

COMMUNITIES SCRUTINY COMMITTEE

Minutes of the Communities Scrutiny Committee held in the Conference Room 1a, County Hall, Ruthin on Thursday, 9th June, 2011 at 9.30 a.m.

PRESENT

Councillors I.W. Armstrong, B. Blakeley, J.M. Davies, D. Hannam, T.R. Hughes, E.R. Jones, A.J. Pennington, D.I. Smith, S. Thomas, C.H. Williams and Co-opted Members Mrs G. Greenland, Dr D. Marjoram and Mr J. Saxon.

Councillors W.L. Cowie, G.C. Evans and E.W. Williams attended as Observers.

ALSO PRESENT

Corporate Director: Learning and Communities (HW), Head of Leisure, Libraries and Community Development (JG), Head of School Improvement and Inclusion (KE), Business Improvement Manager (AM), Senior Engineer - Flood Alleviation (WH), Business Planning and Performance Administrative Officer (IM), Scrutiny Coordinator (RE) and Administrative Officer (CW).

1. APOLOGIES

Councillor J. Cahill and Ms D. Houghton (Co-opted)

2. DECLARATIONS OF INTEREST

No Members declared any personal or prejudicial interests in any business identified to be considered at this meeting.

3. APPOINTMENT OF CHAIR

The Scrutiny Coordinator referred to the Education Co-opted Members' voting rights, Scrutiny Procedure Rule 4.5.3 in Part 4 (Rules of Procedure) of the Council's Constitution (page 4.5), which stipulated that the Co-opted Members for Education "shall not vote on matters other than education, though they may stay in the meeting and speak". The Education Co-opted Members would therefore not be involved in the election of the Chair and Vice-Chair of the Committee, or any of the other Scrutiny Committees, and would not be able to vote on any of the business items on the agenda apart from the item on "Allocation of Additional Resources for Pupils with Special Educational Needs'.

Prior to seeking nominations for Chair of the Committee, it was proposed and seconded that the election process for the office of Chair should be held by secret ballot. As more than 50% of the membership present voted in favour of holding a secret ballot the election of Chair proceeded via this method.

Councillors A J Pennington and D I Smith had made their CVs available to Committee members ahead of the meeting as two prospective candidates for the

office of Chair, both were nominated and seconded by members present. No other nominations were received. Following a secret ballot it was:-

RESOLVED – that Councillor D.I. Smith be appointed Chair for the ensuing year.

4. APPOINTMENT OF VICE CHAIR

Councillor D Hannam was nominated and seconded for the office of Vice-Chair for the 2011/12 municipal year. No other nominations were received. It was therefore:

RESOLVED – that Councillor D. Hannam be appointed Vice-Chair for the ensuing year.

The Chair extended his and the Committee's congratulations to the Denbighshire schools who had recently achieved phenomenal success in the Urdd Eisteddfod competitions in Swansea. He also referred to the recent decision taken by the board of governors of two Denbighshire schools, Ysgol Gellifor and Ysgol Bryn Clwyd, Llandyrnog, to voluntarily amalgamate and become federated schools. He asked Councillor G C Evans, Ysgol Bryn Clwyd's Chair of Governors, to extend the Committee's congratulations and their best wishes to both schools and both sets of governors for the initiative they had shown.

5. URGENT MATTERS AS AGREED BY THE CHAIR

No items were raised which in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

6. ALLOCATION OF ADDITIONAL RESOURCES FOR PUPILS WITH SPECIAL EDUCATIONAL NEEDS

A copy of a report by the Head of School Improvement and Inclusion, which detailed the proposals on the allocation of additional resources for pupils with Special Educational Needs, was circulated with the papers for the meeting.

At its meeting on the 21st April, 2011 the Lifelong Learning Scrutiny Committee requested that a further report on the proposals for Special Education Needs funding be considered, by the appropriate new Scrutiny Committee, to ensure that the position in moving forward with the alternative proposal was monitored. The Head of School Improvement and Inclusion introduced the report which detailed the position regarding the Special Educational Needs (SEN) 'Banding' proposal, and provided an update on the progress regarding the presentation of an alternative model.

A proposal put forward in 2009, to delegate a substantial element of SEN funding to schools, had been based on additional resources being allocated on the basis of a 'banding' system to ensure that funding was allocated to those pupils demonstrating the most need. Details of the process and its key objectives had been included in

the report. Due to the serious level of risk presented a decision had been taken to defer the proposal and it was agreed that a review of the proposal would be undertaken and an alternative solution sought.

Following the deferral of the original proposal a significant amount of research had been conducted in order to identify best practice in this area. Advice had been sought and four fundamental issues had been identified which underpinned any future proposal and these had been outlined in the report.

On the basis of the issues identified it was being proposed that the way forward should capture current best practice in the system and focus on how pupils were initially identified, as well as determining the levels of support required. It was suggested therefore, that in developing the new system the following should be included:-

- The utilisation of the Pupil Level Annual Census (PLASC) as a basis for determining or identifying which pupils were entitled to additional support. This should ensure that central and school based records were aligned and that there was a common understanding across the Authority on the categorisation process. Subsequently, there would be complete transparency in tracking and monitoring individuals and identifying and providing a rationale for additional support. Training had been provided for key school based staff in PLASC.
- The development of a tracking system for pupils supported by the 5% delegated budget in order to identify the levels and type of support received and the impact on outcomes. This would ensure accountability within the system and safeguard the entitlement of pupils to receive quality provision; and be able to access additional support on the basis of professional evidence if required.
- The formation of a Panel to oversee the allocation of additional resources. The intention was that the Panel would be chaired independently and would comprise of professional representatives from the inclusion services, a member of the parent partnership and representative Headteachers. A clear and consistent referral process would be adhered to and any additional resources allocated would be tracked and monitored robustly in order to ensure impact and value for money.

In response to a question regarding the need to provide within the system a means of ensuring that pupils receive their respective entitlement to support, the Head of School Improvement and Inclusion explained that it would be important to ensure that the communication links between all the agencies were completely secure and that the system being developed encompassed robust tracking and evaluation processes. It would also be important that the Panel met on a regular basis and operated impartially and transparently.

The Head of School Improvement and Inclusion replied to a question from Mr J. Saxon and explained that she felt that schools should be monitoring children's SEN needs rigorously. She highlighted the importance of early intervention and outlined

the initiatives introduced to address the problem through the Foundation Phase 2, particular reference being made to the identification and tracking of children's needs prior to secondary education and the role of Children's Services and Health Visitors in this process.

Dr D. Marjoram raised issues relating to the need for clarification in respect of aspects such as parental input, the Appeal process and the criteria for activating the Authority to readily agree to statementing. The Head of School Improvement and Inclusion highlighted the importance of ensuring that inclusion was fully entrenched in the Improvement Agenda and of robust quality assurance. It would be essential not only to meet a child's needs but to provide an assurance to parents as to exactly what was being implemented, what would be achieved and how the effectiveness of the provision would be monitored. Members supported the view expressed that a progress report be provided in six months.

Reference was made by Ms G. Greenland to the vital role played by Special Educational Needs Coordinators (SENCO), the Head of School Improvement highlighted the importance of providing training for SENCOs to ensure consistent practice across the Authority.

It was confirmed by the Head of School Improvement that the Authority was presently reviewing the Learning Development Team. She highlighted the impact of the Regional Collaboration Agenda and the need to align structures between Authorities and referred to the draft protocol currently being developed with Wrexham County Borough Council in respect of cross border issues.

The Corporate Director: Learning and Communities responded to questions from Members regarding the funding and budget provision for the service. He outlined the purpose of the exercise which had been to ensure the effective and efficient use of available funding and resources and made particular reference to the Schools Delegated Budget. In reply to a suggestion from Councillor S. Thomas that SEN funding should be ring fenced, the Corporate Director: Learning and Communities highlighted the importance of ensuring that the use of SEN funding was monitored very closely and that schools were persuaded to utilise it effectively.

During the ensuing discussion, the Chair summarised the main aspects arising from the debate which included, the importance of parental input, the need for a robust appeals process within the system, and the need to examine the possibility of ring fencing SEN funding, and that these aspects be included in the document formulating the alternative proposal.

RESOLVED – that the Communities Scrutiny Committee

- notes the progress to date in formulating an alternative proposal;
- (b) recommends that the importance of parental input, the need for a robust appeals process within the system, and the feasibility of ring fencing SEN funding be explored and contained in the final proposal prior to its submission to Headteachers for consultation; and
- (c) receives a progress report in six months.

7. PRELIMINARY FLOOD RISK ASSESSMENT REPORT – FLOOD RISK REGULATIONS 2009

A copy of a report by the Senior Engineer Flood Risk Management, which sought the Committee's observations and support for the Preliminary Flood Risk Assessment (PFRA) Report (Appendix 1), was circulated with the papers for the meeting.

The Senior Engineer Flood Risk Management referred to the Flood Risk Regulations 2009 which required Denbighshire County Council, as a Lead Local Flood Authority (LLFA), to carry out a Preliminary Flood Risk Assessment (PFRA) to identify areas at risk of flooding in Denbighshire with significant consequences, and to submit a Preliminary Flood Risk Assessment (PFRA) Report to the Environment Agency by 22nd June, 2011. Subsequently the information provided by the Environment Agency, who had been guided by the European Union following the floods which had occurred during the previous decade, indicated that there were no flood risk areas in Denbighshire. However, this did not mean that the county did not have properties or areas which were susceptible to flooding.

The PFRA process had been aimed at providing a high level overview of flood risk from local flood sources, including surface water, groundwater, ordinary watercourses and canals. The methodology for producing the PFRA had been based on the Environment Agency's Final PFRA Guidance and WAG's Guidance on selecting Flood Risk Areas, both having been published in December, 2010.

In response to concerns expressed by Members it was explained that the high risk of flooding from local sources across Denbighshire had been based on national surface water modelling, approximately 1,600 properties had been estimated to be at risk from flooding to a depth of 0.3m during a rainfall event with a 1 in 200 annual chance of occurring. The Senior Engineer Flood Risk Management confirmed that future funding applications would not be influenced by the definition of the Flood Risk Area and that previous funding sources would be maintained.

The Senior Engineer Flood Risk Management confirmed that roads and flooding was one of the Council's priorities. Approval of the PFRA Report would enable the Council to fulfil its legal obligations under the Flood Risk Regulations 2009. One of the objectives of the Regulations had been to improve the understanding of flood risk and its consequences, and to develop a risk management approach to dealing with flooding and protecting communities. It was explained that the Regulations would provide support for the Council's Vision for Denbighshire 2025.

Concerns were expressed by Councillor B. Blakeley that no flood risk problem had been identified in the Rhyl area and made reference to the problems caused by high tides and a poor and ageing drainage system. He explained that a meeting had been held with the Environment Agency and Welsh Water at which it had been indicated that there were no contingency plans in the event of flooding.

The Senior Engineer Flood Risk Management outlined the statutory process and the PFRA criteria for determining a flood risk area, explaining that not enough properties in Denbighshire had been identified as being at risk. He confirmed that flooding hot

spot areas had been identified in Rhyl, and other areas in Denbighshire, and that the flood risks within the County had not been demeaned by the PFRA. It was confirmed that further work would be undertaken with the Environment Agency, Welsh Water and other interested agencies to develop a Local Flood Risk Management Strategy to deal with surface water and ordinary water courses. A number of Members expressed concern that water courses and cuts were not being maintained and cleared on a regular basis which had, in some instances, resulted in flooding in some areas.

Councillor B. Blakeley explained that a number of residents in his ward had been unable to obtain insurance cover for their properties due to the risk of flooding, the Senior Engineer Flood Risk Management confirmed that the Welsh Government (WG) had been working with the insurance industry to address this problem, and Councillor Blakeley agreed to provide a list of the properties and addresses in question. He also responded to questions from Councillor D. Hannam regarding the use of Combined Sewer Overflow Tanks, and agreed to liaise with the Halifax regarding the availability and provision of insurance for properties in the Ffordd Las area of Rhyl.

The Senior Engineer Flood Risk Management responded to concerns expressed by Councillor C.H. Williams that flood risk areas in the Llandrillo area had not been included on the map. He provided details of the criteria and requirements for the inclusion of flood risk areas on the map, and following representations from Councillor Williams it was agreed that the areas highlighted in the Llandrillo area could be included on the map for consideration by the Environment Agency, as well as being included on the flood maps for surface water. Members were also assured that the PRFA report would not be used to determine, acquire or secure future funding for flood alleviation schemes. Such applications would be based on risks identified by Denbighshire under local flood risk management plans.

In reply to concerns raised by Councillor I.W. Armstrong regarding problems in the West End of Rhyl resulting from overtopping - when waves breach the sea wall and drains not being cleared of sand – as well as the possibility of the Marine Lake Bank being breached, which could result in major flooding in various areas of the town, the Senior Engineer Flood Risk Management agreed to convey the comments and concerns expressed by Councillor Armstrong to the Environment Agency.

In response to questions from Councillor J.M. Davies regarding the purpose and aims of the PFRA report, the Senior Engineer Flood Risk Management explained that the process had arisen as a result of the Pitt Report recommendations which suggested that the UK Government should transpose the EU Flood Regulations into the UK Flood Risk Regulations and identify flood risks across the United Kingdom. Councillor Davies suggested that consideration be afforded to examining areas which had not been identified as serious flood risk areas, but did pose a risk to local residents, by producing plans to reduce the risks of flooding. The Senior Engineer Flood Risk Management explained that by working jointly with the Environment Agency and the Emergency Planning Section a Local Flood Risk Management Strategy could be compiled for all the communities at risk within the County.

