

**CABINET**

Minutes of the Cabinet meeting held at 10.00 a.m. on Tuesday 14 July 2009 in Conference Room 1, County Hall, Ruthin.

**PRESENT**

Councillors P A Dobb, Lead Member for Health, Social Care and Wellbeing; H H Evans, Leader and Lead Member for Education; S Frobisher, Lead Member for Communities; R W Hughes, Lead Member for Personnel and Business Management; P J Marfleet, Lead Member for Modernisation and Improvement; J Thompson Hill, Lead Member for Finance; D A J Thomas, Lead Member for Environment: Regeneration and E W Williams, Lead Member for Environment: Sustainable Development.

Observers: Councillor W L Cowie, M LI Davies, G C Evans, R L Feeley and D I Smith.

**ALSO PRESENT**

Chief Executive; Corporate Director: Environment; Corporate Director: Lifelong Learning, County Clerk and the Principal Management Accountant.

**APOLOGIES**

Councillor M M Jones, Lead Member for Children's Services; Deputy Chief Executive / Corporate Director: Resources; Corporate Director: Social Services and Housing and the Financial Controller.

Councillor H H Evans Chaired the meeting. He welcomed Councillor W L Cowie to Cabinet and said he was pleased to see him at the meeting, following a bout of ill health. He also welcomed Ceri Evans, Customer Service Officer to the meeting. Ceri was shadowing the Leader as part of a prize won for the competition run celebrating National Customer Service Week for demonstrating the best 'customer focus' skills within a selection of calls.

**1 URGENT MATTERS**

There were no urgent items.

**2 MINUTES OF THE CABINET MEETING 23.06.2009**

The Minutes of the Cabinet meeting held on 23 June 2009 were submitted.

Item 8 Criteria for Supporting Community Capital Projects In 2009-2010: Councillor P A Dobb said "quality" should be replaced by "qualify" in the first sentence of the second paragraph.

Item 12 Value Added Tax Refund – Councillor P A Dobb asked the fourth paragraph be amended to say she had queried the need for additional administrative support.

**RESOLVED** that, subject to the above, the Minutes of the meeting held on 23 June 2009 be approved as a correct record and signed by the Leader.

### **3 A HIGH PERFORMING COUNCIL CLOSE TO ITS COMMUNITY**

The Chief Executive presented the report for Members to agree his vision and priorities for the next few years, including proposals for change and improvement and a new senior management structure. The Statement of Intent had been developed to articulate an ambitious vision for the Council, its priorities for the next few years and the way forward. By 2012 he wanted Denbighshire to be an excellent authority, providing high quality and efficient services to all its citizens and effective leadership to the Local Service Board and the wider community. Denbighshire should be one of the top performing authorities in Wales. Bilingualism was to become a reality.

The Improvement Themes – community and people focused; high performance; outward looking, and strong governance and leadership – will put the community and people first and before the provider. The Chief Executive expected the Authority to be high performing and he would celebrate its achievements but at the same time, understand that the Authority could not do everything. Strong governance and leadership was vital, particularly as the Authority would be operating in a tough financial environment and would have to do better with fewer resources. The expectation was to do well rather than do more – variable service provision had to be improved and raised on a level with the best.

Engaging with the residents and communities was important and clarifying the corporate priorities to them would help in them gaining understanding of what we are trying to achieve in the way of service delivery improvement and customer care. There were 3 key strands: driving for excellence, improving across the board; responding to criticism; ensuring effective corporate governance. It was important to build on internal capacity, starting with a strong senior leadership team and reducing reliance on using external capacity at a high level.

The first of the key themes was to focus on challenges and priorities for the Authority. To achieve this, it was important to have clarity of purposes of posts and it was recommended that the senior management team would be leaner and smaller and those in post would be more accountable.

Referring to the new posts, the Chief Executive said the new Head of Business Planning and Performance would address issues raised by the Wales Audit Office and others and plan and manage strategically. This post would be part of the Corporate Executive Team and report directly to the Chief Executive. There would be a move away from corporate project management in departments.

The new role of Corporate Director: Governance and Efficiency would manage resources, property, assets, human and finance. The new Head of Customer Services role would be responsible for customer focus, ICT, information management, ensuring a coherent approach to ICT, communications and care for our customers. The new Head of Regeneration and Tourism role was vital and would create opportunities to focus on the correct issues. There were 2 Lifelong Learning roles, Head of Modernising Education and Head of School Improvement and Inclusion – the first would incorporate modernising and reorganising of schools and mergers or new schools and the second would have one post dealing with improvement and inclusion.

There were posts being deleted from the structure and the Chief Executive stressed that it was the posts which were redundant and that redundancy did not imply criticism of the work of the post holders. He valued the work of current postholders and he hoped that some of those postholders would apply for posts in the new structure.

The expected outcomes were an effective support service model based on the new Senior Leadership Team structure, with an effective corporate system for planning and performance management across all services. There would be increased collaboration, which over a 3 year period would deliver further restructuring of appropriate services across local authority / public / private sector boundaries. An improved workforce would be appropriately deployed to deliver key priorities and support the Council's aspirations for bringing the Council closer to the community.

Councillor H H Evans said it was an important decision for Cabinet to make and said the new structure would be fit for purpose and change the way the Authority worked for the better. There was an aspiration for the Authority to provide excellent services and he was pleased to see the area profiles included and these would be a measure on how services were delivered.

Councillor P A Dobb said the report was refreshing to read. She asked for more information regarding the new Head of Business Planning and Performance post and support teams. The Chief Executive said job descriptions were in the process of being written and the Head of Business Planning and Performance post would be responsible for business planning, the corporate plan / medium term financial plan and ensure that the Authority was prepared for any inspections and new regulations; partnership working and how we manage and improve performance. The postholder would manage performance management for the Council and partnerships and also manage projects e.g. the Rhyl 6<sup>th</sup>, as many of the large projects involved more than one department. Another part of the role was to ensure the Corporate Executive Team and Heads of Services conformed. A smaller business support team would be in place in each Directorate but the framework and guidance would come from the Head of Business Planning and Performance.

The proposals were welcomed by Councillor P J Marfleet and said the consultation to date was excellent. He supported the merging of Asset Management to Finance, at the same level as Human Resources. He asked how the new posts would be monitored and at what frequency and regarding the timescale for implementation, what

arrangements would be put in place to cover any shortfall should existing staff leave and there was a gap before the new officers were in post. The Chief Executive said he would be involved in every appointment and would use his previous experience as a technical assessor. He said the right appointments were important. He said consideration would be given to performance related pay if it was possible to have a transparent and fair scheme. Staff would be monitored by performance appraisals, 'one to one' sessions with the line manager and they would have robust expectations. Regarding timescales, the Chief Executive said draft job descriptions would be ready by the end of the week and this should inform whether any internal candidates were suitable. If not, all posts would be advertised at the same time, to attract a wider field of candidates. The Corporate Director: Governance and Efficiency and Head of Business Planning and Performance would be recruited first with new posts in place by the New Year. Notices would be served for redundant posts in September and these should end when the new posts start which should mean a minimised gap. He confirmed that if there was a suitable internal candidate, the appointment would be made without external advertising.

Councillor E W Williams suggested that the new Corporate Director: Governance and Efficiency could be part of the Chief Executive role as the Head of Business Planning and Performance was corporate. Was there scope for joint posts with other Authorities? The Chief Executive felt there was a need for 4 Corporate Directors at this time but depending on the environment in a few years, this could change. It was important to focus on significant and continual improvement and the new Corporate Director post would focus on those areas which had been found to be wanting. Councillor Williams suggested the Chief Executive should be looked at for guidance and he felt it was important for the Chief Executive to play an important part.

The report was welcomed by Councillor R W Hughes and said the roles of both Leader and Chief Executive had grown over the years. She did not want a Chief Executive who spent most of his time at meetings. She said the 13 senior staff whose roles were affected should be treated with particular consideration at this time. She discussed the perception of both staff and residents. She felt that the culture of the organisation needed to change and that Central Personnel, for example, should not have to go to Directorates on non-compliance and that these were line management issues. She said changes were required and the Chief Executive needed Cabinet support over the next weeks and months in particular.

Councillor E W Williams said rationalisation of posts would happen throughout Wales and there was no new money for posts. It was important to keep frontline services and joint working and outsourcing would be considered when cost effective.

The Chief Executive, responding to a query from Councillor R W Hughes, regarding Members and the media said he understood their frustration on occasions when they felt a service was not responding appropriately to requests by the public. The feedback from staff on the proposals for change were positive and in meetings with staff across the Authority he said many had good ideas on improving efficiency.

The Audit Regeneration Report was referred to by Councillor D A J Thomas who said that the Authority was well placed to deliver regeneration. He discussed the £41m Convergence funding coming to the Authority and said the Strategic Regeneration funding would soon be launched which would mean a further £2.5m for the Authority. He said the posts in that department were critical both to seek new funding and deliver projects and he said it was critical that no gaps in services arose with the changes proposed. The Chief Executive said he was delighted at the amount of funding attracted into the Authority and on the regeneration work being carried out. The new role would enhance the Authority's capacity on regeneration and tourism. If an internal candidate was selected there would be no gap but if it was an external appointment the notice period should coincide with the redundancy period. If there was a gap, this would be managed internally.

Councillor R L Feeley agreed it was a good time to make changes. She suggested more mention should be made of the environment as a whole, expressed disappointment regarding the possible use of consultants, agreed with the need to sensitively deal with staff who may be made redundant, agreed the need for community involvement, particularly through plain speaking. She was not supportive of performance related pay and wanted the Authority to tackle the big issues e.g. Royal International Pavilion, Llangollen and Hyfrydle. Councillor E W Williams agreed it was important to safeguard the planet and Denbighshire would have a part to play in this. He reminded Councillor Feeley that Denbighshire already sent less to landfill than many Authorities. The Chief Executive said he would give consideration to including the environment in his vision for the Authority. Regarding the use of consultants, he said they would only be used when particular knowledge or expertise was not available in the Authority and in this instance the Welsh Local Government Association would be paying for consultants. The Chief Executive said the new structure was better and would deliver what the Authority needed. The structure was part of the journey. He also agreed with the need for Plain English whenever possible.

Councillor D I Smith welcomed the new structure and said the Authority was facing challenging times. Referring to the new structure, he said much expertise would be lost and he wanted confidence that this would not be detrimental to the Authority. The Chief Executive reminded colleagues that it was posts being deleted and that current postholders could consider opportunities in the new structure.

Councillor W L Cowie said the report and its vision for Denbighshire's future was interesting. Turning to Public Realm, he said he was receiving complaints about weeds and overgrown grass and hedges and asked whether these issues would be addressed. The Chief Executive said these issues had formed part of the budget setting and he urged a better understanding of budget setting in future, which should be cross department and more strategic. There should be a collective responsibility for what was agreed.

Councillor C Hughes, referring to the new Regeneration and Tourism post, said Upper Denbigh for example was unlikely to benefit from tourism but would benefit from regeneration. He asked whether the new officer would be a regeneration or tourism

specialist. The Chief Executive said the new post was for Head of Regeneration and Tourism and both were equally important. He also said the Head of Customer Services would have a very important role, dealing both with internal and external customers along with information management systems for both. Responding to Councillor Hughes' query on Youth Services, the Corporate Director: Lifelong Learning said Roger Rowett and Associates had carried out a review of Youth Services and their report was due in September 2009. He agreed the Service had been working somewhat in isolation and the service would become part of Leisure Services.

Councillor H H Evans thanked the Chief Executive for an excellent report and for a thorough debate by Members.

***RESOLVED*** that Cabinet approves the Chief Executive's proposals for establishing a new Senior Leadership Team and notes the reviews of the Council's corporate and support services and planning and performance functions.

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

#### **4 DENBIGHSHIRE COUNTY COUNCIL'S CORPORATE PLAN AND SUPPORTING MEDIUM TERM FINANCIAL PLAN**

Councillor H H Evans presented the report for Members recommendation of Denbighshire County Council's draft Corporate Plan 2009 – 2012 for adoption by full Council on the 28 July 2009, subject to any amendments agreed by Cabinet (Annex I refers) and to note the likely financial position of the Council as detailed in the draft Medium Term Financial Plan 2009-2012 and comment as appropriate to full Council on the 28 July 2009. The report sets out the strategic direction of the Council for the coming 12 months, sets out its priorities and the Authority's improvement journey. The focus would be on communities and getting closer to them and understanding their needs. More focus would be put on frontline services and the finances to provide those services. Outcomes must provide improvements and with well thought out medium term financial planning it should be possible not to cut services.

Councillor J Thompson Hill said national and local issues affected the budget and with priorities being set by the Authority this should help the budget. Current projections up to 2012/13 from the Welsh Local Government Association showed that Authorities would be looking at zero growth in the revenue support grant for each of the 3 years. The position on Capital was worse, with a 10% reduction in funding year on year, and it was expected that the Welsh Assembly Government would only receive funding of perhaps £280m instead of £650m by 2012/13. There was a need for the restructure within the Council and for joined up thinking by all. No additional funding had been allocated into the Priorities to date and £1m a year revenue could be put into the 4 Corporate Priority Areas. Was that level enough to deliver the change of pace currently being sought. Members would need to decide whether £250k would be allocated to each of the 4 Priorities or whether more should be allocated to a particular Priority.

Voluntary redundancies, procurement improvements, debt rescheduling and staff reorganization would help with the budget process. The Authority was at the 5% recommended level for Reserves. Approximately £2.5m of savings could be delivered from the areas detailed in the report, which would produce a Council Tax increase of 2.5% for 2010/11. The settlement figures would not be available until November.

Councillor P J Marfleet said the report was good in general terms and it encapsulated the improvement plan but the improvement agreement was still in place and that discussion on allocation to the Priorities would be required. Councillor J Thompson Hill said £250k for example would fund additional prudential borrowing say for flooding. He said budget setting was difficult when the amount of funding would not be known until November.

Councillor P A Dobb supported collaboration and partnership working and asked who would analyse costs along the way to ensure that partnership working was cost effective. She urged caution with partnership working and cited the Wirral Purchasing Consortium as an example.

The Head of Strategic Policy agreed there was a need to develop partnership governance frameworks and this was one of the recommendations from the Corporate Governance report. Conwy CBC had a Partnership Scrutiny Committee and although this was unlikely to be formed in Denbighshire, she said she would discuss with the County Clerk a way of monitoring collaboration. Some collaborative projects would be monitored using project management methodology. She agreed to include a paragraph on collaborative monitoring in the report. The Chief Executive said there was no need for an extra scrutiny committee and that the required monitoring would be built into the existing Cabinet and Scrutiny function. He supported collaboration not only with other Local Authorities but also with the Police and Health Services and the private sector. Councillor Dobb said she had seen varied collaborative working at first hand through the Local Service Board. Councillor R W Hughes agreed with Councillor Dobb's words of caution and said awareness of such problems was low in the Authority.

Having met with other Leaders in North Wales, Councillor H H Evans said it was difficult to gauge the level of commitment to collaboration and he felt that it had taken some time for the Local Service Board to get the local delivery agreements right. He felt Denbighshire was aspirational.

Councillor E W Williams agreed with Councillor Hughes in that discussions with external partners on a wide range of issues affecting Denbighshire was required. It was important for residents to know what was advocated by which of the services.

Members were asked by the Chief Executive to agree the Corporate plan before the end of July, although he said there was further work required on the Plan. Any further comments to be passed to the Head of Strategic Policy as soon as possible. The Plan would be reviewed annually. He thanked the Strategic Policy Unit for their hard work in producing the Plan. In regard to the allocation of resources to Priorities, the Chief Executive said this did not have to be an equal amount of £250k to each of the 4

Priorities – some could have no allocation whilst another could have more than £250k. He wanted Members to engage with the allocation to Priorities.

The Head of Strategic Policy agreed to amend the narrative regarding the inclusion of vocational qualifications and agreed that sustainability impacts would be assessed.

**RESOLVED** that Cabinet recommend Denbighshire County Council's draft Corporate Plan 2009 – 2012 for adoption by full Council on the 28 July 2009, subject to the above amendments and that Members note the likely financial position of the Council as detailed in the draft Medium Term Financial Plan 2009-2012 and comment as appropriate to full Council on the 28 July 2009.

## **5 MODERNISING EDUCATION: DEE VALLEY EAST REVIEW**

Councillor H H Evans presented the report seeking Cabinet approval to the commencement of formal consultation regarding the potential closure of Ysgol Llantysilio for September 2010. Although it was sad that this or any school could potentially close, he drew Members' attention to the fall in pupil numbers over the past 3 years and the projections for the next 5 years and that 4 pupils were projected to attend the school in 2010/11. The Headteacher had held open days to try and attract new pupils to the school but there are none in the area to attend.

Discussions between the Headteacher, school governors, teachers, local Councillors and other Headteachers in the Dee Valley East area had been held and all were willing to cooperate regarding the potential closure of the school. Councillor Evans thanked the staff at the school for their support.

Consultation would take place between 7 September and 7 October 2009 with feedback to Cabinet on 20 October. Objections, if received, would be sent to the Welsh Assembly Government who would have 3 months to make a decision. If no pupils register at the school at the start of the September term, the statutory process still has to be followed.

The Head of Policy & Performance Lifelong Learning said the Local Development Plan had been considered as part of the process.

**RESOLVED** that Cabinet approves the commencement of formal consultation regarding the potential closure of Ysgol Llantysilio for September 2010 from the 7<sup>th</sup> September to the 7<sup>th</sup> October 2009.

## **6 APPROVAL OF OUTLINE BUSINESS CASE FOR THE NORTH EAST WALES FOOD TREATMENT PROJECT**

Councillor E W Williams presented the report seeking Cabinet approval of the Outline Business Case (Executive Summary) for the procurement of Food Waste treatment capacity in North East Wales, and to authorise moving into the next stage of the procurement process. He thanked the Head of Environmental Services for all his hard



work on the project and said the Welsh Assembly Government was pleased with the work done by the Authority to date.

Responding to Councillor P A Dobb's queries, Councillor Williams said the issue had been considered by Scrutiny Committee. The site was effectively owned by the Welsh Assembly Government as Denbighshire had purchased it with Assembly Grant on the understanding it may not be used and the tenderer / operator could either rent the site or bring another proposal for consideration. If the site was not developed the Assembly could agree to sell it for commercial use.

The Head of Environmental Services said a contract could not be entered into unless a site was available and that any contract would have a profit sharing clause built in. Denbighshire, Conwy and Flintshire Councils have entered into a preliminary partnership and they accept there is one gate fee and there would be no sharing of transport costs to get the waste to the site.

Councillor G C Evans asked for assurances regarding the project not committing to levels it could not deliver. The Head of Environmental Services said a high target of 12% of waste to be recycled via this project had been set by the Assembly but that the Council had not agreed to commit to this level of recovery as it did not believe there was that level of food waste available. It had committed to 8.4% to ensure that any facility was appropriate.

***RESOLVED*** that Cabinet approves the Outline Business Case for the procurement of food waste treatment capacity in North East Wales and authorises the Corporate Director: Environment to continue with the procurement process, through to the Final Business Case. In accordance with Section 25 of the Council's Contract Procedure Rules; a further report will be presented to Cabinet prior to the final contract award.

## **7 DENBIGHSHIRE COUNTY COUNCIL AND CONWY COUNTY BOROUGH COUNCIL PLANNING AND PUBLIC PROTECTION COLLABORATION (DETAILED AGREEMENT)**

Councillor S Frobisher presented the report and reminded Members that approval by Cabinet of both Conwy (15 January 2009) and Denbighshire (16 December 2008) in consideration of a report to them on collaborative working gave authority to the Head of Regulatory Services, CCBC and the Head of Planning and Public Protection Services, DCC to commence a project on collaborative working, to produce a legal agreement that would form the basis for such collaboration and establish Membership of a Management Board. The current report provided an insight in relation to opportunities that have arisen to date as a consequence of the project. Having briefed the Management Board, confirmation of previous decisions of the Executive is now sought to allow the legal agreement to be duly endorsed so that further comprehensive collaborative working across the service areas can be developed and implemented.

Councillor P A Dobb asked for further information on targets and outcomes and wanted specific information on costs included. Councillor Frobisher said many positions were

on hold. The Head of Planning and Public Protection said cashable efficiencies were achievable through licensing for example. It was premature to include figures at this stage. Although there were some costs likely on any collaboration there would be savings in the long term. Details of any cashable savings would become available through the Joint Management Board, Cabinet or Scrutiny. Councillor Dobb supported the collaboration but reminded colleagues of the importance of being cognisant of costs.

Councillor E W Williams said there were two strands to collaboration – the first was for efficiency and cost benefits and the second was because one Authority / team was too small to deliver the full requirements to the public but could do so when collaboration with another team. Any efficiencies would be through joint working and purchasing. Councillor Frobisher said there would be consistency between the two Authorities on licensing and she wanted other Authorities to come on board.

The Corporate Director: Environment said a lot of time and effort had been spent on collaborative projects in the past and these had not always been successful. However, there was a need for a consistent top level management structure to ensure the collaboration worked. Advantage had been taken of the EVR process within the medium term financial plan to fill any gaps in staffing with Conwy Council. Perhaps 3 or 4 of the posts in the EVR project would be in part of the Directorate budget process. In time, some projects would not be viable but would need to be formalised into some form of joint committee.

The County Clerk informed Members that the Authority was awaiting guidance from the Welsh Assembly Government on the legal framework for any joint Scrutiny. No one wanted too much 'red tape'. Once the Assembly receive the awaited Legislative Competence Order it should be able to provide the legal framework.

Councillor P J Marfleet said Cabinet had discussed partnership and collaborative working in detail through the course of the day and he said that these would have ICT implications over time. It was important to ensure that these were right and true efficiency savings could not be achieved unless the ICT worked seamlessly together. Councillor Williams said this and joint purchasing was under consideration.

***RESOLVED*** that Cabinet agree the Legal Agreement to enter into Collaborative working and authorise the Management Board to endorse the document. Cabinet agree the Cabinet Member for Corporate and Regulatory Services (CCBC); Cabinet Member for Corporate Modernisation (CCBC), the Corporate Director of Resources (CCBC), Lead Member for Communities (DCC), Lead Member for the Environment: Sustainable Development – (DCC) and Corporate Director: Environment (DCC), be confirmed as Members of the Management Board in accordance with the agreement.

*Cabinet further agree to authorise the Head of Regulatory Services (CCBC) and the Head of Planning and Public Protection Services (DCC) to work towards gaining efficiencies/improvements from the collaboration agreement as they arise in accordance with the agreement.*

## **8 HOUSING REVENUE ACCOUNT BUDGET & CAPITAL PLAN UPDATE 2009-2010**

Councillor P A Dobb presented the report for Members to note the forecast outturn position of the Housing Revenue Account (HRA) and Housing Capital Plan for 2009-2010. The initial forecast showed that an in-year revenue surplus of £191k should be generated by the end of the financial year, which was £102k less than forecast in the original budget set in February 2009. The main changes since the budget have been as a result of interest rates used to calculate capital financing costs being slightly higher than the original forecast.

It had been announced by the UK Government on 1 July 2009 that the housing subsidy system was to be scrapped. Further details were awaited on how this would apply in Wales and Denbighshire. There was some slippage on planned expenditure this financial year and new tenders would be considered at the end of the month.

**RESOLVED** that Members note the latest financial forecast position of the Housing Revenue Account for the current financial year.

## **9 WRITE OFF SUNDRY DEBTOR ACCOUNT**

Councillor J Thompson Hill presented the report seeking Cabinet approval to write off a debt of £22,132.12 being the rental and service charges for a Children's Village retail unit. All avenues had been explored and the Council had now exhausted all possibilities of getting the money owed.

Following a question from Councillor G C Evans, the Head of Revenues and Benefits said write off of over £20,000 were Cabinet rather than Delegated Decisions but the Authority pursued its debts and did not lightly write off debts.

Councillor E W Williams reminded colleagues that Delegated Decisions information was available on the County's website. However, Councillor G C Evans said the information was currently not up to date. The County Clerk said there had been slippage with putting the information on the website and this would be addressed as soon as possible.

**RESOLVED** that Cabinet agree to write off a debt of £22,132.12 being the rental charges outstanding for the retail unit.

## **10 REVENUE BUDGET AND SUMMARY CAPITAL PLAN 2009-2010**

Councillor J Thompson Hill presented the report for Members to note the likely outturn figures as detailed in Appendix 1 attached to the report and the summary capital plan performance for 2009-2010 as detailed in Appendices 2 and 3. Members were asked to agree to the reallocation of excess pay award inflation. The forecast underspend was £463k, excluding the schools' delegated budgets.

Since the last Cabinet meeting more work had been carried out on the figures and £1.127m would be needed for Single Status, making a total of £120k available for use

elsewhere. The Medium Term Financial Plan had assumed the £1.127m would be used for Single Status. Councillor Thompson Hill suggested and was seconded by Councillor P A Dobb that the £120k remaining be put in the Public Realm budget.

Although Hyfrydle was being discussed later in the day, Councillor S Frobisher asked for an update. The Corporate Director: Environment said there was no easy solution and that officers were working on various solutions.

Councillor E W Williams discussed grass cutting issues and Members agreed with him that full and informed decisions would need to be made the following year as Members were receiving complaints. Councillor M LI Davies suggested that more grass cutting be carried out in certain areas rather than on the wider roads. The Corporate Director: Environment informed Members that Environment Scrutiny Committee would be reviewing this year's grass cutting programme.

**RESOLVED** that Members note the initial projected outturn figures for 2009-2010 as detailed in Appendix 1 to the report and note the summary capital plan performance figures for the 2009-2010 financial year as detailed in Appendices 2 and 3 to the report. Members agree to use the £1.247m excess inflation allocation for non teaching staff pay awards for the current year as follows:

- a) £1,127k to be transferred to the contingency budget for the impact of the Single Status pay and grading review
- b) £120k to be re-allocated to Public Realm.

## 11 ROUTINE REPORTING ON PERSONNEL

Councillor R W Hughes presented the report for Members to note the statistics on Personnel. Information would be available for the September Cabinet meeting on grant funded posts.

Information on the percentage of completed appraisals was detailed at Appendix 1 to the report. The Corporate Executive Team would receive a demonstration of the Trent system and would be looking for any evidence of problems with the system or inputters. She said Cabinet could also be given an informal overview of the system if required.

Councillor P J Marfleet referred to the increase in headcount, whilst the vacancy control procedure was in place and whilst the Authority was under severe financial pressure. The Head of Personnel said 100 extra jobs were included in the figures because of the Foundation Phase in the Education department and some collaborative posts were included on the Denbighshire roll.

Councillor J Thompson Hill referred to the low percentage of appraisals carried out in the first quarter. The Head of Personnel said the emphasis had been to complete appraisals in the last quarter and that some Directorates were changing timings of appraisals to fit in with other work.

Sickness absence was a major priority for Members and officers and the Chief Executive said it was fundamentally about management. He said he would be considering the issue in detail and that everyone had to be more aware of sickness absence. In some areas the absence was well managed and managers should have credit for this. Every service would be looked at by the Corporate Executive Team, the data would be examined and challenged where necessary. The data presentation would also improve so that funded, non funded and school posts would be clear.

Councillor Hughes said there were areas of good practice and these should be identified as our ambassadors. She would discuss Cabinet Members going into Directorates with Members at the next Informal Cabinet to discuss sickness absence.

**RESOLVED** that Members note the information in the report.

## **12 CABINET FORWARD WORK PROGRAMME**

Councillor R W Hughes presented the Cabinet Forward Work Programme.

Councillor Thompson Hill said Revenue and Capital reports would not be required at both the September Cabinet meetings.

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

## **13 ISSUES REFERRED TO CABINET BY THE SCRUTINY COMMITTEES**

There were no issues referred.

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

## **15 HARBOUR EMPOWERMENT ORDER FOR FORYD HARBOUR**

Councillor D A J Thomas presented the report seeking authority for officers of Denbighshire County Council to proceed with the creation of a Harbour Authority for the Rhyl Foryd Harbour through the application to the Department for Transport for a Harbour Empowerment Order under Section 16 of the Harbours Act 1964. He said

much investment had been made in the area and this Order would allow the harbour to be managed.

Responding to Councillor J Thompson Hill's query, he said if objections were received a public inquiry would be held.

**RESOLVED** that Cabinet authorises officers to proceed with the creation of a Harbour Authority through the application for a Harbour Empowerment Order under Section 16 of the Harbours Act 1964. Cabinet further agrees the governance regime for controlling the Rhyl Foryd Harbour be in the form of a Municipal Harbour (Local Authority Port).

## 16 IMPLEMENTATION OF APPETITE FOR LIFE (HEALTHY SCHOOL MEALS)

Councillor H H Evans presented the joint report seeking agreement in principle to the strategy outlined in the report.

The report had cross Directorate implications and it highlighted why the current service was unsustainable. Schools should play a bigger part in the service provision and he wanted more accountability, a stronger action plan and timescales for officers. It was important for Secondary Schools to improve their financial position. He felt there was disparity across the Authority in the provision and wanted to make schools responsible for the funding allocated. By providing healthy meals for pupils it could mean they were less of a burden on other services in the future. He could only support the recommendation to establish permanent budgets if timescales were agreed.

Councillor P A Dobb was pleased that the Education and Contract Services departments were working closely together on the provision of school meals but could not support the recommendation on establishing permanent budgets unless further clarification could not be provided. She also suggested that the price of a 2 course meal should be and recommended 'an increase in the price of adult meals to £3.25' be added. However, the Head of Environmental Services said that some lower paid staff would not pay over £3.00 for a meal.

The resource implications for the service provision was outlined in the report and the Head of Environmental Services said the £150k previously allocated would always be needed. Budgetary demands could be reduced, if the schools implement the measures contained within the 'payback scheme'. Councillor J Thompson Hill supported the report and accepted that it was not possible to predict outcomes. He also supported the increase in the cost of adult meals to £3.25 and said everyone had a part to play to try and keep to the £150k subsidy.

Councillor P J Marfleet said there were four options – no lunch provision, pupils providing their own packed lunch, school lunch provision or pupils going home for lunch. He asked whether schools had the authority to keep pupils on site during school hours and that if it was feasible, this should be done. The Head of Policy and Performance Lifelong Learning said pupils could be kept on site but there was no capacity to keep 6<sup>th</sup> formers on site during the lunch period. The proposals would be taken to the cluster

groups in September/October and it was hoped that all schools would take up this service or service provision would be affected. Councillor R W Hughes said discussions on making canteens more like café bars to encourage pupils to use the facilities had been discussed over the years but there was no capital funding available.

The Corporate Director: Lifelong Learning said the free breakfast initiative had been well received, particularly in the more deprived areas. He suggested that the cost of healthy school meal provision should be debated at national level.

It was suggested by the Chief Executive that any funding over and above the £150k be kept centrally and monitored and be treated as contingency funding and be reduced in line with increased income per annum to 2012. This could be reported on a 3 monthly basis.

Following further discussion, Members agreed the Recommendation at 10.3 be amended so that £150k be included in the base budget. Members also agreed the decision on subsidised adult meals be delegated to the Lead Members.

The Corporate Director: Lifelong Learning supported the cost of adult meal increases but said teachers on lunchtime duty might receive the subsidised meal cost as part of the agreement to supervise lunchtimes.

Councillor D A J Thomas suggested the cost of meal provision at Cefndy be considered as a separate issue.

**RESOLVED** that Cabinet:

- 1 *confirm the price of school meals will rise by 10 pence per meal in September 2009 in primary schools, and that an equivalent percentage increase will apply in secondary schools*
- 2 *agree the fair funding agreement should be the vehicle for defining a new financial relationship with schools, including setting up a 'payback scheme' to reward schools who take positive actions to mitigate the effects of poor take-up rates*
- 3 *agree a permanent base budget of £150k be established to maintain the Council's required levels of service provision in schools where there is no realistic prospect of operating a break even service*
- 4 *agree to allocate up to £100k to a contingency budget held centrally, which will be reduced in line with increased income per annum to 2012*
- 5 *agree to delegate the decision to the Lead Cabinet Members on possible increases to adult meal costs, following provision of further information on take-up.*

## 17 CAPITAL PLAN 2009-2010

Councillor J Thompson Hill presented the report for Members to note the latest position on the 2009/10 element of the Capital Plan, the final position of the 2008/09 financial year and note the successful projects delivered in the year. Members were asked to approve the use of existing Modernising Education funding for the purchase of an Admissions and Transfer Software Module and to upgrade the existing ICT infrastructure to support PULSE 4 as per the costs detailed in the report.

The review of 2008/09 would be reported to Council as a Part I report.

The current position regarding the major projects was detailed and Councillor Thompson Hill reported that an overrun of 4 weeks would be experienced on the Clawdd Offa Project and an overspend on extra work to a retaining wall in Ysgol Dinas Bran would need to be funded.

Councillor P J Marfleet provided an update with regard to Henllan Centre capital receipt and said the receipt would be lower than anticipated owing to the need for a green area to form part of the site.

***RESOLVED*** that Members note the latest position on the 2009/10 element of the Capital Plan, the final position of the 2008/09 financial year and note the successful projects delivered in the year. Members also approve the use of existing Modernising Education funding for the purchase of an Admissions and Transfer Software Module and to upgrade the existing technical infrastructure to support PULSE 4 as per the costs detailed in the report.

The meeting concluded at 3.10 p.m.



**REPORT TO CABINET**

**CABINET MEMBER: COUNCILOR D A J THOMAS,  
LEAD MEMBER FOR REGENERATION**

**DATE: 8<sup>TH</sup> SEPTEMBER 2009**

**SUBJECT: NORTH WALES COAST 2016 ACTION PLAN**

**1. DECISION SOUGHT**

1.1 To agree the Council's representation to the Deputy Minister for Regeneration on the North Wales Coast Strategic Regeneration Action Plan produced by the Deputy Minister and to agree the necessary representation and co-ordinational links between the Council and the strategic regeneration area.

**2. REASON FOR SEEKING DECISION**

2.1 In October 2008, the Deputy Minister for Regeneration, Leighton Andrews AM announced the North Wales Coast would be designated a Strategic Regeneration Area (SRA). This is the third SRA in Wales and since then additional SRAs have been designated. The SRAs are intended to focus regeneration activity into a relatively small number of strategic regeneration areas so as to maximise the impact of limited regeneration resources.

**3. POWER TO MAKE THE DECISION**

Section 2 of the Local Government Act 2000 confers upon the Council the power to promote and improve the economic well being of its area. The Deputy Minister's powers are derived from the Housing Grants Construction and Regeneration Act 1996, Part IV grants etc for regeneration development and relocation.

**4 RESOURCE IMPLICATIONS**

4.1 The resources available from, Welsh Assembly Government are mainly in the form of capital with a limited amount of revenue. However, the resources provided are capable of being used to match fund other streams of money particularly European Convergence Programme and the designation is also capable of being used to bend other Government priorities in the direction of projects within the Strategic Regeneration Area. It is likely that the impact therefore of the designation will be considerably greater than the extent of the resources available within the regeneration budget itself.

4.2 The Deputy Minister has indicated that the designation will require all public agencies to work together to co-ordinate the necessary intervention to bring about change and that the process engages with communities themselves to secure their "buy-in" to the process.

4.3 The Action Plan is the subject of consultation before being finalised later this year – probably at the beginning of October, and the Minister is requesting the views of stakeholders, including the County Council, on the Action Plan.

4.4 While no plan has been produced with the Action Plan, the boundary has been defined as from the ward of Llandrillo yn Rhos in Conwy to the eastern County boundary of Denbighshire. The SRA runs at a County Council's depth all the way

from Llandrillo yn Rhos to Prestatyn but within Denbighshire, the whole of Rhyl and Prestatyn together with Meliden, Rhuddlan, Bodelwyddan and St Asaph are also included. The Minister has indicated that the statistical evidence for the Action Plan's proposed key sectors for intervention justify a concentration on wards of Rhyl and Colwyn Bay, but that nevertheless, there will be opportunities for intervention elsewhere within the Strategic Regeneration Area which will help all the affected communities and the major opportunities at St Asaph Business Park and the coastal tourism opportunities at Prestatyn come into this category.

- 4.5 The strategic context for the SRA stems from the Wales Spatial Plan, Convergence funding, sustainable regeneration framework and the Government's One Wales Agenda and these will be underpinned by the Assembly's emphasis on Equal Opportunities, Making the Connections, Sustainable Development policies, the Welsh Language Policy and Child Poverty.
- 4.6 North Wales Coast SRA Vision is that 2016 it will become "a thriving, attractive and vibrant area in which to live that is welcoming, safe and friendly – a place with unique character but supports balanced, permanent and self assured communities within a prosperous and sustainable local economy. The Action Plan's interventions will be under the strategic headings of Space for Living, dealing with housing, Health and Well being; Education and Skills; Community Cohesion, promoting safe and vibrant communities, Environment and Transport and Sustainable Economy.
- 4.7 The Action Plan's overview of the North Wales coast today points out the particular difficulties faced within Rhyl.
- Education deficiencies – more than 50% of the residents of west and south west Rhyl wards have no qualifications.
  - Rhyl has been left with a post mass tourist legacy of large former guest houses which are now poor quality HMOs.
  - More than 4,300 people – 31% of working age people claim benefits in some shape or form in Rhyl.
  - Rhyl wards feature as 1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 67<sup>th</sup>, 87<sup>th</sup> and 152<sup>nd</sup> out of the total 1,896 wards on the Multiply Deprivation List.
  - In Rhyl west in particular the transient nature of the population is shown by the fact that over 81% of people held their tenancies for less than 5 years.
  - While crime statistics have improved over the past five years within the SRA, it is still the case that in Denbighshire, the two major crime types are violence against the person and criminal damage. 54.5% of all cases involving violence the person to occur in Rhyl and 68% of this occurs in two or three streets in Rhyl west. Statistics supported by perception shows that the incidence of crime is reducing but there are clearly sharp areas of difficulty.
- 4.8 On the basis of the evidence, the Government has identified the following key issues for the North Wales Coast SRA.
- Housing quality – it is estimated that there are nearly 1,000 HMOs of varying quality within the SRA.
  - Economic inactivity and the benefits. Across the SRA 11.8% of people claim incapacity benefits rising to 15.7% in Rhyl and spiking at 27.7% in Rhyl west compared with the Denbighshire average of 10% and the Welsh average of 10.5%.

- Structural changes in employment. – The contraction of the hospitality sector and the closure of a number of visitor attractions require the provision of new and better jobs. While new job opportunities have been created at St Asaph, Kimmel Bay and Abergele, a major barrier to Rhyl people from accessing these opportunities is the low levels of skills attainment so that education and training will be a key to improving employment opportunities. Access also is an issue and more people in Rhyl work within 5 kms of their home than the Denbighshire and Welsh averages.
- Environment – The condition of some of the town centre and public amenity areas within the SRA requires to be improved. Marked improvements have occurred but more still needs to be done.
- Opportunities – With excellent natural environment, good road and rail links, a successful and progressive further education college, there is still a viable tourist industry on the North Wales Coast and building on these core elements requires that the endemic and locally chronic social and environmental problems be tackled. Therefore major priorities will be :-
- Reducing economic inactivity – building on the success of the Rhyl City Strategy.
- Improving skills and sector targeting and Coleg Llandrillo, Rhyl will be critical in this and targeting the construction, retail and social care sector
- Creation of new jobs for long term sustainable employment – Building on the success of the nearby business parks at Tir Llwyd, Kimmel Bay, St Asaph and North Wales and the Optic Technium within the SRA at St Asaph. The Wind Farm and the opportunities at Ford Harbour together with the general business community throughout the SRA need to be further promoted.
- Progression towards a more vibrant visitor economy. The tourism identity of the area is struggling and the area needs to consider whether the opportunities of the stable but low quality, low value, and traditional seaside tourism are as important as newer niche markets catering for smaller volume – higher spending visitors. In the latter regards the opportunities at the Foryd Harbour need to be considered.
- The Council may wish to ask for the developing work on the Local Development Plan to be reflected more closely in the draft Action Plan, particularly the major new proposals for Bodelwyddan. Also the Council's aspirations for a remodelling of secondary education may merit greater attention.

4.9 Ever since the Deputy Minister's announcement in October, Council Officers have been working with colleagues in Conwy and Government Officials in order to bring forward a programme of appropriate projects to take forward the SRA objectives.

#### **CURRENT SRA PROGRAMME**

4.10 Appendix B gives the present position in relation to Denbighshire projects. Currently the Council is working on £24.85 million worth of projects which have been approved in principle or in full. Further projects which are going through the approval processes. An initial list of projects being developed beyond the County Council is also included. This list is very much provisional as the SRA machinery has not yet captured all the data on this.

#### **4.11 FUTURE PROGRAMME**

Funded within the current programme are a series of studies which will provide the ground work for further SRA actions. These are: Rhyl Traffic Modelling, Traffic Light Synchronising Study and Access Road Feasibility Study to help develop improved traffic flow to and within Rhyl, Rhyl Attractions Redevelopment Project to advise on options in relation to coastal facilities. Coastal Visitor Economy Study to evaluate the current visitor market and advise on investment discussions and The West Rhyl

HMO Reduction Masterplan, The Rhyl Coastal Masterplan, The Marine Lake Environmental Improvements Study, Rhyl High Street Improvement Study, Foryd Harbour Business units design, Barkby Beach Masterplan and other studies are likely to be identified increasing in assessing the performance and impact of this SRA.

#### **SRA DECISION MAKING PROCESS**

- 4.12 All the SRAs are led by Partnership Boards chaired by the Deputy Minister. The Denbighshire membership includes the Leader of the Council, The Lead Member for Regeneration, the Chief Executive and the Corporate Director for Environment. Similar representation is provided from Conwy and from the major agencies within North Wales.
- 4.13 The Board is supported by a strategic team led by the Programme Director, a WAG official. Each strategic area of intervention will be represented by a WAG co-ordinator and the Heads of Development of Conwy and Denbighshire and the relevant senior manager for Rhyl Going Forward and Colwyn Bay Life are also on this team. The Board is seen as the approval mechanism for large funding decisions and for providing strategic direction. The project team provides the necessary support in analysing and evaluating project proposals and providing an approval mechanism for smaller decisions.

#### **COUNTY COUNCIL INVOLVEMENT**

- 4.14 The Council's Regeneration Improvement Board has led the discussions on SRA hitherto. It is proposed that it continue to fulfil this role providing support for the officers involved and ensuring that the Cabinet is properly briefed through the Lead Member for Regeneration on developments. Within the Strategic Regeneration Area a suggestion has been made that there should be, when appropriate, joint discussions between relevant members of Conwy County Borough Council and Denbighshire County Council. It is proposed that the Lead Members on the Regeneration Improvement Board provide the Denbighshire side of this coordinational machinery.

#### **COMMUNITY CONSULTATION**

- 4.15 The Government have asked the Council to consider further the consultation process for involving the community and the business sector within Rhyl. Currently a Visitor Economy Study and the forthcoming BRAND project are developing stakeholder groups and consideration should be given to involving these and evolving a group to provide for SRA consultation. The Area Members groups will clearly have an involvement as well as the emerging community fora.

