 2 and 5 in Table 2 of the report but cautioned careful consideration would be required with transfer of management of residential homes to other bodies.

Councillor W R Webb, whilst presently not in favour of transfer of management, agreed the matter be considered.

**RESOLVED** that Cabinet:

- [i] agrees the options recommended for further consideration as set out in paragraph 5 of the report, noting that three options are now to be pursued and four are not.
- [ii] receive a further report in February 2003 which makes specific recommendation as to the preferred option.

### **5 POLICY AGREEMENT [CABINET 2002 - 197]**

Councillor E W Williams presented the report for Members to note the current position with regard to Policy Agreement performance indicators against agreed targets in the Policy Agreement Performance Report as detailed in Appendix 1 and to ensure the necessary action would be taken to try to achieve the agreed Policy Agreement targets.

Councillor E A Owens asked whether the figures for 2.2 and 2.14 were now available. The Performance Management Manager said updated figures were still unavailable and that figures for 2.14 would not be available until January 2003.

The National Assembly for Wales has been written to to ask if the baseline for the indicator at 3.13 could be recalculated as the figures have been superseded by subsequent changes in the method of calculation.

With regard to 5.1 'A Better Quality of Life', the Corporate Director: Environment reported that waste recycling figures had doubled since last year and tenders were expected for kerbside collection schemes.

The Chief Executive reminded Members of the importance of receiving as much of the grant as possible and that targets reached in certain areas would need to be maintained, whilst other targets would need recalculation and other targets needed improvement.

Councillor E W Williams stressed the need to say when targets were unachievable as this would be more beneficial to the Authority.

In answer to a query from Councillor G M Kensler, the Corporate Director: Environment briefly detailed the alternative ways of travelling to work. A recently carried out study would be used as a baseline for the future.

**RESOLVED** that Members note the current position with regard to Policy Agreement performance indicators against agreed targets in the Policy Agreement Performance Report and ensure the necessary action is being taken to try to achieve the agreed Policy Agreement targets.

**6 DRAFT PUBLICATION SCHEME UNDER THE FREEDOM OF INFORMATION ACT 2000  
[CABINET 2002 - 198]**

Councillor D M Morris presented the report seeking Members' approval to submit the Draft Scheme under the Freedom of Information Act 2000 attached to the report to the Information Commissioner for approval.

**RESOLVED** that Cabinet formally approve the Scheme in principle, allowing OMB to consider and, if necessary, amend, with final approval being delegated to the Lead Member for Communications.

**7 FURTHER DELEGATIONS TO THE CHIEF EXECUTIVE [CABINET 2002 - 199]**

The Chief Executive presented the report seeking Members' approval to the delegation to himself to authorise staff to undertake various roles on behalf of the Council and to delegate various functions in emergency planning regulations.

**RESOLVED** that Cabinet:

[i] delegates to the Chief Executive authorisation of staff to undertake particular roles on behalf of the Council, where such authorisation is an executive function. The delegation shall include but shall not be limited to the authorisations mentioned in paragraph 2.1 of the report.

[ii] delegates to the Chief Executive the functions under the emergency planning regulations listed in paragraph 2.2 of the report.

**8 COMMUNITY STRATEGY: DISTRICT AUDIT DIAGNOSTIC [CABINET 2002 - 200]**

Councillor E W Williams presented the report seeking Cabinet endorsement of the District Audit Diagnostic attached to the report and the actions taken in developing the Denbighshire Community Strategy. Members were also asked to approve the Action Plan attached to the report.

Councillor G M Kensler asked for clarification regarding a copy letter sent to the Assistant Chief Executive: Strategy, with regard to the area boundaries. The Assistant Chief Executive: Strategy said he had responded to the Member's query and said that agreement had been reached in the last meeting of Denbighshire Association of Local Councils that the Authority consult with each Town and Community Council [T & CCs] and visit where appropriate to discuss the matter. Some T & CCs had already expressed their views.

In response to a query from Councillor E C Edwards, the Chief Executive said some adjustments to the mid and south partnership could be required but that when the consultation results had been received Full Council would decide on the final areas.

***RESOLVED*** that Cabinet receive the District Audit Diagnostic and endorse the actions taken so far in developing the Denbighshire Community Strategy and also approve the Action Plan and officer responsibilities.

At this juncture [11.35 a.m.] the meeting adjourned for 15 minutes to allow Members to participate in refreshments.

## **9 REVENUE BUDGET 2002-2003 [CABINET 2002 - 201]**

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, particularly with regard to the Lifelong Learning Directorate. The projected overspends by individual departments would need to be contained within base budgets.

Councillor Owens detailed the problems faced by the Lifelong Learning Directorate in particular and said while recognising that some pressures were demand led and consideration would need to be given to providing additional resources for these, other pressures would need to be contained within the overall Directorate budget. Councillor Owens again stressed the need for the Council to establish a reasonable level of Reserves and each Directorate must keep control of expenditure.

Councillor R W Hughes said she had earlier raised concerns regarding the SEN budgets and that the previous savings on SEN staffing would not be available the following year. Councillor Hughes also reminded Members that the Directorate had limited control over the school transport costs. Councillor Owens agreed the transient nature of the population also contributed to the high SEN expenditure.

The Chief Executive reminded Members that some of the education services were demand- led and expenditure was therefore not in the Authority's control. He suggested that further consideration be given to the provision of school transport.

Councillor Hughes said Denbighshire was again bottom of the league with regard to funding for primary schools and second to bottom of the league with secondary school funding. Councillor Webb suggested that extra funding should be built into the budget for the next financial year.

The Corporate Director: Lifelong Learning thanked the Lead Member and officers for their work with the Department and said various options would be considered, including the restructuring of budgets for April 2003. A report from the Directorate of Resources is awaited to inform the options analysis. She also said the Department actively looked for funding from outside the Authority, in particular to help with capital and revenue needs for post 16 education, libraries and youth provision.

Councillor M L Davies suggested that consideration be given to reviewing transport funding for post 16 students as this was not a statutory obligation. Whilst Councillor W R Webb expressed his concern regarding any possible cut in funding for school transport for post 16 students, Councillor E A Owens said all options would be considered.

**RESOLVED** that report is presented to the next Cabinet meeting to identify measures aimed at reducing the projected overspend within the Lifelong Learning Directorate to ensure that balances of £1.0m are achieved by the end of the current financial year.

## 10 **REVENUE AND CAPITAL SETTLEMENTS [CABINET 2002 - 202]**

Councillor E A Owens detailed the findings in the report of her recent meetings with service budget holders and thanked the Lead Members and officers for their contributions and constructive ideas, particularly in regard to flexibility, project management and grant applications. Flexibility would lead to better use of resources. The separate Directorates said project managers should be employed as there was concern regarding applying for available monies from outside sources. Councillor Owens suggested that one project management team should be employed for the whole Authority rather than a manager in each Directorate. She also stressed the complexity of grant applications and suggested funding officers should be centralised grant advice service which may need to be closely allied to the economic regeneration service. The Corporate Director: Resources was asked to follow through the points raised in the paper.

Councillor E C Edwards asked whether any monies have been drawn on the Rural Recovery Plan. Councillor E W Williams said monies had been drawn on this via the STVEI.

Councillor E W Williams thanked both Councillor Owens and the officers for their work on the budgets.

Councillor E A Owens presented the report detailing the provisional Revenue and Capital Settlements for the 2003-2004 financial year, although details of specific grants were still unavailable, the 3.3% figure used being an estimate. The ongoing costs in connection with the PIG funds must be included as a pressure for next year's funding.

Members discussed the deprivation monies allocated and the formula used to calculate the grant. The Chief Executive confirmed that he would be contacting the NAFW regarding the formula and the grant. Councillor E W Williams said some Authorities at the recent WLGA Co-ordinating Committee had been surprised at Denbighshire's reaction to the deprivation funding. He agreed with the Chief Executive that the local Assembly Members be asked to highlight the perverse formula used to calculate the deprivation grant and the resulting low allocation for Denbighshire. The Chief Executive agreed to write to the Assembly Members before Christmas and copy the letter to Members.

The Financial Controller discussed the detail in the Appendices to the report and referred to the level of the settlement figure allocated by the NAFW. The Assembly budget for the following year i.e. 2004/5 shows a budget increase of only 2.2% and therefore this needs to be borne in mind when setting budget levels for the next financial year. Column 5 of Appendix 1 was the current budget situation and Column 6 showed the full year impact of the contingency allocation for 2003-04. New burdens, as set out in Column 7, were detailed.

The Financial Controller explained the 4.75% increase in employer's contributions for teachers' pensions and also the 1% increase in National Insurance payments. No allowance had been made for any increases in employer's pension contributions for other staff. Other Inflation had been assumed at 3% in Column 10. The Transfers Out for 2003-04 in Column 11 included £1m for the nursing care element of residential care costs together with the impact of new funding arrangements for benefits administration.

Appendix 2 demonstrated that Assembly funding had increased by 7% excluding PIGS money assumptions. £5m would be required for the inflationary impact on budgets with additional sums for new burdens, the teachers' pension contributions, borrowing costs, and funding transfers from other sources.

The position regarding specific grants remained unclear but additional resources had been identified as follows: Additional Revenue Funding for Schools grant was increased by 44% year on year and the Local Road grant was increased by 25%. Early Years, Cymorth, Children First and Waste Management would show increased levels of funding.

Councillor D M Morris, as one of the Members of the Fire Authority, said the provisional information from the Fire Service was an extra 7% on the contributions assuming a Fire Service 4% pay award. The Chief Executive said the figures on the current position could change.

Councillor W R Webb queried the zero figure for the Chief Executive's Department in Column 10. The Chief Executive said the 3% inflation allowance was too small to trigger a figure for Other Inflation. Councillor Webb referred to the £750k capital financing charges and said this was an increasing burden on the Authority.

Councillor R W Hughes said the figures did not show the amount of monies currently coming into the Authority from specific grants and suggested that these figures should be recorded. Councillor E A Owens agreed these figures would be provided in future. However, Councillor E W Williams suggested if these figures were published it could lead to a possible cut in the grants.

***RESOLVED*** that Cabinet note the level of funding in the provisional settlement for 2003-2004 for both Revenue and Capital.

#### **11 STRATEGIC PARTNERSHIPS [CABINET 2002 - 203]**

The Chief Executive presented the report detailing the role that strategic partnerships, including public private partnerships, might have in tackling some of the major investment issues facing the Council, for example, new school buildings or a possible St Asaph bypass and asked Members to take up an offer from 4Ps [Public Private Partnerships Programme] to arrange a free seminar.

***RESOLVED*** that Members, having discussed the role that strategic partnerships might have in tackling major investment issues facing the Council, agree to take part in a seminar run by the 4Ps which would concentrate on public private partnerships for schools.

#### **12 URGENT ITEMS [CABINET 2002 - 204]**

There were no urgent items.

#### **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 8 and 12 of Part 1 of Schedule 12A of the Local Government Act 1972.

#### **13 RUTHIN FLOOD ALLEVIATION SCHEME: LAND ENTRY [CABINET 2002 - 205]**

Councillor M A German presented the report seeking Members' approval to the use by the Corporate Director: Environment of powers under the Land Drainage Act 1991, in order to gain entry to land in private ownership to construct the Ruthin Flood Alleviation Scheme, subject to associated risks being minimised.

The Corporate Director: Environment detailed the background to the scheme and said that a flood monitoring system was now in place, which had triggered three call-outs this year. He said the public consultation carried out in January/February 2002 had favoured the quickest route for the drainage of water. Lengthy negotiations had been carried out with 10 landowners [including Denbighshire County Council and the WDA] covering 14 different parcels of land. Some issues still needed to be resolved where land owners had raised their concerns.

It was hoped to have identified a contractor from the tendering process before Christmas and the construction work could commence mid January 2003. The Corporate Director detailed recent case law and said the Section 151 and Monitoring Officers had carried out a risk assessment.

In response to a query from Councillor E A Owens, the Corporate Director: Environment detailed the possible compensation element of the scheme.

Councillor D M Morris congratulated the officers on the detailed report and asked that the residents be kept informed of the various stages.

**RESOLVED** that Members:

[i] *noting the pressing need to construct the proposed flood alleviation scheme for Ruthin as expeditiously as possible, approve the use by the Council of powers contained within Section 64 of the Land Drainage Act 1991, subject to the condition that the outstanding issues referred to at 2.3 of the report are satisfactorily resolved such that the risk to the County Council of legal challenge is minimised as far as possible.*

[ii] *authorise the Corporate Director: Environment and all officers of the Council designated to him for this purpose to act as authorised persons on behalf of the Council in relation to the Land Drainage Acts 1991-4 and in particular the power to enter land at all reasonable hours including for the purpose of survey.*

#### **14 PRUDENTIAL BORROWING - HOUSING [CABINET 2002 - 206]**

Councillor E A Owens presented the report seeking Cabinet's agreement to the appointment of a consultant which was not the lowest quotation.

**RESOLVED** that Cabinet confirms the appointment of Deloitte & Touche consultants in accordance with paragraph 14.2 of Contract Standing Orders and Financial Regulations.

The meeting concluded at 1.15 p.m.

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**REPORT TO CABINET**

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

**DATE:** 28 January 2003

**SUBJECT:** Transport Operations (Fleet Management/Maintenance) Best Value Review

**1 DECISION SOUGHT**

To receive the Best Value Review Report for Transport Operations - Fleet Management/Maintenance and authorise the implementation of the recommendations contained therein.

**2 REASON FOR SEEKING DECISION**

Under the direction of Best Value Legislation, Local Authorities are required to review their services to ensure financial, quality and operational practises are considered good or improving when compared with other Authorities and Commercial providers. As part of this Whole Authority process, Transport Operations was put forward by Denbighshire for review as a cross cutting service. The Transport Operations (Fleet Management/Maintenance) Best Value Review Report is appended and represents the position to date. The outcome of this process was to identify those actions which need to be taken to ensure the continual improvement of the service.

**3 POWER TO MAKE THE DECISION**

Under the Goods Vehicle (Licensing of Operators) Act 1995 the County Council is required to operate and maintain its vehicles in accordance with its requirements. The report seeks to ensure the service is provided to meet these and in addition those pertaining to Best Value legislation.

**4 COST IMPLICATIONS**

The cost of delivering the service is provided within users budgets and one of the prime actions of Best Value is to ensure cost efficiency of service provision.

**5 FINANCIAL CONTROLLER STATEMENT**

Any costs resulting from the proposals detailed in the report will need to be contained within the service budgets concerned.

**5 CONSULTATION CARRIED OUT**

All user Departments and the Freight Transport Association have participated in a detailed consultation process. This process was carried out with guidance from the Corporate Best Value Officers of the County.

**6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

The review of Transport Operations has taken full account of and supports the County's Corporate and Service Objectives as shown by the action plan attached to the Best Value Review Document - as appended.

**7 RECOMMENDATION**

The Transport Operations (Fleet Management/Maintenance) Best Value Review be received and its recommendation be approved for implementation as part of the continued service improvement process of the Denbighshire County Council.



**CYNGOR SIR DDINBYCH  
DENBIGHSHIRE COUNTY COUNCIL**

**TRANSPORT OPERATIONS  
( - FLEET MANAGEMENT/MAINTENANCE)  
BEST VALUE REVIEW**

**JANUARY 2003**

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**TRANSPORT OPERATIONS  
FLEET MANAGEMENT/MAINTENANCE  
BEST VALUE REVIEW**

**1.0 BACKGROUND**

In October 1999 Denbighshire Transport Services were identified along with many other services within Denbighshire for inspection and review by the Chief Executive and a team of external consultants. As a result of this process the Council produced an initial five year Service Review Programme. However a restructure of the Senior Management Team of the Authority resulted in the review of Transport Services being postponed until Year 2 following the appointment of the Director of Environment.

- 2.0 Following the opportunity afforded by the new structure, a second more detailed document was drawn up and this was completed by January 2000. This document took account of the changes in the Council's Corporate Objectives in that the provision of inclusive services for the Community, Children, Elderly and the Disabled would guide the service to meet the prime objectives of service improvement and to demonstrate good practice.

The Transport review focuses on a primary part of service provision within Denbighshire. The operation of both the in-house Fleet and external transport services have a direct impact on the requirement to provide the residents of Denbighshire with good quality services being the prime objective. Noting the diverse issues raised it was decided by the Corporate Team that Transport Services be put forward as the County's Cross Cutting Review. (See Appendix APP 1).

- 3.0 A Project Review Team was formed to carry out the review of Transport Services.

Transport for the purpose of the review comprises any activity by which transport is provided or purchased by the Council, for the delivery of the services it provides. The following elements or functions are included as part of the review.

Fleet Management  
Vehicle Maintenance  
Home to School Transport  
Concessionary Fares  
Public Transport  
College Transport  
Voluntary Services Transport

- 4.0 Project Team

In accordance with the Authorities' Corporate Methodology a project team was formed to ensure a balanced approach comprising the following

Overall Project Team Chairman Director of Environment

Head of Service Highways and Transportation  
Transport Manager  
Public Transport Co-ordinating Officer  
Support Services Manager Environment  
Group Manager Contract Services  
Union Representation  
Cabinet Member Environment  
Member of Environment Scrutiny Committee  
Denbighshire Audit Services - representative  
Denbighshire Social Services - representative  
Denbighshire Public Transport - representative  
Denbighshire Highways - representative  
Denbighshire Best Value Unit - representative  
Denbighshire Education - representative  
Denbighshire Countryside Services - representative

All meetings were chaired by the Director, minutes were taken and recorded.

Early meetings were concerned with scoping the report, with the cross cutting nature of the work adding complexity to the process. Arising from this complexity, the group decided to split the activity into two discrete pieces of work, whilst retaining these within the framework of the wider group, to ensure consistency. This subdivision allowed a more detailed analysis of the two discrete areas, these being Transport Operations (Fleet Management and Maintenance) and Transport services procured from third parties. This report deals with the vehicles owned and maintained by the County Council, a further report will advise of the conclusions of the group reviewing the transportation procurement from third parties.

Transport Operations provides vehicles and plant to support Local Authority services to the Community. The need to provide these vehicles in a cost effective way whilst meeting the service delivery objectives of the Council is paramount.

This sets the aims of the review within a technical context to meet the overall Community needs and requirements.

- 5.0 This document will focus on the Fleet Management/Vehicle Maintenance services; which are fundamentally linked via the Operators License to provide a Countywide Service which is currently split into two Service Departments for management and maintenance respectively

Initially the Transport Operations subgroup identified and reviewed all documentation and available data relating to the current services. This also included P.I. Information gathered via the All Wales Transport and Plant Group and identified the organisational structure/s for the operational Fleet and Maintenance staff.  
(See Appendix APP 2).

## 6.0 **SERVICE PROFILE**

The main goal of Transport Operations is to provide safe, efficient and cost effective transport to all internal departments within the Authority and to satisfy all current legislation and operational health and safety criteria to meet the requirements of the County's Operators License.

The Fleet Management/Vehicle Maintenance departments are responsible for the specification, acquisition, maintenance and disposal of 432 vehicles and plant worth an estimated £8.5 million. [as of 12/12/2002].

The annual recharges for Fleet Management and Vehicle Maintenance to the user departments are currently estimated at £1.75 million for 2002/03. These recharges include the following costs

Vehicle Finance (purchase and lease)

Insurance

Taxation

Vehicle Maintenance, Tyres, Accident Damage, Glass, 24 Hour Recovery etc.

Fleet Management Administration

Central recharges i.e. Creditors, Support Services, Ledger and Accountancy.

The Departmental establishment of both service elements comprises 18 staff made up within the following areas

Fleet Management.

Fleet Manager

Assistant Fleet Manager

Area Supervisor/Engineer

Operations Controller

Modern apprentice

Vehicle Maintenance

Workshop Manager

Area Supervisor/Engineer

2 Workshop Foremen

8 Mechanics

1 Trainee

The vehicles providing the County's services are based in a number of locations throughout the County. Vehicle maintenance is provided from two workshops one situated in the 'South' of the County [Ruthin] and one in the 'North' [Prestatyn] Administration is dealt with by Fleet Management and Contract Services on a joint basis.

There have been a number of Internal Audit Reports carried out in the past 4/5 years into the Fleet management/Vehicle Maintenance services which set the background to Transport Operations. (See Appendix APP 3).

## 7.0 S.W.O.T. ANALYSIS

A detailed S.W.O.T. analysis was carried out with all staff having an active involvement. The details of this analysis was presented and discussed by the Project Team and the findings are detailed below.

### **FINDINGS OF SWOT ANALYSIS**

#### **STRENGTHS .**

- 1] Expertise, Experience and Knowledge.
- 2] Central control of Operators License.
- 3] Authority User Group – multi discipline
- 4] Flexibility to respond in emergencies.
- 5] Dual use/inter departmental flexibility.

### **WEAKNESSES**

- 1] No direct control of maintenance contractor
- 2] Budgetary Pressures upon Departments/Users.
- 3] No direct control of Drivers [Departmentally controlled, performance targets, outputs]
- 4] Purchasing new vehicles via Purchasing Consortium and Standing Orders.
- 5] Diverse locations and Operating Centres.
- 6] Multi make, multifunctional, non-standard vehicles.
- 7] Specialist equipment required to repair new vehicles.
- 8] No National or Local Performance Indicators.
- 9] Budgetary Information.
- 10] No central Fleet Utilisation Policy

### **OPPORTUNITIES**

- 1] Centralisation of Workshops/economy of scale.
- 2] Single Management.
- 3] New Computer based Fleet Management System (Software & Hardware).
- 4] Expansion of service provision via Authority User Group, to the general public, Health Authority, businesses in general. Publicity of such service opportunities.
- 5] Efficiencies in staffing, extension of working day, 24-hour maintenance provision.
- 6] Expansion of Dual use vehicles and interdepartmental flexibility.
- 7] Partnerships with Manufacturers.
- 8] Formal Contractual arrangements with users (S.L.A).

### **THREATS**

- 1] Department of Transport withdrawal or reduction of Operators License.
- 2] External selective competition based on inappropriate measurement criteria.
- 3] Loss of Good Repute by Authority
- 4] Loss of Operating Centres. (Depot rationalisation)
- 4.2] The review group discussed and analysed the S.W.O.T. analysis with the intention of listing service options for further investigation. The outcome of this meeting is listed below.

## **8.0 OPTIONS FOR SERVICE DELIVERY.**

Following on from the SWOT Analysis a number of ways to deliver the Fleet Management and Maintenance functions were identified as listed below.

### **OPTION 1**

- 1] The Authority could let service contracts for the supply and operation of vehicles in excess of 3.5 tonne. Therefore the responsibility would lie with the contractor for 'O' License provision in addition to the supply and maintenance of vehicles in this category.  
The existing fleet of 'commercial vehicles' in this category could be either sold or given to the contractor and the Operators License surrendered.  
The remaining vehicles [under 3.5 tonne] could be then managed via users utilising contractors or using in house maintenance.

### **For**

- 1] Possible income generation from sale of Fleet.
- 2] Possible income generation from sale of workshops (part or all)
- 3] Saving on staff.

### **Against**

- 1] Loss of control of Contracts.
- 2] Possible increase in cost of service
- 3] Loss of flexibility within Authority to react to emergencies, extra work loads etc.

- 4] Contract supervision resources will need to be increased significantly.
- 5] Possibly disadvantageous to other services.
- 6] No local Specialist Servicing/Repair Garages

**OPTION 2**

- 1] Sell off the entire Fleet and rent it via a 'Provision of Vehicles with Maintenance Contract'.

**For**

- 1] Possible income from sale of Fleet and Workshops.
- 2] Savings on staff.
- 3] New fleet of vehicles.
- 4] Reduced vehicle downtime.

**Against**

- 1] Possible loss of flexibility.
- 2] Possible increase in cost of vehicles to users.
- 3] Contract Specification
- 4] Possible problems with Operators License.
- 5] Contract supervision.
- 6] Servicing arrangements

**OPTION 3**

- 1] Contract out Fleet management function with maintenance via in-house contractor.

**For**

- 1] Possible reduction in cost.
- 2] Savings on Staff.

**Against**

- 1] Possible loss of flexibility.
- 2] Contract Specification and Supervision.
- 3] Possible problems with Operators License
- 4] Loss of expertise in relation to user's specialist needs for vehicles and plant.

**OPTION 4**

In-house Fleet management with maintenance via external contractors.

**For**

- 1] Possible decrease in downtime for vehicles [out of hours maintenance]
- 2] Savings on Staff and Premises.
- 3] Possible savings on maintenance costs.
- 4] Specialist diagnostic equipment within contractor's workshops.