The Chair and Members of the Committee concurred with the views expressed by Councillor J.M. Davies that Denbighshire produce a Flood Risk Management Plan which identified and listed all communities at risk of flooding within the County.

Following further discussion, it was:-

RESOLVED – that the Communities Scrutiny Committee:-

(a) receives the report and supports the PFRA Report for submission to the Environment Agency, subject to the issues and amendments identified by Members, and

(b) recommends that Denbighshire produces a Flood Risk Management Plan which identifies and lists all Communities at risk of flooding within the County.

8. LEISURE STRATEGY

A copy of a report by the Head of Leisure, Libraries and Community Development, which presented the Council's draft Leisure Strategy to the Scrutiny Committee, was circulated with the papers for the meeting. A copy of the Leisure Strategy had been circulated prior to the meeting.

The Head of Leisure, Libraries and Community Development introduced the report and explained that the Welsh Audit Office report in April, 2009, following the Review of the service in 2007, had recommended that Leisure Services develop and implement a Leisure Strategy for the next 5 to 10 years to maintain strategic vision and direction whilst providing a framework for a coherent Leisure Service. It also recommended that the current and future needs of the service be prioritised and that appropriate stakeholder involvement be identified.

Members were informed that the development of the Leisure Strategy had been monitored by the Lifelong Learning Scrutiny Committee, as an outstanding item in the Business Plan, and following extensive consultation with partners and stakeholders over the past 18 months, the Leisure Strategy was ready for publication. The delay in producing the Strategy was planned to enable the Service to undergo a restructuring exercise.

Details pertaining to the compilation of the Leisure Strategy, those involved in its development and the consultation process were highlighted by the Head of Leisure, Libraries and Community Development and had been detailed in the Consultation Feedback document (LE1). The timetable and process for consultation on the final document and launch had been detailed in the Leisure Strategy Consultation Timetable (LE2).

It was confirmed by the Head of Leisure, Libraries and Community Development that the development of programmes to help older people remain active and healthy supported the Demographic Change priority, the provision of Physical Education facilities which were fit for purpose and helped to put schools at the heart of the community supported the Modernising Education priority, and access to high quality leisure settings provided health and wellbeing benefits to the community, whilst working in partnership to plan and deliver activities, supported the efficiencies

agenda. It was explained that the Strategy's vision supported the Council's vision that "Denbighshire in 2025 would be the ideal place to live, work, visit, conduct business and pursue a wide range of activities."

The Head of Leisure, Libraries and Community Development referred to the Leisure Strategy, 'Opportunities for All Improving Lives', which had been circulated prior to the meeting. He provided a summary of the Leisure Strategy document which detailed the current position, strategy context, future challenges for Leisure, vision and priorities, delivering the key outcomes and managing performance. He explained that it had been recognised that leisure had an impact and benefit on numerous social aspects, and the priorities in the Leisure Strategy had been linked to the Local Service Board's (LSB's) Big Plan.

In reply to questions from Members, the Head of Leisure, Libraries and Community Development confirmed that initiatives which could see wellbeing activities being delivered in libraries were under consideration.

Details of the Chief Finance Officer's Statement, any financial implications, the consultation process undertaken and the identification of any risks had been included in the report for information purposes.

The Chair expressed his appreciation for the work undertaken and progress made to date in respect of the improvement in Leisure Services within Denbighshire. Members expressed their support for the Leisure Strategy, prior to wider circulation to partners and stakeholders which would include Elected Member Area Groups and Town and Community Councils clusters.

Following further discussion, it was:-

RESOLVED – that the Communities Scrutiny Committee supports the draft Leisure Strategy prior to wider circulation to partners and stakeholders which would include Elected Member Area Groups and Town and Community Council clusters.

9. SCRUTINY WORK PROGRAMME

A copy of a report by the Scrutiny Coordinator, which requested the Committee to review and agree its forward work programme and provided an update on relevant issues, had been circulated with the papers for the meeting. A copy of Cabinet's Forward Work Programme had been included as Appendix 3 to the report, and a copy of the officers 'proposal form' had been attached as Appendix 2.

The Committee endorsed the continued use of the officers 'proposal form', Appendix 2 to the report, in order to provide Members with relevant information about the contents and purpose of reports suggested by officers and to help deliver a Member-led agenda. Members also agreed to continue with the practice of considering a maximum of 4 reports/items at each meeting of the Committee, together with the Committee's work programme report.

The Committee had been requested to consider its draft work programme for future meetings, as detailed in Appendix 1, and approve, revise or amend it as it deemed

appropriate. The draft forward work programme for the Committee had been compiled based on the outcomes of a reallocation exercise on the remaining items on the forward work programmes of the former scrutiny committees and Joint Scrutiny Forum at the end of the last municipal year, which the Scrutiny Project Board had undertaken with the former Scrutiny Chairs and Vice-Chairs Group.

The Corporate Director: Learning and Communities referred to the outcome of the Communities Scrutiny Committee training session, Annex 1 of the Information Brief circulated to committee members ahead of the meeting, and summarised the following key areas which Members had identified as topics the Committee may wish to focus on:-

- Community Safety
- Schools
- Transport
- Dog Fouling
- Changes to Service Provision
- Community Sustainability
- Health Provision
- Community Facilities
- Access to the Countryside
- Local Development Plan/Planning Policy
- Waste Collection
- Closer to the Community/Community Engagement Strategy
- Proposals for the transfer of services to Town / Community Councils
- Wind Farms

Taking into consideration the topics identified, Members discussed the forward work programme for the Committee and agreed the following items for submission to the meetings scheduled be held on the 14th July, 2011 and 15th September, 2011.

14th July, 2011

Implications of the outcome of the V2 Appeal.

Closer to the Community.

Management of Allocation of Section 106 Commuted Sums.

Control of Caravan Sites.

15th September, 2011

Modernising Education: the Edeyrnion Area Review of Primary School Provision.

21st Century Schools Programme.

Provision of Music within Schools

Progress of the Youth Service Business Plan and Locality Youth Service Provision.

A number of Members highlighted the following issues and matters for possible consideration by the Communities Scrutiny Committee:-

Royal Alexandra Hospital, Rhyl – in reply to concerns raised by Councillor D. Hannam in respect of the future use of the site and its effect on the local community, the Scrutiny Coordinator explained that Betsi Cadwaladr University Health Board (BCUHB) representatives would be attending the Partnerships Scrutiny Committee

meeting in July, 2011 to discuss the future provision of in-patient beds in the Rhyl and North Denbighshire area. Members agreed that this item be deferred pending consideration of the matter by the Partnerships Scrutiny Committee.

Policing Levels – The Corporate Director: Learning and Communities informed Members that issues pertaining to Policing levels would be addressed under Community Safety.

Wrexham County Borough Council, School Transport Policy – Members agreed that an information report be provided for Members in September, 2011 outlining the effects of Wrexham County Borough Council's School Transport Policy on the Llangollen area.

Estyn Report – The Committee agreed that the Estyn Report be referred to the Performance Scrutiny Committee for consideration.

In reply to a request from Councillor J.M. Davies, it was agreed that Members of the Communities Scrutiny Committee be e-mailed copies of the Forward Work Programmes for each of the Scrutiny Committees.

Members were invited to forward any items for consideration by the Communities Scrutiny Committee to the Chair or the Scrutiny Coordinator. If there would be any doubt as to which scrutiny committee would be best placed to look at a particular subject, the matter would be referred to the Scrutiny Chairs and Vice Chairs Group for allocation to the most appropriate scrutiny committee.

Details of outstanding items referred to other more appropriate bodies for attention, or where no issue had been identified and had not been carried forward within the forward-work plan for the Committee, had been included in the training outcomes notes.

Annex 2 to the Information Brief document and associated appendices contained an information report on the Local Housing Strategy Update. The mid-year update report had previously been presented to the Social Services and Housing Scrutiny Committee in June of each year. The full report, which contained the revised Action Plan for the following year, was scheduled into the Committee's Work Programme for December, 2011.

RESOLVED – that the Communities Scrutiny Committee agrees:-

- (a) that, subject to the above amendments, the Forward Work Programme as set out in Appendix 1 to the report be approved;
- (b) that, unless special circumstances dictate otherwise, the maximum number of reports which will be considered at any one meeting be limited to four plus the Committee's Work Programme, and
- (c) to the continued use of the Proposal Form for any requests from officers for the Committee to consider reports on specific subjects.

Meeting ended at 12.10pm

Report to: Communities Scrutiny Committee

Date of Meeting: 14 July 2011

Report Author: Acting Head of Corporate Governance/ Head of Planning, Regeneration and Regulatory Services

Title: Implications of the outcome of the V2 Appeal

1. What is the report about?

To provide Members with information as to the safeguards which have been/will be put in place to ensure the Council's interests are protected.

2. What is the reason for making this report?

Following the recent Appeal Decision in respect of the licensed premises known as V2 Nightclub, it has been necessary to review the procedures to ensure that the risk of a similar decision is minimised.

3. What are the Recommendations?

That Members note and agree the proposals that have been/will be put in place.

4. Report details.

4.1 As Members are aware, the District Judge who heard the Appeal by the V2 Nightclub gave a very clear indication at the end of day one that he was minded to allow the Appeal and grant an award of costs against the Council. Appendix 1 attached summarises the background to the case.

4.2 Following various consultations, including Counsel, it was agreed that to avoid yet further costs, the Council would concede the Appeal.

4.3 It has been accepted by Officers that some of the procedures, previously employed, need to be strengthened and/or revisited.

4.4 Accordingly therefore it is proposed:

(a) Conwy County Borough Council's (CCBC) Head of Regulatory Services (CCBC) who is taking the lead on Denbighshire County Council (DCC) licensing matters as part of the on going Collaboration Project between the two Councils will attend DCC's quarterly Licensing Committees and as many of DCC's Sub-committees as possible, ensuring input on the most important/high profile/contentious cases.

- (b) That at Review Hearings, all CADS reports (logs made when 999 calls are received) must be presented by the Police, who should not rely on providing a summary of incidents. All the evidence which might be put before the Courts (on an Appeal), must be available at review hearings.
- (c) In high profile/contentious cases Counsel will be engaged by the Head of Legal and Democratic Services only after consultation with Head of Planning, Regeneration & Regulatory Services.
- (d) Well in advance of any Court Hearing the Head of Legal and Democratic Services will arrange a conference for Legal Officers and Senior Licensing Officers to meet with Counsel to assess risks/chances of success.
- (e) Head of Planning, Regeneration & Regulatory Services and/or Senior Licensing Officers will keep the Chair of Licensing Committee and Local Ward Members updated on issues relating to any Appeal or Court Hearing on licensing matters.
- (f) Regular Member training will be provided and will be focused to take account of any new legislation or case law.

5. How does the decision contribute to the Corporate Priorities?

The procedures should ensure Officers in Licensing and Legal work more closely together and that Officers ensure Members are kept updated on progress in Licensing Appeals and Court cases. This should ensure that as far as Licensing matters are concerned the Council works closer to the community.

6. What will it cost and how will it affect other services?

It can be contained within existing budgets.

7. What consultations have been carried out?

CET and Chair of Licensing Committee.

8. What risks are there and is there anything we can do to reduce them?

The risk of not adopting these procedures could result in a similar award of costs being made against the Council.

9. Power to make the Decision

Licensing Act 2003

- 1 The Council as Licensing Authority held four hearings (2009/10) linked with review proceedings requested by the North Wales Police in respect of the premises licence relating to the V2 Nightclub.
- 2 Any review of a licence must be relevant to one or more of four licensing objections:-
 - the prevention of crime and disorder,
 - public safety,
 - the preventing of public nuisance, and
 - the protection of children from harm

Also, any decision has to be made in accordance with the Council's Statement of Licensing Policy and guidance issued by government.

- 3 (i) At the review hearing in December 2009, it was the decision of the Licensing Sub-committee to impose additional conditions and offered the new owner the opportunity to address issues.
- (ii) In May 2010, the decision of the Sub-committee was to revoke the licence. An appeal was lodged which preserved the right to continue to open the premises pending the outcome of the appeal.
- (iii) Following disorder at the premises which resulted in closure by the Police and the officer based decision to suspend the licence, the Licensing Sub-committee considered the licence holder's representations against the interim steps taken and resolved that suspension following closure should continue. The premises remained closed and the matter was adjourned to July 2010.
- (iv) In July 2010, the Licensing Committee received a Police application for an expedited review which resulted in the Licensing Committee revoking the licence.

On appeal, the District Judge gave a very clear indication at the end of day one that either the reviews were premature, ill-judged and heavy handed or there was a lack of evidence.

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| Report to: | Communities Scrutiny Committee |
| Date of Meeting: | 14th July 2011 |
| Lead Member/Officer: | Lead Member for Environment and Sustainable Development/Head of Planning, Regeneration and Regulatory Services |
| Report Author: | Head of Planning, Regeneration and Regulatory Services |
| Title: | Control of Caravan Sites |

1. What is the report about?

- 1.1 The report is a follow up to the one presented to the former Environment and Regeneration Scrutiny Committee on 24th June 2010. That report is attached as **DOC 1**. From that Committee a request was made to produce a further report outlining how planning and licensing were to develop a more robust approach to controlling caravan sites for holiday use in the County.
- 1.2 This report provides an update on work which is on-going within Denbighshire and in collaboration with Conwy County Borough Council and makes some recommendations to take this project forward.

