

CABINET

Minutes of the Cabinet meeting held at 10.00 a.m. on Tuesday 22 April 2008 in the Town Hall, Rhyl.

PRESENT

Councillors P A Dobb, Lead Member for Social Services; E C Edwards, Lead Member for Customer Care and Community Safety; H H Evans, Leader and Lead Member for Education; M A German, Lead Member for Environment; G M Kensler; Lead Member for Promoting Denbighshire; P J Marfleet, Lead Member for Modernisation and Improvement; G O Rowlands, Lead Member for Regeneration and Housing; J A Smith, Lead Member for Business Management, Communications & Personnel and J Thompson Hill, Lead Member for Finance.

Observers: Councillors R E Barton; M LI Davies; G C Evans; K N Hawkins and M M Jones.

The meeting was chaired by Councillor J A Smith.

ALSO PRESENT

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

APOLOGIES

Councillor P J Marfleet

ANNOUNCEMENT

Councillor J A Smith welcomed Gareth W Jones, the new Head of School Improvement to his first Cabinet meeting.

1 URGENT MATTERS

There were no Urgent Items.

2 MINUTES

The Minutes of the Cabinet meeting held on 18 March 2008 were submitted.

Item 9 Housing Revenue Account Budget & Capital Plan 2007-2008 – Councillor G O Rowlands, having declared an interest in the item, was not required to leave the meeting during discussion of the item.

Item 3 Modernising Education – Councillor G M Kensler confirmed a meeting had been held on 19.03.2008 regarding Youth Support Services.

RESOLVED that, subject to the above, the minutes of the meeting held on 18 March 2008 be approved as a correct record and signed by the Deputy Leader.

3 MAINTAINED SCHOOLS (PARTNERSHIP AGREEMENT) (WALES) REGULATIONS 2007

Councillor H H Evans presented the report seeking Cabinet agreement to ratify the whole Partnership Agreement; the adoption of the School Development Strategy, (which includes a School/Authority Communication and Engagement Strategy) and the School Evaluation Model as Council Policy for working with our schools. Cabinet were also asked to agree to the Partnership Agreement Timetable and the School Development Strategy Implementation Schedule and that approval of any subsequent amendments to the Partnership Agreement including the addition of aspects related to Health & Safety, Human Resources and School Buildings/Premises be delegated to the Lead Member with responsibility for Education.

The Head of School Improvement circulated Appendix 2 and detailed the Statement of Information therein i.e. the Authority and school governing bodies have to enter into a partnership agreement with the review arrangements to be carried out every 3 years. The protocol would allow schools to be categorized in relation to those who needed greatest support receiving the greatest help. It would also include school governor appointment and training. The Partnership was a good basis for promoting initiatives for school improvement. Four cluster meetings had been held and a positive response had been received from Headteachers. The agreement included opportunities for schools with special interests or needs to meet outside the clusters. In response to a query from Councillor G M Kensler, the Head of School Improvement said the programme could be adapted during the year.

Councillor G O Rowlands suggested that the Resolution be amended and that along with the Lead Member for Education, the Lead Member for Health and Safety, Human Resources and School Buildings/Premises should have delegated authority to approve any subsequent amendments.

Councillor E C Edwards suggested that the new Cabinet should discuss the detail of the Partnership Agreement as it was such an important document. Councillor H H Evans agreed and said it could be discussed by the new Council in an informal session to allow further open debate. Members agreed in light of the complexity of the document, that Full Council be given the opportunity to discuss Education.

Referring to the suggested amendment to the Resolution, the Chief Executive informed Cabinet that the Lead Member for Education was the correct person to approve any subsequent amendments to the Partnership Agreement and there was no need for the Lead Member for asset management or human resources to be involved.

RESOLVED that Cabinet agree to ratify the whole Partnership Agreement; the adoption of the School Development Strategy, (which includes a School/Authority Communication and Engagement Strategy) and the School Evaluation Model as Council Policy for working with our schools. Cabinet also agree the Partnership Agreement Timetable and the School Development Strategy Implementation Schedule and that approval of any subsequent amendments to the Partnership Agreement including the addition of aspects related to Health & Safety, Human Resources and School Buildings/Premises be delegated to the Lead Member with responsibility for Education.

It was further agreed that the Partnership Agreement and any other educational issues be discussed at a meeting of the Full Council, to be convened on an informal basis.

4 MODERNISING EDUCATION ACTION PLAN MONITORING

Councillor H H Evans presented the report seeking Members' consideration of the work undertaken to monitor the progress of the Modernising Education Agenda. He said 120 actions had been completed, with 42 actions not completed. These had been discussed by Modernising Education Board who had agreed amendments to the timescales for completion of those incomplete tasks. The Action Plan in response to the Estyn Inspection of Youth Support Services had been brought into the same format for planning, monitoring and reporting as the Local Authority Inspection.

Councillor Evans reported that the leadership shown by Members and officers was now well respected and that Estyn were supporting the Authority and its work on school improvements. Councillor G M Kensler congratulated Councillor Evans and colleagues and said there was respect in and out of the County for the work done on Education.

The Interim Corporate Director: Education, referring to the Pupil Referral Unit, said the quality of support for pupils with behavioural problems in mainstream education was good and there would be room for some growth as more funding had been made available.

RESOLVED that Cabinet, having considered the progress to date against tasks, request that the Modernising Education Board reviews progress against those tasks identified as "Red" or "Amber" in Appendix 2 in advance of the next monthly monitoring report.

5 A PROGRAMME FOR CHANGE – DENBIGHSHIRE'S FOCUSSED AGENDA

Councillor H H Evans presented the report seeking Members' agreement to the programme of change branded "Denbighshire's Focussed Agenda" which was outlined in Appendix I. Members were asked to recommend the programme management arrangements to the new Council at its meeting on the 20 May 2008. He said some of the processes and focuses in the Council needed to change and it was not just a

question of restructuring the Authority. Issues of concern should be considered and dealt with before they became high risk.

The Chief Executive said Education had benefited from a programme of improvement and the establishment of a Project Board, therefore the new Council's Corporate Priorities would each have a project board established to ensure progress on priorities.

Councillor E C Edwards said he found the report interesting, particularly the "Great Idea – if only we knew how to manage it?" He also referred to the 'middle managers' conference', and asked how many middle managers were employed by the Authority. He questioned whether the Authority had the capacity to carry out all the work and supported the need for a restructure.

RESOLVED that Cabinet agree to the programme of change branded "Denbighshire's Focussed Agenda" as outlined in Appendix 1 to the report. Members recommend the programme management arrangements to the new Council at its meeting on the 20 May 2008.

6 FORMAL PARTNERSHIP FOR THE INTEGRATION OF COMMUNITY EQUIPMENT SERVICES (CESI)

Councillor P A Dobb presented the report seeking Cabinet approval to enter into a formal agreement with the Conwy and Denbighshire NHS Trust for integrating community equipment services. The Welsh Assembly Government had agreed to fund £0.5m, subject to the formal partnership agreement. Integration of services would only cover the basic necessities of daily living, the specialist equipment would still be available and finance by the Authority's Occupational Therapy.

Councillor G M Kensler supported the partnership agreement, and said the single inventory with unified stock was a good idea. The service would become more effective.

Councillor E C Edwards asked the Corporate Director: Social Services to pass on, from a client of the service, thanks and congratulations to Denbighshire's staff for the excellent service provided.

RESOLVED that Cabinet approve the Section 33 agreement.

7 CONWY & DENBIGHSHIRE ADULT MENTAL HEALTH AND SOCIAL CARE PARTNERSHIP

Councillor P A Dobb presented the report seeking Members' approval to continue and further develop the Conwy & Denbighshire Adult Mental Health & Social Care Partnership beyond July 2009. The Partnership had won awards and it was important to continue and build on the work to ensure the provision of a seamless service. A full business case with cost analysis would be provided during the course of the year.

The Head of Adult Services stressed the importance of the business case in relation to pooled budgets and work would be progressed on this over the next 5 months or so.

RESOLVED that Cabinet approves the continuation of the further development of the Conwy & Denbighshire Adult Mental Health & Social Care Partnership beyond July 2009.

8 LOCAL SAFEGUARDING CHILDREN BOARD (LSCB)

Councillor P A Dobb presented the report seeking Members' agreement to establish a joint Safeguarding Children Board in partnership with Conwy Local Safeguarding Children Board and to appoint the Lead Member for Children and Family Services as a member of the Board. The Conwy and Denbighshire Safeguarding Children Board would report to Denbighshire Cabinet on an annual basis. The Welsh Assembly Government had given their agreement to the establishment of a joint Board.

RESOLVED that Cabinet agree to establish a joint Safeguarding Children Board in partnership with Conwy Local Safeguarding Children Board and to appoint the Lead Member for Children and Family Services as a member of the Board. The Conwy and Denbighshire Safeguarding Children Board to report to the Denbighshire Cabinet on an annual basis.

9 FINAL REPORT AND RECOMMENDATIONS OF THE AFFORDABLE HOUSING TASK GROUP

Councillor G O Rowlands presented the report seeking Cabinet approval of the actions outlined in the Affordable Housing Solutions action plan and to consider the further recommendations of the Affordable Housing Task Group (AHTG), and seek a further report to the new Cabinet on their implementation subject to budget procedures. She went on to thank the officers and Members who had been involved with the Task Group and for their hard work.

Councillor G M Kensler referred to the review of potentially surplus land and also the need to look at affordable housing needs whilst at the same time looking corporately at other needs. The Head of Housing Services said various sites would be considered to see if they could be declared surplus to requirements. The Asset Management Group would be giving consideration to selling land at less than best consideration for affordable housing.

Councillor H H Evans said a strong link was required between affordable housing and local need and the local need should be emphasised. Affordable housing should be linked to the Local Development Plan and the development of infrastructure, affordable housing targets and funding from developers as part of the planning permission process, known as a Section 106 agreement. The Housing Strategy Officer confirmed that the local connections policy would be reviewed and an update would be provided for Members in relation to affordable housing in the Local Development Plan. The Chief

Executive informed Members that some Authorities had tariffs for developments instead of the Section 106 Agreement and this could also be considered as an option.

Councillor M A German suggested consideration be given to small parcels of land being used for recycling purposes.

Councillor E C Edwards queried the 20 low cost home ownership units completed without the use of public funding. The Housing Strategy Officer confirmed some 40 units had been completed since the policy was introduced. Councillor Edwards queried the commuted sum funding and if this was unused whether it would be possible to use the funding for other projects.

Councillor Edwards referred to the units for people with substance and alcohol misuse issues and asked whether any funding had been accessed via the Community Safety team. The Housing Strategy Officer said the Welsh Assembly Government had provided some funding streams for developments.

Councillor Edwards referred to the long awaited garage site review and reminded officers of the need to consult with Local Members on those land issues. The Head of Housing Services confirmed that the garage review would include discussions with Local Members across the County. In response to Councillor Edwards' query on the definition of affordable housing, the Head of Housing Services said this was someone who could not afford to operate in the market, with property for sale at 3 x gross income or for rent at 3 x net income.

Councillor R E Barton (Observer) asked when clear planning guidelines on self build in rural areas would be available. The Head of Housing Services said this could be discussed by the Task Group and a report could be presented to Cabinet or Council or the Affordable Housing Task Group if it was re-established.

RESOLVED that Cabinet approve the actions outlined in the Affordable Housing Solutions action plan and further recommendations of the Affordable Housing Task Group (AHTG), and seek a further report to the new Cabinet on their implementation subject to budget procedures.

10 HOUSING REVENUE ACCOUNT BUDGET & CAPITAL PLAN REPORT 2007-2008

Councillor G O Rowlands presented the report for Members to note the latest provisional outturn position of the Housing Revenue Account (HRA) for the past financial year.

RESOLVED that Members note the provisional outturn position of the Housing Revenue Account (HRA) for the past financial year.

11 REVENUE BUDGET PROJECTED OUTTURN AND SUMMARY CAPITAL PLAN 2007-2008

Councillor J Thompson Hill presented the report for Members to note the revenue projected outturn figures for the 2007/2008 financial year as detailed in Appendix 1 and note the summary capital plan performance for 2007/2008 financial year as detailed in Appendices 2 and 3. Members were also asked to note the current position on the vacancy control procedure. He went on to detail the forecast overall overspend of £678k in Lifelong Learning, the projected underspend of £819k in Social Services and Housing and £175k in the Environment Directorates.

RESOLVED that Members note the projected outturn figures for 2007/2008 as detailed in Appendix 1 to the report and note the summary capital plan performance figures for the 2007-2008 financial year as detailed in Appendices 2 and 3 to the report. Members also note the progress to date in connection with the vacancy control procedure.

11.25 a.m. Councillor R E Barton and Councillor G M Kensler left the meeting at this juncture.

12 DRAFT RACE EQUALITIES UPDATE

Councillor J A Smith presented the report seeking Members' recommendation of the Denbighshire's Draft Equalities Scheme to Council. Members were asked to consider the progress the Authority is making to meet obligations in respect of the various equality strands.

11.27 a.m. Councillor G M Kensler joined the meeting at this juncture.

The Strategic Policy Officer confirmed that some targets had been set by the Welsh Assembly Government or the Equality and Human Rights Commission but most were set by the Authority itself.

11.29 a.m. Councillor K N Hawkins and Councillor M M Jones left the meeting at this juncture.

RESOLVED that Cabinet recommend the Draft Race Equalities Scheme to Full Council. Members also considered the progress the Authority is making to meet obligations in respect of the various equality strands.

At this juncture (11.30 a.m.) the meeting adjourned for 10 minutes to allow Members to participate in refreshments.

11.45 a.m. Councillor M M Jones joined the meeting at this juncture.

13 MONITORING THE ACTIONS AGREED BY CABINET

Councillor J A Smith presented the report seeking Members' consideration on the progress the Authority is making against the actions which have been agreed by

Cabinet since the 12 September 2006 and the update on the actions agreed since 1 January 2006 (Appendix I refers).

It was agreed Charge for Post 16 Transport be added to the Cabinet Forward Work Programme later in the year.

RESOLVED that Cabinet notes the progress the Authority is making against the actions which have been agreed by Cabinet since the 12 September 2006.

14 ROUTINE REPORTING ON PERSONNEL

Councillor J A Smith presented the report for Members to note the information on the staff headcount. He referred to the target for 2007-2008 average of 9 days lost per employee with the actual figure being 11.59 average days lost per employee. He confirmed that back to work interviews were conducted.

The Chief Executive, responding to a query from Councillor E C Edwards, said most staff resigned to take up better positions with neighbouring Authorities. He also confirmed that exit interviews were conducted but it was not compulsory.

Councillor H H Evans commented that sickness absence levels were unacceptable and asked what had been done to manage sickness absence. The Deputy Chief Executive / Corporate Director: Resources responded that an extensive absence management framework had been developed for use by all Directorates.

RESOLVED that Members note the information in the report.

SINGLE STATUS STATEMENTS:

STATEMENT BY COUNCILLOR J A SMITH, LEAD MEMBER FOR BUSINESS MANAGEMENT, COMMUNICATIONS AND PERSONNEL

As you will be aware, staff were informed in the week commencing Monday 7th April of their proposed salaries as a result of the development of the new Pay & Grading Review.

There has been a lot of high level press coverage and political intervention since then. Much of the coverage has been misleading and the purpose of this update is to put across a more balanced position.

The proposals that were released on the 7th April were the culmination of three years of negotiations with all three trade unions – GMB, T&G, and Unison. The spirit of cooperation with all three unions was greatly appreciated by all. The latter stages of the discussions were assisted by ACAS. Whilst the unions were not entirely happy with every last detail, it was accepted by all three of them that the proposals were the best deal that could be negotiated locally. In the Local Joint Consultative Committee on 14 January, all the unions supported the recommendation of the proposals to full council on 22 January, which it then approved.

The subsequent decision by the branch executive of Unison to reject the proposals is disappointing. On a more positive note discussions with Unison and the other unions are continuing.

We therefore wish to make clear our determination to introduce a pay and grading system that appropriately rewards staff in a fair and equitable way. As part of the process, the proposals have been tested for equality purposes by specialist consultants.

Staff are the greatest asset within the authority. Good service delivery depends upon having a well motivated and well trained workforce. This pay and grading system however has to be developed within the parameters inherent within the Equal Pay Act and subsequent agreements. In particular there has to be a harmonisation of terms and conditions of employment. Denbighshire County Council continues to be one of the authorities most advanced in Wales in introducing a new pay system.

In conclusion, I think it is important not to underestimate the complications associated with Single Status. Over the coming weeks it is essential that we listen to what staff are saying, ensure that a full and accurate picture is presented to staff and ensure that every effort is made to support and advise staff who are potentially adversely affected.

STATEMENT BY I R MILLER, CHIEF EXECUTIVE

The next key stages for the authority are to greatly increase the level of understanding of the proposals and to continue discussions with the Unions.

Understanding has not been helped by some errors in the information that has been issued to individual members of staff and some weaknesses in other aspects of communication. Despite the huge efforts made to communicate with staff and managers, through over 50 roadshows earlier in the year, as well as a series of briefing notes over a long period, it is plain that more needs to be done.

Job descriptions are central to the evaluation process. For many hundreds of staff, generic job descriptions were used by the joint union-management evaluation panel. Staff will have access to the job description that was used to evaluate their post, whether it was a generic one or unique.

In some cases, there has been a lack of understanding of the scoring methodology. We have already published the scoring system on the intranet and will make this more widely available for staff and managers.

In addition to further meetings with service managers and headteachers, staff will be offered individual meetings in "surgeries" that will be held throughout the county so that they can have any detailed questions answered. The surgeries will start in the week of 12 May.

In view of the number of issues that have been identified and the further meetings that are being arranged, the period for formal appeals to be submitted will be extended to the end of

September 2008 (rather than early July 2008 as previously indicated). This extra time will, we hope, mean that many of the concerns can be addressed on the basis of further information and full understanding by staff of how their posts have been evaluated, and should reduce the number of formal appeals that have to be considered.

One element of the proposals has clearly not been widely understood, even though it was a prominent feature of the negotiations with the unions and therefore well known to them. Many staff will not get an increment on 1 April 2008, because the agreed date for transfer to the new salary will be 31 March 2008.

Whilst not wishing to dwell too heavily today on any one particular group of staff, much publicity has been given to nursery nurses and may be their position typifies some of the complexities surrounding Single Status. In their particular case, their grading has increased significantly. However harmonisation means that this group will no longer be paid for school holidays, when they do not work. This is one of the factors that results in an overall reduction.

However no member of staff will suffer any reduction in pay for three years under the protection arrangements that form part of the proposals. In many cases, the annual increases in pay will mean that protection will cease to be paid during the three year period as pay in the new grade catches up with and exceeds the old salary.

The majority of staff will see an increase in salary over time. These proposals add over £3m to the annual paybill by year 6 and add a total of £13m to paybill costs across the 6 years.

The financial position requires further emphasis because it has been misunderstood or misrepresented by some commentators. The Assembly Government started providing some funding through the standard spending assessment in 2005-06 and rising each year since then to a total of about £1.5m a year now. However the Assembly only funds 80% of SSA – approximately £1.2m. The balance has to come from local taxpayers.

By year 6 (2013-14) the proposals could cost £3m a year. In other words local taxpayers will be subsidising the single status proposals to the tune of £1.8m a year.

The funding received from WAG in previous years has been put into a reserve to cover any potential back pay claims. It has not been wasted on consultants and foreign trips as has been alleged. This second element, back pay compensation, remains under discussion.

In total we have had about £4.5m from WAG since 2005-06. Together with the £1.5m a year running into the future, we will have received about £10m from WAG by 2013-14. However our spend only on the increased paybill as a result of single status – not counting any compensation for past unequal pay – will be £13m by then. And every year thereafter the council will be spending £1.8m more than WAG has provided. So we've not only spent or plan to spend every penny that WAG has allocated but we will be going a long way beyond it.

We will issue a statement to set these details out so that staff, unions, press and others can understand the cost of the proposals.

Members thanked Councillor Smith and the Chief Executive for the update and said they were pleased that the appeal period had been extended. The Chief Executive agreed to provide Members with copies of the information provided. Councillor H H Evans reminded colleagues of the need to be sympathetic with staff and negotiations with the Unions.

15 CABINET FORWARD WORK PROGRAMME

Councillor J A Smith presented the Cabinet Forward Work Programme.

***RESOLVED** that Cabinet note the Cabinet Forward Work Programme.*

16 URGENT ITEMS

There were no Urgent Items.

PART II

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 12 and 14 of Part 4 of Schedule 12A of the Local Government Act 1972.*

17 RETROSPECTIVE APPROVAL OF PASSENGER TRANSPORT CONTRACT

Councillor M A German presented the report seeking Cabinet approval for the retrospective award of a contract for a local bus service as detailed in the report.

***RESOLVED** that Cabinet approves the award of the contract in retrospect to the lowest available tenderer, representing the most economically advantageous use of funding available.*

18 ACQUISITION OF LAND

Councillor M A German presented the report seeking Cabinet approval to acquire the site named in the report. He informed Members the Authority had been successful in gaining funding via the regional Capital Access Fund.

Members discussed various issues regarding the acquisition of the proposed site and its proposed use. The Chief Executive cautioned that Members should only agree to the acquisition of the site if they were certain the value of the site was more than the value of the grant funding from the Welsh Assembly Government.

***RESOLVED** that Cabinet approves the purchase the land detailed in the report, subject to the final terms of the transaction being approved by the Lead Member for*

Environment and the County Clerk, and the purchase being within the funding allocated for the project by the WAG.

19 CAPITAL PLAN 2007-2008 TO 2010-2011

Councillor J Thompson Hill presented the report for Members to note the latest position on the 2007/08 element of the Capital Plan.

12.25 p.m. Councillor G O Rowlands left the meeting at this juncture.

The Community Learning Centres were progressing well – the build at Prestatyn High School and Ysgol Dinas Bran were due for completion in June 2008; the build at Ysgol Brynhyfryd was completed with ICT equipment installation imminent for the opening in May 2008. The Scala, Prestatyn had an overrun of 8 weeks due to bad weather and the complexity of the project whilst the Craft Centre, Ruthin was facing a 16 week delay as a result of inclement weather and roof engineering difficulties but the Centre was still expected to open in the summer of 2008.

Councillor J Thompson Hill sought Members' agreement to the recommendation from the Capital Strategy Group for the unallocated £10k remaining in the Members' fund being used to replace Members' laptops for the current year only.

12.33 p.m. Councillor G M Kensler left the meeting at this juncture.

Councillor P A Dobb expressed concern regarding the letting of the units in the Ruthin Craft Centre and hoped that the Authority was working towards having all the units let in readiness for the opening of the Centre.

Councillor Dobb and Councillor Edwards both expressed concern regarding the potential capital receipts at Llys Nant, Prestatyn and Awelon, Ruthin. The Financial Controller confirmed that any receipts from the sales would need to be ring fenced to part fund the extra care housing schemes on these two sites.

Councillor Dobb expressed her concern regarding the amount of funding allocated to Denbighshire, in particular how much funding could be allocated towards highways maintenance in rural areas. Councillor M A German, referring to the Members' fund, suggested that this should be administered in a different, simpler way in future so as to ensure that works were carried out promptly from the allocated monies. The Corporate Director: Environment agreed there was an enormous shortfall in highways funding and the County was in a standstill position regarding highway maintenance. He informed Members that funding was not targeted to the north or south of the County.

12.50 p.m. Councillor M M Jones left the meeting at this juncture.

RESOLVED that Cabinet note the latest position on the 2007/08 element of the Capital Plan. It was further resolved that the unallocated £10k remaining in the Members'

priority fund, as at 31 March 2008, be used to replace Members' laptops for the current year.

20 PROPOSALS FOR A SINGLE HEAD OF HIGHWAYS AND INFRASTRUCTURE FOR DENBIGHSHIRE COUNTY COUNCIL AND CONWY COUNTY BOROUGH COUNCIL

The Corporate Director: Environment presented the report seeking Members' agreement for the creation of a single Head of Service post responsible for Infrastructure Services for Conwy County Borough Council and Highways Services for Denbighshire County Council. He reminded Members that a radical approach would be required to meet the review of local service delivery recommendations of the Beecham Report. A joint committee structure would be established to manage the activity.

The Corporate Director: Environment assured Members that the joint service would be transparent and that the Denbighshire County Council budget would only be spent in Denbighshire. Any risks identified would be considered by Scrutiny Committee, as the project moved forward. Reports would be brought to Cabinet as appropriate.

The Chief Executive said there would also be risks should the proposal not be adopted, especially when trying to recruit at current salary levels. A report would be presented to the June 2008 Cabinet on joint working.

The extra Strategic Business Manager post was queried by Councillor J Thompson Hill. The Corporate Director: Environment informed Members that collaborative projects needed a single point of contact across both Authorities.

Councillor H H Evans expressed his support for the proposal and agreed that whilst it was radical, risks must be highlighted. It was important for the smaller Authorities to have an effective way of working. The Corporate Director: Environment said if Cabinet supported the proposal in principle, Scrutiny Committees in both Authorities would consider the issue.

Councillor M A German expressed his support for the proposal, whilst Councillor E C Edwards said the new Council would need to agree the proposal.

RESOLVED *that Cabinet agree:*

- 1 The principle of a joint Head of Service post covering Infrastructure Services*
- 2 The development of a job description and person specification and an appropriate salary scale for the new Head of Service and advice on recruitment is commissioned via an appropriate consultancy.*
- 3 That work commences on development of an agreement on the constitution and powers of a joint Committee under the Local Government Act 1972.*
- 4 That consultation takes place with Scrutiny after the local government elections.*

- 5 *That a paper setting out full details of the proposal is considered by Cabinet by early July 2008.*

MEMBERS' AND OFFICER STATEMENTS

Councillor J A Smith thanked all Cabinet Members for their work during the past 6 months and also the officers and translator.

Councillor H H Evans also thanked all officers for supporting the Cabinet during the term of the Council. He went on to thank Cabinet Members for their hard work over the past 5 months on what had been a large agenda.

The Chief Executive thanked current and previous Cabinet Members for their work, with only 4 Members on Cabinet from the start of the Council term. He wished Members well in the forthcoming elections.

Councillor M A German thanked Cabinet colleagues and officers for the past 4 years and said it had been a privilege to be part of the Cabinet, especially for the past 5 months. He said the Cabinet had felt confident in its work on various projects and moving them forward.

Councillor E C Edwards also thanked colleagues and officers for their help and support and said the new Cabinet had made good progress for the Authority.

Councillors J Thompson Hill and P A Dobb also expressed their thanks to Members and officers, saying they had all worked well together.

The meeting concluded at 1.15 p.m.

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR H H EVANS LEADER

DATE: 3rd June 2008

SUBJECT: MODERNISING EDUCATION ACTION PLAN MONITORING

1 DECISION SOUGHT

1.1 Cabinet is requested to consider the work undertaken to monitor the progress of the Modernising Education Agenda.

2 REASON FOR SEEKING DECISION

2.1 The Council submitted the Action Plan and associated work plans to Estyn on the 20th December 2007. The Action Plan clearly demonstrated the commitment of the Authority to ensuring the plan will be monitored, evaluated and reviewed in due course.

2.2 The Modernising Education Board is responsible for overseeing the effective implementation of the Action Plan and accordingly has approved a robust performance management approach to ensure that the Board receives an overview of the progress against agreed actions and is able to review the level of risk associated with all recommendations within the report.

2.3 Appendix 1 to the report provides a summary of the 19 work plans developed to respond to the main recommendations within the Estyn Inspection report. Work Plans have been developed to respond to each of the 18 bullet points within Estyn's three overall recommendations plus two additional work plans have been developed to address key areas not formally considered within the recommendations but considered important to the overall successful implementation of the improvement agenda. The appendix via the colour coding allows a clear understanding from a single sheet of the status of progress.

	Progress	Risk Status
Red	Slippage against over 15% of the agreed dates within the work plan	Considered high risk in terms of impact of likely time delays, insufficient money to deliver the task or receiving negative media coverage
Amber	Slippage reported against less than 15% of the agreed dates within the work plan	Considered medium risk in terms of impact of likely time delays, insufficient money to deliver the task or receiving negative media coverage
Green	All tasks are either ongoing or have been completed against agreed dates	Considered low risk in terms of impact of likely time delays, insufficient money to deliver the task or receiving negative media coverage

- 2.4 In total there are over 400 individual actions within the work plans as submitted to Estyn to be progressed by the Authority. Clearly there is a need to ensure that any reporting mechanism ensures that Members attention is drawn to areas causing or likely to lead to concerns to ensure that corrective action can be instigated.
- 2.5 To complement the performance management arrangements the Policy and Performance service will be reviewing the impact of those activities reported as green. This will provide a focus for the work of Scrutiny with challenge occurring on completed tasks so that Task Leaders can demonstrate what difference has been made by the completed actions.

Current Progress

- 2.6 Appendix 1 to the report provides a summary of current overall progress including an assessment of tasks completed as of the 30th April 2008. Within the current plan there were 207 actions scheduled to be completed by that date and progress is summarised as follows:-

Actions completed	146
Actions not completed	61

- 2.7 The Modernising Education Board considered a progress report at its meeting on the 14th May. The Board agreed to amend a number of dates of actions in view of changing circumstances. Details of the amendments to the action plan agreed by the Modernising Education Board at this meeting are contained in Appendix 2.
- 2.8 Estyn Review of Youth Support Services
- 2.9 Youth Support Services (YSS) were inspected by Estyn in May 2006, with the inspection report provided in October 2006. An action plan against the 13 recommendations in the inspection report was prepared and accepted by Estyn in December 2006.
- 2.10 Following the inspection, Estyn indicated that it would re-inspect the unsatisfactory areas 12 months post receipt of the action plan ie in December 2007. This position changed following the Education Services inspection in 2007. The planned monitoring visit in December was cancelled, with Estyn requiring that monitoring of action against the YSS Action Plan be integrated with monitoring of the LA Action Plan. The Independent Recovery Board also has a remit to monitor progress in this area. The planned full re-inspection in March 2009 also covers youth support services.
- 2.11 A revised action plan to reflect this changing context has been prepared and was considered by the Children and Young People’s Partnership and the Modernising Education Board on the 30th April 2008. Monitoring against this action plan will now be incorporated into the overall programme management arrangements with the progression against actions being monitored by the Children and Young People’s Partnership (CYPSP) and Young People’s Partnership (YPP) and the Modernising Education Board (MEB).

2.12 Modernising Education Report

2.13 In December 2007 Council received the final report on Modernising Education in Denbighshire from Cambridge Education. Whilst the majority of recommendations from this report are covered by the Estyn action plan, there are a number which are outside of the scope of the Estyn action plan. Work is currently being undertaken (led by the Policy and Performance Service for Lifelong Learning) to develop policy proposals to address these areas. A seminar is being organised for July which will brief Members on the work that has been undertaken and to gain their views before any wider consultation takes place. A period of extensive consultation is planned for August, September and October with a report scheduled to be taken to Cabinet in October and to Council in November.

2.14 Estyn Monitoring Visits

2.15 The second of the four scheduled Estyn Monitoring Visits took place on the 13th and 14th May 2008. The Council will receive the formal response on the visit in relation to the team's findings relating to the recommendations in the inspection reports for the local authority education services and youth support services within twenty working days of the visit. The next Estyn Monitoring visit will take place on the 15th and 16th September.

3 POWER TO MAKE THE DECISION

The Council was required to prepare an Action Plan under Section 39 of the Education Act 1997.

4 COST IMPLICATIONS

4.1 Many of the actions can be delivered by redirecting existing resources to focus more clearly on the schools which need support most and by challenging all schools to use funding effectively to raise standards. Detailed costings were identified in the work plans and these considerations were taken into account in the budget setting process for 2008/09.

4.2 The discussions which are progressing regarding the Cambridge Modernising Education report will require work plans to be developed. The resultant work plans will require clear consideration of any cost implications arising.

5 FINANCIAL CONTROLLER STATEMENT

Council agreed a package of additional resources of £700k as an initial response to the Estyn report, soon after publication. Further bids for additional funding, in addition to the allocation for inflationary impact, of £1.25m were agreed by full Council on 12 February 2008 as part of the overall budget proposals for 2008/9. Specific actions have been costed and agreed within these additional resources. Any further required spend in the current financial year in response to the Estyn report will need to be contained within the overall directorate budget.

6 CONSULTATION CARRIED OUT

- 6.1 The Modernising Education Board at its meeting on the 14th May considered the latest position as reflected in Appendix 1 and 2. The Board reviewed with individual Task Leaders the circumstances around these activities and clarification was sought that the reasons for the revised dates were valid and justified.

7 IMPLICATIONS ON OTHER POLICY AREAS:

7.1 THE VISION

The Council has already agreed to amend its priorities to focus on School and Educational Improvement as a priority.

8 ACTION PLAN

Action	Responsibility	Deadline
To explore and address the reasons for any delays in implementing agreed actions	Modernising Education Board	Fortnightly meetings
To review and report to Cabinet upon the overall progress against the Action Plan as at the end of May 2008 to Cabinet	Modernising Education Board	15 th July 2008

9 RECOMMENDATIONS

That Members consider the progress to date against tasks and request that the Modernising Education Board reviews progress against those tasks identified as "Red" or "Amber" in Appendix 2 in advance of the next monthly monitoring report.

Action Plan in response to Estyn Inspection Report 2007

Position as at 30th April 2008

Recommendation 1

Progress Risk

Recommendation 2

Progress Risk

Recommendation 3

Progress Risk

Address the issue of poor performance in schools by:

Improve the leadership and management of education at all levels of the authority by:

Improve the use of resources

	Progress	Risk		Progress	Risk		Progress	Risk
R1.1 - Identifying the reasons why the overall attainment of pupils, particularly at key stage 4, is low and what needs to be done to improve it	GREEN	GREEN	R2.1 Identifying clearly and addressing systematically, through robust planning and monitoring, the key strategic priorities needed to improve performance at all levels	GREEN	GREEN	R3.1 - Linking funding priorities within the education budget more closely into strategic and operational planning processes	GREEN	AMBER
R1.2 - Developing, in partnership with schools, a coherent and specific school improvement strategy sharply focused on the priorities needed to raise performance	AMBER	GREEN	R2.2 - Creating clearer links between operational, service and corporate priorities	GREEN	GREEN	R3.2 - Prioritising resources according to the needs of children, young people and schools	GREEN	AMBER
R1.2a) - Produce a Council five year Prevention & Inclusion Strategy	GREEN	GREEN	R2.3 - Consulting and communicating effectively with schools, parents, pupils and other key partners	GREEN	GREEN	R3.3 - Evaluating the impact of the use of resources - Bidding for Resources	GREEN	GREEN
R1.3 - Improving overall attendance figures across the authority	AMBER	AMBER	R2.4 - Influencing schools to work in constructive partnership with officers and elected members on agreed improvement strategies to raise performance	GREEN	GREEN	R3.3 - Evaluating the impact of the use of resources - Measuring the Resources	GREEN	AMBER
R1.4 - Reducing permanent and fixed term exclusions	GREEN	RED	R2.5 - Improving relationships and communication between parts of social and education services to successfully implement the Children Act 2004	GREEN	GREEN	R3.4 - Completing the work on funding formulae for secondary and special schools and the delegation of resources for SEN and behaviour support	GREEN	AMBER
R1.5 - Improving the amount of provision and support for children and young people with social, emotional and behavioural difficulties	GREEN	RED	R2.5a) - Develop and implement Community Focused Schools and Integrated Support Strategy to deliver holistic support to children, young people and families within their community	GREEN	GREEN	R3.5 - Working openly with schools to improve their understanding of funding decisions and processes	GREEN	GREEN
R1.6 - Rigorously monitoring and challenging the performance of schools through the effective use of data	GREEN	AMBER	R2.6 - Using the scrutiny function to establish clear accountability and challenge robustly officers, members and services who are accountable for raising standards and improving the quality of provision	GREEN	GREEN			
R1.7 Determining schools' entitlement to support from the Council according to need, and communicating this clearly to schools	GREEN	GREEN						

Exception Reporting from Monitoring Forms – Estyn Work Plans – As at 30th April 2008

Appendix 2 – Activities considered and completion dates amended by Modernising Education Board

Ref.	Key Activity	Workplan Date	Revised Date	Second Revised Date	Activity Leader
R1.1 - Identifying the reasons why the overall attainment of pupils, particularly at key stage 4, is low and what needs to be done to improve it Task Leader – Gareth Wyn Jones					
1.1.18	Increase current capacity of the School Improvement Team by appointing three additional Officers and KS2 numeracy officer	01/04/2008	30/09/2008		Head of School Improvement
R1.2 - Developing, in partnership with schools, a coherent and specific school improvement strategy sharply focused on the priorities needed to raise performance Task Leader – Gareth Wyn Jones					
1.2.05	Prepare and implement training programme for experienced head teachers	31/01/2008	30/04/2008	31/07/2008	Primary SIO
R1.3 - Improving overall attendance figures across the authority Task Leader – Sheila Breeze					
1.3.05	School Governor appointed in all schools for Attendance	30/04/2008			ESW Team Leader
R1.4 - Reducing permanent and fixed term exclusions Task Leader – Sheila Breeze					
1.4.04	Ensure all schools have a designated governor responsible for exclusions	30/04/2008	30/06/2008		Behaviour Support Service Manager
1.4.05	Feasibility study for On Site Inclusion Centres in three designated schools and refurbishment of existing OSIC	31/03/2008	18/07/2008		Senior Project Manager
1.4.06	Work closely with schools and School Improvement Officers to develop a more inclusive curriculum for disengaged pupils	30/04/2008	18/07/2008		Behaviour Support Service Manager
1.4.3a	Provide training for headteachers and SMT on consistency and protocol in exclusion process	29/02/2008	18/07/2008		Behaviour Support Service Manager
R1.5 - Improving the amount of provision and support for children and young people with social, emotional and behavioural difficulties Task Leader – Sheila Breeze					
1.5.05	Recruit 2 new teachers for Behaviour support Service to extend capacity	30/04/2008	31/07/2008		Behaviour Support Service Manager
R1.7 Determining schools' entitlement to support from the Council according to need, and communicating this clearly to schools Task Leaders – Gareth Wyn Jones / Sylvia Jones					
1.7.02	Implement Banding system of support to ensure that resources appropriately meet the needs of children and young people	30/04/2008	31/07/2008		Secondary SEN Improvement Officer
R2.1 Identifying clearly and addressing systematically, through robust planning and monitoring, the key strategic priorities needed to improve performance at all levels Task Leader – Jackie Walley					
2.1.13	Work with schools to develop a performance management framework – liaise with NPT CBC who have an established framework	30/04/2008	31/12/2008		Policy and Performance Manager
2.1.19	Agree an appropriate stakeholder reporting mechanism	31/01/2008	31/07/2008		Policy and Performance Manager

Exception Reporting from Monitoring Forms – Estyn Work Plans – As at 30th April 2008

Appendix 2 – Activities considered and completion dates amended by Modernising Education Board

Ref.	Key Activity	Workplan Date	Revised Date	Second Revised Date	Activity Leader
R2.2 - Creating clearer links between operational, service and corporate priorities Task Leader – Jackie Walley					
2.2.04	Review and update the Council, Cabinet and Scrutiny report templates to ensure that the report recommendations support the key priorities for education	30/04/2008	30/06/2008		Head of Strategic Policy
2.2.08	Ensure that the Community Strategy supports the priorities for education	31/12/2008	01/04/2009		Head of Strategic Policy
R2.3 - Consulting and communicating effectively with schools, parents, pupils and other key partners Task Leader – Lisa Leece					
2.3.04	Map and analyse the effectiveness of existing area networks of schools and other statutory and community based partnerships	31/01/2008	31/03/2008	30/06/2008	Change Manager
2.3.06	With Head Teachers discuss and develop a way forward for establishing appropriate cluster/networks that will enable all schools to participate effectively	29/02/2008	30/04/2008	30/11/2008	Education Partnership Officer and Change Manager
2.3.09	Review the way we communicate with schools, governors, parents and children & Young people and adopt new improved strategies	29/02/2008	30/04/2008	30/11/2008	Change Manager and Education Partnership Officer
2.3.10	Establish terms of reference for schools area networks to include consultation and communication and determine the relationship with other partnerships and multi agency structures	29/02/2008	30/04/2008	30/11/2008	Education Partnership Officer and Change Manager
2.3.13	Establish the relationship of Youth Council, Denbighshire School Council and individual school councils to the school area network	31/03/2008	30/11/2008		PSE Coordinator
2.3.17	Youth Den and other appropriate websites pages accessible to schools, governors, parents, pupils and other key stakeholders, to publish documents, reports, targets etc to improve accountability and transparency	30/04/2008	30/09/2008		Tim Data
2.3.18	Produce regular bulletin for schools, governors, parents, children & young people, councillors and the community on key services and dates	30/04/2008	30/10/2008		Corporate Communications Manager
2.3.19	Six-monthly visits to all schools to identify opportunities for enhanced communication through PR activities	30/04/2008	30/10/2008		Corporate Communications Manager
2.3.20	Consider co-ordinator support needed for school area networks and funding streams that may be available to secure posts	30/04/2008	30/12/2008		Education Partnership Officer
R2.5 - Improving relationships and communication between parts of social and education services to successfully implement the Children Act 2004 Task Leader – Sally Ellis					
2.5.17	Agreement on how range of mapping processes are to be brought together and made available on-line (and linked with other information resources for children, young people, families and staff eg Youthden, CIS, prospectuses)	30/11/2007	30/04/2008	30/09/2008	14-19 Coordinator