**Against**

- 1] Possible loss of expertise on specialist equipment.
- 2] Contract supervision with regards to Operators License obligations.
- 3] Possible loss of flexibility
- 4] Possible impact upon Contract Services viability.

## **OPTION 5**

Joint working/Partnership with a neighbouring Authority or external contractor.

### **For**

- 1] Possible reduction in costs. (Economy of scale)
- 2] Possible better utilisation of vehicles.
- 3] Extended workshop-opening hours.

### **Against**

- 1] Possible loss of flexibility
- 2] Loss of control with regards Operators License requirements and Maintenance
- 3] Disruption to Service
- 4] Conflicts of interests (inter-Authority), prioritisation

## **OPTION 6**

Provision of Fleet Management and Maintenance in-house

### **For**

- 1] Control of Operators License.
- 2] Flexibility to control Fleet.
- 3] Control of Expenditure.
- 4] Vehicle utilisation
- 5] Expertise, Experience and Knowledge of Authority business and vehicles.

### **Against**

- 1] User expectations
- 2] Service supply County/Country wide (limited resources).
- 3] Lack of investment in workshop facilities, specialist equipment and training.
- 4] Budgetary constraints.

### **Note**

There are no National or Local Performance Indicators for this service currently in place. However the All Wales Transport and Plant Group under the supervision of District Audit [Mr. Chris Howell] are someway down the road to producing a set of Local indicators.

Within the Options above the term 'possible' indicates where further detailed information/data is required to evaluate the full implications/benefits.

## **9.0 CHALLENGE**

To ensure a rigorous and impartial challenge of the service took place it was agreed that external consultants should be employed to carry out the option appraisal element of the review. This decision was based on the need to identify best practice adopted by both Public and Private sector organisations in the provision of their vehicle fleet.

The Authority is a Member of the Freight Transport Association and the review group decided that 'the F.T.A.' were qualified to carry out this review noting that the F.T.A. represents both Commercial and Public Transport interest nationally.



At the inaugural meeting with the F.T.A. copies of the S.W.O.T. analysis and Options for Service Delivery [as outlined above] were supplied for consideration, along with instructions that they should investigate any and all other avenues they considered appropriate to ensure the development of a Best Quality service incorporating best commercial practice. It was clear in the brief provided to the FTA, that their remit was to investigate the management of the fleet within Denbighshire, and to compare this with best practice elsewhere, and to use this to identify options for improved delivery of the service in the most cost effective manner. Whilst the brief allowed for consultation within the Authority, it was clear that the report was independent, and represented the identification of weaknesses, areas for improvement and clear recommendations for the future provision of the service

## 10.0 CONSULT

In April 2000 and in response to being put forward as the Authority's activity for the Cross Cutting Review the Head of Highways and Transportation invited all departments of the Authority to send representatives to the first Fleet User Group.

The meetings are centred on agenda items from 'Users' whom are encouraged to bring forward any and all concerns, new service requirements and all general transport needs in terms of satisfaction and service delivery.

The group met on the 27th April 2000 and has been meeting at regular 6/8-week intervals since. The Fleet Manager chairs all meetings and minutes are distributed to all. (See Appendix APP4).

Areas discussed include:-

- Vehicle and Plant Purchasing
- Vehicle and Plant Recharges
- Audit Reports
- Best Value
- Vehicle Utilisation
- Drivers Hours, Tachographs, Defect Reporting etc.
- Vehicle Maintenance
- Fuel
- Insurance and Accident Reporting
- Drivers Licensing, Medicals, Training etc
- 24-Hour Recovery, Tyre Contracts, Glass Replacement Contracts.
- Health & Safety Legislation
- Hire Desk and Contracts
- Monthly Invoicing, Cost of Spares
- Fleet Management Database

To compliment and widen this consultation and service planning process to develop and evaluate the identified requirements a support group was also formed by staff from Fleet Management and Vehicle Maintenance. The first meeting of this group took place in September 2000.

The group comprises the following

- Fleet Manager (Chair)
- Assistant Fleet Manager
- Workshop Manager
- Operations Manager
- Both Engineering Supervisors
- 2 Workshop Foremen

The primary outcome of the discussions incorporating the above areas discussed was the requirement to develop the service to reflect commercial billing best practise. Therefore producing a service to users which is understandable and allows more flexibility for their budget management requirements.

## 11.0 COMPARE

The report has reflected on the lack of nationally agreed performance management indicators for the service. For some considerable time Fleet Managers from all the Welsh Authorities have been meeting to discuss and cross develop good working practices with regard to local authority Transport. At the onset of Best Value and with no National Indicators set it was decided to set up a sub-group to look at setting criteria for local performance indicators to complete this process.

The group was formed and with guidance from District Audit produced a number of local performance indicators. Data collection commenced from all participants with actual information for financial year 2000/2001 and to date the group is evaluating accruals for 2001/2002. Further data collection for 2002/2003 is to be collated in May/June 2003. [See Appendix APP2]

The initial data collection results for 2000/2001 were presented to the Fleet User Group and the Cross Cutting Group for discussion. All agreed that the exercise had value however full impact from these results and comparisons/trends with other Authority's would become apparent after years 2 and 3 when more detailed and meaningful evaluation could take place. The initial discussions nationally produced approximately 40 suggest P.I's for consideration. These varied from vehicle operational costing criteria to vehicle legislation and user requirement issues. Notwithstanding this as discussions progress user compliance issues with legislation and financial comparatives are likely to become the ultimate base of indicators for the future.

The initial data for 2000/2001 when evaluated and discussed by the Fleet Management/Vehicle Maintenance working group, identified areas for improvement and in particular within the Legislation Compliance area. It was agreed that in order to improve the Authority's performance actions were recommended. These actions were agreed and implemented in January/February 2002 as detailed in the Performance Report dated April 2002 (See Appendix APP5).

A further opportunity for improvement was identified by Fleet Management, within the Corporate Objective:- 'Improved Air Quality' This objective complements other service improvements such as the implementation of the new Fleet Management Software System and the continued introduction of 'dual-use' vehicles as outlined in the Service Business Plan for Highways and Transportation 2002-2005 [See Appendix APP6].

Notwithstanding the current service parameters as discussed above one of the key exercises carried out by the Consultants (F.T.A) was to examine in detail the commercial rating of the services provided and as part of their review recommend which Service Option would provide the Best Value Service for the Community of Denbighshire. The Review also identifies which are the commercial strengths and weaknesses along with recommendation to develop the appropriate Option. [See Appendix APP7].

## 12.0 COMPETITION

Contained within the Service Options listed above are elements of externalisation of the service, these options along with a clear remit from the review group to investigate all areas of service delivery were given to the consultants to take forward.

The Consultants report contains findings with regard to the challenge of external provision of both Fleet Management and Vehicle maintenance services. The consultants examined both these functional areas, and the conclusion drawn was that no merit would be forthcoming to the

Authority by externalisation. The rationale for this is clearly documented in the consultants report. Whilst ruling out the option of externalisation the report also makes clear the need to change operating practices radically within the Authority, in order to bring cost effectiveness to industry norms. In the event of a failure to delivery on these cost improvements, there will need to be a review of the decision that externalisation does not represent the best approach to the delivery of the service.

Benchmarking on a national basis with 20 Authority's participating and committing to a year on year exercise will compare Denbighshire performance against all other participating Authority's within Wales. This should provide valuable information and insight into performance of key service elements noting that performance data is hard to access as transport forms an integral part of prime direct services e.g. Highways, Social Services etc.

### 13.0 CONCLUSIONS

It is clear from the information gathered that changes in working practices, reporting lines and cultural change with regard to Transport is required by the Authority. Actions in relation to the weaknesses identified from the S.W.O.T. analysis, along with the ongoing dialogue gained from the Fleet User Group Meetings, and coupled with the key recommendations from the consultancy report will form the basis of the service action plan

The key recommendations put forward by the F.T.A's Review are:-

FTA Recommendation	Denbighshire Response
1. <b>“The Council should amalgamate the two vehicle workshops onto a single site”</b> . The process should be managed in-house subject to the provision in Section 7 (of F.T.A Report - Appendix APP7).	Recommendation 14.1 of this report takes this concept fully on board as a prime requirement for the management of the service.
2. <b>“The new workshop should be independently managed”</b> .	At the time C.C.T. was introduced it was stated and recognised by Government that the setting up of two discrete management organisations i.e. The Client and the D.S.O would be inefficient in terms of management arrangements (i.e. the creation of dual roles). The primary aim at that time was that externalisation of service provision and commercial competition would counterbalance such inefficiencies. Following the abolition of the CCT legislation, it is considered essential that the function is brought under a single management control. The report emphasises the need to achieve this if we are to improve productivity within the service.
3. <b>“Report to Executive Level within the Council”</b>	The recent Council’s decision to bring the Councils Contract Services arm within the Environment Directorate is an opportunity to rationalise the current reporting lines. Whilst maintaining the need for an appropriate level of technical management, it will be possible to develop a single management point within the Environment Directorate. The report reflects on the need for a review of the current Fleet Manager role, to take account of the requirement to improve the management of the maintenance workshops, and to safeguard the Operator licence. The Council is also pursuing a review of procurement procedures, and a final decision will need to be taken in the light of the results of that review.
4. <b>“Recharge costs to users in a similar manner to the practice adopted by third party commercial operations”</b>	This option is fully endorsed and was an issue raised by the Fleet User Group as a process which would bring about clarity of charging and accountability. Recommendation 14.2 refers.
5. <b>“Develop key performance indicators”</b>	This is fully endorsed. This has not been a prime element of service provision as the ‘front end’ service (supported by Transport Operations) to date, as the service itself has been the area in which the measurement of performance has taken place. The new commercially based charging and service level agreement process should take this forward significantly and address the situation. Recommendation 14.3 refers.
6. <b>“Take over the direct responsibility for the new workshop in addition to functional responsibility within the Council for vehicles and fuel”</b> .	Similarly this is fully endorsed and recommended. Recommendation 3 applies here. A review of the management structures will be progressed. Recommendation 14.2 refers.

7. <b>“Normal vehicle replacement should be extended from 7 years to 10 years and clarification is needed of the role of all parties involved in the replacement procedures”.</b>	This is endorsed for introduction as referred to in Recommendation 14.3. Concerns have been expressed by some users about this change; This has been taken into account in the recommendations of the report.
8. <b>“The separate user manager/contract services organisations should be amalgamated to form a single, simple, streamlined structure to manage the key Council services”</b>	As item 1) above an important requirement to remove the inefficiencies of joint silo working practices introduced as part of C.C.T. Recommendation 14.2 refers to the removal of this arrangement
9. <b>“Corporate Management should take overall responsibility for developing key performance criteria and developing Activity Based Costing for the organisation”</b>	This has been introduced as the Corporate Business Plan and Policies of the County. It is within this context that the recommendations in Section 14 are formulated.
10. <b>“Training should be extended to include user manager education on safety and legal aspects of vehicle operation”.</b>	Agreed. This to be regularly reviewed.

Work is already in progress in a number of these areas and the results will become apparent as shown by the performance indicator information for the 2002/2003 period.

Problems and concerns when raised by the County Fleet Management Group and the Workshop/Maintenance Group will be dealt with on a continuous service improvement basis.

#### 14.0 RECOMMENDATIONS

The Best Value process, aided by the report prepared by the FTA, has enabled a full review of the function to take place. From the work carried out, it is evident that changes are necessary to deliver the service more effectively. It is also clear however that elements of the service are carried out in a cost effective way, within existing parameters. It is also evident that the cost of vehicles and their running costs represent a large proportion of service delivery costs, and if the efficiency of the management of the fleet is improved that this will have a long term impact on the budgets of the organisation.

On this basis the following recommendations are made for implementation.

#### 14.1 **The Fleet Management and Maintenance Service should be retained in-house subject to the following necessary changes in operational management and direct service provision which will be required to meet Best Value performance targets.**

**The Council should amalgamate its two primary maintenance workshops onto a single site.** Currently the Depots are located in Prestatyn and Ruthin and their long term use is unlikely. The Prestatyn Depot is subject to a 2 year lease and the Ruthin Depot lies under the route of the Glasdir Link Road which is likely to proceed in the medium term.

The ideal location for a new depot is Denbigh on the basis that 60% of vehicle activities are carried out to the north of this location and 40% to the south. However for the reasons identified above it will be necessary to provide this new facility within 2 years. If this is not possible, it may be necessary to consider the externalisation of the service provision which will defeat the rational contained within the report, by reducing the Council's effectiveness and increasing operational costs (Freight Transport Association's Technical Review Appendix APP7 refers.)

**If a suitable site cannot be found at Denbigh within the next three months, the next best option would be to build the new vehicle maintenance depot at Bodelwyddan by extending the old vehicle maintenance garage (now used as a sign shop) and provide a sub-inspection, minor maintenance depot at Ruthin.** It is important to stress that if alternative facilities for Lon Parcwr Depot cannot be found it will be necessary to provide this facility within the remaining site following the construction of the Glasdir Road Scheme. Timescales are a critical determinant with regard to these options which only allows partnership options to be developed in the medium to long term.

#### **Recommended Action/s**

##### **Provide a new Main Vehicle Maintenance Depot in Denbigh subject to:-**

If a suitable site cannot be identified within three months provide the new facility at Bodelwyddan Depot with a sub depot at Ruthin, subject to funding being identified for the proposal.

Provisional costs for the Depot options are as follows:

Provide New Vehicle Maintenance Depot at Denbigh £ (To be evaluated)

Provide New Vehicle Maintenance Depot at Bodelwyddan with sub-depot at Ruthin £ (To be evaluated)

#### 14.2 **The current Fleet Management and Maintenance functions to be incorporated into a new single organisation to reflect good commercial practice.** Freight Transport Association Technical Review Appendix APP7 refers.

**This will require the amalgamation of the workshop staff currently within Contract Services and the Fleet Managers Division within the Highways and Transportation Department into a single management unit.**

The new Fleet Management Division will be empowered to direct all statutory and legal requirements pertaining to vehicle usage and operation. The terms of reference to be agreed with County Clerk and approved by the Environment Scrutiny Committee

**The new Fleet Division will have direct responsibility for the new workshop/s in addition to functional responsibility within the Council for vehicle fuel.**

**All costs to be recharged to users in a similar manner to practices adopted by private industry.**

14.3 **All vehicles and associated plant will be purchased and disposed on behalf of the Authority by the Fleet Management Division.**

A new policy for purchase and disposal of vehicles is required. The purchase and disposal of vehicles represents a significant cost to the Council. There is a need for improved control over this corporately. This is being considered as part of the wider procurement review currently being progressed. In the interim, and pending the results of the review the following recommendations are made.

Ideally this requires the creation of a dedicated capital provision for such acquisitions. An early review of the purchases made through the use of operating leases will be required, as this has a considerable impact on the budgets of services in Denbighshire.

**Normal Vehicle Replacement will take place in a period of 5 years to 10 years following acquisition.**

Actual date of disposal being subject to:

- Contract requirements
- Vehicle Condition
- Service requirements

This will be evaluated by the Fleet Management Division in liaison with User Departments. As a general policy, vehicles should not be replaced unless the ongoing operational costs exceed the costs of a new vehicle. The operational costs include any finance charges, maintenance and running costs, and service costs associated with down time. When vehicles are replaced, consideration should always be given to refurbishment as an alternative to purchasing new vehicles. In exceptional circumstances vehicles can be replaced before the 5th year, however robust justification will be required.

14.4 **Management arrangements between the operational services and the Fleet Management Division will be revised.** This is to bring the operation of the vehicles under a corporate management structure. This will have the impact of reducing operational duplication, early replacement of vehicles and ensure that the provisions of the operator licence are met.

**All Departments who use vehicles and associated plant will enter into a Service Level Agreement with the Fleet Division for transport provision.** This will include defined responsibilities concerning the operation and use of vehicles with costs and management arrangement mirroring commercial best practices

**A named representative from each Department will co-ordinate these requirements as a member of the Countywide Fleet Users Group.** The Service Level Agreement will also incorporate Vehicle Use and Operation Local Performance Indicators to measure compliance with such arrangements.

**ACTION PLAN**  
**TRANSPORT OPERATIONS - FLEET MANAGEMENT/MAINTENANCE 2003/2008**

YEAR 2003 TO 2008										
Action No	Key Action	Corp Obj Supported	Serv Obj Supported	PI Supported	Target	Resource implications of meeting target	Start Date	End date	Person responsible	Impact on other Services
01	Workshop Centralisation	C1 C4	HT1 HT2 HT11 HT13	No	Location of a centralised facility for maintenance of a county fleet	Budget	2003	2006	HHT FM AFM	Improve service delivery
02	Merge Fleet Management Division with Vehicle Maintenance	C1 C2 C3 C4	HT1 HT3 HT5 HT10 HT11 HT12 HT13	Yes  LFT1 LFT2 LFT3	To rationalise the staff structure and improve available resources in key areas.	Budget	2003	2004	CDE HHT	To improve service delivery.
03	Introduce New Management Arrangements	C1 C2 C3 C4	HT1 HT3 HT5 HT10 HT11 HT12 HT13	Yes LFT1 LFT2 LFT3	To meet the objectives of the Transport Cross Cutting Review	Budget	2003	2003	CDE HHT	To provide an efficient and transparent management system to meet best Local Government standards and commercial practise.
04	Revise contract of employment	C4 C1	HT11 HT10 HT13	No	Commence negotiations with workforce /unions on new terms and conditions to allow flexible working hours/shift working to be introduced.	Budget	2003	2005	HHT FM AFM	Improved productivity
05	Revise vehicle purchasing policy	C1	HT1	No	Implementation of a capital provision for vehicle replacement.	Budget	2003	2008	HHT FM AFM FC	Extended vehicle life and reduction in whole life costs.
06	Complete introduction of new fleet management software	C1 C2	HT3	Yes LFT 1 LFT 2 LFT 3	Full utilisation of fleet management software package.	Staff/budget	2003	2006	FM AFM	Improved information for vehicle users and fleet management staff to meet Performance Targets
07	Monthly invoicing	C1 C2	HT1 HT3 HT13	No	Introduction of monthly invoicing for repair and maintenance work in line with FTA recommendations.	Budget	2003	2004	AFM	Increased financial information Improving Budgetary Management
08	Reduction in workshop rechargeable hourly rates.	C1	HT1 HT13	Yes LFT 1 LFT2 LFT 3	Reduction in hourly rate/increase in workshop performance	None	2003	2006	FM AFM	Reduce costs/increase in productivity



**ACTION PLAN**  
**TRANSPORT OPERATIONS - FLEET MANAGEMENT/MAINTENANCE 2003/2008**

09	Fully integrated fuel management information	C1 C2	HT3	No	Incorporation within the new fleet management software. All information regarding fuel usage from both internal and external supplies.	Budget	2003	2004	FM AFM	Improved information and budgetary control
10	Increase training levels	C4 C1	HT10 HT11 HT13	Yes LFT 1 LFT 2 LFT 3	To increase knowledge via in house and external courses for workshop/fleet management staff and users.	Staff/Budget	2003	2008	FM AFM DMM	Broaden knowledge base Increase efficiency Reduce costs.
11	Introduction of an impressed stores system for vehicle maintenance	C1	HT1 HT3 HT13	No	Negotiate plan and install fully integrated impressed stock/monthly invoicing	None	2003	2005	FM AFM	Increased efficiency and maximising vehicle availability.
12	Installation of particulate traps	C1 C3	HT1 HT13	No	Installation to all vehicles in excess of 7.00 tonnes	Budget	2003	2005	FM AFM	Reduction in costs (Taxation) Improves air quality.
13	Investigate reductions in emissions of vehicles < 7 tonnes	C1 C3	HT1 HT13	No	Investigate all areas to reduce emissions	Budget	2003	2008	FM AFM	Reduction in costs Improved air quality
14	Investigate vehicle washing facilities	C3	HT13	Yes LFT 2	Investigate/partner in the introduction of a vehicle washing facility	Budget	2003	2005	FM AFM	Improved image and safety requirements.
15	Reduction in vehicles MOT failures	C2	HT13	Yes LFT 2	Increased first time pass rate for all classes of Mot tests.	Budget	2003	2004	FM AFM	Reduction in vehicle down time.
16	Reduction in vehicles not having a safety check within five days.	C2	HT13	Yes LFT1	Reduction in vehicles not having safety check within five days of original date.	None	2003	2004	FM AFM	Legal Compliance.
17	Continuation of dual vehicle use throughout authority	C1 C3	HT1 HT5 HT12	No	Be pro-active in the introduction of dual use vehicles to all departments throughout the authority.	Budget	2003	2007	AM AFM	Increase vehicle utilisation. Reduction in cost.

**ACTION PLAN**  
**TRANSPORT OPERATIONS - FLEET MANAGEMENT/MAINTENANCE 2003/2008**

**ACTION PLAN**  
**TRANSPORT OPERATIONS - FLEET MANAGEMENT/MAINTENANCE 2003/2008**

**ACTION PLAN**  
**TRANSPORT OPERATIONS - FLEET MANAGEMENT/MAINTENANCE 2003/2008**

Key :

CDE - Corporate Director Environment

HHT - Head of Highways & Transportation

FM - Fleet Manager

AFM - Assistant Fleet Manager

FC - Financial Controller

DMM - Divisional Manager Maintenance

Actions No. 1 - 10 are Priority 1 items which are required as a pre-requisite to change the working environment and practises for continuous service improvement.

Actions No. 11 - 17 are Priority 2 items which will enhance the quality of the service.

**REPORT TO CABINET**

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

**DATE:** 28 January, 2003

**SUBJECT:** Revenue Budget 2002/03

**1 DECISION SOUGHT**

That in the light of the latest budget performance figures for the current financial year members support the requirement for remedial action to be taken within the Lifelong Learning Directorate to remove the projected overspendings.

**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 POWER TO MAKE THE DECISION**

Local Authorities are required under section 151 of the Local Government Act (1972) to make arrangements for the proper administration of their financial affairs.

**4 COST IMPLICATIONS**

The projections undertaken for 2002/03 at the end of the December accounting period identify a potential overspend by the year end of £298k (£324k at the end of October). Cabinet at its meeting of 10 September agreed that Directorates will be expected to achieve their budget expenditure figures.

**5 FINANCIAL CONTROLLER STATEMENT**

The Council's financial strategy for the year requires balances to be built up to £1.0m by the end of 2002/03. The latest projection indicates that spending remains in excess of budget. Action is required to be taken within the Directorate to remove this overspend. The 2003/04 budget strategy report to Cabinet will include proposals for validating the Lifelong Learning Directorate Revenue Budget arising from the pressures which have been identified in the current year.

**6 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.

**7 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.

**8 RECOMMENDATION**

That Cabinet Members note the projected outturn position and its impact on the strategy to deliver balances of £1.0m by the end of 2002/03 and emphasise the requirement for the Lifelong Learning Directorate to take measures to contain expenditure during the remainder of the year.



REPORT TO CABINET

CABINET MEMBER: COUNCILLOR P A DOBB - LEAD MEMBER FOR HEALTH AND WELL BEING

DATE: 28 January 2003

SUBJECT: Increased Fees for Residential and Nursing Home Care and Domiciliary Care

**1 DECISION SOUGHT**

Agreement to a 2% increase in fees paid under the Residential/Nursing Home Care Agreement and the Contract for Domiciliary Care Services.

