



To: Members of the Communities
Scrutiny Committee

Date: 11 January 2013

Direct Dial: 01824 712554

e-mail: dcc_admin@denbighshire.gov.uk

Dear Councillor

You are invited to attend a meeting of the **COMMUNITIES SCRUTINY COMMITTEE** to be held at **9.30 am** on **THURSDAY, 17 JANUARY 2013** in **CONFERENCE ROOM 1A, COUNTY HALL, RUTHIN.**

Yours sincerely

G. Williams
Head of Legal and Democratic Services

AGENDA

PART 1 - THE PRESS AND PUBLIC ARE INVITED TO ATTEND THIS PART OF THE MEETING

1 APOLOGIES

2 DECLARATION OF INTERESTS

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

3 URGENT MATTERS AS AGREED BY THE CHAIR

Notice of items 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.

4 MINUTES (Pages 5 - 12)

To receive the minutes of the Communities Scrutiny Committee held on Thursday, 6th December, 2012 (copy enclosed)

5 TOWN PLANS (Pages 13 - 24)

To consider a report by the Head of Housing and Community Development (copy enclosed) which reviewed the effectiveness of Town Plans in beginning to deliver their objectives.

9.35 a.m.

6 ETAPE CYMRU 2012

To consider a report by the Head of Housing and Community Development (copy enclosed) which provides a detailed analysis of the impact of the 2012 event on the local community, local businesses and participants along with the benefits realised/impact on the wider local economy and Denbighshire as a whole.

10.10 a.m.

Comfort Break

7 RHYL GOING FORWARD UPDATE (Pages 25 - 66)

To consider a report by the Rhyl Going Forward Programme Manager (copy enclosed) which provides an update on the Rhyl Going Forward Regeneration Strategy.

10.55 a.m.

8 NORTH DENBIGHSHIRE DAY SERVICE REVIEW (Pages 67 - 74)

To consider a report by the Project Manager, Extra Care Sheltered Housing (copy enclosed) which set out the current position with regard to the consultation and review of North Denbighshire Day Services in the North of the County.

11.30 a.m.

9 STRATEGIC ASSET MANAGEMENT (Pages 75 - 126)

To consider a joint report by the Principal Property Manager and Valuation and Estates Manager (copy enclosed) which detailed the Council's Asset Management and Disposal Strategy and the procedures and guidelines that are in place.

12.05 p.m.

10 SCRUTINY WORK PROGRAMME (Pages 127 - 142)

To consider a report by the Scrutiny Coordinator (copy enclosed) seeking a review of the committee's forward work programme and updating members on relevant issues.

12.35 p.m.

11 FEEDBACK FROM COMMITTEE REPRESENTATIVES

To receive any updates from Committee representatives on various Council Boards and Groups

MEMBERSHIP

Councillors

James Davies

Peter Evans

Carys Guy-Davies

Huw Hilditch-Roberts

Rhys Hughes

Win Mullen-James

Bob Murray

Joe Welch

Cefyn Williams

Cheryl Williams

Huw Williams

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Town and Community Councils

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COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Communities Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 6 December 2012 at 9.30 am.

PRESENT

Councillors James Davies, Huw Hilditch-Roberts (Chair), Rhys Hughes, Win Mullen-James, Joe Welch, Cefyn Williams, Cheryl Williams and Huw Williams (Vice-Chair)

Observers: Councillors Meirick Lloyd Davies, Huw Jones and Gwyneth Kensler.

ALSO PRESENT

Corporate Director: Modernisation and Wellbeing (SE), Head of Environment (SP), Heritage Commercial Manager (SW), Community Engagement Manager (DD), Corporate Director: Customers (HW), Democratic Services Officer (RAH), and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Peter Evans, Carys Guy-Davies and Bob Murray

2 DECLARATIONS OF INTEREST

No personal or prejudicial interests were declared.

3 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.

4 MINUTES

The Minutes of a meeting of the Communities Scrutiny Committee held on Thursday, 25th October, 2012, were submitted.

Councillor Mullen James informed the Committee that with regard to the item "Review of Highway Verge Grass Cutting 2012" there was to be a meeting taking place on 13th December, 2012 in Caledfryn, Denbigh, to discuss the terms of the grass cutting contract.

RESOLVED that the Minutes be received and approved as a correct record.

5 REVIEW OF HERITAGE AND ARTS ASSETS

The Head of Environment (H:E) introduced a report to consider the progress to date in realising efficiencies with respect to the County's Heritage and Arts assets and strategies developed with a view to ensuring their future viability. The aim was to develop a service that would deliver the maximum benefits for local residents, communities, tourists and the council.

In November 2010 a comprehensive report was produced entitled "Review of Heritage Assets and associated arms-length companies". The report analysed the options available to the council, and concluded there was no easy option for disposal or outsourcing of the assets. The document had not been published as it was an internal document but the document would be available if requested by Members.

The service was transferred to Environmental Services on 1 April 2011. Significant changes had taken place since the transfer and more changes were planned for the future.

It was decided a more commercial approach was required. The generation of increased income was required to improve the service. H:E introduced the Heritage Commercial Manager (HCM) who gave a brief outline of her background experience.

The following sites are council run:

- Ruthin Gaol
- Nant Clwyd y Dre (Ruthin)
- Plas Newydd (Llangollen)
- The portfolio also covered the Council's relationship with the Bodelwyddan Castle Trust.

In the past, the sites had been run as museums and were heavily dependant upon receipt of grant funding which had dramatically reduced over the years. Research had taken place over the last 12 months investigating potential growth. The sites were to be run as visitor attractions for education purposes, tourist attractions and heritage centres, whilst not losing museum accreditation status. Weddings were also now taking place at the sites and bookings had already been received for 2013.

The paranormal market was a huge growth area and the historic buildings were fascinating for these investigation groups. The paranormal groups had no impact on the day activities held at the sites. The groups arrive at 8.00 p.m., carry out their investigations over night and leave at approximately 5.00 or 6.00 a.m.

Income raised from the paranormal groups was £17,000. A target increase of income of 10% had been set for next year. Work was ongoing to bring down costs and increase income. In 2010/2011 there had been approximately £60,000 income but in 2011/2012 the income had increased to £71,000.

Staffing rotas were now more efficient e.g. in the past, during the summer, the Old Gaol would close for two days per week, therefore losing the custom of visitors. This was to change to encourage a larger number of visitors.

Denbighshire were working with Conwy, Flintshire and Wrexham Councils as to how other Local Authorities monitor their budget.

Rhyl Museum was only an exhibition room adjoining the library which needed to be brought out from the library. The museum was very interesting, but an alternative location needed to be found. Unfortunately, at the present time, there was no budget for this to take place.

A project was due to commence in 2013 to catalogue all the artefacts currently held in stores. Once this project had been completed, more of the artefacts could be used in exhibitions.

The Chair clarified the service needed to be integrated in town plans and summarised that:

- the Heritage Service was presently costing more than the income it was generating.
- emphasis needed to be placed on providing services that visitors wanted, and that this would rely on strong communication.
- each individual site would require a business plan to be developed in conjunction with the Town Plans.

The Chair suggested that the business plans for each site should be presented to the appropriate Member Area Group to maximise commercial opportunities and to ensure that services were relevant to the priorities of local people.

RESOLVED that the Communities Scrutiny Committee:

- (a) Endorse the operational measures that the Service has put in place, and the direction of travel that is now being followed; and
- (b) A further report is submitted to the committee in a year's time in order to give an update on the effectiveness of the strategy introduced following the Review and to appraise the Service's financial position.

6 SUPPORTING PEOPLE STRATEGY UPDATE

The Corporate Director, Modernisation and Wellbeing (CD:MW) introduced a report regarding the three year spend plan for Supporting People and changes to the Supporting People Strategy including the implications for Denbighshire County Council (DCC) of changes to the Supporting People Programme across Wales.

Cabinet had requested that Scrutiny consider the impact of the national changes on DCC. Further detail would be provided in 2013 as implications of the new arrangements become clearer.

Supporting People was a significant programme providing "housing related" support services to a wide range of vulnerable groups, including people who were homeless, people with mental health needs, learning disabilities, the young &

vulnerable, people with substance misuse need, ex-offenders, people fleeing domestic violence and older people. The aim was to enable them to maintain secure housing while developing other aspects of their lives promoting independence. The Supporting People Programme had been evaluated at national level and shown to deliver very positive financial and non financial benefits. In Denbighshire, Supporting People funded a wide range of services including elements of sheltered housing, extra care, women's refuges, community living schemes for people with learning disabilities and schemes for homeless people.

Changes to the administration of the Supporting People programme were taking place across Wales. These included a new funding distribution formula and transfer of contracting responsibilities for some services from Welsh Government to local authorities. In addition, new governance arrangements, including Regional Collaborative Committees (RCC) with key responsibilities for the Supporting People programme, had been established across Wales. Denbighshire were to lose £1.5 million of funding over 5 years. All North Wales Local Authorities stood to lose funding within the Welsh Government Standard.

The RCC would look at how this resource was spent and how it could be used in a more cost effective way. The report set out potential implications and another aspect was to give members information of what the changes were in the Supporting People Strategy 2013/14 – Appendix 1.

The big issue was the amount of funding DCC stood to lose over a short period of time. The Welsh Government requested a 3 year spend plan. DCC were providing a spend plan for 2013/14 but were not prepared to provide information how a further £600,000 would be taken from the budget over a further 3 years. This was a risk, but would allow a longer period of time to prepare.

Essentially, savings were to be found from schemes run by the council, but, there were also schemes run from other organisations. In 2014/15, cuts were to be spread across these organisations also.

The Committee recognised that the Council had gone as far as it could to resist the reduction in funding and accepted that the 3 year spend plan and the revision of the Supporting People Strategy were an appropriate response to a difficult situation.

RESOLVED that the Communities Scrutiny Committee receives the report and notes the 3 year spend plan and the changes made to the Supporting People Strategy for 2013/14.

7 COMMUNITY COVENANT WITH THE ARMED FORCES

The Community Engagement Manager (CEM) introduced a report regarding an Armed Services Covenant.

All Welsh Local Authorities had been asked by the WLGA and others, to sign a Community Covenant with the Armed Forces which sought to establish a commitment of care to serving Service personnel, their families and veterans. The aims of the covenant were to encourage local communities to support the service

community in their area and increase awareness and understanding amongst the public of issues which affected the Armed Forces Community. The report contained a draft Covenant defining what could be offered to the Armed Services personnel in order to ensure they did not suffer any disadvantage when accessing public services.

A Community Covenant is a voluntary statement of mutual support between a civilian community and its local armed forces community. It was intended to compliment the national Armed Forces covenant which outlined the moral obligation between the nation, the government and the armed forces at a local level.

The report had been unanimously endorsed by Council in September 2012 and requested Communities Scrutiny Committee satisfied itself on the measures Denbighshire wished to adopt.

It was important to underpin the ethos that the Armed Forces were not disadvantaged when accessing Denbighshire services, however, the Council must also be careful not to actively discriminate in their favour to the detriment of other groups in society unless positive discrimination was already enshrined in legislation.

The suggested measures to be adopted by Denbighshire were set out fully within the report (5.2).

The council were bound by legislation and the armed forces personnel received additional housing points compared to other members of the community. It would be challenging looking after the residents of Denbighshire and making sure legislation was met. Most measures were within the report, not because armed services personnel would be given priority, but because they were governed by legislation.

CEM to take the housing issue back, to obtain clarification of the legislation. Once clarification received, he would inform the Committee.

The issue of employment was raised as a similar issue to housing.

CEM confirmed he would obtain clarification on the issue. Discussions would also take place with agencies, who provided career advice etc. All employment agencies were involved with the covenant.

The discount to Leisure Centres offered by Denbighshire County Council to armed services personnel would not disadvantage other groups. Discount was available to members of the police force, and fire service and it had been agreed armed services personnel fell into this category also. The discount would be for actively serving personnel, not veterans or families of armed service personnel. The discount would be restricted to access to the swimming pool and gym only.

A question was raised if members of the Territorial Army or Cadets were included. CEM stated they were not but would seek guidance to this question. The actual template of the covenant had been agreed, so a lot of ethos in terms of how it should be adopted was now in place.

The Covenant was a living document which could be reviewed. Once Scrutiny agreed to the recommendations, the intention would be to formally adopt the Covenant at a future Council meeting with representatives from the Armed Services, and other outside organisations in attendance.

CEM suggested the report be brought back to Committee on an annual basis and if additional measures needed to be added or removed, this could then be dealt with.

The Chair stated that once clarification of the points were obtained then there was no need for further discussion by Communities Scrutiny. Agreed to endorse the measures for it to be presented at a future Full Council meeting.

RESOLVED that the Communities Scrutiny Committee:

- i) *endorses the Community Covenant with the Armed Forces subject to clarification being provided of the potential impact on housing and employment in Denbighshire;*
- ii) *agree to add a report to the Forward Work Programme to be considered in 12 month's time which will allow the Committee to review the Measures contained in the Covenant.*

8 SCRUTINY WORK PROGRAMME

The Democratic Services Officer (DSO) introduced a report on the Committee's Forward Work Programme. He advised that two reports:

- (a) Town Plans
- (b) Etape Cymru 2012

had been deferred until January 2013.

The Committee was advised that the report titled "Disposal of Council Buildings, Property and Land" that was originally scheduled for the meeting had been withdrawn, with the Chair's agreement, following a decision at a recent Service Performance Challenge that it would be beneficial for the council to undertake a review of its assets. The Committee agreed to add a report on "Strategic Asset Management" to the agenda of the January 2013 meeting, which would replace and expand on the original report.

The chair agreed to add a report on the implementation of the new recycling arrangements to the agenda for the February 2013 meeting, with the item on the Control of Caravan Sites to be deferred to the April 2013 meeting.

School transport report – originally asked for information report to this meeting but request received for it to be deferred to Spring 2013. The committee agreed to accept the information report at the meeting in April 2013.

DSO informed the Committee that as part of the Wales Audit Office's (WAO) scrutiny evaluation and improvement project "Good Scrutiny? Good Question!" members of Wrexham County Borough Council's Peer Learning Exchange Team

and representatives from the WAO would be attending the Communities Scrutiny meeting in February, 2013 to review the meeting.

RESOLVED that subject to the above amendments, the Communities Scrutiny Forward Work Programme be approved.

9 FEEDBACK FROM COMMITTEE REPRESENTATIVES

Councillor Huw Williams informed the Committee that he, together with other Councillors as part of Denbighshire's Peer Learning Exchange Team, had attended the Wales Audit Office (WAO) "Good Scrutiny? Good Question!" event in Llandudno on Wednesday 5th December. He personally thought Denbighshire were ahead of other Local Authorities and were doing a very good job.

Councillor Gwyneth Kensler added there were 4-5 Councillors attending per Local Authority and Steve Price, Democratic Services Manager was also in attendance.

The Democratic Services Manager, Steve Price, would be collating all the information and presenting the findings to the Scrutiny Chairs and Vice-Chairs meeting.

The meeting concluded at 10.35 a.m.

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Report To: Communities Scrutiny Committee

Date of Meeting: 17th January 2013

Lead Member / Officer: Head of Housing & Community Development

Report Author: Strategic Regeneration Manager

Title: Town Plans

1. What is the report about?

The report is about the development of economically viable and sustainable towns that will boost the local economy and improve outcomes for local businesses and residents and attract visitors to the area.

2. What is the reason for making this report?

The reason for making this report is to review the effectiveness of Town Plans in beginning to deliver their objectives.

3. What are the Recommendations?

That the Committee notes and provides observations on the:

- 3.1 arrangements which have been put in place to progress the delivery of Town Plans;
- 3.2 proposals to develop Area Plans to identify priorities in rural communities;
- 3.3 proposals for monitoring performance; and
- 3.4 determines which Scrutiny Committee should receive future reports about Town Plans.

4. Report details

Town Plans for the county's seven largest settlements apart from Rhyl were endorsed by Cabinet between December 2011 and March 2012 during the term of office of the previous County Council. Following the elections in May 2012, presentations were made to the five relevant Member Area Groups to enable newly elected members to familiarise themselves with the contents of the previously approved Town Plans and to initiate a review of their contents to ensure that they were still valid and to enable any additional priorities to be incorporated.

All six Member Area Groups including Rhyl were invited to nominate a Lead Member, subsequently designated as a Champion, to work with the Group to drive forward delivery of the Plan priorities, to facilitate effective communication within the Group

and with other relevant local town and community stakeholders, and to ensure all relevant community priorities were captured within the Plans. The initial arrangement was to have one champion per Member Area Group but this was later amended to one per Town Plan. The champions meet together in a Plan Co-ordination Group. An officer from the Strategic Regeneration section has been designated as a “Single Point of Contact” for each Member Area Group to work with the relevant Champions.

The Co-ordination Group has agreed a process for updating and making amendments to the Plans and the Champions have been working with the Single Point of Contact Officers to update the Town Plans. The revised versions are being presented to the Member Area Groups in their current round of meetings.

The Co-ordination Group has also considered the allocation of funding from the budget for delivering the corporate priority for improving the local economy prior to its endorsement by Cabinet earlier this week. This will enable those priority actions identified for early implementation which could only be delivered within a reasonable timeframe with financial support from this budget to proceed.

The Plans approved to date have not yet addressed the needs and priorities of smaller and more rural communities. Members representing the relevant wards have been asked to identify initial issues including the appropriate geographical coverage for Area Plans which may not necessarily correspond with the Member Area Group boundaries, and priorities for discussion through the Member Area Groups. The intention is that Town Plans will then be expanded into broader Area Plans centred on the Towns and their associated smaller and rural communities. It is envisaged that Area Plans will have 3 broad sections: one identifying the priorities and vision for each Town, a second identifying how the outlying smaller and more rural communities relate to the Town, and a third setting out any specific needs or priorities for the smaller and more rural communities. A similar consultation process will be adopted to that undertaken for the original Town Plans. Member Area Groups will review and then recommend Area Plans for formal adoption. It will be for Member Area Groups to ensure that Area Plans as they are developed appropriately reflect the needs and priorities of all communities covered by the Plan, including smaller and more rural communities. In addition, the Cabinet Lead for Rural Development will act as Rural Champion in the process, ensuring that Area Plans incorporate rural priorities as well as those identified for the larger Towns and checking that full and proper consultation has been carried out.

A process for monitoring the performance of the Town and Area Plans has been developed in conjunction with the Business Planning & Performance service to complement the reporting arrangements for the Corporate Plan. A performance report will be presented to the Member Area Groups on a quarterly basis which will highlight the delivery confidence attached to each of the live priority actions in the relevant Town and Area Plans using the same Red-Orange-Yellow-Green status which has been adopted in the corporate project management methodology. A sample quarterly performance report for Rhuddlan is attached as the Annex to this report as an example of the format which will be used and which has been approved by the Town and Area Plan Co-ordination Group. The information in these individual Town and Area reports will be aggregated and included in the Quarterly Performance Report submitted to Cabinet commencing in the first quarter of the 2013/14 financial year. The intention is also to provide an annual report to County Council.

Consideration is also required as to which Scrutiny Committee would be the most appropriate to receive future reports on these Plans.

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

The Corporate Plan identifies vibrant and economically active towns and communities as essential components of a strong local economy. The implementation of Town Plans will support implementation of the corporate priority for improving the local economy and will also assist the Council in meeting its ambition of being closer to the community.

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

It is proposed that for 2012/13 and 2013/14, Town and Area Plan priorities are funded from a budget encompassing a number of separate existing allocations as follows:

Revenue budget of £175,000 per annum for ‘improving the local economy’ corporate priority for 2012/13 and 2013/14	£350,000
Revenue budget of £100,000 per annum for community projects in 2012/13 and 2013/14	£200,000
Capital allocation for community capital projects and match funding for 2012/13	£480,000
Carry forward underspend from 2011/12	£245,000
	£1,275,000

Whilst a bid has been made for a further capital allocation of £480,000, decisions on the capital plan for 2013/14 have not yet been made therefore the availability of this allocation has not been assumed.

It is intended that Rhyl Going Forward projects will be largely funded either from the £175,000 corporate allocation for regeneration made in 2011/12, or in the case of larger scale projects, through specific proposals to be considered by the Strategic Investment Group prior to decision by Cabinet. There may however be some call on the funding allocation for Town and Area Plans for Rhyl Going Forward projects.

7. What consultations have been carried out?

The Town Plan Co-ordination Group has discussed the proposals outlined in this report. The previous Town Plans were subject to extensive consultation and the same will be expected as the broader Area Plans are developed.

8. Chief Finance Officer Statement

Not applicable

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

The risks associated with implementation of the Town Plans are:

- failure to deliver priorities identified for completion in the early years of the Town Plans, and
- failure to address the needs and priorities of smaller and more rural communities

The risk of not delivering the actions identified for completion in the early years of the Town Plans has been reduced by creating the roles of Town and Area Plan Champions to drive the delivery of the priorities identified within the relevant Town and Area Plans and by allocating budgets to enable priority actions to be funded which otherwise could not be delivered through existing service budgets.

10. Power to make the Decision

Section 2 of the Local Government Act 2000 gives the Council the power to do anything which it considers is likely to promote or improve the economic, social and environmental well-being of the area.

Article 6.1 of the Council's Constitution empowers Communities Scrutiny Committee to scrutinise area focussed service delivery and developments including the Town Plans

Contact Officer:

Strategic Regeneration Manager

Tel: 01824 706860

Rhuddlan Town Plan Performance Management

Report for the quarter ending 31 December 2012

Key

Source of funding for delivery of priority actions

Service budget

S

100% external

X

From the corporate priority allocation to match a grant

M

100% from the corporate priority allocation

P

Major project which would have to be funded through the capital plan

C

Delivery confidence

Red

Successful delivery of the project / programme appears to be unachievable. There are major issues on project / programme definition, schedule, budget required quality or benefits delivery, which at this stage does not appear to be manageable or resolvable. The project/programme may need re-base lining and/or overall viability re-assessed.

Orange

Successful delivery of the project/programme is in doubt with major risks or issues apparent in a number of key areas. Urgent action is needed to ensure these are addressed, and whether resolution is feasible.

Yellow

Successful delivery appears probable but significant issues already exist requiring management attention. These appear resolvable at this stage and if addressed promptly, should not present a cost/schedule overrun.

Green

Successful delivery of the project/programme to time, cost and quality appears highly likely and there are no major outstanding issues that at this stage appear to threaten delivery significantly

...for people

Priority action	Led by	How this will be funded	From when this will start	By when this will be complete	Delivery confidence	Notes
Looking into the provision of extra care housing for older people	County Council Housing & Community Development	S	1 April 2013	31 March 2017		
Looking into the provision of affordable units in any residential developments	County Council Planning & Public Protection	S	1 April 2013	31 March 2017		
Looking into the likely future demand for plots in the cemetery and how this might be met	County Council Environment	S	1 April 2013	31 March 2014		Complete - cemetery has adequate capacity for the timeframe of the Plan.