2. What is the reason for making this report?

- 2.1 To provide information regarding the progress of the project to improve the quality of existing caravan sites in the County and to control new ones. This involves creating a robust and collaborative approach to ensuring such tourist sites contribute to the local economy and the Council's regeneration priority.

3. What are the Recommendations?

- That Committee:
 - 3.1 notes the direction of the project and agrees with the recommendation to set up a working group to take it forward;
 - 3.2 agrees that the working group involves Officers from Denbighshire and Conwy covering Planning, Regeneration and Regulatory functions and that its aim will be to develop a set of standard conditions and procedures for controlling and monitoring caravan sites across the two counties; and

3.3 agrees the proposals to arrange and manage a Caravan Park Operators Seminar across Denbighshire and Conwy Counties with the aim to provide up to date advice and guidance on legal and health and safety issues and to also discuss the arrangements for controlling and monitoring their sites with the aim to reduce permanent residential occupation of caravans.

4. Report details.

4.1 It is not considered necessary to go over the contents of the June 2010 report in detail. However, the main issues which need to be taken into account are as follows.

- The need to work collaboratively with Conwy CBC on this project given the wider collaboration agenda and the clear similarities both Counties have in terms of caravan sites.
- The complexity of issues surrounding the control of caravan sites given legislation covering planning and licensing controls. This is compounded by the sheer volume of sites in both Counties which has a resource implication in terms of investigations, regulation and monitoring.
- The potential implications of pursuing enforcement action in terms of costs, staff resources and the human impact on those persons residing in caravans.
- The need to engage with caravan site operators to provide them with clear guidance on issues of planning controls, licensing controls and health and safety issues.

4.2 The previous report set out the complexities involved in controlling the large amount of existing caravan sites in the County as well as proposed new ones. The Local Planning Authority has developed a set of standard planning conditions which it seeks to impose on any new or extended caravan parks. These conditions are set out within **DOC 2**. The conditions reflect Members concerns over the erosion of the “holiday” character of some sites and the lack of a robust monitoring process to police the occupation of the caravans on the sites.

4.3 These conditions reflect case law around the Country and will be used as a basis for further work with colleagues in Conwy CBC. It is important to link these conditions with the Licensing regime. However, to avoid the duplication of work it is also important, wherever possible, to ensure that caravan site operators police their sites themselves. With limited monitoring resources available to both Councils the need to engage with operators to set up simple and clear procedures for monitoring the occupation of sites is vital. Further to this, it is important to tap into the resources available to both Counties in terms of those Officers who work outside of the Planning and Licensing sections who may be better placed to visit such sites in order to monitor occupation. This monitoring does not need to be limited to Officers of the Councils in question but could incorporate partner organisations and Town and

Community Councils who have more ready access to the sites on a regular basis.

5. How does the decision contribute to the Corporate Priorities?

- 5.1 The control of caravan sites project links with the wider collaboration project between the Planning, Regeneration and Regulatory functions of both Denbighshire and Conwy CBC.
- 5.2 The way the Council controls Caravan Sites in the future could impact on the Regeneration, Demographic Change and Improving Education priorities.

6. What will it cost and how will it affect other services?

- 6.1 The project and the development of a working group to take it forward are not considered to require any additional staffing or financial resources. Working in collaboration with Conwy CBC will enable financial savings to be made in the longer term.

7. What consultations have been carried out?

- 7.1 Consultation has been made with colleagues in Conwy CBC about the idea of setting up a working group to look at the project across both Authorities. There is no requirement for any Financial Controller statement at this stage.

8. What risks are there and is there anything we can do to reduce them?

- 8.1 There are no perceived risks associated with the recommendations in this report.

9. Power to make the Decision

- 9.1 Not applicable at this stage.

Contact Officer:

Head of Planning, Regeneration and Regulatory Services
Tel: 01824 706925

Agenda Item No. 3

Environment & Regeneration Scrutiny Committee

24th June 2010

Report by the Head of Planning and Public Protection Service

REPORT ON THE CONTROL OF CARAVAN SITES

1. **Purpose of the Report**
 - 1.1 To provide Committee with information regarding the issues facing the County in relation to the control of Caravan Sites.
2. **Executive Summary**
 - 2.1 There are a number of issues to consider when looking at existing and potential new Caravan Sites (touring and static) throughout the County.
 - 2.2 The issues are varied and complex and will be resource intensive to investigate and address.
 - 2.3 The key issues are whether;
 - 2.4 Caravan Sites should be allowed to open all year round and if so can the occupation of each caravan be restricted to only "holiday" use to prevent the sites becoming occupied as "permanent" residence
 - 2.5 What role do Caravan Sites have in promoting the local economy through tourism?
3. **Scrutiny Outcomes**
 - 3.1 The views of Members are sought on a range of issues facing the Council relating to the control of Caravan Sites.
4. **Recommendations**
 - 4.1 Officers consider the views of Committee in relation to:
 - 4.2 Developing new Policies in the LDP via the Working Group
 - 4.3 Introduction of standard planning conditions controlling the "occupancy" of caravans to only "holiday" purposes
 - 4.4 Allow Caravan Sites to open all year round where the "occupancy" condition is imposed.

- 4.5 Staff Resources in terms of carrying out further “base data” research on existing Caravan Sites and monitoring the Sites for “licensing” and “planning” purposes
- 4.6 The role of Caravan Sites along the coast (SRA area) and rural areas in terms of the need to protect landscape or promote tourism/the economy.

5. Background

5.1 In recent times there have been a number of planning applications relating to Caravan Sites, which have raised a number of issues regarding the control of Caravan Sites within the County.

5.2 There are a number of issues that need to be considered:

- National Planning Guidance
- Existing planning policies in the UDP
- Proposed planning policies in the Deposit LDP
- Recent Decisions at Planning Committee & Appeal Decision
- Caravan Site Licensing Regulation
- Inspection/enforcement regime
- Base data
- Planning Conditions
- Tourist Use v Residential Use

5.3 Suffice to say this is a complex area of control, with competing issues.

National Planning Guidance:

5.4 Planning Policy Wales recognises that tourism is a major element in the Welsh economy and can help to deliver regeneration, particularly in rural and coastal areas, both of which apply to Denbighshire. The objectives of National Policy is to encourage sustainable tourism, maximising economic and employment benefits, promoting tourism in all seasons while safeguarding the environment and the interests of local communities.

5.5 Technical Advice Note (TAN) 13 on Tourism states that demand for static and touring caravan sites needs to be reconciled with the need to protect the environment, and that Authorities should give sympathetic consideration to applications to extend the occupancy period of caravan sites.

5.6 The TAN also states that seasonal and holiday occupancy conditions should be used to prevent the permanent residential use of caravans.

UDP & Deposit LDP Policies:

5.7 Generally policies do not prevent new static or touring caravan sites being granted dependent on impact on the landscape etc. and subject to restricting the use to holiday use (i.e. not permanent residential). Policies also allow for improvements to existing caravan sites.

- 5.8 Detailed discussions have taken place at the LDP Working Group and it is likely that the Deposit LDP Policy will be amended to prevent new static caravan sites throughout the County being granted permission and to allow for minor increases in the number of caravans permitted on established sites where the additional numbers facilitate environmental improvements to the established site.

Recent Decisions at Planning Committee:

The Crofts, St Asaph

- 5.9 Application to site 21 timber clad holiday caravans located in open countryside adjacent to the settlement limits of St Asaph.
- 5.10 Application refused by Committee, contrary to Officer Recommendation. 3 day Public Inquiry pending September.
- 5.11 Members concerned about an additional caravan site in the locality and the potential for them to become occupied as "permanent" residence. The reasons for refusal however are based on local issues, such as impact on neighbouring residential properties and local landscape.

Llwyn Afon, Llanrhaeadr YC

- 5.12 Has established permission for 8 static caravans with a condition preventing their occupation between 1st January and 1st March, although no condition restricting their occupancy to only "holiday" use.
- 5.13 A recent application proposed all year round use, with a condition limiting occupancy to only holiday use. Application refused by Committee contrary to Officer recommendation. Informal hearing due on 15 June.
- 5.14 Members concerned that the proposed condition would not adequately control the use and the variation would effectively allow 12 month residential use, imposing unacceptable pressures on local services.

Blue Hand Field, Bodfari

- 5.15 Application to site 59 holiday lodges in open countryside.
- 5.16 The application was refused under delegated powers. An appeal was subsequently dismissed on grounds of loss of high quality agricultural land with no justified need for the proposed use and that the site was not "sustainable" due to reliance on the motor car (i.e. too far away from public transport and established settlement).
- 5.17 Although dismissing the appeal, the Inspector stated that appropriate planning conditions could be enforced to ensure the lodges could not be occupied as main residences (i.e. it was reasonable to impose a condition restricting their use to only "holiday" purposes).

Caravan Site Licensing Regulations:

- 5.18 Separately to planning controls Caravan Sites, under the provisions of the Caravan Sites and Control of Development Act 1960, require a "Site Licence" which allows the Local Authority to attach conditions on the way the Caravan Site is managed. The Licence procedure is administered by environmental health officers, within the Pollution and Public Health Team.
- 5.19 The issues covered by the licence include issues relating to fire, health and safety, water regulations etc. Some conditions also restrict the period the Caravan Site can open, but not necessarily limiting the use to only "holiday" purposes.
- 5.20 Due to resource implications this is an area of work that has not been a high priority. This has meant that standard modern conditions have not been rolled out and sites have not been inspected. Different sites are therefore operating to a range of different "standard" conditions, depending on when the Licence was issued.

Inspection/Enforcement Regime:

- 5.21 Caravan Sites are not regularly or systematically inspected by Planning Compliance Officers or Environmental Health Officers (responsible for Caravan Site Licensing). Traditionally there has been little coordinated regulatory work between planning and environmental health.

Base Data:

- 5.22 Under the Caravan Sites and Control of Development Act 1960 our records indicate that the Council currently has the following Caravan Site Licences:

| | |
|---------------------------|----|
| Static Caravan Sites | 90 |
| Touring Caravan Sites | 10 |
| Residential Caravan Sites | 05 |
| Combined Caravan Sites | 09 |

- 5.23 A recent report entitled "Turning the Tide – A Visitor Economy Strategy for the SRA" indicated that within the SRA (i.e. the area within Conwy and Denbighshire) there are:

| | | | |
|-----------------------|----|----------------|-------------------|
| Static Caravan Sites | 68 | 10,638 pitches | 59,866 bed spaces |
| Touring Caravan Sites | 24 | 941 pitches | 4,140 bed spaces |

- 5.24 Within Denbighshire the SRA has the following Caravan Sites with over 400 pitches:

| | | |
|---------------------|-----------|--------------|
| Lido Beach | Prestatyn | 745 pitches |
| Marine Holiday Park | Rhyl | 467 pitches |
| Pontins | Prestatyn | 708 pitches |
| Presthaven Sands | Prestatyn | 1223 pitches |

| | | |
|------------|------|--------------|
| Robin Hood | Rhyl | 1118 pitches |
| New Pines | Rhyl | 412 pitches |

- 5.25 Some 80% of the caravans in the SRA are owner occupied.
- 5.26 Over the past 20 years there has been considerable investment in the larger Caravan Sites to provide better on site entertainment with leisure pools, amusements, shops, bars, clubs etc. and as such the Sites have become more "self contained".
- 5.27 The Caravan Sites achieve average occupancy rates of approx 70% over the summer season, which rises to approx 95% in July & August.

Planning Conditions:

- 5.28 Over the years various conditions have been used to try and limit the period of time that Caravan Sites can open and the "use" to which each caravan can be put.
- 5.29 So for example, historically planning conditions concentrated on limiting the period of time a Caravan Site could open. This was initially limited to the "holiday season" of end of March to end October in any year. It was considered that such limitations provided adequate control to prevent them being occupied "permanently". Under such circumstances limiting the "use" of each caravan to only "holiday" purposes was not imposed.
- 5.30 Over the past 30 years, with the improvement in the standard of caravans and the promotion of all year round tourism, Caravan Sites have sought to extend the period of time they can open to 10 months of the year (i.e. generally March to December). Initially permissions were granted on appeal, and then by the Council. In most cases, although the period of time the Caravan Site could open was extended, no additional conditions controlling the "use" of each caravan was imposed.
- 5.31 As such we now have a number of Caravan Sites that restrict opening for only 2 months of the year, but no controls restricting the use of each caravan to only "holiday". It is therefore possible to reside in a caravan on such sites for 10 months of the year as the "main residence" and vacate the site for 2 months to live with friends/family/rent local accommodation elsewhere/have an extended foreign vacation etc. without being in breach of any planning "law/permission". Under such circumstances the occupier of the caravan considers themselves "residents" of the County and uses all the facilities, although may not be liable to pay Council Tax as they reside on a Caravan Site, with limited opening albeit for 10 months of the year.
- 5.32 In more recent times some Caravan Sites have been successful in gaining all year round opening rights, and if no condition is imposed restricting the "use" of each caravan to only "holiday" purposes, the Caravan site is akin to becoming a permanent "Residential Caravan Park".