#### **COUNTY COUNCIL APPLICATION PROCESS**

- 4.16 The application process for support from the SRA is to the Welsh Assembly Government Programme Director who has asked that Denbighshire County Council applications be channelled through the Head of Development. Within Development Services, therefore, there is a capacity to provide support to officers seeking to make SRA applications. WAG is anxious that some of the larger applications should be developed on a co-ordinated basis across the SRA and support will be given to these and by the WAG appointed intervention co-ordinators.

**COUNTY COUNCIL APPROVAL PROCESS** It is important to note that the Council's own approval processes are not affected by the SRA machinery. The

development of requests for resources requires approval from the Capital Plan approval process, if appropriate and through the normal budgetary controls within services and Directorates for revenue sums. The Head of Development will not pass on applications to the Welsh Assembly Government without being clear that the approval processes have been satisfied. He will continue to liaise with the Financial Controller and accountants.

**4.1 Cost Implications:** The Council has provided from the VAT receipts a sum of £180,000 to provide limited match funding and contingency provision. This is sufficient for the moment.

**4.2 Staffing / Accommodation Implications:** From within the VAT receipt refund, a staffing resource has been provided which will enable an officer to be based in Rhyl. Additional staffing requirements will be met from within approved projects. As the programme develops further it is inevitable that there will be additional requirements for Council resources.

**4.3 IT Implications:** Within existing resources.

## **5. RISK ASSESSMENT**

### **5.1 Risks associated with not agreeing the recommendation/s**

The Council is being asked to comment on a Government initiative. The Council is at liberty to seek to amend the initiative and there appear to be no obvious risks in making representations. If the Council were to decline to support the initiative or to take part in the collaborative procedures, there is a significant risk of a loss of substantial resource to the most deprived communities within Denbighshire.

### **5.2 Risk associated with agreeing the recommendation/s**

Again the Council is being asked to make comments on a Government initiative and there appears to be no risks arising from making comments. The risks of agreeing the recommendations in relation to supporting the initiatives are controlled by existing Council processes for approving project development and implementation.

## **6. FINANCIAL CONTROLLER STATEMENT**

Current projections for future levels of WAG Capital support for Councils suggest an annual reduction of about 10%. Funding for projects from other sources, including EU funding, will become increasingly important.

## **7. CONSULTATION CARRIED OUT**

I have consulted with the Regeneration Improvement Board, the Corporate Executive Team, The Rhyl Members Group and all generally support the initiative (and their more detailed recommendations have been included in this report).

## **8. IMPLICATIONS**

There are significant implications for resource levels across a range of Council activity within the SRA. There are implications for Council capacity as the programme develops and significant implication for operational issues in all the Council's activities affected the by programme

### 8.1 Assessment of Impact on Corporate Priorities:

The SRA Action Plan is consistent with and will have a positive impact on all the Council's Corporate priorities. In particular, it will support the priorities of regeneration and infrastructure through the provision of additional funds. In targeting skilling as a major area of activity, it will support the modernising Education priority. In its intention to develop a more settled community, it will respond to the demographic change priority. In its requirement for the development of fresh community consultation processes within the affected area, it will respond also to the leader's Statement of Intent helping to bring the Council closer to the communities.

### 8.2 Assessment of impact on the Vision, Community Strategy, Equalities and Sustainability:

The SRA will have a major role to play in developing Denbighshire's Vision. The SRA vision for 2016 will be an important stepping stone on the road to Denbighshire's Vision for 2025 and its cross-cutting theme foster both equality and sustainability issues.

## 9. ACTION PLAN

ACTION	RESPONSIBLE OFFICER / DATE BY WHEN ACTION TO BE COMPLETED	ACTION TO BE REVIEWED BY / DATE TO BE MONITORED
Provide Cabinet response to North Wales Coast 2016 Action Plan to Welsh Assembly Government	David Gareth Evans, Head of Development – 30 <sup>th</sup> September 2009	Iwan Prys Jones, Corporate Director Environment – 10 <sup>th</sup> October, 2009
Advise WAG and Conwy of agreement to new collaborative networking arrangements	David Gareth Evans, Head of Development – 30 <sup>th</sup> September 2009	Iwan Prys Jones, Corporate Director Environment – 10 <sup>th</sup> October, 2009

## 10. RECOMMENDATIONS

- 10.1 That the Cabinet approves the North Wales Coast 2016 Action Plan and agree to write to the Deputy Minister for Regeneration supporting the Action Plan and its implementation.
- 10.2 That the Cabinet agrees the proposed collaborative mechanisms as outlined in the report and agree to write to Conwy County Borough Council seeking a meeting to implement the joint County arrangements.
- 10.3 That the Cabinet recommends that the relationship between the Action Plan and the LDP be further developed and that the developing work on Rhyl secondary schools be reflected in the skills agenda of the SRA.



# NORTH WALES COAST 2016 ACTION PLAN



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

## June 2009 Introduction

I announced in October 2008 that the North Wales Coast would be designated a Strategic Regeneration Area (SRA) – thus becoming the third SRA in Wales. The policy that will guide regeneration activity into the foreseeable future will aim to create a relatively small number of strategic regeneration areas, the rationale being that we need to maximise the impact of our limited regeneration resources to make a real difference to the communities in which we work. The newly created North Wales Coast SRA is ideally placed to benefit from this approach.

I recognise that some of the communities along the North Wales Coast suffer from deep rooted problems as highlighted in the recent update of the Welsh Index of Multiple Deprivation. The challenge ahead of us is clear for all to see. To begin making progress and to be truly effective in addressing the priorities identified in this Action Plan (e.g. issues surrounding housing, health and education provision), it is vital that all organisations – public, private and third sector – work together to co-ordinate the necessary interventions to bring about change. Just as vital however, is the engagement with the communities themselves and their ‘buy-in’ into this process - a positive attitude towards the regeneration process will significantly increase local capacity to bring about real benefits for today’s residents and future generations. Everyone needs to play their part!

This Action Plan has been informed by the available statistical evidence as well as through consultation with a number of stakeholders. It is an analysis of the main issues that have been identified through the consultation process to date and indicates what our priorities need to be if we are going to tackle the scourge of worklessness and poverty which afflicts too many of the area’s wards. The Plan is now the subject of further consultation before being finalised later this year and we look forward to hearing your views so that together we can better shape a more prosperous future for an area that has undoubted potential.



**Leighton Andrews AM,  
Deputy Minister for Regeneration**



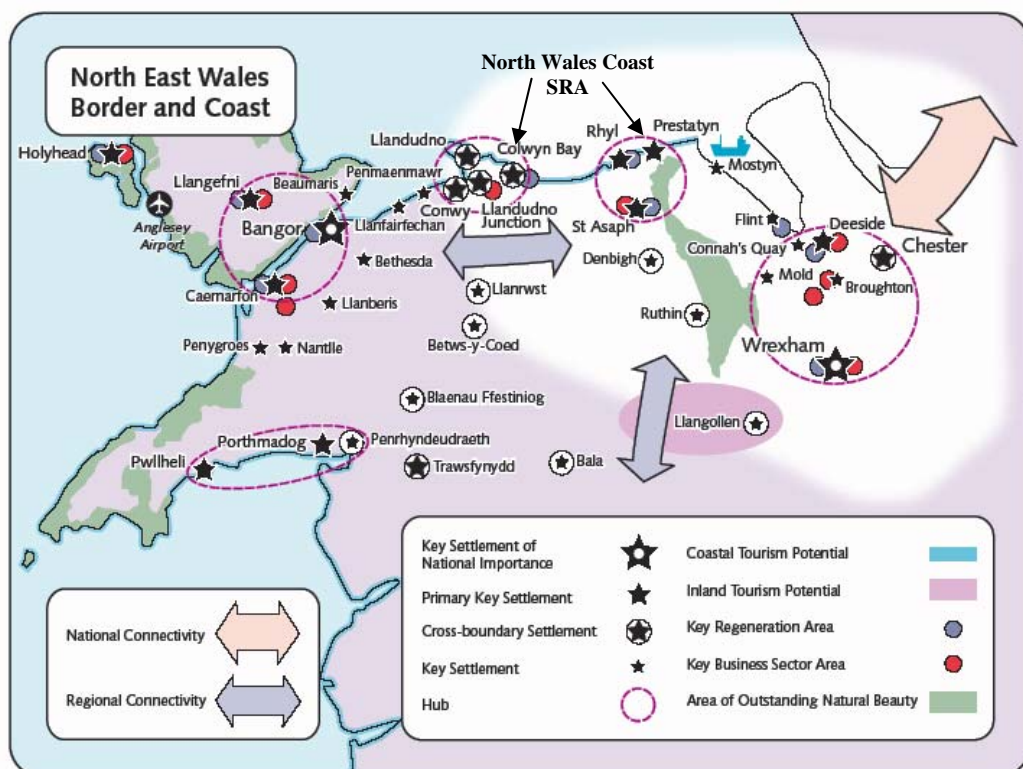
# Strategic Context

The designated Action Plan area extends from Prestatyn in the east to Mochdre in the west and is home to roughly 100,000 people. It consists primarily of coastal communities linked by the A55 trunk route, the A547 coastal road and the North Wales mainline railway.

Key strategic documents that give context to this Action Plan include:-

**Wales Spatial Plan** - the SRA is part of the North East Wales Spatial Plan Area – ‘an area harnessing the economic drivers on both sides of the (Wales/England) border, reducing inequalities and improving the quality of its natural and physical assets’. Relevant elements of the spatial strategy include:-

- Strengthening key hubs as a focus for investment in future employment, housing, retail, leisure and services;
- Developing sustainable accessibility between hubs, coastal and border towns and rural parts of the area;
- Improving the quality and diversity of the economy, with a focus on high value manufacturing and services, including a high quality year-round tourism sector;
- Developing, in a focused and strategic manner, the skills and education of the current and potential workforce.



North Wales Coast SRA within the NE Wales Spatial Plan Area

**Convergence Funding Sustainable Regeneration Framework** - this Action Plan is compatible and supports the framework for the North West and North East Wales Spatial Plan Area which highlights Rhyl and Colwyn Bay as being target regeneration centres within two coastal hubs. These will be an important focus for investment for future employment, housing and retail / leisure.

Both towns have relatively high population densities and significant pockets of multiple-deprivation. The Framework states *'that there is potential to tackle physical regeneration activities hand in hand with, for example, the Communities First agenda as well as schemes and proposals which encourage social inclusion, education and training'*

**One Wales** - the thrust of the Action Plan also assists the Assembly Government's coalition agreement by contributing extensively to the 'Living Communities' and 'A Fair and Just Society' objectives whilst also playing a role in meeting the 'A Healthy Future' and 'Learning for Life' objectives. These objectives will in particular be advanced by:-

- **meeting housing need and ensuring 21<sup>st</sup> century housing** – through a radical programme of HMO (houses in multiple occupation) removal and/or refurbishment and improved standards enforcement across the SRA;
- **improving and developing healthcare services** within the area. New facilities are planned at Ysbyty Glan Clwyd and the Royal Alexandra in Rhyl will either be redeveloped on its current site, or demolished and rebuilt elsewhere. A number of new primary healthcare centres are also being planned e.g. the new Health Centre at West Kinmel Street in Rhyl to be delivered within the SRA timeframe.
- **improving regional transport** – e.g. station and inter-modal improvements in both Rhyl and Colwyn Bay and across the SRA. A focus on improved transport infrastructure links and public transport improvements will also assist;
- **creating 21<sup>st</sup> century schools** – e.g. pre- and post 16 school provision improvements and enhancements especially in Rhyl; and
- **enhancing citizenship and community cohesion** - regenerating communities and tackling child poverty through e.g. the Communities First partnerships in Rhyl South West, Kinmel Bay and Colwyn Bay (Rhiw and Glyn wards). A new approach to the community agenda is being developed in Rhyl West while the Rhyl City Strategy is targeting employment and inactivity.

The following core principles will underpin and be cross-cutting themes through all our work:-

- **Equal Opportunities** – the promotion of equal opportunities is a key requirement of the Assembly Government and we will deal proactively to remove barriers to participation and success and we will not discriminate against any individual or group.

We will undertake an Equality Impact Assessment of the Action Plan and will work closely with each partner involved in its delivery to ensure that projects are implemented with equality and diversity issues duly considered. We will work with partners to consider equality, diversity and human rights issues in every aspect of a scheme's development and will promote the consideration of how aspects of gender, race, disability, sexual orientation, religion or belief, age and size are treated throughout.

- *Making the Connections* – we will make a difference by understanding the whole picture, then developing joined up solutions with our partners to the challenges and opportunities that we face;
- *Sustainable Development* – we will take a joined up approach to economic, environmental and social development, taking into account the potential future impacts of climate change and embedding the principles contained within the Welsh Assembly Government's 'Creating Sustainable Places' guidance.

All projects will have an impact on the physical environment in which they are based and they will be very carefully designed, planned and constructed to the highest environmental credentials (e.g. BREEAM, CEEQUAL, Code for Sustainable Homes etc.) with design standards being reviewed by the Design Commission for Wales in appropriate cases. All new buildings brought forward as part of this project will be designed and implemented to the highest BREEAM 'Excellent' standard as a minimum. From 2011, all Assembly supported projects will aim for zero carbon emission.

- *The Welsh Language* - The area's cultural identity is very much influenced by the Welsh Language which is spoken by 1 in 5 of the area's residents. In order to embrace and support our heritage, projects under the Action Plan will ensure that all associated activities and printed material (i.e. signage, interpretation boards, information leaflets and publicity surrounding any associated events) will be produced bilingually in accordance with the obligations of the language policies of the Assembly and each partner organisation.
- *Child Poverty* – The eradication of child poverty is one of our key cross-cutting objectives within the SRA and is a key policy for the Assembly Government. We will work with partners to respond to child poverty issues within the SRA working in particular with the Rhyl City strategy to develop appropriate interventions to complement and add value to UK Government interventions through the tax and benefits system and welfare to work programmes.

# The Vision for the North Wales Coast

Our interventions across the North Wales Coast SRA over the next 7-8 years aim to maximise linkages between different strategic sectors and are intended to address the fundamental weaknesses that exist currently within the area's economy, health and social cohesion. Interventions and resource allocation within the SRA will be focussed primarily on the issues that can bring about genuine change to the socio-economic profile of the area. The regeneration of the coastal towns of Rhyl and Colwyn Bay is central to this strategy.

The Vision for the SRA is that it will by 2016 become:-

***'a thriving, attractive and vibrant area in which to live that is welcoming, safe and friendly - a place with unique character that supports balanced, permanent and self-assured communities within a prosperous and sustainable local economy'***

Tied in with this vision is the aspiration that the ward Lower Super Output Areas (LSOAs) within the SRA will make significant progress in moving up the Welsh Index of Multiple Deprivation by 2016. The fundamental principles of both visions are complementary and express the long term goals towards which the local SRA team will work in collaboration with local partner and stakeholders.

It is nevertheless worth qualifying and clarifying that by 2016, we will under the following key strategic headings, be aiming towards:-

- **Space for Living** – providing fit-for-purpose housing throughout the area to include higher quality homes at the higher end of the market along with better quality affordable family housing;
- **Health and Well Being** – providing 21<sup>st</sup> century facilities and services to support a healthy workforce that will be flexible and confident enough to adapt to the challenges of tomorrow;
- **Education and Skills** - generating an educated and economically active workforce that is able to grasp the opportunities that are, and will be created across the wider region;
- **Community Cohesion** – supporting safe and vibrant communities that are capable and self-confident in their own ability to address local issues;
- **Environment and Transport** – creating a pleasant, clean and well managed environment in which people want to spend time and which is attractive to investment. Opportunities within the marine leisure sector in particular will be maximised;
- **Sustainable Economy** – encouraging and enabling the private sector and social enterprises to grow and provide a diverse range of long-term sustainable employment opportunities.

## The North Wales Coast Today

The North Wales coast across Denbighshire and eastern Conwy is by today primarily a suburban area with little or no undeveloped shoreline remaining. The area's main towns began to grow with the arrival of the railway during the Victorian era while the hamlets and small villages in between grew as infill during the middle and latter half of the 20<sup>th</sup> century. The main driver for this growth has been seaside tourism and the demand for hotels, boarding houses and B&Bs resulted in the development of larger than average residential properties within each of the main towns. While prosperous for almost a century, the heyday of mass seaside tourism has now long passed and each settlement struggles to mask an air of decay.

Despite a large number of new jobs being created within the SRA boundary since 2000, especially at St Asaph Business Park and increasingly at North Wales Business Park, Abergele, higher than average unemployment and economic inactivity still afflicts the area. While a large percentage of employees on these Business Parks are sourced from within the SRA, a disproportionate number of



residents do not have the basic skills required to be considered for many of the opportunities on offer. More than 50% of the residents of Towyn, Abergele, Pensarn, Rhyl West and Rhyl South West wards have no qualifications while fewer than 10% in Rhyl West, Rhyl South West, Prestatyn North, Kinnel Bay and Towyn have degrees, or professional, technical qualifications.

Rhyl and Colwyn Bay, the SRA's two main towns are suffering, like many former coastal resorts in Britain, from this gradual but relentless decline in their fortunes. Each town has been left with a 'post-mass tourism' legacy of large, 4-5 storey former guest houses many of which are now poor quality HMOs. Their quality is such that rents are low, the number of benefit recipients high and

many of the tenants have chaotic lifestyles which lead to a myriad of local social problems (e.g. anti-social behaviour and petty crime).

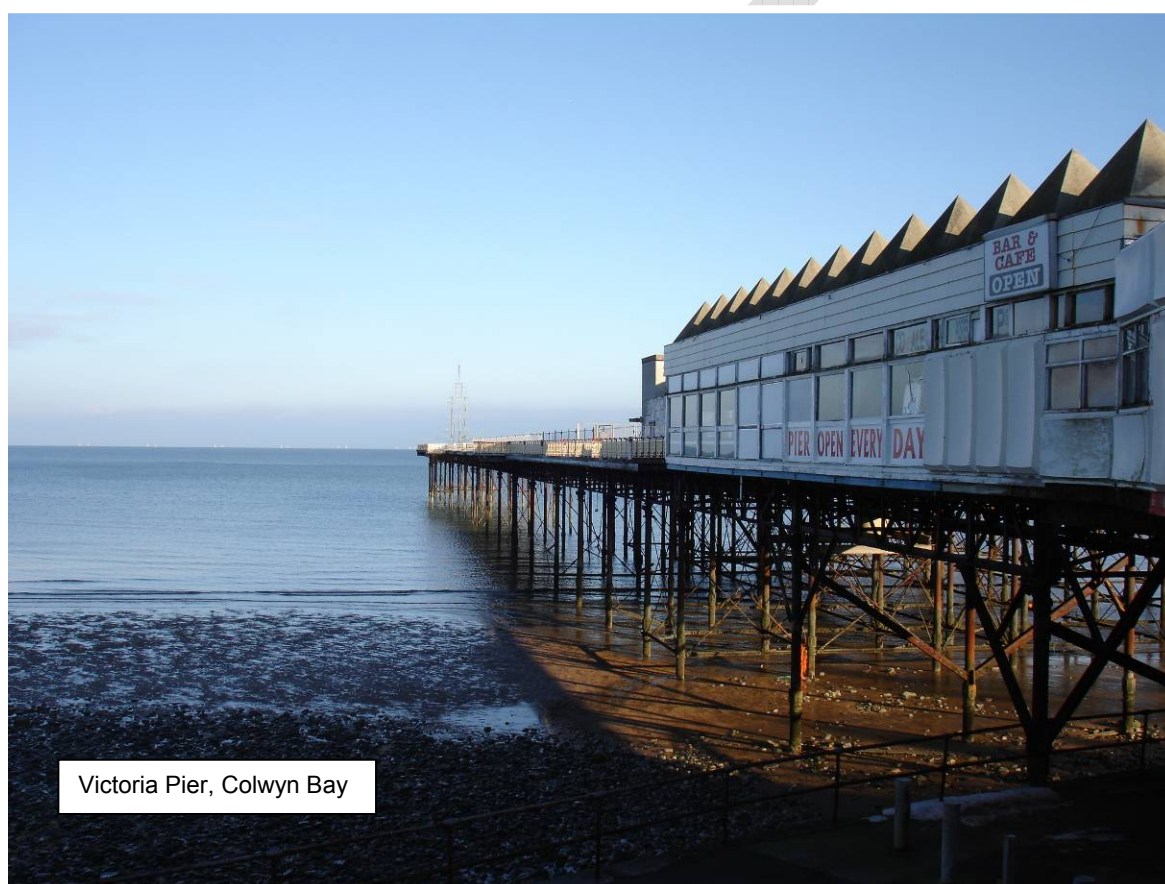
Increasingly over the past 5-10 years, the approach to regeneration has recognised that comprehensive and co-ordinated economic, environmental and social interventions are required to bring about genuine regeneration. In Rhyl, the Rhyl PACT<sup>1</sup> developed the Rhyl Going Forward Key Investment Programme after intense consultation with key stakeholders. (*Rhyl Going Forward, Insight Ltd., 2002*). Similarly in Colwyn Bay, the Bay Life Initiative is about far more than the physical regeneration of the town. The Initiative aims to tackle training and skills

<sup>1</sup> The PACT is an informal steering group established to steer the regeneration process in Rhyl, bringing together all the public agencies (local, regional, national) that has a 'policy footprint' in the town.



gaps, crime and disorder challenges and health and well-being issues. The Initiative has to date worked closely with over 30 community groups and 200 businesses to develop an integrated action plan which incorporates the key issues from a number of sectoral strategies that affect the town – e.g. coastal defence, traffic management and so on.

Since the publication of the Rhyl Going Forward Strategy and Key Investment Programme in April 2004, Rhyl has turned a corner with a new optimism infusing those involved with the regeneration agenda. Much progress has been made with the physical regeneration of West Parade through the West Rhyl Regeneration Area strategy (e.g. Drift Park, removal of some of the worst HMOs).



Victoria Pier, Colwyn Bay

Over much the same period, the Bay Life Initiative has worked hard to bring forward the Bay Life Initiative Development Plan 2007-14 in which the key areas in required to deliver lasting change are identified. An inclusive and comprehensive management and consultation structure has also been crafted to involve local politicians, the voluntary and community sectors. Progress has been made on a number of issues (e.g. environmental improvements to a number of the town centre's main streets) and initiatives to improve education and skills at the town's library have been pursued as has action in support of children and families (e.g. the Flying Start and Dan's Den projects).

Other communities within the SRA have also suffered from the decline in domestic mass tourism. Prestatyn, home to a large Pontin's camp, has attempted to diversify its economic base while leisure companies in Kinmel Bay and Towyn

have invested heavily in their caravan park facilities in an attempt to capture as much spend on site as possible. With the exception of Pensarn however, where there is an acute but geographically limited HMO problem, a less dense urban layout with fewer large houses along their shorelines mean that these communities in general do not suffer from the same degree of housing deprivation as parts of Rhyl and Colwyn Bay.

The UK Government's Department of Work and Pensions (DWP) feels that state benefits play too large a role in the economies of many communities. The inclusion of Rhyl as a City Strategy pathfinder, a pilot programme set up to address the employment/benefit agenda at a local level, has helped to focus local agency and stakeholder attention on these issues. The Rhyl City Strategy is striving to address the fact that more than 4,300 people (c. 31% of working age people) claim benefits in some shape or form in Rhyl and while we need to safeguard the rights of the deserving, we nevertheless need to tackle the root causes of why the town, and the SRA area in general, do not contribute as positively as they should to the North Wales economy.

While progress is being made on a number of key themes across the SRA, there is still nevertheless a great deal of work yet to do. This Action Plan outlines the broad co-ordination of action that we need to take to :-

- substantially improve the quality of housing in a number of the communities within the SRA;
- get the economically inactive into meaningful and sustainable employment ;
- transform the coastal area's performance in creating more and better jobs through the creation of new employment space and a new approach to tourism;
- address key issues in areas such as education, skills development and health through better co-operation and cross-sectoral management; and
- improve the area's image (particularly that of Rhyl) both regionally and nationally.

# North Wales Coast – Key Statistics

A number of key statistics that highlight the scale of the task facing regeneration within the North Wales Coast SRA are worth noting:-

- the July 2008 publication of the updated Welsh Indices of Multiple Deprivation confirms that despite all regeneration efforts to date, the performance of the SRA's most deprived wards has not yet improved with three Rhyl LSOAs within the 5 worst in Wales. In addition, a further 6 LSOAs from the SRA are within the bottom 10%;

<b>Overall Scores for Bottom 10% of LSOAs within the SRA</b> (1,896 in dataset)			
Rank	Score	LSOA name	ONS description
1	81.0	Rhyl West 2	Denbighshire
2	78.1	Butetown 2	Cardiff
3	77.9	Queensway 1	Wrexham
4	77.6	Rhyl West 1	Denbighshire
5	74.5	Rhyl South West 2	Denbighshire
44	73.6	Glyn 2	Conwy
67	56.5	Rhyl West 3	Denbighshire
87	52.2	Rhyl South West 1	Denbighshire
120	47.7	Abergele Pensarn	Conwy
143	45.1	Rhiw 3	Conwy
152	44.8	Rhyl East 3	Denbighshire

Source: Welsh Index of Multiple Deprivation 2008 (WIMD) - Summary Report

- housing quality is a major issue across the SRA. While work to reach the Welsh Housing Quality Standard by 2012 is ongoing within the Council-owned and RSL (registered social landlord) stock, the private rental stock in parts of Rhyl West, Colwyn Bay and Pensarn is still poor in quality and is problematic and labour intensive to manage. While the number of housing benefit claimants across the SRA is only marginally above the Conwy, Denbighshire and Wales averages, a number of hotspot wards spike at near double or triple the average;

<b>Housing Benefit/Council Tax Rebate Claimants, North Wales Coast SRA</b>									
	Rhyl West	Rhyl SW	Abergele Pensarn	C Bay Glyn	Rhyl	SRA Total	DCC	CCBC	Wales
All Claimants	1,245	925	415	630	3,935	<b>11,880</b>	9,255	10,455	292,040
% population	29.7	18.0	19.3	16.1	16.1	<b>11.9</b>	10.1	9.7	9.8

Source: ONS

- unemployment figures for the SRA, Wales and the UK have been relatively low in recent years but in parts of Rhyl, they are stubbornly above the national average (17.7% in Rhyl West, 7.2% in Rhyl South West). This is despite the fact that the Denbighshire coastal area has seen a large number of jobs created over the past decade (6,000 new jobs between 1997-2007). Other significant variances from the average occur in Glyn (9.6%) and Abergele Pensarn (7.5%) wards;



- residents within the SRA claim an above regional average of people claiming state benefits in addition to housing benefit. 30.8% of working age people in Rhyl receives employment or health/carer related assistance compared with 18.2% across Denbighshire. There are significant variations across town wards - while Rhyl South East is comparable to the Denbighshire average, almost 55% of people in Rhyl West are benefit recipients with 28.7% on incapacity benefits alone;

<b>Benefit Claimants (working age clients), North Wales Coast SRA</b>									
	Rhyl West	Rhyl SW	Abergele Pensarn	C Bay Glyn	Rhyl	<b>SRA Total</b>	DCC	CCBC	Wales
All Claimants	1,465	960	445	725	4,330	<b>12,680</b>	-	-	-
% population	53.2	30.7	39.1	29.6	30.8	<b>21.9</b>	18.0	17.3	14.0

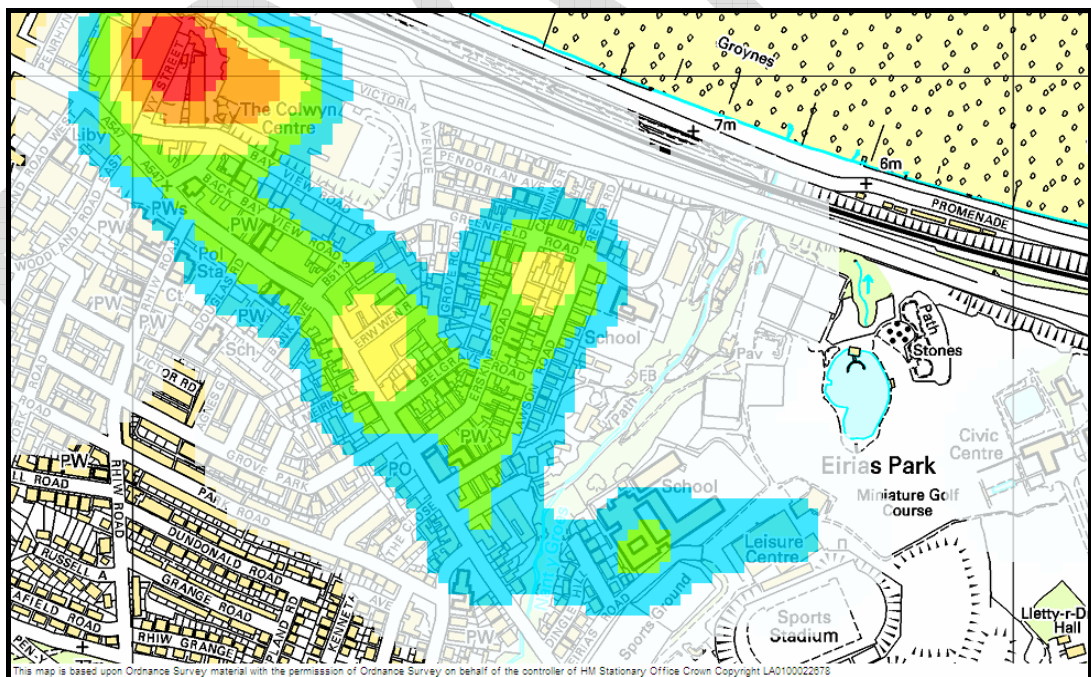
Source: DWP on NOMIS

- the percentage of elderly people (defined here as those over 65) living within the SRA is 23% which is well above the Rhyl (19.6%) Denbighshire (20.2%) and Wales (17.4%) averages. The greater Colwyn Bay area average (23.4%) is slightly higher than the SRA's varying from the SRA high in Llandrillo-yn-Rhos (38.1%) to the SRA low in Llysfaen (8.2%). In Rhyl, the pattern varies considerably with Rhyl West (12.9%) and Rhyl South West (13.6%) having a significantly lower elderly population compared with Rhyl East (32.9%) and Rhyl South (25.3%). The housing stock in Rhyl East reflects the above average age profile of residents with a large number of small, closely spaced bungalows of variable quality.
- housing condition research undertaken within Housing Renewal Areas in parts of the Rhyl West and Glyn wards of Colwyn Bay, over 81% and 57% respectively of people had held their tenancies for less than 5 years. The transient nature of the population and the inability of a significant proportion of tenants to hold on to their tenancies for any length of time is a major contributory factor to the deprivation statistics within these wards;
- since May 2004 and the opening of the EU borders to workers from new Eastern European nation states, there has been a marked in-migration increase into both Wales and the UK and Rhyl is now thought to be home to around 900 economic migrants at any given time (data from Rhyl Benefits Advice Shop). This relatively large in-migration has not resulted in any noticeable social conflict but since most earn the minimum wage and are only able to pay minimum rent, their presence has not helped stimulate any significant private landlord investment into the impoverished HMO stock. Our understanding of migration patterns elsewhere within the SRA is poor.
- while the health and employment focussed agencies work hard to get the unemployed and economically inactive into work, their collective efforts seemingly result in little net improvement to the key health and economic inactivity statistics. Until there is improvement in the condition of private sector rented accommodation, the conveyor belt that has moved many

hundreds of individuals and families, many with drug and alcohol related problems, into the Rhyl, Colwyn Bay and Pensarn areas over the past 20-25 years to be re-housed will not stop. This has placed an enormous strain on housing, education and health care services within the SRA and agencies will continue to struggle until migration can be sustainably managed.

- crime statistics have improved over the past 5 years within the SRA and statistical analyses released through the Community Safety Partnerships within both Conwy and Denbighshire show a reduction in crime in most categories.

The two major crime types in Denbighshire are VAP - violence against the person (which includes alcohol related violence) and criminal damage. While Rhyl is the focus for most of this crime (54.5% of all VAP – 68% of which occurs in 2 or 3 streets in Rhyl West and 50.4% of all criminal damage in 2007), the number of incidents is decreasing with a 28% reduction in VAP crime between 2006-07 and a 11% decrease in criminal damage. Much of the crime in Colwyn Bay town centre is concentrated around the Bay Life Shopping Mall (Bay View Road, Ivy Road), Lawson, Erskine and Erw Wen Roads. However, work on the Vulnerable Localities Index shows that as in Rhyl, VAP crime within the town centre reduced by 39% during 2006-07 while shoplifting reduced by 42%. Unlike Rhyl however, incidents of criminal damage increased slightly (+3%) over the same period.



Crime Hotspots in Colwyn Bay Town Centre 2006/07 (source North Wales Police)

The perception that crime in Rhyl is reducing is also supported in resident surveys carried out by Wavehill Consultants in 2007 with 49% stating that they feel safer on the streets now than they did in 2005 when a similar survey was conducted. In Colwyn Bay, a 2006 baseline survey found that

while 85% of people felt safe walking around the town during daylight hours, this reversed with more than 74% claiming to feel unsafe during the night time. There has yet to be a follow up to this survey to investigate whether there has been any improvement yet in the perception of night time safety.

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# Progress to Date

This Action Plan's strategic priorities are partly informed by those identified by the Rhyl PACT and Bay Life Initiative over the past 24 months and partly through the consultation undertaken with a range of stakeholders since the October 2008 Ministerial announcement.

Two key documents have relevance:-

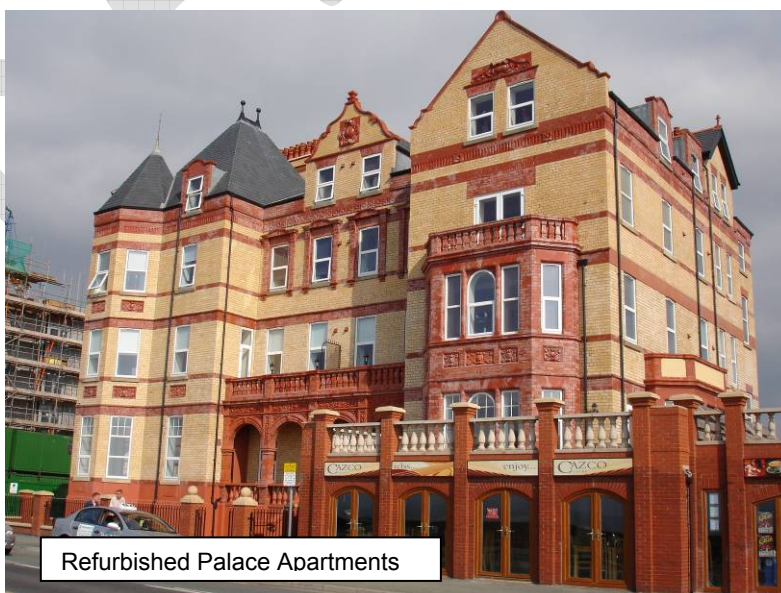
## 1. *Rhyl Going Forward Key Investment Programme (2004)*

The 2004 Key Investment Programme outlined a number of issues to address and listed ten projects that were felt to be essential to unlocking future development. In 2004, the PACT was untested but despite its inexperience, progress has been made and many of the originally identified key investments have been implemented.

*"What has been done in Rhyl over the past 4 years is spectacularly good"* according to Professor Peter Lloyd speaking at the Rhyl PACT Planning Day in January 2008. Professor Lloyd, author of the original Rhyl Going Forward report, was not necessarily referring to statistical data improvements but to his opinion that the basic regeneration building blocks are now there in Rhyl and that the town is far better governed than it was back in 2001. Much effort has been put into establishing effective relationships between organisations working in Rhyl and in bridging the trust gap between the public sector charged with bringing about change and the community which has traditionally been suspicious of public sector efforts. The PACT is by now well established but needs to evolve in response to the new challenges that arise from the new SRA status especially with reference to the demand for greater community and political representation in what is being planned for the town's future.

A number of factors have contributed to the ability of the PACT to deliver

key strategic projects, but one of the most important has been the strong partnership which has helped co-ordination and which has helped convince funders, both within the public and private sectors, that Rhyl is determined to change for the better and that their time and financial support is both effort and money well spent. While progress has been steady, the key to improved progress in the future will be the ability of the SRA Project Team to incorporate



best practice from the PACT and corral the efforts of the public sector into concerted and co-ordinated action which will undoubtedly be required to continue attracting private sector funding. This is now especially pertinent given the dramatic reduction in market activity since the beginning of 2008, particularly within the housing and retail sectors.

Involving the community has traditionally been difficult in Rhyl, particularly in Rhyl West where a significant proportion of the population is transient in nature and thus difficult to engage in local issues. Significant progress nevertheless has been made to break down the barriers between the various community groups, the local authority and other public sector agencies. While the Community First programme has from the beginning struggled to find its way in Rhyl (funding for the Rhyl West Communities First partnership has been withdrawn), recent discussions between DE&T and DSJLG have been positive and there is agreement between the two departments to co-operate more fully in helping the relevant community partnerships to better elucidate their needs, develop their action plans and ultimately achieve their goals.

## **2. Bay Life Initiative Development Plan 2007-14**

The Bay Life Initiative has been active since 2003-04 and was established in response to the local perception that Colwyn Bay required focused regeneration. The 2005 WIMD(revised) placed the ward LSOAs of Rhiw(3) and Glyn(2) in the bottom 10% with rankings of 127<sup>th</sup> and 133<sup>rd</sup> respectively and as a result, the wards were designated as Communities First wards which further emphasised the need for regeneration. The Bay Life Initiative Development Plan was approved by Conwy County Borough Council in June 2007 and builds on the foundations provided by the Colwyn Bay Regeneration Strategies 2001-06.

It was recognized at the outset that the key to developing the vision, themes and objectives of the plan, would be to engage with as many interested parties as possible in order to understand and incorporate their views. The Initiative is about more than superficial improvements and as stated on the Bay Life website *'it's about improving all the things that make a community....like transport, employment, health, housing, business and education.'*

Work to date has concentrated on regeneration schemes that have been able to draw down significant Assembly funding to assist in the redevelopment of the town centre. Streetscape works to Greenfield and Sea View Roads have already been completed and work is in progress on Station Road. Future plans are being prepared to include i) the redevelopment of parts of Eirias Park to accommodate the Welsh Rugby Union's plans to establish a new base for the elite level regional Gogledd Cymru team; ii) a major programme of coastal defence and waterfront development works and iii) the relocation of a number of Council offices to the centre of the town.

Our interpretation of the available statistical updates, along with the qualitative assessment of progress since 2004 through extensive consultation with partners and stakeholders across the SRA, is that the fundamental direction of the

regeneration agenda that we are pursuing is correct. The key to success has to involve finding sustainable solutions to Housing, Health, Education and Social Inclusion issues without which future progress on creating a more prosperous economy will be limited. However, it is clear, that given the scale of the task facing regeneration practitioners, the next phases of work will need to be far more ambitious and far ranging than they have been to date and will need significant additional resource to deliver.

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## How will Real Progress be Achieved?

We will strive with our partners to optimise the co-ordination of effort and will use additional funding from the Assembly to ensure that investment through local and central government is planned in a strategic manner. This will assist in maximising the opportunities to lever in funding from other public (e.g. European) and private sources. We will also work with other key Assembly departments to ensure that funding is made available to deliver key regeneration projects that have a health and education focus.

We will use the tens of millions of SRA funding available over the 7-8 year lifetime of the Action Plan to ensure that the funding already being spent in the area through central and local government is invested in a more coherent and strategic way, leveraging-in significant funding from other sources, especially the private sector. The planned investment will ensure that:-

- we achieve key targets by working together
- real benefits are delivered across the wider area
- assets are utilised to the full
- private sector investment is maximised
- optimum use is made of the available funds and resources, maximising added value and value for money
- a sound return on investment is achieved
- sustainability is mainstreamed across all activities

This will all be monitored within a performance management framework that is consistent with the emerging model from the Assembly's Department for the Economy and Transport.

The additional special funding will be used as a catalyst, pump-priming and directing the resources of stakeholders towards the implementation of the agreed strategic goals across the SRA. Significant private funding has already been attracted to the area during the past 3-4 years but the challenge that now face us is to maintain an investment momentum and minimise the effect of the current 'credit crunch'. Investigation will also continue into how the European Investment Bank's Joint European Support for Sustainable Investment in City Areas (JESSICA) programme funding can be used in Rhyl and Colwyn Bay.

Further additional investment will be levered in from the private sector over the lifetime of the programme through joint projects. Rhyl and Colwyn Bay are already included as priority towns within the North West Wales Convergence Programme bid (P5T1 – Physical Regeneration in North West Wales) and in view of the close alignment between this Action Plan and other priorities of the Convergence Programme, it is anticipated that further Structural Funds will be drawn down to support :-

- improving sea defences in key areas along the coast
- creating a more favourable business environment

## North Wales Coast 2016 Action Plan

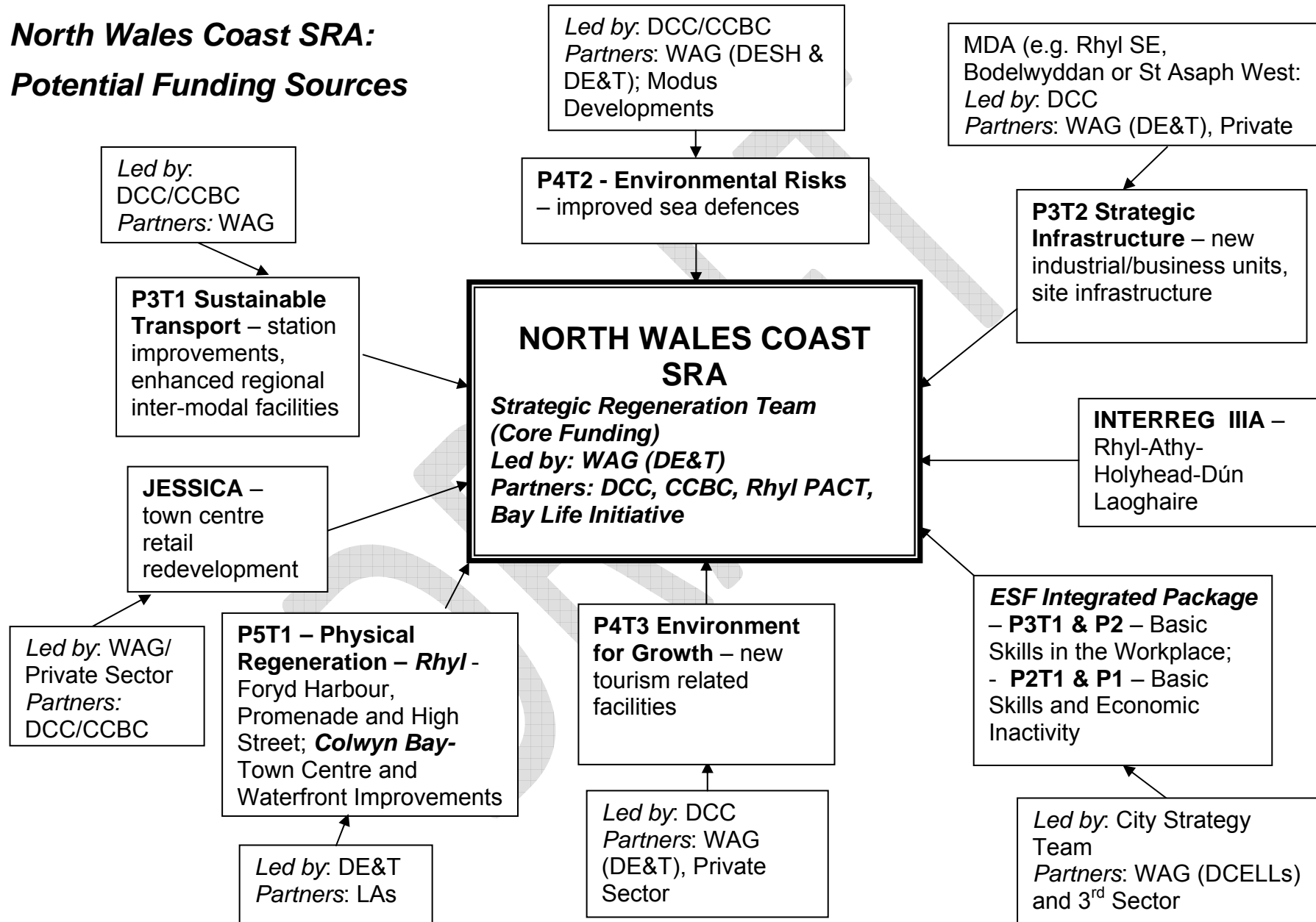
- increasing employment and tackling inactivity
- improving skill levels
- building the administrative capacity of public services

Full use will also be made of other funding available under the EU Territorial Co-operation Objective for cross-border collaboration, in particular the Wales-Ireland (links already exist between Rhyl and Athy, Ireland under the Interreg IIIA Programme), Atlantic Arc and North West Europe programmes.