...for the community

Priority action	Led by	How this will be funded	From when this will start	By when this will be complete	Delivery confidence	Notes
Providing changing rooms and toilets at the Admiral's playing fields	Town Council	M	1 April 2014	31 March 2017	Not yet due to start	
Providing dropped kerbs in Vicarage Lane, and at Burgedin Terrace in Parliament Street, and a better ramp between the car parks in Parliament Street and behind the King's Head	County Council Highways	S	1 April 2014	31 March 2017	Not yet due to start	
Implementing a Designated Public Place Order within the part of the town covered by the 30 mph speed limit	County Council Planning & Public Protection	S				The orders have been advertised in the local media but have not yet been finalised and signed. Officers are in discussion with colleagues in Legal to progress
Consulting on the introduction of a Dog Control Order within the	County Council Planning & Public Protection	S				The dog control order now forms part of a wider draft Council Strategy on dog

part of the town covered by the 30 mph speed limit								fouling. The strategy, once approved will contain an action plan with timescales for consulting on the Dog Control Orders
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...for jobs

Priority action	Led by	How this will be funded	From when this will start	By when this will be complete	Delivery confidence	Notes
Supporting the owners to complete the re-development of the "Triangle"	County Council Housing & Community Development	S	1 April 2013	31 March 2021	Not yet due to start	
Engaging with the newly formed St Asaph and Rhuddlan Tourism Association	County Council Housing & Community Development	S	1 April 2012	31 March 2013	Green	Complete - association formally established with constitution and bank account and officers attend the Association's meetings

Making it easier for customers to get to the shops by carrying out a review of the inconsistencies in the restrictions on parking times in the High Street	County Council Highways	S	1 April 2014	31 March 2017	Not yet due to start	
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...for the place

Priority actions	Led by	How this will be funded	From when this will start	By when this will be complete	Delivery confidence	Notes
Improving the appearance of the "Triangle" using enforcement action if necessary	County Council Housing & Community Development	S	1 April 2013	31 March 2017	Not yet due to start	
Improving the appearance of any untidy shops in the High Street using	County Council Housing & Community	X	1 April 2013	31 March 2017	Not yet due to start	

enforcement action if necessary	Development						
Monitoring fly tipping by St Mary's Church using enforcement action if necessary	County Council Planning & Public Protection	S	1 April 2013	31 March 2017	Not yet due to start		
Repairing the faded street name signs in the High Street and in Rhyl Road	County Council Highways	S	1 April 2013	31 March 2017	Not yet due to start		
Making sure that the railings by the Kings Head are kept painted and that any dents are removed quickly	County Council Highways	S	1 April 2013	31 March 2017	Not yet due to start		
Installing a town trail board in the Parliament Street car park	County Council Housing & Community Development	M	1 April 2013	31 March 2014	Not yet due to start		
Installing pedestrian signage leading from the Parliament Street car park to the castle and to Twthill	County Council Highways	M	1 April 2013	31 March 2014	Not yet due to start		
Look into improving the appearance and interpretation of the historic ditched defences near Gwindy Street	County Council Housing & Community Development	S	1 April 2013	31 March 2014	Not yet due to start		
Implementing improvements to the appearance and	County Council Housing & Community	G	1 April 2014	31 March 2017	Not yet due to start		

interpretation of the historic ditched defences near Gwindy Street	Development							
Installing interpretation by the wooden sculpture of the knights in Tan yr Eglwys Road	County Council Housing & Community Development	X	1 April 2013	31 March 2014	Not yet due to start	A credit to the artist has been installed next to the sculpture		
Looking into the feasibility of illuminating the wooden sculpture of the knights at night	County Council Housing & Community Development	S	1 April 2013	31 March 2014	Not yet due to start			
Installing lighting to illuminate the wooden sculpture of the knights	County Council Housing & Community Development	M	1 April 2014	31 March 2017	Not yet due to start			
Looking into the feasibility of making the street name sign for Tan yr Eglwys Road bilingual in view of given its prominent location	County Council Housing & Community Development	S	1 April 2012	31 March 2013	Orange	Found not currently to be possible because of a monolingual entry in the gazetteer of street names which determines how the name appears on the sign		
Looking into the feasibility of providing a pavement for pedestrians alongside Marsh Road	County Council Highways	M	1 April 2013	31 March 2014	Not yet due to start			
Providing a pavement for pedestrians along Marsh Road	County Council Highways	M	1 April 2014	31 March 2017	Not yet due to start			

FIELDWORKS

Report To: Communities Scrutiny Committee

Date of Meeting: 17 January 2013

Lead Member / Officer: Head of Housing & Community Development

Report Author: Principal Regeneration Strategy Officer

Title: Etape Cymru Cycling Event

1. What is the report about?

To provide an analysis of the impact of the 2012 event on the local community, local businesses and participants along with the benefits realised/impact on the wider local economy and Denbighshire as a whole.

2. What is the reason for making this report?

To provide information on the review of the 2012 event and to outline progress to date with the arrangements for 2013.

The Communities Scrutiny Committee resolved that it endorsed the requested road closure to allow the Etape Cymru 2012 to take place, subject to:

- a) full consultation with the communities and local businesses impacted by the road closures taking place, including consultation with the local Member Area Group (MAG)
- b) an impact assessment being undertaken
- c) the Committee receiving a guarantee that the Horseshoe Pass will be re-opened to traffic by 11am

3. What are the Recommendations?

That the Committee considers the update on progress and provides observations, which would support a report to Cabinet in February 2013.

4. Report details.

Denbighshire County Council has continued with its regular communication with Human Race, the organisers of Etape Cymru, and Wrexham County Borough Council, in relation to the 2012 'closed road' cycling event which was held on Sunday 9 September 2012 and plans are now underway for the 2013 event to be held on Sunday 8 September.

Organisers have met with the Safety Advisory Group (Police, Ambulance, Emergency services and Wrexham / Denbighshire Highways and Regeneration officers) to review 2012 and they have taken on board the Group's recommendations.

Appendix 1 is the organisers' review of the 2012 Etape Cymru event which gives a positive overview of the economic impact on the Wrexham/South Denbighshire area.

Appendix 2 (which is exempt from public disclosure by virtue of paragraphs 12, 13 and 14 of Part 4 of Schedule 12A of the Local Government Act 1972) is Denbighshire County Council's review of businesses on or near the Etape Cymru route of temporary road closures, which shows that most businesses were either positive or indifferent about the event. Negative comments from a few businesses shown are being addressed by the organisers with a view to making the necessary adjustments to the rolling road closures.

Appendix 3 attached are the minutes of the last Safety Advisory Group meeting, whereby main challenges to be addressed by the organisers in 2013 are shown as improved communication with the farming communities on route, and improved briefing and communication with marshals.

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

Denbighshire is a quality destination for cycling, which as yet is fairly undiscovered, and has a great opportunity to benefit economically from the growth seen in the activity tourism sector. Regeneration is one of the Council's corporate priorities.

Significant parts of Denbighshire have recently been designated the North Wales Cycling Centre of Excellence, with the aim of creating an area acknowledged nationally as an outstanding all year round destination for road and off-road cycling and outdoor activity for all in outstanding and contrasting scenery.

Denbighshire County Council is also committed to the Tourism Strategy for North Wales, in which its Action Plan includes the development of major events and outdoor attractions and activity.

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

No financial contribution has been made to the event from Denbighshire County Council.

Staff time provided by Highways, Regeneration and Cycling Centre of Excellence project to support the event planning by the organisers.

7. What consultations have been carried out?

Consultation relating to the road closures were carried out by the event organiser directly, with guidance from DCC officers:

- Letters sent out via e.mail by Human Race to town and community councils and county councillors along the route.

- Press releases
- Within DCC – consultation and engagement is already taking place with the following departments: Highways, Public Transport, Health & Safety, Countryside, Cycling Centre of Excellence Project, Regeneration & Tourism, Chief Executive, Corporate Communications the Lead Member for Tourism, Leisure & Youth and the relevant ward Members.
- North Wales Police and other emergency services have been fully involved, and a joint Wrexham/Denbighshire Safety Advisory Group has been established again to oversee traffic, transport and pedestrian management procedures for this event – see appendix 3 and 4
- Event organisers had initial meetings with businesses in advance to try to engage them in the event, to discuss opportunities for them to engage and benefit from this event.

As a result of feedback from Safety Advisory Group, ward members and businesses so far:

- different options for the route have been considered to reduce the impact of the temporary road closure in the Graigfechan and Llandegla areas
- improved communication with farming community along the route of temporary road closure
- consider amendment to the route in the Graigfechan/shelf/Llandegla area to reduce the length of road closure times and reduce impact on two or three key businesses
- registration and complimentary event to be held in Llangollen

8. Chief Finance Officer Statement

The Council is not currently considering any financial contribution to this event.

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

Potential reputation risk, from dissatisfied residents and businesses that might be affected by temporary road closures on 8 September 2013.

The risk will be managed by ensuring the event organiser has done all possible to remind residents and businesses about the finalised road closure plans to allow alternative travel plans to be made if necessary.

10. Power to make the Decision

Section 2 of the Local Government Act 2000 (for the promotion or

improvement of the economic, social or environmental well-being of a local authority area)

Article 6.3.2 stipulates that scrutiny committees “consider any matter affecting the area or its inhabitants.”

Contact Officer:

Principal Regeneration Strategy Officer

Tel: 01824 706707

2012 POST EVENT INSIGHTS



POST EVENT SURVEY (1 OF 3)

PARTICIPANT DEMOGRAPHICS

KEY INSIGHTS:

- 72% were aged between 35-54
- 45% take part in 4 or more cycling events a year
- 81% did not take part in Etape Cymru in 2011
- The majority of participants were motivated to enter the event due to the location/region and the closed road nature. (Results using text analysis, 100% of participants answered this question.)

SURVEY OF 198 PARTICIPANTS



POST EVENT SURVEY (2 OF 3)

EVENT INSIGHTS

KEY INSIGHTS:

- 98% rated the event overall as “Good” or “Excellent”
 - 73% of which rated it “Excellent”
- The event was rated 9.46 out of 10 when asked “how likely would you recommend Etape Cymru to a friend”
 - (1 meaning never, 10 meaning absolutely)
 - The highest ever in the event organisers 11 year history
- 99% enjoyed the difficulty of the route
- Favorite aspects (text analysis) “Route” “Scenery” “Organization” “Local Support”
- Least favorite aspects (text analysis) “Road surface” “Early Start”

SURVEY OF 198 PARTICIPANTS



POST EVENT SURVEY (3 OF 3)

ECONOMIC IMPACT TO THE REGION

KEY INSIGHTS:

- Total estimated participant spend in the region over the weekend £129,254.40
- Total estimated organiser spend in the region to deliver the event £115,000
- 92% are inspired to return to the North Wales region for business, work or pleasure
- 71% would return to Llandegla Mountain Biking Centre in Denbigshire
- 59% stayed overnight in the region (27% 2-5 nights)
- In addition: 43% bought friends/family along for support

SURVEY OF 198 PARTICIPANTS



ADDITIONAL MANDATORY SURVEY

ECONOMIC IMPACT TO THE REGION

“HOW FAR DID YOU TRAVEL FOR THIS EVENT”

- 15% Under an hour – 15% (195 people)
- 19% Between 1 – 2 hours (237 people)
- 31% Between 2 – 3 hours (396 people)
- 35% 4 hours or more (455 people)

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1273 total entered and answered this question



PRESS CUTTINGS

NEWSPAPER / PRINT

Cyclists gear up to hit the heights in epic ride

THE LEADER (WREXHAM, CHESTER & FLINTSHIRE)

Page 34

The long and winding road to cycling glory

Olympic medallist is first over the line in Etape Cymru
THE CHESTER CHRONICLE

NOTICE

7 things still to do this year

CYCLING WEEKLY (NATIONAL MAGAZINE)

TEAM GB STAR SWAPS OARS FOR SADDLE

Pedal to the medal

OLYMPIC ROWING HERO COMES HOME FIRST IN ETAPE CYMRU

THE NORTH WALES DAILY POST

Olympic rower wins tough cycle race

DENBIGHSHIRE FREE PRESS
& CHESTER STANDARD



CYCLING: TOP EVENT HEADS TO NORTH WALES

Get ready to hit the road

THE LEADER (FLINTSHIRE)

ETAPE CYMRU COVERAGE

NEWSPAPERS, MAGAZINES & ONLINE PUBLICATIONS

KEY INSIGHTS:

- 69 pieces of media coverage since July 2012
- Total reach: 1,715,812 people
- Media value (July – Sept): £75,661
- Estimated TOTAL Media value: £150,000

PUBLICATIONS:

- Print/National: Cycling Plus, Cycling Active, Evening Leader (Chester, Flintshire, Wrexham), Corwen, Bala & Llangollen Free Press, Cardigan & Tivyside Advertiser, Daily Post (Wales), Shropshire Star (North & Oswestry) Cycling Weekly, Citywire
- Online: Yahoo News, RoadCyclingUK, Road.cc, Wales Online, Tri247, Daily Post, Cycling Weekly, Bike Radar, Cyclosport, Zest, Cycling Plus, Cycling Active, Sport Sister



“Olympic silver medalist Chris Bartley enjoyed the friendly atmosphere on the challenging cycling course”



SOCIAL MEDIA LEARNINGS

FACEBOOK, TWITTER & BLOGS

KEY INSIGHTS:

- 152 stories generated
- 118/152 mention
- “beautiful” wales or
- “great local support”

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“Etape Cymru was awesome. Great route, difficult climbs, superb organisation. The best bit: people cheering us on throughout.”

Twitter - @JamesBlond07



“SUPERB event. Brilliant signage, event area, wonderful panorama and the support an inspiration. Thanks to everyone.”

Twitter - @Steeverjames



“Just wanted to offer my congratulations on hosting a fantastic event and a massive thank you to all involved throughout the day. Fantastic organisation from start to finish, beautiful scenery and wonderful welsh hospitality. The demons from last year have been well and truly exorcised!”

Facebook Direct Message – Paulo Campos



EMAIL FEEDBACK

DIRECT COMMUNICATIONS FROM PARTICIPANTS

67 participants contacted us directly to give praise...

Just thought I would send you a quick note of thanks. The event this morning was the best sportive I've ridden in the 8 years I've been doing them. I live in these parts, so was familiar with the route (and the hills). The organisation was excellent. Great to see the roads controlled properly! I would also like to extend my thanks to the course motor cycle rider that looked after us for the first 60 miles. He was a great help (especially with water and energy bars). He was awesome. Please pass on my thanks.

Andrew Casey



age 37

I cycled the Etape Cymru yesterday and I would like to say that you did a wonderful job of staging this event. Everything went very smoothly and I had complete confidence in the road closure. There was nothing that I could fault about this event. This was probably the best organized sportive of this size I have done. The start/finish venue was also excellent.

Richard Tutton



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By virtue of paragraph(s) 12, 13, 14 of Part 4 of Schedule 12A
of the Local Government Act 1972.

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**ETAPE CYMRU DEBRIEF MEETING
ROOM 1 ERLAS CENTRE
THURSDAY 22ND NOVEMBER 2012**

Present:

Phil Harrison	WCBC – Emergency Planning Manager (PH)
Geraint Jones	WCBC – Emergency Planning Officer (GJ)
Paul Osborne	WCBC – Environmental Health (PO)
Toni Slater	WCBC – Public Protection Service Manager (TS)
Amanda Davies	WCBC – Marketing and Promotions Manager (AD)
Claire Tokarczyk	WCBC – Assets & Economic Development (CT)
Darren Green	WCBC – Environment (DG)
Peter D Jones	WCBC – Network & Infrastructure (PDJ)
Raymond Smith	WCBC – Performance & Improvement (RS)
Tim Towers	Denbs C C – (TT)
Ruth Williams	Denbc C C – (RW)
Harriet Marlow	Human Race – (HM)
Jo Dytch	Human Race – (JD)
Gareth Morris	Human Race – (GM)
Nick Rusling	Human Race – (NR)
Sgt Jane Thomas	North Wales Police – (JT)
Sgt Mark Jones	North Wales Police – (MJ)
John Edwards	Steward – (JE)
Jerry Valentine	Human Race - (JV)
Joanna Barnett	WCBC – Minute Taker

Apologies:

John Thomas	JTM Signs
Daniel Lucy	St Johns Ambulance

Welcome and Introductions:

Phil Harrison (PH) welcomed everyone and introductions were made. PH gave reason for meeting – a debrief following the Etape Cymru Cycle Race which took place on 9th September 2012. PH said it had been a successful event overall but there were learning outcomes from the pre planning and implementation of the event.

PH introduced Raymond Smith (RS) as facilitator of the debrief. RS explained that this should be an objective meeting and requested that everyone capture their thoughts and views in 2 stages – Planning (prior to the event) and Implementation (the actual event) under the headings of People, Props/Kit, Infrastructure, Location, Welfare and Other.

RS issued post-its to enable everyone to write down their comments and categorise them on the wall sheets, asking what they thought was good about

the event and for any improvements which they thought could be made. He also displayed the feedback from last year's exercise for comparison.

RS then asked for any key issues and thoughts to be discussed.

Planning:-

The consensus of opinion was that there had been an improvement in the - planning aspect of the event. PH suggested that the Events SAG be separated from the Planning Group for next years event.

Implementation:-

With regards to the actual event the main topic was communications and how this could be improved upon, with the suggestion of the investigation of alternative communications systems. PH said that communications should be improved across the board and Toni Slater (TS) agreed that this was imperative. AD, who was on the residents line, said that back-up was needed due to the volume of calls. Paul Osborne (PO) said a range of solutions and options should be considered.

The farming community was then discussed, as a number of stewards had received comments from farmers in respect of closed roads etc. Nick Rusling (NR) said he recognised the need to liaise in more depth with the farming community. PH suggested the NFU as a source of help in establishing land ownership and Toni Slater also suggested enlisting the help of Animal Health Officers. Ruth Williams (RW) suggested engaging in the help of a Welsh speaker when liaising with farmers.

Amanda Davies (AD) said she felt there was a danger of focussing on the negative points whereas the majority of the issues were dealt with professionally and effectively. She also said that there is no promotion budget for this event and feels that there should be a dedicated budget for this to be a greater success in future.

NR said that the success of this event was due to a team effort and thanked everyone for their support. He informed the group that all participants had been asked to score the event between 1 and 10 based on their likelihood to recommend the event. These results were analysed and resulted in the highest scoring event of the year for Human Race. He referred to a document entitled 'Post Event Heights' which included statistics about the economic benefits to the region. The estimated spend over the weekend was £140,000. JV said we should publicise the success of the event.

GJ said that 80% of this year's entries had not taken part last year and hopefully this years success would encourage them to enter again.

NR stated that HR have looked at various venues for next year but that they favour Bangor on Dee as it has proved so successful with all concerned. Llangollen Pavillion could be an option but this would cause huge disruption to Llangollen, especially the Horseshoe Pass. HR would need full support of DCC to sell this to the local businesses, this process could take years.

JE asked about the impact on Llandegla Bike Centre. NR said they had visited the centre during this current visit and that they hope to work with the centre to ensure that they benefit from the event. Registration for the event is held there on the Saturday to raise awareness of the Centre.

PH spoke about the SAG for the next event, saying that early planning is the key and suggested a January start. This gives time to test and rectify the Emergency Management Plan for robustness.

PH also suggested that more stewards be used but that Human Race should also consider paying for more Police support. Stewards can only advise whereas the Police have the powers of enforcement. Sgt Jane Thomas (JT) said that the areas are too big to cover by the Police and suggested sectioning the route so that areas can be reached appropriately and quickly.

AD summed up the meeting by saying that the event requires support by both authorities through a co-ordinated approach. PH reiterated the need for an early SAG.

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Report to:	Communities Scrutiny Committee
Date of Meeting:	17 January 2013
Lead Member / Officer:	Leader/Lead Member for Economic Development Rhyl Going Forward Programme Manager
Report Author:	Rhyl Going Forward Programme Manager
Title:	Rhyl Going Forward – Rhyl Going Forward Update

1. What is the report about?

This report provides an update on the Rhyl Going Forward Regeneration Strategy.

2. What is the reason for making this report?

To provide information regarding progress in terms of implementing the Rhyl Going Forward (RGF) Regeneration Strategy, its financial implications, and the progress or prospects in terms of benefits realisation.

3. What are the Recommendations?

That Members note and comment on the progress made to date and determine whether any specific areas of the Programme would benefit from detailed examination.

4. Report details.

4.1 Review of the Rhyl Going Forward Strategy

In order to assess the current regeneration strategy and its constituent projects in November 2012 the RGF Programme Board undertook a Delivery Review Workshop. The background report that was provided to the attendees prior to the event is attached as **Appendix 1 – A Review of the Rhyl Going Forward Delivery Plan**. The following sections summarise the outcomes from this event.

4.2 West Rhyl

The overall aim, rationale and specific objectives for this element of the strategy were agreed by the RGF Programme Board as detailed in **Appendix 1 – A Review of the Rhyl Going Forward Delivery Plan**. The main project under this workstream is the West Rhyl Housing Improvement Project – £16 million public sector investment to acquire properties and create a new park, remodel houses and develop new residential and commercial sites. All funding is in place and work on this project has commenced. Key progress includes:

- Compulsory purchase order made for all properties required, although negotiations to acquire by agreement continue. Currently in the consultation period for objections
- Plans for next phase of demolition (north side of Gronant Street) being developed
- Planning application for refurbishment of 3 – 9 Abbey Street for family housing submitted by Clwyd Alyn Housing Association with scheme scheduled to start on site later in the year.

4.3 Tourism & the Coastal Strip

The overall aim, rationale and specific objectives for this element of the strategy were agreed by the RGF Programme Board as detailed in **Appendix 1 – A Review of the Rhyl Going Forward Delivery Plan**. The key projects to deliver this part of the strategy are:

- **Rhyl Bridge & Harbour** - £10 million public sector investment to construct a new, iconic pedestrian and cycle bridge to connect the North Wales Cycle Path, along with associated public realm and business accommodation development. This scheme is on site and expected to complete in summer 2013.
- **21 – 24 West Parade** – proposal to construct a 60 bedroom hotel and restaurant. Development Partner has been selected and designs currently being developed. Demolition of existing building commences in January 2013, with a planned start on construction later this year (subject to planning)
- **Rhyl Coastal Facilities** – business justification currently being developed for investment in a new Aquatic Centre, refurbishment of the Pavilion theatre and a new use for Rhyl's Sky Tower. In the early stages but successful delivery would see an additional £15 million invested in leisure facilities in Rhyl.

4.4 Retail and the Town Centre

As a result of the multiple challenges faced by the town centre the Programme Board has sanctioned further work on developing the strategy for this element of the overall strategy. For this reason no objectives have yet been agreed but a further workshop is planned in March 2013. The key existing projects for this element of the strategy are:

- **Bee & Station** - £1.5 million refurbishment of key town centre property to create office units for small and medium sized enterprises. This scheme is on site and expected to complete in summer 2013.
- **Railway Station** – planned £1.5 million investment to improve the railway station, planned to start late 2013.

4.5 Housing and Neighbourhoods

As with the town centre, the Programme Board has sanctioned further work on developing the strategy for this element of the overall strategy. For this reason no objectives have yet been agreed but are being developed as part of the wider “live and work in Denbighshire” concept which aims to develop a coherent approach to attracting both people and businesses to locate in the County. The key existing projects for this element of the strategy are:

- **Rhyl High School** – £25 million scheme to construct a new school building for Rhyl High School.
- **Area Renewal** – ongoing external improvements to residential properties in East and West Rhyl.

4.6 Project Prioritisation

The Programme Board’s Review Workshop event also considered the constituent projects of the overall RGF strategy. The initial project list is provided in **Appendix 2 – Project List** and the outcome of this discussion is attached as **Appendix 3 – Rhyl Going Forward Delivery Review**. Work on project prioritisation continues in tandem with the development of the new organisational structure for the Council’s regeneration function. This will mean that going forward the correct staffing resources will be in place to deliver the agreed strategic priorities.

4.7 Review of Governance Arrangements

Along with the strategy review there has been a review of the governance arrangements. These are outlined in **Appendix 4 – Rhyl Going Forward Programme Board – some proposals for the way forward**.

4.8 Performance Management Framework

Some initial work has been undertaken with the Big Plan Team at developing a more comprehensive performance management framework for the programme, and the results of this work are attached as **Appendix 5 – Performance Management Framework**. Going forward this work will be developed in conjunction with Housing & Community Development Services Quality and Performance Manager and the recently appointed Economic Ambition Programme Manager.

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

5.1: Priority 1 – Developing the Local Economy and Our Communities

The main thrust of the RGF Regeneration Strategy is to create more jobs and business opportunities in the area, thereby directly addressing this priority.

5.2: Priority 6 – Ensuring access to good quality housing

Specifically the WRHIP will directly impact on the priority outcome of “*offering a range of types and forms of housing...to meet the needs of individuals and families*”.

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

The overall regeneration strategy does not have a dedicated budget. Funding is allocated to specific projects, in the main utilising external funding sources, and the funding is monitored on a project by project basis.

7. What consultations have been carried out?

The programme is monitored by the multi-agency Programme Board which ensure there is a broad consensus of approach across key agencies in Rhyl to the approach. Further work is being undertaken on developing a stronger marketing and communication approach to ensure there is a broader community awareness of the strategy. Individual projects have their own consultation strategy.