Exception Reporting from Monitoring Forms – Estyn Work Plans – As at 30th April 2008

Appendix 2 – Activities considered and completion dates amended by Modernising Education Board

Ref.	Key Activity	Workplan Date	Revised Date	Second Revised Date	Activity Leader
2.5.33	Attendance Strategy completed and incorporated into strategic development process Single Plan	30/04/2008	30/10/2008		ESW Team Manager
2.5.56	Cymorth Commissioning process begins	30/04/2008	30/10/2008		C&YPP Manager
2.5.57	Draft Monitoring and Review Framework considered by CYPSP/YPP	04/04/2008	31/07/2008		C&YPP Manager
R2.5a) - Develop and implement Community Focused Schools and Integrated Support Strategy to deliver holistic support to children, young people and families within their community Task Leader – Lisa Leece					
2.5a.16	2007-08 CFS end of year report provided to WAG and available for all stakeholders	30/04/2008	31/05/2008		Education Partnerships Officer
R2.6 - Using the scrutiny function to establish clear accountability and challenge robustly officers, members and services who are accountable for raising standards and improving the quality of provision Task Leader – Steve Price					
2.6.02	Review the terms of reference for the Scrutiny committees and consider establishing a dedicated education Scrutiny committee.	30/04/2008	30/09/2008		County Clerk
R 3.1 - Linking funding priorities within the education budget more closely into strategic and operational planning processes R3.2 - Prioritising resources according to the needs of children, young people and schools Task Leader – Shaer Halewood					
3.1/3.2.05	Review of grant funding to ensure funding is being used within the relevant criteria. Analysis of grant funded posts assessed as a risk of funding coming to an end and scrutiny of exit strategies to mitigate it	30/04/2008	30/08/2008		Central Budgets Team LMS Team
3.1/3.2.06	Identify the current level of delegation of funding and assess whether this is appropriate and being managed effectively by schools	31/03/2008	30/04/2008	31/08/2008	LMS Team / SBF
3.1/3.2.07	Identify the statutory/non-statutory split of non delegated functions to assess whether further delegation would be appropriate. Review the Wales average and family group rates of delegation for comparison data	30/04/2008	31/05/2008	31/08/2008	LMS Team / SBF
3.1/3.2.08	Identify what other local authorities delegate and share best practice in terms of what works best with regards the level of delegation and why they have elected not to delegate	31/05/2008	30/06/2008	30/08/2008	LMS Team / SBF
3.1/3.2.10	If appropriate, (dependant on the outcome of the above activities) develop a phased approach for further delegation of funding coupled with a programme of support rolled out to schools at the relevant time	30/09/2008	31/10/2008		LMS Team / SBF
3.1/3.2.15	Budget holders are provided with new budgets and areas of responsibility. New budget holders to be given training and refresher courses offered to existing budget holders. Budget holders will be accountable for using the funding effectively and will demonstrate how the increased budget will be used to improve performance	30/04/2008	30/06/2008		Finance Section with Budget Holders

Exception Reporting from Monitoring Forms – Estyn Work Plans – As at 30th April 2008

Appendix 2 – Activities considered and completion dates amended by Modernising Education Board

Ref.	Key Activity	Workplan Date	Revised Date	Second Revised Date	Activity Leader
R3.3 - Evaluating the impact of the use of resources Task Leaders – Shaer Halewood / Tom Booty					
3.3.04	Develop workshop format to provide training to those individuals who will be completing the revenue funding bid forms to include: •The effective use of resources •Ways of generating funding •Financial monitoring and reporting •Benchmarking •The use of PI's Evaluation of resources	31/01/2008	29/02/2008	30/06/2008	Senior Project Manager
3.3.05	Ensure new forms and scoring criteria are adopted by the Council and are subsequently used as the primary mechanism for capital and revenue bids in relation to Education	31/01/2008	29/02/2008	30/06/2008	Principal Management Accountant
3.3.09	Ensure that grant funding is drawn down and maximised to help improve standards. Ensure that grant conditions are known in advance and a plan is in place on how to spend the funding within the relevant timescale. Have contingency plans in place where grant funding cannot be defrayed within the timescale for alternative uses	30/09/2008	31/12/2008		Senior Management Accountant
3.3.12	Provide regular reports to Scrutiny on performance and financial data to identify where standards have been improved or not as a result of the approved bids	30/09/2008	30/09/2009		Head of Policy and Performance
R3.4 - Completing the work on funding formulae for secondary and special schools and the delegation of resources for SEN and behaviour support Task Leader – Shaer Halewood					
3.4.10	Carry out robust financial modelling of Ysgol Plas Brondyffryn School. Use outcome to model Tir Morfa School	30/09/2008	30/09/2009		LMS Team / SBF
3.4.11	Review a revised method of distribution for special school funding taking into account best practice from other local authorities and the concurrent review of banding for SEN in mainstream schools	30/09/2008	30/09/2009		LMS Team / SBF
3.4.12	Consult with SBF and Special Schools on revised formula for funding	30/11/2008	30/11/2009		LMS Team / SBF
3.4.13	Agree new basis for allocating special school funding under revised formula	31/01/2009	31/01/2010		LMS Team / SBF Forum
3.4.14	Submit budget bids for 2009-10 budget setting process to increase funding to special schools to take into account additional need resulting from formula review	30/11/2008	30/11/2009		Heads of Service (Education)
3.4.15	Schools informed of indicative budgets for 2009-10 financial year	28/02/2009	28/02/2010		LMS Team / SBF
3.4.16	Implementation of new budget for 2009-10 financial year using new formula	30/04/2009	30/04/2010		LMS Team / SBF

Exception Reporting from Monitoring Forms – Estyn Work Plans – As at 30th April 2008
 Appendix 2 – Activities considered and completion dates amended by Modernising Education Board

Ref.	Key Activity	Workplan Date	Revised Date	Second Revised Date	Activity Leader
R3.5 - Working openly with schools to improve their understanding of funding decisions and processes Task Leader – Shaer Halewood					
3.5.18	Ensure finance is included within the schools self evaluation framework to ensure synergies and cross cutting threads e.g. CRSA	30/09/2008	31/03/2009		Senior Management Accountant

REPORT TO CABINET

REPORT BY: CORPORATE DIRECTOR: ENVIRONMENT

DATE: 3 JUNE 2008

SUBJECT: North Wales Regional Waste Plan 1st Review

1 DECISION SOUGHT

The purpose of this report is to secure the Council's endorsement of the North Wales Regional Waste Plan 1st Review Core Document and Technical Companion, which together form the North Wales Regional Waste Plan 1st Review.

2 REASON FOR SEEKING DECISION

- 2.1 This report has been produced following the agreement of a recommended draft North Wales Regional Waste Plan 1st Review Core document and Technical Companion by the North Wales Regional Waste Group on the 2nd of April 2008.
- 2.2 The requirement to produce a North Wales Regional Waste Plan was identified within Technical Advice Note (TAN) 21: Waste. TAN 21 required the local authorities in the three identified regions (S.E Wales, S.W Wales and North Wales) to establish voluntary joint arrangements to produce the plan which included the establishment of a Regional Waste Group. The Regional Waste Group is made up of a Member Group and a Technical Group. Each of the eight local planning authorities in the North Wales Region (including the National Park and North Powys) has a Member and Officer representation on the Regional Waste Group. Denbighshire County Council is the lead authority for the North Wales Regional Waste Plan and Member representation is via the Lead Member for Environment, who chairs the Regional Group.
- 2.3 The first North Wales Regional Waste Plan (referred to as 'the Plan') was agreed in March 2004 and is a material planning consideration when considering waste related planning applications. The Plan sets out the framework of new waste management facilities required to be provided for the Region (this includes all waste streams, e.g. agricultural, commercial and industrial, not just municipal). The Plan was adopted following an assessment of a range of different technology options and a public consultation. The Plan includes a range of waste management technologies and identifies the capacity required in each local authority. The Plan therefore provides guidance to local authorities as to the issues that should be considered when planning for waste.
- 2.4 Denbighshire County Council must have regard to the Regional Waste Plan during the development of the Local Development Plan (LDP) and when considering any waste project or proposal that requires planning permission or is subject to planning control.

- 2.5 TAN 21 requires that the Plan be reviewed every 3 years. The first review of the North Wales Regional Waste Plan has now been agreed by the North Wales Regional Waste Group.
- 2.6 The Consultation Draft North Wales Regional Waste Plan 1st Review Core document and Technical Companion were discussed at Denbighshire's Environment Scrutiny, at which there was general support for the Review.
- 2.7 Members are advised that this is a very complex and technical area. The Regional Waste Group (made up of Officers and Members of the seven North Wales authorities) has been coming together for over two years to prepare the Regional Waste Plan 1st Review documents. The key issues are highlighted below.

North Wales Regional Waste Plan 1st Review

Overview

- 2.8 The Recommended Draft North Wales Regional Waste Plan 1st Review (referred to as 'the Review') seeks to provide a land use planning framework for the sustainable management of wastes and recovery of resources in North Wales.
- 2.9 The Review covers all controlled waste (municipal, commercial and industrial, construction and demolition, agricultural and hazardous). It is not a waste management strategy and does therefore not consider mechanisms to reduce waste, beyond requiring LDP's to include policies to reduce waste where possible. This is the role of the National Waste Strategy which is currently being reviewed by the Welsh Assembly Government.
- 2.10 The Review includes a variety of different technologies, all of which have their own advantages and disadvantages. Each technology deals with a particular type (or treatment stage) of waste and it is therefore necessary to have a range of technologies to deal with a waste from collection through to disposal. For example, In-Vessel Composting (IVC) is used for compostable waste (garden waste, food waste etc) whereas incineration can be used for residual (black bag) waste. The two technologies are not mutually exclusive and may both form part of a sustainable waste management strategy. Anaerobic Digestion (AD) may also be used to treat compostable waste and can be used instead of IVC. Whilst the Review acknowledges the role of AD it could be made clearer that it is an appropriate technology for the Region.

RWP Technology Strategy

- 2.11 In order to develop the Technology Strategy, a wide range of options for managing waste using different waste management technologies were generated. These options were then subject to a range of assessments: a 'Life Cycle Assessment' to examine environmental impacts; a 'Strategic Environmental Assessment' to meet statutory requirements; a 'Sustainability Appraisal' to combine the environmental impacts with broader social and economic issues; and a strategic 'Health Impact Assessment'.

2.12 In order to provide adequate flexibility and choice, the Plan identifies seven 'Options' as the Technology Strategy in order to form the framework for the sustainable management of wastes and recovery of resources in North Wales. The Plan sets out an indicative new capacity required and indicative number of new facilities required in 2013 for each of the seven Options.

Apportionment of land

2.13 The Review requires local authorities to allocate land for waste management within their Local Development Plans (LDP's) and apportions land to each local authority based upon the level of need. The indicative land area identified for Denbighshire (by Option) is:

<i>Estimated landtake required in hectares</i>			
Option	Local facilities	In-built Facilities that can serve more than one LA	Total
2a	9	4	13
2c	9	7	16
3a	9	6	15
3b	9	8	17
3c	9	9	18
3d	9	6	15
4d	9	3	13

Note:

Local facilities include: Civic Amenity Sites, Transfer Stations, Materials Recovery Facilities, and Open-Windrow Composting.

In-Built Facilities that can serve more than one Local Authority include: Incineration, Pyrolysis, Gasification, Autoclaving, and Mechanical Biological Treatment (MBT).

Landfill capacity is identified but no landtake requirement identified due to the site specific nature of the capacity of a landfill.

2.14 In order to provide maximum flexibility to the market, local authorities are advised to allocate the maximum land area for the 7 options. This would mean Denbighshire allocating:

- 9 hectares for sites that can serve the local authority area; and
- 9 hectares for sites that can serve more than one local authority area.

2.15 The Review recommends that local authorities use the land area put forward as a guide only, stating that *“The final figure should be determined by the local authority through a review of local need and agreement with adjacent local authorities. Where a local authority is having difficulty determining a final figure the requirements contained within the Review should then be used.”*

2.16 Denbighshire's LDP is at a very early stage and as such references in it to waste issues are very broad. Only after the consultation on the Pre-Deposit LDP (some time in the autumn 2008) will detailed potential sites even start to emerge.

Areas of Search for Regional Facilities Project

- 2.17 The Review also includes a set of two maps:
- Areas of Search for regional open-air facilities; and
 - Areas of Search for regional in-built facilities.

In-built facilities which may be suitably located on an industrial estate include: Incineration, Pyrolysis, Gasification, In-Vessel Composting and Anaerobic Digestion.

Open-air facilities which are not generally housed in buildings and may need to be located in open countryside include: Landfill and Open-Windrow Composting, Civic Amenity Sites, Construction and Demolition Facilities. (There may be instances where some types of facility may operate within a building or in the open air.)

- 2.18 An interactive DVD has been produced as part of the Areas of Search project which effectively identifies the main issues that would need to be considered when determining the appropriateness of an area for a regional waste management facility. The DVD is not a stand alone tool and should be used by local authorities as a starting point for more detailed assessments to identify appropriate sites for waste management facilities in local development plans.
- 2.19 The Review does not allocate land for waste, nor indicate general areas within which waste developments would be acceptable; this is the role for LDP's. There is a need for further guidance with respect to municipal waste; however, this is beyond the scope of a land use plan.

Implications for Denbighshire

- 2.20 The main implications for Denbighshire are:
- A need to allocate land for waste management in the Local Development Plan (LDP), including:
 - 9 hectares for sites that can serve the local authority area; and
 - 9 hectares for sites that can serve more than one local authority area.
 - A need to consider the inclusion of policies within the LDP that reduces our current dependence on landfill and promotes the waste hierarchy.

3 POWER TO MAKE THE DECISION

This is a matter of Council policy and is therefore a matter for resolution by Council.

4 COST IMPLICATIONS

There are no cost implications

5 FINANCIAL CONTROLLER STATEMENT

The estimated procurement costs for the joint scheme for residual waste that will be over and above WAG special funding and accumulated reserves for this purpose have been built into the budget for 2008/9.

6 CONSULTATION CARRIED OUT

6.1 The Consultation Draft North Wales Regional Waste Plan 1st Review document was published for consultation with stakeholder organisations and the wider public in October 2007. The formal consultation period ran for 10 weeks from 15 October 2007 to 24 December 2007 and was subsequently extended until the 29th of February 2008 to allow further responses to be collated. Regional consultation activities during the consultation period included:

- an official launch and press conference during the Cylch (Wales Community Recycling Network) Conference in Cardiff – including a speech by Jane Davidson AM, Minister for Environment, Sustainability and Housing and Councillor David Poole as Chairman of the Regional Waste Group;
- four press releases – 108 media outlets were contacted and media coverage included a BBC Wales Today News headline story, a BBC Radio Wales interview and a BBC Politics Show interview;
- availability of a ‘Themes Document’ summarising the main themes of the Plan;
- a website with an on-line survey and consultation documents for download;
- a random postal survey of 3,700 households in the region;
- an industry day for major waste producers and the waste management industry;
- a strategic stakeholder day for representatives of public, private and not-for-profit sector bodies primarily involved in waste, the environment and planning;
- a series of three focus group meetings to which over 200 organisations were invited to send a representative;
- the offer to each Unitary Authority of one meeting within their area with a group of their choosing - where Hyder Consulting attended to make a presentation and receive feedback. 7 meetings were conducted.

6.2 Consultation activities within Denbighshire County Council were:

- An article in County Voice - the November issue of County Voice contained an article entitled “Have your say on what happens to your rubbish” advertising the consultation. Residents were able to access the documentation on the website and complete the online survey or request paper copies of the documentation and survey.
- Each Town and Community Council was asked to send 2 representatives to attend a meeting facilitated by Hyder on 14th November as part of the series of Community Group meetings.
- Some residents received the random postal survey.
- Over 50 organisations within the County were invited to attend the focus group meetings.
- The North Wales Regional Waste Plan 1st Review Consultation Document was discussed at Denbighshire’s Environment Scrutiny and a formal consultation response agreed.

6.3 These consultation activities amounted to the largest consultation and debate in the region to date on the way forward for selecting and siting the future network of waste management facilities. The feedback received during the consultation period was reviewed by the RWG and used to inform changes to the Plan.

7 IMPLICATIONS ON OTHER POLICY AREAS:

7.1 THE VISION

Contributes towards the achievement of “A Vision for Denbighshire 2025” by promoting more sustainable ways of managing waste through the planning system.

7.2 OTHER POLICY AREAS INCLUDING CORPORATE

The plan will have implications for both planning and waste management:

Planning

The plan requires Local Development Plans to allocate land for waste management purposes. The plan also guides LDPs as to the types of location that may be suitable. It advocates more sustainable ways of treating waste and may be a material planning consideration when dealing with planning applications for waste. Failure to identify land within LDPs will result in infraction fines which may be passed onto the local authority.

Waste Management

The plan advocates more sustainable ways of dealing with waste. Local authorities will need to ensure that planning applications submitted for waste facilities fall within the framework provided by the plan or that they can justify, in the local context, any necessary deviations from the plan. Failure to divert adequate levels of waste from landfill will result in the County facing infraction fines.

8 ACTION PLAN

Action	Officer	Deadline
Inform the WAG the Welsh Assembly Government of the Cabinet’s decision	Technical Waste Officer	31 st August

9 RECOMMENDATIONS

It is recommended that the North Wales Regional Waste Plan 1st Review be endorsed.

REPORT TO CABINET

REPORT BY: DEPUTY CHIEF EXECUTIVE / CORPORATE DIRECTOR:
RESOURCES

DATE: 03 JUNE 2008

SUBJECT: FINAL PERFORMANCE REPORT AGAINST THE
COUNCIL'S KEY INDICATORS FOR 2007/2008

1. DECISION SOUGHT

1.1. That Cabinet consider final performance against the Council's key indicators as provided in the attached Appendices which detail:-

- A summary of final performance against the Council's key indicators April 07 to April 08 – Appendix 1
- A detailed report of final performance against the Council's key indicators April 07 to April 08 – Appendix 2
- A detailed report of performance against Education's statutory indicators which relate to the academic year 06/07 - Appendix 3i
- A detailed report of performance against Education's local indicators which relate to the academic year 07/08 – Appendix 3ii

1.2. That Cabinet discuss any issue in greater depth and note the requirement to review the current set of key indicators for 08/09 to more adequately reflect the priorities of the new Council.

2. REASON FOR SEEKING DECISION

2.1. Denbighshire County Council collects and reports against numerous data sets, some of which are more relevant to the work of the Authority than others. The key performance indicators listed in Appendix 2 were chosen by Members from the previous Council so that they could closely monitor progress against corporate priorities, objectives and actions to reduce areas of risk. Regular monitoring of key performance indicators ensures that Members and senior manager are able to identify potential issues early enough in the year to take remedial action so that targets can be achieved and improvements to services made.

2.2. The key issues for consideration from the final report are noted below:

- **72.5%** (29) of key indicators have met their target for 2007 – 2008.
- **20%** (8) of key indicators have not met their target for 2007 – 2008.
- Of the **8** which have not met their target **2** have shown improvement on the previous year, **2** have shown a decline from the previous year and **4** were new and had no comparable data for the previous year, making it difficult to set a meaningful target

- **7.5%** (3) of key indicators have not met their target for 2007 – 2008 but where within 10% of achieving that target

Appendix I provides further detail in relation to targets not achieved

2.3. For comparison (the previous years key indicator status) (please note that indicators selected as Key PIs may differ from year to year).

- **73.7%** (42) of the key indicators had met their target set for 2006 – 2007.
- **26.3%** (16) of the key indicators had not met their target set for 2006 – 2007.

2.4. Education Key Performance Indicators

The performance indicators listed in Appendices 3i detail the Authority's performance against the Education National Strategic Indicators in the academic year 06/07.

2.5. Education National Strategic Performance Indicators – Annual Reporting

- **22%** (2) of key indicators have met their target for academic year 06/07
- **22%** (2) of key indicators have not met their target for academic year 06/07
- **44%** (4) of key indicators have not met their target for academic year 06/07 but where within 10% of achieving that target.
- **6** of these **8** have shown improvement on the previous year with **2** showing a decrease but still remaining within 10% of the target.
- For the indicator EDU/002 bii 0 pupils in care left full time education, training or work based learning without an approved external qualification, compared to 2 the previous year.

2.6. Education – Termly Reporting

- **50%** (3) of key indicators have met their target for 2007 – 2008.
- **0%** (0) of key indicators have not met their target for 2007 – 2008.
- **17%** (1) of key indicators have not met their target for 2007 – 2008 but where within 10% of achieving that target.
- **2** of the indicators did not have a target set and no improvement can be shown because this data was not collected in a comparable form the previous year.

3. POWER TO MAKE THE DECISION

3.1. Performance management and monitoring is a key element of the Wales Programme for Improvement which is underpinned by the statutory requirements of the Local Government Act 1999.

4. COST IMPLICATIONS

- 4.1. There may be cost implications to the achievement of some performance indicator targets. Failure to meet our policy agreement targets would result in non-payment of the performance incentive grant.

5. FINANCIAL CONTROLLER STATEMENT

- 5.1. Performance Management is a key element in ensuring quality services that are cost effective. There may be cost implications to slippage against key actions and timescales.

6. CONSULTATION CARRIED OUT

- 6.1. Progress against performance indicators and key actions should be discussed at Departmental Management Team meetings and team meetings. Quarterly performance reports which include performance indicators are prepared by the Scrutiny Officers and distributed to the relevant Scrutiny Committees for review.

7. IMPLICATIONS ON OTHER POLICY AREAS:

7.1. THE VISION

Performance against these indicators will support the Authority's ability to achieve Denbighshire's Vision.

7.2. OTHER POLICY AREAS INCLUDING CORPORATE

Performance indicators and progress against key actions impact upon all policy areas including corporate and can provide information on the effectiveness of current policy.

8. ACTION PLAN

Action	Responsibility	Deadline
To meet with each new Cabinet Member to explain their role in relation to performance management	Janette Williams	1 August 2008
To work with the new Cabinet to identify a meaningful set of indicators which reflect Council priorities	Janette Williams	1 August 2008

9. RECOMMENDATIONS

- 9.1. That Members consider the final Corporate Performance report and identify any issues which require further discussion and/or remedial action.
- 9.2. It is recommended that particular attention is paid to those indicators which did not achieve their target.
- 9.3. It is recommended that Members work with the Strategic Policy Unit to review whether the indicators are still relevant and to identify a meaningful set of indicators which reflect the priorities and objectives of the new Council.

Indicators which have not met the target but have shown improvement on the previous year

- **SCC/S/001a** - % of first placements of looked after children during the year that began with a care plan in place. Target was 95%, actual 91% which has shown improvement from last year when it was 88.89%. Last year's Welsh average was 93.70%.
- **LPI** – The failure rate of test purchases to on and off licensed premises. Target was 35%, actual 40% which has shown improvement from last year when it was 42%.

Indicators which have not met the target or shown improvement on the previous year

- **SCC/S/002** The percentage of children looked after at 31 March who have experienced one or more change of school, during a period or periods of being looked after, which were not due to transitional arrangements, in the 12 months to 31 March. Target was <15%, actual 22.98%. Last year's figure was 17.7% compared with the Welsh average of 14.1%. It is important to note that in many cases the school move has been, and continues to be, a very positive move for the child/young person.
- **CHR/C/002** The number of working days/shifts per full time equivalent (FTE) local authority employees lost due to sickness absence has shown worsening performance and no improvement on previous years. Target 9 days lost, actual 11.59 days.

New indicators which have not met the target

- **LPI** – Number of affordable housing units granted planning permission as a percentage of all new housing units granted planning permission during the year. Target 18%, actual 13%.
- **LPI** – % increase in the number of Fixed Penalty Notices issues in relation to environmental issues. Target 10% increase, actual 3% increase.
- **LPI** – number of jobs accommodated. Target 10, actual 8.
- **LPI** – % of staff who have had a performance appraisal in the last year. Target 100%, actual 49.24%.

Indicators which have not met their target but where within 10% of achieving the target

- **SCC/S/001b** – For those children looked after whose second review (due at 4 months) was due in the year, the % with a plan for permanence at the due date. Target 100%, actual 94.60%.
- **SCA/S/002** – The rate of older people (aged 65 or over) helped to live at home per 1,000 population aged 65 or over. Target 85, actual 82.13.
- **WMT/S/001b** – The % of municipal waste composted or treated biologically. Target 12.5%, actual 10.51% (est.).

Appendix 1







Summary of Performance Against Key Indicators

Table 1 Based upon the information currently available in Appendix 2, 3i and 3ii, overall performance is as follows:

	Number of PIs		Number on target	Number within 10% of target	Number at least 10% below target	n/a		Number of PIs where perf. Is better than last year	Number of PIs where perf. Is the same as last year	Number of PIs where perf. Is worse than last year	n/a
Children and Young People	4		1	1	2	0		2	0	2	0
Health, Social Care and Wellbeing	14		12	1	1	0		7	1	3	3
Environment	8		7	1	0	0		6	0	1	1
Lifelong Learning	9		2	4	2	1		6	0	2	0
Community Safety	6		4	0	2	0		4	0	0	2
Economic Prosperity	4		3	0	1	0		1	0	0	3
Corporate	4		2	0	2	0		2	0	1	1
TOTAL	49		31	7	10	1		28	1	9	10
%	100		63	14	20	3		58	3	19	20

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Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement
SUMMARY	PERFORMANCE KEY: Symbol denotes progress against 07/08 Targets	 Slippage against target. Performance more than 10% below target				PERFORMANCE IS WORSE THAN LAST YEAR					20.0%	17.5%
		 Slippage against target. Performance within 10% of target		IMPROVEMENT KEY: Symbol shows if performance has improved since qtr 2 in 2006/07		PERFORMANCE IS SAME AS LAST YEAR					7.5%	2.5%
		 ON TARGET				PERFORMANCE HAS IMPROVED SINCE LAST YEAR					72.5%	55.0%
NOTE: Where a figure has been entered in brackets this represents performance in the previous year, 2006/07												

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Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement
CHILDREN AND YOUNG PEOPLE												
SCC/S/001	NATIONAL STRATEGIC INDICATOR	a) % of first placements of looked after children during the year that began with a care plan in place.	93.70%	90.00%	88.89%	95%	73.46% (60%)	84% (75%)	89% (no figure reported for qtr 3 2006/07)	91%		
		Systems have been established with a view to securing performance improvement in quarter 4 and to continue to help improve the overall performance.										
		b) For those children looked after whose second review (due at 4 months) was due in the year, the percentage with a plan for permanence at the due date.	96.60%	100%	100%	100%	100%	100% (38.46%)	96% (93%)	94.60%		
		One case was not completed in time. The reasons for this have been reviewed. All other cases are compliant.										
SCC/S/002	NATIONAL STRATEGIC INDICATOR	The percentage of children looked after at 31 March who have experienced one or more change of school, during a period or periods of being looked after, which were not due to transitional arrangements, in the 12 months to 31 March	14.1%	10.0%	17.7%	<15%	4.16% (1.9%)	12.5% (5.32%)	16.66% (11.34%)	22.98%		

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Indicator Reference	Type of Indicator	Description Welsh Median 06/07 2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement
		All moves are considered and agreed as part of a specific planning meeting, or via a Looked After Child Review. The indicator includes positive moves (e.g. as part of an adoption plan). Moves are also reviewed each month by Children's Services Performance and Quality Management Group.								

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Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement
SCC/C/004	NATIONAL CORE SET INDICATOR	% of children looked after on 31 March who have had three or more placements during the year.	10.1%	<17%	7.1%	<10%	0.71% (2.78%)	1.57% (5.52%)	3.78% (8.5%)	6.93%	😊	↑
HEALTH, SOCIAL CARE AND WELL-BEING												
SCA/S/001	NATIONAL STRATEGIC INDICATOR	SCA/S/001 The rate of delayed transfers of care per 1000 population aged 75 or over	6.96	<2.53	0.72	<1.5%	0 (0.41)	0.41 (0.62)	0.92 (0.62)	1.12	😊	↓
SCA/S/002	NATIONAL STRATEGIC INDICATOR	The rate of older people (aged 65 or over): a) Helped to live at home per 1,000 population aged 65 or over	85.72	65	77.42	85	73.48 (66.55)	73.26 (72.73)	74.73 (74.27)	82.13	😐	↑
		A project group has been set up to ensure that all relevant data for this indicator is being captured. An improvement action plan has been developed.										
		b) Whom the authority supports in care homes per 1,000 population aged 65 or over	26.45	<41	31.17	<31	29.79 (31.11)	29.72 (29.72)	30.02 (30.75)	29.06	😊	↑

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Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement
HHA/S/001	NATIONAL STRATEGIC INDICATOR	a) The number of homeless families with children who have used bed and breakfast accommodation during the year, except in emergencies	31	35	0	25	0 (0)	0 (0)	0 (0)	0	☺	➡
		b) The average number of days all homeless households spend in temporary accommodation	102 days	120 days	105 days	120 days	97 days (80 days)	119 days (123 days)	93.84 days (71 days)	99.4 days	☺	⬆
HHA/S/002	NATIONAL STRATEGIC INDICATOR	The average number of working days between homeless presentation and discharge of duty for households found to be statutory homeless.	88	100 days	138 days	150 days	107 days (118 days)	133.19 days (168 days)	141 days (132 days)	133 days	☺	⬆
LPI	LOCAL INDICATOR	The number of formal homelessness decisions taken	N/A	500	311	450	70	133	175	252	☺	⬆
		This is measure of homelessness prevention.										

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Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement
HHA/C/013	NATIONAL CORE SET INDICATOR	% of all potentially homeless households for whom homelessness was prevented for at least 6 months	N/A - New PI 2007/08			65%	98%	98%	98%	98%	☺	N/A - New indicator
LPI	LOCAL INDICATOR	The number of affordable housing units granted planning permission as a percentage of all new housing units granted planning permission during the year	N/A - New PI 2007/08			18%	3%	1.4%	15.0%	13.0%	☹	N/A - New indicator
LPI	LOCAL INDICATOR	% of licensed HMOs which have received an initial inspection under the Housing Health Safety rating system	N/A - New PI 2007/08			50%	25%	44%	60%	86%	☺	N/A - New indicator
PPN/S/001bii	NATIONAL STRATEGIC INDICATOR	% of high risk businesses that were liable to a programmed inspection or alternative inspection activity that were inspected/subject to alternative enforcement activity for: Food Hygiene	100%	70.0%	78.0%	85%	12.52% (8.7%)	27.6% (16.60%)	49.5% (42%)	92%	☺	↑

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Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement
		Over 100 premises which were identified at the beginning of the year as requiring an inspection, are now no longer trading. If this number was taken out of the denominator figure this would give a cumulative performance of around 60%.										

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Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement
LCS/C/001 (NEW)	NATIONAL CORE SET INDICATOR	a) The number of visits to indoor sports facilities per 1,000 population	7458	4550	7467	7500	1986	4435 (4657)	6038 (6410)	8490	😊	↓
		b) The number of visits to outdoor sports facilities per 1,000 population	671	1950	2287	2300	575 (127)	1150 (975)	1855 (1462.5)	2450	😊	↑
	LOCAL INDICATOR - Former local policy agreement.	Number participating in health walks	N/A	5100	6397	5500	2200 (1183)	3972 (2388)	4812 (4386)	5758	😊	↓

ENVIRONMENT AND COUNTRYSIDE

WMT/S/001b	NATIONAL STRATEGIC INDICATOR	i) The percentage of municipal waste reused and/or recycled	18.04%	15%	16.91%	17.5%	13.5% (12.4%)	12.9% (13.73)	12.7% (15.12%)	Estimated 18.21%	😊	↑
		ii) The percentage of municipal waste composted or treated biologically	8.48%	10.00%	9.20%	12.5%	12.5% (11.90%)	13.3% (11.66%)	11.6% (10.38%)	Estimated 10.51%	😐	↑
WMT/C/007	NATIONAL CORE SET INDICATOR	% of municipal waste received at all household waste amenity sites that is reused, recycled or composted	49.87%	N/A	40.32%	50.5%	34.10%	34.60%	33.00%	Estimated 58.83%	😊	↑
		This indicator was not previously calculated on a quarterly basis										

CORPORATE QUARTERLY PERFORMANCE REPORT - KEY PERFORMANCE INDICATORS - QTR 4 2007-08

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Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement	
STS/C/005 (NEW)	NATIONAL CORE SET INDICATOR	a) Cleanliness Index	N/A new indicator 2007/08			Grade B	Grade B	Grade B	Grade B	Grade B	Grade B	☺	N/A - New indicator
		The cleanliness index denotes the overall standard of cleanliness of adopted highways and relevant land. The index is represented by a series of grades as defined in the Code of Practice on Litter and Refuse (2007), where: Grade A No litter or refuse Grade B+ No more than 3 small pieces of litter Grade B Predominately free of litter and refuse apart from some small items Grade C Widespread Distribution of litter and/or refuse with minor accumulations Grade D Heavily Affected by litter and/or refuse with significant accumulations The grade awarded is based on 6 bi-monthly surveys based on inspections of 2% of adopted highways and relevant land of an authority and one annual independent survey based on a 6% sample of the network undertaken by Keep Wales Tidy.											
		b) The percentage of highways and relevant land inspected of a high or acceptable standard of cleanliness	95.20%	93.00%	93.20%	93%	93.00%	93% (90.30%)	93.6% (91.8%)	92%	☺	↓	
This is calculated using the same method as above. But where part a takes an average, part b defines how many of the roads assessed scored Grade B or above.													
LPI	LOCAL INDICATOR	Number of enforcement actions taken for dog fouling/litter/fly tipping/abandoned cars, etc	N/A	150	239	200	49 (65)	122 (95)	236 (127)	421	☺	↑	
		b) i) Percentage change in energy use in the housing stock	7.80%	12% reduction by	7.85%	2% reduction	9.79% (1.94% reduction)			10.79% reduction, 2.94% reduction on previous year	☺	↑	

CORPORATE QUARTERLY PERFORMANCE REPORT - KEY PERFORMANCE INDICATORS - QTR 4 2007-08

Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement
EEF/S/001b	NATIONAL STRATEGIC INDICATOR	b) ii) Percentage change in carbon dioxide in the housing stock	6.36%	2007	6.75%	2% reduction		8.17% (1.42% reduction)		8.02% reduction, 1.27% reduction on previous year	😊	↑
		The figures reported for 2007/08 actually relate to performance in 2006/07. The definition of the indicator says that performance should be reported against the baseline figure from 2004/05 and not on a year on year basis. Therefore the total reduction since 2004/05 is shown. The reduction for 2006/07 is shown in brackets. This indicator is complicated to calculate and is not considered an accurate measurement of our energy use.										
COMMUNITY SAFETY												
LPI	LOCAL INDICATOR	Levels of violent crime	N/A	15% decrease	18% increase	5% decrease	29% decrease	32% decrease	31% decrease	29.4% decrease	😊	↑
LPI	LOCAL INDICATOR	Levels of crime linked to licensed premises	N/A	20% decrease	14% decrease (547 incidents)	5% decrease (520 incidents)	37% decrease	26% decrease - 223 incidents to date	17% decrease 353 incidents to date	19.4% decrease	😊	↑
LPI	LOCAL INDICATOR	The failure rate of test purchases to on and off licensed premises	N/A	5% decrease (44% failure rate)	7% decrease (42% failure rate)	5% decrease (35% failure rate)	0 no test purchases carried out	28% failure rate (75% failure rate)	28% failure rate	40% failure rate	😞	↑

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Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement
LPI	LOCAL INDICATOR	Levels of criminal damage	N/A	N/A new indicator 2006/07	2020 incidents	5% decrease	25% decrease (374 incidents)	27.8% decrease - 841 incidents to date	18% decrease	28% decrease	😊	N/A







CORPORATE QUARTERLY PERFORMANCE REPORT - KEY PERFORMANCE INDICATORS - QTR 4 2007-08











APPENDIX 2

Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement
LPI	LOCAL INDICATOR	% increase in the number of Fixed Penalty Notices issued in relation to environmental issues	N/A	N/A	239	10% increase	32% increase	17% increase	4% decrease	3% increase (68 FPNs)	☹	N/A
LPI	LOCAL INDICATOR	Number of young people taking Pass Plus driver training for new drivers	N/A	130	116	122	62	113	174	202	☺	↑
ECONOMIC PROSPERITY												
LPI	LOCAL INDICATOR	Rhyl Going forward targets: No of hectares developed	N/A	N/A	N/A	3.23 by the end of 2007/08	1.28	3.23	3.23	3.232	☺	N/A
		Number of large sites developed	N/A	N/A	N/A	2 by the end of 2007/08	1	2	2	2	☺	N/A
		Number of jobs accommodated	N/A	N/A	N/A	10 by the end of 2007/08	5	5	5	8	☹	N/A
LPI	Local Performance Indicator	Number of (under 25s) young people to have taken up the scheme for improving recruitment and retention in Denbighshire	N/A	35	49	50	49 (34)	54 (46)	55 (51)	57	☺	↑

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Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data	2007/08 Annual Target	Qtr 1 data	Qtr 2 data cumulative	Qtr 3 data cumulative	Qtr 4 data cumulative	Performance	Improvement
A DYNAMIC COUNCIL												
CHR/C/002	NATIONAL CORE SET INDICATOR	The number of working days/shifts per full time equivalent (FTE) local authority employees lost due to sickness absence (cumulative)	10.6 days	10.0 days	10 days	9 days	2.8 days (2.55 days)	5.10 days (4.49 days)	8.58 days (7.43 days)	11.59 days		
LPI	LOCAL INDICATOR	The percentage of staff who have had a performance appraisal in the last year.	N/A	New indicator 2006/07	New indicator 2006/07	100%	49.50%	61.42%	68.55%	49.24%		N/A
CFH/C/008	NATIONAL CORE SET INDICATOR	The percentage of council tax due for the financial year which was received by the authority	96.59%	97.50%	97.89%	97.50%				98.10%		
LPI	LOCAL INDICATOR	The percentage of senior management positions filled by women - PO3 and above.	N/A	40%	42.60%	43%	42.02% (43.9%)	44.02% (46.50%)	45.73% (43.0%)	45%		

Indicator Reference	Type of Indicator	Description	Welsh Median 06/07	2006/07 Annual Target	2006/07 Data (relates to the 2005/06 academic year)	Welsh Average 07/08	2007/08 Annual Target (relates to the 2006/07 academic year)	2007/08 data (relates to the 2006/07 academic year)	Performance	Improvement?
Performance Key: Symbol denotes progress against 07/08 Targets		Slippage against target. Performance more than 10% below target	Improvement Key: Symbol shows if performance has improved since qtr 2 in 2006/07		PERFORMANCE IS WORSE THAN LAST YEAR					
		Slippage against target. Performance within 10% of target			PERFORMANCE IS SAME AS LAST YEAR					
		ON TARGET			PERFORMANCE HAS IMPROVED SINCE LAST YEAR					
NOTE: Where a figure has been entered in brackets this represents performance in the previous year, 2006/07										
Education National Strategic Performance Indicators - Annual reporting										
LIFELONG LEARNING										
EDU/S/001	NATIONAL STRATEGIC INDICATOR	Percentage of pupil attendance in secondary schools	90.08%	91.50%	89.37%	90.70%	91.20%	89.90%		
		Performance has improved when compared to last year, but was still below the target set. The Welsh average for 2006/07 is 90.7%, therefore our performance is below the Welsh average.								
EDU/S/002	NATIONAL STRATEGIC	bi) % of all pupils in any local authority maintained learning setting, who attain the age of 16 during the school year and leave full-time education, training or work based learning without an approved external qualification	1.93%	1.50%	2.64%	1.70%	2.20%	1.60%		

ED07/002	INDICATOR	bii) % of pupils in local authority care in any local authority maintained learning setting, who attain the age of 16 during the school year and leave full-time education, training or work based learning without an approved external qualification	20.00%	18.00%	20.00%	Wales comparative data unavailable at present	18.00%	0.00%		
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EDU/S/003	NATIONAL STRATEGIC INDICATOR	% of pupils eligible for assessment at the end of Key Stage 2, in schools maintained by the local authority, achieving the Core Subject Indicator, as determined by Teacher Assessment	74.15%	72.00%	71.27%	74.10%	74.00%	73.20%		
		Performance has improved when compared to last year, but was still below the target set. The Welsh average for 2006/07 is 74.1%, therefore our performance is below the Welsh Average.								
EDU/S/004	NATIONAL STRATEGIC INDICATOR	% of pupils eligible for assessment at the end of KS3, in schools maintained by the local authority, achieving the Core Subject Indicator, as determined by Teacher Assessment	58.61%	60.00%	58.67%	56.70%	60.00%	57.40%		
		Performance at Key Stage 3 has declined by 1.27% when compared to last year, however performance is above the Welsh average.								
EDU/C/007	NATIONAL CORE SET INDICATOR	Percentage of pupil attendance in primary schools	92.70%	93.00%	92.30%	93.10%	93.50%	93.60%		
EDU/C/008	NATIONAL CORE SET INDICATOR	The number of pupils permanently excluded during the academic year per 1,000 pupils from primary schools	0.16	0.1	0.46	Wales comparative data unavailable at present	0.1	0.16		
		The number of pupils permanently excluded during the academic year per 1,000 pupils from secondary schools	1.87	1.8	2.51	Wales comparative data unavailable at present	1	1.47		
EDU/S/011 (New indicator - similar to EDU/S/05)	NATIONAL STRATEGIC INDICATOR	The average external qualifications point score for 16 year olds, in learning settings maintained by the local authority.	334	None set	313	343.5	324	311.5		
		Performance has not met the target set, has dropped by 1.5 points from the previous year and is significantly lower than the Welsh average.								