**2 REASON FOR SEEKING DECISION**

- On 23rd April 2002 Cabinet approved a set of fee increases for Residential and Nursing Home Care. These were acknowledged in the report as being of a provisional nature because of concern that the grants received from the Assembly for the Preserved Rights transfer and abolition of Residential Care Allowance for people entering residential accommodation from 9th April 2003, were not enough to meet the costs the Authority would incur. (This has proved to be the case.) The report recommended that fees increase by 4.5% with the exceptions of basic residential care to increase by 4%, and EMI residential care by 2%. It also recommended that rather than all Preserved Rights residents' fees increasing to the usual Denbighshire rate, they should receive an increase of 3% over the rate previously paid by the Department of Work and Pensions. This was a measure designed to offset the insufficient grant funding from the Assembly. Representations continue to be made to the Assembly about the inadequacy of the grant but the outcome is at present uncertain.
- The report recommended that a review of the fees paid to Residential and Nursing Homes be undertaken. This has been done and taken to Policy Review and Scrutiny Committee on 23rd October 2002. The review reflected the national concern at the fees paid for residential and nursing home care, and that there was the possibility of further home closures in Denbighshire. (There has actually been a closure of a dual registered EMI Residential and Nursing Home since the report was presented to Committee. A claim for a 16% fee increase for 2003/04 has been received from the Association).
- The review detailed the increasing costs experienced by Homeowners. These included increases due to a 2.5% increase in the National Minimum Wage, dramatically increasing insurance costs and the costs of implementing the Care Standards for Residential and Nursing Homes.
- The spend against budget for residential and nursing home care has been monitored and is presented at Appendix 1. Given the projected level of spend there is room for a further fee increase though caution has to be exercised because of other acute pressure areas within the overall Social Services budget. Consultation meetings were held with the North Wales Nursing and Residential Homeowners Association. The key decision was whether to use the budget available to increase the fee paid to Preserved Rights residents to Denbighshire rates. The cost of this from October 2002 is estimated as £161,500 with a full year cost of approximately twice this amount. The Association opposed this on the grounds that such a use of the available budget would benefit those homes that had a number of Preserved Rights residents rather than the generality of homes. They proposed instead that any fee increase be given across the board and in acknowledgement of the increased costs being borne by all homeowners, especially the increase to the NMW. Officers accepted this, but pointed out that this would mean that an increase to bring Preserved Rights residents' fees to the Denbighshire fee level was not affordable. Officers and the Association agreed that the

position of Preserved Rights residents' fees remained anomalous and that future fee increases would have to acknowledge the anomaly. Also, the fee paid for basic residential care could not be increased because doing so would jeopardise the ability of people, who are currently in residential care, to use their benefits to fund that care. If this were to happen the Authority would have to contribute to the payment of their fees at an estimated additional yearly cost of £500,000. Uprating Preserved Rights residents rates to Social Services fee rates and increasing fees by 2% is not an affordable option.

- The NMW increase affects providers of domiciliary care just as it does Residential and Nursing homeowners. It is proposed to increase fees paid to domiciliary care providers by 2% too.
- Appendix 1 gives the costs in 2002/03 of the proposed increases and also the projected costs for 2003/04. These are within budget. 2003/04 will see other significant changes in the funding of residential and nursing home care, such as the transfer to the Local Health Board of the responsibility for funding the nursing element of Nursing Home care and the abolition of the Residential Care Allowance for all residents from October 2003. The financial effect of these changes when compared to the transfer of funding to the LHB for the nursing element and the grant for the RCA transfer, is uncertain, and it is judged prudent to have a contingency fund against potential adverse effects as well as to enable incremental improvements to rates paid for Preserved Rights residents' fees.
- Appendix 2 gives the changes in fee rates proposed.

### **3. POWER TO MAKE THE DECISION**

Under Section 22 of the National Assistance Act 1948, a Local Authority is required to set a rate for residential (and nursing care) accommodation.

### **4. COST IMPLICATIONS**

The proposals are within budget. (See Appendix 1).

### **5. FINANCIAL CONTROLLER STATEMENT**

The full year impact of the proposed increase appears to be contained within the overall budget for the service. Careful monitoring of the position will be essential to ensure costs are contained.

### **6. CONSULTATION CARRIED OUT**

Extensive consultation with both the North Wales Nursing and Residential Homeowners Association and providers of domiciliary care.

### **7. IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

Care Homes and domiciliary care providers are major employers in Denbighshire providing services to highly vulnerable people. It is essential that we enable these employers to discharge their employment responsibilities properly and maintain good quality independent sector care as demand, linked to demographic trends, is increasing in Denbighshire.

### **8. RECOMMENDATION**

That Cabinet approve a) the increases in Appendix 2, and b) a 2% increase in fees paid to providers of domiciliary care.



**APPENDIX 1**  
**Independent Sector Fee Increase - October 2002**

<b>BUDGET</b>	<b>£</b>
Base Budget - Residential and Nursing Home Placements	3,222,058
Preserved Rights (PR) Transfer Grant	2,185,202
Residential Care Allowance (RCA) Transfer Grant	196,032
Delayed transfer of Care Grant	268,000
New Money - Contingency allocation to Social Services	700,000
<b>TOTAL</b>	<b>6,571,292</b>

<b>PROJECTED SPEND</b>	<b>£</b>
Spend excluding PR but including RCA	3,803,673
PR excluding increase to SSD rates	2,066,704
Infrastructure costs for PR and RCA cases	140,432
<b>TOTAL</b>	<b>6,010,809</b>

<b>BALANCE</b>	<b>£</b>
	<b>560,483</b>

	<b>2002/3</b>	<b>2003/4</b>
	<b>£</b>	<b>£</b>
<b>Cost of Increasing fees by 2% (recommended option).</b>		
Cost of increasing Standard Residential/Nursing fees by 2% from October 2002.	130,000	260,000
Cost of increasing PR cases by 2% from October 2002.	66,000	117,480
Cost of increasing Domiciliary Care fees by 3% from October 2002.	14,400	28,800
<b>TOTAL</b>	<b>210,400</b>	<b>406,280</b>

## Appendix 2

### FEE INCREASES FOR RESIDENTIAL/NURSING HOME CARE 2002/2003 - From October 2002

<b>RESIDENTIAL HOME CARE</b>	<b>Fees from 8 April 2002 £</b>	<b>Increase %</b>	<b>Proposed fees from October 2002 £</b>
Elderly	243	0	243
Very Dependent Elderly or Blind	293	2	299
Mentally Ill	268	2	273
Elderly People with mental Infirmity in EMI Residential Homes	319	2	325
Learning Difficulties	305	2	311
<u>Physically Disabled</u>			
a. Under Pension Age (& disablement began under pension age)	331	2	338
b. Over pension age	254	2	259
Drug or Alcohol abuse	268	2	273
Other	254	2	259

<b>NURSING CARE</b>	<b>Fees from 8 April 2002 £</b>	<b>Increase %</b>	<b>Proposed fees from October 2002 £</b>
Elderly	379	2	387
Mentally Ill	380	2	388
Elderly people with mental infirmity in EMI Nursing Homes	389	2	397
Learning Difficulties	389	2	397
<u>Physically Disabled</u>			
a. Under Pension Age (& disablement began under pension age)	427	2	436
b. Over pension age	379	2	387
Drug or Alcohol abuse	380	2	388
Terminally Ill	379	2	387
Other	379	2	387

#### Notes:

- For Exceptional Special Need in both Residential & Nursing Homes, the amount to be determined by the Social Services Purchasing Manager.
- For people resident in an EMI Nursing Home prior to 6 April 1998, and for whom the Department is contributing toward the placement fee, the gross fee will increase from £427 to £436 per week.

9 January 2003

**REPORT TO :** CABINET

**DATE :** 28 January 2003

**REPORT BY :** LEAD MEMBER FOR FINANCE

**SUBJECT :** BUDGET 2003/04

**1. Decision Sought**

In the light of the final Revenue Support Grant settlement details recently announced, to consider the revenue budget proposals for 2003/04, and indicate members preferred level of Council Tax for recommendation to Council.

**2. Reason for Seeking Decision**

Preparation work on the budget for 2003/04 has been ongoing since September 2002. The basis for the preparation has been the Corporate Priorities as agreed in July 2002, although plans have also been modified to reflect the changing priorities of the National Assembly and local requirements, as identified during the consultation period.

The final settlement figures from the National Assembly were announced on the 21 January. Members need to consider the level of budget for services for 2003/04 including any additional funding for service improvement. The main features of the budget proposals so far are outlined in Appendix 1, whilst Appendices 2 and 3 provide the overall budget position and details of bids considered. Appendix 4 is the response from the Director of Lifelong Learning to the need to take remedial action to contain pressures within the directorate budget.

**3. Power to Make the Decision**

Local Government Act 1972 Part VIII

**4. Cost Implications of Report**

N/A

**5. Financial Controller Statement**

Members are committed as part of the Recovery Action Plan to agree robust and deliverable Service Budgets including any necessary budget reductions in time for them to be achievable in the new financial year.

**6. Consultation Carried Out**

Extensive consultations have taken place with Scrutiny Committees, Lead Cabinet members, Corporate Directors and Heads of Service. The figures take account of the Best Value Review and the County Council's priorities and mission statement.

**7. Implications on Other Policy Areas including Corporate**

The level of funding available impacts upon all services of the Council. The final budget needs to provide a firm financial frame work for service provision next year.

**8. Recommendations**

1. That Members review the recommended service budgets as shown in appendix 2

and

2 agree the final level of Council Tax that is to be recommended to Council following consideration of the bids for additional funding for service improvements as detailed in Appendix 3.

**BUDGET 2003/04**

**1) Background**

The County Council's Recovery Action Plan calls for deliverable service budgets to be agreed before the start of the new financial year, including any necessary reductions, in time for them to be achievable during the year. An early start to the budget setting process was therefore made with initial discussions beginning in the late summer with Lead Cabinet members, Corporate Directors and Heads of Service . Several reports have been made to the Cabinet and to Scrutiny Committees on the progress of the exercise.

**2) Final settlement**

The National Assembly announced the final figures for Revenue Support Grant and the redistribution of Business Rates to the Council on 21 January. The settlement allows for an increase in external funding of 8.46% year on year, including New Burdens. The settlement does not restrict the level of spending on services or even provide a guideline total. It is for the Council to decide its preferred level of expenditure and the resulting level of Council Tax.

**3) Progress to date**

The result of the process to date is shown in Appendices 2 & 3 .

Appendix 2 shows the overall budget position which allows for;

- the full year impact of funding decisions taken in the current year,
- inflation at relevant rates including anticipated increases from levying bodies,
- the impact of borrowing costs resulting from funding the capital programme,
- the continued contribution to balances in line with the Recovery Action Plan,
- the new funding provided by the Assembly for new burdens together with the incorporation of former specially funded grants into Revenue Support Grant
- the change in funding of benefits administration costs.
- the recommended allowance for growth in services.

Appendix 3 details the latest position regarding bids from Directorates for additional funding for service improvement etc.

- Column 1 shows the results so far of the consideration of the proposals by Scrutiny Committees who have reviewed the relative priority of the bids made.
- Column 2 lists the total sums bid for.
- Column 3 shows funding that has already been provided this financial year through the contingency route.
- Column 4 details any capital implication in addition to the revenue sums quoted.
- Column 5 is an attempt to keep the overall increase in Council Tax to a reasonable level by suggesting that a small element of bids should be capable of being absorbed within current base budgets.
- Column 6 details additions in specific grants that relate to specific bids. Other estimated grant increases are detailed at the foot of each page.
- Column 7 details the bids that, following the extensive consideration are regarded as being particularly worthy of consideration for additional funding.
- Column 8 lists the remaining desirable bids which will probably prove difficult to fund at this time.

#### **4) Schools delegated funding**

Members have long been concerned about the level of funding for the Council's schools and the Council's poor position relative to other councils in Wales. The current proposals for next year show additional funds for schools of £475k proposed in addition to full provision for inflationary and teacher's pension cost pressures. It is proposed that this sum should be outside the normal funding formula and targeted in consultation with the budget forum.

Further funding of £430k is anticipated in the form of specific grants and these are detailed at the foot of page 1 of appendix 3. The overall increase in school budgets is therefore 11.7%.

#### **5) Contingency**

For the current financial year because of the lack of general reserves available, the Council agreed to the creation of a contingency budget to be available to tackle budgetary problems as they occurred during the year. This process proved successful in containing unavoidable budget pressures and the distribution of the contingency was approved during the summer.

No provision is currently made for a similar Contingency budget for 2003/4. However the results of the Performance Improvement exercise will be known by the Autumn and the Council will receive up to £997k if sufficient progress has been made.

It is therefore recommended that any additional funding received from this initiative be used as a Contingency and that bids for funding unavoidable cost increases are considered during the Autumn. It is of course by no means certain that the full sum will be available to the Council. The level of funding will be reduced if performance targets are not achieved. There is however sufficient confidence in the outcome to confirm that £174k can be assumed to be funded from this source for the costs within Lifelong Learning and Personal Services Directorates, necessary to ensure targets are achieved, together with £150k needed to improve foster parent care rates.

Dialogue continues with the Assembly over the underfunding for the current year and next year in connection with Preserved Rights. No firm progress has been made to date but any increased funding received will increase the level of contingency funding available.

#### **6) Inflation**

Allowance has been made in column 3 of appendix 2 for the estimated impact of inflation next year. While RPI is at about the 2% level some of the Council's costs will rise much more. The non teaching pay settlement is 4%, while National Insurance costs for all staff rise by 1%. Teacher's pay costs are estimated to rise by 3.5% with a further 5.15% increase in teacher's pension contributions. Insurance premiums are also set to rise by 20% from June. Fees and charges are generally assumed to rise in line with the non teaching pay settlement as per the Council's charging policy.

#### **7) General Balances & Reserves**

The Recovery Plan approved by Council calls for the elimination of deficit balances by the end of last financial year and the building up of a prudent level of reserves as soon as possible thereafter. The recommended budget maintains the present level of top slicing for balances.

The Council's financial strategy currently is to continue to contribute a £1m per annum to balances to build up reserves to £2m planned to be by 31 March 2004. At which point increased funding of about £450k pa will be necessary for the PFI scheme, reducing the contribution to balances to £550k pa. The new Local Government Bill includes a provision for the Assembly to specify a

prudent level of balances which may be more than the current Audit Commission advice which is 5% of net revenue costs, i.e. £6m.

**DENBIGHSHIRE COUNTY COUNCIL**

**APPENDIX 2**

**BUDGET 2003/04**

	-1- Amended Base 2002/3 £000	-2- Cont alloc adjustments re 2003/04 £000	-3- Inflation Allocation /Changes £000	-4- New Burdens 2003/4 £000	-5- Transfers Out 2003/04 £000	-6- Service Growth £000	-7- Base Budget 2003/04 £000	-8- % year on year increase %
Lifelong Learning								
- Schools delegated	36,259	0	2,776	552		475	40,062	0.5
- Other Education	10,017	-11	629	25		300	10,960	8.6
-Culture & Leisure	5,466	24	210	29		159	5,888	7.7
Environment	16,990	15	776	400		190	18,371	8.1
Personal Services	23,612	84	979	840		303	25,818	9.3
Chief Executive	2,312	57	108			30	2,507	7.1
Resources	4,637	-11	238		283	213	4,794	3.6
Corporate & Benefits	3,719	12	99			259	4,089	1.6
	<b>103,012</b>	<b>170</b>	<b>5,815</b>	<b>1,846</b>	<b>283</b>	<b>1,929</b>	<b>112,489</b>	
Contingency	423	180	-243				0	
Capital Finance/Interest	10,573		710				11,283	
Precepts & Levies	4,130		305				4,435	
Contribution to balances	1,000		0				1,000	
<b>TOTAL</b>	<b>119,138</b>	<b>-10</b>	<b>6,587</b>	<b>1,846</b>	<b>-283</b>	<b>1,929</b>	<b>129,207</b>	

<b>New Burdens</b>	£000	<b>Contingency fye</b>	£000		£000
LLL - Teachers Threshold	402	LLL Music service	65	Rhyl GFwd	15
- Leadership cover	150	Transport	-36	Pers Serv	
- Broadband	25	Recoupment	-40	Jt Review	-22
- Youth	29	C & L marketing	24	Com Dev	17
	<b>606</b>		<b>13</b>	Restructure	32
ENV - Concess fares	390			Recruitment	57
Stop Now Orders	10	CEO Area Prtnrshp	40		<b>84</b>
	<b>400</b>	Corp Governan ce lawyer	17	Resources	
PS - Residential allces	200		<b>57</b>	Audit temp	-15
- delayed care transfer	443			Denb cash office	10
- carers assessments	20	Corp Members	15	EVR	-6
- Supp People admin	67	Jubilee	-20		<b>-11</b>
- 6wks home care	110	Civics	17		
	<b>840</b>		<b>12</b>		



## Denbighshire County Council

## APPENDIX 3

<u>Budget 2003/4 Bids for additional funding</u>	-2- Bids Revenue £000	-3- Funded from Contingency in 2002/3 £000	-5- Bids rec. to be funded within base £000	-6- Addit funds from Spec grants £000	-7- Bids rec. for additional funding £000	-8- Bids not recommended for funding £000	-9- Council priority/ full year effect etc
<b>LIFELONG LEARNING</b>							
<b>EDUCATION</b>							
Managing School Places 2 project posts	75				37	38	B
Performance Officer	35				0	35	A
Admin support C & L	19				0	19	B
School transport	250	101			50	99 (1.	A
Additional funding for schools	1473			430	475	568	A
S E N pressures	380	123			50	207 (1.	A
Education psychology service	65				34	31	A
Gest replacement funding	26				0	26	B
Criminal Records Bureau charges	10		10		0	0	A
Performance Imp target costs	65				0	65 (2.)	A
Curriculum support	45				45	0	B
Schools meals	84				84	0	
EAL Service pressure	26				0	26	A
	<u>2553</u>	<u>224</u>	<u>0</u>	<u>430</u>	<u>775</u>	<u>1114</u>	
<b>CULTURE &amp; LEISURE</b>							
Leisure pay restructure	213	98			115	0	C
Pavilion Theatre pay review	45	15			30	0	C
Scala supernumerary post	18		18		0	0	C
Community Arts post match funding	5				5	0	B
Library Plan	42				0	42	A
AONB Funding	9				9	0	A
FT Archeology Service	10				0	10	B
Youth access Leisure Centres	40				0	40	A
Healthy Lifestyles programme	28				0	28	B
Eisteddfod Community programme	20				0	20	D
DCC Eisteddfod marquee	18				0	18	D
Arts grants & events	25				0	25	A,D
People's network	5				0	5	B
	<u>478</u>	<u>113</u>	<u>0</u>	<u>18</u>	<u>159</u>	<u>188</u>	
<b>Total Life Long Learning</b>	<b>3031</b>	<b>337</b>	<b>0</b>	<b>430</b>	<b>934</b>	<b>1302</b>	

## Notes

(1.) Because of uncertainty over the level of potential increased service demand this bid will be reconsidered as a priority for Contingency funding in the Autumn.

(2) The bid for funding for costs to achieve the Performance Target will be able to be funded from the grant to be announced in the Autumn.

## Additional Major Specific Grant funding

Additional Revenue Funding for Schools as shown above	230 aprox
Innovation in Rural Schools	100 aprox
Additional admin support for schools	100 aprox
Early Years	320 aprox

	Bids Revenue £000	Funded from Contingency in 2002/3 £000	Bids rec. to be funded within base £000	Addit funds from Spec grants £000	Bids rec. for additional funding £000	Bids not funded £000]	Council priority/ full year effect etc
<b>ENVIRONMENT DIRECTORATE</b>							
<b>Image/Enforcement</b>							
Enforcement re late night facilities less fees	10		10		0	0	D
Footways maintenance re insurance claims	100				30	70	D
Access for disabled awareness	10				0	10	D
Refuse/Street cleansing enforcement	38				0	38	D
Additional EHOs	120				0	120	D
Animal Health Enforcement	110				0	110	B
	<u>388</u>	<u>0</u>	<u>0</u>	<u>10</u>	<u>30</u>	<u>348</u>	
<b>Pressures</b>							
Asbestos audit statutory requirement	0	450			0	0	A, D
Feasability studies	0	100			0	0	A
Land Drainage/Coast Protection works	50				50	0	A, D
Intereg match funds	25				25	0	D
Pollution control	43				0	43	B
CCTV maintenance	10		10		0	0	
Val & Est Rating officer 'Right first time'	46				30	16	B
Former DSO, trading surplus	-50				-50	0	
	<u>124</u>	<u>0</u>	<u>550</u>	<u>10</u>	<u>55</u>	<u>59</u>	
<b>Information systems</b>							
Info systems & Software	55	97			55	0	A
G I S	0	217			0	0	A
Nat Land & Prop Gazetteer E Gov	50	28			50	0	A
	<u>105</u>	<u>0</u>	<u>342</u>	<u>0</u>	<u>105</u>	<u>0</u>	
<b>Total Environment</b>	<u>617</u>	<u>0</u>	<u>892</u>	<u>20</u>	<u>190</u>	<u>407</u>	

Notes

Additional Major Specific Grant funding

Waste Management  
Highways - Local Roads Grant

Increase  
370 aprox  
150 aprox

	Scrutiny Priority	Bids Revenue £000	Funded from Contingency in 2002/3 £000	Bids Capital £000	Bids rec. to be funded within base £000	Addit funds from Spec grants £000	Bids rec. for additional funding £000	Bids not funded £000	Council priority/ full year
<b>PERSONAL SERVICES</b>									
Improve pay & conditions to aid recruitment & retention		72	72				0	0	C
Assessments of Children in need/rapid respons team		236					88	148	A, C
Foster care, initial costs of switch from out County placement		300					0	300 (1.)	A, B, I
Integrated MH project officer		15			15		0	0	A, B
Increase Residential & NH fees		150					150	0	A
Welfare Rights Assistants		36					0	36	B, D
Strategy for Older People		65				30	25	10	A
Housing Strategy officer		50					0	50	A
MH employment project contribution		5					0	5	A, B
Learning Disabilities, Day Services		75					0	75	A, B
Learning Disabilities, Community Living		50					40	10	A, B
Physical Disability, Day Services		50					0	50	A, B
PIG target achievement		109					0	109 (1.)	
<b>Total Personal Services</b>		<b>1213</b>	<b>72</b>	<b>0</b>	<b>15</b>	<b>30</b>	<b>303</b>	<b>793</b>	

#### Notes

(1) The bid for funding for costs to achieve the Performance Target will be able to be funded from the grant to be announced in the Autumn.

#### Additional Specific Grant funding

Children First	Increase
Flexibilities	300 aprox
Older Perso ns Strategy	130 aprox
	30 aprox

	Scrutiny Priority	Bids Revenue £000	Funded from Contingency in 2002/3 £000	Bids Capital £000	Bids rec. to be funded within base £000	Addit funds from Spec grants £000	Bids rec. for additional funding £000	Bids not funded	Council priority/ full year effect etc
<b>CORPORATE</b>									
Translation service improvements	12	20					0	20	A
Equalities Unit	7	37					0	37	A
Menter laith support	15	30					10	20	A
One Stop Shop Denbigh	7	34					0	34	A
Freedom of Information post	7	30					30	0	E Gov
Scrutiny support additional	20	63					0	63	A, C
full year effect	1	7			7		0	0	A, C
Social Services legal support	1	21					0	21	A
Clerk typist legal	2	15					0	15	A
Emergency Planning post	14	28					0	28	A
Emerg Planning grant reduction	1	7				7	0	0	Com increase
Procurement officer	19	32					0	32	A, B
County Voice 4 editions	11	19					19	0	A, D
Efficiency Unit	18	75					0	75	A,B
Cabinet support full year effect		11					11	0	A, C
Health & Welbeing - admin support		14					0	14	A
Customer Contact Team - staffing		205		310			0	205	A
- potential One Stop Shop impact		20					0	20	
2 Business Analysts		50					0	50	(1) A
CAB grant increase - money advice		56					14	42	A
- general grant		92		6			20	72	A
DVSC grant		20					0	20	A
Modern Apprentices 2nd year of 3		23					23	0	C
new intake		25					25	0	C
Training budget increase		113			13		100	0	C
Training officer		28					0	28	C
Training admin officer		14					0	14	C
Modern Apprentices coordinator part time		12					0	12	
Member training		15					5	10	
Corporate Driver training		32					32	0	
<b>Total Corporate</b>		<b>1148</b>	<b>0</b>	<b>316</b>	<b>20</b>	<b>7</b>	<b>289</b>	<b>832</b>	

**Notes;**

(1) Funded from SCA in 2003/04

	Scrutiny Priority	Bids Revenue £000	Funded from Contingency in 2002/3 £000	Bids Capital £000	Bids rec. to be funded within base £000	Addit funds from Spec grants £000	Bids rec. for additional funding £000	Bids not funded £000	Council priority/ full year
<b>RESOURCES DIRECTORATE</b>									
<b>Finance Dept</b>									
Reduced income to CPU re PFI contract completion		42					42	0	Com increase
<b>Internal Audit</b>									
Impact of Job Evaluation		14	0		14	0	0	0	Com increase
<b>I.T.C.</b>									
Full year effect of new staff in 2002/3		20					20	0	A,B,D
Further new posts to support expanding no of systems etc		70					70	0	A,B,D
2 new customer service liason posts	1.	50					0	50	B,C
Account management officer	1.	16					0	16	B
Limited Backup Links	2.	13		11			0	13	A
		169	0	11	0	0	90	79	
<b>Personnel</b>									
Personnel Rewards & Evaluations officer part year	1	30			0		30	0	C
Effect of Job Evaluation	1.	19			15		0	4	Com increase
Health & Safety set up costs - one off	1.	19					19	0	C
Health & Safety adviser	1.	32					32	0	C
Staff Protection Register	1.	3			3		0	0	
Occupational Assessment tests	3.	2			2		0	0	
Occupational Health Equipment /Listeners costs	2/3	5			5		0	0	
		110	0	0	25	0	81	4	
<b>Total Resources</b>		<b>335</b>	<b>0</b>	<b>11</b>	<b>39</b>	<b>0</b>	<b>213</b>	<b>83</b>	
<b>TOTAL</b>		<b>6344</b>	<b>409</b>	<b>1219</b>	<b>122</b>	<b>467</b>	<b>1929</b>	<b>3417</b>	

**SUPPLEMENTARY REPORT ON THE BUDGETARY ISSUES WITHIN LIFELONG LEARNING  
DIRECTORATE**

At the 17 December Cabinet, the Corporate Director - Lifelong Learning was asked to produce a report identifying measures for reducing the projected overspend within the Lifelong Learning Directorate to ensure that balances of £1.0 million are achieved by the end of the financial year.