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

Risks are monitored by the Programme Board utilising ***Appendix 6 – Programme Risk Register***.

9. Power to make the Decision

No decision required.

Article 6.3.4 of the Council's Constitution permits Scrutiny to review and scrutinise the Council and other public bodies' performance in delivering their policy objectives and activities.

Contact Officer:

Rhyl Going Forward Programme Manager
Tel: 01824 706495

Appendix 1
A review of the Rhyl Going Forward Delivery Plan

Rhyl Going Forward

A review of the Rhyl Going Forward Delivery Plan

Tom Booty – RGF Programme Manager
October 2012

DRAFT

DRAFT VERSION 0.2 – Oct 2012

Introduction

The Rhyl Going Forward Delivery Plan was written in June 2011 and adopted by the Council in November 2011 after wide-ranging and extensive consultation. At the heart of this strategy is the concept of:

Recreating Rhyl as a place where people choose to live and stay Rediscovering Rhyl as a place to visit

The Delivery Plan attempted to bring some structure, vision and direction to the various projects and activities that were being undertaken or planned for Rhyl under the banner of “regeneration”. To achieve this it “mapped” these existing projects and activities and arranged them under the following workstreams:

- **West Rhyl Regeneration Area**
- **Tourism & the Coastal Strip**
- **Retail & the Town Centre**
- **Housing & Neighbourhoods**

Whilst the Delivery plan has been a significant step in the right direction, it did not critically review the projects and activities in terms of their potential impact – it simply placed them in one of the “boxes” above. This led to the Plan listing over 50 projects, a number that has increased over the last 12 months as new ideas and opportunities come to the fore but no existing projects are discontinued.

There is also a tendency to react to and address the symptoms rather than addressing the fundamental causes of the decline. Thus we have a number of projects that are addressing issues such as environmental decline, but very few that will drive forward the diversification of the economy and facilitate significant private sector investment, create new jobs and new business opportunities.

This approach is not sustainable, and a year on, perhaps the time is right to cast a more critical eye on the strategy – revisiting the strategy and reviewing the projects to ensure that they are consistent with the strategy and will deliver the desired impact. If we are to be effective this will mean reducing the number of projects we are trying to deliver, whilst focussing more resource on those initiatives we believe will have the greatest impact.

This paper seeks to outline the overall aim of each workstream, details a rationale for why we think this is the right approach, and sets out some clear objectives against which we can gauge our success. Following this it will be necessary to review the projects we undertake, and take the opportunity to ensure that such projects are consistent with the strategy and will deliver measurable benefits.

In the West Rhyl Regeneration Area we are trying to create an attractive neighbourhood where working people will want to live

The West Rhyl Regeneration Area is characterised by closely packed, large houses – many of which were originally built as guest houses to accommodate tourists at the height of Rhyl's Victorian heyday. As tourism declined these houses were converted into small apartments and bedsits, now often referred to as HMO's – Houses in Multiple Occupation. As a result of this process we now have a housing market in the area which is dominated by one bed-roomed flats with very little residential property that is suitable for young professionals or families. In terms of tenure, the area is also dominated by the private rented sector and under-represented in terms of owner occupation.

This imbalance in the housing market has also created an imbalance in the community. For individuals who may find difficulty in finding accommodation in other areas – because they may have drug or alcohol problems, a poor credit history, mental health issues, a criminal record, etc – West Rhyl currently offers a housing solution because of the abundance of one-bed-roomed, privately rented accommodation. This over-supply of a particular housing type has fed off demand from across North Wales and further into the North West and Midlands of England, and created a concentration of individuals with a range of social and economic issues. This is evidenced by the fact that the two Lower Super Output Areas (LSOA) covering the West Rhyl Regeneration Area are the 1st and 7th most deprived in the Wales Index of Multiple Deprivation (WIMD)¹.

The area also suffers from a relatively high degree of transience, whereby people stay for a short while in the area and then move on. This is evidenced by statistics from the local schools², and creates some issues for the schools in terms of the disruption it can cause to the pupils themselves and the school in general.

Age and the intensive use of the properties has seen them deteriorate and created a neighbourhood with a poor image and reputation. There is also a lack of open space and general greenery - an issue consistently raised by the community in various consultation exercises over the years. Litter, dog fouling and fly-tipping are also common problems, particularly in the alleyways which characterise the area. All these factors have contributed to deter private sector investment in the area for decades - either by existing property owners or through new investors.

Creating a new green space in the heart of the neighbourhood will lower the housing density and provide a focal point and asset for the community, as well as fundamentally reshaping the area's appearance to help change people's current negative perceptions. It is critical that the planned refurbishment of existing properties and construction of new housing around the new green space attracts people who are economically active – people who previously would not have considered West Rhyl as an option for them to live. This is the key to creating a more balanced, stable community and will be critical in shifting the neighbourhood from its current poor position in the Wales Index of Multiple Deprivation. Such a shift in the demographics of the area, with more people with disposable income living there, will also help the regeneration of the town centre and support a more vibrant and sustainable leisure offer in the town.

¹ Reference WIMD

² Reference relevant document

To achieve our aim, we have identified the following key objectives:

- 1. To create a balanced housing market which is not dominated by one type of housing or by one type of tenure.**
- 2. To create a balanced, stable community with more economically active people living in the neighbourhood.**
- 3. To improve the appearance of the area**

DRAFT

Along the coastal strip we are trying to create new business and job opportunities by increasing visitor numbers and visitor spend.

Tourism along the coast is generally downmarket, low value, and seasonal. It has shown significant decline over the years and although the decline has probably bottomed out, it is still fragile. Whilst those that do visit are loyal, show a high level of repeat business and seem generally quite happy with the place, this is a shrinking market.

Whilst there is a great deal of nostalgic affection for places such as Rhyl from childhood memories etc, the area still has a strong negative image – it is seen as shabby, depressing with little to do. It is not an aspirational place to visit and the focus groups research suggests that it will be an uphill struggle to attract new customers unless this image can be challenged and altered.

Turning the Tide A Visitor Economy Strategy for the SRA (November 2009)

Rhyl needs to attract more visitors if we are to create more business opportunities and jobs in the tourism sector. People will always want to go to the seaside and therefore Rhyl will continue to attract day visitors, especially on holidays or sunny days. But day visitors do not spend as much as staying visitors and their business alone will not be enough to sustain the economy. Therefore there needs to be a major change in perception within Rhyl. In effect, Rhyl needs to start thinking of itself not as a place where tourism dominates but as a place where tourism plays an *important role*.

Firstly we need to acknowledge that nationally it is the resorts that have broadened their appeal to a wider market that have had the most success. In these times no tourism resort can prosper without catering to middle class taste. We have identified the strength of Rhyl as a family resort, but perhaps need to think more carefully about how and what we can do to attract more middle class families who have more disposable income.

Secondly, when considering new attractions, we need to think how they can be sustained all year round, not just for the busy summer period. Therefore we need to think first and foremost about a leisure market which will serve the local market - which is considerable with 75,000 living within a half hour drive. We also need to think about attractions that will generate repeat visits rather than ones where one visit a year or more will meet the visitors needs and/or expectations.

In an era of financial austerity in the public sector, the approach of 100% publically funded improvements to the seafront promenade area is no longer viable (if, indeed, it ever was). Regeneration efforts must now focus on how we can provide confidence and facilitate the private sector to invest, and subsequently operate and maintain the leisure infrastructure in Rhyl.

All this is not to say that tourism is not currently important to Rhyl, and will not be important in the future. But Rhyl will need to change, and it is not simply a question of whether or not to bother. Changing Rhyl's product and image is just as vital for non-tourism regeneration as it is for tourism development. Thus tourism should not be neglected, but it should play an important role in achieving balanced regeneration.

To achieve our aim, we have identified the following key objectives:

- 1. To improve the visitor experience by ensuring a clean and well maintained environment, a welcoming atmosphere and by providing a range of activities and events.**
- 2. To create new visitor attractions that are consistent with the current appeal of Rhyl as a family orientated seaside resort, but that will attract visitors who currently do not visit.**
- 3. To market the resort more effectively to improve the public perception of Rhyl as a place to visit, live or invest**

DRAFT

In the town centre we are trying to create new business and job opportunities by supporting investment in retail, but also by introducing new uses and diversifying the town centre economy.

The phenomenal growth of online retailing, the rise of mobile retailing, the speed and sophistication of the major national retailers, the epic and immersive experiences offered by today's new breed of shopping mall, combined with a crippling recession, have all conspired to change today's retail landscape. New benchmarks have been forged against which our high streets are now being judged. New expectations have been created in terms of value, service, entertainment and experience against which the average high street in many cases has simply failed to deliver. These reasons alone conspire to create a new shopper mindset which cannot and should not be reversed.

The only hope our high streets have of surviving in the future is to recognise what's happened and deliver something new.

**The Portas Review
An independent review into the future of our High Streets
(December 2011)**

The town centre has a potentially very attractive Victorian architecture and urban fabric, but many properties are in poor condition and present a poor image to users of the area. Whilst we accept that the Council's enforcement role has not been robust as perhaps it should have been and needs to be improved, we also need to recognise the significant economic pressures that create this problem. The properties are large, and currently it is generally only the ground floor that has any market value. Existing owners seem not to have the resources to address the scale of refurbishments required and even with grants offered – take up of very generous grants in the town centre has been poor. There is also a problem with property values, whereby the level of investment needed to provide a whole building solution to an acceptable quality standard is not reflected in the final value – a building may be valued at £100,000, have a further £100,000 spent on its refurbishment, but then only be worth £150,000 at the end of the process, an overall loss of £50,000. This has created a vicious cycle of decline and driven a “value” offer in the town centre.

The change to the nature of retailing also means there is much less demand for town centre retail units as the trade moves online and out of centre. This trend is predicted to continue and thus we are faced with an issue of an over-supply of units (evidenced by the increasing incidence of vacancy). Added to this, the Victorian buildings tend to offer small, narrow units, whereas modern retail desires larger, squarer units. With the exception of the Queen's Market area, large scale redevelopment is not going to be an option due to the costs involved and the Conservation Area status of the majority of the town centre, hence new uses will need to be found for units that previously would have been used for retail.

In the face of the fundamental restructuring of the retail industry, without intervention Rhyl town centre will continue to decline. The activity currently being undertaken tends to be addressing the symptoms of decline – untidy streets, unmaintained properties, etc – rather than the causes. Going forward we need to develop a new economic rationale for the town centre which includes retail, but is not entirely reliant on it.

To achieve our aim, we have identified the following key objectives:

- 1. To facilitate new investment in the High Street and other pedestrianised areas to retain and attract national retailers**
 - 2. To facilitate new investment in the secondary retail areas (Queen Street, Water Street, Bodfor Street, Wellington Road) to support and grow the independent retail sector, with a particular focus on promoting a stronger food orientated retail offer and introducing more arts and crafts.**
 - 3. In the secondary retail areas, on upper floors and on the fringes of the town centre, to create opportunities for new uses such as residential, offices and service provision which will generate footfall and compliment the retail function of the town centre.**
-

DRAFT

We are trying to improve neighbourhoods within the whole of Rhyl so that they are attractive and desirable places to live

Whilst there is focussed regeneration activity in the West Rhyl Regeneration Area, we also need to consider and address issues across the whole town. There is quite a broad scope to this work. A key element will be improving the quality of existing homes through initiatives such as the Welsh Quality Homes Standard and the Housing Renewal Area. But neighbourhoods are more than just housing - the quality, location and connectivity of open spaces is important, as is the provision of good quality services such as schools and health facilities.

In terms of housing, the intention here is to improve the quality of new and existing homes in Rhyl so that the external fabric is sound and looks well, they have modern facilities such as central heating, they are energy efficient and opportunities to generate electricity are maximised. This will mean continuing the programme of stock improvement to both publically and privately owned stock, but also trying to influence the quality of new housing that is provided in the town.

We also need to improve the environment around these homes to create a sense of neighbourhood and community. To achieve this in a time of significant public sector financial constraints, we will need to promote community engagement in civic initiatives to improve local places and amenities, but there are already shining examples of good practice here such as the Brickfields Pond Nature Reserve. Opportunities exist to build a stronger, more coherent network of public open space which would not only provide “breathing spaces” for local residents but also could act as a local transport network for walking and cycling.

In terms of educational facilities, Post-16 and further education are well provided through Coleg Llandrillo Rhyl. However, there are major concerns about the quality and appropriateness of the buildings at Rhyl High School, and as such the main priority for Denbighshire’s Education Department is to secure funding to enable the construction of a new school building. The development of such a project in Rhyl would have major regeneration benefits for the town, most immediately in the opportunities it will create for construction jobs and local suppliers, but in the longer-term in terms of creating a more skilled workforce for the area as the improved facilities impact on the attainment and aspiration of students. The quality of schools is also a major influencing factor in people’s choice of location to live, so a modern building where students achieve good qualifications will be fundamental to the town’s regeneration.

Facilities in the health sector were boosted recently by the opening of the Healthy Living Centre in West Rhyl, but there remain concerns about the long-term future of the Royal Alexandra Hospital. Given some significant health issues that exist in Rhyl, continued and improved provision of appropriate health facilities will remain a key issue.

There are also issues that relate to specific neighbourhoods within Rhyl. The issues within West Rhyl are so severe that it has a dedicated workstream that has been detailed earlier. However, there are also significant problems of social and economic deprivation in Rhyl’s South West ward, and a growing concern about the growth of the older population, particularly within East Rhyl. There is also the prospect that the planned welfare reforms will drive up demand and development of one bed-roomed accommodation, which if unfettered could create an imbalance in the housing market. The strategy must continue to monitor and intervene in these areas to ensure that any issues are well managed and that these neighbourhoods are improved.

To achieve our aim, we have identified the following key objectives:

1. To improve the quality of housing in Rhyl
 2. To improve the quality and amenity value of open space in Rhyl
 3. To improve facilities in the area
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APPENDIX 2 PROJECT LIST

PROJECT LIST

The following lists the projects currently “on the books” within the Rhyl Going Forward Programme. Note that not all of them are being delivered by the Rhyl Going Forward Team and may be being progressed by other parts of the Council or partner organisations.

Workstream:	Completed:	Committed:	Development:	TOTAL
West Rhyl	1	6	2	9
Tourism	5	4	25	34
Town Centre	3	4	6	13
Neighbourhoods	0	7	2	9
TOTAL:	9	21	35	65

Project Prioritisation Process

For the projects listed in the table titled “in development or under consideration”, we need to try and prioritise each project by categorising it as:

- **SHORT-TERM** – development of this project should commence immediately or at least within the next 12 months
- **MEDIUM-TERM** – development of this project does not need to commence in the next 12 months but should commence within the next 3 years
- **LONG-TERM** - Development of this project should not commence for at least 3 years

Recently completed projects

Projects that have completed on site/construction in the last 5 years

Project:	Workstream:	Description:
16 -18 Edward Henry St	West Rhyl	Conversion of vacant/derelict property into managed office units
Drift Park	Tourism	Environmental enhancement of West Promenade area
Coastal defence works	Tourism	Coastal protection works from Blue bridge to Drift park area
Apollo Cinema	Tourism	Refurbishment of cinema to create all digital theatres, new foyer and sea view bar
85 – 90 West Parade	Tourism	Demolition of derelict buildings and temporary landscaping of site
Improve sea view	Tourism	Demolition of redundant building and wall near sky tower to improve view and access to beach and sea
Brighton Road	Town Centre	Demolition of building and environmental enhancement to create pedestrian link between car park and town centre.
Bus Station	Town Centre	Environmental enhancement scheme
Costigans	Town Centre	External refurbishment of key gateway building

Committed Projects

A commitment has been made to deliver the project and the necessary funding is in place.

Project:	Workstream:	Description:
West Rhyl Housing Improvement Project	West Rhyl	Acquisition of properties to create new park, remodelled houses and some new residential/commercial development
Supplementary Planning Guidance	West Rhyl	Development of planning policy to support potential cpo activity and guide future development in the area
13 – 15 Crescent Road	West Rhyl	External refurbishment of listed property (PENNAF PROJECT)
Community Seeds	West Rhyl	Development of derelict site to rear of Gronant Street to provide community growing/food production (PENNAF PROJECT)
2 John Street	West Rhyl	Refurbishment of property to create boutique house share concept (PRIVATE PROJECT)
Community Land Trust	West Rhyl	Development of Community project to develop and manage residential properties serving local need
Rhyl Bridge & Harbour	Tourism	Construction of new pedestrian/cycle bridge and development of harbour
E Parade beach access	Tourism	Construction of new DDA compliant slipway to improve access to the beach near RNLI station
Honey Club	Tourism	Construction of 60 bedroom hotel and restaurant on site of former Honey Club
Mountain Bike Skills	Tourism	Development of mountain bike skills area at Glan Morfa to compliment cycle and bmx track
Bee & Station	Town Centre	Refurbishment of former pub/hotel to create small office units
RhylGenerate	Town Centre	Small scale environmental works to improve appearance of vacant retail units (TCM PROJECT)
40 – 47 Water Street	Town Centre	External refurbishment of property (PENNAF PROJECT)
Railway Station	Town Centre	Refurbishment of railway station
Rhyl Cut Fisheries	Neighbourhoods	Environmental improvements to create fishing opportunities and improve biodiversity
H bridge	Neighbourhoods	Works to improve pedestrian and cycle prioritisation of the H bridge
Rhyl High School	Neighbourhoods	Construction of new school building
Area Renewal	Neighbourhoods	External improvements to properties in East and West Rhyl
ARBED	Neighbourhoods	Works to improve energy efficiency of residential properties in West Rhyl
Green Links	Neighbourhoods	Works to improve connections to and interpretation of key natural sites in Rhyl (and beyond)
Green Infrastructure	Neighbourhoods	Development of strategy to create more comprehensive network of green spaces in and around Rhyl

Projects in development or under consideration

Development of the project is underway, but significantly more work may be required to understand the feasibility of the proposal and/or to develop the concept. Some, but not all, of the required funding may be in place.

Project:	Workstream:	Description:
Edward Henry St	West Rhyl	Develop proposals for the reuse/redevelopment of properties in public ownership on Edward Henry Street
Crescent Rd car park	West Rhyl	Develop proposals for the development of the Crescent Rd frontage of the car park (offices or residential)
Children's Village	Tourism	Develop proposals to consider how the Village can make a far greater contribution to tourism and support the concept of creating an "Entertainment Zone" around the cinema
Sky Tower	Tourism	Develop proposals for the future use of the sky tower
Sun Centre	Tourism	Develop proposals for how to replace the sun centre wet leisure facilities and create a new, year round leisure facility
Pavilion Theatre	Tourism	Develop proposals for the refurbishment of the theatre to improve the financial viability and improve the visitor experience
Ocean Plaza	Tourism	Facilitate the redevelopment of the site
85 – 90 West Parade	Tourism	Develop proposals and facilitate the development of the site
West Parade – Sandringham to Sydenham	Tourism	Proposal to allocate as for housing in the LDP. Develop proposals and facilitate the development of the site
The Grange	Tourism	Develop an approach to enable the quality redevelopment of this eyesore site.
Marine Lake ski drag	Tourism	Construction of ski drag to increase capacity for water skiing and wake boarding and create new visitor attraction
Marine Lake commercial opportunities	Tourism	Develop proposals to increase commercial use of Marine Lake and improve its potential as a visitor destination and attraction
Rhyl Marina	Tourism	Development of a marina as the third phase of Rhyl Harbour development
Promenade Activity Programme	Tourism	Delivery of a programme of small scale activity along the promenade (sand sculpture, circus workshops, ect) to improve visitor experience
Big Wheel	Tourism	Advertise for a Big Wheel operator for the area in front of the cinema
LoveRhyl website	Tourism	Domain name LoveRhyl has been acquired. Develop a new website for the town (to include town centre offer)
Marketing campaign	Tourism	Develop and deliver marketing campaign for Rhyl to improve negative perceptions and increase visitors (linked to above)
Aqua Park	Tourism	Extend existing paddling pool or incorporate into new wet leisure facility a more comprehensive outdoor water play area.
Garford Road slipway	Tourism	Improve the slipway and introduce management arrangements to improve access to beach and water

Beach Huts	Tourism	Reintroduce Beach Huts in the East Parade promenade area
Wind Farm Interpretation Centre	Tourism	Create a visitor centre that provides information and advice on the windfarms and renewable energy
Quiet Revolution Wind Turbines	Tourism	Install "Helix" wind turbines along the promenade
Cycle link	Tourism	A new route under/over the railway to create a direct cycle link between the new bridge and North Wales Path to the cycle facilities at Morfa and beyond to the Vale of Clwyd
Boutique Training Hotel	Tourism	Develop a property to operate as a boutique training hotel offering quality accommodation but also providing training opportunities for local people
Pedestrian signage strategy	Tourism	Develop and implement a comprehensive pedestrian signage strategy that covers the whole town (inc. Town centre), possibly replacing all or majority of existing finger posts.
Public art strategy	Tourism	Develop a strategy for the introduction of major art installations in the town. NOTE: If this is to act as a mechanism to attract new visitors the art would probably need to be reasonably controversial - along the lines of "Verity" in Ilfracombe.
Resort Management	Tourism	Develop proposals to improve overall management and coordination of services and properties along the promenade
Queen's Market	Town Centre	Investigate possibility of working with current owners to redevelop the site to create new retail units as part of a wider mixed use scheme
Rhyl Town Hall	Town Centre	Develop proposals to consider how the Town Hall could be used to create a better destination and more activity in the town centre, possibly with an arts based approach but including opportunities for training and entrepreneurs.
Water Street Queens Street Bodfor Street	Town Centre	Development of public realm/highways improvements to some or all of these areas to support investment in independent retail, food, arts and crafts
Vacant Property Scheme	Town Centre	Development of proposals to grant aid and/or acquire vacant or underutilised properties in secondary shopping areas to support investment in independent retail, food, arts and crafts
49 – 55 Queen Street	Town Centre	Refurbishment of WG owned property to create enterprise units and office accommodation
Parking Strategy	Town Centre	Development of parking strategy to review locations, appearance, signage, charges, etc
Public WiFi network	Neighbourhoods	Installation of public WiFi system in Rhyl to support small businesses, encourage visitors to stay longer and spend more time in shopping areas
Rhyl High School Innovation Centre	Neighbourhoods	As part of the Rhyl High School new build, develop an innovation centre for community and business access specialising in ICT development

PRIORITISATION CHECKLIST

When considering how we prioritise projects, the following questions should be considered:

For all projects:

1. Will this project directly create new jobs in Rhyl?
2. Will this project safeguard or relocate existing jobs in or to Rhyl?
3. Will this project directly lever private sector investment in Rhyl?
4. Will this project help facilitate private sector investment in other Rhyl sites?
5. Can this project help create a more positive image of Rhyl?

For West Rhyl Projects:

1. Will this project help create a more balanced housing market which is not dominated by one type of housing or tenure?
2. Will this project help create a balanced, stable community with more economically active people living in the area?
3. Will this project improve the appearance of the area?

For tourism/coastal strip projects:

1. Will this project create an attraction which will attract people to Rhyl who currently do not visit?
2. Will this project create an attraction that generates repeat visits?
3. Will this project be open all year?

For Town Centre Projects:

1. Will this project help retain or attract national retailers to the High Street or other pedestrianised areas?
2. Will this project help facilitate new investment in the independant sector in secondary retail areas?
3. Will this project create opportunities for new uses in secondary retail areas?

For Housing & Neighbourhoods:

1. Will this project help improve the quality of housing in Rhyl?
2. Will this project help improve the quality and amenity of open space in Rhyl?
3. Will this project help improve facilities in Rhyl?