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## North Wales Coast SRA: Potential Funding Sources



# Key Strategic Issues

The key strategic issues that affect the North Wales Coast SRA include:-

- **Housing Quality**

The decline of the seaside tourism industry has left a number of the SRA communities with a housing legacy of large 3-5 storey houses that have over the past 30 years been converted into houses in multiple occupation (HMOs). Owners have struggled to find new uses for what were successful B&Bs or boarding houses and many of these buildings are now in poor condition and inevitably house the most vulnerable members of society. It is estimated that there are nearly 1,000 HMOs of varying quality within Rhyl, Colwyn Bay and Pensarn.

Both Denbighshire and Conwy's Housing Departments in partnership with local RSLs are also working to reduce the number of underused and empty properties which require public intervention to bring back into economic use. DCC estimates that there are 800 long-term empty homes within Denbighshire with over 200 in Rhyl alone.

- **Economic Inactivity and the Benefits Culture**

With the interventions that are planned within the SRA over the next 7-8 years, there will be a demand for new employees with skills from a number of sectors. If these can be supplied partly or wholly from the ranks of the economically inactive, then we will travel a long way towards addressing the imbalance in the number of the SRA's residents that do not contribute positively to the economy.

Poor health is currently an issue within the SRA but there is no historical reason why this should be so. While the North Wales Coast has no legacy from any former heavy industry (unlike the Heads of the Valleys SRA in South Wales) it does appear nevertheless, that the abundance of cheap seaside accommodation, both in the private and public sectors, has attracted migrants over several generations that are now trapped in a vicious cycle of low income coupled with unhealthy lifestyles. Across the SRA, 11.8% of people claim incapacity benefits, rising to 15.7% in Rhyl and spiking at 27.4% in Rhyl West. This is well above the Conwy (9.5%), Denbighshire (10%) and Welsh (10.5%) averages.

The provision of a range of state benefits is expensive for the economy and a number of the economically inactive could be potential employees – part of an underutilized asset base. Planned interventions under this Action Plan and those of the Rhyl City Strategy must begin to make inroads into breaking the link between the benefits dependency and low self-esteem (that partly arises from unhealthy lifestyles) and poor educational attainment. If significant progress can be made on this agenda, economic activity rates will begin to rise.

- **Structural Changes in Employment Patterns**

Employment within much of the SRA's coastal strip has traditionally incorporated seasonal patterns with additional temporary workers boosting tourism and leisure numbers during summer months. Over the past 30 years, these seasonal ebb and flows have diminished with the closure of a number of visitor attractions within the contracting amusement arcade/fairground sector. The last large scale fairground in Rhyl (Ocean Beach) closed in September 2007.

The hospitality sector has also contracted with less than 7.5% now employed in the *Hotel and Restaurant* sector. High value tourism is all but non-existent but given the area's high quality natural environment, the ever increasing cost of fuel, opportunities exist for visionary entrepreneurs to capitalise on the low starting base and generate new, high quality visitor amenities.

The challenge will be to provide new and better jobs in the future which enable people along the North Wales Coast to compete more effectively in tomorrow's job market. The biggest employment sectors now are *Wholesale and Retail* (19.2%), *Health and Social Care* (17.1%) and small scale *Manufacturing* (12%). Fewer people work within the area's town centres but business and industrial parks such as those in St Asaph, Kinnel Bay and Abergele have grown substantially over the past 15 years to provide 5,000 plus new jobs.

A major barrier to accessing these opportunities however is the low level of skills attainment within the local population. In Towyn, Abergele-Pensarn, Rhyl West and Rhyl South West fewer than 50% of the working age population have any qualifications suggesting that education and training will be key to improving their employment opportunities.

Access also appears to be an issue for some. More people in Rhyl work within 5 km of their home than the Denbighshire and Welsh averages (66% versus 55% and 54% respectively) which suggests that they are either unable or are less willing to travel for better jobs.

- **Environment**

The condition of some the SRA's town centre and public amenity areas leaves much to be desired even though some marked improvements have been made to Rhyl, Prestatyn and Colwyn Bay (e.g. the award-winning Drift Park in Rhyl, Central Beach, Prestatyn and Sea View Road in Colwyn Bay). However, insufficient funding and arguably insufficient manpower has meant that progress to date has been far slower than is necessary to demonstrate to local residents and investors alike, that co-ordinated and sustained action is leading to real and sustainable change. We are also faced with a major challenge to appropriately and effectively involve the community in major infrastructure projects so that improvements gain community buy-in and are treated with respect over the long term.

# Opportunities

The North Wales Coast has an excellent natural environment, good road and rail links both east and west, a successful and progressive further education college and despite the relative lack of investment within the traditional tourism sector, the area still manages to attract hundreds of thousands of loyal repeat visitors to the area every year. Building on these core elements to create a better and more successful future will depend on our ability to effectively tackle the endemic and locally chronic social and environmental problems that detract from an otherwise promising set of economic building blocks. How we help towns like Rhyl and Colwyn Bay find a new role for themselves in the world and how we then reinvent and market the area will be key to ensuring that it becomes an attractive proposition for both new visitors and investors.

- **Reducing Economic Inactivity**

With over 12,600 people of working age currently claiming benefits within the SRA, success in reducing economic inactivity will ensure that those of working age not only contribute to the economy but also benefit their own as well as the area's standard of living. A significant impact can be made on the inactivity statistics by ensuring that everyone as a minimum has the necessary basic skills to apply for training and/or employment opportunities, that support exists to increase self-esteem and that a range of appropriate intermediate labour market projects are brought forward to provide a platform for future full time employment.

If the local economy is to truly grow, inroads must be made to:-

- 1) encourage greater economic participation by the not-insignificant percentage of people that are currently content to draw state benefits as a way of life; and
- 2) assist those that are on benefit with relatively minor health issues to overcome personal barriers and get back into employment.

The Job Match approach that is successfully getting people back into work in the Heads of the Valleys Strategic Regeneration Area could assist with this agenda by building on the work of the Rhyl City Strategy across the whole of the SRA area. The appropriateness of this approach is currently being investigated.

- **Improving Skills and Sector Targeting**

Work carried out by DCELLs, Coleg Llandrillo and the Rhyl City Strategy team has already evaluated the current basic skills requirements within the Rhyl area. This now needs to be extended to the whole of the SRA so that other inactivity hotspots can also be targeted. A co-ordinated programme of funded training will enable case workers to engage more effectively with individual clients to develop new skills in accordance with ability and demand – those that show potential should be encouraged and supported to develop their skills further through either vocational training or further/higher education.

The Welsh Assembly Government's *Skills That Work for Wales - A skills and employment strategy* calls for 'radical improvements in our national skills base'

and Coleg Llandrillo-Rhyl is ideally positioned to contribute to this agenda by investigating ways in which to improve skills in identified sectors.

While the extent and speed of the current economic downturn has cast some doubt on what was previously thought to be the skills and training requirements of the area over the next few years, we nevertheless feel that in the medium to long term the following sectors will have requirements for skilled workers.

**Construction** - the opportunities within the construction sector for the unemployed/economically inactive will we believe re-emerge. A number of large construction projects are under consideration and the inclusion of community benefit clauses will ensure that a number of related opportunities will become available if there are sufficiently motivated and skilled people to take advantage (e.g. Ysbyty Glan Clwyd, Bodelwyddan; Ocean Plaza, and High Street Public Realm Improvement Schemes, Rhyl)

**Retail** - Rhyl's retail sector has been underperforming for a number of years, partly because of a dearth of suitable units within the town centre. Despite the physical constraints, several national retailers (e.g. Peacocks, Wilkinson) have recently invested in the town and research demonstrates that a number of others would either locate to or expand in Rhyl if the opportunities were there to do so. A planned new retail development in the town could create up to 250 new jobs.

**Social Care** – Opportunities exist in this sector across the SRA. More than one in five of the population in both Llandrillo-yn-Rhos and Rhyl East are over 75 years of age which is almost three times Welsh average. A lack of skilled care staff has been identified as a gap in the local market to take care of the almost 10,000 SRA residents within this age bracket.

- **Creation of New Jobs for Long Term, Sustainable Employment**

The pattern of employment for a significant population in the past has depended on low value, seasonal tourism – jobs that have offered little in terms of career opportunities or security of tenure. To improve the SRA's long term economic performance, permanent year round employment suitable for a range of abilities must be created and these need to integrate with the opportunities that are already available at nearby business and employment parks (e.g. Tir Llwyd, Kinmel Bay, St Asaph Business Park, North Wales Business Park, Abergele). Denbighshire's emerging Local Development Plan has also identified three potential Mixed Development Areas, all within the SRA, which could accommodate significant residential and employment growth over the next 10-15 years.

A key high technology growth sector that is located within the SRA is opto-electronics which has gone from strength to strength within the St Asaph area. The OpTIC technium at St Asaph, which opened in 2004 and has so far directly or indirectly created more than 800 high technology jobs in North Wales, is expected to expand and widen its reach following a recent agreement signed between the Assembly Government and Glyndŵr University, Wrexham. This sector, more than any other, has the potential to make a significant contribution to raising the area's GDP and we will strive to improve the links between local schools, the further education sector and the new OpTIC management team.

We also need to respond to the opportunities that may exist for long term sustainable employment in the light marine services associated with the emerging offshore renewable energy sector. Two windfarms (Rhyl Flats and North Hoyle) will shortly be up and running and since the much larger Gwynt y Môr proposal has now also been given the go-ahead, there will be a need for a locally based maintenance team (consisting of technical disciplines - e.g. electrical contractors) and Rhyl's Foryd Harbour is well placed to accommodate much of this activity. Further opportunities may also exist in the long term with a proposed tidal lagoon pilot project that is being considered offshore the Rhyl-Colwyn Bay area.

- **Progression towards a more Modern Vibrant Visitor Economy**

The coastal strip is still struggling with its tourism identity. Should it continue to cater and invest in a comparatively stable, but low quality, low value traditional seaside tourism or should it change course and seek newer niche markets catering for smaller volume-higher spending visitors? What would be the nature of those niche markets? There are opportunities to capitalise on the higher value leisure marine sector with the redevelopment of the Foryd Harbour and the high quality of the area's natural environment. The growing economic contribution of the offshore renewable energy sector may also lead to new niche opportunities within windfarm tourism - e.g. boat trips out to the Rhyl Flats and North Hoyle windfarms and onshore visitor/educational attractions associated with the growing renewables sector.

To change direction successfully, the area's image must change and to do this will involve the co-ordinated efforts of all involved in the area's regeneration. Conwy and Denbighshire have already jointly taken steps to review tourism options by commissioning a SRA-wide tourism strategy but for it to be effective, local tourism operators and business groups must also play their part. The quality of the public realm, the quality of attractions and the overall quality of management must improve if a new modern and forward looking image is to be sustainably marketed.

# Implementing Key Investments

The Welsh Assembly Government can only co-ordinate the delivery of this Action Plan through collaboration with stakeholders including the local authorities, the Rhyl PACT, the Bay Life Initiative, private sector investors and the voluntary and community sectors. The key delivery partners include Conwy and Denbighshire County Councils, Coleg Llandrillo-Rhyl, Rhyl City Strategy, the new Betsi Cadwaladr University Local Health Board (once operational in October 2009) and the private sector.

Key themes to deliver action that will address the identified issues and opportunities will be:-

## ***Space for Living***

- *West Rhyl Housing Redevelopment*

We need to improve the quality of housing across Rhyl. DCC is already investing significant funds into bringing its own stock in Rhyl South West up to the Welsh Housing Quality Standard but the private rental stock, especially in



Rhyl West, needs significant public sector intervention to eradicate the worst offending HMOs and raise quality through renovation of many of the remainder. We will develop a phased master plan for parts of Rhyl West to help manage this task and implement the necessary investment programme through negotiation and where unavoidable, through compulsory purchase.

- *Empty/Redundant Homes Programme*

A significant number of properties across the SRA lie empty and require public intervention to bring back into economic use. We will work with our partners (DCC, CCBC and the RSLs in particular) to deliver an empty homes investment programme to target problem properties that blight the neighbourhoods in which they are located. We will also work to establish a framework to assist in the management of specific housing areas and seek to encourage the proactive co-operation of tenants, landlords, owner occupiers and the local authority to improve environmental and general amenity standards.

- *Research on Transiency issues as they affect the Coast*

High transiency levels within any community is disruptive and damaging unless it occurs for a positive reason (e.g. a regularly changing university student population). Evidence points to high levels of transiency along the North Wales coast in parts of Rhyl and Colwyn Bay in particular, but the patterns of migration are not well understood. By decreasing the number of HMOs we will assist in stabilising the population but further research is required to better understand the nature of the local/regional drivers so that steps can be taken to better plan for their impacts.

### ***Health and Well Being***

- *Acute Services and Community Facilities*

Significant investment in acute health services within the SRA has already been announced with the planned £276m redevelopment of Ysbyty Glan Clwyd. In Rhyl, the Conwy and Denbighshire Health Community Capital Investment Plan envisions investment in improving community facilities at a new and modern facility to replace the Royal Alexandra Hospital which will provide a greater integration of services and improved local access to diagnostics, therapies and secondary care. In Prestatyn, plans had been agreed to close the 12 bed local hospital but in March 2008 the hospital earned a reprieve pending further review. The future of Colwyn Bay's Hospital is believed to be secure but significant investment is required to update the facilities.

We will work closely with the health sector to ensure that all redevelopment work goes beyond the provision of new facilities to also provide significant added value by providing regeneration benefits. We will aim to improve local employment opportunities (e.g. during the construction phases, through local supply chains etc.), improved public transport facilities and connections as well as improved co-ordination of access to educational and training opportunities associated with the services offered at each site.

- *Primary Care and Fitness for Work*

The commencement of construction of a new primary care facility in west Rhyl is imminent. Through the Rhyl City Strategy, we have already established a dialogue with the relocating practice to locate work counsellors at the new



surgery so that patients for whom it may be appropriate, can receive on-site employment and training advice. It is hoped that early intervention will reduce the number of patients who eventually become long term benefit recipients. This approach is in part a response to the Dame Carol Black's recommendations to improve the health and wellbeing of the UK's working age population through work. It is our intention to further develop our activity in this area through a joint Rhyl City Strategy and Denbighshire LHB bid for pilot project status from the Departments for Health and Work and Pensions *Fit for Work* programme.

As other primary care facilities come forward a similar approach is envisaged. An options appraisal has already been undertaken in relation to such a centre in Colwyn Bay which would bring together two GP practices into a single expanded health care centre, along with Trust clinician services and social care teams. The suitability of various sites is now being explored.

### ***Education and Skills***

- *Basic Skills Provision*

DCELLs has a 10 year strategy to deal with this issue across Wales and is co-ordinating ESF applications to provide support for basic skills in the workplace as well as for those that are economically inactive and will work to provide such skills wherever possible in innovative and subtle ways e.g. through football or rugby coaching sessions that encourage clients to assimilate and learn through participation.

We will work with colleagues in DCELLs, the Rhyl City Strategy team, Coleg Llandrillo and appropriate community based groups to identify any enhanced provision requirements for those currently struggling with basic literacy, numeracy, social and independent living skills with the intention that such provision becomes a pathway to eventual employment.

- *Pre- and Post-16 Education Restructuring, Rhyl*

The education system in Rhyl has not been as effective as it should have been during the recent past and a new approach is being considered for both pre and post-16 education within the town. DCC has proposed that 6<sup>th</sup> form education at Rhyl's two high schools is moved to new facilities at Coleg Llandrillo-Rhyl and this planned £3.4m investment has recently been confirmed by the Education Minister. The restructuring of pre-16 education is also under consideration. We will work with DCC's Education Team to ensure that forthcoming proposals tie in and add value to the regeneration agenda and benefit more than the education system in isolation .

- *Expansion of Further Education Provision*

Coleg Llandrillo-Rhyl has emerged as one of the key local regeneration drivers and has three college campuses within the SRA (Rhos-on-Sea, Abergele and Rhyl). We will work with the College to help it further improve its facilities and expand its curriculum offer to ensure that further education students studying within the SRA have local opportunities that are second to none.



Coleg Llandrillo - Rhyll

We will also support Coleg Llandrillo's activities across the SRA to develop new curricular activity particularly relevant to the regeneration agenda (e.g. emerging work in the marine and built environment sectors at the Rhos-on-Sea campus) and we will also support the College's investigation into the possibility of establishing a national retail skills academy for Wales in Rhyll.

- *Sector Training*

Renewable energy engineering, construction and retail are three sectors where significant opportunities exist for future employment. A number of large capital projects are planned over the period of the Action Plan and it is vital that local individuals and companies benefit wherever possible.

We will work closely with the growing renewable energy sector to identify current and future skills gaps and work with local training providers to help meet demand. We will also work with Coleg Llandrillo's Construction Skills team and tendered contractors to ensure that opportunities for local people are maximised wherever possible. The Rhyll City Strategy team is also working towards establishing a construction skills brokerage scheme to assist the hardest to reach members of society to benefit from the construction sector opportunities in terms of both training and eventual full time employment.

### **Community Cohesion**

- *Support for Social Enterprise*

Over the past 4-5 years a number of community groups across the SRA have striven to develop sufficient capacity and credibility to take on capital projects that enable them to establish a local asset base. We will work with such groups to increase community ownership of assets and strengthen the 'buy-in' that groups have into the overall regeneration process.

Investigation has begun on the possibility of establishing a branch of the School for Social Entrepreneurs in Rhyl based on the model that sprang from the Institute of Community Studies in East London in the late 1990s. A school for social entrepreneurs would help individuals who are interested in addressing innovative projects for young people, health and education, neighbourhood renewal, environmental or crime and community safety projects.

We will also work with the City Strategy team to further investigate the feasibility of developing a 'training hotel' within Rhyl and/or Colwyn Bay which would offer not only much needed higher quality accommodation than what is currently available but would also provide each town with facilities for training students in catering and hotel management which could help rejuvenate the area's under achieving hospitality sector.

- *Communities First*

The SRA contains 3 Communities First Partnerships covering 4 wards in Rhyl South West, Kinmel Bay and Colwyn Bay. The Rhyl West Communities First partnership has to date been unsuccessful and has been brought to a close. We intend to work closely with the existing partnerships to give assistance when and where needed and to add value to their activities in terms of their contribution to the overall SRA agenda. We will also work with local partners and stakeholders to address the community agenda in Rhyl West with the aim of eventually improving the effectiveness and capacity of the community to begin dealing with its own issues wherever possible.

- *Community 'Key' Fund*

We aim to create a community 'key' fund that will assist groups with projects that will meet the agreed criteria and we will work closely with Community First colleagues to ensure that the funding of activity is co-ordinated. We are keen to encourage and support community groups across the SRA to be active in promoting their own solutions to local issues and we will explore new and innovative ways to devolve some funding decisions to the community where appropriate (e.g. through participatory budgeting methods).

- *Crime and Disorder*

The crime and disorder partnerships in Conwy and Denbighshire are already working well and it is helpful that one Divisional Commander from North Wales Police covers the whole of the SRA area. We will establish links with the two groups, assist where we can and attempt to link relevant issues that arise to positive action across the SRA themes.

### ***Environment and Transport***

- *Ocean Plaza, Rhyl*

The Ocean Plaza project is one of Modus Properties' large scale urban regeneration schemes and eventually aims to provide 217 apartments, 35,000 sq ft office space, 20,000 sq ft leisure units, a 90,000 sq ft supermarket and a

hotel on a 8 ha site in west Rhyl. The scheme has been given planning permission but has recently struggled to raise the necessary finance as a result of the economic slowdown. We will work with the developers to review what assistance may be available from the public sector to move elements of this project forwards.

- *Foryd Harbour, Rhyl*

The harbour has already undergone a £2m redevelopment during the first phase of Rhyl Going Forward. Plans are being developed to create a leisure harbour which will link across the mouth of the Clwyd to the Ocean Plaza scheme. We will work with the local authority and Sustrans to bring a distinctive high quality cycle/pedestrian bridge to the harbour and will review the leisure harbour opportunity once technical studies have been completed.



- *Promenade-High Street Public Realm, Rhyl*

Parts of the promenade public realm have already been redeveloped to a high standard (e.g. Drift Park) but much more needs to be done. We will work with the local authority to redevelop the remainder of West Parade as well as implementing the most appropriate improvement proposals for the refurbishment of East Parade.

The High Street is in a very poor environmental condition and we will again work with the local authority and their design consultants to provide a modern high quality public realm that is attractive to investors and which will help improve the overall experience for local shoppers as well as visitors. We will also review the traffic management and public transport facilities within the town centre to complement work already underway to improve train and bus station inter-modal improvements and the upgrade of car parking in West Kinmel Street.

- *Suncentre and Pavilion Theatre Redevelopment, Rhyl*

The popular Suncentre and Pavilion Theatre on Rhyl's East Parade are physically attached but the arrangement is inconvenient and hardly ideal. The Suncentre is today a very expensive facility to run and has seen its best days. The local authority is reviewing options for the rationalisation and redevelopment of both facilities and we will work with them to plan what could potentially be exciting top quality attractions.

- *Town Centre Retail Redevelopment, Rhyl*

The West Parade-High Street-Sussex Street-Queen Street block is identified in the Denbighshire Unitary Development Plan as a site for major retail redevelopment. Work has already been completed on a site master plan and we will work to identify a preferred developer to work with us to expand Rhyl's retail offer and bolster its position as an improving regional shopping centre.

- *Parc Eirias, Colwyn Bay*

The Welsh Rugby union announced in December 2008 that Parc Eirias in Colwyn Bay will be the home venue for the elite *Gogledd Cymru* team in the future, the regional side for North Wales. To accommodate this development and provide first class sporting facilities in North Wales, Conwy CBC is leading on a £4.5m project that would see a new grandstand (2,000 seats), pitch improvements, improved floodlighting, a new indoor rugby training facility, changing rooms and conditioning block as well as reception area improvements. The project is now at the point where funding to implement the proposals is being sought and a Convergence Programme funding bid prepared.

We will work with the County Council and Welsh Rugby Union to deliver this project for North Wales and improve the links between the facility and the town centre. We will also explore the possibility of developing a sports learning facility in conjunction with Conwy CBC and Coleg Llandrillo on the Parc Eirias site and will assist Conwy CBC to develop options appraisals and a business case for replacing the current Leisure Centre.

- *Coastal Improvements and Waterfront Development, Colwyn Bay*

Colwyn Bay's promenade defences are to be upgraded through a combination of European and Assembly funding. The waterfront amenities are also in need of substantial investment and feasibility work over the past 3 years has provided exciting proposals for which additional funding to deliver is now being sought. We will assist the local authority in co-ordinating both elements of this important project which will not only benefit the seafront visitor economy but also help mitigate against coastal erosion and secure vital transport infrastructure (i.e. the A55 and North Wales mainline railway).

- *Town Centre Council Offices and Visitor Accommodation, Colwyn Bay*

Conwy CBC would like to relocate a number of workers from offices elsewhere in Colwyn Bay into new offices in the town centre. This would help the Council rationalise its overall estate and would benefit Colwyn Bay traders by introducing several hundred new workers with spending power into the town centre each working day. If staff were to be relocated into the town centre from the Civic Centre office, this would free the building to be redeveloped into a potential hotel. The SRA as a whole suffers from a paucity of high quality visitor accommodation and a top hotel within this pleasant and leafy setting would be a major new facility for the town. We will work with the Council to look afresh at its Colwyn Bay estate and how its rationalisation can best assist regeneration.





- *Town Improvement Grant Programme*

We will continue to encourage and support local entrepreneurs and property owners to invest in property by providing financial support through Town Improvement Grants to match fund the Townscape Heritage Initiative within key strategic areas of both Rhyl and Colwyn Bay town centres.

***Diverse and Sustainable Economy***

- *Mixed Development Sites*

To provide the SRA with more diverse employment options, we will work with the local authorities and the private sector to bring forward employment land. DCC has considered three possible Mixed Development Areas (MDA) within its pre-deposit Local Development Plan (LDP). Each of the prospective MDAs is within the SRA and represents a long term development proposal over the period of the LDP (2006-2021). It is highly unlikely that more than one MDA will be adopted in the final analysis but the three proposed areas collectively have the potential to cater for 4,400 houses and 120 ha of employment land. Conwy is not currently proposing any large scale MDAs.

- *Rhyl Energy Strategy*

Work is about to begin on developing an energy strategy for Rhyl. Its aim is to link a number of the capital projects referred to in this Action Plan through a local energy network and seek to provide the most sustainable energy generation solutions for the new developments. We will investigate the possibility of establishing an Energy Savings Company (ESCo) to provide

green energy for the town and will ensure that all new developments adhere to the Welsh Assembly Government's 'Creating Sustainable Places' guidance.

- *Tourism / Branding and Marketing*

The image all too often portrayed in the press is of a Rhyl suffering from a range of social problems linked to deprivation. Colwyn Bay has also suffered from a number of negative stories over the past few years related to poor housings, drugs and petty crime. The reality for the vast majority of residents and visitors is far more positive however, and we will work with the local authorities, Rhyl PACT and the Bay Life Initiative and other local community groups to prepare:-

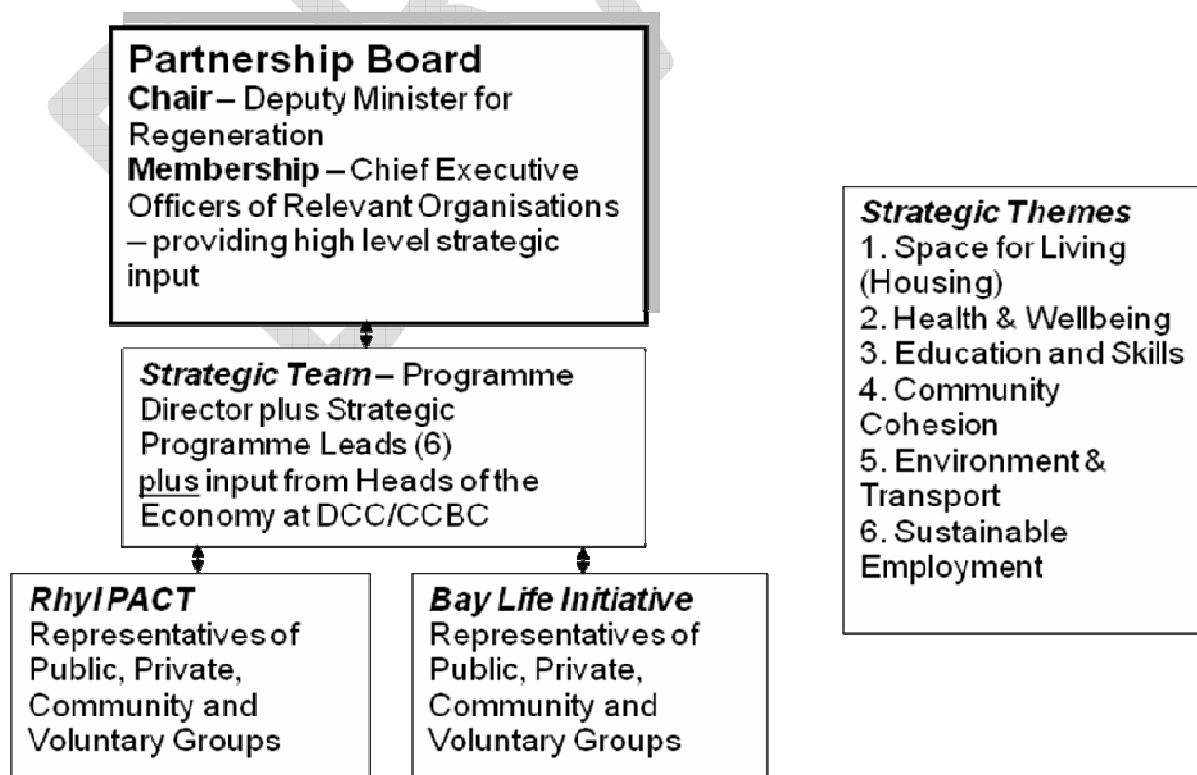
- i) a marketing strategy to proactively promote a new and fresh image for the area;
- ii) a 21<sup>st</sup> century tourism strategy that sets a new direction for activity and facility development as well as visitor management; and
- iii) a strong, fresh and modern marketing brand for the Coast that promotes a quality standard that has hitherto been missing.

# Delivery and Results

The success of this Action Plan will be judged by whether it delivers long lasting, tangible change for the North Wales Coast economy and the quality of life of its poorer communities. By working in partnership with key stakeholders we will aim to ensure that our agreed vision becomes a reality by 2015.

Good co-operative foundations are already very much in place across the SRA especially in Rhyl and Colwyn Bay where much work has been done since 2004. The Rhyl PACT and Bay Life Initiative have helped enormously to shape the key investments to date and have also helped to provide the intelligence that has shaped this Action Plan's development. However, with the establishment of the SRA, we must now step up a gear and create a more formal and dynamic structure to be responsible for taking this ambitious regeneration agenda forward.

We are already working to establish a North Wales Coast Strategic Regeneration Team that will be responsible for delivering and/or co-ordinating the delivery of agreed projects. The North Wales Coast SRT will report to a Partnership Board that will monitor overall progress. The Board will also use its influence to ensure that public sector partners focus and target their investments each year to deliver our shared priorities as highlighted in this Action Plan. We will use existing structures and relationships wherever possible to gather and disseminate information. The Rhyl PACT (which will be reorganised to be inclusive of political representation, community, business and voluntary groups) and Bay Life Initiative will remain the local fora for stakeholder participation in Rhyl and Colwyn Bay and Conwy CBC and DCC will develop appropriate mechanisms for stakeholder representation outside the two main towns.





## **Tracking Our Progress**

Performance Management Frameworks developed by Wavehill Consulting are already in place to monitor both the Rhyl PACT and Bay Life Initiative's performance at a number of levels. The framework's structure will be revisited and modified to reflect the new Welsh Assembly Government model and will take into consideration the monitoring requirements of the Partnership Board's priorities.

We will use a number of relevant 'high level' indicators to track our progress towards meeting our strategic goals – indicators that are both qualitative and quantitative. We will monitor these indicators as appropriate so that we can evaluate our performance, taking corrective action where necessary.

### **PERFORMANCE INDICATORS (overall SRA %<sup>age</sup> with 4 worst performing wards)**

#### **Housing**

Owner Occupation	71.8% (2001)
<i>Rhyl West</i>	(40.4%)
<i>Rhyl South West</i>	(51.4%)
<i>Llysfaen</i>	(56.6%)
<i>Glyn</i>	(61.4%)
Percentage private landlord lettings	11.5% (2001)
<i>Rhyl West</i>	(38.5%)
<i>Rhiw</i>	(24.2%)
<i>Glyn</i>	(21.0%)
<i>Abergele-Pensarn</i>	(18.4%)
Housing Benefit Claimants	11.9% (2009)
<i>Rhyl West</i>	(29.7%)
<i>Abergele-Pensarn</i>	(19.3%)
<i>Rhyl South West</i>	(18.0%)
<i>Glyn</i>	(16.1%)

#### **Environment & Transport** suitable indicators to be developed

#### **Sustainable Economy**

Percentage of people of working age in employment	65.7% (2001)
Percentage of working age population who are economically inactive	29.% (2001)
<i>Rhyl West</i>	(40.7%)
<i>Abergele-Pensarn</i>	(38.7%)
<i>Rhyl South West</i>	(36.2%)
<i>Towyn</i>	(35.3%)
Unemployment (JSA Claimant rate)	4.9% (2009)
<i>Rhyl West</i>	(17.0%)

<i>Glyn</i>	( 8.6%)
<i>Abergele-Pensarn</i>	(7.3%)
<i>Rhyl South West</i>	(6.8%)

Households with no adults in employment: With dependent children	5.6% (2001)
<i>Rhyl South West</i>	(14.1%)
<i>Llysfaen</i>	(12.6%)
<i>Rhyl West</i>	( 9.8%)
<i>Glyn</i>	( 8.3%)

### **Education and Skills**

Percentage of people of working age with no qualifications	42.0% (2001)
<i>Towyn</i>	(57.8%)
<i>Abergele-Pensarn</i>	(53.9%)
<i>Rhyl West</i>	(51.5%)
<i>Rhyl South West</i>	(50.2%)

Percentage of 15 year olds achieving 5 GCSEs  
at A\*-C grades required

### **Health and Well Being**

Percentage of people of working age with a limiting long term health problem and with dependent children	5.6% (2001)
<i>Rhyl South West</i>	(14.1%)
<i>Llysfaen</i>	(12.7%)
<i>Rhyl West</i>	(9.8%)
<i>Glyn</i>	(8.3%)

Percentage of people of working age with a limiting long term health problem - health described as 'poor'	13.5% (2001)
<i>Towyn</i>	(19.6%)
<i>Abergele-Pensarn</i>	(18.6%)
<i>Rhyl East</i>	(18.1%)
<i>Rhyl West</i>	(17.9%)

### **Community Cohesion**

To measure our progress, we will conduct surveys of individuals, communities  
and businesses over a regular repeating period.

Cross cutting theme indicators also need to be incorporated



# DCC SRA COMMISSIONING MATRIX (RHYL)

Project Title	Total Project Cost	Project Sponsor	Description of Project	Project Managers	Program Time Tables	Planning Outline	Consultation	Feasibility Study	Business Plan	Senior Management Support	Lead Member Support	Council Support	Finance Available DCC	Finance Available External	Strategic Fit DCC	Strategic Fit SRA	SRA Theme	Town of Project	Applications in Principle	Detailed Submission submitte	Outputs
Rhyl Celebrations £20k	£35k	Sue Haygarth	Supporting Rhyl Week events, summer events and Christmas lights switch on to change public perception	Caroline Brady, Sian Davies	May 23rd to Dec 31st 2009	n/a	✓ Rhyl week organising committee	n/a		✓	✓		✓ £15000	✓ £20k		Health & Well-Being community cohesion sustainable economy	community cohesion	Rhyl	✓	& agreed	
Rhyl Coach Park £46,125	£46,125	Paul Smith	Providing a coach park on East Parade car park	Mark Budd		not required	Confederation of Passenger Transport	✓ by asset management		✓			none required	✓ £46,125	Regeneration	sustainable economy	sustainable economy	Rhyl	✓	awaiting approval	
Foryd Harbour Operation & Management £220k	£22k	Gareth Evans	To provide improved moorings, boat mover & temporary office accommodation	Ray Large	Phased to accommodate seasonal activity June- Dec	temporary office accommodation required	Foryd Harbour Forum	✓ Hyder Harbour Study received 08/04/09		✓		✓ CSG 16 April	£220k	Regeneration				Kinmel Bay	✓	approval & order of boat mover element confirmed	
Business Unit Convergence Support £7m	£12.5m	Mark Dixon	To support the financial package for the P3T2 bid - Bee & Station Westbourne Ave	Carolyn Evans	Bid submitted	not yet	Hyder Harbour Study; Wood Rd Study	✓	✓			✓ CSG 16 April Council	DCC £70k THI £100k TIG £225k	SRA £3m TMF £364K ERDF£3.24m	Supports sub regional framework objective 3	Sustainable Economy	Sustainable Economy	Rhyl	✓	✓ SRA element £225k	
Skateboard Park £642k	£642k	Sue Haygarth	To provide a competition standard Skate Park	Mark Budd	12 months from commencement	no	Coastal Masterplan being prepared						Masterplan costs				sustainable economy & Community cohesion & Health and Well-being	Rhyl		deferred - awaiting Coastal Masterplan completion	
Rhyl Lifeguard Shelter £126k	£126k	Sue Haygarth	To provide a Lifeguard Shelter, First Aid/lost children Post; within the Drift Park	Ian Olson		no	Coastal Masterplan being prepared						Masterplan costs				Sustainable economy	Rhyl		deferred - awaiting Coastal Masterplan completion	
SRA Wide Community Fund £250k	£250k	Shane Wetton	To set up a community project fund for environmental projects	Ray Large	3 years					✓						Community cohesion		Rhyl Colwyn Bay		✓ awaiting grant approval	
Rhyl Traffic Modeling £100k	£100k	Stuart Davies	To provide a traffic model Study of Rhyl	Mike Jones												Environment and Transport	Environment and Transport	Rhyl		✗	
Traffic Light Synchro £40k	£40k	Stuart Davies	To investigate the possible synchronisation of traffic lights in Rhyl	Mike Jones												Environment and Transport	Environment and Transport	Rhyl		✗	
Access Road Feasibility Study		Stuart Davies	To investigate the feasibility of a new Rhyl access road adjacent to the River Clwyd (East Bank)	Mike Jones												Environment and Transport	Environment and Transport	Rhyl		✗	
Project Title	Project Sponsor	Description of Project	Project Managers	Program Time Tables	Planning Outline	Consultation	Feasibility Study	Business Plan	Senior Management Support	Lead Member Support	Council Support	Finance Available DCC	Finance Available External	Strategic Fit DCC	Strategic Fit SRA	SRA Theme	Town of Project	Applications in Principle	Detailed Submission submitte	Outputs	
Prestatyn Central Beach (1)	£1.306m	Gareth Evans	Webbers Arcade demolition & newbuild	Sue Haygarth	Works to be undertaken during winter months									Regeneration	Sustainable economy	Sustainable economy	Prestatyn		Deferred awaiting SRA Visitor Economy Study		
Prestatyn Central Beach (2)	£212,990	Gareth Evans	To improve the visitor experience between Central Beach eastwards to Borkby Beach	Sue Haygarth										Regeneration	sustainable economy	sustainable economy	Prestatyn	✓	needs detailed Project Initiation Document (PID)		
Creating Jobs in the Creative Industry £100k	£100k	Paul Murphy	To employ an officer to amnagne a Creative Blueprint project		12 months from start	n/a										sustainable economy and Education & Skills	Rhyl & Colwyn Bay		Deferred awaiting presentation to Sustainable Economy Theme Group		
Marine Lake		Sue Haygarth	Lake Users Forum Hit List											Regeneration					✗		
West Rhyl Renewal Area		Gareth Roberts	No project come forward yet											Regeneration					✗		
Integrated Family Support Team		Sally Ellis	Pilot authorities being sought by WAG Deputy Minister for Social Justice																✗		











# MONITORING MATRIX

Project Title and Contact Details	Description of Activity	Deadline Date(s)	Comments on Progress

Activity details must include the following, as appropriate:

## Procurement

- tender documentation prepared
- tender invitees selected
- scheme signed off by client for construction projects
- scheme is tendered
- tender report prepared

## Evaluation

for construction projects, any defects are made good and final account settled  
project is reviewed and evaluated and evaluation report prepared

## Implementation

- project begins – start date confirmed
- monitoring reports provided by project manager
- project delays and changes reported to SRA officer
- for new buildings, an operational plan is developed
- for construction projects, handover of building

**REPORT TO CABINET**

**CABINET MEMBER:** Councillor D A J Thomas, Lead Member for Environment: Regeneration

**DATE:** 8<sup>th</sup> September 2009

**SUBJECT:** Additional Licensing of Houses in Multiple Occupation

**1 DECISION SOUGHT**

- 1.1 For Members to agree to designate an Additional Licensing Scheme for specified types of Houses in Multiple Occupation (HMOs) outlined in Paragraph 2.1.5 within the settlement limits of Rhyl. This scheme will be known as the Denbighshire County Council Additional Licensing Scheme (Houses in Multiple Occupation) Scheme 2009 ("The Scheme").
- 1.2 For Members to approve the existing Licensing Conditions, Standards and Fees as previously adopted for the Mandatory Licensing Scheme as outlined in Appendix 1,2 & 3 and for these Conditions and Standards to be adopted by the Council as their local standards for Additional Licensing Scheme.
- 1.3 To recommend that the Lead Member for Environment: Regeneration be given delegated power to make any subsequent minor changes to the Licensing Conditions and Standards once adopted.
- 1.4 In order to comply with the 3 month statutory period between a Local Authority deciding to designate Additional Licensing and actually implementing Additional Licensing and having regard to various regeneration initiatives in Rhyl associated with the Strategic Regeneration Area it is recommended that the actual date of implementation be at the discretion of the Head of Service, in consultation with the relevant Lead Member for Environment: Regeneration. In any event the implementation date shall be no later than 31 March 2010.

**2 REASON FOR SEEKING DECISION**

**2.1 EXECUTIVE SUMMARY**

- 2.1.1 The Council has implemented the "Mandatory Licensing" requirements for HMOs as imposed by the Housing Act 2004 (the Act). An interesting outcome has been the small number of HMOs in Denbighshire that fall within the criteria laid down by the Act that are subject to "Mandatory Licensing".
- 2.1.2 The Act also provides Local Authorities with discretionary powers to "capture" other problem HMOs not covered by "Mandatory Licensing", which is known as "Additional Licensing".
- 2.1.3 Officers consider that the Council should take up these discretionary powers and introduce an "Additional Licensing" scheme in Denbighshire, so that many more HMOs are "captured" by a licensing regime that can seek to deliver

improving living conditions within HMOs and limit the impact HMOs might have on the wider community.