The projections undertaken for 2002/03 at the end of November accounting period identify a potential shortfall by the year end of £384k. It also appears likely that the shortfalls apparent for 02/03 will also be present for 03/04.

The main areas of concern are the statutory Special Educational Needs (SEN) and Schools and College Transport which are projecting shortfalls of £329k and £196k respectively. The SEN shortfall is at the same level as last year and has been subject to much detailed work by the Directorate. The strategies adopted to manage the situation on both SEN and Transport have been shared and commended by both Lead Member for Lifelong Learning and Lead Member for Finance.

An exercise undertaken by the Financial Controller has also indicated that within Lifelong Learning Directorate there is a notional underfunding of Education compared to SSA and a broadly similar overfunding for Culture and Leisure. This information however has to be treated with caution since SSAs are a notional guideline only.

An analysis of school reserves also indicates a problem, particularly in Secondary Schools and some primary schools. Furthermore there is considerable financial work to be undertaken in relation to two major projects - Managing School Places and Post 16 Funding.

Whilst every effort is being made to reduce the current year (02/03) position, the issues raised are of a strategic and long term nature. It is therefore proposed to:

- 1 Review the School Transport Policy, with the aim of implementing changes from September 2003.
- 2 Continue the review of the Statutory Special Educational Needs policy linked to the ongoing inspection findings March 2003.
- 3 Review expenditure on the larger elements within Culture and Leisure, including funding of outside bodies - bearing in mind the notional mismatch of funding. Agreed changes to be implemented from April 2004 onwards.
- 4 Review the distribution of Schools Delegated Budget to ensure that resources are directed to meet specific and urgent needs. Agreed changes to the formula to be implemented from April 2004.
- 5 Seek efficiency savings of 2% of 25% of the Directorate budget (excluding Schools Delegated Budget).
- 6 Implement the results of the Managing Schools Places and Sixth Form Funding reviews. Agreed changes to be implemented during 2004.
- 7 Develop a capital project to address the identified needs in the north of the county which will include an urgent resolution for Ysgol Tir Morfa (Denbighshire's special school). It is expected that such a project would incorporate partnerships with the private sector.
- 8 To formalise the current links between Lifelong Learning and the corporate support team.

**Sioned Bowen**  
**Corporate Director - Lifelong Learning**

**CABINET MEMBER: CLLR G M KENSLER, LEAD MEMBER FOR PROMOTING DENBIGHSHIRE**

**DATE: 28 JANUARY 2003**

**SUBJECT: HIRAETHOG DEVELOPMENT PROJECT**

**1 DECISION SOUGHT**

- 1.1 To inform Cabinet of this innovative, partnership driven rural regeneration project, and to seek in principle support for the next phase of the project.

**2 REASON FOR SEEKING DECISION**

- 2.1. The Hiraethog area straddles the boundary between Denbighshire and Conwy. It takes in the communities of Llanrhaeadr, Nantglyn, Cyffylliog, Clocaenog and part of Derwen in Denbighshire, and Llansannan, Pentrefoelas, Cerrigydrudion, Llanfihangel and Llangwm in Conwy. A map showing the area is appended to this report. The area has been recognised for some time as a rural area in need of regeneration activity. As a result, a wide ranging partnership was established (Denbighshire and Conwy County Councils, CCW, Dwr Cymru Welsh Water, Forest Enterprise, North Wales Wildlife Trust and RSPB), and successfully drew down Objective 5b funding for the Mynydd Hiraethog and Denbigh Moors Footpath Project. This was subsequently developed into a successful Objective 1 funded project to build on the earlier work. This involved carrying out an in depth study of the area with a view to drawing up a strategy and action plan to identify the natural assets of the area and to propose means by which these assets could be sustainably utilised to the benefit of the local rural economy and environment.

- 2.2 The study has now been completed and published. An 'Environmental Strategy and Action Plan for the Hiraethog Area' has been produced, and a copy of the Executive Summary is attached as Appendix 2. Copies of the full document are available for Cabinet members on request. Through consideration of the key issues and the natural assets, the strategy identifies the main area of opportunity as follows:

- Green Tourism
- Recreation
- (Environmental) Education
- Conservation
- Landscape (enhancement)
- Recycling

- 2.3 These opportunities are developed into a costed package of proposals, which the partnership now wish to take forward via a Phase 2 Objective 1 application. As the study has been funded via Objective 1, there is now an expectation that a bid will be submitted for implementation. The necessary Objective 1 project proforma has been completed, and is to be considered in the near future by both Conwy and Denbighshire's full Objective 1 Partnerships.

**3. POWER TO MAKE THE DECISION**

- 3.1 Section 2 Local Government Act 2000 - Promotion of Economic, Social and Environmental Wellbeing.

**4. COST IMPLICATIONS**

- 4.1 The total cost of this next phase of the project is £1.3m. This covers a three year period between April 2003 and March 2006. Denbighshire County Council's proposed contribution over the three years of the project is £86k, which represents excellent grant leverage for the County.

The spread of expenditure over the three years would be £23k in year one, £30k in year two and £33k in year three. There are no revenue implications attached to this bid.

- 4.2 The County Council's Capital Plan for 2002/03 includes a block allocation to provide finance for match funded projects. A similar block allocation may be included in the Capital Plan for 2003/04, although this is dependent upon the decision of Council later in the year. A Capital Project application form will be submitted to the Asset Management Committee to enable the scheme to be considered for inclusion in the Capital Plan. Conwy is sourcing its contribution from their Local Regeneration Fund grant from the Assembly. Other funding partners are currently seeking to secure their own funds for implementation of the scheme.
- 4.3 Currently approved projects are: Castell Dinas Bran Reconsolidation (£52k Council contribution over three years, match funded by Cadw grant); Countryside Grant Scheme (£105k Council contribution over three years, match funded by Objective 1); and 'Heather and Hillforts' Development Study (Project substantially funded by Heritage Lottery Fund and Cadwyn, £5k Council contribution in 2003-04).
- 4.4 The Council's financial commitment in 2003/04 in respect of Castell Dinas Bran Reconsolidation (£17k) and the Countryside Grants Scheme (£35k) forms part of the estimate of total rollover payments from 2002/03 in the Capital Plan for 2003/04 and are therefore accommodated outside of the proposed block allocation for match funded projects.

## **5 FINANCIAL CONTROLLER STATEMENT**

- 5.1 The funding of the Council's share of the costs of the proposal will be considered for inclusion in the Capital Programme by the Asset Management Committee in due course.

## **6 CONSULTATION CARRIED OUT**

- 6.1 A central part of the strategy formulation process was consultation with local people and interests. This involved meetings with key interest groups (eg Community Councils) and via an extensive series of previously advertised 'drop in' opportunities throughout the study area to discuss the project with the co-ordinator. The community consultation exercise highlighted a number of key issues which the action plan seeks to address:

- The lack of opportunities in rural areas.
- The perceived lack of advice and assistance
- The acknowledgement that changes are needed to maintain the rural way of life
- Tourism is seen as key to improving the economy
- The potential detrimental impacts of tourism on the countryside
- Promotion of the area is essential to improve the local economy.

- 6.2 All the partners involved in the project are supportive. Local members have been involved in the study as it has progressed. All the Community Councils directly affected by the project have been involved and have had an opportunity to contribute and comment on the draft proposals. Denbigh Town Council has also considered the Strategy and supports the project.

## **7 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

- 7.1 The Hiraethog project has positive implications in respect of the following County Council priorities - "Focus on customers and strive to meet their needs"; "Maximise resources for Denbighshire"; and "Improving the image of Denbighshire". These will be achieved by meeting the clearly expressed needs of these rural communities which have emerged from the consultation phase of the study; by attracting significant external resources into the County (Objective 1, Forestry Commission, Forestry Enterprise, Dwr Cymru, WDA, RSPB, North Wales Wildlife Trust, and the private sector); and by improving the physical environment of the study area. The project also has a strong affinity with the aims and of the Cultural Tourism Strategy and emerging Tourism Strategy.



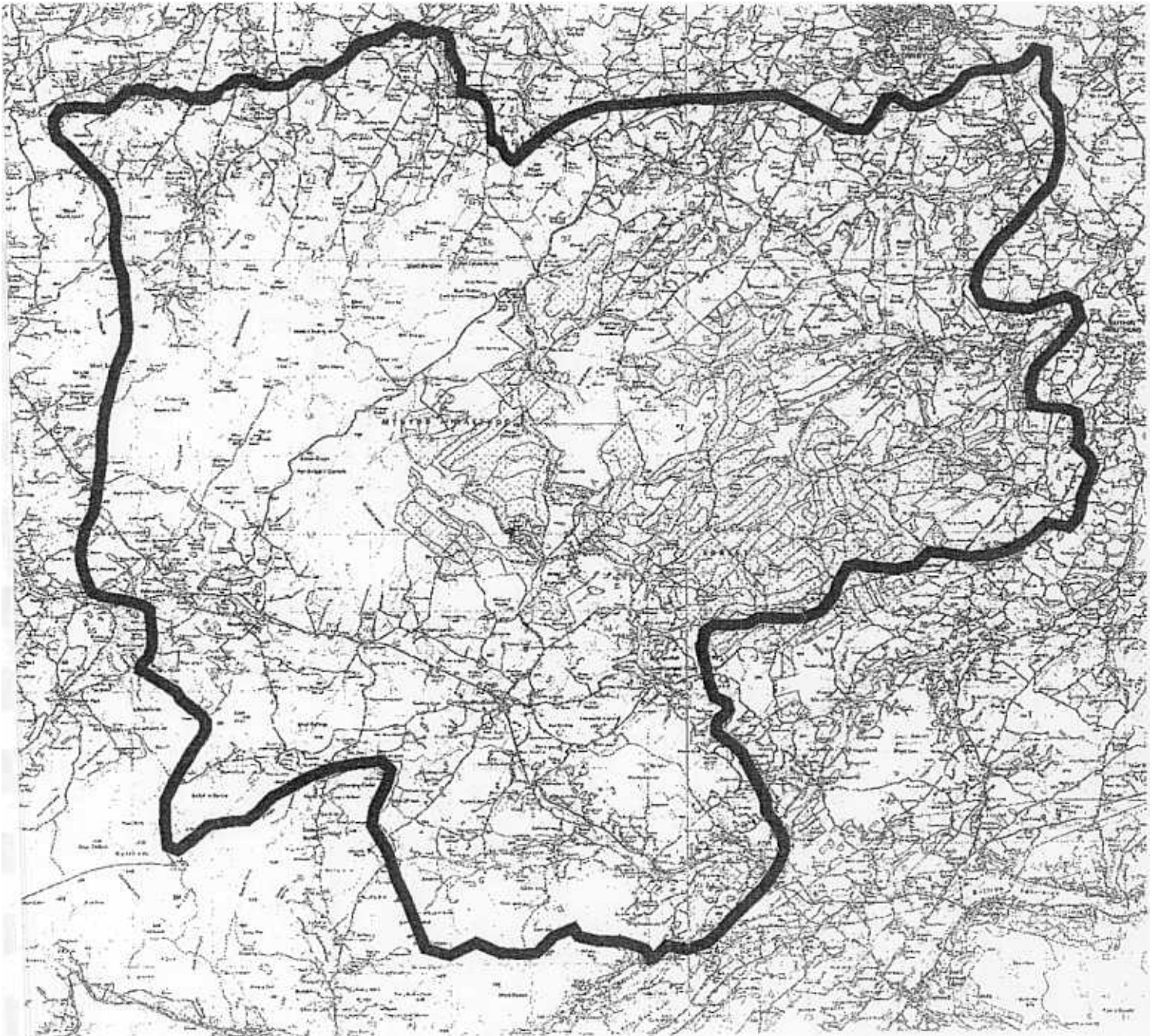
**8 RECOMMENDATION**

- 8.1 That the Environmental Strategy and Action Plan for the Hiraethog Area be approved in principle.
- 8.2 To support implementation of the strategy and action plan, subject to the necessary resources being made available from the Council's capital funds.

## Appendix 1

### Map of the study area

The community council wards included are Cerrigydrudion, Llangwm, Llanfihangel GM, Pentrefoelas, Clocaenog, Cyffylliog, Nantglyn, Llanrhaeadr YC, and part of Derwen. Approximately half of the area of the community council wards of Llansannan and Llangernyw are included, and the boundary drawn along the A544 from Bylchau to Llansannan, the B5384 from Llansannan towards Pandy Tudur, cutting along a minor road from Rhos Isaf to Cefn y Castell.



## Executive Summary

This is the Hiraethog Environmental Strategy and Action Plan. It has been produced by Sian Roberts, the Hiraethog Environmental Project Officer, employed by Conwy CBC on behalf of the Hiraethog and Denbigh Moors Environment Forum.

Objective 1 funding was secured to employ a project officer for a nine-month period to produce this strategy and action plan. This study consisted of collecting information and data for the Hiraethog area, including environmental designations and interests, agriculture, forestry, tourism and recreation. Data was also collected on schemes previously or currently running to ensure that the study complemented these schemes. The community groups within Hiraethog were also noted and it is intended that they will play a key role in implementing the strategy.

Community consultation was believed essential for the project to work. The consultation process was extensive. Community councils, Councillors, farming groups, community groups, local businesses, organisations and other individuals were consulted. Many issues were raised through this process including:

- The lack of opportunities in rural areas
- The perceived lack of advice and assistance available for farmers and businesses
- Changes needed to maintain the rural way of life
- Tourism as a key to improving the local economy
- Concern about the impacts of tourism
- Promotion essential for tourism initiatives
- The use of local labour in the implementation of the projects
- The monitoring and follow up of the project

The strengths and assets identified through this process include community spirit, local entrepreneurship, tourism potential, existing tourist facilities and activities, wildlife value, visitor market, the Farming Connect scheme and the attractiveness of the area.

The main areas of opportunity were therefore believed to be green tourism, recreation, education, conservation, landscape and recycling.

Several objectives were developed based on these facts to form a strategic plan. This plan includes:

- The development of the local economy through sustainable green tourism initiatives
- Improving access to the countryside
- Promoting public awareness of environmental issues
- Enhancement of the areas characteristic landscape features
- Protection of the environment through habitat and species management
- Protection of the environment through farm waste collection and recycling scheme

An action plan was then written with the aim of implementing the strategy. The projects developed are as follows:

5.1 Green Tourism	5.1.1 Hiraethog Web Site 5.1.2 Hiraethog Brochure 5.1.3 Package Holidays 5.1.4 Cycle Network 5.1.5 Equine Network 5.1.6 Alwen trail and leaflet
5.2 Education	5.2.1 Education Officer 5.2.2 Wildlife Interpretation
5.3 Landscape	5.3.1 Renovation of traditional landscape features
5.4 Conservation	5.4.1 Farmland habitat management 5.4.2 Heathland / Moorland habitat management
5.5 Recycling	5.5.1 Recycling plastic farm waste
5.6 Project Officer	5.6.1 Project management and co-ordination

The Strategy and action plan will form the basis for funding applications for Objective 1 funding from the Welsh European Funding Office, and other funding sources.

The implementation of these projects will depend on the success of these funding bids, and is hoped to commence in April 2003.

The forum partnership will continue to meet on a regular basis to oversee the project implementation. Once the projects are established, it is intended that they will move into community ownership.

REPORT TO CABINET

CABINET MEMBER: Councillor John Smith - Lead Member for Social Inclusion

DATE: 28 January 2003

SUBJECT: Proposal for the operation of a North Wales Adoption Consortium.

**1 DECISION SOUGHT**

Approval is sought of the enclosed Memorandum of Agreement of the six Local Authorities across North Wales to operate as a formal Adoption Consortium (Appendix A).

**2 REASON FOR SEEKING DECISION**

Denbighshire County Council along with Conwy County Borough, Flintshire County Council, Gwynedd County Council, Isle Of Anglesey County Council and Wrexham County Borough wish to come together to formally agree an Adoption Consortium. The agreement represents an opportunity to develop best practice in Adoption and is consistent with the aims of the National Adoption Register and the Children & Adoption Act.

The National Adoption Register was set up to help match children and adopters on a national basis with the aim of speeding up the process of matching children who might otherwise wait. The register also supports the arrangement of local consortium and where they are in operation they extend by three months the time limit for Local Authorities to find local matches before children and adopters go "live" on the register.

The aims of the Consortium are to:

- increase the adoptive placements of choice for looked after children within the Consortium area, for whom adoption is planned, by establishing and maintaining a pool of approved prospective adopters who reside in the Consortium area (the pool comprising prospective adopters approved by the Member Local Authorities and VAAs in Associate Membership)
- matching the said children and prospective adopters
- to explore and develop other joint activities that will contribute to improving practice and outcomes for children being adopted, such activities being informed by the Consortium's own and other bodies' research and in accordance with legislation, regulation and guidance, the Children First Programme and other quality standards issued by government and the National Assembly for Wales.

The consortium therefore represents a positive move forward in more efficiently matching children who are waiting for adoption with prospective adopters as well as encouraging the development of joint activities across the area of the consortium that will develop and share good practice, make best use of current resources and improve outcomes for children.

**3 POWER TO MAKE THE DECISION**

Until 2002 Children & Adoption Act is fully implemented the Local Authority is bound by the STATUTORY INSTRUMENTS **CHILDREN AND YOUNG PERSONS "THE ADOPTION AGENCIES REGULATIONS 1983"** This is the law that governs the establishment of an adoption service.

The National Adoption Register is implemented by Section 7(i) of Local Authority and Social Services Act from April 2002 and outlines the duty of Local Authority Adoption Agencies to provide information about children and prospective adopters to the register within certain

timescales. It is this Legislation, combined with the timescales to be implemented by National Standards with the implementation of the new Children & Adoption Act that gives legal weight and duties towards the establishment of a formal adoption consortium.

#### **4 COST IMPLICATIONS**

In cost terms it means that when the Authority purchases an adoptive placement from another member of the consortium we will pay cost price for the placement of £2,500 rather than £10,960 which is current cost per child from a local authority. The cost of £2,500 is for the placement regardless of how many children we place rather than the current arrangement which charges £10,960 for the first child and then 50% extra for more than one child up to 100% extra for three children. It therefore represents best value to the local authority.

We will also charge the same fee of £2,500 for our adoptive placements to other local authorities in the consortium so costs are balanced out.

The arrangement therefore has no substantial cost implications and can be catered for without any change to our adoption budget.

#### **5 FINANCIAL CONTROLLER STATEMENT**

The overall financial impact of this proposal is expected to be neutral. Careful monitoring will be needed to ensure the net position between costs incurred and received can be contained within the relevant service budget.

#### **6 CONSULTATION CARRIED OUT**

The Memorandum of Agreement was discussed in the Fostering & Adoption panel at the November meeting and was supported in principle. Discussions have involved all six local authorities, minutes of these meetings have been shared with the North Wales heads of childrens service group. Wrexham County Borough and Gwynedd County Council have approved of the agreement at cabinet and senior management level whilst Flintshire County Council and Conwy Borough Council are currently taking the agreement forward to their respective Cabinet's for approval.

Associate and Co-opted members of the proposed consortium have been consulted with and have applied to become members of the consortium. Therefore the consortium is supported by Barnados (New families Project) Adoption Matters, Catholic Children & Family Care Society (Wales) and BAAF Cymru

#### **7 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

The Memorandum of Agreement will bring the current practices of the Local Authority Adoption agency line with best practice as suggested particularly by the National Adoption Standards, Children and Adoption Act and the National Adoption Register. It is an agreement that will have a positive impact on our Children's First target of maximising the contribution adoption can make to providing permanent families for children in appropriate cases ( Performance indicator 4.2) and is consistent with our Children's Services Plan and the teams operational plan.

#### **8 RECOMMENDATION**

- A) That the Memorandum of agreement is approved by Denbighshire County Council
- B) That the following powers be delegated:
  - (i) That the Chief Executive be delegated the authority to nominate the holder of a named post to be a member of the managing body of the Consortium, as required by clause 3(c) of the agreement.

- (ii) That the Chief Executive be delegated the authority and responsibility for decision making in respect of the management and development of the Consortium, and further, the authority to delegate such powers to the Director of Personal Services and thereafter the post holder nominated in accordance with paragraph 7(b)(i) of this report.

# **North Wales Adoption Consortium Memorandum of Agreement**

**Conwy County Borough Council  
Denbighshire County Council  
Flintshire County Council  
Gwynedd County Council  
Isle of Anglesey County Council  
Wrexham County Borough Council**

## **NORTH WALES ADOPTION CONSORTIUM MEMORANDUM OF AGREEMENT**

This agreement is made on the      day of      between the local authorities of Conwy County Borough Council, Denbighshire County Council, Flintshire County Council, Gwynedd County Council, Isle of Anglesey County Council and Wrexham County Borough Council comprising the Consortium hereinafter referred to as the 'Member Local Authorities'.

### **1 It is agreed that**

- a the Member Local Authorities will co-operate in accordance with the aims, agreements and procedures described herein and in the Annexes to this Agreement to maintain and improve adoptive placement opportunities for children for whom adoption is planned in the geographical areas for which they are responsible, hereinafter referred to as the 'Consortium area'.
- b the Member Local Authorities will co-operate with Voluntary Adoption Agencies (VAAs) operating in the Consortium area in Associate Membership in pursuing the aims of the Consortium as described in (2).

### **1 The aims of the Consortium are**

- a to increase the adoptive placements of choice for looked after children within the Consortium area, for whom adoption is planned, by
  - (i) establishing and maintaining a pool of approved prospective adopters who reside in the Consortium area (the pool comprising prospective adopters approved by the Member Local Authorities and VAAs in Associate Membership)
  - (ii) matching the said children and prospective adopters in accordance with the procedures in Annex B
- b to explore and develop other joint activities that will contribute to improving practice and outcomes for children being adopted, such activities being informed by the Consortium's own and other bodies' research and in accordance with legislation, regulation and guidance, the Children First Programme and other quality standards issued by government and the National Assembly for Wales.



**1 The obligations of each Member Local Authority are**

- a to undertake to remain in membership of the Consortium for an initial period of three years subject to compliance by all members with the agreed procedures thereafter, to give six months notice of its intention to leave the Consortium
- b to comply with the agreed procedures of the Consortium
- c for the Director of Social Services or equivalent in each Member Local Authority to delegate powers and responsibility for decision making in respect of the management and development of the Consortium to the holder of a named post within the local authority who shall thereby be a member of the managing body, hereinafter referred to as the 'Management Group' for the Consortium, the said member representing the interests of the local authority and contributing to the business of the Management Group in accordance with the agreed procedures (Annex A)
- d to retain case responsibility for children referred to the Consortium for placement
- e for an initial period of 12 months, to set the level of inter-agency fees between Local Authority Members within the Consortium at £2,500 for every placement made ("placement" is defined as a single episodic placement with an adopter, regardless of the number of children involved) payable on the making of an adoption order
- f to monitor the impact of Consortium operations on adoption services within the authority

**1 The procedure to arrange for local authorities or registered voluntary agencies outside this Agreement to join the Consortium as Full or Associate Members shall be**

- a the authority or agency to apply in writing to the signatories to this agreement demonstrating their ability and intention to support and contribute to the aims of the Consortium
- b subject to the unanimous written agreements of all existing signatories the applicant authority or agency shall be eligible to join the Consortium as respectively a Full or Associate Member for an agreed period of time.