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Appendix 3

Rhyl Going Forward Delivery Review Workshop

Friday 2 November 2012-11-06

In Attendance:

Facilitators:

Tom Booty RGF/DCC
 Peter McDermott DCC
 Elaine Upton DCC
 Rebecca Maxwell DCC

TABLE 1

Steve Parker DCC
 Richard Henderson White Rose
 Graham Pennaf
 Worthington
 Alan James RTC
 Dave Smith DCC
 Margaret McCarroll DCC/RTC
 Wyn Roberts WG
 Sarah Roberts RTC

TABLE 2

Carol Evans RGF/DCC
 Barry Mellor DCC/RTC
 Carolyn Graham MP Rep
 Peter Prendegast RTC
 Andy Rutherford RTC
 Rebecca Siddall RTC
 Phil Thomas RTC

TABLE 3

Celia Jones
 Malcolm Hall
 Hugh Evans
 Pat Jones
 Ellie Chard
 Cheryl Williams
 Jamie Groves

TABLE 4

John Bellis
 Brenda Steed
 Steve Radcliffe
 Ian Armstrong
 Stuart Davies
 RBG
 DCC
 RTC
 DCC/RTC
 DCC

College
 TCM
 DCC
 DCC/RTC
 RTC
 DCC/RTC
 DCC

SESSION 1: Strategic Focus

General agreement that the principles outlined felt right but some more work required on how the linkages between Rhyl Going Forward, Rhyl City Strategy and Communities First could work. Paper on suggested governance structures required.

West Rhyl

Aims & Objectives

General consensus at the work shop that the aims and objectives for this workstream were correct.

Project Prioritisation

Project:	Review Recommendation:	Programme Manager Recommendation:	Organisation(s):	Comments:	Links with:
Edward Henry Street	SHORT	MEDIUM	RGF/Pennaf/WG	The WRHIP is taking a significant amount of resource (both people and money), and as such we would have very limited capacity to progress another major property scheme in the area. It would seem logical to "move on" to this area once the implementation of the WRHIP is more progressed.	
Crescent Road Car Park	MEDIUM	MEDIUM	RGF/Pennaf/WG	As above – although may need earlier consideration depending on development of Honey Club and other promenade projects.	
	1 SHORT TERM 1 MED TERM 0 LONG TERM 2 TOTAL	0 SHORT TERM 2 MED TERM 0 LONG TERM 2 TOTAL			

Tourism & the Coastal Strip

Aims & Objectives

General consensus at the work shop that the aims and objectives for this workstream were correct, but perhaps more thought required on how we can develop tourism accommodation more effectively as part of the strategy. Also need to consider how we can reinstate a funfair or similar as a key attraction for Rhyl.

Project Prioritisation

Project:	Review Recommendation:	Programme Manager Recommendation:	Organisation(s):	Comments:	Links with:
LoveRhyl website	SHORT	SHORT	RGF/TCM Resort Management	Need to develop this website. Budget will be required to do so.	Marketing Campaign
Marketing Campaign	SHORT	SHORT	RGF/TCM Resort Management	Need to start wider marketing campaign directed primarily at visitors to get message that Rhyl is improving to attract more visitors. Must be linked to development of website.	LoveRhyl website
Sun Centre replacement	SHORT	SHORT	RGF/ DCC Leisure	Deliver a new facility that will provide a new wet weather destination for Rhyl. May need to secure feasibility funding. Delivery would be medium/long-term.	Pavilion Theatre Sky Tower Children's Village
Pavilion Theatre	SHORT	SHORT	RGF/ DCC Leisure	Deliver improvements to the theatre to increase its commercial viability and potential to act as a conference centre. May need to secure feasibility funding. Delivery would be medium/long-term.	Sun Centre replacement Sky Tower Children's Village
Sky Tower	SHORT	SHORT	RGF/ DCC Leisure	Need to agree and deliver solution for the Sky Tower.	Sun Centre replacement Pavilion Theatre Children's Village

Children's Village	SHORT	SHORT	SHORT	RGF/ DCC Leisure	Need to agree and deliver solution for the Village. Links with other major developments on the prom (Sun Centre, etc) as location of these will influence what can happen to the Village.	Sun Centre replacement Pavilion Theatre Sky Tower
Ocean Plaza	MEDIUM	SHORT	SHORT	RGF/ DCC Planning Private Sector	Short-term work to try and deliver existing scheme. If this proves non-viable, consideration will be required of how we can move this key site forward.	Rhyl Harbour Marine Lake Cycle Link
85-90 West Parade	MEDIUM	MEDIUM	MEDIUM	RGF/WG	Site has been temporarily landscaped so is no longer an eyesore. Still need to deliver longer-term solution. Could be marketed as part of the other WG site on West parade. Will need a Development Brief.	Coastal Defence Phase 3
West Parade – Sandringham to Sydenham	MEDIUM	MEDIUM	MEDIUM	RGF	Allocated for housing, but has potential to become significant eyesore if not improved/developed. First step may be to progress an Development Brief, although there may be flooding issues with the site.	Coastal Defence Phase 3
Boutique Training Hotel	SHORT	SHORT (for feasibility)	SHORT (for feasibility)	RGF/RCS/College	Would seem to have a range of regeneration benefits – creation of quality accommodation, skills development and training opps, jobs, environmental enhancement. Further feasibility required and site/property options considered. Will need to secure feasibility funding. Delivery would be long-term.	
Wind Farm Interpretation NOW Renewable Energy Innovation Centre	SHORT	SHORT (for feasibility)	SHORT (for feasibility)	RGF/RCS/College	At discussion in the group the concept changed from merely being a visitor attraction (that is unlikely to generate many repeat visits) into an innovation centre which, whilst still having a visitor attraction function, would be an educational establishment to promote training and development (and jobs) in renewable energy sector. Would most	Quiet Revolution wind turbines

						likely need a Energy Company partner to make this viable, and would need to identify an appropriate site. Will need to secure feasibility funding. Delivery would be long-term.	
Quiet Revolution Wind Turbines	LONG	LONG			tbc	Only progress this in the short-term if linked with project above – Innovation Centre	
Resort Management	SHORT	SHORT			DCC Housing & Community development DCC Leisure	This could be delivered within existing resources. Key consideration for the imminent reorganisation of the regeneration service. Links with Leisure function of the Council	Garford Road Rhyl Harbour Marine Lake
Beach Huts	MEDIUM	LONG			tbc	The most appropriate way to progress this would seem to be to work with holiday/caravan parks, although the impact and job creation is small so recommend not treated as a priority.	
Promenade Activity Programme	MEDIUM	SHORT			tbc	Links with resort Management role, but recommend that a small budget be established to continue the programme of events as per season just gone. Also explore possibility of sponsored activities.	Resort Management
Big Wheel	SHORT	SHORT			RGF/ DCC Property	Already in progress and limited resource requirement.	
Cycle Link (under/over railway)	SHORT	SHORT (for feasibility)			DCC Highways/ RGF	Investment in bridge and commitment of key partners like sustrans suggest the feasibility of this should be progressed now. Will need to secure feasibility funding. Delivery would be long-term.	
Marine Lake Cableski	SHORT	SHORT			RGF	Existing commitment from private sector to develop.	

Marine Lake Commercial Opportunities	MEDIUM	MEDIUM	tbc	There is a need to link this concept with the proposals for management of the Rhyl Harbour and wider Resort Management proposal. These need to be more developed before we progress on further work at Marine Lake.	Resort Management Rhyl Harbour
Rhyl Marina	MEDIUM	LONG	tbc	Recommend that we need to finish the Rhyl Harbour project, establish robust operating procedures and gauge popularity of moorings before progressing with Marina. Very expensive to deliver and unclear how this could be funded with very limited associated development opportunities.	
Pedestrian Signage	MEDIUM	MEDIUM	RGF/TCM	Need to have further developed plans for major projects such as Sun Centre replacement to avoid any abortive works on signage strategy. Also in itself does not create jobs/secure investment. The scope needs to be widened to include all signage from A55. Need to think carefully about what signage works we do in car parks under the parking strategy, and also work with TCM about signage within town centre	Parking Strategy Other town centre and promenade projects
Public Art Strategy	MEDIUM/LONG	LONG	RGF	Need to develop and deliver more critical projects (in terms of jobs and investment) before embarking on a comprehensive public art strategy.	
Garford Road Slipway	SHORT	SHORT	tbc	Link with resort Management	
Aqua Park	LONG	LONG	tbc	Need to see how Sun Centre replacement project develops and then review the need for this type of project.	
The Grange	SHORT	SHORT	RGF	Need to find a solution for this eyesore property.	

Visitor Information/ Welcome to Rhy!	SHORT	MEDIUM	Town Council?	New project suggested at the workshop, to consider a new location and revamped offer for tourist information. Suggest this is more medium term rather than short as there is existing provision and we need to consider the future impact of other projects such as the Sun Centre Replacement.	
	15 SHORT TERM 9 MED TERM 2 LONG TERM 26 TOTAL	16 SHORT TERM 5 MED TERM 5 LONG TERM 26 TOTAL			

Town Centre

Aims & Objectives

Questions about whether or not the aims and objectives were quite right for this workstream, and as a result needs further consideration which should include the role of independent retail in the pedestrianised areas and the development of the night time economy. We may need to consider further work group to develop the thinking on the town centre.

Project Prioritisation

Project:	Review Recommendation:	Programme Manager Recommendation:	Organisation(s):	Comments:	Links with:
Queen's Market	SHORT	SHORT (for feasibility)	RGF	Recommended as short-term in terms of feasibility and further investigation. Suggest investigated as a mixed use scheme with strong retail element rather than solely retail. Would require very substantial private sector investment and therefore may not be deliverable in the current market. Delivery would be long-term (3 years plus). First step would be to meet with site owners to determine their "appetite" for selling/joint venture, etc	
Rhyl Town Hall	LONG	SHORT (for feasibility)	RGF/RCS/College	As the only significant property in the town centre in Council ownership, the town hall offers the opportunity to develop something relative quickly. Suggest short-term feasibility to explore potential and develop business justification. Will need to secure feasibility funding. Delivery would be long-term.	

Water St / Queen St Environmental Imps	MEDIUM	MEDIUM	RGF	Would need to have better understanding of what property initiatives we are going to progress before committing to environmental improvements.	
Vacant Property Scheme	SHORT	SHORT	RGF/RCS	This is not an empty shops scheme looking at aesthetic imp's and temporary uses. This would be a more comprehensive scheme to secure significant investment in the property to bring it back into use and create jobs, through grant aid or possibly by public sector ownership.	
49-55 Queen St	SHORT	SHORT	RGF/RCS/WG/ DCC Conservation	Work already progressing on feasibility. Focus efforts on getting a deliverable and funded scheme.	
Parking Strategy	SHORT	SHORT	DCC Highways/ TCM/RGF	Need for comprehensive review of parking – to include on-street parking. Needs to consider wider long-term plans for regeneration and overall signage.	Signage Strategy Other town centre and promenade projects
Public WiFi Network	SHORT	LONG	tbc	Unclear what the benefits of this would be when many locations already provide WiFi.	
	5 SHORT TERM 1 MED TERM 1 LONG TERM 7 TOTAL	5 SHORT TERM 1 MED TERM 1 LONG TERM 7 TOTAL			

Housing & Neighbourhoods

A general feeling that this workstream was a bit bland and non-specific. Given the scope of works in the other workstreams perhaps rather than have this as a separate workstream consider removing it from the programme but then having a number of “other key projects” which don’t fit neatly in any of the other workstreams but are still important in the overall scheme of things. This would allow us more flexibility for the types of projects we include in the programme, for example allowing us to include projects which link Rhyl into wider regional job opportunities.

Project:	Review Recommendation:	Programme Manager Recommendation:	Organisation(s):	Comments:	Links with:
Rhyl High School Innovation Centre	SHORT	MEDIUM	RGF/RCS/College DCC Education Rhyl High School	Need to develop the business justification and rationale for the project as part of the new school build. Suggestion of alternative location suggested at the Workshop may be difficult to deliver given that the concept is to add value to the significant funding that will already be going into the school. A stand-alone centre would be significantly more expensive.	
	1 SHORT TERM 0 MED TERM 0 LONG TERM 1 TOTAL	0 SHORT TERM 1 MED TERM 0 LONG TERM 1 TOTAL			

Appendix 4

Rhyl Going Forward Programme Board

Some proposals for the way forward

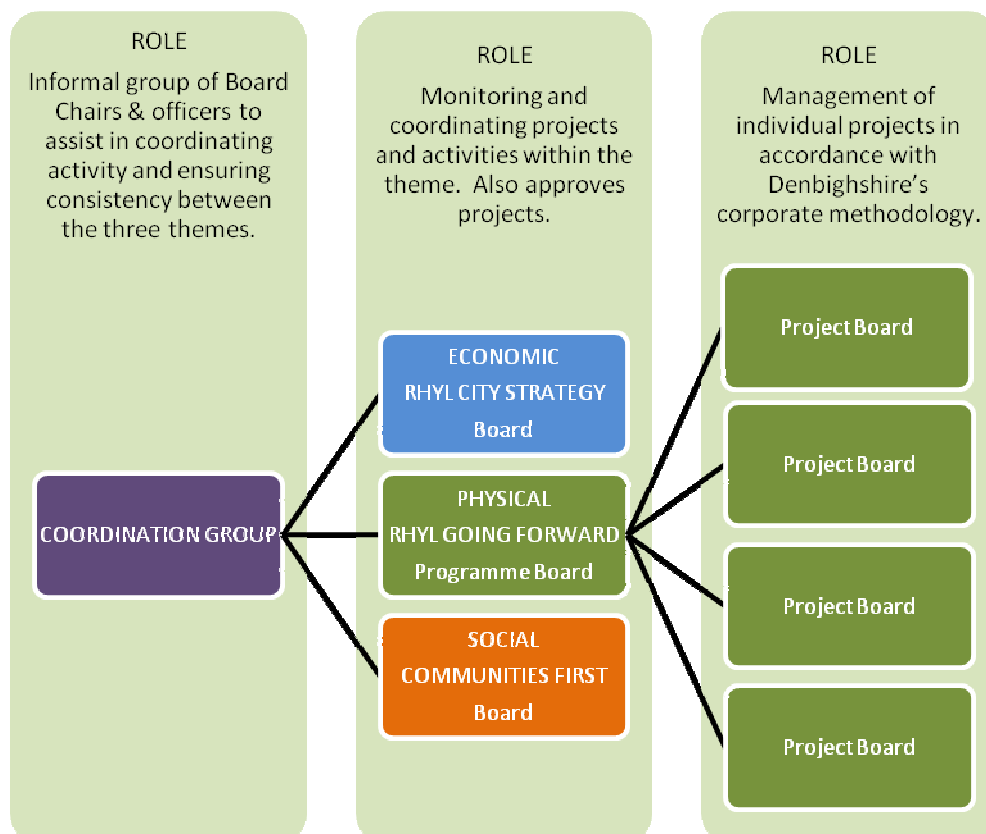
The recent *Vibrant & Viable Places* document from Welsh Government defined regeneration as:

“an integrated set of activities that seek to reverse economic, social and physical decline to achieve lasting improvement, in areas where market forces will not do this alone without some support from government”

***Vibrant & Viable Places
Welsh Government Oct 2012***

GOVERNANCE

The diagram below illustrates a proposed governance structure for the regeneration of Rhyl.



Board Level

Given the three key themes of regeneration – physical, social and economic – it is proposed to utilise existing (or in the case of Communities First proposed) structures to lead on each theme, as illustrated in the diagram below.



Thus the Boards for each organisation would lead on their respective theme, and understand that this is a key element of their role. On this basis each board will be overseeing a number of individual projects, some of which may be exclusive to that organisation, but with others that are “joint” projects with one or both of the other organisations.

For this structure to work effectively, some joint Board membership is required. It is suggested that the lead officer for each organisation sits on the other Boards, as is the case currently between Rhyl Going Forward and Rhyl City Strategy. Some consideration could also be given to the Chair of each organisation sitting on the other Boards.

Co-ordination Group

To further reinforce joint working and delivery, it is proposed to establish a coordination group to ensure that activity within the three themes is consistent and complimentary. This would primarily be an influencing group (project approvals take place within the Boards), and as such it is suggested that this group remains small, relatively informal and meets no more than quarterly. Suggested membership would be 6 – the chair and lead officer from each Board.

Rhyl Going Forward Programme Board

The Programme Board would continue leading on physical regeneration projects. The role of the Programme Board will be to effectively deliver strategic change, not to govern the delivery of individual projects. These should be addressed at the project level unless there are significant problems with delivery or the strategic context for the project has changed. In these circumstances it will be appropriate for the Programme Board to intervene, but in general the Board’s role should be more strategic in terms of:

- ensuring the right projects are selected
- ensuring money is not wasted on projects that do not deliver benefits

- ensuring that scarce resources are prioritised
- improving communication with stakeholders
- providing better focus on the real drivers of change
- delivering tangible results

In undertaking this role the Programme Board will need to:

- Discuss the strengths, weaknesses and challenges facing Rhyl and identify and share best practice;
- Discuss the application of alternative ways of doing things;
- Identify, scope and justify candidate projects;
- Analyse the quick wins, longer term wins and decide which projects to approve;
- Select those projects which will generate significant benefits;
- Co-ordinate the delivery of the agreed set of projects;
- Involve stakeholders and ensure that projects respond to emergent evidence and other changes in the political and operational context;
- Review and maintain the quality and ambition of projects; and
- Follow through to implement projects and realise projected benefits.

Meeting Protocols

To provide focus for the role outlined above, a typical Board agenda might consist of the following agenda:

1. status report for each strand using project dashboard and highlight reports for any key issues/achievements/emerging risks
2. input/progress report from Rhyl City Strategy and Communities First
3. key decisions required from the Board, with reports supporting each decision required setting out time, cost and quality implications of decisions required and options considered
4. review of Programme Risk Register, with focus on red risks and/or increasing risks and management/mitigation actions being taken or needed
5. catch all section for any emerging issues that we may need to consider in relation to regeneration efforts in Rhyl (for example, if we started seeing a move toward properties being bought up by London Boroughs for re-housing homeless, or a major new employer or employment opportunity arising)
6. key messages for communication

It is suggested that the Board meets every two months, and an additional Review meeting is organised annually with a much wider invite list to review the strategy and constituent projects. This review could also be tied to the production of an Annual Report detailing progress in the year just gone, along with a revision of the Delivery Plan to ensure there is always a current 3 year plan.

Proposed Board Membership

Name	Post/Role	Organisation
Rebecca Maxwell (CHAIR)	Director – Economic & Community Ambition	Denbighshire County Council
Celia Jones	Director & CHAIR – Rhyl City Strategy	Coleg Llandrillo Rhyl
Will Morecambe	CHAIR – Communities First	
Wyn Roberts	NWCRA – Programme Director	Welsh Government
Graham Worthington	Chief Executive	Pennaf
John Bellis	Chair	Rhyl Business Group
Cllr Hugh Evans	Cabinet Member – Economic Ambition	Denbighshire County Council
Andy Rutherford	Town Councillor	Rhyl Town Council
Brian Moylan	Town Councillor	Rhyl Town Council
REP	County Councillor	Rhyl Member Area Group
REP	County Councillor	Rhyl Member Area Group

Proposed Board Advisory/Support Members

These individuals would be invited to Board meetings but have no voting/decision-making powers. They are their primarily to advise the Board.

Name	Post/Role	Organisation
Tom Booty	Rhyl Going Forward Programme Manager	Denbighshire County Council
Carol Evans	Rhyl Going Forward Principal Officer	Denbighshire County Council
Graham Boase	Head of Planning & Regulatory Services	Denbighshire County Council
Steve Parker	Head of Environmental Services	Denbighshire County Council
Peter McHugh	Head of Housing and Community Development Services	Denbighshire County Council
Jamie Groves	Head of Leisure, Libraries and Marketing	Denbighshire County Council
Ali Thomas	Programme Manager	Rhyl City Strategy
Malcolm Hall	Town Centre Manager	Rhyl City Strategy
TBC	LEAD OFFICER	Communities First

Appendix 5 Performance Management Framework

Chapter 2: People and places in Rhyl benefit from regeneration activity (OUTCOME 2)

What this means: Providing leadership and coordination to tackle the key challenges to the wellbeing and economic circumstance of people living in a deprived area and to build the relationship between partners and the communities they serve. We must ensure regeneration is coordinated and people feel the benefits. “The concentration of deprivation in the poorest communities in Wales can necessitate a focus on place.” (Child Poverty Strategy for Wales, 2011).

Status Updated	Updated by:	Evaluation	Overall Evaluation
Q2 2012/13	RGF Programme Manager	Communities in Rhyl are slowly benefiting from regeneration, and educational outcomes are improving. However, outcomes for people in Rhyl are still generally worse than for the rest of the county/country. Intervention required in respect of Rhyl Town Centre.	Orange (acceptable)

What’s going well

- Communities in Rhyl are slowly benefiting from regeneration activity, demonstrated by two wards moving out of the top five most deprived areas in Wales.
- Educational outcomes for learners in Rhyl high schools are improving; however, there remains an attainment gap between those learning in Rhyl to those learning in Denbighshire’s other high schools.

What concerns us and what we’re doing about it

- Rhyl West 2 remains the first most deprived ward in Wales (identified as ‘red’). People in Rhyl are more likely to be out of work compared to the rest of Denbighshire, Wales and Great Britain (identified as ‘red’).
- There are more vacant town centre properties in Rhyl than in 2010 (although the proportion of vacancies in other towns has increased and is highest in Corwen), and revenue from tourism industry direct employment has declined slightly. There are significant economic structural problems in Rhyl Town Centre. The Rhyl Going Forward Programme Board is taking action; but a strategy and projects are required. This has been identified as ‘red’ and will be escalated to LSB.
- The three pillars of regeneration (physical; economic; social) are being delivered by the action plan for this Outcome; Rhyl Going Forward (physical);

Rhyl City Strategy (economic) and Communities First (social). The Rhyl Going Forward Strategy is currently being refined and projects are being reprioritised. A revised Communities First Action Plan will be re-submitted in December 2012.

- Communities Scrutiny Committee receives regular updates from Rhyl Going Forward. For more information, contact Rhian Evans, Scrutiny Support Officer.

Outlook

- Significant challenges remain and as with all regeneration programmes, it will take many years before we will be able to demonstrate improved outcomes for people living, working and learning in Rhyl. Early indications show Rhyl is moving in the right direction.

INDICATORS OF SUCCESS	Baseline	2011/12 Data	Performance
Fewer or no Rhyl Lower Super Output Areas (LSOAs) will be in the top 5 most deprived areas in Wales (Wales Index of Multiple Deprivation)	1st most deprived : Rhyl West 2; 4th most deprived : Rhyl West 1; 5th most deprived : Rhyl South West 2 (WIMD, 2008)	1st most deprived : Rhyl West 2; 7th most deprived : Rhyl West 1; 12th most deprived : Rhyl South West 2 (WIMD, 2011)	Better than baseline / ▲
Percentage of working age population claiming Jobseekers Allowance in Rhyl West and Rhyl South West (count as at September)	15.5 6.6	15.5 7.8	Worse than baseline / ◀▶
Number of vacant town centre properties	47 (12.1%)	59 (15.4%)	Worse than baseline / ▼
STEAM tourism industry direct employment (coastal Denbighshire)	£2,763m	£2,723m	Worse than baseline / ▼
STEAM total revenue from tourism (coastal Denbighshire)	£177.09 m	£176.42 m	Similar to baseline / ◀▶
Town centre footfall	-	-	New indicators. Data will be available for next report.
Tenure (owner occupation / private rented / RSL)	-	-	
Type of housing	-	-	
Percentage of KS4 pupils who achieved Level 2, including English/Welsh and Mathematics at Rhyl High School and Blessed Edward Jones R.C. High School	31 and 18 respectively	36 and 37* respectively	Better than baseline / ▲

* May 2011.

PERFORMANCE MEASURES	Baseline 2011/12	2012/13 Data (Q1&2)	2012/13 Target	Performance
Measures for this outcome are being refined and will be available in the next report.				