- 5.33 However, where conditions have been used to limit the “use” of each caravan to only “holiday” purposes, then if the caravan is occupied as a “main residence” (even if for limited periods of the year i.e. 10 months per year in accordance with a condition limited the time the Caravan Site may open) then a breach of planning control must have occurred (i.e. if the “main residence” it cannot be argued that it is only being used for “holiday” purposes).
- 5.34 This however is a very difficult situation for the Council to enforce, but one which Planning Inspectors seem content to impose upon the Council.
- 5.35 Rather like the “standard” conditions imposed through the licensing regime, different sites are operating to a range of different planning conditions controlling the period the site can open and the use of each caravan.

Key Issues:

- 5.36 There appears to be a number of issues facing the Council in terms of how we control existing Caravan Sites and potential new Caravan Sites.

Existing Caravan Sites;

- 5.37 The North Wales Tourism Partnership recently produced the “Tourism Strategy North Wales 2010 – 2015”, which acknowledges the dominance of static caravan sites along much of the North Wales coast and notes that some of the stock is essentially used as “residential accommodation” (see above re types of conditions imposed over time restricting the period of time the Caravan Site can open, but not necessarily how the caravans are “used”).
- 5.38 It proposes that there needs to be a multi agency dialogue about the potential for redevelopment of some of the Caravan sites as quality, planned new housing with consideration given to providing appropriate facilities needed for residential rather than holiday populations.
- 5.39 A number of the larger sites in Denbighshire are located in areas subject to flood risk and hence their redevelopment as residential sites could prove problematic.
- 5.40 This leads to a number of questions;

Should the Council grant planning permission to allow extensions to existing Caravan Sites (Touring and/or Static)?

Should the Council grant planning permission to allow existing Touring Caravan Sites to become Static Caravan Sites?

Should the Council grant planning permission to allow existing Caravan Sites (Touring and/or Static) to improve the facilities they offer on site?

Should the Council grant planning permission to allow all year round occupation of Caravan Sites, provided appropriate conditions are imposed restricting the occupancy of the caravans to “holiday use” only.

Is it reasonable for the Council to be able to monitor/enforce such conditions.

Should new modern "standard conditions" be introduced for all Caravan Sites under the "Licensing" provisions?

Should existing Caravan Sites be regularly monitored to ensure compliance with "Licence" conditions and "Planning" conditions, including "occupancy" conditions.

Are Occupiers paying appropriate Council Tax if they are using the site as their main place of residents?

Should the Council consider promoting the redevelopment of certain large sites from a Caravan Site for residential development.

Potential New Caravan Sites;

5.41 While national policy recognises the positive role all year round holiday caravan sites can have on the economy, particularly in rural areas, Members in the LDP Working Group are of the view the County does not require any further Static Caravan Sites. Is this position reasonable?

5.42 This leads to a number of questions;

Is the main concern the impact on the visual amenity of the landscape or the concern that the caravans will become the main residence of the owners who will therefore not be "tourists" but "residents" who use local facilities without making necessary contributions to the Council and/or local community?

If that is the case, do Planning Inspectors consider it reasonable to impose a condition restricting the "use" of the caravans to only "holiday" purposes? Is it reasonable for the Council to be able to monitor/enforce such conditions?

Should any new Caravan Sites be granted consent and if so should they be in remote rural locations or adjacent to existing settlements?

Could new Caravan Sites help promote tourism in the County and help economic activity or do they detract from the attractive countryside with little significant expenditure off site?

If allowed should they be able to open all year round provided appropriate conditions are imposed restricting the occupancy of the caravans to "holiday use" only?

Conclusion:

5.43 There is much work to be done to establish a consistent approach to dealing with existing and potential new Caravan Sites, which could have significant resource implications in terms of the way the Council approaches the issues.

There are also significant monitoring/enforcement implications in terms of inspecting/regulating Caravan Sites.

6. Financial Implications

6.1 None as a result of this report

7. CONSULTATION CARRIED OUT

7.1 None

8. IMPLICATIONS ON OTHER POLICY AREAS

8.1 Assessment of Impact on Corporate Priorities:

8.2 The way the Council controls Caravan Sites in the future could impact on the Regeneration, Demographic Change and Improving Education Priorities

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

8.3 The Vision talks about providing quality homes, affordable homes and growing our tourist industry, all of which could be influenced by the way the County controls Caravan Sites.

8.4 Issues of equality are relevant as certain individuals may want to live in a caravan due to cultural requirements.

8.5 Caravan Sites can be seen as both sustainable and unsustainable depending on their location and type of occupancy.

Other Policy Areas

8.6 Control of Caravan Sites could impact on a wide range of other Council Policies.

9. Background Papers

9.1 DCC UDP
DCC Deposit LDP
LDP Working Group Papers
Planning Decisions (DCC Committee and Inspectors at Appeal)

Contact Officer: Graham H Boase, Head of Planning and Public Protection Service

Appendix 2

STANDARD PLANNING CONDITIONS ON CARAVAN PERMISSIONS

Condition recommended in Circular 11/95 - Use of conditions in planning permissions :

Seasonal caravan sites

No caravans shall remain on the site between [DATE] in any one year and [DATE] in the succeeding year.

The Circular suggests that it may be acceptable to limit the use of land for a particular purpose to certain times of the year. This may be justified, for example, in locations where there is no tree cover in the winter months and when the visual impact of any caravans on the site caravans may be unacceptable. The use of a seasonal occupancy condition is considered preferable to prevent the permanent residential use of accommodation where the character of construction or design is unsuitable for continuous occupation.

Conditions developed by Denbighshire County Council:

Number restriction

No more than [NUMBER] of caravans shall be permitted on the site at any one time

The condition is one required to afford control over the number of caravans on a site.

Static caravan colours

No caravans shall be permitted on the site until the written approval of the Local Planning Authority has been obtained to their external colouring, and they shall be retained in such colour in perpetuity unless the written approval of the Local Planning Authority has been obtained to any variation.

The condition is used to mitigate the potential impact of caravans, particularly in the countryside.

Holiday use restriction and keeping of a register

The units shall be occupied for holiday purposes only, and not as a person's sole or main place of residence. The owner of each unit and the site operator shall maintain an up to date register of the owner and the occupier of each caravan on the site, their main home addresses, the dates each caravan has been occupied, and by whom. The information shall be made available for inspection at all reasonable times on written request from the local planning authority.

This condition has been used for some months by the Authority to ensure control over residential use, and to allow easier enforcement checks where necessary. It has been accepted by Planning Inspectors in appeal decisions as meeting the relevant tests to be applied to conditions.

Report To: Communities Scrutiny Committee

Date of Meeting: 14th July 2011

Lead Member: Lead Member for Environment and Sustainable Development

Lead Officer: Policy, Research & Information Manager

Title: Management of allocation of Section 106 Commuted Sums for open space provision and maintenance

1 What is the report about?

1.1 This report outlines the current arrangements for the requirement for Section 106 agreements and the management of the allocation of commuted sums received for open space provision and maintenance.

2 What is the reason for making this report?

2.1 The purpose of this report is to provide an update on income received through Section 106 Agreements, together with progress on new management arrangements and an outline of potential next steps.

3 What are the Recommendations?

That Members:

3.1 comment on the update on income received through Section 106 Agreements for open space provision and maintenance and grant offers and payments which have been made; and

3.2 that a further report reviewing the management arrangements and funds received and committed is brought to Members in 12 months time.

4 BACKGROUND

4.1 The Council's Unitary Development Plan sets out the open space requirements for all new residential developments of 10 or more dwellings. The Open Space Commuted Sum Scheme started in 2004 following adoption of Supplementary Planning Guidance Note 4 "Open Space Requirements in New Developments", which sets out further guidance on the application of the requirements.

- 4.2 Open space provision can be made in 3 sequentially preferable ways:
1. On site
 2. Off site but close to and accessible to the new development
 3. Via a commuted sum payment to enable the required provision or agreed equivalent to be made within the locality – normally the community/town council area.
- 4.3 On-site provision is clearly the normal and preferred option. The Commuted Sum payments method should be treated more as exceptions than the rule. Where a commuted sum payment is made, these funds are held by the Council and allocated in line with the agreed operational procedure.

Payments into the Scheme

- 4.4 Payments from developers are made at an agreed point in the development process, following the signing of a Section 106 agreement. Due to the nature of the requirements in relation to planning obligations, the funding is ring fenced by town/community council area, specifically for spending on open space projects. Separate cost codes have been established for each town/community council. Each community has codes relating to on and off site provision and maintenance. It is important to note that the sums are coded separately and are for different purposes. All accounts are interest earning. Maintenance payments are calculated to cover a 25 year period.

Applications for funding

- 4.5 When funds are received in a town/community council area the local members, town/community council and local sports groups are informed. In accordance with the approved procedure, funds are ring fenced by town/community council area.
- 4.6 Funds can be used to lay out new open space or to enhance existing provision, thereby increasing usage. Valid improvements to existing provision include:
- improvements to make the site/facility more accessible;
 - upgrading facilities to bring them up to modern standards;
 - works to intensify use of the facility (i.e. all weather surfacing);
 - drainage or surface works to extend the usage of the facility;
 - fencing and lighting works to make the facility safer ;
 - provision of changing facilities to increase use;
 - car parking, or other essential services- again to increase and extend use ;
- 4.7 Bids are assessed by the Open Space Commuted Sums Working Group, made up of 3 Lead Members (Environment, Children's Services and Regeneration) and Officers from Planning, Environmental Services, Resources and Leisure. The Head of Planning, Regeneration and Regulatory Services has delegated powers to approve grant offers under the scheme. Payment of capital money is made upon satisfactory completion of the scheme. Maintenance payments are paid out on the basis of 1/25th annually. The annual figure increases year on year as interest is added to the account.

Amounts Received and Payments Made.

- 4.8 The Open Space Commuted Sum Scheme has so far received over £780,000 in contributions from developers for the laying out, improvement and maintenance of off-site open space throughout the County and over £280,000 for maintenance of open space provided on-site. Thus, to date, over £1 million has been received through Section 106 Agreements as contributions towards provision and maintenance of open space in Denbighshire.
- 4.9 Appendix 1 attached shows the total sums that have been received to date from all developments. Figures are correct as at 31.03.2011 and include interest earned. As can be seen, the scheme has obtained funding for open space and provision totalling around a half a million pounds for capital investment in open space since its commencement in 2004. It must be remembered that the sums collected for off site provision and maintenance are not 'Council' money; but sums collected on behalf of local communities for open space provision, improvement and maintenance.

Off Site Payments and Grant Offers.

- 4.10 Over 90% of the capital money received has been spent or been committed to date. All monies have been spent on schemes within the town/community council area that generated the funds. Appendix 1 illustrates the grant offers and payments that have been made from the open space commuted sum scheme from the off site provision and maintenance funds to date. All grant offers made have corresponded to the town/community council area from which the funds were originally generated.
- 4.11 There are unspent funds within some communities:
- Gwyddelwern – initial payment recently received and amount too small to be of practical use, grant forms will be sent out when further payments are received.
 - Bodfari, grant forms sent out to community council.
 - Rhyl, applications sought and to be considered at next meeting of the Working Group.

Operation of the Scheme

- 4.12 The scheme generates funding via the granting of planning permission, and as such there is an obligation on the Planning Service of the Council to ensure that the money is discharged in an appropriate manner. For example, to schemes that comply with the approved guidance notes and that the funding is ring fenced by town/community council area and only used for appropriate open space provision or improvements.
- 4.13 The scheme to date has been run and chaired by a Senior Planning Policy Officer. The role is an administrative one, which involves the co-ordination of advice from other services (Environmental Services, Leisure and Resources), preparation of Working Group papers, dealing with applicant enquiries and preparing grant offer documentation.

- 4.14 There was a proposal several years ago that management of the scheme be moved to the Finance department but this was postponed due to the on-going re-structuring within the Council.
- 4.15 Following this re-structuring it is now proposed that the administration of the scheme be managed by the team that also deal with the Community Grants Scheme. This team sits within Environment Services, under the Head of Service. The two schemes are complimentary and can be used as match funding for each other which will enable best value to be obtained from the funding for applicants. A representative from Planning will remain on the Working Group to ensure that the money obtained via the planning obligations has been appropriately discharged. It is anticipated that the hand over of the scheme will take place during July 2011. The new contact officer for the scheme will be the Community Grants and Administrative Officer.

Community Infrastructure Levy

- 4.16 The Community Infrastructure Levy (CIL) Regulations came into force in England and Wales in April 2010. This makes provision for local authorities to introduce a new charging mechanism to fund the costs of new or improved infrastructure needs that arise as a result of new developments and to support growth. The CIL is a fixed sum levy per square metre of floorspace which all liable developments will have to pay. Authorities wishing to charge CIL are required to produce a charging schedule that sets out the rates to be applied. This must be based on evidence of need for infrastructure and an assessment of economic viability of development. The schedule has to go through a process of consultation and public examination (similar to the process for the Local Development Plan). The legislation provides a wide definition of infrastructure which could be funded by the levy, including: roads and other transport facilities; flood defences; schools and other educational facilities; medical facilities; sporting and recreational facilities and open spaces.
- 4.17 The CIL regulations have been made through the legislative basis of the Planning Act 2008 at an England and Wales level and are not a devolved matter as the CIL is considered as a form of tax. The regulations therefore have the same impact on authorities in Wales as those in England. At the current time, it is discretionary for local planning authorities to decide whether or not to introduce the CIL. Guidance from Welsh Government has made clear the necessity for local authorities to have an up-to-date and robust evidence base in place in order to set a CIL charge. Thus authorities will not be able to implement the new charging scheme until they have an up-to-date adopted development plan.
- 4.18 The 6 North Wales authorities (Denbighshire, Flintshire, Gwynedd, Wrexham, Conwy, Ynys Môn) are currently jointly looking at how the CIL could be implemented across North Wales and consultants have been commissioned to undertake initial research, review existing arrangements for Section 106 Agreements, and to provide guidance on the future options for the use of planning obligations in North Wales, particularly with regards to the introduction of the CIL. The conclusions from this work will be reported to Members in due course.