Signed for Conwy County Borough Council

\_\_\_\_\_  
Designation \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_

Signed for Denbighshire County Council

\_\_\_\_\_  
Designation \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_

Signed for Flintshire County Council

Designation \_\_\_\_\_ Date  
\_\_\_\_\_

Signed for Gwynedd County Council

Designation \_\_\_\_\_ Date  
\_\_\_\_\_

Signed for Isle of Anglesey County Council

Designation \_\_\_\_\_ Date  
\_\_\_\_\_

Signed for Wrexham County Borough Council

Designation \_\_\_\_\_ Date  
\_\_\_\_\_

## **North Wales Adoption Consortium Memorandum of Agreement**

### **Annex A**

#### **COMPOSITION AND TERMS OF REFERENCE OF THE CONSORTIUM MANAGEMENT GROUP**

**1 The Management Group shall comprise**

a Full Members, being

one representative from each Member Local Authority who is the holder of a post that has been designated for this purpose by the Director of Social Services or equivalent in each Authority

b Associate Members, being

(i) one representative from any Voluntary Adoption Agency that successfully applies to join the Consortium

(ii) a maximum of two individual co-opted members who will contribute to supporting the Consortium's operations

**1 The Members of the Management Group shall have these entitlements and delegated responsibilities**

a Full Members

(i) make decisions in respect of the management and development of the Consortium's work described in (3) and (4) and in respect of children and prospective adopters in accordance with the procedures described in Annex B.

(ii) with the exception of determining the policy and procedures of the Consortium that will require a unanimous decision by all Full Members, make decisions by a majority vote within a quorum of 4 Full Members. In the event of there being no clear majority, the Chair will have a casting vote

(iii) represent the interests of their local authority or organisation for the discharge of their duties and fulfilment of their obligations to the Consortium

(iv) attend a minimum of 75% of the meetings and any arranged training sessions of and for the Management Group in any one financial year

(v) have the option to co-opt up to a maximum of two additional Associate Members

**b Associate Members**

(i) attend meetings of the Management Group as observers

(ii) receive all papers relating to the business of the meetings of the Management Group

(iii) take part in the business of the meetings where invited by the Chair either by contributing written papers or by contributing to debates

(iv) share information arising from attendance at or from papers relating to the meetings of the Management Group with others within their agencies

(v) co-operate with Full Members in the work of the Consortium described in (4)

(vi) operate these entitlements at all times in accordance with and in support of the aims and interests of the Consortium

(vii) give six months notice at any time of the VAA's or, in the case of a co-opted individual, the individual's intention to leave the Consortium

**1 The Consortium Management Group will be responsible for**

a managing the operations, including the financial operations of the Consortium

b determining the policies and procedures of the Consortium

c setting, monitoring and accounting for the annual work programme of the Consortium

**1 Full Members and Associate Members of the Management Group may co-operate in**

a undertaking campaigns to recruit prospective adopters

b arranging and facilitating training opportunities for prospective adopters

c responding to consultations by national (Wales and UK) bodies on adoption issues

d arranging and facilitating training opportunities for the Consortium Management Group and also for staff of the constituent Member Local Authorities and Voluntary Adoption Agencies

e arranging for a suitable person to chair 'Disruption' meetings where adoptive placements made through the Consortium have ended or at immediate risk of ending unplanned

- f other joint activities in support of the aims and interests of the Consortium and in accordance with the provisions of this agreement

#### **1 Procedures for meetings of the Management Group**

- a the Management Group will meet at a minimum every two months for the purposes described in (3) and (4) at a venue or venues to be decided by the Group. **The attendance of 4 Full Members will be required to form a quorum.**
- b the Management Group shall elect from among their Full Members a Chair for each financial year of the Consortium's operations, the maximum consecutive terms of office being three years
- c each Member Local Authority shall contribute to the business of the meetings, in rotation, through the provision of a minute-taking facility; the minutes being agreed by the Management Group and signed by the Chair
- d the Management Group will hold an annual meeting for the purposes of
  - (i) considering and agreeing a report compiled by the Consortium Chair, to which they have contributed, on the work of the Consortium and of the Management Group in the preceding financial year
  - (ii) electing a Chair for the forthcoming financial year
  - (iii) considering co-options to the Management Group

## **North Wales Adoption Consortium Memorandum of Agreement**

### **Annex B**

#### **PROCEDURES FOR MATCHING CHILDREN FOR WHOM ADOPTION IS PLANNED AND APPROVED PROSPECTIVE ADOPTERS**

Responsibility for matching children for whom adoption is planned with approved prospective adopters lies with the Member Local Authority with case responsibility for the child..

#### **1 The obligations of each Member Local Authority and Associate Member Organisation**

- a to forward information on each child for whom adoption is planned to all other Full and Associate Members of the Consortium
- b to forward information on each approved prospective adopter to all other Full and Associate Members of the Consortium
- c to immediately inform the relevant Member Local Authority or Associate Member Organisation of its intention to consider a match between a specific child and any adopter they have approved.

**1 Exceptions to (1)**

When a Member Local Authority has specifically approved an adopter for a child for whom they are responsible, there is no requirement to share information on the adopter with other Members although the matter will be reported to the Management Group at its next meeting

**North Wales Adoption Consortium  
Memorandum of Agreement  
Annex C**

**Associate Members:**

**Barnardos (New Families Project)  
Adoption Matters  
Catholic Children & Family Care Society (Wales)**

**Co-opted Member:**

**BAAF Cymru (Rhyl)**

REPORT TO CABINET

**CABINET MEMBER:** Councillor W R Webb, Lead Member for Property and Asset Management

**DATE:** 28 January 2003

**SUBJECT:** Protocol for the Disposal of Assets

**1 DECISION SOUGHT**

To agree the enclosed protocol to be followed when disposing of Council assets.

**2 REASON FOR SEEKING DECISION**

The disposal of Council owned assets is an executive function. The disposal of properties valued at less than £250,000 has been delegated to the Asset Management Committee.

However Cabinet recognises that such disposals may have very significant local interest and therefore wish to introduce a procedure to ensure that local members are made aware of any such disposals and have had an opportunity to contribute, individually or collectively, in the decision making process. This is shown in Appendix 1.

Ultimate responsibility for disposal rests with Cabinet.

**3 POWER TO MAKE THE DECISION**

Paragraph 2.7 [Consultation] of Part 4.4 [Cabinet Procedure Rules] provides that the level of consultation required will be appropriate to the nature of the matter under consideration.

**4 COST IMPLICATIONS**

Whilst greater consultation may result in greater officer and member time being spent on such issues, the financial impact is not considered significant

**5 FINANCIAL CONTROLLER STATEMENT**

The disposal of assets is a fundamental part of the Council's strategy to fund much needed improvements in its assets and also to fund new developments.

**6 CONSULTATION CARRIED OUT**

The requirement for such a protocol arose from concerns to ensure that consultation processes were fair and equitable.

**7 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

The proposals support the Council's policy on the use of assets.

**8 RECOMMENDATION**

To agree the enclosed protocol to be followed when disposing of Council assets

## Protocol for Disposal of Council Property

### Background

- 1 The Council has for some time recognised the importance of the generation of capital receipts in supporting the capital programme to allow the necessary improvements to the assets of the Council. Furthermore it is recognised that some of these decisions may be controversial.

### Policy

- 2 The purpose of this paper is to outline current procedures in relation to disposals, recognising who is the ultimate decision maker but also ensuring that all members have had an opportunity to contribute to the discussion on disposals.
- 3 Current procedures for the disposal of Council property are dictated by disposal being an executive function under the Local Government Act 2000 and by the obligation to secure the best price under Section 123 Local Government Act 1972. In summary they state:
  - 4 a. property valued below £250k may be disposed of by the Asset Management Committee [AMC]
  - 4 b. property valued above £250k may only be disposed of only by Cabinet.
- 5 However this only states the constitutional position and does not provide guidance on issues where there may be conflict between local and corporate objectives
- 6 The Council has a policy that all receipts, excluding agricultural estates and housing, should be treated as a corporate resource. However receipts can be decreed as 'ring-fenced' by the AMC or Cabinet as appropriate.
- 7 A property is considered 'notionally surplus to requirements' when declared surplus via the service Asset Management Plan, following which the Corporate Property Unit will verify whether there is another requirement for the property within the Authority and report to AMC accordingly, for a decision by Members on whether or not it is surplus to corporate requirements. Authority to dispose must then follow Council procedures as defined above and the final decision rests with either AMC or Cabinet.
- 8 When a property has been identified for disposal, the Valuation and Estates Manager on behalf of the Corporate Property Unit will circulate the Local Members with the details.
- 9 Other properties may also be considered for disposal, even if in use, if a series of transactions at least guarantees the existing level of service and generates a capital receipt.
- 10 If an officer or Member receives an enquiry in relation to the availability of Council owned property for disposal, this should be referred to the Corporate Property Unit where detailed enquiries will be processed by the Valuation and Estates Manager.
- 11 Properties which are being considered for disposal are recorded in the papers of the AMC giving all members an opportunity to raise questions directly with the Chair. The most appropriate method of disposal will be agreed by the Chair of the AMC in conjunction with the Head of Consultancy Services and the County Clerk. Reference also needs to be made to the finance function to ensure there are no financial implications of disposal. Prior to disposal, consideration needs to be given to the Council's interests in the future use of the asset, so that marketing can take place on the most appropriate basis.
- 12 If the Chair of AMC considers a disposal to be of a sufficiently controversial nature, a special AMC meeting may be held to hear the views of local members. This policy does not attempt to

be prescriptive on what disposals fall within this category. It is unlikely to be needed where disposal values fall below £100k. This protocol as a rule would not require a public consultation. Generally it should be sufficient that Local Members represent local views. There may however be exceptional circumstances where a public consultation is deemed necessary.

- 13 After hearing local views, the final decision rests with AMC or Cabinet to ensure that the final decision reflects a corporate county-wide perspective.



**REPORT TO CABINET**

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

**DATE:** 28 January 2003

**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 4 - Open Space Requirements for New Developments

No.6 - Trees and Development

No.11 - Hot Food Takeaways

No.25 - Static Caravan and Chalet Development

**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, TANs

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 POWER TO MAKE THE DECISION**

Section 54a of the Town & Country Planning Act 1990 affords special status to the UDP in determining planning applications and adopted SPG may also be taken into account as a material consideration.

The adoption of Supplementary Planning Guidance as a material consideration in the determination of planning applications is recommended in 'Unitary Development Plans Wales' 2001 issued by the Welsh Assembly Government.

#### **4. COST IMPLICATIONS**

- 4.1 There are no additional cost implications.

#### **5 FINANCIAL CONTROLLER STATEMENT**

There are no immediate financial implications apparent in the report.

#### **6 CONSULTATION CARRIED OUT**

- 6.1 The attached SPGs were either issued for public consultation alongside the Unitary Development Plan Deposit version, or have been the subject of a separate consultation exercise as they have raised new issues or cover topics not previously covered. 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.

#### **7 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

- 7.1 Improve the quality of the environment and the quality of life for residents of Denbighshire.

#### **8 RECOMMENDATION**

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

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

<b>SPG No. &amp; TITLE</b>	<b>REPRESENTOR</b>	<b>REPRESENTATION</b>	<b>RESPONSE &amp; RECOMMENDATION</b>
4 Open space requirements for new developments	House Builders Federation	<p>SPG should state more clearly where existing deficiencies are &amp; what types.</p> <p>Document para 7.1 should explain that where only 1 element of POS is deficient that new developments should only be expected to address this element.</p> <p>Dispute rounding of figure of average household size to 3, should be reduced to 2.38.</p> <p>Para 8.4 clarification required as to timing of laying out of open space in phased developments.</p> <p>Para 9.1 delete reference to commuted sums being 'required'.</p> <p>Para 10.1 25 year maintenance period considered too long and contrary to WO circular 13/97 regarding not asking for payments in perpetuity.</p>	<p>Survey conducted in 1999 identified deficiencies across the county. Audits currently being undertaken in conjunction with Leisure to refine provision and areas requiring action.</p> <p>Audits will clarify this situation and results will be available to developers. Additional provision can only be required where a deficiency exists to be in line with WO c 13/97.</p> <p>Several other authorities use full occupancy of dwelling figures which are considerably in excess of 3 persons/dwelling. 3 is considered a reasonable average figure to apply.</p> <p>Agree text amended to reflect that open space in relation to each phase must be agreed and laid out prior to occupation of that particular phase.</p> <p>Agree replace 'required' with 'negotiated'.</p> <p>Payments can be asked for in perpetuity for maintenance of open space according to 13/97. 25 years considered reasonable and in line with what other LAs are currently using.</p>

		<p>Consider threshold of 10 dwellings to be too low.</p> <p>SPG needs to recognise that some schemes may not require POS in addition to sheltered housing as an example.</p> <p>SPG goes beyond guidance provided by WO circular 13/97 and is unacceptable on the grounds that it is based on a blanket formulation.</p>	<p>10 threshold supported by Inspector at UDP inquiry.</p> <p>Para 7.3 covers this.</p> <p>Disagree. The policy is based on identified needs related to each development proposal and therefore conforms to WO C13/97.</p>
	<p>Brockway Dunn on behalf of: Anwyl Construction Company Ltd</p>	<p>Para 8.4 clarification required with regard to laying out of open space and phasing of development.</p> <p>Para 9.4 term 'committed is too vague and should be replaced with 'spent'. Any unspent funds should be returned with interest. Applicant should be informed when &amp; on what funds have been spent.</p> <p>Para 10.1 25 year maintenance payments too long, 10 years would be more acceptable. Reference to calculation of maintenance payments including inflation costs should be deleted as if funds are held in an interest bearing account this should cover inflation.</p>	<p>See above.</p> <p>Agree. Operational system will deal with these matters.</p> <p>25 years considered reasonable having benchmarked against other LAs</p> <p>Agreed.</p>
6 Trees and developments	Save Our Green Fields	<p>The theory behind the guidance should be made more enforceable.</p> <p>A) Stronger and clearer procedures for enforcing protection of trees that are under threat from development at close proximity.</p> <p>B) Clarify how the Council will ensure that a proper survey of trees is undertaken and what action will be taken if a tree survey is not undertaken.</p> <p>C) Make developers aware from the planning</p>	<p>A) trees can be adequately protected via planning conditions and TPOs</p> <p>B) where tree surveys are required on sites these must be submitted in order to determine the application.</p> <p>C) Noted</p>

		<p>application stage throughout, that any breaches of the guidance will not be tolerated.</p> <p>D) Provision should be made for greater involvement of the Countryside Service.</p> <p>E) Greater involvement in, and awareness of on site activity with regard to the felling of and damage to trees.</p>	<p>D) Principal Countryside Officer, Woodlands and Conservation consulted on all relevant applications.</p> <p>E) Noted</p>
11 Hot food takeaways	No Reps received		
25 Static Caravan & Chalet Development	Rhyl Town Council	Welcome the documents	Noted
	Mr. A.H. Wynne Davies, Morfa Cwybr Farm, Rhyl (Agent: Roberts Jones & Brookes Parry)	No mention is made of the level of demand for static caravan development in the future.	<p>The purpose of the SPG is to provide guidance and advice on:</p> <p>(i) the acceptability of a development proposal in land use planning terms;</p> <p>(ii) the design, appearance, layout etc of a proposal.</p> <p>It is not the purpose of the SPG to commentate on the financial viability of any proposal.</p>
	Charles F Jones, Chartered Surveyors	<p>It is fundamentally wrong to enlarge upon approved policy TSM9 in the manner suggested in the checklist in Part 14, Section 2:</p> <p>(i) larger developments will generally only be permitted within or adjacent to settlements;</p> <p>(ii) proposals in more rural locations must be relatively small scale and sensitively developed;</p> <p>(iii) developments should be set against a backdrop of semi-mature/mature trees or within woodland settings. Sites which require extensive screening through new planting will not be appropriate.</p>	<p>The SPG does not 'enlarge upon' policy TSM 9, although it does have regard to the UDP as a whole. Policy STRAT 9 'Tourism' permits small scale built or natural environment based projects in the countryside or rural settlements for tourism purposes. This is entirely in keeping with the content of para 14 of the SPG.</p> <p>The reference that development should "ideally be set against a backdrop of semi-mature / mature trees or within woodland settings", is intended to provide greater certainty and clarity to criterion (ii) of policy TSM 9 of the UDP "<i>The site can be unobtrusively sited and fully assimilated into the landscape</i>"; A backdrop of semi-mature or mature trees may</p>

			<p>help fully assimilate and unobtrusively site a static caravan or chalet development into an open countryside setting. It is accepted that such a backdrop would not necessarily be required within or adjacent to built up areas and this can be reflected by amending the text.</p> <p><b>RECOMMENDATION:</b> Amend 5<sup>th</sup> bullet point in para 14 by adding reference to Open Countryside as follows: <b>“Proposals in open countryside</b> should ideally be set against a backdrop of semi-mature / mature trees.....”</p>
		<p>Section 2 similarly tries to introduce new ‘untested’ policy issues, as follows:</p> <p>(i) Para 20 states that buildings would only be permitted where they are necessary for the effective operation of the site;</p> <p>(ii) Para 18 is completely unacceptable in stating what is required which would be impossible / unrealistic / unviable in most instances.</p>	<p>Para 20 is in line with policy TSM 5 of the UDP, as this policy states that development proposals for rural tourism (i.e. open countryside locations) will be based upon the use, re-use or conversion of existing buildings (subject to various criteria). New buildings will, in general, not be permitted.</p> <p>It is unclear why the objector finds para 18 unrealistic. Para 18 attempts to encourage a more creative approach to the design and layout of a caravan park. Suburban type layouts look alien in an open countryside location. It is accepted that suburban type layouts may be acceptable in built up areas and the text of para 18 can be modified accordingly.</p> <p><b>RECOMMENDATION:</b> Add additional text to first sentence of Para 18: <b>“Suburban type layouts will not be acceptable in open countryside locations.”</b></p>

**Denbighshire County Council**  
Planning Services

**Supplementary Planning Guidance 4 (SPG4)**

**OPEN SPACE REQUIREMENTS IN NEW DEVELOPMENTS**

**January 2003**

## SUPPLEMENTARY PLANNING GUIDANCE NOTE

### RECREATIONAL PUBLIC OPEN SPACE

#### 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.

#### 3 BACKGROUND

- 3.1 Public open space whether sports pitches or areas of urban greenspace are recognised as being important to the overall quality of life. It contributes to the general well-being of the community in respect of providing for sport and recreation and in contributing to biodiversity, the conservation of nature and landscape, air quality and the protection of groundwater.
- 3.2 Planning policy both local and national seeks to protect and enhance the quantitative and qualitative provision of open space to meet the needs of current and future generations. This can be achieved by safeguarding and enhancing current provision and creating additional provision where demand/need is identified.

#### 4 POLICY

- 4.1 National and local planning policy is contained in Planning Policy Wales 2002, Technical Advice Note (W) 16 'Sport and Recreation', Welsh Office Circular 13/97 'Planning Obligations' and the Denbighshire Unitary Development Plan (UDP), adopted July 2002.
- 4.2 The Denbighshire UDP definition states *'open space includes formal and informal open space whether in public or private ownership. These areas include parks, playing fields (including those in educational use) urban green-space and allotments'*.
- 4.3 The UDP contains policies relating to the protection of existing open space and for the provision of open space in new developments. The most relevant policies are i) REC 1 Protection of Existing Open Space & ii) REC 2 Amenity & Recreational Open Space Requirements in New Developments.



- 4.4 Developers will be required to provide appropriate landscaping within new developments in addition to recreational open space. These areas should be designed positively as an integral part of the development, and not added as an after thought or made up of residual and inappropriate pieces of land.
- 4.5 Where residential developments of 10 or more units are proposed and a deficiency in open space provision has been identified, open space is expected to be provided in accordance with the County Standard. For developments where physical provision is not practicable then payment of commuted sums will be considered where these can be targeted to make agreed provision in the Community area.
- 4.6 The cumulative effect of even small scale residential developments (ie 10-30 units), creates a significant additional demand for recreational open space. Occupiers of new developments all have the need for and right to expect the provision of recreational facilities whether the development be large or small. New residential development could take the form of new build, subdivision of existing residential development, or a change to residential use as a result of conversion.

## 5 CURRENT PROVISION & NEEDS

- 5.1 A survey was conducted in 1999 of existing open space provision in the County to inform the preparation of the UDP. The results demonstrated a Countywide deficit in all aspects of open space provision totalling approx 32 hectares. Several settlements demonstrated severe shortages in open space provision. Further audits are being carried out to assess the quantity, quality and accessibility of existing open space.
- 5.2 Denbighshire County Council promote a barrier-free environment and Access for All within the community, including disabled people under the requirements of the Disability Discrimination Act 1995. The needs of all sectors of the community should be considered in the provision of all types of recreational and amenity open space.

## 6. DEFINITIONS OF OPEN SPACE

- 6.1 The National Playing Field Association (NPFA) defines playing space as:- *“Space which is available for sport, active recreation or children’s play, which is of suitable size and nature for its intended purpose and safely accessible and available to the general public.”*<sup>1</sup>

The NPFA also provides more detailed definitions of the two types of open space.

**Outdoor Sport** - defined by DCC as Community Recreational Open Space (CROS)

- Facilities such as pitches, greens, courts, athletics tracks and miscellaneous sites such as croquet lawns and training areas owned by local authorities.
- Facilities described above within the educational sector and which, as a matter of practice and policy are available for public use.
- Facilities described above which are within the voluntary, private, commercial sectors, and serve the needs for outdoor recreation of their members, or the public.

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<sup>1</sup> ‘The Six Acre Standard, Minimum Standards For Outdoor Playing Space’, National Playing Fields Association, 2001

### Children's Playing Space

- Outdoor equipped playgrounds for children of whatever age.
- Other designated play facilities for children which offer specific opportunity for outdoor play, such as adventure playgrounds.
- Casual or informal playing space within housing areas.

## 7 COUNTY STANDARD

7.1 Following support from the UDP Inspector, Denbighshire has adopted the following **minimum** standard for open space of **3.2 ha per 1000 population** (32 square metres per person). This standard is further broken down into:

<b>Community Recreational Open Space (CROS)</b> (e.g. Football pitches, parks)	<b>2.4 hectares/1000 population</b> 24 m <sup>2</sup> /person
<b>Children's Open Space</b> (e.g. Play grounds)	<b>0.8 hectares/1000 population</b> 8 m <sup>2</sup> /person

7.2 CROS should include a minimum of 1.6 - 1.8 hectares per 1000 population, for formal sports facilities for example: pitches, courts and greens for public and private use, athletics facilities, all weather pitches and multi use games areas (MUGAs) etc. This is in line with the National Playing Fields Association recommended minimum standard. The remaining 0.6 - 0.8 hectares per 1000 population can be made up of informal recreational space ie parks.

7.3 This adopted County minimum standard will be applied to new developments of 10 or more units where existing open space cannot meet the needs generated by the new development. Following the results of the 1999 survey this will apply to the majority of sites. In order that the open space requirement is related in scale and kind to the proposed development the open space need is based on the potential number and type of occupants of a dwelling. For example a development of sheltered housing for the elderly could be acceptable without the provision of a children's play area but would require CROS.

7.4 The expected occupancy of the dwelling is first estimated. Family cycles change and variations in occupancy levels of dwellings will occur over time, however the provision of open space is a long term measure, so it is important to make sufficient provision for each proposed dwelling. Allowing for average household size in Wales, a figure of 3 persons per dwelling has been agreed as a reasonable level of expected occupancy per dwelling.

7.5 Where numbers and type of dwellings are unknown (e.g. outline applications), the requirement for open space provision would have to be reserved through a planning condition or legal agreement to enable the matter to be resolved when a detailed application is made.

7.6 It is vitally important that all play areas are well designed and laid out in appropriate locations to ensure that they are well used. Poorly designed and located play areas, often small 'left over' areas can create amenity problems for residents or be under used and fall into disrepair and neglect. Sites should make full use of existing features such as public footpaths and trees and ensure wherever possible these are retained on site. Sites should be attractive for all users providing a pleasant environment for relaxation as well as a safe environment for children's play. Siting to

allow for natural surveillance and road safety should be considered as part of the design process.

## **8 METHODS OF PROVISION**

8.1 Once the open space requirement has been established it is then necessary to determine how that open space will be provided. There are three possible options which are given in order of preference below:

- 1) Provision on site
- 2) In certain instances provided off site but adjacent to or in close proximity, and convenient and accessible from the development.
- 3) Provided by payment of a 'commuted sum' to enable the Council to provide and maintain the open space on behalf of the applicant in the Community Area.
- 4) Provided by payment of a 'commuted sum' to enable the Council to add value to existing facilities to better meet local needs in the Community Area.

8.2 Whenever practicable, open space should always be provided on site. In certain instances, provision could be made off site where it can be demonstrated that this would improve the quality of both the development and the open space provided and the open space provided can better meet the needs of the locality.