ACTIONS	Status	Performance
West Rhyl - Create an attractive neighbourhood where people want to live	In progress	Yellow
Tourism - Create new business and job opportunities by increasing visitor numbers and visitor's spend	In progress	Yellow
Town Centre - Create new business and job opportunities by supporting investment in retail, but also by introducing new uses and diversifying the town centre economy	In progress	Red
Live & Work in Rhyl - Improving neighbourhoods in the whole of Rhyl so they are attractive and desirable places to live	In progress	Orange
People & Jobs - Linking workless people and employers, tackling barriers to work, improving health of workforce (Rhyl City Strategy)	In progress	Orange
Skills - Tackling the lack of essential skills and qualifications and coordinated focus on key sectors (Rhyl City Strategy)	In progress	Orange
Stimulating growth & opportunity - Development of new enterprise and growth of existing companies, development of social enterprise and stimulation of sole trading environment (Rhyl City Strategy)	In progress	Orange
Prosperous Communities - reducing inequalities in income and opportunity (Communities First)	In progress	Orange
Learning Communities - promote a culture of learning (Communities First)	In progress	Orange
Healthier Communities - improved health & wellbeing for all (Communities First)	In progress	Orange
Development of a model of care which is based on holistic needs and integrated working	In progress	NA: consultation underway
Explore and develop appropriate models of community health development workers	Not Started	Yellow
Target health developments to meet the identified health needs of the population including older people, older people with mental health needs, children and families	In progress	NA: consultation underway

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Rhyl Going Forward Neighbourhoods & Places PROGRAMME RISK REGISTER

September 2012



LIKELIHOOD		5	4	3	2	1	IMPACT				
		Almost certain	Likely	Possible	Unlikely	Rare	Insignificant	Minor	Moderate	Major	Catastrophic
		5	4	3	2	1	1	2	3	4	5
		10	8	6	4	2	2	3	4	5	
		15	12	9	6	3	3	4	5		
		20	16	12	8	4	4	5			
		25	20	15	10	5	5				

Risk No:	Date identified	Date last reviewed	Risk description & Mitigating Action	L Score	I Score	Risk Score	Risk Trend	RAG Status
1	05/01/12	18/09/12	<p>Community Opposition – a group called “Voice of the Community” has been created by a few, vocal members of the community who appear to be opposed to the plans for the West Rhyl Housing Regeneration Area. There is a risk that continued opposition will undermine confidence in the strategy and ultimately in delivery. Manage through:</p> <ul style="list-style-type: none"> Regular consultation and promotion in local media High level, consistent and visible organisational commitment to the strategy <p>Action since last update:</p> <ul style="list-style-type: none"> Articles in local press Development of action plan for each project Development of site signage 	4	3	12	STATIC	AMBER

2	05/01/12	18/09/12	<p>Meeting funding commitments – the £10 million allocated for the West Rhyl Housing Regeneration Area needs to be spent within a two year period commencing April 2012. This is very challenging and it is unlikely that there will be any allowance for carry over between years or at the end of the 2 year period. There is therefore a risk that we will not meet the spend profile, which could in turn jeopardise our ability to deliver the full programme of regeneration in West Rhyl, or worse still leave us with a half completed programme and no funds to complete. Manage through:</p> <ul style="list-style-type: none"> • Establishing a dedicated Project Manager and robust financial management procedures • Ensuring there are sufficient staff resources in other specialist areas to deliver • Plan “contingency projects” which can be implemented to ensure we meet year end spend profiles. <p>Action since last update:</p> <ul style="list-style-type: none"> • DCC cabinet approval to proceed with CPO • DCC Council approval of project 	Tom Booty	3	4	12	STATIC	AMBER
3	05/01/12	18/09/12	<p>Raised Expectations - the Delivery Plan details a number of projects and activities, most of which are currently un-funded, and even when funded are likely to take considerable time to develop and deliver. There is a risk that the expectations for delivery will be raised and then people will become frustrated at the lack of progress. Manage through:</p> <ul style="list-style-type: none"> • Robust project management arrangements • Strong programme management • Regular communication on progress and issues <p>Action since last update:</p> <ul style="list-style-type: none"> • Development of Position Statement regarding plan for review of strategy, priorities and projects 	Tom Booty	3	3	9	STATIC	AMBER

4	05/01/12	18/09/12	<p>Heritage issues - the proposals for the West Rhyll Housing Regeneration Area includes some demolition of the urban fabric, including properties in the Conservation Area. This may generate opposition from some organisations and individuals, which in turn could jeopardise delivery of the strategy. Manage through:</p> <ul style="list-style-type: none"> Regular communication and engagement with heritage bodies <p>Action since last update:</p> <ul style="list-style-type: none"> Chasing up WG for decision on demolition of Honey Club 	Tom Booty	2	3	6	STATIC	GREEN
5	05/01/12	18/09/12	<p>Lack of universal support – attempts have been made to ensure that all key partner organisations are informed and supportive of the Delivery Plan. Recent flurry of emails voicing concerns about street cleanliness and lack of enforcement threaten to undermine previous universal support.</p> <ul style="list-style-type: none"> Regular communication and involvement of all organisations High level, consistent and visible organisational commitment to the strategy <p>Action since last update:</p> <ul style="list-style-type: none"> Regular meetings with MP and other key town centre individuals Regular attendance at Town Centre Forum 	Tom Booty	3	3	9	STATIC	AMBER
6	05/01/12	18/09/12	<p>Staff resources – the Delivery Plan represents a very substantial body of work for which there are limited staff resources to deliver. Additional resources for the Rhyll Regeneration team have been secured. Manage through:</p> <ul style="list-style-type: none"> we will seek to ensure that associated project management costs are included in funding applications. <p>Action since last update:</p> <ul style="list-style-type: none"> new DCC management structure for regeneration planned restructure of regen service to ensure organisation is geared to deliver 	Tom Booty	2	3	6	STATIC	GREEN

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Report to	Communities Scrutiny Committee
Date of Meeting:	17 January 2013
Lead Member / Officer:	Lead Member for Social Care and Children's Services/Head of Adult and Business Services
Report Author:	Project Manager, Extra Care Sheltered Housing
Title:	The North Denbighshire Day Services Review

1. What is the report about?

This report sets out the current position with regard to the consultation and review of North Denbighshire Day Services and the proposals for changes to the way that day services are provided in North Denbighshire.

2. What is the reason for making this report?

To provide feedback on the consultation and to seek Scrutiny Committee support for the implementation of the recommendations

3. What are the Recommendations?

It is recommended that:

- 3.1 Hafan Deg Day Centre will provide an assessment and outcome focused service which will work intensively with individuals for up to 6 weeks to support people to regain lost skills or confidence and, if required, to signpost them to community-based activities or refer them to longer-term services for ongoing support. The service at Hafan Deg will support individuals from across North Denbighshire.
- 3.2 Llys Nant, the service currently housed within 6-8 Nant Hall Road on a temporary basis will re-locate to alternative premises, and provide two levels of care:
 - One level will be for those people who have come through the assessment process above and who have eligible social care needs that can be met within a day-time activity service, including meeting the needs of informal carers.
 - The other level will be a more preventative service, social and activity based in nature, to which individuals can be signposted by a range of other services.
- 3.3 To commission specialist provision on an individual basis for those people whose needs cannot be met in any of the above services e.g. for some individuals with mental frailty, in a way that supports individuals' on a flexible and potentially increasing basis.

4. Report details.

- 4.1 The need to review current day services provision was identified in the Reablement Moving Forward (November 2010) document and it was also made clear in the 2008 Review of Day Services that there was a need to offer a wider range of options to service users.
- 4.2 In Prestatyn there are 5,967 people aged 65+ (M), 60+ (F) which represent 26.36% of the overall Prestatyn population of 22,629 (2011 figures)
- 4.3 In Rhyl 5,980 people aged 65+ (M), 60+ (F) which represent 23.38% of the overall Rhyl population of 22,629 (2011 figures)
- 4.4 To ensure that social service provision for Older People, is sustainable and keeps pace with demand we need to prioritise service provision for those most in need, and that support needs to have a reablement focus, in line with Welsh Government policy as set out in *Sustainable Social Services, A Framework for Action*.
- 4.5 In reviewing Day Care Services it is important to distinguish between **daytime activities** and **day care**.
- 4.6 **Daytime activities** are broadly those that could happen in the community, and that support people who have lower level needs. Such activities might include: formal and informal settings, centres run by voluntary organisations, drop in centres, luncheon clubs, social clubs, education and leisure facilities, cafes and pubs. Currently we have a number of people attending our day centres who do not have significant care needs and who could have been signposted onto community day activities at the point of referral.
- 4.7 **Day care** implies therefore that there is a specific need that would not be met by daytime activities. A care plan would clearly state the individual's need and how this would be met through short term, intensive programmes such as reablement and rehabilitation. Some individuals would need specialist day care as part of a programme of ongoing support.
- 4.8 The role of the staff team at Hafan Deg would be to undertake an in-depth assessment and wherever possible to support individuals to move into socially inclusive daytime activities in their local area. Where ongoing day care is the assessed need there should still be opportunities to create meaningful links with ordinary day time activities and this should be built into the care plan.
- 4.9 Initial discussions have taken place with our Housing Association Partners in Nant y Môr and Gorwel Newydd with a view to developing day activity groups at both Extra Care Schemes and they were very receptive to the suggestion of extending the use of the extensive and attractive communal facilities at each scheme to people referred from the local community. There would be potential for existing day care staff to organise activities at the schemes and for the

older people attending to have a meal and take advantage of the other facilities at the scheme e.g. Hairdressers, Library, IT rooms.

- 4.10 The clear message from the Welsh Government's Older People's Strategy is that in the future people would prefer to be supported by inclusive local community services rather than traditional day services. If DCC is to be able to provide sustainable day services to meet the needs of increasing numbers of vulnerable people into the future then it is vital that we change the way that these services are provided.

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

The review of day services contributes to the corporate priority of: Vulnerable People are protected and are able to live as independently as possible.

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

There is a requirement to save £30k this year through this review of Day Services and this has been achieved through the re-organisation of the management structure across the 2 services.

7. What consultations have been carried out and has an Equality Impact Assessment Screening been undertaken?

- 7.1 As reported in December 2012 a thorough Consultation Process was undertaken with key stakeholders and the summary of the feedback from the consultation is attached as Appendix 1.

- 7.2 In addition to the proposed consultation, regular Briefing Papers have been produced and circulated and stakeholders, including Members and representatives from Older People's Groups and the Voluntary Sector, have participated in meetings of the Day Care Review Group

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

- 8.1 There is a risk to the Council's financial position through not achieving the required savings.
- 8.2 There is a risk to vulnerable people's ability to live independently if the changes are not made as services will not be able to cope with the anticipated increases in demand within the current arrangements.
- 8.3 Both of these are reduced by the review.

9. Power to make the Decision

- 9.1 Under section 47 of the National Health Service and Community Care Act 1990, local authorities have a duty to plan to meet the social care needs of older people.

- 9.2 Article 6.3.2 (b) and (c) of the Council's Constitution stipulates that scrutiny committees can "make reports and/or recommendations to full Council and/or the Cabinet in connection with the discharge of any functions;" and "consider any matter affecting the area or its inhabitants".

Contact Officer:

Project Manager, Extra Care Sheltered Housing

Tel: 01824 706596

Appendix 1 Feedback from Consultation North Denbighshire Day Services Review

(where the same or very similar response has been given, the response will be shown only once but the number of times a similar comment was made throughout the Consultation Period will be noted in brackets)

Date	Stakeholder	Comments
27.11.12	War Memorial Court tenants	<ul style="list-style-type: none"> ➤ Have always been very supportive of maintaining the day service at Hafan Deg (HD) and to look at ways to expand the service ➤ Have suggested a lunch club or film afternoons and that War Memorial (WM) Tenants could purchase meals from the centre to increase viability
28.11.12	Rhyl Locality team	<ul style="list-style-type: none"> ➤ Supportive of utilising Extra Care Housing (ECH) for Day Activities – have set up 2 successful groups at Gorwel Newydd (GN) and 1 at Nant y Môr (NYM) ➤ Supportive of need to introduce robust assessment and reviewing processes but concerns for those people already receiving a service and who the service unwittingly has 'made dependent' on the service ➤ Concern about the amount of support that may be needed to encourage and support service users to join in activities at GN and NYM ➤ Need some element of invest to save and suggest that Llys Nant (LN) is utilised for those service users for whom we have unwittingly created dependency ➤ Understand the need to move towards an outcome focused service but real concern about the dearth of services to signpost people onto
28.11.12	6 p.m. Hafan Deg Carers and Families	<ul style="list-style-type: none"> ➤ The service provided at HD is very important to the peace of mind of families and carers – we live over 50 miles away so the reassurance of communication with the staff at HD is vital (3) ➤ Concern about the long term future of HD ➤ Important role in building up the confidence of users, our relative is becoming more forgetful and is vulnerable and isolated ➤ For my parent lack of cleanliness had become a barrier but her hygiene has improved so much since coming to HD and being assisted to bathe

Appendix 1 Feedback from Consultation North Denbighshire Day Services Review

(where the same or very similar response has been given, the response will be shown only once but the number of times a similar comment was made throughout the Consultation Period will be noted in brackets)

29.11.12	2 p.m. Hafan Deg Carers and Families	<ul style="list-style-type: none"> ➤ It provides stimulation for my mother, respite for myself and even if ill she will not miss the opportunity to attend. ➤ She has friends she likes talking to, enjoys the food and activities, also thinks the food is very good. ➤ It gives me peace of mind knowing my uncle thoroughly enjoys his time at the centre (twice a week) it is his club. ➤ I would not want to lose such a valuable service: the staff are excellent nothing is too much trouble. ➤ Since attending my mother has become much more animated and has conversation. ➤ Speaks about friends made and staff by name
3 Dec	10.30 a.m. Hafan Deg Service user meeting	<ul style="list-style-type: none"> ➤ People worried about being able to afford to pay for Day Centre and home care will all the bills going up every month ➤ Bill for day care seems to be going up all of the time ➤ Families play a big role in supporting service users who are anxious about the strain it might place on their families if they can't come to day care ➤ Would want to keep the same close friends that I have here ➤ I know I would go into a depression if I was to miss coming here twice a week, it would finish me altogether, I don't want to go anywhere else. I used to be able to go out 3 or 4 times a week but now I can't get out on my own so I rely on coming here ➤ Doesn't matter what problem you have the staff here will always sort it out for you or point you in the right direction
4 Dec	3.30 p.m. Hafan Lles Team Meeting	<ul style="list-style-type: none"> ➤ No specific comments at this time but concern for the vulnerability of the clients
	6 p.m. Llys Nant Carers and Families	<ul style="list-style-type: none"> ➤ Mum loves the idea of going out – she would miss this if the service moves to Nant y Mor ➤ Dad loves it – the only time he leaves the house is to come here twice a week ➤ It is vital respite for mum from caring for Dad ➤ How will you assess people for any alternative provision?

Appendix 1 **Feedback from Consultation North Denbighshire Day Services Review**

(where the same or very similar response has been given, the response will be shown only once but the number of times a similar comment was made throughout the Consultation Period will be noted in brackets)

5 Dec	2 p.m. Llys Nant Carers and Families	<ul style="list-style-type: none"> ➤ All the staff here are lovely – so thoughtful and caring and they really know and understand the clients (5)
10 Dec	Llys Nant Service Users	<p>Age Concern advocate comments</p> <ul style="list-style-type: none"> ➤ Has had contact with many carers of people who attend Llys Nant and Hafan Deg and many have expressed real concern at the potential loss of the staff skill if the services are moved, and the structure which LN brings to the lives of their loved ones – for some it is the only time they leave home ➤ Carers have also raised concern about how they will cope without the respite from caring that Llys Nant provides ➤ Most concern is for those people with dementia and frailty as they are so vulnerable ➤ There is a danger that many people will not have a hot meal if they don't come to Llys Nant and nutrition is such a vital part of well being. ➤ Carer asked about the Health role in supporting day activities for Older People – mother was referred on from Glan Traeth “She has severe dementia and my experience has been of a lack of coordination between Health and Social Services”. ➤ It took a long time for my mother to settle here at LN and at first she could not even remember the name Llys Nant but now she does and what she comes here for, although in most other ways her memory has declined, so she clearly has an emotional attachment ➤ Dementia is difficult to understand for carers and the journey has been difficult but amongst all the difficulties of coping with agencies who do not talk to each other, VJ and the staff team here have been the only constant source of reassurance and support and the only service that gives me any confidence in caring for my mother ➤ Comment about dwindling numbers attending the centre ➤ One gentleman commented “as long as still in Prestatyn and the same staff I will be very happy and all the group (5 attending) concurred

Appendix 1 **Feedback from Consultation North Denbighshire Day Services Review**

(where the same or very similar response has been given, the response will be shown only once but the number of times a similar comment was made throughout the Consultation Period will be noted in brackets)

12 Dec	Rhyl Councillors	<ul style="list-style-type: none"> ➤ Opposition to private day care ➤ Concern about move to full cost recovery re charging policy ➤ Concern for staff who have been under pressure for 2 years whilst the review has been ongoing ➤ Acknowledgement that we need an holistic approach to care in the community
13 Dec	Llys Nant Users	<ul style="list-style-type: none"> ➤ a very physically frail group: it is testament to the group that their concerns were for others as well as themselves ➤ Concern about how welcome tenants would make us if we moved to NYM ➤ Concern about service users unable to speak for themselves and for people who may need service in the future ➤ What will this building be used for? (implication appeared to be why is it good enough for others , but not them) ➤ Is it all about saving money? ➤ Concerned that the people who care for them at home will continue to have a break from caring ➤ The meals were also a worry, would they still have a hot meal ➤ All stated they were more than happy with the Centre and had no difficulties accessing the Centre ➤ concerned that a move might curtail their independence re shopping ➤ Concern that not all the clients would make the move
3 Jan 2013	Prestatyn County and Town Councillors	<ul style="list-style-type: none"> ➤ Concern expressed about the capacity of Nant y Mor to provide day activities and day care for increasing numbers of older people in Prestatyn.

Report To:	Communities Scrutiny Committee
Date of Meeting:	17 January 2013
Lead Member/Officer:	Lead Member for Finance and Assets/ Head of Finance and Assets
Report Authors:	Principal Property Manager/ Valuation and Estates Manager
Title:	Strategic Asset Management

1. What is the report about?

- 1.1 To consider the Council's Asset Management and Disposal Strategy and the procedures and guidelines that are in place.

2. What is the reason for making this report?

- 2.1 To provide information and seek observations on the Council's Asset Management and Disposal Strategy and the procedures and guidelines that regulates the disposal of Council assets.
- 2.2 The Committee require an assurance that consideration is given for alternative uses, including community use in all asset disposals and that all disposal transactions are open and transparent and are undertaken in the tax payer's interest.

3. What are the Recommendations?

- 3.1 That the Committee considers the contents of the report and comments on the Council's Asset Management Strategy.

4. Report details.

- 4.1 The Council has been disposing of surplus assets since 1996 with an intensive programme initially focussed on sales of the non operational assets it inherited from its constituent former authorities.
- 4.2 The Council has continued this policy of ongoing disposals as and when assets are declared surplus. The current programme has a target of £10m for the period from 2010 to 2015. The assets the Council is now disposing of are mostly former operational assets with challenging asset management and site specific problems that require resolution before they can be sold.
- 4.3 Prior to land and buildings being declared surplus for sale the Council's standard asset management review process is undertaken. This process informs other Council departments that a Service has declared

an asset surplus to requirements at Asset Management Group (AMG). AMG transfer the asset to Corporate pro tem pending a decision on its future. This permits other Services to be consulted on its availability and if an operational use is required then the asset is transferred to that Service. It is at this stage that the asset will be consulted on with the Local Member in which ward the asset is located. In the event that there are no operational requirements then the asset is declared surplus to Council requirements at AMG. This is then approved by the Head of Service, Lead Member Delegated Decision or Cabinet as appropriate.

4.4 The Council scheme of delegated approvals for disposals is as follows;

£0 - £30,000.99 – Head of Finance and Assets (subject to AMG approval)

£30,001 - £499,999.99 – Lead Member for Finance and Assets

£500,000 and over – Cabinet.

4.5 Statutory Compliance on Disposal of Council Land and Buildings, Sec 123, Local Government Act 1972, etc.

4.5.1 The Authority is a principal council as defined under the Local Government Act 1972. Section 123 of this Act provides that councils may dispose of their land in any manner they wish but that they must not dispose of land for less than the best consideration that can reasonably be obtained.

4.5.2 There are three main options for disposal of surplus land or buildings as shown in Appendix A

4.6 Disposal Strategy

4.6.1 The Council has strategies to obtain disposals from the Agricultural and Corporate Office and Miscellaneous Property portfolios. A copy of the Agricultural Estate Service Management Plan is attached at Appendix B. The Corporate Office Portfolio in the south of the county has been rationalised and a similar exercise will now be undertaken on the office portfolio in the north of the county. This includes bareland held pending the adoption of the Local Development Plan (LDP).

4.6.2 The Economic Development Estate will have a draft strategy to deliver a managed rationalisation of assets from the property portfolio by April 2013 for discussion and approval and adoption. Part of this strategy will include recommendations for the disposal of assets.

4.6.3 Lifelong Learning has a policy of Modernising Education and this could deliver surplus assets in due course.

- 4.6.4 Other Services declare assets surplus to requirements as they rationalise their operational portfolios.

Member Involvement

- 4.7.1 Members are involved in asset disposals in a number of ways:

Cabinet – Authorises disposals above £500k

Lead Member – Authorises disposals between £30k and £500k and chairs the Asset Management Group (an officer group)

The Agricultural Estates Working Group agreed the investment and disposal strategy for the Estate which guides current work (the group is currently being re-formed)

Member Area Groups will shortly be receiving details of all properties in their area

An imminent review of the industrial and business portfolio will involve members

Individual members are consulted on disposals in their ward

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

- 5.1 The disposal of surplus assets generates capital receipts and revenue savings that help assist the delivery of Corporate Priorities which would otherwise remain unfunded. The target of £10m in capital receipts over the period 2010-2015 is a Corporate Priority.

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

- 6.1 The disposal of assets costs the Council and affects services as follows:

Additional Resources needed (staffing or financial): This can be met from the capital receipt and by appointing external agents, consultants and solicitors. The majority of the preparation of assets for the market is done by Council officers and this is time consuming and difficult in the current market.

Equalities: Careful consideration should be given when undertaking a disposal to named parties to ensure discrimination of third parties does not occur.

ICT: None other than costs to remove and relocate DCC equipment.

Legal: Disposals of assets normally involve large amounts of legal work which can be time consuming and therefore expensive to complete.

Bio-diversity: The responsibilities placed on the Council by the Natural Environment and Rural Communities Act 2006 are risk assessed and action taken as appropriate when undertaking disposals to comply with its provisions.

7. What consultations have been carried out?

This report seeks Scrutiny's views on the Authority's management of its strategic assets and how the Strategy can assist the Council to mitigate the increasing pressures on its finances.

8. Chief Finance Officer Statement

The disposal of surplus assets generates capital receipts and revenue savings that help assist the delivery of Corporate Priorities which would otherwise remain unfunded.

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

9.1 The number of risks involved in the disposal of land and property are wide and varied with many outside the control of the Council or its officers. To attempt to list to them all is extremely difficult. The simple test is the success rate achieved and at present we are continuing to dispose of assets on the open market.

9.2 The Council can best mitigate the risk by understanding the difficulties faced in disposing of assets in the current market conditions. Disposal of assets requires certainty for the buyer and the greater the certainty we can provide for the market then the lower the risk that an asset will fail to sell.

10. Power to make the Decision

10.1 No decision is requested. An assurance can be given that alternative uses to maximise the value to the Council are reviewed as part of the standard due diligence to maximise the value of an asset to the Council.

10.2 All open market and named party transactions are undertaken in a manner that is auditable and compliant with statute and best practice and are capable of being scrutinised both internally and externally.

10.3 When the Council is disposing of assets to named parties, it has to retain the commercial confidences of that third party. The same protocols and ethical standards are maintained to obtain approvals and

independent advice to protect the Council and its officers from allegations and accusations when operating in the commercial world.

10.4 Article 6.3.3 of the Council's Constitution permits Scrutiny Committees to exercise a policy development and review role.

Contact Officers: Principal Property Manager Tel: 07795 290232;
Valuation and Estates Manager Tel: 01824 706798

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Disposal on the open market

This is a sale by private treaty, auction or tender (informal or formal) and is the usual method of disposing of surplus assets. The Council normally appoints an external agent to act on its behalf as the need to get maximum marketing exposure both in the press and on the internet is a requirement to obtain the best consideration possible.

Disposal to a named party at market value for a particular use

The Council will already have a scheme/use which it wishes to see delivered on a particular site prior to the declaration of surplus. The requirement to obtain the best consideration for the site will still apply.