2.1.4 It is not practical or necessary to ensure all HMOs in Denbighshire are "captured" by "Additional Licensing" and so a set of criteria for the type of HMOs and the locality to be covered by "Additional Licensing" is required. It is to focus resources in an area where there is a high concentration of problematic HMO properties.

2.1.5 Officers suggest that the scheme will include properties that meet all of the criteria within either one of the following two categories:

- a) Three or more storeys, which is occupied by three or more persons who form two or more separate households, where at least one of the households is not fully self contained (where there may be sharing of facilities) OR
- b) Three or more storeys, which is occupied by three or more persons who form two or more separate households, which are fully self contained, but do not meet the 1991 Building Regulations and where less than two-thirds of the self contained flats are owner occupied.

This definition is further clarified in paragraph 2.2.2. below.

2.1.6 All landlords who own a property that fall under either one of the above criteria will need to apply for a licence.

2.1.7 It is also proposed that the same Licensing Conditions, Standards and Fee Structure are adopted for the "Additional Licensing" scheme that have already been adopted for the "Mandatory Licensing" scheme.

## **2.2 RECOMMENDATIONS**

2.2.1 The approval of Members is required for:

### **2.2.2 The type of HMO to be covered by "Additional Licensing"**

Officer Recommendation:

- Section 257 HMOs as defined by the Housing Act 2004 (i.e. self-contained flats)
- 3 storey high or above
- 3 or more persons living in two or more households
- Property may not be fully self contained (this breakdown has been added since the report to Environment and Regeneration Scrutiny Committee 16<sup>th</sup> October 2008 to clarify 2.1.5 (a) above)
- Properties which may have shared facilities which fall outside the mandatory licensing scheme (this has been added since the report to Environment and Regeneration Scrutiny Committee 16<sup>th</sup> October 2008 to clarify 2.1.5 (a) above)
- Conversion carried out without 1991 Building Regulations approval

### **2.2.3 The Area Covered by “Additional Licensing”**

Officer Recommendation:

- The area within the settlement limit of Rhyl

### **2.2.4 The Conditions to be imposed as part of an “Additional Licensing” scheme**

Officer Recommendation:

- The Mandatory conditions as contained in the Housing Act 2004
- The Additional Standard Conditions imposed as part of the Council's management of the “Mandatory Licensing” scheme.

### **2.2.5 Fees to be applied to an “Additional Licensing” scheme**

Officer Recommendation:

- Adopt the fee structure imposed as part of the Council's management of the “Mandatory Licensing” scheme.

### **2.2.6 Timing of Implementation of the “Additional Licensing” scheme**

Officer Recommendation:

- In order to comply with the 3 month statutory period between a Local Authority deciding to designate Additional Licensing and actually implementing Additional Licensing and having regard to various regeneration initiatives in Rhyl associated with the Strategic Regeneration Area it is recommended that the actual date of implementation be at the discretion of the Head of Service, in consultation with the relevant Lead Member for Environment: Regeneration. In any event the implementation date shall be no later than 31 March 2010.

## **2.3 BACKGROUND**

2.3.1 The Housing Act 2004, which came into force on 30 June 2006, has introduced new powers for Local Authorities to regulate accommodation standards in the private rented sector.

2.3.2 In particular the Act introduced a duty on Local Authorities to “Licence” certain types of Houses in Multiple Occupation (HMOs), which was known as “Mandatory Licensing”. HMOs that fall under “Mandatory Licensing” are required to meet the following criteria:

- 3 storey high or above
- 5 or more persons living in two or more households
- Shared facilities (i.e. not fully self contained flats)

2.3.3 Various reports have been presented to Environment Scrutiny Committee and Cabinet covering the Council's adoption of the “Mandatory Licensing” scheme, including the implementation of standard conditions and an appropriate fee structure.

- 2.3.4 When the criteria for “Mandatory Licensing” was initially published by the Government, Officers undertook an exercise to try and establish approximately how many of Denbighshire’s HMOs would meet the strict criteria.
- 2.3.5 It was originally estimated that there would be some 250 HMOs that would require “Mandatory Licensing”.
- 2.3.6 As time has moved on the picture has become clearer, and while it is accepted that there are very many HMO properties in Denbighshire our work has revealed that only some 30 – 40 HMOs fall within the “Mandatory Licensing” criteria. This has surprised Officers, Members and many other individuals/organisations operating in Denbighshire.
- 2.3.7 The vast majority of those HMO properties initially thought as being likely to fall within “Mandatory Licensing” actually fall outside the criteria laid down by Government because at some time or other they have become converted into self contained flats i.e. they do not have shared facilities and do not as a consequence fall within the “Mandatory Licensing” criteria.
- 2.3.8 These properties which have become converted into self contained flats are for the purpose of the 2004 Housing Act still classified as a HMO. It is believed that most of them have been converted without approval under the 1991 Building Regulations, and are identified by the Housing Act as being “**Section 257**” HMO.

## **2.4 Scope of Additional Licensing**

- 2.4.1 The Housing Act 2004 has provided Local Authorities with discretionary powers to introduce “Additional Licensing” to capture a range of HMO types that fall outside the criteria of “Mandatory Licensing”.
- 2.4.2 Prior to implementing an “Additional Licensing” scheme the Act requires Local Authorities to identify which types of HMOs it wants to capture and to be satisfied that a significant proportion of those HMOs are being so poorly managed so as to give rise to problems either for those occupying the HMO or to members of the general public, including neighbouring properties.
- 2.4.3 The Act provides guidance on what would constitute sufficient problems to justify “Additional Licensing”, which includes:
- Those whose external conditions and curtilage (including yards and gardens) adversely impact upon the general character and amenity of the area in which they are located.
  - Those whose internal condition, such as poor amenities, overcrowding etc., adversely impact upon the health, safety and welfare of the occupiers and the landlords of these properties are failing to take appropriate steps to address the issues.
  - Those where there is a significant and persistent problem of anti social behaviour affecting other residents and/or the local community and the

landlords of the HMOs are not taking reasonable and lawful steps to eliminate or reduce the problems.

- Those where the lack of management or poor management skills or practices are otherwise adversely impacting on the welfare, health or safety of residents and/or impacting upon the wider community.

2.4.4 Before implementing an “Additional Licensing” scheme the Council must be satisfied that the above circumstances exist either throughout the County or in any given area(s) of the County.

2.4.5 An Additional Licensing scheme once designated will be effective for 5 years unless it is revoked or extended.

2.4.6 In Wales, the National Assembly for Wales have given general approval under the Act to local authorities to designate areas of Additional Licensing, It is for the authority to ensure they satisfy the general approval and that the designation will improve the area and work alongside other existing policies and measures.

## **2.5 The Case for “Additional Licensing” in Denbighshire**

2.5.1 Failure to adopt an “Additional Licensing” will result in HMOs that do not fall within the “Mandatory Licensing” criteria (i.e. the vast majority of HMOs in the County) having no specific licensing control.

2.5.2 The Council’s Registration Scheme was revoked on 5 December 2008 due to legislation changes, Registration can no longer be used to improve the condition of those HMOs that fall outside of “Mandatory Licensing”.

2.5.3 “Additional Licensing” allows for standard conditions to be applied to relevant HMOs over and above what can be applied via the Statutory Housing Health and Safety Rating System (HHSRS) (see paragraph 2.8 for additional information on standard conditions).

2.5.4 An “Additional Licensing” scheme is consistent with:

- The aims and objectives of the Community Safety Partnership, Health Social Care & Well Being Strategy, the Children & Young Peoples Partnership, the Rhyl Going Forward initiative and the Council’s Local Housing Strategy.
- The desire to assist in the comprehensive promotion of the All Wales Landlord Accreditation Scheme and our own Landlord Forum.
- Work already undertaken by the Multi Agency Team led by Housing Enforcement Team in tackling problematic HMOs

2.5.5 Advice produced by LACORS<sup>1</sup> states, “.....Local Authorities may wish to consider applying for “Additional Licensing” where this could be a useful tool to help address local housing issues”.

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<sup>1</sup> Local Authorities Coordinators of Regulatory Services

- 2.5.6 The Service commissioned a private sector housing condition survey entitled, "Housing Condition and Energy Survey 2008". The survey has revealed the need for action to improve the poor condition of a number of dwellings in the private rented sector, including HMOs.
- 2.5.7 A large number of anti social behaviour cases in the County and a large percentage of complaints received by the Housing Enforcement Team are linked to HMOs, particularly in the Rhyl area.
- 2.5.8 The Welsh Assembly Government's (WAG) Welsh Index of Multiple Deprivation Report has ranked Rhyl West as the most deprived area in Wales, with Rhyl South West coming 5<sup>th</sup>. Housing conditions are a significant determinant in the Deprivation analysis.
- 2.5.9 The Service commissioned a study entitled, "DCC Renewal Area Study and Neighbourhood Renewal Assessment for West Parade, Rhyl", which was published in October 2007. The report highlights that the majority of dwellings in the area are converted flats and that the area has a much higher rate of unfit dwellings than the wider area in Denbighshire / Wales.
- 2.5.10 As is stated in the General Approval guidance document, "Licensing in itself is not a stand alone tool", as demonstrated above other tools are already being used to deal with the housing problem in Rhyl.
- 2.5.11 Having regards to the above, officers consider there is ample justification to introduce an "Additional Licensing" scheme in Denbighshire.

## **2.6 The Type of Properties to be covered by "Additional Licensing"**

- 2.6.1 The purpose of "Additional Licensing" is to target the Council's limited Housing Enforcement resources at tackling those types of HMOs that fall outside of the criteria for "Mandatory Licensing" that represent the greatest risk to the health and wellbeing of the occupiers and which cause the greatest disruption to the local community.
- 2.6.2 As such any "Additional Licensing" scheme needs to define the types of properties that should be captured by additional controls and should compliment the "Mandatory Licensing" criteria.
- 2.6.3 Officer research has revealed that the biggest issue facing the Council are those 3 storey properties which have been converted into self contained flats without prior approval under the 1991 Building Regulations, i.e. those properties under the Housing Act that are known as "Section 257" HMOs and fall outside of "Mandatory Licensing" by the fact that the occupiers do not share facilities.
- 2.6.4 Calculating the numbers of the various types of HMOs throughout the County is not an exact science. Officers estimate that there are some:
- 950 three storey residential properties in the County

- Approx 400 of which are single occupied dwellings (i.e. family homes), are vacant, are covered by “Mandatory Licensing” or have an element of tourist related use (e.g. genuine holiday accommodation)
- The balance (i.e. 950 – 400 = 550) we estimate there are some 550 three storey properties that have been converted into self contained flats
- We do not know how many have been converted in accordance with the 1991 Building Regulations, but we would estimate approximately 150
- Leaving the balance (i.e. 550 – 150 = 400) of some 400 three storey properties that are likely to fall under the definition of a “Section 257” HMO

2.6.5 It is these “Section 257” HMOs that should be a priority for “Additional Licensing”:

- 3 storey high or above
- 3 or more persons living in two or more households
- No shared facilities (i.e. self contained flats)
- Conversion carried out without 1991 Building Regulations approval

2.6.6 It is likely that there are a small number of properties which do not fall within the scope of mandatory licensing or Section 257 HMO, these are 3 storey or above with between 3 or 4 people sharing amenities or not being fully self-contained. To ensure consistency these properties have been added to the definition.

## 2.7 The Area to be covered by “Additional Licensing”.

2.7.1 Of the 400 or so “Section 257” HMOs in the County the vast majority (i.e. 80%) are located in Rhyl, **i.e. some 325**.

2.7.2 Much smaller numbers are located in Llangollen, Denbigh, Prestatyn and St Asaph, with minimal numbers in Ruthin, Dyserth and Rhuddlan.

2.7.3 The evidence clearly demonstrates that Rhyl is the major focus for the high risk “Section 257” HMOs. Given this it is suggested that the “Additional Licensing” scheme should be restricted to the settlement limits of Rhyl, thereby allowing a concerted, concentrated and coordinated approach to rolling out “Additional Licensing” in Rhyl.

2.7.4 Members should be aware that the Housing Enforcement Team will still have responsibilities outside of Rhyl, as this report is dealing only with “Additional Licensing”. For example functions still carried out Council wide would include:

- Mandatory Licensing
- Problem HMOs which will be subject to controls other than “Additional Licensing” and “Mandatory Licensing” such as reactive inspections under the Housing Health and Safety Rating System, Anti Social Behaviour actions etc.



- Partnership working with other Agencies to tackle problem HMOs outside Rhyl
- Programme of Multi Agency visits to HMOs throughout the County as led by the Housing Enforcement Team.

## **2.8 Conditions Imposed on HMOs as a result of “Additional Licensing”**

2.8.1 The Housing Act lays down a number of Mandatory Licensing Conditions that would automatically apply to any “Additional Licensing” scheme including:

- Provision of annual Gas Safety Certificate
- Safety of electrical appliances and furniture
- Provision and maintenance of smoke alarms
- Provision of written tenancy agreements

2.8.2 When implementing the “Mandatory Licensing” regime the Council adopted a number of additional conditions to complement the mandatory conditions imposed by virtue of the Act. It is proposed that the additional conditions adopted for “Mandatory Licensing” be adopted for the “Additional Licensing” scheme. An example of some of the additional standard conditions include:

- The Licence holder having to provide information regarding any unspent convictions for each person involved with the management of the HMO
- Require local management arrangements of the HMO to be put in place
- Ensure reasonable procedures are in place to deal with and reduce anti social behaviour

2.8.3 By imposing additional standard conditions the Council is able to have more effective regulatory control over both the physical standards of the HMO and their management. By adopting the same additional standard conditions as are already in place by virtue of the “Mandatory Licensing” scheme the Council will ensure consistency for all parties.

2.8.4 Attached as **Appendix 1 & 2** are the approved statutory and additional standard conditions imposed for “Mandatory Licensing” which are proposed to be adopted for the “Additional Licensing” scheme.

## **2.9 Fees to be Applied to “Additional Licensing”**

2.9.1 As with “Mandatory Licensing” the Act allows Local Authorities to introduce fees for “Additional Licensing”. The fees should be set at an appropriate level which reflects the inspection and enforcement burden to the Authority, without being disproportionately high.

2.9.2 The proposal is that the same fee and fee structure be applied to “Additional Licensing” that was agreed for “Mandatory Licensing”.

2.9.3 Attached as **Appendix 3** is a copy of the “Mandatory Licensing” fee structure.

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

- 3.1 Section 56 of the Housing Act 2004 (the Act) gives the local housing authority the power to either designate the area of their district or an area in their district as subject to additional licensing in relation to a description of HMO specified in the designation.
- 3.2 Section 65 (2) of the Act gives the local housing authority power to set higher local standards over and above what are the prescribed standards set by legislation.
- 3.3 Section 63(3) of the Act states that the local housing authority may require a licensing application to be accompanied by a fee, fixed by the local housing authority.

### **4 RESOURCE IMPLICATIONS**

#### **4.1 Cost Implications:**

- 4.2 The Act allows the Council to fix fees for licensing HMO properties, which covers all costs associated with carrying out their functions in relation to HMO Licensing, which includes recovering costs incurred in enforcing the Conditions and Standards as outlined in Appendix 1 & 2.
- 4.3 Fees must be transparent, accountable and reflect the actual cost of licensing. It is proposed that the existing licensing fees for Mandatory Licensing should also be applied to Additional Licensing to ensure consistency and a level playing field for those affected by the scheme

#### **4.2 Staffing / Accommodation Implications:**

- 4.2.1 Initially, existing staffing resources will be utilised to implement the new scheme, however when additional staffing are required these will be funded through the licensing fees.
- 4.2.2 Existing accommodation can be utilised to accommodate additional staff using the principals of home and flexible working policy.

#### **4.3 IT Implications:**

- 4.3.1 Existing IT software systems are already in place to deal with mandatory Licensing, which has adequate capacity to deal with the increased data storage requirements of Additional Licensing.

### **5 RISK ASSESSMENT**

#### **5.1 Risks associated with not agreeing the recommendation/s**

- 5.1.1 Local housing authorities have a duty to license properties falling under mandatory licensing, these properties have already been licensed, which only equates to some 30 properties, when a further 400 could be subject to the same requirements.

- 5.1.2 If we proceed with Additional Licensing we would be unable to use the additional suite of powers already in existence for mandatory licensing. Furthermore the adopted Licensing Conditions and Standards could not be applied to those properties falling outside the scope of licensing.
- 5.1.3 Inconsistency and confusion for those landlords and tenants operating or living in licensed or unlicensable HMO houses in multi occupied properties.

## **5.2 Risks associated with agreeing the recommendation/s**

- 5.2.1 Adopting the Additional Licensing scheme would inevitable increase the workload for existing staff, however through the fees generated, additional staff can be recruited to deal with the licensing function. It must however be emphasized that fees can not be generated for the additional work of undertaking inspection of all licensable HMO properties under the Housing Health and Safety Rating System (HHSRS).
- 5.2.2 With the designation of the scheme, it would become a statutory duty on the authority to assess HMO under the HHSRS and take any enforcement action as deemed necessary i.e. service of Notices. Inspections under the HHSRS forms a fundamental part in improving standards in these HMOs as a complimentary system to licensing, these are required to be done within 5 years of any valid licensing application.

## **6 FINANCIAL CONTROLLER STATEMENT**

- 6.1 Any cost implications resulting from this matter will need to be contained within the anticipated additional fees income as detailed in 4.2 above.

## **7 CONSULTATION CARRIED OUT**

- 7.1 The Act requires that the Authority take reasonable steps to consult persons likely to be affected by the designation of such a scheme and to consider any representations received prior to implementation.
- 7.2 The proposals have been considered by the Environment and Regeneration Scrutiny Committee held on the 16<sup>th</sup> October 2008. Members supported the officers recommendations as contained in paragraphs 2.2.2. – 2.2.5 above
- 7.3 There has been one amendment made to the officers recommendation in relation to the type of HMO to be covered, it should have also included those properties which may have shared facilities who fall outside the scope of mandatory licensing, this is to ensure that ALL 3 storey properties are captured within the scheme.
- 7.4 Formal consultation was then carried out during June and July through the following mediums:
- Denbighshire Landlord Forum – 23<sup>rd</sup> June
  - Press release issued, published by the Daily Post, Journal and the Visitor
  - Consultation papers available via Denbighshire website

- Attendance to West Rhyl Community meeting 1<sup>st</sup> July
- Consultation papers sent to Rhyl Town Council in the first week of consultation, furthermore further discussion took place with two of Rhyl's Town Councillors relating to general HMO problems in their Wards, they were also provided with further copies of the consultation papers.

7.5 Eight anonymous questionnaire responses were received by the Council and a further 2 letter responses, from West Rhyl Community Company and the National Landlords Association. No formal response was received from Rhyl Town Council, although an anonymous questionnaire was completed.

7.6 Chris Ruane MP conducted his own survey on the proposals for additional licensing in Rhyl, 169 survey forms were received from the Member of Parliament from residents across Rhyl, only 18% of these responses were from Rhyl West Ward, which has the highest concentration of HMO properties

7.7 All the consultation responses have been collated in **Appendix 4**, including those received from Chris Ruane.

## **8 IMPLICATIONS**

### **8.1 Assessment of Impact on Corporate Priorities:**

8.1.1 Additional Licensing will have a direct impact on two of the Corporate Priorities, "Regeneration" and to a lesser extent "Responding to demographic change"

8.1.2 Additional Licensing of houses in multiple occupation designated to Rhyl will have a direct impact on the standards of the private housing stock, through improvements in quality, living space and better management. It would support the Council's aim to reduce the gap between Denbighshire's most deprived areas and the rest of the County.

### **8.2 Assessment of impact on the Vision, Community Strategy, Equalities and Sustainability:**

8.2.1 The scheme would meet our **Vision**:

- Working in partnership with other agencies to improve housing conditions and management standards.
- The **regeneration** of Rhyl through a change in the type and quality of housing available in the town to help regenerate its economy.
- Good quality rented sector, which is more energy efficient, will support our vision of Denbighshire as being an ideal place to live.
- Through Additional Licensing we will working with other agencies to improve housing conditions to work towards **eliminating deprivation**.

8.2.2 The scheme would meet our **Equalities** agenda in ensuring that Denbighshire's residents would live in good quality accommodation within the private rented sector.

8.2.3 Landlords of Licensed properties are required to **Sustain** their properties to a good standard throughout the life of the licensing, we hope this would ensure a continued and sustained improvement within the private rented sector over time.

8.2.4 The scheme further meets our **Anti Poverty** agenda to improve housing conditions in the private sector which in turn would have an affect on reducing fuel poverty within the private rented sector.

## 9 ACTION PLAN

ACTION	RESPONSIBLE OFFICER / DATE BY WHEN ACTION TO BE COMPLETED	ACTION TO BE REVIEWED & MONITORED BY / DATE TO BE MONITORED
Publish a Public Notice in respect of the Additional Licensing Scheme with implementation date. Publish Press Release following Cabinet meeting	Glesni Owen As soon as possible after Cabinet.	Graham Boase End September 2009
Implementation date (no earlier than 3 months from Cabinet designation)	Glesni Owen No later than 31 <sup>st</sup> March 2010	Graham Boase Monthly review until implementation
Send out full application on a rolling programme	Glesni Owen / Support Officer	Graham Boase Monthly review

## 10 RECOMMENDATIONS

10.1 Members agree to designate an Additional Licensing Scheme for a specified type of Houses in Multiple Occupation (HMOs) outlined in paragraph 2.1.5 (also refer to paragraph 2.2.2.) within the settlement limits of Rhyl. This scheme will be known as the Denbighshire County Council Additional Licensing Scheme (Houses in Multiple Occupation) Scheme 2009 ("The Scheme").

10.2 Members approve the existing Licensing Conditions, Standards and Fees as previously adopted for the Mandatory Licensing Scheme as outlined in Appendix 1,2 & 3 and for these Conditions and Standards to be adopted by the Council as its local standards for the Additional Licensing Scheme.

10.3 Members recommend that the Lead Member for Environment: Regeneration is given delegated power to make any subsequent minor changes to the Licensing Conditions and Standards once adopted.

10.4 Members recommend that the actual date of implementation be at the discretion of the Head of Service, in consultation with the relevant Lead Member for Environment: Regeneration. In any event the implementation date shall be no later than 31 March 2010.



## **MANDATORY LICENCE CONDITIONS**

### **To be read in conjunction with the Adopted Minimum Licensing Standards for HMO**

#### **1.0 SUITABILITY FOR MULTIPLE OCCUPATION**

- 1.1 Under Section 65 of the Housing Act 2004 Part 2, in order for a HMO to be considered suitable for multiple occupation it must meet minimum prescribed standards.
- 1.2 If the property is deemed as unsuitable for the number of occupiers occupying the property at the time of application, the Authority may require work to be carried out to comply with the prescribed standards and/or impose restrictions or prohibition on the use or occupation of particular parts of the house.
- 1.3 It is a condition of the licence that all work required to meet the licensing standards is carried out within the specified time period. The specified time period will vary depending on the extent of works required at the property, this will be at the discretion of the inspecting Officer.

The standards required include:

- 1.4 **Heating:**  
*(refer to section 9.0 of HMO licensing standards)*

Each unit of living accommodation in an HMO must be equipped with adequate means of space heating.

- 1.5 **Washing facilities:**  
*(refer to sections 4.0;5.0;6.0; & 7.0 of HMO licensing standards)*

Where all or some of the units of living accommodation in an HMO do not contain bathing & toilet facilities for the exclusive use of each individual household, the following applies:

- (a) Where there are **4** or **fewer** occupiers sharing those facilities there must be at least one bathroom with a fixed bath or shower and a toilet (which may be situated in the bathroom);

## APPENDIX 1

- (b) Where there are **5** or more occupiers sharing those facilities there must be:

1 separate toilet with wash hand basin with appropriate splash back for every **5** sharing occupiers; and at least **1** bathroom (which may contain a toilet) with a fixed bath or shower for every **5** sharing occupiers.

<b>SCHEDULE OF AMENITY PROVISIONS IN RELATION TO NUMBER OF PERSONS</b>	
1 – 4 Persons	At least 1 bathroom and 1 WC ( the bathroom and WC may be combined)
5 Persons	1 bathroom and 1 separate WC with WHB ( but the WC can be contained within a second bathroom)
6 - 10 Persons	2 bathrooms and 2 separate WCs with WHBs (but one of the WCs can be contained within one of the bathrooms)
11 – 15 Persons	3 bathrooms and 3 separate WCs with WHBs (but the WCs can be contained within 2 of the bathrooms)

All baths, showers & wash hand basins in an HMO must be equipped with taps providing an adequate supply of cold and constant hot water.

All bathrooms in an HMO must be suitably and adequately heated and ventilated

All bathrooms & toilets in an HMO must be of an adequate size & layout. ( **refer to section 1.8 of HMO licensing standards**)

All baths, toilets and wash hand basins in an HMO must be fit for the purpose.

All bathrooms & toilets in an HMO must be suitably located in or in relation to the living accommodation in the HMO.

### 1.6 **Kitchens:** ( **refer to sections 5.0 ;8.0;10.0; & 11.0 of HMO licensing standards**)

Where all or some of the units of accommodation within the HMO do not contain any facilities for the cooking of food, there must be a kitchen, suitably located in relation to the living accommodation,

and of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food. The kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in a sufficient quantity for the number of those sharing the facilities:

- (1) Sinks with draining boards;
  - (2) An adequate supply of cold and constant hot water to each sink supplied;
  - (3) Installations or equipment for the cooking of food;
  - (4) Electrical sockets
  - (5) Worktops for the preparation of food;
  - (6) Cupboards for the storage of food or kitchen and cooking utensils;
  - (7) Refrigerators with an adequate freezer compartment (or where the freezer compartment is not adequate, adequate separate freezers);
  - (8) Appropriate refuse disposal facilities;
- and,

appropriate extractor fans, fire blankets, and fire resisting doors.

### 1.7 **Units of living accommodation without shared basic amenities** **( refer to sections 5.0 ;8.0;10.0; & 11.0 of HMO licensing standards)**

Where a unit of living accommodation contains kitchen facilities for the exclusive use of the individual household, and there are no other kitchen facilities available for that household, that unit must be provided with:

- (1) Adequate appliances and equipment for the cooking of food;
  - (2) A sink with an adequate supply of cold and constant hot water;
  - (3) A work top for the preparation of food;
  - (4) Sufficient electrical sockets;
  - (5) A cupboard for the storage of kitchen utensils and crockery;
- and
- (6) A refrigerator.

Where there are no adequate shared washing facilities provided for a unit of living accommodation, an enclosed and adequately laid out and ventilated room with a toilet and bath or fixed shower supplying adequate cold and constant hot water must be provided for the exclusive use of the occupiers of that unit, either:

- (1) Within the living accommodation; or
- (2) Within reasonable proximity to the living accommodation.

### 2.0 **MANAGEMENT DUTIES.** **( refer to sections 11.0 & 14.0 of HMO licensing standards)**



- 2.1 The licence holder of the property is required to ensure there is compliance with the **Management of Houses in Multiple Occupation (Wales) Regulations 2006**, at all times.

**Satisfactory management structure and funding arrangements must be in place.**

- 2.2 The licence holder must be competent to perform HMO management duties, **be locally based** and have in place a clear chain of responsibility to efficiently and effectively deal with all remedial works, expenditure and breaches of licence conditions that may require rectifying during the term of the licence.  
( **In this context, locally based means within one hour traveling distance of the licensed house. Licence holders who can demonstrate that adequate provisions are in place to deal with urgent repair / management issues, may be exempted from this requirement.** )

- 2.3 The licence holder shall ensure that refuse and litter are not allowed to accumulate in the house and arrangements must be made for temporary storage and disposal of refuse and litter by means of suitable bins or other suitable receptacles. **(refer to sections 11.0 for specific requirements)**

- 2.4 The licence holder is required to ensure that the external fabric of the property, including windows and doors, are kept in good repair, good order and clean condition. The external appearance of the property must be in good order, this includes external decorative repair.

- 2.5 The licence holder is required to ensure that each letting shall have a designated secure post box accessible from the outside of the premises or where not practicable, a appropriate letter plate and internal box to the main external door.

**3.0 FIT AND PROPER PERSON**  
**(refer to section 14.1-14.4 of HMO licensing standards)**

- 3.1 Under Section 64(3)(b) & (d), in granting a licence, the Council must be satisfied that the proposed licence holder, proposed manager and agent or employee are fit and proper persons, in doing so the Council must have regard to any evidence within the list below. The information you give will be treated in confidence and will only be taken into account in relation to your application.

- a) *Committed an offence involving Fraud; Dishonesty; Violence; Drugs; or any offence listed in Schedule 3 to the Sexual Offences Act (offences attracting notification requirements)*

- b) *Practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business.*
  - c) *Contravened any provision of housing or landlord and tenant law. In particular, within the last 5 years been in control of any property Subject to a Control Order Subject to proceedings by a Local Authority Where the Local Authority has had to carry out works in default Subject to a Management Order under the Housing Act 2004 Or been refused a licence or breached conditions of a licence*
  - d) *Acted in contravention of any Approved Code of Practice (ACoP).*
- 3.2 We will require your cooperation in obtaining information on any criminal records in confirmation of the offences listed above. We may also approach other Authorities such as the Police Authority, Fire and Rescue, Office of Fair Trading, etc. for information and confirmation.
- 3.2 The licence holder will be required to notify the Council if he/she becomes aware or suspects that anyone associated with the management or ownership of the HMO is not a 'fit and proper person'. The Council will then investigate.

#### **4.0 OCCUPANT AND PROPERTY SAFETY**

*(refer to section 16.0 of HMO licensing standards)*

#### **4.1 GAS SAFETY**

*(refer to section 16.1 of HMO licensing standards)*

- 4.1.1 Where gas is supplied to the house, the licence holder is required to ensure that, at all times, all gas appliances, boilers and flues provided as part of the tenancy are in a safe condition and in proper working order.
- 4.1.2 The licence holder must produce to the local housing authority annually for their inspection, a gas safety certificate obtained in respect of the house within the last twelve months.

#### **4.2 ELECTRICAL SAFETY**

*(refer to section 16.2 of HMO licensing standards)*

- 4.2.1 The licence holder is required to ensure that, at all times, all "electrical circuits" ( electrical circuits in this instance means lighting, power, fire alarm and emergency lighting circuits) throughout the premises' are in a safe condition and in proper working order.

4.2.2 The licence holder is required to keep electrical appliances made available by him in the house in a safe condition, and to supply to the authority on demand, with a declaration by him as to the safety of such appliances.

### **4.3 FIRE SAFETY**

*(refer to section 12.0 ,16.2 of HMO licensing standards)*

4.3.1 The licence holder must ensure that smoke alarms are installed in the house and to keep them in proper working order.

4.3.2 The licence holder must supply the authority, on demand, with a declaration by him as to the condition and positioning of such alarms.

4.3.3 Appropriate fire precaution facilities and equipment must be provided of such type, number and location as is considered necessary

4.3.4 The licence holder must ensure that the premises are, to the extent that it is appropriate, equipped with appropriate fire-fighting equipment and with fire detectors and alarms, and all fire safety measures identified are maintained by a competent person in an efficient state, in efficient working order and in good repair.

### **4.4 FURNITURE SAFETY**

*(refer to section 16.3 of HMO licensing standards)*

4.4.1 The licence holder is required to ensure that all furniture made available by him in the house is in a safe condition, and to supply the authority, on demand, with a declaration by him as to the safety of such furniture.

### **4.5 DOOR ENTRY SYSTEM**

*(refer to section 16.4 of HMO licensing standards)*

4.5.1 To safeguard the tenants and property from unwanted trespassers the licence holder shall ensure that the house is protected with a door entry system, with anti vandal protection, with or without tradesman facility.

### **5.0 CRIME PREVENTION & PROPERTY SECURITY**

*(refer to section 17.0 of HMO licensing standards)*

5.1 Security measures should be provided in the property to assist crime prevention

### **6.0 OCCUPANCY TERMS**

6.1 The licence holder must supply to the occupiers of the house a written statement of the terms on which they occupy it.

**7.0 DISPLAY OF NOTICES**

*(refer to section 18.0 of HMO licensing standards)*

- 7.1 Notices are required to be displayed in the communal hallway the premises, or as otherwise directed in other parts of the premises, at all times.
- 7.2 It would be advisable to place the above notices on a notice board properly protected with a Perspex covering or similar material.

**8.0 ANTI SOCIAL BEHAVIOUR**

*(refer to section 15.0 of HMO licensing standards)*

- 8.1 The Licence holder must take reasonable practical steps to prevent or where appropriate reduce, anti social behaviour at the premises by persons occupying or visiting the house. The licensee shall investigate complaints of anti-social behaviour (as defined in the Housing Act 2004, section 57(5) arising from their property and being caused by their tenants or tenants' visitors. Where appropriate they shall take legal advice and act to either caution or evict the tenants concerned.
- 8.2 They must also reasonably cooperate with the Licensing Authority and / or the police authority over any action being taken in respect of the anti social behaviour.
- 8.3 That any anti-social behaviour arising in the HMO is dealt with under the terms of the tenancy agreement.
- 8.4 The Licence holder is aware of his/her responsibilities under section 8 of the Misuse of Drugs Act 1971

*A person commits an offence if, being the occupier or concerned in the management of any premises, he knowingly permits or suffers any of the following activities to take place on those premises, that is to say-*

- (a) producing or attempting to produce a controlled drug in contravention of section 4(1) of this Act;*
- (b) supplying or attempting to supply a controlled drug to another in contravention of section 4(1) of this Act, or offering to supply a controlled drug to another in contravention of section 4(1);*
- (c) preparing opium for smoking;*
- (d) smoking cannabis, cannabis resin or prepared opium (heroin).*

### **9.0 TRAINING**

- 9.1 The licence holder will be required to attend training events, regarding the management of houses in multiple occupation, that may be organised by the authority in respect of improving standards, conduct and practice.
- 9.2 The licence holder will be required to provide a record of training attendances when applying for renewal of a licence. Attendance at the landlords' forum will be taken into account when assessing the level of training completed over a licence period.

### **10.0 LICENCE**

- 10.1 It is a condition of the licence that all work required to meet the licensing standards and contained within any statutory Notices served on the premises is carried out within the specified time period.

### **11.0 CHANGE OF DETAILS**

- 11.1 The licence holder must notify the Housing Enforcement Team Regarding any change of address or contact details stated on the Licence application form, as soon as possible.

### **FURTHER INFORMATION**

If you require any further information, please contact the Housing Enforcement Team for Denbighshire, details below:

**Denbighshire County Council**  
**Housing Enforcement Team**  
**Planning and Public Protection Service**  
**Russell House**  
**Churton Road**  
**Rhyl**  
**Denbighshire**  
**LL18 3DP**  
**Telephone: 01824 706389**  
**Fax: 01824 708322**  
**E-mail: [housing.enforcement@denbighshire.gov.uk](mailto:housing.enforcement@denbighshire.gov.uk)**  
**Website: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)**

**This guide is also available in Welsh, please contact us if you need a copy.**  
**Mae'r daflen wybodaeth hon ar gael hefyd yn yr iaith Gymraeg, am gopi cysylltwch a ni.**

**For a Braille, large print or tape version of this guide call free on 0800 243908**



**ADOPTED MINIMUM LICENSING STANDARDS FOR HOUSES IN  
MULTIPLE OCCUPATION**

**1.0 SPACE STANDARD**

**1.1 One Person Units of Accommodation:**

**1.1.1 One Room Units:**

minimum 14m<sup>2</sup> for living / bedroom and kitchen

**1.1.2 Two Or More Roomed Units:**

minimum 11.5m<sup>2</sup> living room / kitchen  
minimum 12m<sup>2</sup> each living room / bedroom  
minimum 9m<sup>2</sup> living room  
minimum 4.5m<sup>2</sup> kitchen  
minimum 6.5m<sup>2</sup> each bedroom

**1.2 Two or More Person Units Of Accommodation**

**1.2.1 One Room Units :**

minimum area of 20.5m<sup>2</sup> (These are not normally suitable for 2 or more persons who are not married couples or co-habitees)

**1.2.2 Two Or More Roomed Units:**

minimum 15m<sup>2</sup> living room / kitchen  
minimum 12m<sup>2</sup> living room  
minimum 14m<sup>2</sup>. living room / bedroom  
minimum 7m<sup>2</sup> kitchen  
minimum 11m<sup>2</sup> bedroom an area  
(These figures are based on a 2 person occupancy)

1.3 For occupancies of more than 2 persons, reference should be made to Table 1 of Section 326 of the Housing Act, 1985, when considering the permitted numbers to use the house for sleeping.

1.4 For every additional person within the letting there shall be an additional bedroom, of not less than 6.5m<sup>2</sup> or not less than 11m<sup>2</sup> for 2 persons.

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- 1.5 The obligate sharing of rooms by persons of the opposite sex over the age of 10 and who do not live as partners shall not be permitted.
- 1.6 A room having a floor area of less than 4.5m<sup>2</sup> shall not be occupied
- 1.7 No staircase or landing, nor any room which has been appointed as a kitchen or bathroom shall be deemed suitable for sleeping accommodation.
- 1.8 **Bathrooms and Toilet Compartment Standards**
- 1.8.1 **Bathrooms:** (all situations)  
minimum floor area - 4.5m<sup>2</sup>
- 1.8.2 **Toilets:** (all situations)  
minimum floor area - 2m<sup>2</sup>
- 1.8.3 Bathroom space standards will be assessed during inspection, and depending on the layout and amenity content of the room, the standard may be deviated from at the discretion of the inspecting officer.

## 2.0 **NATURAL LIGHTING**

- 2.1 All habitable rooms shall be provided with an area of clear glazing situated in either a window and / or a door, equivalent in total area to at least 1/10th of the floor area and to extend normally to a point 1.75m above floor level.
- 2.2 Basement rooms used for human habitation should, in addition to the requirements in the first paragraph, have sufficient natural lighting for their purpose.
- 2.3 All kitchens, bathrooms and water closet compartments shall comply with **2.1** above. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of **Section 3** to the satisfaction of the Housing Enforcement Officer. All glazing to windows in bathrooms and water closet compartments shall be of obscure glass.
- 2.4 All staircases, landings and passages shall be provided with an area of clear glazing in a window. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of Part (c) to the satisfaction of the Housing Enforcement Officer

## 3.0 **ARTIFICIAL LIGHTING**

- 3.1 All habitable rooms, kitchens, bathrooms, water closet compartments, staircases, landings and passages shall be adequately lighted by electricity.

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- 3.2 Time switches will only be allowed to common landings, passages and staircases and should stay on for an adequate time to allow a person to climb the stairs, etc., and enter a room. There should be sufficient switches to operate the artificial lighting on each landing corridor or passage and each switch should allow adequate lengths of corridors, passages and stairways to be illuminated at the same time.
- 3.3 All lighting to the common parts must be provided, maintained and paid for by the landlord (or agent). The supply shall be via a quarterly meter and not a card meter.

### 4.0 VENTILATION

- 4.1 All habitable rooms, kitchens, bathrooms and water closet compartments shall have a minimum floor to ceiling height of 2.14m, except in the case of existing underground rooms, which shall have a minimum height of 2.14m and attics shall have a minimum height of 2.14m over an area of the floor equal to not less than three-quarters of the area of the room, measured on a plane 1.5m above the floor. Any floor area above which the ceiling height is less than 1.53m shall additionally be disregarded.
- 4.2 All habitable rooms shall be ventilated directly to the external air by a window. The openable area of which shall be equivalent to at least 1/20th of the floor area of the room. Neither an openable door giving access directly to the external air, nor a louvered opening in such a door will be acceptable for the purpose of this requirement.
- 4.3 All kitchens, bathrooms, water closet compartments shall comply with **4.2** above, but where this is not practicable, mechanical ventilation providing a minimum of 3 air changes per hour shall be provided. Such an installation shall be fitted with an overrun device for a minimum of 15 minutes and be connected to the lighting circuit of the room.
- 4.4 Basement rooms used as habitable rooms should be provided with natural ventilation direct to the external air. In addition, there should normally be an unobstructed space immediately outside the window opening which extends the entire width of the window or more and has a depth of not less than 0.6m measured from the external wall or not less than 0.3m in the case of a bay window with side lights.
- 4.5 Suitable and sufficient permanent means of ventilation shall be provided in and maintained in any room in which there is a gas heating appliance.
- 4.6 Suitable and sufficient permanent means of ventilation shall be provided in all kitchens, dining/kitchens, bathrooms, water closet compartments and other room containing cooking or washing facilities.( e.g. flue, air brick, hit and miss ventilator or louvered window)



### **5.0 WATER SUPPLY**

- 5.1 Each separate occupancy shall be provided with a supply of hot and cold running water, suitable for drinking and food preparation purposes. Cold water should normally be supplied from the rising main, or by such other means as are acceptable to the Water Authority.
- 5.2 The supply is to be sited over a sink or wash-hand basin.
- 5.3 All water supplies shall, where necessary, be protected from frost damage.
- 5.4 The water pressure to all fitments shall comply with the minimum requirements laid down by the relevant Water Authority at all times.
- 5.5 Ensure that all bathrooms, kitchens and bed/sitting rooms are provided with a adequate, continuous and constant supply of hot running water which may be from a central source, from a plumbed in instantaneous water heater, or from a minimum 3kW / 7 litre point of use water heater, all in accordance with current Water by laws and IEE Regulations. Hot water supplied from a hot water cylinder tank will be acceptable, this need to be available at all time for use by the tenant.

### **6.0 PERSONAL WASHING FACILITIES**

- 6.1 Each separate occupancy shall be provided with its own bath or shower in a separate room. Where this is not practicable, a readily accessible bath or shower room, being not more than one floor in distance from any user shall be provided.
- 6.2 in the following ratio:
- |                |  |
|----------------|--|
| 1 - 5 persons. | 1 bathroom or shower room. Baths should be a minimum of 1700mm x 760mm, shower trays should be a minimum of 800mm x 800mm, and of a standard compatible with the Authority's Renovation Grant Specification. |
|----------------|--|
- 6.3 Hot and cold water supply shall be adequate, constant and available at all times. A three course tiled splashback to a minimum height of 450mm, including a suitable silicone sealant to the bath perimeter is to be provided. The bath / shower room shall be accessible at all times. Any shower cubicles provided should have fully tiled walls or be complete self standing cubicles.
- 6.4 Baths and showers shall not be provided in kitchens.
- 6.5 Amenities intended to be shared by two or more households are to be accessible from a common area.

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- 6.6 The walls and floor of any bathroom or shower room should be reasonably smooth and non absorbent and capable of being readily cleansed.
- 6.7 All shower rooms to have a dressing area and separated shower area - no communal showers are permissible.