5 How does the decision contribute to the Corporate Priorities?

The Open Space Commuted Sums Scheme contributes to Regeneration and Demographic Change priorities by enabling the provision of additional open space and improvement of existing open space to meet community needs.

6 What will it cost and how will it affect other services?

There are no direct cost implications of the proposed changes to the management arrangements for the operation of the administration of the Open Space Commuted Sums Scheme.

7 What consultations have been carried out?

Consultation regarding the future administration of the Open Space Commuted Sums Scheme has been carried out with the Community Grants Team.

8 Chief Finance Officer Statement

There are no direct cost implications as a result of this decision. The cost of administering the scheme should be contained within existing resources.

9 What risks are there and is there anything we can do to reduce them?

It is important that the Scheme is carefully monitored to ensure that commuted sums are collected and that grants paid out are related to the specific development from which they were collected. The Council must be able to provide a direct link between the obligation requested and the proposed development. Failure to do so could result in challenge through the appeals process.

10 Power to make the Decision

Not applicable at this stage

Contact Officer:

Policy Research & Information Manager

Tel: 01824 706912

Appendix 1

Summary of Open Space Commuted Sums

| Community area and contributing schemes | Off site Payments Received (£'s) | | Schemes Supported | Grant Offers Made/Applications Approved (£'s) | |
|---|-------------------------------------|--------------------------------|---|---|------------------------------|
| | Funds Received | | | Funds spent/committed | |
| | Provision | Maintenance | | Provision | Maintenance |
| Bodelwyddan Ffordd Parc Castell | 32,243 | 35,227 | New play park adjacent to Bodelwyddan Community Centre. | 32,041 | 35,117 |
| Bodfari Quarry Bank | 3,000 | 0 | No application received to date. | 0 | 0 |
| Denbigh Parc Alafowlia | 34,129 | 36,536 | New Skate park in Lower Denbigh. | 34,129 | 36,536 |
| Gwyddelwern Bryn Llan | 1,043 | 725 | No application received to date. | 0 | 0 |
| Llandyrnog Ty'n Llan | 13,689 | 14,634 | New multi-use sports facility | 13,600 | 14,500 |
| Llangollen Greenacres, Maesmawr Road, Abbey Road Garage, Lower Dee Mill | 21,000 21,029 6,724 14,388 | 28,717 16,568 0 8,617 | Riverside Park – new skate park and toilets. Llangollen cricket club new pavilion, Llangollen Sports Clubs, changing room improvements. | 21,000 13,181 13,000 15,000 | 0 7,367 7,000 7,000 |
| | Total 63,141 | Total 53,902 | | Total 62,181 | Total 21,367 |
| Prestatyn Tower Beach, Bodnant Park, Llys Nant, | 68,968 33,809 30,006 | 0 0 0 | New play area, Bodnant Estate. Ffrith new multi—use games area. Funding contributions approved for new BMX track in Prestatyn and additional equipment for MUGA in Meliden. | 26,343 68,968 20,000 1,250 | 0 0 0 0 |
| | Total 132,783 | | | Total 116,561 | |
| Rhuddlan Tir Morfa, | 17,518 | 19,152 | New play areas at Vicarage Lane and Admiral's Fields | 40,000 28,000 | 35,100 0 |

| | | | | | |
|---|--|---|---|------------------------------------|---------------------|
| Abbey Nurseries, Abbey House | 17,478 33,471 | 19,435 0 | | | |
| | Total 68,467 | Total 38,587 | | Total 68,000 | Total 35,100 |
| Rhyl Avondale Drive, Fron Ffraith 63/64 West Parade, 76-83 West Parade, Morville Garage, Westbourne Avenue, | 21,001 18,634 13,947 16,910 16,152 15,486 | 0 0 0 18,086 12,279 11,773 | Refurbishment of Vaughan Street playground. Improvements to Coronation Gardens. New toilet facilities Rhyl Adventure Playground Association. Application received for safety improvements at Marine Lake. | 30,000 5,000 30,000 8,422 | 0 0 0 0 |
| | Total 102,130 | Total 42,138 | | Total 73,422 | |
| Ruthin Awelon | 19,249 | 0 | Funding approved for improvements to Cae Ddol and installation of kissing gates around the town. | 10,800 4,000 | 0 0 |
| St Asaph & Cefn Meiriadog Former Pilkington's Playing Field, | 95,570 | 0 | Improved play area Lower Park, St Asaph. Improvements to changing facilities Neuadd Owen, Cefn Meiriadog. | 80,000 15,000 | 0 0 |
| | | | | | |
| Totals | 565,444 | 221,749 | | 509,734 | 142,620 |

| | |
|-------------------------|--|
| Report to: | Communities Scrutiny Committee |
| Date of Meeting: | 14 July 2011 |
| Lead Member: | Leader and Lead Member for Customer and Communities |
| Report Author: | Community Engagement Manager |
| Title: | Development of a Community Engagement Strategy |

1. What is the report about?

The report outlines the development of a Community Engagement Strategy.

2. What is the reason for making this report?

- 2.1 To seek agreement on an approach to develop a structured Community Engagement Plan and accompanying best practice 'toolkit' in order to ensure the Council adopts a professional, co-ordinated and cost effective approach to its consultation and engagement activities.
- 2.2 The development of a strategy represents a significant change in the Council's approach to community engagement, putting communities at the heart of service design and enabling them to play a key role in influencing and shaping the delivery of local services.

3. What are the Recommendations?

That Scrutiny:

- 3.1 comments on the proposed Strategy and agrees the suggested approach to be taken; and
- 3.2 further considers the completed Draft document at its September 2011 meeting.

4. Report details.

- 4.1 All the residents of Denbighshire have the right to influence the future of their area. This can only be achieved through active engagement of the people who use and deliver our services. Community engagement empowers citizens by providing them with an opportunity to tell the council about their own vision for their communities and neighbourhoods, and about what they want and need in terms of service provision. It also enables them to work with the Council and its

partners to realise their vision and improve their communities and thus, their quality of life.

Engagement is also a mechanism for the Council to tell local people about what it does, what services it can and cannot provide, and how its priorities and policies are determined.

- 4.2 Most of the Council services undertake some form of consultation and engagement; however most of it is undertaken in an unstructured and 'ad hoc' manner with little guidance given to using the most appropriate engagement mechanism and little co-ordination between services and external partners.

The council is fully committed to engaging with citizens and other key stakeholders. The Community Engagement Plan and Toolkit will provide guidance to colleagues who are carrying out community engagement exercises, and to ensure that community engagement throughout the County is streamlined and carried out to a consistently high standard.

- 4.3 A corporate Community Engagement Plan will complement existing plans such as the Communication Plan, the Social Media Guide etc. and provide direction and cohesion to the plethora of consultation and engagement activities currently undertaken by services.

- 4.4 The objectives of a Community Engagement Plan and toolkit are:

- To improve understanding of the benefits of good citizen and community engagement
- To improve the engagement skills of elected members and paid staff involved in community engagement and consultation
- To avoid duplication of resources by establishing greater coordination of engagement activity
- To effectively utilise the identified engagement mechanisms and review these at regular intervals

- 4.5 The Welsh Government has recently introduced the 'National Principles for Public Engagement in Wales (see Appendix I) with the expectation that all local authorities will formally adopt these guiding principles. The Community Engagement Plan will encompass these principles and explain how Denbighshire will be guided by them.

- 4.6 Within the Council there are many examples of good practice undertaken by different services. Recently the Waste Management Service, the Local Development Plan team and the Partnerships and Communities team's approach with 'the BIG Plan' have all received plaudits for aspects of their consultation and engagement. The Council

needs to harness these successful techniques and corporately adopt them.

4.7 The overview in Appendix II outlines the rationale behind a Strategy.

5. How does the decision contribute to the Corporate Priorities?

5.1 Developing a Community Engagement Strategy will be key to the strategic aim of a *“high performing Council closer to the community”*. The strategic paper ‘Getting Closer to the Community’ identifies as an action ‘the development of a community engagement framework and toolkit’.

5.2 The Community Engagement Strategy will be a cornerstone of future corporate and service plans and will guide staff on the appropriate methods they should adopt. In particular the guidance on engagement with ‘hard to reach groups’ is important in meeting our ‘equalities’ agenda.

6. What will it cost and how will it affect other services?

6.1 There is no dedicated consultation and engagement budget, therefore any engagement by a particular service will be met from within existing resources.

6.2 No staffing or accommodation implications have been identified

6.3 No IT implications have been identified

7. Chief Financial Officer’s Statement

Any costs will have to be met from existing service budgets

What consultations have been carried out?

This report to Scrutiny outlines the rationale behind the production of an engagement strategy. The draft document will be consulted upon both internally and externally.

8. What risks are there and is there anything we can do to reduce them?

8.1 There is a corporate risk that a failure to consult and engage effectively with communities and work with partners to tackle key priorities will adversely affect the Council’s Corporate Plan and result in lower resident satisfaction levels.

8.2 In its last Annual Report to the Council, the Welsh Audit Office specifically questioned our approach to public engagement particularly in relation to seeking the views of children and young people.

- 8.3 Consultation and engagement activities need to be planned to avoid the risk of 'consultation fatigue' and declining levels of community involvement
- 8.4 The lack of a coordinated approach to our consultation with Denbighshire's residents may result in them feeling disengaged and disempowered.
- 8.5 Unstructured engagement may result in an inefficient service delivery as services are shaped to meet the needs of local people and potentially harm the reputation of the Council.
- 8.6 Implementing the Community Engagement Strategy will require a change in the way some services engage with communities in respect of adopting a corporate and consistent professional approach e.g. identifying at an early stage an engagement action plan to accompany any new change of service delivery if appropriate.

9. Power to make the Decision

Local Government Act 1999; Local Government (Wales) Measure 2009

Contact Officer:
Community Engagement Manager
Tel: 01824 706146



1 Engagement is effectively designed to make a difference
Engagement gives a real chance to influence policy, service design and delivery from an early stage.

2 Encourage and enable everyone affected to be involved, if they so choose
The people affected by an issue or change are included in opportunities to engage as an individual or as part of a group or community, with their views both respected and valued.

3 Engagement is planned and delivered in a timely and appropriate way
The engagement process is clear, communicated to everyone in a way that's easy to understand within a reasonable timescale, and the most suitable method/s for those involved is used.

4 Work with relevant partner organisations
Organisations should communicate with each other and work together wherever possible to ensure that people's time is used effectively and efficiently.

5 The information provided will be jargon free, appropriate and understandable
People are well placed to take part in the engagement process because they have easy access to relevant information that is tailored to meet their needs.

6 Make it easier for people to take part
People can engage easily because any barriers for different groups of people are identified and addressed.

7 Enable people to take part effectively
Engagement processes should try to develop the skills, knowledge and confidence of all participants.

8 Engagement is given the right resources and support to be effective
Appropriate training, guidance and support are provided to enable all participants to effectively engage, including both community participants and staff.

9 People are told the impact of their contribution
Timely feedback is given to all participants about the views they expressed and the decisions or actions taken as a result; methods and form of feedback should take account of participants' preferences.

10 Learn and share lessons to improve the process of engagement
People's experience of the process of engagement should be monitored and evaluated to measure its success in engaging people and the effectiveness of their participation; lessons should be shared and applied in future engagements.

Produced under the guidance of Participation Cymru Advisory Panel. Endorsed by The First Minister of Wales, The Right Hon. Carwyn Jones AM on behalf of the Welsh Assembly Government. Further guidance on the National Principles can be found at

www.participationcymru.org.uk

March 2011

EGWYDDORION CENEDLAETHOL AR GYFER YMGYSYLLTU Â'R CYHOEDD YNG NGHYMRU



1 Cynllunnir yr ymgysylltu'n effeithiol i wneud gwahaniaeth
Mae ymgysylltu'n rhoi gwir gyfle i ddylanwadu ar bolisiau, ar gynllunio gwasanaethau ac ar gyflwyno gwasanaethau o gyfnod cynnar.

2 Annog a galluogi pawb a effeithir i gymryd rhan, os ydynt yn dewis hynny
Cynhwysir y bobl a effeithir gan fater neu newid mewn cyfleoedd i ymgysylltu fel unigolion neu fel rhan o grŵp neu gymuned, ac mae eu safbwyntiau'n cael eu parchu a'u gwerthfawrogi.

3 Cynllunnir a chyflwynir yr ymgysylltu mewn ffordd amserol a phriodol
Mae'r broses ymgysylltu'n glir ac yn cael ei chyfathrebu i bawb mewn ffordd hawdd i'w deall ac o fewn amserlen resymol. Hefyd, defnyddir y dull/iau mwyaf addas ar gyfer y rhai sy'n cymryd rhan.