8.3 The consideration of commuted sums will be made where the provision of open space on or close to the site is not practical and there is no possibility of improving existing nearby provision to increase capacity and usage.

8.4 Where a site is to be developed in phases an estimation will be made of the total likely occupancy of the whole site and the open space to be provided calculated on this basis. The open space provision should be laid out in a phased manner in conjunction with the construction phases of the development to ensure that it is provided in a planned manner and forms an integral part of the design of the development.

## **9 COMMUTED SUMS**

9.1 The use of commuted sums and legal agreements for securing open space contributions will be made in accordance with Welsh Office circular 13/97 'Planning Obligations'. Contributions will be negotiated on all sites of 10 or more units where provision cannot be made on site, unless existing open space provision is adequate.

9.2 Funds can be used to lay out new open space or to enhance existing provision, thereby increasing usage. Valid improvements to existing provision include improvements to make the site more accessible, drainage works to extend the usage of the facility; fencing works, provision of changing facilities and car parking, floodlighting, or other essential services. Funds will not be used for the normal maintenance of existing open space.

9.3 Money generated from commuted sums will be held in an account and will normally be used in the same Community Council area as the development. Exceptions to this may occur where a development borders a neighbouring Community and the open space provided would be of greater or equal benefit to the residents of the new development and where there are no suitable sites within the Community Council area.

- 9.4 Funds which have not been spent within 8 years from the date of payment or 5 years from completion of the development whichever is the later, will be returned to the applicant.
- 9.5 Many residential developments within the County during the plan period will be small scale. In cases where it would be impractical or unreasonable for a development to accommodate useful areas of open space at the agreed standard, and the Council accept that provision of some or all of the recreational open space is to be covered by contributions, they shall be calculated on the following basis.

## 10 MAINTENANCE

- 10.1 Where amenity open space and recreational open space has been provided on or close to the development or a commuted sum paid, the Council will require developers to make appropriate arrangements for the future maintenance of this open space. If the Council and the developer reach an agreement that the Council will maintain the open space then the developer will be required to provide a commuted sum for this purpose. The maintenance payment has been calculated to provide for maintenance over a 25 year period and is set at £10.69 per square metre. The use of commuted sums and legal agreements for securing maintenance will be made in accordance with Welsh Office circular 13/97 'Planning Obligations'.
- 10.2 Where developers do not intend to enter into an agreement with the Council over the future maintenance of open space, then the Council will need to be satisfied that appropriate alternative arrangements have been made for long term maintenance; for example by the establishment of a sufficiently resourced management company, residents association or Community Council responsible for their upkeep.

## 11 COSTINGS

- 11.1 The costs to the County of providing open space have been calculated as shown in Table 1. These costs do not include an element for land purchase, where this is necessary, the sum required will be recalculated to include this element. The costs in Table 1 will be index linked to take account of inflation and a revised costing issued each year following the issue of a public notice.

**Table 1 Costs of Laying Out and Maintaining Open Space** (Based on Adopted County Standard)

		PROVISION COSTS		MAINTENANCE
		Per Person (£)	Per sq. Metre (£)	Per sq. Metre (£)
<b>Community Recreational Open Space</b>	24m <sup>2</sup> /person	240	10	10.69
<b>Children's</b>	8m <sup>2</sup> /person	210	26.25	10.69
<b>Total</b>	32m <sup>2</sup> /person	450		

## 12 EXAMPLES

Example A - 10 Dwellings 4 @2 bedrooms, 3 @ 3 Bedrooms, 3 @ 4 bedrooms

In an area deficient in CROS and Children's play space.

Total Occupancy = 10 x 3 = 30

Total Open Space Requirement = 960 sq. Metres

CROS	30 x 24 sq. Metres = 720 sq. Metres
Children's	30 x 8 sq. Metres = 240 sq. Metres

In this case the open space cannot be met by existing provision on or off site, therefore a commuted sum is required.

#### **Cost of Laying Out Facility**

CROS	720 x £ 10.00 = £ 7,200
Children's	240 x £ 26.25 = £ 6,300

#### **Cost of Maintaining Facility**

CROS	720 x £ 10.69 = £ 7,697
Children's	240 x £ 10.69 = £ 2,566

**COMMUTED SUM = £ 23,763**

#### Example B - 20 Dwellings all 3 Bedrooms

In an area deficient in CROS and Children's play space.

Total Occupancy = 20 x 3 = 60      Total Open Space Requirement = 1920 sq. Metres

CROS	60 x 24 sq. Metres = 1440 sq. Metres
Children's	60 x 8 sq. Metres = 480 sq. Metres

#### **Cost of Laying Out Facility**

CROS	1440 x £ 10.00 = £ 14,400
Children's	to be provided on site, so no commuted sum.

#### **Cost of Maintaining Facility**

CROS	1440 x £ 10.69 = £ 15,394
Children's	480 x £ 10.69 = £ 5,131

**COMMUTED SUM = £ 34,925**

- 12.1 In this example due to the size of the development, it would be expected that the children's play space would be provided on site. It is assumed that it would not be practical to meet the CROS requirement on-site or off-site, and therefore a commuted sum, would be required. In some situations the open space requirement could be partially met on-site and any remaining provision could be made off-site or via commuted sums. Appropriate arrangements for the future maintenance of the open space provided on site would also have to be made either with the developer or an agreed responsible body.

## **13 OPERATION OF THE SYSTEM**

- 13.1 This SPG note will be issued with all relevant planning application forms. Pre-application discussion with the case officer is welcomed in order to explain open space requirements. As part of assessing the planning application, the open space requirement will be calculated and where applicable any maintenance requirements, and the applicant informed.

13.2 Where planning permission is likely to be granted and a commuted sum for provision and/or maintenance is required, the applicant may:

- a) Make a **voluntary payment** before the decision is issued, or
- b) Enter into a **legal agreement** with the Council. This will require the financial contribution to be made, and the decision notice will not be issued until the legal agreement has been completed.

Where payment of a commuted sum is required, a decision notice will only be issued once the payment has been received.

13.3 In the event of an appeal following a refusal of a planning application to which open space provision or a commuted sum would be required, the Council will seek the imposition of a condition or legal agreement to ensure that the necessary provision is made in the event of the appeal being allowed.

**DENBIGHSHIRE COUNTY COUNCIL**

**TREES AND DEVELOPMENT**

**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 Trees on a development site can make an important contribution not only to the nature conservation / biodiversity value but also its overall quality and commercial value. In addition they can significantly enhance the general or public amenity of an area. They are therefore a material consideration in considering planning applications. This SPG provides guidance on how existing trees on development sites can and should be protected. **SPG 2; "Landscaping New Developments"** deals with additional landscaping including new trees.

**4. POLICY**

- 4.1 Reference should be made in particular to **UDP Policy ENV7, Landscape / Townscape Features**. The broad thrust of this policy is aimed at maintaining and enhancing the quality and value of Denbighshire's natural environment. With regard to trees in development, the broad aim is to maintain as many trees as possible, especially those of higher standard, as an integral part of development.
- 4.2 Trees should be considered an integral part of the planning and design process. It should not be simply a case of protecting trees on boundaries and clearing all trees in the middle to maximize both the developable area and efficiency of construction work. However, when mature, the height or branch spread of many tree species can be in excess of 20m

and would therefore dominate single and 2 storey buildings and cover or affect a substantial part of the site. Forward planning is therefore required from the initial stages of development to assess the existence of trees and to formulate a plan for the long-term management of the tree resources.

## 5. PROCESS

- 5.1 The overall objective is for development schemes to be designed and constructed so as to avoid the necessity of felling trees. In the past many trees in urban / developed areas have been lost due to development. This adds extra value to those remaining and new ones that are introduced. The Principal Countryside Officer - Woodlands & Conservation will be consulted on all relevant planning applications.
- 5.2 The initial stage is to undertake a tree survey which provides the basis for deciding which trees should be retained. An important issue at this stage is to consider the type of development proposed and the impact of the root growth and spread on future development. Regard should be had to the effect of root growth in terms of (a) physical damage to services/foundations/walls, and (b) water table/moisture content. The adequacy of all tree surveys produced will be assessed as part of the planning application process.
- 5.3 A tree survey should ideally be prepared by a person experienced in arboriculture who, in making an assessment, should pay particular attention to the following:-
- i) the health, vigour and condition of each tree;
  - ii) any structural defects in each tree and its life expectancy;
  - iii) the size and form of each tree and its suitability within the context of the proposed site development;
  - iv) the location of each tree relative to existing site features, e.g. its value as a screen or as a skyline feature;
  - v) the contribution to the character and amenity of the surrounding area.

In addition, in accordance with **BS 5837:1991** trees may be categorised into the following, clearly identified on the plans -

- (a) Trees whose retention is most desirable: high category
  - (1) vigorous healthy trees, of good form and in harmony with proposed space and structures;
  - (2) healthy young trees of good form, potentially in harmony with proposed development;
  - (3) trees for screening or softening the effect of existing structures in the near vicinity, or of particular visual importance to the locality;
  - (4) trees of particular historical, commemorative or other value, or good specimens of rare or unusual species.
- (b) trees where retention is desirable, moderate category -
  - (1) trees that might be included in the high category, but because of their numbers or slightly impaired condition, are downgraded in favour of the best individuals;
  - (2) immature trees, with potential to develop into the high category;
- (c) trees which could be retained: low category -
  - (1) trees in adequate condition, or which can be retained with minimal tree surgery, but are not worthy for inclusion in the high or moderate categories;



- 
- (2) immature trees, or trees of no particular merit;
  - (d) trees for removal: fell category -
    - (1) dead or structurally dangerous trees
    - (2) trees with insecure roothold;
    - (3) trees with significant fungal decay at base or on main bole;
    - (4) trees with a cavity or cavities of significance to safety;
    - (5) trees that will become dangerous after removal of other trees for the reasons given in items 1 to 4.

5.4 Basically, preference should be given to retaining the high and moderate category trees, low category trees will usually only be retained where they are not a significant constraint or development. Trees of high and moderate categories that are felled through construction ought to be replaced after construction with a tree of similar species. However, it should be possible and preferable to retain dead trees as an amenity and nature conservation / wildlife feature for their biodiversity value, subject to safety considerations.

## 6. LEGAL PROTECTION

6.1 There are a number of types of protection afforded to trees under planning legislation -

### (a) Conservation Areas

The **Town and Country Planning Act 1990**, requires that no work shall be carried out which will affect trees over a certain size which are situated in a Conservation Area without giving six weeks written notice of intent to the Local Planning Authority before the work is carried out. This provides an opportunity for the Local Planning authority to make a Tree Preservation Order to protect the trees if appropriate.

### (b) Tree Preservation Orders (TPO)

Individual groups or woodlands may be protected by Tree Preservation Orders (TPO's) under the provision of the **Town and Country Planning Act 1990**. TPO's have the effect of preventing the cutting down, lopping, topping, uprooting, wilful damage or wilful destruction of trees, except in certain circumstances, i.e. where the tree is dead, dying or dangerous, other than with the consent of the Local Planning Authority. The best quality trees with regard to their condition and their amenity value within the area will within the area will be protected by a TPO.

### (c) Planning Conditions

Trees may also be protected by planning conditions attached to planning consents, preventing without prior written agreement/consent from LPA their lopping, topping or felling. Planning conditions will be used to protect trees of high amenity value, but do not merit a TPO. Planning conditions can also be used to ensure protection of trees on site during clearance and construction phases.

6.2 Both TPOs and planning conditions are contained in legal (and enforceable) documents available for inspection at the planning offices.

6.3 Where no specific legal protection exists, it may still be necessary to obtain a felling licence - this is under separate legislation. This applies if the volume of timber exceeds specific amounts. Site clearance, even of small areas, could easily exceed the felling licence quota. Felling licenses are administered by the Forestry Commission under the **Forestry Act 1967**.

- 6.4 Substantial penalties can be incurred for contravention of any of these forms of legal protection.

## 7. PROTECTION OF TREES

- 7.1 It is essential to protect the trees physically during development so as to avoid damage to the trees by construction work.
- 7.2 The part of a tree most susceptible to damage is the root system which, because it is not immediately visible, is often ignored. Damage to the root system will affect the health, growth, life expectancy and safety of the tree. The effects of such damage may only become evident several years later.
- 7.3 It is difficult to predict the extent of the root system as root growth and development is affected by the need for the tree to have physical stability and the availability of nutrients.
- 7.4 Damage to the root system may be as a result of loss of "breathing" space (e.g. where hard surfacing occurs), soil stripping or excavation. Compacting of soil around roots reduces the space between soil particles and therefore the oxygen present. This is of particular importance in clay soils, where a single passage by heavy equipment can cause significant damage. In addition, spillage of petrol or diesel or even the lime in cement may damage roots irreparably. Removal of topsoil and excavation for foundations may also cause serious root damage.
- 7.5 In order to prevent such damage, all trees being retained on site should be protected by stout fencing (see figs. 1&2), as a minimum this fencing should extend to the limit of the crown spread of each tree. Fencing should be erected prior to any materials or machinery being brought onto the site and before any development, including demolition or erection of site huts, is commenced.

## 8. AFTER-CARE

- 8.1 Every effort should be made to retain and maintain trees after development has been completed. Consequently appropriate planning conditions and/or agreements are normally attached to any planning consent to ensure that any trees are cared for a specified period - usually 5 years. This normally prevents felling and requires the developer to carry out specified maintenance operations. The Council may, where appropriate, extend the specified period for after-care through planning conditions (to 7 years for example).
- 8.2 Owners/developers are encouraged to undertake periodic general tree management to individual and groups of trees to both maintain their long term health and nature conservation/visual value.

## 9. FORM OF APPLICATION

- 9.1 In submitting an application form for consent to carry out work to a tree which is the subject of a Tree Preservation Order (this is a different form to a planning application), or making a formal written request for a tree situated within a Conservation Area, the following information is required.

^ Location of the trees - Full postal address

- 
- ^ Ownership
    - An Ordnance Survey Field No. or full description of the location of the tree
    - You can make an application even if you are not the owner of the trees, for example if you want to cut off a branch which overhangs your land. The granting of consent does not give you any right to carry out work on trees which are not in your ownership.
  - ^ Details of the Order
    - Identification of the TPO which protects the trees.
  - ^ The Proposal
    - Details of the work to be carried out.
  - ^ Reasons for the Application
    - It will assist the Local Planning Authority to deal with the application if you give reasons for your proposal.

## 10 WARNING NOTES

- 10.1 You should not carry out work on a tree which is protected by a Tree Preservation Order until written consent has been granted. If you carry out unauthorised work you run the risk of prosecution, a substantial fine and the requirement to replant. You do not need consent to remove, uproot or destroy a tree if it is dead, dying or has become dangerous, however, the owner of the tree must plant another tree of appropriate size and species in the same place as soon as he reasonably can. Except in an emergency at least 5 days prior notice to the removal must be given to the Local Planning Authority to enable it to decide whether or not to require replanting. If there is doubt about whether a tree is dead, dying or dangerous and the Local Planning Authority decides to prosecute, the burden of proof will be on the defendant.
- 10.2 Consent to fell, top, lop or uproot a tree subject to a Tree Preservation Order is a decision made by the Local Planning Authority under the Town and Country Planning Act. It does not convey any approval or consent which may be required under any other enactment, bye-law, order or regulation. Please check with the Council's Planning Services whether other types of approval will be required.

### Further Information

Technical Advice Note 10 - Tree Preservation Orders

### CONTACTS

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

**DENBIGHSHIRE COUNTY COUNCIL****HOT FOOD TAKEAWAYS****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.

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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 This particular guidance note is intended to assist with proposals for hot food take-aways which may be amongst the most controversial applications that the Council receives. In dealing with these the Council seeks to balance the need to find beneficial use for vacant shops, the commercial interests and requirements of such proposals with the need to safeguard the viability and character of the commercial area or ensuring acceptable amenity standards to residents of nearby properties.

**4. PLANNING POLICY**

- 4.1 Potential applicants should refer to **Policy RET16** of the Council's Unitary Development Plan which outlines the general policy and criteria under which such proposals are determined. The broad aims of this policy are ;
- to help to maintain the viability and vitality of shopping centres - town, district and local
  - wherever possible and appropriate to find beneficial use for former shops
  - to locate hot-food takeaways where they maintain the viability and character of such centres or the surrounding areas without adverse impact by virtue of disturbance (noise, light, fumes, litter, activity) and traffic increase.

## 5. GUIDELINES

### 5.1 LOCATION OF TAKE-AWAYS

5.2 In assessing the suitability of the location of proposals, the Council's twin objectives are to:

- (a) retain the retail character and vitality of commercial centres, and,
  - (b) safeguard the character and amenity of the locality.
- generally such proposals are acceptable in town centres subject to their not leading to a concentration of non A1 uses in Primary shopping frontages;
  - hot food take-aways may also be considered acceptable in district and local shopping centres. However the Council will ensure that the number and concentration of such units does not detract from the function, character and attractiveness of the centre.
  - particular care needs to be exercised in locating such uses in or near primarily residential areas, including residential accommodation above or adjacent to the proposal.

## 6. OTHER CONSIDERATIONS

6.1 Having established the general suitability of the location in policy terms the other main issues in relation to hot food take-aways can be summarised as follows:

- Noise and disturbance;
- Concentration / clusters of similar uses;
- Hours of opening;
- Traffic, Parking and Access;
- Smells, and;
- Litter.

The majority of these concerns can be mitigated by condition and careful thought to the location and operation of the take-away use.

### 6.2 NOISE AND DISTURBANCE

- Take-aways generate frequent comings and goings of customers, whether by foot or by car.
- Such activity may generate noise that becomes a nuisance from customers congregating on the street, car doors slamming and car radios where the proposed use is located in a primarily residential area, although problems may arise where the use is located in a town centre with flats above.
- **For the above reasons, planning permission is generally not granted in primarily residential areas.**
- Adequate **noise insulation** measures will need to be undertaken to the walls and ceiling of the property, before the use commences.

### 6.3 CONCENTRATION / CLUSTERS OF SIMILAR USES

- Generally across the County these uses are dispersed. However, there are pockets where there is concentration of such uses, including premises (pubs / clubs / restaurants) which have a distinctive character and late night opening. Different considerations may apply here in respect of additional uses and opening hours.
- Concentrations or clusters of such uses should be avoided as they often have an adverse impact on the character of an area.

#### 6.4 HOURS OF OPENING

- Whereas most businesses usually operate from approximately 9.00 a.m. to 5.30 p.m., hot food take-aways tend not to open until lunch time and owners may request that the premises be permitted to remain trading until the early hours of the following morning.
- It is often necessary to use planning conditions to limit the opening hours to minimise disturbance to the surrounding community. However, one set of time limits would not be appropriate throughout the County because areas vary so much. An application must be determined on its own merits. It may be acceptable for proposed hot food take-aways in areas where late night opening occurs to remain trading until midnight or beyond. Other town/district centres should be more controlled, whereas proposals which have residential properties in the vicinity should not remain trading until late evening in the interests of the amenity of local residents.

#### 6.5 TRAFFIC, PARKING AND ACCESS

- Hot food take-aways located in the larger town centres will probably attract a large number of customers by foot. However, those on main routes out of towns and in local shopping parades and district/village centres will attract a large proportion of car-borne customers requiring short stay parking very close to the property. Properties outside town centres should, therefore, have a readily accessible vehicular parking area in close proximity to the site (e.g. lay-by to the front). A rear service yard or a public car park some distance away is unlikely to be used and properties on double yellow lines outside town centres are normally unsuitable (see Fig. 1).
- Adequate visibility for cars entering and leaving the premises will be required and proposals at or near junctions especially traffic - controlled junctions are unlikely to be supported, especially if there are no off-street parking or servicing arrangements.

#### 6.6 SMELLS

- Cooking smells from take-aways can cause amenity problems for nearby residents
- Problems relating to smells should be mitigated by the installation of suitably designed extraction facilities.
- The actual design will vary from premises to premises, but all should be located to the rear of the property, with a colour and design such that the unit does not appear as an incongruous feature in the street scene. It is normally considered that modern equipment, combined with high level ventilation is adequate to reduce smell nuisance to tolerable levels except in the most sensitive of location (see Fig. 2).
- **A condition requiring that a scheme for the extraction of cooking odours be approved by the local planning authority, and that the equipment be installed prior to the use commencing, will be attached to planning approval. The use of charcoal filters will not be acceptable.**
- **Where practicable and especially in conservation areas or on listed buildings, a flue liner inside an existing chimney should be used.**

#### 6.7 LITTER

- However careful the owner/operator, hot food take-aways have a tendency to generate litter. Whilst this is essentially outside his/her control the proprietor should make every effort to keep the area around the premises litter-free. A legal agreement to that effect is one solution, perhaps offered by the developer, for example some larger national chains.

- Where appropriate, a condition to require the operator to provide (at his/her expense) containers for the deposit of litter, in accordance with details to be submitted to the Local Planning Authority, will be attached to planning approval.

## **7. PLANNING PERMISSION**

- 7.1 The Town and Country Planning (Use Classes) Order, 1987 subdivides different types of use into separate Classes of Use. In general, to change the use of a property from one use to another requires planning permission. Hot food shops (along with restaurants, public houses, cafes and wine bars) fall within Class A3 which allow the use of a property for the sale of food or drink for consumption off the premises. Hence, it would be possible to change a property currently selling one type of hot food, e.g. fish and chips, to one selling a different type of hot food, e.g. Chinese take-away, without requiring planning permission. However, if it is intended to use a property as a hot food take-away which is currently not used for that purpose then a change of use planning application will be required. Operators of bakery shops and sandwich shops which sell a small proportion of hot food would not normally be required to apply for planning permission as a hot food take-away, depending on the scale of the operation.

## **8. OTHER LEGISLATION**

- 8.1 Proposals will also require any approvals under other legislation e.g. Environmental Protection, and Building Regulations. Applicants must ensure compliance with these requirements.

## **9. CONTACTS**

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

**Denbighshire County Council**  
Planning Services

**Supplementary Planning Guidance 25 (SPG 25)**

**Static Caravan and Chalet Development**

**January 2003**



## **SECTION 1 INTRODUCTION, BACKGROUND AND POLICY CONTEXT**

### **1. Introduction**

This note is one of a series of Supplementary Planning Guidance (SPG) Notes 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 prior to the submission of planning applications and assist officers in handling and Members in determining planning applications.

### **2. Status and Stages in Preparation**

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 National Assembly Government has confirmed that SPG can be treated as a material planning consideration when Local Planning Authorities (LPAs), Planning Inspectors and the National Assembly Government determine planning applications and appeals. A statement of the public consultation that accompanied the preparation of this SPG is contained in a separate Annex, which includes a summary of the comments and the Council's response to them. This SPG was approved by the Council on 25 February 2003.

### **3. Background to Issues**

Denbighshire County Council recognise the contribution that static caravans and chalets have upon the County's local economy. The Unitary Development Plan (UDP) aims to provide opportunities for sensitive and unobtrusive development of such sites. The protection of the quality of the environment will be a primary consideration and proposals will be subject to a stringent environmental assessment. The impact of any proposal upon the overall character of a community, both through socio-economic and/or linguistic impact, will also be carefully assessed.,

### **4. This document is divided into two main sections:**

- (1) Outline of the policy and guidance on interpreting the policy and its criteria;
- (2) Detailed advice on siting, design, layout etc. intended for proposals which, in principle, have satisfied the policy criteria.

### **5. National and Local Planning Policy Background**

This SPG supplements policy TSM9 'Static Caravan and Chalet Development' of the adopted Denbighshire Unitary Development Plan (UDP).

### **6. National planning guidance relating to static caravan and chalet development is contained in Planning Policy Wales (2002) and Technical Advice Note (TAN) 13: *Tourism*.**

## SECTION 2 INTERPRETATION OF POLICY ISSUES

### 7. Tourism Proposals in Denbighshire

The important contribution that tourism makes to the local economy of Denbighshire is recognised in the UDP. The **UDP Part I** Strategic Policy for tourism is **STRAT 9** which applies a specific spatial strategy to tourism development, as follows:

#### *STRAT 9 Tourism*

*“Tourism development proposals in the form of:*

- (i) tourism projects in the coastal resorts of Rhyl and Prestatyn or as part of Major Mixed Development Areas or allocated sites at Rhuddlan and Corwen;*
- (ii) small scale built or natural environment based tourism projects in the countryside and rural settlements;*

*Will be permitted where they provide appropriate infrastructure, accommodation and attractions and which consolidate and diversify the tourism industry without unacceptably affecting the social, highway, amenity, heritage or environmental interests.”*

### 8. Spatial Strategy

Policy STRAT 9 (above), the UDP's General Development Strategy and the Council's wider economic/tourism strategy, will form the basis of the **spatial strategy** that the LPA will apply in determining applications for static caravans/chalet development. This **spatial strategy** is set out in paragraph 12.3.2 of the UDP's Tourism chapter, and is based upon the **scale of the development**. In determining applications for caravan or chalet development, the County Council will aim to:

- *Concentrate **major development proposals** whether new build, redevelopment or conversion, **within main settlements**; and then*
- *Proportionately **reduce** the size, scale and impact of proposals for **smaller settlements**;*
- *To ensure that in the **countryside** only **smaller scale proposals** based on capacity considerations are appropriate.*

### 9. UDP Policy TSM9: Static Caravan and Chalet Development

In addition to the strategic tourism policy set out in paras. 7-8 above, specific advice on new static caravan and chalet sites is found in policy TSM9, which is set out below.