### **7.0 DRAINAGE & SANITARY CONVENIENCES**

- 7.1 All above and below ground drainage shall comply with the requirements of the Building Regulations currently in force.
- 7.2 Each separate occupancy shall be provided with its own water closet compartment, being not more than one floor distance from each user, in the following ratios:
- 1 - 5 persons. 1 water closet. External water closets shall be ignored.
- 7.3 Where practicable, a shared water closet shall not be situated within a bathroom or shower room.
- 7.4 The walls and floor of any W.C. should be reasonably smooth and non-absorbent and capable of being easily cleansed
- 7.5 A wash hand basin shall be provided in each separate water closet, together with its own continuous supply of hot and cold running water. The hot and cold water supplies shall be included in the rental charge for the accommodation, unless the water closet is for the exclusive use of one occupancy.

### **8.0 FACILITIES FOR STORAGE, PREPARATION AND COOKING OF FOOD AND FOR THE DISPOSAL OF WATER**

#### **8.1 Kitchen Facilities**

- 8.1.1 Each occupancy shall have its own kitchen facilities within the unit of accommodation. Shared kitchens will not be acceptable in premises containing bedsits / flats. Where in the case of any occupancy this is not practicable each occupancy shall have a separate kitchen not more than one floor distance from the living accommodation.
- 8.1.2 For houses shared by a defined group e.g. students, one set of kitchen facilities as detailed below shall be provided for 5 persons, additional facilities will be required for a greater number of persons

#### **8.2 Food Storage**

- 8.2.1 Each separate occupancy shall be provided with a proper food store of adequate size. A electric refrigerator of minimum capacity of 0.15m<sup>3</sup>, plus a storage cupboard of minimum capacity of 0.16m<sup>3</sup>.

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Households which comprise more than one individual will require more of each type of storage space but this will not necessarily need to be on a pro rata basis. Adequacy will be at the discretion of the inspecting officer.

8.2.2 Shared kitchens shall be provided with a refrigerator with an adequate freezer compartment, or where the freezer compartment is not adequate, a separate freezer based on a 1:5 persons ratio.

8.2.3 A suitable electric socket shall be provided where a refrigerator is used.

8.2.4 The space in a sink unit below the sink will not be accepted, ventilated or otherwise.

### 8.3 Mechanical Ventilation

8.3.1 When a single room is used for living, sleeping and cooking, there shall be provided mechanical ventilation capable of achieving 3 air changes per hour about the cooking area.

### 8.4 Preparation of Food

8.4.1 Each separate occupancy shall be provided with a proper cooking appliance, the minimum acceptable will be:

8.4.2 Two rings or hot-plates, together with either a grill and oven for a one-person unit of accommodation,

**or,**

A cooker with 3 or 4 rings or hot-plates, together with an oven and grill for a unit of accommodation for more than one person, including houses occupied on a shared basis by 5 or fewer individuals, where the occupants live as a single household.

8.4.3 A worktop or table of smooth and impervious material of minimum size 500mm x 1000mm shall be provided, with a two course tiled splashback to the work surface area to a minimum height of 300mm. Households which comprise more than one individual will require more worktop provision, but this will not necessarily need to be on a pro rata basis. Adequacy will be at the discretion of the inspecting officer.

### 8.5 Disposal of Waste Water

8.5.1 Each separate occupancy shall be provided with a metal or ceramic sink and drainer in good condition and of minimum dimensions 500mm x 600mm, set on a stable base with a constant supply of hot and cold water. Where practicable, a two course tiled splashback including a suitable silicone sealant to the sink

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perimeter is to be provided. The sink shall be connected to the drainage system via a suitable trap. This provision will also be acceptable in houses occupied on a shared basis by 5 or fewer individuals.

8.5.2 A wash-hand basin shall not be used in place of a sink.

### 9.0 **SPACE HEATING**

9.1 All rooms shall be adequately heated by a fixed heating appliance using piped gas, electricity or oil.

9.2 Solid fuel should only be permitted on the ground floor, where it can be shown that there is adequate fuel storage and that there will not be any risk to safety from the removal of hot ashes. Use of the appliance will be exclusive.

9.3 All appliances should be of a sufficient output so as to adequately heat the rooms they serve. The recommended room temperatures are 18 degrees centigrade generally, in the living room and 16 degrees centigrade in all other habitable rooms, when the outside temperature is -1 degree centigrade. This provision should be efficient, safely designed and be so sited and guarded as to minimise the risks to health and safety.

9.4 All **bathrooms** in an HMO must be suitably and adequately heated by a fixed heating appliance capable of maintaining the room at a temperature of 16 degrees centigrade when the outside temperature is -1 degree centigrade.

9.5 All such appliances shall be maintained annually by a competent person.

9.6 Free standing paraffin heating stoves and portable heaters shall not be permitted.

### 10.0 **ELECTRICAL INSTALLATION**

#### 10.1 **Kitchen / kitchen areas**

10.1.1 All kitchens / cooking areas shall be provided with a dedicated 30 amp cooker point, or, for a smaller portable two ring cooking appliance a power socket with a suitable fuse rating, positioned immediately adjacent to the worksurface, or a suitable gas point.

And

A minimum Two, two gang power sockets or four one gang sockets positioned immediately above the worksurface. (in addition to those serving major appliances. Eg fridge, washing machine etc.)

10.1.2 Power sockets shall be set at a statutory height and safe position.

### **10.2 Livingroom**

10.2.1 Two, two gang sockets or four one gang sockets.

### **10.3 Bedroom**

10.3.1 One two gang socket or two one gang sockets

### **10.4 Bedroom / living room area**

10.4.1 Where the living and bedroom areas are combined, there shall be provided three two gang sockets or six one gang sockets.

10.4.2 When specific number of sockets are specified within rooms, any combination of single or two gang will be acceptable.

10.4.3 In addition to the above, all habitable rooms which are provided with a fixed electrical heating appliance shall be provided with a dedicated socket outlet with a suitable fuse rating.

### **10.5 Earth Bonding (kitchens / kitchen areas / bathrooms)**

10.5.1 Where there is an increased risk of electric shock due to likely contact between substantial areas of the body and earth potential, these locations should be earth bonded in accordance with the current I.E.E. Regulations.

## **11.0 REFUSE STORAGE & DISPOSAL**

11.1 The Licence Holder must ensure that there are adequate arrangements for the storage of household refuse between collections. This could be a storage cage of sufficient capacity to hold the amount of refuse produced at the property, rented wheeled bin, or other container of a type acceptable by the Local Authority.

11.2 The Licence holder will ensure that refuse is presented in an agreed suitable container by 07:00 on the designated collection day.

11.3 The Licence holder will ensure that bags or loose refuse are not exposed for collection.

11.4 All containers should be located on hard standing surfaces within the curtilage of the building, with suitable access for cleansing of the area, and removal of containers and must be readily accessible to all residents without access through another letting

11.5 Refuse is not to be stored inside the premises in either individual rooms or common areas.

11.6 The Licence Holder will ensure each occupant will be provided information on collections and of storage arrangements for refuse prior to collection or laminated notice to be placed in the HMO informing residents of the correct time, day and location to put out their refuse.

11.7 The Licence holder will ensure that ex-tenant unwanted items and furniture are disposed of correctly. Denbighshire County Council have a scheme in place to assist landlords to dispose of their unwanted items, further details are available from Customer Services on 01824 706100/101.

### **12.0 THE PROVISION OF ADEQUATE MEANS OF ESCAPE IN CASE OF FIRE**

12.1 The property shall be provided with an adequate means of escape from fire, together with adequate automatic fire detection and other fire precaution measures.

**Power Supply** – In an HMO, there must be a landlord's supply for power and lighting in the common areas of the house with a separate quarterly meter. If not, such a meter will have to be provided. **The supply to the alarm system, escape lighting and stairway lighting must be fed from the landlord's own meter and be independent of any other consumer unit supplying individual lettings. A coin, key or card meter is not acceptable.**

The supply to the fire alarm must be labelled "FIRE ALARM DO NOT SWITCH OFF". The isolating protective device (landlord's consumer unit) **must be visibly labeled "Landlords supply" and secured from unauthorised access**

12.2 The Regulatory Reform (fire safety) Order 2005 (RRO), is due to come into force on 1<sup>st</sup> October 2006. The Order requires the responsible person for a licensable HMO to make a suitable and sufficient written assessment of the risks to which relevant persons are exposed, for the purpose of identifying the general fire precautions he needs to take to comply with the requirements and prohibitions imposed on him by the RRO.

12.3 Recommendations and guidance for use when risk assessing the adequacy of fire precautions in premises providing sleeping accommodation, has been produced by the Department for Communities & Local Government (DCLG). The guide is available on the DCLG website: [www.firesafetyguides.communities.gov.uk](http://www.firesafetyguides.communities.gov.uk)  
Ref. No.: 05 FRSD 03338 (c)

12.4 **Licence holders will be required to supply the Authority, on demand, with a copy of their written fire safety risk assessment for the premises.**

### 13.0 ENERGY EFFICIENCY

- 13.1 The fabric of the building must be of such design and construction as to prevent excessive heat loss and the occurrence of serious condensation problems.
- 13.2 Considering the above, a property should be adequately insulated, taking into account current recommendations for energy efficiency. Lofts and hot water cylinders should be properly insulated and where necessary draught stripping, secondary/double glazing and under floor insulation should be installed.
- 13.3 Provide a minimum of 200mm of quilted insulation or other approved insulation to roof space.

### 14.0 MANAGEMENT DUTIES

- 14.1 In accordance with the HMO Licence application (Part3) fit & proper person requirement, the proposed licence holder must provide to the Housing Enforcement Team information regarding any unspent convictions for each person involved with the management of the house. This requirement can be satisfied by either:-
- 14.2 Applying for a **Basic disclosure** certificate (criminal conviction certificate). Application is available on line through Disclosure Scotland [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk).

or

A **Subject Access** check. An application form is available from the:

**Data Protection & Information Security Section**  
**North Wales Police Headquarters**  
**Glan-y-Don**  
**Abergele Road**  
**Colwyn Bay**  
**LL29 8AW**  
**Tel: (01492) 511388.**

Or from any Police Station in North Wales or can be downloaded from [www.north-wales.police.uk](http://www.north-wales.police.uk).

If the proposed licence holder lives outside the area, the application form can be obtained from your local police force in your area.

- 14.3 The certificate must be provided within **3 months** of the date you receive the HMO licence application form. Any subsequent offences committed, in connection with the fit and proper person criteria, during the licence period, must be notified to the local housing authority.

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14.4 The manager shall ensure that the following parts of the house, whether in common use or within any living accommodation, and installations are maintained in repair, clean condition, good working order and where appropriate decorative repair:

- Water supply and drainage
- A requirement to protect water fittings from damage from frost.
- All staircases, passageways, halls, lobbies and entrances must be kept free from obstruction, and in a safe condition.
- Handrails and banisters
- Installations for the supply of gas and electricity, for lighting, space heating and heating water.
- Sanitary conveniences, baths, sinks, wash hand basins and installations for cooking and storing of food.
- Postal packet receptacles
- Other kitchen, water closet or bathroom installations.

14.5 The supply of water, gas or electricity to any resident in the house must not be unreasonably interrupted

14.6 The living accommodation must only be let in a clean condition; the internal structure must be maintained in repair.

14.7 All windows and other means of ventilation must be maintained in repair and proper working order.

14.8 All means of escape from fire in the house and all apparatus, systems and fire precautions must be maintained in good order and kept free from obstruction.

14.9 All parts of the house, including boundary walls, fences and railings must be kept and maintained in repair so as not to constitute a danger to residents.

### **15.0 ANTI-SOCIAL BEHAVIOUR**

15.1 The licence holder will be required to satisfy the authority that reasonable procedures are in place to deal with and reduce anti-social behaviour problems that may occur within the premises. The licence holder will be expected to apply the procedures and manage these issues effectively. ( The local authority may provide guidance regarding the procedures required, in due course. )

15.2 Anti-social behaviour can include:  
Harassment and intimidating behaviour  
Hate crime  
Behaviour that creates alarm and fear



Noisy neighbours  
Problems associated with people dealing or using drugs  
People being drunk and disorderly  
Vandalism  
Rubbish & litter left lying around, or abandoned cars etc

### 16.0 OCCUPANT AND PROPERTY SAFETY

#### 16.1 Gas safety

- 16.1.1 Under the Gas Safety (Installation and Use) Regulations 1998, it is a requirement that the licence holder ensures that each gas appliance is checked for safety at intervals of not more than 12 months by a Gas Safe Engineer, who holds a valid certificate of competence covering the type of appliance(s) being inspected.
- 16.1.2 A copy of the safety check record is given to each tenant within 28 days of the check being undertaken or a copy of the current record before the occupancy begins, stating that all gas appliances within the premises are in good working order and in safe condition.
- 16.1.3 On each occasion the gas appliances are altered in any way, the licence holder shall produce to the Council a further certificate from a Gas Safe Engineer concerning the condition of the gas appliances.
- 16.1.4 The licence holder shall at all times ensure that a valid Gas Safety Certificate is displayed in a prominent area within the communal hallway. A record of every check should be kept on file for a minimum of two years.
- 16.1.5 Carbon Monoxide (CO) sensor alarms shall be installed in accordance with manufacturers instructions and located in all rooms containing **gas, oil and solid fuel appliances**.

#### 16.2 Electrical / fire safety

- 16.2.1 Following initial licensing or renewal or *variation* of a licence, it is a requirement for the licence holder to provide within **42 days** to the Council's Housing Enforcement Team, **a periodic inspection certificate** regarding the condition of electrical circuits and / or appliances in the premises, provided by a 'qualified electrician'. **(electrical circuits in this instance means lighting, power, fire alarm and emergency lighting circuits and all electrical appliances which are provided as part of the tenancy agreement and throughout the premises)**
- 16.2.2 A qualified electrician in this context is a member of the Electrical Contractors Association (ECA), the National Inspection Council for Electrical Installation and Contracting (NICEIC), National Association of Professional Inspectors & Testers (NAPIT) or the

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Institute of Electrical Engineers (MIEE) who is suitably qualified to inspect and test electrical installations including automatic fire alarm / emergency lighting systems and domestic equipment / appliances in accordance with the current IEE Regulations and relevant British Standards.

- 16.2.3 It is recommended that inspections be carried out on an annual basis.
- 16.2.4 Adequate lighting must be provided to areas in common use.
- 16.2.5 It is advisable that in addition to above, annual gas and electrical inspections, a further inspection is carried out at any change of tenancy.

### 16.3 Furniture safety

- 16.3.1 All upholstered furniture, whether new or secondhand, supplied to tenants as part of their tenancy agreement for agreements must comply with the safety requirements of the Furniture and Furnishings (Fire) (Safety) Regulations 1988, there are some exemptions. Responsibility to comply with the Regulations rests with the licence holder. For a fact sheet on your responsibility contact the Housing Enforcement Section or the Trading Standards Section.

### 16.4 Door Entry System

- 16.4.1 This could include any of the following:
- Anti vandal analogue audio and/or video system
  - Anti vandal digital audio and/or video system
- 16.4.2 The entrance door of the premises should be fitted with a surface or flush mounted nightlatch lock release mechanism (e.g. Yale lock), or for a higher standard an electro magnetic lock.
- 16.4.3 The manager shall ensure that the system and locks are maintained in good repair and proper working order at all times.
- 16.4.4 Alternative proposals regarding door entry systems may be considered in certain circumstances.

### 17.0 CRIME PREVENTION & PROPERTY SECURITY

- 17.1 It is recommended that the following security measures be provided in the property to assist crime prevention:
- Glass situated close to the entrance door locking mechanism to be Georgian wired, toughened or laminated glass.

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- Ground floor windows and other accessible windows to be fitted with security locks
- External automatic secure lighting provided to external doors and staircases where the area is particularly dark or secluded.
- Door viewers (spy holes) to flat entrance doors.

### **18.0 GENERAL**

18.1 Electrical and gas meters shall be readily accessible to the occupier and to the appropriate meter reader with 6mm plywood boxing and doors to electricity meters. Include for all necessary ironmongery and carcassing.

18.2 All low level glazing (i.e. below 800mm from floor level) in windows, doors and partitions to be of toughened safety glass or treated with a suitable laminate adhesive film.

### **19.0 DISPLAY OF NOTICES**

19.1 **The following Notices are required to be displayed in the communal hallway of the premises, or as otherwise directed, in other parts of the premises, at all times:**

19.1.1 A notice containing the name and contact telephone number of the licence holder.

19.1.2 Copy of a valid Gas Safety Certificate (if applicable).

19.1.3 Copy of a current periodic inspection certificate for the fire alarm system, and emergency lighting.

19.1.4 Fire Notices to be displayed and maintained to all fire call points within the premises, (supplied by the Authority).

19.1.5 Copy of the Licence.

19.1.6 The Licence conditions.

19.1.7 Copy of landlords anti social behaviour procedures.

19.2 It would be advisable to place the above Notices on a notice board properly protected with a perspex covering or similar material.

### **20.0 Inspections under the Housing, Health and Safety Rating System**

20.1 **In addition to a premises meeting these minimum standards, any subsequent inspection required by the Housing Act 2004 Part 1 – Housing Conditions, and carried out in accordance with the Health and Safety Rating System (HHSRS), may require additional**

works over and above the minimum standard in order to remedy any category 1 and 2 hazards identified.

### FURTHER INFORMATION

If you require any further information, please contact the Housing Enforcement Team for Denbighshire, details below:

**Denbighshire County Council**  
**Housing Enforcement Team**  
**Planning and Public Protection Service**  
**Russell House**  
**Churton Road**  
**Rhyl**  
**Denbighshire**  
**LL18 3DP**  
**Telephone: 01824 706389**  
**Fax: 01824 708322**  
**E-mail: [housing.enforcement@denbighshire.gov.uk](mailto:housing.enforcement@denbighshire.gov.uk)**  
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This guide is also available in Welsh, please contact us if you need a copy. Mae'r daflen wybodaeth hon ar gael hefyd yn yr iaith Gymraeg, am gopi cysylltwch a ni.

For a Braille, large print or tape version of this guide call free on 0800 243908

## HMO Licensing Fee Structure

### Fee Structure 1

The basic fee to be £880 based on 5 **habitable rooms** which is a **bedsit, separate living room or bedroom**.

For properties with between 6 and 10 habitable rooms there is additional charge of £30 for each habitable room. Properties with 11 or more habitable rooms the charge will be £40 per habitable room over and above 11 habitable rooms.

In summary the fees for HMO licensing are as follows:

Habitable rooms (bedsit, living room or bedroom)	Total fee of license for 5 years	Discounted Fee if floor plans are provided *
5 or less	£880	£820
6	£910	£850
7	£940	£880
8	£970	£910
9	£1,000	£940
10	£1,030	£970
11	£1,070	£1,010
12	£1,110	£1,050
13	£1,150	£1,090
14	£1,190	£1,130
15	£1,230	£1,170
16	£1,270	£1,210
17	£1,310	£1,250
18	£1,350	£1,290
19	£1,390	£1,330
20	£1,430	£1,370

### **Example:**

A property consisting of 5 habitable rooms with a fee of £880 for five years will cost:

- £176 per habitable room for 5 years
- £35.20 per habitable room a year
- 68 pence a week for each habitable room

\* If the application form is provided with an appropriate floor plan (as detailed in the application form) a discount of £60 will be given on the cost of application.

### Fee Structure 2

Licenses are non transferable to another person or property and fees are not refundable. If the property were sold on as a HMO, the new landlord would need to apply for a new license, the fee structure remain unchanged given such circumstances.

## **HMO Licensing Fee Structure**

### **Additional Charges Over and Above Licence Application Fee**

#### **Fee Structure 3 - Assistance**

If assistance is required in completing the application form an additional charge of £100 will be made and a further £60 per additional property owned by the landlord.

#### **Fee Structure 6 - Enforcement Activities**

Enforcement action is based on application forms being completed and no further action being required. But some time has been added for the occasions when enforcement action is required, such as, Incomplete Applications, Minded to Refuse Licence and Consider & Respond To Representations.

In addition to the fee outlined above additional charges will be payable for Enforcement Activities carried out at the time of the activity:

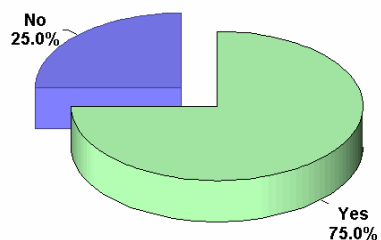
- Appeals to Residential Property Tribunal (RPT)
- Variations To Licence
- Revocation of Licence
- Interim Management Orders
- Final Management Orders
- Rent Repayment Orders
- HMO Declarations
- Prosecutions

These will be charged at £50 per hour of work. As some of the functions listed above will depend on the complexity of the case it is difficult to judge the total cost per function.

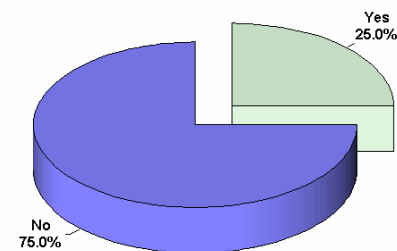
**RESPONSES TO DENBIGHSHIRE COUNTY COUNCIL ADDITIONAL LICENSING SCHEME PROPOSALS**

We received 179 responses in total, which includes information received from Chris Ruane MP following a survey he carried out.

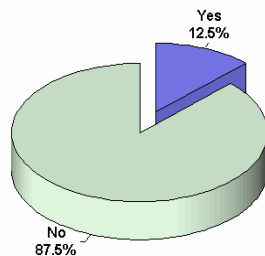
**Do you think the Authority should adopt the Additional Licensing Scheme for HMO's?**



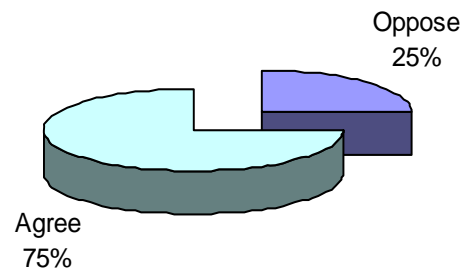
**Do you agree that the Additional Licensing Scheme should be applied to Rhyl only?**



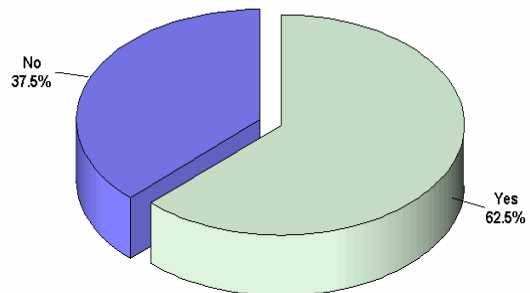
**Do you agree that the scheme should be applied to properties with 3 storeys or more?**



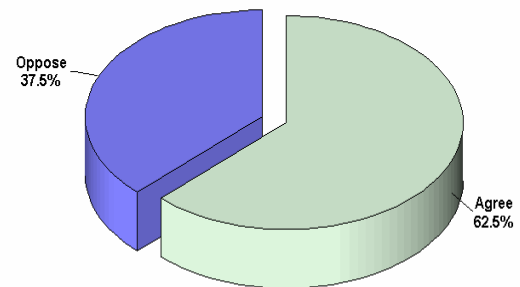
**Do you agree/oppose the decision to apply the same conditions to additional licensing as has been applied to Mandatory Licensing?**



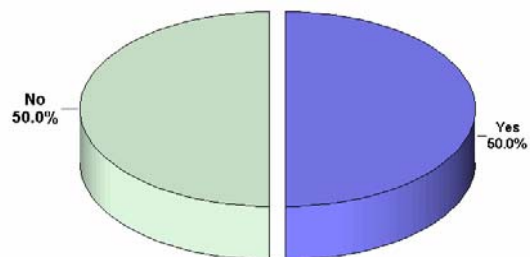
**Do you agree that properties which consist of 3 persons or more in 2 or more households should have a licence?**



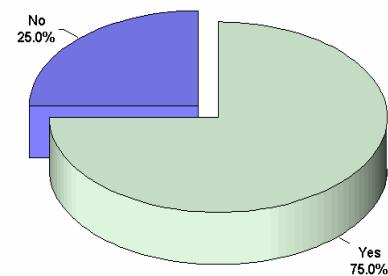
**Do you agree / oppose the decision to apply the same Fees as has been applied to Mandatory Licensing?**



**Do you think that an Additional Licensing Scheme will improve standards of management of HMO's in Rhyl?**

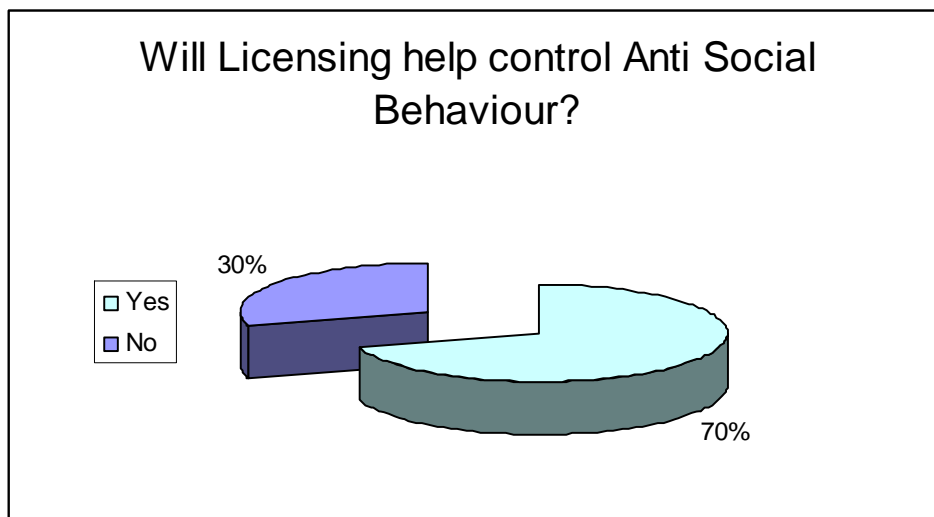
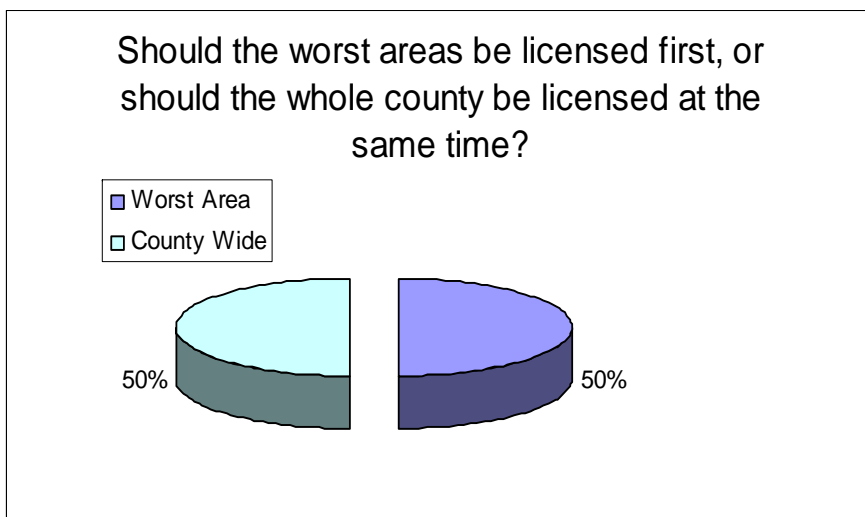
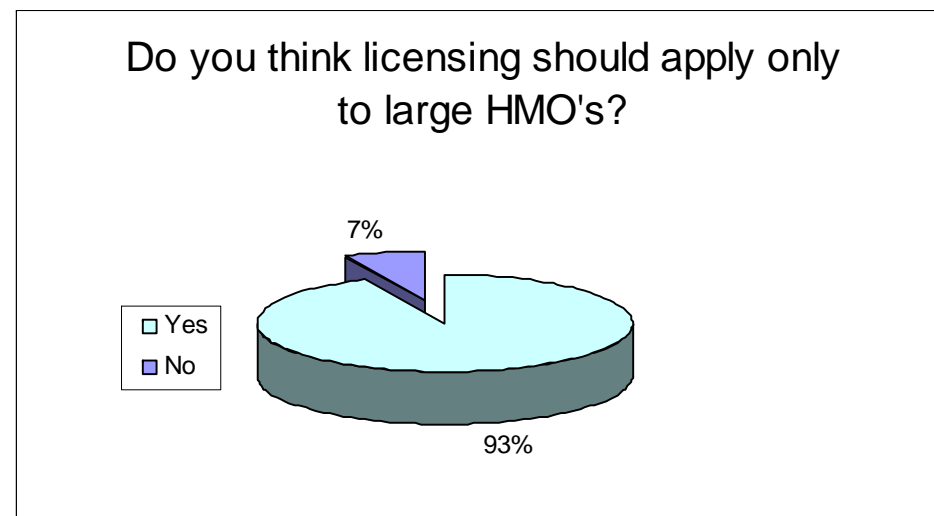
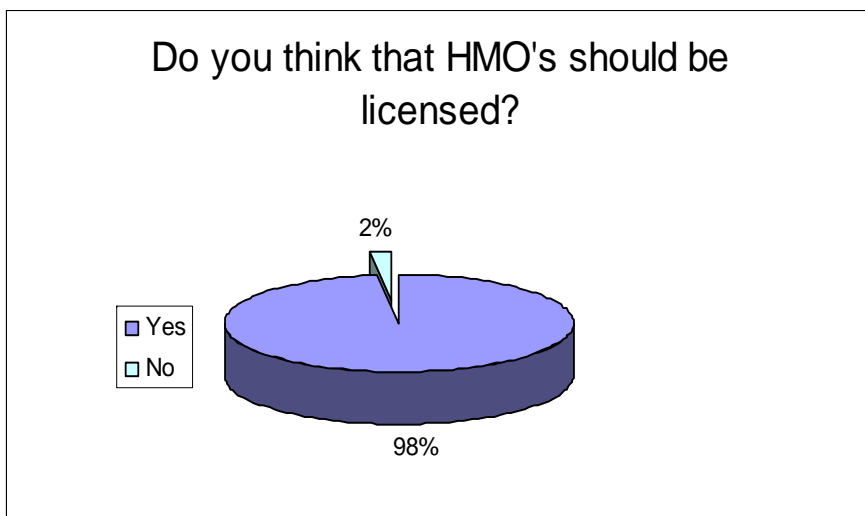


**Do you think the scheme would improve the control of anti social behaviour in HMO's in Rhyl?**





Analysis of answers to questions on Chris Ruane MP survey form



Responses to questions raised through the consultation:

Question	Officers Response
<p><b>Q.1 The Scheme should apply to <u>all rented properties across the whole of the County (and Wales)</u></b></p> <p><b>Q. 2 The scheme should be rolled across the County , with Rhyl given priority</b></p>	<p>The authority must consider that a significant proportion of the HMO's of the managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMO's or members of the public</p> <ul style="list-style-type: none"> <li>• Research which has been carried out on properties which have been dealt with by the Housing Enforcement Team has revealed that there are approximately 430 2 storey properties in the County. Of these, 427 are single occupied properties. Only 3, 2 storey properties would be subject to additional licensing.</li> <li>• The research has further revealed 926 properties which have 3 storeys. Of these, approximately 550 are 3 storey properties which consist of self contained flats, of these an estimated 400 may require licensing under Additional Licensing.</li> <li>• 246 complaints were received by the Housing Enforcement Team during 1<sup>st</sup> April 2007 and 31<sup>st</sup> March 2008, of which 95 were related to HMO's (39%)</li> <li>• 50 complaints were received by the Housing Enforcement Team during 1<sup>st</sup> April 2008 and 31<sup>st</sup> March 2009, of which 22 were related to HMO's (44%).</li> <li>• Various organizations / persons are supporting the need for Additional Licensing Scheme, especially in the Rhyl area. (e.g. fire Service, Community Safety Officer etc)</li> </ul> <p>The above evidence shows that a significant proportion of 3 storey HMO's within the Rhyl area are being managed ineffectively. If there is no sufficient evidence to show that 2 storey properties within the county are being managed ineffectively, then we should not be including them in the</p>

	<p>criteria as this could be deemed as over-regulation. However if in the future we have evidence to show that the properties are causing a problem we could extend the designation to cover these properties.</p>
<p><b>Q.3 So why apply the scheme to Rhyl (Only)?</b></p>	<p>Of the 550 properties revealed, approximately <b>325</b> of these are located in <b>Rhyl</b>. 76 are located in Llangollen, 26 in St Asaph, 26 in Prestatyn, 1 in Rhuddlan, 3 in Dyserth and 11 in Ruthin.</p> <p>Rhyl West is now one of the most deprived parts of Wales. The figures come from the index of multiple deprivation in Wales</p> <p>A renewal Area study for West Parade, Rhyl was undertaken by Michael Howard Associates. The final Report “Denbighshire County Council Renewal Area Study and Neighbourhood Renewal Assessment for West Parade, Rhyl” was issued in October 2007. This report has showed that the majority of the dwellings in the area are converted flats and the area has a much higher rate of “unfitness” than the wider area, Denbighshire or Wales.</p> <p>At this stage, the information outlined above in the answer to Question 1 &amp; 2 reveal the overwhelming evidence to support the designation of an Additional Licensing Scheme in Rhyl. If, at a later date, it is decided that further area of the county should be subject to additional Licensing, the same procedure as is currently being undertaken, will need to be repeated for the proposed area.</p>
<p><b>Q.4 Implementing this scheme will result in an increase in rents for tenants.</b></p> <p><b>It will put an additional cost on accommodation which is not necessary.</b></p> <p><b>It is a revenue generating exercise by Denbighshire County Council</b></p>	<p>The implementation of an Additional Licensing Scheme may result in an increase in rents to tenants as landlords transfer the costs of licensing to them. Nevertheless, the advantages of the scheme to both tenants and landlords far outweigh the disadvantages.</p> <ul style="list-style-type: none"> <li>• Firstly the scheme can be a means of providing a single register for tenants to consult upon to ensure a property is licensed.</li> <li>• There will be a reduction in costs to tenants from having to take action against the landlord for poor management.</li> </ul>

	<p>The scheme allows the Housing Enforcement Team to assess whether a landlord is a fit and proper person and has a local connection.</p> <p>The scheme also deals with the issue of anti social behavior. All these issues are important in protecting the health, safety and welfare of the persons occupying the property and those in the vicinity.</p> <p>Applying an additional licensing scheme ensures a consistent and fair approach. Additional resources will allow a greater focus of enforcement on more unscrupulous landlords whilst providing support to the good landlords who demonstrate high property management standards.</p>
<p><b>Q.5 The scheme will be a success to some extent if it is enforced properly and is more robust than present.</b></p>	<p>The revenue created from the scheme will be put towards the costs of running the scheme. Having taken into consideration the inspection and administrative demand for each licence, income generated from the scheme will support recruitment of additional enforcement officers. The Enforcement Team strive to ensure licenses are dealt with promptly and all inspections carried out at regular intervals with the necessary enforcement action taken when necessary.</p>
<p><b><u>National Landlords Association Questions / Comments</u></b></p> <p><b>Q.6 “The NLA suggests that Additional Licensing should only be used in areas where there is a significant proportion of HMO’s that are being managed so ineffectively that they give rise to particular problems for those occupying them....”</b></p>	<p>Response to Question 1, 2 &amp; 3 above</p>
<p><b>Q.7 Has the Council considered whether making the designation will significantly assist them in dealing with problems? AND Q.8 “There is no evidence in the consultation that Denbighshire has considered whether there are any other courses of action available to them that might provide an effective method of dealing with the problems</b></p>	<p>The additional licensing scheme is an additional tool available to deal with HMO’s in addition to the following tools/policies/strategies in place:</p> <ul style="list-style-type: none"> <li>• Denbighshire Landlord Forum</li> <li>• All Wales Accreditation Scheme</li> <li>• Targeted Multi Agency team (Housing Enforcement, Police, Fire &amp; Rescue Service, Planning, Housing Benefit, Building Control, Immigration)</li> </ul>

<p>in question” AND Q.9 “There are a number of options available which DCC could consider to improve the standards of HMO’s in Rhyl....e.g. introduction of Tenancy Support Officers, recommending landlords join associations such as NLA, regular landlord forums....”</p>	
<p>Q.10....on the accompanying flow chart, it suggests that the number of storeys are irrelevant and only the number of occupants is relevant.”</p>	<p>Both the number of storeys and persons for additional licensing is relevant. Flow chart to be amended to clarify this.</p>
<p>Q.10 The NLA would suggest that the focus of any scheme should be on rooting out rogue landlords who blight the sector....”</p>	<p>Additional resources generated will allow a greater focus of enforcement on more unscrupulous landlords whilst providing support to good landlords who demonstrate high property management standards. The scheme will ensure a more level playing field for landlords.</p>
<p>Q.11 The need to provide a CRB check would be inappropriate. “We would argue that DCC should not include a CRB check in their licence requirements as it is unduly onerous”</p>	<p>The Council must be satisfied prior to issuing a licence that the licence holder is a fit and proper person. The best way of achieving this is by providing a Basic Disclosure Certificate, a full check is not requested.</p>
<p>Q.12 “The NLA believes that all fire safety guidelines should be in line with LACORS Fire Safety Guide....”</p>	<p>Denbighshire has already adopted the LACORS Fire Safety Guide.</p>
<p><b><u>West Rhyl Community Company Ltd Questions / Comments</u></b>  Q.13 “Few people that will be directly affected by changes in the licensing system read the Journal / visitor”</p>	<p>Formal consultation was carried out during June and July through the following mediums:</p> <ul style="list-style-type: none"> <li>• Denbighshire Landlord Forum – 23<sup>rd</sup> June</li> <li>• Press release issued, published by the Daily Post, Journal and the Visitor</li> <li>• Consultation papers available via Denbighshire website</li> <li>• Attendance to West Rhyl Community meeting 1<sup>st</sup> July</li> <li>• Discussed issues relating to HMO problems and the proposals with two of Rhyl’s Town Councillors.</li> </ul>

<p><b>Q.14 “Having access to the internet is severely limited within areas of deprivation.....would it not be fair to assume that the majority of people affected in the greatest way by the proposed changes in the licensing system will not have access to the internet.”</b></p>	<p>Please refer to response to Q.13 above. In addition to a press release been released into three different papers, a presentation on the Additional Licensing Scheme was given at a Landlords Forum, consultation packs were also available from the Council Offices as outlined in the press release.</p>
<p><b>Q. 15 “The forms themselves are complicated and technical...plain English should have been used whenever possible.”</b></p>	<p>In order to ensure successful consultation, Officers felt it important to give the most thorough and accurate information in its consultation documents. Some documentation were more specific to those people who maybe landlords or letting agents who run these properties, however other document were a simple guide to licensing. It was felt that it was appropriate for all document to be produced openly to all interested parties.</p>
<p><b>Q.16 Chris Ruane’s Constituency Office has prepared an alternative survey.....it shows that, with a little thought, the views of residents can be transferred into a consultative document, creating a true reflection of their opinion.</b></p>	<p>The views of those residents who have completed Chris Ruane’s survey forms have been include in the analysis of the consultation response contained in this Appendix.</p>
<p><b>Q. 17 “I would like to offer the use of the Company’s Neighbourhood Workers in completing similar consultations in the future...”</b></p>	<p>Any assistance with future consultation would be welcomed.</p>

**REPORT TO CABINET**

**CABINET MEMBER: COUNCILLOR S FROBISHER – LEAD MEMBER FOR COMMUNITIES**

**DATE: 8<sup>th</sup> September 2009**

**SUBJECT: ALL WALES SCAM BUSTERS TEAM**

**1 DECISION SOUGHT**

1.1 To seek Cabinet Approval for the Head of Planning and Public Protection to enter into an agreement with Newport City Council and Conwy County Borough Council, for the operation of the Scam Busters Team in the Denbighshire area

**2 REASON FOR SEEKING DECISION**

2.1 Following a successful pilot project in three regions of England, the Department for Business Innovation & Skills (BIS) invited bids for funding of regional 'Scam Busters' teams. The Scam Busters Teams have two main functions:

- i) to tackle rogue traders who commit contraventions of Trading Standards legislation across a number of local authority boundaries;
- ii) to provide support to individual Trading Standards Services where large scale enforcement is required eg where a number of entry warrants are to be executed simultaneously.

2.2 The Wales Heads of Trading Standards (WHoTS) submitted a successful bid for the Welsh region and funding has been granted for a three year project. The Team will operate under the overall direction of Newport City Council but members of the Team will also operate from Conwy County Borough Council. The Team's work will be overseen by a WHoTS Governance Board.

2.3 Should funding by WAG be withdrawn after 2011 the Authority may be asked to contribute funding to support the Team. In the light of present funding this may produce a pressure. An assessment of their contribution to the well being of Denbighshire residents will have to be made before any commitment to financial support is given in 2011.

2.4 It is anticipated that the Scam Busters Team will deal mainly with the following types of crime:-

- i) itinerant traders who carry out bogus property repairs. It is known that these traders operate in an area for short periods and then move on to avoid detection;
- ii) suppliers of counterfeit goods who operate from various markets and car boot sales;

- iii) Bogus trade directories, scratchcards and sweepstakes;
- iv) The distribution of unsafe goods over a widespread area.

2.5 The All-Wales Scam Busters Team comprises Officers with Trading Standards and Police experience. They have the necessary skills and experience to undertake the above-mentioned investigations.

2.6 The working arrangements between Denbighshire's Trading Standards Section and the Scam Busters Team will be via a two-way flow of information – Officers may raise an issue for consideration by the Team or the Team may wish to investigate offences in the Denbighshire area as part of a more widespread investigation. For the past two years WHoTS have employed a Regional Intelligence Officer to whom Trading Standards Officers and the Police provide information on the types of crime mentioned in paragraph 2.3 above. This will form the basis of many of the investigations undertaken by the Team.

2.7 Case allocation to the Scam Busters Team will be undertaken by a Tasking Group comprising the Scam Busters Team Manager and representatives of the Trading Standards Services in Wales.

2.8 The Protocol for Regional Scam Busters Investigations (Appendices 1, 2, and 3) include all the required conditions and consents to enable Newport City Council and Conwy County Borough Council to undertake investigations in the Denbighshire area.

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

3.1 Section 101 of the Local Government Act 1972, Regulation 7 of the Local Authority (Arrangements for Discharge of Functions) (Wales) 2002 as amended and the Local Government Act 2000.

### **4 RESOURCE IMPLICATIONS**

#### **4.1 Cost Implications:**

**Budget** – Any involvement by Denbighshire staff will be managed within the terms of the Protocol and the costs will be met from existing budgets.

**Legal** – Investigations will be carried out in accordance with legal requirements, including Police and Criminal Evidence Act 1984, Criminal Procedures and Investigations Act 1996 and The Regulation of Investigatory Powers Act 2000. Under the terms of the Agreement, Denbighshire will be indemnified by Newport City Council and Conwy County Borough Council for any fees, expenses or liabilities arising from investigations.