4 Gweithio gyda sefydliadau partner perthnasol
Dylai sefydliadau gyfathrebu â'i gilydd a chydweithio lle bo modd er mwyn sicrhau bod amser pobl yn cael ei ddefnyddio'n effeithiol ac yn effeithlon.

5 Ni fydd unrhyw jargon yn rhan o'r wybodaeth a ddarperir a bydd yn briodol ac yn hawdd i'w deall
Mae pobl mewn sefyllfa dda i gymryd rhan yn y broses ymgysylltu oherwydd mae gwybodaeth berthnasol sydd wedi'i haddasu i ddiwallu eu hanghenion ar gael iddynt yn hwylus.

6 Ei gwneud yn haws i bobl gymryd rhan
Gall pobl ymgysylltu'n hawdd oherwydd mae unrhyw rwystrau i wahanol grwpiau o bobl yn cael eu datgan ac yn cael sylw.

7 Galluogi pobl i gymryd rhan yn effeithiol
Dylai'r prosesau ymgysylltu geisio datblygu sgiliau, gwybodaeth a hyder y cyfranogwyr i gyd.

8 Rhoddir yr adnoddau a'r gefnogaeth briodol i ymgysylltu er mwyn iddo fod yn effeithiol
Darperir hyfforddiant, cyfarwyddyd a chefnogaeth briodol er mwyn galluogi'r cyfranogwyr i gyd i ymgysylltu'n effeithiol, yn cynnwys cyfranogwyr cymunedol a staff.

9 Mae pobl yn cael gwybod beth yw effaith eu cyfraniad
Rhoddir adborth amserol i'r cyfranogwyr i gyd am y safbwyntiau a fynegwyd ganddynt a'r trafodaethau a'r camau gweithredu a gafwyd o ganlyniad; dylai dull a ffurf yr adborth roi ystyriaeth i hoffterau'r cyfranogwyr.

10 Dysgu a rhannu gwersi i wella'r broses o ymgysylltu
Dylid monitro a gwerthuso profiadau pobl o'r broses ymgysylltu er mwyn mesur ei llwyddiant o ran ymgysylltu pobl ac effeithiolrwydd eu cyfraniad; dylid rhannu'r gwersi a ddysgir a'u defnyddio mewn ymgysylltu yn y dyfodol.

Wedi eu cynhyrchu o dan arweiniad Panel Cyngori Cyfranogaeth Cymru Mawrth 2011.

Wedi eu cymeradwyo gan Brif Weinidog Cymru, Y Gwir Anrhydeddus Carwyn Jones AC ar ran Llywodraeth Cynulliad Cymru.

Mae arweiniad pellach ar yr Egwyddorion Cenedlaethol ar gael o

www.participationcymru.org.uk

Mawrth 2011

Draft Community Engagement Strategy

The Community Engagement Plan and 'toolkit' will encompass the following guidance:

It will explain why we need a Community Engagement Strategy?

Assist in our aim of 'Getting Closer to the Community' through using engagement to assess community needs and wishes and improve service delivery

Provide an overall context within which we engage with service users and the wider community

Ensure consultation (and other engagement) is conducted professionally and is used and communicated effectively

Ensure Denbighshire's residents, clients and partners have the fullest possible opportunity to become involved

Ensure we adopt a co-ordinated and cost effective

It will give guidance on when we should engage with the public:

When considering options for a decision that will have a significant or widespread impact

Before deciding to make a significant change to a County Council policy

Before setting the County Council budget

When we are required by law to consult

To listen to feedback about our services, performance and approach and to inform decisions we make about the way they are run and improved

To improve the way we scrutinise decisions services and policies which affect people in Denbighshire

It will give guidance on how we will engage with the public

We will plan, prepare and carry out public engagement by:

1. clearly defining the issue or decision involved
2. determining the ***level of public engagement*** we are seeking and making it explicit
3. choosing appropriate ***techniques*** and ensuring that our approach is proportionate to the scale and impact of the issue or decision, is carried out in the most sustainable and inclusive way possible and at a reasonable cost

4. identifying opportunities to combine our consultation with that of other partners where possible
5. checking that all of our public engagement activities will meet our standards *before* they are carried out
6. publishing our public engagement plans so our activities are open and visible
7. reporting back on the results of our engagement as part of the decision-making process
8. being clear about how we have taken account of the outcomes of public engagement in making a decision
9. publishing our decision and providing feedback to members of the public in ways which they prefer.

It will give guidance on who we need to engage with

In planning public engagement we will take account of the impact of any decision or issue on:

- *the public*
- *service users and people who might become service users*
- *carers of service users*
- *stakeholders and partners*
- *council staff and elected members*

We will plan to engage one or more of these groups as appropriate.

We will ensure that the diversity of our community is taken into account in the way we choose to engage people, and that we seek out voices that are less likely to be heard and take steps to ensure they are included.

What is the 'Engagement Toolkit?'

The Community Engagement Strategy will be accompanied by a user friendly 'toolkit' for staff and councillors. It will guide the user through the consultation and engagement process and include practical advice on measuring and interpreting data and feedback.

Report To: Communities Scrutiny Committee

Date of Meeting: 14 July 2011

Report Author: Scrutiny Coordinator

Title: Scrutiny Work Programme

1. What is the report about?

1.1 The report presents the Communities Scrutiny Committee with its draft forward work programme for members' consideration.

2. What is the reason for making this report?

2.1 To seek the Committee to review and agree on its programme of future work, nominate representatives to serve on various Boards and Groups, and to update members on relevant issues.

3. What are the recommendations?

That the Committee:

3.1 considers the information provided and approves, revises or amends its forward work programme as it deems appropriate;

3.2 nominates a representatives to serve on the Council's Business Transformation Programme Board;

3.3 nominates a representative to serve on the Conwy and Denbighshire Collaboration Programme Board from September 2011;

3.4 nominates a representative and substitute member to serve on each of the Council's Service Performance Challenge Groups;

3.5 nominates a representative to serve on the Capital Strategy/Strategic Funding Group; and

3.6 nominates a representative, and a named substitute, to serve on the Council's Corporate Equalities Group.

4. Report details.

4.1 The Constitution of Denbighshire County Council requires scrutiny committees to prepare and keep under review a programme for their future work. By reviewing and prioritising issues, members are able to ensure that the work programme delivers a member-led agenda.

- 4.2 The Committee is therefore requested to consider its draft work programme for future meetings, as detailed in appendix 1, and approve, revise or amend it as it deems appropriate taking into consideration:
- issues raised by members of the Committee
 - matters referred to it by the Scrutiny Chairs and Vice-Chairs Group
 - relevance to the Committee's/Council's/community priorities
 - the Council's Corporate Plan and the Director of Social Services' Annual Report
 - meeting workload
 - timeliness
 - outcomes
 - key issues and information to be included in reports
 - officers and/or lead Cabinet members who should be invited (having regard to whether their attendance is necessary or would add value)
 - questions to be put to officers/lead Cabinet members
- 4.3 When considering future items for inclusion on the forward work programme members may also find it helpful to bear the following questions in mind when determining a subject's suitability for inclusion on the work programme:
- what is the issue?
 - who are the stakeholders?
 - what is being looked at elsewhere
 - what does scrutiny need to know? and
 - who may be able to assist?
- 4.4 As mentioned in paragraph 4.1 above the Constitution of Denbighshire County Council requires scrutiny committees to prepare and keep under review a programme for their future work. To assist the process of prioritising reports, if officers are of the view that a subject merits time for discussion on the Committee's business agenda they have to formally request the Committee to consider receiving a report on that topic. This is done via the submission of a 'proposal form' which clarifies the purpose, importance and potential outcomes of suggested issues. Two such proposal forms have been received for consideration at the current meeting (see appendices 2a and 2b) and request the Committee to consider receiving reports on the 'Supporting People Strategy Update and Operational Plan 2012-13' and 'Foryd Harbour Mooring Fees and Charges' at its October meeting. The Committee is asked to consider these requests.
- 4.5 At its inaugural meeting the Committee agreed to continue with the practice of the former scrutiny committees of limiting the number of reports considered on any one business agenda to four plus the work programme report, unless special circumstances necessitate

otherwise. The Committee will note from the draft work programme that its business agenda potentially exceeds this desired number for both September and October's meetings. Members are asked to discuss this and determine whether the Committee should reschedule any of the listed items, or receive them as information or consultation reports outside of the formal meetings if they deem that approach appropriate to the subject under consideration.

- 4.6 Committee members will see from the attached draft work programme that a number of items listed under the meetings schedule and under 'Future Issues' require the Committee to scope the purpose of the report and what the Committee hopes to achieve from scrutinising the topic. These topics/areas were identified at the training session held for Committee members ahead of the Committee's first meeting. To enable officers to start preparing the reports for presentation at future meetings the Committee is asked to determine why it wishes to receive a report on the subject and what it expects to achieve from scrutinising it. The five questions listed in paragraph 4.3 above may assist members with this task.

Cabinet Forward Work Programme

- 4.7 A copy of the Cabinet's forward work programme is attached at Appendix 3. The Committee also may find this document useful when considering items for inclusion on its programme of future work.

5. Committee Representation on Boards and Groups

5.1 Programme Boards

Members will be aware that the Council operates a number of strategic programme boards, the aims of which are to effectively transform service delivery within the current financial climate in which public services operate, and plan for future pressures. During the last municipal year the Council's scrutiny committees were asked to nominate representatives to serve on these Boards.

- 5.2 At its meeting on 4 July the Scrutiny Chairs and Vice-Chairs Group considered whether scrutiny's representatives on these boards should be reviewed to reflect the Council's new scrutiny structure. The Group was of the view that this would be appropriate and consequently the Committee is asked to nominate a member to serve on **the Business Transformation Programme Board** and a member to serve on the **Conwy and Denbighshire Collaboration Programme Board**. By virtue of his office the Chair of the Communities Scrutiny Committee will serve on the **People and Places Programme Board**.

Service Performance Challenge Groups

- 5.3 At the same meeting the Scrutiny Chairs and Vice-Chairs Group considered scrutiny member representation on the Council's Service Performance Challenge Groups and agreed that it would be useful if all scrutiny committees adopted the same approach as the Performance

Scrutiny Committee, which is to appoint at least one member to represent the Committee on each of the service performance challenge groups. A list of the Cabinet Lead Members and Performance Scrutiny Committee representatives on each of these groups can be found at appendix 4 to this report. The Committee is asked to nominate members for each of the 14 service areas listed. Substitute representatives are also requested in the event of the nominated member not being able to attend. If such circumstances arise the nominated member is responsible for informing the secretariat of his/her unavailability to attend and to liaise with the substitute member seeking him/her to attend instead.

5.4 Capital Strategy/Strategic Funding Group

The Council currently has a Capital Strategy Group comprising of two lead members, a representative from each of the former scrutiny committees, as well as representatives from the authority's senior leadership team. For information a copy of the Group's current terms of reference is attached at appendix 5. The terms of reference is likely to be reviewed in the near future as this Group will probably meet on a monthly basis and will consider, amongst other things, all bids for external funding. The Committee is asked to nominate a representative to serve on the Capital Strategy/Strategic Funding Group.

5.5 Corporate Equalities Group

The terms of reference and make-up of the Council's Corporate Equalities Group (CEG) has recently been revised. A copy of the draft revised terms of reference, which will be discussed at the Group's first meeting on 28 July, is attached at appendix 6. The revised draft terms of reference for the CEG stipulates that there should be one representative from each of the Council's scrutiny committees (as well as the Corporate Governance Committee) and that these representatives will "need to understand, and be fully committed to, the values of equality & diversity." The draft terms of reference also states that a nominated substitute, who demonstrates the same level of commitment to the values, should also be appointed from each scrutiny committee. The Scrutiny Chairs and Vice-Chairs Group discussed scrutiny's representation on this Group at its meeting on 4 July and resolved to seek each committee to appoint a representative (and nominated substitute). Members are therefore asked to nominate representatives.

6. How does the decision contribute to the Corporate Priorities?

Effective scrutiny will assist the Council to deliver its corporate priorities in line with community needs and residents' wishes. Continual development and review of a coordinated work programme will assist the Council in monitoring and reviewing policy issues.

7. What will it cost and how will it affect other services?

Services may need to allocate officer time to assist the Committee with the activities identified in the forward work programme, and with any actions that may result following consideration of those items.

8. What consultations have been carried out?

None required for this report. However, the report itself and the consideration of the forward work programme represents a consultation process with the Committee with respect to its programme of future work.

9. What risks are there and is there anything we can do to reduce them?

No risks have been identified with respect to the consideration of the Committee's forward work programme. However, by regularly reviewing its forward work programme the Committee can ensure that areas of risk are considered and examined as and when they are identified, and recommendations are made with a view to addressing those risks.

10. Power to make the decision

Article 6.3.7 of the Council's Constitution stipulates that the Council's scrutiny committees must prepare and keep under review a programme for their future work.