REPORT TO CABINET

REPORT BY: CHIEF EXECUTIVE

DATE: 3 JUNE 2008

SUBJECT: DELEGATION OF POWERS TO THE CHIEF EXECUTIVE UNDER THE ANIMAL WELFARE ACT 2006

1 DECISION SOUGHT

1.1 To adopt and to delegate to the Chief Executive the enforcement of and the exercise of powers under the Animal Welfare Act 2006.

2 REASON FOR SEEKING DECISION

2.1 The Animal Welfare Act 2006 does not place a statutory duty on the Authority to enforce the requirements of the Act. However many of its Sections refer to what a local authority may do. It is quite clear, from the wording in the statute, that Central Government expect local authorities to adopt and enforce the requirements of this Act.

2.2 The Act has wide ranging powers which combat the mistreatment of animals whether in a domestic or non-domestic location. Previously Animal Health legislation had limited powers for the welfare of animals and the introduction of the Animal Welfare Act provided the platform for officers to take action as detailed in paragraph 2.3 below.

2.3 The Authority's Animal Health Enforcement Officers have had to intervene in a specific animal husbandry case which has meant two seizures of animals from one owner. In total 25 dogs and 30 horses have been taken all of which had to be kennelled or stabled at the Authority's expense. All the animals were suffering from amongst other things, malnutrition, infestation of worm and fleas. Sadly one puppy and one horse died shortly after the first seizure. Legal proceedings are being implemented against the owner of the animals.

2.4 The owner appealed against the Authority's initial action. The Crown Court refused the Appeal and awarded custody of all the dogs and five horses to the Authority. Ownership of these animals has now been passed to several animal charities and most of them will be rehoused. Four of the dogs however may have to be put down as they were considered to be too dangerous to be allowed into a family environment. One charity has asked for custody of these dogs and they will try to rehabilitate them. Should they fail then the charity will have them destroyed.

2.5 The remaining 24 horses are now the subject of another appeal by the owner and we still have these in our possession. This report seeks to formalise the situation by authorising officers to take necessary actions.

3 POWER TO MAKE THE DECISION

3.1 Local Government Act 1972 – Section 137 as amended

4 COST IMPLICATIONS

4.1 Central Government have not provided any funding as the statute does not impose a duty on local authorities. However WAG have now allocated £700k for a Companion Animal Welfare Enhancement Scheme from which Denbighshire have been allocated £22k. Funding being based on population.

4.2 The £22k mentioned in para. 4.1 is a one off grant given to the Authority. WAG has given a commitment that funding will be included, in future years, in the RSG. Therefore it will be necessary to allocate resources for this enforcement work for next year and subsequent years.

4.3 No other funding has been allocated for the enforcement of this Act.

4.4 The case referred to in Para. 2.3 has so far cost the Authority £40k which has come from the Planning and Public Protection Services' budget

5 FINANCIAL CONTROLLER'S STATEMENT

5.1 It is of concern that the impact of this implied new duty has not been properly funded by Central Government. If adopted, any additional costs will need to be contained within the directorate base budget.

6 CONSULTATION CARRIED OUT

6.1 The Co-ordinating Body for Regulatory Services (LACORS) is currently meeting with RSPCA to establish a 'Memorandum of Understanding' which will outline the areas where the local authority will intervene and when RSPCA will take action

6.2 Both LGA and WLGA have approached DEFRA but as yet no funding has been made available.

6.3 Arising from the case cited above the local community in the area of the farm have applauded the action taken by Denbighshire Officers. Many people have offered support by providing feed and refuge for the horses and dogs that we have taken.

6.4 Farming Community within Denbighshire have commented to our officers that they fully support the Authority using the powers under this Act.

7 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

7.1 Supporting the local economy by ensuring that animals are reared, housed and fed in a manner that will not cause stress or alarm to them. Thus making Denbighshire a place where residents and visitors will not see animals suffering from malnourishment, disease or neglect.

8 ACTION PLAN

8.1

Date	Action	Taken by
3 June 2008	Adoption of the Animal Welfare Act 2006 and any amendment	Cabinet Members
4 June 2008	Authorisation given to Corporate Director and Head of Planning & Public Protection Services to enforce this Statute and any amendment thereto.	Chief Executive Officer
Date to be ascertained	Report on the outcome of proceedings of the case mentioned in this Report	Assistant Head of Planning and Public Protection
Date to be ascertained	Members to be made aware of the Memorandum of Understanding between LACORS and RSPCA	Head of Planning and Public Protection
Date to be ascertained	Members to be made aware of any agreement between the Animal Health Service of Denbighshire and the local RSPCA	Head of Planning and Public Protection

9 RECOMMENDATIONS

- 9.1 That Members agree that Denbighshire County Council may enforce the requirements of and exercise the powers of a Local Authority under the Animal Welfare Act 2006 and any amending legislation thereto.
- 9.2 That Members delegate to the Chief Executive the enforcement of and the exercise of the powers of a Local Authority under the Animal Welfare Act 2006.

REPORT TO CABINET

REPORT BY: CHIEF EXECUTIVE

DATE: 3 June 2008

SUBJECT: Delegation of Powers to the Chief Executive and Authorisations for Planning & Public Protection Services

1 DECISION SOUGHT

1.1 To review and consolidate the delegations and authorisations for the Chief Executive and officers within the Planning and Public Protection Services

2 REASON FOR SEEKING DECISION

2.1 The need for this review and consolidation of delegations arises from:

- (i) the various changes in the location and structures of Planning and Public Protection Services since Local Government Reorganisation in 1996
- (ii) the Local Government Act 2000 which resulted in functions being mostly the responsibility of the Cabinet but with some such as Planning and Licensing remaining as Full Council functions.

3. PRESENT POSITION WITH AUTHORISATIONS

3.1 Planning Delegation

The latest revision was approved by Full Council in July 2006 and came into effect on 25th July 2006.

3.2 The scheme is in three parts. Part 1 sets out what the Head of Planning and Public Protection and/or Development Control Manager can do subject to checks and balances in Parts 2 and 3. Part 2 sets out under what circumstances the Head of Planning and Public Protection and/or Development Control Manager cannot exercise decisions. Part 3 sets out decisions that must be taken by Full Council.

3.3 Licensing Delegations

The latest revision was approved by Licensing Committee on 27 July 2006 and the Chief Executive was empowered to delegate specific powers to the Head and Assistant Head of Planning and Public Protection and other named Officers in the Licensing Section.

3.4 Following the Committee's decision the Chief Executive delegated the Corporate Director Environment and the Head of Planning and Public Protection the powers to appoint officers to carry out the functions of the Licensing Section. The Head and Assistant Head of Planning and Public Protection were authorised to institute

proceedings when necessary and also to approve surveillance in accordance with the Regulatory Investigations and Procedures Act 2000

3.5 However since that delegation the Principal Licensing Officer has retired and Conwy CBC's Licensing Officer has been appointed on a part-time basis to manage the Section.

3.6 The legislation which was subsequently delegated to the Head and Assistant Head of Planning and Public Protection is detailed in paragraphs 55 - 66 of the Authorisation document (Appendix 1 to this report).

3.7 **Gambling Act 2005 - Delegations**

On 30 May 2007 Licensing Committee authorised specific powers, delegations and authorisations, arising from the Gambling Act 2005, to the Chief Executive.

3.8 Following the Committee's decision the Chief Executive delegated the Corporate Director Environment and the Head of Planning and Public Protection the powers to appoint officers to carry out the functions and requirements of the Gambling Act.

3.9 The Authorisations which were delegated to the Director, Head and Assistant Head of Planning and Public Protection are detailed in paragraphs 67 - 79 of the Authorisation document (Appendix 1 to this report)

3.10 **Public Protection – Delegations**

The authorisations mentioned in paragraphs 2.1; 2.3 and 2.4, with the exception of the above legislation in 3.6 and 3.9 has not been altered except when another statute has replaced it. For example: when the Food Safety Act 1990 replaced other existing food statutes.

3.11 It was felt that despite the various restructurings; title changes of officers; and the transferring of functions from one Department to another; if the Authority was challenged it could prove that there was an audit trail to show when and to whom appropriate delegation had been given.

3.12 As can be seen from the preceding paragraphs the route is both tortuous and complicated and it would be prudent to consolidate all the delegations and authorisations placed on the Public Protection Officers. This report seeks to formally regularise matters and suggests it is good practice to periodically review these authorisations etc, especially with the ever increasing burden of legislation and the changing nature of local government.

4 **POWER TO MAKE THE DECISION**

4.1 Local Government Act 1972 – Section 137 as amended in relation to Appendices 4, and 5

4.2 All the relevant legislation is listed in the attached Appendices 2 to 6 in so far as it relates to the exercise of Executive functions arising from the Local Government Act 2000

- Appendix 2 details legislation for which the Authority has a duty to enforce as a County Council – There are various sections in each statute which delegate the duty to the Authority
- Appendix 3 details legislation for which the Authority has a duty to enforce as the Weights and Measures Authority – There are various sections in each statute which delegate the duty to the Authority
- Appendix 4 details legislation which although it does not place a duty on the Authority is useful to enforcement officers when carrying out investigations to safeguard residents and businesses
- Appendix 5 details legislation which either the Authority can seek powers to enforce from a Specified Body or where the Body can ask the Authority to adopt and enforce
- Appendix 6 details all the European legislation which the Sections enforce

5 COST IMPLICATIONS

5.1 There are no cost implications arising from this report

6 FINANCIAL CONTROLLER STATEMENT

6.1 There are no obvious significant financial implications resulting from this matter.

7 CONSULTATION CARRIED OUT

7.1 County Clerk

7.2 Public Protection Officers

8 IMPLICATIONS ON OTHER POLICY AREAS:

8.1 THE VISION

Planning and Public Protection Service is the Authority's major enforcement provider. Enforcing legislation does not necessarily mean prosecution, this is used as a last resort. Much of the work carried out by the Service is advice and guidance to businesses and residents to ensure that Denbighshire is a safe, secure and healthy place in which to do business and reside.

8.2 OTHER POLICY AREAS INCLUDING CORPORATE

Community Strategy
Community Safety Policy
Health, Social Care and Well Being Policy
Children and Young People's Plan

9 ACTION PLAN

Date	Action	Responsible Officer
3 June 2008	Approval of Authorisations	Cabinet Members
3 June 2008	Delegation to Corporate Director, Environment; Head and Assistant Head of Planning & Public Protection Services	Chief Executive
4 June 2008	New authorisations are drawn up for Officers	Head and Assistant Head of Service County Clerk
30 June 2008	Officers to receive a letter detailing their authorisations	Head and Assistant Head of Service Personnel Officer, Environment
1 July onwards	Monthly review of legislation	Assistant Head of Service and Section Managers within the Planning & Public Protection Services
	Any additional or amending legislation to be adopted by the Authority	Head or Assistant Head of Service County Clerk Relevant Lead Member

10 RECOMMENDATIONS

- 10.1** In respect of Executive functions arising from the Local Government Act 2000 that Members delegate the power to the Chief Executive Officer to authorise the exercise of the powers and functions detailed in Appendix 1 to this report.
- 10.2** that Members confirm that officers are authorised to enforce the statutes detailed in Appendices 2, 3 and 4 to this report, together with Orders or Regulations made thereunder.
- 10.3** that Members authorise the Chief Executive Officer to obtain the necessary agreement of the relevant specified bodies to enforce the legislation detailed in Appendix 5.
- 10.4** that Members confirm that officers are authorised to enforce the Regulations made in accordance with the European Communities Act 1972 and detailed in Appendix 6 to this report, together with any Orders or Regulations made thereunder.

The Chief Executive Officer is authorised to delegate to:-

The Corporate Director: Environment

And the Head of Planning & Public Protection Services

And the Assistant Head of Planning and Public Protection Services

The power:-

1. To appoint and authorise in writing all officers of the Planning and Public Protection Services who may from time to time be employed to discharge the specific duties and functions delegated to the Head of Planning and Public Protection Officer, subject to such officers being suitably qualified for the discharge of those duties and functions
2. To supervise/manage/direct/undertake inspections, investigations, interviews, sampling, prohibitions, seizures, detentions, recording, service of notices, (including suspension notices), notifications, waivers, transfers, authorisations, licensing, registrations and legal proceedings as are within the purview of the Planning and Public Protection Services under the legislation applicable thereto set out in the attached appendices and/or detailed below, together with any Orders or Regulations made thereunder, and any amendments or additions thereto and to exercise all other relevant powers, including powers of entry provided under such legislation.
3. To ensure that officers adhere to the following statutes when carrying out investigations and enforcing legislation listed in Appendices 2 to 6

Criminal Justice Act 2003
Criminal Procedures and Investigations Act 1996
Human Rights Act 1998
Legislative and Regulatory Reform Act 2006
Police and Criminal Evidence Act 1984
Proceeds of Crime Act 2002
Protection from Harassment Act 1997
Regulation of Investigatory Powers Act 2000

4. The legislation referred to in paragraph 2 above is detailed in the attached appendices, these being:
 - Appendix 2 which lists the statutes which impose a duty on the local authority to enforce
 - Appendix 3 which lists the statutes which impose a duty on the local weights and measures authority to enforce
 - Appendix 4 which lists the statutes which do not impose a duty on the Authority but which from time to time are necessary and useful for officers to enforce in order that the residents of Denbighshire are protected

- Appendix 5 which lists statutes that do not impose a duty on the Authority but where authority may be sought from/by a Specified Body to enforce legislation on their behalf in order that the residents of Denbighshire are protected.
 - Appendix 6 which lists the Regulations made under the European Communities Act 1972 and which are enforced either by Trading Standards Officer/Environmental Health Officers/ Animal Health and Licensing Officers
5. To authorise in writing, when necessary, any directed covert surveillance in accordance with the Regulation of Investigatory Powers Act 2000
 6. When necessary, obtain permission in writing from the Chief Constable of North Wales Police to carry out intrusive surveillance in accordance with the Regulation of Investigatory Powers Act 2000.
 7. To authorise in writing, when necessary, a notice requiring a person to disclose:
 - details of an encryption key or code **or**
 - render the requested material intelligible for the purposes of an investigation **or**
 - details of email or other telecommunications data transmitted via the Internet **or**
 - details of an Internet user
 8. To authorise applications for mobile telephone and landline telephone data and records in accordance with the Regulation of Investigatory Powers Act 2000.
 9. To authorise in writing the use of covert human intelligence sources by officers in pursuit of investigations into criminal activities in accordance with the Regulation of Investigatory Powers Act 2000
 10. To authorise applications for warrants to enter any premises where it is suspected that criminal activities are being carried out
 11. After consultation with the County Solicitor, to authorise and commence legal proceedings in respect of those matters for which the Head and Assistant Head of Service have operational responsibility.
 12. When necessary, in relation to any of the above mentioned legislation detailed in the attached Appendices, to authorise the charging of a defendant in police custody providing the Head or Assistant Head of Service is satisfied that there is sufficient evidence to warrant the institution of legal proceedings.
 13. When necessary and after taking advice from the County Solicitor represent the Authority in legal proceedings taken before a Magistrates' Court.
 14. Instruct, when necessary Counsel who have been engaged to represent the Authority in proceedings brought by the Service whether in the Crown or Magistrates' Court.

- 15 Authorise the destruction of any goods that contravene any statute mentioned in Appendices 2 to 6 either where:-
- the owner cannot be traced or
 - the owner has voluntarily surrendered the goods to the Planning and Public Protection Services or
 - A court has ordered the Planning and Public Protection Services to destroy them
- 16 Authorise in writing Officers of the Planning and Public Protection Services to issue Fixed Penalty Notices in accordance with one or more of the following statutes:
- Clean Neighbourhoods and Environment Act 2005
 Environmental Protection Act, 1990,
 Health Act 2006
 Noise Act 1996
 Police and Justice Act 2006
- subject to those Officers being suitably trained to carry out the duties authorised.
- 17 And where a person fails to comply with a fixed penalty notice, authorise proceedings against that person
- 18 Act as the Principal Authority Officer for the Council
- 19 Maintain registers and lists of Licences issued and to approve the grant of licences under the following Acts:-
- House to House Collections Act, 1939 (House to House and Street Collections)
 Theatres Act, 1968 (Theatre Licences)
 Hypnotism Act, 1952
 Cinemas Act, 1985 (Cinemas)
 Food Safety Act 1990 (Food Businesses and Premises Register)
 Health & Safety at Work Act 1974 (Cooling Towers and Evaporative Condensers Register)
 Licensing Act 2003 (Alcohol on and off licensed premises)
 Scrap Metal Dealers Act 1964 (Scrap metal dealers)
 Vehicle (Crimes) Act 2001 (Motor salvage operators)
 Poisons Act 1972 (Persons licensed to sell non-medicinal poisons)
- 20 Nominate others to accompany officers in the course of their duty, as provided in the relevant legislation

With regard to Trading Standards

- 21 Ensure the appointment of suitably qualified persons who shall be designated the Chief and Deputy Chief Inspectors of Weights and Measures for the Authority.

- 22 In accordance with Sections 147 and 169 of the Licensing Act, where there has been persistent selling/supply of alcohol to children, authorise the Chief and Deputy Chief Inspectors of Weights and Measures to close premises for up to a maximum of 48 hours
- 23 In relation to Part 8 of the Enterprise Act 2002 where it is found that a business or accessory has pursued a course of action detrimental to the rights of a consumer that the Head or Assistant Head of Planning and Public Protection may either
- i) Seek a voluntary assurance from such parties as he thinks fit to cease that course of action, or.
 - ii) Obtain a formal undertaking from such parties to cease that course of action, or
 - iii) Where such formal undertaking is made and one or more of the parties fails to comply with the conditions set out in the undertaking, consult the Office of Fair Trading, and institute proceedings to obtain an Enforcement Order from the Courts for the parties to cease that course of action, and
 - iv) Should any party breach that Enforcement Order institute proceedings in the County or High Courts
- 24 Provide a Consumer Advice and Assistance Service in accordance with the provisions of the Weights and Measures Act, 1985.
- 25 Licence the storage of celluloid in a building in accordance with Section 1 of the Celluloid and Cinematograph Film Act 1922

With regard to Environmental Health

- 26 Arrange burials under Section 46 of the Public Health (Control of Disease) Act, 1984.
- 27 Appoint Proper/Alternate Proper Officers for medical matters under all sections of the Public Health (Control of Diseases) Act 1984 and associated regulations, the National Assistance Act 1948 and the National Assistance (Amendment) Act 1951
- 28 Discharge the duties imposed on the Council under the provisions of Section 149 of the Environmental Protection Act, 1990, and any amendments made thereon or any regulations made thereunder
- 29 In accordance with the Pollution Prevention and Control Act 1999, issue Permits under Regulation 10 of the Pollution Prevention and Control (England and Wales) Regulations 2000, as amended, to operate an installation carrying out one or more of the activities listed in Part 1 of Schedule 1 of the Regulations and to issue Variations to such Permits by virtue of Regulation 17 of the said Regulations
- 30 Grant consent for the operation of a loudspeaker Schedule 2 of the Noise and Statutory Nuisance Act 1993

- 31 Licence premises for acupuncture, tattooing, ear-piercing and electrolysis in accordance with Sections 13 to 17 of (Local Government (Miscellaneous Provisions) Act 1982
- 32 Licence pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business pursuant to either:-
 - Pet Animals Act 1951 or
 - Animal Boarding Establishments Act 1963 or
 - Riding Establishments Acts 1964 and 1970 or
 - Breeding of Dogs Act 1973 or
 - Breeding and Sale of Dogs (Welfare) Act 1999)
- 33 Register animal trainers and exhibitors in accordance with the Performing Animals (Regulation) Act 1925
- 34 Licence zoos (Zoo Licensing Act 1981)
- 35 Licence dangerous wild animals in accordance with the Dangerous Wild Animals Act 1976
- 36 Enforce the powers contained in The Caravan Sites Act 1968
- 37 Issue licences authorising the use of land as a caravan site in accordance with Section 3 (3) of the Caravan Site and Control of Development Act 1960

With regard to Food Safety

- 38 Enforce and execute Regulations (EC) Nos. 852/2004 and 853/2004 in relation to food business operators as specified in the Food (Hygiene)(Wales) Regulations 2006
- 39 Enforce the powers contained in the Products of Animal Origin (Third Country Imports) (Wales) Regulations 2002.

With regard to Health & Safety

- 40 Appoint Officers as Inspectors under Section 19 (1) of the Health and Safety at Work, etc. Act 1974.
- 41 Issue, amend, or replace safety certificates (whether general or special) for sports grounds in accordance with the Safety of Sports Grounds Act 1975 as amended by the Fire Safety and Safety of Places of Sport Act 1987
- 42 Issue, cancel, amend or replace safety certificates for regulated stands at sports grounds in accordance with the Part III of the Fire Safety and Safety of Places of Sport Act 1987

With regard to Animal Health

- 43 Power to enforce regulations in relation to animal by-products (Animal By-products (Wales) Regulations 2006)
- 44 Enforce and execute the Pigs (Records Identification and Movement)(Wales) Order 2004
- 45 Power to issue a licence to move cattle from a market in accordance with the Cattle Identification Regulations 1998

With regard to Private Sector Housing Grants

- 46 Issue Certificates of Approval of Works carried out for works of improvement, repair, conversion and adaptations under Part I of the Housing Grants, Construction and Regeneration Act 1996, and the Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 – Denbighshire’s Housing Renewal Policies 2003, including payments by instalments.
- 47 Deal with all matters arising from applications for grants under Part 1 of the Housing Grants, Construction and Regeneration Act 1996 and the Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 – Denbighshire’s Housing Renewal Policies 2003, including approval and rejection of applications, subject to Council policies and budgetary conditions
- 48 Deal with all aspects of approval and payments for unforeseen work above currently agreed limits in respect of House Improvement Grants.

With regard to Licensing

N.B. Paragraphs 49 – 54 relate to the delegations given to the Chief Executive Officer by the Licensing Committee on 27 July 2006 and which were subsequently delegated to the Corporate Director, Environment, the Head and Assistant Head of Planning & Public Protection to:

- 49 Approve the grant or renewal of licences under the Town Police Clauses Act, 1847 and the Local Government (Miscellaneous Provisions) Act, 1976 Part II in respect of hackney carriages and private hire vehicles, operators and drivers in accordance with the Council’s policies and to act as the Council’s authorised officer for the purpose of Part II of the Act.
- 50 Refuse the grant of licences under the Town Police Clauses Act, 1847 and the Local Government (Miscellaneous Provisions) Act, 1976 Part II in respect of hackney carriages and private hire vehicles, operators and drivers in accordance with the Council’s policies
- 51 Suspend or revoke licences issued under the Town Police Clauses Act, 1847 or the Local Government (Miscellaneous Provisions) Act, 1976 Part II in respect of hackney carriages and private hire vehicles, operators and drivers where it is

found that the licensee has contrived or failed to comply with the Council's policies and licensing conditions

- 52 Approve the grant or renewal of permits for small lotteries under the Lotteries and Amusements Act 1976, applies to non-gaming lotteries only
- 53 Approve the grant or renewal of permits under the House to House Collections Act 1939 and to vary or revoke such permit
- 54 Grant or refuse a street collection permit in accordance with Council Policy and to grant such permits outside Council Policy if the collection concerns an unforeseeable event.

N.B. Paragraphs 55 - 66 relate to the delegations given to the Chief Executive Officer by the Licensing Committee on 27 July 2006 in respect of the Licensing Act 2003 and which were subsequently delegated to the Corporate Director, Environment, the Head and Assistant Head of Planning & Public Protection to:

- 55 Undertake inspections, investigations, interviews, recording, service of notices and legal proceedings as are applicable to the Licensing Act 2003, together with any regulations made thereunder, and any amendments or additions thereto and to exercise all other relevant powers, including powers of entry provided under such legislation, and to maintain registers of Licences issued thereunder.
- 56 Approve all applications for the grant, transfer or variation of a premises licence or club premises certificate where there are no relevant representations.
- 57 Approve applications in respect of an activity taking place under the authorisation of a temporary event notice where there is no police objection.
- 58 Approve all applications for the grant or renewal of a personal licence where there are no police objections
- 59 Approve applications to vary designated premises supervisors where there are no police objections
- 60 Revoke a personal licence where convictions come to light after being granted
- 61 Approve applications for provisional statements where no relevant representations have been made
- 62 Approve interim authority notices where there are no police objections.
- 63 Determine whether a complaint is irrelevant, frivolous, vexatious, excluded or repetitive.

- 64 Determine all requests to be removed as a designated premises supervisor.
- 65 Determine whether a Hearing should take place pursuant to the Licensing Act 2003 if all parties are in agreement that no Hearing is necessary.
- 66 Request information from a party to clarify a point to be considered at a hearing pursuant to the Licensing Act 2003 (Hearings) Regulations 2005.

N.B. Paragraphs 67 – 79 relate to the delegations given to the Chief Executive Officer by the Licensing Committee on 30 May 2007 in respect of the Gambling Act 2005 and which were subsequently delegated to the Corporate Director, Environment, the Head and Assistant Head of Planning & Public Protection to:

- 67 Approve Premises Licences in accordance with the Gambling Act 2005 where no representations have been made or where representations have been withdrawn
- 68 Approve variations to Premises Licences in accordance with the Gambling Act 2005 where no representations have been made or where representations have been withdrawn
- 69 Approve a transfer of Premises Licences in accordance with the Gambling Act 2005 where no representations have been made by the Gambling Commission or any responsible authority
- 70 Approve Provisional Statements in accordance with the Gambling Act 2005 where no representations have been made or where representations have been withdrawn
- 71 When necessary and in accordance with the Gambling Act 2005 cancel or vary a licensed premises' gaming machine permit(s)
- 72 Remove the right to have gaming machines or gaming on specified premises in accordance with Section 284 of the Gambling Act 2005 and where no representations have been received
- 73 Approve the issue of permits for additional Category C and /or D machines in accordance with Sections 271 and 273 of the Gambling Act 2005 where there are no relevant representations
- 74 Determine whether a complaint is irrelevant, frivolous, vexatious, excluded or repetitive
- 75 In relation to the Licensing Act 2003 make representations as a responsible authority to the relevant Licensing Sub-Committee when considering a Liquor Licence Application. When necessary request a review of such licence as a responsible authority

- 76 Approve Temporary Use Notices in accordance with the Gambling Act 2005 when no representations have been received.
- 77 Approve Occasional Use Notices in accordance with the Gambling Act 2005 when no representations have been received.
- 78 Revoke a registration when the annual fee has not been paid.
- 79 Undertake inspections, investigations, interviews, recording, service of notices and legal proceedings as are applicable to the Gambling Act 2005, together with any regulations made thereunder, and any amendments or additions thereto and to exercise all other relevant powers, including powers of entry provided under such legislation, and to maintain registers of Licences issued thereunder
- 80 Renew Sex Shop and Sex Cinemas licences (Local Government (Miscellaneous Provisions) Act 1982
- 81 Transfer Sex Shop and Sex Cinemas licences (Local Government (Miscellaneous Provisions) Act 1982
- 82 Licence performances of hypnotism in accordance with the Hypnotism Act 1952
- 83 Issue/revoke/suspend licences for pleasure boats and pleasure vessels in accordance with Section 94 of the Public Health Acts Amendment Act 1907
- 84 Licence market and street trading within the County (Local Government (Miscellaneous Provisions) Act 1982
- 85 Issue Entertainments Licences in accordance with Section 12 of the Children and Young Persons Act 1933
- 86 Issue a permit to conduct charitable collections pursuant to Section 68 of the Charities Act 1992

With regard to Community Safety

- 87 Authorise proceedings for the application of an order against any person where it appears that the person has acted in an anti-social manner, that is to say, in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself and that such an order is necessary to protect relevant persons from further anti-social acts by him.
- 88 Institute proceedings against any person who is subject to an anti-social behaviour order, where evidence indicates that such person has contravened any condition of that order.

Appendix 2

Legislation which imposes a duty on local authorities to enforce within their area

Agricultural Produce (Grading and Marking) Act 1928
Agriculture (Miscellaneous Provisions) Act 1968
Agriculture Act 1970
Animal Boarding Establishments Act 1963
Animal Health Act 1981
Animal Health Act 2002
Animal Health and Welfare Act 1984
Antisocial Behaviour Act 2003
Breeding and Sale of Dogs (Welfare) Act 1999
Breeding Of Dogs Act 1973
Building Act 1984
Cancer Act 1939
Caravan Sites Act 1968
Caravan Sites And Control Of Development Act 1960
Celluloid and Cinematograph Film Act 1922
Children and Young Persons (Protection from Tobacco) Act 1991
Children and Young Persons Act 1933
Children and Young Persons Act 1963
Christmas Day (Trading) Act 2004
Cinemas Act 1985
Clean Air Act 1993
Clean Neighbourhoods and Environment Act 2005
Consumers, Estate Agents and Redress Act 2007
Control of Pollution Act 1974
Crime & Disorder Act 1998
Criminal Justice and Police Act 2001
Criminal Justice And Public Order Act 1994
Dangerous Dogs Act 1991
Dangerous Wild Animals Act 1976
Deer Act 1991
Defective Premises Act 1972
Disability Discrimination Act 1995
Environment Act 1995
Environment and Safety Information Act 1988
Environmental Protection Act 1990
European Communities Act 1972
Explosives Act 1875
Factories Act 1961
Farm and Garden Chemicals Act 1967
Fire Safety and Safety of Places of Sport Act 1987
Food and Environment Protection Act 1985
Food Safety Act 1990
Gambling Act 2005

Game Act 1831
Game Licences Act 1860
Guard Dogs Act 1975
Health & Safety at Work Act 1974 ss20,21,22,25, 39 & Sch 1 (third column)
Health Act 2006
Highways Act 1980
Home Safety Act 1961
House to House Collections Act 1939
Housing Act 1985
Housing Act 1996
Housing Act 2004
Housing Grants Construction and Regeneration Act 1996
Hypnotism Act 1952
Landlord and Tenant Act 1985
Legislative and Regulatory Reform Act 2006
Licensing Act 2003
Local Government & Housing Act 1989
Local Government, Planning and Land Act 1980
Local Govt. (Miscellaneous Provisions) Act 1976
Local Govt. (Miscellaneous Provisions) Act 1982
London Olympic and Paralympic Games Act 2006
Lotteries and Amusements Act 1976
Medicines Act 1968
Mines & Quarries (Tips) Act 1969
Mines & Quarries Act 1954
National Assistance (Amendment) Act 1951
National Assistance Act 1948
Noise Act 1996
Noise and Statutory Nuisance Act 1993
Offices, Shops and Railway Premises Act 1963
Pedlars Act 1871
Performing Animals (Regulations) Act 1925
Pesticides (Fees and Enforcement) Act 1989
Pet Animals Act 1951
Petroleum (Consolidation) Act 1928
Petroleum (Transfer of Licences) Act 1936
Plant Health Act 1967
Poisons Act 1972
Police, Factories &c (Miscellaneous Provisions) Act 1916
Pollution Prevention and Control Act 1999
Prevention of Damage By Pests Act 1949
Private Hire Vehicles (Carriage of Guide Dogs Etc.)Act 2002
Protection from Eviction Act 1977
Public Health (Control of Disease) Act 1984
Public Health Act 1875
Public Health Act 1936
Public Health Act 1961
Public Health Acts Amendments Act 1907

Public Passenger Vehicles Act 1981
Refuse Disposal (Amenity) Act 1978
Riding Establishments Act 1964
Riding Establishments Act 1970
Road Safety Act 2006
Road Traffic (Foreign Vehicles) Act 1972
Road Traffic Act 1988
Road Traffic Act 1991
Road Traffic Offenders Act 1988
Safeguarding Vulnerable Groups Act 2006
Safety of Sports Grounds Act 1975
Scrap Metal Dealers Act 1964
Slaughter of Poultry Act 1967
Sunday Trading Act 1994
Theatres Act 1968
Town Police Clauses Act 1847
Town Police Clauses Act 1889
Transport Act 1980
Transport Act 1981
Transport Act 1982
Transport Act 1985
Transport Act 2000
Vehicles (Crime) Act 2001
Violent Crime Reduction Act 2006
Water Act 2003
Water Industry Act 1991
Water Resources Act 1991
Wildlife and Countryside Act 1981
Zoo Licensing Act 1981

Appendix 3

Legislation which imposes a duty on local weights and measures authorities to enforce within their area

Consumer Credit Act 1974
Consumer Credit Act 2006
Consumer Protection Act 1987
Copyright, Designs and Patents Act 1988
Copyright, etc, and Trade Marks (Offences & Enforcement) Act 2002
Criminal Justice Act 1988
Education Reform Act 1988
Energy Act 1976
Enterprise Act 2002
Estate Agents Act 1979
Fair Trading Act 1973
Fireworks Act 2003
Hallmarking Act 1973
Motor Cycle Noise Act 1987
Olympic Symbol (Protection) Act 1995
Police Reform Act 2002
Prices Act 1974
Property Misdescriptions Act 1991
Solicitors Act 1974
Timeshare Act 1992
Tobacco Advertising and Promotion Act 2002
Trade Descriptions Act 1968
Trade Marks Act 1994
Video Recordings Act 1984
Weights and Measures Act 1976
Weights and Measures Act 1985

Legislation which does not impose a duty on the Authority but which from time to time is useful for officers to enforce in order that the residents of Denbighshire are protected

Accommodation Agencies Act 1953
Administration of Justice Act 1985
Administration of Justice Act 1970
Animal Welfare Act 2006
Bankers' Books Evidence Act 1879
Charities Act 1992
Charities Act 2006
Companies Act 1985
Companies Act 2006
Corporate Manslaughter and Corporate Homicide Act 2007
Courts and Legal Services Act 1990
Criminal Attempts Act 1981
Criminal Justice Act 1991
Criminal Law Act 1977
Crossbows Act 1987
Customs and Excise Management Act 1979
Development of Tourism Act 1969
Dogs (Amendment) Act 1928
Dogs Act 1906
Fireworks Act 1951
Forgery and Counterfeiting Act 1981
Fraud Act 2006
Hire Purchase Act 1964
Intoxicating Substances (Supply) Act 1985
Knives Act 1997
Law of Property (Miscellaneous Provisions) Act 1989
Local Government Act 2003
Magistrates' Courts Act 1980
Malicious Communications Act 1988
Mock Auctions Act 1961
Motor Vehicles (Safety Equipment for Children) Act 1991
Offensive Weapons Act 1996
Police and Criminal Evidence Act 1984
Proceeds of Crime Act 2002
Prevention of Corruption Act 1906
Protection from Harassment Act 1997
Registered Designs Act 1949
Restriction of Offensive Weapons Act 1959
Road Traffic (Consequential Provisions) Act 1988
Scotch Whisky Act 1988
Security Industry Authority (SIA) Act 2001
Theft Act 1968
Theft Act 1978
Trading Schemes Act 1996
Unsolicited Goods and Services (Amendment) Act 1975
Unsolicited Goods and Services Act 1971

Appendix 5

Legislation which does not impose a duty on the Authority but where authority may be sought from/by a Specified Body to enforce legislation on their behalf in order that the residents of Denbighshire are protected.