Where the Council is selling to a public or quasi public sector body to deliver a desired use, the provisions of the Best Practice Guide for disposal and transfer of land and property assets between Public Sector Bodies in Wales (copy attached at Appendix C) are catered for. The Council applies the same standards and processes in disposals to private sector named parties such as developers and special purchasers in particular the obtaining of independent valuations.

The Council receives numerous requests from private individuals for small areas of vacant land which is of value to them for gardens or similar uses. Because the values of these sites are low these follow the same asset management process. Small land swaps also fall into this category.

Disposal to a named party at an undervalue

All disposals at less than best consideration are required to comply with the General Disposal Consent (Wales) Order 2003. The Order regulates the disposal of public sector land and buildings at undervalues of less than £2m.

The transferring of assets at an undervalue is limited to those cases where the Council believes the undervalue is in the economic, social or environmental well being of an area, or, any parts of its area, or, any or all of the persons present in its area. The provisions of Best Practice Guide for disposal and transfer of land and property assets between Public Sector Bodies in Wales, as previously referred, are also applied by the Council.

Careful consideration is also given on the possible breach of Protocol 5 State Aid Test where the Council is considering a transfer of an asset at an undervalue. This is to ensure that a breach of the Welsh Government (WG) Land Transfer protocol and the contravening of EU Legislation which prevents public bodies from funding undertakings engaged in competitive economic activity is avoided.

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APPENDIX B

APPENDIX B COMPLETED 2009/2010									
UPRN	TITLE	TOWN	CURRENT POSITION	PO	LO	Completed Sales	Disposal Method	Justification	
1	Former Training Centre and Offices Pant Ifan	Henllan	Completed 20.03.2010	RW/CDM	PAE	£ 1,000,000.00	Named party, RSL	Independent assisted living scheme	
2	Newydd House Land at Dolafon farm	Rhuallt	Completed 29.12.09	RW/CDM	SE	£ 160,000.00	Open market, auction		
3		St. Asaph	Completed 22.10.09 Sold at an undervalue.	RW/KJ	DC	£ 39,000.00	Open market, auction		
4	The Former School	Pentredwr	Completed on 31.3.2009 reported in FY2009/10	GT	HW	£ 6,000.00	Named party,	Community Council	
5	2 Cae Onnen	efn Meiriadog	Completed 08.12.2009	CJB	DC	£ 5,500.00	Named party,	Adjacent owner, garden land	
6	Pentre Smithy Culvert (Rhydwlial)	Llanbedr	Completed wef 30.09.2009	KHJ	DC	£ 2,095.00	CPO compensation	WAG	
7	Cemetery	Clocaenog	Completed 31.03.2010	KJ/SH	HW	£ 1.00	Community Council	Community Council	
8	Cemetery	Cyffylliog	Completed 31.03.2010	KJ/SH	HW	£ 1.00	Community Council	Community Council	
APPENDIX B COMPLETED 2010/11									
UPRN	TITLE	TOWN	CURRENT POSITION	PO	LO	Completed Sales	Disposal Method	Justification	
1	Awelon ECH	Ruthin	Completed 15.04.2010	GRT	PAE	£ 350,000.00	Named party, RSL	ECH Scheme	
2	Glanmeirchion Units 11 and 12, Parc Dyffryn	Denbigh	Completed 15.12.2010 lot 1 house £197,000.00, lot 2 barn £125,000.00	CJB	DC/S E	£ 322,000.00	Open market, auction		
3	Land at r/o former Aber Farm	Prestatyn	Completed 31.3.2011	GRT	PAE	£ 25,000.00	Named party	Business Relocation	
4	Barkers Well	Denbigh	Completed 13.08.2010	CDM	DC	£ 13,500.00	Named party	Adjacent owner, scrubland & copse	
5			Completed 04.01.2011	SH/GRT	DC	£ 7,500.00	Named party	Sale to long lessee	

APPENDIX B

UPRN	TITLE	TOWN	CURRENT POSITION	PO	LO	Completed Sales	Disposal Method	Justification
6 0919/006	Land adj to County Hall	Ruthin	Completed 30.07.2010	RW	HW	£ 750.00	Named Party	Adjacent owner, garden land
7 0243/000	Land at r/o 67Central Avenue	Prestatyn	Completed 02.08.2010	SH	DC	£ 700.00	Named party	Adjacent owner, garden land
8 1496/000	56 Ffordd Penrhwyffa,	Prestatyn	Completed 31.01.2011	CDM	HW	£ 1,000.00	Named party	Surplus education land to adj owner
APPENDIX C COMPLETED 2011/12								
1 1263/002	5 lots of land at Pen y Maes Farm	Denbigh	Lots 2-6 completed 22.08.2011	SP/CDM	DC	£ 622,000.00	Open market auction	
2 1263/002	House, buildings and land at Pen y Maes Farm	Denbigh	Lot 1 completed 1.09.2011	SP/CDM	DC	£ 260,317.00	Open market auction	
3 0852/000	116 - 124 Mwrog Street	Ruthin	Completed 1.03.2012	CJB/CDM	DC	£ 200,000.00	Named party, RSL	Affordable housing
4 1272/010	Frontage and back land at Glasdir	Ruthin	Completed 7.4.2011	CDM	PAE	£ 119,850.00	Named party	Livestock Market land
5 1283/000	Pant Ifan Newydd Barn	Rhuallt	Completed 11.05.2011	SP	DC	£ 102,000.00	Open market auction	
6 0420/000	High St	Rhyl	Completed 8.8.2011	SH	DC	£ 92,000.00	Open market auction	
7 1286/000	Tyddyn Uchaf	Glanrafon	Completed 10.02.2012	SP	JK	£ 82,000.00	Named Party - RTB	Sitting Tenant
8 0616/004	Parc Bodnant	Prestatyn	Completed 21.07.2011	GRT	DC	£ 77,000.00	Named party develop	Stadium Developments
9 0019/000	Former Ysgol Graianrhyd	Griannhyd	Completed 21.12.2011	RW	HW	£ 12,000.00	Release of covenant	Owner of property
10 0057/005	Catholic Field	Llangollen	Completed 02.12.2011	KHJ	DC	£ 3,750.00	Named party	Adjacent owner, garden land
11 0094/001	Land at old Court	St Asaph	Completed 07.02.2012	SP	JK	£ 3,500.00	Named party	Land subject to R of W to adj owner
12 0587/001	Cynwyd toilets	Cynwyd	Completed 14.04.2011	SH	HW	£ 3,500.00	Named party	Sale on ofm failed
13 0945/000	Land at the r/o Smithfield Stores,	Denbigh	Completed 6.4.2011	CDM/RW	DC	£ 2,540.00	Named party	Adjacent owner, surplus hardstanding

APPENDIX B

UPRN	TITLE	TOWN	CURRENT POSITION	PO	LO	Completed Sales	Disposal Method	Justification
14 1266/004	0.06 aces Tynycelyn Farm	Llanbedr	Completed 7.6.2011	KHJ	DC	£ 2,500.00	Named party	Field margin to adjacent owner
15 0060/000 &	Playing field land at Ysgol BEJ and Ysgol Mair	Rhyl	Completed 24.08.2011	CDM / SP	DC	£ 0.00	Transfer under statute	R C Church
16 0056/003	Land at Central Park adjacent to DTFC	Denbigh	Completed 14.12.2011	CDM	DC	£ 0.00	Land swap	Denbigh Town FC
APPENDIX B COMPLETED 2012/13 ON GOING								
1 0919/000	Trem Clwyd	Ruthin	Completed 20.04.2012	SP	JK	£ 725,000.00	Open market best offers	
2 0064/000	Plas Brondyffryn	Denbigh	Completed 27.07.2012	DM	DC	£ 188,143.00	Open market, auction	
3 0067/000	Ysgol Rhualt	Rhualt	Completed 5.11.2012	RW	JK	£ 139,000.00	Open market auction	
4 1284/004	Plas Coch Cottage	Waen, Rhualt	Completed 23.04.2012	SP	DC	£ 128,000.00	Open market auction	
5 1284/004	Plas Coch Barn and Yard	Waen, Rhualt	Completed 20.04.2012	SP	DC	£ 120,000.00	Open market auction	
6 1585/004a	8 Brighton Road	Rhyl	Completed 25.05.2012	GRT	DC	£ 80,000.00	Open market best offers	
	The Youth Club / Former Magistrates Court							
7 0094/000		St. Asaph	Completed 23.04.2012	SP	JK	£ 80,000.00	Open market auction	
8 0615/000	Former PC	Meliden	Completed 13.07.2012	CDM/SP	HW	£ 31,000.00	Open market auction	
9 1283/006	Pant Ifan Newydd	Rhualt	Completed 01.08.2012	SP	DC	£ 10,000.00	Named party	Adjacent owner, garden land
	Land Adjoining Ysgol Bro Fammau, Llanferres							
10 0028/002		Llanferres	Completed 04.04.2012	KB	JK	£ 8,000.00	Community Council	Sale at u/value, public open space
11 1264/004	Bryn Egwailt	Llandyrnog	Completed 04.04.2012	KHJ	DC	£ 5,000.00	Named party	Public Health, leaking septic tank
12 0301/000	12/14 Ellis Ave	Rhyl	Completed 16.10.2012	KB	JW	£ 3,000.00	Named party	Dilapidated garage to adj owner
13 0128/000	Land at Bryn Sirio	Denbigh	Completed 23.05.2012	RW	HW	£ 2,500.00	Named party	Parking space to adj owner

£ 5,035,647.00

TOTAL FY 2009 - 2013

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Appendix C

National Assets Working Group

Best Practice Guide for disposal & transfer of
land and property assets between public
bodies in Wales

January 2011

Richard Baker (Head of Estates Services)

 029 2082 5103

 richard.baker@wales.gsi.gov.uk

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Annex 1 Powers to dispose

Annex 2 Valuation Procedures

Annex 3 Existing protocols

Annex 4 Definitions and terminology

Annex 5 Wales Public sector property database.

Annex 6 Valuation instruction check list

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Annex 9 Case Studies

Annex 10 Q & A

BEST PRACTICE GUIDE FOR THE DISPOSAL & TRANSFER OF LAND & PROPERTY ASSETS BETWEEN PUBLIC SECTOR BODIES IN WALES

1. Executive Summary.

This guide sets out advice by the National Assets Working Group (NAWG) for a best practice solution for the transfer or disposal of land between public bodies in Wales.

One of the key deliverables of the NAWG is the development and delivery of a best practice guide for use by the Welsh public sector to assist in reducing cost and time associated with the transfer, use and disposal of the public estate between public bodies in Wales.

Key Principles:

- Identify surplus assets at an early stage and utilise e-Pims to assist with coordination with other bodies.
- Value assets at market value using RICS' Red Book
- The organisations should appoint a single independent valuation, commissioned from the District Valuer to settle the price to be paid.
- The organisations should take legal advice, especially where sponsored organisations are involved as these may have specific legal requirements for the transfer process.
- Transfers involving "Welsh Minister" owned property for internal departments within the Welsh Assembly Government may not need a full investigation of legal title.
- The terms of transfer, should not normally involve claw-back (rights to share disposal proceeds) or overage (rights to share future profits on disposal).
- Transfers/disposals to outside bodies can include restrictions which may be reflected in the valuation. However, care is to be exercised regarding the implications of "below market value disposal" and the interaction of "state aid" policies.
- Almost all transfers and disposals can result in accounting and / or budgeting adjustments. Each transfer must be judged on its own merits, involving a business case and covering all legal and financial perspectives

2. Purpose.

This guide sets out advice by the National Assets Working Group (NAWG) for a best practice solution for the transfer or disposal of land between public bodies in Wales.

One of the key deliverables of the NAWG will be the development and delivery of a best practice guide for use by the Welsh public sector to assist in reducing cost and time associated with the transfer, use and disposal of the public estate between public bodies in Wales.

This does not replace specific protocols (see annex 3) operated by individual bodies. However, it provides an “overarching” guide which in principle should be incorporated within those individual arrangements. It also provides a background to the relevant statutes and guidelines issued to different bodies so that these are available in one location for ease of reference and to avoid disputes about the legal powers of each organisation.

Some case studies are also included to highlight how different bodies have already implemented the arrangements set out. The case studies are included in Annex 9.

This guide does not seek to provide a comprehensive legal background or a complete statement of the law or policy. Appropriate legal (and other) advice should be sought in individual cases.

3. Background.

On the 26th February 2010, the First Minister announced the establishment of a Wales Efficiency and Innovation Programme.

The Programme works across public services and sectors and one of the established workstreams is the ‘National Assets Working Group’.

The public estate in Wales (excluding central Government assets) is valued at around £9.4 billion*¹. There has been ad hoc growth over many years and varying levels of corporate interest in its potential to drive efficiencies or deliver better services. The context has now changed. The efficiencies that can be derived from proactive, strategic estate management are fully recognised and the role of the estate in the delivery of high quality public services unquestioned.

To achieve effective strategic management of land and buildings across the public sector means working together, sharing information, challenging ways in which we deliver services and encouraging effective procurement. The

¹ This is an asset/accounting value and does not represent market value.

NAWG seeks to, in the first instance, unlock key barriers and facilitate a more collaborative approach in the use of the public estate. Long-term this will enable a public sector to develop innovative solutions in an open and collaborative environment. The objective of the NAWG will be to work in collaboration with public sector bodies, to facilitate a change in the way in which public assets are procured, operated, shared and disposed.

The key driver is the production of an efficient framework within which land & property transfers in the public sector can be more effectively utilised to support strategic aims and assist in the delivery of One Wales objectives.

4. Application.

The purpose of this guide is to assist with the preparation of protocols designed to achieve and manage the efficient transfer or disposal of all landed assets / interests (including leases, easements, other forms of occupation agreements etc) or even co-locations, between public bodies. It is assumed that the desire / need for an inter-public body transfer has been identified.

It does not therefore deal with the mechanics of identifying property need or availability. This guide does not seek to offer specific property management advice with regard to the process leading to a decision to dispose. However, disposing organisations should establish (at a very early stage) the existence of any restrictions or governance issues that may impact on their ability to dispose of an asset. (See annex 1).

It is envisaged that specific protocols would predominantly concern surplus assets. However, it is acknowledged that there will be instances involving transfers of operational property that may require a different approach e.g. Compulsory Purchase acquisition, general sharing of facilities.

5. Barriers to the acceptance of this guidance and the development of specific Protocols

- Although the document lists the known transfer arrangements within the Welsh public sector, bodies may be reluctant to abandon any existing and well established arrangements.
- Bodies may fear that the adoption of this guidance and the creation of new protocols could be to their financial disadvantage.
- Some organisations may feel that the adoption of a national approach will lessen their organisational autonomy.
- The differing governance arrangements between bodies (for example internal decision making processes, requirements for consultation etc).
- The priorities and objectives of the bodies involved may conflict.

6. Disposal good practice.

Managing Welsh Public Money and specialist guides such as those from OGC and HM Treasury all require that disposal, by any means, is properly handled and accounted for. All disposals should be managed carefully with a clear audit trail. It is good practice to have in place a property strategy together with a business case for specific disposals. The process should set out a strategy and time frame, identifying clear goals and objectives, supported by the measurable benefits. Where a public body no longer has use for a property, it should consider how to dispose of the asset in a way that gives best available overall value for money.

While the disposal should look to achieve value for money for the taxpayer, there should be a clear methodology that would stand up to public scrutiny.

Accounting practice requires that property formally declared surplus be disposed of as expeditiously as possible. Delay in disposal results in costs associated with securing the unused asset and ties up capital in a resource that does not contribute to business objectives. From a property perspective however it will not always be the most prudent option to dispose of an asset as expeditiously as possible. For example consideration must be given to the longer term in respect of planning use and associated value. Whilst a delay in disposal may incur costs in the short term, the longer term benefits may far outweigh them. Likewise potential site amalgamations/marriage value opportunities should also be explored.

The NAWG have highlighted the usefulness of an all Wales (public sector) property database (for detail see annex 5). With property data being shared and importantly any surplus assets highlighted at an early stage opportunities for collaboration should follow. In the first instance where assets are declared surplus or are in the process of being declared surplus, public organisations/bodies within Wales should make full use of the e-PIMS Lite facility. The initial purpose of "lite" is to encourage the co-ordination of asset use. This can take several forms beginning with flagging up empty / surplus accommodation for disposal, intensification of existing space (within property) encouraging collaboration and new schemes / demand can be brought together for the shared use of accommodation.

While not a replacement for marketing, an asset can be made available for transfer, within the public sector prior to general release. It is worth noting that property within the Central UK Government estate must be floated on e-PIMS for 40 days prior to offering it to the open market. Another aspect of the system is that the assets availability can be flagged well in advance of it actually becoming vacant.

7. Overriding consideration.

Where land or property was originally purchased via a CPO process (or where the use of such powers were, or could have been, contemplated) and there has been no material change since acquisition, the disposing body may need to have regard to the “Crichel Down Rules” to give former owners a first opportunity to repurchase the land and consideration should be given as to the applicability or otherwise of those rules for which separate guidance is available. The various bodies need to consider whether the Crichel Down rules apply.

In addition any contractual agreement to offer the land to the previous owner (pre emptive clause), entered into at original purchase, may impact on the disposal.

8. Transfer or Disposal.

A change in the holding of assets, (including landed interests), between bodies within the public sector boundary (within Wales or UK) might be deemed a transfer. This would depend on the legal status of the bodies involved. There would be a need for an accounting adjustment between the two bodies to cover the transaction and there would also be additional accounting required if any losses, profits or impairments arise from the transfer. The budgetary implications would depend on the bodies involved and how they are scored by HM Treasury. Because of the numerous permutations of bodies, each potential transfer must be judged on its own merits, involving a business case and covering all legal and financial perspectives.

When, an asset is made available to a body outside the public sector then the transaction is classified as a disposal and not a transfer (such as a sale to a Registered Social Landlord).

Annex 7 lists the various bodies within the Accountancy Boundary.

9. Transfer / disposal Value.

The principal basis of valuation at disposal / transfer, of a land or property interest will be market value although different bodies have different definitions governing the assessment of value e.g. “best consideration that can reasonably be obtained”. (See annex 4 for definitions)

In disposing of surplus assets, the appropriate Accounting Officer must take professional valuations into account if selling / disposing of assets and ensure that decisions reflect the general principles of securing value for money and acting with propriety and regularity.

All assets held by the Assembly Government should be included on an appropriate departmental asset register with an appropriate value attributed to them. In normal circumstances land which is identified as surplus should be disposed of at a market valuation. The Permanent Secretary is the Accounting

Officer of the Assembly Government and, as such, is answerable to the UK Parliament for how the Assembly Government manages its finances.

Other bodies will have other arrangements and protocols regarding asset registers.

There may be other cases where land is transferred between local authorities, Assembly Government Sponsored Body, or other Government Departments and the Assembly Government and there will be implications for the disposing bodies in relation to achieving the best consideration reasonably obtainable.

In limited cases book transfers of operational land will take place within the Assembly Government. Where the asset is to be held for the same purpose, there will usually be no implications regarding tests of market value because the corporate owner of the asset remains the same. In such circumstances the assumption remains that the transfer occurs at Market Value. Should a book value (Fair Value) form the basis of the transfer, it must be up to date (no older than 9 months). In the case of part transfers or where land is held for a different purpose a new value will always be required.

The UK Government's Office of Government Commerce (OGC) recommends that unrestricted Market value transfers would not normally include a requirement for any claw back provision etc. from one public sector body to another; although it may be appropriate to include such arrangements on properties which are transferred at a restricted or reduced value.

Public sector bodies can dispose of assets below market value. However, even where the law allows, public bodies would need to give careful consideration to the accounting and financial implications when transferring assets between sectors and not obtaining market value. In particular, bodies should consider the potential impact on the income and expenditure account when 'derecognising' an asset for transfer and the funding implications thereon. This is particularly acute for entities that compile their accounts on the basis of the Government Financial Reporting Manual (FRoM) e.g. WAG, NHS, ASGBs etc.

10. Value for Money.

Government accounting practice acknowledges that, subject to achieving value for money overall, maximising the financial proceeds may not be the sole determinant of value for money. Other determinants, such as the securing non-financial benefits, the chances of a successful outcome and the impact of the disposal on others, may lead to a disposal at less than market value. In such cases the costs and benefits of the disposal must be clearly identified and documented and where appropriate controls put in place according to the level of risk identified.

If the disposal involves the sale of an asset from WAG to an outside body at less than market value then the difference between the proposed disposal proceeds and the market value would be classified as a gift. As such the

value of the gift constitutes a loss to the Assembly Government which has to be recognised in the Assembly Government's Resource Account and under the rules that govern the relationship between the Treasury and the Assembly Government (and also its sponsored bodies and the NHS Sector) this loss has to be properly charged to the resource account .

Any disposal at less than market value could potentially engage the state aid rules which are discussed further in Annex 4.

Further, where the disposal to an outside body includes obligations imposed on the use of the land, the public procurement rules may be engaged (see also Annex 4).

Both state aid and public procurement therefore need to be fully considered in any disposal and appropriate advice sought before proceeding.

11. The Transfer.

It will be appropriate to seek specific legal advice on the formalising of transfers or disposals depending on the circumstance of each case.

Transfer of ownership and title between organisations under the umbrella of "Welsh Ministers' ownership" amounts to an in house change in occupier and should therefore not require the rigour and formality of an exchange of contract and title registration.

Exchanges between public bodies (as opposed to transfers within the umbrella of 'Welsh Ministers') may require a more formal legal exchange. Individual arrangements and protocols will need to address the specifics as they arise.

Transfers between the Assembly Government and another body, such as an Assembly Government Sponsored Body, may benefit from a special relief in relation to Stamp Duty (see section 66 of the Finance Act 2003).

The application (or otherwise) of VAT to the transaction may differ depending on the nature of the holding / transaction.

12. Audit Trail.

It is important that a comprehensive documentary report is retained on the valuation process to ensure that any subsequent audit or governance scrutiny exercise can come to a clear view on the regularity and propriety of "procedures and transactions" and the assessment of overall "value for money".

13. Working Collaboratively.

The key message is that organisations should work collaboratively and seek to maximise benefits to both organisations. The process should not be

adversarial and should avoid a situation where both bodies engage in protracted negotiations.

Numerous Treasury guidance and advice from OGC has been issued detailing best practice on the disposal of assets. This specific guide focuses on transfers/disposals between public sector bodies in Wales and recommends the 2 organisations involved in any transfer/disposal should jointly commission a single valuation to determine the transfer sum. . This guide recommends the use of the District Valuer (DV) who provides an independent valuation service within the public sector. (See annex 2). The costs of the valuation should generally be borne jointly by the parties to reflect the joint savings involved.

Can two public bodies buying and selling an asset share valuation services?

There are no obvious barriers to public sector bodies obtaining a single, independent, valuation, providing that this is not in conflict with Standing Orders (or the ability to suspend said SO's). Presuming public bodies are obliged to use chartered surveyors this would be governed by the professional code of conduct as set out in the Royal Institution of Chartered Surveyors 'Red Book'

Powers to dispose.

The first issue to consider on any disposal is whether the public body has appropriate powers to dispose of the land. While this is the starting point, it does not necessarily follow that simply because a public body has power to dispose of land that it may do so in every case. Public bodies need to consider a whole range of factors, set out below, such as valuation, state aid, public procurement and the Crichel Down rules to name just some of these factors.

However, so far as powers are concerned, public bodies have wide ranging powers of disposal of property.

Welsh Assembly Government

Section 60 of the Government of Wales Act 2006 enables the Welsh Ministers to do anything which they consider to be appropriate to achieve one or more of the promotion or improvement of the economic; social and environmental well-being in Wales. Similar well-being powers are available to Local Authorities.

Section 71 of the Government of Wales Act empowers the Assembly Government to do anything (including the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the exercise of any of its functions.

There is a power, for Assembly Government land acquired and managed by the Forestry Commission, under the Forestry Act 1967 to be disposed of by the Assembly Government under section 39 of that Act.