#### **4.2 Staffing / Accommodation Implications:**

**Staffing** – No direct staffing implications. Any Denbighshire staff involvement will have to be assessed and agreed with the Head of Planning and Public Protection.



**Accommodation Implications** – As part of the Team operate from Conwy County Borough Council there will not be an accommodation issue

#### **4.3 IT Implications:**

Information exchange with the Team, Regional Intelligence Officer and North Wales Police has to be via a secured line. This is already in use by Denbighshire Officers and the other authorities.

### **5 RISK ASSESSMENT**

#### **5.1 Risks associated with not agreeing the recommendation/s**

- It is recognised that some traders operate transiently in order to avoid detection and prosecution. Particularly in the case of bogus building work, offenders may work in an area for a few days and then move onto another local authority area. By the time offences come to light the offender has moved to a different authority's area, making investigation and detection difficult.
- Denbighshire Trading Standards Officers would have to be diverted from other duties to investigate these cases.
- Local businesses would face unfair competition from suppliers of counterfeit goods who operate from various markets and car boot sales
- Consumers may be vulnerable to bogus trade directories, scratchcards and sweepstakes
- Unsafe goods may be distributed in Denbighshire

#### **5.2 Risks associated with agreeing the recommendation/s**

- Should the Scam Buster Team investigate any trader or trading malpractice in the County the Head of Trading Standards will need to have regular meetings with them so that Members can be advised of their work and the expected outcome.
- The Authority would have available, where necessary, additional resources for large scale investigations conducted by Denbighshire Trading Standards Officers.
- As mentioned previously should funding by WAG be withdrawn after 2011 the Authority may be asked to contribute funding to support the Team. In the light of present funding this may produce a pressure. An assessment of their contribution to the well being of Denbighshire residents will have to be made before any commitment to financial support is given in 2011. Should the Team's work be considered to be useful then any additional funding will be met from within the Service's budget

### **6 FINANCIAL CONTROLLER'S STATEMENT**

Costs will need to be contained within the special WAG funding. Any future implications will need to be funded from within the directorate base budget in line with the Budget Setting criteria for 2010/11.

## 7 CONSULTATION CARRIED OUT

- 7.1 The initiative has been implemented and is being monitored by WHoTS.
- 7.2 The Scam Busters team will consult North Wales Police with a view to developing an effective and sustainable working relationship with the Force.

## 8 IMPLICATIONS

### 8.1 Assessment of Impact on Corporate Priorities:

Indirect impact in relation to demographic change the Scam Busters Team will be used to target areas where elderly and vulnerable people reside These areas are frequented by rogue traders and residents are often the victims of distraction burglaries and door step crime. Residents and businesses receive postal, email and telephone scams this Team will assist Trading Standards Officers in combating crime.

### 8.2 Assessment of impact on the Vision, Community Strategy, Equalities and Sustainability:

The work of the Team links to the overall Vision for Denbighshire 2025 and the Community Strategy document by protecting residents and businesses from crime. It protects local businesses from unfair and illegal competition and assists in the provision of a fair and equitable market place, allowing businesses to thrive.

## 9 ACTION PLAN

ACTION	RESPONSIBLE OFFICER / DATE BY WHEN ACTION TO BE COMPLETED	ACTION TO BE REVIEWED & MONITORED BY / DATE TO BE MONITORED
Cabinet Approval	Lead Member for Communities 08.09.2009	
Agreements signed	Head of Planning & Public Protection	1 October 2009
Allocate and monitor work when necessary	Assistant Head of Planning & Public Protection	Throughout year
Assess and report on the work of the Team in Wales and Denbighshire	Head of Planning & Public Protection	November 2010
Review the operation of the Team	Environment Scrutiny	December 2010

## 10 RECOMMENDATIONS

- 10.1 To authorise the Head of Planning and Public Protection to enter agreements with Newport City Council and Conwy County Borough Council for the purposes described above in paragraph 2.3.
- 10.2 To review the operation of the Scam Busters Team in Denbighshire in December 2010

## Appendix 1

### DEPARTMENT FOR BUSINESS INNOVATION & SKILLS SCAM BUSTERS PROJECT

#### Protocol for Regional Scam Busters Investigations

##### *Interpretation*

For the purposes of this Protocol –

- “**SBT**” means the All Wales Scam Busters Team
- “**Denbighshire TS**” means the Trading Standards Section of Denbighshire County Council
- “**Tasking Request Form**” means the document used by Denbighshire TS and other local authorities or agencies to request the referral of a case to the SBT
- “**Investigation Method Statement**” means the agreement made between Denbighshire TS, other local authorities or agencies and the SBT to formally assign a case to the SBT
- “**Formal Action Agreement**” means the document used by the SBT, Denbighshire TS and other local authorities or agencies to agree the process of legal proceedings
- “**Commencement Date**” means the date from which the Delegated Power is granted
- “**Term**” means from the date of signing of this protocol to 31 March 2011

#### 1. Application

1.1 This Protocol applies to the DBIS/HM Treasury funded ‘Scam Busters Project’ and covers:

- The conduct of investigations and associated working practices for SBT Officers when conducting investigations or operating in Denbighshire.

- The mechanisms whereby Denbighshire TS is updated on the progress of the project and any significant issue relating thereto.
- The exchange of intelligence and information between the SBT and Denbighshire TS
- The institution and conduct of legal proceedings.

## **2. Agreement**

- 2.1 Each officer within the SBT will be authorised to operate within Denbighshire. The protocol encourages the exchange of information and a working partnership approach between Denbighshire TS and the SBT particularly in relation to cross-border enforcement of trading standards legislation. It is recognised that this protocol provides to Denbighshire TS an additional resource at its disposal to tackle trading standards criminality operating in its area.
- 2.2 The purpose of this Protocol is to facilitate the delegation of powers to Officers employed by Newport City Council and Conwy County Borough Council within the SBT to enforce the provisions of legislation covering 'rogue trader' activities within the area of Denbighshire particularly in relation to cross-border enforcement of trading standards legislation listed in Annex A. However for the avoidance of doubt nothing in this Protocol or delegation shall exclude the continuation of the exercise of these enforcement powers by Denbighshire TS.
- 2.3 This Protocol will come into force on the Commencement Date and terminates at the end of the Term or earlier termination in accordance with Clause 2.3
- 2.4 Notwithstanding the terms and conditions of this Protocol, this Protocol does not prejudice the right of Denbighshire TS to withdraw the authorisation of officers at any time during the Term. However Denbighshire TS undertakes not to withdraw the authorisation of officers unless it considers there is good reason to do so and to consult with the Trading Standards Manager of Newport City Council prior to

such withdrawal. The authorisation of officers is not to be unreasonably withdrawn by Denbighshire TS.

### **3. The SBT**

- 3.1 The Delegated Power is deemed to provide such authority in so far as identified offences and investigations fall within the boundaries of Denbighshire.
- 3.2 The SBT comprises staff directly employed by Newport City Council and Conwy County Borough Council. The SBT Investigations Team Leader will be responsible for the day-to-day operation and supervision of the SBT, its investigations and the conduct of its officers.
- 3.3 The SBT Investigations Team Leader will report directly to the Trading Standards Manager of Newport City Council within Newport City Council who adopts the role of Project Manager.
- 3.4 The SBT will provide a monthly report to the manager of the Trading Standards Section of Denbighshire TS giving details of investigations and developments concerning or affecting the Scam Busters Project in Denbighshire. The Trading Standards Manager of Newport City Council is required to submit to Department for Business Innovation and Skills (BIS) on a quarterly basis a national performance report. This report will be distributed to the Wales Heads of Trading Standards.

### **4 Working Arrangements in the Denbighshire Area**

- 4.1 Denbighshire TS will designate and appoint a Lead Contact Officer (LCO) to act as the principal point of contact for Denbighshire TS.
- 4.2 The SBT Investigations Team Leader will provide a fortnightly briefing to the Denbighshire LCO on any intelligence gathered relating to investigations affecting Denbighshire and/or its residents. This includes progress of

- investigations and enquiries being carried out in Denbighshire and any changes made or introduced by BIS concerning the 'Scam Busters Project'.
- 4.3 The SBT will have regular contact with the local Police Service and other enforcement and government agencies. The SBT Investigations Team Leader will consult the Denbighshire LCO to identify any local arrangements, investigations and protocols before any investigation is commenced in pursuance of cross-border enforcement of trading standards legislation. The SBT Investigations Team Leader will actively involve the Denbighshire LCO and seek to develop close links between those agencies and Denbighshire TS.
  - 4.4 All decisions concerning the pursuance of relevant Scam Busters investigations shall be taken by Newport City Council and where appropriate there will be consultation with the Denbighshire LCO to ensure the views of Denbighshire TS are taken into consideration.
  - 4.5 With regards to the institution of criminal and civil proceedings the SBT and the employing authority will not take the lead role. Prior to each investigation an Investigation Method Statement will be made suggesting the method of selecting the 'prosecuting authority'; such a criterion might be the authority in which most consumer/business detriment has occurred or the residing local authority of the offender.
  - 4.6 The Investigation Method Statement will include a direction regarding any relevant Financial Investigation and an indication as to the identity of the Financial Investigator.
  - 4.7 When the SBT is dealing with local agencies, local government bodies, other Police forces or similar organisations regarding investigations in Denbighshire there will be prior notification to the Denbighshire LCO.
  - 4.8 All publicity will be carried out with the agreement of the SBT and the partner authorities. The general principle will be; for outward facing publicity (local and regional press releases etc), the local authority will take the prominent role, and

inward publicity (central and regional government) the SBT will take the prominent role.

4.9 Where the SBT Investigations Team Leader and the Assistant Head of Planning and Public Protection for Denbighshire agree that a local officer from Denbighshire TS will be actively involved in an investigation, that officer will be directed to provide the SBT Investigations Team Leader with full assistance. Such agreement will be subject to the SBT Investigations Team Leader being satisfied that such involvement will not compromise any investigation or endanger any member of the SBT, supporting staff or witnesses, that the Denbighshire TS officer has the appropriate training and experience to undertake the task; and upon any other terms that the SBT Investigations Team Leader and the manager of the Trading Standards Section of Denbighshire TS consider necessary and/or appropriate.

4.10 Unless there is prior agreement with the SBT Investigations Team Leader for assistance in an investigation, which is accompanied by an official purchase order from Newport City Council or Conwy County Borough Council, no reimbursement will be made for time spent on activities supporting the 'Scam Busters Project' or expenditure incurred by any Denbighshire TS Officer.

4.11 The exercise by Newport City Council or Conwy County Borough Council of these arrangements shall be at no cost to Denbighshire TS and furthermore Newport City Council and Conwy County Borough Council undertake to indemnify Denbighshire TS against any claim made against Denbighshire TS arising out of the exercise by Newport City Council or Conwy County Borough Council and their officers, of powers granted to them under these arrangements.

## **5. Referral of Information/Intelligence to the Project Team**

5.1 The SBT will rely on local trading standards services and other partner agencies to provide information and intelligence relating to cross-border enforcement of

trading standards legislation in line with current WHOTS Intelligence Requirements.

5.2 Where the SBT are carrying out an investigation Denbighshire TS undertakes to provide the SBT with all relevant information and intelligence upon request.

5.3 Information and intelligence will be provided by the Denbighshire LCO to the SBT Investigations Team Leader or a person designated by him/her.

5.4 The preferred method of case allocation to the SBT will be via the monthly/six weekly meetings of the Tactical Tasking and Coordinating Group (TTCG). Each job to be considered by the SBT will be presented to the group via a Tasking Request Form. It is envisaged that larger scale and complex jobs will be allocated in this way. However it is recognised that situations often develop quickly. If there is a need for the SBT to take on a job prior to the meeting of the TTCG; then the SBT Investigations Team Leader and the manager of the Trading Standards Section of Denbighshire TS will complete the agreement independently of any TTCG meeting and the agreement will then be reviewed and ratified at the subsequent meeting.

5.5 It is recognised that there will be a number of organisations wishing to task the SBT; tasking will be considered from local authorities, police forces, from within the SBT itself following the analysis of intelligence and from third parties such as IP Crime Groups.

5.6 SBT and Denbighshire TS agree to process personal data only in accordance with the requirements of the Data Protection Act 1998 and to disclose information in accordance with the requirements of the Enterprise Act 2002 and Freedom of Information Act 2000.

## **6 Conduct and Control of Investigations**

6.1 Where a job is accepted by the TTCG an Investigation Method Statement will be produced and agreed by the SBT Investigations Team Leader and the manager



of the Trading Standards Section of Denbighshire TS. The purpose of the Investigation Method Statement is to allow parameters to be set on a case-by-case basis.

- 6.2 The conduct and control of all investigations undertaken by the SBT in Denbighshire will be the responsibility of Newport City Council.
- 6.3 Newport City Council will be responsible for all aspects of the investigations and responsibilities under the Criminal Procedure and Investigations Act 1996, the Police and Criminal Evidence Act 1984, the Regulation of Investigatory Powers Act 2000, the Data Protection Act 1998, the Freedom of Information Act 2000 and the Enterprise Act 2002.
- 6.4 Newport City Council will be solely responsible for the Health and Safety of SBT Officers employed by Newport City Council, whilst Conwy County Borough Council will be solely responsible for the Health and Safety of SBT Officers employed by Conwy County Borough Council.
- 6.5 When the SBT begins an investigation all authorities where offences exist, will be briefed and kept up to date with fortnightly progress reports.
- 6.6 Where the SBT believes the investigation should lead to formal civil or criminal action, a Formal Action Agreement will be produced between all relevant authorities outlining which authority will take the lead role for the formal legal proceedings. Officers from the SBT will then make arrangements to produce the 'case file' in a manner that most suits the authority taking this lead role.
- 6.7 The Formal Action Agreement will clarify any arrangements required in relation to the conclusion of any relevant Financial Investigations and subsequent Proceeds of Crime Act 2002 proceedings.

## **7. Responsibilities and Actions of the Authorities**

- 7.1 Newport City Council and Conwy County Borough Council shall be liable for the actions and competence of the persons they employ within the SBT and shall ensure that the officers of the SBT comply with all legislative requirements and take all reasonable steps to ensure any actions taken are lawful and within the spirit of the protocol.
- 7.2 Denbighshire TS shall be liable for the actions and competence of persons within its employ and shall take all reasonable steps to ensure the competence of those persons in carrying out their functions and that they comply with legislative requirements and the spirit of this protocol.
- 7.3 Information/intelligence provided between the SBT and Denbighshire TS shall be used for the purpose intended and shall not be divulged to third parties unless to do so would be lawful.

**8. The Agreement**

It is hereby agreed between Newport City Council and Denbighshire County Council that both parties shall adhere to the above protocol.

Graham H Boase  
Head of Planning and Public Protection Services  
Denbighshire County Council

Signed: \_\_\_\_\_

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

Matthew Cridland  
Trading Standards Manager  
Newport City Council

Signed: \_\_\_\_\_

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

Philip Raffety  
Head of Regulatory Services  
Conwy County Borough Council

Signed: \_\_\_\_\_

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

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

## Annex A

Copyright Designs and Patents Act 1988
Trade Marks Act 1994
Consumer Protection Act 1987

Including any statutory modification or re-enactment thereof for the time being in force and any subordinate legislation for the time being; made there under or, relating thereto, or having by virtue of section 2(2) of the European Communities Act 1972.

In particular in relation to the European Communities Act 1972:

Business Protection from Misleading Marketing Regulations 2008
Consumer Protection from Unfair Trading Regulations 2008
Cancellation of Contracts made in a Consumer's Home or Place of Work etc. Regulations 2008

**Appendix 2**

**AGREEMENT BETWEEN NEWPORT CITY COUNCIL AND DENBIGHSHIRE COUNTY COUNCIL PURSUANT TO SECTION 101 OF THE LOCAL GOVERNMENT ACT 1972**

IT IS HEREBY AGREED between Newport City Council and Denbighshire County Council that pursuant to Section 101 of the Local Government Act 1972, and regulations made there under, namely the Local Authorities (Executive Arrangements) (Arrangements for Discharge of Functions) (Wales) Regulations 2002, Section 13(7) of the Local Government Act 2000 and any other legislation enabling this discharge, Newport City Council shall discharge the function of Denbighshire County Council with regard to the investigation against relevant rogue trader activities in the Denbighshire area in accordance with the legislation listed in Annex A of the "Protocol for Regional Scam Busters Investigations".

Newport City Council agrees that it shall indemnify Denbighshire County Council for any fees, expenses or liabilities arising from the above mentioned investigations in pursuance of the "Protocol for Regional Scam Busters Investigations".

Signed: \_\_\_\_\_ :  
Graham H Boase  
Head of Planning and Public Protection Services  
Denbighshire County Council

Signed: \_\_\_\_\_ :  
Matthew Cridland  
Trading Standards Manager  
Newport City Council

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2009

**Appendix 3**

**AGREEMENT BETWEEN CONWY BOROUGH COUNCIL AND DENBIGHSHIRE COUNTY COUNCIL PURSUANT TO SECTION 101 OF THE LOCAL GOVERNMENT ACT 1972**

IT IS HEREBY AGREED between Conwy County Borough Council and Denbighshire County Council that pursuant to Section 101 of the Local Government Act 1972, and regulations made there under, namely the Local Authorities (Executive Arrangements) (Arrangements for Discharge of Functions) (Wales) Regulations 2002, Section 13(7) of the Local Government Act 2000 and any other legislation enabling this discharge, Conwy County Borough Council shall discharge the function of Denbighshire County Council with regard to the investigation against relevant rogue trader activities in the Wrexham County Borough Council area in accordance with the legislation listed in Annex A of the "Protocol for Regional Scam Busters Investigations".

Conwy County Borough Council agrees that it shall indemnify Denbighshire County Council for any fees, expenses or liabilities arising from the above mentioned investigations in pursuance of the "Protocol for Regional Scam Busters Investigations".

Signed: \_\_\_\_\_ :  
Graham H Boase  
Head of Planning and Public Protection Services  
Denbighshire County Council

Signed: \_\_\_\_\_ :  
Philip Rafferty  
Head of Regulatory Services  
Conwy County Borough Council

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2009

**REPORT TO CABINET**

**CABINET MEMBER: COUNCILLOR S FROBISHER – LEAD MEMBER FOR COMMUNITIES**

**DATE: 8 September 2009**

**SUBJECT: ILLEGAL MONEY LENDING UNIT**

**1 DECISION SOUGHT**

- 1.1 To seek Cabinet Approval for the Head of Planning and Public Protection to enter into an agreement with Cardiff City Council, for the operation of the Unit in the Denbighshire area.
- 1.2 The Unit is presently funded by Welsh Assembly Government (WAG) until 31st March 2011 and there is no cost to the Authority. After that date it will be for Members to decide whether to continue with the agreement or not. Such a decision will be dependent on future WAG funding and whether there will be any costs to this Authority.

**2 REASON FOR SEEKING DECISION**

- 2.1 The primary legislation governing the consumer credit industry is the Consumer Credit Act 1974 and this is enforced, in each Local Authority area, by the Trading Standards Service. The Act is based upon a licensing system and all consumer credit and consumer hire businesses operating in the UK (with certain exemptions) must possess an appropriate licence issued by the Office of Fair Trading (OFT). The OFT must be satisfied that an applicant for a Consumer Credit Licence is a fit and proper person before issuing a licence to trade.
- 2.2 To operate a consumer credit business without being licensed is a criminal offence and carries a maximum penalty of £5,000 and/or up to two years imprisonment. Further, the OFT can revoke licences where it can be established that the licensee has acted inappropriately. The OFT can issue warnings and add conditions to the licence where necessary.
- 2.3 Illegal money lending covers a range of activities, from persons that are actually licensed but are acting unlawfully (for example by canvassing away from trade premises) to the extreme of a person offering cash loans without being licensed at all (Loan Sharks).
- 2.4 Following successful pilot projects in Birmingham and Glasgow, the Treasury and the then Department for Business Innovation & Skills (BIS) invited bids for funding of similar projects in other regions of the United Kingdom. The Wales Head of Trading Standards (WHoTS) submitted a successful bid for the Cardiff based project to cover Wales.

- 2.5 The Wales Illegal Money Lending Unit's remit is to investigate illegal money lending activity to establish if a problem exists and, if so bring to justice those persons carrying on this activity.
- 2.6 The Unit has been operational since February 2008. To date, it has operated mainly in South Wales but is now seeking to extend operations across the whole of Wales. Key performance data for the Unit includes:
- 36 cases investigated
  - 13 arrests made and 17 defendants charged
  - Evidence of £900,000 illegal money lending
  - £3,600 cash seized

Also, the Unit is establishing links with CABx, Financial Advice Centres, Community Groups and Credit Unions.

- 2.7 In order to extend operations into Denbighshire, the existing Cardiff Team requires proper authorisation of their Officers to carry out the investigations and for all the associated legal processes and costs thereof to be delegated to Cardiff City Council.
- 2.8 The attached protocol for Illegal Money Lending Team investigations (Appendix 1) contains all the required conditions and consents to enable Cardiff City Council Officers to undertake investigations and legal proceedings. The Proposed Agreement between Cardiff City Council and Denbighshire pursuant to Section 101 of The Local Government Act 1972 and Cardiff City Council Enforcement Policy is also contained in Appendix 2 of this report.
- 2.9 Evidence indicates that illegal money lenders are widespread and prevalent. They operate in areas that have a high proportion of rented accommodation and target the most vulnerable members of society. The majority of people using illegal money lenders are in receipt of income support or benefits and are introduced through word of mouth. Lenders range from those who lend £10 over a few days and demand £12 on repayment, to those who provide substantial longer term loans. Interest rates range from 100%, up to 117,000% APR in some instances.
- 2.10 The Birmingham Unit has used injunctions, backed by the power of arrest under the Anti-Social Behaviour Act 2003, to remove lenders from their area of operation. Injunctions are reinforced with an agreement from the local Police to flag the matter on their system and respond immediately if they receive a call from one of their victims.
- 2.11 The investigation of illegal money lending is very resource intensive. Suspects need to be observed and monitored over long periods to determine their activities. A significant proportion of targets are also what are termed "life style criminals", which means that evidence of other illegal activity can surface during the course of an investigation. This may not only involve other agencies but can also extend investigations, thereby adding to the pressure on resources.

- 2.12 The Unit's remit includes assisting victims with practical help and support through and in conjunction with the services of local Debt Advice Teams and the National Debt line. Victims often need more than simple money advice and so face-to-face advice is considered the most helpful way forward and is the route normally adopted. The Unit has placed 2 victims under witness protection.

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

- 3.1 Section 101 of the Local Government Act 1972, Regulation 7 of the Local Authority (Arrangements for Discharge of Functions) (Wales) 2002 as amended and the Local Government Act 2000.

### **4 RESOURCE IMPLICATIONS**

#### **4.1 Cost Implications:**

**Budget** – Any involvement by Denbighshire staff will be managed within the terms of the Protocol and the costs will be met from existing budgets.

**Legal** – Investigations will be carried out in accordance with legal requirements, including Police and Criminal Evidence Act 1984, Criminal Procedures and Investigations Act 1996 and The Regulation of Investigatory Powers Act 2000. Under the terms of the Agreement, Denbighshire will be indemnified by Cardiff City Council for any fees, expenses or liabilities arising from investigations and prosecutions.

#### **4.2 Staffing / Accommodation Implications:**

**Staffing** – No direct staffing implications. Any Denbighshire staff involvement will be managed as described in 4.1 above.

**Accommodation Implications** – Officers from the Unit will operate from the Trading Standards Section's base in Russell House, Rhyl, should an investigation take place in Denbighshire.

#### **4.3 IT Implications:**

Information exchange with the Team, Regional Intelligence Officer and North Wales Police has to be via a secured line. This is already in use by Denbighshire Officers and the other authorities.

### **5 RISK ASSESSMENT**

#### **5.1 Risks associated with not agreeing the recommendation/s**

Presently Trading Standards Officers have no evidence to suggest that loan sharks are operating within the County. The likelihood is that there are some small operators either on Housing Estates or in the HMO areas. Should information come to light that reveals the activities of a loan shark or illegal moneylender then



Denbighshire Trading Standards Officers would have to be diverted from other duties to investigate.

## **5.2 Risks associated with agreeing the recommendation/s**

- Should the Unit investigate any malpractice in the County, the Head of Trading Standards will need to have regular meetings with them so that Members can be advised of their work and the expected outcome.
- The Authority would have available, where necessary, additional resources for large scale investigations without the need to reduce the Service to other residents.
- Should funding by WAG be withdrawn or reduced after 2011 the Authority may be asked to contribute funding to support the Team. In the light of present funding this may produce a pressure. An assessment of their contribution to the well being of Denbighshire residents will have to be made before any commitment to financial support is given in 2011. Should the Team's work be considered to be useful then any additional funding is will be funded from within the Service's budget.

## **6 FINANCIAL CONTROLLER STATEMENT**

Costs will need to be contained within the special WAG funding. Any future implications will need to be funded from within the directorate base budget in line with the Budget Setting criteria for 2010/11.

## **7 CONSULTATION CARRIED OUT**

- 7.1 This initiative has been discussed by the Welsh Heads of Trading Standards Group (WHOTS) and the Directors of Public Protection Wales (DPPW).
- 7.2 The initiative has been implemented and is being monitored by a Steering Group set up under WHOTS.

## **8 IMPLICATIONS**

### **8.1 Assessment of Impact on Corporate Priorities:**

- Illegal money lenders resort to intimidation and violence in order to secure payment. Other common traits include: targeting single mothers; adding indiscriminate charges and demanding sexual favours instead of payments.
- Offenders often use victims of money lending to assist them with maintaining their criminal lifestyle and anonymity – for example illegal money lenders' vehicles may be registered at a client's address.
- Illegal money lenders have an impact on the wider community in which they operate, with victims resorting to petty crime to enable them to meet payments. Reducing the activities of illegal money lenders or removing them altogether may therefore help to reduce levels of other criminal activity within a community.

## 8.2 Assessment of impact on the Vision, Community Strategy, Equalities and Sustainability:

- The work of the Unit links to the overall Vision for Denbighshire 2025 and the Community Strategy document by protecting vulnerable residents and those on low incomes from extortionate credit deals. It protects local businesses from unfair and illegal competition and assists in the provision of a fair and equitable market place, allowing businesses to thrive.
- **Equalities/Diversity** – These enforcement actions will help to ensure that all citizens have equal access to exercise their rights in society and will not fear being the victim of fraud and oppression.

## 9 ACTION PLAN

ACTION	RESPONSIBLE OFFICER / DATE BY WHEN ACTION TO BE COMPLETED	ACTION TO BE REVIEWED & MONITORED BY / DATE TO BE MONITORED
Cabinet Approval	Lead Member for Communities 08.09.2009	
Agreements signed	Head of Planning & Public Protection	1 October 2009
Allocate and monitor work when necessary	Assistant Head of Planning & Public Protection	Throughout year
Assess and report on the Unit's work in Wales and Denbighshire	Head of Planning & Public Protection	November 2010
Review the operation of the Team	Environment Scrutiny	December 2010

## 10 RECOMMENDATIONS

- 10.1** To authorise the Head of Planning and Public Protection to enter an agreement with Cardiff City Council until 31<sup>st</sup> March 2011 for the purposes described above.

DEPARTMENT FOR BUSINESS ENTERPRISE & REGULATORY REFORM  
ILLEGAL MONEY LENDING PROJECT  
Protocol for illegal money lending team investigations

***Interpretation***

For the purposes of this Protocol –

“**CCC**” means Cardiff County Council

“**DCC**” means Denbighshire County Council

“**WIMLU**” means the Wales Illegal Money Lending Unit

“**Delegated Power**” means the discharge of the function of the Enforcement of Part III of the Consumer Credit Act 1974 granted to CCC by WCBC in pursuance of section 101 of the Local Government Act 1972, Regulation 7 of the Local Authorities (Executive Arrangements) (Discharge of Functions) (Wales) Regulations 2002 as amended, sections 13(7) and 19 of the Local Government Act 2000 and any other legislation enabling this discharge

“**Commencement Date**” means the date of signature of this protocol

“**Term**” means from the Commencement Date to 31<sup>st</sup> March 2011

“**Cardiff Trading Standards**” means the Trading Standards service of CCC

“**DCC Trading Standards**” means the Trading Standards service of Denbighshire County Council

“**Denbighshire Contact Officer (WCO)**” means the relevant person appointed by the Head of Planning and Public Protection Services of Denbighshire County Council to liaise with the WIMLU team manager on matters relating to and in connection with the Illegal Money Lending Project

Commencement date:

Signed

Dave Holland  
Head of Trading Standards  
Cardiff County Council Trading Standards

Signed

Graham H Boase  
Head of Planning and Public Protection Services  
Denbighshire County Council

## **1. Application**

1.1 This Protocol applies to the DBERR/HM Treasury funded 'Illegal Money Lending Project' and covers:

- The conduct of investigations and associated working practices for WIMLU officers when conducting investigations or operating in Wrexham County Borough.
- The mechanisms whereby DCC Trading Standards is updated on the progress of the project and any significant issue relating thereto.
- The exchange of intelligence and information between the WIMLU and DCC Trading Standards.
- The institution of legal proceedings.

## **2. Protocol**

2.1 The purpose of this protocol is to facilitate the delegation of powers to officers employed by CCC within WIMLU to enforce the provisions of the Consumer Credit Act 1974 in relation to illegal money lending activities known as "loan shark" activities within the area of Denbighshire. The protocol encourages the exchange of information and a working partnership approach between CCC and DCC Trading Standards in relation to the Consumer Credit Act 1974. However for the avoidance of doubt nothing in this Protocol or delegation shall exclude the continuation of the exercise of these enforcement powers by DCC Trading Standards.

2.1 This Protocol will come into force on the Commencement Date and terminates at the end of the Term or earlier termination in accordance with Clause 2.3.

2.2 Notwithstanding the terms and conditions of this Protocol, this Protocol does not prejudice the right of DCC to withdraw the Delegated Power at any time during the Term. However DCC undertakes not to withdraw the Delegated Power unless it considers there is good reason to do so. The Delegated Power is not to be unreasonably withdrawn by DCC.

## **3. The WIMLU**

3.1 It is recognised that officers in the WIMLU will need authority to initiate and/or undertake investigations and/or the prosecution of potential offences falling within the scope of the 'Illegal Money Lending Project' where such potential offences fall entirely outside of the CCC boundaries. The Delegated Power is deemed to provide such authority.

3.2 The WIMLU comprises staff directly employed by CCC. The WIMLU team manager will be responsible for the day-to-day operation and supervision of the WIMLU.

3.3 The WIMLU team manager will report directly to an Operational Manager within CCC Trading Standards

- 3.4 The WIMLU will provide progress reports to the Assistant Head of Planning and Public Protection for Denbighshire County Council, giving details of investigations, prosecutions being pursued or concluded and developments concerning or affecting the Illegal Money Lending Project in Denbighshire (unless there is a significant risk that any such disclosure may jeopardise an investigation, such a decision is within the discretion of the Operational Manager (Consumer Protection) (CCC)
- 3.5 It is recognised that after Delegated Power is granted to CCC, all decisions concerning the pursuance of relevant investigations, decisions to prosecute and the laying of charges and/or information on such relevant matters within Denbighshire, shall be taken by CCC and in accordance with the relevant Code for Crown Prosecutors and CCC's Enforcement Policy. However, CCC will consult with the DCC Trading Standards before any charges and/or informations are preferred unless it is not practicable to do so.

#### **4 Working Arrangements in the Denbighshire County Council Area**

- 4.1 DCC will designate and appoint a Denbighshire Contact Officer (DCO).
- 4.2 The WIMLU team manager will periodically brief the DCO on any intelligence gathered, any progress made on investigations and/or prosecutions pending or otherwise, relating to or affecting Denbighshire and/or its residents. This includes progress of investigations and enquiries being carried out in Denbighshire and any changes made or introduced by the Department for BERR concerning the 'Illegal Money Lending Project'.
- 4.3 The WIMLU will have regular contact with North Wales Police and other Government agencies. The WIMLU team manager will consult the DCC to identify any local arrangements, investigations and protocols before any investigation is commenced in pursuance of the 'Illegal Money Lending Project'. Wherever possible, the WIMLU team manager will actively involve the DCO and seek to develop close links between those agencies and DCC Trading Standards.
- 4.4 The WIMLU team manager will as soon as reasonably practicably inform the DCO the outcome of any concluded prosecution proceedings conducted within Denbighshire.
- 4.5 CCC will consult with DCC Trading Standards before issuing any press release concerning any prosecution pursued by CCC pursuant to this Protocol.
- 4.6 Where an investigation may involve local sensitivities, contact and consultation protocols will be agreed with the DCO in advance.
- 4.7 Where the WIMLU Team Manager and Assistant Head of Planning and Public Protection Denbighshire County Council agree that an officer or officers of Denbighshire Trading Standards will be actively involved in an investigation, that officer will be directed to provide the WIMLU Team Manager with full assistance. Such agreement will be subject to the WIMLU Team Manager being satisfied that the officer's or officers' participation will not compromise any investigation or endanger any member of the WIMLU, supporting staff or witnesses, that the officer has the appropriate training and experience to undertake the task; and upon any other terms that the WIMLU Team Manager and the Assistant Head of Planning and

Public Protection Denbighshire County Council consider necessary and/or appropriate.

- 4.8 Unless there is prior agreement with the Wales Illegal Moneylending Unit for assistance in an investigation, accompanied by an official purchase order from Cardiff County Council, no reimbursement will be made for any expenditure incurred by any officer from DCC.
- 4.9 The exercise by CCC of these arrangements shall be at no cost to DCC and furthermore CCC undertakes to indemnify DCC against any claim made against DCC arising out of the exercise by CCC of powers granted to them under these arrangements.
- 4.10 In the absence of the WIMLU team manager, the role, duties, and responsibilities of the WIMLU team manager shall be discharged and carried out by the Deputy Team Manager.

## **5. Referral of Information/Intelligence to the Project Team**

- 5.1 The WIMLU will rely on DCC Trading Standards and other agencies in Denbighshire to provide information about Illegal Money Lender activities.
- 5.2 DCC Trading Standards will endeavour to provide as much relevant information and intelligence as reasonably and practicably possible to the WIMLU concerning any investigation being carried out within Wrexham, having regard to any statutory limitations/restrictions, the time likely to be expended, resources available and costs likely to be incurred by DCC Trading Standards in providing the same.
- 5.3 Information and intelligence will be provided by the DCO to the WIMLU team manager or a person designated by him/her.
- 5.4 WIMLU will not, as a matter of routine, investigate individual complaints received concerning alleged Illegal Money Lender activities. However, such complaints may be used by the WIMLU as a source of intelligence.
- 5.5 WIMLU and DCC agree to process personal data only in accordance with the requirements of the Data Protection Act 1998 and to disclose information in accordance with the requirements of the Enterprise Act 2002.

## **6 Conduct and Control of Investigations**

- 6.1 The conduct and control of all investigations undertaken and prosecutions by the WIMLU in Denbighshire will be the responsibility of CCC. Investigations will be undertaken in line with the CCC's published Enforcement Policy and subject to the policies and procedures approved and adopted by Cardiff Trading Standards and in accordance with all relevant legislation and guidance.
- 6.2 CCC will be responsible for all aspects of the investigations and responsibilities under the Criminal Procedure and Investigations Act 1996, Regulation of Investigatory Powers Act 2000, the Data Protection Act 1998, the Freedom of Information Act 2000 and the Enterprise Act 2002.

- 6.3 CCC will be solely responsible for the Health and Safety of WIMLU officers and any other officer or person within the direct management of the WIMLU providing support and assistance in any investigation undertaken by the WIMLU.
- 6.4 Where breaches of Part III of the Consumer Credit Act 1974 are identified, action will be taken in accordance with the enforcement policy and procedures adopted by Cardiff Trading Standards and relevant legislation and guidance.
- 6.5 When CCC recommends a prosecution under Part III of the Consumer Credit Act 1974, if required, DCC Trading Standards will be provided with a copy of the relevant prosecution file, and any other material fact about which DCC Trading Standards ought reasonably to be aware. DCC Trading Standards will be invited to communicate any comments it considers appropriate and necessary concerning the intended prosecution to the Operational Manager (Consumer Protection), the informant for CCC. Such comments will be given due attention and consideration by the informant for CCC.

## **7. Responsibilities and Actions of the Authorities**

- 7.1 CCC shall be liable for the actions and competence of the persons employed within the WIMLU and shall ensure that the WIMLU shall comply with all legislative requirements and take all reasonable steps to ensure any actions taken are lawful and within the spirit of the protocol.
- 7.2 DCC shall be liable for the actions and competence of persons within its employ and shall take all reasonable steps to ensure the competence of those persons in carrying out their functions and that they comply with legislative requirements and the spirit of this protocol.
- 7.3 Information / intelligence provided between CCC and DCC shall be used for the purpose intended and shall not be divulged to third parties unless to do so would be lawful and in pursuant of an investigation / enquiry subject to this protocol.
- 7.4 CCC and DCC endorse a joined up working approach to the enforcement of the Consumer Credit Act 1974. The partners will attempt to promote consistency in enforcement. However, this protocol does not attempt to restrict the powers of authorised officers of the WIMLU or DCC from discharging their duties, as appropriate.

**AGREEMENT BETWEEN CARDIFF COUNTY COUNCIL AND DENBIGHSHIRE  
COUNTY COUNCIL PURSUANT TO SECTION 101 OF THE LOCAL  
GOVERNMENT ACT 1972**

IT IS HEREBY AGREED between Cardiff County Council and Denbighshire County Council that pursuant to Section 101 of the Local Government Act 1972, and regulations made there under, namely the Local Authorities (Executive Arrangements) (Arrangements for Discharge of Functions) (Wales) Regulations 2002, Section 13(7) of the Local Government Act 2000 and any other legislation enabling this discharge, Cardiff County Council shall discharge the function of Wrexham County Borough Council with regard to the investigation and institution of proceedings against illegal money lenders operating in the Denbighshire County Council area in accordance with Part III of the Consumer Credit Act 1974.

Cardiff County Council agrees that it shall indemnify Denbighshire County Council for any fees, expenses or liabilities arising from the above mentioned investigations and prosecutions.

Signed: \_\_\_\_\_ :

Graham H Boase  
Head of Planning and Public Protection Services  
Denbighshire County Council

Signed: \_\_\_\_\_ :

Dave Holland  
Operational Manager  
Cardiff Council

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2009



**REPORT TO CABINET**

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

**DATE:** **8th September 2009**

**SUBJECT:** Housing Revenue Account Budget & Capital Plan Update Report 2009 / 2010

**1 DECISIONS SOUGHT**

- Note the forecast outturn of the Housing Revenue Account (H.R.A.) and Housing Capital Plan for 2009/10.
- Award of the third major improvement contract to Bramall Construction Limited.

**2 REASON FOR SEEKING DECISIONS**

- The need to deliver the Council's agreed budget strategies for the current financial year.
- Contract approval in compliance with the Council's Financial Regulations (Contract Procedure Rules).

**3 POWER TO MAKE THE DECISION**

Housing Act 1985 Part II.

Contract award is in compliance with Contract Procedure Rules (CPR 25.4.c) requiring contracts with a value in excess of £250k are approved by Cabinet.

**4 RESOURCE IMPLICATIONS**

**4.1 Cost Implications - Housing Revenue Account Budget 2009/10**

- The forecast for the HRA shows that an in-year revenue surplus of £124k should be generated by the end of the financial year, which is £191k less than forecast in the original budget set in February 2009.
- The main change since the last report is that all of the costs associated with the Right to Buy scheme will be written-off as a revenue expense, rather than being offset against capital receipts. This is because it is unlikely that any dwellings will be sold in the current year. The impact of this is £57k – but the bulk is central support service charges and these are being reviewed later in the year. The impact could be less following the review.

- It is likely that the capital charge for improvement programme expenditure will be lower than reported because the contract re-tendering will lead to some slippage – see details below.
- The housing subsidy system is still under review and will be reported back to Cabinet when proposals are forthcoming from the government. The financial support for the leasing subsidy is to be withdrawn with effect from 1st October, though the final details have yet to be confirmed. The leased properties are to be removed from the HRA and accounted for in the Council fund. The impact should be neutral in the HRA for the first half of the year with compensation from WAG. The cost implications to the County fund for the second half of the year are still being assessed but are hoped to be neutral overall.
- The Housing Stock Business Plan for 2009/10 assumption of one Right to Buy sale is unlikely to be achieved therefore the Council's housing stock will remain at 3,470 dwellings.

#### **4.2 Cost Implications - Housing Stock Business Plan (HSBP)**

- The 2009/10 Plan was approved by Cabinet in February and will be fully reviewed during 2009/10 as the 5-year milestone agreed with Wales Audit Office now approaches. Cabinet will be kept informed of progress.

#### **4.3 Cost Implications Housing Capital Plan (Improvement Programme)**

- As previously reported, 1,132 properties have now been improved as part of the major improvement programme.
- The next phase of the major improvement contract has been tendered and the contract award sought in this report. As reported above there is likely to be some slippage on planned expenditure this year but this will be recovered next year so the Council remains on target to achieve the Welsh Housing Quality Standard by 2012.
- The Capital Plan will be fully updated when the contract has been awarded to account for the latest work schedules and prices submitted.
- The estimate for the next phase of the improvement programme is approximately £10 million and will be split into geographic pockets. The Council has established a framework agreement for a maximum of four years and tenders were sought for Contract 1 (Rhyl) under a competitive procurement route. The tenders were assessed on price and quality and Bramall Construction Limited were selected. The contract value is £1.4m.

## **5 RISK ASSESSMENT**

### **5.1 Risks associated with not agreeing the recommendations**

There would be a reduction in financial control and ability to influence the current HRA budget and the longer term future of the Housing Stock Business Plan.

There would be delays in the housing improvement programme that would jeopardise achievement of WHQS by 2012.

## **5.2 Risks associated with agreeing the recommendation**

No risk in agreeing the HRA Budget recommendation however there are risks involved with the delivery of the Housing Stock Business Plan (sales, capital costs, etc.) that must be continually reviewed.

There will be risks to control when appointing a new contractor to a major contract but these should be minimised through effective project and performance management.

## **6 FINANCIAL CONTROLLER STATEMENT**

This HRA forecast outturn for 2009/10 ensures that balances remain in-line with Housing Stock Business Plan expectations. The five-year review of the HSBP due in 2009/10 will provide an opportunity to reassess key planning assumptions and should confirm the long-term viability of the Plan. The full impact of the change to the leasing subsidy should be assessed once final details have been received from WAG.

The contract award complies with Financial Regulations and the cost of the contract is in line with the Housing Stock Business Plan.

## **7 CONSULTATION CARRIED OUT**

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

The contract award followed a public tender exercise and an initial evaluation of 45 responses led to a detailed evaluation of 11 tenders.