Opticians Act 1989
Osteopaths Act 1993
Police and Justice Act 2006
Police Reform Act 2002
Security Industry Authority (SIA) Act 2001

LEGISLATION MADE IN ACCORDANCE WITH EUROPEAN COMMUNITIES
ACT 1972

IN RELATION TO TRADING STANDARDS OFFICERS

Active Implantable Medical Devices Regulations 1992
Aerosol Dispensers (EEC Requirements) Regulations 1977, as amended by 1996 Regulations
Calibration of Tanks of Vessels (EEC Requirements) Regulations 1975
Chemical (Hazard Information and Packaging for Supply) Regulations 2002
Common Agricultural Policy (Wine) Regulations 1996
Construction Products Regulations 1991
Consumer Protection (Cancellation of Contracts Concluded away from Business Premises) Regulations 1987
Controls on Certain Dyes and 'Blue Colourant' Regulations 2003
Cosmetic Products (Safety) Regulations 2004
Crystal Glass (Descriptions) Regulations 1973
Consumer Protection (Distance Selling) Regulations 2000
Consumer Protection from Unfair Trading Regulations 2008
Electrical Equipment (Safety) Regulations 1994
Electro-magnetic Compatibility Regulations 2005
Energy Information (Ballasts) Regulations 2001
Energy Information (Washing Machines) Regulations 1996, as amended by 1997 Regulations
Energy Information (Tumble Driers) Regulations 1996
Energy Information (Combined Washer-driers) Regulations 1997
Energy Information (Lamps) Regulations 1999
Energy Information (Dishwashers) Regulations 1999
Energy Information and Energy Efficiency (Miscellaneous Amendments) Regulations 2001
Energy Information (Household Electric Ovens) Regulations 2003
Energy Information (Household Refrigerators and Freezers) Regulations 2004
Energy Information (Household Air Conditioners) (No.2) Regulations 2005
Environmental Protection (Controls on Injurious Substances) Regulations 1992
Fertiliser Regulations 1991
Feeding Stuffs Regulations 2002
Gas Appliances (Safety) Regulations 1995
General Product Safety Regulations 2005
Household Appliances (Noise Emission) Regulations 1990, as amended by 1994 Regulations
Measuring Container Bottles (EEC Requirements) Regulations 1977

Measurement Instruments (EEC Requirements) Regulations 1988
Measuring Instruments (Material Measures of Length) Regulations 2006
Measuring Instruments (Capacity Serving Measures) Regulations 2006
Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006
Measuring Instruments (Non-Prescribed Instruments) Regulations 2006
Medical Devices Regulations 2002, as amended by 2003 & 2005 Regulations
Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations
1999, as amended by 2004 Regulations
Non-Automatic Weighing Instruments) Regulations 2000
Organic Products (Wales) Regulations 2002
Packaging (Essential Requirements) Regulations 2003
Package Travel, Package Holidays and Package Tours Regulations 1992
Personal Protection Equipment Regulations 2002
Pressure Equipment Regulations 1999, as amended by 2002
Price Marking (Amendment) Order 1994
Radio Equipment and Telecommunications Terminal Equipment Regulations
2000, as amended by 2003 Regulations
Recreational Craft Regulations 2004
Simple Pressure Vessels (Safety) Regulations 1991, as amended by 1994
Regulations
Supply of Machinery (Safety) Regulations 1992, as amended by 1994 and 2005
Regulations
Textile Products (Indications of Fibre Content) Regulations 1986, as amended by
1988 Regulations
Tobacco Products Labeling (Safety) Regulations 1991
Toys (Safety) Regulations 1995, as amended by 2004
Unfair Terms in Consumer Contracts Regulations 1999
Weights & Measures (Metrication Amendments) Regulations 1994
Weights & Measures (Packaged Goods & Quantity Marking and Abbreviation of
Units (Amendments) Regulations 1994
Weights and Measures (Packaged Goods) Regulations 2006

IN RELATION TO ANIMAL HEATH & LICENSING OFFICERS

The Avian Influenza (Vaccination) (Wales) (No.2) Regulations 2006
The Avian Influenza (Preventative Measures) Wales Regulations 2006
The BSE Monitoring (Wales) (Amendment) Regulations 2001
The Bovine Spongiform Encephalopathy (BSE) Compensation (Wales)
Regulations 2006
The Bovine Products (Restriction on Placing on the market) (Wales) No2
Regulations 2005
The Bovines and Bovine Products (Trade) Regulations 1999
The Bovines and Bovine Products (Trade) Amendment (Wales) Regulations
2002

The Bovines and Bovine Products (Trade) Amendment (No.2) (Wales) Regulations 2002
The Meat (Enhanced Enforcement Powers) (Wales) Regulations 2001
The TSE (Wales) Regulations 2002
The TSE (Wales) (Amendment) Regulations 2004
The Transmissible Spongiform Encephalopathies (Wales) Regulations 2006
The Foot and Mouth Disease (Control Of Vaccination) Wales Regulations 2006
The Horse Passport (Wales) Regulations 2005
The Salmonella in Laying Flocks (Survey Powers) (Wales) Regulations 2005
The Salmonella in Broiler Flocks (Survey Powers) (Wales) Regulations 2005
The Cattle Identification (Wales) Regulations 2007
The Older Cattle (Disposal) (Wales) Regulations 2002
The Animal By-Products (Identification) Regulations 1995
The Animal By-Products (Identification) (Amendment) (Wales) Regulations 2002
The Animal By-Products (Wales) Regulations 2006
The Animals and Animal Products (Import and Export) (Wales) Regulation 2006
The Animals and Animal By-Products (Import and Export) (Wales) (Amendment) Regulations 2006
The Animals and Animal By-Products (Import and Export) (Wales) (Amendment) (No.2) Regulations 2006
The Products of Animal Origin (Import and Export) Regulations 1996
The Products of Animal Origin (Import and Export) (Amendment) Regulations 1997
The Sheep & Goats Transmissible Spongiform Encephalopathy (TSE) Compensation (Wales) Regulation 2006
The Animals (Third Country Import) Charges Regulations 1997
The Miscellaneous Products of Animal Origin (Import Conditions) (Wales) Regulations 1999
The Products of Animal Origin (Third Country Imports) (Wales) Regulations 2005
The Products of Animal Origin (Third Country Imports) (Wales) Amendment Regulations 2006
The Products of Animal Origin (Third Country Imports) (Wales) (No2) Amendment Regulations 2006
The Registration of Establishments (Laying Hens) Wales) Regulations 2004
The Veterinary Medicines Regulations 2006
The Official Control (Animals, Feeds and Food) (Wales) Regulations 2006
The Food Hygiene (Wales) Regulations 2006
The Food Hygiene (Wales) (Amendment) Regulations 2006
The Feed (Hygiene and Enforcement) (Wales) Regulations 2005
The Official Feed and Food Controls (Wales) Regulations 2006
The Official Controls (Animal Feed and Food) (Wales) Regulations 2007

IN RELATION TO FOOD SAFETY OFFICERS

Regulation (EC) No. 852/2004 (On the hygiene of foodstuffs)

Regulation (EC) No. 853/2004 (Laying down specific hygiene rules for food of animal origin)

Regulation (EC) No. 854/2004 (Laying down specific rules for the organization of official controls on products of animal origin intended for human consumption)

Regulation (EC) No. 882/2004 (On official control performed to ensure verification of compliance with feed and food law, animal health and animal welfare rules)

Regulation (EC) No. 178/2002 (laying down the general principles and requirements of food law and procedures in matters of food safety)

Food Hygiene (Wales) Regulations 2006

The Official feed & Food (Controls)(Wales) Regulations 2006

The Products of Animal Origin (Third Country Imports)(Wales)(Amendment) Regulations 2006

The Products of Animal Origin (Third Country Imports)(Wales)(No.4) Regulations 2005

REPORT TO CABINET

REPORT BY: CORPORATE DIRECTOR: ENVIRONMENT

DATE: June 3rd 2008

SUBJECT: **Establishment of Task & Finish Group to Prepare the Deposit Local Development Plan (LDP) for Public Consultation by Spring 2009**

1. DECISION SOUGHT:

1.1 That Cabinet agree the approach to preparing the consultation draft of the Deposit Local Development Plan (LDP) and that a Member Task and Finish Group be established to enable this.

2. REASON FOR SEEKING DECISION:

2.1 An efficient political decision making process is required to meet the target of public consultation on the Deposit LDP by **Spring 2009**. This report proposes a streamlined but accountable process to enable the Deposit LDP to be presented in draft form to Cabinet by **January 27th 2009**.

2.2 LDP DEPOSIT – THE PROPOSED PREPARATION PROCESS:

2.3 The LDP is a strategically important land use document and is one of the four statutory documents that the Council must produce. The Pre-Deposit (the first draft) of the LDP is currently subject to public consultation (June 2nd – August 1st, 2008).

2.4 It is proposed that the results of this public consultation are presented to Cabinet on September 30th 2008 (this Cabinet deadline is potentially subject to delay depending upon the volume of representation received during the public consultation).

2.5 Following this consultation, officers will then prepare the second draft of the LDP – known as the Deposit LDP (also for public consultation), which must be published by Spring 2009. Getting the Deposit LDP ready for consultation by Spring 2009 is an ambitious target. However, it is very important that this target is achieved.

2.6 This report sets out a formal approach to preparing the Deposit LDP in an effective and timely manner.

2.7 A Member Working Group was set up to oversee the preparation of this Pre-Deposit LDP. Whilst this Group had a membership of 10, all Members were allowed to attend and contribute to the meetings. This group contributed greatly to the development of the Pre-Deposit LDP and Members must be commended for their contribution.

2.8 However, in order to meet the requirements for preparing the Deposit LDP by Spring 2009, it is proposed that the following changes are made to the LDP Working Group:

1. Reduce the number of Members on the group to 7 and restrict attendance to this group only.
2. Consult all members on the key issues agreed at the end of each meeting
3. The Lead Member for the Environment should chair the group
4. The key deadline for the group will be to have all major issues relating to the Deposit LDP addressed by December 2008.
5. The group should meet 5 times between September and December 2008 (every 3 weeks), before reporting their findings to Cabinet (January 27th 2009).
6. The group will be called the "Deposit LDP Task & Finish Group"

2.9 The main reasons for these changes are as follows:

1. There is a need to speed up the process of preparing the LDP. The Deposit LDP must be published and consulted by Spring 2009 – as already agreed by Full Council and the Assembly Government. An additional incentive to ensure the LDP is delivered to the agreed timetable is that the Council may have to face European Union "infraction fines" if Waste Management facilities have not been identified in the LDP by 2010.
2. There is also a need for a more informal approach to discussing the issues rather than a formal 'committee' type approach – in order to encourage greater debate around the issues. It is considered a more informal approach to debating the issues can be generated with a smaller group than has been used in the past.

2.10 Method of Selecting the LDP Deposit Task & Finish Group Membership

2.11 As set out above it is proposed that the Task & Finish Group membership is restricted to no more than 7 members. **If possible this group should have political and geographical balance. It is recommended that the Lead Member for the Environment nominate the membership of the group**

2.12 Proposed LDP Deposit Task & Finish Group Dates:

2.13 Specific dates have not been incorporated into the Members diary for this group yet. It is expected that the group will meet 5 times (approximately every 3 weeks) between September and December, 2008. The need for additional meetings will be reviewed at the fifth meeting in December.

2.14 It is anticipated that after the fifth meeting in December, a first draft of the Deposit LDP will be ready to submit to Cabinet for approval in the New Year.

3. POWER TO MAKE THE DECISION:

3.1 The County Council has a requirement under the Planning and Compulsory Purchase Act 2004 to produce a Local Development Plan. The preparation of the LDP is an executive function that falls to the Cabinet. The LDP Deposit

Task & Finish Group will report to Cabinet. The ultimate 'adoption' of the final version of the LDP is a function for Full Council.

- 3.2 The County Council also have an agreed timetable with the Welsh Assembly Government to produce the LDP Deposit by Spring 2009. Timetable delays from this agreed date should be avoided for various reasons – in particular the issue of EU Waste Infraction fines (which require development sites for waste management facilities to be identified in the Deposit LDP).

4. COST IMPLICATIONS:

- 4.1 There are no direct cost implications arising from changing the structure of the LDP Working Group.

5. FINANCIAL CONTROLLER STATEMENT:

- 5.1 Part 4 confirms there are no direct financial implications from this matter. A fund is being built up annually to cover the eventual costs of the LDP process.

6. CONSULTATION CARRIED OUT:

- 6.1 Other than internally among officers there has been no consultation carried out on the content of this report.
- 6.2 The LDP itself will of course be subject to extensive consultation during both the current LDP Pre-Deposit consultation and again next year when the Deposit LDP is consulted.

7. IMPLICATIONS ON OTHER POLICY AREAS:

7.1 The Vision

The LDP will deliver the spatial element of the Vision. This report will have a significant influence upon the successful and timely delivery of the Deposit LDP for public consultation.

7.2 Other Policy Areas including Corporate;

The LDP is a far reaching document that has various impacts upon several policy areas. However, this report only addresses the procedures for preparing the LDP, therefore there are no direct implications upon other policy areas.

8. ACTION PLAN

- 8.1 The Action Plan for progressing the LDP is as follows:

3 rd June 2008	Approve the Recommendation in this Report
3 rd June	Select the LDP Deposit Task & Finish Group Membership
September 30 th 2008 (suggested date)	Report the details of the Pre-Deposit Consultation to Cabinet

September – December 2008	5 LDP Meetings to Determine Content of the Deposit LDP
January 27 th 2009	Present Deposit Draft LDP to Cabinet
Spring 2009	Public Consultation of Deposit LDP

9. RECOMMENDATION

9.1 That Cabinet agree:

- (i) The revised LDP Deposit Task & Finish Group format set out in this report in order to prepare the consultation draft of the Deposit Local Development Plan (LDP) by Spring 2009, which include:
 - Reducing membership to a maximum of 7 Members;
 - Producing a briefing note to consult all Members on the outcome of each meeting
 - Meeting on a 3 weekly basis between September and December, with the need for further meetings to be reviewed at the fifth and final meeting;
 - Having an informal meeting structure to encourage discussion and debate.
- (ii) For the Lead Member to select the 7 Members of the LDP Deposit Task & Finish Group and notify the County Clerk of the agreed membership.

REPORT TO CABINET

REPORT BY: CORPORATE DIRECTOR: ENVIRONMENT

DATE: 3rd June 2008

SUBJECT: Draft Rights of Way Improvement Plan

1 DECISION SOUGHT

This report seeks approval to the Draft Public Rights of Way Improvement Plan to enable it to go out for statutory and public consultation.

2 REASON FOR SEEKING DECISION

- 2.1 The Countryside and Rights of Way (CROW) Act 2000 places a duty on every Highway Authority, outside Inner London, to produce a Rights of Way Improvement Plan (ROWIP) by November 2007. The ROWIP is intended to be the prime means by which Highway Authorities will identify changes to be made, in respect of the managements and improvements, to their local rights of way network. The Government's aim is for Council's to create better provision for walkers, cyclists, equestrians and people with mobility problems. The Draft ROWIP covers the existing Public Rights of Way Network, those routes recorded on the Council's List of Streets and new proposals. The ROWIP is a part of the Regional Transport Plan.
- 2.2 The Welsh Assembly Government (WAG) has published statutory guidance and this Draft ROWIP has been prepared in accordance with that guidance. Council's should assess user's needs and expectations and consider whether the existing Rights of Way network is satisfactory. The assessment was completed last November and was placed on public deposit.
- 2.3 Preliminary consultation on the existing network has taken place in about the needs of all users and potential users of the Rights of Way network in order to identify what improvements the Council should consider making to the network. Matters raised in the consultation for the assessment are identified in the Draft ROWIP.
- 2.4 Discussions with adjoining authorities have taken place as routes can and should span boundaries. Some proposals within the Draft ROWIP require complementary proposals and action by other Highway Authorities.
- 2.5 The Draft ROWIP covers all Public Rights of Way on Definitive Maps and therefore, ideally it should include a plan which shows all Definitive Routes, including those where legal issues exist.
- 2.6 The Draft ROWIP includes a Statement of Action which is the Council's Improvement Plan for the Rights of Way network. This details proposals, indicates likely costs and seeks to establish implementation dates.

- 2.7 The Draft ROWIP will go out for statutory and public consultation commencing in June 2008 for the recommended period of 12 weeks.
- 2.8 Although the preparation of a rights of way improvement plan is a statutory duty Members should note that the implementation of the action plan is discretionary and will only become deliverable when funds become available. Following lobbying of the Welsh Assembly Government by all the Local Access Fora the WAG has allocated £1.7 million to local authorities to help deliver their ROWIP's. For Denbighshire the allocation is £69,000 however this is conditional on the ROWIP being in place by mid September 2008.

3 POWER TO MAKE THE DECISION

- 3.1 The Countryside and Rights of Way Act 2000

4 COST IMPLICATIONS

- 4.1 The Draft ROWIP is a document for consultation and the cost of printing and the consultation will be met from within existing resources.
- 4.2 It includes an Action Plan which, if taken forward in the final ROWIP, would require funding and bids would have to be made. The ROWIP is now identified as part of the Regional Transport Plan and some funding bids in respect to this have already been made.
- 4.3 The ROWIP includes proposals for dealing with the existing statutory legal issues where they affect Definitive Routes and the costs of this work will be substantial and no budget currently exists to address this. There is however currently a legal obligation to undertake this work irrespective of the ROWIP being in place. The ROWIP will hopefully provide a framework hierarchy under which these should be addressed.
- 4.4 Physical works are included in the Draft ROWIP and were possible, a generalised cost has been used to indicate the likely costs of that proposal.
- 4.5 An important part of the Action Plan is to sort out the backlog of legal anomalies on the existing network and improve the network. This could require a large amount of funding right at the start of the Plan and additional resources would need to be bid for. This matter of the outdated map and backlog has been identified by Environment Scrutiny as a matter of concern.

5 FINANCIAL CONTROLLER STATEMENT

- 5.1 The level of activity resulting from the adoption of the Improvement Plan will be restricted by the availability of special funding from WAG. Further sums would be unlikely to be available as additional resources from the Council in the light of the level of WAG settlements in the next few years.

6 CONSULTATION CARRIED OUT

- 6.1 Preliminary consultation on the existing network has taken place about the needs of all users and potential users of the Rights of Way network in order to identify what improvements the Council should consider making to the network. Denbighshire's Local Access Forum has taken a leading role in the consultation and preparation of the Draft ROWIP. Matters raised in the consultation are identified in the Draft ROWIP.
- 6.2 Some discussions with other adjacent authorities have taken place as routes can and should span boundaries. Some proposals within the Draft ROWIP require complementary proposals and action by other Highway Authorities. Conwy's and Flintshire's Draft plans have just been sent out for statutory consultation.
- 6.3 Community and Town Council's also have a fundamental role to play in developing the ROWIP and they have been kept closely involved in bringing this Draft Plan together. Further, liaison and cooperation with these bodies will be ongoing.
- 6.4 Within Denbighshire County Council the Lead Members for Environment and for Tourism have been supportive of these proposals as have all Officers with an interest such as the Clwydian Range AONB Officer and others with Lifelong Learning with an input into countryside and leisure services.
- 6.5 The Countryside Council for Wales also play an important part in this process and they too have been supportive of Denbighshire's approach to producing this Draft.
- 6.6 Consultation with groups representing the county's landowners and farming community has indicated broad support for the assessment particularly as it includes measures to assist rural businesses.

7 IMPLICATIONS ON OTHER POLICY AREAS:

7.1 THE VISION

The Rights of Way Improvement Plan will improve existing rights of way and encourage and enable local people of different ages and abilities to access and enjoy a network of bridleways, byways and footpaths and the issuing of this Draft is a crucial step in achieving this by helping increase the number of visitors year round to enjoy the beautiful countryside and take part in outdoor activities.

7.2 OTHER POLICY AREAS INCLUDING CORPORATE

The development and enhancement of a good rights of way network will lead to improved opportunities for exercise and encourage good health amongst local and visiting path users which clearly meets with the Council's Health and Well Being strategy. In addition the Equalities goals will be achieved by providing improved access to paths for disabled users and network improvement will also add to the profile for sustainable tourism opportunities which clearly links to the ideals for Economic Regeneration.

The ROWIP, as proposed, would meet many objectives set by , national, regional and local Environmental, Tourism, Health, Transport and sustainable development objectives.

8 ACTION PLAN

The actions are outlined clearly within the Draft ROWIP and the report merely asks for approval for these to go out for consultation. Issue of the final ROWIP will again come before Cabinet at a date later in the year for final approval.

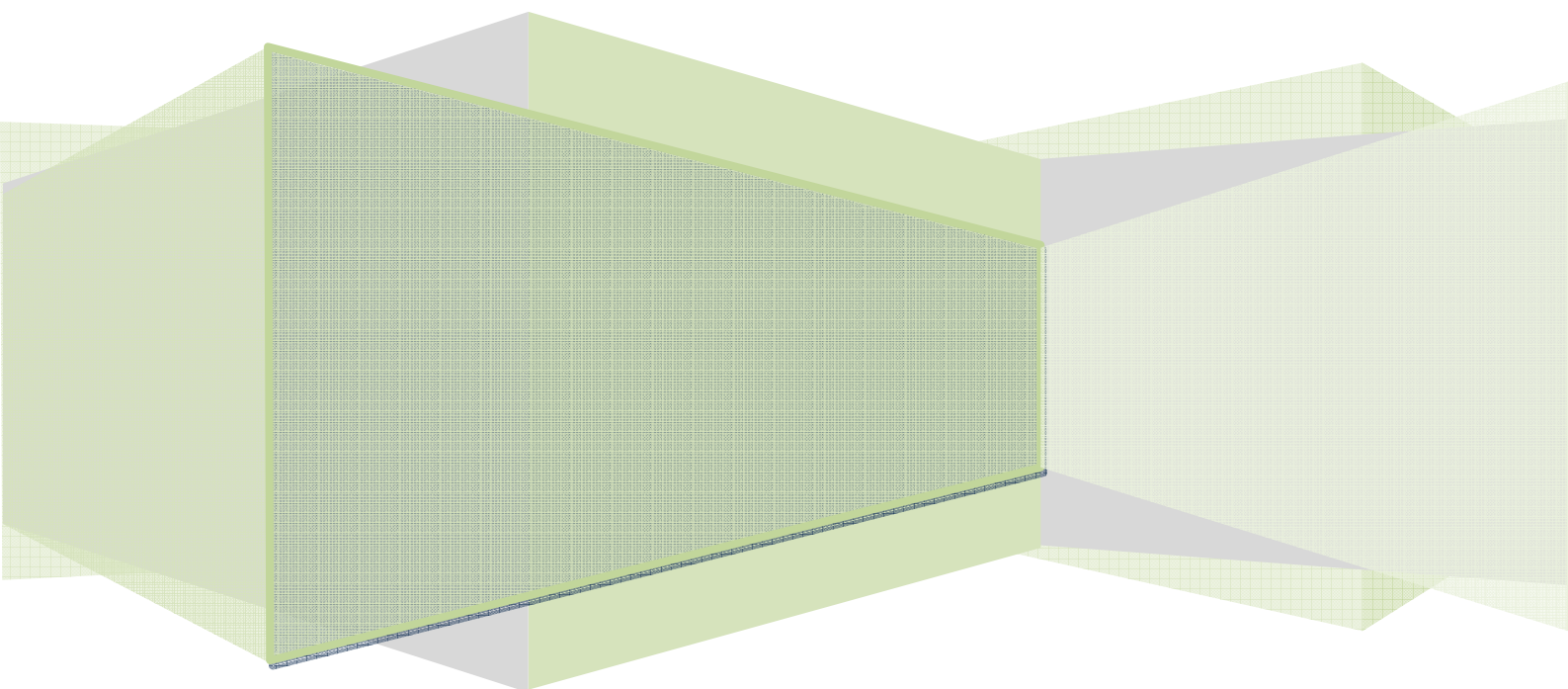
9 RECOMMENDATIONS

- 9.1 That the Draft Rights of Way Improvement Plan (ROWIP), as now submitted, be approved as a basis for consultation.
- 9.2 That following consultation, the Director of Environment be requested to present the final Rights of Way Improvement Plan to the Cabinet Member in due course.

+++ Draft +++

Rights of Way Improvement Plan Statement of Action 2008-2018

Prepared for Denbighshire County Council
by Public Rights of Way Services Ltd



Denbighshire Rights of Way Improvement Plan: Statement of Action

Introduction: The importance of Denbighshire's rights of way

The County of Denbighshire has over 1,300 kms of public rights of way; a dense network of paths that are variously classified as footpaths, bridleways, byways and restricted byways. The County also has some of the finest scenery, not just in Wales but in the whole of Britain. This includes the Clwydian Range – designated as Area of Outstanding Natural Beauty – together with Vale of Clwyd, the Berwyn Hills and the Hiraethog or Denbigh Moors.

Not surprisingly, therefore, our rights of way network is highly valued and extensively used both by residents of Denbighshire and the many visitors to the area. It is the main way people have of getting into the heart of the countryside, away from the hustle and bustle of every-day living and roads used by cars, to where they can relax, recharge their batteries, and explore and enjoy the peace, tranquillity and beauty of this outstanding area.

The rights of way network therefore, once the Cinderella of the highway network, is now recognised as having an important new role and as bringing considerable economic, social, community and health benefits to the whole of Denbighshire.

This plan – the Rights of Way Improvement Plan - is about how the County can carry out its important statutory duties towards rights of way more efficiently and effectively, so that all paths can be correctly recorded, kept open for use and are easy to find and to follow. It is also about how the network can be improved; to ensure that as many paths as possible are open to those with limited mobility of other special needs, and that good network of routes is also available to those who want to enjoy the countryside on horseback, by cycle or while driving a carriage. And it is about ensuring that everyone who cares about Denbighshire's rights of way has access to the information they need to find out about the many opportunities that the network makes available and how these can be used enjoyably, safely and responsibly.

Why prepare a rights of way improvement plan and what is it?

Denbighshire County Council, in common with other local highway authorities in England and Wales, is required by the provisions of section 60, Countryside and Rights of Way Act 2000 to prepare and publish a rights of way improvement plan.

The legislation and related statutory guidance¹ makes it clear that preparing an improvement plan should be carried out in two stages. In the first, the authority is required to undertake a thorough assessment of a number of matters and to publish its findings for consultation. These matters include the extent to which rights of way in the area meet the current and likely future needs of the public, the opportunities the rights of way network provides for exercise, open air recreation and enjoyment of the authority's area, and the accessibility of the network to those who are blind or partially sighted or who have mobility problems.

¹ *Rights of Way Improvement Plans: Guidance to Local Highway Authorities in Wales* issued under section 61(4) of the Countryside and Rights of Way Act 2000 by Welsh Assembly Government.

In Denbighshire we took the opportunity to also thoroughly review our performance in the way we record and maintain the path network and in meeting our many other duties and responsibilities towards rights of way. At the same time we undertook valuable public consultations to help us better understand the value of rights of way to the people of Denbighshire and the many different ways they are used in practice. The ROWIP Assessment for Denbighshire was published in December 2007 and was widely circulated for comments. A summary of the main conclusions has been included in this report, at Appendix 3.

About the draft Statement of Action

This document – the draft statement of action – is the second part of the Rights of Way Improvement Plan. It is based on the assessment and should be read in conjunction with it.

It sets out how the rights of way network in Denbighshire and access to open country are to be managed and improved over the next 10 years through a series of rolling annual works programmes. These programmes will be drawn up on the basis of - and aim to achieve - the 50 individual action targets set out in section 5. A provisional draft of the first work programme has also been included for information (at appendix 1). In addition we have identified a further five special projects. These projects (also set out in section 5) would each significantly improve an aspect the path network but will only be undertaken if the additional funds that are needed to support them can be obtained.

Commenting on this draft

This draft is also being widely circulated for consultation. If you wish to comment on it, you should make sure you do so by [date]. Please send your comments to:

Rights of Way Unit,
Caledfryn
Denbighshire County Council
Smithfield Road
Denbigh
LL16 3RJ

Or e-mail rightsofway@denbighshire.gov.uk

We will carefully consider all the comments that are received in partnership with the County's Local Access Forum before formally publishing and adopting the final Rights of Way Improvement Plan for the County.

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1. Developing the Statement of Action

1.1 Foundation of the Statement of Action – the Rights of Way Improvement Plan Assessment

The Rights of Way Improvement Plan Assessment published in December 2007 provides a firm foundation for the Statement of Action.

The Assessment looked not only at those issued required by the legislation – the extent to which rights of way meet the current and future needs of the public, the opportunities they provide for exercise and enjoyment of the area, and their accessibility to those who are blind or partially sighted or who have mobility problems; it also went further in reviewing the allocation of responsibility for rights of way and countryside access work within the County, the strategic context of this work and the staff and financial resources deployed, and our performance in protecting, recording, maintaining and development the path network. At the same time a valuable insight was gained from a questionnaire survey into the public's use of, and perceptions about, rights of way to add to the County's existing data about the extent and condition of the path network.

The Assessment therefore contains a wealth of detailed information which supports and justifies the proposed statement of action. The full text is available on line²: a copy of the Executive Summary highlighting some of the key findings has been included in this document at Appendix A.

We are grateful to the many different bodies and individuals who contributed to the Assessment or who took the trouble to let us have their comments on it. The comments received overwhelmingly endorse the picture which it paints as being accurate and as providing a firm foundation for the Statement of Action. A particular criticism, however, was that in reviewing the availability of rights of way to different types of path user, the Assessment under-estimated the importance of the County to carriage drivers and had failed to properly appreciate their needs. A further criticism is that, although Denbighshire has only a very short section of coast, we failed properly to take this into account, particularly Welsh Assembly Government's proposal to extend a right of access to the coast by 2008/09 as set out in [Wales: A Better Country](#). We have endeavoured to address both of these criticisms in preparing this Statement of Action.

² At [http://www.denbighshire.gov.uk/www/cms/live/content.nsf/lookupattachments/English~DNAP-7B7JWP/\\$File/DCC_RoWIP_AssessmentFinal.pdf](http://www.denbighshire.gov.uk/www/cms/live/content.nsf/lookupattachments/English~DNAP-7B7JWP/$File/DCC_RoWIP_AssessmentFinal.pdf)

How the Statement of Action has been developed - An outline

Based on the ROWIP Assessment and following further discussions with members of the Local Access Forum, a series of four primary and three secondary themes have been identified on which the Rights of Way Statement of Action should focus (Figure 1). Each one of these seven themes also embraces a number of the key issues identified in the Assessment and set out below in section 1.2. At the same time, the Assessment has shown there is a wide consensus on the respective priorities for the Improvement Plan, with again a distinction emerging between what should be regarded as the authority's main priorities for action and those which are of secondary importance (Figure 2).

Identifying these themes and key issues has led in turn to the development of a long list of action proposals. Each of these proposals - expressed in the form of a target which the Improvement Plan should meet over the next 10 years - can be directly related to one or more of the ROWIP themes and also to one or more of the priorities. These targets therefore form a menu from which annual ROWIP works programmes can be developed. It is these ongoing programmes of work, which we propose to carry out in a three-year rolling cycle as set out in section 3 which will become the main way in which Improvement Plan can be implemented over the next ten years and through which progress can be monitored.

The list of action targets is set out and discussed in detail in section 5 while a provisional draft of the first work programme (covering the period to March 2010) derived from the list is outlined in Appendix 1. Collectively, these form the ROWIP's Statement of Action.

1.2 Strategic themes and priorities

Seven inter-related strategic themes stand out from the ROWIP Assessment as embracing all the main issues on which the Statement of Action should focus. The seven themes are:

Primary themes

- 1 Tackling the backlog of work to make sure the definitive map and statement are as accurate and comprehensive as possible
- 2 Improving the maintenance and management of the existing network
- 3 Reducing restrictive access to enable more people with limited mobility to use and enjoy rights of way
- 4 Extending the availability of the network to horse riders and cyclists

Secondary themes

- 5 Improving access to Open Country and Coast
- 6 Improving the provision of information, including promoting healthy walking initiatives
- 7 Improvements to access which will enhance tourism

Actions which contribute to the first two of these themes will help remove the uncertainty which can exist for both users and landowners about where a particular path runs or how it can be used, and will also ensure that as much as the network as possible is open and freely available for residents and visitors to the area to enjoy. At the same time, these two themes will ensure that the authority is better able to meet its existing statutory duties and obligations towards that the path network.

Similarly, in working towards meeting the third theme the Authority will be encouraging greater use of rights of way and enabling those who are elderly, have young children or who otherwise are restricted in their mobility to have access to, and be able to enjoy, many more paths than they can at present; while action relating to fourth theme will help address the sharp imbalance between the proportion of the network available to walkers and the many fewer ways that are available to cyclists and equestrians. All four themes should therefore be regarded as defining the main priorities for the Statement of Action.

The remaining three themes, whilst also important, can nevertheless be regarded as secondary to the first four. They are concerned with ensuring that the access to open land that was established under the Countryside and Rights of Way Act 2000 and access to the coast when this is established can be fully integrated and (where appropriate) managed in conjunction with the rights of way network; with encouraging greater awareness of, and confidence in using, rights of rights of way and promoting the benefits of walking as an aid to improving community health; and improvements that would further enhance and support rural tourism throughout the County.

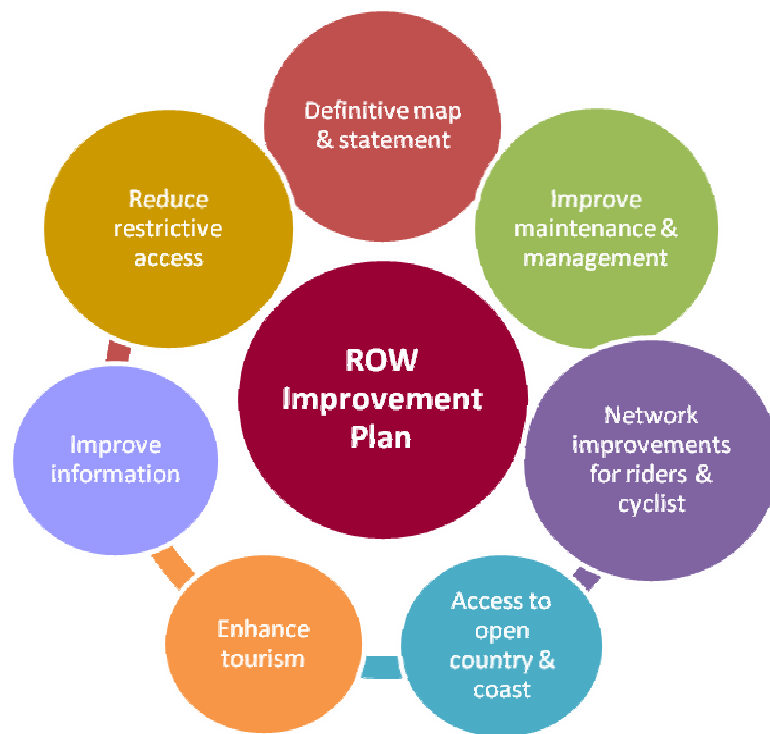


Figure 1: Rights of Way Improvement Plan; Primary and secondary strategic themes

The seven themes are closely inter-linked and in practice, therefore, the actions that are taken will often benefit several of these themes at the same time. Selecting those which do so will be one of the main ways of determining which proposals offer the best value for money and should therefore be given preference in the allocation of resources.

2. Priorities for the Statement of Action

The ROWIP Assessment process was also valuable in helping to identify the main priorities on which the Improvement Plan should focus. Nine priority areas have been identified as shown below in figure 2.

The first three priorities (a, b and c) are drawn directly from the questionnaire survey of local residents in Denbighshire; when members of the public were asked what they thought the Council's top priorities should be, these activities stood out head and shoulders above the rest. They are clearing paths and removing obstructions so that all paths can be used, consistent with their status, at a basic minimum level (even those little used paths in remote areas); putting up more signs so that paths are easier to find; and making paths easier for those who are elderly or who have limited mobility to use.

Members of the public also recognised the importance of completing the legal record of rights of way even though most people did not rank this as a top priority. However, discussions with the Local Access Forum (which accepted the top three priorities) highlighted the importance of ensuring the Definitive Map and Statement is as comprehensive and accurate as possible. It was recognised, for example, that this work would often underpin many of the other improvements that are needed to the path network.

Similarly, while most members of the public did not regard increasing the number of bridleways or byways as a priority, reflecting the fact that many fewer people use the path network to ride or horse or cycle than use it on foot, the network assessment that was carried out highlighted the paucity of routes available to these users as did the discussions within the Local Access Forum. In particular, the Forum recognised that there is an urgent need to link the isolated groups of bridleways and byways that exist in some parts of the County. At present, those wishing to journey from one area to another are often forced to ride or cycle on busy and dangerous main roads.

Priority g. 'Paths in urban areas' relates to the need to identify and formally record the many rights of way in urban areas which are an important part of the fabric of the many towns and villages but which, although shown on the Council's List of Street as maintainable at public expense, are not shown on the Definitive Map and Statement. Under the provisions of the Countryside and Wildlife Act 2000 therefore, unless the paths are recorded by January 2026 these paths will cease to exist and the public's right to use them will be extinguished. If these provisions are repealed, however, then the need to give priority to this work should be reassessed.

The remaining two priorities (h and i) are both about the provision of information. The first recognises the need to encourage much greater awareness at the local community level of what rights of way are recorded, where they run and how they can be used in practice. This would help to develop the community's interest and a sense of 'ownership' and encourage them to become more involved in the maintenance of their local rights of way. Similarly, while there is a wealth of information about walking routes, it can be difficult for those with more specific needs to access the path network or to know which routes are available to them. This includes both those with mobility or other impairments and those wishing to use the network to cycle, ride a horse or for carriage driving. The priority therefore is to find ways of overcoming this deficiency and to build confidence whilst encouraging these users to seek out the opportunities available to them.

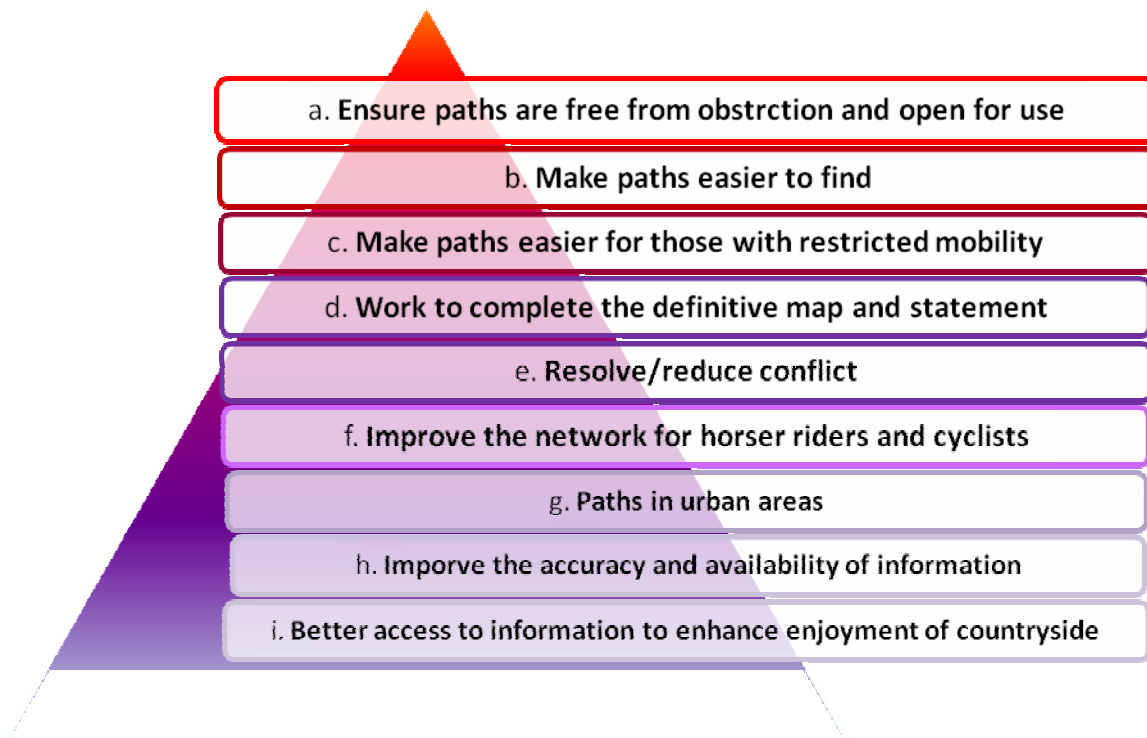


Figure 2: Respective priorities for the statement of action

2.1 Action targets and special projects

Within each of the seven themes, a large number of key issues can be identified. To address these key issues a series of proposals have been developed, with each proposal being expressed in the form of a discrete Action Target. A total of 50 such targets have been identified, brigaded into five topic groups, along with a further five Special Projects.

These Action Targets are set out in detail in section 5. They range in scope from those which will simply ensure the authority is fully able to meet its existing statutory duties to record, protect and maintain all rights of way and can do so as efficiently and effectively as possible – and thus maintain its position as one of the leading authorities on rights of way in Wales – to those which would further develop and greatly enhance the ROW network, thus increasing the benefits to Denbighshire’s residents and further enhancing rural tourism.

The five Special Projects, which are also described in more detail in section 5, draw together a number of action proposals into a discrete project. The Projects all meet the Welsh Assembly Government’s stated objective of doing more for excluded groups or enabling a wider range of path users to benefit from rights of way. They would also ensure the most effective use of additional funds. However the projects are all ones that would need specific additional funding in order to be fully implemented. The Special Projects should therefore be regarded as an adjunct to the main statement of action and will only implemented if and when such additional funding can be secured.

2.2 Annual work programmes

The series of Action Targets and list of Special Projects provide a menu from which annual work programmes can be developed and implemented on a rolling basis, and through which

progress can be made in both delivering the ROWIP in practice and monitoring that progress.

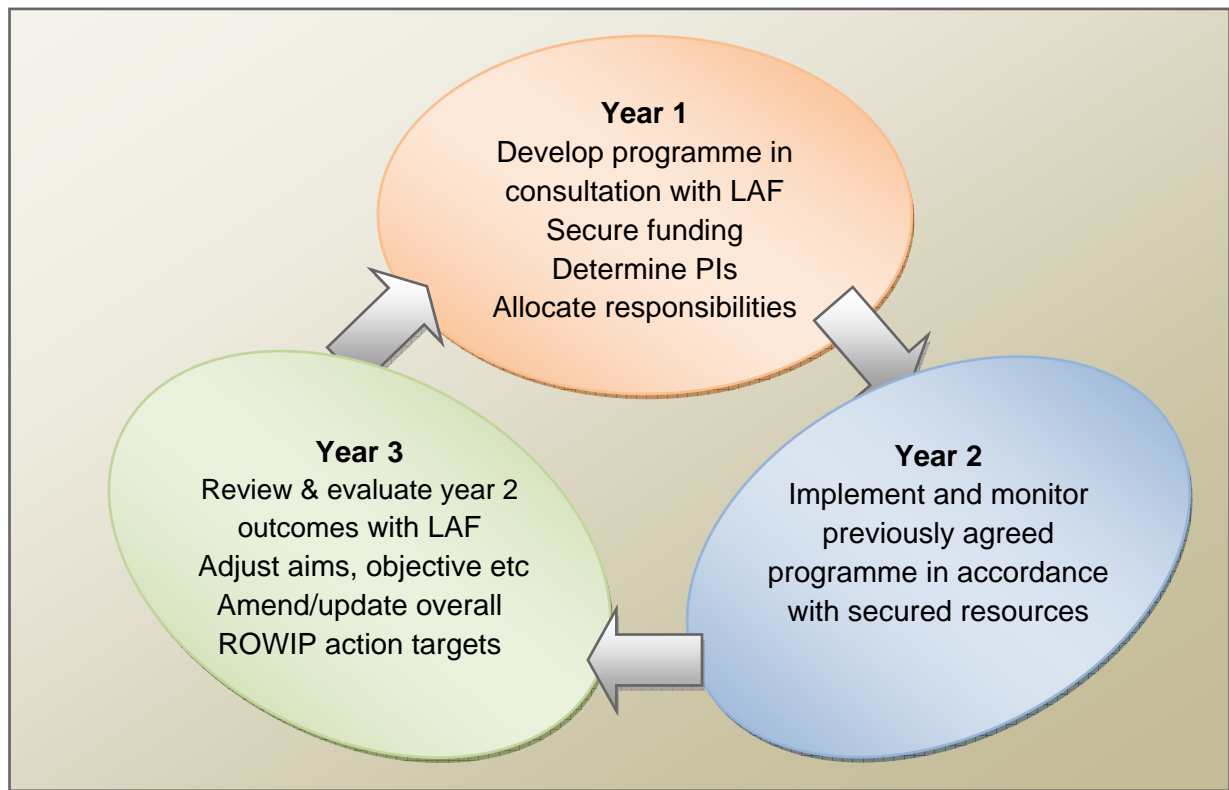
This approach is designed to ensure that the authority is able to maintain the impetus towards achieving the Improvement Plan throughout whole of the plan's 10 year life span, whilst also retaining flexibility and enabling it to adjust to changes in the factors on which the Improvement Plan is based and in the level of staff and financial resources that are available at any time. The approach will ensure, for example, that the Rights of Way Target can continue to take full advantage of any short-term 'windfall' funds that may arise during the course of the programme year, as it has in the past, and that any such funds can be directed toward meeting one or more of the plan's key objectives. Similarly, this approach will enable bids to be made to bodies such as CCW and WAG for any external funds, and for the ROW Unit to make the most effective use of any grant monies which are allocated to it, but will also mean that the programme as a whole is not unduly dependent on the success of such approaches.