Under the Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005, the functions, property, rights and liabilities of the Welsh Development Agency transferred to the Welsh Assembly Government on 1 April 2006. The Assembly Government now has the power to acquire and dispose of land for development purposes under section 1(7)(h) of the Welsh Development Agency Act 1975. The power to dispose is limited by section 21B which provides that land may not be disposed of for less than the best price that can be reasonably obtained unless it is either (i) disposed of for use as a public open space after works have been carried out on it (see section 16(7) or (ii) the Welsh Ministers consider it appropriate to do so. This means that while the Welsh Ministers have powers to dispose of land at less than a reasonable price, they must consider the reasons for doing so and must be able to articulate their reasons for doing so.

Local Government, Police, Fire and National Park Authorities

Local government bodies have a general duty to obtain best price when disposing of assets. Section 123(2) of the Local Government Act 1972 requires local government bodies to obtain the consent of the Secretary of State prior to disposing of an asset for a consideration that is less than the best that can reasonably be obtained.

However, the Local Government Act 1972: General Disposal Consent (Wales) 2003 (General Disposal Consent), which came into effect on 31 December 2003, removed the requirement for local government bodies, including police, fire and rescue and national park authorities, to seek specific consent for any disposal at an undervalue where the local government body considers that the disposal is in the interests of the economic, social or environmental well being of the whole or any part of its area, or any or all persons resident or present in its area and the undervalue is £2,000,000 or less.

Paragraph 4 of the General Disposal Consent requires local government bodies to advise their auditors within 28 days of a decision to dispose of land, where reliance is placed on the consent.

NHS Estate in Wales

Paragraph 13(3) of Schedule 2 to the *National Health Service (Wales) Act 2006* gives Local Health Boards (LHBs) the power to donate and receive assets, and transfer them at below market value, with the prior consent of the Welsh Ministers (this is not confined to transfers within the NHS.) Paragraph 14 of Schedule 3 of the 2006 Act gives the same powers to NHS Trusts, but does not require them to obtain the consent of the Welsh Ministers. In both instances the relevant actions must be 'necessary or expedient for the purposes of or in connection with (their) functions'.

Charities

Charity trustees can dispose of land & buildings at less than best value only in very limited circumstances such as when it is being disposed to another charity with the same objects.

Otherwise, trustees must obtain Charity Commission approval to do this. This approval will only generally be given in situations where the disposal is being made to a public body which intends to use the land & buildings for a purpose compatible with the objects of the charity.

Trustees have a duty to always act in the best interests of the charity. Consequently, trustees are legally required to ensure disposal of charity land & buildings is in the charity's interests & that they obtain the best price

reasonable in the circumstances. In order to do this, trustees must, when disposing of land & buildings:

- obtain & consider a written report from a qualified surveyor – effectively obtain a survey and valuation – this report must comply with the Charities (Qualified Surveyors' Reports) Regulations 1992
- advertise the disposal following the surveyor's advice
- be satisfied that the proposed terms of the disposal are the best that can reasonably be achieved

If trustees are unable to comply with 1 to 3 above they must obtain an Order from the Charity Commission – this is effectively the Charity Commission's authority and approval for the disposal. It provides assurance that the trustees have carried out the transaction openly and transparently and that it is in the best interests of the charity.

Trustees must always get an Order from the Charity Commission when they dispose of land & buildings to a connected person (section 36(1) of the Charities Act 1993). This is the case even if they can comply with 1 to 3 above.

An Order will have to be obtained where a disposal is at undervalue, for instance a disposal of property to another public body intending to use the property for a purpose that is compatible with the objects of the charity.

Further detail on this can be found in the Charity Commission publication CC28

<http://www.charity-commission.gov.uk/Publications/cc28.aspx>

Central Government

According to the central government guidance 'Managing Welsh Public Money': Asset Transfers between Public Sector Organisations (A4.8.5), organisations may transfer assets among themselves without placing the property on the open market, provided they do so at market prices and in accordance with the following guidance (box A4.8.3):

- Value assets at market prices using RICS' Red Book
- The organisations should work collaboratively on the transfer to agree a price.
- The organisations should take legal advice.

Loans of assets should specify the terms of each loan, with conditions for return, liability, damage and charges for use (A4.8.4.2).

However, under paragraph 2.1 - Power to commit public funds, *'The Welsh Ministers have broad powers to direct the business of the Assembly*

Government. In general, they may do anything that is authorised under the Government of Wales Act 2006; any subsequent Legislative Competence Orders (LCOs) and any other enabling legislation’.

Consideration could therefore be given to the extent to which Welsh Ministers could override MWPM for themselves and AGSBs if they chose to do so. Consideration could also be given to whether a body could consider a transfer at undervalue as being a grant if they have general grants giving powers.

Probation

All real estate is owned by the National Offender Management Service and not by individual trusts. The costs of the estate are recharged (although not in full) to the trusts. Acquisition and disposals are all handled by NOMS and subject to CG rules.

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Valuation Procedures.

It is the recommendation of the NAWG that in a transfer between public bodies in Wales, the valuation is prepared by the District Valuer (DVS) by way of an “independent valuation report” (IVR). This substitutes the previous “identity of views” reports that some may be familiar with. Estates and Projects will liaise with DVS to agree procedures; as a result this appointment represents the default position. The rationale for their appointment is detailed at the end of this Annex. Where other contractual or framework arrangements exist with other advisers or in exceptional circumstances an alternative professionally qualified valuer may be used where both parties are in agreement. However, procedures must be in place that mirror those of DVS

Usually the disposing body would be responsible for commissioning the advice from DVS. (Where the acquisition covers circumstances that would otherwise involve a Compulsory Purchase Order the position may be reversed) The instruction must be in writing (E-Mail may be acceptable) and provide sufficient information to enable identification of the property interest along with tenure details and confirming that the request is for an “independent valuation report” for the purposes of a “transfer (or disposal) between public bodies”. The DV should be briefed regarding the circumstances of the disposal / acquisition. If there are plans of the holding and documents supporting the tenure (i.e. lease papers) they should also be supplied along with any condition reports or site investigation details. The instruction should also include details (with contact name) of the acquiring organisation and the form of instruction and costs agreed with that organisation in advance, to avoid protracted discussions about the outcome of the IVR. (An instruction check list is included within this guidance-Annex 6). The Instruction should be sent to the DVS office at Cardiff although may be dealt with by staff at a location closer to the subject site.

DV Services will confirm the instruction, identifying a case reference and setting out the terms of the instruction giving the name of the appointed valuer, contact details, an estimated cost for the work and a provisional time scale for delivery. The DV may request information to clarify any issues that might impact on value. The DV will also declare any past involvement with the property and is duty bound to declare any vested interest.

It will be the DVS Valuer's responsibility to act fairly and impartially between the parties to the transaction. Each body should be kept informed of progress and also be given an opportunity (if they wish) to provide evidence to assist with the valuation process. If the DV advises that it may be prudent to request further investigation of a site or property (e.g. mineral stability report, building surveyor's advice) that need should be brought to the attention of both parties so a joint decision can be made on its appropriateness. Draft reports will be issued to both parties for observations prior to the final report but the decision on value is for the independent Valuer (DV).

The inclusion of restrictions (both external and voluntary) will impact on valuation. It is recommended best practice that the two parties to the transfer / disposal agree the heads of terms for the proposal prior to instructing DVS. This will ensure the Valuer has all the relevant information (which could impact on value) and avoid the necessity to review a valuation later in the process.

Valuation Date.

The Valuation date will be the date of the DVS Independent Valuer Report (IVR). It is envisaged that the transfer will be concluded within a reasonable period. However, the DVS report will have a limited validity period usually with a maximum of 6 months. After expiry, a report will require re-validation by the Valuer or a revised valuation supplied (depending on market conditions).

Valuation Report (IVR) content.

In order to comply with all of the requirements regarding professional standards, DVS have a suite of standard report formats. These are reviewed in line with periodic advice from the professional bodies. However, individual bespoke protocols may need to accommodate specific issues depending on the nature of the disposal / transfer.

For example, the RICS UK Guidance note 5 (UKGN5) specifies valuation reporting requirements for a disposal at below market value. In particular it requires the valuer to specify the difference between Market Value and Market value subject to voluntary restrictions. This is so that the client (Local Authorities in the case of UKGN5) is aware there is a difference and can make a judgement regarding the financial and state aid impact of the restriction.

It is recommended that in preparing specific protocols and desk instructions the content of "standard" reports is set out and agreed between the users.

Why specifically the DV

The requirements of an IVR will be prior agreed with DVS in advance of this document being adopted. In addition there are 5 areas where the public sector has special needs or where general considerations take on extra significance:

- Confidentiality- Being within the public sector DVS it is fully compliant with requirements of the Freedom of Information Act 2000 and aware of where it applies.
- Independence & Impartiality- customers of DVS and professional bodies attach considerable importance to the advice being seen to be fair and impartial while still under the public sector umbrella.
- Consistency- in the approach to valuations and in interpretation of legislation consistency is essential between one person and another and between one part of the country and another in order to retain the confidence of the public body. This is more easily obtained by a single national service, as information and guidance can be collected centrally and disseminated to ensure a consistent and uniform approach.
- Public Accountability- Ministers, Councillors and officials are accountable to the public for the valuations carried out on their behalf and they benefit from the use of a public sector valuation service who meets the requirements of public scrutiny.

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Existing protocols include:-

- Welsh Health Circular (WHC (2007) 088 – A framework for the provision of surplus NHS land for affordable housing
- Protocol for the disposal of Welsh Assembly Government / AGSPB land for affordable housing (published 2007)
- Desk instruction for the transfer of land for highway purposes between DE&T Transport and Forestry Commission Wales
- Draft protocol between DE&T and housing directorate
- Draft protocol for the acquisition of DE&T operational land by Local Authorities through the transport grant mechanism, administered by Transport Wales
- Protocol for the acquisition of DE&T Operational land by Transport and Strategic regeneration for trunk Road development

It is good practice that protocols are reviewed regularly (with a maximum shelf life of 3 years).

Definitions & terminology:

Surplus Asset:-

The Welsh Assembly Government, AGSBs, and the NHS in Wales have significant land holdings. Much of the land is required for ongoing services and operations. However, the Government Accounting advice is that land holdings should be kept under constant review and once surplus assets have been identified, they should be disposed of as quickly as possible, subject to value for money considerations.

Land and or buildings that cease, permanently, to be used for the needs of a public body are designated as non operational assets awaiting disposal. These surplus property interests are then often re-valued (for capital accounting purposes) to Market Value.

Each body will have established guidance on when an asset formally becomes surplus. However, it can sometimes be prudent to examine the possibility of disposal prior to formal declaration.

Fair Value:-

Fair value is a measurement basis required or permitted under International Financial Reporting Standards. Fair Value is a broader concept than Market Value. Although in many cases the price that is fair between two parties will equate to that obtainable in the general market, there will be cases where the assessment of Fair Value will involve taking into account matters that have to be disregarded in the assessment of Market Value. While the International Valuation Standards Council is currently consulting on a usable definition the RICS defines fair value as follows:

(Red Book) Royal Institution of Chartered Surveyors Practice statement 3.5:

“The amount for which an asset could be exchanged, between knowledgeable, willing parties, in an arm’s length transaction”

Fair value is often known as book value as it represents the valuation for asset purposes. The general principles underlying the valuation for financial accounting (asset valuation) are no different from those of other assets where there is a requirement to determine the value to the business in terms of the contribution those assets make to the activities and function of the business.

Market Value:-

The basis of “Market Value” is an internationally recognised definition. It represents the figure that would appear in a hypothetical contract of sale at the valuation date.

(Red Book) Royal Institution of Chartered Surveyors Practice statement 3.2:-

“The estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an arm’s-length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion”.

Unrestricted Value:-

This is the best price obtainable for a property and accords with the definition of Market Value (above). It is the amount which would be received for a disposal of a property where the principal aim was to maximise the value of the receipt. This value will be determined subject to any external or statutory conditions (e.g. planning guidance) specific to the site / property.

Restricted Value:-

This is the market value of the property having regard to any proposed terms to the transaction. It is defined in the same way as unrestricted value, except that it should take into account the effect on value of any voluntary conditions.

The restricted value will often take into account claw back mechanisms which while specifying a restriction, enable the disposing organisation to reclaim value if the restriction is breached.

The resultant value may be described as “Market Value subject to restrictions”. The precise nature of the restrictions must be established in advance of obtaining a valuation report. The report must specify those restrictions as reflected in the Valuer’s opinion. By example WAG usually requires an undertaking that buildings constructed on its (former) land will achieve a BREEAM excellent rating.

Voluntary Conditions:-

A voluntary condition is any term or condition of the proposed transaction which the body chooses to impose. It does not include any term or condition which the body is obliged to impose, (for example, as a matter of statute), or which runs with the land.

The value of voluntary conditions is the total of the capital values of voluntary conditions imposed by the body as terms of the disposal or under agreements linked to the disposal that produce a direct or indirect benefit to the disposing body which can be assessed in monetary terms. It is not the reduction in

value (if any) caused by the imposition of voluntary conditions and any adverse effect these may have on value should not be included in this figure.

Best Value:-

This is a term often referred to in public sector procurement circles and sometimes used by OGC; it is linked to what is described as “value for money”. Generally in pure financial terms the best value option would be the one with the lowest cumulative cost to the acquirer.

Definitions often revolve around:

‘The optimum combination of whole life cost and quality (or fitness for purpose) to meet the customer’s requirement’

Best Value need not be the same as market value. It recognises the relationship with value for money overall, as opposed simply to the maximum achievable sale price.

Under Value:-

Undervalue is the expression used to identify the difference between the unrestricted value of the interest to be disposed of and the consideration/payment proposed.

Managing Welsh Public Money:-

A guide published by Welsh Assembly Government finance colleagues. It is described as a “must read” for all engaged within the finance function of the Welsh Assembly Government, and anyone seeking to understand public sector funding together with the principles of regularity and propriety in expending resources.

Value for Money (VFM):-

The Welsh Assembly Government’s definition of Value for Money is contained within the publication ‘Managing Welsh Public Money’:-

The process by which ‘an organisation’s procurement, projects and processes are systematically evaluated and assessed to provide confidence about stability, effectiveness, prudence, quality, good value and avoidance of error and other waste, judged for the public sector as a whole’.

UKGN 5:-

The RICS Appraisal and Valuation Standards UKGN5 cover Local Authority Disposal of Land at less than best consideration. It highlights the wide powers, for disposal that are available to Local Authorities.

In addition it provides guidance on the valuation basis and assists the Valuer by highlighting key components of any report.

Well-Being Powers:-

These are discretionary powers of the Welsh Ministers, to undertake any action to promote or improve the social, economic and environmental well-being of Wales or any part of Wales. The power is designed to, encourage innovative practice and provide opportunities for bodies, together with their partners, to help facilitate objectives that are likely to improve well-being.

The Assembly Government may potentially dispose of land or property at less than market value in accordance with its well-being powers, provided all other compliance checks have been undertaken (such as state aid and public procurement – see below).

The Government of Wales Act 2006 enables the Welsh Ministers to consider disposal at a below “market value” consideration to be appropriate, to achieve one or more of the promotion or improvement of the economic; social and environmental well-being in Wales.

Comparable well-being powers for local government are set out in Section 2 of the Local Government Act 2000 subject to certain caveats (that do impact specifically on the ability of local authorities to dispose of land). The Local Government Act 1972 imposes a requirement on a local authority to seek the agreement of the Welsh Ministers for the disposal of land at less than market value. By letter of 16 December 2003 (the General Disposal Consent (Wales) 2003) the Welsh Ministers agreed that this requirement would apply only to where the undervalue is £2 million or more.

The Management Statement and Financial Memorandum of Assembly Government Sponsored Bodies also include provision for the disposal of assets at less than market value subject to the consent of the Assembly Government.

The NHS (Wales) Estatecode allows for disposals at a price below market value in circumstances where it is relevant to consider issues of wider public benefit (“a concessionary sale”). The approval of the Minister for Health & Social Services for such a sale is required if the “concession” exceeds £100,000.

Crichel Down Rules:-

The rules were prepared by the UK Government as a result of issues raised in a land holding at Crichel Down in Dorset in the 1950s.

The rules are non-statutory. However, all government departments and the former nationalised industries are expected to observe them. They apply to land that was acquired by compulsory purchase or where the use of such

powers were, or could have been, contemplated, but which have since been declared surplus to requirements.

Local authorities in Wales are recommended to adopt the rules but this is not, strictly speaking, mandatory

The land is to be offered back to the original owner (or successor in title) at the market value, provided the nature of the property has not suffered a 'material change'.

State Aid:-

There are no state aid implications for a disposal at unrestricted market value. Transfers between departments of the Welsh Assembly Government are not disposals for this purpose.

EU law generally prohibits individual member-state governments and public bodies from providing funding to "undertakings" which are defined as bodies engaged in economic activity. Economic activity arises wherever there is a competitive market. Were governments to fund economic activity this would lead to unfair competition across the EU, undermine the market principle, discourage undertakings from being competitive and would ultimately lead to higher prices for consumers. This prohibition on funding undertakings is generally described as the "State Aid Rules".

Many individuals, charities, not-for-profit organisations and public bodies are involved in economic activity. For instance, a not-for-profit organisation may provide a nursing home, but simply because the organisation does not make a profit, it does not automatically follow that it is not engaged in economic activity. There will be other undertakings in the market providing the same service and so funding it would, on the face of it, engage the State Aid Rules.

There are, however, circumstances where the EU permits aid to undertakings. In Wales, there are areas ("convergence" areas) which are entitled to "structural funds" from the EU to assist with regeneration. However, in order to be permitted, the funding must be subject to a notified scheme or an exemption. Otherwise, Member States must notify the EU Commission in advance of awarding State Aid which the Commission will then approve or refuse. Certain large sums must be notified in any event (regardless of any scheme or exemption).

The starting point is to consider the 5 State Aid tests set out here:-

- Is the aid granted by the state or through state resources?
- Does it confer an advantage to an undertaking?
- Is it selective, favouring certain undertakings?
- Does the measure distort or have the potential to distort competition
- Is the activity tradable between member states

Please note that state aid does not have to be in the form of money, it can be in other forms such as land. It can also arise where a public body relaxes its usual requirements such as relieving a tax burden or disposing of land at an undervalue as discussed above.

If the 5 tests are satisfied, then it is necessary to consider whether the aid may be exempt or permitted in accordance with a notified scheme. It is outside the scope of this guide to provide details of individual schemes but advice should be sought on this issue. The Welsh Assembly Government's State Aid Unit advises officials as to state aid.

The key message is – seek advice early. State Aid rules are complex and getting it wrong can mean that the aid has to be repaid. Specific protocols must therefore address the issues pertinent to the proposed exchange. By example there is guidance on land released for affordable housing.

Public procurement:-

So far as the law of public procurement presently applies, where a public body disposes of land without imposing any conditions as to how that land should be used, public procurement implications will not arise.

However, where the public body disposes of land with a requirement that it be used or developed for particular purposes or in a particular way, the Public Contracts Regulations 2006 (the "Regulations") may apply. For instance, the Welsh Assembly Government may dispose of land to a local authority on the condition that it constructs a care home on the land. If the Regulations apply to the disposal, the public body must advertise the disposal of the land as a "public works contract" because the disposal involves imposing a requirement that the land be developed in a particular way, in other words, that works will take place on it. The opportunity to acquire the land must be advertised across the whole of the EU in "OJEU" the Official Journal of the EU. The Regulations stipulate that various alternative methods of advertising may be used, depending on the circumstances. These methods will stipulate time limits for return of tenders etc.

If a public body fails to advertise (correctly or at all) a public works contract which is subject to the Regulations, and simply disposes of the land to another public body without following the OJEU procedure, an aggrieved third party, which would have submitted a tender to acquire and develop the land (had it been advertised), may issue legal proceedings. If those proceedings are successful, the contract to sell the land could be cancelled, and the public body ordered to pay a civil financial penalty (essentially a "fine") as well as compensation and legal costs. The implications of failing to follow the Regulations are therefore, potentially very serious.

The Regulations apply only where the value of the works exceeds £3,927,260, but even the value is below this level, EU law requires some advertising of the land even if it is not advertised in OJEU.

This explanation provides only a brief overview of how public procurement may apply to disposals of land. This is a developing area of law and carries many uncertainties. Legal advice is recommended in individual cases.

National Assets Working Group (NAWG):-

The NAWG will operate across the public sector to improve services by identifying, facilitating and supporting the delivery of efficiencies and innovation in the operation of the public estate and its corresponding assets.

The aim of the Group is to develop a structure to help ensure that the public estate, including land, is utilised to its maximum efficiency to support service delivery and value for money across a wide range of assets – heritage, roads, social care facilities, libraries and leisure centres.

The objective of the NAWG will be to work in collaboration with public sector bodies, to facilitate a change in the way in which public assets are procured, operated, shared and disposed.

RICS:-

The Royal Institution of Chartered Surveyors is the recognised professional body for qualifications and standards in land property and construction.

All Wales public sector property database (e-Pims)

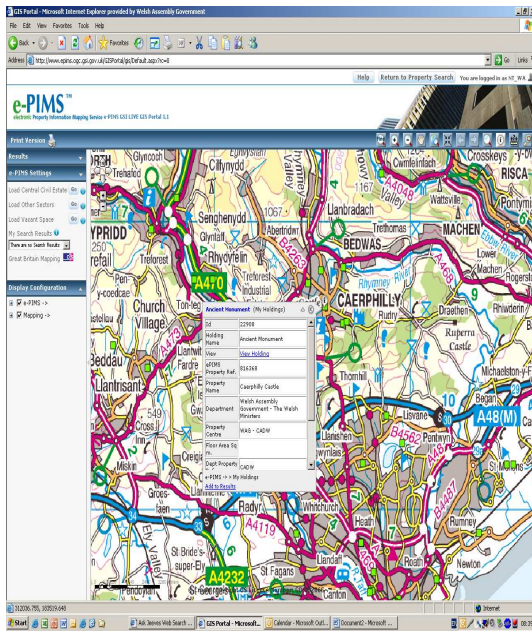
Working with representatives of Departments within the Welsh Assembly Government, AGSBs, NHS Wales and public Authorities across Wales, Estates & Projects division developed a system to register land and building interests. The register will be used to inform future strategic estates policies and to ensure that resources are developed and utilised to their full potential across the public sector.

The host system is e-PIMS (electronic property information and mapping service) which is a central database of civil estate properties, holdings and occupations developed by the OGC and already used by all Central Government Departments.

OGC developed an entry level version of their database known as e-PIMS “lite”. It provides a much more accessible route into e-PIMS (it requires fewer pages of detailed information) whilst still ensuring that key data - address, location and size of a holding is recorded. e-PIMS “lite” links to the mapping system, has ability to store electronic copies of leases, title documents, schedules of dilapidations, building audits, digital photos and other notes which will facilitate the storage of estates information for user bodies in Wales. The system will also access the vacant space register currently utilised by the central Government estate. This can alert other users (within the public sector) to the current (or planned) availability of accommodation.

Unlike other systems, e-PIMS provides all registered users with access to high level information across the database. This means that registered users can see, at a glance where other public sector property assets are located, their use and (in the full version) can be provided with a contact name to enable follow up enquiries to explore collaboration or development opportunities.

Property is displayed by map and behind the entry sits basic information about the holding such as size and tenure. The advantage of the system is that it is internet based, so (subject to password access) can be viewed by public organisations when planning schemes or collaborative property projects. Crucially it's free to use and E&P would supply advice and training to interested organisations.