Contact Officer:

Scrutiny Coordinator Tel No: (01824) 712554

Email: dcc_admin@denbighshire.gov.uk

Communities Scrutiny Committee Forward Work Plan

Note: Items entered in italics have not been approved for submission by the Committee. Such reports are listed here for information, pending formal approval.

| Meeting | Item (description / title) | Purpose of report | Expected Outcomes | Author | Date Entered |
|--------------|---|--|--|-----------------------------------|-----------------|
| 15 September | 1 Modernising Education: the Edeyrnion Area Review of Primary School Provision <i>[education]</i> | To scrutinise issues raised during the formal consultation process | The development of proposals which will provide sustainable, high quality education establishments in the Edeyrnion area | Jackie Walley/James Curran | April 2011 |
| | 2 21 st Century Schools Programme <i>[education]</i> | To review progress and contingency plans ('plan b'). [dependent on outcome of Ministerial decision] | To monitor progress | Jackie Walley/James Curran | November 2010 |
| | 3 Provision of Music within Schools <i>[education]</i> | To consider preliminary proposals prior to consultation with schools | Development of proposals to ensure equitable funding of music education within schools | Karen Evans/David Phoenix | June 2011 |
| | 4 Progress of the Youth Service Business Plan and Locality Youth Service Provision | To review progress made following the restructure of the service and the Lifelong Learning Scrutiny Committee's consideration in January 2011 and to receive information on the locality youth service structures and engagement with town & community councils. | To monitor progress and to scrutinise the effectiveness of the provision. | Jamie Groves/Roger Ellerton | January 2011 |
| | 5 <i>'Closer to the Community'</i> | <i>To present the Council's draft Community Engagement Strategy</i> | <i>The production of a robust and effective strategy that will improve communication between the Council and the community and vice versa to enable the delivery of high quality services which residents desire</i> | <i>Diane Hesketh/David Davies</i> | <i>May 2011</i> |

Communities Scrutiny Committee Forward Work Plan

| Meeting | Item (description / title) | Purpose of report | Expected Outcomes | Author | Date Entered |
|------------|---|--|--|-----------------------------------|------------------|
| 27 October | 1 Common Access Route to Housing [Communities initially, could eventually be Partnerships] | To present the findings of the feasibility study into the provision of a common access route to housing | Development of a common mechanism for accessing affordable housing, and allocation policies and procedures for a number of local authorities and Registered Social Landlords who work closely with the authorities | Simon Kaye | December 10 |
| | 2 <i>Residents' Survey</i> | <i>The Committee to scope the purpose and expected outcomes</i> | | <i>Tony Ward/Eva Walters</i> | <i>May 2011</i> |
| | 3 <i>Review of Heritage and Arts Assets</i> | <i>The Committee to scope the purpose and expected outcomes</i> | | <i>Jamie Groves/Paul Mc Grady</i> | <i>May 2011</i> |
| | 4 <i>Town Plan (Denbigh)</i> | <i>To consider the draft town plan for Denbigh The Committee to scope the purpose and expected outcomes</i> | | <i>Graham Boase/Mark Dixon</i> | <i>May 2011</i> |
| | 5 <i>Supporting People Strategy Update and Operational Plan 2012-13</i> | <i>Pre-decision scrutiny of the programme which supports people who need housing and seeks to contribute towards tackling the issues of transience, poverty and multiple deprivation</i> | <i>Scrutiny of ring-fenced grant funding proposals for housing related support services in Denbighshire valued at approximately £7million per year.</i> | <i>Gary Major</i> | <i>July 2011</i> |
| | 6 <i>Foryd Harbour Mooring Fees and Charges</i> | <i>Proposed management arrangements and charges for the Foryd Harbour Moorings</i> | <i>Endorsement of the proposed Management Plan, fees and charges and agreement on the process of implementation and</i> | <i>Tom Booty/Mark Budd</i> | <i>July 2011</i> |

Communities Scrutiny Committee Forward Work Plan

| Meeting | Item (description / title) | Purpose of report | Expected Outcomes | Author | Date Entered |
|-----------------|---|---|---|----------------------|-----------------|
| | | | <i>timing.</i> | | |
| 8 December | 1 Local Housing Strategy | To consider progress made in response to national housing policy and legislative initiatives and to consider the draft LHS action plan for the forthcoming year | Regular six monthly monitoring of the strategy's implementation will identify slippages, suggest corrective action for failing projects, identify new actions to address unmet needs and inform future grant funding applications | Simon Kaye | December 10 |
| | 2 <i>Adult Education</i> | <i>Tbc</i> | | <i>Julian Molloy</i> | <i>May 2011</i> |
| | 3 Allocation of Additional Resources to SEN [education] | To monitor the progress achieved in developing an alternative model for SEN Funding and the results of the consultation exercise with headteachers on the proposals put forward | The development of an effective system of funding, monitoring and evaluating appropriate support for pupils with SEN to enable them to fulfil their full potential | Karen Evans | June 2011 |
| | | | | | |
| 19 January 2012 | | | | | |
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| 1 March | | | | | |
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| 12 April | | | | | |
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Communities Scrutiny Committee Forward Work Plan

| Meeting | Item (description / title) | Purpose of report | Expected Outcomes | Author | Date Entered |
|---------------------------|----------------------------|-------------------|-------------------|--------|--------------|
| | | | | | |
| | | | | | |
| 24 May (provisionally) | | | | | |
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Future Issues

| Item (description / title) | Purpose of report | Expected Outcomes | Author | Date Entered |
|---|---|--|-----------------------------|--------------|
| <p>Challenging Behaviour and its impact on Council services [could possibly be an issue for Partnerships as joint working with BCU involved]</p> <p><i>(Committee to discuss whether this topic should be referred to the Partnerships Scrutiny Committee)</i></p> <p>[education]</p> | An analysis of the impact of children's challenging behaviour on the Council's education and social services' functions | Identification of measures, or other Council services, which may assist education and social services to address challenging behaviour and ease budget and resource pressures in the long-term | Leighton Rees/Karen I Evans | March 11 |
| <p>Transformation of Post 16 Education</p> <p><i>(Scrutiny Chairs and Vice-Chairs Group to be asked to discuss the most appropriate Committee to discuss this item) [May need to be deleted from work programme until WG's response to the draft proposals are received]</i></p> | To present the draft proposals for transforming the provision of post 16 education in Denbighshire | The development of a viable and robust policy for the delivery of post 16 education in the county | John Gambles | May 2011 |

Communities Scrutiny Committee Forward Work Plan

| | | | | |
|--|---|--|---|-----------------|
| <i>The Quality and Provision of Community Facilities</i> | <i>The Committee to scope the purpose and expected outcomes</i> | | <i>Hywyn Williams/Jamie Groves/Diane Hesketh</i> | <i>May 2011</i> |
| <i>Rural Transport</i> | <i>The Committee to scope the purpose and expected outcomes</i> | | <i>Peter Daniels</i> | <i>May 2011</i> |
| <i>Rural Community Sustainability</i> | <i>The Committee to scope the purpose and expected outcomes</i> | | <i>Hywyn Williams/Jamie Groves/Diane Hesketh?</i> | <i>May 2011</i> |
| <i>Access to the Countryside</i> | <i>The Committee to scope the purpose and expected outcomes</i> | | <i>Mark Dixon/Huw Rees</i> | <i>May 2011</i> |
| <i>Waste Management Provision</i> | <i>The Committee to scope the purpose and expected outcomes</i> | | <i>Steve Parker/ken Thompson</i> | <i>May 2011</i> |
| <i>Transfer of Services to Town Councils</i> | <i>The Committee to scope the purpose and expected outcomes</i> | | <i>Hywyn Williams/Helen Burkhalter/Paul Mead</i> | <i>May 2011</i> |
| <i>The effectiveness of CCTV</i> | <i>The Committee to scope the purpose and expected outcomes</i> | | <i>Phil Rafferty/Roly Schwarz</i> | <i>May 2011</i> |
| <i>Wind Farms</i> | <i>The Committee to scope the purpose and expected outcomes</i> | | <i>Graham Boase</i> | <i>May 2011</i> |
| Flood Risk Areas within Denbighshire (date tbc) | Information on all areas within the County which are at risk from any type of flooding incidents and the plans in place to address the identified risks | Assurances that action has been taken or plans are in place to mitigate the risk of flooding to the identified communities and development of robust contingency plans | Wayne Hope | June 2011 |

For future years

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Communities Scrutiny Committee Forward Work Plan

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Information/Consultation Reports

| Information / Consultation | Item (description / title) | Purpose of report | Author | Date Entered |
|--|--|--|---------------------------------|---------------------|
| Information (circulation February 2011 of report prepared for People and Places Board) | Review of One Stop Shop locations | To inform the Committee on the progress made with planning and undertaking the review of the locations of One Stop Shop facilities in the County | Cara Williams/Catherine Spencer | January 2011 |
| Information Report (for circulation in Sept 2011) [education] | Impact of cessation of free school transport for pupils living within Wrexham County Borough Council who attend Ysgol Dinas Bran, Llangollen | To outline the impact of Wrexham County Borough Council's decision to withdraw free school transport to pupils from the County attending Ysgol Dinas Bran, Llangollen on the number of pupils attending the school, future projected pupil numbers, its future viability and the consequential implications for the community in and around Llangollen | Jackie Walley/Karen Evans | June 2011 |
| | | | | |

04/07/11

Note for officers – Committee Report Deadlines

| Meeting | Deadline | Meeting | Deadline | Meeting | Deadline |
|----------------|--------------------|----------------|-------------------|----------------|--------------------|
| 15 September | 1 September | 27 October | 13 October | 8 December | 24 November |

Communities Scrutiny Work Programme.doc

| PROPOSAL FORM FOR AGENDA ITEMS FOR SCRUTINY COMMITTEES | | | | | |
|---|---|---|-------------------|--------|---|
| NAME OF SCRUTINY COMMITTEE | | Communities Scrutiny Committee | | | |
| DATE OF MEETING / TIMESCALE FOR CONSIDERATION | | Progress of Supporting People Plan: <ul style="list-style-type: none"> • Draft to be issued for consultation – July 2011 • Final version to be signed of by Supporting People Planning Group – October 2011 • Report to Cabinet or request for delegated decision – November 2011 | | | |
| TITLE OF REPORT | | Supporting People Strategy Update and Operational Plan 2012-13 | | | |
| PURPOSE | Why is the report being proposed? (see also the checklist overleaf) | The Supporting People programme enables vulnerable people to live independently and contributes to the prevention of homelessness. The programme supports people who need housing and contributes towards tackling the issues of transience, poverty and multiple deprivation. The purpose of proposing the report is to consult with members on the changes proposed to SP services. | | | |
| | 1. What issues are to be scrutinised? | <ul style="list-style-type: none"> • Update on Supporting People Strategy 2011-14 • Progress on actions for 2011-12 • Planned actions for 2012-14 | | | |
| | 2. Is it necessary / desirable for witnesses to attend e.g. lead members, officers / external experts? | Yes: the Supporting People Team Manager and the Planning and Service Development Officer. | | | |
| | 3. What will the committee achieve by considering the report? | Scrutiny of ring-fenced grant funding proposals for housing related support services in Denbighshire currently valued at approximately £7million per year. | | | |
| | 4. Score the topic from 0 – 4 on aims & priorities and impact (see overleaf)* | <table border="1"> <thead> <tr> <th>Aims & Priorities</th> <th>Impact</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">3</td> </tr> </tbody> </table> | Aims & Priorities | Impact | 3 |
| Aims & Priorities | Impact | | | | |
| 3 | 3 | | | | |
| ADDITIONAL COMMENTS | | The Supporting People programme in Wales was reviewed by Welsh Government in 2010 and recommendations for change are under discussion for implementation. Further changes may be required to Denbighshire's SP strategy once the WG publishes the detail of how it intends to implement the grant and SP programme in future | | | |
| REPORTING PATH – what is the next step? Are Scrutiny's recommendations to be reported elsewhere? | | Scrutiny recommendations will be reported to the Supporting People Planning Group (a multi agency commissioning group chaired by the Corporate Director for Demographics, Wellbeing and Planning). Recommendations will also be included in the cabinet report when the strategy is finalised. | | | |
| AUTHOR | | Gary Major, Supporting People Planning and Service Development Officer. | | | |

Please complete the following checklist:

| | Yes | No |
|--|------------|-----------|
| Is the topic already being addressed satisfactorily? | YES | |
| Is Scrutiny likely to result in service improvements or other measurable benefits? | | NO |
| Does the topic concern a poor performing service or a high budgetary commitment? | YES | |
| Are there adequate resources / realistic possibility of adequate resources to achieve the objective(s)? | YES | |
| Is the Scrutiny activity timely, i.e. will scrutiny be able to recommend changes to the service delivery, policy, strategy, etc? | YES | |
| Is the topic linked to corporate or scrutiny aims and priorities? | YES | |
| Has the topic been identified as a risk in the Corporate Risk Register or is it the subject of an adverse internal audit or external regulator report? | | NO |

*The following table is to be used to guide the scores given:

| Score | Aims & Priorities | Impact |
|-------|--|---|
| 0 | No links to corporate/scrutiny aims and priorities | No potential benefits |
| 1 | No links to corporate/scrutiny aims and priorities but a subject of high public concern | Minor potential benefits affecting only one ward/customer/client group |
| 2 | Some evidence of links, but indirect | Minor benefits to two groups/moderate benefits to one |
| 3 | Good evidence linking the topic to both aims and priorities | Moderate benefits to more than one group/substantial benefits to one |
| 4 | Strong evidence linking both aims and priorities, and has a high level of public concern | Substantial community-wide benefits |