It is at this stage, in the course of both reviewing the previous year's performance and drawing up the next year's programme, that the precise level of staff and financial resources that are required can be determined and matched to the resources that are available in practice, that specific performance indicators can be set or adjusted, and the allocation of responsibilities made for meeting each individual target. Again, this will ensure the authority retains maximum flexibility in its approach whilst staying within the envelope of the Improvement Plan. The way in which it is proposed to develop these annual programmes working to a three-year rolling cycle is set out below in section 3.1.

3. Implementing the Statement of Action to deliver the Rights of Way Improvement Plan

3.1 The annual programme cycle

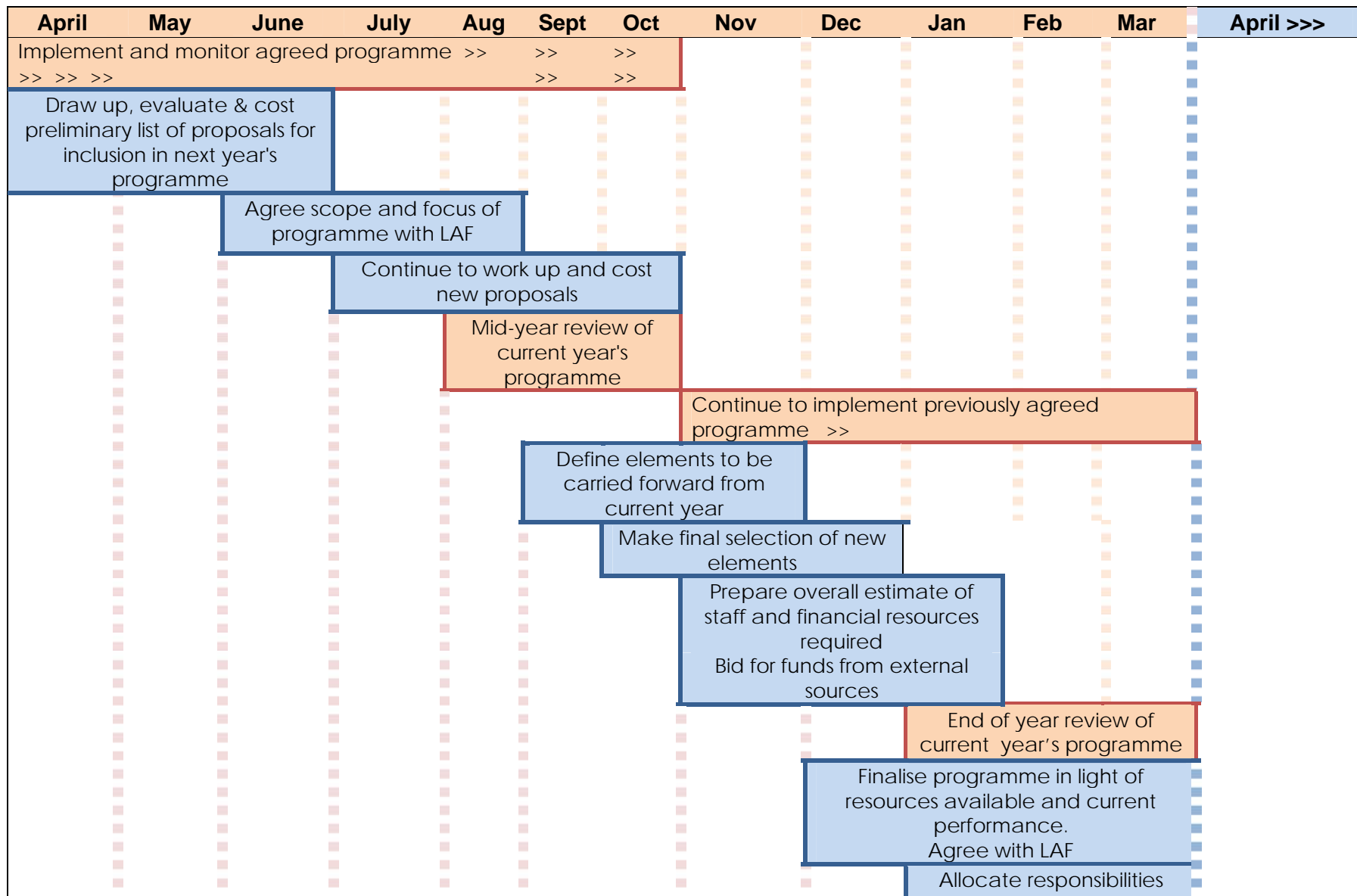
The action proposals and targets are intended to form a menu from which annual work programmes will be developed and implemented on an on-going three year cycle as shown in below and in detail in figure 3. The annual cycle has been designed to coincide both with DCC's budget arrangements and with those envisaged in the WAG's draft framework for funding. This proposes that all highway authorities be asked by CCW to complete a standard form in May/early June each year setting out their priority aims and actions and their annual work programme, with a review taking place between WAG, CCW and the access authorities in December. However the timetable may need to be adjusted in the light of any changes to that framework.



At the start of the cycle, normally in April, a preliminary list will be drawn up from the ROWIP Action Targets menu of the new schemes which it is hoped can be implemented, or which can start to be implemented, in the subsequent year as part of that year's work programme. At the same time the LAF will be consulted and invited to agree the scope and focus of this new annual programme. These proposals can then continue to be worked up in detail, with those elements that are to be carried over from the current year being added to the new programme in September/October following a mid-year review of the work that is currently in progress.

Estimates of the staff and financial resources required to implement the proposed work should be made by November/December, and the programme as a whole finalised and agreed with the LAF in the period December-March once the level of resources that are to be made available in practice is known together with the outcome of bids made to WAG or other external sources. The current year's work programme should be also subject to an end of the year review in the period January-March, enabling the experience gained to be taken into account in the finalising the next year's work.

Finally, once the detailed annual work programme has been agreed, the specific allocation of responsibilities can take place. Performance indicators should also be set and monitoring arrangements put in place before work starts on implementing the programme at the beginning of the new financial year.



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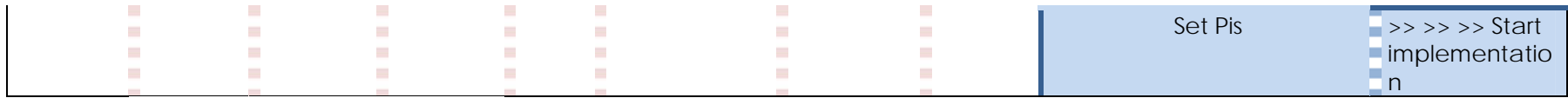


Figure 3: Annual Rolling Work Programme Cycle, years 1 and 2. (Year 3 omitted for clarity)

3.2 Transitional arrangements

To coincide with the authority's budgetary and other grant-aid cycles, the annual ROWIP work programme will normally run from April to March. However, the first year of practical implementation of Improvement Plans is regarded by Welsh Assembly Government as being the current financial year, 2008/9.

In order to take advantage of the funding being made available (as referred to in section 4.4.1) and assuming that the ROWIP meets WAG's deadline of being formally approved following an eight-weeks consultation by 15 September 2008, it is proposed that the first ROWIP work programme should be an interim programme covering the 19 month period from September 2008 to March 2010. This programme will be developed in two stages.

Appendix 1 is a preliminary list of the schemes and proposals from which a first, provisional programme of work will be drawn up in consultation with the LAF and put in place. The programme, which will draw on the preparatory work already undertaken following the ROWIP Assessment, will start to be implemented as soon as it is practical to do so once the ROWIP has been formally approved, thus enabling a start to be made towards implementing the ROWIP in the current financial year from September/October onwards. This provisional programme will be reviewed at the end of the year, in March 2009, at which time the preliminary list will be revised and a further, more comprehensive work programme – the interim programme - drawn up in discussion with the LAF.

It is this interim programme, which will incorporate the works already started, which is intended to cover the whole of the 19 month period to March 2010. In addition to the review in March 2009, therefore, a further 'mid-term' review should be carried out in the autumn of 2009 together with a final 'end of year' review in February/March 2010.

From the start of the new financial year in April 2009 onwards, work should also start on preparing the first 'standard' annual work programme, to be started in April 2010 following completion of the interim programme.

4. Budgets and resources

The County currently provides revenue and capital budgets for rights of way as part of the Council's highway's maintenance budget. In 2007/08 these sums were £107,710 and £50,000 respectively. This is a 50% increase on the previous financial year's budget, reflecting a reappraisal of the amount spent by the authority on highway maintenance in general following pressure from elected members and the Local Access Forum. There is current no budgetary provision made for work associated with the Definitive Map and Statement, including the making and processing of Definitive Map Modification Orders.

The bulk of the revenue spending, around 60%, is allocated to footpaths. However, in relative terms, far more is spent per kilometre on byways (£296 per km) and bridleways (£108 per km) than on footpaths (53p per km).

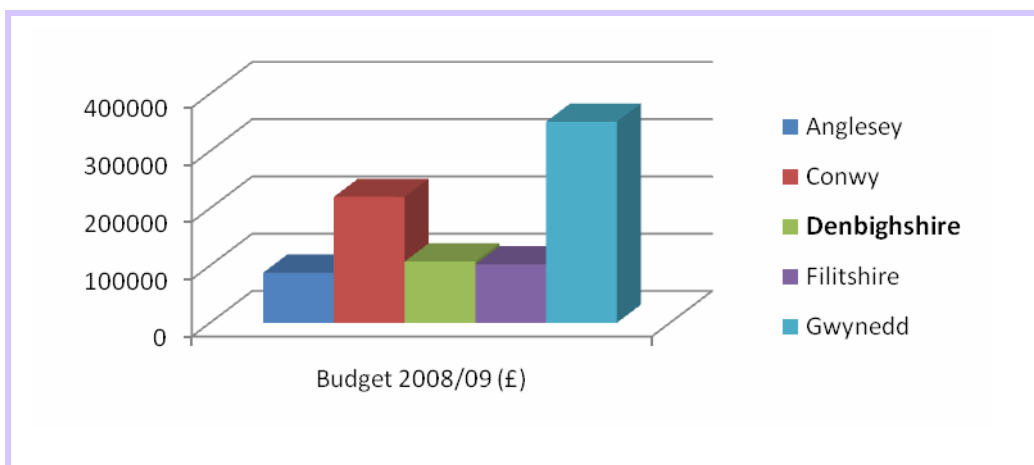
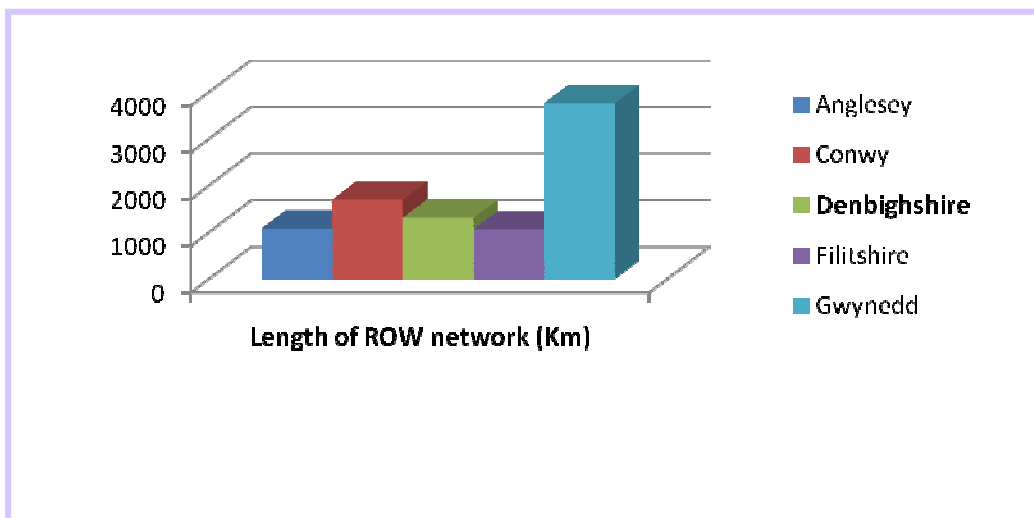
The Countryside Service does not have its own dedicated budget but is primarily dependent on grant aid, particularly that from Countryside Council for Wales. It also derives income from partnership working on a repayment basis. In relation to its work on rights of way, the

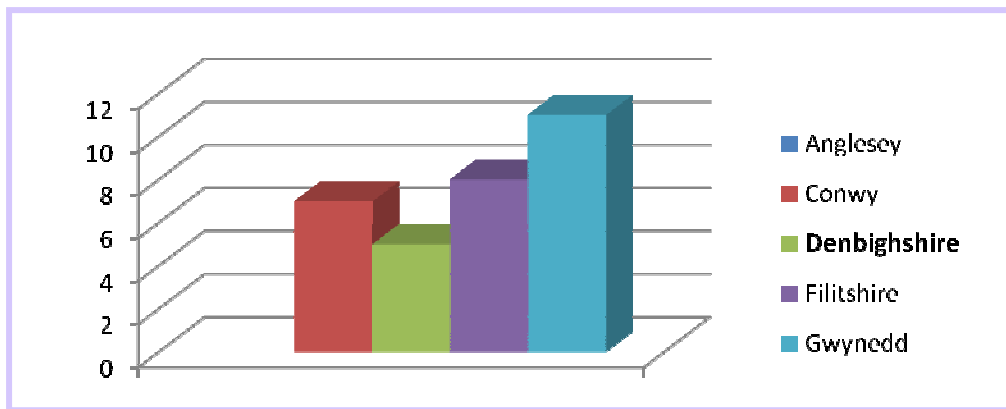
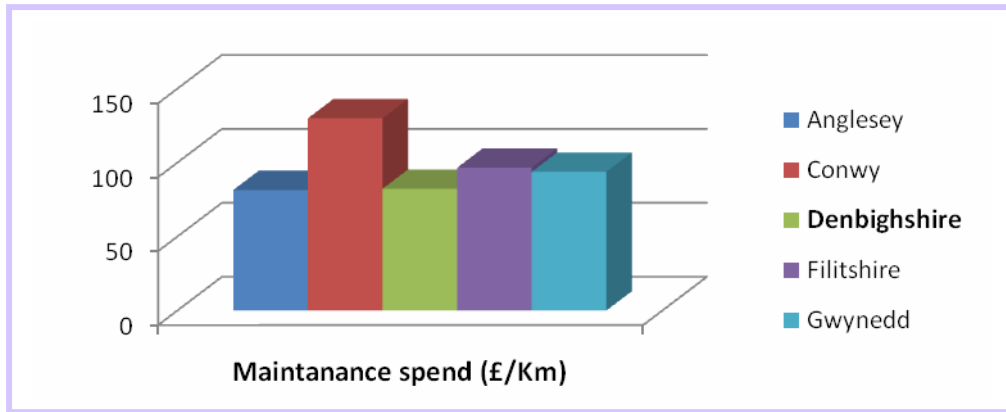
only assured income is currently that derived from CCW relating to the maintenance of the Offa's Dyke National Trail and which amounts to around £10,000 per annum.

4.1 Comparison with neighbouring authorities

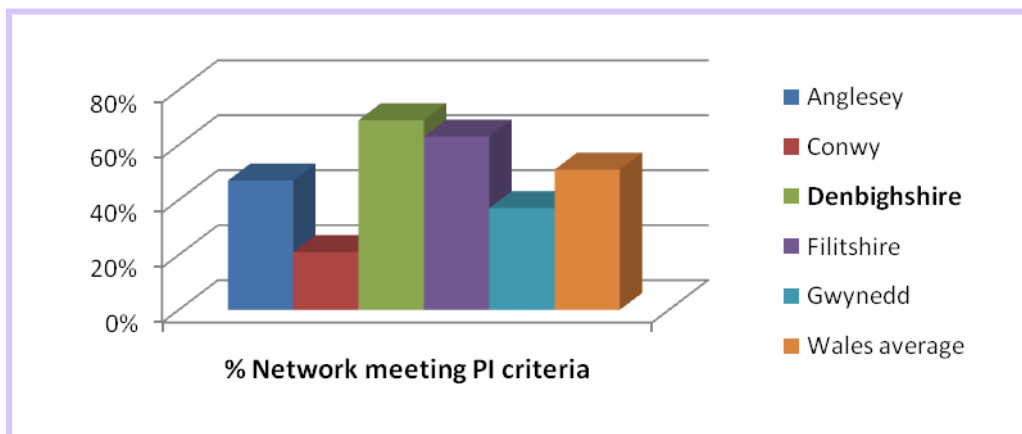
While Denbighshire's rights of way network is in a significantly better condition than that in our neighbouring authorities' areas, giving the County a strong competitive advantage as a location for activity holidays and day visits, revenue expenditure on maintain the network is also lower than that of most of our neighbours as are the number of staff employed on rights of way work.

Denbighshire's maintenance spend per kilometre of right of way is just £82.30 for example, compared to a figure of £93.78 for Gwynedd, £96.59 for Flintshire and £130 for Conwy. Similarly, the rights of way unit in Denbighshire comprises only five officers, compared to seven officers in Conwy's and eight in Flintshire's which also has a smaller path network.





The superior condition of Denbighshire’s path network is demonstrated by the standard Performance Indicator for rights of way, which is a measure of the proportion of the path network that can be identified on the ground and used without undue difficulty. Viewed nationally, over the past ten years Denbighshire’s performance has consistently been within or above the upper quartile for all authorities in Wales. Similarly, since 2001 the County’s rate of improvement has been consistently above that of the all-Wales average. Of the paths surveyed in 2006/07, 69% met the performance criteria (an increase of 5% over the previous year’s figures) the highest proportion for any authority in the North Wales area and well above the all-Wales average of 50.6%. In National terms Denbighshire came 6th out of 22 authorities, well ahead of Flintshire in 12th position, Anglesey (15th), Gwynedd (19th) and Conwy (22nd).



4.2 Need for additional resources

Despite the Right of Way Target's excellent performance, the current level of expenditure on rights of way is only sufficient to hold to the network at its current level; it does not allow any inroads to be made into the backlog of maintenance issues which were found to exist by the comprehensive survey of the whole network carried out in 2002, Nor does the current level of expenditure allow the change from a purely reactive 'fire fighting' approach in which the Council can do no more than simply responding to complaints made to it, to working on a planned maintenance basis. (See the ROWIP Assessment for a fuller discussion of these issues). It is this change to a structured regime, based on a path hierarchy and programme of regular path inspections that is seen as a key component of the Improvement Plan in its own right and also to realising many of the other improvements to the network that are proposed in the Statement of Action.

It is also likely that, without further resources, it will be difficult to improve much beyond the current Performance Indicator of around 69% of paths being open for use at a basic minimum level, and that it despite the initiative of the Improvement Plan there is a real danger that condition of the network could begin to slip back. A comprehensive survey of the whole network carried out in 2002 found that the whole ROW network was in need of a substantial overhaul, with many stiles, gates and other items of path furniture either missing (with the right of way obstructed), or dilapidated and in need of replacement. Further analysis of the survey findings has also shown that a growing number of bridges and other items of path furniture are nearing the end of their useful lives. The loss of a bridge, in particular, has the potential to affect a large part of the network. It may also give rise to Health and Safety Issues or mean that the authority is vulnerable to legal action being taken against it. Moreover, while the 69% Performance Indicator may be good in comparison to some other authorities, it still means in practice that almost one-third of the network is currently obstructed or can be used only with difficulty.

4.3 Cost of bringing the network up to standard

Further analysis of the 2002 survey findings has shown that to resolve the backlog of maintenance work and bring the network fully up to standard would require a one-off additional expenditure of around £590,000. Thereafter expenditure would need to increase by around £150,000 a year to hold the network at that level and to continue the replacement of path furniture as it reaches the end of its useful life. However these figures do not allow for on-going clearance of natural vegetation (currently £12,000 a year) or any drainage or path surfacing works that may be needed from time to time.

It is notable however that the expenditure required varies widely from community to community. Although the average cost per community of rectifying the backlog of repairs is £13,738 this ranges from less than £1,000 (for example in Rhyl and Cefn Meriadog) to more than £45,000 in both Llanellidan and Llandegla, over £72,000 in Llanfair Dyffryn Clwyd and £73,000 in Llanarmon yn Lal.. Similarly the annual cost of keeping the network in good condition, although averaging at £3,492, ranges from less than £1,000 in a few communities to over £8,000 in Llanarmon yn Lal, Llanfair Dyffryn Clwyd and Denbigh and nearly £10,000 in Llanynys. A full breakdown between communities is shown in Appendix 2.

4.4 Potential additional resources from external sources

Additional resources can be expected to be made available from time to time by Welsh Assembly Government and Countryside Council for Wales towards the implementation of the ROWIP, in successful bids made to TAITH and in successful bids made for EU funding, especially if joint partnerships can be developed with other local authorities. Nevertheless, some increase in Denbighshire County Council's own spending on rights of way will be necessary to kick-start the ROWIP and particularly to make the transition to a planned maintenance approach based on a network hierarchy.

4.4.1 Welsh Assembly Government

In a memorandum to all authorities setting out the framework for funding for ROWIPs Welsh Assembly Government have indicated that, to ensure that ROWIPs are adequately funded from 2008/9 (the first year of practical implementation) additional resources of £1.7 million in capital monies has been earmarked for 2008/9 by the Countryside Access and National Parks Policy Team with similar provisional sums allocated for the next two years, 2009/10 and 2010/11. Denbighshire's share of this sum in the current financial year is to be £69,375. The money is dependent on the Authority being able to complete and formally adopt its ROWIP (including eight weeks external consultation and consideration of the responses) by 15 September 2008.

Additional resources of this order would be sufficient to employ an additional Footpath Inspector to develop a path hierarchy as the first stage of the proposed change to planned maintenance regime as set out in section 4X or to allow preliminary work on one or more of the Special Projects. But it would not be sufficient – nor is the money intended – to make up the shortfall in expenditure on maintaining the path network in order to meet the authority's existing statutory duties.

4.4.2 Bids to TAITH

Provisional bids have been made to TAITH for funds to support the five schemes lists in section 5 as Special Projects. The sums being sought are:

Special Project	Total bid	Period
Community Miles	£700,000	Years 1-10
Moel Famau - Llandegla - Berwyn Access Project	£200,000	Years 1-10
Corwen to Bala Trail	£200,000	Years 5-10
Llanelidan and Llanfair DC Quiet Lanes project	£150,000	Years 1-5
Native Trails - Online Web Site	£75,000	Years 1-5

4.4.3 Need for additional resources from Denbighshire CC

Despite these additional resources, therefore, it is clear that significant progress towards meeting the objectives set by the Improvement Plan will only be possible if there can also be some increase in the County Council's own revenue spending, particularly in the amount directed towards the maintenance of the path network.

As noted above, to deal with current backlog of repairs would require additional funding of £100,000 per annum for a six year period. An increase which brought the revenue spending per km of rights of way to the same level as the average of the four other North Wales

authorities – Anglesey, Conwy, Flintshire and Gwynedd – of £111.17 would go some way towards meeting this target, but would only increase the total budget by around £44,300 pa.

4.5 Cooperative working within the Authority

The division of responsibility within the County for public rights of way and countryside access, with the Rights of Way unit being primarily responsible for the definitive map and maintenance and enforcement issues but with the Countryside Service taking the lead on the promoted paths, was fully examined in the Assessment and found to work well. No change in this basic division of responsibility is proposed, therefore, and both sections will have a vital role to play in ensuring the successful implementation of the Statement of Action.

The delivery of the Improvement Plan is not just down to these two sections, however. As the Assessment made clear, it is important that the ROWIP is ‘owned by’ the whole authority and that responsibility for implementing the ROWIP is also widely recognised and shared across the authority. This includes recognising the contribution which implementing the Improvement Plan will make to the authority’s objectives for economic regeneration, tourism and community health and well being.

4.6 Strategic context

The strategic context of the Rights of Way Improvement Plan is set out in detail in the ROWIP Assessment. It emphasises that the ROWIP should be seen as relating directly to broader national objectives for the countryside, sustainable tourism and community health, and that it should also be seen as one of the series of plans and strategies drawn up to help the Council meet the needs of residents and visitors to the area and to carry out its statutory responsibilities as efficiently and effectively as possible. The ROWIP must therefore both draw on, and contribute towards, these other strategic approaches while integrating the ROWIP into this wider strategic framework will be essential if the plan’s proposals are to be fully realised.

Amongst the County’s other strategic policy documents, seven have been identified that are particularly closely related to the Improvement Plan. They are:

- the *Vision for Denbighshire 2025* and the relevant key targets in the *Denbighshire Community Strategy*
- *Clywdian Range Area of Outstanding Natural Beauty Management Plan* and the *AONB Sustainable Tourism Action Plan (2008 – 2012)*
- The three *Visitor Economic Strategies* for the Dee Valley, Vale of Clywd and Hiraethog
- *Visit Wales Walking Tourism Strategy*
- *Denbighshire Health, Social Care and Well-Being Strategy 2008-2011*

At a Regional level, the *Regional Transport Plan for North Wales* developed by TAITH will also be important.

It will be essential therefore that the officers responsible for implementing these other strategies are fully aware of the Rights of Way Improvement Plan and the way that it is being implemented on a rolling cycle through annual work programmes, and that they contribute whenever possible to meeting these programme objectives. Similarly, the Rights of Way Target must remain mindful of this wider family of plans and strategies and ensure that they too are able to contribute to these other objectives.

4.7 Working with our access partners

It will normally be for the County Council, as highway authority and the body with the statutory duty to record, protect and maintain all rights of way in its area, to take the lead on most of the proposals in this Statement of Action. However the Improvement Plan will only fully be realised if we are able to build successful partnerships with a wide range of organisations and individuals.

4.7.1 Farmers and landowners

Most rights of way are across land which is privately owned and is primarily used for farming, forestry or other important economic purposes. Extending and improving access opportunities in the way that we envisage will only come about therefore if we are able to build on the already sound working relationships established with many thousands of individual landowners and managers throughout Denbighshire and by working in co-operation with the bodies that represent their interests; the Farmers' Union of Wales, National Farmers' Union and Country Landowners and Business Association.

4.7.2 Local communities

Local communities too have a vital role to play in improving and extending access opportunities. Not only are they often in the best position to know exactly how the existing rights of way are used and valued in their area and to spot the opportunities for improvements, but Community Councils have their own powers to take action; powers which we hope they will exercise to help the County Council. The Community Miles Special Project in particular will rely on their willingness to do so.

4.7.3 Cooperation between authorities

The authority already has a strong track record since reorganisation of working together co-operatively on rights of way and Countryside Service function with neighbouring authorities, particularly with Conwy and Flintshire and including on work in the Clwydian Hills AONB, Denbigh Moors/Hiraethog and the Berwyns. This cooperative approach recognises both that the region's distinctive landscapes which attract many recreational users to the countryside run across authority boundaries, and that the way these landscapes and the recreation within them are managed requires a unified approach.

More generally, there is also an increasing tendency for the North Wales authorities to work together cooperatively to deliver a broad range of services and functions.

In relation to Improvement Plans, the underlying objectives and approach of the Denbighshire plan is similar or complementary to that of our neighbouring authorities' plans increasing the potential for cross-border working. These opportunities will be fully explored as individual proposals are worked-up and implemented. In addition schemes such as the proposed Community Miles project which extend the range of opportunities and enhance

path users' enjoyment of the network may be eligible for (and dependent on) European Union Regional Development Funding. To qualify however the scheme will need to be developed on a regional basis with a number of authorities working together to shared objectives.

4.8 The role of the Local Access Forum

The Local Access Forum has already played a vital role in advising on the ROWIP Assessment and in helping to draw up this Statement of Action. The LAF will continue to have an important role especially:

- In helping to determining the scope and focus of each year's annual work programme
- Working up proposals for inclusion in these programmes
- Advising on priorities
- Monitoring progress

To enable the LAF to fully realise this function, however, it will be necessary to ensure that it has its own independent Secretary to administer the business of the Forum and ensure that it can operate at arm's-length from the authority.

4.9 Policy towards extending the path network

One of the key needs identified in the ROWIP assessment is to develop a much better, more integrated network of routes for horse riders and cyclists. At present, not only are far fewer routes available to these users than to walkers, but many of the bridleways and byways that do exist are in isolation and can only be used in combination with roads used by motor vehicles. There is also a particular need for strategic links so as to join together the groups of bridleways and byways which do exist in some parts of the County. For example an access corridor is needed to link the southern Clwydian range with the Berwyns and which avoids the need to ride or cycle on busy main roads.

From time to time the need may also arise to create new sections of footpath. This might be, for example, to join together existing paths to create an attractive circular walk, or to avoid users having to walk along sections of busy main road.

Whenever the need for new or improved routes are identified, our first approach will be make sure that all the rights which legally exist in the area are identified and properly recorded. There are, for example, a number of old roads in the County which are not currently recorded at all on the definitive map and statement and others where it seems likely that the public's rights are under-recorded; for example where a way is recorded on the definitive map as a footpath but which is likely on investigation to be shown to carry higher, bridleway or byway rights.

In researching and recording these routes, we also strive to work in cooperation with the farming and landowning community. The County's long-term aim is to establish a sustainable network which can meet the recreational needs of today's path users without conflicting with farming, forestry and other primary land uses; not a network which slavishly adheres to the routes that were established in a bygone age. For this reason we will also give sympathetic consideration whenever possible to simultaneously diverting the line of a

right of way to avoid such conflict, where this can be achieved within the legislation available to us.

Only where our investigations confirm that there are no suitable historic rights ways which can be adapted will we consider extending the network by creating entirely new rights of way. Again, our preferred approach will be to always proceed with the agreement and cooperation of the farming and landowning community (including over the payment of compensation) whenever it is possible to do so. However we are prepared where necessary to also use our powers to create new footpath, bridleways or restricted byways by order, and recognise that this may sometimes be the quickest and fairest way of resolving the genuine differences of opinion which can arise over the need for a new path. In such case, the final decision on whether an opposed order should be confirmed is taken not by the Council but by an independent inspector appointed by the Welsh Assembly Government. Before making such an order the Council has a statutory duty to consider the impact any such new way might have on the effective use of the land. We will also not wish to commence on such a course of action unless we are certain that adequate funds can be made available both to establish the path on the ground and to meet the landowners' entitlement to the payment of compensation.

4.9.1 Permissive paths

Opportunities also can arise to extend the path network through the negotiation of permissive paths, including through programmes such as Tyr Gofal. Such paths are not public rights of way but exist only for the length of time agreed with the landowner and subject to whatever conditions or restrictions are specified. Typically a path might be agreed, for example, subject to it being closed at night, or subject to the condition that it cannot be used by walkers with dogs, or that it can be closed or moved at certain times of the year to accord with agricultural practices.

The Council recognises that permissive paths can often be a useful adjunct to local path networks but considers that, particularly because of their time-limited nature, they will not normally be suitable to meet the long-term strategic need for an extended path network as identified in the ROWIP assessment. For this reason, while the Council welcomes any proposals by user or local community groups that may be willing to take the lead in creating suitable permissive routes through negotiation, we will only fund such proposals where we can be satisfied that such expenditure would be protected should permission to use the path be withdrawn.

4.10 Approach to the management of conflict

The council's primary responsibility as Highway Authority is to meet the needs highway users. With increasing numbers of the public sharing a limited network, at times conflict with either with landowners or with other users can be expected to arise.

The Council's objective will always be to keep every right of way open to all those who are legally entitled to use it and not to discriminate against any one type of path user. The suspension or withdrawal of specific users' rights will therefore only be considered in

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extreme circumstances and as a last resort where no other alternative approaches remain to be explored. It will also take into account the impact that the withdrawal of those rights will have on the overall network available to those users.

5. The ROWIP action proposals and targets

Group 1: The definitive map and statement and public path orders

The definitive map and statement is the foundation of all work on rights of way, providing conclusive evidence in law of the rights of way shown on it, where they run and how they can be used. It therefore underpins all of the Council's other work in protecting, maintaining developing and promoting the path network.

However the work involved in keeping the definitive map and statement up to date is technically and legally complex and often very time consuming. As most rights of way are over private land, the work can also be very sensitive, with an increasing proportion of cases referred to local inquiry rather than being resolved through negotiations. It is the complex and time consuming nature of this work and the small number of specialist staff available that limit the progress that can be made.

Public path orders provide a vital mechanism for managing rights of way on the ground by diverting and extinguishing existing paths and creating new ones. The work is somewhat less complex than that involved in the definitive map. But it too requires a detailed knowledge of the legislation and procedure can be equally time consuming and is often locally very sensitive. The same specialist officers deal with both the definitive map and public path orders and it is sensible that the two subjects be considered together in the Statement of Action.

Key issues

The key issues highlighted by the ROWIP Assessment include:

- Both definitive map issues and public path orders are dealt with by the Rights of Way Officer and one Access Officer. They draw on the assistance of Legal Services but there is, currently, no dedicated legal assistance.
- The County's existing definitive map is drawn on an OS base map that is over 30 years old. A small area, once part of Gwynedd, is shown on a separate map. A priority will be to consolidate these two maps whilst putting the information onto an up to date, digitised base map.
- Among the advantages of republishing the definitive map in this form is that it will enable the authority to supply each community with an up-to-date map of all the recorded paths in its area drawn on the latest OS base map and to revise and republish the map at regular intervals.
- Digitisation of the definitive map was completed during the 1990s but the process brought to light a large number of existing errors and anomalies as well as creating new ones. Over 800 errors have been identified of which around a third will require detailed investigation and may also need definitive map modification orders to be made. It will only be possible to deal with these issues properly if additional staff resources can be made available.
- A preliminary assessment by the Rights of Way unit has suggested there may be as many as 200 'lost ways' in Denbighshire – rights of way that are not recorded on the

definitive map and statement. Some may be old highways which could potentially make a significant contribution to improving the network for equestrians and cyclists (Action target 2). It is important to investigate these as early as possible to identify where paths may be in order avoid possibly abortive work in trying to establish alternative provision.

- The work involved in dealing with orders to divert or extinguish rights of way is also complex and time consuming. Orders to change paths to enable development for which planning permission has been granted to take place have proved in the past to be particularly controversial and disruptive of staff time. Because it is not possible to predict in advance the number of such cases or the workload they will generate, it is difficult to present a case for employing an additional member of staff. An alternative approach is therefore needed to prevent these orders from diverting staff time away from other priority tasks.
- Ideas which might be explored include putting the work out to contract with the costs being recharged to the applicant, or the viability of a group of authorities working together to create a dedicated team to handle all such orders across the partnership.

	Action target	Themes	Priorities	Leading bodies / Partners
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Group 1: Definitive map and statement and public path orders

1.1	Develop a programme to identify, define and prioritise the resolution of the current 800+ definitive map errors	1,6	d	DH
1.2	Prepare and republish consolidated definitive paper map and derived from digital information	1,2,6	d,i	DH
1.3	Prepare strategy for rolling updating of maps to correct for legal events and error resolution.	1	d,h,i	DH
1.4	Publish electronic copies of the Definitive Map over the Internet and through libraries / one-stop shops / Countryside Centres	1,2,6	d,h,i	DH
1.5	Develop a programme to resolve backlog of definitive map modification orders	1,2,4,6	d,e,h	DH
1.6	Identify and prioritise the recording of public rural and urban ways that have been omitted from records by historical error	1,2,6	d,e,f,g,h	DH, LAF
1.7	Produce guidelines and policies for public path order applications. Explore alternative ways of handling orders to prevent disruption of definitive map work and other priority tasks	1,2,4,6	d,e,g	DH, LAF, BP
1.8	Developing awareness of the path order register and increasing awareness of procedure to prevent deemed dedication of new ROWs.	1,6	h	DH, LAF, BP

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Group 2: Management and maintenance of the existing network

The day to day maintenance and management of most rights of way is dealt with by a team of two footpath inspectors (one 80% f/t), working under direction of an Access Assistant, but with promoted paths being maintained by the Countryside Service. Whenever possible, problems are dealt with on a direct one-to-one basis with the Footpath Inspector normally approaching the landowner concerned. An annual strimming programme is also carried out under a county-wide contract, with priority being given to paths in urban areas which serve community facilities. These arrangements were examined in the ROWIP assessment and were found to work well.

In 2007/08 the County's revenue and capital budgets for rights of way were £107,710 and £50,000 respectively, with around 60% of the former being allocated to footpaths. However, in relative terms, far more is spent per kilometre on byways (£296 per km) and bridleways (£108 per km) than on footpaths (53p per km). The ROW Unit also benefits from being part of the Network Group of the Transport and Infrastructure Department which holds the authority's budget for the maintenance of highways. This enables it to pool resources with complementary works in other sections and also to secure extra 'windfall' funding during the year if money becomes available.

The overall condition of the rights of way in Denbighshire is generally significantly better than in neighbouring authority's areas. This is a legacy of the focussed effort made in the 1990's to meet the Government's 'Year 2000' target for rights of way and gives Denbighshire a strong competitive advantage as an activity tourism and countryside day-trip destination.

The present level of staffing, however, means that the Council can only act on a 'fire fighting' basis, responding to issues brought to its attention by path users. Nor is it able to regularly inspect the path network or make inroads into the backlog of maintenance work that is known to exist. It therefore remains vulnerable to action which any path user may take to force the authority to deal with a right of way that is obstructed or out of repair, including action through the Magistrates' court. The proposed change to a planned maintenance regime would help to provide an effective defence against any such action.

The key to making progress with this aspect of the Improvement Plan will be to secure the appointment of an additional footpath inspector. This would allow the ROW unit first to implement the path hierarchy that was agreed in principle by the Local Access Forum and then progressively move to more efficient and effective planned maintenance programme linked to a regular cycle of path inspections.

Key issues

The key issues highlighted by the ROWIP Assessment include:

- Denbighshire's performance in looking after its path network is consistently above average - a legacy of the focussed effort made in the 1990's to meet the Government's 'Year 2000' target for rights of way. Nevertheless, current expenditure

does not allow the Council to make inroad into the backlog of maintenance issues that are known to exist.

- A comprehensive survey in 2002 confirmed that the whole ROW network was in need of a substantial overhaul, with many stiles, gates and other items of path furniture either missing (with the right of way obstructed) or dilapidated and in need of replacement.
- Resolving this backlog would require a one-off expenditure of around £590,000, with an on-going expenditure of £100,000 - £150,000 to then keep the network up to standard. Money would also be needed to deal with any drainage or path surface issues and keep paths clear of vegetation.
- The Council's approach to routine management and maintenance was reviewed and strengthened in 2002 but remains largely demand led. Nor is it possible to carry out anything more than sample annual surveys.
- The appointment of an additional footpath inspector would allow a progressive change to the situation in which 90% of the network was inspected on a 1-3 year cycle and the network as a whole proactively managed, with most work being carried out on a preventative basis before a path becomes obstructed or difficult to use.
- The key to making this change will be to also introduce a path hierarchy, as proposed by the Local Access Forum in 2004. This would divide the network into four categories based on the importance of each individual path within the local community and wider County network. The Council's CAMS software has a built-in ability to classify paths according to such a hierarchy.
- The adoption of a hierarchy would not affect the legal status any path, nor affect the landowners' or authority's statutory duties in any way. But it would greatly reduce the current uncertainty for path users and ensure Denbighshire maintains its strong competitive edge in attracting active holidaymakers and day trip visitors to use rights of way in the County.