## **8 IMPLICATIONS – COUNCIL PRIORITIES & 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.

## **9 ACTION PLAN**

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

## **10 RECOMMENDATIONS**

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

Members award the contract for the next phase of the improvement programme to Bramall Construction Limited.

<u>2008/09</u> Final Outturn £	<u>Period 4 - July 2009</u>	Original Budget £	<u>2009/10</u> Forecast Out-turn £	Variance to Budget £
<b><u>EXPENDITURE</u></b>				
1,773,347	Supervision & Management - General	1,771,215	1,838,169	-66,955
251,090	Supervision & Management - Special	278,325	278,325	0
144,789	Welfare Services	146,710	150,966	-4,255
377,064	Homelessness - Leased Properties	386,000	349,991	36,009
2,580,144	Repairs and Maintenance	2,696,000	2,699,570	-3,570
<b>5,126,434</b>	<b>Total Housing Management</b>	<b>5,278,250</b>	<b>5,317,021</b>	<b>-38,771</b>
0	Rent Rebates	0	0	0
2,042,233	Item 8 Capital Charges	2,247,000	2,423,984	-176,984
3,000,000	CERA	0	0	0
0	Rent Rebate Subsidy Limitation	240,000	125,000	115,000
2,925,877	Subsidy	2,811,000	2,859,107	-48,107
17,190	Provision for Bad Debts	25,750	25,750	0
<b>13,111,734</b>	<b>Total Expenditure</b>	<b>10,602,000</b>	<b>10,750,862</b>	<b>-148,862</b>
<b><u>INCOME</u></b>				
9,955,062	Rents (net of voids)	10,435,000	10,459,567	24,567
231,038	Leased Rents	281,000	159,042	-121,958
138,416	Garages	151,065	134,823	-16,242
102,168	Interest on Balances & Other Income	28,000	121,430	93,430
<b>10,426,684</b>	<b>Total Income</b>	<b>10,895,065</b>	<b>10,874,862</b>	<b>-20,203</b>
<b>Surplus / Deficit (-) for the Year</b>				
<b>314,950</b>	<b>General Balances</b>	<b>293,065</b>	<b>124,000</b>	<b>-169,065</b>
<b>-3,000,000</b>	<b>Earmarked Balances</b>	<b>0</b>	<b>0</b>	<b>0</b>
3,706,736	Balance as at start of year ~ General	1,021,686	1,021,686	0
1,021,686	Balance as at end of year ~ General	1,314,752	1,145,686	-169,065

<b>HRA Capital Plan Update 2009/10</b>				
<b><u>Month 4</u></b>				
<b>Actual 2008/09 £</b>	<b>Description</b>	<b>Approved Schemes £</b>	<b>Actual at End July £</b>	<b>Forecast Outturn £</b>
383,638	Environmental Improvement Works	400,000	44,248	460,000
7,985,011	2006/07 Major Improvements – All Groups	6,853,000	981,997	6,519,399
228,111	Windows Replacement	0	0	0
403,135	Central Heating Contract	0	1,879	17,203
522,826	Disabled Adaptations - Council Properties	400,000	126,562	400,000
0	HRA Capital Contingency	430,000	0	390,000
<b>9,522,721</b>	<b>Total</b>	<b>8,083,000</b>	<b>1,154,686</b>	<b>7,786,602</b>
<b>2008/09 £</b>	<b>HRA Capital Plan Financed By:</b>	<b>Original £</b>	<b>Forecast £</b>	
2,400,000	Major Repairs Allowance Grant	2,400,000	2,400,000	
73,636	Useable Capital Receipts	0	35,000	
4,049,085	Prudential Borrowing	5,683,000	5,351,602	
3,000,000	CERA	0	0	
<b>9,522,721</b>	<b>Total</b>	<b>8,083,000</b>	<b>7,786,602</b>	

**REPORT TO CABINET**

**REPORT BY:** Councillor J Thompson-Hill,  
Lead Member for Finance

**DATE:** 08 September 2009

**SUBJECT:** Revenue Budget and Summary Capital Plan 2009/10

**1. DECISION SOUGHT**

- 1.1 To note the latest estimate of the likely outturn figures for the 2009/10 financial year as detailed in the attached Appendix 1.
- 1.2 To also note the summary capital plan performance for 2009/10 financial year as detailed in the attached Appendices 2 and 3.

**2. REASON FOR SEEKING DECISION**

- 2.1 To advise members of the latest indications of budget performance in light of the need to deliver the Council's agreed budget strategy for the 2009/10 financial year and avoid reducing already inadequate reserves and to note the latest update on the Council's Money Market dealings.

**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 latest projections for the current financial year. Appendix 1 details a forecast overall underspend of £466k, excluding the schools' delegated budgets. This figure is made up of pressures within the Lifelong Learning directorate and savings in Social Services and Housing.

***i) Lifelong Learning** is forecasting an unchanged overspend position of £133k due to:*

*a) the residual costs relating to the Hyfrydle facility on the Ysgol Plas Brondyffryn, £50k.*

*b) the likely pressure on the School Meals service is difficult to estimate at this stage but based on the last financial year could be in the region of £83k.*

*ii) **Social Services & Housing** is forecasting an underspend of £599k mainly due to:*

*a) the £502k underspend carried forward from last financial year, assumed as part of the budget setting exercise,*

*b) Adult services are predicting a net underspend position of £309k. This is partly offset by pressure on the cost of implementing the PARIS software system.*

4.2 Appendix 2 shows a **Capital Plan summary** and Appendix 3 shows expenditure split by Directorate priority.

4.3 Capital expenditure at the end of July is **£6.5m, for a plan that totals £32.8m**. Full details of the Capital Plan are contained in a separate report in part two of the agenda.

## **5. RISK ASSESSMENT**

### **5.1 Risks associated with not agreeing the recommendations**

Risk of service overspends not being contained within the overall Council budget with the resulting reduction to Reserves & Balances and pressure continuing into future years.

### **5.2 Risks associated with agreeing the recommendations**

Potential for impact upon service levels and quality with possibility of negative impact upon the Council's public image.

## **6. FINANCIAL CONTROLLER STATEMENT**

6.1 Directorates need to exercise tight control over their revenue expenditure to ensure they are able to remain within their budgets. The first call on any agreed underspends carried forward into the new financial year together with underspends in the current year, will of course be any pressures in the current year.

6.2 The closure of the Hyfrydle facility means the Council's liabilities currently are restricted to the costs of mothballing the building. A review is currently being undertaken to identify a potential use for the building.

6.3 The Council is now working closely with both Rhyl High School and Blessed Edward Jones to improve their financial situation. There is still a significant amount of work to be done however positive steps have been taken at both schools. Members will be kept informed of progress.

- 6.4 The continuing loss making trading position of the school meals service was the subject of a report to the last meeting. Members agreed a series of measures to help drive up take up of meals. The temporary subsidy of £150k has been converted into base budget provision while in the current year the service is expected to lose up to a further £100k.
- 6.5 Officers are involved in detailed negotiations with the Health Service to ensure that the Council receives a fair share of the additional W.A.G. Continuing Health Care funding for the current year.

## **6.6 MONEY MARKET INVESTMENTS UPDATE**

The Council is continuing to take steps to protect itself in the current economic situation:

- Further opportunities for debt repayment are being monitored closely and will be pursued when the conditions are favourable in order to reduce investment balances and exposure in the money markets.
- The Council is investing short term cash with the HM Treasury deposit account on a regular basis in order to ensure the security of its investment funds.

The Council still has one remaining investment of £1.5m with a foreign-owned bank, but as this matures shortly it will be redirected into UK or HM Treasury investments. These actions will reduce the risk to the Council.

Officers will meet with the Council's Treasury advisers mid month to evaluate the current market position and agree a strategy going forward. In the meantime as borrowing rates are currently at around 4% the decision has been made to borrow internally, i.e. run down cash levels. By doing this the Council saves the borrowing costs which currently are about 3% above investment rates.

## **7. CONSULTATION CARRIED OUT**

- 7.1 Lead Cabinet members will consult with Heads of Service during the financial year to agree necessary remedial actions to accommodate pressures in year.

## **8. IMPLICATIONS ON OTHER POLICY AREAS**

### **The Vision**

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

### **Other Policy Areas Including Corporate**

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



## **9. ACTION PLAN**

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

## **10. RECOMMENDATION**

- 10.1 To note the latest projected outturn figures for 2009/10 as detailed in the attached Appendix 1.
- 10.2 To also note the summary Capital Plan performance figures for 2009/10 financial year as detailed in the attached Appendices 2 and 3.

APPENDIX 1MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2009/10  
SUMMARY POSITION AS AT END JULY 2009

Directorate	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
Lifelong Learning (excluding schools delegated)	20,992	-7,223	13,769	21,125	-7,223	13,902	133	0	133	133
Environment	53,559	-23,000	30,559	53,431	-22,872	30,559	-128	128	0	0
Social Services & Housing	57,411	-17,646	39,765	59,911	-20,745	39,166	2,500	-3,099	-599	-596
County Clerk	2,066	-412	1,654	2,066	-412	1,654	0	0	0	0
Resources	10,851	-3,276	7,575	10,851	-3,276	7,575	0	0	0	0
Corporate, Miscellaneous & Benefits	33,212	-26,475	6,737	33,212	-26,475	6,737	0	0	0	0
<b>Total All Services</b>	<b>178,091</b>	<b>-78,032</b>	<b>100,059</b>	<b>180,596</b>	<b>-81,003</b>	<b>99,593</b>	<b>2,505</b>	<b>-2,971</b>	<b>-466</b>	<b>-463</b>
Capital Financing Charges savings & additional Investment Income net of contributions to specific provisions			11,041			11,041			0	0
Precepts & Levies			4,503			4,503			0	0
Contribution to balances/reserves			570			570			0	0
			<b>116,173</b>			<b>115,707</b>			<b>-466</b>	<b>-463</b>

**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 2009/10**  
**LIFELONG LEARNING**  
**SUMMARY POSITION AS AT END JULY 2009**

	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
<b>Individual School Budgets</b>	60,035	-5,647	54,388	60,672	-5,647	55,025	637	0	637	637
<b>Partnership &amp; Inclusion</b>	5,939	-3,144	2,795	5,989	-3,144	2,845	50	0	50	50
<b>Leisure</b>	4,208	-2,505	1,703	4,208	-2,505	1,703	0	0	0	0
<b>School Development</b>	7,234	-1,354	5,880	7,234	-1,354	5,880	0	0	0	0
<b>Planning &amp; Performance</b>	1,184	-59	1,125	1,267	-59	1,208	83	0	83	83
<b>Libraries</b>	2,427	-161	2,266	2,427	-161	2,266	0	0	0	0
<b>Total excluding schools</b>	<b>20,992</b>	<b>-7,223</b>	<b>13,769</b>	<b>21,125</b>	<b>-7,223</b>	<b>13,902</b>	<b>133</b>	<b>0</b>	<b>133</b>	<b>133</b>

**MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2009/10  
LIFELONG LEARNING DIRECTORATE**

	<b>Current Month £000s</b>	<b>Previous Month £000s</b>
<p><b><u>INDIVIDUAL SCHOOLS BUDGET</u></b></p> <p>School balances are currently projected at £861k which is based on the 08/09 brought forward balances less the forecast position on the 5 schools in deficit. Significant work is being undertaken with all schools to review their forecasted position with a view to significantly reducing expenditure levels for the year. A more robust and detailed projection will be available when remodelling of staffing levels will have taken place.</p>	637	637
<p><b><u>PARTNERSHIP &amp; INCLUSION</u></b></p> <p>Estimated costs associated with the closure of Hyfrydle Children's Home. The estimated costs have been calculated based on the equivalent 08/09 running costs. Further work will be undertaken to clarify the future position of the site.</p>	50	50
<p><b><u>POLICY &amp; PERFORMANCE</u></b></p> <p>School Meals Subsidy - Lifelong Learning are currently working with the School Meals service to review the baseline costs of the service and to identify potential developments within the service to reduce the current level of subsidy.</p>	83	83
<b>TOTAL excluding schools</b>	<b>133</b>	<b>133</b>

**MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2009/10**  
**ENVIRONMENT DIRECTORATE**  
**SUMMARY POSITION AS AT END JULY 2009**

	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	10,044	-5,791	4,253	10,044	-5,791	4,253	0	0	0	0
TRANSPORT & INFRASTRUCTURE (see note 1)	14,783	-5,232	9,551	14,773	-5,222	9,551	-10	10	0	0
PLANNING & PUBLIC PROTECTION (see notes 1 & 2)	4,782	-1,934	2,848	4,679	-1,831	2,848	-103	103	0	0
DIRECTOR & SUPPORT (see note 4)	1,229	-238	991	1,229	-313	916	0	-75	-75	-75
ENVIRONMENTAL SERVICES	17,058	-7,133	9,925	17,058	-7,133	9,925	0	0	0	0
TOURISM, CULTURE & COUNTRYSIDE (see note 3)	5,663	-2,672	2,991	5,648	-2,582	3,066	-15	90	75	75
<b>Total Environment</b>	<b>53,559</b>	<b>-23,000</b>	<b>30,559</b>	<b>53,431</b>	<b>-22,872</b>	<b>30,559</b>	<b>-128</b>	<b>128</b>	<b>0</b>	<b>0</b>

1 As the downturn in the economic climate shows no immediate sign of recovery there is again likely to be major pressures on the large income budgets relating to Car Parking, Building Control, Development Control and Land Charges. The total of the income pressure on these services in 08/09 was £487K and based on current information will exceed £500K in 09/10. There is however a corporate contingency sum set aside as part of the 09/10 budget round to help with these type of pressures and presently it is proposed to set aside £395K of this contingency budget to help offset a large proportion of these income pressures. The remaining balance will need to be found from savings elsewhere in the Directorate's overall budget.

2 The Directorate could be faced with some significant costs relating to the North Wales Hospital Site in 09/10 but again it is proposed to use part of the Council's contingency budget to ease this potential burden.

3 There is likely to be large revenue pressures on the Llangollen Pavilion budget in 09/10 partly as a result of the facilities being unavailable during major capital works to the premises later in the year. However measures are being put in place to try and minimise these pressures as much as possible.

4 The Directorate will continue to monitor closely all vacant staffing posts during 09/10. All savings on staffing from delays in filling vacant posts are removed from services and accumulated in a central budget controlled by the Director. These savings will be required to offset pressures detailed in 1 to 3 above plus any others that arise during the course of the year.

**MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2009/10**  
**SOCIAL SERVICES AND HOUSING**  
**SUMMARY POSITION AS AT END JULY 2009**

	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	8,745	-118	8,627	10,203	-1,603	8,600	1,458	-1,485	-27	-32
Adult Services	37,662	-9,182	28,480	38,688	-10,517	28,171	1,026	-1,335	-309	-305
<i>Underspend Brought Fwd</i>					-352	-352	0	-352	-352	-352
Business Support & Development	2,827	-538	2,289	3,154	-661	2,493	327	-123	204	219
<i>Underspend Brought Fwd</i>					-150	-150	0	-150	-150	-150
Cymorth Grant	1,746	-1,643	103	1,746	-1,643	103	0	0	0	0
Supporting People Grant	4,416	-4,402	14	4,460	-4,446	14	44	-44	0	0
<b>Sub Total Social Services</b>	<b>55,396</b>	<b>-15,883</b>	<b>39,513</b>	<b>58,251</b>	<b>-19,372</b>	<b>38,879</b>	<b>2,855</b>	<b>-3,489</b>	<b>-634</b>	<b>-620</b>
Non HRA Housing	2,015	-1,763	252	1,660	-1,373	287	-355	390	35	24
<b>Directorate Total</b>	<b>57,411</b>	<b>-17,646</b>	<b>39,765</b>	<b>59,911</b>	<b>-20,745</b>	<b>39,166</b>	<b>2,500</b>	<b>-3,099</b>	<b>-599</b>	<b>-596</b>

**MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2009/10**  
**SOCIAL SERVICES & HOUSING**

<u>Comments</u>	<b>Current Month</b>	<b>Previous Month</b>
	<b>£000s</b>	<b>£000s</b>
<b><u>SOCIAL SERVICES</u></b>		
<b>CHILDREN'S SERVICES</b> It is expected at this stage that Children's Services will achieve a slight underspend. However, this assumes that there will be no major increased costs from new placements - the number of referrals may well increase in response to recent high-profile cases and the general economic climate. The main pressure areas relate to out of county specialist placements and these are offset by under spending on in house fostering.	-27	-32
<b>TOTAL CHILDREN'S SERVICES</b>	-27	-32
<b>ADULT SERVICES</b>		
<b>Learning Disabilities</b> - Reduction in overspend is mainly due to staff vacancies and some revised contract values. The overspend assumes CHC disputes will be settled in the Council's favour, however if not this could increase the overspend by more than £200k. Residential placements are a general pressure area due to the increasing number of people requiring high cost placements and others requiring additional support as they get older.	21	83
<b>Mental Illness</b> - Expenditure on Residential, Nursing and Homecare continues to be the main budget pressure. It is predicted that the Mental Health Partnership expenditure will be on budget for 2009/10, rather than under spent as in 2008/09.	100	89
<b>Older People</b> - The predicted spend on Community Care budgets has been based on spend in 08-9, plus the cost of the fee increase offered to providers. Costs have not been inflated to reflect the increase in the Older People population this year, partly to recognise the strategy around replacing residential care with more domiciliary packages and extra care.	174	188
<b>Extra Care Housing Provision.</b> The closure of Llys Nant Residential Home should provide savings in 09/10 because part of that budget will be unallocated until 2010/11, when the new Prestatyn extra-care facility opens. Any remaining budget will be used to support the revenue costs of the Ruthin scheme. The savings will be used to dampen pressures in the current and next financial year.	-366	-366
<b>PDSI</b> - Community Care spend is still forecast to be the main budget pressure. It is expected that Occupational Therapy and CESI (Disability Stores) will be on budget.	147	114

<b>Performance Management &amp; Commissioning</b> - This projected under spend is mainly savings in staffing costs which is due to the continuation of the vacancy scrutiny process at the fortnightly Adults Budget Review panel meetings.	-371	-372
<b>Other Adult Services</b> - Charging policy income received so far is higher than the corresponding period last year and could mean income from charges exceeds original expectations. Income from charges can be volatile and difficult to predict but the situation will be reviewed every month and the outturn improved if it is prudent to do so.	-74	-80
<b>Joint Working &amp; Older People Strategy grant</b> - now fully committed.	0	-3
<b>Cefndy Healthcare</b> - Sales in 2009/10 are expected to exceed the £3m mark which, together with tighter controls on expenditure should improve this years position by around £122k from the 2008/09 over spend of £164k.	60	42
<b>UNDER SPEND B/FWD 2008/09</b>	<b>-352</b>	<b>-352</b>
<b>TOTAL ADULT SERVICES</b>	<b>-661</b>	<b>-657</b>
<b>Business Support &amp; Development</b> - Costs associated with the PARIS project remain the main pressure area (£85k over spend this year). Directorate costs are also expected to be over spent by £90k which is in line with the final 2008/09 position, though work will continue to reduce costs throughout the year.	204	219
<b>UNDER SPEND B/FWD 2008/09</b>	<b>-150</b>	<b>-150</b>
<b>SUPPORTING PEOPLE GRANT</b>	<b>54</b>	<b>69</b>
There is approximately £640k of recurrent under spend and £160k of in year under spend within the grant, until the formula is revised and the grant is cut. The Planning Group agreed not to commit this money in order to dampen the impact of grant formula changes and/or a transfer to a regional body. Either proposal will disadvantage the council financially but the latter could have a significant impact (possibly the immediate removal of £1.2m). The SP funding strategy proposes that no further contributions are made to the reserve, that the in-year surpluses are used to dampen future pressures throughout the Directorate and to contribute to a proposed specialist placement reserve. The reserve will be used to contribute to new pressures from highly expensive care packages.	0	0
<b>Housing</b> - The pressure on homeless budgets is currently only £15k though demand can be volatile. The economic climate will eventually have an impact but at present the financial estimates are reasonable. Recent changes to the HRA leasing subsidy scheme may have a negative impact, though not likely to be significant.	35	24
<b>TOTAL HOUSING</b>	<b>35</b>	<b>24</b>
<b>TOTAL SOCIAL SERVICES &amp; HOUSING</b>	<b>-599</b>	<b>-596</b>



**MONTHLY REVENUE BUDGET MONITORING REPORT - FINANCIAL YEAR 2009/10  
RESOURCES, COUNTY CLERK, CORPORATE & MISCELLANEOUS  
SUMMARY POSITION AS AT END JULY 2009**

	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	
<b>County Clerks</b>	<b>1,954</b>	<b>-412</b>	<b>1,542</b>	<b>1,914</b>	<b>-412</b>	<b>1,502</b>	<b>-40</b>	<b>0</b>	<b>-40</b>	<b>0</b>	<b>1</b>
Translation	112	0	112	152	0	152	40	0	40	0	2
<b>Resources Directorate</b>											
Finance	5,243	-2,176	3,067	5,243	-2,176	3,067	0	0	0	0	
Policy Unit	400	0	400	400	0	400	0	0	0	0	
Audit	435	-105	330	435	-105	330	0	0	0	0	
I.T	2,368	-450	1,918	2,368	-450	1,918	0	0	0	0	
Personnel	1,502	-371	1,131	1,502	-371	1,131	0	0	0	0	
Project Management	102	0	102	102	0	102	0	0	0	0	
Customer Care	801	-174	627	801	-174	627	0	0	0	0	
						0	0	0	0	0	
<b>Total</b>	<b>10,851</b>	<b>-3,276</b>	<b>7,575</b>	<b>10,851</b>	<b>-3,276</b>	<b>7,575</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Corporate and Miscellaneous</b>	<b>8,141</b>	<b>-834</b>	<b>7,307</b>	<b>8,141</b>	<b>-834</b>	<b>7,307</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Benefits</b>	<b>25,641</b>	<b>-25,641</b>	<b>0</b>	<b>25,641</b>	<b>-25,641</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Total</b>	<b>46,699</b>	<b>-30,163</b>	<b>16,536</b>	<b>46,699</b>	<b>-30,163</b>	<b>16,536</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

**Notes**

1. Planned saving from delayed recruitment.
2. Translation costs to be subject to review following all Wales framework agreement

**Denbighshire County Council - Capital Plan 2009/10 - 20012/13**  
**Position as at Mid August 2009**

**APPENDIX 3**

		2009/10	2010/11	2011/12 *	2012/13 *
		£000s	£000s	£000s	£000s
<b>Capital Funding:</b>					
<b>1</b>	<b>General Funding:</b>				
	Unhypotheated Supported Borrowing	10,089	6,124	5,894	5,894
	General Capital Grant	1,905	2,017	1,961	1,961
	General Capital Receipts	523			
	Earmarked Capital Receipts	1,049	0	0	0
		13,566	8,141	7,855	7,855
<b>2</b>	<b>Prudential Borrowing</b>	7,778	269	269	
<b>3</b>	<b>Reserves and Contributions</b>	1,962	0	0	0
<b>4</b>	<b>Specific Grants</b>	9,567	608	80	70
	<b>Total Finance</b>	32,873	9,018	8,204	7,925
	<b>Total Estimated Payments</b>	-31,189	-7,173	-6,359	0
	<b>Contingency</b>	-684	-1,000	-1,000	-1,000
	<b>Earmarked Contingency</b>	-1,000			
	<b>Unallocated Reserve</b>	0	0	0	0
	<b>Surplus/ -Insufficient Resources</b>	0	845	845	6,925

**Note**

\* The level of general Assembly funding for future years is unknown currently, but is likely to reduce significantly

## Capital Expenditure By Directorate

	2009/10	2009/10	2010/11	2011/12	2012/13
	Spend to Mid August	Estimated programme	Estimated programme	Estimated programme	Estimated programme
		£000	£000	£000	£000
Environment	5,016	22,924	5,219	4,435	80
Lifelong Learning	1,368	6,672	1,510	1,480	0
Resources	121	1,203	269	269	0
Social Services and Housing	52	390	175	175	0
<b>Total</b>	<b>6,557</b>	<b>31,189</b>	<b>7,173</b>	<b>6,359</b>	<b>80</b>

## Capital Expenditure by Council Priority

	2009/10	2009/10	2010/11	2011/12	2012/13
	Spend to Mid August	Estimated programme	Estimated programme	Estimated programme	Estimated programme
	£000	£000	£000	£000	£000
Modernising Education	1,158	6,027	1,180	1,150	0
Roads and Flood Defence	2,402	8,716	800	800	0
Regeneration	376	2,140	315	315	0
Responding to Demographic Change					
<b>Total</b>	<b>3,936</b>	<b>16,883</b>	<b>2,295</b>	<b>2,265</b>	<b>0</b>

As part of the 09/10 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

	2009/10	2009/10
	Spend to Mid August	Estimated programme
	£000	£000
Highways	847	4,000
<b>Total</b>	<b>847</b>	<b>4,000</b>

**REPORT TO CABINET**

**CABINET MEMBER:** COUNCILLOR P J MARFLEET - Lead Member for  
Modernisation & Improvement

**DATE:** 8<sup>th</sup> September 2009

**SUBJECT:** Project Gaia - DCC Corporate Carbon Management  
Strategy 2009-2020

**1 DECISION SOUGHT**

- 1.1 Cabinet to endorse the Corporate Carbon Management Strategy and the targets set for corporate carbon dioxide emissions reduction (*See appendix A for Project Gaia's executive summary; for a full copy of the strategy please ring or email Helen Burkhalter on (01824) 706253, helen.burkhalter@denbighshire.gov.uk*)
- 1.2 Cabinet to recognize the human and financial resource requirements in order to achieve targets in carbon dioxide emissions reduction and to perform well under the Carbon Reduction Commitment scheme (CRC).
- 1.3 Cabinet to support in the assimilation of climate change and carbon management awareness amongst staff and Councillors in order to encourage behavioural change
- 1.4 Cabinet Members to advocate climate change and carbon management initiatives within their individual Portfolio's
- 1.5 Cabinet to recommend the adoption of a Corporate Carbon Management Strategy at Council on Tuesday 22nd September, which will supersede the current DCC 60% Carbon Reduction Strategy (2008)

**2 REASON FOR SEEKING DECISION**

- 2.1 Climate change must become one of the most important long-term priorities for the Council. It is as important now as public health and sanitation were to our Victorian predecessors.
- 2.2 According to UK Climate Change Projections, 2009, by 2020 Wales' summer mean temperature will have increased, summer mean precipitation decreased by 6% and winter mean precipitation increased by 7%. Sea level is projected to have risen by 6cm and severe windstorms will be more frequent. Denbighshire has significant internal waterways and approximately 40% of the County's population are living by the coast. The increased frequency of storm weather and precipitation potentially could cause increased flooding for the communities living in these areas. In addition, Denbighshire's demographic is aging increasing the numbers who are particularly vulnerable to increased temperatures in the summer months which can lead to heat stroke and mortality.

- 2.3 Climate change is also an economic issue. Energy efficiency offers real value for money not only reducing our carbon emissions footprint but also our monthly fuel bills. In addition the Council will have to start paying for its carbon at the beginning of the financial year 2010 at a cost of £12 per tonne.
- 2.4 A long term strategy is required to ensure yearly progress towards the achieving statutory carbon emission reduction targets and mitigating the high financial risks posed by the CRC. Currently we have the Carbon Reduction Strategy which was produced in partnership by the Carbon Trust in 2008. This boasts a target of 60% reduction by 2018- that means a 6.67% reduction annually for the next 9 years. This is considered unrealistic and unachievable unless a significant rise in human and financial resources is committed now. Since its adoption in 2008 carbon emissions have in fact increased by 8.25% without firm guidance as to how the 60% target could be achieved.
- 2.5 It is envisaged that this strategy will supersede the existing strategy and proposes a framework for action between now and 2020, based on solid evidence and proven need. Project Gaia's targets correspond with those outlined in WAG's One Wales Agenda of 3% emissions reduction annually, and is more realistically achievable considering Denbighshire's context and the human and financial resources the Council has at its disposal.

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

- 3.1 'Welsh Commitment to Climate Change'-DCC has signed this declaration outlining our commitment to reduce our own carbon footprint
- 3.2 The Climate Change Act (2008) legally binds the Council to a target of 26-34% reduction of 'in-house' carbon dioxide emissions by 2020 and 80% reduction of all greenhouse gas emissions by 2050.
- 3.3 The Carbon Reduction Commitment (CRC) requires the Council to comply with annual carbon reporting requirements with both criminal and financial penalties if we fail to do so.
- 3.4 This strategy will enable the Council to comply with these statutory requirements and demonstrate our commitment to respond to Climate Change.

### **4 RESOURCE IMPLICATIONS**

#### **4.1 Cost Implications:**

- 4.1.1 Programme Arm Activity- Senior Responsible Owners will submit a 3 year Capital block allocation bid to spend on carbon reduction projects in their programme arm. Funding sources include DCC's capital budget and 'spend-to-save pot'. However, neither of these are guaranteed. A capital bid for £100k a year for 3 years is being developed for the Asset Management Programme Arm and will be submitted for consideration in October 2009.

The Behaviour Management theme runs through all the programme arms and is led by the Portfolio Officer- Climate Change. This is being run with a minimal budget and will only achieve marginal successes in changing values and habits if further funding is not secured.

4.1.2 Carbon Reduction Commitment- The Council will have to start paying for the carbon it emits from non domestic council buildings and street lighting at the beginning of the financial year 2010 at a cost of £12 per tonne. According to the figures for 2008/09 this equates to £147,696 a year.

Our first payment is a double payment paying for carbon emitted in 2010/11 and what we predict we will emit in 2011/12, equating to £295,393 in April 2011. If we emit more or less than this level, we then will have to either buy more credits or we will be able to sell carbon credits to other organizations in the scheme. The Council receives back the money it originally put in at the beginning of the year plus a bonus if it performs well in reducing carbon emissions or with a penalty if it performs badly.

## **4.2 Staffing / Accommodation Implications:**

4.2.1 The largest contributor to DCC's carbon footprint is from its Council buildings. Therefore for the strategy to be effective the Council needs a well resourced energy management team. A Spend to Save bid is currently being developed to employ a full time Energy Manager at an approximate cost of £33k a year. The application will be considered by CET for short term funding with the intention to fund the on going costs from reduced energy consumption.

4.2.2 The Chief Responsible Owner and Senior Responsible Owners must recognise that fulfilling these roles will require attention and devotion of time to deliver on their duties. The SRO's must ensure Programme Managers be given sufficient capacity to deliver the programme SMART objectives.

4.2.3 Via the Asset Management Programme Arm there is a real intention using the 'Lean-Mean-Green' principle to reduce the number of buildings on the Councils property portfolio and instead using fewer buildings more efficiently via home working, remote working, hot desking and desk sharing.

## **4.3 IT Implications:**

4.3.1 Monitoring the consumption of fuel in the Fleet Management Programme Arm will require IT to provide a link between the Fleet Management Software held by the Fleet Manager and the Fleet Master Software held by Environmental Services.

4.3.2 A waste management monitoring system will be required in the future if we wish to accurately reduce the amount of waste to landfill and monitor recycling achievements to reduce our carbon emissions from this activity

4.3.3 IT solutions in order to reduce energy consumption from computer use will be essential

4.3.4 IT expertise in assimilating carbon reduction and climate change messages and updating progress to staff would be highly beneficial e.g. screen saver messages, welcome messages, news alerts etc

## **5 RISK ASSESSMENT**

### **5.1 Risks associated with not agreeing the recommendation/s**

The risks with not agreeing the recommendations will also include those in section 5.2.

- 5.1.1 Non Compliance with CRC: See Appendix B for fines, penalties and criminal charges associated with CRC non compliance
- 5.1.2 Continued Increased Energy Consumption and Costs: See appendix C for trend analysis and projection of energy consumption from assets 2005 onwards using a business as usual without an energy manager model and the potential achievements with a well resourced and structured energy management service.
- 5.1.3 Poor Reputation: The CRC league table showing the absolute carbon reduction performance of the 5000 private and public sector CRC participants will be published to the public annually. Additionally, without getting our in-house scheme in order we do not have the authority as a Community Leader to seek climate change response from our communities.

### **5.2 Risks associated with agreeing the recommendation/s**

- 5.2.1 Energy Management not resourced or structured within the Council: We do not have an Energy Manager in the Council and as such Energy Management is a reactive service and is unable to deliver meaningful energy efficiency outcomes. Our energy consumption has increased on average by 8.85% annually since 2006, equating to an average increase in carbon from our buildings of 5.49% annually. With this situation unresolved carbon reduction targets in the strategy will not be achieved for the Asset Management Arm and we will pay excess for carbon credits and receive poor reputation via low rating in CRC league table.
- 5.2.2 No annual consistent commitment of resources to deliver the portfolio: Hindering the Portfolio being delivered and benefits of carbon reduction being realized and as such paying excess for carbon credits and receiving a Poor reputation via low rating in CRC league table
- 5.2.3 Increase in percentage reduction required by national Climate Change targets: Not having the capacity to adapt and consequently missing our reduction targets
- 5.2.4 Low awareness and understanding of the processes and procedures involved in the CRC among key stakeholders in the Council: Causing disjuncture between the roles and responsibilities of energy management, financial management, legal management and strategic management involved in carbon reduction and carbon trading. This means the Council will be unable to maximise on the opportunity CRC offers and instead suffers penalties
- 5.2.5 Extreme Weather: Causing increased energy consumption from assets and fleet in response to out-of-ordinary cold and as such not meeting annual targets even after the successful implementation of carbon reduction projects

## **6 FINANCIAL CONTROLLER STATEMENT**

- 6.1 The impact on services of the Carbon Reduction Commitment from 2010/11 will depend upon performance in relation to reducing energy consumption as compared to other public bodies. A good performance will mean that the annual payment of £147,696 will be refunded with the potential for a bonus in addition. Poor relative performance will mean the refund will be reduced resulting in a charge to services.

## **7 CONSULTATION CARRIED OUT**

- 7.1 Carbon Management Steering Group established February 2009 meeting monthly as a focus group on strategy development and CRC preparation with staff representatives from asset management, energy management, policy and finance
- 7.2 One to one meetings with Heads of Service and operational managers heavily involved in each of the Programme Arms to discuss strategy detail
- 7.3 Strategy presented to CET and MMC for feedback and endorsed by attendees
- 7.4 Strategy developed in consultation with Lead Member and the Corporate Director: Environment.
- 7.5 Strategic approach discussed with energy management, policy and finance representatives from Flintshire CC and Wrexham CC in the Carbon Reduction Commitment collaborative focus group chaired by Denbighshire CC

## **8 IMPLICATIONS**

### **8.1 Assessment of Impact on Corporate Priorities:**

- 8.1.1 Priority 1 – Modernising Education- The Strategy will impact on how we use and manage our schools through the energy efficiency projects undertaken under the Asset Management Programme Arm and how we manage our Corporate Waste, making our schools more energy and waste efficient. In addition, there is a real opportunity to integrate Carbon Management into the school curriculum through the Behaviour Management Initiatives undertaken with Head of Service and Head teacher support.
- 8.1.2 Priority 3 – Regeneration- The strategy will raise awareness of climate change and thus potentially will affect LDP decisions. Carbon Impact is now included in Project Proposals and Business Cases for business change and capital projects thus will feature in the planning and building of new schemes and structures.

### **8.2 Assessment of impact on the Vision, Community Strategy, Equalities and Sustainability:**

- 8.2.1 Denbighshire's Vision 2025- Dynamic, Delightful, Different- One of the County's main resources is its outstanding natural beauty and this strategy will initiate the process in order to protect that environment now and in the future making it greener and cleaner through more efficient energy use, vehicle use and waste disposal. The strategy's ethos is to use carbon management as an opportunity to think of new ways to operate as a council thus embodying the values of dynamism



making the Council an even more exciting place to work. The strategy's vision is to make DCC a leader on Climate Change response and Carbon Management setting ourselves apart as a council that does things differently responding to modern challenges in a positive way.

8.2.2 Community Strategy- By achieving the above we can develop DCC's position as a Community Leader in Carbon Management and Climate Change Response guiding our residents to do the same. There is a really opportunity in the future to increase public value through climate change community initiatives which could be managed through the Area Profiles.

8.2.3 Sustainability- The strategy embodies the values of sustainability securing the natural resources and environment for future generations. In addition the strategy directly impacts on making what we do, plan, produce, buy and dispose as a Council more sustainable and self regulating via using energy, vehicles and managing waste more efficiently. The strategy will ensure the Council takes responsibility for its contribution to climate change as an organization and mitigate against further damage through reducing our carbon emissions.

## 9 ACTION PLAN

<b>ACTION</b>	<b>RESPONSIBLE OFFICER / DATE BY WHEN ACTION TO BE COMPLETED</b>	<b>ACTION TO BE REVIEWED &amp; MONITORED BY / DATE TO BE MONITORED</b>
Strategy presented to Council for adoption	Cllr Paul Marfleet 22/09/09	22/09/09
3 Year Block Funding Capital Bid for Asset Management Programme Arm Action Plan developed and submitted	Robert Jones and Helen Burkhalter October 2009	December 2009
Project Gaia launched with a Climate Change-Carbon Reduction Staff Awareness Campaign	Helen Burkhalter Ongoing but first phase complete 31/12/09	01/01/10
Head of Service Carbon Management Training	Helen Burkhalter January 2010	31/01/10
Asset Management Programme commences	Energy Manager with HoS as Senior Responsible Owner 01/04/10	Monthly April 2010 onwards
DCC register as a full participant of Carbon Reduction Commitment (CRC)	Helen Burkhalter April- September 2010	September 2010

## **10 RECOMMENDATIONS**

- 10.1 Cabinet to endorse the Corporate Carbon Management Strategy and the targets set for corporate carbon dioxide emissions reduction
- 10.2 Cabinet to note the proposal for the spend to save funding bid for a Full Time Energy Manager and note the requirement for the annual allocation of funding to deliver energy efficiency projects, in order to achieve targets in carbon dioxide emissions reduction and to perform well under the Carbon Reduction Commitment scheme
- 10.3 For Cabinet to lead the way forward in reducing their carbon footprint and encourage all councillors and staff to do the same, and in doing so support the assimilation of climate change and carbon management awareness
- 10.4 For Cabinet to consider the impact climate change will have on their Portfolio areas, the opportunities carbon reduction projects and climate change awareness campaigns could have, and advocate climate change and carbon management initiatives within their individual Portfolios
- 10.5 Cabinet to recommend the adoption of Corporate Carbon Management Strategy at Council on 22 September 2009, which will supersede the current DCC 60% Carbon Reduction Strategy (2008)

## A Project Gaia- DCC's Corporate Carbon Management Strategy 2009-2020



### EXECUTIVE SUMMARY

#### Drivers

There are a number of policy, financial, social, environmental and reputational drivers to the development of a coordinated and cross directorate programme management approach to climate change. These are:

- The Climate Change Act (2008) - This Act legally binds us to achieving a 26-34% reduction in CO<sub>2</sub> emissions by 2020 from all business activity namely from our assets, fleet and waste. There is a further target of 80% greenhouse gas, reduction, including CO<sub>2</sub> by 2050.
- The Carbon Reduction Commitment (CRC) – This scheme requires us to pay £12 for every tonne of carbon we emit each year and report our carbon reduction performance annually. How well we do in reducing our carbon dioxide emissions compared to other organisations in the scheme will determine how much of our initial investment we get back- our money back plus a bonus or a penalty, only receiving back a proportion of what we put in. The league table will be also published to the public each year.
- The One Wales Agenda - The Welsh Assembly Government outline their vision for a sustainable Wales, with an agreed 3% reduction in greenhouse gas emissions annually. A Climate Change Strategy for Wales is in consultation and is a stepping stone in achieving WAG 2050 vision.
- Financial – A two to three degrees Celsius rise in temperature could reduce global economic output by 3%. In addition the Council will have to start paying for its carbon at the beginning of the financial year 2010 paying extra for any excess from the previous year. Failure to accurately report on carbon emissions annually will result in DCC paying a £5000 fine to the Environmental Agency and additional penalty for each working day delay.
- Social and Environmental – Greenhouse gas emissions have already pushed up global temperatures by half a degree Celsius. By 2020 Wale's summer mean

temperature will have increased, summer mean precipitation decreased by 6% and winter mean precipitation increased by 7%. Sea level is projected to have risen by 6cm and severe windstorms will be more frequent. Denbighshire has significant internal waterways and approximately 40% of the County's population are living by the coast. The increased frequency of storm weather and precipitation potentially could cause increased flooding for the communities living in these areas. In addition, Denbighshire's demographic is aging increasing the numbers who are particularly vulnerable to increased temperatures in the summer months which can lead to heat stroke and mortality.

- Reputational - Denbighshire County Council has a key leadership role to play at the local level, leading by example through reducing our 'in-house' greenhouse gas emissions. Under the CRC scheme our performance towards carbon reduction will be published annually to the public in a league table, comparing us against other local authorities and private sector organisations. There is a risk of undermining our reputation as a Council if we fail to commitment to tackle the causes of climate change.

### **Target**

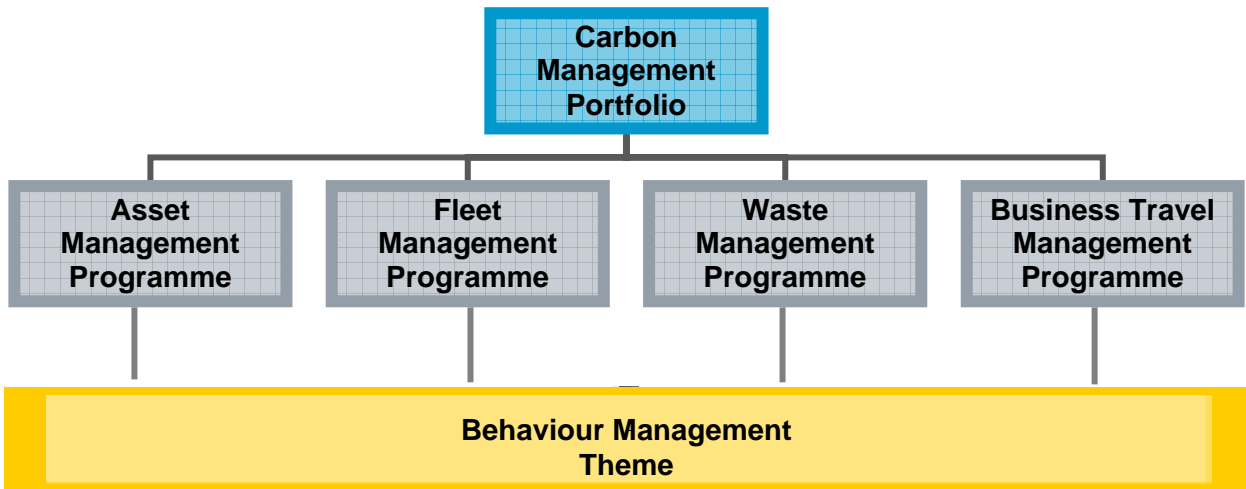
To reduce DCC's carbon dioxide emissions by 33% by 2020 according to the 2005 DCC baseline. This equates to a 3% reduction annually in our CO<sub>2</sub> emissions from all business activity.