For more information contact:-

Nigel Thomas

Principal Estates Surveyor

Nigel.thomas2@wales.gsi.gov.uk

029 2082 1557

CHECK LIST FOR INSTRUCTION TO DV FOR IVR

1. Full address of property.
2. Copy of Ordnance Survey (OS) extract plan indicating location and extent of property.
3. Confirmation that this is a request for an “Independent Valuation Report” (IVR) for a transfer / disposal between public bodies (with some background to the transaction).
4. Name and contact details of the proposed parties to the transaction.
5. Description of property (e.g. land, house, flat, factory etc.).
6. Area of site or area of building (if not known DV will provide both parties with any survey data gathered as part of the valuation process).
7. Tenure as held; Freehold, Leasehold (if Leasehold details of terms and or copy of lease)
8. For disposals, confirmation of transaction tenure (e.g. may envisage granting a lease over property held as Freehold).
9. Supply information on any inferior interests (e.g. easements, rights of way, exiting tenancies etc).
10. Provide means of access (contact details if appropriate) for inspection.
11. If any condition or investigation reports exist supply copies to DV (for buildings, information on energy certification and access to the Asbestos register may be required.)
12. Provide details of any planning consents available on completion. (Include any known restrictions or proposed section 106 planning agreements).
13. Supply the Valuer with any information relating to known restrictions such as CADW listings, conservation area status, tree preservation orders etc.
14. Give details of any proposed voluntary restriction to use (not appropriate for internal transfers).
15. Provide information regarding any service connections if known (gas, electricity, mains drainage & water)
16. Indicate if the transaction will be subject to VAT.
17. Provide date when property will be available for transfer / disposal.
18. Provide copy of the instructing letter to the other organisation.

District Valuer (DVS):-

District Valuer Services (DVS) is an arm of the Valuation Office Agency (VOA), providing professional property advice across the public sector, including private and third sector clients involved in delivering public services and functions of a public nature. It is a not-for-profit UK Government agency. The VOA is a Crown body and may be recognised as such when considering issues over procurement of their services.

DVS Wales main offices are at Cardiff but have offices at Newport, Merthyr Tydfil, Swansea, Carmarthen, Wrexham and Bangor.

Contact Alan Colston on 029 2080 6857, alan.d.colston@voa.gsi.gov.uk

District Valuer Services, Ty Rhodfa, Ty Glas Road, Llanishen, Cardiff,
CF14 5GR

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The Public Sector Boundary (Wales):-

Welsh Assembly Government
Inc. Royal Commission for Ancient and Historic Monuments

Subsidiary Companies

Finance Wales PLC
Welsh Development Management LTD
International Business Wales LTD
Design Commission for Wales
Meat Promotion Wales
Newport Unlimited
Ryder Cup Wales 2010 LTD
Regeneration Investment Fund for Wales LLP

Local Health Boards.

Note: All of the above are included within the WAG Consolidated Resource Accounting Boundary

Assembly Government Sponsored Bodies (AGSBs)

NHS Trusts
Environment Agency Wales
Forestry Commission Wales
Children's Commissioner for Wales
Older People's Commissioner for Wales
National Assembly for Wales Commission
Welsh Administration Ombudsman

Note: All of the above are included within the WAG Budgeting Boundary

Public Sector Bodies outside the current accounting and budgeting boundary include:

Local Authorities
General Teaching Council (Wales)
Estyn

Bodies outside the Public Sector include:

Registered Social landlords (RSL)
Voluntary sector organisations

EXTRACT FROM LOCAL GOVERNMENT ACT 1972

123 Disposal of land by principal councils

(1) Subject to the following provisions of this section, a principal council may dispose of land held by them in any manner they wish.

(2) Except with the consent of the Secretary of State, a council shall not dispose of land under this section, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.

[(2A) A principal council may not dispose under subsection (1) above of any land consisting or forming part of an open space unless before disposing of the land they cause notice of their intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal which may be made to them.

(2B) Where by virtue of subsection (2A) above a council dispose of land which is held—

(a) for the purposes of section 164 of the Public Health Act 1875 (pleasure grounds); or

(b) in accordance with section 10 of the Open Spaces Act 1906 (duty of local authority to maintain open spaces and burial grounds),

the land shall by virtue of the disposal be freed from any trust arising solely by virtue of its being land held in trust for enjoyment by the public in accordance with the said section 164 or, as the case may be, the said section 10.]

(3)–(6) (Repealed)

(7) For the purposes of this section a disposal of land is a disposal by way of a short tenancy if it consists—

(a) of the grant of a term not exceeding seven years, or

(b) of the assignment of a term which at the date of the assignment has not more than seven years to run,

“Principal Councils” means any of the 22 local authorities in Wales as set out in Parts I and II of Schedule 4 to the Local Government Act 1972.

GENERAL DISPOSAL CONSENT (WALES) 2003

To :

Chief Executives
County and County Borough Councils

Clerks
Community Councils

Chief Officers
National Park Authorities
Fire Authorities
Police Authorities

One Voice Wales
Association of Larger Local Councils
National Association of Local Councils Cymru
North Wales Association of Town Councils
Wales Association of Community and Town Councils
Welsh Local Government Association

Audit Commission in Wales

Our ref: **NAFWC 41/2003**

December 2003

**LOCAL GOVERNMENT ACT 1972 : GENERAL DISPOSAL CONSENT
(WALES) 2003**

**DISPOSAL OF LAND IN WALES BY AUTHORITIES FOR LESS THAN
BEST CONSIDERATION**

1. This circular and the General Disposal Consent (Wales) 2003 ("the General Disposal Consent") apply to the following authorities in Wales: county and county borough councils, community councils, fire authorities constituted by a combination scheme, police authorities and national park authorities. Authorities have powers, under sections 123 and 127 of the Local Government Act 1972 ("the 1972 Act"), to dispose of land in any manner they wish provided that the disposal is not at an undervalue. A disposal will be at an undervalue where the proposed consideration is less than the best that can reasonably be obtained.

2. The General Disposal Consent (Annexed to this circular), which comes into effect on **31 December 2003**, removes the requirement for authorities to seek specific consent for any disposal at an undervalue where the authority considers that the disposal is in the interests of the economic, social or environmental well being of the whole or any part of its area, or any or all persons resident or present in its area **and** the undervalue is £2,000,000 or less.

3. If an authority considers that a proposed disposal is at an undervalue and does not fall within the scope of the General Disposal Consent then it must first obtain the consent of the National Assembly for Wales ("the National Assembly") – see paragraphs 12 to 14. Where an authority wishes to grant an option to purchase, or an option holder wishes to exercise a previously negotiated option, the authority must consider whether the option terms will result in an undervalue.

4. It is for the local authority concerned to decide whether a proposed disposal requires the consent of the National Assembly, seeking its own legal or other professional advice as appropriate, and to bear responsibility for its decisions. It is recommended that authorities confer with their external auditors when seeking to rely on the General Disposal Consent. In any event, where an authority intends to dispose of land in reliance upon the General Disposal Consent, it should notify its external auditor within 28 days of taking the decision to do so. Where the undervalue is likely to be substantial and could exceed the £2 million threshold, authorities are recommended to obtain a professional valuation, in terms of "unrestricted value" as set out in the General Disposal Consent, in order to assess whether the National Assembly's specific consent to the disposal is required. The valuer should be directed to have regard to the guidance on local authority disposals of land at an undervalue in the version of the Appraisal and Valuation Manual of the Royal Institution of Chartered Surveyors' (otherwise known as "the Red Book"), which is current at the time of the disposal.

5. The National Assembly's role is solely to determine any application for consent to a disposal on its merit. Where the National Assembly gives consent to a disposal, that consent will apply only to the particular transaction detailed in the application. If there are any material changes to the transaction terms, the authority will need to make a fresh application for consent. The National Assembly has no power to grant consent for a disposal that has already taken place.

6. The General Disposal Consent disappplies Department of the Environment/Welsh Office Circular 6/93 (WO 19/93) and the Department of the Environment, Transport and the Regions/Welsh Office Circular letter issued on 11 December 1998 and replaces the Local Government Act 1972 General Disposal Consents 1998. In so far as these documents relate to Wales, they should be disregarded from the date of coming into effect of the General Disposal Consent.

7. The General Disposal Consent does not constitute any consent that may be required under any enactment other than sections 123 and 127 of the 1972 Act. It is the responsibility of the authority to undertake any further procedures that may be necessary to enable it to dispose of any particular area of land. In particular, authorities should note that the terms of the General Disposal Consent do not extend to the disposal of land under section 233 of the Town and Country Planning Act 1990 Act ("1990 Act"). Where consent to a disposal of land is given under a statutory power other than

section 128 of the 1972 Act, that provision may state that no further consent in respect of that disposal is required. For example, paragraph 12 of Part III of Schedule 3 of the School Standards and Framework Act 1998 provides that where land is held for educational purposes and is disposed of to a governing body of a foundation, voluntary or foundation special school (or other person proposing to establish such a school) consent under section 123 of the 1972 Act is not required. In these circumstances further consent under section 128 of the 1972 Act will not be required. Authorities must ensure that the disposal is made under the appropriate statutory power.

8. Sections 123(2A) and 127(3) of the 1972 Act require that where an authority wishes to dispose of "open space" (defined by section 336(1) of the 1990 Act), it must advertise its intentions in a local newspaper for two consecutive weeks and consider any objections. Such advertisement must be undertaken regardless of whether the proposed disposal of open space falls within the terms of the General Disposal Consent.

9. Where an authority is directed to dispose of land, under sections 98 and 99 of the Local Government, Planning and Land Act 1980, the National Assembly's consent, for the purposes of the 1972 Act will be deemed given if compliance with the direction results in a lower price being paid than would have been realised through some other method of disposal. However, where the authority voluntarily attaches conditions to the disposal (in addition to any specified in the National Assembly's direction) and any resultant undervalue exceeds the £2 million threshold in the general disposal consent, the Assembly's specific consent will be required.

10. Authorities are reminded that all disposals need to comply with the European Commission's State aid rules. The subsidised sale of land and property, and its subsequent development, can be deemed to be State Aid. The Commission has approved several schemes where a permitted amount of aid is allowed in the sale of land and buildings and the proposed transaction must meet the terms of such schemes as are from time to time in force. If authorities conclude that the proposed transaction may constitute state aid, it must seek clearance from the European Commission before proceeding. Where there is a failure to notify aid, that aid is illegal and it may have to be recovered from the beneficiary. The responsibility for compliance with State aid rules rests with the authority.

Applications for Specific Disposal Consent

11. The Welsh Assembly Government anticipates that far fewer applications for specific disposal consent will be required as a consequence of the new General Disposal Consent. Where an authority considers that it requires the specific consent of the National Assembly to a disposal, an application should be submitted to:

Local Government Administration Team
Local Government Modernisation Division
Welsh Assembly Government
Cathays Park
CARDIFF
CF10 3NQ

12. In future, the Welsh Assembly Government intends to simplify its approach to dealing with disposal consents. Authorities will not normally be required to submit the detailed information previously required for all applications at the outset.

13. In submitting an application, an authority should provide sufficient information to enable the National Assembly to make at least a decision in principle on the disposal. This will depend on the nature and scale of the disposal, but as a minimum will include details of the current and proposed future use of the land in question and an explanation of the authority's reasons for wishing to dispose of the land at an undervalue. Following initial consideration of the application, the National Assembly may approve or reject the application, or give an in principle decision. The National Assembly will in general seek to reach a decision based on the initial application. However, where the National Assembly gives an in principle decision, it will at that stage request any further information that it requires in order to reach a final decision.

14. Any queries regarding this circular should be directed to the Welsh Assembly Government at the above address, or by telephone on 029 2082 3621.

Kate Cassidy
Head of Local Government Modernisation Division

Case Studies

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Q & A

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Report to: Communities Scrutiny Committee

Date of Meeting: 17 January 2013

Report Author: Scrutiny Coordinator

Title: Scrutiny Work Programme

1. What is the report about?

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?

To seek the Committee to review and agree on its programme of future work, and to update members on relevant issues.

3. What are the recommendations?

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

4. Report details.

4.1 Article 6 of the Council's Constitution sets out each Scrutiny Committee's terms of reference, functions and membership, whilst the rules of procedure for scrutiny committees are laid out in Part 4 of the Constitution.

4.2 Denbighshire County Council's Constitution 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.

4.3 For a number of years it has been an adopted practice in Denbighshire for scrutiny committees to limit the number of reports considered at any one meeting to a maximum of four plus the Committee's own work programme report. The objective of this approach is to facilitate detailed and effective debate on each topic.

4.4 The Committee is 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
- 4.5 In addition, when considering items for inclusion on the future forward work programme members may also find it helpful to have regard to the following questions when determining a subject's suitability for inclusion:
- 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?
- 4.6 As mentioned in paragraph 4.2 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 topics. No such proposal forms have been received for consideration by the Committee at the current meeting.
- 4.7 Cabinet Forward Work Programme
When deciding on their programme of future work it is useful for scrutiny committees to have regard to Cabinet's scheduled programme of future work. For this purpose a copy of the Cabinet's forward work programme is attached at Appendix 2.
- 4.8 Progress on Committee Resolutions
A table summarising recent Committee resolutions and advising members on progress with their implementation is attached at Appendix 3 to this report.
- 4.9 Implementation of New Recycling Arrangements
A number of concerns have recently been raised by elected members and residents with respect to the implementation of new recycling arrangements in south Denbighshire, in particular the problems that occurred during the roll-out of the new arrangements. In response to these concerns the Chair of Communities Scrutiny Committee has

agreed for the Committee to consider a report on the matter at its February meeting. However, this means that that Committee has currently five items scheduled into its work programme for its February meeting. Having regard to the information in paragraph 4.3 above on the optimum number of reports for consideration at any one meeting Members are asked to determine whether they wish to reschedule any of the other reports currently listed for February's meeting, or if they wish to deal with them via any other route.

5. Scrutiny Chairs and Vice-Chairs Group

- 5.1 Under the Council's scrutiny arrangements the Scrutiny Chairs and Vice-Chairs Group (SCVCG) performs the role of a coordinating committee. In performing this role it can seek individual scrutiny committees to take ownership of specific topics.
- 5.2 At its meeting on 13 December 2012 the Group considered a request from officers for the effectiveness of the Council's Anti-Fouling Strategy and Action Plan to be scrutinised. The Group agreed that it would be apt for the strategy and action plan to be examined following its implementation to ensure that it was on course to deliver its objectives. Scrutiny early on during the implementation of the Strategy and Action Plan will enable any deficiencies or weaknesses to be identified and the development of measures to address them. Consequently the SCVCG recommended that Communities Scrutiny Committee should examine the topic and schedule the item into its forward work programme for April 2013. The Committee is asked to confirm these arrangements.

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 represent 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
28 February	1 Supporting People Strategy Update	As per Cabinet's request to consider the impact of the new Supporting People arrangements on the delivery and funding of Supporting People services in Denbighshire following the publishing of local authorities' 3 Year Spend Plans.	Identification of pressures caused by the new arrangements for the Supporting People Programme and potential solutions to alleviate any pressures identified	Sally Ellis/Jenny Elliot	October 2012
	2 Local Housing Strategy Update	To review the draft version of the revised the Local Housing Strategy, which provides strategic direction for the provision of housing in Denbighshire for the next 5 years.	Members contribute to developing an effective and viable Local Housing Strategy	Sue Lewis	October 2012
	3 Management of allocation of Section 106 Commuted Sums for open space provision and Community Infrastructure Levy(CIL)	To monitor the effectiveness of the management arrangements and funds received and committed (report to include the time limits applicable to each commuted sum)	Effective management of the commuted sums and CIL schemes will assist with the Council to deliver the regeneration priority and to bring the Council closer to the community	Graham Boase/Angela Loftus	July 2011 (rescheduled June 2012)
	4 <i>Implementation of the new recycling arrangements</i>	<i>To detail the problems encountered during the introduction of new recycling arrangements to southern parts of the county, how the roll-out was managed, the public's perception of the roll-out and</i>	<i>Ensure that lessons are learnt for future service change roll-outs and recommendations with respect of communicating changes about service changes to residents</i>	<i>Jim Espley</i>	<i>Dec 2012</i>

Communities Scrutiny Committee Forward Work Plan

Meeting	Item (description / title)	Purpose of report <i>how problems were addressed and managed</i>	Expected Outcomes	Author	Date Entered
	5	Getting Closer to the Community Programme Presentation of draft proposals on alternative forums and methods for engaging and consulting with residents to replace the former Community Forum meetings	The development of inclusive engagement/consultative methods/fora that will ensure local citizens actively engage with the Council and its partner organisations	Hywyn Williams/David Davies/Amanda Brookes	April 2012
18 April	1	Rhyl Going Forward Programme To evaluate and monitor the Programme's progress and achievements in delivering its anticipated outcomes; and (ii) identify any slippages with the Programme's delivery	Ensuring that the Programme: (i) has sufficient capacity, resources and the necessary commitment to deliver the intended outcomes for the Rhyl area; (ii) supports the future vision for Rhyl, and is conducive with the wider regeneration agenda for Denbighshire; and (iii) delivers a viable, sustainable future for the area and county in general, with improved long-term employment prospects and outcomes for residents	Tom Booty	September 2012
	2	Control of Caravan Sites To present the proposed standard conditions and procedures developed by the Working Group for the purpose of controlling and monitoring caravan sites in both Denbighshire and Conwy as well as the feedback received at the Operators' Seminar	The development of a robust and collaborative approach to ensure that tourist sites contribute to the local economy and the delivery of the regeneration corporate priority	Graham Boase/Neil Jones (CCBC)	July 2011 (rescheduled Dec 2012)

Communities Scrutiny Committee Forward Work Plan

Meeting	Item (description / title)	Purpose of report	Expected Outcomes	Author	Date Entered
3.	<i>Anti Fouling Strategy</i>	<i>To review the effectiveness of the strategy and action plan three months after its implementation</i>	<i>An understanding of the progress made to date with the Strategy and identify any shortcomings or amendments required to the Strategy at an early stage</i>	<i>Hywyn Williams</i>	<i>By SCVCG December 2012</i>
May/June	1 Local Housing Strategy	To consider the final version of the revised the Local Housing Strategy, which provides strategic direction for the provision of housing in Denbighshire for the next 5 years.	Members contribute to developing an effective and viable Local Housing Strategy	Sue Lewis	October 2012
July	1 Rhyl Going Forward Programme	To evaluate and monitor the Programme's progress and achievements in delivering its anticipated outcomes; and (ii) identify any slippages with the Programme's delivery	Ensuring that the Programme: (i) has sufficient capacity, resources and the necessary commitment to deliver the intended outcomes for the Rhyl area; (ii) supports the future vision for Rhyl, and is conducive with the wider regeneration agenda for Denbighshire; and (iii) delivers a viable, sustainable future for the area and county in general, with improved long-term employment prospects and outcomes for residents	Tom Booty	September 2012
Future Issues					

Communities Scrutiny Committee Forward Work Plan

Item (description / title)	Purpose of report	Expected Outcomes	Author	Date Entered
The Quality and Provision of Community and Education Facilities	To outline the extent and quality of community and education facilities across the county (including sports grounds and village halls and the assistance the Council can give local groups/communities to maintain and access community facilities)	That all residents have access to good quality and affordable community/education facilities within a reasonable distance of their local community	Hywyn Williams/Jamie Groves/Diane Hesketh	May 2011
Community Sustainability	To detail actions being taken by the Council with a view ensuring the sustainability of Denbighshire's urban and rural areas	Identification of measures and actions to improve the quality of life of local citizens by ensuring the viability of the County's diverse communities which will contribute to the regeneration of communities and the area and assist the local economy	Hywyn Williams/ Mark Dixon	May 2011
Waste Management Provision for Business and Schools	To detail the provision available to businesses and schools in the County with respect to waste management/recycling	To ensure that the majority of schools and businesses in the County are accessing the recycling services available with respect to the disposal of waste and are not incurring excessive costs in their attempt to recycle their waste	Steve Parker/Ken Thompson	May 2011
Heritage and Arts Assets (Nov/Dec 2013)	To give an update on the effectiveness of new business practices put in place under the review of the service	Evidence based recommendations with a view to further improving the offer to the public with limited resources	Steve Parker/Samantha Williams	Dec 2012
Community Covenant with the Armed Forces (Nov/Dec 2013)	To give an annual update on how the measures introduced under the covenant have supported the armed forces community in Denbighshire, and for the Committee to consider any changes to provision	Identification of improvements to the covenant and the formulation of recommendations to strengthen it	David Davies	Dec 2012

Communities Scrutiny Committee Forward Work Plan

<i>Access to the Countryside</i>	<i>New Committee post May to decide whether to proceed with this subject and to scope the purpose and expected outcomes</i>	<i>Mark Dixon/Huw Rees</i>	<i>May 2011</i>
<i>Transfer of Services to Town Councils</i>	<i>New Committee post May to decide whether to proceed with this subject and to scope the purpose and expected outcomes</i>	<i>Hywyn Williams /Paul Mead</i>	<i>May 2011</i>

For future years

Information/Consultation Reports

Information / Consultation	Item (description / title)	Purpose of report	Author	Date Entered
Information (April 2013)	School Transport [to be shared with education coopted members]	Information on the costs of school transport in Denbighshire, number of bus/taxi routes operated, number of pupils on each hired bus/taxi, any services under utilised and any services carrying children to schools which are not the nearest school (unless they are Welsh medium or faith-based schools) and which are not recharged to parents	Peter Daniels	June 2012
Information (January 2013)	Grass Cutting Contract Update	An update report to inform the Committee of the work undertaken by the working group of members of the Communities Scrutiny Committee and Council officers which will meet in December to develop the terms of the Council's grass cutting contracts.	Tim Towers	October 2012

Communities Scrutiny Committee Forward Work Plan

Note for officers – Committee Report Deadlines

Meeting	Deadline	Meeting	Deadline	Meeting	Deadline
28 February 2013	14 February 2013	18 April	4 April		

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Cabinet Forward Work Plan

Appendix 2

Meeting	Item (description / title)	Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
19 February	1 Financial Update Report			Cllr Julian Thompson-Hill / Paul McGrady
	2 Annual Report on the Housing Revenue Account / Housing Rent Increases			Cllr Hugh Irving / Peter McHugh
	3 BCU response to the consultation on "Healthcare in North Wales is changing"			Cllr Bobby Feeley / Sally Ellis
	4 Communications Strategy			Cllrs Hugh Irving & Hugh Jones / Jamie Groves / Gareth Watson
	5 The North Denbighshire Day Services Review			Cllr Bobby Feeley / Phil Gilroy
	6 Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention.	Tbc	Scrutiny Coordinator
19 March	1 Financial Update Report			Cllr Julian Thompson-Hill / Paul McGrady
	2 Capital Plan			Cllr Julian Thompson-Hill / Paul McGrady

Cabinet Forward Work Plan

Meeting	Item (description / title)	Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
	3 Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention.	tbc	Scrutiny Coordinator
16 April	1 Financial Update Report			Cllr Julian Thompson-Hill / Paul McGrady
	2 Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention.	tbc	Scrutiny Coordinator
14 May	1 Financial Update Report			Cllr Julian Thompson-Hill / Paul McGrady
	2 Ruthin Schools Review			Cllr Eryl Williams / Jackie Walley
	3 Cefndy Healthcare: Future Direction & Impact of Potential loss of DWP funding	To consider options in light of risks from loss of DWP funding & need to maintain employment for vulnerable & disabled people		Cllr Bobby Feeley / Phil Gilroy / Deborah Holmes-Langstone
	4 Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention.	tbc	Scrutiny Coordinator

Note for officers – Cabinet Report Deadlines

Cabinet Forward Work Plan

<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>
<i>January</i>	31 December	<i>February</i>	5 February	<i>March</i>	5 March

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Progress with Committee Resolutions

Date of Meeting	Item number and title	Resolution	Progress
6 December 2012	5. Review of Heritage and Arts Assets	<p>RESOLVED that the Communities Scrutiny Committee:</p> <ul style="list-style-type: none"> (i) endorse the operational measures that the Service has put in place, and the direction of travel that is now being followed; and (ii) a further report is submitted to the Committee in a year's time in order to give an update on the effectiveness of the strategy introduced following the Review and to appraise the Service's financial position. 	<p>Report scheduled into the Committee's forward work programme for November/December 2013</p>
	7. Community Covenant with the Armed Forces	<p>RESOLVED that the Communities Scrutiny Committee:</p> <ul style="list-style-type: none"> i) endorses the Community Covenant with the Armed Forces subject to clarification being provided of the potential impact on housing and employment in Denbighshire; ii) agree to add a report to the Forward Work Programme to be considered in 12 months' time which will allow the Committee to review the Measures contained in the Covenant. 	<p>Awaiting confirmation that the required clarification has been sought and received. The information should be available by the day of the meeting.</p> <p>Report scheduled into the Committee's forward work programme for November/December 2013</p>

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