	Action target	Themes	Priorities	Leading bodies / Partners
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Group 2: Management and maintenance of the existing path network

2.1	Produce a range of clear policies & procedure guides for the management of rights of way and unsurfaced roads	2,6	e,h	DH, DC, LAF
2.2	Develop and implement programme to change to a planned maintenance regime and away from being complaints	2	a,b,e	DH, DC, CoCo, LAF
2.3	Develop a programme of annual surveys to analyse network condition, path use and user satisfaction	2,4,6	h	DH, DC, LAF, CoCo, UG
2.4	Develop strategy to ensure promoted paths can continue to be maintained to high standard consistent with their status and to address the issue of funding			
2.5	Development of customer request recording with improved feed back through the CAMS package	2,6	a,e,i	DH
2.6	Maintain the current maintenance and enforcement regime until superseded by 2.2 whilst developing further opportunities for co-operative working with community councils, landowners and volunteers	2,4	a,b,c,e	DH, DC, CoCo, LAF
2.7	Continue collection of infrastructure information and improving access to that information for the path users	2,6	a,b,h	DH, DC, UG
2.8	Maintain on-going programme of signposting improvements	2,6	b	DH

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2.9	Furniture improvements 1 - 3	2	a,c	DH, DC
2.10	Furniture improvements 4 - 5	2	a,c	DH, DC
2.11	Surface improvements 1 - 3	2	c,f	DH, DC
2.12	Surface improvements 4 - 5	2	c,f	DH, DC
2.13	Identify and prioritise bridge repair and replacement 1 – 3	2	a	DH
2.14	Identify and prioritise bridge repair and replacement 4 – 5	2	a	DH
2.15	On Going Maintenance 1 - 3	2	a	DH, DC, CoCo, UG
2.16	On Going Maintenance 4 - 5	2	a	DH, DC, CoCo, UG

Group 3: Network improvements

The ROWIP Analysis shows clearly that while most of Denbighshire is well served by footpaths and offers a very wide range of walking opportunities, the network for horse riders and cyclists is much poorer. Such users have access only to a very limited number of bridleways and byways. The useable routes tend to be concentrated in limited areas of the County with no access between them, forcing users to cross, or ride or cycle along, busy and dangerous main roads. There is almost a total absence of route suitable for carriage driving.

A further issue is the very limited number of paths that are open to, and easily accessible by, those who are elderly, have impaired mobility or other special needs. There is a dearth of such routes even in the most scenically attractive and popular parts of the County.

The need to make a much higher proportion of the network more easily accessible to those with limited mobility was seen as a key priority by members of the public. This, and the need to provide strategic links for horse riders and cyclists, should jointly be main focus of the improvements to the rights of way network that are made under the plan.

Despite the commitment of the County Council in its Access Strategy, there are currently very few paths that are easily accessible by those who have limited mobility or other special needs. The wide range of different personal needs and expectations on the one hand, and the nature of much of the path network on the other, makes it difficult to resolve this issue. Rather than developing 'token' paths, however, a new approach needs to be developed. As well as removing restrictions which limit access whenever it is possible to do so, this approach should seek to identify all the paths that are available year round and suitable for a range of special needs and to make sure that information about these paths is widely available. This would enable those users to then be able to make their own choices about which paths would meet their specific needs, interests and abilities.

Key issues

- Over the whole County, walkers are generally well served by the current rights of way network as are cyclists when unclassified county roads are also taken into account.
- The condition of the network is also generally perceived to be good by most users.
- The distribution of the network is very uneven however, and there is scope for increasing provision in some areas particularly near to some of the County's larger areas of population. Extra provision would be welcomed by users, for example, in the Bodelwydden area and around the town of Denbigh.
- For equestrians, the existing network is much less satisfactory. Even in the few areas where there are relatively high numbers of bridleways and byways, the network is often disjointed, forcing users onto the heavily trafficked road network.
- There is also a lack of strategic connecting routes, preventing users from journeying from area to area.
- Between Loggerheads Country Park and the Clwyd Gate, for example, where the A494 divides the extensive network of the northern Clwydians from the southern Clwydian and Alyn Valley network, users are concerned about the very limited number of safe crossing points on this very busy and fast road. Similarly at Llandegla

improving connections between routes would result in an improved network which users felt would increase use.

- A new approach is needed to ensure that many more paths are available to those with restricted mobility or other special needs.
- This approach should not only ensure that restrictions to access are removed whenever it is possible to do so. It should also make information about paths that are suitable for those with special needs much more widely available, enabling those users to make their own choices about which paths meet their specific interests, requirements and abilities.

	Action target	Themes	Priorities	Leading bodies / Partners
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Group 3: Network improvements

3.1	Prioritised list of missing links the council believe would substantially improve the network	3,4,5,7	f	DH, DC,
3.2	Community Council development and liaison meetings	4	a	DH
3.3	Establish Path / Access Co-ordinators for every Community and Town Council	4	a,e	DH
3.4	Working with LAF / landowners, improve path user understanding of land management issues	4,6	a,e	DH, DC, LAF
3.5	Programme for introducing least restrictive field crossings		a,c	DH
3.6	Identify opportunities to work with Heather and Hillforts Project to promote permissive routes within project area for use by those with restricted mobility		a, c	DC, UG,
3.6	Surface improvement projects to improve all ability access	3,4	a,c	DH, DC,
3.7	Establish liaison group to identify and progress all-ability access improvements, working with representatives of disabled users' groups and through LAF and Council's Access Forum	3,4,6	a,c	DH, DC, LAF, UG

3.8	Urban path improvements and integration with Safe Routes to School and Cycle paths	3,4,6	G	DH
3.9	Clwydian Range AONB path network improvement	4,7	a,b	DH, DC,
3.10	Improve access in and around Llangollen relating to World Heritage Status bid	3,4,7	a,b,c,g	DH, DC,
3.11	Identify and develop 'green corridors' linking residential areas, particularly areas of social deprivation, to local open spaces and green areas utilising existing rights of way where possible	3,4,5,6	a,b,c,g	DC,DH,CoCo
3.12	Maintain list of local improvements agreed and prioritised through the LAF and share with bodies able to deliver access improvements such as Tir Gofal	4,5	c,f	DH, LAF
3.13	Maintain details of free roadside parking facilities that could be used to benefit developing access for users in rural areas	4,5,6,7	i	DH
3.14	Help facilitate voluntary partnership between carriage drivers and the farming community to develop additional permissive driving routes	4,6,7	f,i	DH, VB, LAF, BC
3.15	Public transport link promotion	4,5,6,7	i	DH

Group 4: Access to Open Country and the Coast

It is the Countryside Service rather than the ROW team that takes the lead on the issue of access to open country and will similarly progress the Welsh Assembly Government's initiative to develop improved access to a 2 km strip along the whole of the Welsh coast.

While Denbighshire has a significant areas of open access land, (the sixth greatest area in Wales) the restrictions on the right of access means that it primarily benefits only walkers. The predominant areas are central south Clwydian Range, Llandegla Moors, Llantisilio Mountain, the Berwyn, Clocaenog Forest and Denbigh Moors. There are also two large reservoirs, owned by Welsh Water and managed for recreation, at Brenig and Alwen. Similarly, Moel Famau Country Park lies within an area of open access and is proactively managed for recreation, as is the Forestry Commission's land in Clocaenog Forest and Moel Famau.

To a large extent, the open access land in the south of the county and on the Denbigh Moors compensates for the deficiencies in the rights of way network for walkers. There is also further provision, albeit limited, for horse riders and cyclists in the managed access provided on Forestry Commission land, to land owned by Welsh Water around Llyn Brenig and in the facilities provided privately by UPM Tillhill in Coed Llandegla.

Denbighshire has only a limited coastline and most of the coastal strip is urban in nature. There is already extensive coastal access, however, with the foreshore being open in its entirety for public access.

Key issue

- Denbighshire has a significant amount of open access land but the restrictions on the right of access means that it primarily benefits only walkers.
- The limited coastal strip is predominantly urban in nature but already has extensive public access, including to the whole of the foreshore.
- It is the Countryside Service rather than the ROW team that takes the lead on the issue of access to open country and coastal access
- The Service has prepared management plans for all the open access areas within Denbighshire and for coastal access

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	Action target	Themes	Priorities	Leading bodies / Partners
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Group 4: Access to Open Country and the coast

4.1	Prioritise developing new links to improve access to Open Country and the Coast	3,5,7	b,i	DC, DH,
4.2	Establish programme to develop walking on access land by establishing easy to follow linear routes	3,5,6,7	b,i	DC

Group 5: Improving confidence, knowledge and opportunity

It is the Countryside Service, rather than the Rights of Way Unit, that takes the lead in promoting rights of way and who also maintain all promoted routes. Currently there are over 100 miles of promoted rights of way in the County or some 12% of the entire path network. These are targeted at a wide range of different audiences, from long day and multi-day walks and mountain bike cycle routes through challenging areas aimed at the most experienced and enthusiastic users, to paths at honey pot sites and 'short walks for busy people' aimed at those with little or no experience of recreational walking. The emphasis on all of these routes is to manage them a higher standard than would otherwise be possible, particularly to enhance visitors' enjoyment of the area. Initiatives are also underway to promote walking as part of healthy lifestyle under the *Healthy Denbighshire* strategy.

The questionnaire survey carried out for the ROWIP assessment showed that the residents of Denbighshire already have unusually high levels of awareness about, and confidence in using, the rights of way network in the County.

The promoted routes are also known, in general terms, to bring wide economic, community and social benefits and are an important part of the tourism infrastructure of the County. A number of national studies have been carried out into these aspects and there would be scope to conduct further local studies to identify the specific economic, social and other benefits accruing to Denbighshire and how these might be maximised.

The County's Local Access Forum was established under the provisions of the Countryside and Rights of Way Act 2000 and acts as a statutory adviser to the authority on both accesses to land and linear access, including on the needs of all sections of society. The Denbighshire Forum meets under the Chairmanship of John Hughes OBE and has 17 members. While the Forum has worked well it does not, at present, have an independent secretary but is dependent on the ROW Officer to take that role. This is unsatisfactory in that it frequently gives rise to a contradiction of interests.

Key issues

- Some 12% of the entire path network is currently promoted in Denbighshire, targeted at a wide range of different audiences, abilities and interests. The emphasis with all these routes is to manage them a higher standard than would otherwise be possible, particularly to enhance visitors' enjoyment of the area.
- While national studies have been carried out, the use being made of the promoted routes in Denbighshire or the information provided about them has not been specifically evaluated. There would, in particular, be scope to consider how the social and economic benefits accruing to the County might be maximised.
- Initiatives are also underway to promote walking as part of healthy lifestyle under the *Healthy Denbighshire* strategy.
- There is nevertheless currently a dearth of information about the routes and facilities available throughout the County for those who are disabled or who have other special interests, nor does the current information enable a user to judge whether a route is suitable for his or her own specific needs, interests and abilities.

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- An independent secretary is required to enable the Local Access Forum to properly fulfil its statutory functions and to overcome the current conflict of interest with the role of the ROW Officer.

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	Action target	Themes	Priorities	Leading bodies / Partners
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Group 5: Improving confidence, knowledge and opportunity

5.1	Provision of Community Information Points	3,5,6,7	h,i	DC, DH
5.2	Enhanced signing and waymarking for promoted routes	3,5,6,7	b,h,i	DC, DH
5.3	Develop and promote specific routes that will help improve access for users with mobility or sensory impairment	3	c,i	DC, DH, LAF
5.4	Develop routes which deliver health and well being objectives for all residents of Denbighshire	3	c,i	DC, DH
5.5	Develop and promote specific routes that bring economic benefit to rural communities and towns integrating the path network to develop tourism opportunities	7	c	DC, DH,CoCo, LAF
5.6	Raise the profile and capability of the Local Access Forum to provide advice on access in the county	6	h,i	DH, DC
5.7	Undertake review of, and develop a strategy for the better management of, all printed and on-line publicity and promotional material relating to access in Denbighshire			
5.8	Improve access to information on access suited to all abilities			
5.9	Horse and all level 1 routes / main road interface safety improvements			

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Special projects

As noted in section 5, in addition to the groups of action targets five special projects are proposed. Each project would be undertaken over a period of years, draw together a number of threads and would aim to meet a range of objectives. The projects would normally require the appointment of a project officer or small project team. With the exception of Community Miles project on which some preliminary work may be possible, the projects would not be started unless and until these resources to make these appointments have been secured.

Special project 1: Community Miles

The aim of this project will be for each of Denbighshire's 40 local communities to develop a short (2-3 mile) circular walk or ride aimed at enhancing both local residents' and visitor's appreciation and enjoyment of the area. Where ever possible these should be all-ability paths, open to users at any time of the year (including some that may be available to horse riders and cyclists) and accessible by public transport. Paths will be supported by a village signboard and local leaflets, although should they should also be sufficiently well waymarked, signed and used as to be capable of being followed without a guide. It is envisaged that the project would generate wide community, health, economic and social benefits.

The project would be undertaken over a 2 or 3 year period and may qualify for EU finding if carried out in partnership with a consortium of authorities (for example, with Gwynedd, Ynys Mon, and Conwy). The total project cost (carried out on this basis) would be approximately £2,500,000.

The project as a whole is dependent on funding from external sources and would require the appointment of a dedicated project team. It is possible however that some preliminary work could be undertaken to test and refine the concept; this would enable a Community Miles path to be developed in up to five local communities each year using monies taken from the rights of way maintenance budget. If substantial external funding is not forthcoming and the pilot is successful, then this approach might be applied county-wide, with communities being invited to bid on an annual basis to nominate a local walk or ride for inclusion. Up to five paths a year could be supported in this way. This would enable the project to be progressively rolled-out to cover most of the County over a number of years. However this approach would still require the appointment of a dedicated project officer.

Special project 2: Moel Famau – Llandegla – Berwyn corridor improvement

The aim of this project would be appoint a project officer to research and establish a broad strategic access corridor for horse riders and cyclists from Moel Famau to Horseshoe Pass to Dee Valley. This would link the existing bridleway network crossing the sparse Alyn lal Valley to Cooed Llandegla, and create additional links from the forest to Llantysilio Mountain and across the Dee valley to the Berwyns on the Wrexham border. There are currently no convenient or safe routes available to riders or cyclists linking these locations. Instead users are forced to use long sections of the A494 trunk road and the narrow A525 and A5104, often having no option but to ride on the tarmac carriageway where they are at significant risk from the high volume of fast moving traffic.

The project would primarily be undertaken by Denbighshire but Wrexham County Council may also wish to support the project.

Total project costs are provisionally estimated to be in the order of £200,000.

Special project 3: Corwen to Bala bridleway and cycle link

This project would aim to establish an attractive strategic multi-user route for walkers, horse riders and cycle users linking Corwen with Bala using the track bed of the disused railway, quiet lanes and existing bridleways. The route would make it possible to avoid using the heavily trafficked A494 or B4401 and would provide a valuable local facility in an area where there is currently very little bridleway provision as well as constituting a strategic gateway for visitors to Bala and Gwynedd. Links may also be possible with the proposed extension to the national cycle network from Wrexham along the Dee valley, the British Horse Society's *Sea Horse* ride from Prestatyn and, eventually, to a further strategic route leading westwards towards to the West Wales coast.

The project would be led by Denbighshire with Gwynedd County Council also being invited to participate.

Total project costs are provisionally estimated to be in the order of £200,000.

Special project 4: Llanellidan to Llanfair Ridgeway Quiet Lanes Project

The project would aim to create a network of routes managed and signed to facilitate use by horse riders, cyclists and carriage drivers in this very attractive but somewhat remote and little visited area of the County. The network would aim to take full advantage of the spectacular views of the county linked to the villages of Llandegla, Llanellidan and Llanfair DC and would make use of the quiet, lightly trafficked lanes that exist in the area, many with wide grassed verges offering refuge for users. These would be supplemented by existing rights of way (including the possible upgrade of some short sections to restricted byways status) and negotiated permissive routes.

A consortium of project partners would be established. In addition to the County's Rights of Way Unit and Countryside Service and the community councils, this could be expected to include the Local Health Partnership, North Wales Tourism Partnership and Countryside Council for Wales.

The estimated total project costs are approximately £150,000.

Special project 5: Native Trails

This is a web based project to develop an online facility bringing together information provided and managed by the Highway Authorities about all recorded bridleways, restricted byways, byways open to all traffic and unsurfaced roads as depicted on both the definitive map and the list of streets, together with other information relating to access and use of these routes by all users – walkers, equestrians, cyclists, carriage drivers and vehicular users. The system has the potential to be particularly valuable to wheelchair users and other special needs groups.

The information will be made available on-line through the Google Earth Platform allowing the public to utilise Google Earth or Google Maps to locate and choose suitable legal routes

to enjoy access to the countryside. By linking the map-based data to on-line photographs, video clips and other information users will not only be made aware of the routes that are available but to see in advance the physical condition and other characteristics and therefore to judge a route's suitability for that person's specific needs and abilities. The system will also allow users to identify other permissive routes made available by private landowners and suggested routes provided by the councils.

A feature of the site will be the ability for users to add their own comments and feedback, providing up-to-date information both to other users and the councils about track conditions, features and points of interest.

It is proposed that the project be developed as a partnership with a university information technology business unit and funded by the project promoters. There may also be scope for tourism or other businesses sponsors. It is hoped the download of the application would be, like basic Google Earth, at no charge to users and may include advertising of a tourism nature to support the long term development.

Ideally the project should be carried out on a multi-authority basis, for example together with Gwynedd, Ynys Mon and Conwy

The estimated total cost of project costs are £75,000.

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	Special projects	Themes	Priorities	Leading bodies / Partners
1	<p>Community Miles</p> <p>Village based circular walks that are enhanced to best possible least restrictive access, signposted and waymarked with supporting promotional material to be of specific value for both locals and tourists</p>	3,4,5,6,7	b,c,i	DC,DH, A, C, G
2	<p>Moel Famau – Llandegla – Berwyn Access Project</p> <p>To create along a corridor of land, improved links for cycling and horse riding and removing dangerous road crossings</p>	1,3,4,6,7	c,f,i	DH, DC, CoCo, UG, W, CCW
3	<p>Corwen - Bala Trail</p> <p>Strategic trail for horse riders and cyclists</p>	1,3,4,6,7	c,f,i	DH,DC, CoCo, CCW
4	<p>Llanelidan and Llanfair DC Quiet Lanes</p> <p>To identify, improve and promotes lanes suitable for horse riding , cycling and carriage driving including through possible upgrades to bridleways</p>	1,3,4,6,7	b,c,f,i	DH,UG
5	<p>Native Trails</p> <p>Online website enhancing the existing work for Ride the Clwyds extending across the county and enabling inter-active user-generated information to be shared about the availability of bridleway, byway and unsurfaced roads utilising Google Earth / Maps technology.</p>	1,3,4,6,7	b,c,f,i	DH, DC, UG, CCW, A, C, F, G, P, W, BP

6. Monitoring implementation of the ROWIP and ongoing review

The implementation of the Improvement Plan will be monitored by the regular bi-annual reviews of the annual work programmes as set out in section 3.1. Annual reports will be made to the Local Access Forum and published on the Council's web site.

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Appendix 1: ROWIP work programme for period September 2008 to March 2010. Provisional draft

To be added

Appendix 2: Estimated cost per Community of restoring and then maintaining whole ROW network

Community	ROW length per community	Cost of rectifying backlog of repairs		On-going annual cost of maintaining network after upgrade	
	Kms	Total £	Cost £/Km	Total £	Cost £/Km
Aberwheeler	23.14	2,115.00	91.41	2,680.00	115.83
Betws Gwerfil Goch	14.54	5,635.00	387.58	683.17	46.99
Bodelwyddan	10.79	5,185.00	480.68	1,212.17	112.38
Bodfari	13.49	3,210.00	238.03	2,059.00	152.68
Bryneglwys	41.44	12,645.00	305.14	1,780.33	42.96
Cefn Meriadog	3.62	880.00	242.91	151.83	41.91
Clocaenog	31.91	14,505.00	454.61	2,403.67	75.33
Corwen	65.06	4,885.00	75.08	4,682.00	71.96
Cwm	26.04	5,885.00	226.03	2,534.50	97.35
Cyffylliog	31.30	7,370.00	235.49	2,579.50	82.42
Denbigh	58.13	6,460.00	111.14	8,205.50	141.17
Derwen	29.58	20,300.00	686.39	3,707.67	125.36
Dyserth	15.81	1,865.00	117.99	4,080.00	258.13
Efenechtyd	5.06	4,505.00	889.45	298.50	58.94
Gwaenysgor(pt)	1.58	50.00	31.60	90.17	56.98
Gwyddelwern	30.97	19,020.00	614.16	2,916.83	94.18
Llanarmon yn Ial	84.84	73,455.00	865.80	8,093.17	95.39
Llanbedr Dyffryn Clwyd	40.84	2,530.00	61.94	4,142.17	101.42
Llandegla	56.19	45,730.00	813.83	7,251.33	129.05
Llandrillo	46.46	15,165.00	326.44	3,498.67	75.31
Llandyrnog	49.09	21,300.00	433.90	4,276.00	87.11
Llanelidan	50.22	45,020.00	896.45	5,008.17	99.72
Llanfair Dyffryn Clwyd	58.86	72,085.00	1,224.77	8,204.17	139.39
Llanferres	48.86	9,085.00	185.94	7,043.67	144.16
Llanfihangel Glyn Myfyr (pt)	2.42	885.00	365.09	134.17	55.35
Llanfwrog Rural	13.09	1,495.00	114.25	1,091.50	83.41
Llangar	27.34	9,655.00	353.14	2,475.00	90.52
Llangollen Rural	42.30	6,675.00	157.79	2,930.17	69.27
Llangollen Town	19.75	6,045.00	306.10	1,419.00	71.85
Llangynhafal	28.43	5,995.00	210.88	1,974.67	69.46
Llanrhaeadr yng Nghinmeirch	59.31	22,820.00	384.76	5,889.00	99.29
Llansantffraid Glyndyfrdwy	2.93	215.00	73.27	93.50	31.86
Llantysilio	57.58	12,015.00	208.66	2,704.17	46.96
Llanynys	34.63	33,685.00	972.68	9,772.33	282.18
Nantglyn	32.23	22,220.00	689.38	5,293.50	164.23
Prestatyn	21.06	1,440.00	68.38	6,069.00	288.19
Rhuddlan	23.61	22,760.00	963.82	3,313.50	140.32
Rhyl	6.84	350.00	51.17	977.83	142.97
Ruthin	16.03	4,755.00	296.72	4,505.67	281.16
St. Asaph	14.70	1,690.00	114.95	3,370.00	229.22
Trefnant	7.11	17,545.00	2,468.48	880.67	123.91
Tremeirchion	40.19	11,850.00	294.82	6,513.50	162.05
Waen	11.26	9,750.00	865.63	3,189.17	283.14
Totals	1298.62	590,730.00		150,178.54	
<i>Average</i>	<i>30.20</i>	<i>13737.91</i>	<i>440.85</i>	<i>3492.52</i>	<i>120.03</i>

Appendix 3: Rights of Way Improvement Plan Assessment:

Executive summary

The assessment has been carried out as part of the County Council's new statutory duty to prepare a Rights of Way Improvement Plan and in accordance with guidance issued by Welsh Assembly Government. It looks at all aspects of the Council's work on rights of way (ROW) and the context in which this work is carried out and will form the basis on which a Rights of Way Improvement Plan, setting out how the County proposes to manage and improve the local ROW network over the next 10 years, will be drawn up.

Strategic context

The ROWIP must both draw on, and contribute toward, other local, regional and national plans and strategies, with the County Council's *Vision for Denbighshire*, the *Tourism Strategy for North Wales* and *Regional Transport Plan* being particularly important. It is also important that the ROWIP is seen as being 'owned by', and the responsibility of, the whole authority, not just the Rights of Way Unit.

The County's Public Rights of Way Network

The County has a recorded network of 1,296 kms (809 miles) of public rights of way of which 84% (1,088 kms) are footpaths and available, as of right, only to walkers. Bridleways, which can also be used by horse riders and cyclists, make up 14% of the network (182 kms) and byways open to all traffic, which can also be used by vehicles, make up 2% (26 kms). Other rights of way are known to exist but are not currently recorded. The County also has a further 91 kms of unsurfaced public roads.

Organisation and staffing

It is the Rights of Way Unit that is responsible for discharging the County Council's duties towards public rights of way. As well as preparing a Rights of Way Improvement Plan these duties include keeping an up to date legal record of all rights of way, maintaining, signposting and waymark paths and dealing with paths that are obstructed. The Unit is part of the Environment Directorate and has a staff of 5; the Rights of Way Officer, two Access Assistants and two Footpaths Inspectors.

Whenever possible, problems are dealt with on a direct one-to-one basis with the Footpath Inspector normally approaching the landowner concerned. While generally successful, the present level of staffing means that the Council can only act on a 'fire fighting' basis, responding to issues brought to its attention by path users. The appointment of a third Footpaths Inspector would allow it to change over time to a more proactive way of working.

To advise the Council on its rights of way function, a statutory Local Access Forum was set up in 2002 and currently has 17 members. The Forum is serviced by the authority (as required by the legislation) but it is not currently possible to provide an independent Secretary, with that role being undertaken instead by the Rights of Way Officer.

The ROW Unit also works closely with the Countryside Services, which is part of the Lifelong Learning Department of the Education Directorate and has a full time staff of 26. The Service has no statutory functions towards rights of way but is responsible for promoting selected routes. It also maintains these paths to a higher standard than would otherwise be possible to enhance visitors' enjoyment of the area.

Promoted paths

More than 100 miles of rights of way are currently promoted by the County Council; around 12% of the path network. In addition to 70 kms (44 miles) of the Offa's Dyke National Trail, this includes three Regional Routes - The North Wales Path, Hiraethog Way and Dee Valley Way/North Berwyn Way - and several local 'honey pot' routes in popular tourist areas.

A long term aim, should the money become available, is for a fourth Regional Route running down the western side of the County. This would be based on existing rights of way and would link the three current Regional Routes to provide a wide choice of walking opportunities on high quality routes through attractive scenery.

Budget

As part of its highways maintenance budget, the Council has provided £107,710 for revenue spending and £50,000 for capital spending on public rights of way in 2007/08. This is a 50% increase on previous financial years and reflects a reappraisal of the amount spent on highway maintenance in general as a result of pressure on the authority, including pressure from the Local Access Forum. The bulk of this revenue spending is allocated to footpaths. However, in relative terms, far more is spent on byways (£296 per km) and bridleways (£108 per km) than footpaths (£58 per km).

The Countryside Service does not have a dedicated budget but is largely dependent on grant aid, especially from the Countryside Council for Wales. This includes around £10,000 a year paid by CCW as reimbursement for three-quarters of the cost of maintaining the Offa's Dyke Path.

The Definitive Map and Statement

The Definitive Map and Statement - the formal, legal record of the line and status of all rights of way – is a highly technical and time consuming area of work but one which underpins the whole of the path network.

The Council does not have the large backlog of rights of way 'claims' waiting to be dealt with that are common to many other authorities. There are nonetheless more than 800 identified problems with the existing Definitive Map and Statement that need to be resolved of which around a third are likely to require formal Definitive Map Modification Orders to be made. Dealing with an issue of this scale and complexity is beyond the current capacity of the Rights of Way Unit.

Condition of the path network and the maintenance backlog

Over the last ten years the Council has consistently out-performed other highway authorities in Wales in the proportion of rights of way that are correctly signposted where they leave a metalled highway or which are easy to use. But a comprehensive survey carried out in 2002 found that, out of nearly 10,000 stiles, signposts and other items of path furniture on the

ROW network, many were dilapidated or missing while others were nearing the end of their useful lives.

Dealing with this backlog of path maintenance will require one-off expenditure of around £590,000, together with a further £100-150,000 a year to ensure the network remains in good condition and stop another backlog developing. These figures do not take into account the cost of clearing vegetation, on which £12,000 a year is currently spent, or any work that may be needed to path surfaces or drainage.

Community Councils and other players

As well as the County Council, many other bodies and individuals have a direct interest in the rights of way network. The Council already works closely with many of these, including the farming community, and bodies representing the many different types of path users, but would welcome comments on the way these existing partnerships can be developed and new ones created.

It is particularly keen to work more closely with Denbighshire's 40 Community and Town Councils. One possibility which the County wishes to explore in more detail would be to set up a rolling programme in which groups of communities identify the most important paths in their areas, which can then be developed and promoted as easy-to-use village walks and rides. It is possible that EU funding for this might be available, given that the scheme could bring significant community and economic benefits. It might also be a quick way of making sure that a range of routes are available to people with restricted mobility or who have other special needs.

The public's use of rights of way, and views on the ROW Improvement Plan

A special survey was carried out, including through a questionnaire distributed with *County Voice*, to find out how much people in Denbighshire use their rights of way and their views on the Improvement Plan.

It found that over 70% of respondents use rights of way at least once a week for walking or running, with the most popular activity being a walk of 2 miles or more. Running or jogging to keep fit was also an important activity, rivalling the traditional use of 'walking the dog'. Almost 90% of those who responded agree or strongly agree with the statement that "spending money on footpaths and bridleways is good value compared to spending by the Council on other leisure activities".

Asked about priorities for the Improvement Plan, the survey shows a clear consensus of support for three main areas of work – putting up more signs to make paths easier to find, making paths easier to use for the elderly or disabled people, and ensuring all paths are clear of overgrowth or obstructions. There is also strong support for completing the legal record and changing the line of paths to overcome conflict.

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Appendix 4: List of consultees

REPORT TO CABINET

REPORT BY: Corporate Director: Social Services and Housing
DATE: 3rd June 2008
SUBJECT: Housing Revenue Account Budget & Capital Plan Report
Provisional Outturn 2007 / 2008

1 DECISION SOUGHT

Members note the provisional outturn position of the Housing Revenue Account (H.R.A.) for 2007/08.

2 REASON FOR SEEKING DECISION

The need to deliver the Council's agreed budget strategies for the current financial year.

3 POWER TO MAKE THE DECISION

Housing Act 1985 Part II.

4 COST IMPLICATIONS

Housing Revenue Budget 2007/08

- The latest figures show that the HRA will generate a surplus of £741k by the end of the financial year, which is £35k lower than the surplus forecast in the original budget but is broadly on target.
- Housing management in total is marginally under spent (£3k). Some one-off increases in premises costs (£20k) and redundancy costs (£25k) have contributed to the over spend in general management but the main cause of the pressure was salary costs.
- There is a small overspend on the repairs budget, due mainly to additional works repairing garages.
- The capital charge for the year is higher than planned in the original budget because the capital plan has exceeded original expectations (see below).
- Rental income for council dwellings has matched the budget but leased rent income is below original forecasts because of fewer than planned numbers in the scheme and high voids through part the year. Voids have now been reviewed and have reduced from around 20% to 6%.

Housing Stock Business Plan (HSBP)

- The provisional outturn is broadly in line with the expectations built into the HSBP.
- There were 13 sales under the 'Right to Buy' scheme in 2007/08. The HSBP has now been amended to account for 15 sales annually from 2008/09 onwards. However, sensitivity tests have shown that the Plan can remain viable even if RTB sales continue to fall.
- The current council housing stock stands at 3,472.

Housing Capital Plan

- Achievements to the end of March on the major contracts are as follows (the figures quoted in brackets are those that were reported to the end of February 2008):

Major Refurbishments	354 completions (334)
Window s contract	2,772 properties completed (2,701)
Heating contract	1,117 properties completed (1,089)

- The number of completions has exceeded the original target of 248 that was in the HSBP for 2007/08.
- The table below shows an extract from the original 2005 HSBP and the level of planned works in each year. There was £2.430m slippage in the first two years but this has will be caught-up in the current and next year. The excess over four years is as a result of additional Disabled Facility Grant works (see below) being brought forward.

	2005.06	2006.07	2007.08	2008.09	Total
	£'000	£'000	£'000	£'000	£'000
HSBP Plan Costs*	7,299	7,412	7,528	7,646	29,885
Actual Costs	6,071	6,210	10,015	7,891	30,187
Slippage/(Catch-up)	1,228	1,202	(2,487)	(245)	(302)

**Extracted from the original version of the HSBP 2005*

- A total of approximately £44k revenue repairs and maintenance works have been capitalised but these are costs that would have been incurred legitimately later on in the improvement programme.

Summary

- The provisional outturn for 2007/08 does not adversely affect the Council's Housing Stock Business Plan.
- The HRA Capital Plan is progressing very well and previous slippage is being caught up. The windows contract has been successfully completed. The considerable backlog of disabled facility grant works is now being cleared.
- The increase in capital works in 2008/09 has helped ensure that the Business Plan is still on target to achieve the Welsh Housing Quality Standard by 2012.
- The HRA and capital plan position as reported does not have any additional staffing implications.

5 FINANCIAL CONTROLLER STATEMENT

The provisional HRA outturn for 2007/08 continues to contribute positively to the Housing Stock Business Plan. The progress in recovering slippage on the Capital Plan is welcomed.

6 CONSULTATION CARRIED OUT

Cabinet agreed the HRA capital and revenue budget in January 2007.

7 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE & THE COUNCIL'S VISION

The level of funding available to services together with budgetary performance impacts upon all services of the Council. The HSBP will help achieve the ideal living vision, through access to good quality, affordable housing, which is more energy efficient and designed to meet their needs.

8 ACTION PLAN

Action	Responsibility	Date
Ongoing monitoring of the HSBP.	Head of Housing Services & Senior Management Accountant.	Monthly updates to Cabinet.

9 RECOMMENDATIONS

Members note the latest financial forecast position of the Housing Revenue Account (H.R.A.) for the current financial year.

Housing Revenue Account ~ 2007/08 Budget

<u>2006/07</u> Actual Outturn £	<u>Period 13 March 2008</u>	Original Budget £	<u>2007/08</u> Provisional Out-turn £	Variance to Budget £
<u>EXPENDITURE</u>				
1,098,305	Supervision & Management - General	1,518,966	1,609,991	-91,025
251,946	Supervision & Management - Special	260,750	251,603	9,147
134,887	Welfare Services	138,400	144,712	-6,311
229,387	Homelessness - Leased Properties	405,000	307,191	97,809
367,845	Rents	0	0	0
2,500,157	Repairs and Maintenance	2,563,300	2,576,309	-13,010
4,582,526	Total Housing Management	4,886,416	4,889,806	-3,390
1,048,660	Item 8 Capital Charges	1,321,524	1,454,887	-133,363
0	Rent Rebate Subsidy Limitation	212,000	125,000	87,000
2,761,385	Subsidy	2,854,279	2,842,402	11,877
6,690	Provision for Bad Debts	50,000	12,513	37,487
8,399,261	Total Expenditure	9,324,219	9,324,608	-389
<u>INCOME</u>				
8,938,397	Rents (net of voids)	9,564,200	9,564,212	12
145,583	Leased Rents	255,000	182,356	-72,644
103,685	Garages	140,450	143,634	3,184
152,503	Interest on Balances & RTB Mortgages	140,000	175,000	35,000
9,340,168	Total Income	10,099,650	10,065,202	-34,448
Surplus / Deficit (-) for the Year				
940,907	General Balances	775,431	740,594	-34,837
0	Earmarked Balances	0	0	0
1,838,624	Balance as at start of year ~ General	2,779,531	2,779,531	0
2,779,531	Balance as at end of year ~ General	3,554,962	3,520,125	-34,837

Appendix 2

HRA Capital Plan 2007/08**Month 13**

Actual 2006/07 £	Description	Approved Schemes £	Provisional 2007/08 £
52,393	Environmental Improvement Works	257,500	363,377
1,001,418	2005/06 Major Improvements – All Groups	0	56,654
1,444,675	2006/07 Major Improvements – All Groups	3,995,370	5,660,688
2,572,010	Windows Replacement	618,000	2,552,468
1,139,880	Central Heating Contract	1,802,500	831,900
0	DFG - Council Properties *	103,000	550,040
6,210,376	Total	7,738,000	10,015,127

2006/07 £	HRA Capital Plan Financed By:	Original £	Final £
2,400,000	Major Repairs Allowance Grant	2,400,000	2,400,000
431,406	Useable Capital Receipts	370,000	483,000
3,378,970	Prudential Borrowing	4,968,000	7,132,127
6,210,376	Total	7,738,000	10,015,127

REPORT TO CABINET

REPORT BY: Corporate Director: Social Services and Housing
DATE: 3rd June 2008
SUBJECT: Housing Revenue Account Budget & Capital Plan Update Report 2008 / 2009

1 DECISION SOUGHT

Members note the forecast outturn position of the Housing Revenue Account (H.R.A.) and Housing Capital Plan for 2008/09.

2 REASON FOR SEEKING DECISION

The need to deliver the Council's agreed budget strategies for the current financial year.

3 POWER TO MAKE THE DECISION

Housing Act 1985 Part II.

4 COST IMPLICATIONS

Housing Revenue Budget 2008/09

- The initial forecast for the HRA shows that an in-year revenue surplus of £471k should be generated by the end of the financial year, which is £39k higher than forecast in the original budget set in February 2008.
- The main change from the original budget are that estimates for the amount capital expenditure funded from the revenue account (known as CERA) has been revised downward. This is because the initial budget for the amount of 'negative subsidy' payable to the Assembly under the complex HRA subsidy rules has been recalculated and is now forecast to be higher than originally planned.
- The changes to the subsidy payment therefore make it prudent to reduce the amount of CERA this year to £3m. This will be kept under review as the year progresses.
- There is a small overspend forecast on the repairs budget due to additional members of staff being employed to address disabled adaptation issues – these costs however are being partly offset by a reduction in premises costs.

- Leased accommodation costs are lower than planned due to fewer than expected properties being used currently. This could change as the year progresses.
- The capital charge for the year is higher than originally planned because the capital plan has exceeded expectations toward the end of 2007-08 which affects the borrowing charge in 2008-09 and because the amount of capital funded by CERA has been reduced.
- Income in total should be better than originally forecast: with some minor movements between dwelling and leased rent income. Investment interest should be higher than planned as interest rate forecasts have improved and year-end balances will be higher than planned because the CERA transfer is being reduced.

Housing Stock Business Plan (HSBP)

- The provisional outturn is broadly in line with the expectations built into the HSBP.
- There were no 'Right to Buy' sales in April and therefore the council housing stock remains at 3,472.

Housing Capital Plan

- Achievements to the end of April on the major contracts are as follows (the figures quoted in brackets are those that were reported to the end of March 2008):

Major Refurbishments	394 completions (354)
Window s contract	2,798 properties completed (2,772)
Heating contract	1,152 properties completed (1,117)

- The plan has been amended from the original budget forecast to account for contract stage payments and retention payments that will be made in 2008/09, rather than 2007-08.
- The last three window contract installations are scheduled to be complete by mid-June. The heating contract should be completed in July.

Summary

- The forecast outturn for 2008/09 does not adversely affect the Council's Housing Stock Business Plan.
- Amendments to the original budget forecast mean that a lower CERA transfer than planned will be made in 2008/09.

- The HRA Capital Plan continues to progress well and previous slippage has been caught up. The considerable backlog of disabled facility grant works continues to be cleared.
- The increase in capital works in 2007/08 and the planned £8m spend in 2008/09 should help ensure that the Welsh Housing Quality Standard is achieved by 2012.
- The HRA and capital plan position as reported does not have any additional staffing implications.

5 FINANCIAL CONTROLLER STATEMENT

The initial HRA outturn for 2008/09 ensures that balances should be in-line with the Housing Stock Business Plan.

6 CONSULTATION CARRIED OUT

Cabinet agreed the HRA capital and revenue budget in February 2008.

7 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE & THE COUNCIL'S VISION

The level of funding available to services together with budgetary performance impacts upon all services of the Council. The HSBP will help achieve the ideal living vision, through access to good quality, affordable housing, which is more energy efficient and designed to meet their needs.

8 ACTION PLAN

Action	Responsibility	Date
Ongoing monitoring of the HSBP.	Head of Housing Services & Senior Management Accountant.	Monthly updates to Cabinet.

9 RECOMMENDATIONS

Members note the latest financial forecast position of the Housing Revenue Account (H.R.A.) for the current financial year.