SCORING

Aims & Priorities

| | | |
|---|--|---|
| 4 | Possible topic for Scrutiny – to be timetabled appropriately | Priority topic for Scrutiny – for urgent consideration |
| 3 | | |
| 2 | Reject topic for Scrutiny – topic to be circulated to members for information purposes | Possible topic for Scrutiny – to be timetabled appropriately |
| 1 | | |

0 1 2 3 4
Impact

| PROPOSAL FORM FOR AGENDA ITEMS FOR SCRUTINY COMMITTEES | | |
|---|---|--|
| NAME OF SCRUTINY COMMITTEE | Communities Scrutiny Committee | |
| DATE OF MEETING / TIMESCALE FOR CONSIDERATION | October 2011 | |
| TITLE OF REPORT | Foryd Harbour Mooring Fees and Charges | |
| P U R P O S E | 1. Why is the report being proposed? (see also the checklist overleaf) | Proposal to introduce new mooring management plan and charging policy for Foryd Harbour, Rhyl. |
| | 2. What issues are to be scrutinised? | Proposed management arrangements and charges for the Foryd Harbour Moorings |
| | 3. Is it necessary/desirable for witnesses to attend e.g. lead members, officers/external experts? | No |
| | 4. What will the committee achieve by considering the report? | Endorsement of the proposed Management Plan, fee's and charges. Agreement of the process of implementation and timing. |
| | 5. Score the topic from 0 – 4 on aims & priorities and impact (see overleaf)* | Aims & Priorities |
| ADDITIONAL COMMENTS | None | |
| REPORTING PATH – what is the next step? Are Scrutiny's recommendations to be reported elsewhere? | Delegate decision to Lead Member for Environment and Sustainable Development | |
| AUTHOR | Tom Booty / Mark Budd | |

Please complete the following checklist:

| | Yes | No |
|--|-----|----|
| Is the topic already being addressed satisfactorily? | | ✓ |
| Is Scrutiny likely to result in service improvements or other measurable benefits? | ✓ | |
| Does the topic concern a poor performing service or a high budgetary commitment? | | ✓ |
| Are there adequate resources / realistic possibility of adequate resources to achieve the objective(s)? | ✓ | |
| Is the Scrutiny activity timely, i.e. will scrutiny be able to recommend changes to the service delivery, policy, strategy, etc? | ✓ | |
| Is the topic linked to corporate or scrutiny aims and priorities? | ✓ | |
| Has the topic been identified as a risk in the Corporate Risk Register or is it the subject of an adverse internal audit or external regulator report? | | ✓ |

*The following table is to be used to guide the scores given:

| Score | Aims & Priorities | Impact |
|-------|--|--|
| 0 | No links to corporate/scrutiny aims and priorities | No potential benefits |
| 1 | No links to corporate/scrutiny aims and priorities but a subject of high public concern | Minor potential benefits affecting only one ward/customer/client group |
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SCORING

Aims & Priorities

| | | |
|---|--|--|
| 4 | Possible topic for Scrutiny – to be timetabled appropriately | Priority topic for Scrutiny – for urgent consideration |
| 3 | | |
| 2 | Reject topic for Scrutiny – topic to be circulated to members for information purposes | Possible topic for Scrutiny – to be timetabled appropriately |
| 1 | | |

0 1 2 3 4

Impact

CABINET: FORWARD WORK PROGRAMME

| | |
|--|--|
| 26 JULY 2011 | |
| Finance Report 2011 -2012 | Councillor J Thompson Hill P McGrady |
| Capital Plan 2011-2012 | Councillor J Thompson Hill P McGrady |
| Village Green Applications - land known as "The Park" off Ffordd Elan, Rhyl | Councillor S Frobisher S Cordiner |
| Proposed Infant and Junior Amalgamation of Ysgol Gwaenynog and Ysgol Heulfre, Denbigh | Councillor E W Williams H Williams / J Walley |
| People and Places Board Report on Demographic change | Councillor P A Dobb S Ellis |
| New Work Connections: Training and Education - Procurement of accredited training courses across the project – up to 1620 people could be involved in the training e.g. a one day confidence building course or an NVQ Level 4 course. | Councillor P A Dobb Gwynfor Griffiths / Carina Edwards 708307 |
| Child Protection | Councillor M M Jones S Ellis / Leighton Rees |
| Phase II Construction of the Foryd Harbour Walking and Cycling Bridge | Councillor S Frobisher / Councillor D A J Thomas S Davies / Bob Humphreys |
| Selection of Preferred Bidder - N E Wales Regional Food Waste Treatment Project | Councillor S Frobisher S Parker / J Espley |
| Monitoring Performance Against the Corporate Plan | Councillor H H Evans T Ward |
| Annual Council Reporting Framework (ACRF) – The Statutory Director of Social Services will be responsible for publishing an annual report setting out her assessment of the effectiveness of social care services and priority areas for improvement in the year ahead | Councillors P A Dobb / M M Jones S Ellis / C O’Gorman |
| Recommendations from Scrutiny Committees | Scrutiny Officers |
| | |
| 6 SEPTEMBER 2011 | |
| Finance Report 2011 -2012 (OR on 27.09.2011) | Councillor J Thompson Hill P McGrady |
| Treasury Management Update | Councillor J Thompson Hill P McGrady |
| DCC Annual Report 2010-2011 | Councillor H H Evans A Smith / T Ward |
| Application for an Option to purchase DCC land in Rhyl on Quay Street and Wellington Road for incorporation into the Ocean Plaza Development | Councillor P J Marfleet C Davies / K Bowler |
| Routine Report on Personnel to include Sickness Management | Councillor P J Marfleet L Atkin / G Humphreys |
| HR / People Strategy | Councillor P J Marfleet L Atkin |
| Rhyl Going Forward Delivery Plan | Councillor D A J Thomas T Booty |
| Regional Commissioning Hub – Outline Business Case | Councillor P A Dobb S Ellis |

| | |
|---|---|
| Recommendations from Scrutiny Committees | Scrutiny Officers |
| | |
| 27 SEPTEMBER 2011 | |
| Finance Report 2011 -2012 (OR on 06.09.2011) | Councillor J Thompson Hill P McGrady |
| Proposed Joint Conwy & Denbighshire Adoption Panel | Councillor M M Jones Julie Moss, Corporate Parenting |
| Regional Social Services Project | Councillor P A Dobb S Ellis |
| Regional Support Services Project | Councillor P J Marfleet B E Jones |
| Regional Education Project | Councillor E W Williams H Williams |
| Edeyrnion Education Review | Councillor E W Williams H Williams / J Walley |
| Regional Collaboration Boards | Councillor H H Evans P McGrady |
| Procurement Review Business Case: Fleet | Councillor J Thompson Hill P McGrady |
| Recommendations from Scrutiny Committees | Scrutiny Officers |
| | |
| 25 OCTOBER 2011 | |
| Finance Report 2011 -2012 | Councillor J Thompson Hill P McGrady |
| Capital Plan 2011-2012 | Councillor J Thompson Hill P McGrady |
| Scala Cinema and Arts Centre: Update | Councillor P A Dobb P McGrady |
| | |
| Recommendations from Scrutiny Committees | Scrutiny Officers |
| 22 NOVEMBER 2011 | |
| Finance Report 2011 -2012 | Councillor J Thompson Hill P McGrady |
| Community Capital Grants | Councillor D A J Thomas M Dixon / Brian Evans |
| | |
| Recommendations from Scrutiny Committees | Scrutiny Officers |
| 13 DECEMBER 2011 | |
| Finance Report 2011 -2012 | Councillor J Thompson Hill P McGrady |
| Destination Management - Tourism Partnership North Wales have offered to work with the Council to undertake an audit of the experience which a visitor gets when they come to the County and this item will provide an opportunity for Cabinet to receive the results of the audit and consider actions which need to be taken to improve the experience | Councillor D A J Thomas G Boase / M Dixon |

| | |
|--|-------------------|
| | |
| Recommendations from Scrutiny Committees | Scrutiny Officers |

Service Performance Challenge Group - Cabinet and Scrutiny Committee Representatives

| Service: | Cabinet Lead Member(s): | Performance Scrutiny Service Lead(s) | Partnerships Scrutiny Service Lead(s) | Communities Scrutiny Service Lead(s) |
|---|---|---|--|---|
| 1. Adult & Business Services - Neil Ayling | Cllr Pauline Dobb | Cllr Bobby Feeley | | |
| 2. Business Planning & Performance - Alan Smith | Cllr Hugh Evans, Cllr Paul Marfleet, Cllr Morfudd Jones | Cllr David Lee, Cllr Gwilym C Evans | | |
| 3. Customer Services - Cara Williams | Cllr Hugh Evans, Cllr Paul Marfleet | | | |
| 4. Corporate Governance - Jane Kennedy (Acting) | Cllr Hugh Evans | | | |
| 5. Strategic HR - Linda Atkin | Cllr Paul Marfleet | | | |
| 6. Children & Family Services - Leighton Rees | Cllr Morfudd Jones | Cllr June Cahill | | |
| 7. Environment Services - Steve Parker | Cllr Sharon Frobisher | Cllr Lucy Morris, Cllr Michael Eckersley | | |
| 8. Planning, Regeneration & Regulatory Services - Graham Boase | Cllr Sharon Frobisher, Cllr David Thomas, Cllr Pauline Dobb | | | |
| 9. Finance & Assets - Paul McGrady (Acting) | Cllr Paul Marfleet, Cllr Julian Thompson-Hill | Cllr Huw Jones | | |

Service Performance Challenge Group - Cabinet and Scrutiny Committee Representatives

| | | | | |
|--|--|-------------------|--|--|
| 10. Highways & Infrastructure - Stuart Davies | Cllr Sharon Frobisher | Cllr Rhys Hughes | | |
| 11. Housing Services - Peter McHugh | Cllr David Thomas | Cllr Peter Duffy | | |
| 12. Leisure, Libraries & Community Development - Jamie Groves | Cllr Morfudd Jones, Cllr Pauline Dobb | Cllr Ian Gunning | | |
| 13. Modernising Education - Jackie Walley | Cllr Eryl Williams | Cllr Colin Hughes | | |
| 14. School Improvement & Inclusion - Karen Evans | Cllr Eryl Williams | Cllr Colin Hughes | | |

CAPITAL STRATEGY & ASSET MANAGEMENT GROUP/

DRAFT TERMS OF REFERENCE.

1. To review the capital requirements for future years as submitted by Heads of Service and in light of likely future capital funding available, recommend a medium to long term strategy for;

Prioritising schemes for support and
Identifying options for increasing funding available.

2. Ensure bids for resources are in line with;

Statutory requirements,
Council's agreed priorities,
Corporate Asset Management Plan and
Contribute to improved service delivery, sustainability, energy use
reduction

3. Review the results of the on going Asset Challenge process to ensure asset retention is justified and that opportunities for disposal and generation of capital receipts are taken.

4. The group to be strategic in nature meeting as necessary but probably no more than 4 times a year.

5. To review the work of the Capital Monitoring group, set up to review capital spend and project delivery on a monthly basis. Requests for inclusion of 100% funded schemes in the Capital Plan to also be reviewed by the CMG.

Terms of Reference – Corporate Equality Group

Aim

The Corporate Equality Group (CEG) has responsibility for ensuring that the Council demonstrates fairness in its delivery of services and its employment practices. It will work to develop a culture in which all individuals are treated with dignity and respect, and offensive and discriminatory behaviour and harassment are not tolerated. Specifically, the CEG will:

- ⇒ Give strategic direction to equality related activities within the council.
- ⇒ Work to mainstream and embed equality and diversity into all the functions of the council.
- ⇒ Recommend equality objectives and outcomes to the Corporate Executive Team (CET), Senior Leadership Team (SLT), Cabinet and Council.
- ⇒ Drive improvements in delivering equality outcomes through oversight of an annual self-assessment process.
- ⇒ Ensure that the council effectively manages equality and diversity risks in relation to budget and efficiency proposals which may impact on its staff and/or communities.
- ⇒ Ensure that a robust “Fairness Framework” is in place to enable the council to meet its general and specific duties under the Equality Act 2010.
- ⇒ Ensure that there is a consistent approach to working within that framework by all Council services.
- ⇒ Act as a link with SLT to promote effective communication of relevant discussions and proposals from either forum.
- ⇒ To monitor progress against a corporate programme of Equality Impact Assessment.
- ⇒ To monitor Members and staff training and development programmes in relation to equality, diversity and human rights.
- ⇒ Ensure the full engagement and involvement of all staff, Elected Members and service users in equality and diversity issues.

Membership

The CEG will consist of:

- ⇒ Lead Member for Equalities (Chair)
- ⇒ Representative from Performance Scrutiny
- ⇒ Representative from Partnerships Scrutiny
- ⇒ Representative from Communities Scrutiny
- ⇒ Representative from Corporate Governance Committee
- ⇒ 2 representatives from SLT (including Lead Officer for Equalities)
- ⇒ Corporate Improvement Team Manager
- ⇒ Corporate Equality Officer
- ⇒ Other people may be invited to attend from time to time, e.g. representatives from specific council services, or union representatives.

Each member of the CEG will need to understand, and be fully committed to, the values of equality & diversity. CEG members will be expected to act as advocates for equality and diversity in all council-related business. They must also be able and willing to undertake specific equality-related training as required.

Each member of the CEG will nominate a substitute who will attend the meetings when the member is unable to do so. Nominated substitutes must also demonstrate the same commitment to equality and diversity as members of the CEG (as described above).

Meetings

The CEG will meet quarterly.