### **Risks**

Two high 'Red' risks and three medium 'Amber' risks have been identified for the portfolio.

- Red Risks - Energy Management not resourced or structured within the Council
  - No annual consistent commitment of resources to deliver the portfolio
- Amber Risks - Increase in percentage reduction required by national Climate Change targets
  - Low awareness and understanding of the processes and procedures involved in the CRC among key stakeholders in the Council
  - Extreme Weather

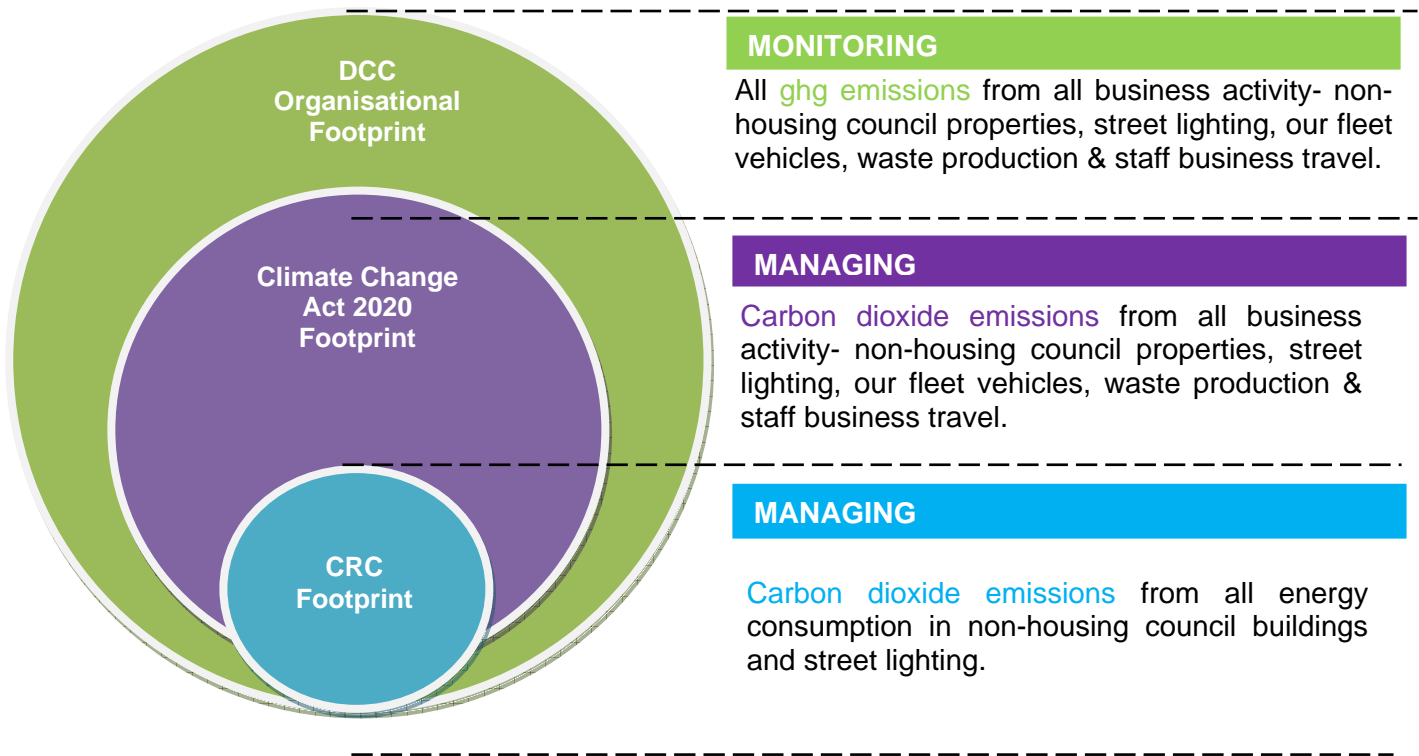
## Scope and Structure



The Portfolio will have 4 programme arms (shown above) which will affect and provoke action within all Directorates- Chief Executive, County Clerks, Resources, Environment, Social Services and Housing and Lifelong Learning. Behaviour Management will be a theme running under each programme arm and supporting work undertaken within them. It will be a series of initiatives following the cycle of education – engagement – empowerment winning the hearts and minds of staff.

Under each individual programme arm, a series of projects will be undertaken to contribute towards the 3% annual reduction following the hierarchy of 'Lean- Mean- Green'. Firstly, undertaking projects which increase efficiency of the things we use and the things we do (LEAN). Next, streamlining what we do and reducing what we use and not being afraid of making tough decisions (MEAN). And finally, increasing the use of renewable energy and instilling environmental consideration into all we do (GREEN).

There are 3 Carbon Footprints we will be monitoring but Project Gaia is only actively tackling the carbon dioxide emitted from our CRC Footprint and Climate Change Act 2020 Footprint. This is displayed below:



### Baselines

Programme Arm	Assets	Waste	Fleet	Business Travel
Carbon Tonnes (2005)	12,136	<i>collecting</i>	<i>collecting</i>	1,029

### Roles and Reporting Lines

- Chief Responsible Owner- The Director or Chief Executive is solely responsible for the delivery of the Carbon Reduction Portfolio's aims and the key target of 33% reduction by 2020 and should take appropriate action where necessary to ensure success. He or she will report straight to Cabinet, Council and CET.
- Senior Responsible Owner- This Head of Service will champion of the Portfolio in their programme area and be responsible for the delivery of programme aims and SMART objectives. They will be responsible for ensuring that authorised levels of

expenditure are available to the Programme Manager and regularly report programme progress to Chief Responsible Owner.

- Programme Manager- This Operational Manager will coordinate the programme, its projects and their interdependencies, monitoring project progress and performance to ensure programme remains on track to achieve benefits. They will report regularly to Senior Responsible Owner on project-programme progress.
- Project Sponsor and Project Manager- These are existing roles in the authority and follow the Corporate Project Management Methodology. The Project Manager will report regularly to the Project Sponsor on project progress and the Sponsor will feed this up to the Programme Manager.

### **Governance**

The portfolio does not propose establishing a new governance system and will feed in to existing decision making and advisory boards. The table below captures the main reporting routines:

<b>Board</b>	<b>Decision-making/advisory</b>	<b>Who reports?</b>	<b>When?</b>
Council	Decision-making	Chief Responsible Owner	Annually
Cabinet	Decision-making	Chief Responsible Owner	At least Quarterly
Scrutiny	Advisory	Senior Responsible Owners	Quarterly
CET	Decision-making	Chief Responsible Owner	At least Quarterly
MMC	Advisory	Senior Responsible Owners	Half yearly
Improvement Boards	Advisory	Senior Responsible Owners	Half yearly

### **Resource Implications**

#### Human Resources-

- The Chief Responsible Owner and Senior Responsible Owners must recognise that fulfilling these roles will require attention and devote the time necessary to deliver on their duties. The SRO's must ensure Programme Managers be given sufficient capacity to deliver the programme SMART objectives.

- The largest contributor to DCC's carbon footprint is from its non-domestic council buildings. Therefore for the Portfolio to be effective the Council needs a well resourced energy management team.
- There is more work to do in adapting to the impact of climate change already occurring and fulfilling the Councils community leadership role for our communities. Thus, it is essential that more human resource is allocated in the future.

### Financial Resources-

- It is envisaged that funding allocation will be at programme level. Senior Responsible Owners will submit a 3 year block allocation bid to spend on carbon reduction projects in their programme arm via the Capital Bidding Process. There will also be the opportunity to access the spend-to-save pot where appropriate.
- There is potential significant income generation via the CRC revenue recycling process if the Council performs well in the carbon emission league table. In the first year of the CRC the recycle payment will be up to +/- 10% of the cost of the carbon allowances purchased. This potential bonus increases by 10% each year so potentially in year 5 the Council could receive back up to 150% of our initial revenue investment in we perform highly in the reduction league table.

### **Business Planning**

Along with information on finance, performance and risk, information on estimated carbon emissions for everything we plan to do will be included in Service and Directorate Business Plans, and Strategic Asset Management Plans (SAMP's).

The Project Proposal and Business Case of all projects within or outside of the portfolio will include a carbon impact section. Inclusion of any mitigation plan to combat potential emissions will also be encouraged.

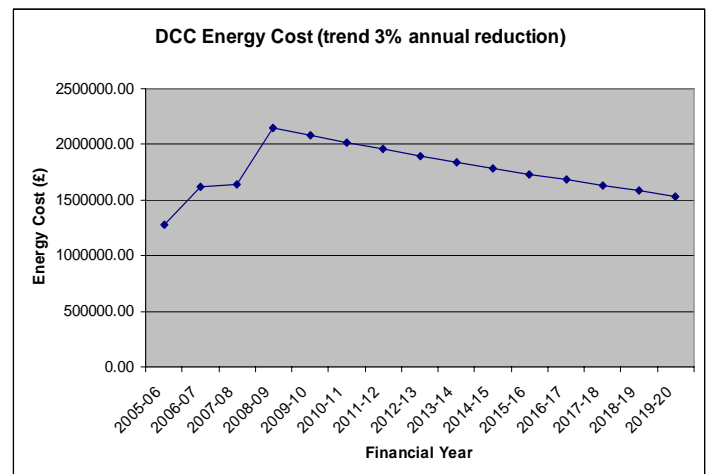
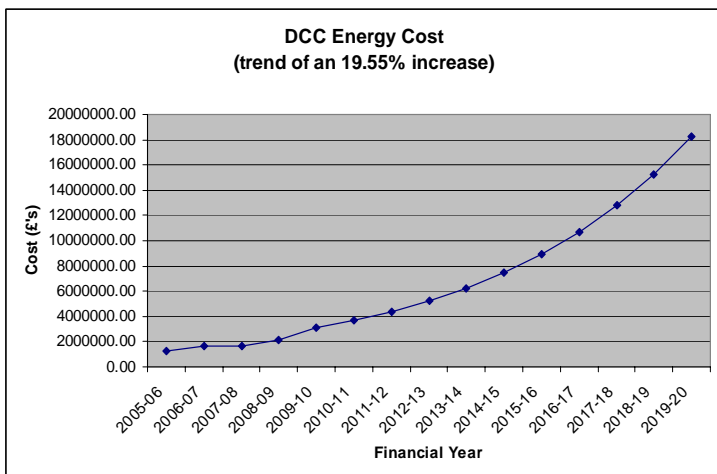
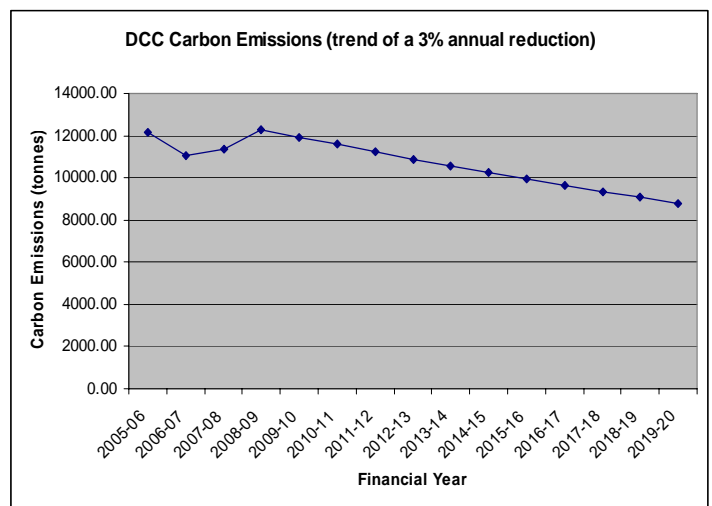
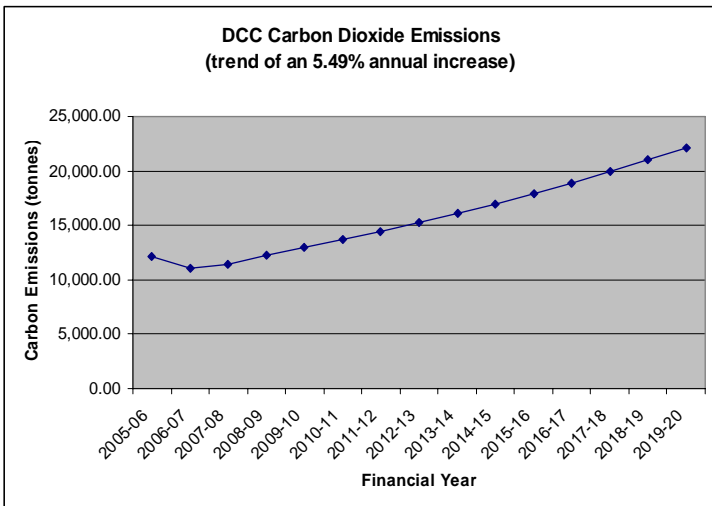
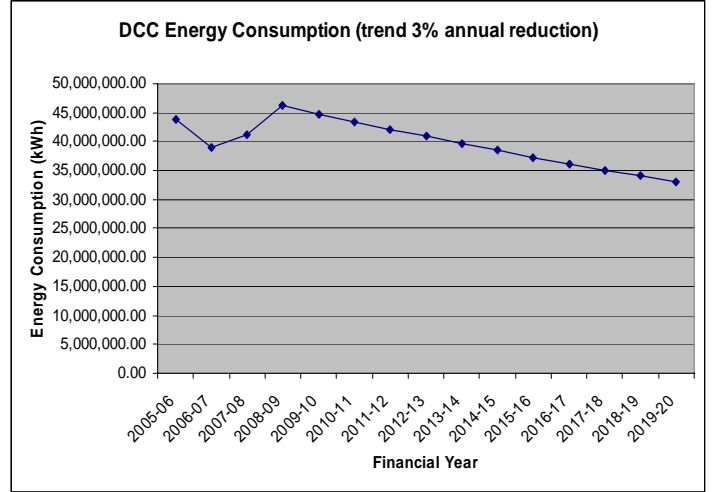
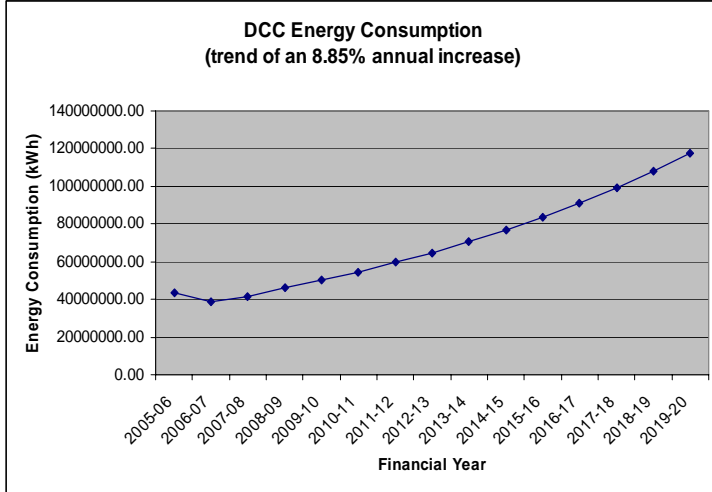


## B CRC Penalty Table

Non-compliance	Penalty
Failure to register	£5,000 plus £500 per working day. Named and shamed.
Failure to disclose information	£1,000.
Failure to provide footprint report or annual report	£5,000 plus £0.05/tCO <sub>2</sub> per working day (penalty doubles after 40 working days). Named and shamed.
Failure to surrender allowances or under-reporting (error margin greater than 5 per cent)	Participant must purchase and cancel outstanding balance of allowances plus, £40/tCO <sub>2</sub> in respect of each tonne that should have been reported and surrendered (plus surrender obligation continues). Named and shamed.
Failure to keep adequate records	£5/tCO <sub>2</sub> against total emissions last reported. Named and shamed.
Falsifying evidence, deception, non-compliance with enforcement orders, intentionally obstructing the administrator, failing to provide assistance or permit inspection	Criminal offence Maximum = up to two years in prison and fine up to £50,000.

## C Energy Management Scenarios

### Business as Usual



REPORT TO CABINET

CABINET MEMBER: COUNCILLOR R W HUGHES, LEAD MEMBER FOR PERSONNEL AND BUSINESS MANAGEMENT

DATE: 8<sup>th</sup> September 2009

SUBJECT: ROUTINE REPORTING ON PERSONNEL

1 DECISION SOUGHT

For Members to note the enclosed report on Personnel Statistics, and to consider the proposal for quarterly reporting in section 2.5.

2 REASON FOR SEEKING DECISION

2.1. **Personnel Statistics** - In July 2009 the number of actual staff employed has decreased to 4573 this equates to 3876 full time equivalents (FTE). In July there were 24 new starters to DCC, spread across all Directorates, 2 of which are new Modern Apprentices. There were 37 leavers again spread across all Directorates (with the majority being from the Lifelong Learning Directorate) 7 of which left for positions outside of DCC, with 8 declining to specify why they had left, 4 redundancies and 5 efficiency retirements. Other reasons included ill health retirements, age retirements, training & career development and end of fixed term contracts.

	Headcount	FTE
July 2008	4490	3807
July 2009	4573	3876

*It should be noted that the number of staff and the number of starters and leavers will never correlate this is because starters and leavers equate to number of employments rather than actual people. It should also be noted that the data is only accurate on the day the report is run as new data is added to the system on a daily basis.*

2.2 **Sickness Absence** – Graphs showing the corporate sickness absence position since April 2008 are contained within appendix a. There has been a slight increase in sickness levels this month, with the average number of days lost per employee at 1.12 which remains slightly higher than for the same period last year and is well above the target of 0.92 days lost per employee. This month Resources and LLL (Schools only) recorded lower levels of sickness than the required target, with Environment, LLL (excl Schools) and Social Services recording higher levels and Chief Executive’s/County Clerks recording levels significantly above target. It should be noted however that Social Services have recorded significantly lower levels of absence than for the same period last year.

<b>Monthly (July 09)</b>	<b>Days Lost Per Employee</b>	<b>Target</b>
<b>DCC</b>	<b>1.12</b>	<b>0.92</b>
CE	2.90	0.92
RES	0.67	0.92
ENV	1.28	0.92
SS	1.33	0.92
LLL	1.00	0.92
LLL excl schools	1.34	0.92
Schools Only	0.59	0.92

<b>Cumulative (April – July 09)</b>	<b>Days Lost Per Employee</b>	<b>Target</b>
<b>DCC</b>	<b>3.79</b>	<b>3.66</b>
CE	5.47	3.66
RES	2.19	3.66
ENV	4.22	3.66
SS	4.40	3.66
LLL	3.59	3.66
LLL excl schools	4.62	3.66
Schools Only	2.38	3.66

**2.2.1 Lifelong Learning Update on Sickness Absence for Cabinet – Lifelong Learning Directorate sickness management is currently being managed as follows:-**

Regular reporting on performance at every level of management meeting.

Identifying and focusing on the hot spots, examining in detail the causes of the absence.

Active promotion and implementation of the absence management framework including chasing up of records of sickness and return to work interviews and the use of health management panels to identify ways to improve performance. This has included briefings to the management team and development of a management fact sheet.

Training, coaching and support to managers is delivered by HR to conduct absence review meetings and cope with the challenges that staff may present with due regard to issues of disability or chronic conditions

**Schools** have recently adopted the sickness management framework with some adaptations put forward by Datum (the Consultative Forum for Teaching Staff). This policy and framework is currently being piloted in four schools, Prestatyn High, Ysgol Brynhyfryd, Penmorfa and Pentrecelyn

The principles of the policy and framework are being applied within other schools where advice is sought by either head teachers or governing bodies. Occupational health referrals are completed and head teachers are advised where information relating to long term sickness in schools is available.

Governing bodies and local union reps within the pilot schools have been fully briefed by HR before the summer holidays and are supportive of the approach being taken.

A comprehensive detailed programme for rolling out Trent to schools is being implemented from September led by the HR Trent project manager to support the management of sickness in schools. This is essential in order to monitor absence trends and individual cases. This will also help support schools with the introduction of the recent statutory requirements relating to 'rarely cover'.

In addition to this, a programme of briefing sessions for staff in these schools will be delivered by Head Teachers and HR in September which will include issuing all staff with an information leaflet so that they will know what to expect from their managers and so they will know what their managers will expect from them.

Small group coaching sessions are being set up by HR for managers and union reps within the pilot schools to ensure they are fully equipped with the skills and knowledge to support and manage staff who are absent from work due to illness and to provide the appropriate guidance for those staff who are struggling with attendance for other reasons, such as caring responsibilities

It is proposed that at the end of the first term the pilot will be reviewed before rolling out to further schools, this may include making policy revisions, a review of targets and reviewing the effectiveness of the briefing and coaching sessions.

This will mean that this programme of briefing sessions and coaching will be rolled out to all schools on a phased basis. It is anticipated that all schools will be using the sickness absence policy together with Trent by the end of this academic year.

Work is also being undertaken to identify the sickness reports which are required in order to manage hot spots, long term sickness and specifically short term sickness which appears to follow a pattern. Further more in depth analysis of reasons for absence will be undertaken once all schools are set up on Trent, which in turn will help to identify a more comprehensive attendance management strategy for the Directorate of Life Long Learning

One of the key challenges facing the Directorate however is the accuracy of sickness data. It is proposed that periodically reports are run relating to regular data flow issues such as delays in referring to occupational health and failure to close off absences when staff return to work.

- 2.3 Update on Matrix Agency Programme** – Matrix has been 'live' since 23 February 2009 and during the 24 weeks following has provided DCC a 9% saving, or £4453 per week on its previous expenditure for the supply of temporary staff.

Directorate	Matrix Total	Pre-Matrix Total	Gross Savings	Net Savings	% Net Savings
CE & CC	0	0	0	0	0
SS&H	321,902	379,713	57,811	46,745	12%
LLL	25,491	29,675	4,184	3,551	12%
Resources	2,480	2,960	480	385	13%
Environment	727,824	791,230	63,406	56,191	7%
<b>Total</b>	<b>1,077,697</b>	<b>1,203,577</b>	<b>125,881</b>	<b>106,872</b>	<b>9%</b>

Overall, the Matrix-SCM implementation has proven successful, achieving £106,872 in the first half year.

- a) The extension approval process, Heads of Service will be asked to approve extensions beyond an agreed timescale. This will provide Senior Management teams' greater control over the use of temporary staff ahead of the impending changes in legislation, whereby agency workers will be given the same employment rights as a permanent member of staff after twelve weeks.
- b) Schools - Matrix, along with our Relationship Manager are currently investigating the opportunity of bringing the Matrix solution in to the provision of supply teachers.
- c) A recent incident has indicated a shortage in the suppliers being unable to meet the demand for Qualified Social Workers. A recent order for 4 Social Workers, issued to over 180 suppliers returned a total of 5 CV's. Following some contact with suppliers, the demand remains popular and these positions have proven to be difficult to fulfill for many customers.

2.4 **Swine Flu Update** – Below are the reported absences due to swine flu. Numbers remain fairly consistent and low.

	DCC Excl Teachers	Teachers Only	DCC Incl Teachers
13/07/2009 - 19/07/2009	3	0	3
20/07/2009 - 26/07/2009	4	0	4
27/07/2009 - 02/08/2009	2	0	2
03/08/2009 - 09/08/2009	2	0	2
10/08/2009 - 16/08/2009	3	0	3
17/08/2009 - 23/08/2009	4	0	4

2.5 **Proposal for Quarterly Reporting to Cabinet** – Due to the nature of reporting statistical information it is proposed that the Personnel Report on Employee Statistics be submitted to Cabinet on a quarterly rather than a monthly basis. This would allow for more accurate reporting especially in relation to sickness absence. Currently the monthly data is only accurate at the time of printing as some absences are not always closed off at the time of reporting, especially if they are towards the end of the month. The cumulative

data which is reported is more accurate as it allows time for all relevant absences to be closed or even entered onto the system. Quarterly reporting although presented less often will also enable the reader to analyse a larger amount of data thus making it more meaningful and easier to identify trends.

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

3.1. Section III of the Local Government Act 1972

### **4 RESOURCE IMPLICATIONS**

**4.1 Cost Implications:** There are no significant cost implications associated with the preparation of this information.

**4.2 Staffing / Accommodation Implications:** There are no direct staffing implications however sickness levels do impact on the ability to provide services.

**4.3 IT Implications:** There are no IT implications associated with the preparation of this information.

### **5 RISK ASSESSMENT**

**5.1 Risks associated with not agreeing the recommendation/s** N/A

**5.2 Risks associated with agreeing the recommendation/s** N/A

### **6 FINANCIAL CONTROLLER STATEMENT**

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

### **7 CONSULTATION CARRIED OUT**

7.1. The headcount information has been prepared by the Central Personnel team directly from the HR system.

### **8 IMPLICATIONS**

#### **8.1 Assessment of Impact on Corporate Priorities:**

Attendance and performance of employees is fundamental to achieving our Corporate priorities.

#### **8.2 Assessment of impact on the Vision, Community Strategy, Equalities and Sustainability:**

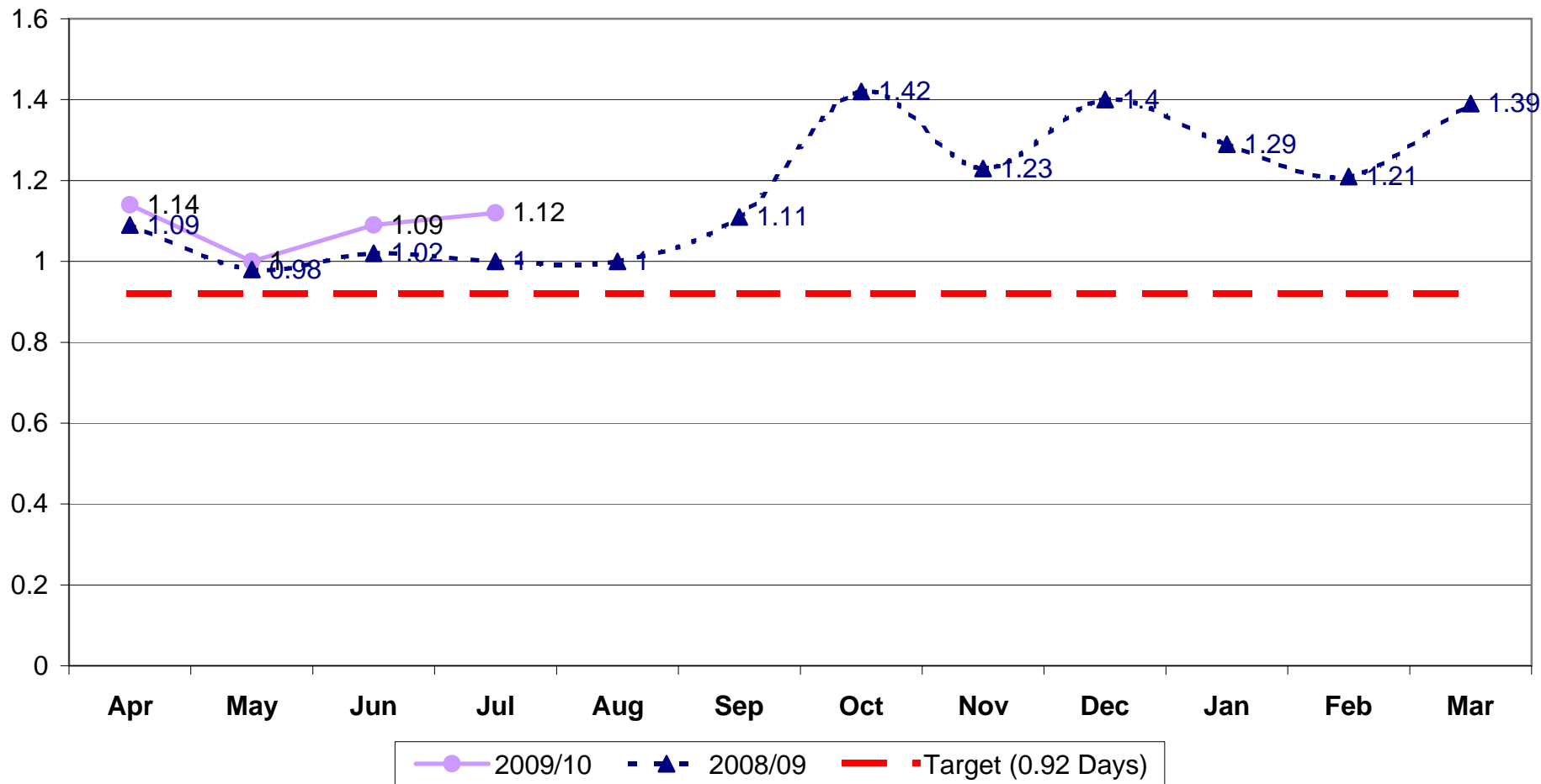
Being able to deliver the vision depends on having the right number of employees in the right job with the right skills.

## **9. RECOMMENDATIONS**

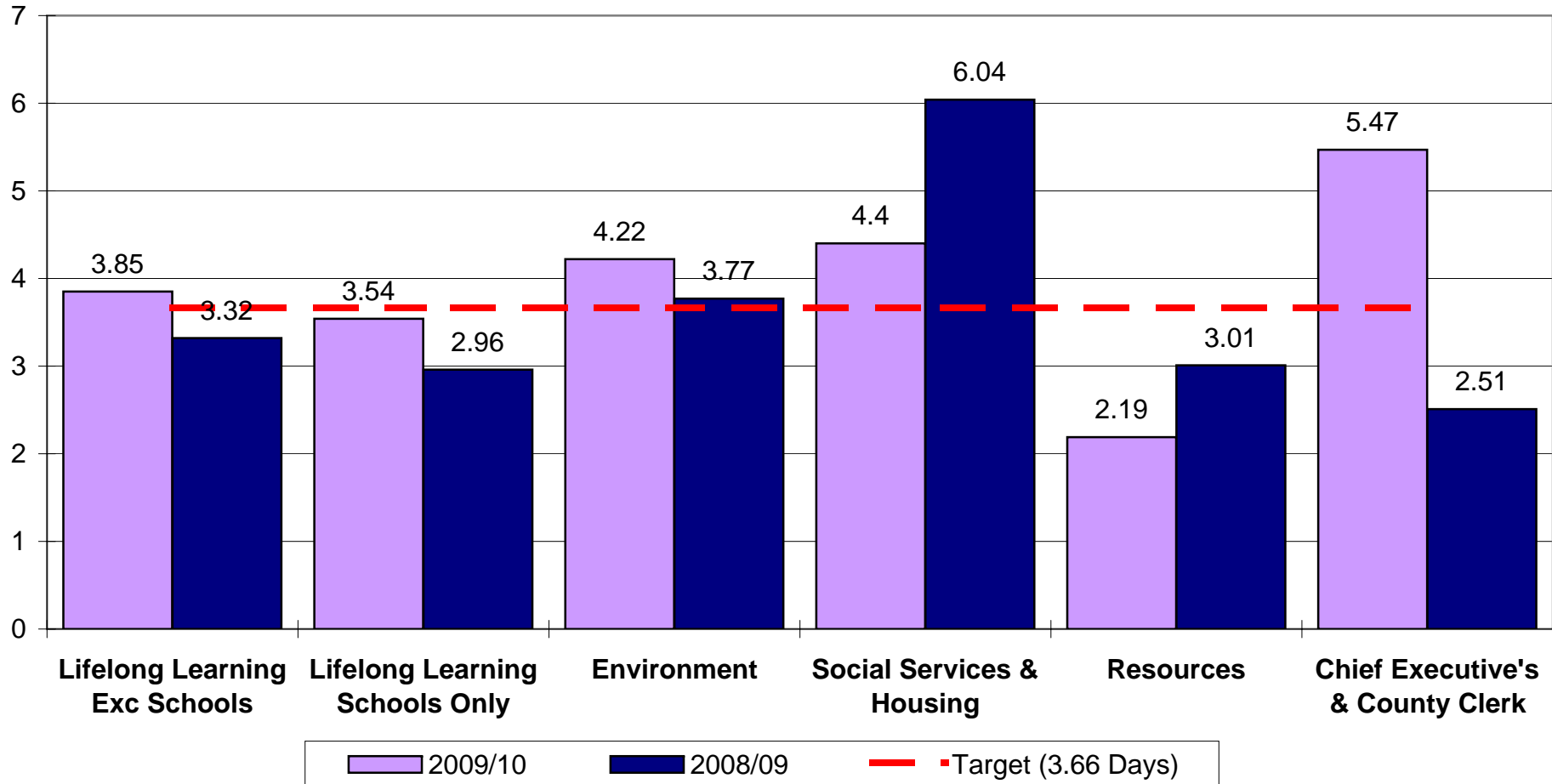
- 9.1. Members note the information considered in this report and identify issues which future reports should focus upon.
- 9.2. Members agree to the proposal for quarterly reporting outlined in section 2.5.



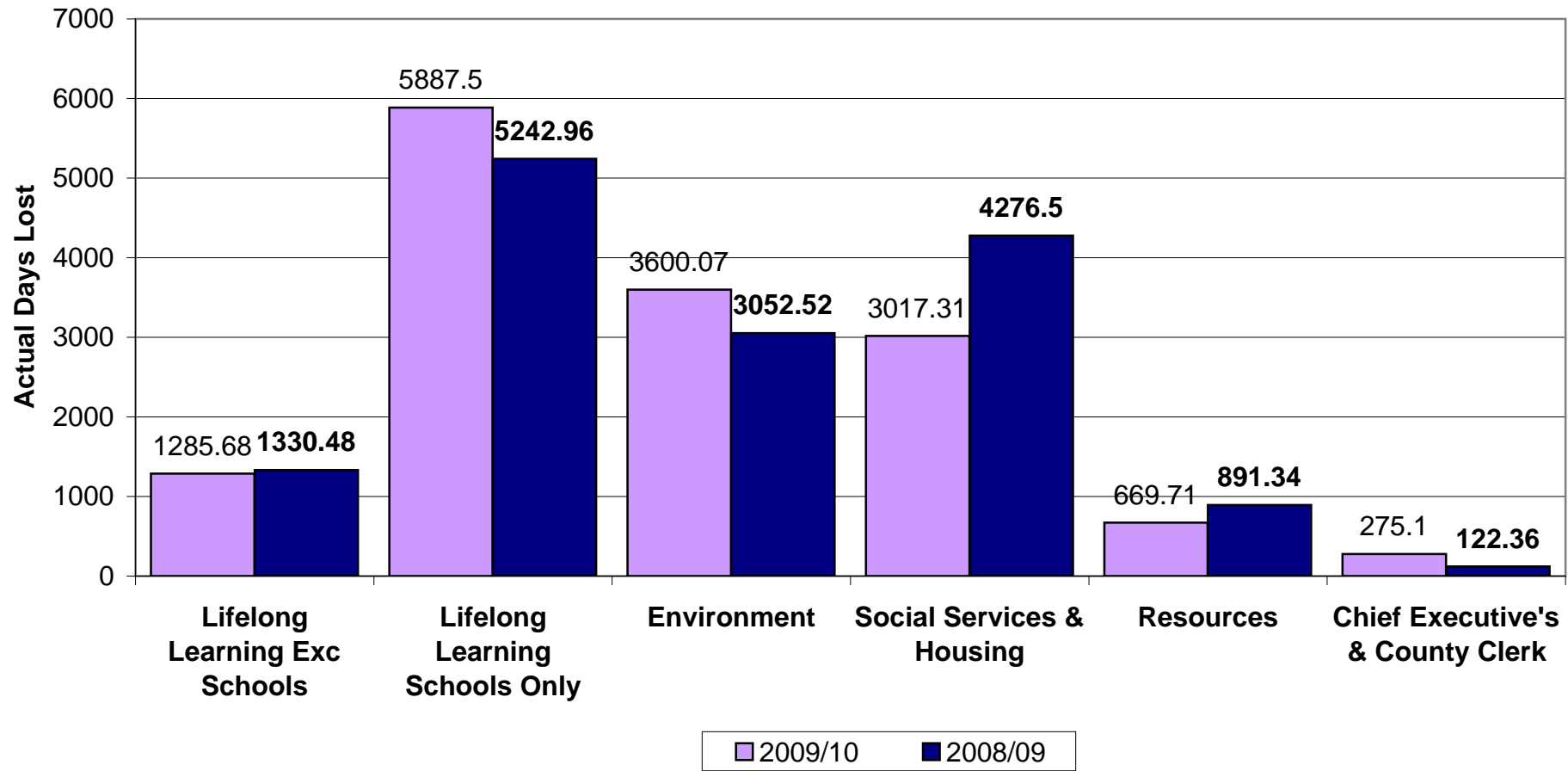
### Denbighshire County Council Average Number of Days Lost per Employee July 2009



**Denbighshire County Council**  
**Average Number of Days Lost per Directorate**  
**Cumulative April - July 2009**



**Denbighshire County Council**  
**Actual Number of Days Lost per Directorate**  
**April - July 2009**



**AGENDA ITEM NO: 11****CABINET: FORWARD WORK PROGRAMME**

<b>29 SEPTEMBER 2009</b>	
Revenue Budget Monitoring Report 2009-2010	Councillor J Thompson Hill R Parry
Update on Budget Setting 2010-2011	Councillor J Thompson Hill R Parry
Annual Treasury Management Report	Councillor J Thompson Hill R Parry
Routine Reporting on Personnel	Councillor R W Hughes L Atkin / G Humphreys
Member Development	Councillor R W Hughes R Davies
Housing Revenue Account Budget	Councillor P A Dobb P Quirk
Workforce Planning	Councillor P J Marfleet L Atkin
Regional Learning Disability Project	Councillor P A Dobb S Ellis
Review of Transport in Light of Corporate Manslaughter Regulations	Councillor E W Williams G Taylor / A Wright
Quarterly Performance Report	Councillor P J Marfleet T Ward
Equality Plan 2009-2012	Councillor R W Hughes K Beattie
Stage II Corporate Plan	Councillor H H Evans J Williams / D Morgan
Sale of Henllan Training Centre, Henllan	Councillor P J Marfleet G Evans / D Matthews / Becky Williams
Village Green Application, Ffordd Elan, Rhyl	Councillor P J Marfleet I K Hearle / Alan S Jones
Recommendations from Scrutiny Committees	Scrutiny Officers
<b>20 OCTOBER 2009</b>	
Revenue Budget Monitoring Report 2009-2010	Councillor J Thompson Hill R Parry
Update on Budget Setting 2010-2011	Councillor J Thompson Hill R Parry
Capital Plan	Councillor J Thompson Hill R Parry
Routine Reporting on Personnel	Councillor R W Hughes L Atkin / G Humphreys
Housing Revenue Account Budget	Councillor P A Dobb P Quirk
Monitoring the Actions Agreed by Cabinet	Councillor R W Hughes J Williams
Dee Valley East Education Review	Councillor H H Evans J Curran
New Work Connections European Convergence Bid	Councillor D A J Thomas Gwynfor Griffiths
Tourism Strategy for North Wales	Councillor D A J Thomas P Murphy / P Smith
Supporting People Operational Plan for 2010/11	Councillor P A Dobb Jenny Elliott
Young Carers	Councillor M M Jones L Leece

Acceptance of the Inter Authority Agreement and Contract evaluation criteria (Regional Food Waste Treatment Contract)	Councillor E W Williams S Parker / J Espley
Recommendations from Scrutiny Committees – Uniform charging policy for public use of DCC meeting rooms	Scrutiny Officers – S Price and R A Jones / G Evans
Specialist Planning Services - Regional Collaboration	Councillor E W Williams G Boase
Consultation on Community Infrastructure Levy	Councillor E W Williams G Boase
Agricultural Estate	Councillor P J Marfleet G Evans / D Matthews
Asset Management	Councillor P J Marfleet G Evans
Regeneration and Tourism	Councillor D A J Thomas G Evans
Area Profiles	Councillor D A J Thomas G Evans
Denbighshire's Revised Welsh Language Scheme	Councillor H H Evans D W Davies
Review of Library Service	Councillor M M Jones R A Jones
<b>27 OCTOBER 2009 - SPECIAL MEETING</b>	
Rhyl 11-16 Design Procurement Tender Part II	Councillor H H Evans David Evans
<b>24 NOVEMBER 2009</b>	
Revenue Budget Monitoring Report 2009-2010	Councillor J Thompson Hill R Parry
Update on Budget Setting 2010-2011	Councillor J Thompson Hill R Parry
Capital Plan	Councillor J Thompson Hill R Parry
Routine Reporting on Personnel	Councillor R W Hughes L Atkin / G Humphreys
Housing Revenue Account Budget	Councillor P A Dobb P Quirk
Quarterly Performance Report	Councillor P J Marfleet T Ward
Community Capital Projects	Councillor D A J Thomas M Dixon
Safeguarding Children to Include Safeguarding Inspection and LSCB Update	Councillor M M Jones N Francis / Julie Moss
Recommendations from Scrutiny Committees	Scrutiny Officers
<b>15 DECEMBER 2009</b>	
Revenue Budget Monitoring Report 2009-2010	Councillor J Thompson Hill R Parry
Update on Budget Setting 2010-2011	Councillor J Thompson Hill R Parry
Capital Plan	Councillor J Thompson Hill R Parry
Routine Reporting on Personnel	Councillor R W Hughes L Atkin / G Humphreys

Human Resources: Business Partners	Councillor R W Hughes L Atkin
Housing Revenue Account Budget	Councillor P A Dobb P Quirk
Recommendations from Scrutiny Committees	Scrutiny Officers
<b>12 JANUARY 2010</b>	
Revenue Budget Monitoring Report 2009-2010	Councillor J Thompson Hill R Parry
Update on Budget Setting 2010-2011	Councillor J Thompson Hill R Parry
Capital Plan	Councillor J Thompson Hill R Parry
Routine Reporting on Personnel	Councillor R W Hughes L Atkin / G Humphreys
Housing Revenue Account Budget	Councillor P A Dobb P Quirk
North Wales Residual Waste Treatment Project - Approval of Outline Business Case and Inter-Authority Agreement	Councillor E W Williams S Parker
Recommendations from Scrutiny Committees	Scrutiny Officers
<b>26 JANUARY 2010</b>	
Revenue Budget Monitoring Report 2009-2010	Councillor J Thompson Hill R Parry
Update on Budget Setting 2010-2011	Councillor J Thompson Hill R Parry
Capital Plan	Councillor J Thompson Hill R Parry
Routine Reporting on Personnel	Councillor R W Hughes L Atkin / G Humphreys
Housing Revenue Account Budget	Councillor P A Dobb P Quirk
Recommendations from Scrutiny Committees	Scrutiny Officers
<b>16 FEBRUARY 2010</b>	
Revenue Budget Monitoring Report 2009-2010	Councillor J Thompson Hill R Parry
Capital Plan	Councillor J Thompson Hill R Parry
Routine Reporting on Personnel	Councillor R W Hughes L Atkin / G Humphreys
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