Housing Revenue Account ~ 2008/09 Budget

<u>2007/08</u> Provisional Outturn £	<u>Period 1 April 2008</u>	<u>Original</u> Budget £	<u>2008/9</u> Forecast Out-turn £	<u>Variance</u> to Budget £
<u>EXPENDITURE</u>				
1,609,991	Supervision & Management - General	1,563,283	1,563,438	-155
251,603	Supervision & Management - Special	268,573	266,381	2,192
144,712	Welfare Services	142,552	141,764	789
307,191	Homelessness - Leased Properties	402,000	336,254	65,746
0	Rents	0	0	0
2,576,309	Repairs and Maintenance	2,640,199	2,665,484	-25,285
4,889,806	Total Housing Management	5,016,607	4,973,321	43,286
1,454,887	Item 8 Capital Charges	1,881,000	1,955,321	-74,321
0	CERA	3,500,000	3,000,000	500,000
125,000	Rent Rebate Subsidy Limitation	140,000	125,000	15,000
2,842,402	Subsidy	2,413,000	2,908,084	-495,084
12,513	Provision for Bad Debts	25,000	25,000	0
9,324,608	Total Expenditure	12,975,607	12,986,726	-11,119
<u>INCOME</u>				
9,564,212	Rents (net of voids)	9,924,222	9,954,940	30,718
182,356	Leased Rents	236,808	212,296	-24,512
143,634	Garages	150,952	138,857	-12,095
175,000	Interest on Balances & RTB Mortgages	95,000	151,201	56,201
10,065,202	Total Income	10,406,982	10,457,294	50,312
Surplus / Deficit (-) for the Year				
740,594	General Balances	931,375	470,569	-460,807
0	Earmarked Balances (CERA)	-3,500,000	-3,000,000	500,000
2,779,531	Balance as at start of year ~ General	3,520,125	3,520,125	0
3,520,125	Balance as at end of year ~ General	951,500	990,694	39,193

Appendix 2

HRA Capital Plan Update 2008/09

Month 1

Actual 2007/08 £	Description	Approved Schemes £	Actual at End April £	Forecast Outturn £
363,377	Environmental Improvement Works	440,000	25,485	440,000
56,654	2005/06 Major Improvements – All Groups	0	19,537	50,000
5,660,688	2006/07 Major Improvements – All Groups	6,735,000	533,085	6,735,000
2,552,468	Windows Replacement	100,000	93,299	300,000
831,900	Central Heating Contract	100,000	142,839	300,000
550,040	DFG - Council Properties *	400,000	34,875	400,000
10,015,127	Total	7,890,000	849,119	8,225,000

2007/08 £	HRA Capital Plan Financed By:	Original £	Forecast £
2,400,000	Major Repairs Allowance Grant	2,400,000	2,400,000
483,000	Useable Capital Receipts	297,000	279,000
7,132,127	Prudential Borrowing	1,693,000	2,546,000
0	CERA	3,500,000	3,000,000
10,015,127	Total	7,890,000	8,225,000

REPORT TO CABINET

REPORT BY: Deputy Chief Executive / Corporate Director of Resources

DATE: 3 June 2008

SUBJECT: Provisional Final Revenue Accounts - 2007/2008

1. DECISION SOUGHT

1.1 To consider the provisional final revenue outturn position for 2007/8 and recommend, subject to final amendments, to full Council.

1.2 To recommend to Council the treatment of reserves, subject to final amendment, as detailed in the report.

2. REASON FOR SEEKING DECISION

2.1 Cabinet has received regular monitoring reports throughout the financial year on the performance of spend against budget. This report details the provisional final position at financial year end. Full Council on the 24 June will receive the final details. The first draft of the Annual Statement of Accounts for 2007/8 will be presented to the Corporate Governance Committee on the 27 June.

2.2 The Council's constitution requires full Council to approve the establishment and use of financial reserves.

3. POWER TO MAKE DECISION

3.1 Local Authorities are required under s151 of the Local Government Act 1972 to make arrangements for the proper administration of their financial affairs. Public Audit (Wales) Act 2004 and related Accounts & Audit regulations.

4. COST IMPLICATIONS

4.1 The overall financial outturn position for 2007/8 is that there has been a strengthening of the financial situation of the Council. As a consequence it is possible to make recommendations for the creation of specific reserves and provisions that will assist the Council in addressing the financial pressures of the next few years.

4.2 The provisional final Revenue Outturn figures are detailed in Appendix 1. The final position on service and corporate budgets, after allowing for proposals for contributions to and from reserves and provisions, was an underspend of £315k, this is net of a spend above budget of £266k on Schools Delegated funds.

4.3 Spending from the Schools delegated budgets was £266k above the level of the overall LMS budgets, largely due to planned use of accumulated reserves within some schools. Details of individual schools balances will be included in the final report to full Council. In particular however it should be stated that it is recommended that the £58k Blessed Edward Jones High School deficit is not written off this year.

4.4. The overspend position on the non delegated Education budget has come about as a result of increased costs on the schools meals service, £136k, the deficit on the first year of operation of the Hyfrydle Home at the Ysgol Plas Brondyffryn site, £220k, together with the cost of the interim management for the service. These increased costs have been partly offset by reduced school and college transport costs, £162k.

4.5. Environment directorate delivered a number of small savings across services.

4.6. Social Services and Housing delivered savings across many services. Children's services have accrued net savings of £225k over many budget headings as part of a strategy to reduce pressures in 2008/09, however within the budget, specialist placements have continued to be a problem. Adult Services have also been accrued an underspend within the year (£390k), mostly on services for older people as a result of higher than planned Charging Policy income and some slippage on new projects. Further underspends were achieved by securing additional income and slippage on vacant posts throughout the year. Again, the in-year underspends will be used to dampen growing pressures in 2008/09. It should be noted that the net position was achieved despite there being pressures in learning disability, mental health and physical disability budgets. There were serious pressures on the Housing budget as a result of increased costs of homeless services and these have been absorbed by the directorate. The overall directorate position was supported by balances brought forward from 2006/7 of £385k.

4.7. The external Translation services provided for the County Clerks cost £80k more than the budget for the service. This is the subject of a review currently to reduce the costs and provide a more focussed service.

4.8. In the Resources directorate the net underspending of £397k was mainly as a result of vacancy savings in ICT and additional DWP special funding. These funds will be needed to part fund additional staffing costs, mainly ITC and Customer Contact Centre, in 2008/9 and 2009/10.

4.9 Borrowing costs to fund capital spend were less than anticipated due to the impact of loan refinancing. A change in accounting regulations also produced a one off saving on the provision for loan repayments. The interest earned on temporary cash surpluses increased significantly due to slippage in capital spend, improved debt collection and improved investment opportunities. These issues produced a saving of £1.6m in total. This level of saving is largely due to temporary conditions and will not recur at this level. This underspend was partly offset by higher than estimated levels of past early retirement costs, the cost of the Coroner's service and several other small pressures within other corporate budgets.

4.10 Service underspends of £1,349k are recommended for carrying forward for spending on services in 2008/9 as follows;

- i) Lifelong Learning – the £82k underspend carried forward from 2006/7 was earmarked for specific investment. One element, namely further costs in connection with Modernising Education, has been rescheduled and the spend has slipped into 2008/89.
- ii) Social Services and Housing - net underspending of £736k. As part of the budget setting process for 2008/9 Council agreed to utilise any non Supporting People underspends to help dampen demographic pressures in the new financial year. (The Council's previously agreed strategy to contain the pressure on Supporting People Services caused by the potential reduced WAG SP funding in future years assumes that underspends achieved in this area will be carried forward to ease the problem in later years.)
- iii) Environment - net underspending of £116k due to a variety of small savings, together with £18k slippage on planned building maintenance works.
- iv) Resources - net underspending of £397k as detailed above and are mainly to compensate for the lack of additional resources available at budget time to support bids for additional funding for pressures in 2008/9.

4.11 The position on the yield from Council Tax is impacted upon by the continued increase in the number of dwellings in the County. An assumption of the number of new properties was built into the calculation of the Council's Tax Base and used at Budget Setting time to calculate the level of Council Tax chargeable at Band D.

This same assumption was used by WAG to calculate the level of Assembly funding through RSG for the year. A prudent approach was necessary as an overstated tax base would have resulted in reduced WAG funding. The final level of the tax yield was £315k higher than these prudent assumptions and so the Council has a one off benefit.

Following the final appeals decisions on the revaluation of properties for Council Tax, the £200k balance on the Revaluation Appeals provision can be brought in to the yield calculation as well. This produces an overall additional yield from Council Tax for the year of £514k.

4.12 The County Council's agreed strategy on general balances is to build these up to a prudent level and review annually. Unearmarked balances stand at £6.016m as at 31 March 2007 in line with the level recommended by the Wales Audit Office i.e. 5% of the net revenue budget, excluding Schools Delegated budgets.

4.13 A number of contributions to and from Reserves and Provisions have been allowed for within the accounts. These are detailed in Appendix 2 (which is an extract from the Draft Statement of Accounts) and will require approval by full Council. The main elements are:

	£000
1. Sustainable Waste Grant – unspent balance of special WAG funding to be used in future years.	+ 340
2. Provide a Modernising Education reserve to cover initial feasibility costs for changes to schools set up etc	+ 250
3. Supporting People – balance of unspent resources in line with agreed strategy. Total stands at £2.384m	+ 951
4. PFI funding reserve - annual budgeted contribution	+ 405
5. Single Status pay review – increase to £1.5m to part fund future addition costs.	+ 382
6. Equal Pay claims – provision in line with current estimated potential liability	+ 1,696
7. Use of reserves to part fund the Bryn Tyner landslip costs	- 192
8. EDMS provision (includes £272k unused underspend In Resources Directorate in 2006/7)	+ 372
9. Modernising the Council’s staffing structure & service delivery. Spend to save proposals	+ 350
10. Payment of the liability from the winding up of the former Wirral & N Wales Purchasing Consortium	- 589
11. Provide for potential HSE costs in connection with a Health & Safety incident at a school	+ 150

5. FINANCIAL CONTROLLER STATEMENT

5.1 The contribution to unearmarked balances of £428k was below the budgeted sum mainly due to significant spending pressures within the Education service during the year.

5.2 The principle of maintaining a suitable level of unearmarked general balances together with specific reserves and provisions for potential commitments is key to maintaining the Council’s improved financial position.

5.3 It is essential that good budgetary control continues to be applied to avoid the possibility of overspends in the current and future years, particularly in the light of the likely tight WAG settlements for the next few years.

5.4 Members have asked previously for details of the position on individual school’s balances at the end of the financial year. These will be included in the final report to full Council.

5.5 Initial indications for 2008/9

It is already becoming clear that there are a number of potential pressures that will impact upon the new financial year namely the following;

1. The impact of the pay & grading review under Single Status.
2. Equal Pay back pay claims.
3. Rising energy, fuel and oil based products costs.
4. Costs in connection with the Hyfrydle childrens home.
5. The further impact of the Estyn Action Plan.
6. The increasing subsidy requirement for School Meals.
7. Costs in connection with bringing the Blessed Edward Jones High School out of special measures. Current budget provision may not be adequate.

Work is in hand to estimate the financial impact of these issues and to what extent they can be absorbed within service budgets, additional resources and agreed underspends carried forward from last financial year. An update will be included in a future monthly budget monitoring report to Cabinet.

6. CONSULTATION CARRIED OUT

6.1 Lead Cabinet Members have consulted on an ongoing basis with Heads of Service to agree necessary remedial action required to deliver the outturn position.

7. IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

7.1 The Vision.

Proper management of the revenue resources supports the Council's Vision by ensuring adequate funding for services.

7.2 Other Policy Areas including Corporate.

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

8. RECOMMENDATIONS

8.1 That Members consider the provisional revenue outturn position for the year ended 31 March 2008 and recommend in principle to Full Council.

8.2 That Members recommend the broad principle of the provisional movements in reserves and the carrying forward of earmarked balances as detailed in 4.12 and 4.13 above to full Council.

DENBIGHSHIRE COUNTY COUNCIL

APPENDIX 1

Provisional Revenue Budget Outturn 2007/8

	Budget £000	2007/8 Outturn £000	Variance £000	General U/Spends to be c/f £000	Under & Overspends to balances £000
Service budgets					
Lifelong Learning					
- Schools Devolved	50,504	50,770	266	-266	
- School Meals service	257	393	136		-136
- Other Education	11,961	12,270	309		-309
- Countryside & Leisure	2,737	2,787	50		-50
- Tourism, Heritage & Culture	4,040	4,096	56		-56
- Other	291	266	-25		25
Environment	21,313	21,197	-116	116	
- Property maintenance	1,027	1,009	-18	18	
Social Services & Housing	37,785	37,049	-736	736	
- Supporting People grant	0	-951	-951	951	
County Clerk	1,498	1,559	61		-61
Resources	7,186	6,789	-397	397	
Total service budgets	138,599	137,234	-1,365	1,952	-587
Corporate budgets					
Corporate	5,367	5,820	453		-453
Benefits	-37	-73	-36		36
Capital finance/investment interest	10,838	9,235	-1,603		1,603
Levies	4,212	4,214	2		-2
Contribution to Supporting People provision	0	951	951	-951	
Contribution to other reserves/provisions	0	1,283	1,283		-1,283
Total Service & Corporate	158,979	158,664	-315	1,001	-686
Cont to balances					
- unearmarked	600	428	-172		
- earmarked	0	1,267	1,267		
- schools	0	-266	-266		
TOTAL	159,579	160,093	514		
FUNDING					
Revenue Support Grant	125,355	125,355	0		
Business rates	0	0	0		
Deprivation grant	169	169	0		
LABGI	300	300	0		
Council Tax	33,755	34,269	514		514
TOTAL	159,579	160,093	514		-172
General unearmarked balances					
Balance	b/f 01/04/07	5,588			
	contribution 2007/87	428			
	c/f 31/03/08	6,016			
Earmarked balances					
	- Lifelong Learning b/f 2006/7	82			
	- Environment	134			
	- Social Services & Housing	736			
	- Resources 2007/8	397			
	TOTAL	1,349			
School balances					
	Balance b/f/ 01/04/07	1,807			
	contribution/use of balances	-266			
	c/f 31/03/08	1,541			

RESERVES

Details of significant reserves are given below:

31 Mar 07 £000s		Transfers In / (Out) £000s	31 Mar 08 £000s
351	Capital schemes	- 146	205
71	Environmental Services	- 18	53
105	LDP future costs	50	155
71	Environment Directorate – Reserves	2	73
215	Winter Maintenance	58	273
860	Sustainable Waste Management	340	1,200
364	Renewals Fund	- 46	318
160	Highways Major Projects fees	0	160
100	Design and Development fees	-63	37
1,807	Schools balances	- 266	1,541
130	Early Retirement Fund – Schools	- 62	68
22	Mousematics	0	22
0	Modernising Education	250	250
100	North Wales Child Abuse Inquiry	0	100
10	Llys Marchan Reserve	0	10
1,433	Supporting People Reserve	951	2,384
52	S.117 Mental Health Act	0	52
4	Major Events Reserve	29	33
257	Risk Management Fund	-136	121
541	Insurance Fund	90	631
1,469	PFI	405	1,874
50	Elections	25	75
1,118	Single Status	382	1,500
0	Equal Pay Backpay claims	1,696	1,696
0	Modernisation reserve	350	350
0	EDMS reserve	372	372
184	Spend to Save	121	305
9,474	Total	4,384	13,858

PROVISIONS

31 Mar 07 £000s		31 Mar 08 £000s
892	Insurance Fund	781
589	W.N.W.P.O. Deficit	0
159	Other	237
200	Council Tax Revaluations Appeals	0
127	Health & Safety – HSE Issues	155
142	Fire Service Pension	142
2,109	Total	1,315

REPORT TO CABINET

REPORT BY: Deputy Chief Executive / Corporate Director: Resources

DATE: 3 June 2008

SUBJECT: Revenue Budget and Summary Capital Plan 2008/09

1. DECISION SOUGHT

- 1.1 To note the initial estimate of the likely outturn figures for the 2008/09 financial year as detailed in the attached Appendix 1.
- 1.2 To also note the summary capital plan performance for 2008/09 financial year as detailed in the attached Appendices 2 and 3.
- 1.3 To note the current position on the vacancy control procedure recently introduced.

2. REASON FOR SEEKING DECISION

- 2.1 To advise members of the initial indications of budget performance in light of the need to deliver the Council's agreed budget strategy for the 2008/09 financial year and avoid reducing already inadequate reserves.

3. POWER TO MAKE THE DECISION

- 3.1 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

- 4.1 This report details Service's initial projections for the new financial year. It is very earlier in the financial year for firm projections to be made but some pressures are already evident.

Appendix 1 details a forecast overall overspend of £1.1m, excluding the schools' delegated budgets. This figure is made up of pressures within the Education and Social Services and Housing directorates.

i) Lifelong Learning is forecasting an over spend of £250k mainly due to:

a) the ongoing under occupancy position at the Hyfrydle Childrens Home on the Plas Brondyffryn school site, £150k,

b) and the assumed cost on continuing with the current interim management arrangements, £100k.

c) it is not currently possible to estimate the other pressures encountered in 2007/8 namely the increasing losses incurred by the School Meals service and the position of the school in special measures, Blessed Edward Jones. Work will be undertaken shortly to firm up the position in these areas.

d) it is also unclear exactly how the revenue costs of the Community Learning Centres, over and above external resources, are to be funded. Work is currently in hand to clarify the position.

ii) Social Services & Housing is forecasting an overspend of £867k mainly due to:

a) Growth in demand for services for Older people and people with learning difficulties due to demographic factors and

b) Pressures on the Homelessness service due to increasing numbers of referrals.

c) The service identified a number of areas for cost reduction in a report to the Social Services & Housing Scrutiny Committee in February in response to the inadequate WAG settlement for these pressures. Progress on the potential to deliver these cost reductions is currently being reviewed and will be reported on next month.

4.3 Details are also included in Appendix 1 showing Directorates' progress in achieving the required efficiency and other savings.

4.4 Appendix 2 shows a **capital plan summary** and Appendix 3 shows expenditure split by Directorate priority.

4.5 Capital expenditure at the end of April is **£1.3m**. Full details of the Capital Plan are contained in a separate report in part two of the agenda.

4.6 Appendix 4 provides the current position on the vacancy control procedure introduced as part on the budget setting exercise for 2008/9.

5. FINANCIAL CONTROLLER STATEMENT

5.1 Directorates need to exercise tight control over their revenue expenditure to ensure they are able to remain within their budgets.

5.2 The situation regarding the financial impact from the opening of the residential unit Hyfrydle, on the Ysgol Plas Brondyffryn site is still under review. Urgent action is currently being considered to ensure the Council's financial interests are protected while always recognising the interests of the young people involved.

5.3 Members will be aware of the continuing pressure resulting from the school in special measures. It is possible that further sums will need to be spent in the current year to assist with improvement.

5.4 A further area for concern is the worsening financial position of the school meals service where the agreed level of temporary additional subsidy, £150k, proved to be inadequate in the last financial year.

6. CONSULTATION CARRIED OUT

6.1 Lead Cabinet members have consulted with Heads of Service during the financial year to agree necessary remedial actions to accommodate pressures in 2007/08.

7. IMPLICATIONS ON OTHER POLICY AREAS

The Vision

7.1 Proper management of the Council's revenue budget enables services to work towards delivering the Council's Vision.

Other Policy Areas Including Corporate

7.2 Proper management of the Council's revenue budget underpins activity in all of the Council's policy areas.

8. ACTION PLAN

8.1 All departments undertake regular budget monitoring to identify savings and efficiencies.

9. RECOMMENDATION

9.1 To note the projected outturn figures for 2008/09 as detailed in the attached Appendix 1.

9.2 To also note the summary capital plan performance figures for 2008/09 financial year as detailed in the attached Appendices 2 and 3.

9.3 That Members note the current position in connection with the vacancy control procedure.

**MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2008/09
SUMMARY POSITION AS AT END APRIL 2008**

Directorate	Budget			Projected Outturn			Variance			Variance
	Gross Expenditure	Gross Income	Net Expenditure	Gross Expenditure	Gross Income	Net Expenditure	Gross Expenditure	Gross Income	Net Expenditure	Previous report
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s
Lifelong Learning (excluding schools delegated)	20,707	-6,953	13,754	20,957	-6,953	14,004	250	0	250	0
Environment	50,378	-20,327	30,051	50,378	-20,327	30,051	0	0	0	0
Social Services & Housing	56,389	-17,649	38,740	58,045	-18,438	39,607	1,656	-789	867	0
County Clerk	1,975	-403	1,572	1,975	-403	1,572	0	0	0	0
Resources	10,535	-3,106	7,429	10,535	-3,106	7,429	0	0	0	0
Corporate, Miscellaneous & Benefits	28,934	-23,764	5,170	28,934	-23,764	5,170	0	0	0	0
Total All Services	168,918	-72,202	96,716	170,824	-72,991	97,833	1,906	-789	1,117	0
Capital Financing Charges savings & additional Investment Income net of contributions to specific provisions			10,733			10,733			0	0
Precepts & Levies			4,347			4,347			0	0
Contribution to balances/reserves			570			570			0	0
			112,366			113,483			1,117	0

Note:

The Management Accounting rules of the Council require debtor account entries to be reversed in respect of amounts outstanding for more 30 days after the due date. In the event that debts cannot be collected, services will be required to meet the cost of the debt write-off. This may impact on the actual outturn achieved by services at the year end.

MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2008/09
LIFELONG LEARNING
SUMMARY POSITION AS AT END APRIL 2008

	Budget			Projected Outturn			Variance			Variance
	Gross Expenditure	Gross Income	Net Expenditure	Gross Expenditure	Gross Income	Net Expenditure	Gross Expenditure	Gross Income	Net Expenditure	Previous report
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s
Individual School Budgets	58,105	-5,443	52,662	58,105	-5,443	52,662	0	0	0	
Partnership & Inclusion	9,687	-5,231	4,456	9,837	-5,231	4,606	150	0	150	
School Development	7,231	-1,202	6,029	7,231	-1,202	6,029	0	0	0	
Policy & Performance	1,345	-292	1,053	1,445	-292	1,153	100	0	100	
Libraries	2,444	-228	2,216	2,444	-228	2,216	0	0	0	
	20,707	-6,953	13,754	20,957	-6,953	14,004	250	0	250	0
Total Lifelong Learning	78,812	-12,396	66,416	79,062	-12,396	66,666	250	0	250	0

	Current month £000	Current month £000
<u>POLICY AND PERFORMANCE</u>		
Cost associated with the interim management arrangements	100	0
<u>PARTNERSHIP AND ICLUSION</u>		
Hyfrydle Childrens Home continued reduced occupancy	150	0
TOTAL	250	0

**MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2008/09
LIFELONG LEARNING - EFFICIENCY SAVINGS
SUMMARY POSITION AS AT END APRIL 2008**

Progress with delivery of savings assumptions built into 2008/9 Budget

1. Savings targets agreed, (see report to Council 12 February for details)

		£000	
a) Efficiency savings	.....	167	
b) Other savings	.....	79	
c) Vacancy control	.....	120	(See separate sheet for details of position todate)

2. Progress with delivery of savings.

All savings are on target to be delivered apart from the following;

a) Efficiency savings.

	£000	Alternative savings identified
i) Freezing of Partnerships post (grant funded) £47k - alternative core funding sought to be diverted to the grant		

b) Other savings

- i) Vacancy Control - £34k yet to be identified

MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2008/09
ENVIRONMENT DIRECTORATE
SUMMARY POSITION AS AT END APRIL 2008

	Budget			Projected Outturn			Variance			Variance
	Gross Expenditure £000s	Gross Income £000s	Net Expenditure £000s	Gross Expenditure £000s	Gross Income £000s	Net Expenditure £000s	Gross Expenditure £000s	Gross Income £000s	Net Expenditure £000s	Previous report £000s
DEVELOPMENT SERVICES	9,235	-5,270	3,965	9,235	-5,270	3,965	0	0	0	
TRANSPORT & INFRASTRUCTURE	13,757	-4,316	9,441	13,757	-4,316	9,441	0	0	0	
PLANNING & PUBLIC PROTECTION	4,429	-1,984	2,445	4,429	-1,984	2,445	0	0	0	
DIRECTOR & SUPPORT	1,088	-237	851	1,088	-237	851	0	0	0	
ENVIRONMENTAL SERVICES	15,901	-5,895	10,006	15,901	-5,895	10,006	0	0	0	
COUNTRYSIDE, CULTURE & TOURISM	5,968	-2,625	3,343	5,968	-2,625	3,343				
Total Environment	50,378	-20,327	30,051	50,378	-20,327	30,051	0	0	0	0

Potential Pressures

The substantial increases in fuel prices is likely to place significant cost burdens on the School/Public Transport budgets as well as other front line services such as Waste Collection, highways maintenance, street cleansing etc.

**ENVIRONMENT - EFFICIENCY SAVINGS
SUMMARY POSITION AS AT END APRIL 2008**

Progress with delivery of savings assumptions built into 2008/9 Budget

1. Savings targets agreed, (see report to Council 12 February for details)

		£000
a) Efficiency savings	.....	359
b) Other savings	.....	112
c) Vacancy control	.....	178 (see separate sheet for details of position to date)

2. Progress with delivery of savings.

All savings are on target to be delivered apart from the following:

a) Efficiency savings.

	£000	Alternative savings identified
i) Street Lighting - stopnight time inspections. Subsequently agreed this was not desirable from H&S view point. Will be replaced by other efficiencies within Street Lighting budget		

MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2008/09
SOCIAL SERVICES AND HOUSING
SUMMARY POSITION AS AT END APRIL 2008

	Budget			Projected Outturn			Variance			Variance
	Gross Expenditure	Gross Income	Net Expenditure	Gross Expenditure	Gross Income	Net Expenditure	Gross Expenditure	Gross Income	Net Expenditure	Previous report
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s
Children Services	9,092	-542	8,550	9,187	-564	8,623	95	-22	73	
Adult Services	36,909	-9,335	27,574	38,228	-9,335	28,893	1,319	0	1,319	
Business Support & Development	2,711	-431	2,280	2,816	-431	2,385	105	0	105	
Cymorth Grant	1,653	-1,610	43	1,653	-1,610	43	0	0	0	
Supporting People Grant	4,439	-4,391	48	4,439	-4,391	48	0	0	0	
Underspend Brought Forward	0	0	0	0	-767	-767	0	-767	-767	
Sub Total Social Services	54,804	-16,309	38,495	56,323	-17,098	39,225	1,519	-789	730	
Non HRA Housing	1,585	-1,340	245	1,722	-1,340	382	137	0	137	
Underspend Brought Forward	0	0	0	0	0	0	0	0	0	
Directorate Total	56,389	-17,649	38,740	58,045	-18,438	39,607	1,656	-789	867	

#REF!
SOCIAL SERVICES AND HEALTH

Comments	Current Month	Previous Month
	£000s	£000
CHILDREN'S SERVICES The main pressure area are the specialist placement budgets which are expected to overspend by £212k. This is partially offset by the in house fostering service - underspend circa £92k.	73	
	73	
ADULT SERVICES Learning Disabilities The growth in demand on this service is already faster than WAG projections published last year and is a growing budget pressure. The main pressure areas are in community living (£173k) and residential placements (£264k).	555	
Mental Illness The main budget pressures are Residential, Nursing and Homecare spend which is likely to be £168k over spent.	127	
Older People Purchasing Outturn projections are based on 07/08 spend plus 4.5% to cover the cost of fee increases and a 1.95% uplift for expected client increases (based on client increase in 07/08). Provider - Residential homes are showing an overspend of £146k.	324	
PDSI Community Care spend is the main budget pressure (£175k). Direct payment are also forecast to be over budget (£57k)	224	
Performance Management & Commissioning A slight underspend is predicted mainly due to slippage within the staffing budgets.	-15	
Other Adult Services It is assumed that the Fairer Charging Grant continues at the same level. If so income could exceed planned budget allocation by £50k. However the remaining charging policy income is based on ability to pay and can be volatile	-40	
Joint Working & Older People Strategy This consists solely of grant funding which is planned to be fully spent.	-3	
Cefndy Enterprises Cefndy is under increasing pressure from raw material suppliers with the costs expected to equate to over 60% of sales for 2008/09, an increase of 3% from 07/08. This equates to a cost implication of £90k on sales of £3m.	147	
TOTAL ADULT SERVICES	1,319	
Business Support & Development Predicted overspend mainly due to costs associated with PARIS (£58k) and also directorates costs looking at overspending by £40k.	105	
	105	
Cymorth Grant All expenditure relating to the Cymorth grant has to be spent in year.	0	
Supporting People Grant The underspend for SP is projected to be £700k, based on the expected grant settlement (still awaiting confirmation). £190k relates to projects that are being commissioned part way through the year and the remainder relates to money set aside, by the Planning Group, to fund short term projects and future cuts. As reported to cabinet, in 2006/07, any underspends at year end will be transferred to reserves, to offset future cuts.	0	
2006/07 Underspend Brought Forward	-767	
HOUSING		
The main pressure area is the non HRA Homelessness element of the Housing budget which is predicted as showing a £123k overspend in 08/09 (£153k overspend in 07/08).	137	
2006/07 Underspend Brought Forward	0	
	867	

MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2008/09
SOCIAL SERVICES AND HEALTH - EFFICIENCY SAVINGS
SUMMARY POSITION AS AT END APRIL 2008

Progress with delivery of savings assumptions built into 2008/9 Budget

1. Savings targets agreed, (see report to Council 12 February for details)

	£000
a) Efficiency savings	567
b) Other savings	108
c) Vacancy control	150 (see separate sheet for details of position to date)

2. Progress with delivery of savings.

All savings are on target to be delivered apart from the following:

a) Efficiency savings.

	£000	Alternative savings identified
i)	37	
		Restructure dy care provision not achievable. Alternative savings to be identified, work ongoing.
ii)	70	
		Telecare savings problematic in achieving £70k - will achieve between 335k to £50k for the year. Shortfall to be identified, work ongoing.
iii)	78	
		Reduction in costs of placements for children looked after ot achievable. Alternative savings to be found in reduction of agency staff, work ongoing

b) Other savings

- c) Vacancy Control
As per attached summary £34k shortfall to be addressed, work ongoing

MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2008/09
RESOURCES, COUNTY CLERK, CORPORATE & MISCELLANEOUS
SUMMARY POSITION AS AT END APRIL 2008

	Budget			Projected Outturn			Variance			Variance
	Gross Expenditure	Gross Income	Net Expenditure	Gross Expenditure	Gross Income	Net Expenditure	Gross Expenditure	Gross Income	Net Expenditure	Previous report
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s
County Clerks	1,864	-403	1,461	1,864	-403	1,461	0	0	0	0
Translation	111	0	111	111	0	111	0	0	0	0
Resources Directorate										
Finance	5,181	-2,126	3,055	5,181	-2,126	3,055	0	0	0	0
Policy Unit	391	0	391	391	0	391	0	0	0	0
Audit	444	-87	357	444	-87	357	0	0	0	0
I.T	2,393	-439	1,954	2,393	-439	1,954	0	0	0	0
Personnel	1,431	-284	1,147	1,431	-284	1,147	0	0	0	0
Project Management	26	0	26	26	0	26	0	0	0	0
Customer Care	669	-170	499	669	-170	499	0	0	0	0
						0	0	0	0	0
Total	10,535	-3,106	7,429	10,535	-3,106	7,429	0	0	0	0
Corporate and Miscellaneous	6,340	-1,133	5,207	6,340	-1,133	5,207	0	0	0	0
Benefits	22,594	-22,631	-37	22,594	-22,631	-37	0	0	0	0
Total	41,333	-27,273	14,060			14,060	0	0	0	0
Capital Financing Charges, Investment Income and contribution to specific provisions	10,733		10,733	10,733	0	10,733	0	0	0	0
Contribution to balances/reserves			570			570	0	0	0	0

RESOURCES DIRECTORATE, COUNTY CLERK & CORPORATE SAVIN SUMMARY POSITION AS AT END APRIL 2008

Progress with delivery of savings assumptions built into 2008/9 Budget

1. Savings targets agreed, (see report to Council 12 February for details)

£000

a) RESOURCES DIRECTORATE	180
b) COUNTY CLERK	34
c) CORPORATE BUDGETS	241
d) Vacancy cont (see separate sheet for details of position to date)	

2. Progress with delivery of savings.

All savings are on target to be delivered.

Denbighshire County Council - Capital Plan 2007/08 - 2010/11

Appendix 2

Position as at April 2008

		2007/8	2008/9	2009/10	2010/11
		£000s	£000s	£000s	£000s
Capital Funding:					
1	General Funding:				
	Unhypothcated Supported Borrowing	3,688	6,408	5,896	5,896
	General Capital Grant	670	4,757	1,962	2,018
	General Capital Receipts	3,732	12		
	Earmarked Capital Receipts	2,342	1,960	0	0
		10,432	13,137	7,858	7,914
2	Prudential Borrowing	6,075	6,607	0	0
3	Reserves and Contributions	961	1,514	110	91
4	Specific Grants	20,987	13,500	836	397
	Total Finance	38,455	34,758	8,804	8,402
	Total Estimated Payments	-38,455	-33,758	-1,841	-974
	Contingency	0	-1,000	-1,000	-1,000
	Unallocated Reserve	0	0	-110	0
	Surplus/ -Insufficient Resources	0	0	5,853	6,428

Capital Expenditure By Directorate

	2008/9	2008/9	2009/10	2010/11
	Spend to end April	Estimated programme	Estimated programme	Estimated programme
	£000	£000	£000	£000
Environment	886	18,780	60	0
Lifelong Learning	317	13,231	1,545	724
Resources	101	1,018	0	0
Social Services and Housing	2	728	236	250
Total	1,306	33,757	1,841	974

Capital Expenditure by Council Priority

	2008/9	2008/9	2009/10	2010/11
	Spend to end April	Estimated programme	Estimated programme	Estimated programme
	£000	£000	£000	£000
School Improvement	144	8,078	672	0
Highways	84	6,947	0	0
Public Realm	0	2,282	60	0
Total	228	17,307	732	0

As part of the 08/09 revenue budget, the Council agreed to fund the borrowing costs of additional Prudential Borrowing. The table below shows how the funds were allocated and forecast expenditure

Additional Prudential Borrowing

	2008/09	2008/09
	Estimated programme	Estimated programme
	£000	£000
School Improvement		0
Highways	84	2,000
Health & Safety		0
Total	0	2,000

UPDATE ON IMPACT OF VACANCY CONTROL**Appendix 4****Directorate LIFELONG LEARNING (target saving 2008/9 £120k on going)**

<u>Service</u>	Detail of vacant posts	Post Frozen	Post temp frozen	Post to be filled	Potential savings 2008/9		Impact upon services
					In year £	On going £	
Countryside & Leisure	Countryside Officer		1		28,000	0	No significant impact
Policy & Performance	Admin post		1		28,000	0	Will be undertaking an Admin posts Review
Youth Service	Session Workers		2		30,000	0	No youth work in some areas of the County - service to be provided by vol sector.
Total Lifelong Learning Directorate					86,000	0	
Balance to identify/contribution to 2009/10 target (School Development)					34,000		

Directorate RESOURCES (target saving 2008/9 £100k on going)

<u>Service</u>	Detail of vacant posts	Post Frozen	Post temp frozen	Post to be filled	Potential savings 2008/9		Impact upon services
					In year £	On going £	
FINANCE	Revenues & Benefits	0	1	4	10,000	20,000	No major impact on service delivery.
PERSONNEL	Training post & admin	1	0.5	0	0	15,000	
POLICY UNIT	Policy Officers	1	0	2	10,000	30,000	2 posts filled through secondment
ICT	IT posts	1	5	1	100,000	25,000	Potial increased response times
Total Resources Directorate					<u>120,000</u>	<u>90,000</u>	
Balance to identify/contribution to 2009/10 target						<u>10,000</u>	

<u>Directorate</u>	SOCIAL SERVICES & HOUSING		<u>(Target saving £125k on going)</u>				Impact upon services
	Detail of vacant posts	Post Frozen	Post temp frozen	Post to be filled	Potential savings 2008/9 In year	On going	
<u>Service Adults</u>	QA Admin .25 hours	0.25			11,458		Less QA activity
	QA Officer .5	0.5			18,725		Less QA activity
	Blue badge assistant	0.5			9,670		
	Welfare Rights	1			30,000		monitoring impact
	Laundress Awelon - 18.5 hrs			0.5			
	Care Assistant - Awelon - 19.5 hrs			0.5	10,379		Savings from frozen post Dec- March
Children BSD	Recruitment officer		1		26,741		monitoring impact
	MIS Admin	1			8,848		monitoring impact
TOTAL						115,821	
	Balance to identify/contribution to 2009/10 target					-9,179	

In future months there will be savings from the use of grant funding for posts within Business Support and Developer MIS and Staff Development there may be savings from redundancies/redeployment in Adult Services

UPDATE ON IMPACT OF VACANCY CONTROL

Appendix 4

<u>Directorate</u>	Environment				Potential savings 2008/9		Impact upon services
	Detail of vacant posts	Post Frozen	Post temp frozen	Post to be filled	In year £	On going £	
Service.....	-						
Development Services	Asset Challenge Officer			X	4,254	4,254	
Tourism, Heritage & Culture	Llangollen Pavillion CEO		X		30,000	0	
Transport and Infrastructure	Highways Development Control Manager	X			52,111	52,111	
	Senior Engineer (Contracts)	X			25,801	25,801	
	Technical Assistant - Streetworks			X			
	Engineer/Technician - Traffic & Transportation			X			
	Head of Service		X		0	10,000	
	Technician/Engineer		X		28,280	28,280	
Planning And Public Protection Services	Trainee Building Control Officer	X			8,000	8,000	Savings from mini restructure
	Land Charges Admin Officer x 2	X			0	0	Savings utilised to support falling income levels
	Mod App - Housing and Area Renewals	X			0	0	Post funded from capital budget
	Contaminated Land Officer		X				Work not being done pending restructuring - may need to employ consultants in short term
	Licensing Administration Officer		X		18,912	18,912	Causing pressure on existing staff - workload increasing
	Development Control & Planning Compliance Manager		X		18,685	18,685	Performance suffering due to vacancy -position on hold pending mini restructure
	Policy , Research & Information Manager		X		45,000	45,000	Risk of not achieving targets for LDP, staff workload not sustainable
	Pollution & Scientific Services Manager (EH)		X		25,000	15,000	Restructuring pending
	Food Safety		X		30,000	10,000	Restructuring pending
Finance and Performance	Admin Assistant - Passenger Transport		X		1,000		Covered part-time by agency, to be reviewed for peak period in Aug/Sep
	Support Services Officer		X		0		0 Currently covered by prt time support from other part of team
Environmental Services	Cemetery Admin Officer	X			13,000	13,000	More pressure on existing staff - which means that agency cover may be required during any periods of sickness or to cover for holidays.
	Grounds Maintenance Supervisor	X			7,496	7,496	No impact - same or better service will be achieved via better management.
	Highways Supervisor x 2	X			56,545	65,969	Same or better service should be obtained via better management and control.
					364,084	322,508	

NOTE :The Directorate strategy is aiming to roll all of 07/08 underspend, together with in year savings because of staff turnover, into a fund for future redundancy and pension backfunding costs. This will be balanced to ensure the target for 08/09 for budget and 'cash' savings are achieved.

REPORT TO CABINET

**REPORT BY: DEPUTY CHIEF EXECUTIVE / CORPORATE DIRECTOR:
RESOURCES**

DATE: 3rd June 2008

SUBJECT: ROUTINE REPORTING ON PERSONNEL

1 DECISION SOUGHT

1.1 For Members to note the enclosed report on staff headcount.

2 REASON FOR SEEKING DECISION

2.1. This is an updated monthly report on employee data (appendix A). The monthly gross pay statistics which is a summary of the payments made to employees of Denbighshire County Council each month, and the number of jobs which have contributed to that expenditure remains in the report. Excluded from those figures are payments relating to refund of expenses, such as traveling and subsistence. The figures demonstrate the expenditure on salaries and the number of paid posts within the Authority excluding members. A summary of leavers details is contained on the bottom of the third page of the report.

2.2 A list showing the breakdown of starters is attached (appendix B).

Graphs showing the corporate sickness absence position since April 2007 are attached (appendix C). Last years data has been left on the graphs so a monthly comparison can be made with last year. There has been a downward turn in sickness levels this month, although sickness levels remain higher than April 07. The target for 08/09 remains at an average of 9 days lost per employee, April's figure exceeds this target although it is possible that the impact of Single Status has contributed to higher sickness levels. All Directorates with the exception of Chief Exec's and County Clerks have recorded higher levels of sickness than the same period last year, with Social Services and LLL excluding schools significantly higher. The two other graphs show the "actual" number of days lost and "short term verses long term" sickness absence. Short term sickness equates for more absence than long term sickness in all directorates this month apart from Chief Exec's and County Clerks with particularly high levels recorded in Resources and LLL Schools this month.

2.3 The Full Time Equivalent (FTE) numbers and the payments made to employees as described in 2.1 with comparison from 2007/08 and 2008/09, are also attached. (Appendix D)

3 POWER TO MAKE THE DECISION

3.1. Section III of the Local Government Act 1972

4 COST IMPLICATIONS

- 4.1. There are no significant cost implications associated with the preparation of this information.
- 4.2. Additional costs are involved in the implementation of the payroll system and also in developing the interface between the time recording system and the HR system.

5 FINANCIAL CONTROLLER STATEMENT

- 5.1 Payroll costs are one of the largest costs faced by the Council and therefore any further actions to monitor and control expenditure are beneficial.