#### **Static Caravan & Chalet Development Policy TSM 9**

NEW STATIC CARAVAN AND/OR CHALET SITES WILL BE PERMITTED WHERE THE FOLLOWING CRITERIA ARE MET:

- i) THE SITE HAS GOOD ACCESSIBILITY TO AN ADEQUATE LOCAL HIGHWAY NETWORK AND IS ACCESSIBLE BY A CHOICE OF MEANS OF TRANSPORT;
- ii) THE SITE CAN BE UNOBTRUSIVELY SITED AND FULLY ASSIMILATED INTO THE LANDSCAPE;
- iii) THE PROPOSAL DOES NOT UNACCEPTABLY HARM THE AONB, AOB, HISTORIC LANDSCAPES/GARDENS, CONSERVATION AREAS, UNDEVELOPED COAST, GOOD

AGRICULTURAL LAND, AREAS OF LOCAL LANDSCAPE VALUE, SSSI'S OR LOCAL WILDLIFE SITES, INCLUDING THOSE IDENTIFIED AND SHOWN ON PROPOSALS MAPS.

Whilst a popular and thriving form of tourist holiday accommodation, the County is already well served, if not over provided on the coast by such uses, many of which present a conspicuous and unsightly appearance. It is highly unlikely that even in the inland areas a case could be justified for new sites. Large static caravan and chalet parks are difficult to site and extend over large areas often dominating and degrading the landscape.

A 'Caravan' is defined by the Caravan Sites Act 1968 as "*any structure designed and adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed, but does not include (a) any railway rolling stock which is for the time being on rails forming part of a railway system, or (b) any tent.*"

10. The main considerations of policy TSM9 are transportation; landscape and the environment. Each of these are considered in turn below.
11. **Transportation**  
A new static caravan or chalet site will have an impact upon the local road network. The **UDP's Part I** strategic policy on transport is set out in policy **STRAT 1** and applicants should have regard to this:  
  
*"Development should seek to be sustainable, making the best use of resources by being located so as to minimise the need for travel by private car and utilise existing infrastructure, facilities and services."*
12. More detailed **UDP Part II** transportation policies to which applicants for caravan and chalet developments must have regard include:
  - **Policy TRA6** 'Impact of New Development on Traffic Flows'
  - **Policy TRA8** 'Transport Requirements in Major Developments'
13. The bullet points below provide an overview of the transportation considerations which must be considered as part of any application for planning permission:
  - New caravan and chalet sites must have a **good transportation infrastructure** and must not affect the safe and free flow of traffic;
  - Sites must ideally have **direct access** to an A or B classified road. This would avoid placing unreasonable pressure on minor country roads;
  - The site must ideally be served by **footpaths** and **cycleways**. Where this is not possible, the Local Planning Authority must be satisfied that pedestrians and cyclists can enter and leave the site **safely**;
  - The site must also be within reasonable walking distance to a **public transport** (i.e. bus or train) service which serves local centres. Where this is not possible, the applicant may wish to explore the option of contributing towards subsidising a public transport service to the site;
  - Where necessary the LPA may require the developer to submit a **Transportation Assessment**.

#### 14. Landscape and Environmental Considerations

The impact of a caravan or chalet site upon the landscape will be a significant factor to which special attention will be given in the determination of a planning applications. The **UDP's Part I strategic** policy on landscape issues is **STRAT 7 Environment**:

*"The Special Character of Denbighshire, its built heritage, countryside, coastline and environment will be safeguarded by:*

*....protecting and enhancing the nature conservation, biodiversity and landscape quality of the County including the aquatic environment both in rural and urban areas;*

*....taking account of physical or natural environmental considerations."*

Static caravan or chalet park development must be **unobtrusive** and **fully assimilated** into the landscape. More detailed guidance relating to **layout and landscaping** is found in Section 2. Developers should have regard to the checklist below, which deals with landscape and environmental considerations:

- The **scale** of a development must respect its surrounding environment;
- In view of their environmental impact, larger developments will generally only be permitted **within** or **adjacent** to settlements (refer also to 'Spatial Strategy' in para. 8);
- Proposals in more rural locations must be relatively **small scale** and **sensitively** developed;
- Proposals should be sited in unobtrusive locations, and should **avoid** skylines, prominent hillsides or exposed sites.
- Proposals in Open Countryside locations should normally be set against a **backdrop** of semi-mature / mature trees or within woodland settings. Sites which require extensive screening through new planting will **not** be appropriate.
- Proposals should **respect the topography** of the site and existing site levels should be retained wherever possible.
- All planning applications must be accompanied by a comprehensive **landscape scheme** (refer to Section 2 for further details);
- Close scrutiny should be given to **environmental designations** throughout the County and regard should be given to the following UDP policies where relevant:
  - *ENV2 Development Affecting the AONB/AOB;*
  - *ENV3 Local Landscape Areas;*
  - *ENV4 International / National Sites of Nature Conservation Value;*
  - *ENV5 Sites of Local Conservation Importance.*
  - *ENV11 Safeguarding of High Quality Agricultural Land;*
  - *CON5 Development Within Conservation Areas;*
  - *CON6 Development Adjacent to Conservation Areas;*

#### 15. Other Strategic Policy Considerations

Further important considerations in determining applications for caravan and chalet development will be as follows:

**(a) The utilisation of previously developed land and any loss of greenfield land:**

- Static caravan and chalet developments often cover a large area of land, encroaching both greenfield land and land of high agricultural or ecological value;
- Previously developed land should, wherever possible, be used in preference to greenfield sites, particularly those of high agricultural or ecological value;

*[Planning Policy Wales (2002), Para 2.7; Denbighshire UDP Strategic Objective - Environment; and STRAT1 General]*

**(b) To maintain, protect and enhance as far as possible through land use planning the character of communities**

- Static Caravan and Chalet Parks, particularly larger ones, may have an adverse effect upon the character of a local community. The impact upon communities will be assessed in terms of:
  - Welsh language and culture;
  - Socio-economic structure of the area and impact upon local services;

*[UDP: Strategic Objective - Social]*

## SECTION 2: DETAILED DEVELOPMENT ISSUES

### 16. Topography

- The layout of static caravans and chalets should **respect the existing topography** of the site. The natural contours of the landscape should be used where possible to reduce the visual impact of a proposal.
- In certain circumstances minor changes in level will be necessary in parts of a proposed site. Where this is the case, the preference will be for cutting into slopes rather than creating platforms for building.

### 17. Density

- Chalet and Static Caravan development, sited away from existing buildings should be **low density**, with sufficient separation between units, particularly between chalet units.
- This should be fitting with the rural nature of the surroundings, ensuring the character of the area remains open and rural.
- Low density development will also provide a good standard of amenity and privacy to occupants.

### 18. Layout of Units

- Suburban type layouts will **not** be acceptable in Open Countryside locations. Within Open Countryside locations the site layout should be **open plan**, with no formally defined curtilage for each chalet or static caravan.
- Instead of formal curtilages for each individual unit, a high quality and **integrated landscaping scheme** for the entire site shall be encouraged.
- As part of the overall landscaping and layout of large sites, the site should be broken up into smaller clusters of no more than 10 units in each **cluster**.

### 19. Roads and Parking

- The **access road and internal road layout** should reflect the character of the area. Formal hard surfacing with raised concrete kerbs can look out of place in a rural setting.
- In many cases, a less formal solution may be more appropriate and will be encouraged by the LPA.
- This may include an internal road utilising gravel / wood chippings and no raised concrete kerbs.
- The overall layout of a site should include **informal open areas**, which would provide space for informal recreation.
- **Car parking** should be to the side or the rear of individual units and away from the main elevation.
- Large centralised parking areas should be avoided.

## 20. On site buildings

- In open countryside, on site buildings such as manager's accommodation, laundrettes etc should utilise **existing buildings**;
- Where this is not possible, buildings will only be permitted on the site where they are necessary for the effective operation of the site. Their visual impact should be kept to a minimum through careful siting and design.

## 21. Landscaping

- The Local Planning Authority will place great emphasis on achieving **high quality hard and soft landscaping**, which will help to integrate the development into its setting.
- Developers will be expected to submit a **scheme of landscaping** as part of the application. The landscaping should be submitted as an integrated scheme for the entire site.
- **Soft landscaping** should focus on native species, and take into account the cover to be provided throughout the seasons, as well as the species and cover adjacent to the site. The use of fast growing conifers will not be acceptable.
- In assessing **screening** of any proposed sites, it will be necessary to consider whether the operator of the proposed site will have control over the woodland which provides the screening, in order to avoid a situation where a site might later be exposed to view due to felling operations by the adjoining landowner.
- The overall layout of large sites should be broken up into smaller clusters of no more than 10 units in each cluster.
- **Hard surfacing** should be kept to an absolute minimum and should generally be limited to access roads, footpaths and car parking.
- Lighting should generally be kept to a minimum and where required should be designed so as to minimise light pollution by utilising low level, low intensity illumination.

## 22. Occupancy Restrictions

Conditions will be imposed to restrict occupancy for holiday purposes only. This is primarily to ensure that chalets and static caravans are not used as residential accommodation.

**SPGs PROGRESS TABLE**

**APPENDIX 2**

<b>SPG</b>	<b>TITLE</b>	<b>LEAD AUTHOR</b>	<b>PROGRESS</b>	<b>ADOPTION DATE</b>
1	Standards for New Residential Developments	MD	awaiting revised text	
2	Landscaping New Developments	PP	No reps received, awaiting revised text	
3	Parking Requirements in New Developments	MP	Awaiting response from internal Hways, NW Authorities may consider regional adoption of Wrexham SPG.	
4	Open Space in New Developments	LG	Revised text prepared. To Cabinet for approval Jan 2003.	
5	Extensions to Dwellings	IW	Adopted - design	July 2001
6	Trees & Development	TT/LG	Revised text prepared. To Cabinet Jan 2003	
7	Self Contained Flats & Houses in Multiple Occupation	PM/MP	No reps received, revised text prepared. To Full Council Jan 2003	
8	Access For All	KB	Awaiting revised text	
9	Agricultural & Forestry Workers Dwellings	LG	No reps received, revised text prepared. To Full Council Jan 2003	
10	Infill Housing in the Countryside	LG	Revised text prepared. To Full Council Jan 2003.	
11	Hot Food Takeaways	LG	Revised text prepared. To Cabinet Jan 2003.	
12	Shop Fronts		Adopted – design	July 2001
13	Conservation Areas	PE/IG	Revised text prepared. To Full Council Jan 2003.	
14	Listed Buildings	PE	Revised text prepared. To Full Council Jan 2003.	
15	Archaeology	FG	Awaiting revised text	
16	Rural Conversion	JC	Revised text prepared to go out to public consultation Jan 2003	
17	Advertisements	MP	Revised text prepared. To Full Council Jan 2003.	
18	Nature Conservation & Species Protection	MY	Awaiting revised text	
19	Children’s Day Care		Adopted – design	July 2001
20	Minerals	GJ	Consider whether to progress	
21	Wind Energy	AOP	Consider whether to progress	
22	Retail Kiosks		Adopted – design	July 2001
23	Private Hire (Taxi) Vehicles		Adopted – design	
24	Telecommunications	JC	Consider whether to progress	
25	Static Caravan & Chalet Development	JC	Revised text prepared. To Cabinet for approval Jan 2003.	
26	Welsh Language	JC	Brief for consultants prepared.	
27	Design	IG/PE	To be considered	



**REPORT TO:** Cabinet

**REPORTED BY:** Cllr E W Williams, Cabinet Leader, Cllr E C Edwards, Lead  
Member for Safeguarding Our Community

**DATE:** 28th January 2003

**SUBJECT:** Animal Licensing Movement Requirements

**1.0 DECISION SOUGHT**

1.1 To note the decision by the Leader to lobby the Welsh Assembly Government for an amendment to the '20 day rule' regarding the movement of animals, reducing the standing period to 7 days and to endorse the stance taken for the reasons given in 2 below

**2.0 REASON FOR SEEKING DECISION**

2.1 There is increasing concern within the farming industry regarding what is commonly known as the '20 day rule' It is seen by many as an unnecessary encumbrance which takes places a significant burden on the industry following the difficulties suffered during the recent outbreak of foot and mouth disease, the effects of which the farming communities are struggling to overcome.

**Background**

2.2 The 20 day rule originated during the foot and mouth outbreak of 2001. The basis of the rule is that when livestock are moved onto premises then no other livestock may move off those premises for a period of 20 days. The rule is therefore designed o detect disease and to reduce its spread. Disease is not limited to foot and mouth (FMD). There are a number of exemptions to this rule some of which are complicated to understand. The requirements are classed as 'Interim Measures' and are in place until a more permanent regime has been fully considered and implemented by the Government which is likely to be this month (the current legislation ceasing to have effect on 1 February 2003).

2.3 The standstill period has been risk assessed by Central Government and from this it has been established that any reduction in days means an increase in the risk of diseases spreading. However, in real terms the reduction in, or even the abolition of the 20 day rule may well provided a true picture of actual animal movement which would provide a better tool in eradicating any disease outbreak. Significantly, it could also be argued that for the rule to remain in force without amendment could lead to a total disregard to the rule with the resultant lack of movement information (which was the situation pre FMD). It must be noted, however that any reduction to less than 7 days would be pointless as most diseases have an incubation period of around 7 days.

2.4 A Guidance Document of 50+ pages on the changes in the legal requirements was received on the afternoon of Thursday 9th January. This Guidance still revolves around the 20 day standstill rule. It is not known whether these changes are full and final or are just minor amendments with mote on the way. It should be noted that the existing rules cause much confusion within the industry which does not assist with seeking compliance. These new rules also mean more work for the County's Animal Health Officers. Whilst DEFRA meet 100% of our costs of enforcement of these new Rules, means the Senior Animal Health Officer is diverted from other duties to interpret, support and guide the new Licensing Enforcement Officers to ensure that they advise farmers correctly, as well as preventing deliberate illegal movement.

2.5 The standstill creates management / husbandry difficulties for farmers as well as restricting their trading practices. Some movements onto a farm are out of necessity, for example to alleviate a welfare problem, and farmers then have no option but to have a standstill invoked on their

premises. Most stock moved off for sale from farms within Denbighshire go via livestock markets which are traditionally noted for fetching a fair price for the animals.

- 2.6 Although selling by market does not guarantee a good price the vendor can take their animals home if they are not happy (invoking another 20 day standstill!). The importance of the live market system can be seen from the fact we have 3 such markets in the County along with 6 others in North Wales and numerous others in the border counties of England and neighbouring Powys. During the standstill period the price for a particular class/species of stock may rise due to demand has waned and prices have dropped. Animals may go direct for slaughter (or via a dedicated slaughter market where animals entered may only go to a slaughterhouse and nowhere else) when a 20 day standstill is in force on a premises but producers, being unable to sell elsewhere, have to accept what is offered. There is, however, sometimes no option but to sell because slaughter stocked are normally ready at certain times and any delay in selling may penalise the producer (lambs too fat, cattle too old for the food chain). Animals, being a live commodity, cannot be stored in a warehouse without further production costs whilst awaiting an up turn in trade.
- 2.7 Livestock markets have also suffered. Throughput of stock is down by approximately 50%. (St Asaph market would during the pre foot and mouth Autumn months average approximately 6000 - 7000 sheep on their fatstock sale day compared to the comparable period post foot and mouth of 2500 - 3500). This coupled with increased costs in day to day running (record keeping/notification, cleansing and disinfection) would, seriously affect any business.
- 2.8 Following every movement of livestock the movement must be reported to a third party for recording. This third party is normally the local authority. The system used will report back to the operator any movement of stock off a premises within 20 days of a movement on. All these need to be investigated and it is clear from some of these that there is still a significant amount of confusion in rules and their associated exemptions. However, the biggest worry is that not all movements are being notified which, should disease be confirmed in the UK, would mean that a true picture is not given of livestock movements i.e. traceability fails. It is possible, although there is no evidence, that there is a reluctance to report the movements which invoke a standstill because they may create hardship and anxiety on the family farm.

### **3.0 POWER TO MAKE DECISION**

- 3.1 Section 2 Local Government Act 2000.

### **4. COST IMPLICATIONS**

- 4.1 There are none for Denbighshire County Council arising from this report

### **5.0 FINANCIAL CONTROLLER'S STATEMENT**

- 5.1 There are no obvious financial implications resulting from the content of this report.

### **6.0 CONSULTATION CARRIED OUT**

- 6.1 None, but many comments received from the farming community complaining of the imposition of the 20 day rule.

### **7.0 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

- 7.1 Farming and agriculture. To assist the farming community in its recovery from the FMD outbreak.

### **8.0 RECOMMENDATION**

- 8.1 That the Cabinet supports the action taken by the Leader to lobby the Welsh Assembly Government seeking amendments to the 20 day rule, to reduce the standing period to 7 days.

REPORT BY: THE LEADER

DATE: 28 JANUARY 2003

SUBJECT: OMBUDSMEN'S SERVICES IN WALES

1. **Decision Sought**

To agree a response to the Wales Office and Welsh Assembly Government Consultation paper 'Ombudsmen's services in Wales: time for change?'

2. **Reason for seeking decision**

Local Government has been given the opportunity to comment on the future development of the mechanisms for investigating complaints about public bodies in Wales, presently undertaken by the Parliamentary Commissioner for Administration, the Welsh Administration Ombudsman, the Health Service Commissioner for Wales and the Commissioner for Local Administration in Wales.

On 14th January the Corporate Governance Committee considered the consultation paper and suggested points of response (paper circulated to all Councillors with the Agenda for the Committee). It now falls to Cabinet to consider the suggested response.

3. **Power to make the decision**

The Council has been invited by the Wales Office and the Welsh Assembly Government to comment on what will amount to changes to the Local Government Act 1974 which established the office of the Commissioner for Local Administration in Wales.

4. **Cost Implications**

None

5. **Financial Controller Statement**

Ending the current arrangements for funding the Local Government Ombudsman will have a neutral impact on the Council's finances.

6. **Consultation Carried Out**

The Corporate Governance Committee supported the suggested response and recommended an additional point. Members felt that the review provided an opportunity to establish a new Ombudsman's Office in North Wales since this would further emphasise the independence of the Ombudsman.

7. **Implications On Other Policy Areas Including Corporate**

A single Ombudsman covering our public sector partners compliments joined up working by providing members of the public with a single external investigative body.

8. **Recommendation**

It is recommended that Cabinet respond in the following terms:-

8.1 There should be a single ombudsman dealing with complaints about public services in Wales, covering the Assembly, its public bodies, NHS Wales and local authorities in Wales

(including police and fire authorities) although the Police Complaints Authority should continue to investigate complaints about operational policing matters.

- 8.2 The title should be the Ombudsman for Wales/Ombwdsman Cymru. There should be no provision in legislation requiring the appointment of deputies.
- 8.3 The Ombudsman should be appointed by Her Majesty the Queen, to underline his or her independence. This implies that the Secretary of State for Wales should advise Her Majesty on the appointment, but he should be under a statutory requirement to consult the Assembly and representatives of local government in Wales about the appointments. The term of office should be fixed at 5 years, with the possibility of re-appointment, and other terms and conditions should be set by the Secretary of State following consultation with the Assembly.
- 8.4 The present arrangements for funding the Welsh Assembly Ombudsman and Health Service Commissioner for Wales should be applied to the Ombudsman for Wales. The arrangements for funding the local government ombudsman from revenue support grant should come to an end. We accept that this would require a once and forever transfer from RSG to funding for the ombudsman.
- 8.5 Staff of the ombudsman should not be civil servants, to underline the independence of his/her office from the Assembly.
- 8.6 The case for an advisory board is not proven and we doubt that the expense of establishing and maintaining it would be justified. In addition, it might seem to undermine the independence of the Ombudsman.
- 8.7 The Welsh Language Act 1993 should apply to the Ombudsman.
- 8.8 The Ombudsman should produce an annual report which would be laid before the Assembly. There is no reason to provide in statute for this to be considered collectively by local government, since the Welsh Local Government Association can scrutinise it if so desired.
- 8.9 The Ombudsman's Office should be located in North Wales or there should, at the very least, be a staffed sub-office in North Wales.

**REPORT TO CABINET**

**REPORT BY** THE CHIEF EXECUTIVE

**DATE:** 28 January 2003

**SUBJECT:** INCREASING FLEXIBILITY WITHIN THE BUDGET

**1 DECISION SOUGHT**

To recommend to Council amendments to the Constitution that would promote greater flexibility in deployment of resources within the budget.

**2 REASON FOR SEEKING DECISION**

2.1 Cllr Ann Owens' budget meetings with senior officers and lead members have identified the need for greater flexibility within the budget (see the notes of meetings that she tabled in the Cabinet's meeting on 17 December)

2.2 The problems are that:

2.2.1 budgets are allocated to services, not directorates. This leaves no scope for corporate managers to tackle even minor issues that require corporate action.

2.2.2 While the financial regulations permit transfers within and between services, and between directorates, the rules are too inflexible. For example moving just £6k from service budget A of £1m to service budget B requires the agreement of the Lead member for finance and the Leader. Moving £1k between directorate C and directorate CH requires the agreement of up to four Cabinet members. Moving more than £100k between directorates requires the whole Cabinet's approval.

2.3 The proposed amendments in the annex seek to promote greater flexibility by allowing more discretion for directors to allocate resources within and between directorates, subject to approval by Cabinet members in cases of significant changes. Existing arrangements for setting performance targets and monitoring performance against them will not be affected, and should be the prime focus for members' attention. It is outcomes that count, not detailed operational decisions on allocation of resources that may permit their achievement. Other arrangements that hinder flexibility in deployment of resources, such as the control mechanism on external recruitment, should be reviewed every 12 months.

**3 POWER TO MAKE THE DECISION**

Under paragraph 1.5 of the Financial Regulations, the Cabinet "is responsible for recommending such changes to the Contract Standing Orders and Financial Regulations to Council as it considers necessary and desirable for the proper administration of the finances of the Council in conformity with the Standing Orders". Paragraph 1.5 further states that "The Cabinet shall be authorised to vary from time to time any amount included in such regulations."

**4 COST IMPLICATIONS**

Nil in this report. The flexibility proposed would enable more effective use of resources.

**5 FINANCIAL CONTROLLER STATEMENT**

The flexibility proposals will assist the process of budgetary control within Directorates and help to reduce the possibility of 'silo' thinking within services.

**6 CONSULTATION CARRIED OUT**

6.1 Cabinet members have been consulted about the principle of greater flexibility in the budget. Those that have responded support the need for change. However most wanted to see details of the proposed flexibility and appropriate mechanisms for Cabinet members to be consulted on significant changes to budget allocations.

6.2 Views on the proposed changes should be sought from the Corporate Governance and Resources Scrutiny Committees during February, prior to consideration by Council on 18 March.

**7 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

Allocation of the budget potentially affects all areas of the council's activities.

**8 RECOMMENDATION**

8.1 That the Cabinet recommends to Council the amendments to the constitution set out in the annex.

8.2 That the views of the Corporate Governance Committee and Resources Scrutiny Committee be sought on the proposed amendments.

## **Annex**

### **Proposed amendments to the Constitution**

Amend paragraph 3 (Budgetary Control) of Financial Regulations (pages 77 & 78 of the constitution) as follows:

Omit paragraph 3.4

Insert new paragraph 3.4:

“3.4 (a) Directors shall set service plan revenue budgets for each head of service within the total approved allocation for their directorates. The Chief Executive’s Department and County Clerk’s Department shall count as a directorate for these purposes.

(b) Any virement between service plan revenue budgets within a directorate may be agreed by the appropriate Corporate Director and the Chief Finance Officer and, in the case of virement exceeding 10% of the service plan revenue budget, by the Lead Member for Finance and the Leader.