6 CONSULTATION CARRIED OUT

- 6.1. The headcount information has been prepared by the Central Personnel team directly from the HR system and discussed by the Corporate Directors.

7 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

- 7.1. No direct implication on any corporate policy.
- 7.2. The Vision – being able to deliver the Vision depends on having the right number of staff in the right jobs.

8 RECOMMENDATIONS

- 8.1. Members note the information considered in this report.

Overall Council Position

Establish't		SS&H				LL				ENV			
		Number of staff	FTEs	Average Number of Days Lost Per Employee	Overall Percentage Absence	Number of staff	FTEs	Average Number of Days Lost Per Employee	Overall Percentage Absence	Number of staff	FTEs	Average Number of Days Lost Per Employee	Overall Percentage Absence
Mar	2007	809	729	1.13	5.14	2324	1897	1.04	4.73	959	752	1.19	5.41
Apr		812	710	1.20	6.31	2326	1905	0.66	4.24	948	743	1.02	5.30
May		814	712	1.25	5.96	2324	1902	1.00	5.10	946	738	1.05	5.53
June		823	718	1.41	6.70	2336	1915	0.60	2.89	961	746	1.11	5.31
July		826	720	1.32	6.01	2353	1935	0.78	4.17	967	752	1.22	5.53
Aug		825	721	1.15	5.23	2352	1936	0.46	2.07	955	742	1.16	5.28
Sept		822	716	1.00	4.98	2395	1951	0.66	3.40	953	740	1.02	5.11
Oct		825	723	1.40	6.09	2412	1973	1.00	4.63	951	741	1.50	6.31
Nov		815	712	1.81	8.24	2422	1982	0.82	3.90	950	738	1.40	6.44
Dec		816	711	1.36	7.16	2448	2002	1.00	5.79	953	738	1.00	5.26
Jan	2008	815	713	1.86	8.46	2449	2002	1.22	6.57	954	741	1.00	4.35
Feb		814	713	1.62	7.71	2442	1995	0.84	4.46	962	745	1.28	6.12
Mar		812	713	1.29	6.78	2437	1991	0.91	5.47	963	748	1.07	5.65
April		804	709	1.70	7.71	2431	1993	0.93	4.61	950	738	1.04	4.72

Rolling Average

Mar	2007	809	729	1.13	5.14	2324	1897	1.04	4.73	959	752	1.19	5.41
Apr		811	720	1.17	5.73	2325	1901	0.85	4.49	954	747	1.11	5.36
May		812	717	1.19	5.80	2325	1902	0.90	4.69	951	744	1.09	5.41
June		815	717	1.25	6.03	2328	1905	0.83	4.24	954	745	1.09	5.39
July		817	718	1.26	6.02	2333	1911	0.82	4.23	956	746	1.12	5.42
Aug		818	718	1.24	5.89	2336	1915	0.76	3.87	956	745	1.13	5.39
Sept		819	718	1.21	5.76	2344	1920	0.74	3.80	956	745	1.11	5.35
Oct		820	719	1.23	5.80	2353	1927	0.78	3.90	955	744	1.16	5.47
Nov		819	718	1.30	6.07	2360	1933	0.78	3.90	954	744	1.19	5.58
Dec		819	717	1.30	6.18	2369	1940	0.80	4.09	954	743	1.17	5.55
Jan	2008	818	717	1.35	6.39	2376	1946	0.84	4.32	954	743	1.15	5.44
Feb		818	717	1.38	6.50	2382	1950	0.84	4.33	955	743	1.16	5.50
Mar		818	715	1.39	6.64	2391	1957	0.83	4.39	955	743	1.15	5.52
Apr		818	715	1.43	6.75	2400	1965	0.85	4.42	955	742	1.15	5.47

Starters/Leavers - April 2008

Please see attached breakdown on starters and leavers

Please note that the figures contained within this report may differ from previous reports as the data is changing on a daily basis as HR staff input working hours

Overall Council Position

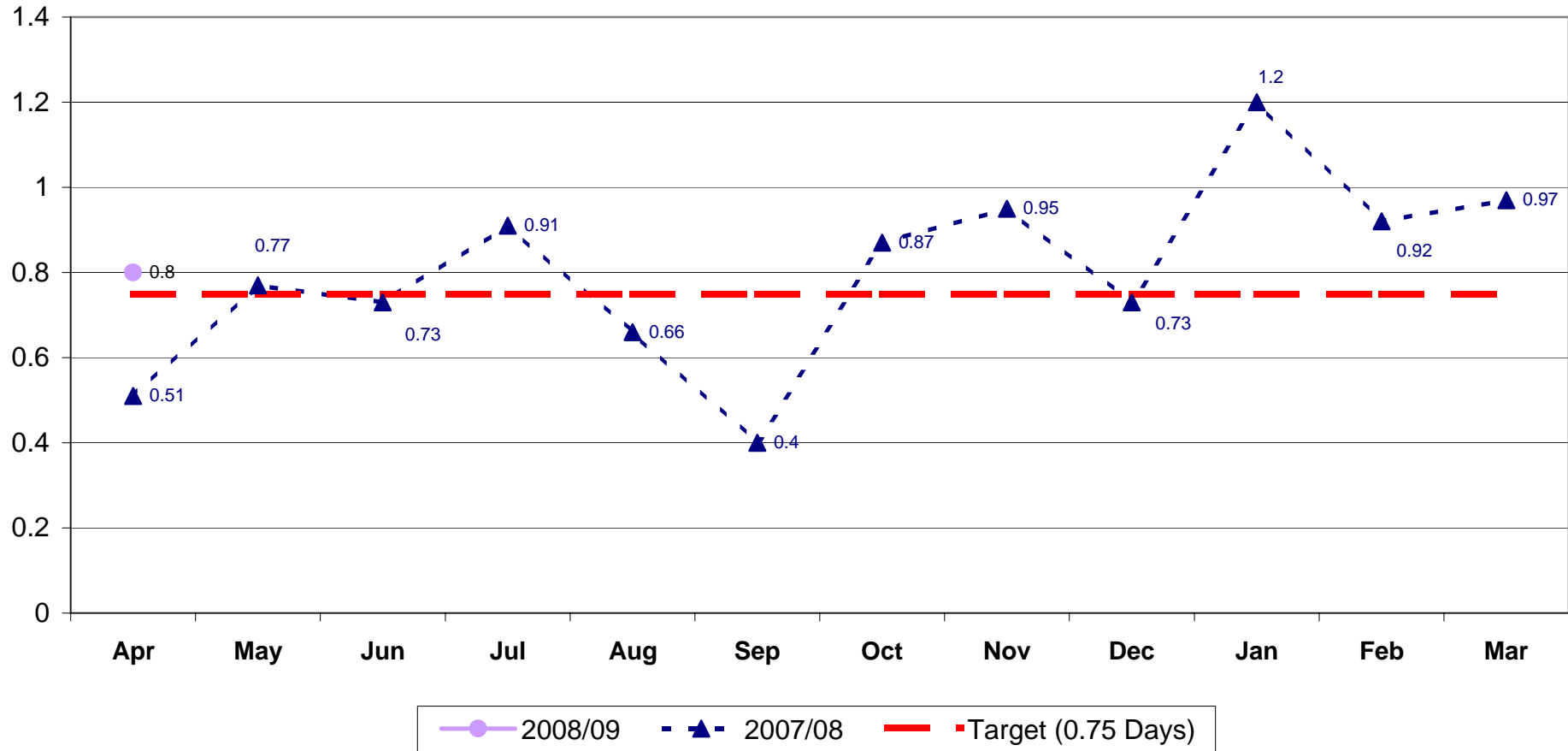
		CE + CC				RES				TOTAL							
		Number of staff	FTEs	Average Number of Days Lost Per Employee	Overall Percentage Absence	Number of staff	FTEs	Average Number of Days Lost Per Employee	Overall Percentage Absence	Number of staff	FTEs	Average Number of Days Lost Per Employee	Overall Percentage Absence	Leavers	Starters	Gross pay	No. of Employments
Establish't																	
Mar	2007	52	47	0.87	3.96	266	246	0.81	3.67	4410	3672	1.04	4.74	33	29	7390026	5383
Apr		53	48	0.97	5.08	267	247	0.63	3.34	4406	3653	0.84	4.88	46	33	7507420	5406
May		54	49	1.10	5.25	265	245	1.01	4.83	4403	3646	1.06	5.23	25	23	7357926	5383
June		53	48	1.07	5.08	270	250	0.87	4.15	4443	3676	1.03	4.95	26	39	7424895	5465
July		53	48	0.82	3.72	272	252	0.84	3.82	4471	3707	0.98	4.81	26	36	7530295	5518
Aug		53	48	0.69	3.11	280	260	0.79	3.57	4465	3707	1.00	4.53	100	12	7525557	5473
Sept		53	48	0.34	1.69	290	270	0.92	4.60	4513	3725	0.81	4.08	47	121	7418071	5107
Oct		54	49	0.67	2.90	289	269	1.09	4.73	4531	3754	1.17	5.24	35	47	7559522	5496
Nov		54	49	1.37	6.25	295	274	1.18	5.35	4536	3754	1.16	5.39	16	32	7774554	5546
Dec		54	49	0.71	3.73	299	277	0.85	4.49	4570	3777	1.05	5.83	23	16	8552299	6063
Jan	2008	54	49	0.80	3.45	310	288	1.10	4.95	4582	3793	1.27	6.06	36	28	7733130	5614
Feb		55	50	0.57	2.69	308	287	1.00	4.74	4581	3790	1.09	5.48	28	17	7863541	5642
Mar		52	47	1.35	7.11	299	278	1.02	5.37	4563	3777	1.03	5.80	28	14	7845854	5595
April		54	49	0.58	2.64	301	281	0.95	4.32	4540	3769	1.09	5.09	43	18	7824217	5630
Rolling Average																	
Mar	2007	52	47	0.87	3.96	266	246	0.81	3.67	4410	3672	1.04	4.74	33	29	7390026	5383
Apr		53	47	0.92	4.52	267	247	0.72	3.51	4408	3662	0.94	4.81	40	31	7448723	5395
May		53	48	0.98	4.76	266	246	0.82	3.95	4406	3657	0.98	4.95	35	28	7418457	5391
June		53	48	1.00	4.84	267	247	0.83	4.00	4416	3662	0.99	4.95	33	31	7420067	5409
July		53	48	0.97	4.62	268	248	0.83	3.96	4427	3671	0.99	4.92	31	32	7442112	5431
Aug		53	48	0.92	4.37	270	250	0.83	3.90	4433	3677	0.99	4.86	43	29	7456020	5438
Sept		53	48	0.84	3.98	273	253	0.84	4.00	4444	3684	0.97	4.75	43	42	7450599	5391
Oct		53	48	0.82	3.85	275	255	0.87	4.09	4455	3692	0.99	4.81	42	43	7464214	5404
Nov		53	48	0.88	4.12	277	257	0.90	4.23	4464	3699	1.01	4.87	39	41	7498696	5420
Dec		53	48	0.86	4.08	279	259	0.90	4.26	4475	3707	1.01	4.97	38	39	7604056	5484
Jan	2008	53	48	0.86	4.02	282	262	0.92	4.32	4485	3715	1.04	5.07	38	38	7615790	5496
Feb		54	48	0.83	3.91	284	264	0.92	4.35	4493	3721	1.04	5.10	37	36	7636436	5508
Mar		54	48	0.87	4.17	287	266	0.94	4.50	4505	3730	1.04	5.19	36	35	7674422	5526
Apr		54	48	0.84	3.97	290	269	0.97	4.58	4517	3740	1.06	5.21	36	34	7700822	5544

Leavers for April 2008

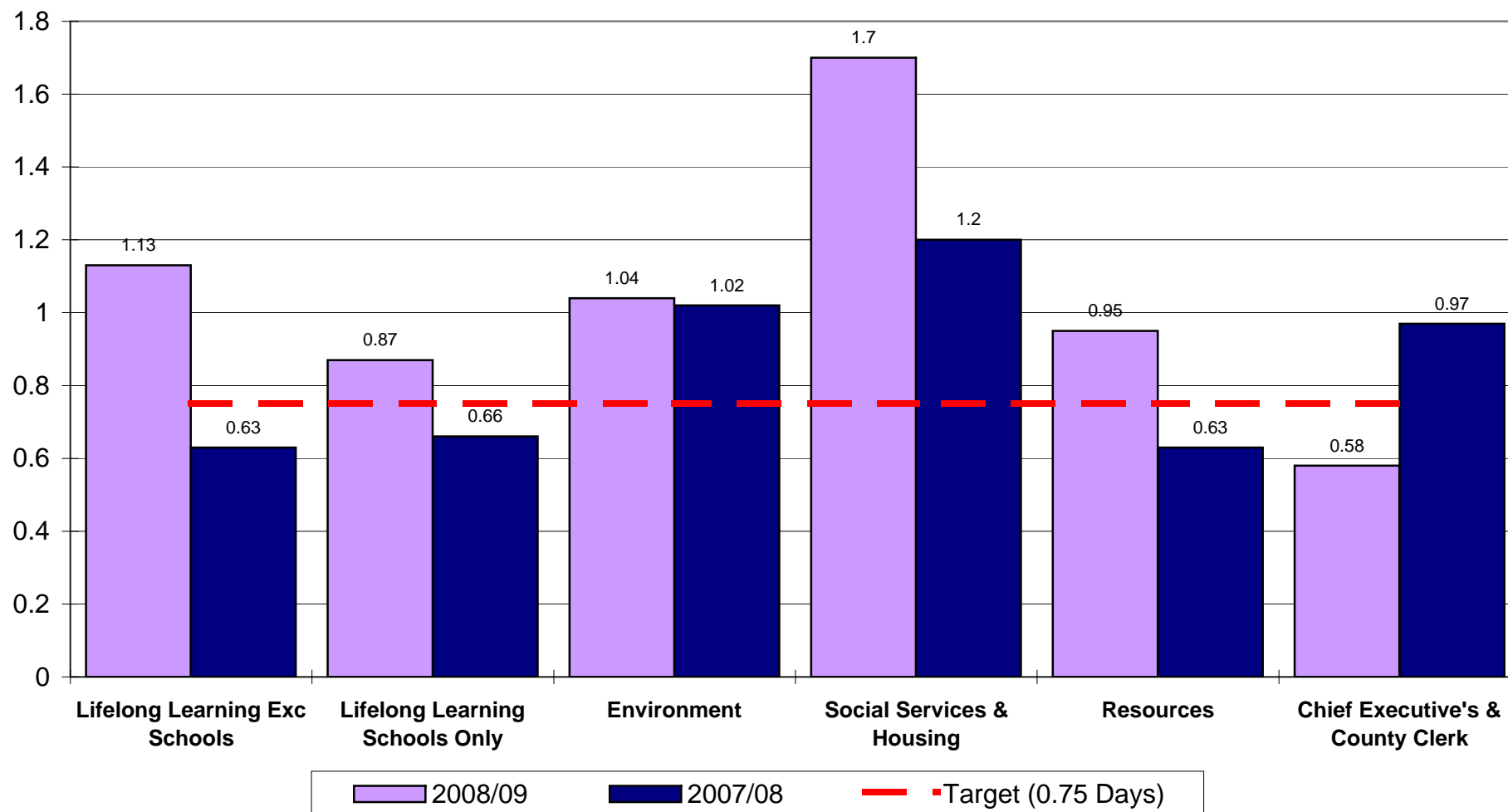
Leavers	Total
1.1 Age Retirement	3
1.2 Ill Health Retirement	4
1.5 Redundancy	1
1.7 End of Fixed Term Contract	3
1.9 Died in Service	2
2.1 Role, Job Description & Duties	1
2.2 Worklife Balance	2
2.5 Pay, Benefits & Conditions	1
2.6 Training & Career Development	2
2.8 Other - Please Specify	5
Not Known	1
Other Reason	1
Resignation - Another Post Outside DCC	13
Resignation - Personal	2
Retirement - Ill Health	1
Retirement - Redundancy	1

43

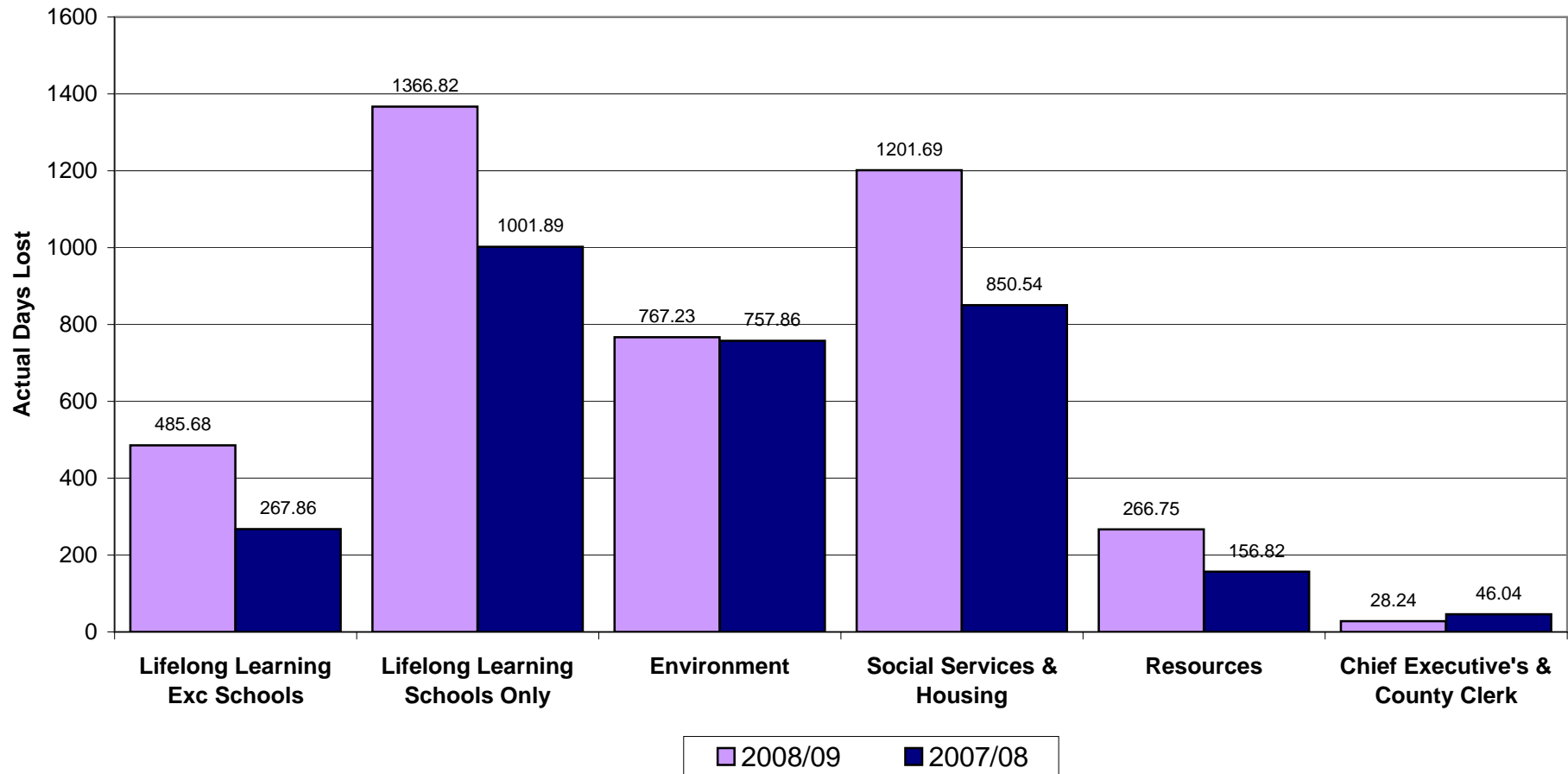
FINANCE Average Number of Days Lost per Employee April 2008



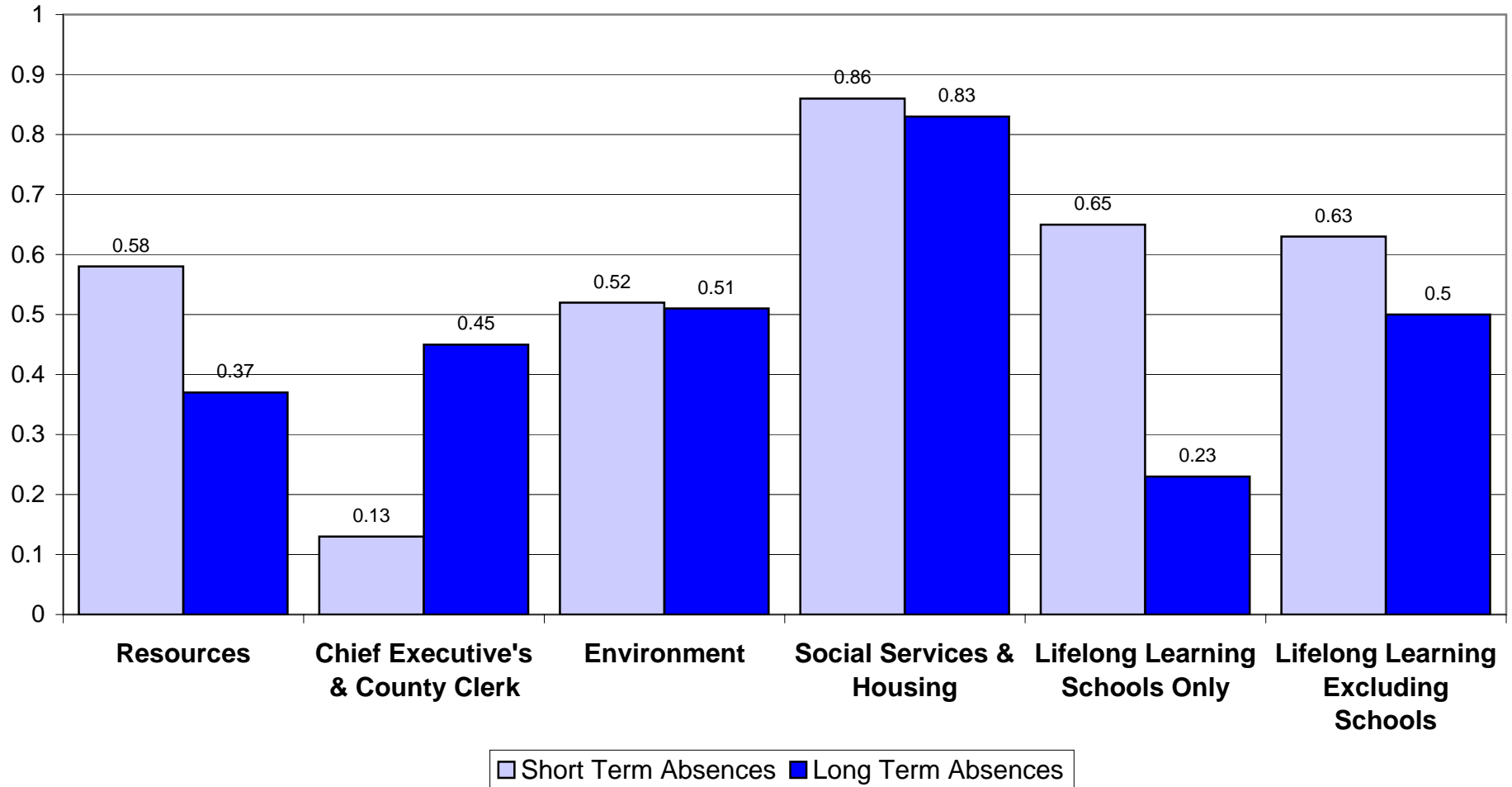
Denbighshire County Council Average Number of Days Lost per Directorate Cumulative April 2008- April 2008



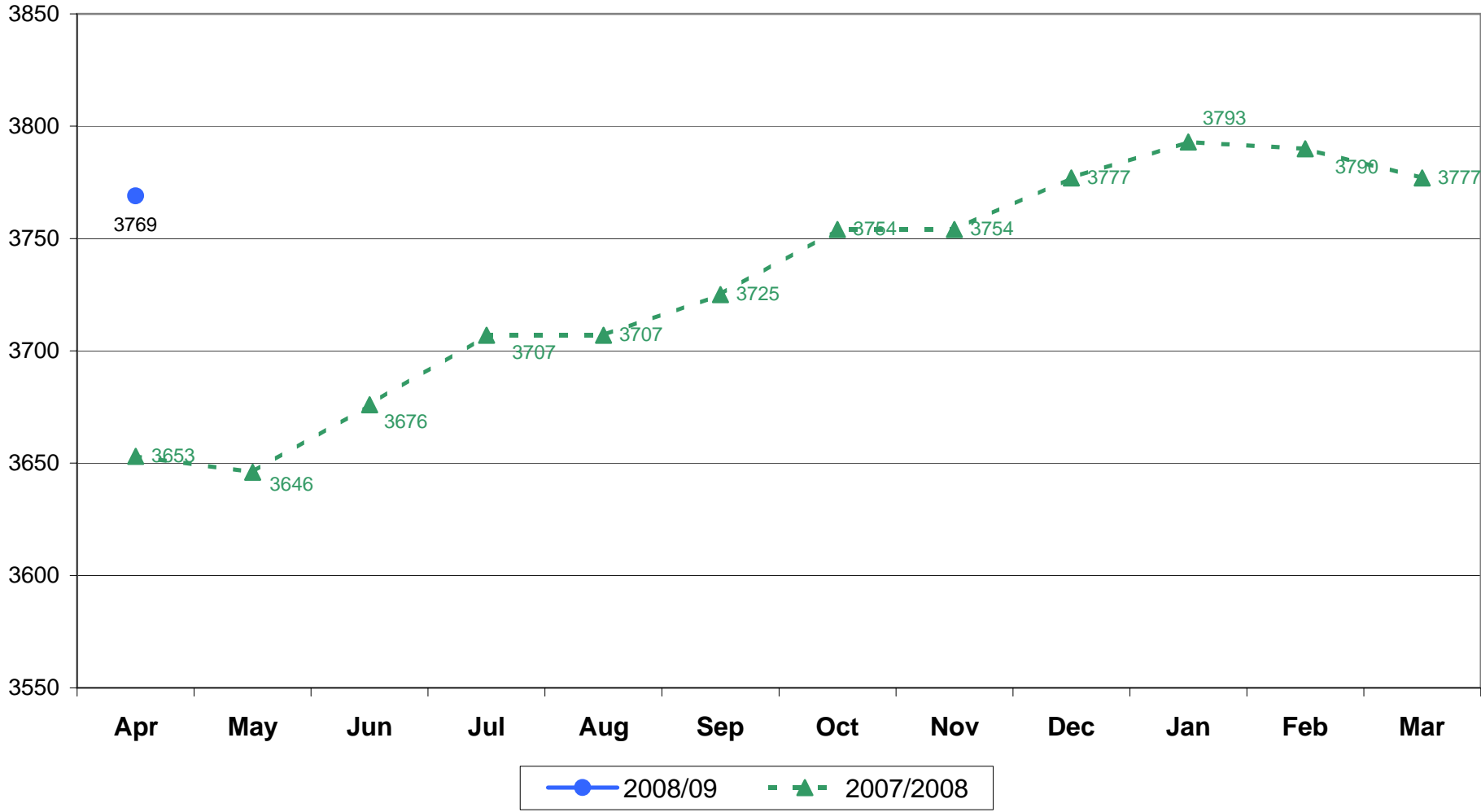
DenbighshireCounty Council Actual Number of Days Lost per Directorate April 2008 - April 2008



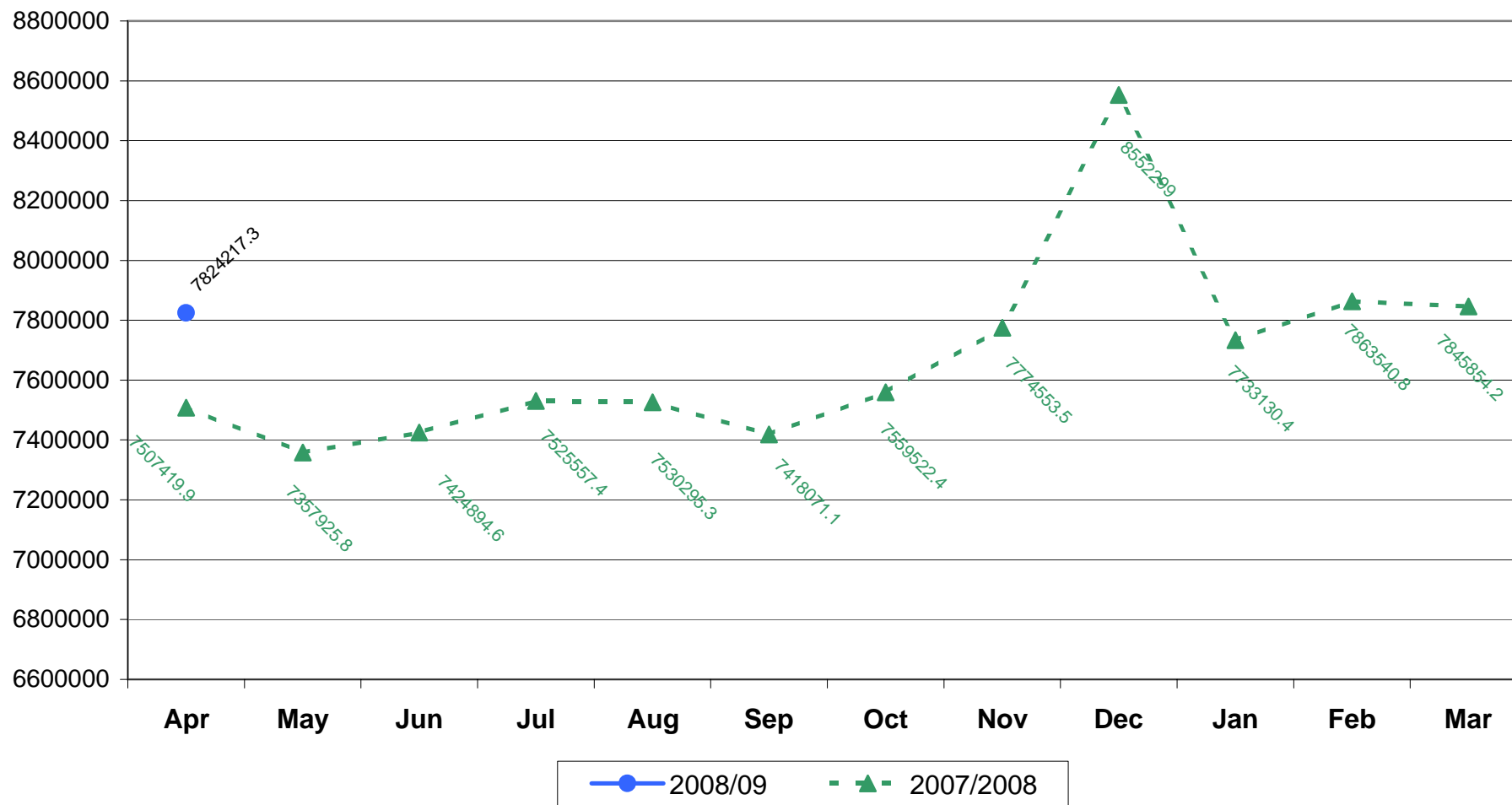
DENBIGHSHIRE COUNTY COUNCIL
Short Term Absence v Long Term Absence
April 2008 - April 2008



Denbighshire County Council FTE Comparison



Denbighshire County Council Gross Pay Comparison



Leavers in April

Directorate	Service	Dept	Leaving Date
Lifelong Learning	Schools	Primary Schools	20/04/2008
Social Services & Housing	Adult Services	Physical Disabilities & Sensory Impa	30/04/2008
Lifelong Learning	Schools	Secondary Schools	06/04/2008
Environment	Environmental Services	Highway Operations	30/04/2008
Social Services & Housing	Housing Services	Housing Tenancy	30/04/2008
Environment	Environmental Services	Public Realm	30/04/2008
Environment	Environmental Services	Public Realm	30/04/2008
Social Services & Housing	Adult Services	Provider Unit	30/04/2008
Social Services & Housing	Children & Young People Pa		30/04/2008
Social Services & Housing	Adult Services	Provider Unit	30/04/2008
Environment	Finance & Performance	Fleet	30/04/2008
Environment	Environmental Services	Cleaning Service	27/04/2008
Environment	Environmental Services	Cleaning Service	27/04/2008
Lifelong Learning	School Improvement	Partnership & Inclusion	03/04/2008
Lifelong Learning	School Improvement	Inclusive Learning	11/04/2008
Lifelong Learning	Schools	Special Schools	06/04/2008
Lifelong Learning	Schools	Secondary Schools	06/04/2008
Lifelong Learning	Schools	Primary Schools	06/04/2008
Resources	Finance	Revenues	06/04/2008
Lifelong Learning	Schools	Primary Schools	06/04/2008
Lifelong Learning	Schools	Secondary Schools	23/04/2008
Lifelong Learning	Schools	Primary Schools	06/04/2008
Lifelong Learning	Schools	Secondary Schools	10/04/2008
Lifelong Learning	Schools	Secondary Schools	30/04/2008
Social Services & Housing	Adult Services	Provider Unit	20/04/2008
Lifelong Learning	Schools	Special Schools	09/04/2008

Lifelong Learning	Partnership & Inclusion	Youth Service	30/04/2008
Environment	Development Services	Property	06/04/2008
Environment	Finance & Performance	Passenger Transport	11/04/2008
Environment	Transport & Infrastructure	Network Management	13/04/2008
Environment	Environmental Services	Sign Shop, Street Lighting, Safety &	18/04/2008
Social Services & Housing	Adult Services	PMSU	30/04/2008
Environment	Finance & Performance	External Funding Claims Management	11/04/2008
Resources	Finance	Management Accounting	11/04/2008
Social Services & Housing	Adult Services	PMSU	11/04/2008
Environment	Environmental Services	Public Realm	11/04/2008
Environment	Environmental Services	Cleaning Service	30/04/2008
Environment	Environmental Services	Catering	25/04/2008
Social Services & Housing	Adult Services	PMSU	27/04/2008
Environment	Finance & Performance	Passenger Transport	18/04/2008
Lifelong Learning	School Improvement	Partnership & Inclusion	11/04/2008
Environment	Finance & Performance	Passenger Transport	03/04/2008
Environment	Transport & Infrastructure	Traffic & Transportation	06/04/2008
43			

Leaving Reason
1.1 Age Retirement
1.1 Age Retirement
1.1 Age Retirement
1.2 Ill Health Retirement
1.2 Ill Health Retirement
1.2 Ill Health Retirement
1.2 Ill Health Retirement
1.5 Redundancy
1.7 End of Fixed Term Contract
1.7 End of Fixed Term Contract
1.7 End of Fixed Term Contract
1.9 Died in Service
1.9 Died in Service
2.1 Role, Job Description & Duties
2.2 Worklife Balance
2.2 Worklife Balance
2.5 Pay, Benefits & Conditions
2.6 Training & Career Development
2.6 Training & Career Development
2.8 Other - Please Specify
2.8 Other - Please Specify
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2.8 Other - Please Specify
2.8 Other - Please Specify
Not Known
Other Reason

Resignation - Another Post Outside DCC		
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Resignation - Another Post Outside DCC		
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Resignation - Another Post Outside DCC		
Resignation - Another Post Outside DCC		
Resignation - Another Post Outside DCC		
Resignation - Another Post Outside DCC		
Resignation - Another Post Outside DCC		
Resignation - Personal		
Resignation - Personal		
Retirement - Ill Health		
Retirement - Redundancy		

Starters in April

Joining Date	Position	Directorate	Service	Dept	Location
01/04/2008	Community Safety Policy Officer	Environment	Planning & Public Protection	Policy Research & Information	Trem Clwyd
01/04/2008	Head of School Improvement	Lifelong Learning	School Improvement		
07/04/2008	School Improvement Officer	Lifelong Learning	School Improvement	Primary	Trem Clwyd
07/04/2008	Teacher	Lifelong Learning	Schools	Primary Schools	Dewi Sant C.P
07/04/2008	Teacher	Lifelong Learning	Schools	Primary Schools	Pentrecelyn C.P
07/04/2008	Learning Support Assistant	Lifelong Learning	Schools	Primary Schools	Christchurch C.P
07/04/2008	Teaching Assistant	Lifelong Learning	Schools	Primary Schools	Ysgol Y Lllys
07/04/2008	Learning Support Assistant	Lifelong Learning	Schools	Primary Schools	Pen Barras School
07/04/2008	Mid Day Supervisor	Lifelong Learning	Schools	Primary Schools	Borthyn Controlled School
21/04/2008	Learning Support Assistant	Lifelong Learning	Schools	Primary Schools	Ysgol Y Lllys
23/04/2008	Learning Support Assistant	Lifelong Learning	Schools	Primary Schools	Ysgol Y Lllys
21/04/2008	Teacher	Lifelong Learning	Schools	Secondary Schools	Blessed Edward Jones R.C High School
14/04/2008	Learning Manager	Lifelong Learning	Schools	Secondary Schools	Rhyl High School
14/04/2008	Certificated Bailiff	Resources	Finance	Revenues	Russell House
07/04/2008	Business Improvement Manager	Resources	ICT	Business Solutions	County Hall
01/04/2008	Social Worker	Social Services & Housing	Adult Services	Assessment & Care Management Older People	Russell House
14/04/2008	Storekeeper Temporary	Social Services & Housing	Adult Services	Physical Disabilities & Sensory Impairment	Disability Equipment Stores
21/04/2008	Day Care Assistant	Social Services & Housing	Adult Services	Provider Unit	Awelon
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**CABINET
FORWARD WORK PROGRAMME**

15 JULY 2008	
Revenue Budget Monitoring Report 2008-2009	Councillor R Parry
Capital Plan	Councillor R Parry
Routine Reporting on Personnel	Councillor L Atkin / G Humphreys
Housing Revenue Account Budget	Councillor P Quirk
Modernising Education Action Plan Monitoring	Councillor J Curran
Performance Appraisal System for the Leader and Cabinet	Councillor A Evans / K Methven
Denbighshire and Conwy Youth Justice Plan - to seek ratification of the new Denbighshire and Conwy Youth Justice Plan	Councillor Nicola Francis / Emma Rathbone
Special Guardianship - to seek ratification of the new Special Guardianship Policy and Payment Structure.	Councillor Nicola Francis / David Hynes
Customer Care Strategy	Councillor C J Williams
Draft Council Priorities	Councillor J Williams
Regulatory Plan	Councillor J Williams
Prevention and Inclusion Strategy	Councillor Sylvia Jones
Serious Case Review of 'S' Children – outcomes and recommendations from the Review	Councillor Nicola Francis / Sue Trehearn
Youth Justice Plan - to seek ratification of the new Denbighshire and Conwy Youth Justice Plan	Councillor Nicola Francis / Emma Rathbone
Children and Young People Single Plan	Councillor L Leece
Declaration of building surplus to requirements Part II	Councillor D Mathews
Office Accommodation Review Part II	Councillor G Evans
NO CABINET MEETINGS WILL BE HELD IN AUGUST 2008	
9 SEPTEMBER 2008	
Revenue Budget Monitoring Report 2008-2009	Councillor R Parry
Capital Plan	Councillor R Parry
Routine Reporting on Personnel	Councillor L Atkin / G Humphreys
Housing Revenue Account Budget	Councillor P Quirk
Modernising Education Action Plan Monitoring	Councillor J Curran
Monitoring Performance Against the Authority's Key Performance Indicators	Councillor J Williams
52 Week Residential Service Hyfrydle Children's` Home Part II	Councillor C Macleod

30 SEPTEMBER 2008	
Revenue Budget Monitoring Report 2008-2009	Councillor R Parry
Capital Plan	Councillor R Parry
Routine Reporting on Personnel	Councillor L Atkin / G Humphreys
Housing Revenue Account Budget	Councillor P Quirk
Modernising Education Action Plan Monitoring	Councillor J Curran
28 OCTOBER 2008	
Revenue Budget Monitoring Report 2008-2009	Councillor R Parry
Capital Plan	Councillor R Parry
Routine Reporting on Personnel	Councillor L Atkin / G Humphreys
Housing Revenue Account Budget	Councillor P Quirk
Modernising Education Action Plan Monitoring	Councillor J Curran
Modernising Education – Cambridge	Councillor R Snelling
Monitoring the Actions Agreed by Cabinet	Councillor J Williams
Charging for Post 16 School Transport	Councillor J Walley
25 NOVEMBER 2008	
16 DECEMBER 2008	
13 JANUARY 2009	
27 JANUARY 2009	
17 FEBRUARY 2009	
24 MARCH 2009	
28 APRIL 2009	
Joint Denbighshire and Conwy Safeguarding Children Board (SCB) – Annual Update	Councillor N Ayling
26 MAY 2009	