(c) Any virement of up to £100k between directorates may be agreed by the Corporate Directors concerned and shall be reported to Cabinet. Any virement of £100k to £1m between directorates may be agreed by the Lead Member for Finance, the Leader and the Cabinet members whose portfolios are affected. Any such virement in excess of £1m requires the approval of Cabinet.

(ch) Any use of contingency funds needs to be approved by Cabinet.”

In paragraph 3.5, insert “directorate or” before “service” in both places.

In paragraph 3.9, insert “Director and” before “Head of Service” in the first line; and insert “Director or” before “Head of Service” in the second and sixth lines.

**REPORT TO CABINET**

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

**DATE:** 28 January 2003

**SUBJECT:** Capital Plan 2003/04

**1.0 DECISION SOUGHT**

1.1 To recommend to Council the proposals outlined for the treatment of the General Funded element of the Capital Plan for 2003/04.

**2.0 REASON FOR SEEKING DECISION**

2.1 Denbighshire's provisional General Capital settlement for 2003/04 has been announced by the Welsh Assembly Government. After making an allowance for rollover payments into 2003/04 initial indications suggest that the Council will be able to maintain the concept of using block allocations within the Capital Plan for specific classifications of capital expenditure. Further work will be required to assess the total level of capital resources which may available for the year when information about special financing resources is released by the various external funding organisations. A summary of the General Funding resources and estimated payments for 2003/04 is provided at Appendix 1.

2.2 Column A provides details of the proposed programme for which funding is in place. Resources take account of the general capital settlement for 2003/04 of £9.209m (£9.280m in 2002/03), from which the element earmarked towards financing Housing Revenue Account capital payments of £1.146m has been deducted. An estimate of £0.210m has been made for the amount of usable capital receipts which will be carried forward from 2002/03 to meet the rollover costs of projects included in the Capital Plan for that year. This provides total resources of £8.273m.

2.3 The estimate of payments takes account of £1.918m of rollover costs of projects included in the 2002/03 Capital Plan. A provision of £1.0m has been included to meet a substantial proportion of expenditure required to comply with the Disability Discrimination Act. This has to be undertaken by October 2004 and can thus be spread over 2 years (£0.7m in 2003/04). In addition there is a legislative requirement to identify and remove asbestos from council properties. A provision of £0.750m (£0.450m in 2003/04) has been made to finance these works.

2.4 The Revenue budget bids process has identified requirements for capital resources. A provision of £0.500m, (of which £0.150m will be financed from capital receipts) has therefore been included for a range of essential IT systems, the need for which has been agreed (personnel, land & property gazetteer, property based systems).

2.5 The proposed block allocations amount to £4.770m (£4.644m in 2002/03) and are shown at the levels currently set for 2002/03. Within this total a new block of £0.100m is proposed to meet the cost of school furniture and equipment for which a capital budget does not currently exist. A contingency provision of £0.085m has also been included.

2.6 Based on these proposals estimated payments total £8.273m which match the estimated resources expected to be available.



- 2.7 Column B of the analysis provides details of the sums required to reinstate the block allocations to the levels originally set for 2002/03. These amount to £0.600m. The Revenue budget bids process has identified requirements for capital resources to finance the cost of pre-contract feasibility study fees. A provision of £0.100m has been included for this item. After allowing for the sum of £0.150m for IT systems referred to in paragraph 2.4, the total sum of £0.850m is dependent upon the generation of capital receipts during 2003/04.
- 2.8 The forward commitments into 2004/05 of £0.600m resulting from the proposals for 2003/04 are presented in Column C.
- 2.9 In addition to the items included in this analysis there are a number of projects for which applications for capital funding have been submitted to the former Capital Programme Group and latterly to the Asset Management Group, but have not been included in the 2002/03 Capital Plan due to lack of finance. Furthermore the service asset management plans which have recently been produced have highlighted requirements for capital investment.
- 2.10 The strategy in dealing with the 2002/03 Capital Plan was to divide the plan into two elements, the first for core schemes to be financed from general capital funding and the second for schemes which could be financed from the generation of capital receipts. The proposals outlined in this report represent a continuation of this strategy and highlight the need for capital receipts to be generated as a means of financing the significant demand for capital investment over and above the basic core element.

### **3.0 POWER TO MAKE THE DECISION**

- 3.1 Part IV of the Local Government & Housing Act 1989 sets out the current arrangements under which local authorities can capitalise expenditure and how such expenditure can be financed.

### **4.0 COST IMPLICATIONS**

- 4.1 The development of the Capital Plan will assist in ensuring that capital resources available for use in 2003/04 are fully utilised.

### **5.0 FINANCIAL CONTROLLER STATEMENT**

- 5.1 Capital Spending must be contained within the level of capital resources available for the year.

### **6.0 CONSULTATION CARRIED OUT**

- 6.1 Projects are prepared and subsequently monitored in consultation with service managers.

### **7.0 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

- 7.1 Projects have been reviewed to ensure that they satisfy the Council's Corporate Objectives.

### **8.0 RECOMMENDATION**

- 8.1 That Cabinet recommends to Council the proposals for the development of the 2003/04 Capital Plan.

## Denbighshire County Council

## Draft General Funded Capital Plan - 2003/04

	2003/04		2004/05
	A £000s	B £000s	C £000s
<b>Resources Available:</b>			
Total Basic Credit Approval & General Capital Grant	9,209		
Less Housing Revenue Account Element	1,146		
BCA & GCG available for General Funded Schemes	8,063		
Usable Capital Receipts B/F from 2002/03 Capital Plan	210		
2003/04 Target Capital Receipts		850	
<b>Total Resources</b>	<b>8,273</b>	<b>850</b>	
<b>Estimated Payments:</b>			
Rollover Payments from 2002/03 Capital Plan	1,918		
Proposed DDA compliance work	700		300
Asbestos Survey & Removal Programme	450		300
Proposed funding for essential IT systems	350	150	
Pre-contract Feasibility Study Fees		100	
Proposed Block Allocations:			
Road maintenance, bridges etc	800	800	200
Housing grants	1,900	1,900	100
Public conveniences refurbishment	129	130	
Playgrounds improvement	150	150	
Business development grants	105	130	
Property maintenance	150	150	
School furniture/equipment	0	100	
School buildings	900	900	200
Adaptations to homes of disabled	80	80	
Community projects	330	330	100
Match funding	100	100	
		4,770	
Contingency		85	
<b>Total Payments</b>	<b>8,273</b>	<b>850</b>	<b>600</b>
<b>Balance to be financed</b>	<b>0</b>	<b>0</b>	

## Note

Column A - Proposed Programme for which Funding is in Place.  
Column B - Proposed Programme dependent upon generation of capital receipts.  
Column C - Forward Commitment into 2004/05 from Proposed Programme

**REPORT TO CABINET**

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

**DATE:** 28 January 2003

**SUBJECT:** Council Tax Revaluation and Rebanding 2005

**1 DECISION SOUGHT**

To approve the response to the consultation on Council Tax Revaluation and Rebanding 2005

**2 REASON FOR SEEKING DECISION**

The Wales Assembly Government are undertaking a review of the existing Council Tax system. Whilst recognising that the existing system generally works well, this does not mean that it does not require updating or that it cannot be improved. A Working Party was formed and they have produced a series of proposals following a very detailed analysis of the differing options. The intention is that any amendments to the existing Council Tax system would be introduced in April 2005, based upon a revaluation of all properties as at April 2003.

Appendix 1 lists the consultation questions as well as the proposed responses. The full consultation document is extensive therefore only key sections have been included here. Appendix 2 shows the Ministerial Foreword to the consultation whilst Appendix 3 shows a summary of the main recommendations. Appendix 4 shows the main proposals of the Working Party in relation to the new bands and the eighths / ninths options.

The statistical analysis is based upon the records of the sales of 48,000 properties during the period 1 August 2001 to 16 August 2002. Whilst the sample is large, it is recognised that there may be errors in the data which will not be apparent until the full national data is available.

Copies of the full consultation document are available from the Corporate Director - Resources.

**3 POWER TO MAKE THE DECISION**

In response to Central Government consultation.

**4 COST IMPLICATIONS**

**Impact of changes on Denbighshire**

The Working Party made two key assumptions:

1 that the all-Wales tax base remains unchanged, as a consequence the amount of Council Tax raised on all-Wales basis would remain constant. The response indicates that in our view this should have been a political decision.

2. that any changes should give increasing fairness. In reality this means 'progressivity' i.e. a greater proportion of Council Tax should be borne by the higher tax bands. This has been achieved by including a new band at the top of the scale and also by replacing the current ninths system by the eighths system..

Appendix 5 shows the impact of these 2 options on the tax base whilst Appendix 6 shows how the revaluations affect the number of properties within each tax band. The recommendations would result in a reduction in the Denbighshire tax base by 3.4%, slightly higher than the 2.6% reduction if the ninths option was retained.

## **Administrative Costs**

The proposals will result in an increased burden as well as possibly changes to software systems. The National Assembly Government will be asked to cover all increased costs. At this point it is not possible to calculate the financial cost.

## **5 FINANCIAL CONTROLLER STATEMENT**

A reduction in the Council's tax base would attract a compensating increasing in Revenue Support Grant. This does however worsen the gearing effect and may reduce the Council's ability to raise funding locally.

## **6 CONSULTATION CARRIED OUT**

The Welsh Assembly Government are consulting extensively and all replies need to be received by 29 January 2003

## **7 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

The proposals do not directly support or contradict existing council policies.

One of the aims of the Working Group was to ensure increased fairness of the Council Tax system. The proposals aim to achieve this by increasing the council tax paid by those in the higher band

Taxation is heavily linked to Council Tax Benefits. The highest proportion of Benefits apply to properties in Bands A,B and C and it is not regarded that these proposals will affect those who receive Council Tax Benefit.

## **8 RECOMMENDATION**

To approve the response to the consultation on Council Tax Revaluation and Rebanding 2005

**RESPONSE TO CONSULTATION**

In relation to the questions asked:

**1 The majority of dwellings in Wales (64%) are in bands A, B and C. Are the bandwidths appropriate?**

The County accepts the new bands as suggested. In particular it is felt that the decision not to include a new Band A- is the correct decision.

**2 and 3 Do you support the introduction of a band specifically for very high value properties? The values of dwellings in the new band 1 are in excess of 11 times the value of a band A property. Is the proposed band 1 ratio appropriate?**

The introduction of a new high value band (Band I) is supported and the ratio is supported.

**4 and 5 Do you consider that the existing ratios between the bands (ninths) to be appropriate? Would you support a change to a system of "eighths" in order to increase the progressivity of the council tax?**

On balance the Council supports the change from the 'ninths' system to the 'eighths' system, as a means of increasing progressivity. The potential impact of the change is that Council Tax payers in the higher bands will pay proportionately more. However Council Tax Benefits apply primarily to Bands A and B. As a consequence the overall cost of Council Tax Benefit will reduce. It is the Treasury that will benefit from this and the Assembly needs to ensure that under the funding arrangements that this saving is transferred back to Wales in full. Otherwise the proposals will result in a net loss of funding to Wales, the impact of which will be borne by Council Tax payers.

**6 Is the credibility of the council tax maintained by the proposed changes?**

The Council does not see the changes as a challenge to the credibility of Council Tax. However it is crucial to ensure that the implementation of the new proposals is introduced effectively. This includes identifying clearly in April 2005 the changes in Council Tax arising from the new proposals, as distinct from the annual increases introduced by the Council.

The Assembly must also ensure that there is an effective appeals procedure in place.

In addition to the specific questions, the following observations were made:

1. that consideration be given to the need for transitional relief or discounts. If agreed, it is suggested that this should be formula based and on an all-Wales basis.
2. the Council will undoubtedly incur additional revenue costs (and possibly capital costs if system changes) to implement the changes. We would expect the Assembly to cover such costs.
3. The decision not to increase the tax base was taken by the working party. It is felt that this decision should rest with Assembly members since it is a political issue.

### Ministerial Foreword

A system of local taxation which commands public confidence is essential to healthy local government and to the provision of the local services we all need. By and large the council tax system works well. But any tax based on property values will start to lose credibility if it becomes too far detached from market reality. I decided last year to commission a council tax revaluation and rebanding, to take effect in April 2005 because I recognised that existing council tax banding values bore little resemblance to the current state of the market for dwellings of all sizes and locations throughout Wales. That decision has been borne out by significant increases in house values across the country since mid 2001.

To say that the existing council tax system in general works well is not to say that it cannot be improved. The way the system works means that lower value dwellings pay proportionately more tax than homes whose values are significantly greater. A revised system of bands and proportions allied to revaluation and rebanding can provide us with an opportunity to make the system fairer.

The proposals set out in this paper are another example of shared policy development between the Welsh Assembly Government and local government in Wales. The appraisal of the current banding system was a collaborative process involving partnership working with the Welsh Local Government Association, individual local authorities and the Valuation Office Agency.

I now want to see a wider debate on this issue and would encourage you to embrace the importance of proposals that can make a difference and sustain the credibility of the council tax system in Wales. Please let us know your views about the proposals and the options set out in this paper.

**Edwina Hart AM MBE**  
**Minister for Finance, Local Government and Communities.**

### Summary

The Welsh Assembly Government believes that a revaluation and rebanding exercise should be undertaken to maintain the credibility of the council tax system. A working group was established in May 2002 in conjunction with the Welsh Local Government Association to consider numerous aspects of the current system and options for change.

2. The “first principles” agreed with local government were that there should be no increase in council tax yield nor a decrease in the all Wales taxbase. The revaluation and rebanding exercise should not, in itself, be a reason to increase council taxes. The key aim of revaluation should be fairness to the council taxpayer.
3. The Council Tax Revaluation Working Group (CTRWG) commissioned numerous exemplifications in order to assess the possible consequences of any changes especially with regard to the redistributive effects of revaluation and its impact on local taxbases and council tax levels.
4. The group’s objectives related specifically to investigating the relationships between the existing bands and to consider changes to the number of bands and their values as well as the proportions that might be used. This included consideration of more progressive bands whilst keeping the amount raised from council tax across Wales constant.
5. Meetings of CTRWG considered numerous permutations of the elements involved in this exercise, including:
  - retaining, but not revaluing, the existing eight bands;
  - revaluing the existing eight bands at 2003 prices;
  - revaluing band values at 2003 prices and adding new bands at the top and bottom of the scale;
  - varying the proportions attached to each band;
  - in all scenarios, considering the effects on the all Wales taxbase.
6. After considering all of the permutations, CTRWG considered that essentially the current council tax system works, is well understood, collection rates are high and has a good degree of horizontal equity. It was concluded therefore that only “fine-tuning” was required to address the issue of vertical equity or progressivity. The choice was narrowed to two options. Both options would add one extra band at the top of the scale (band I);
7. The first option would retain the existing proportions (ninths); the second uses eighths in place of ninths. Changing proportions of the bands to eighths would produce steps of 12.5% for the lower and 25% (2/8<sup>th</sup>) for the higher bands. This would make the tax more progressive;

**Section 6:**

**The Proposals:**

**The Bands**

The Welsh Assembly Government proposes to add an extra band to the existing structure of eight bands and introduce new values as follows:

Existing Bands & Values			Proposed New Bands & Values		
A		£30,000	A		£36,000
B	£30,001	£39,000	B	£36,001	£52,000
C	£39,001	£51,000	C	£52,001	£73,000
D	£51,001	£66,000	D	£73,001	£100,000
E	£66,001	£90,000	E	£100,001	£135,000
F	£90,001	£120,000	F	£135,001	£191,000
G	£120,001	£240,000	G	£191,001	£286,000
H	£240,001	No upper limit	H	£286,001	£400,000
			I	£400,001	No upper limit

**The Effect of New Bands and Values**

- The addition of one extra band (band I) added at the top of the scale would have little overall effect on the all Wales taxbase. This means that the overall yield from the council tax on an all Wales basis would remain the same;
- the number of dwellings moving **up** the banding system (all Wales) is estimated at 22%. Between 27% and 50% of dwellings in Monmouth, Vale of Glamorgan and Cardiff would move up the banding system;
- 26% of properties would move **down** the banding system. Between 36% and 42% of properties in Denbighshire, Swansea and Neath Port Talbot would move down.

Annexes 1,2a/b and 3 attached set out exemplification of council tax band limits, numbers in band, council tax levels and a summary of council tax bases.



## The Proportions

In respect of proportions the Welsh Assembly Government acknowledges that the existing system of “ninth’s” might not be regarded as sufficiently progressive.

As set out in section 5 above the current proportions, or ratios between the bands use a system of ninth’s. These proportions allow for steps of around 11% ( $1/9^{\text{th}}$ ) between the lower bands and 22% ( $2/9^{\text{th}}$ ) for the higher bands. For band H this rises to 33% ( $3/9^{\text{th}}$ ).

## The Ninth’s Option

Retaining a system of “ninth’s” would mean a negligible change in the tax payable in bands A to H.

A	B	C	D	E	F	G	H	I
6/9	7/9	8/9	1	11/9	13/9	15/9	18/9	21/9

Under the ninth’s option it is proposed that properties in the new higher value Band I, with values over £400,000, should pay in the proportion of  $21/9^{\text{th}}$ . This would mean that the top band would pay three and half times more tax than the lowest band (currently three times as much).

## The Eighth’s Option

Changing the ratios to “eighth’s” would make the bands more progressive. A system of proportions using “eighth’s” would produce steps of 12.5% ( $1/8^{\text{th}}$ ) for the lower bands and 25% ( $2/8^{\text{th}}$ ) for bands E, F and G. Bands H and I would have steps of  $37\frac{1}{2}\%$  ( $3/8^{\text{th}}$ ). The main impact of the change would therefore be felt at the lower end of the scale. This could mean, in theory, a small reduction in tax payable for bands A to C.

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Under the eighth’s option it is proposed that properties in the new higher value Band I, with values over £400,000, should pay in the proportion of  $20/8^{\text{th}}$ .

Bands E to H would see increases between £33 to £107, based on 2002/03 tax levels (excluding Transitional Grant). Properties in the top band would pay four times as much tax as band A ( $20/8^{\text{th}}$  compared to  $5/8^{\text{th}}$ ).

An exemplification of changes to council tax ratios is set out at Annex 4.

## Summary of council taxbase changes (a)

	2002-03 gross taxbase (b)	9ths option		8ths option		Percentage moving up	Percentage moving down
		projected taxbase (b)	change	projected taxbase (b)	change		
Isle of Anglesey	26,411	26,628	0.8%	26,461	0.2%	24%	25%
Gwynedd	45,533	46,651	2.5%	46,136	1.3%	31%	20%
Conwy	45,123	44,878	-0.5%	44,703	-0.9%	20%	28%
Denbighshire	33,938	33,059	-2.6%	32,783	-3.4%	16%	37%
Flintshire	54,560	54,533	-0.1%	54,349	-0.4%	21%	25%
Wrexham	43,704	44,582	2.0%	44,195	1.1%	26%	17%
Powys	51,086	51,913	1.6%	52,043	1.9%	28%	25%
Ceredigion	27,290	27,590	1.1%	27,568	1.0%	29%	29%
Pembrokeshire	45,235	45,313	0.2%	45,079	-0.3%	24%	28%
Carmarthenshire	61,716	59,254	-4.0%	58,179	-5.7%	14%	39%
Swansea	81,524	77,967	-4.4%	76,837	-5.7%	11%	36%
Neath Port Talbot	45,832	42,835	-6.5%	41,435	-9.6%	6%	42%
Bridgend	46,734	46,173	-1.2%	45,622	-2.4%	17%	23%
Vale of Glamorgan	49,763	51,055	2.6%	51,658	3.8%	28%	16%
Rhondda Cynon Taff	71,404	69,666	-2.4%	67,381	-5.6%	12%	22%
Merthyr Tydfil	16,901	16,570	-2.0%	15,914	-5.8%	14%	21%
Caerphilly	55,151	54,046	-2.0%	52,661	-4.5%	16%	25%
Blaenau Gwent	20,735	20,273	-2.2%	19,374	-6.6%	10%	21%
Torfaen	30,537	29,967	-1.9%	29,337	-3.9%	13%	24%
Monmouthshire	38,371	39,004	1.7%	39,670	3.4%	27%	17%
Newport	48,123	48,262	0.3%	47,859	-0.5%	22%	23%
Cardiff	113,717	122,997	8.2%	124,158	9.2%	50%	7%
<b>Total Counties</b>	<b>1,053,387</b>	<b>1,053,218</b>	<b>0.0%</b>	<b>1,043,404</b>	<b>-0.9%</b>	<b>22%</b>	<b>26%</b>
Dyfed Powys Police	185,327	184,070	-0.7%	182,869	-1.3%		
Gwent Police	192,917	191,554	-0.7%	188,901	-2.1%		
North Wales Police	249,269	250,330	0.4%	248,628	-0.3%		
South Wales Police	425,874	427,264	0.3%	423,005	-0.7%		
<b>Total Police</b>	<b>1,053,387</b>	<b>1,053,218</b>	<b>0.0%</b>	<b>1,043,404</b>	<b>-0.9%</b>		
		minimum	-6.5%	minimum	-9.6%		
		maximum	8.2%	maximum	9.2%		
		range	14.7%	range	18.8%		

(a) Estimated, based on sample data and likely to change dependant on movement in housing market.

(b) Taxbases in terms of band D equivalent dwellings.

## Proportion of properties by council tax band

			Band								percentage
Bands A to C			A	B	C	D	E	F	G	H	
Isle of Anglesey	Existing	56	19	22	15	23	15	4	2	0	
	Revalued	60	19	19	22	19	9	8	3	1	0
Gwynedd	Existing	69	24	26	19	15	12	3	2	0	
	Revalued	63	22	20	21	20	8	6	2	0	0
Conwy	Existing	55	12	18	25	22	15	5	3	0	
	Revalued	57	11	21	25	22	11	8	3	0	0
Denbighshire	Existing	60	11	21	28	20	13	5	3	0	
	Revalued	67	14	23	29	17	8	5	3	1	0
Flintshire	Existing	58	9	21	29	19	14	6	2	0	
	Revalued	58	12	17	27	22	12	7	3	0	0
Wrexham	Existing	67	19	29	19	16	10	4	2	0	
	Revalued	63	13	22	23	18	9	6	2	1	0
Powys	Existing	51		18	20	17	21	7	3	0	
	Revalued	48		16	20	21	15	11	4	1	0
Ceredigion	Existing	49								0	
	Revalued	50	16				11		2	0	0
Pembrokeshire	Existing	57	14	23	20	19	17	5	2	0	
	Revalued	57	19	19	19	20	11	9	3	0	0
Carmarthenshire	Existing	66	21	26	19	17	12	4	1	0	
	Revalued	72	31	24	17	14	7	5	1	0	0
Swansea	Existing	65	20	25	20	15	12	5	3	0	
	Revalued	69	29	21	19	15	8	5	2	0	0
Neath Port Talbot	Existing	80	23	38	19	11	6	2	1	0	
	Revalued	86	44	25	16	9	4	1	0	0	0
Bridgend	Existing	65	20	25	20	16	12	5	2	0	
	Revalued	67	20	25	21	16	10	6	1	0	0
Vale of Glamorgan	Existing	46	6	19	20	18	17	8	10	1	
	Revalued	41	4	17	20	22	15	11	8	3	1
Rhondda Cynon Taff	Existing	83	46	25	13	8	6	2	1	0	
	Revalued	86	48	23	14	8	4	2	0	0	0
Merthyr Tydfil	Existing	87	56	24	7	7	5	1	0	0	
	Revalued	90	56	25	10	6	2	1	0	0	0
Caerphilly	Existing	81	25	39	17	9	6	3	1	0	
	Revalued	81	30	31	20	12	5	2	0	0	0
Blaenau Gwent	Existing	92	56	27	9	5	3	0	0	0	
	Revalued	94	61	23	9	4	1	0	0	0	0
Torfaen	Existing	78	20	35	23	9	8	3	1	0	
	Revalued	77	27	29	21	12	7	3	1	0	0
Monmouthshire	Existing	35	3	10	23	19	19	15	11	1	
	Revalued	30	3	5	22	24	18	17	8	2	1
Newport	Existing	66	15	32	20	16	9	5	3	0	
	Revalued	65	14	26	25	17	9	6	2	0	0
Cardiff	Existing	57	7	23	27	16	16	6	5	0	
	Revalued	37	5	10	22	28	15	12	5	2	0
Wales	Existing	65	20	25	20	15	12	5	3	0	
	Revalued	60	21	19	19	16	9	6	2	1	0